English Translation of Jāmi' At-Tirmidhi

Compiled by:
Imām Hāfiz Abū ‘Eisā Mohammad Ibn ‘Eisā At-Tirmidhi

Volume 2

From Hadith no. 544 to 1204

Translated by:
Abu Khaliyl (USA)

Ahādith edited & referenced by:
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Final review by:
Islamic Research Section Darussalam
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In the Name of Allah,
the Most Gracious, the Most Merciful
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Chapter 39. (What Has Been Related About) Shortening The Prayer During Travels

544. Ibn ‘Umar narrated: “I traveled with the Prophet (ﷺ), Abū Bakr, ‘Umar, and ‘Uthmān; they would pray Zuhr and ‘Asr as two Rak‘ah and two Rak‘ah, not praying before them nor after them.” And Ibn ‘Umar said: “If I was going to pray before it or after it then I would pray it complete.” (Hasan)

(He said:) There are narrations on this topic from ‘Umar, ‘Alī, Ibn ‘Abbās, Anas, ‘Imrān bin Ḥusayn, and ‘Āishah.

Abū ‘Eisā said: The Hadith of Ibn ‘Umar is a Hasan Gharib Hadith, we do not know of it in this manner except as a narration of Yahya bin Sulaim.

Muhammad bin Ismā‘il said: “This Hadith has been reported from ‘Ubaidullāh bin ‘Umar, from a man from the family of Surāqah, from (‘Abdullāh) Ibn ‘Umar.”

Abū ‘Eisā said: It has been reported from ‘Aṭiyyah Al-‘Awfi, from Ibn ‘Umar, that the Prophet (ﷺ) would perform voluntary prayers while traveling before the prayer and after it. And it is correct that
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The Prophet ﷺ would shorten (the prayer) while traveling and that Abū Bakr, and ‘Umar would shorten while traveling, as would ‘Uthmān during the beginning of his Khalifah.

This is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others.

It has been reported from ‘Aishah that she would complete the prayer while traveling.

What is acted upon is what is reported from the Prophet ﷺ and his Companions.

And it is the view of Ash-Shafi‘i, Ahmad, and Ishāq, but Ash-Shafi‘i said that shortening is a permission for a person while traveling. So, if one completes the prayer, it is acceptable from him.

Comments:
The truth is that the Prophet ﷺ used to shorten the prayer during a journey, because therein is easiness. This is the objective of the Shari‘ah. So the prayer during a journey should be shortened; as the Prophet ﷺ named it permission and the reporter of this, ‘Aishah, used to pray full prayer, which means praying full prayer is also allowed. It cannot be stated that prayer is invalid because of not being shortened, even though the shortened prayer is preferred. [Al-Mughni: 3/123, Hujjatullah: 2/23, Al-Mir‘at: 2/259]

545. Abū An-Nadrah said: “‘Imrān bin Ḥusayn was asked about the traveler’s prayer. He said: ‘I performed Ḥajj with the Messenger of Allāh ﷺ, and he prayed two
Rak'ah. I performed Ḥajj with Abū Bakr, and he prayed two Rak'ah; and with ‘Umar, and he prayed two Rak'ah; and with ‘Uthmān for six years of his Khilāfah, or eight years, and he prayed two Rak'ah.” (Da’īf)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣahīḥ.

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣahīḥ.

Comments:

This Ḥadīth tells that as a traveler comes out of the territory of his own town, he is allowed to shorten the prayer.

546. Anas bin Malik narrated: “We prayed Zuhr as four with the Prophet ﷺ in Al-Madīnah, and ‘Asr as two Rak’ah in Dhil-Hulaifah.” (Ṣaḥīḥ)

(abies ‘Eisā said:) This Ḥadīth is Ṣaḥīḥ.

547. Ibn ‘Abbās narrated: “The Prophet ﷺ went from Al-Madīnah to Makkah, not fearing anyone except Allāh the Lord of the worlds, and he prayed two Rak’ah.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is (Hasan) Ṣaḥīḥ.

Comments:

This Ḥadīth tells that as a traveler comes out of the territory of his own town, he is allowed to shorten the prayer.

548. Ibn ‘Abbās narrated: “The Prophet ﷺ went from Al-Madīnah to Makkah, not fearing anyone except Allāh the Lord of the worlds, and he prayed two Rak’ah.” (Ṣaḥīḥ)

(abies ‘Eisā said:) This Ḥadīth is Ṣaḥīḥ.

Comments:

This Ḥadīth tells that as a traveler comes out of the territory of his own town, he is allowed to shorten the prayer.
The aim of Ibn ‘Abbás is that fear and danger are not a condition for shortening prayer on journey.

Chapter 40. What Has Been Related About How Long The Prayer Is Shortened

548. Yahya bin AbI Isaq Al-Hadrami narrated that Anas bin Malik said: “We went with the Messenger of Allâh ﷺ from Al-Madinah to Makkah, and he prayed two Rak’ah.” He said: “I said to Anas: ‘How long did Messenger of Allâh ﷺ stay in Makkah?’ He said: ‘Ten (days).’”

(He said:) There are narrations on this topic from Ibn ‘Abbás, and Jâbir.

Abû ‘Eisâ said: The Hadith of Anas is a Hasan Sahih Hadith.

It has been reported from Ibn ‘Abbás that during some of his journeys, the Prophet ﷺ stayed for nineteen (days) praying two Rak’ah. Ibn ‘Abbás said: “So when we would stay somewhere for nineteen (days) we would pray two Rak’ah, and if we stayed longer than that we would complete the Salât.”

It has been reported that ‘Ali said: “Whoever stays for ten days then he completes the Salât.”

It has been reported that Ibn ‘Umar said: “Whoever stays for fifteen days, then he completes the Salât.” Twelve has also been reported from him.
It has been reported that Sa’eed bin Al-Musayyab said: “When he stays for four (days) he prays four (Rak’ah).”

That was reported from him by Qatadah, and ‘Atã’ Al-Khurãsãni. DãwUd bin Abã Hind reported something from him that contradicts this, and the people of knowledge differed after that.

As for Sufyan Ath-Thawri and the people of Al-Kufah, they followed the fifteen day time limit. They said if one in intends to stay for fifteen days he completes the Salãt.

Al-Awzã‘I said: If he intends to stay for twelve days he completes the Salãt.

Mãlik (bin Anas), Ash-Shãfi‘i, and Ahmad said: When he intends to stay for four days, he completes the Salãt.

As for Is’hãq, he saw that the strongest view was in the Hadith of Ibn ‘Abbãs, he said: “Because he related it from the Prophet ﷺ, Then after the Prophet ﷺ, he (Ibn ‘Abbãs) gave the interpretation of it; that if one intends to stay for nineteen days he completes the Salãt.”

Then the people of knowledge agree that the traveler is to shorten his prayer as long as he does not intend to stay somewhere, even if that turns into years.

Shaikh Ubaidullah Mubarakpuri preferred the view of the *A'immah* of Hijāz, forty eight miles, concerning the distance of shortening the prayer, and he preferred the opinion of Imām Ahmad about the period of journey. [Mirāt: 2/256]

If one intends to stay for three days, he should shorten the prayer; and if the intention is to stay more than that, then he should pray full prayer from the first day. However he is allowed to shorten the prayer while traveling. The preferred view concerning the distance of shortening the prayer is of twenty three kilometres. Allāh knows the truth best!

**549.** Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ traveled on a journey and he prayed two Rak‘ah and two Rak‘ah for nineteen days.”

Ibn ‘Abbās said: “So when we would stay somewhere for nineteen (days) we would pray two Rak‘ah, and if we stayed longer than that we would complete the Ṣalāt.” (Ṣahih)

Abū ‘Eīsā said: This *Hadith* is Hasan Gharīb Ṣahīh.

A person on a journey is allowed to shorten only three prayers which consist of sets of four Rak‘ah; Maghrib and Fajr prayers are not shortened, according to the consensus.

**Chapter 41. What Has Been Related About Voluntary Prayers While Traveling**

550. Al-Barā’ bin ‘Āzib said: “I accompanied the Messenger of Allāh ﷺ on eighteen journeys, and I did not see him leave the two Rak‘ah when the sun waned before Zuhr.” (Hasan)

There is something on this topic from Ibn ‘Umar.
Abū ‘Eisā said: The Hadith of Al-Barā‘ is a Gharib Hadith.

He said: I asked Muhammad about it, and he did not know of it except as a narration of Al-Laith bin Sa‘d, and he did not know the name of Abū Bushrah Al-Ghifārī, and he considered his narrations to be Hasan.

It has been reported from Ibn ‘Umar that the Prophet ﷺ would not perform voluntary prayers while traveling before the (obligatory) Šalāt nor after it. And it has been reported from him (Ibn ‘Umar) that the Prophet ﷺ would perform voluntary prayers while traveling.

Then, the people of knowledge differed after the Prophet ﷺ, some of the Companions of the Prophet ﷺ thought that one could perform voluntary prayers while traveling. This is the view of Ahmad and Iṣḥāq. A group of the people of knowledge did not think that one was to pray before obligatory prayers or after them. Those who say that one is to not perform voluntary prayers while traveling mean that he should accept the permission (to not do so), and if one does perform voluntary prayers, then he would get many rewards for that. This is the view of most of the people of knowledge that prefer voluntary prayers while traveling.

تخرجٌ: [إسناده حسن] وأخرجه أبو داود، صالة السفر، باب التطوع في السفر، ج: ١٢٢٢ عن قتيبة بن مسعود، ح: ١٥٣ وابن الحاكم على شرط الشيخين: ٣٠٥٠/١٠ رواية الدهي

أبو بسرة الغفاري ثقة وله الحكمة المعتدل وابن حبان وغيرهما * "كان لا يتطوع في السفر..."
Comments:
It is incorrect to pray regular Sunnah on a journey along with the obligatory prayer, in the view of some Companions and the successors. (Al-Mugni: 3/156, for further detail see: Al-Mirāt: 2/262)

551. Ibn ‘Umar narrated: “I prayed Zuhr with the Prophet ﷺ on a journey as two Rak’ah, and two Rak’ah after it.” (Da‘if)

Abū ‘Eisā said: This Ḥadīth is Hasan, and Ibn Abī Laila narrated it from ‘Aṭiyyah and Nāfi’, from Ibn ‘Umar.

552. Ibn ‘Umar narrated: “I prayed with the Prophet ﷺ both, while a resident and while traveling. So I prayed four for Zuhr with him as a resident, and two Rak’ah after it. I prayed two Rak’ah for Zuhr with him while traveling, and two Rak’ah after it, and two Rak’ah for ‘Asr, and he did not pray anything after it. Maghrib while a resident and traveling is the same; three Rak’ah, it is not decreased as a resident nor while traveling, It is the Witr of the day, and after it are two Rak’ah.” (Da‘if)

Abū ‘Eisā said: This Ḥadīth is Hasan, I heard Muhammad saying: “Ibn Abī Laila did not narrate anything more amazing to me than this and I do not report anything from him.”
Chapter 42. What Has Been Related About Combining Two Prayers

553. Mu‘ādh bin Jabal narrated:

"While the Prophet was at the Battle of Tabuk, if he wanted to depart before the sun’s decline he would delay Zuhr so that he could pray it together with ‘Aṣr. If he wanted to depart after the sun’s decline, he would hasten ‘Aṣr to Zuhr, and pray Zuhr and ‘Aṣr together, and then move out. If he wanted to depart before Maghrib he would delay Maghrib until he prayed it with ‘Ishā’, and if he wanted to depart after Maghrib he would hasten ‘Ishā’ so that he would pray it along with Maghrib." (Ṣahih)

(He said:) There are narrations on this topic from ‘Ali, Ibn ‘Umar, Anas, Abdullah bin ‘Amr, ‘Āishah, Ibn ‘Abbas, Usāmah bin Zaid, and Jābir (bin ‘Abdullāh).

Abū ‘Eisā said: (And the one that is Sahih is from Usāmah.) And ‘Ali bin Al-Madīnī reported this Ḥadīth from Aḥmad bin Ḥanbal, from Qutaibah.

**Notes:**

- Sahih Muslim: 1276
- Sahih Al-Bukhari: 4924
- Sahih Al-Bukhari, 1111
- Sahih Al-Bukhari, 705
- Sahih Al-Bukhari, 135
- Sahih Al-Bukhari, 89

Translation:

Comment:

This Ḥadīth tells that sometimes Ibn ‘Umar would pray the Sunnah which were after the obligatory prayer, but he did not regard them necessary. It looks as if offering the later Sunnah is better if time and circumstances allow.
554. [(Another chain) Qutaibah narrated this Hadith to us, meaning the Hadith of Mu‘âdh]. (Sahih)

The Hadith of Mu‘âdh is a Hasan Gharib Hadith, Qutaibah is alone with it, we do not know of anyone who reported it from Al-Laith other than him. And the Hadith of Al-Laith from Yazid bin Abî Habîb, from Abû Tufail, from Mu‘âdh, is a Gharib Hadith.

What is popular among the people of knowledge is that the Hadith of Mu‘âdh is narrated by Abû Az-Zubair from Abû Aṭ-Tufail from Mu‘âdh: “That during the Battle of Tabûk, the Prophet combined Zuhr and ‘Âshr, and, Maghrib and ‘Ishâ’.” This was reported by Qurrah bin Khâlid, Sufyân Ath-Thawrî, Mâlik and others – from Abû Az-Zubair Al-Makkî. The view of Ash-Shâfi‘î is in accordance with this Hadith. Ahmad and Ishq said that there is no harm if one combines the two prayers while traveling, during the time of either of them.

Comments:
Combining a former prayer with the later one should be practised when setting off for a journey or during the journey, because Shari‘ah requires that prayer should be performed at its due time and combining two prayers is only the appropriate permission. (Hujjatullah: 2/240)

555. Nâfi’ narrated: “Ibn ‘Umar had been requested to urgently attend to one of his wives, so he hurried en route and delayed Maghrib until the twilight disappeared, then he dismounted to combine them (the
prayers). Then he informed them that the Messenger of Allah ﷺ would do that when he was in a hurry on a trip.” (Ṣahih)

Abū ‘Eisā said: This Ḥadīth is Ṣahih.

(And the Ḥadīth of Al-Laith from Yazīd bin Abī Ḥabīb is a Ḣasan Ṣahīh Ḥadīth.)

Comments:
It has the permission of combining a former prayer with the later one.

Chapter 43. What Has Been Related About Ṣalāt Al-İstisqa’ (The Prayer To Request Rain)

556. ‘Abbâd bin Tamîm narrated from his uncle: “The Messenger of Allah ﷺ went out with the people to seek rain. So he led them in prayer for two Rak’ah, reciting aloud in them, turning his upper wrap around, raising his hands, requesting rain, and facing the Qiblah.” (Ṣahih)

(He said:) There are narrations on this topic from Ibn ‘Abbâs, Abû Hurairah, Anas, and Abî Al-Lahm.

Abû ‘Eisâ said: The Ḥadīth of ‘Abdullâh bin Zaid is a Ḩasan Ṣahîh Ḥadīth. One should act based upon this, according to the people of knowledge. It is the view of Ash-Shâfi‘î, Ahmad, and Ishâq.

‘Abbâd bin Tamîm’s uncle’s name is ‘Abdullâh bin Zaid bin ‘Asîm Al-Mâzinî.

(المعجم) (42) - باب ماء جاه في صلاته

الاستسقاء (التحفة 278)

556 - حَدَّثَنَا يُحَيَّى بْنُ مُوسَى، حَدَّثَنَا عَبْدُ الرَّزَقِيَّ أَخْبَرَنَا مَعَمَرُ عَنْ الرَّهْطِي، عَنْ عَبْدَ الدُّرَّابِ بْنِ تَمِيمٍ، عَنْ عَمِّهِ أَنَّ رَسُولَ اللَّهِ ﷺ خَرَجَ لِلْإِسْتِسْقَاءِ فَصَلَّى بِهِ رَكَّاتَينَ وَخَلَفَ وَرَفَعَ رَدَاءَهُ وَفَيَّرَ فَيَّرَ وَبَلَغَ الْقِبْلَةَ وَالْحَسَنَ صَ_safe

قال: وفي اللباب عن ابن عباس وأبي

هَرَبَةٍ وَأَبِي الْلَّهْمَ ﷺ

قلّ: حَدِيثُ عَبْدُ اللَّهِ ﷺ بْنِ زَيَّدِ

حَدِيثُ حَسَنٍ صَٰرهَ\n
وَعَلِينَهُ هَذَا الْعَمَلُ عَنْ أَهْلِ الْعُلَمِ وَبِهِ يُقَولُ السَّابِعُ وَأَخْمَدُ وَإِسْخَاقُ لَئِنْ وَأَخْمَدُ وَلَكَ أَنْ تَمِيمَ هُوَ عَبْدُ اللَّهِ ﷺ بُنِّ

زَيَّدٍ بْنِ عَاصِمٍ الْفَامِيّ.

تخريج: منطق عليه، وأخرجه البخاري، الاستسقاء، باب الجهر بالقراءة في الاستسقاء.
According to the majority scholars, Imām Shafi'i, Malik, Ahmad, the two disciples of Imām Abū Hanifah and other people of knowledge: performing a prayer to seek rain is proven from the Sunnah. Shaikh Taqi 'Uthmāni said, Imām Abū Hanifah also holds the view that the prayer for rain is Sunnah, and his saying that prayer for rain is not Sunnah means that the Sunnah of seeking rain is not specified only with prayer; instead this Sunnah can also be performed just by making supplication and seeking forgiveness.

557. 'Umair, the freed slave of Ābī Al-Lahm narrated from Ābī Al-Lahm that he saw the Messenger of Allāh ﷺ at Ahjār Az-Zait,[1] supplicating for rain, and he was raising his hands in supplication. (Sahih)

Abū 'Eisā said: This is how Qutabah narrated this Hadīth, “from Ābī Al-Lahm” and we do not know anything he narrated from the Prophet ﷺ except for this one Hadīth. And 'Umair, the freed slave of Ābī Al-Lahm reported Ahādīth from the Prophet ﷺ, and he was a Companion.

558. It is narrated from Hishām bin Ishaq – and he was Ibn 'Abdullāh bin Kinānah – from his father who said: “Al-Walid bin 'Uqbah, the governor of Al-Madinah, sent me to ask Ibn 'Abbās about how the Messenger of Allāh ﷺ would

perform *Ṣalāt Al-‘Istisqaʿ*. I came to him and he said: ‘The Messenger of Allah ﷺ would go out in modest dress, humbly, imploring, until he reached the *Musallā*. He would not give this *Khuṭbah* of yours, rather, he would continue supplicating and imploring and saying the *Takbīr*, and pray two *Rak‘ah*, just as he would pray for the ‘*Eid*.’” (*Hasan*)

Abū ‘Eisā said: This Ḥadīth is *Hasan Ṣaḥīh*.

Comments:

Imām Shāfi‘ī said: ‘Like the prayer of ‘*Eid*’ means that seven *Takbīr* are to be said in the first *Rak‘ah* before the recitation and five in the second *Rak‘ah*, whereas the majority of the scholars said: It means to recite loud like in the ‘*Eid*’ Prayer and the two *Rak‘ah* are led before the sermon. (*Tahfīz Al-Ahwādhi*: 1/390); the majority are Imām Mālik, Aḥ-Thawrī, Aḥzā‘ī, Aḥmad, Ishaq, Abū Thawr, Abū Yūsuf and Mūḥammad.

559. (Another chain) from Hishām b. Isḥāq b. ‘Abdullāh b. Kinānah, from his father, and he mentioned a similar narration and added: “with humility” to it. (*Hasan*)

Abū ‘Eisā said: This Ḥadīth is *Hasan Ṣaḥīh*.

And it is the view of Ash-Shāfi‘ī, he said: “*Ṣalāt Al-‘Istisqa‘* is prayed like the two ‘*Eid*’ prayers. The *Takbīr* is said seven times in the first *Rak‘ah*, and five times in the second.” And he used the Ḥadīth of Ibn ‘Abbās as proof.

Abū ‘Eisā said: It has been reported that Mālik b. Anas said: “There is no *Takbīr* in *Ṣalāt Al-‘Istisqa‘* like that of the two ‘*Eid*’ prayers.”
(An-Nu‘mān Abū Hanīfah said: “Salāt Al-Istisqa’ is not to be prayed, nor would I tell people to turn their upper wraps around. Rather, they are to supplicate and to repent all together.” Abū ‘Eisā said: This contradicts the Sunnah.)

Comments:

(1) The interpretation of the opinion of Imaṃ Abū Hanīfah, according to the Ahnāf, has already been mentioned. Shaikh Banawrī said, Imaṃ Abū Hanīfah denied the prayer for rain being a Stressed Sunnah, but he did not deny it being Sunnah and desirable. (Ma‘ārif: 4/492).

(2) For the supplication for rain, the hands will be raised upside down i.e., the back of the palms will be turned up and the palms towards the ground. (Sharh Muslim: 1/293)

Chapter 44. What Has Been Related About Salāt Al-Kusūf (The Eclipse Prayer)

560. Ibn ‘Abbās narrated: “The Prophet ﷺ prayed during the eclipse. He recited, then bowed, then recited, then bowed. Then recited, then bowed. (three times), then he performed two prostrations, and the next one (Rak‘ah) was the same.” (Sahīh)

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith.

It has been reported from Ibn ‘Abbās that the Prophet ﷺ prayed four bowings with four prostrations during an eclipse.

This is the view of Ash-Shāfi‘ī, Ahmād, and Ishāq.

He said: The people of knowledge differ over the recitation for the eclipse prayer. Some of the people of knowledge held the view that the recitation was silent if it was during the day. Some of them held the view that it was aloud just as in the case with the two ‘Eid prayers and the Friday prayer.

This was the view of Mālik, Ahmād, and Ishāq, they thought that it should be aloud.

Ash-Shāfi‘ī said that it is not aloud.

Both of these practices are correctly narrated from the Prophet ﷺ.

It is correct that he prayed four bowings with four prostrations, and it is also correct that he prayed six bowings with four prostrations.

This is permissible according to the people of knowledge, based upon the length of the eclipse. If the eclipse is long then he prays six bowings with four prostrations, then this is allowed. If he prays four bowings with four prostrations and lengthens his recitation in it then that is allowed.

Our companions thought that the eclipse prayer was to be held in congregation during the eclipse of the sun and the moon.
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Comments:

1. The words 'Kusuf' and 'Khusuf' have been used, in the Ahadith, for both the solar and lunar eclipse, though usually 'Kusuf' is used for solar eclipse and 'Khusuf' for lunar.

2. Five Ruku' in each Rak'ah are proven from the noble Prophet [See: Sunan Abû Dâwûd, Hadith: 1182]. So according to the length of the solar eclipse, making two to five Ruku' in each Rak'ah is correct and the prayer of eclipse consists of two Rak'ah. The Prophet offered eclipse prayer, following various ways, on nineteen occasions.

561. ‘Aishah narrated: “The sun was eclipsed during the time of the Messenger of Allâh, so the Messenger of Allâh led the people in prayer. He recited a lengthy recitation, then he bowed a lengthy bowing, then he raised his head and recited a lengthy recitation that was less than the first. Then he bowed a lengthy bowing that was less than the first. Then he raised his head and prostrated. Then he did (similar to) that in the second Rak'ah.” (Sahîh)

Abû ‘Eisâ said: This Hadith is Hasan Sahîh.

The views of Ash-Šâfî’i, Ahmad, and Ishaq are based on this Hadith. They held the view that the eclipse prayer was four Rak'ah with four prostrations.
Ash-Shâfi’î said: “He recites Umm Al-Qur’ân (Al-Fâtihah) in the first Rak‘ah and something the length of Sûrat Al-Baqarah silently if it is during the day. Then he bows a lengthy bowing about the length of his recitation. Then he raises his head with the Takbîr and stays standing as he is, and he recites Umm Al-Qur’ân again and something the length of Al ‘Imrân. Then he bows a lengthy bowing about the length of his recitation. The he raises his head, then he says (Sami‘ Allâhu liman hamidah)’ (‘Allah listens to those who praise Him) then he performs two complete prostrations, and he remains in each prostration for the length he remained bowing. Then he stands and recites Umm Al-Qur’ân and something the length of Sûrat An-Nisâ‘, then he bows a lengthy bowing about the length of his recitation. Then he raises his head with the Takbîr and remains standing. Then he recites the length of Sûrat Al-Mâ‘idah, then he bows a lengthy bowing about the length of his recitation. Then he raises, and he says (Sami‘ Allâhu liman hamidah).’ (‘Allah listens to those who praise Him) Then he performs two prostrations, then he says the Tashah-hud and the Taslim.”

Comments:

Imâm Nawawî said that according to Imâm Shâfi‘î and Mâlik, Sûrat Al-Fâtihah is to be recited before each recitation and one should stand up from Rukû’ saying ‘Sami‘ Allâhu liman hamidah’ and should say the phrases following it.
Chapter 45. The Manner Of The Recitation For The Eclipse

562. Samurah bin Jundab narrated: “The Prophet ﷺ led us in prayer during an eclipse; we did not hear his voice.” (Hasan)

(He said:) There is a narration on this topic from ‘Aishah.

Abū 'Eisā said: The Ḥadīth of Samurah bin Jundab is a Ḥasan Šāhīḥ Ḡarīb Ḥadīth.

Some of the people of knowledge followed this, and it is the view of Ash-Shāfi‘ī.

In the opinion of Imam Abū Hanifah, Malik and Shāfi‘ī, the recitation for the prayer of solar eclipse is quiet and the recitation for the lunar eclipse is aloud. (Al-Mughni: 3/324). Preferably, the recitation in both prayers is aloud.

563. ‘Aishah narrated: “The Prophet ﷺ prayed the eclipse prayer, and he recited aloud in it.” (Ṣaḥīḥ)

Abū 'Eisā said: This Ḥadīth is Ḥasan Šāhīḥ.

Abū Isbāq Al-Fazārī narrated similarly from Sufyān bin Ḥusayn.

Malik (bin Anas), Ahmad, and Ishaq held views according to this Ḥadīth.
Comments:

It is known from the *Hadith* of Samurah and 'Aishah that the Prophet led the prayer of solar eclipse at various occasions, sometimes he recited aloud and sometimes quiet.

Chapter 46. What Has Been Related About *Salāt Al-Khawf* (The Fear Prayer)

564. Sālim narrated from his father: “The Prophet prayed *Salāt Al-Khawf*, praying one Rak'ah with one of the two groups, while the other group was facing the enemy. (When the first group finished their first Rak'ah with him), they went and took the position (of the second group, facing the enemy). Then the second group came and he led them in another Rak'ah, then he said the *Taslim* to them, while the group proceeded to complete their (second) Rak'ah. Thereafter, the first group stood up to finish their (second) Rak'ah.” (*Sahih*)

(He said:) There are narrations on this topic from Jābir, Ḥudhaifah, Zaid bin Thābit, Ibn ‘Abbās, Abū Hurairah, Ibn Mas‘ūd, Sahl bin Abī Ḥathmah, Abū ‘Ayyāsh Az-Zurqī – whose name is Zaid bin Samit – and Abū Bakrah.

Abū ‘Eisā said: Mālik bin Anas followed the *Hadith* of Sahl bin Abī Ḥathmah about *Salāt Al-Khawf*, and it is the view of Ash-Shafi‘i.
Ahmad said: “Ṣalāt Al-Khawf has been reported from the Prophet in different ways, and I do not know anything but authentic Ahādīth about this topic.” And he preferred the Ḥadīth of Sahl bin Abī Ḥathmah.

A similar view was expressed by Ishāq bin Ibrāhim: “The narrations from the Prophet about Ṣalāt Al-Khawf are confirmed.” He saw that all that was reported from the Prophet about Ṣalāt Al-Khawf then it is allowed depending upon the degree of the fear.

Ishāq said: “We do not prefer the Ḥadīth of Sahl bin Abī Ḥathmah over the other narrations.”

The Ḥadīth of Ibn ‘Umar is a Hasan Sahīh Hadīth, it has been reported similarly by Mūsā bin ‘Uqbah from Nāfi’, from Ibn ‘Umar, from the Prophet.

**Comments:**

Hāfīz Ibn Hajar said: Our Shaikh Abul-Fadl ‘Allamah Husain ‘Irāqī quoted seventeen forms of the Prayer of Fear, in Shārī At-Tirmidhi, which may be added to each other. Hāfīz Ibn Al-Qayyim principally mentioned six forms, in Zād Al-Ma’ād. However, any form mentioned in the Ḥadīth may be practised.

565. Sahl bin Abī Ḥathmah said about Ṣalāt Al-Khawf: “The Imam stands facing the Qiblah while a group of them stand with him, and a group is before the enemy, facing
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566. (Abū ʿEisā said:) Muhammad bin Bash-shār said: “I asked Yahya bin Saʿeed (narrators in no. 565) about this Ḥadīth. So he narrated it to me from Shuʿbah, from ʿAbdur-Raḥmān bin Al-Qāsim, from his father, from Ṣāliḥ bin Khawwāt, from Sahl bin ʿAbī Ḥathmah, from the Prophet Ṣaḥḥāf Ṣaḥḥāf. And he (Yahya) said to me: ‘Write it next to it. He did not memorize the Ḥadīth better though, rather it is the same Ḥadīth as that of Yahya bin Saʿeed Al-Anṣārī.’” (a Ḥadīth similar to no. 565, with a different chain of narrators) (Ṣaḥḥīḥ)

Abū ʿEisā said: This Ḥadīth is Ṣaḥḥīḥ, Yahya bin Saʿeed Al-Anṣārī did not narrate it from Al-Qāsim bin Muḥammad in Ṣaḥīḥ form, similarly the companions of

صحيح بن حواط بن يحيى، عن سهيل بن أبي
خمصة أنه قال في صلاة الحج، قال: يقوم
الإمام مستقبل الفيلب، وقوم طائفه منهم معه،
وتائبته من قبل العدو وجعلهم إلى العدو،
فبركه يعمل ركعته، ويركعون لأنفسهم ركعته،
ويستجدون لأنفسهم سجودا في مكانهم، ثم
يذهبون إلى مقام أولينك ويجيب أولينك
فبركه يعمل ركعته ويركعون لأنفسهم ركعته
له ثمانين وثلثم واجهده ثم يركعون ركعته.
ويستجدون سجوداً.

تخريج: متفق عليه، وأخرجه البخاري، المغزاري، باب غزوة ذات الرقاع، ح: 413 من حديث يحيى القطان ومسلم، ح: 841 من حديث القاسم بن محمد به.

566. (Qāl Abū ʿAlī): قال محدث بن
بشار: سألت يحيى بن تعد عن هذا
الحديث فحدثني عن سهيل، عن عبيد
الرحيم بن القاسم، عن أبيه، عن صالح بن
حواط، عن سهيل بن أبي خمصة عن النبي
عليه السلام، بعث يحيى بن عبد الأنصاري.
وقال لي: اكتب إلى جيه، ولست
أخطت الحديث ولكنه يفعل حديث يحيى بن
عبد الأنصاري.

قائل أبو عيسى: وهذا حديث حسن
صحيح لم يرفعه يحيى بن عبد الأنصاري
عن القاسم بن محدث، وهكذا روى أصحاب
يحيى بن عبد الأنصاري مؤلفون، ورفعه
سعيد، عن عبد الرحمن بن القاسم بن
محدث.
Yaḥya bin Sa‘eed Al-Anṣārī reported it as Mawqūf. It is Ṣu‘bah who narrated it in Marfū‘ form from ‘Abdur-Rahmān bin Al-Qāsim bin Muḥammad.

الحديث السابق:

567. It was reported by Mālik from Yazid bin Rūmān, from Ṣāliḥ bin Khawwāt, from someone who prayed Salāt Al-Khawf with the Prophet ﷺ, and he mentioned a similar narration. (Sahih)

Abū ‘Eisā said: This Ḥadīth is Hasan Sahih.

This is the view of Mālik, Ash-Shāfi‘ī, Aḥmad, and Ishāq.

It has been reported by more than one, that the Prophet ﷺ would lead the two groups with one in one Rak‘ah and one in another Rak‘ah, so that would be two Rak‘ah for the Prophet ﷺ and one and one for each of them.

(Abū ‘Eisā said: Abū ‘Ayyāsh Az-Zurqī’s name is Zaid bin Ṣamit.)

تخريج: منتفق عليه، وأخرجه البخاري من حديث القطن وムسلم من حديث شعبة وفعال

Chapter 47. What Has Been Related About Locations In The Qur‘ān Where One Is To Prostrate

568. Abū Ad-Dardā’ narrated: “I performed eleven prostrations (of recitation) with the Messenger of Allāh ﷺ, among them was that which is in Sūrat An-Najm.” (Da’if)
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(He said:) There are narrations on this topic from ‘Ali, Ibn ‘Abbâs, Abû Hurairah, Ibn Mas‘ûd, Zaid bin Thâbit, and ‘Amr bin Al–‘Ās.

Abû ‘Eisâ said: The Hadîth of Abû Ad-Darda’ is a Gharib Hadîth, we do not know of it except as a narration of Sa‘eed bin An-Hilãl from ‘Umar Ad-Dimashqî.

569. (Another chain in which) Abû Ad-Darda’ narrated: “I performed eleven prostrations with the Messenger of Allâh ﷺ, among them was that which is in Sûrat An-Najm.” (Da‘îf)

And this is more correct than the (previous) narration of Sufyân bin Wâkî from ‘Abdullâh bin Wahb.

Comments:
The true opinion is that the number of prostrations in the Noble Qur’ân is fifteen.
Chapter 48. (What Has Been Related) About Women Going Out To The Masjid

570. Mujāhid narrated: “We were with Ibn ‘Umar, and he said: ‘The Messenger of Allah ﷺ said: “Permit the women to go at night to the Masjid.”’ His son said: ‘By Allah! We would not permit them lest they become insidious from that.’ So, he (‘Abdullah) retorted: ‘May Allah do and such with you.’ I say: “The Messenger of Allah ﷺ said,” and you say: “We do not permit them?”” (Sahih)

(He said:) There are narrations on this topic from Ābu Hurairah, Zainab the wife of ‘Abdullāh bin Mas‘ūd, and Zaid bin Khālid.

Abū ‘Eisā said: The Hadith of Ibn ‘Umar is a Hasan Sahih Hadith.

Comments:
This Hadith proves that if the women are to go out of the house for a necessity, even if it is for worship or a lawful need or to attend the mosque for prayer, they should go out with the permission of the husband or the guardian, keeping strictly to other commands regarding their going out.

Chapter 49. (What Has Been Related) About It Being Disliked To Spit In The Masjid

571. Tāriq bin ‘Abdullāh Al-Muḥāribi narrated that the Messenger of Allah ﷺ said: “When you are in Salāt then do not spit on your right, but behind you or toward your left, or under your left foot.” (Sahih)
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(He said:) There are narrations on this topic from Abū Sa'eed, Ibn 'Umar, Anas, and Abū Hurairah.

Abū 'Eisā said: the Hadīth of Tāriq is a Hasan Sahih Hadīth, and it is acted upon according to the people of knowledge.

(He said:) I heard Al-Jārūd saying: “I heard Wakī’ saying: ‘Rib‘ī bin Ḥirãsh did not lie even once since he accepted Islām.”

(He said:) ‘Abdur-Rahmān bin Mahdī said: “The most dependable of the people of Al-Kufah is Mansūr bin Al-Mu‘tamir.”

Comments:
It is proven from this Hadīth that in casual and crucial circumstance a person offering prayer may spit in the mosque, but not in normal circumstance. He should not spit in the front while in a state of prayer, because the Qiblāh is in the front and this is against the sanctity and honor of the Qiblāh.

572. Anas bin Mālik narrated that the Messenger of Allāh ﷺ said: “To spit in the Masjid is a sin, and burying it is its atonement.” (Sahīh)

Abū ‘Eisā said: This Hadīth is Hasan Sahih.
Comments:
In the view of Imam Nawawi, spitting in the mosque is a mistake, even though one does so with the intention of burying it; but if it has happened then the expiation is to bury it.


573. Abu Hurairah narrated: “We prostrated with the Messenger of Allah ﷺ in: ‘Read! In the Name of your Lord’ and ‘When the heaven is split asunder.’” (Sahih)

574. (Another chain in which) Abu Hurairah narrated from the Prophet ﷺ similarly. (Sahih)

In the narration of this Hadith there are four of the Tābi’in, one reporting from the other. Abu ‘Eisā said: The Hadith of Abu Hurairah is a Hasan Sahih Hadith, and it is acted upon according to most of the people of knowledge, they hold the view that there are prostrations in ‘When the heaven is split asunder’ and ‘Read! In the Name of your Lord.’

This Hadith rejects the view of Imām Malik, according to him there is no recital prostration in the Mufassal Sūrah (from Sūrat Qāf until the end of the Qur'ān)

Chapter 51. What Has Been Related About The Prostration In (Sūrat) An-Najm

575. Ibn ‘Abbās narrated: “The Messenger of Allāh Āṣ prostrated for it – meaning (in Sūrat) An-Najm – and so did the Muslims, the idolaters, the Jinns, and the people.” (Sahih)

(He said:) There are narrations on this topic from Ibn Mas'ūd, and Abū Hurairah.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. This is acted upon according to some of the people of knowledge. They held the view that there is a prostration in Sūrat An-Najm.

Some of the people of knowledge among the Companions of the Prophet ☪ and others said that there is no prostration in the Mufassal (section). This is the view of Mālik bin Anas. But the first view is more correct, and it is the view of Sufyān Ath-Thawrī, Ibn Al-Mubārak, Ash-Shāfi‘ī, Ahmad, and Ishāq.
As the Prophet recited Sūrat An-Najm all those who were present became fascinated by the grandeur and dignity of the Verses, and they could not help but fall into prostration except one wretched person.

Chapter 52. What Has Been Related About The One Who Did Not Prostrate For It

576. Zaid bin Thābit narrated: “I recited Sūrat An-Najm to the Messenger of Allāh ﷺ, and he did not prostrate for it.” (ṣaḥīḥ)

Abū ‘Eisā said: The Ḥadith of Zaid bin Thābit is a Ḥasan Ṣaḥīḥ Ḥadīth.

Some of the people of knowledge gave this Ḥadīth some interpretation, saying that the Prophet ﷺ did not prostrate, only because Zaid bin Thābit (who recited it) did not prostrate when he was reciting it.

And they say that the prostration is obligatory on anyone who hears it, and they were not given any exception (by the Prophet ﷺ) not to prostrate.

And they say that if a man hears it and he does not have Ṽudū', then he prostrates when he has Ṽudū'. This is the view of Sufyān (Ath-Thawr) and the people of Al-Kūfah, and it was the saying of Ishāq.

Some of the people of knowledge say that the prostration is only for the one who wants to prostrate for it and to obtain its reward, and they are permitted to not to do so if they do not want to. They argue using the Marfū' Ḥadīth of Zaid bin Thābit who said: “I recited (Sūrat) An-Najm
to the Messenger of Allâh ﷺ, and he did not prostrate for it.” They said: If the prostration was obligatory then the Prophet ﷺ would not have left Zaid alone until he prostrated, and the Prophet ﷺ would have prostrated, too.

They also cited as proof the Hadîth of ‘Umar, that he recited an (Âyah of) prostration while on the Minbar, so he descended to prostrate. Then he recited it on the second Friday, so the people got up to prostrate and he said: “It has not been made obligatory for us, unless we want to do it” so he did not prostrate nor did they. Some of the people of knowledge followed this, and it is the view of Ash-Shâfi’î and Ahmad.

Comment:

It is proven from the Hadîth of Zaid bin Thâbit that the recital prostration is not compulsory for the reciter. Were it compulsory for the reciter then the Messenger of Allâh ﷺ would have commanded Zaid to prostrate (Sujûd). When the prostration is not compulsory for the reciter, how can it then be necessary for the listener! However it is desirable both for the reciter and the listener to prostrate when they come to any Âyah of prostration.

Chapter 53. What Has Been Related About The Prostration In (Sûrat) Sad

577. Ibn ‘Abbâs narrated: “I saw the Messenger of Allâh ﷺ prostrating for (Sûrat) Sâd.” Ibn ‘Abbâs said: “It is not one of the resolute prostrations.”[1] (Sahîh)

[1] Its meaning is the same as what was reported from ‘Umar (in no. 566), may Allâh be pleased with him, before it.
Abū ‘Eisā said: This Ḥadīth is Ḥasan Sahīh.

The people of knowledge among the Companions of the Prophet ﷺ and others differed over this. Some of the people of knowledge held the view that there was a prostration in it, this is the view of Sufyān (Ath-Thawrī), Ibn Al-Mubārak, Ash-Shāfi‘ī, Ahmad, and Ishāq. Some of them said that it is only about a Prophet repenting, and they did not see that there was a prostration in it.¹

Comments:

The status of some Sujūd (prostrations) is stressed upon while the others are unstressed. But one should try one’s best to make Sujūd at each place to achieve reward and righteousness following the footsteps of the Messenger ﷺ.

Chapter 54. (What Has Been Related) About The Prostration In (Sūrat) Al-Ḥājj

578. ʿUqba bin ʿĀmir narrated: “I said: ‘O Messenger of Allāh! Sūrat Al-Ḥājj has been esteemed by two prostrations?’ He said: ‘Yes, and whoever does not prostrate for them, he should not recite them.’” (Hasan)

Abū ‘Eisā said: The chain for this Ḥadīth is not strong.

The people of knowledge differ over this, it is reported that ʿUmar bin Al-Khaṭṭāb and Ibn ʿUmar said: “Sūrat Al-Ḥājj has been esteemed in that it has two prostrations.” This is

¹ Refering to Dawūd, peace be upon him, see Sūrat Sad 38:24.
the view of Ibn Al-Mubarak, Ash-Shafi'i, Ahmad, and Ishâq.

Some of them held the view that there is one prostration in it, this is the view of Sufyân Ath-Thawri, Malik, and the people of Al-Kufah.

**Chapter 55. What Has Been Related About What Is Said During A Prostration For Recitation In The Qur’an**

579. Al-Hasan bin Muhammad bin ‘Ubaidullah bin Abi Yazid said: Ibn Juraij said to me: O Hasan! ‘Ubaidullah bin Abi Yazid informed me that Ibn ‘Abbâs said: “A man came to the Prophet ﷺ and said: O Messenger of Allah! I had a dream at night while I was sleeping in which I was praying behind a tree, when I prostrated the tree prostrated along with me. Then I heard it saying: (Allahummatub li bihâ ‘indaka ajran, wa ُداَ ‘anni bihâ wisran, wâj’ilah li bihâ ‘indaka dhukhran, wa taqâbahalâ mimni kamâ taqâbahalâh min ‘abdikî Dawûd.)” (O Allah! Record for me, a reward with You for it, remove a sin from me by it, and store it away for me with You, and accept it from me as You
accepted it from Your worshipper Dawūd). Al-Hasan said: ‘Ibn Juraij said to me: ‘Your grandfather said to me: “Ibn ‘Abbās said: ‘So the Prophet (ﷺ) recited (an Ayah of) prostration then prostrated.”’ (He said) “So Ibn ‘Abbās said: ‘I listened to him, and he was saying the same as the man informed that the tree had said.’” (Hasan)

(He said:) There are narrations on this topic from Abū Sa‘eed.

Abū ‘Eisā said: This Hadith is (Hasan) Gharib as a Hadith of Ibn ‘Abbās, we do not know of it except from this route.

Comments:

The real supplication for the recital prostration is the one mentioned in this Hadith. So the known supplication coming in the following Hadith ‘Sajada wajhiya...’ the Prophet used to read it in the recital prostration of the night prayer, as clearly mentioned in the Hadith itself. This clear evidence also exists in the narration of Sahih Muslim. (Sahih Muslim, Hadith: 771)

580. ‘Aishah narrated: “When the Messenger of Allāh (ﷺ) would prostrate (for recitation of) the Qur’ān, he would say: (Sajada wajhiya lilladhi khalaqahu wa shaqqa sam’ahu wa basarahu bihawlihi wa quwwatih) (I have prostrated my face to the One Who created it, and made its hearing and vision, through His ability and power.)” (Daif)

Abū ‘Eisā said: This Hadith is Hasan Sahih.
He who does not say the first supplication may say this one, but saying the first one is even better.

Chapter 56. What Has Been Related About One Who Missed His Section \[\textsuperscript{[1]}\] At Night, So He Makes it Up During the Day

Umar bin Al-Khattáb narrated that the Messenger of Allah ﷺ said: “Whoever slept, (missing) his section or some of it, then he recited it between the Fajr prayer and the Zuhr prayer, it is written for him as if he had recited it in the night.” (Sahih)

Abú ‘Eisá said: This Hadith is Hasan Sahih.

(He said:) Abú Šafwán’s name is 'Abdulláh bin Sa’eed Al-Makkí, and Al-Humaidí and the important people report from him.

Comments:

*Hizb* means a special dedicated part of worship, which one reads or performs every night; it may be prayer, recitation of the Qur’án, or remembrance and supplication.

\[\textsuperscript{[1]}\] That is the section of the Qur’án that he normally recites, or the voluntary night prayer in which he recites that section. See *Tuhfat Al-Ahwadh*. 
Chapter 57. What Has Been Related About The One Who Prays The Obligatory Prayer, Then Leads The People In Prayer After That

Jābir bin 'Abdullah narrated: "Mu‘ādh bin Jabal would pray Al-Maghrib with the Messenger of Allah."

Comments:
Raising one's head from Ruku' (bowing) or Sujud (prostration) before the Imam, or to perform any other action before the Imam is an extremely unreasonable action and a matter of ignorance. Because thus a person can never be allowed to finish his prayer before the Imam, neither is it accepted; and also the real purpose of appointing an Imam, is to follow him and obey him.

Chapter 582. What Has Been Related About The Severe Warning Regarding The One Who Raises His Head Before The Imam

Abū Hurairah narrated: "Muhammad  said: ‘Does not the one who raises his head before the Imam fear that Allah will transform his head into a donkey’s head?’" (Sahih)

Qutaibah said: “Hammād said: ‘Muḥammad bin Ziyād said to me: He  only said: Does he not fear.”"[1]

Abū ‘Eisā said: This Hadīth is Hasan Sahih, and Muhammad bin Ziyād is from Al-BAṣrah, and he is trustworthy, and his Kunyah is Abū Al-Hārith.

Comments:
Qutaibah mentioned his statement about Hammād, and Abū ‘Eisā added that Muhammad bin Ziyād is trustworthy, and his Kunyah is Abū Al-Hārith.

Chapter 583. Jābir bin ‘Abdullāh narrated: "Mu‘ādh bin Jabal would pray Al-Maghrib with the Messenger of Allah."

These are some of the narrators in the chain, and it is a clarification of the correct wording in Arabic, see Al-Bukhārī no. 691.
Allāh ۚ, then he would return to his people to lead them (in prayer).” (Ṣaḥīḥ)
Abū ‘Eisā said: This Ḥadīth is Ṣaḥīḥ Sahīh.

This is acted upon according to our companions, Ash-Shāfī‘ī, Ahmad, and Iṣḥāq. They say when a man leads the people in an obligatory prayer while he has prayed it before that, then the prayer of those who prayed behind him is acceptable. They argue using the Ḥadīth of Jābir regarding the story of Mu‘ādh, and it is a Ṣaḥīḥ Ḥadīth, it has been reported through more than one route from Jābir.

It has been reported that Abū Ad-Dardā’ was asked about a man who entered the Masjid while the people were praying the ‘Aṣr prayer, and he thought it was the Zuhr prayer, and joined them. He said that his prayer was acceptable.

There are those among the people of Al-Kūfah who said that when a people are lead by an Imam who is praying ‘Aṣr while they think that it is Zuhr if he leads them and they follow him, then the prayer of the followers is invalid since the intention of the Imam differed with the intention of those being lead.

Comments:

The scholars and the jurists hold different opinions concerning the diverse intentions of the Imam and the followers. Shafi‘ī said the diversity in intention will not affect the prayer unless the actions are diverse. Therefore a person offering obligatory prayer behind the one doing voluntary, the one offering
voluntary prayer behind the one who is offering obligatory, the Imãm and the follower doing two different obligatory prayers, their prayers are all valid. Tawûs, ‘Atâ, Awzã’i, Ahmad, Abû Thawr, Sulaimãn bin Harb, Dâwûd and Ibn Al-Mundhir hold the same opinion. Ibn Qudãmah said: Offering voluntary prayer behind a person offering obligatory prayer is unanimously agreed according to the Hanbalah. He even said: ‘As for our knowledge there is no disagreement among the people of knowledge concerning this issue’. [Al-Mugnî: 3/68]. The truth is that offering obligatory prayer behind the one offering voluntary is valid. Because it exists clearly in Muslim, Hadith: 465 that Mu’adh would ‘lead the same prayer for his people’ which he Ŝâhih had already performed with the Prophet ﷺ.

Chapter 58. What Has Been Mentioned About The Permission To Prostrate On The Clothing During The Heat And Cold

584. Anas bin Mãlik narrated: “When we prayed behind the Prophet ﷺ in the midday heat, we would prostrate on our garments as a protection against the heat.” (Šâhih)

Abû ‘Eîsã said: This Hadîth is Hasan Šâhih.

(He said:) There are narrations on this topic from Jâbir bin ‘Abdullãh, and Ibn ‘Abbãs. And Wakiî reported this Hadîth from Khãlid bin ‘Abdur-Rahmãn.

Comments:

According to the majority of the people of knowledge, Imãm Abû Hanîfah, Ahmad, Mâlik and Awzã’i, a person offering prayer can make Sujûd on a cloth which he is wearing, if needed; and this is the right opinion.
Chapter 59. What Has Been Mentioned About What Is Recommended When Sitting After The Subh Prayer Until The Sun Has Risen

585. Jâbir bin Samurah narrated: “When the Prophet ﷺ prayed Fajr he would remain seated where he had prayed until the sun had risen.” (Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh.

586. Anas bin Mâlik narrated that the Messenger of Allâh ﷺ said: “Whoever prays Fajr in congregation, then sits remembering Allâh until the sun has risen, then he prays two Rak’ah, then for him is the reward like that of a Hajj and ‘Umrah.” He said: “The Messenger of Allâh ﷺ said: ‘Complete, complete, complete.’” (Da’if)

Abû ‘Eisâ said: This Hadîth is Hasan Gharib.

(He said:) I asked Muhammad bin Ismâ‘îl about Abû Zilâl, and he said: “He is Muqârib (average) in Hadîth.” Muhammad said: “His name is Hilâl.”

Comments:
Offering morning prayer with congregation and then to remain seated, sitting engaged in the remembrance of Allâh until the sun rose, and making this a
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routine is a matter of righteous and rewardable deed, as it is clear with this Hadith, and it was graded Hasan by Shaikh Al-Albâni.

Chapter 60. What Has Been Mentioned About Looking Around During Salât

587. Ibn ‘Abbâs narrated: “The Messenger of Allâh ﷺ would glance toward the right and the left during Salât but he would not turn his neck to look behind him.” (Hasan)

Abû ‘Eisâ said: This Hadith is Gharib. Waki’[1] contradicted Al-Fadl bin Mûsâ (one of the narrators) in his narration.

588. Sa’eed bin AN Hind narrated from some of the companions of ‘Ikrimah: “The Prophet ﷺ would glance during Salât” and he mentioned a similar narration. (Hasan)

(He said:) There are narrations on this topic from Anas and ‘Aishah.

589. Anas narrated: “The Messenger of Allâh ﷺ said to me: ‘O my son! Beware of looking around during the Salât, for indeed

[1] He narrated the following Hadith, and the contradiction is in the remainder of the chain.
looking around during Salāt is destruction. If you must do so, then in the voluntary (prayers), not in the obligatory (prayers).” (Da‘if)

Abū ʿEisā said: this Hadith is Ḥasan (Gharīb)

Comments:
The spirit of prayer is humility and humbleness; the prayer will be as perfect and effective as much as the humility. Looking sideways, here and there, lessens the humility and humbleness.
Chapter 61. What Has Been Mentioned About A Man Who Catches Up With The Imam (While He Is) In Prostration, What Should He Do?

591. Mu‘âdh bin Jabal narrated that the Messenger of Allah ﷺ said: “When one of you comes to the Salãt and (finds) the Imam is in a position, then do as the Imam is doing.” (Da‘îf)

Abû ‘Elsa said: This Hadith is Gharib, we do not know anyone who gave it a chain except for what has been reported from this route. This is acted upon according to the people of knowledge. They say that when a man comes and the Imam is in prostration, then he is to prostrate, yet that Rak‘ah will not be acceptable since he missed the bowing with the Imam.

‘Abdullãh bin Al-Mubãrak preferred that one prostrate with the Imam, and he mentioned that some scholars said: “Perhaps he will not raise his head from that prostration until he has been forgiven.”

Comments:

It is known from this Hadith that a late follower should join the Imam in whatever position he meets him, and he should not wait for the Imam to stand up; and if the follower joins the Imam in Rukü‘ (bowing), there are two opinions about him:

a. If he joins in Rukü‘, then this Rak‘ah will be counted, and the majority has this opinion.
b. If a follower joins in *Rukū* and he could not catch any part of the standing (*Qiyām*) in which he could read *Al-Fātiḥah*, then his *Rak‘ah* will not be counted; because thus he missed two pillars of the prayer, standing and reading *Fātiḥah*, and reading *Fātiḥah*, at least, behind the *Imām* is compulsory. So the Prophet said: ‘Pray whatever you catch with the *Imām* and make up whatever you miss’. Because in this case a latecomer misses both the standing and reading *Fātiḥah*, therefore this *Rak‘ah* will be made up.

Chapter 62. About It Being Disliked For the People To Wait For The *Imām* While They Are Standing At The Beginning Of The Prayer

592. ‘Abdullāh bin Abī Qatādah narrated from his father that the Messenger of Allāh ﷺ said:

“When the *Iqāmah* is called for the prayer, then do not stand until you see that I have come out.” (Sahīh)

(He said:) There are narrations on this topic from Anas. And the *Hadīth* of Anas is not preserved.

Abū ‘Eisā said: “The *Hadīth* of Abū Qatādah is a Hasan Sahīh Hadīth. There are those among the people of knowledge, among the Companions of the Prophet ﷺ and others, who dislike for the people to wait for the *Imām* while they are standing.

Some of them said that when the *Imām* is in the *Masjid* and the *Iqāmah* has been called for the prayer, then they only stand when the *Mu‘ādh-dhin* says: “*Qad qamatis-Salāt*” this is the view of Ibn Al-Mubārak.

Comments:

*Hadīth* 1367 of *Sahīh Muslim* in which Abū Hurairah ﷺ reports that the *Iqāmah* had been pronounced, we stood up for prayer and we straightened
Chapter 63. What Has Been Mentioned About Praising Allâh And Sending Salât Upon The Prophet  Before Supplicating

593. ‘Abdullâh said: “I was praying and the Prophet  Abû Bakr, and ‘Umar were there, so when I sat, I started off with praising Allâh, then sending Salât upon the Prophet  then supplicating for myself. So the Prophet  said: ‘Ask, your request will be granted; ask, your request will be granted.’” (Hasan)

(He said:) There are narrations on this topic from Fadâlah bin ‘Ubaid.

Abû ‘Eisâ said: The Hadîth of ‘Abdullâh (bin Ma’sûd) is a Hasan Sahih Hadîth.

Ahmad bin Hanbal narrated a brief version of this Hadîth from Yahya bin Adam.

 comentarios:
If sitting means the sitting for Tashah-hud, it then means while sitting for the Tashah-hud in prayer, before making the supplication, the praise and glory of Allâh is to be celebrated and the blessings upon the Prophet are to be invoked and then the supplications should be made. If this sitting means the sitting after concluding the prayer, it then means that this is also from among the etiquettes of making supplication that, first, the praise and glory of Allâh is celebrated, then the blessings upon the Prophet are invoked and thereafter the needs, wishes and requests are begged of.
Chapter 64. What Has Been Mentioned About Scenting The Masjid

594. 'Aishah narrated: “The Prophet ordered the construction of Masjīd in all Dūr and that they be kept clean and scented.” (Sahih)

595. (Another chain) from Hishām bin 'Urwah, from his father: “That the Prophet ordered.” And he mentioned similarly. (Sahih)

(‘Abū ‘Eisā said:) This is more correct than the first Hadith.

596. (Another chain) from Hishām bin 'Urwah, from his father: “That the Prophet ordered.” And he mentioned similarly. (Sahih)

Sufyān said: “His saying: ‘the construction of Masjīd in all Dūr means ‘tribes.’”

Comments:

It is known from this Hadith that the people should build mosques in their localities and where their tribes live to make it easy for the people to join the congregation and also to facilitate the education for children and their good upbringing.
Chapter 65. What Has Been Related About The *Salāt* During The Night And The Day Is Two And Two

597. Ibn ‘Umar narrated that the Prophet said: “The *Salāt* during the night and the day is two and two.” *(Hasan)*

Abū ‘Eisā said: The companions of Shu‘bah differed over the *Hadith* of Ibn ‘Umar; some of them narrated it *Marjī‘*, and some of them *Mawqūf*. It was reported from ‘Abdullāh Al-‘Umarī, from Nāfi‘, from Ibn ‘Umar, from the Prophet and it is similar to this.

What is *Sahīh* is the one that is reported from Ibn ‘Umar, from the Prophet and he said: “The *Salāt* of the night is two and two.”

Trustworthy narrators reported it from ‘Abdullāh bin ‘Umar from the Prophet and they did not mention the *Salāt* of the night in it.

It has been reported from ‘Ubaidullāh, from Nāfi‘, from Ibn ‘Umar, that he would pray during the night two and two, and during the day in fours.

The people of knowledge differed about that, some of them thought that during the night and the day the *Salāt* should be two and two, and this is the view of Ash-Shāfi‘ī, and Ahmad. Some of them said that *Salāt* in the night is two and two, and they thought that the voluntary *Salāt* in the day is four, like the four before Zuhr or other voluntary prayers. This is the saying...
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of Sufyān Ath-Thawri, Ibn Al-Mubārak, and Ishāq.


أحمد والعقلي وابن تيمية وبرده وناهض، في معركة علوم الحديث للحاكم، وغيره.

Comments:

It is better to perform Sunnah and voluntary prayer of the day or night in sets of two, however praying four Rak'ah together with one final salutation (making Tashah-hud after two Rak'ah) is also allowed.

Chapter 66. How The Prophet (المعجم 177 - باب: كيف كان ينطوف

النبي ﷺ بالنهار (التحفة 302)

疾 598 - حديثاً محسوداً بن عطوان: حديثاً

وهب بن جرير: حديثاً شغب عن أبي

إسحاق، عن عاصم بن ضمرة: قال: سألاست

علياً عن صلاة رسول الله ﷺ من النهار،

فقال: إنكم لا تطيعون ذلك فقلت: من أطراف

ذلك ما، قال: كان رسول الله ﷺ إذا

كانت الشمس من هنّاء كثيتها من هنّاء عند

العصر صلى ركعتين، وإذا كانت الشمس من

هنّاء كثيتها من هنّاء عند الظهر صلى

أربعة، وفيهما قبل الظهر أربع، وبعدها

ركعتين، وقبل العصر أربع، ففصل بين كل

ركعتين بالتسليم على الملائكة المقربين

والبعين والمشربين ومن نيعمهم من المومنين

وال المسلمين.

(Hasan)

[1] Meaning, when the sun was low above the eastern horizon.

[2] Meaning, when the sun was high above the eastern horizon before Zuhr time. See Tuhfat Al-Ahwadhi.

[3] This was discussed in Hadith no. 429 where part of it preceded.
This Hadith tells us that the Prophetﷺ would make one final salutation after four Rak'ah of Awwābin and also after four Rak'ah before Zuhr and Asr prayers, he would make Tashah-hud in the middle (of four Rak'ah, i.e. after two Rak'ah). The Prophet would perform Duhâ' prayer after the sun had risen higher, he would do four Rak'ah as soon as the sun declined from the meridian, and he would do Awwābin prayer before the declining of the sun.

599. (Another chain) from ‘Ali, from the Prophetﷺ similarly (no. 598). (Hasan)

Abū ‘Eisā said: This Hadith is Hasan.

Ishāq bin Ibrāhim said: “This is the best thing reported about the voluntary prayer of the Prophetﷺ in the day.”

It has been reported that (‘Abdullāh) Ibn Al-Mubārak considered this Hadith weak, and he only said it was weak – according to us and Allāh knows best – because the like of this is not reported except from this route, from ‘Asim bin Damrah, from ‘A-. And ‘Asim bin Damrah is trustworthy according to some of the people of Hadith.

‘Alī bin Al-Madīnī said: “Yahya bin Sa‘eed Al-Qatṭān said: ‘Sufyān said: “We recognize the virtue of the narrations of ‘Asim bin Damrah to be better than the narrations of Al-Hārith.”

Comments:
The most critical objection in this Hadith is that so many number of Rak'ah are not reported from any other Companion; but this objection has no weight.
Chapter 67. About Prayer In A Woman’s Cover\footnote{Luhuf plural for Liḥaf and it is a blanket or cloth which may be worn above the rest of the clothing.} Being Disliked

600. ‘Āishah narrated: “The Messenger of Allāh Ḥūḍ would not pray in women’s covers.” (Ṣaḥīḥ) 

Abū ‘Eisā said: This Hadith is Hasan Ṣaḥīḥ and it has been reported that the Prophet Ḥūḍ permitted that.

Chapter 68. (Mentioning) What Is Allowed From Walking And Actions During Voluntary Ṣaḥā”

601. ‘Urwah narrated that ‘Āishah said: “I came while the Messenger of Allāh Ḥūḍ was praying in the house and the door was closed. So he walked until he opened the door for me, then he returned to his place.” And she described the door to be in the direction of the Qiblāh. (Ḍa‘f)

Abū ‘Eisā said: This Hadith is Ḥasan Gharīb.
Many experts of the knowledge of Hadith accepted the verdict of Imam At-Tirmidhi stating a Hadith as 'Hasan/Sound'. So this Hadith is worthy of proof; moreover, other narrations are also in its support.

Chapter 69. What Has Been Mentioned About Reciting Two Sūrat In A Rak‘ah

Abū Wā’il said: “A man asked ‘Abdullāh bin Mas‘ūd about this phrase: ‘Ghairi āsinin’[1] or is it Yāsinin? So he said: ‘You can recite all of the Qur‘ān besides this [phrase]?’ He said: ‘Yes.’ He said: ‘Indeed a people recite it, disbursing it like Ad-Daqqal[2] are dispersed, without it passing their throats. Indeed I am aware of the Sūrat that are comparable which the Messenger of Allāh would recite together.’” He said: ‘So we told ‘Alqamah to ask him (what they were). He said: ‘Twenty Sūrat from the Mufassal from which the Prophet would combine, reciting every two Surah in a Rak‘ah.’”

(Sahīh)

Abū ‘Eisā said: This Hadith is Ḥasan Sahīh.

602. Abū Wā’il said: “A man asked ‘Abdullāh bin Mas‘ūd about this phrase: ‘Ghairi āsinin’[1] or is it Yāsinin? So he said: ‘You can recite all of the Qur‘ān besides this [phrase]?’ He said: ‘Yes.’ He said: ‘Indeed a people recite it, disbursing it like Ad-Daqqal[2] are dispersed, without it passing their throats. Indeed I am aware of the Sūrat that are comparable which the Messenger of Allāh would recite together.’” He said: ‘So we told ‘Alqamah to ask him (what they were). He said: ‘Twenty Sūrat from the Mufassal from which the Prophet would combine, reciting every two Surah in a Rak‘ah.’”

(Sahīh)

Abū ‘Eisā said: This Hadith is Ḥasan Sahīh.

[1] That is Sūrah Muhammad 47:15, and it refers to the rivers of water in Paradise that are: ‘not changed’.

[2] Ad-Daqqal is used to refer to a type of datepalm tree, and its fruits, as well as spoiled dates that have fallen from the cluster.
Chapter 70. What Has Been Mentioned About The Virtue Of Walking To The Masjid And What Rewards Are Written For Each Step One Takes

603. Abū Hurairah narrated that the Prophet ﷺ said: “When a man performs Wudu’ and he performs his Wudu’ well, then he leaves to the Salāt, and he did not leave – or he said: He had no urge – except for it, then there is not one step that he takes except that Allah raises him a degree from it, or removes a sin from him for it.” (Sahih)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Sahih.

Comments:
This Hadith proves that if a person makes ablution at home, observing all its etiquettes and obligations and makes it perfect, he then goes out to the mosque just for the sake of prayer with sincere intention, and he does not intend out of it any worldly benefit and social necessity, Allah raises him one rank for each step or deletes one sin (for each step).

Chapter 71. What Has Been Mentioned About Salāt After Maghrib Is More Virtuous In The House

604. Sa’d bin Ishāq bin Ka’b bin ‘Ujrah narrated from his father from his grandfather who said: “The Prophet ﷺ prayed Maghrib in the Masjid of Banū ‘Abdul-Ashhal, and...
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some people stood to offer voluntary prayers, so the Prophet said: ‘This Salāt is to be performed by you in your homes.’” (Hasan)

Abū ‘Eisā said: This Hadīth is Ḥasan Gharīb (as a narration of Ka‘b bin ‘Ujrah), we do not know of it except from this route. What is Ṣaḥīḥ is what is reported from Ibn ‘Umar who said: “The Messenger of Allāh would pray two Rak‘ah after Maghrib in his house.”

(Abū ‘Eisā said:) It has been reported from Ḥudhaifah that the Prophet prayed Maghrib, and he did not stop praying in the Masjid until he prayed the latter ‘Īshā. So in this Hadīth is the proof that the Prophet prayed the two Rak‘ah after Maghrib in the Masjid.

Comments:
Performing voluntary prayer at home is certainly more virtuous, it also includes the Sunnah after Maghrib prayer; but praying Sunnah of Maghrib in the mosque is allowed too, and the opinion of those is incorrect who say that the Sunnah of Maghrib in the mosque are invalid. [Tuhfat Al-Ahwadhi: 1/413]

Chapter 72. (What Has Been Mentioned) About A Man Performing Ghusl When He Accepts Islam

605. Qais bin ‘Asim narrated that he accepted Islam and the Prophet ordered him to perform Ghusl with water and Sidr. (Ṣaḥīḥ)
(He said:) There is a narration on this topic from Abū Hurairah.

Abū ‘Eisā said: This Hadith is Hasan, we do not know of it except from this route. It is acted upon according to the people of knowledge, they consider it recommended for a man, when he accepts Islam, to perform Ghusl and to wash his clothes.

Comments:

An adult non-Muslim, he has wet dream, also he has sexual contact with his wife and this requires taking a bath compulsorily, whereas a disbeliever normally does not bother to do so. Therefore due to this state taking a bath is obligatory for him, according to the consensus; and if taking a bath is not compulsory for him, it is then desirable for him to take a bath in the view of Hanafi and Shafi'i.

Chapter 73. What Has Been Mentioned About The Tasmiyah When Entering The Area Of Relieving Oneself

606. ‘Ali bin Abī Ṭalib (may Allâh be pleased with him) narrated that the Messenger of Allâh ﷺ said: "The screen between the eyes of the jinns and the nakedness of the children of Ādām when one of you enters the area of relieving oneself is saying: ‘Bismillãh.’” (Daʿīf)

Abū ‘Eisā said: This Hadith is Gharīb, we do not know of it except from this route, and its chain is not that strong.
Something about this has been narrated from Anas from the Prophet ﷺ.

Comment:

It is clear by having a thorough look at the various narrations that when entering the toilet, it is recommended to say ‘Bismillah’ and ‘A‘udhu billahi min al-khabâr’. Though only one is enough as well, because some of the narrations reported about ‘Bismillah’ are authentic. [Ma‘arif As-Sunan: 5/144, Tuhfatul Al-Ahwadhi: 1/414].

Chapter 74. What Has Been Mentioned Of The Mark Of This Nation From The Traces Of Prostrations And Purification On The Day Of Resurrection

607. ‘Abdullâh bin Busr narrated that the Prophet ﷺ said: “On the Day of Resurrection, my nation will be radiant from prostrating and shining from Wudû.” (Sahih)

Abû ‘Eisâ said: This Hadith is Hasan Şâhîh Gharîb from this route as a narration of ‘Abdullâh bin Busr.

Comment:

The traces of ablution of the ‘Last Nation’ (Muslims) will appear, on the ‘Day of Resurrection’, that the hands, feet and face will shine and glitter, and due to prostration the face will become more beautiful, delightful and handsome.
Chapter 75. That Starting From The Right Is Recommended In Purification

608. ‘Aishah narrated: “The Messenger of Allâh would love to start with the right side when he purified himself, and when he combed, and when putting his sandals on.” (Sahih)

Abû Ash-Sha’thâ’s name is Sulaim bin Aswad Al-Muḥâribi. Abû ‘Eisâ said: This Hadith is Hasan Sahih.

Comments:
The Prophet would usually begin the liked acts from the right side to attain the blessing. But he would also start some actions by the left side, like: stepping out of the mosque with the left foot and to use the left hand for cleansing after relieving himself. This issue has preceded in ‘the Book of Purification’.

Chapter 76. What Has Been Mentioned About The Amount Of Water That Is Acceptable For Wudu’

609. Anas bin Malik narrated that the Messenger of Allâh said: The acceptable Wudu’ is with two Ratils of water.” (Da’îj)

Abû ‘Eisâ said: This Hadith is Gharib, we do not know it except as a narration of Sharîk with this wording.

Shu’bah reported from ‘Abdullâh

609 - حَدَّثَنَا حَذَّنَا وَمَعِيَّنٌ عِنْ شَرِيكَ، عَنْ عَلِيٍّ الَّذِي يَنُبِّيُّهُ، عَنْ أَبِي عَبَّاسٍ مَّالِكَ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «يُحِيَّىٰ فِي الْمُضْرَعَ رَتَّالَانَ مِنِّ مَاءٍ». قَالَ أَبُو عَبْسَ: هَذَا حَدِيثٌ غَرِيبٌ لَا نَعْرُفُهُ إِلَّا مِنْ حَدِيثِ شَرِيكَ عِلَى هَذَا الْمَفْسَدَةِ. (المجمع (الحقة 112)

1[1] “A Ratil is twelve Uqiyah, and an Uqiyah is forty Dirham.” Tuhfat Al-Ahwadhi, and he cited it from Al-Qamus Al-Muḥît.
bin ‘Abdullãh bin Jabr, from Anas bin Mâlik: “The Prophet ﷺ would perform *Wudû’* with a *Makûk* and *Ghusl* with five *Makûk*.”

[And it has been reported from Sufyân Ath-Thawrî, from ‘Abdullãh bin ‘Eisâ, from ‘Abdullãh bin Jabr, from Anas: “The Prophet ﷺ would perform *Wudû’* with a *Mudd* and he would perform *Ghusl* with a *Sâ’*. And this is more correct than the Hadîth of Sharîk].

Comments:
The Prophet ﷺ would not always use the same amount of water for ablution and bath; its amount would increase and decrease.

**Chapter 77. What Has Been Mentioned About Sprinkling Water On The Urine Of A Male Child Of Suckling Age**

610. ‘Ali bin Abî Tâlib (may Allah be pleased with him) narrated that the Messenger of Allah ﷺ said, about urine of a male child that suckles: “The urine of the boy is sprinkled, and the girl’s urine is washed.” Qatâdâh (one of the narrators) said: “This is so, as long as they do not eat, when they eat, then both of them are washed.” (Sahîh)

Abû ‘Eisâ said: This Hadîth is *Hasan* (Sahîh).

Hishâm Ad-Dastawa’î narrated this Hadîth from Qatâdâh in *Marfû’*.

1. An-Nawawi said: “Perhaps the meaning of *Makûk* here is *Mudd*.” See *Tuhfat Al-Ahwadhi*.
2. These two are defined under *Hadîth* no. 56.
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form, but Sa'eed bin Abi 'Arubah narrated it from Qatadah without it being Marfu'.

Comments:

These few chapters and their issues have been mentioned previously in the Book of Purification.

Chapter (...) What Has Been Mentioned About The Prophet Performing Mash[1] After The Revelation Of (Sûrat) Al-Ma'idah

611. [Shahr bin Hawshab said: “I saw Jarîr bin ‘Abdullâh performing Wudû’ and wiping over his Khuff.”] He said: “So I asked him: ‘What is that?’ He said: ‘I saw the Prophet performing Wudû’ and he wiped over his Khuff.’ So I said to him: ‘Before Al-Ma’idah or after Al-Ma’idah?’ He said: ‘I did not accept Islâm until after Al-Ma’idah.’"

(Hasan)

Comments:

Some people, due to the Verse of Sûrat Al-Ma’idah about ablution, are uncertain that perhaps wiping over the leather socks is not correct, because the Verse of ablution commands that the feet should be washed. But this Hadîth is decisive regarding this issue that the Prophet used to wipe over the leather socks even after the commandment of washing the feet had been revealed. So the rule of wiping over the socks is established and not abrogated. See no. 94


[1] Wiping over the footwear during Wudû’.
[2] He is one of the narrators in the previous Hadîth.
Abū ‘Eisā said: This Hadîth is Gharîb, we do not know of its like but from the narration of Muqâtîl bin Hayyân, from Shâhr bin Hawshab.

Chapter 78. What Has Been Mentioned About The Permission For The Sexually Impure (Junûb) Person To Eat And Sleep When He Performs Wudū'

613. ‘Ammâr narrated: “The Prophet permitted the Junûb when he wanted to eat, drink, or sleep, to perform Wudû’ like the Water’ for Salât.” (Da’îf)

Abû ‘Eisā said: This Hadîth is Hasan Sahîh.

Comments:
The Ummah is unanimously agreed that it is better and more virtuous for a sexually impure person to take a bath before eating, drinking and sleeping. However eating drinking and sleeping without taking a bath is allowed, and the ritual ablution (of prayer) is necessary for eating and drinking. The ritual ablution of prayer is necessary prior to sleep, said some A’immah, but according to the majority of scholars this commandment is on the basis of desirability, not compulsory. (Tu’fat Al-Azwâdhi: 1/416)
Chapter 79. What Has Been Mentioned About The Virtue Of The \(\text{Ṣalāt}\)

614. Ka‘b bin ‘Ujrah narrated: “The Messenger of Allah ﷺ said to me: ‘I seek refuge in Allāh for you O Ka‘b bin ‘Ujrah from leaders that will be after me. Whoever comes to their doors to approve of their lies and supports them in their oppression, then he is not of me and I am not of him, and he will not meet me at the \(\text{Ḥawd}\). And whoever comes to their doors, or he does not come, and he does not approve of their lies and he does not support them in their oppression, then he is from me and I am from him, and he will meet me at the \(\text{Ḥawd}\). O Ka‘b bin ‘Ujrah! \(\text{Ṣalāt}\) is a clear proof, and \(\text{Ṣaum}\) (fasting) is an impregnable shield, and \(\text{Ṣadaqah}\) (charity) extinguishes sins just as water extinguishes fire. O Ka‘b bin ‘Ujrah! There is no flesh raised that sprouts from the unlawful except that the Fire is more appropriate for it.’” \((\text{Ḥasan})\)

Abū ‘Eīsā said: This \(\text{Hadīth}\) is \(\text{Ḥasan Gharib}\), we do not know of it from this route (except from the narration of ‘Ubaidullāh bin Mūsā. Ayyūb bin ‘A‘īdh At-Ṭā‘i was graded weak, and they said that he held the views of \(\text{Irjā’}\)). I asked Muḥammad about this \(\text{Hadīth}\) and he did not know of it except as a narration of ‘Ubaidullāh bin Mūsā and he considered it very much \(\text{Gharib}\).
615. Muhammad said: “Ibn Numair narrated to us from ‘Ubaidullāh bin Mūsā, from Ghālib” with this (Hadīth). (Hasan)

Comments:
‘Allāmah Ahmad Muḥammad Shākir quoted various authentic Ahādīth in support of this Hadīth. (Jāmi‘ At-Tirmidhī: 2/514, 515)

Chapter 80. Something Else About That

616. Sulaim bin ‘Āmir narrated: “I heard Abū Umāmah saying: I heard the Messenger of Allāh  giving a Khutbah during the Farewell Hajj, and he said: ‘Have Taqwā of your Lord, and pray your five (prayers), and fast your month, and pay the Zakāt on your wealth, and obey those who are in charge of you, you will enter the Paradise of your Lord.’” He said: “I said to Abū Umāmah: ‘How old were you when you heard this Hadīth (from the Messenger of Allāh )?’ He said: ‘I heard it when I was thirty years old.’” (Hasan)

Abū ‘Eisā said: This Hadīth is Hasan Sahih.

Comments:
In this Hadīth, the prayer and the month of Ramaḍān are attributed to the people because it is they who attain the reward and virtuousness of prayer and fasting.
Chapter 1. What Has Been Related From The Messenger of Allah About The Severe Warning Against Withholding Zakät

617. Abü Dharr narrated: “I came to the Messenger of Allah while he was sitting in the shade of the Ka’bah.” He said: “He saw me approaching and he said: ‘They are lost on the Day of Judgement! By the Lord of the Ka’bah!”’ He said: “I said to myself: Woe is me! Perhaps something has been revealed about me!”’ He said: “So I said: ‘Who are they, and may my father and mother be ransomed for you.’ So the Messenger of Allah said: ‘They are those who have much,’ except for who says like this, and this, and this and motioned with his hand to his front, and to his right, and to his left.” Then he said: ‘By the One in Whose Hand is my soul! No man will die, leaving a camel or a cow that he did not pay Zakät on, except that it will come on the Day of Judgement. This is an obligation due on particular types of properties and given to specific categories of Muslims at a specific time.”

[Zakät literally means augmentations and increase it also means purification, praise and righteousness. The due amount paid on wealth is called “Zakät” because it increases the wealth in blessing and purifies the giver. It is an obligation due on paticular types of properties and given to specific categories of Muslims at a specific time.

[2] “Those who have much wealth” according to Al-Bukhari and Muslim.
of Judgement larger and fatter than it was, they will tread him under their hooves and butt him with their horns, all of them; such that when the last of them has had a turn, the first returns to him, until he is judged before the people.’” (Sahih)

There is something on this topic from Abū Hurairah that is similar. And from ‘Ali bin Abī Tālib, may Allah be pleased with him: “Cursed is the one who withholds Sadaqah”[1] and (from) Qabišah bin Hulb from his father, and from Jabir bin ‘Abdullāh, and ‘Abdullāh bin Mas‘ūd.

Abū ‘Eisā said: The Hadith of Abū Dharr is a Hasan Sahih Hadith.

Abū Dharr’s name is Jundab bin As-Sakan, and they say it is Ibn Junādah.

(Another chain) that Ad-Ḍāḥhāk bin Al-Muzāhim said: “Those who have much” refers to those who have tens of thousands.”

[He said: ‘Abdullāh bin Munir is Marwazi[2] and he is a righteous man.]

**Comments:**

One meaning of Zakāt is purifying and cleansing and the other meaning is refinement, increase and growth. This applies to the obligatory and voluntary charity, household and other living expenses, and fulfillment of financial obligations. It also applies to the things that are more than what is needed.

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[1] The meaning of Sadaqah here, and in subsequent chapters, is Zakāt.
Chapter 2. What Has Been Related About: When You Pay The Zakat You Have Fulfilled What Is Required Of You

618. Abu Hurairah narrated that the Prophet(saw) said: “When you pay the Zakat you have fulfilled what is required of you.” (Hasan)

Abu ‘Eisah said: This Hadith is Hasan Gharib. It has been reported from more than one route that the Prophet(saw) mentioned the Zakat, and a man said: “O Messenger of Allah! Is there anything else required from me?” So he said: “No. Except for what is voluntary.”

Ibn Hujairah (one of the narrators) is ‘Abdur-Rahman bin Hujairah Al-Basri.

Comments:
It is proven from this Hadith that the obligation of wealth due from a person is only Zakat; no other compulsory duty is due on the wealth except Zakat. Financial obligations and responsibilities other than Zakat are not because of wealth, instead they are due because of other reasons; like due because of family and other close relations, because of marriage, or the payment of Zakatul-Fitr at the end of the month of Ramadan. (Tuhfat Al-Ahwadhi: 2/2)

619. Anas narrated: “We used to hope that an intelligent Bedouin would show up to question the Prophet(saw) while we were with him. So once while we were with him, a Bedouin came, kneeling in
front of the Prophet ﷺ, and he said: ‘O Muḥammad, your messenger came to us and told us that you say that Allāh sent you.’ So the Prophet ﷺ said: ‘Yes.’ He said, ‘So, (swear) by the One who raised the heavens, and spread out the earth, and erected the mountains; has Allāh sent you?’ The Prophet ﷺ said, ‘Yes.’ He said: ‘Your messenger told us that you say that there are five prayers required from us in a day and a night.’ The Prophet ﷺ said, ‘Yes.’ He said, ‘By the One Who sent you, has Allāh ordered that for you?’ The Prophet ﷺ said, ‘Yes.’ He said, ‘Your messenger told us that you say that we are required to fast for a month out of the year.’ He said, ‘He told the truth.’ He said, ‘By the One Who sent you, has Allāh ordered that for you?’ He said, ‘Yes.’ He said, ‘Your messenger told us that you say that we are required to perform Hajj to Allāh’s House if able to undertake the journey.’ The Prophet ﷺ said, ‘Yes.’ He said, ‘By the One Who sent you, has Allāh Commanded you that?’ (The Prophet ﷺ said:) ‘Yes.’ So he said: ‘By the One Who sent you with the Truth, I will not leave any of them, nor surpass them.’ Then he got up quickly (leaving). The Prophet ﷺ
said: ‘If the Bedouin told the truth, then he will enter Paradise.’”  
(Sahih)

Abū 'Eisā said: This Hadith is Hasan Gharib from this route. It has been reported from Anas, from the Prophet ﷺ from routes other than this.

I heard Muhammad bin Ismā‘īl saying, “Some of the people of knowledge said: ‘It is understood from this Hadith that reading before the scholar or reciting before him is allowed just like listening.’ And the proof is that the Bedouin recited before the Prophet ﷺ, and the Prophet ﷺ approved of it.”

 comentarios:
 It is proven from this Hadith that this Bedouin came when the four practical pillars of Islam (Salāt, Zakāt, Saum and Hajj) had been divinely legislated.

Chapter 3. What Has Been Related About The Zakāt On Gold And Silver

620. ‘Ali narrated that the Messenger of Allāh ﷺ said: “I have exempted charity on horses and slaves. So bring charity for silver;[1] one Dirham for every forty Dirham. There is nothing for me (to collect) on one hundred and ninety Dirham, so when it reaches two hundred, then five Dirham of it (are due).” (Da‘īf)

[1] Ar-Riqah is coined silver Dirham, and it may also refer to pure silver even uncoined. See Tuhfat Al-Ahwādhi.
There are narrations on this topic from Abū Bakr As-Ṣiddīq, and 'Umar bin Ḥazm.

Abū 'Eisā said: This Hadith was reported by Al-'A'mash, Abū 'Awānah and others, from Abū Isḥāq, from 'Āsim bin Ḍamrah, from 'Ali. Sufyān Ath-Thawrī, Ibn 'Uyainah and others reported it from Abū Isḥāq from Al-Ḥārith, from 'Ali.

He said: I asked Muhammad bin Ismā'īl about this Hadith, he said: “To me, both of the two chains from Abū Isḥāq are authentic.” This (saying of Muhammad bin Ismā'īl Al-Bukhārī) implies that Abū Isbaq had narrated the Hadith from both (‘Āsim ibn Ḍamrah and Al-Ḥārith).

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Comments:

In these days, the paper currency is in vogue in place of the Dirham and Dinār. Generally in the Marfu’ Aiãdith, the silver is used as the minimum amount (Niṣāb) on which Zakāt is levied, therein is also the benefit of the poor. Most people of knowledge think that Zakat becomes due on the value of two hundred Dirham. But some people view that a person who owns two hundred Dirham is not regarded a rich or wealthy person, rather he is still a destitute; therefore the minimum amount (Niṣāb) should be equal to the value of gold (85 grams) on which Zakāt is levied. Regarding horses and slaves, see no. 628. See also nos. 626 and 627.

Chapter 4. What Has Been Related About Zakāt On Camels and Sheep

621. Az-Zuhri narrated from Sālim from his father: “The Messenger of Allāh s.a.w. had a letter written about charity, but he had not dispatched it to his governors until he died; he
kept it with him along with his sword. When he died, Abū Bakr implemented it until he died, as did 'Umar until he died. In it was: ‘A sheep (is due) on five camels, two sheep on ten, three sheep on fifteen, four sheep for twenty, a Bint Makhād[^1] on twenty-five to thirty-five. When it is more than that, then a Bint Labūn[^2] (is due, till the number of the camels reaches) forty-five. When it is more than that, then a Ḥiqqah[^3] until sixty. When it is more than that, then two Bint Labūn until ninety. When it is more than that, then two Ḥiqqah until one hundred and twenty. When it is more than one hundred and twenty, then a Ḥiqqah on every fifty, and a Bint Labūn on every forty. For sheep; one sheep (is due) for every forty sheep until one hundred and twenty. When it is more than that, then two sheep until two hundred. When it is more than that, then three sheep until three hundred sheep. When it is more than three hundred sheep, then a sheep on every hundred sheep. Then there is nothing until it reaches four hundred. There is no combining the (property of) individuals nor separating the collective (property) fearing Sadaqah. And for whatever is mixed together that two own, then they

[^1]: A female camel of one year.
[^2]: A two year old female camel.
[^3]: A three year old female camel.
[^4]: A four year old female camel.
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are to refer to the total. Neither an old or defective (animal) may be taken for charity.”[1] (Hasan)

Az-Zuhri said: “When the charity collector comes, he divides the sheep into three: The choicest in one-third, the average in one third, and the worst in one third. Then the charity collector takes from the average.” And Az-Zuhri did not mention cows.

There are narrations on this topic from Abū Bakr Aṣ-Ṣiddiq, Bahz bin Ḥakīm from his father, from his grandfather; and, from Abū Dharr and Anas.

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Umar is a Ḥasan Ḥadīth. This Ḥadīth is acted upon according to the Fuqaha’ in general. Yunus bin Yazīd and others reported this Ḥadīth from Az-Zuhri, from Sālim, and they did not narrate it in Marfu’ form. It was only narrated as Marfu’ by Sufyān bin Ḥusain.

**Comments:**

‘Separate herds will not be combined and neither the combined herd will be separated fearing Sadaqah / Zakāt.’ Imām Shāfi‘i said: ‘Fearing Sadaqah’ is related to both the owner and the Zakāt collector, because the Zakāt collector might fear a decrease in the amount due on the property, while the owner fears lest the due amount of Zakāt should increase.

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Chapter 5. What Has Been Related About Zakāt On Cows

622. 'Abdullāh bin Mas'ūd narrated that the Prophet ﷺ said: “A Tabī'ah [is due] on thirty cows, and a Musinnaḥ [is due] on every forty.” (Da'if)

There is a narration on this topic from Mu’ādh bin Jabal.

This is how it was reported by ‘Abdus-Salām bin Ḥarb from Khusaif, and ‘Abdus-Salām is trustworthy and has a good memory.

Sharik reported this Hadīth from Khusaif, from Abū ‘Ubaydah, from his father, from ‘Abdullāh, but Abū ‘Ubaydah did not hear (narrations) from his father.

Comments:

Hāfiz Ibn Al-Mundhir said, the people of knowledge are agreed that the buffalos come under the rule of cows because a buffalo is a kind of cow as a Bactrian camel is a kind of camels.

623. Mu’ādh bin Jabal narrated: “The Prophet ﷺ sent me to Yemen and ordered me to collect a Tabī' or a Tabī'ah on every thirty cows, a Musinnaḥ on every forty, a Dinār for every Ĥālim, and its equivalent of Ma'āfīr.”

[1] A male cow of one year, and a Tabī’ah is the female of one year.
[3] “Whoever reached (the age of) discernment such that he would be judged as man, whether he had attained puberty or not, and it means taking the Jizyah from those who are not Muslim.” (Tuhfat Al-Ahwadhi).
[4] Ma'āfīr is the name of a tribe, and here he is referring to a garment that is named after
Abū 'Eisā said: This Hadith is Hasan. Some of them reported this Hadith from Sufyān, from Al-A'māsh, from Abū Wā'il, from Masrūq: “The Prophet ṣaw sent Mu'ādh to Yemen and ordered him to take...” and this is more authentic. (Da'if)

فَأَمَرَنَا أَنْ أَخْذَ مِنْ كُلٍّ كَلاَمِينَ تَقْرِيرَةٌ تَبَيَّنَ أَوْ تَبَيَّنَةً، وَمِنْ كُلِّ أَزْكَيْنِينَ مَسِيِّبَةً، وَمِنْ كُلِّ خَالِمٍ دِينَارًا أَوْ عَلَدًا مَعْافَرًا.

قال أبو عيسى: هذا حديث حسن.

وُرَّثَ بِعْصَمَةٍ هَذَا الْحَدِيثَ عَنْ سَمِيَانٍ، عَنَ الأَعْمَشِ، عَنْ أبي وَأَلْلِ، عَنْ مَسْرُوقٍ.

أَنَّ النَّبِيَّ ﷺ بَعْثَ مَعَادًا إِلَى الْيَمِنِ فَاَمَرَهُ أَن

يَأْخُذْ وَهَذَا أَضْحَى.

تخريج: [إسناده ضعيف] وأخرجه أبو داود، الزكاة، ياب: في زكاة السائمة، ح: ١٥٧، و

624. Muhammad bin Bash-shār (Al-'Abdi) narrated to us, Muhammad bin Ja'far narrated to us, from Shu'bah, from 'Amr bin Murrah who said: “I asked Abū 'Ubaidah bin 'Abdullāh: ‘Did you remember anything from ‘Abdullāh?’ He said, ‘No.’” (Sahih)

264 - حَدَّثَنَا مُحَمَّدُ بُنُ بَشْرٍ، حَدَّثَنَا

مُحَمَّدُ بُنُ جَعْفَرٍ، حَدَّثَنَا سَعْبَةَ عِنْ عُمَروٍ بْنُ

مُرْؤُةٌ قَالَ: سَأَلَتُ أُمَّا عَبْدَةَ هُدُّ تَذَكَّرُ مِنْ عِبَادِ

اللَّهِ شِيَكَاتٍ؟ قَالَ: لَا.

تخريج: [إسناده صحيح].

Comments:

Some of the scholars divided Jizyah into two categories: A): Jizyah which is levied on the non-Muslims with their consent. It has no fixed amount. The ruler will decide the appropriate and affordable amount according to the circumstances. B): The second category of Jizyah is levied on non-Muslims after gaining victory and authority over them; its due amount is fixed. Four Dirham monthly which will make forty-eight Dirham annually are due from a well off person, two Dirham monthly which will make twenty-four Dirham annually are due from a middle class, and one Dirham monthly which will make twelve Dirham annually are due from the poor.

[1] He is narrating in no. 622. The author mentioned this previously, under Hadith no. 17.
Chapter 6. What Has Been Related About It Being Disliked To Take The Choicest Wealth For Charity

625. Ibn 'Abbãs narrated that the Messenger of Allah sent Mu'ãdh to Yemen and said to him: “You are going to a people from the People of the Book, so invite them to testify that none has right to be worshipped but Allah, and that I am the Messenger of Allah. If they comply with that, then inform them that Allah has made five prayers obligatory upon them in a day and a night. If they comply with that, then inform them that Allah has ordained a charity upon their wealth, which is to be taken from the rich among them and given to the poor among them. If they comply with that, then beware of their most precious wealth, and protect yourself from the supplication of the oppressed, for there is no barrier between it and Allah.” (Sahih)

There is a similar narration on this from As-Šunâbihî.

Abû ‘Eisã said: The Hadith of Ibn ‘Abbãs is a Hasan Sahih Hadith. Abû Ma'bad’s (one of the narrators) name, the freed slave of Ibn ‘Abbãs, is Näfidh.

Comments:

According to the majority biographers, Mu'ãdh bin Jabal was appointed a judge and governor of Yemen in 9th year of Hijrah/Emigration. Imãm Al-
626. Abū Sa‘eed Al-Khudrī narrated that the Prophet ﷺ said:
“There is no charity due on less than five camels, and there is no charity due on what is less than five Uqiyah (of silver), and there is no charity due on what is less than five Wasaq.” (Ṣaḥīḥ)

There are narrations on this topic from Abū Hurairah, Ibn ‘Umar, Jābir, and ‘Abdullāh bin ‘Amr.

627. (Another chain of narration that) Abū Sa‘eed Al-Khudrī narrated that the Prophet ﷺ said (similar to Ḥadīth no. 626). (Ṣaḥīḥ)

Abū ‘EIsā said: The Ḥadīth of Abū Sa‘eed is a Hasan Ṣaḥīḥ Ḥadīth. It has been reported from him through other routes also. This is acted upon according to the people of knowledge, (they say) that there is no charity due on what is less than five Wasaq and a Wasaq is sixty Sā’s, so five Wasaq is three hundred Sā. The Sā of the Prophet ﷺ was five and one-third
Rafi, and the Ṣā'ī of the people of Al-Kūfah is eight Rafī. There is no charity due on what is less than five Uqiyah and an Uqiyah is forty Dirham, so five Uqiyah is two hundred Dirham. There is no charity due on what is less than five camels, so when the amount reaches twenty-five, then one Bint Makhāḏ is due, and when it is less than twenty-five camels, then for every five camels a sheep is due.

Comments:

*Dhaud* means camels and *Uqiyah* is used for Dirham; the detail of their *Zakāt* has already been mentioned. Here the objective of this Hadith is to explain the issue of *Zakāt* levied on agricultural produce, like: grains and fruits.

Chapter 8. What Has Been Related About: There Is No Charity Due On Horses And Slaves

628. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “There is no charity due from a Muslim for his horse nor his slave.” *(Sahih)*

There are narrations on this topic from ‘Abdullāh bin ‘Amr and ‘Ali. Abū ‘Elsa said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith.

This is acted upon according to the people of knowledge, there is no charity due on a grazing horse, nor is charity due on a slave which they use as a servant, unless they
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are for trade, if they are for trade then \(\text{Zakāt}\) is due on their price when the \(\text{Hawl}\)\[1\] is fulfilled for them.

\[1\] One lunar year.

Comments:

Three \(A'immah\) hold the opinion in the light of this \(\text{Hadīth}\) that the horses are not subject to \(\text{Zakāt}\) if they are not for trade, and if they are for trade, then according to the four \(A'immah\), they are subject to \(\text{Zakāt}\); \(\text{Imām Abū Yusuf}\) and \(\text{Imām Muhammad}\) are also agreed with the majority. \(\text{Imām Abū Hanifah}\) says, the horses for breeding purposes are subject to \(\text{Zakāt}\), but the opinion of the majority is more accurate. (\text{Mir'āt}: 2/44)

Chapter 9. What Has Been Related About \(\text{Zakāt}\) On Honey

629. Ibn 'Umar narrated that the Messenger of Allāh ﷺ said: “A \(\text{Ziqq}\)\[2\] is due for every ten \(\text{Ziqq}\) of honey.” (\text{Hasan})

There are narrations on this topic from Abū Hurairah, Abū Sayyārah Al-Muta‘ī, and ‘Abdullāh bin ‘Amr.

Abū ‘Eṣās said: The chain for the \(\text{Hadīth}\) of Ibn ‘Umar has one person in it who has been criticized, and there is not much from the Prophet ﷺ on this topic that is correct.

\[2\] “It is a vessel made of (animal) skin in which fat and honey are stored.” \text{Tuhfat Al-Ahwadhi.}
However, this *Hadith* is acted upon according to most of the people of knowledge. It is the view of Ahmad and Ishâq. Some of the people of knowledge say that there is nothing due on honey.

[And Sâdâqah bin 'Abdullâh (one of the narrators) does not have a good memory, and Sâdâqah bin 'Abdullâh has been contradicted in narrating this *Hadith* from Nâfi'].

**Comments:**

Imâm Ibn Al-Mundhir stated that according to the majority the *Zakât* is not levied on honey. Imâm Mâlik, Ash-Shâfî'i and Ath-Thawri also hold the same opinion. In the view of Imâm Ahmad and Ishâq one tenth is due on honey as *Zakât*. (*Tuhfat Al-Ahwadhi: 3/8*)
Chapter 10. What Has Been Related About: There Is No Zakāt On Acquired Wealth Until The Hawl Has Passed

631. Ibn ‘Umar narrated that the Messenger of Allāh ﷺ said:

“Whoever acquires wealth, then there is no Zakāt on it until the Hawl has passed (while it is in his possession).” (Da’if)

632. Ibn ‘Umar said: “Whoever acquires wealth, then there is no Zakāt on it until the Hawl has passed while it is in his possession.”

(Abū ‘Eisā said:) This is more correct than the (previous) Ḥadīth of ‘Abdur-Rahmān bin Zaid bin Aslam.

Abū ‘Eisā said: It was reported by Ayyūb, ‘Ubaidullāh [bin ‘Umar] and others, from Nāfi’, from Ibn ‘Umar in Mawquf form. ‘Abdur-Rahmān bin Zaid bin Aslam is weak in Ḥadīth. Aḥmad bin Ḥanbal, ‘Alī bin Al-Madini and others among the scholars of Ḥadīth graded him weak. (And he) has many mistakes.
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It has been reported from more than one of the Companions of the Prophet ﷺ that there is no Zakāt on acquired wealth until the Hawl passes on it. This is the saying of Malik bin Anas, Ash-Shaf‘i, Ahmad bin Hanbal, and Ishāq.

Some of the people of knowledge said that when one has wealth upon which Zakāt is due, then the Zakāt is required, but if he does not have any wealth besides what was acquired – and it is of the type that Zakāt is paid on – then he is not required to pay Zakāt on the acquired wealth until the Hawl has passed on it. But if he acquired wealth before the Hawl passed, then he is to pay Zakāt on the acquired wealth, along with the wealth that Zakāt is required on that he already has. This is the saying of Sufyān Ath-Thawrī and the people of Al-Kūfah.

Comments:

Wealth gained during the year (like: gifts, inheritance etc.) is called ‘Gained Wealth’. According to Imam Abū Ḥanifah, this type of wealth will be calculated along with the person’s own previous wealth, and both together will be subject to Zakāt. It looks true that if the previous wealth does not reach the amount subject to Zakāt (Nisāb) while the gained wealth reaches the Nisāb, or the gained wealth reaches the Nisāb by adding it to the pre-owned wealth, thus both will be combined and will be subject to Zakāt. If both, individually, reach the Nisāb, then they will have separate years. See for details Mir‘at: 2/21-22.
Chapter 11. What Has Been Related About: There Is No Jizyah Required From The Muslims

633. Ibn ‘Abbâs narrated that the Messenger of Allah ﷺ said: “Two Qiblahs in one land are of no benefit, and there is no Jizyah upon the Muslims.” (Da‘îf)

Comments:

‘Allâmâh Taur Bishti said, two religions cannot function together equally in the same land. No Muslim should be disgraced and humiliated in the country of disbelievers, and a disbeliever cannot live in an Islamic country without paying the Jizyah and neither is he allowed to preach and propagate his religion openly.

634. (A similar narration as no. 633). (Da‘îf)

There are narrations on this topic from Sa‘eed bin Zaid and the grandfather of Harb bin ‘Ubaidullah Ath-THaqafi.

Abû ‘Eisâ said: The Hadîth of Ibn ‘Abbâs was reported from Qâbûs bin Abî Zibyân, from his father, from the Prophet ﷺ in Mursal form.

This is acted upon according to the people of knowledge in general, that the Christian, when he accepts Islâm, then the Jizyah is removed from his neck.[1] As for the saying of the Prophet ﷺ:

[1] Meaning the individual does not have to pay the Jizyah, but that does not necessarily refer to taxes on his land.
There is no ‘Ushūr Jizyah taken from the Muslims,” it only refers to the individual Jizyah, and there is a Hadith that explains this, where he (ﷺ) said: “The ‘Ushūr is only required from the Jews and Christians, there is no ‘Ushūr required from the Muslims.”

Comments:
Some people of knowledge meant by ‘Ushūr’ ten percent of the trading merchandise; meaning that the trading commodities of the Jews and Christians are subject to ten percent levy; as for the Muslims, because they pay Zakāt on the trading commodities, so their trading merchandise are not subject to ten percent levy. [Tuhfat Al-Azwadhi: 3/10]

Chapter 12. What Has Been Related About Zakāt On Jewelry

635. ‘Amr bin Al-Ḥārith bin Al-Muṣṭaliq narrated from the nephew of Zainab, the wife of ‘Abdullāh (Ibn Mas‘ūd) who said: “The Messenger of Allāh ῶ delivered a sermon to us, and said: ‘O you women! Give charity, even if it is from your jewelry, for indeed you will make up most of the people of Hell on the Day of Judgement.”’ (Ṣahīh)

636. ‘Amr bin Al-Ḥārith, the nephew of Zainab, the wife of ‘Abdullāh, narrated that Zainab, the wife of ‘Abdullāh narrated similarly from the Prophet ῶ (Ṣahīh)
(Abū 'Eisā said:) This is more correct than the (previous) narration of Abū Mu‘āwiyah. Abū Mu‘āwiyah was confused in his narration, he said: "(From) ‘Amr bin Al-Hārith, from the nephew of Zainab" but what is correct is that it is from ‘Amr bin Al-Hārith, the nephew of Zainab. It has also been reported from ‘Amr bin Shu‘ayb, from his father, from his grandfather, from the Prophet that he accepted jewelry for Zakāt, but there is some disparagement related to the chain.

The people of knowledge differ over that, some of the people of knowledge among the Companions of the Prophet, and the Tābi‘in thought that Zakāt was due on jewelry that was gold or silver.

This is the view of Sufyān Ath-Thawrī and ‘Abdullāh bin Al-Mubārak. Some of the Companions of the Prophet, among them Ibn ‘Umar, ‘Āishah, Jābir bin ‘Abdullāh and Anas bin Mālik said: "There is no Zakāt due on jewelry." That was reported from some of the Fuqahā’ among the Tābi‘in. This is the view of Mālik bin Anas, Ash-Sha‘fī‘ī, Ahmad, and Ishaq.

Comments:
In the light of evidence, the opinion of those who are in favor of Zakāt on jewelry is correct, provided the jewelry is equal or more than the Nisāb.

(Subulus-Salam: 2/192, Mir‘āt: 3/81)
637. ‘Amr bin Shu’āib narrated from his father, from his grandfather, that two women came to the Messenger of Allah ﷺ, and they each had a bracelet of gold on their forearms. So he said to them: “Have you paid their Zakāt?” They said, “No.” The Messenger of Allah ﷺ said to them: “Would you like for Allah to fashion them into two bracelets of Fire?” They said, “No.” He said: “Then pay its Zakāt.” (Hasan)

Abū ʿEiśa said: This Hadith was also reported like this by Al-Muthanna bin Aṣ-Ṣabbāh from ‘Amr bin Shu’āib. Al-Muthanna bin Aṣ-Ṣabbāh and Ibn Lāhī‘ah (narrators in the chain of this Hadith are weak in Hadith, and there is nothing correct on this chapter from the Prophet ﷺ).

Comments:
The scholars did not accept this view of Imam At-Tirmidhi that there is no authentic Hadith regarding this issue; as there are some authentic Ahâdith.

Chapter 13. What Has Been Related About Zakāt On Greens (Produce)

638. ʿEiśa bin Talḥah narrated that Muḥād had written to the Prophet ﷺ to ask him about greens – which is “herbs” – so he (ﷺ) said, “There is nothing due on them.” (Daʿf)

Abū ʿEiśa said: The chain for this Hadith is not Sahih, Nothing

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authentic is reported from the Prophet ﷺ on this topic. This was only reported from Müsä bin ȇtalhah, from the Prophet ﷺ in Mursal form. This is acted upon according to the people of knowledge, in that there is no charity due on greens.

Abû ‘Eisâ said: Al-Ḥasan (one of the narrators) is Ibn ‘Ummârah, and he is weak according to the people of Ḥadîth. Shu’bah and others considered him weak, and he was abandoned by ‘Abdullâh bin Al-Mubârah.

Comments:

Three A‘immah and two disciples of Imâm Abû Hanîfah hold the opinion that Zakât is not levied on vegetables and this is the authentic view, because they cannot be preserved by storing.

Chapter 14. What Has Been Related About Charity On What Is Watered By Rivers Or Otherwise

639. Abû Hurairah narrated that the Messenger of Allâh ﷺ said:
“For what is watered by the heavens and streams, the ‘Ushr is due, and for what is watered by irrigation,[1] half of the ‘Ushr.” (Hasan)

(He said:) There are narrations on this topic from Anâs bin Mâlik, Ibn ʿUmar, and Jiābir.

Abû ‘Eisâ said: This Ḥadîth was narrated in Mursal form by Bukair

[1] This refers to whatever people provide water for by their own labor, or use of camels and the like, linguistically, it is not restricted to land or crops as some have mistakenly interpreted it. See Tuhfat Al-Ahwadhi and Fath Al-Bârî (no. 1483)
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bin ‘Abdullāh Al-Ashajj, from Sulaimān bin Yasār and Busr bin Sa‘eed from the Prophet ﷺ, and it is as if this narration is more correct. The Hadīth of Ibn ‘Umar on this topic from the Prophet ﷺ is authentic, and it is acted upon according to the Fuqaha’ in general.

Comments:

It is proven with Hadīth that a produce irrigated by natural water (i.e. rain, under ground moisture, etc.) is subject to ten percent levy, because it is less expensive and does not require much hard work and labour. Canal irrigation system for which the government charges revenue is an artificial irrigation system, twenty percent Zakāt is levied on the produce by this system.

640. Sālim narrated from his father that the Messenger of Allāh ﷺ instituted the ‘Ushr for what was watered by the heavens and streams, or through natural channels, and half of the ‘Ushr for what is watered by irrigation. (Sahih)

Abū ‘Eisā said: This Hadīth is Ḥasan Sahih.

Comments:

‘Athari’ is a land watered by underground moisture, the crops cultivated in such lands are not required to be watered as it gets the underground water-moisture and flourishes for harvest.

Comments:

And the Hadīth of Ibn ‘Umar on this topic from the Prophet ﷺ is authentic, and it is acted upon according to the Fuqaha’ in general.

Comments:

It is proven with Hadīth that a produce irrigated by natural water (i.e. rain, under ground moisture, etc.) is subject to ten percent levy, because it is less expensive and does not require much hard work and labour. Canal irrigation system for which the government charges revenue is an artificial irrigation system, twenty percent Zakāt is levied on the produce by this system.
Chapter 15. What Has Been Related About Zakát On The Orphan’s Wealth

641. ‘Amr bin Shu’aib narrated from his father, from his grandfather that the Prophet addressed the people and said: “As for one who is the guardian of an orphan who has wealth, then let him do business with it and not leave it until it becomes consumed by charity.” (Da’if)

Abū ‘Eisā said: This Hadith was only reported through this route, and there is some criticism of its chain because Al-Muthanna bin Aṣ-Ṣabbāḥ was considered weak in Hadith. Some of them reported this Hadith from ‘Amr bin Shu’aib that ‘Umar bin Al-Ḵhaṭṭāb, mentioned this Hadith.

The people of knowledge differ over this topic. More than one of the Companions of the Prophet held the view that there was Zakát due on the wealth of the orphan. Among them are ‘Umar, ‘Ali, ‘Aishah, and Ibn ‘Umar. This is the saying of Mãlik, Ash-Shãfi’il, Almad and Ishaq.

A group of the people of knowledge said that there is no Zakát on the orphan’s wealth. This is the view of Sufyān Ath-Thawrī and ‘Abdullāh bin Al-Mubārak.

‘Amr bin Shu’aib is Ibn Muḥammad bin ‘Abdullāh bin ‘Amr bin Al-‘Āṣ. Shu’aib heard from his grandfather ‘Abdullāh bin ‘Amr. Yahya bin Sa’eed criticized the narrations of ‘Amr bin Shu’aib.
and said: “He is feeble.” Those who considered him weak only said that because he narrated from the scroll of his grandfather ‘Abdullâh bin ‘Amr.

As for the majority of the people of Hadîth, they use the narrations of ‘Amr bin Shu‘aib for proof and considered him trustworthy, among them are Ahmad, Ishâq and others.

Comments:

Although this narration, regarding the Zakât due from the property of an orphan child is weak, yet its view is supported by the verdicts of various Companions. The order of paying the Zakât is given to the guardian, not the child.

Chapter 16. What Has Been Related That The Injuries Caused By The Animal Are Without Liability And The Khumus Is Due On Rikâz

642. Abû Hurairah narrated that the Messenger of Allâh ﷺ said: “The injuries caused by the animal are without liability,[1] and mines are without liability, and wells are without liability, and the Khumus is due on Rikâz.”[2] (Sahîh)

(He said:) There are narrations on this topic from Anas bin Mâlik, ‘Abdullâh bin ‘Amr, ‘Ubadah bin Ash-Šâmi, ‘Amr bin ‘Awf Al-Muzâni, and Jâbir.

[1] Meaning the owner of these is not liable for damages to others who suffer from them.

[2] Buried treasure. Further details related to this Hadîth occur when it appears again; no. 1377.
Abū ‘Eisā said: This Hadith is Hasan Sahih.

Comments:

An animal goes out during the day, and it is only the day time when it is taken out, and if the master is not with the animal, he is perhaps busy controlling other animals. If the animal runs away and harms or injures someone or destroys some crops; and it did not involve carelessness and negligence on the part of the master, in this situation the master of the animal is not responsible for loss and injury. But if it was through the fault and negligence of the master that he let the animal go and ignored the matter, or became busy doing something else and did not care about the animals, in this case if the animal injures someone or destroys someone’s crops, the master will then be held responsible for it.

Chapter 17. What Has Been Related About Al-Khārs (Assessment)

643. ‘Abdur-Rahmān bin Mas‘ūd bin Niyār said: “Sahl bin Abī Hathmah came to a gathering of ours, and he narrated that the Messenger of Allāh ﷺ would say: “When you make an assessment, then take it and leave a third, if you do not leave a third, then leave a quarter.” (Hasan)

He said: There are narrations on this topic from ‘Āishah, ‘Attāb bin Asid, and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadith of Sahl bin Abī Khathmah is acted upon for Al-Khārs (assessment) according to most of the people of knowledge. The view of Ahmad and Ishāq was in accordance with
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the Ḥadīth of Sahl bin Abī Qatādah.\[1\]

Al-Khāras occurs with the apperance of the fruits of dates and grapes upon which Zakāt is due, then the Sultan sends the appraiser to make an assessment for them.

And Al-Khāras is when the one looking at it considers (the amount) and says: “This amount of raisins should be taken out for this, and this amount of dried dates should be taken out for this.” So he estimates it for them, and he reckons the amount that makes up the ‘Ushr which is due from them. Then he leaves them with the fruit to do as they like. When they harvest the fruit then the ‘Ushr is taken from it. This is how it was interpreted by some of the people of knowledge, and it is the view of Mālik, Ash-Shāfi‘i, ʿĀṣim, and Ishaq.

644. ‘Attāb bin Asid narrated that the Prophet said about Zakāt on grape-vines: “They are to be assessed just as the date-palm is assessed. Then its Zakāt is paid in raisins just as the Zakāt for the date-palm is paid in dried dates.” (Daʿif)

\[1\] This statement was interpreted here as it was interpreted in Tuhfat Al-Ahwadhi.
Abū 'Eisā said: This Hadith is Hasan Gharib. Ibn Juraij reported this Hadith from Ibn Shihāb, from ‘Urwah, from ‘Aishah. I asked Muhammad about this (Hadith) and he said: “The Hadith of Ibn Juraij is not preserved. And the Hadith of Sa‘eed bin Al-Musayyab from ‘Attāb bin Asīd (is more confirmed) and more correct.

Comments:

It is a known statement that the Ahnāf deny the estimating to determine the amount of fruits, and it looks as if they state the Hadiths about the estimation are contrary to the Hadiths of Muzābanah, while these Hadiths are about selling and buying. Three A‘immah are agreed principally on the issue of estimation, as Imam At-Tirmidhi has mentioned. For further detail see: (Mir‘at: 3/74-80)

Chapter 18. What Has Been Related About The One Who Works In Collecting Ṣadaqah In Truth

645. Rāfi‘ bin Khadij narrated: “I heard the Messenger of Allah saying: ‘The one who works in collecting charity in truth is like the one who fights in the cause of Allāh until he returns.’” (Hasan)

Abū ‘Eisā said: The Hadith of Rāfi‘ bin Khadij is a Hasan (Sahīh)
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Hadīth. Yazīd bin ʿIyād is weak according to the people of Hadīth, and the Hadīth of Muhammad bin Isḥaq is more correct.[1]

Comments:
Offering service for public causes in the Islamic religious government is a matter of great significance and virtue; particularly, collecting the wealth for the Islamic treasury, because the Islamic treasury also spends for the welfare of men serving in the military and their families.

Chapter 19. (What Has Been Related) About The One Who Commits Transgression With Charity

646. Anas bin Mālik narrated that the Messenger of Allāh ﷺ said: “The one who commits transgression with charity is like the one who does not pay it.” (Hasan)

He said: There are narrations on this topic from Ibn ʿUmar, Umm Salamah, and Abū Hurairah.

Abū ʿEisā said: The Hadīth of Anas is a Gharīb Hadīth from this route.

Ahmād bin Ḥanbal has criticized

[1] At-Ṭirmidhī narrated this Hadīth with two different chains.
Sa’d bin Sinân. This is how it was narrated by Al-Laith bin Sa’d, from Yazid bin Abi Habib, from Sa’d bin Sinân, from Anas bin Mâlik. [‘Amr bin Al-Hârith and Ibn Lahî’ah said: “From Yazid bin Abî Habib, from Sinân bin Sa’d, from Anas.”]. Abû ‘Eisâ said: I heard Muhammad saying: “Sinân bin Sa’d is what is correct.” And regarding his saying: “The one who commits transgression with charity is like the one who does not pay it” it is as if he is saying: “For the one who commits transgression is the sin just like the one who does not pay it.”

Comments:
This is the apparent and true meaning of the Hadîth, that as it is a crime and sin not to pay the Zakât, likewise it is also a crime and sin that a Zakât collector takes from the people more than what is due, or he takes the best quality and the fine one; because if a Zakât collector deals unjustly and unfairly the people will avoid the payment of Zakât and they will conceal their wealth.

Chapter 20. What Has Been Related About Pleasing the Collector of Charity

647. Jarîr narrated that the Prophet ﷺ said: “When the charity collector comes to you, then he should not depart from you except while pleased.” (Sahîh)

Comments:
It is necessary that what a Zakât collector tells about the Zakât to be paid in the light of true reckoning, it should be paid happily; this is how the blessings of the Divine system can be gained.
648. Jarîr narrated similar (narration to no. 647 with a different chain) from the Prophet (Sâhîh).

Abû ‘Eisâ said: The narration of Dâwûd (this narration) from Ash-Sha’bî is more correct than the (previous) narration of Mujâlid. Some of the people of knowledge considered Mujâlid weak, and he was often mistaken.

Chapter 21. What Has Been Related About: Charity Is Taken from The Rich To Be Distributed To The Poor

649. ‘Awn bin Abî Juhaifah narrated from his father: “The charity collector of the Prophet came to us. So he took the charity from our rich to give it to our poor. I was a orphan boy, so he came to me and gave me a young she-camel from it.” (Da‘f)

(He said:) There is a narration on this topic from Ibn ‘Abbâs.

Abû ‘Eisâ said: The Hadith of Abî Juhaifah is a Ḥasan Gharîb Hadith.

Comments:
This Hadith although it is Weak, yet this issue is mentioned in other authentic narrations that prove that the Zakât will be distributed among the poor and needy people of the same city, village and area where it has been collected from the rich people of a city, village and area.
Chapter 22. (What Has Been Reported About) For Whom The Zakāt Is Lawful

650. ‘Abdullāh bin Mas‘ūd narrated that the Messenger of Allāh ﷺ said:
“Whoever begs from the people while he has what he needs, he will come on the Day of Judgement and his begging will be scratches, or lacerations, or bite marks on his face.” They said: “O Messenger of Allāh! ‘How much is it that one needs?’ He said: ‘Fifty Dirham, or their value in gold.’” (Da’if)

He said: There is something on this topic from ‘Abdullāh bin ‘Amr. Abū ‘Eisā said: The Ḥadīth of Ibn Mas‘ūd is a Hasan Ḥadīth, and Shu‘bah has criticized Ḥakim bin Jubair due to this Ḥadīth.

Comments:
Khumūsh is plural of Khams, Khudūsh is plural of Kad-h, these three words mean ‘injury’, they are synonymous in meaning with a slight difference.

651. Mahmūd bin Ghaylān narrated to us: Yahya bin Ādam narrated to us, Sufyān narrated this Ḥadīth to us from Ḥakim bin Jubair. So ‘Abdullāh bin ‘Uthmān, the companion of Shu‘bah said to him (Sufyān): “If only someone besides Ḥakim had narrated this (Ḥadīth).” Sufyān said to him, “So what is with Ḥakim; Shu‘bah would not narrate from
him?” He said: “Yes.” So Sufyân said: “I heard Zubaid narrating this from Muḥammad bin ‘Abdur-Rahmân bin Yazîd.” (Da‘îf)\(^1\)

This is acted upon according to some of our companions, it is the view of Ath-Thawri, ‘Abdullâh bin Al-Mubârak, Ahmad and Ishâq. They said that when a man has fifty Dirham, then charity is not lawful for him.

(He said:) Some of the people of knowledge did not follow the Hadîth of Hakîm bin Jubair, they were more liberal than this, saying that when he has fifty Dirham or more and he has some need, then he can accept Zakât. This is the saying of Ash-Shâfi‘î, and more than one of the people of Fiqh and knowledge.

Comments:
A person who works hard and tries his best to earn a livelihood but despite that he is unable to provide his household expenses i.e., essential life necessities, food, clothes, treatment and medicine and rent of the house etc.; he is allowed to accept charity and alms.

Chapter 23. What Has Been Related About: For Whom Charity Is Not Lawful

652. ‘Abdullâh bin ‘Amr narrated that the Prophet ﷺ said: “Charity is not lawful for the rich nor for the physically fit.” (Hasan)

(He said:) There are narrations on this topic from Abru Huraïrah, Ḥubshi bin Junâdah, and Qabîsah bin Al-Mukhâriq.

Abû ‘Eisâ said: The Hadîth of ‘Abdullâh bin ‘Amr is a Hasan

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\(^1\) That is the narration of Hakîm, not the discussion between Sufyân and ‘Abdullâh.
This Hadith has been reported with this chain from Shu'bah, from Sa'd bin Ibrāhīm, but he did not narrate it in Marfu' form. It has been related in other than this Hadith from the Prophet that: “Begging in not lawful for the rich nor for the physically fit.”

When there is a strong man who has needs and he does not have anything, then it is allowed for the charity collector to give him charity according to the people of knowledge. According to some of the people of knowledge, this Hadith is dealing with begging.

Comments:

He who is healthy, strong and physically fit or he is wealthy; begging is not allowed for a person having such qualities. Because a wealthy person is not in need of it and other individuals can work and earn a livelihood.

653. Hubši bin Junādah As-Salūlī narrated: “During the Farewell Hajj, while the Messenger of Allāh was standing at ’Arafa, a Bedouin came to him begging while pulling on the edge of his Ridā'. He gave him something and he left. With that, begging was made unlawful, so the Messenger of Allāh said: ‘Begging is not lawful for the rich nor for the physically fit, except for..."
the one who is severely poor or in perilous debt. And whoever begs the people (merely) to increase his wealth, then on the Day of Judgement (the wealth he begged for) will be lacerations on his face and heated coals from Hell will be provided for him to eat. Whoever wishes, let him take a little, and whoever wishes, then let him take a lot.” (Daâf"

Comments:
This Hadith also proves that a person should work hard to earn according to his best ability, and he should not stretch a begging hand before others.

654. There is another chain with a similar narration. (Daâf"
Abû ‘Eisâ said: This Hadith is Gharîb from this route.

Chapter 24. (What Has Been Related About) The Indebted And Others For Whom Charity Is Lawful

255. Abû Sa‘eed Al-Khudrî narrated: “During the time of the Messenger of Allâh ، a man suffered a loss on fruits that he had sold, resulting in more debt. The Messenger of Allâh ، said: ‘Give him charity.’ So the people gave him charity but it did not cover his debt.
So the Messenger of Allâh ﷺ said to his debtors: “Take what you have and there is nothing for you but that.” (Sahih)

(He said:) There are narrations on this topic from ‘Aishah, Juwairiyah, and Anas.

Abû ‘Eisâ said: The Hadith of Abû Sa‘eed is a Hasan Sahih Hadith.

Comments:

If a person made an enormous, unbearable and unrecoverable loss in business and making up this loss is out of his control and ability; such a person should be aided with charity and alms.

Chapter 25. What Has Been Related About It Being Disliked For The Prophet ﷺ, His Household, And His Mawâli’[1] To Accept Charity

656. Bahz bin Hakîm narrated from his father, from his grandfather who said: “When something was brought to him, the Messenger of Allâh ﷺ would ask: ‘Is this charity or a gift?’ If they said: ‘Charity.’ He would not eat it, and if they said, ‘A gift’ he would eat it.” (Hasan)

(He said:) There are narrations on this topic from Sâlmân, Abû Hurairah, Anas, Al-Hasan bin ‘Ali, Abû ‘Amîrah the grandfather of Mu‘arraf bin Wâsil, and his name is Rushaid bin Mâlik, and Mâimûn (bin) Mîhrân, Ibn ‘Abbâs, ‘Abdullâh bin ‘Amr, and Abû Râfî’,

[1] Mawâli’ plural of Mawlâ. When a slave is freed he is considered similar to a family member of the one who freed him, and called a Mawlâ, or, one who has allegiance.
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and ‘Abdur-Rahmān bin ‘Alqamah.

This Hadith has also been reported from ‘Abdur-Rahmān bin ‘Alqamah, from ‘Abdur-Rahmān bin Abī ‘Aqīl, from the Prophet ﷺ. The name of Bahz bin Ḥakīm’s grandfather was Mu‘āwiyah bin Ḥaidah Al-Qushairi.

Abū ‘Eisā said: The Hadith of Bahz bin Ḥakīm is a Hasan Gharib Hadith.


Comments:

The Prophet ﷺ would accept gifts, and normally he would give gifts in return, but as for charity he would give it to those individuals who deserved and he ﷺ never accepted it for himself.

657. Abū Rāfī’ (may Allāh be pleased with him) narrated that the Messenger of Allāh ﷺ sent a man from Banū Makhzūm to collect charity, so he said to Abū Rāfī’:

“Accompany me so that perhaps you may have some of it.” So he said:

“Not until I ask the Messenger of Allāh ﷺ.” So he went to the Prophet ﷺ to ask him, and he said:

“Charity is not lawful for us, and to be the Mawla of a people is to be the same as them.” (Ṣaḥīḥ)
(Abū ‘Eisā) said: This Hadīth is Hasan Šaḥīh. The name of Abū Raﬁ’, the Mawla of the Prophet ﷺ, is Aslam, and the son of Abū Raﬁ’ is ‘Ubaidullāh bin Abī Raﬁ’, the scribe of ‘Ali bin Abī Ṭālib (may Allāh be pleased with him).

**Comments:**
It is unanimously agreed that the Prophet ﷺ was not allowed to accept for himself any type of charity whether obligatory or voluntary. According to Imām Ash-Shafi‘ī, ‘for us’ means the offspring of Hashim and Abdul-Muṭṭalib; Amīr Yamānī also supported this opinion in *Subulus-Salām*: 2/214.

**Chapter 26. What Has Been Related About Charity For Near Relatives**

658. Ḥafṣah bint Sirīn narrated from Ar-Rabāb, from her uncle Salmān bin ‘Āmir that he related that the Prophet ﷺ said: “When one of you breaks his fast, then let him do so with dried dates, for they are blessed. Whoever does not find dates, then water, for it is purifying.” And he said: “Charity given to the needy is (counted as) charity, and if it is given to relatives it is (counted as) two: charity and nurturing (the ties of kinship).” *(Ṣaḥīh)*

(He said:) There are narrations on this topic from Zainab the wife of ‘Abdullāh bin Mas‘ūd, Jābir, and Abū Hurairah.

Abū ‘Eisā said: The Hadīth of Salmān bin ‘Āmir is a Hasan Ḥadīth. Ar-Rabāb is Umm Ar-
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Rā'īḥ bint Ṣulāḥ. This is how a similar Hadith was reported by Sufyān Ath-Thawrī, from ‘Āṣim, from Ḥafṣah bint Ṣirīn, from Ar-Rabāb, from Salmān bin ‘Āmir, from the Prophet. And Shu‘bāḥ reported it from ‘Āṣim, from Ḥafṣah bint Ṣirīn, from Salmān bin ‘Āmir, and he did not mention “From Ar-Rabāb” in it. The narrations of Sufyān Ath-Thawrī and Ibn ‘Uyainah (narrators in the chain of this Hadith) are more correct. Similarly, it was reported by Ibn ‘Awn and Ḥishām bin Ḥassān from Ḥafṣah bint Ṣirīn, from Ar-Rabāb, from Salmān bin ‘Āmir.

Comments:

A person has two types of relatives: a): The origin i.e. parents, children and spouse; b): and other than the origin like: paternal and maternal uncles etc. A person is responsible for the expenses and maintenance of the first type of relatives, therefore they are not entitled to take Zakāt, yet the voluntary charity may be given to them. Other type of relatives for whom a person is not responsible for expenses and maintenance, any type of charity, obligatory or voluntary, may be given to them and doing so on the basis of keeping the tie of relations will have the reward two-fold.

Chapter 27. What Has Been Related About: There Is A Duty On Wealth Aside From Zakāt

659. Fāṭimah bint Qais narrated that she asked – or, the Prophet was asked – about Zakāt, and he
said: “Indeed there is a duty on wealth aside from *Zakāt*.” Then he recited this *Āyah* which is in *Al-Baqarah*: ‘It is not *Al-Birr* (piety, righteousness) that you turn your faces.’ (*Al-Baqarah* 2:177) (Daʿīf)

Comments:

It is said in this Verse ‘he paid the *Zakāt*’ in addition to that it is also said ‘he spent the wealth in spite of love for it’ he spent on close relatives, poor, wayfarers, those who ask for it and to set the slaves free. It is known from this Verse that besides the *Zakāt* which is a compulsory and a specified duty, there are other various rights due from the wealth which are provisional and temporary and they are related to the catastrophic incidents and needs.

660. Fāṭimah bint Qais narrated that the Prophet ﷺ said: “Indeed there is a duty on wealth aside from *Zakāt*.” (Daʿīf)

Abū ʿEisā said: The chain for this *Hadith* is not that strong. Abū Ḥanẓah Maimūn Al-Aʿwar was graded weak, and Bayān as well as Iṣmāʿīl bin Sālim reported this *Hadith* from Ash-Shaʿbī as his own saying, and this is more correct.

Comments:

Although this *Hadith* and the previous one are weak yet the subject is correct in meaning.

Chapter 28. What Has Been Related About The Virtue Of Charity

661. Abū Hurairah narrated that the Messenger of Allāh ﷺ said:
"None gives charity from \textit{Tayyib}\textsuperscript{[1]} – and Allâh does not accept but \textit{Tayyib} – but that Ar-Rahmân accepts it with His Right (Hand). Even if it is a date, it is nurtured in the Hand of Ar-Rahmân until it is greater than a mountain, just as one of you nurtures his foal or young camel." \textit{(Sahîh)}

(He said:) There are narrations on this topic from 'Aishah, 'A'ish bin Hätim, Anas, 'Abdullâh bin Abî 'Awfa, (Hâridhah bin Wahb), 'Abdur-Rahmân bin 'Awf, and Buraidah. Abû 'Eisâ said: The \textit{Hadith} of Abû Hurairah is a \textit{Hasan Sahih Hadith}.

662. Abû Hurairah narrated that the Messenger of Allâh \textit{sa} said: “Indeed Allâh accepts charity, and He accepts it with His Right (Hand) to nurture it for one of you, just like one of you would nurture his foal, until the bite (of food) becomes as large as Uhûd.” The Book of Allâh, the Mighty and Sublime testifies to that: ‘He accepts repentance from \textit{Good and lawful}."

\textbf{Comments:}

This \textit{Hadith} tells that pure and fine things should be donated for the sake of Allâh and Allâh \textit{sa} accepts such things with great kindness and love.

\textsuperscript{[1]} Good and lawful.
His worshippers, and accepts charity.\[^{[1]}\]

And: ‘Allāh will destroy Ribā and will give increase for charity.'\[^{[2]}\] (Abū ‘Eisā) said: This Hadīth is (Hasan) Sahīh. It has been reported from ‘Aishah from the Prophet similarly. More than one of the people of knowledge have spoken about this Hadīth, and the narrations that resemble it about the Attributes and the Descent of the Lord, Blessed and Most High, every night to the lowest Heaven. They said: “The narrations about these are affirmed and should be believed in without misinterpreting them nor saying ‘how’.” It has been reported like this from Mālik (bin Anas), Sufyān bin ‘Uyainah, ‘Abdullāh bin Al-Mubārak; they would say about these Āhādīth: They are conveyed without saying how. This is the view of the people of knowledge among Ahl As-Sunnah wal-Jamā‘ah. As for the Jahmiyyah, they reject these narrations and they say that this is Tāshbīh.\[^{[3]}\] And in other places in His Book, Allāh, Blessed and Most High is He, has mentioned the Hand, the Hearing, the Seeing, so the Jahmiyyah misinterpret these Āyāt and give them interpretations other than the interpretations of the people of knowledge. They say that Allāh did not create Ādām with His Hand, and they say the meaning of Hand is merely power. Ishāq bin

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\[^{[1]}\] *At-Tawbah* 9:104.

\[^{[2]}\] *Al-Baqarah* 2:276.

\[^{[3]}\] Anthropomorphism, resembling Allāh to creatures.
Ibrāhīm said: *At-Tashbih* is only when one says ‘Hand; like a hand or similar to a hand’ or ‘Hearing; like hearing or similar to hearing.’ So when one says ‘Hearing; like hearing or similar to hearing’ then this is the *Tashbih*. As for when one says as Allāh (Most High) said, Hand, Hearing, Seeing, and he does not say ‘how’ nor say ‘similar to hearing’ nor ‘like hearing’ then this is not *Tashbih*. It is merely as Allāh, Blessed and Most High is He said: ‘There is nothing like Him, and He is the All-Hearing, the All-Seeing.’ (*Ash-Shūra* 42:11).

**Comments:**

As the reality and condition of Allāh’s Self is beyond our imagination, thinking, intellect and wisdom likewise the reality, condition and position of His Attributes is beyond our imagination, thinking, intellect, understanding and wisdom. Therefore to deny the Attributes, to misinterpret, to distort, to refuse, to explain resemblance and condition is just to lose the right path.

663. Anas narrated that the Prophet ﷺ was asked which fast was most virtuous after Ramadān? He said: “Sha‘bān in honor of Ramadān” He said: “Which charity is best?” He (ﷺ) said: “Charity in Ramadān.” *(Da‘if)*

Abū ‘Eisā said: This *Hadith* is *Gharīb*, and (the narrator) Šadāqah bin Mūsā is not that strong according to them.

**Tafsīr:** [إنستبه ضعيف] وأخرجه ابن أبي شيبة: 3/103 ح ٦٧٢ من حديث صدقة بن موسى به مختصراً جدًا وهو في شرح السنة للبغوي: ٦/٣٢٩ ح ١٧٧٨ من حديث الترمذي به صدقة بن موسى ضعيف، ضعفه الجمهور.
Comments:
It is a narration of Ṣaḥīḥ Muslim that after Ramadān the fasting of Muḥarram is more virtuous. (Ṣaḥīḥ Muslim, Ḥadīth: 1163). So the narration of Ṣaḥīḥ Muslim gets preference over this Weak narration.

664. Anas bin Mālik narrated that the Messenger of Allāh ﷺ said: “Indeed charity extinguishes the Lord’s anger and it protects against the evil death.”[1] (Daʿīf)
(ʿAbū ‘Eisā said:) This Ḥadīth is Ḥasan Gharīb from this route.

665. ʿAbdūr-Raḥmān bin Bujaid narrated from his grandmother; Umm Bujaid – and she was one of those who gave the pledge to the Prophet ﷺ – she said to the Messenger of Allāh ﷺ: “There is a needy person who stands outside my door, but I cannot find anything to give to him.” So the Messenger of Allāh ﷺ said to her: “If you do not find anything to give him

Chapter 29. What Has Been Related About The Right Of The One Asking

Comments:
As Allah bestowed qualities and special effects to the material things of this world even to the plants and herbs, similarly He granted qualities and special effects to good or bad deeds and to the manners of humans.

[1] Dying in a horrible way or horrible trials at the time of death. See Tuhfat Al-Ahwadhi.
except a burnt trotter then hand it over to him.” *(Sahih)*

(He said:) There are narrations on this topic from ‘Ali, Husain bin ‘Ali, Abū Hurairah, and Abū Umāmah. Abū ‘Eisā said: The *Hadith* of Umm Bujaid is a *Hasan Hadith*.

Comments:
It is known from this *Hadith* that a needy and deprived person should not be returned empty handed, but the matter of professional beggars is different; they should be given nothing, in order to discourage beggary.

Chapter 30. What Has Been Related About Giving To Those Whose Hearts Are Inclined (Toward Islām).

666. Sa'eed bin Al-Musayyab narrated from Ṣafwān bin Umayyah who said: “The Messenger of Allāh *sa* gave to me on the Day of Ḥunain, and he was the most hated creature to me. But he did not stop giving to me until he was the most loved creature to me.” *(Sahih)*

Abū ‘Eisā said: Al-Ḥasan bin ‘Ali narrated this to me, or what resembles it in the course of a discussion. He said: There is something on this topic from Abū Sa’eed. Abū ‘Eisā said: The *Hadith* of Ṣafwān was reported by Ma’mar and others from Az-Zuhrī, from Sa’eed bin Al-Musayyab “that Ṣafwān bin Umayyah said: ‘The
Messenger of Allâh ﷺ gave to me...[1] So it is as if this narration is more correct and that it is more likely that it is (from) “Sa‘eed bin Al-Musayyab, that Ṣafwân bin Umayyah”. The people of knowledge differ over giving to those whose hearts are inclined (towards Islâm). Most of the people of knowledge held the view that they are not to be given to, and they say that they were only those people during the time of the Messenger of Allâh ﷺ whom he would encourage to accept Islâm until they accepted it. And they did not think that such people should be given from the Zakât today. This is the saying of Sufyãn Ath-Thawri, the people of Al-Kûfah and others. And it is the view of Ahmad and Ishâq. Some of them said: If there is someone today like those people, and the Imâm sees that they are inclined toward Islâm, then giving to them is allowed. This is the view of Ash-Shâfi‘î.

Comments:

According to Imâm Al-Qurtubi and Qâdi Thana-Ullàh Panipati, those whose hearts were to be attracted having been inclined towards Islâm were people of two types: a disbeliever or a financially weak Muslim. Those who were given, in their state of disbelief, for the purpose of attracting their hearts towards Islâm, then they were given from the spoils of war, but the weak Muslims were given financial support from the wealth of Zakât due to their poverty and need for the purpose of winning their hearts, these people may be given in these days too.

[1] That is, with wording that is not as clear indicating that he heard it from him.
Chapter 31. What Has Been Related About The One Who Gives Charity (Then) Inheriting His Charity

667. ‘Abdullãh bin Buraidah narrated from his father: “I was sitting with the Prophet ﷺ when a woman came to him and said: ‘O Messenger of Allah! I gave a slave girl to my mother in charity and she died.’ He said: ‘Your reward is already established, and your right to inherit her has returned it (that Sadaqah) to you.’ She said: ‘O Messenger of Allah! There was a month of fasting due on her, shall I perform the fast for her?’ He said: ‘Fast on her behalf.’ She said: ‘O Messenger of Allah! She never performed Hajj, shall I perform Hajj for her?’ He said: ‘Yes, perform Hajj on her behalf.’” (Sahih)

Abû ‘Eisã said: This Hadîth is Hasan Sahîh. This is not known as a narration of Buraidah except from this route. ‘Abdullãh bin ‘Atã (one of the narrators) is trustworthy according to the people of Hadîth. This is acted upon according to most of the people of knowledge, when a person gives some charity and then he inherits it, it is lawful for him. Some of them said that charity is something that is given for Allah, so when he inherits it, then it is obligatory for him to do the same with it (i.e. give it in charity). Sufyãn Ath-Thawrî and Zuhair bin Mu‘ãwiyah reported this Hadîth from ‘Abdullãh bin ‘Atã’. تخرج: وأخرج مسلم، الصيام، باب فضاء الوضوء عن الميت، ح:1149 عن علي بن حجر به.
Comments:

This Hadith proves two points:

1. If a person gives something in charity and then it comes back to him in the form of his share in inheritance, it is not regarded as taking a charity back; because this return did not occur because of any activity of his choice. Therefore this is allowed according to the majority of the Ummah and the four A’immah.

2. If a person could not observe fast owing to an excuse and he died, an heir of the deceased may make up the missed fast.

Chapter 32. What Has Been Related About It Being Disliked To Take Back Charity

668. Ibn ‘Umar narrated that ‘Umar gave a horse to be used in the cause of Allāh. Then he saw it being sold, so he wanted to buy it, but the Prophet ﷺ said: “Do not take back what you have given in charity.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Hadith is Hasan Ṣaḥīḥ, and this is acted upon according to most of the people of knowledge.

669. ‘Ikrimah narrated from Ibn ‘Abbās that a man said: “O

Comments:

If a person gives something in charity to someone and the recipient wants to sell it, generally if the giver wants to buy it he will get it cheaper, therefore the Prophet ﷺ interpreted as if the giver is taking the charity back.
Messenger of Allâh! My mother died, will it benefit her if I give charity on her behalf?’ He said: ‘Yes.’ He said: ‘I have a Makhraf, so bear witness that I have given it in charity on her behalf.’” (Sahîh)

Abû 'Elsa said: This Hadîth is Hasan, and this is the view of the people of knowledge. They say that nothing benefits the dead except charity and supplications. Some of them reported this Hadîth from ‘Amr bin Dînâr from ‘Ikrimah, from the Prophet in Mursal form. (He said:) And his saying: “I have a Makhraf” means a garden.

Comments:
The Ummah and the four A'immah are agreed that a deceased person benefits from the reward of charity, also what the Sharî'ah allows to be performed on behalf of someone may be performed, like: Hajj, fasting and charity etc. (See: Tuhfat Al-Ahwadhi: 2/26)

Chapter 34. What Has Been Related About A Woman Spending From Her Husband’s House

670. Abû Umãmah Al-Bãhillî said: “During a sermon of his in the year of the Farewell Hajj, I heard the Messenger of Allâh say: ‘A woman is not to spend anything from her husband’s house without her husband’s permission.’ They said: ‘O Messenger of Allâh! What about food?’ He said: ‘That is our most virtuous wealth.’” (Hasan)
There are narrations on this topic from Sa’d bin Abi Waqqas, Asma’ bint Abi Bakr, Abu Hurairah, ‘Abdullah bin ‘Amr, and ‘Aishah (may Allâh be pleased with her).

Abû ‘Eisâ said: The Hadîth of Abû Umâmah is a Hasan Hadîth.

Comments:

It is proven from this Hadîth that if the wealth earned for a household is by the husband, then the wife is not allowed to spend it without the permission of her husband, or without any indication from him to do so; because she bears the responsibility to look after the household things.

671. ‘Aishah narrated that the Prophet ﷺ said: “When a woman gives in charity from her husband’s house, she will get the reward for it, and for her husband is the same as that, and for the trustee[1] is the same as that. The reward of each of them will not be decreased at all by the reward of the other, for him is what he earned, and for her is what she spent.” (Saḥîh)

Abû ‘Eisâ said: This Hadîth is Hasan.

672. ‘Aishah narrated that the Messenger of Allâh ﷺ said: “When a woman gives from her husband’s

home, with a good heart, not to spoil it, then she will get a reward similar to his, for her is the good she intended – and the same is for the trustee.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih. It is more correct than that narration of ‘Amr bin Murrah from Wā’il (a narrator in no. 671). ‘Amr bin Murrah did not mention “from Masrūq” in his narration.

Comments:

‘Not to spoil it’ means she spends reasonably according to what is generally accepted. She does not give away the belongings of the household members to others due to which they would later face difficulty.

Chapter 35. What Has Been Related About Ṣadaqat Al-Fīrṣ.

673. Abū Sa‘eeds Al-Khudrī narrated: “We would give Zakāt Al-Fīrṣ – when the Messenger of Allāh ﷺ was among us – as a Ṣā’ of food, or a Ṣā’ of barley, or a Ṣā’ of dried dates, or a Ṣā’ of raisins, or a Ṣā’ of cheese. So we did not stop paying it (like that) until Mu‘āwiyyah arrived in Al-Madinah and talked (about it). Among the things he addressed the people with, he said: ‘I see that two Mudd of the wheat of Ash-Shām are equal to a Ṣā’ of dried dates.’ So the people followed that.” Abū Sa‘eed said: “I will not stop giving it in the manner that I had been giving it.” (Sahih)
Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ. This is acted upon according to some of the people of knowledge, they hold the view that it is a Šâ‘ in all cases. This is the saying of Ash-Shāfī‘ī, Ahmad, and Ishaq. Some of the people of knowledge among the Companions of the Prophet Ṣallallāhu ʿAlayhi wa Sallam and others said that it is a Šâ‘ for everything except for wheat, in which case half of a Šâ‘ is allowed. This is the saying of Sufyān Ath-Thawrī, Ibn Al-Mubārak, and the people of Al-Kūfah, they hold the view that it is half of a Šâ‘ for wheat.

Comments:

Three A‘īmmah, Mālik, Shāfī‘ī, and Ahmad said, Ṣadaqatul-Fīr is due from any person who has at home the food of the morning and evening, but in the view of Imām Abū Hanīfah Ṣadaqatul-Fīr is due from a person who owns enough on which Zakāt is due, if he does not own property or wealth on which Zakāt is due, then Ṣadaqatul-Fīr is not due from him.

674. ‘Amr bin Shu‘āib narrated from his father, from his grandfather that the Prophet Ṣallallāhu ʿAlayhi wa Sallam sent a caller in the roads of Makkah proclaiming: “Ṣadaqatul-Fīr is required upon every Muslim, male or female, free or slave, young or old; it is two Mudd of wheat or its equivalent as a Šâ‘ of food.” (Daʿīf)
from the Prophet ﷺ. So he mentioned some of this Hadith. Jarüd narrated it to us, (he said) ‘Umar bin Ḥārūn narrated it to us.

675. Ibn ‘Umar narrated: “The Messenger of Allāh ﷺ made Sadaqatul-Fiṭr an obligation upon the male and the female, the free and the bondsmen, as a Sa‘ of dried dates or a Sa‘ of barley.” He said: “So the people equated that to half a Sa‘ of wheat.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Hadith is Ḥasan Ṣaḥīḥ. There are narrations on this topic from Abū Sa‘eed, Ibn ‘Abbās, and the grandfather of Al-Ḥārith bin ‘Abdur-Rahmān bin Ābī Dhūbah, and, Tha‘labah bin Ābī Ṣu‘air, and ‘Abdullāh bin ‘Amr.

Comments:
In the lifetime of the Messenger of Allāh ﷺ, the customary food of the people used to be dates and barley, so the people would pay Sadaqatul-Fiṭr as one Sa‘. Later when the use of wheat became usual food grain, and it was costly compared to the dates, they considered (that) half a Sa‘ of wheat was equal to one Sa‘ of dates.
676. Ibn ‘Umar narrated: “The Messenger of Allah ﷺ made Ṣadaqatul-Fitr of Ramaḍān an obligation – a ʿṢaʿ of dried dates or a ʿṢaʿ of barley – required upon every free person and slave, male and female among the Muslims.”

(Sahih)

Abū ‘Eisā said: The Hadith of Ibn ‘Umar is a Ḥasan Sahih Hadith. Malik reported the Hadith on this topic from Nāfi’, from Ibn ‘Umar, from the Prophet ﷺ, and he added in it: “among the Muslims” while others reported it from Nāfi’ and they did not mention “among the Muslims” in it. The people of knowledge differ over this, some of them say that when a man has some non-Muslim slaves then he does not pay Ṣadaqatul-Fitr on their behalf. This is the opinion of Mālik, Ash-Shafi‘ī, and Aḥmad. Some of them said that he pays it on their behalf even if they are not Muslims, and this is the saying of Sufyān Ath-Thawrī, Ibn Al-Mubārak and Ishāq.

Comments:

In the opinion of the majority of scholars, Islam is a condition for paying Ṣadaqatul-Fitr. Therefore, it is due only from a Muslim. It is not necessary to pay Ṣadaqatul-Fitr on behalf of a non-Muslim slave, but it is compulsory according to ‘Ātā, An-Nakha‘ī, Ath-Thawrī and the Aḥnāf. (Fath Al-Bāri: 3/467)
Chapter 36. What Has Been Related About: It Is To Be Paid Before The Salāt

677. Ibn 'Umar narrated that the Messenger of Allah ﷺ would order paying the Zakāt before going to the Salāt on the day of Fīt r. (Ṣaḥīḥ)

Abū 'Eisā said: This Hadīth is Ḥasan Gharīb Ṣaḥīḥ. And this is what is recommended according to the people of knowledge; a man is to give Sadaqatul-Fitr before going to the Salāt.

Comments:

The narration of Abū Dāwūd and some other narrations prove that paying Sadaqatul-Fitr before the prayer of 'Eid is necessary; if it is paid after the prayer it will be not regarded as Sadaqatul-Fitr. Instead it will be regarded as a normal charity. (Hadīth: 1609-1610, Ṭuhfāt Al-Ahwādhi: 3/300)

Chapter 37. What Has Been Related About Paying Zakāt In Advance

678. 'Āli narrated: “Al-'Abbās asked the Messenger of Allah ﷺ about paying his charity (Zakāt) in advance before its time is due (by being in possession for a whole year), he permitted him to do that.” (Da'iJ)
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Comments:

If the property reaches the amount on which Zakāt is due but the period of one year has not yet passed, in this case paying the Zakāt early (before passing the whole year) is disputed.

1. Imam Abu Hanifah, Ash-Shafi'i, Ahmad and Ishāq are of the view that if a property reaches the amount, subject to Zakāt, paying Zakāt on it before passing the whole year is correct and this view is the authentic one.

2. It is not right according to Imam Malik and Sufyān Ath-Thaurī. (Tuhfat Al-Ahwadhi: 2/30)

679. ‘Ali narrated that the Prophet ﷺ said to ‘Umar: “We have taken this year’s Zakāt from Al-Abbās in the previous year.” (Da’if)

He said: There is something on this topic from Ibn ‘Abbās.

(Abu ‘Elsa said:) We do not know of the Hadith about paying the Zakāt in advance as a narration from Isrā’il from Al-Ḥajjāj bin Dīnār, except from this route. And the narration of Ismā’il bin Zakariyya from Al-Ḥajjāj is more correct to me than the narration of Isrā’il from Al-Ḥajjāj bin Dīnār. This Hadith was also reported in Mursal form by Al-Hakam bin ‘Utaibah from the Prophet ﷺ. The people of knowledge have differed over paying the Zakāt in advance before the Hawl passes on it. A group of the people of knowledge held the view that it is not to be paid in advance. This was the view of Sufyān Ath-Thawrī, he said: “I would prefer that it not be paid in advance.” Most of the people of knowledge said that if one pays it in advance, before the Hawl passes, then it is acceptable. This is the
Chapter 38. What Has Been Related About The Prohibition Of Begging.

680. Abū Hurairah narrated that he heard the Messenger of Allāh ﷺ saying: “For one of you to go out early to gather firewood and carry it on his back so that he can give charity from it and be free of need from the people, is better for him than to ask a man who may give that to him or refuse. Indeed the upper hand (giving) is more virtuous than the lower hand (receiving), and begin with (those who are) your dependants.” (Sahih)

(He said:) There are narrations on this topic from Ḥakīm bin Ḥizām, Abū Sa’eed Al-Khadrī, Az-Zubair bin Al-Awwām, ‘Abīyāyah As-Sa’dī, ‘Abdullāh bin Mas‘ūd, Mas‘ūd bin ‘Amr, Ibn ‘Abbās, Thawbān, Ziyād bin Al-Hārith As-Sudā’ī, Anas, Ḥubshī bin Junādāh, Qabiṣah bin Mukhāriq, Samurah, and Ibn ‘Umar.

Abū ‘Elsa said: The Ḥadīth of Abū Hurairah is a Hasan Sahih Gharib Hadīth, it is Gharib as a narration of Bayān from Qais.


(المعجم 38) - باب ما جاء في الْبَغْتِ ـ عن المُسَلَّلِيَّة (المتجردة) ـ
Comments:

Begging without a genuine and valid cause is unanimously impermissible. Working hard to earn a livelihood, a person should fulfill one’s own needs as well as adopting a habit of giving to others.

681. Samurah bin Jundub narrated that the Messenger of Allah (ﷺ) said: “Asking is a labor that toils on a man’s face, except if a man asks for something from the Sultan (ruler), or he asks for something that he cannot do without.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahîh.

Comments:

Begging eliminates a person’s honor and self-esteem and his face gets deprived of charm, delight and gleam due to the curse of disgrace and humiliation. Some narrations show that a habitual beggar will appear with no flesh on his face on the Last Day.
Chapter 1. What Has Been Related About The Virtue Of The Month Of Ramadán

682. ʿAbū Hurairah narrated that the Messenger of Allāh س gez said: “On the first night of the month of Ramadān, the Shayātīn are shackled, the jinns are restrained, the gates of the Fires are shut such that no gate among them would be opened. The gates of Paradise are opened such that no gate among them would be closed, and a caller calls: ‘O seeker of the good; come near!’ and ‘O seeker of evil; stop! For there are those whom Allāh frees from the Fire.’ And that is every night.” (Hasan)

(He said:) There are narrations on this topic from Ṭābiʿīn, ‘Abdul-Rahmān bin ‘Awf, Ibn Masʿūd, and Salmān.

Comments:
The good and special favors, qualities and virtuousness of righteous deeds are relevant to those who are Muslims, when they believe in the teachings of Allāh and His Messenger س gez, the appearance of the good effects and qualities
occur inside them according to the degree and position of their Faith and Islam.

683. Abū Hurairah narrated that the Messenger of Allāh (ﷺ) said: “Whoever fasts Ramadān and stands (in the night prayer) for it out of faith and seeking a reward (from Allāh), he will be forgiven what preceded of his sins. Whoever stands (in the night prayer) on the Night of Al-Qadr out of faith and seeking a reward (from Allāh), he will be forgiven what preceded of his sins.” (Hasan)

This Hadith is Sahīh.

Abū Ḥāmid said: The Hadith of Abū Hurairah which Abū Bakr bin ‘Ayyāsh reported is a Gharib Hadith, we do not know of it as a narration of Abū Bakr bin ‘Ayyāsh from Al-A’mash, from Abū Salīḥ, from Abū Hurairah except from the narration of Abū Bakr. He said: I asked Muḥammad bin Ismā‘īl about this Hadith, and he said: “Al-Hasan bin Ar-Rabī’ narrated to us, Abū Al-Alwās narrated to us from Al-A’mash, from Mujāhid as his own saying. He said: ‘On the first night of Ramadān’ and he mentioned the Hadith.” Muḥammad said: “This is more correct in my view, than the narration of Abū Bakr bin ‘Ayyāsh.”

Comments:

In this Hadith, the virtuousness of fasts of Ramadān, Tarāwīh and voluntary prayer during its night, and the voluntary prayer during the Night of Power is


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highlighted; the previous sins are forgiven due to these deeds, provided these deeds are performed with Faith and in the hope of earning good reward from Allah ﷻ.

Chapter 2. What Has Been Related About: Do Not Precede The Month With Fasting.

684. Abū Hurairah narrated that the Prophet ﷺ said: “Do not precede the month with a day nor with two days, unless that fast falls on a day that one of you would have (normally) fasted. Fast with its sighting, and break fast with its sighting, and if it is cloudy, then count for thirty days, and then break (the fast).” (Sahih)

(He said:) There are narrations on this topic from some of the Companions of the Prophet ﷺ. Ṣaḥīḥ (He said:) Abu Hurairah narrated that the Messenger of Allah ﷺ said: “Do not precede the month with a day nor with two days, unless that fast falls on a day that one of you would have (normally) fasted. Fast with its sighting, and break fast with its sighting, and if it is cloudy, then count for thirty days, and then break (the fast).” (Sahih)

Abū ‘Eisā said: The Hadīth of Abū Hurairah is a Hasan Sahih Hadīth. This is acted upon according to the people of knowledge, they consider it disliked for a man to be hasty by fasting before the month of Ramadān begins, if he thinks that is for Ramadān. If a man normally performs some fast, and that fast falls on that day, then there is no harm in this according to them.

685. Abū Hurairah narrated that the Messenger of Allah ﷺ said:
"Do not precede the month of Ramadân by fasting a day or two before it, unless it is the case of a man who normally performs some fast, then let him fast it." (Sahîh)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh.

Comments:
It is prohibited to fast a day or two days for welcoming Ramadân, before the arrival of Ramadân. However, if a day before Ramadân coincides with one’s regular fasting, for example: a person fasts every Monday and Thursday, and Monday or Thursday occurs just before the commencement of Ramadân, then he may fast on such a day.

Chapter 3. What Has Been Related About It Being Disliked To Fast The Day Of Doubt

686. Silah bin Zufar said: “We were with ‘Ammâr bin Yâsir when a roasted sheep was brought and he said: ‘Eat.’ Someone among the people said: ‘I am fasting.’ So ‘Ammâr said: ‘Whoever fasts on a day in which there is doubt, then he has disobeyed Abûl-Qâsim.’ (Da’il)

(He said:) There are narrations on this topic from Abû Hurairah and Anas.

Abû ‘Eisâ said: The Hadîth of ‘Ammâr is a Hasan Sahîh Hadîth. This is acted upon according to most of the people of knowledge among the Companions of the Prophet, and those who followed them among the Tâbi’in. It is the view of Sufîyân Ath-Thawrî, Mâlik bin Anas, ‘Abdullâh
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bin Al-Mubärak, Ash-Shafi‘i, Ahmad, and Isbaq. They considered it disliked for a man to fast on the day in which there is doubt. Most of them held the view that if he fasted it and it was one of the days of Ramadān then he was to make up a day in place of it.\[1\]

Chapter 4. What Has Been Related About Counting The (Appearances Of) The Crescent Of Sha‘bān For Ramadān

687. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Count the (the appearances of) the crescent of Sha‘bān for Ramadan.” (Da‘īf)

Abū ‘Eisā said: We do not know of the Hadīth of Abu Hurairah to be like this except from the narration of Abū Mu‘āwiyah. What is correct is what is reported from Muhammad bin ‘Amr, from Abū Salamah from Abū Hurairah that the Prophet ﷺ said: “Do not precede the month of Ramadān by fasting a day or two days.” This has been reported by

\[1\]“Because the one who fasted the day of doubt did not fast a day of Ramadān with certainty, so if it appeared later that it was a day of Ramadān then he must make up for it by fasting a day in its place.” Tuhfat Al-Afwadhi.
Yahya bin Abī Kathīr, from Abū Salamah, from Abū Hurairah from the Prophet ﷺ, and it is similar to the narration of Muḥammad bin ‘Amr Al-Laithī.

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Comments:

The day of doubt’ is the thirtieth of Sha'bān, when the sky is overcast and cloudy the moon cannot be sighted, which causes doubt that perhaps it is a day of Ramadān, because the people could not see the moon, if a person fasts with the intention of fasting Ramadān, this fast is Makrūḥ Tahrimi (nearly forbidden) according to the four ‘immah, majority Companions and the successors.

Chapter 5. What Has Been Related About: Fasting And Breaking Fast Are Based Upon The Sighting (Of The Crescent)

688. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ said: “Do not fast before Ramadān. Fast with its sighting, and break fast with its sighting, and if it is obscured from you, then complete thirty days.” (Sahih)

There are narrations on this topic from Abū Hurairah, Abū Bakrah, and Ibn ‘Umar.

Abū ‘Elsā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith, it has been reported from him through other routes.

Comments:

‘Allamah Mubarakpūrī said, both these Ahādith are authentic and both guide to different subjects.
Chapter 6. What Has Been Related About: The Month Is Twenty-Nine Days

689. Ibn Mas'ūd said: “What I fasted with the Prophet that was twenty-nine[1] (days), was more than what we fasted that was thirty.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from ‘Umar, Abū Hurairah, ‘Āishah, Sa’d bin Abī Waqqās, Ibn ‘Abbās, Ibn ‘Umar, Anas, Jābir, Umm Salamah, Abū Bakrah, that the Prophet said: “The month is twenty-nine (days)."

Comments:
It is proven from this Hadith that change of the lunar month depends on sighting the new crescent, it does not depend merely on the existence of the moon, and the change of the new lunar month cannot be based merely on the calculation of the science of astronomy.

690. Anas narrated: “The Messenger of Allāh vowed to stay away from his wives for a month, so he stayed in a loft for twenty-nine days. They said: ‘O Messenger of Allāh, your vow was for a month,’ so

[1] Meaning, in most cases the month was twenty-nine days.
he said: ‘The month is twenty-nine (days).’” (Sahih)

Abū ‘Eisā said: This Hadith is Ḥasan Sahih.

Comments:

The month of Ramadān occurred nine times in the lifetime of the Messenger of Allah ﷺ and only once the month of Ramadān was thirty days. (Ma‘ārif As-Sunān: 5/343)

Chapter 7. What Has Been Related About Fasting Based Upon Testimony

691. Ibn ‘Abbas narrated: “A Bedouin came to the Prophet ﷺ and said: ‘I have seen the crescent.’ So he said: ‘Do you testify that none has the right to the worshipped but Allāh? Do you testify that Muḥammad is the Messenger of Allāh ﷺ?’ He said: ‘Yes.’ So he said: ‘O Bilāl! Announce to the people that they should fast tomorrow.’” (Da‘if)

(Another route) from Simāk (one of the narrators) that is similar (with this chain).

Abū ‘Eisā said: There is some differing (in the narration of) the Hadith of Ibn ‘Abbās. It was reported by Sufyān Ath-Thawrī and others from Simāk bin Ḥarb, from ‘Ikrimah, from the Prophet ﷺ which is Mursal, and most of the companions of Simāk reported it from Simāk from ‘Ikrimah from the Prophet ﷺ in Mursal form. This Hadith is acted upon according to most of the people of knowledge. They say that the testimony of one man is
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accepted for fasting. This is the view of Ibn Al-Mubârak, Ašh-Shâfi’î, Ahmad, (and the people of Al-Kufah). Ishâq said that fasting is not begun without the testimony of two men, and there is no disagreement among the people of knowledge regarding breaking the fast; that it is not accepted in that case without the testimony of two men.

Chapter 8. What Has Been Related About: The Two Months Of 'Eid Will Not Both Be Deficient

692. 'Abdur-Rahmân bin Abî Bakrah narrated from his father that the Messenger of Allah said: “The two months of 'Eid will not both be deficient: Ramadân and Dhul-Hijjah.” (Sahîh)

Abû 'Eisâ said: The Hadîth of Abû Bakrah is a Hasan Hadîth. This Hadîth has been reported from 'Abdur-Rahmân bin Abî Bakr from the Prophet in Mursal form. Ahmad commented on the meaning of the Hadîth “The two months of 'Eid will not both be deficient” saying: “Ramadân and Dhul-Hijjah will not both be decreased in the same year, if one of them is decreased, then the other one will be complete.” Ishâq said: “It means that they will not be deficient.” He said: “If it is twenty-nine days, it will still be complete.
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not deficient.” So according to the view of Iṣḥāq it is possible that the two months would be decreased in the same year.

تخرج: منافق عليه، وأخذه مسلم، الصيام، باب بيان معنى قوله: 'شئها عدد لا
يقبلان، ص: 1089 و البخاري، الصوم، باب شهرا عدد لا يقبلان، ح: 1912 من حديث خالد
الحذاء به.

Comments:
The month consisting of twenty-nine days will have the same status as the one of thirty days, it will be regarded a full month, not incomplete; as the Prophet ﷺ regarded the month of twenty-nine days as a complete month and ended the period of Ḥīdā according to it.

Chapter 9. What Has Been Related About: For The People Of Every Land There Is A Sighting

703. Muhammad bin Abī Ḥarmalah narrated: “Kuraib informed me that Umm Al-Fadl bint Al-Ḥārith sent him to Muʿāwiya in Ash-Shām. He said: ‘So I arrived in Ash-Shām and finished her errand, and I saw the crescent of Ramadān while I was in Ash-Shām. We saw the crescent on the night of Friday. Then I arrived in Al-Madīnah at the end of the month. Ibn ‘Abbas was questioning me, then he mentioned the crescent and he said: “When did you see the crescent?” I said: “We saw it on the night of Friday.” He said: “Did you see it on the night of Friday?” I said: “The people saw it, so they fasted, and Muʿāwiya fasted.” He said: “But we saw it on the night of Saturday, so we will not stop fasting until we complete thirty days or we...
see it.” So I said: “Is not the sighting and fasting of Mu‘awiyah enough for you?” He said: “This is not how the Messenger of Allah ﷺ ordered us.”

(Sahih)

Abū ‘Eisā said: The Hadīth of Ibn ‘Abbās is a Hasan Sahih Gharib Hadīth.

This Hadīth is acted upon according to the people of knowledge; the people of each land have their own sighting.

Comments:

It is obvious from the statement of Imām At-Tirmidhī that the moon sighting is different for each locality or for the people of each city and it is not disagreed, according to Ibn Al-Mundhir Imam Laith, Ash-Shāfi‘ī, Ahmad, Mālik and Abū Ḥanifah hold the same opinion.

Chapter 10. What Has Been Related About What It Is Recommend To Break The Fast With

694. Anas bin Mālik narrated that the Messenger of Allāh ﷺ said: “Whoever has dried dates, then let him break the fast with that, and whoever does not, then let him break the fast with water, for indeed water is purifying.” (Sahih)

(He said:) There is something on this topic from Salmān bin ‘Amir.

Abū ‘Eisā said: We do not know of anyone who reported the Hadīth of Anas from Shu‘bah like this except for Sa‘eed bin ‘Amir. So it is a narration that is not preserved, we do not know any basis for it being a narration of ‘Abdul-‘Azīz bin Suhaib from Anas. The
companions of Shu'bah reported this *Hadith* from Shu'bah, from 'Asim Al-Ahwāl, from Hafṣah bint Sirin, from Ar-Rabāb, from Salmān bin 'Amir from the Prophet .

And it is more correct than the narration of Sa'eed bin 'Amir. They also reported it from Shu'bah from 'Asim, from Hafṣah bint Sirin, from Ar-Rabāb, from Salmān bin 'Amir, and Shu'bah did not mention “from Ar-Rabāb” in it. What is correct is what is narrated by Sufyān Ath-Thawrī, Ibn 'Uyainah and others, from 'Asim Al-Ahwāl, from Hafṣah bint Sirin, from Ar-Rabāb, from Salmān bin 'Amir. Ibn 'Awn said: “From Umm Ar-Rā'īḥ bint Sulā', from Salman bin 'Ar-Rā'īḥ, and Ar-Rabāb is Umm Ar-Rā'īḥ.

They also reported it from Shu'bah from 'Asim, from Hafṣah bint Sirin, from Ar-Rabāb, from Salmān bin 'Amir, and Shu'bah did not mention “from Ar-Rabāb” in it. What is correct is what is narrated by Sufyān Ath-Thawrī, Ibn 'Uyainah and others, from 'Asim Al-Ahwāl, from Hafṣah bint Sirin, from Ar-Rabāb, from Salmān bin 'Amir. Ibn 'Awn said: “From Umm Ar-Rā'īḥ bint Sulā', from Salman bin 'Ar-Rā'īḥ, and Ar-Rabāb is Umm Ar-Rā'īḥ.

695. Salmān bin 'Amir Ad-Dabbi narrated that the Prophet said: “When one of you breaks his fast, then let him do so with dried dates. And whoever does not find dates, then water, for it is purifying.” *(Sahih)*

Abū 'Eīsā said: This *Hadith* is *Hasan Sahih*.

[1] That is no. 658 as well as the following *Hadith*. 
696. Anas bin Malik narrated: “The Messenger of Allah ﷺ would break the fast with fresh dates before performing Salāt. If there were no fresh dates then (he would break the fast) with dried dates, and if there were no dried dates then he would take a few sips of water.” *(Hasan)*

Abū ‘Eisā said: This Hadith is Hasan Gharib.

(‘Abū ‘Eisā said: It has been related that during the winter the Prophet ﷺ would break the fast with dried dates, and during the summer he would do so with water.)

**Chapter 11. What Has Been Related About: (The Fast Is The Day The People Fast And) The Breaking Of The Fast Is The Day When The People Break The Fast, And The Sacrifice Is The Day The People Sacrifice.” (Hasan)***

697. Abū Hurairah narrated that the Prophet ﷺ said: “The fast is the day the people fast, the breaking of the fast is the day the people break their fast, and the sacrifice is the day the people sacrifice.”
Abū ‘Eisā said: This Hadith is Gharīb Hasān, and some of the people of knowledge explained this Hadith by saying that this only means that the fast and the breaking of the fast is done with the Jamā’ah and the masses of the people.

Comments:

The objective of this Hadith is that unity in acts of worship should be maintained. If all the people fall victim to a juristic mistake, for example: they cannot see the new crescent and they regard the month as thirty days, while it was, in fact, of twenty-nine days, in this case they will not be sinful and they should not be criticised or accused of a mistake.

Chapter 12. What Has Been Related About: When The Night Advances And The Day Retreats, Then The Fasting Person Breaks The Fast

698. ‘Umar bin Al-Khaṭṭāb narrated that the Messenger of Allah ﷺ said: “When the night advances and the day retreats, and the sun is hidden, then the fast is to be broken.”

(He said:) There are narrations on this topic from Ibn Abī Awfā and Abū Sa‘eed. (Saḥīh)

Abū ‘Eisā said: The Hadith of ‘Umar is a Hasan Saḥīh Hadith.

Abū ‘Eisā said: This Hadith is Gharīb Hasān, and some of the people of knowledge explained this Hadith by saying that this only means that the fast and the breaking of the fast is done with the Jamā’ah and the masses of the people.

Comments:

The objective of this Hadith is that unity in acts of worship should be maintained. If all the people fall victim to a juristic mistake, for example: they cannot see the new crescent and they regard the month as thirty days, while it was, in fact, of twenty-nine days, in this case they will not be sinful and they should not be criticised or accused of a mistake.

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(He said:) There are narrations on this topic from Ibn Abī Awfā and Abū Sa‘eed. (Saḥīh)

Abū ‘Eisā said: The Hadith of ‘Umar is a Hasan Saḥīh Hadith.
Chapter 13. What Has Been Related About Hastening To Break The Fast

699. Sahil bin Sa’d narrated that the Messenger of Allah ﷺ said:

“The people will remain upon goodness as long as they hasten to break the fast.” (Sahih)

(He said:) There are narrations on this topic from Abu Hurairah, Ibn ‘Abbás, ‘Aishah, and Anas bin Malik.

Abú ‘Eisâ said: The Hadith of Sahil bin Sa’d is a Hasan Sahih Hadith. This is what is preferred by the people of knowledge among the Companions of the Prophet ﷺ and others, they consider it recommended to hasten breaking the fast. This is the saying of Ash-Shafi’i, Ahmad and Ishāq.

Comments: Arrival of the night, departure of the day and setting of the sun, three matters are mutually necessary for each other, and the real objective is the certainty of the setting of the sun. So as soon as the sun sets, the fasting person should break the fast without delay and hesitation.
700. Abū Hurairah narrated that the Messenger of Allah ﷺ said: “Allāh, Mighty and Sublime is He, said: ‘Those of My worshippers who are most beloved to Me are the quickest to break their fast.’” (Da‘if)

Comment:
Some Ahādīth show that the affairs of the followers of Muhammad ﷺ will remain good as long as they hasten to break the fast and delay the predawn meal. (Tuhfat Al-Ahwadhi: 3/331). Its reason and wisdom is that hastening to break the fast and delaying to take the predawn meal is the commandment of Shari‘ah and dear to Allah, and therein is also easiness and flexibility for the Muslims in general which is a means of Allah’s Mercy and Grace.

701. (A Hadīth similar to no. 700 with a different chain). (Da‘if)
Abū ‘Eisā said: This Hadīth is Ḥasan Gharīb.

702. Abū ‘Atiyah said: “Masrūq and I entered upon ‘Āishah and we said: ‘O Mother of the Believers! There are two men from the Companions of Muhammad ﷺ, one of them hastens to break the fast and he hastens to perform the Salāt. The other delays breaking the fast and he delays the Salāt.’ She said: ‘Which of them hastens to break the fast and hastens to perform the Salāt?’ We said that it was ‘Abdullāh bin Mas‘ūd. She
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Abū ‘Eisā said: This Hadith is Ḥasan Sahih.

Abū ‘Atiyyah’s name is Malik bin Abī ‘Amir Al-Hamdānī, and they also said it is Malik bin ‘Amir Al-Harridanī, which is more correct.

Chapter 14. What Has Been Related About Delaying The Sahūr

703. Anas (bin Malik) narrated that Zaid bin Thabit said: “We ate Sahūr with the Messenger of Allah, then we stood for the Ṣalāt.” I (Anas) said: “How long was that?” He said: “About the length of fifty Ayahs.” (Ṣaḥīḥ)

Comment:

Reading fifty Verses slowly, according to the true pronunciation and rules of recitation, takes about five to seven minutes. Accordingly, it may be said that the interval of the Messenger of Allah between his predawn meal and the call to morning prayer was only five to seven minutes or less than that; a narration of Sahih Al-Bukhari also clarifies this issue. (Hadith 575-1921)

704. (Another chain) except that he said: “About the length for reciting fifty Ayahs.” (Ṣaḥīḥ)

(He said:) There is a narration on this topic from Hudhaifah.

Abū ‘Eisā said: The Hadith of
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Chapter 15. What Has Been Related About Clarifying Al-Fajr

705. ‘Ali bin Talq narrated that the Messenger of Allah ﷺ said: “Eat and drink, and do not be disturbed by the rising glow, eat and drink until the redness appears to you on the horizon.” (Hasan)

(He said:) There are narrations on this topic from ‘Adî bin Ḥâtim, Abû Dharr, and Samurah.

Abû ‘Eisâ said: The Ḥadîth of Talq bin ‘Ali is a Ḥasan Gharîb Ḥadîth from this route. This is acted upon according to the people of knowledge, it is not unlawful for the person who wants to fast, to eat and drink until the redness of Al-Fajr is on the horizon, and this is the view of the people of knowledge in general.

قال: ’أبو عصمت: حدثتُ رَضِيَ اللَّهُ بِهِ تَأكُّبَ حديث، دُفِّعَ صِبْحٌ ضَيْحٌ. وَهُوَ يُقُولُ الشَّافِعِيٌّ: وأَحَدُ وَإِسْحَاقُ اشْتَهَيْتُمَا ثُمَّ أَخْبَرَ اِلْسَحُورُ.

تخريج: وأخرج excelent من حديث وكيع به، انظر الحديث السابق و في الباب عن حديث

[

النسائي، ح: ٢٥٤).

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Zaid bin Thãbit is a Hasan Sahîh Hadîth, and this is the view of Ash-Shâfi’î, Ahmad and Ishâq. They consider it recommended to delay the Sahûr.

Comments:

Imâm Nawawi quoted: The interval between having had the predawn meal and entering into the prayer is equal to the extent of reading fifty Verses. (Ma‘ârif As-Sunan: 5/362) and a narration of Sunan At-Tirmidî also means the same, because the apparent question is about the interval between standing for prayer and taking the predawn meal; and Imâm Al-Bukhârî also established the title of a chapter, which is ‘the extent of the interval between taking the predawn meal and the morning prayer’ (Fath Al-Bâri: 4/177)
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Comments:
It should not worry you; ‘As-Sâti’ literal meaning of The Prophet’s words are “lã Yahidannakum” glitter, rising or the spread of light; ‘Al-Mu’ad’ Rising above or going to the height.

706. Samurah bin Jundab narrated that the Messenger of Allâh ﷺ said: “Do not let the Adhân of Bilâl prevent you from your Sahûr, nor the drawn out Fajr, but the Fajr that spreads on the horizon.” (Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan.

Comments:
Al-Fajr (dawn) is of two types:
1. False Dawn: Its light rise upwards vertically, it is given resemblance of the tail of a wolf.
2. True Dawn: It spreads horizontally to the right and left, eating and drinking is allowed until its spread and appearance.

Chapter 16. What Has Been Related About The Severity Of Back Biting For The Fasting Person

707. Abû Hurairah narrated that the Prophet ﷺ said: “Whoever does not leave false speech, and acting according to it, then Allâh is not in any need of him leaving his food and his drink.” (Sahih)

(He said:) There is something on this topic from Anas.

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh.
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Chapter 17. What Has Been Related About The Virtue Of Sahūr

708. Anas bin Malik narrated that the Messenger of Allâh ﷺ said:

"Partake of Sahūr, for indeed there is a blessing in the Sahūr." (Ṣahīḥ)

He said: There are narrations on this topic from Abū Hurairah, 'Abdullāh bin Mas'ūd, Jābir bin 'Abdullāh, Ibn 'Abbās, 'Amr bin Al-‘Aṣ, Al-‘Irbād bin Sāriyah, ‘Utbah bin 'Abdullāh, and Abū Ad-Dardā'.

Abū ‘Elsa said: The Hadith of Anas is a Hasan Sahih Hadith. It has been reported that the Prophet ﷺ said: "The distinction between our fasting and the fasting of the People of the Book is eating for Sahūr."
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709. ‘Amr bin Al-‘Àṣ narrated (similar to no. 708) from the Prophet ﷺ (Sahih)

He said: This Hadith is Hasan Sahih. The people of Egypt say (one of the narrators is) Mūsā bin ‘Ulayy, and the people of Al-‘Irāq say “Mūsā bin ‘Alī bin Rabāḥ Al-Lakhmī.”

Comments:

‘As-Sahūr’ if it is pronounced with Fathah on letter ‘Seen’ it means ‘eating and drinking’ food stuff in the predawn meal; and if it is pronounced with Dhammah on letter ‘Seen’ it is an infinitive verb, then it means the act of taking predawn meal.

Islam is a natural religion based on moderation, middle course, and away from excessiveness. Therefore it urges to eat and drink as a predawn meal and also that the predawn meal is to be taken a little before the dawn appears; and the breaking of the fast should be soon after the sun has set, so that the time for remaining hungry and thirsty does not get prolonged needlessly, and the Prophet ﷺ stated it is a source of blessing.

Chapter 18. What Has Been Related About It Being Disliked To Fast While Traveling

710. Jābir bin ‘Abdullāh narrated: “The Messenger of Allah ﷺ went to Makkah in the Year of the Conquest, so he fasted until he reached Kurā Al-Ghamīm[1] and the people were fasting with him. Then it was said to him: ‘The fast has become difficult for the people, and they are watching you to see what you will do.’ So after

‘Asr, he called for a cup of water and drank it while the people were looking at him. Some of them broke the fast while some of them continued their fasting. It was conveyed to him that people were still fasting, so he said: ‘Those are the disobedient.’ (Sahih)

(He said:) There are narrations on this topic from Ka'b bin 'Asim, Ibn 'Abbãs, and Abû Hurairah. Abû 'Eisã said: The Hadith of Jãbir is a Hasan Sahih Hadith. It has been reported that the Prophet stated: “It is not from righteousness to fast while traveling.”

The people of knowledge disagree over fasting while traveling. Some of the people of knowledge, among the Companions of the Prophet and others, held the view that breaking the fast is more virtuous. Some of them even thought that one has to repeat it if he fasted while traveling. Aḥmad and Ishāq preferred breaking the fast when traveling. Some of the people of knowledge, among the Companions of the Prophet and others, said that if one has the strength and he fasts then that is good, and this is more virtuous, and if he breaks the fast then that is good. And this is the view of Sufyãn Ath-Thawrî, Mâlîk bin Anas, and 'Abdullâh bin Al-Mubârâk. Ash-Shâfîî said: ‘The meaning of the saying of the Prophet : ‘It is not from righteousness to fast while traveling’ and his saying – when it was conveyed to him that people were fasting: ‘Those are the disobedient.’
Chapter 19. What Has Been Related About The Permission To Fast While Traveling

711. ‘Aishah narrated that Hamzah bin ‘Amr Al-Aslamī asked the Messenger of Allāh صلی الله عليه وسلم about fasting while traveling, and he fasted regularly. So the Messenger of Allāh صلی الله عليه وسلم said: ‘If you wish then fast, and if you wish then break (the fast).’” (Sahih)

(He said:) There are narrations on this topic from Anas bin Mālik، Abū Sa‘eed، ‘Abdullāh bin Mas‘ūd، ‘Abdullāh bin ‘Amr، Abū Ad-Dardā‘، and Ḥamzah bin ‘Amr Al-Aslamī.


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This refers to the case when the person’s heart does not accept the permission that Allāh the Most High granted, as for the one who thought that breaking the fast is allowed، and he fasted while he had the strength for that، then this is more preferable to me.”
712. Abū Sa‘eed (Al-Khudri) narrated: “We were on a journey with the Messenger of Allāh during the month of Ramadaan. No one objected to the fast of the one fasting nor the fast breaking of the one who broke his fast.” (Sahih)

(Abū ‘Eisā said: This Hadith is Hasan Sahih.)

Comments:

The truth is that the current position and circumstance will be taken into consideration, if there is a chance of combating and fighting the enemies and power is demanded, or the fasting will cause much difficulty and hardship, or there is a fear of showing off, or one in state of fasting will be a burden on
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Chapter 20. What Has Been Related About The Permission For The One At War To Break The Fast

714. Ma’mar bin Abī Huyaiyih narrated that he asked Ibn Al-Musaiyab about fasting on a journey, so he narrated to him that ‘Umar bin Al-Khaṭṭāb said: “We fought in two battles along with the Messenger of Allāh ﷺ during Ramadān; the Day of Badr, and the Conquest of Makkah, so we broke our fast during them.” (Da’f)

(He said:) There is something on this topic from ‘Abū Sa’eed. Abū ‘Eisā said: We do not know of the Ḥadīth of ‘Umar except from this route. It has been reported from ‘Abū Sa’eed that the Prophet ﷺ ordered the fast to be broken in a battle that he participated in, and similar to this has been reported from ‘Umar bin Al-Khaṭṭāb, saying that he permitted breaking the fast when meeting the enemy. And this is the view of some of the people of knowledge.

Comments:

At the occasion of the conquest of Makkah, as the Prophet ﷺ was yet at a little distance away from Makkah, he ﷺ broke the fast showing all the people; and he commanded everybody to break the fast due to the fear of combating the enemy, as it is mentioned manifestly in the upcoming chapters on Jihad.
Chapter 21. What Has Been Related About The Permission For The Pregnant And Breast-Feeding Women To Break The Fast

715. Anas bin Malik, a man from Banū 'Abdullāh bin Ka'b said: “Some calvary men of the Messenger of Allah came galloping upon us, so I came to the Messenger of Allah and found him having a lunch. He said: ‘Come and eat.’ I said: ‘I am fasting.’ So he said: ‘Come and I will narrate to you about the fast – or fasting. Indeed Allah Most High lifted (the fast and) half of the Salāt from the traveler, and (He lifted) the fast – or fasting – from the pregnant person, or the sick person.’

And by Allah! The Prophet said both of them or one of them. So woe to me! For I did not eat from the meal of the Prophet.” (Hasan)

(He said:) There is something on this topic from Abū Umamah.

Abū 'Eisā said: The Hadīth of Anas bin Mālik Al-Ka'bi is a Ḥadīth. We do not know of anything this Anas bin Mālik narrated from the Prophet other than this one Hadīth. This is acted upon according to some of the people of knowledge. Some of the people of knowledge say that the pregnant and breast-feeding persons break the fast, make up for it, and feed.¹¹ This is the view of Sufyān, Mālik, Ash-Shāfi‘ī, and Aḥmad. Some of them said: They

¹¹ That is, they do not have to fast, but they have to make up that day at a time when the condition is not present, and they also have to feed a needy person for each day they missed.
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break the fast and feed, but they are not required to make it up, and if they wish they can make it up and not feed (others). This is the saying of Ishāq.


Comments:
Imām Ibn Qudāmah writes: If a pregnant or a suckling mother misses the fasts due to the fear of harming themselves, they will later make up the missed days of fasting.

Chapter 22. What Has Been Related About Fasting On Behalf Of The Dead

716. Ibn ‘Abbās narrated: “A woman came to the Prophet ﷺ and said: ‘My sister died while she had two consecutive months of fasting due.’ So he said: ‘Do you not see that if there was a debt due from your sister then you would have to pay it?’ She said: ‘Yes.’ He said: ‘Then the right of Allāh is more appropriate.’” (Sahīh)

(He said:) There are narrations on this topic from Buraidah, Ibn ‘Umar, and ‘Aishah.
Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith.

قال أبو عبيدة: حديث ابن عباس حديث

حسّن صحيح.
717. (A Hadith similar to no. 716 with a different chain.) (Sahih)

(He said: I heard Muḥammad saying: “Abū Khālid Al-Ahmār has done very well with this Hadith from Al-A’mash.”). Muḥammad said: “Others besides Abū Khālid reported it from Al-A’mash.”

Abū ‘Eisā said: Abū Mu‘āwiyyah and others reported this Hadith from Al-A’mash, from Muslim Al-Batīn, from Sa’eed bin Juba’r, from Ibn ‘Abbās, from the Prophet ﷺ, and they did not mention Salamah bin Kuhail in it, nor ‘Atā’, nor Mujāhid. (Abū Khālid’s name is Sulaimān bin Ḥayyān).

Comments:
The case of fasting on behalf of a deceased is coming under the following chapter.

Chapter 23. (What Has Been Related About The Attonement)

718. Ibn ‘Umar narrated that the Prophet ﷺ said: “Whoever died while he had a month to fast, then a needy person should be fed on his behalf in place of every day.” (Da’īf)

Abū ‘Eisā said: We do not know of the Hadith of Ibn ‘Umar except from this route. What is Sahih is that it is Mawqûf from Ibn ‘Umar as his saying. The people of knowledge differ on this (topic). Some of them say that one is to fast on behalf of the deceased, and it is the view of Ahmad and Ishaq. They said when the deceased person has a fast required from a vow then one is to
fast on his behalf, and when he has to make up something from Ramaḍân, then one is to feed (a needy person) on his behalf. Mâlik, Sufyân, and Ash-Shâfî‘î said: “No one fasts for anyone.” (He said:) Ash‘ath is Ibn Sawwâr. Muḥammad is Muḥammad bin ‘Abdur-Rahmân bin Abî Laila. (narrators in the chain of this Ḥadîth)

Comments:
It is proven very clearly from the Ḥadîth of Ibn ‘Abbâs and ‘Aīshah, mentioned in Sahîh Muslim (Ḥadîth: 1147-1148) that an heir of a deceased person is allowed to fast on his behalf, and the heir actually should do so.

Chapter 24. What Has Been Related About The Fasting Person Who Is Overcome By Vomiting

719. Abû Sa‘eed Al-Khudrî narrated that the Messenger of Allâh ﷺ said: “Three things do not break the fast of the fasting person: Cupping, vomiting, and the wet dream.” (Dâ‘îf)

Abû ‘Eisâ said: The Ḥadîth of Abû Sa‘eed is not preserved. ‘Abdullâh bin Zaid bin Aslam, ‘Abdul-‘Azîz bin Muḥammad and others reported this Ḥadîth from Zaid bin Aslam in Mursal form, they did not mention “from Abû Sa‘eed” in it. ‘Abdur-Rahmân bin Zaid bin Aslam was graded weak in Ḥadîth.

(He said:) I heard Abû Dâwûd As-Sijzî saying: “I asked Ahmad (the mugham ﺑُذْرَعُهُلِّ الْقَيَءُ) (24) - بَابُ مَا جَاءَ فِي الْضَّائِمِ
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bin Ḥanbal about ‘Abdur-Raḥmān bin Zaid bin Aslam. He said: ‘His brother is Abdullāh bin Zaid, there is no harm in him.” He said: I heard Muhammad mentioning that ‘Ali bin ‘Abdullāh (Al-Madīnī) said: “‘Abdullāh bin Zaid bin Aslam is trustworthy, and ‘Abdur-Raḥmān bin Zaid bin Aslam is weak.” Muhammad said: “And I do not report anything from him.”

Chapter 25. What Has Been Related About One Who Vomits Purposely

720. Abū Hurairah narrated that the Prophet  said: "Whoever is overcome by vomiting, then he is not required to make up (the fast), and whoever vomits on purpose, then he must make it up.” (Daʿīf)

(He said:) There are narrations on this topic from Abū Ad-Dardā’, Thawbān, and Faḍālah bin ‘Ubaid.

Abū ‘Eisā said: The Hadīth of Abū Hurairah is a Hasan Gharīb Hadīth, we do not know of it as a narration of Hishām, from Ibn Sirīn, from Abū Hurairah from the Prophet  – except from through the narration
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of ‘Eisā bin Yunūs. Muḥammad said: “I do not think that it is preserved.”

Abū ‘Eisā said: This Hadith has been reported through more than one route from Abū Hurairah from the Prophet ﷺ, and its chain is not correct. It has been reported from Abū Ad-Dardā’, Thawbān, and Faḍālah bin ‘Ubaid that the Prophet ﷺ vomited and, that he had broken the fast. This Hadith only means that when the Prophet ﷺ was performing a voluntary fast and he vomited because of being weak, then he broke the fast. This is how some of the narrations of the Hadith explain it. The Hadith of Abū Hurairah from the Prophet ﷺ is acted upon according to the people of knowledge: when the fasting person is overcome by vomiting then he does not make it up, and when he vomits on purpose then he makes it up. This is the view of Ash-Shāfi‘ī, Sufyān Ath-Thawrī, Ahmād and Ishāq.

Comments:
The Four ‘Aimmah agreed that if vomiting overcomes someone and they vomit unintentionally, the fast will not break and he does not have to make it up later on; and if he vomits intentionally, the fast will be broken and it will be made up later on. (Al-Mughnī: 4/368, Al-Majmū‘: 6/320)
Chapter 26. What Has Been Related About The Fasting Person Eating Or Drinking Forgetfully

721. Abū Hurairah narrated that the Messenger of Allāh said: “Whoever eats or drinks forgetfully, then he has not broken (the fast), for it was only a provision that Allāh provided for him.” (Ṣaḥīḥ)

722. (Another chain) with the same or similar (Hadith as no. 721). (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Abū Sa‘eed, and Umm Ishāq Al-Ghanawiyah.

Abū ‘Elsa said: The Hadith of Abū Hurairah is a Ḥasan Ṣaḥīḥ Hadith. This is acted upon according to most of the people of knowledge. It is the saying of Sufyān Ath-Thawrī, Ash-Shāfi‘ī, Ahmad and Ishāq. Mālik bin Anas said: “When he eats forgetfully during Ramadān, then he has to make it up.” But the first view is more correct.
Chapter 27. What Has Been Related About Breaking The Fast On Purpose

723. Abū Hurairah narrated that the Messenger of Allāh ﷺ said:

“Whoever breaks the fast during Ramadān without an allowance nor an illness, then if he fasted for all time, his fasting would not make up for it.” *(Da’if)*

Abū ‘Eisā said: The Hadīth of Abū Hurairah is a narration that we do not know of except from this route. I heard Muḥammad saying: “The name of Al-Muṭawwis (one of the narrators) is Yazid b. Al-Muṭawwis, and I do not know of any other than this Hadīth from him.”

Comments:

This Hadīth proves that if a person abandons a fast of Ramadān or breaks it without any religiously valid excuse, he can then keep fasting his whole life but he cannot achieve the reward and virtuousness of the missed fast of Ramadān; his sin and offence will not be forgiven by just making it up without sincere repentance.


724. Abū Hurairah narrated that a man came and said: “O Messenger of Allāh; I am ruined!” He said: “What has ruined you?” He said: “I had sexual relations with my wife during Ramadān.” He said:
"Are you able to free a slave?" He said, "No." He said: "Then are you able to fast for two consecutive months?" He said, "No." He said: "Then are you able to feed sixty needy people?" He said, "No." He said: "Sit." So he sat. A big basket full of dates was brought to the Prophet ﷺ, and he said: "Give it in charity." So he said: "There is no one needier than us between its two mountains."[1] So the Prophet ﷺ laughed until his pre-molar teeth appeared, and he said: "Then take it to feed your family." (Sahih)

(He said:) There are narrations on this topic from Ibn ‘Umar, ‘Aishah, and ‘Abdullãh bin ‘Amr.

Abû ‘Eisâ said: The Hadith of Abû Hurairah is a Hasan Sahîh Hadith. This Hadith is acted upon according to the people of knowledge regarding one who breaks his fast on purpose during Ramâdân by sexual intercourse. As for one who breaks his fast on purpose by eating or drinking, then the people of knowledge differed over that. Some of them said that he has to make it up and atone for it. They likened eating and drinking to sexual intercourse in this regard. This is the saying of Sufyân Ath-Thawrî, Ibn Al-Mubârak, and Ishaq. Some of them said: He has to make it up, but there is no atonement required of him, because atonement was only

mentioned from the Prophet in the case of sexual intercourse, it was not mentioned by him for eating and drinking. And they say that the eating and drinking is not like sexual intercourse. This is the saying of Ash-Shafi‘i and Ahmad. Ash-Shafi‘i said: “The saying of the Prophet to the man who had broken his fast and who he had told to give the charity: ‘Take it to feed your family’ carries this meaning; it implies that the atonement is required from the one who is capable of it. This man was not capable of the atonement, so when the Prophet gave him something and he possessed it, then the man said: ‘There is no one that is more in need of it than us.’ So the Prophet said: ‘Take it to feed your family.’ Because the atonement can only take place after he has some surplus from his provisions.” Ash-Shafi‘i preferred that whoever has a case similar to this, then he is to eat from it and the atonement will be a debt upon him, so whenever he is able to make the atonement, he should make it.

تخريج: متفق عليه، وأخرجه البخاري، كفارات الأيمن، باب: من تجب الكفرة على
الغني والفقير؟ ... إلخ، ح: 776-77 وนมسلم، النص، باب تلقيف تحريم الجماع في نهار
رمضان على الصائم ... إلخ، ح: 1111 من حديث سفيان بن عبيدة به * وفي الألباب عن ابن عمر
ابن عمرو [أحمد: 208/3].

Comments:
If a person has sexual intercourse with his wife while he was in state of fasting in the month of Ramḍan, he will have to carry out the expiation according to the Four A‘immah and the majority, of the scholars. He will have to make up this fast according to the majority jurists, this is the right opinion.
Chapter 29. What Has Been Related About the Siwâk For The Fasting Person

725. ʿAbdullāh bin ʿĀmir bin Rabīʿah narrated from his father who said: “I saw the Prophet  - (a number of times) such that I was not able to count – using the Siwâk while he was fasting.” (Daʿīf)

He said: There is something on this topic from ʿĀishah.

Abū ʿEisā said: The Hadīth of ʿĀmir bin Rabīʿah is a Ḥasan Hadīth. This is acted upon according to the people of knowledge. They did not see any harm in the Siwâk for the fasting person, except that some of the people of knowledge considered it disliked to use fresh wood, and they considered it disliked to use the Siwâk at the end of the day. Ash-Shāfīʿī did not see any harm in using the Siwâk in the beginning or the end of the day. Ahmad and Ishaq disliked using the Siwâk at the end of the day.

Comments:

Imām Sufyān Ath-Thawrī, Al-Awzāʿī and Abū Hanifah are of the view that a fasting person may use any type of Siwâk / tooth-stick / toothbrush during any part of the day. ʿAlī, Ibn ʿUmar, ʿUrwah and Mujāhid also hold the same opinion and this is the correct one.
Chapter 30. What Has Been Related About Kuhl For The Fasting Person

726. Anas bin Malik narrated that a man came to the Prophet ﷺ and said: “My eyes are bothering me, can I use Kuhl while I am fasting?” He said: “Yes.” (Da‘īf)
(He said:) There is something on this topic from Abū Rāfi‘.

Abū ‘Eisā said: The chain for the Hadīth of Anas is not strong, and there is nothing authentic from the Prophet ﷺ about this topic. Abū ‘Atikah (one of the narrators) was graded weak.

The people of knowledge differ over the fasting person using Kuhl; some of them disliked it, this is the view of Sufyān, Ibn Al-Mubārak, Ahmad, and Ishāq. Some of the people of knowledge allowed Kuhl for the fasting person, and this is the view of Ash-Shāfi‘i.

Chapter 31. What Has Been Related About Kissing For The Fasting Person.

727. ‘Āishah narrated: “The Prophet ﷺ would kiss during the month of fasting.” (Sahih)
(He said:) There are narrations on this topic from ‘Umar bin Al-Khaṭṭāb, Hafṣah, Abū Sa‘eed, Umm Salamah, Ibn ‘Abbās, Anas, and Abū Hurairah.

Abū ‘Eisā said: The Hadīth of ‘Āishah is a Hasan Sahih Hadīth.
The people of knowledge, among the Companions of the Prophet ﷺ, and others, differ over kissing for the fasting person. Some of the Companions of the Prophet ﷺ permitted kissing for the elder man but they did not permit it for the young, fearing that his fast would not be safe from it. Fondling is worse according to them, some of the people of knowledge said that kissing ruins the reward, but it does not break the fast. They held the view that if the fasting person can control himself then he can kiss, and when he does not think that he can control himself then he should avoid kissing for the safety of his fast. This is the saying of Sufyān Ath-Thawrī and Ash-Shafi‘ī.

Comments:
The truth is whether one is young or old and the fasting is obligatory or voluntary, if a person has control over his sexual desire and emotion, then kissing and body contact is allowed; if there is a risk of losing control over sexual desire it is then impermissible.

Chapter 32. What Has Been Related About Embracing For The Fasting Person

728. ‘Āishah narrated: “The

قال أبو عبيدة: حديث عائشة حديث

حسن صحيح.

وختلف أهل العلم من أصحاب النبي ﷺ وفرقهم في الفتحة للصائم. فرخص بعض أصحاب النبي ﷺ في الفتحة للصائم ولم يرخصوا للشاب محافة أن لا يسلم للصيام، والمباشرة عديمَه أشد وقد قال بعض أهل العلم: القبلة تنصص الأجر ولا تنطير الصائم، ورأوا أن للصائم إذا ملك نفسه أن يقبل وإذا لم يأمن على نفسه ترك القبلة ليس يسلم للصيام. وهو قول سفيان الترungi والشافعي.


[Fondling is more general than kissing. It is said that it is for a man to touch his wife without touching her private area, and, it is said that it means kissing, along with touching with the hand. (‘Ali) Al-Qārī said that. Tuhfat Al-Ahwādhī.]}
Messenger of Allâh ﷺ would fondle me while he was fasting, and he had the most control among you of his limbs (li irbihi).” (Sahih)

Abû ‘Eisâ said: This Hadith is Hasan Sahîh. Abû Maisarah’s name is ‘Amr bin Shurahîl, and the meaning of (Al-Irbihi) “his limbs” is himself.[1]

Comments:

Here it means merely the body contact, not the performance of sexual intercourse.

Chapter 33. What Has Been Related About: There Is No Fast For The One Who Did Not Determine It During The (Preceding) Night

Hafṣah narrated that the Prophet ﷺ said: “Whoever did not decide to fast before Fajr then there is no fast for him.” (Da’îf)

Abû ‘Eisâ said: We do not know of the Hadîth of Hafṣah to be Marfu’ except from this route. It has been reported from Nâfi’, from

[1] It may also be read: Al-Arabihi which would mean “his desires”. Al-Mubârakpûrî said that Al-Arabihi is the more popular way of reading it. It was translated in accordance with the way it appears in this publication.
Ibn ‘Umar as his saying, and this is more correct. (Similarly, this Hadith was reported from Az-Zuhri in Mawqif form, and we do not know of anyone who narrated it in Marfu’ form except for Yahya bin Ayyub.) According to some of the people of knowledge, this only means that there is no fast for the one who does not decide to do so before Fajr begins during Ramadan, or when making up for Ramadan, or when fasting to expiate a vow; when he did not intend it during the night, then it will not be accepted from him. As for voluntary fasting, then it is permissible for him to intend to do it after the morning begins. This is the view of Ash-Shafi’i, Ahmad, and Ishaq.

Comments:
It is agreed that the intention is necessary whether the fast is obligatory or voluntary because it is an act of worship.

Chapter 34. What Has Been Related About Breaking The Voluntary Fast

731. Umm Hani’ narrated: “I was sitting with the Prophet when some drink was brought, so he drank from it, then he offered it to me and I drank from it. Then I said: ‘I have indeed sinned, so seek forgiveness for me.’ He said: ‘What is that?’ I said: ‘I was fasting, then I broke the fast.’ He said: ‘Were you
performing a fast that you had to make up?’ I said: ‘No.’ He said: ‘Then it is no harm for you.’”

(Parâf)

(He said:) There are narrations on this topic from Abû Sa’eed and ‘Âishah.

The majority said that making up a voluntary broken fast is not compulsory, whereas according to the Aihnâf it is compulsory to make a voluntary fast whether it is broken due to a valid excuse or without an excuse. The truth is that making it up is not compulsory but doing so is better.

732. Simak bin Harb narrated: “A person from the offspring of Umm Hâni’ narrated to me – I met one of the most virtuous among them, and his name was Ja’da’h, and Umm Hâni’ was his grandmother – he narrated to me from his grandmother that the Messenger of Allâh ﷺ entered upon her and asked for some drink, and he drank. Then he offered it to her and she drank it. Then she said: “O Messenger of Allâh! I was fasting.” So the Messenger of Allâh ﷺ said: “The one fasting a voluntary fast is the trustee for himself; if he wishes he fasts, and if he wishes he breaks.” Shu’bah (one of the narrators) said: “I said to him (Ja’da’h):[1] ‘Did you hear this from Umm Hâni’?’ He said: ‘No

Abū Ṣāliḥ and our family informed us of it from Umm Hānî‘.” (Da’īf)

Hammād bin Salamah reported this Hadith from Simāk [bin Ḥarb] and he said: “From Hārūn the son of the daughter of Umm Hānî‘, from Umm Hānî‘.” And the narration of Shu’bāh is better. This is how it was narrated to us by Maḥmūd bin Ghailān, from Abū Dāwūd, he said: “The trustee for himself”, while others besides Maḥmūd narrated it from Abū Dāwūd that he said: “in charge of himself – or the trustee for himself” with doubt. Similarly it was reported from others, from Shu’bāh: “In charge of himself – or the trustee for himself” with doubt.

(He said: There is disparagement regarding the chain for the Hadith of Umm Hānî‘, while it is acted upon according to some of the people of knowledge among the Companions of the Prophet and others: When the one performing a voluntary fast breaks his fast, then he is not required to make it up unless it was (a fast) that he was required to make up. This is the view of Sufyān Ath-Thawrī, Aḥmad, Iṣḥāq and Ash-Shafi‘ī.)

Chapter 35. Performing A Voluntary Fast Without Planning It The Night Before

733. ‘Aishah, the Mother of the Believers, narrated: “The Messenger
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of Allâh visited me one day and said: ‘Do you have anything (to eat)?’ She said: ‘No.’ He said: ‘Then I am fasting.’” (Sahîh)

734. ‘Aishah, the Mother of the Believers, narrated: “The Messenger of Allâh came to me saying, ‘Do you have anything for breakfast?’ I said: ‘No.’ Then he said: ‘I am fasting.’” She said: “One day he came to me and I said: ‘O Messenger of Allâh; I have received a gift for us.’ He said: ‘What is it?’” She said: “I said: ‘Hais’” He said: ‘I began the day fasting’” She said: “Then he ate.” (Sahîh)

Abû ‘Eisâ said: This Hadith is Hasan.

Comments:

The ‘Majority’ said that the intention for a voluntary fast can be determined until before the sun passes the meridian, and according to Imâm Ahmad the intention may be determined even after the sun has passed the meridian, said Imâm Ibn Qudâmah.

Chapter 36. What Has Been Reported About: The Obligation On Him To Make Up

735. ‘Aishah narrated: “Hafṣah and I were both fasting when we were presented some food that we really wanted, so we ate from it. The Messenger of Allâh came, a dish made of cooking-butter, dried dates, and cheese.”
Abū ʿEisā said: Sāliḥ bin Abī Al-Akhḍar and Muhammad bin Abī Hafsah (also) narrated this Hadith from Az-Zuhrī, from ʿUrwaḥ, from ʿĀishah. While Mālik bin Anas, Maʾmar, ʿUbaydullāh bin ʿUmar, Ziyād bin Saʿd and others among the Huffaz reported it from Az-Zuhrī, from ʿĀishah, in Mursal form; they did not mention “from ʿUrwarh” in it. This is more correct because it has been reported from Ibn Juraij that he said: “I asked Az-Zuhrī: ‘Did ʿUrwaḥ narrate this to you from ʿĀishah?’ He said: ‘I did not hear anything from ʿUrwaḥ about this. Rather, during the Khilāfah of Sulaimān bin ʿAbdul-Malik I heard from some people, from someone who asked ʿĀishah about this Hadith.’”

This was narrated to us (with his chain) from Ibn Juraij, and he mentioned the Hadith.

Some of the people of knowledge among the Companions of the Prophet  and others followed this Hadith, seeing that one has to make up a fast when it is broken, and this is the view of Mālik bin Anas.

[1] Meaning, they raced to meet the Prophet , but she was quicker than ʿĀishah, may Allāh be pleased with them.
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Comments:
Most A’immah graded this Hadith as Weak, but the Ahnaf and Shafi’i accept Mursal narrations as proof if the chain is authentic up to the person who made the Irsal. So in their opinion making it up is compulsory, but it is proven through a collective and analytic study of the Ahâdith that making it up is not compulsory, it is rather better.

Chapter 37. What Has Been Related About Connecting Fasts of Sha’bân to Ramadân

736. Umm Salamah narrated: “I did not see the Prophet fasting two consecutive months except for Sha’bân and Ramadân.” (Sahih)

There is something on this topic from ‘Aishah.

Abû ‘Eisâ said: The Hadith of Umm Salamah is a Hasan Hadith. This Hadith has also been reported from Abû Salamah, from ‘Aishah, that she said: “I did not see the Prophet fasting more in any month than he did during Sha’bân. He would fast (all) but a little of it, rather, he would fast all of it.”

737. (Another chain, a Hadith similar to no. 736) for that, from ‘Aishah, from the Prophet (Hasan)

Sâlim Abû An-Nâdr and others,

 lãi freg = "استاده ضعيف" وأخرجه أحمد: ٢٦٣/٦ من طريق كثير، ورواه أبو داود، ح: ٢٤٥ من طريق آخر عن راوية يه من جماعة - وللحديث وسيلة ضعيفة - لم يصرح بالسماع - إن صح السند إليه بل ممها من ممها - وقصص الحديث في نصًا: ٢٣٠٦ (اثني عشر).
narrated this \textit{Hadith} from Abū Salamah, from ‘Āishah, and it is similar to the narration of Muhammad bin ‘Amr. (a narrator in the chain of this \textit{Hadith}) It has been reported that Ibn Al-Mubarak said about this \textit{Hadith}: “It is allowed in the language of the ‘Arabs, that when one fasts most of the month, it is said that he fasted all of it. It is said: ‘So-and-so stood the whole night in prayer’ while perhaps he ate or involved himself with some other matter.” It is as if Ibn Al-Mubarak saw that both of the \textit{Ahadith} were in agreement, saying that the meaning of this \textit{Hadith} is only that he fasted most of the month.

\textbf{Comments:}  
The Prophet \(\xi\) explained that the wisdom of fasting frequently in Sha'ban is that people are neglectful of the good and blessing of it, while it is such a month during which the deeds of the whole year are presented to Allah; therefore I wish that my deeds are presented while I am fasting.

\begin{itemize}  
\item \textbf{Chapter 38. What Has Been Related About It Being Disliked To Fast During The Second Half Of Sha'ban For The Sake Of Ramadān.}  
\item 738. Abū Hurairah narrated that the Messenger of Allah \(\xi\) said: “When a half of Sha'ban remains then do not fast.” \textit{(Sahih)}  
\end{itemize}
from this route, with this wording. According to some of the people of knowledge, this Hadīth refers to the case of a man who is not fasting, and when part of the month of Sha'bān remains, he starts fasting for the sake of the month of Ramadān. There is something that is reported from Abū Hurairah, from the Prophet ﷺ that is similar to this saying: where he said: “Do not precede the month of Ramadān by fasting, unless that fast falls on a day that one of you would have (normally) fasted.”

In this Hadīth there is proof that it is only disliked for the one who fasts purposefully for the sake of Ramadān.

Comments:

There is no harm if a person has been fasting since the beginning of the month, or it is a fast of making up and fulfilling a vow, or this coincides with his regular fast which he observes every month generally.

Chapter 39. What Has Been Related About The Middle Night Of Sha'bān

739. ‘Āishah narrated: “I could not find the Messenger of Allāh one night. So I left and found him at Al-Baqī’. [1] He said: ‘Did you fear you had been wronged by Allāh and His Messenger?’ I said: ‘O Messenger of Allāh! I thought that you had gone to one of your wives.’

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[1] A place on the outskirts of Al-Madinah that is known for its graveyard.
So he said: ‘Indeed Allah, Mighty and Sublime is He, descends to the lowest Heavens during the night of the middle of Sha‘bān, to grant forgiveness to more than the number of hairs on the sheep of (Banū) Kalb.” (Da‘īf)

There is something on this topic from Abū Bakr Aṣ-Ṣiddīq.

Abū ‘Eisā said: We do not know of the Ḥadīth of ‘Aīshah except by this route, from the narration of Al-Hajjāj, and I heard Muḥammad saying that this Ḥadīth is weak. He said: “Yahya bin Abī Kathīr did not hear from ‘Urwah.” Muḥammad said: “Al-Hajjāj did not hear from Yahya bin Abī Kathīr.”

Comments:

Imām Suyūṭī, Abū Tālib Makki, Imām Ghazālī and Shaikh Abdul Qādir Jilānī quoted many weak and denounced narrations in favor of the virtue of the fifteenth night of Sha‘bān, and all these narrations are baseless. (Ma‘ārif As-Sunan: 5/319). Banū Kalb was an Arab tribe, who owned more goats than all the Arab tribes.

Chapter 40. What Has Been Related About Fasting For Al-Muharram

740. Abū Hurairah narrated that the Messenger of Allāh ☑️ said: “The most virtuous fasting after the month of Ramadān is Allāh’s month Al-Muḥarram.” (Ṣahīh)

Abū ‘Eisā said: The Ḥadīth of Abū Hurairah is a Hasan Ḥadīth.
741. An-Nu‘mān bin Sa‘d narrated: “A man asked ‘Ali: ‘Which month do you order me to fast after the month of Ramadān?’ He said to him, ‘I have not heard anyone ask about this except for a man whom I heard asking the Messenger of Allāh ﷺ while I was sitting with him. He said: ‘O Messenger of Allāh! Which month do you order me to fast after the month of Ramadān?’” He said: “If you will fast after the month of Ramadān, then fast Al-Muharram, for indeed it is Allāh’s month in which there is a day that Allāh accepted the repentance of a people, and in which He accepts the repentance of other people.” *(Da‘if)*

Abū ‘Eisā said: This Hadith is Hasan Gharib.

Comments:
The attribution of Muḥarram to Allāh is to express its nobility, virtuousness and significance and it is one of the four inviolable months, it is the first month of the lunar calendar. On the 10th [the day of ‘Ashūrā] of this month Allāh delivered the children of Israel from the oppression of Pharaoh while destroying Pharaoh and his army. So the Prophet would fast on the day of ‘Ashūrā and would also urge others to do so, and later he encouraged fasting the 9th along with the 10th when doing so.

Chapter 41. What Has Been Related About Fasting On Friday

742. ‘Abdullāh narrated: “The Messenger of Allāh ﷺ would fast during the beginning of every
month for three days, and Friday was the least of days that he did not fast.” (Hasan)

(He said:) ‘There are narrations on this topic from Ibn ‘Umar, and Abū Hurairah. Abū ‘Eisā said: The Hadīth of ‘Abdullāh is a Hasan Gharīb Hadīth. There are those among the people of knowledge who considered it recommended to fast on Friday, and that it is only disliked to fast Friday when one does not fast a day before it or after it.

He said: Shu’bāh reported this Hadīth from ‘Āsim, and he did not report it in Marfu’ form.

Chapter 42. What Has Been Related About It Being Disliked To Fast On Friday Alone

743. Abū Hurairah narrated that the Messenger of Allāh ṣallā Allāhu ‘alayhi wa sallam said: “None of you should fast on Friday unless he fasts before it, or he fasts after it.” (Sahih)

(He said:) There are narrations on this topic from ‘Aли, Jābir, Junādah Al-Azdi, Juwarīyah, Anas, and ‘Abdullāh bin ‘Amr.

Abū ‘Eisā said: The Hadīth of Abū Hurairah is a Hasan Sahih Hadīth. This is acted upon according to the people of knowledge, they consider it disliked for a man to single out
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Friday with fasting by not fasting before it nor after it. This is the view of Ahmad and Ishâq.

Chapter 43. What Has Been Related About Fasting on Saturday

744. ʿAbdullâh bin Busr narrated from his sister that the Messenger of Allâh said: “Do not fast on Saturday except for what has been made obligatory upon you (by Allâh). If one of you does not find but a grape peel or a tree’s twig, then let him chew it.” (Hasan)

Abû ‘Elsa said: This Hadith is Hasan. The dislike here applies to when a man distinguishes Saturday by fasting it, because the Jews revere Saturday.

Comments:
To maintain the uniqueness and distinction of Islam, imitating non-Muslims is prohibited, because the Jews respect Saturday and regard it holy, so to single out just Saturday for fasting is to imitate them.
Chapter 44. What Has Been Related About Fasting On Monday And Thursday

745. ‘Aishah narrated: “The Prophet used to try to fast on Mondays and Thursdays.” (Sahih)

(He said:) There are narrations on this topic from Hafsah, Abu Qatadah, Abu Hurairah, and Usamah bin Zaid.

Abu ‘Eisä said: The Hadith of ‘Aishah is a Hasan Gharib Hadith from this route.

746. ‘Aishah narrated: “The Messenger of Allah would fast Saturdays, Sundays and Mondays in one month, and Tuesdays, Wednesdays and Thursdays in the next month.” (Da‘if)

Abu ‘Eisä said: This Hadith is Hasan. Abu-Rahman bin Mahdi narrated this Hadith from Sufyan, and he did not narrate it in Marfu’ form.

747. Abu Hurairah narrated that the Messenger of Allah said:
"The deeds are presented on Monday and Thursday, so I love that my deeds be presented while I am fasting." (Hasan)

Abū ‘Eisā said: The Hadith of Abū Hurairah on this topic is a Hasan Gharib Hadith.

Comments:
This Hadith proves that the Prophet ﷺ would fast particularly on Monday and Thursday because the deeds of the people are presented to Allāh on these two days and he liked to be fasting the day on which the deeds are presented to Allāh.

Chapter 45. What Has Been Related About Fasting On Wednesday And Thursday

748. ‘Ubaidullāh (bin Muslim) Al-Qurashi narrated from his father who said: “I asked – or; the Prophet ﷺ was asked – about fasting daily. So he said: ‘Your family has a right over you.’ Then he said: ‘Fast Ramadān and that which is after it, and every Wednesday and Thursday. If you do that, then you will have fasted daily, as well as broken (the fast).’” (Da‘īf)

There is something on this topic from ‘Āishah.

Abū ‘Eisā said: The Hadith of Muslim Al-Qurashi is a Gharib Hadith. Some of them narrated it from Ḥarūn bin Salmān, from Muslim bin ‘Ubaidullāh, from his father.
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Comments:
The Messenger of Allâh ﷺ did not follow a strict regular habit for voluntary fasts, so the various routines of the Prophet are reported regarding this issue. Imam At-Tirmidhi would mention the details of the voluntary fasts in the following chapters. With regards to fasting perpetually the whole year, a chapter is coming.

Chapter 46. What Has Been Related About The Virtue of Fasting on the Day of ‘Arafah

Abû Qatadah narrated that the Prophet ﷺ said: “Fast the Day of ‘Arafah, for indeed I anticipate that Allâh will forgive (the sins) of the year after it, and the year before it.” (Da’îf)

(He said:) There are narrations on this topic from Abû Sa’eed.

Abû ‘Elsa said: The Hadith of Abû Qatadah is a Hasan Hadith. The people of knowledge consider fasting recommended on the Day of ‘Arafah, except while (the pilgrim) is at ‘Arafât.

It is proven from this Hadith that fasting on the Day of ‘Arafah (9th of Dhul-Hijjah) purifies a person from the mistakes and evil deeds of a year preceding and a year following it.
Chapter 47. What Has Been Related About It Being Disliked To Fast The Day Of ‘Arafah While At ‘Arafat

750. Ibn ‘Abbās narrated: “The Prophet ﷺ broke (the fast) at ‘Arafah, Umm Fadl sent him some milk to drink.” (Sahih)

There are narrations on this topic from Abū Hurairah, Ibn ‘Umar, and Umm Al-Fadl.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. It has been reported that Ibn ‘Umar said: “I performed Hajj with the Prophet ﷺ, and he did not fast it – that is, on the Day of ‘Arafah – and with Abū Bakr, and he did not fast it, and with ‘Umar, and he did not fast it. (and with ‘Uthmān, and he did not fast it).”

This is acted upon according to most of the people of knowledge, they consider it recommended to break one’s fast at ‘Arafat so that one will have the strength to supplicate. Some of the people of knowledge fasted at ‘Arafat on the Day of ‘Arafah.

Fasting on the Day of ‘Arafah is not allowed for the pilgrims due to making this day easy, flexible and more beneficial.

751. Ibn Abī Najīḥ narrated from his father who said: “Ibn ‘Umar was asked about fasting (the Day of) ‘Arafah (at ‘Arafat). He said: I performed Hajj with the Prophet ﷺ, and he did not fast it, and with
Abū Bakr, and he did not fast it, and with ‘Umar, and he did not fast it, and with ‘Uthmân, and he did not fast it. I do not fast it, nor order it nor forbid it.” (Sahih)

Abū ‘Eisâ said: This Hadith is Hasan, Abū Najîh’s name is Yasar, and he heard from Ibn ‘Umar, and this Hadith was also reported from Ibn Najîh from his father, from a man, from Ibn ‘Umar.

Comments:

Ibn ‘Umar meant that the example and practice of the Messenger of Allâh ﷺ and the caliphs was not to fast the Day of ‘Arafâ in the valley of ‘Arafât.

Chapter 48. What Has Been Related About The Encouragement To Fast The Day Of ‘Ashūrâ [1]

752. Abū Qatâdah narrated that the Prophet ﷺ said: “Fast the Day of ‘Ashūrâ’, for indeed I anticipate that Allâh will forgive (the sins of) the year before it.” (Sahih)

There are narrations on this topic from ‘Ali, Muḥammad bin Saîfî, Salamah bin Al-Akwa’, Hind bin Asmâ’, Ibn ‘Abbâs, Ar-Rubayyî bint Mu’awwidh bin ‘Afrî, ‘Abdur-Rahmân bin Salamah Al-Khuza’î from his uncle, and ‘Abdullâh bin Az-Zubair – they mentioned that the Prophet ﷺ encouraged fasting the Day of ‘Ashūrâ’.

[1] That is the ninth or tenth of Al-Muharram, or, both days, and it is discussed below.
Abū 'Eisā said: We do not know of any narration in which he said that fasting the Day of 'Āshūra' expiates the sins of a year, except for the narration of Abū Qatādah, and the Hadith of Abū Qatādah is followed by Almad and Isḥāq.


**Comments:**
1. What is most virtuous is to fast on the 9th, 10th and 11th of Al-Muharram.
2. Secondly, to fast on 9th and 10th or 10th and 11th.
3. The last and lowest degree is to fast just on the 10th; and the meaning of its being expiation for the sins has been mentioned under the chapter 'Fasting on the Day of 'Arafah'.

**Chapter 49. What Has Been Related About the Permission To Not Fast The Day Of 'Āshūra'**

٧٥٣. ‘Aishah narrated: “‘Āshūra’ was a day that the Quraish used to fast during Jāhiyyah, and the Messenger of Allāh ﷺ used to fast it. When he arrived in Al-Madinah he fasted it, and he ordered the people to fast it. But when (the fast of) Ramadan became obligatory, the Ramadan was the required and ‘Āshūra’ was left. So whoever wanted to, he fasted it, and whoever wanted to, he left it.” ( Sahih)

There are narrations on this topic from Ibn Mas‘ūd, Qais bin Sa‘d, Jābir bin Samurah, Ibn ‘Umar, and Mu‘āwiya.
Abū ‘Eisā said: The Hadīth of ‘Aishah is acted upon according to the people of knowledge, and it is a Saḥīḥ Hadīth. They do not consider fasting the Day of ‘Ashūra’ required except for the one who desires to fast it due to the virtues that have been mentioned about it.

Chapter 50. What Has Been Related About Which Day ‘Ashūra’ Is

754. Al-Hakam bin Al-A’rfa’ī said: “I met up with Ibn ‘Abbās while he was reclining on his Rida’ at the Zamzam (well). So I said: ‘Inform me about the Day of ‘Ashūra’, on which day is it fasted?’ He said: ‘When you see the crescent of Al-Muharram, then count, then fast on the morning of the ninth day.’” He said: ‘I said: Is this how Muḥammad ﷺ fasted it?’ He said: ‘Yes.’” (Sahih)

755. Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ ordered fasting the tenth day for the Day of ‘Ashūra’.” (Da’īf)

Abū ‘Eisā said: The Hadīth of Ibn ‘Abbās is a Hasan Saḥīḥ Hadīth. The
people of knowledge differ over the Day of ‘Ashūrā’, some of them said it is the ninth day, some of them said it is the tenth day. It has been reported that Ibn ‘Abbās said: “Fast the ninth and the tenth, and differ from the Jews.”

Ash-Shāfi‘ī, Āḥmad and Iṣḥāq followed this Hadith.

Comments:
This Hadith gives two possible meanings:
1. Next year we shall fast the 9th of Muharram instead 10th.
2. We shall fast 10th of Muharram along with the 9th of Muharram as well in the following year in order to make a distinction and difference between our practice and that of Jews and the resemblance will get eliminated. The second meaning gets precedence due to a narration of Musnad Āḥmad.

Chapter 51. What Has Been Related About Fasting The Ten (Days Of Dhul-Hijjah)

756. ‘Āishah narrated: “I did not see the Prophet fasting at all during the ten.” (Ṣaḥīḥ)

Abū ‘Eisā said: This is how it was reported by more than one from Al-A’mash, from Ibrāhīm, from Al-Aswād, from ‘Āishah. Ath-Thawrī and others narrated this Hadith from Mansūr, from Ibrāhīm: “That the Prophet was not seen fasting during the ten.” Abū Al-Āḥwās reported it from Mansūr, from Ibrāhīm, from ‘Āishah, and he did not mention Al-Aswād in it. So they disagree with Mansūr in this
Hadith, and the narration of Al-
A’mash is more correct and has a
more connected chain.

He said: I heard Abū Bakr Muḥammad bin Abãn saying: “I
heard Waki’ saying: ‘Al-A’mash has
preserved the chain of Ibrāhīm
to the Prophet Muhammad."

Comments:

Ashr means first ten days of Dhul-Hijjah, but fasting can be observed for
the first nine days only, it is impermissible to fast on the 10th of Dhul-Hijjah; and
the 9th of Dhul-Hijjah is the Day of ‘Arafah, the Prophet has stated the
virtues of fasting this day.

Chapter 52. What Has Been
Related About Deeds During
The Ten Days (Of Dhul-Hijjah)

757. Ibn ʿAbbās narrated that the Messenger of Allāh said:
“There are no days in which righteous deeds are more beloved
to Allāh than these ten days.” They said: “O Messenger of Allāh! Not
even Ḥijād in Allāh’s Cause?” The Messenger of Allāh said: “Not
even Ḥijād in Allāh’s Cause, unless a man were to go out with his self
and his wealth and not return from
that with anything.” (Sahih)

There are narrations on this topic from Ibn ʿUmar, Abū Hurairah,
ʿAbdullāh bin ʿAmr, and Jābir.

Abū ʿEisā said: The Hadith of Ibn ʿAbbās is a Hasan Gharib Ṣahīḥ
Hadith.
Comments:

This Hadith proves that the first ten days of Dhul-Hijjah are the most virtuous days among the first ten days of the months of the year, the significance and the value of good deeds, performed during these days, is more comparing to rest of the days.

758. Abū Hurairah narrated that the Prophet ﷺ said: “There are no days more beloved to Allah that He be worshipped in them than the ten of Dhul-Hijjah, fasting every day of them is the equivalent of fasting a year, and standing every night of them (in prayer) is the equivalent of standing on the Night of Qadr.” (Da’if)

Abū ‘Eisā said: This Hadith is Gharib, we do not know of it except as a narration of Mas’ūd bin Wāsil from An-Nahhās. (He said:) I asked Muhammad about this Hadith and he did not know of its like from other than this route. He said: Something about this has been reported from Qatdah, from Sa’eed bin Al-Musayyab, from the Prophet ﷺ in Mursal form. (Yahya bin Sa’eed has criticized Nahhās bin Qahm due to his weak memory.)

Comments:

The virtues of the first ten days of Dhul-Hijjah are proven by the agreed narration, but the specification that fasting of one day is equal to the fasts of the whole year and the voluntary prayer at night (in the first ten nights of Dhul-Hijjah) is equal to that of the Night of Power – no authentic Hadith proves this, and as for this Hadith it is Weak.
Chapter 53. What Has Been Related About Fasting The Six Days Of Shawwâl

759. Abû Ayyûb narrated that the Messenger of Allâh ﷺ said: “Whoever fasts Ra'madân, then follows it with six from Shawwâl, then that is (equal in reward) to fasting every day.” (Saâhih)

There are narrations on this topic from Jâbir, Abû Hurairah, and Thawbân.

Abû ‘EIsâ said: The Hadîth of Abû Ayyûb is a Hasan Saâhih Hadîth. There are those people who consider fasting six (days) of Shawwâl recommended due to this Hadîth.

Ibn Al-Mubârak said it is good to do, just like fasting three days of every month. Ibn Al-Mubârak said that it has been reported in some of the Ahâdîth: “This fast is connected to Ramadân.” Ibn Al-Mubârak prefered that these six days be at the beginning of the month, and it has been reported that Ibn Al-Mubârak said that if one fasted six separate days of Shawwâl then it is acceptable.

Abû ‘EIsâ said: (Two other chains from Sa'd bin Sa'eed for this Hadîth) and Sa'd bin Sa'eed is the brother of Yabya bin Sa'eed Al-Ansârî. Sa'd bin Sa'eed has been criticized by some of the people of Hadîth due to his memory.

(Another chain) that when fasting the six days of Shawwâl was mentioned before Al-Hasan Al-Ba'Srî, he would say: “By Allâh!
Allah is more pleased with fasting this month, than the entire year.”

Comments:

The month of Ramadān even though is sometimes of twenty-nine days, yet Allah, by His Grace and Kindness, declared it equal to the month of thirty days, and in the case of fasting six days of Shawwāl it makes the number thirty-six; and a Kind Rule of Allah is that the reward of every good deed is ten fold, so according to this rule thirty-six multiplied by ten make three hundred and sixty, and the total days of the lunar year are less than that.

Chapter 54. What Has Been Related About Fasting Three (Days) Of Every Month

760. Abū Hurairah narrated: “The Messenger of Allah took a covenant from me for three: To not sleep except after performing Witr, to fast three days of every month, and to perform the Duḥa prayer.” (Hasan)

Comments:

This is the truth; if these three days mean ‘the days of the full moon’, they are then 13th, 14th and 15th day of every lunar month, as Imām Al-Bukhārī titled a chapter ‘fasting of the days of the full moon are 13th, 14th and 15th’.

761. Abū Dharr narrated that the Messenger of Allah said: “O Abū Dharr! When you fast three days out

It has been reported in some Ahādīth that whoever fasts three days of every month, then it is as if he has fasted every day.

762. Abū Dharr narrated: “The Messenger of Allâh ﷺ said: ‘Whoever fasts three days in every month, then that is (similar to) fasting every day.’ Then Allâh Mighty and Sublime is He, attested to that in His Book, by revealing: ‘Whoever brings a good deed, shall have ten times the like thereof.’ [1] So a day is like ten.” (Da‘f)
Abū ‘Eisā said: This Ḥadīth is Hasan (Sahih)

Abū ‘Eisā said: Shu‘bah has reported this Ḥadīth from Abū Shimr and Abū At-Tayyāḥ, from Abū ‘Uthmān, from Abū Hurairah, from the Prophet ﷺ.

Abū ‘Eisā said: This Ḥadīth is Hasan Sahih. He said: Yazid bin Ar-Rishk is Yazid bin Ad-Duba‘ī, and he is Yazid bin Al-Qāsim who is, Al-Qassām, Ar-Rishk means Al-Qassam (beauty) in the language of the people of Al-Basrah.

Chapter 55. What Has Been Related About The Virtues Of Fasting

764. Abū Hurairah narrated that the Messenger of Allâh  said: ‘Indeed your Lord said: ‘Every good deed is rewarded with ten of the same up to seven hundred times over. Fasting is for Me, and I
shall reward for it.’ Fasting is a shield from the Fire. The smell coming from the mouth of one fasting is more pleasant to Allāh than the scent of musk. If one of you is abused by an ignorant person while fasting, then let him say: ‘Indeed I am fasting.’” (Saḥīh)

There are narrations on this topic from Mu‘ādh bin Jabal, Sahl bin [Sa‘d], Ka‘b bin ‘Ujrah, Salāmah bin Qaisar, Bashir bin Al-Khasāisyah, and Bashir’s name is Zāhm bin Ma‘bad, and Al-Khaṣāisyah is his mother.

Abū ‘Eisā said: The Ḥadīth of Abū Hurairah is Hasan Gharib from this route.

٧٦٥. Sahl bin Sa‘d narrated that the Prophet said: “There is a gate in Paradise called Ar-Raiyyān, those who fast shall be invited into it, and whoever was among those

Comments:

If someone incites a fasting person or ignites his sentiments and he wants the fasting person to do something against the Shari‘ah, then:

a. The fasting person should say to him I am fasting, so I cannot do any act of ignorance like you;

b. Or the fasting person should remind himself that he is not going to spoil his fast by answering the ignorant with ignorance;

c. Or he should say this with both with the tongue and in his heart, or he should say it with the tongue if the fasting is obligatory and in his heart in case of voluntary fast; the truth is that according to the circumstances he should adopt such a way that he keeps himself away from indulging into the row of incitements and sentiments.
who fasted, then he will enter it; and whoever enters it, he will never thirst again.” *(Hasan)*

"لله الصائمون فمن كان من الصائمين دخل، ومن دخل لم يطمع بأبداً." 

قال أبو عيسى: هذا حديث صحّ.

**نحوه:** [إسناده حسن] وأخرجه ابن ماجه، البخاري، باب ماجأ في فضل الصيام، ح: 1450 من حديث هشام بن سعد به وأصله منتفق عليه، البخاري، ح: 1892 ومسلم.

**صحيح:** [إسناده حسن] وأخرجه أحمد: 419/2 عن قتيبة به وأصله منتفق عليه، البخاري، ح: 1904 ومسلم، ح: 1151.

**Comments:**

The pang which is felt and experienced most in the state of fasting is thirst, therefore the reward and fruit of fasting will be bestowed in such a way that the most unique and distinctive aspect of it will be the drinks and to be well-watered.

766. Abū Hurairah narrated that the Messenger of Allāh said: “There are two joys for the fasting person: the joy when he breaks his fast, and the joy of when he meets his Lord.” *(Sahih)*

Abū 'Eisā said: this *Hadith* is Hasan *Sahih*.

### تحرير

قال أبو عيسى: هذا حديث صحّ.

**Chapter 56. What Has Been Related About Fasting Daily** *(Ad-Dahr)*

767. Abū Qatādah said: “It was said: 'O Messenger of Allāh! What is the case of the one who fasts daily?' He said: ‘He did not fast nor break (the fast).’” Or, he said: ""لله الصائمون فمن كان من الصائمين دخل، ومن دخل لم يطمع بأبداً." 

قال أبو عيسى: هذا حديث صحّ.

**صحيح:** [إسناده صحيح] وأخرجه أحمد: 419/2 عن قتيبة به وأصله منتفق عليه، البخاري، ح: 1904 ومسلم، ح: 1151.

**Comments:**

A believing servant of Allāh, when he fulfills his duty towards Allāh, he is pleased and delighted that Allāh granted him the ability to fulfill his obligation; and he will be pleased for the second time when he will have enormous and inestimable reward and recompense on the Last Day.
“He never fasted nor broke (his fast).” *(Sahih)*

There are narrations on this topic from ‘Abdulläh bin ‘Amr, ‘Abdulläh bin Ash-Shîkh-khîr, ‘Imrân bin Husain, and Abû Mûsâ.

Abû ‘Eisâ said: The *Hadîth* of Abû Qatâdah is a *Hasan Hadîth*.

There are those among the people of knowledge who disliked fasting daily (and there are those others who permitted it). They said fasting daily is only disliked when he does not abstain from fasting on the Day of *Fîr*, the Day of *Adhâ*, and the Days of *Tashrîq*. So whoever abstains from fasting on these days then he has stayed away from the limit of what is disliked and he has not fasted every day. This was reported from Mâlik bin Anas, and it is the view of Ash-Shâfi‘î. Ahmad and Ishaq said similar, saying that it is not required for one to abstain from fasting except for these five days which were prohibited by the Messenger of Allah ﷺ: the Day of *Fîr*, the Day of *Adhâ*, and the Days of *Tashrîq*.

**Chapter 57. What Has Been Related About Fasting Consecutive Days**

767. ‘Abdulläh bin Shaqiq narrated: “I asked ‘Âishah about the Prophet’s *fâsîd* fasting.’ She said: ‘He would fast
until we said: “He has fasted”[1] and he would abstain from fasting until we said: “He has abstained from fasting.” (She said:) ‘The Messenger of Allah ﷺ did not fast an entire month except for Ramadān.”’ (Sahih)

There are narrations on this topic from Anas and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadīth of ‘Ā’ishah is a Ḥasan Sahih Hadīth.

There are narrations on this topic from Anas and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadīth of ‘Ā’ishah is a Ḥasan Sahih Hadīth.

769. Ja’far bin Humaid narrated that Anas bin Mālik was asked about the Prophet’s ṣaw fasting and he said: “He would fast during a month until we thought that he did not want to abstain from fasting during any of it. And, he would not fast during a month until we thought that he did not want to fast during any of it. (There was no time) that I wanted to see if he was performing Salāt during the night, except that I would see him praying, nor to see him sleeping, except that I would see him sleeping.” (Sahih)

Abū ‘Eisā said: This Hadīth is Ḥasan Sahih.

Comments:

The Messenger of Allāh ﷺ did not follow a regular and routine procedure for observing voluntary fasts; sometimes he would fast regularly every day without a break and sometimes he would abandon fasting for many

[1] See the following Hadīth.
consecutive days. He would sometimes fast first Saturday, Sunday and Monday of a month, and the next month he would fast Tuesday, Wednesday and Thursday; he would fast on Monday and Thursday every week. He would sometimes fast in the beginning of a month, sometimes in the middle of a month and sometimes at the end of a month; the objective was to leave the door open for observing voluntary fasts for every person, so that every person is able to observe voluntary fasts every month according to one’s time, circumstance, capability and courage.

770. ‘Abdullâh bin ‘Amr narrated that the Messenger of Allâh ﷺ said: “The most virtuous fast is the fast of my brother Dâwûd. He would fast a day, and not fast (the next) day. He would not flee at the time of engagement (with the enemy).”’

(Šâhîh)

Abû ‘Eisâ said: This Ḥadîth is Ḥasan Šâhîh. Abûl-‘Abbâs (one of the narrators) is Ash-Shâ’îr (the poet) (Al-Makki), Al-A’mâ (the blind), and his name is As-Sâ’îb bin Farrûkh.

Some of the people of knowledge said: The most virtuous fasting is that one fast one day, and not fast the next. And it is said that this is the most difficult type of fasting.

Islamic is a system of life given by The Creator of the nature, so it is exactly according to the human nature, therefore Islam does not ignore the worldly needs to propagate the religion only. It burdens on a person only to the extent that does not affect the rights of his body and soul, family and dependents, kith and kin, friends and loved ones.

Chapter 58. What Has Been Related About It Being Disliked To Fast On The Day Of Fitr And The Day Of Nahr

771. Abû ‘Ubaid, the freed slave of
‘Abdur-Rahmān bin ‘Awf narrated:
“I witnessed ‘Umar bin Al-Khaṭṭāb on the Day of Ṯahr beginning with the Salāt before the Khutbah. Then he said: ‘I heard the Messenger of Allah prohibit fasting on these two days. As for the Day of Fitr, then it is for you to take a break from your fasting, and a celebration for the Muslims. As for the Day of Ḩadā, then eat from the flesh that you have sacrificed.’”

(Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is (Ḥasan) Ṣaḥīḥ. Abū ‘Ubaid, the freed slave of ‘Abdur-Rahmān bin ‘Awf – his name is Sa’d. They say that he is the freed slave of ‘Abdur-Rahmān bin Azhar as well. ‘Abdur-Rahmān bin Azhar is the son of the uncle of ‘Abdur-Rahmān bin ‘Awf.

Comments:
Fasting on the day of ‘Eid is prohibited because Allāh declared this day, after the fasts of Ramadān, a day of eating and drinking, so fasting on this day opposes the Will of Allāh. The Day of Sacrifice; fasting on this day is prohibited because Allāh commanded to eat the meat of the sacrifice, as it is the Will of Allāh that the Muslims offer the sacrifices, on this day, to achieve the pleasure and bliss of Allāh; they should eat the meat of the sacrifices enjoyably, regarding it a Feast from Allāh and they should feed others too.
Abū ‘Eisā said: The Hadith of Abū Sa‘eed is a Ḥasan Sahih Hadith, and it is acted upon according to the people of knowledge.

Abū ‘Eisā said: ‘Amr bin Yahya is Ibn ‘Umārah bin Abī Al-Ḥasan Al-Mazīnī Al-Madani, and he is trustworthy, Sufyān Ath-Thawrī, Shu‘bāh, and Mālik bin Anas report from him.

Chapter 59. What Has Been Related About It Being Disliked To Fast The Days Of Tashriq

773. ‘Uqbah bin ‘Amir narrated that the Messenger of Allāh ﷺ said: “The Day of ‘Arafah, the Day of Nahr, and the Days of Tashriq are ‘Eid for us, the people of Islām, and they are days of eating and drinking.” (Hasan)


Abū ‘Eisā said: The Hadith of ‘Uqbah bin ‘Amir is a Ḥasan Sahih Hadith. This is acted upon according to the people of knowledge.
to the people of knowledge. They consider it disliked to fast on the Days of *Tashriq*, except that there are those among the Companions of the Prophet  and others, who permitted it in the case of the one performing *(Hajj) Tamatū* – if he did not find a *Hadi*, and he did not fast during the ten (days) – then he can fast the Days of *Tashriq*.

This is the view of Malik bin Anas, Ash-Shafi‘i, Ahmad, and Ishāq.

Abū 'Eisā said: (Regarding one of the narrators:) The people of Al-‘Iraq say: “Mūsā bin ‘Ulayy bin Rabāh” while the people of Egypt say: “Mūsā bin ‘Ali.”

He said: I heard Qutaibah saying: “I heard Al-Laith bin Sa‘d saying: ‘Mūsā bin ‘Ali said: “No one has been given the liberty to pronounce my father’s name in the diminutive.”' [1]

**Comments:**

The Days of *Tashriq* are 11th, 12th and 13th of Dhul-Hijjah, the meat of sacrifice is spread in the sun to be dried in these days, and therefore these days are named *Tashriq*. These are the days of eating and drinking, so fasting on these days is prohibited.

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Chapter 60. What Has Been Related About Cupping Being Disliked For The Fasting Person

774. Rãfi' bin Khadij narrated that the Prophetﷺ said: “The cupper and the one cupped have broken the fast.” (Sahih)

(Abû ‘Eisâ said:) There are narrations on this topic from Sa’d, ‘Ali, Shaddâd bin Aws, Thâwbân, Usâmah bin Zaid, ‘Âishah, Ma’qil bin Yasâr – and they call him Ma’qil bin Sinân– Abû Hurairah, Irbâb, Abu ‘Umar, and Bilâl.

(Abû ‘Eisâ said:) The Hadith of Rãfi’ bin Khadij is a Hasan Sahîth Hadith. It has been mentioned that Aḥmad bin Ḥanbal said: “The most correct thing on this topic is the Hadith of Rãfi’ bin Khadij.” And, it has been mentioned that ‘Ali bin Abdullâh said: “The most correct thing on this topic is the Hadith of Thâwbân and Shaddâd bin Aws, because Yâhya bin Aḥmad bin Kathîr reported both of those Ahâdîth, that of Thâwbân, and that of Shaddâd bin Aws.”

There are those people of knowledge among the Companions of the Prophetﷺ, and others, who disliked cupping for the fasting person, such that some of the Companions of the Prophetﷺ would be cupped during the night, among them are Abû Mâsâ Al-Ash’âri and Irbâb ‘Umar. This is the view of Ibn Al-Mubârak.

Abû ‘Eisâ said: I heard Ishâq bin Manşûr saying: “Abdur-Rahmân
bin Mahdi said: ‘Whoever is cupped while he is fasting, then he has to make it up.’” Ishâq bin Manṣûr said: “Ahmad bin Hanbal and Ishâq bin Ibrâhim said this.”

Abū ‘Eisâ said: Al-Hasan bin Muhammad Az-Za‘franî informed me: “Ash-Shâfi‘î said: ‘It has been reported that the Prophet would be cupped while he was fasting, and (it has been reported that) the Prophet said: ‘The cupper and the one cupping have broken the fast.” And I do not know of either of these two Aḥādith being confirmed. If a man avoids cupping while he is fasting then that is preferred to me. If a man is cupped while he is fasting then I do not see that it breaks his fast.”

Abū ‘Eisâ said: This is the opinion of Ash-Shâfi‘î while he was in Baghdad, as for what he said in Egypt, he inclined to allowing it and he did not see any harm in cupping [for the fasting person], he argued that the Prophet was cupped during the Farewell Hajj while he was a Muḥrim (in a state of Ḥaḍram) and he was fasting.
Chapter 61. What Has Been Related About Permission For That

775. Ibn ‘Abbás narrated: “The Messenger of Allâh ﷺ was cupped while he was a fasting and in Ihram.” (Sahîh)

Abû ‘Eisâ said: This Hadîth is Sahîh. Wuhâib reported it similar to the narration of ‘Abdul-Wârith. Ismâm’îl bin Ibrâhîm reported it from Ayyûb, from ‘Ikrimah in Mursal form, he did not mention “from Ibn ‘Abbâs” in it.

776. Ibn ‘Abbás narrated: “The Prophet ﷺ was cupped while he was fasting.” (Sahîh)

Abû ‘Eisâ said: This Hadîth is Hasan Gharib from this route.

777. Ibn ‘Abbás narrated: “The Prophet ﷺ was cupped somewhere between Makkah and Al-Madinah, and he was a fasting and in Ihram.” (Da‘îf)

(Âbû ‘Eisâ said:) There are narrations on this topic from Abû Sa‘eed, Jabir, and Anas.

Abû ‘Eisâ said: The Hadîth of Ibn
‘Abbas is a *Hasan Sahih Hadith*. Some of the people of knowledge among the Companions of the Prophet and others, followed this *Hadith*, they did not see any harm in cupping for the fasting person. This is the view of Sufyan Al-Thawri, Malik bin Anas, and Ash-Shafi‘i.

**Tafsir:** [Ibn Sa‘d’s *Biography*] and *Ahadith* of the companions of the Prophet and others, they followed this *Hadith*. They did not see any harm in cupping for a fasting person. This is the view of Sufyan Al-Thawri, Malik bin Anas, and Ash-Shafi‘i.

**Comments:**

*The cupper and the one cupped have broken the fast* (*Hadith* no. 774) means they both are on the verge of breaking the fast, because the cupper sucks the blood and it has possibility that the blood would reach the throat, and the one being cupped may get weak due to the blood being drained. The statement of Anas bin Malik in *Sahih Al-Bukhari* is that we would dislike cupping because it has risk of causing weakness and instability, whereas some people stated this *Hadith* is abrogated. (*Fath Al-Bari*: 4/426)

**Chapter 62. What Has Been Related About Al-Wisâl (Continuous) Fasting Is Disliked**

778. Anas narrated that the Messenger of Allah said: “Do not perform *Wisâl*” They said: “But you perform *Wisâl* O Messenger of Allah.” He said: “I am not like you are, indeed my Lord feeds me and gives me to drink.” (*Sahih*)

(He said:) There are narrations on this topic from ‘Ali, Abu Hurairah, ‘Aishah, Ibn ‘Umar, Jabir, Abu Sa‘eed, and Bashîr bin Al-Khaâsiyyah.

Abu ‘Eisâ said: The *Hadîth* of...
Anas is a *Hasan Sahih Hadith*. This is acted upon according to some of the people of knowledge, they dislike *Al-Wiṣāl* fasting, and, it has been reported that ‘Abdullāh bin Az-Zubair would fast continuously for days without interruption.

**Comments:**

Fasting consecutive days without ending the fast in the evening and without taking the predawn meal; spending nights like days without eating and drinking is a hard and demanding affair. There is a huge risk that the person will get so weak that it will be hard for him to fulfill his other duties and responsibilities. That is why the Prophet prohibited his people fasting like this, so that the people would not put themselves in difficulty and hardship.

**Chapter 63. What Has Been Related About the *Junub* (Sexually Impure) Person Who Discovers That It Is *Fajr* Time While He Wants To Fast**

779. Abū Bakr bin ‘Abdur-Rahmān bin Al-Hārith bin Hishām said: “Āishah and Umm Salamah, the wives of the Prophet informed me that the Prophet would find that it was *Fajr* while he was *Junub* from (relations with) his wives, then he would perform *Ghusl* and fast.” (*Sahih*)

Abū ‘Eisā said: The *Hadīth* of ʿĀishah and Umm Salamah is a *Hasan Sahih Hadith*. This is acted upon according to some of the people of knowledge, they dislike *Al-Wiṣāl* fasting, and, it has been reported that ‘Abdullāh bin Az-Zubair would fast continuously for days without interruption.

**Comments:**

Fasting consecutive days without ending the fast in the evening and without taking the predawn meal; spending nights like days without eating and drinking is a hard and demanding affair. There is a huge risk that the person will get so weak that it will be hard for him to fulfill his other duties and responsibilities. That is why the Prophet prohibited his people fasting like this, so that the people would not put themselves in difficulty and hardship.
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upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others. It is the view of Sufyân, Ash-Shãfi‘î, Ahmad, and Ishãq. Some people among the Tãbi’in have said that when one awakens in the morning in a state of sexual impurity then he is to make up that day. But the first view is more correct.

Comments:
If a person has sexual intercourse with his wife and takes the Sahûr meal while in state of being sexually impure, but he takes a bath for the morning prayer, after the dawn, according to the Four A‘immah and the majority of scholars the sexual impurity will not affect the fast.

Chapter 64. What Has Been Related About The Fasting Person Accepting the Invitation (To A Meal)

780. Abû Hurairah narrated that the Prophet ﷺ said: “When one of you is invited to eat then let him respond, if he is fasting then let him pray.” Meaning: supplicate. (Sahîh)

781. Abû Hurairah narrated that the Prophet ﷺ said: “When one of you is invited (to a meal) and he is fasting, then let him say: ‘Indeed I am fasting.’” (Sahîh)
Abū ‘Eisā said: Both of these Āḥādīth from Abū Hurairah on this topic are Ḥasan Şāhiḥ.

Chapter 65. What Has Been Related About It Being Disliked For A Woman To Fast Except With The Permission Of Her Husband

782. Abū Hurairah narrated that the Prophet ﷺ said: “A woman may not fast a day – other than in the month of Ramadān – while her husband is present, except with his permission.” (Şahiḥ)

(He said:) There are narrations on this topic from Ibn ‘Abbās and Abū Sa‘eед.

Abū ‘Eisā said: The Hadīth of Abū Hurairah is a Ḥasan Şāhiḥ Hadīth. This Hadīth has been reported from Abū Az-Zinād (one of the narrators), from Mūsā bin Abī ‘Uthmān, from his father, from Abū Hurairah, from the Prophet ﷺ.

Comments:

Islam stresses a good social life and mutual compassion and kindness. So it does not allow a married woman to observe voluntary fast without securing the permission of her husband while he is staying at home, and he has desire and a need for her.
Chapter 66. What Has Been Related About Delay When Making Up For Ramadān

783. ʿĀishah narrated: “I would not make up what was due upon me from Ramadān except in Shaʿbān, until the Messenger of Allāh ﷺ died.” (Hasan)

Abū ʿEisā said: This Ḥadīth is Hasan Sahih. (He said:) Similar to this was reported by Yahyā bin Saʿeed Al-Anṣārī, from Abū Salamah, from ʿĀishah.

Comments:
According to the majority, making up missed fasts of Ramadān as soon as possible is recommended and better because life is not guaranteed, but as the world is standing on hope, therefore there is a flexibility and permission of delaying until the following Ramadān.

Chapter 67. What Has Been Related About The Virtues For The Fasting Person When Others Are Eating In His Presence

784. Laila narrated from the one who freed her (Umm ʿAmārah) that the Prophet ﷺ said: “When those who are not fasting eat in the presence of the fasting person, the angels send Ṣalāt upon him.” (Hasan)

Abū ʿEisā said: Shuʿbah narrated this Ḥadīth from Ḥabīb bin Zaid, from Laila, from his (Ḥabīb’s) grandmother Umm ʿAmārah, from the Prophet ﷺ, and it is similar.
The majority hold the view that invoking blessings permanently upon other than the Prophets is not right, but provisionally may be done so. Imam Abu Hanifah, Imam Malik and Imam Shafi'i hold the same opinion. (Ma'arif As-Sunan: 5/505). This view seems true that it is incorrect in meaning of a permanent religious term (as it is for the Prophets) but in meaning of supplication and seeking forgiveness is correct.

785. Ḥabīb bin Zaid said: “I heard a freed slave of ours called Laila narrating from [his (Ḥabīb’s) grandmother] Umm ‘Amārah bint Ka'b Al-Anṣārī, that the Prophet entered upon her and some food was brought to him. He said: ‘Eat.’ She said: ‘I am fasting.’ So the Messenger of Allah said: ‘Indeed the angels send Ṣalāt upon the fasting person when (others) eat in his presence, until they finish.’ And perhaps he said: ‘Until they have eaten their fill.’” (Hasan)

Abū ‘Eisā said: This Hadith is Hasan Sahih, and it is more correct than the (previous) narration of Sharīk.

786. (Another chain) from Umm ‘Amārah bint Ka'b Al-Anṣārī from the Prophet, that is similar, except that he did not mention “Until they finish, or they have eaten their fill.” (Hasan)

Abū ‘Eisā said: Umm ‘Amārah is the grandmother of Ḥabīb bin Zaid Al-Anṣārī.
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Chapter 68. What Has Been Related About The Woman Who Menstruated Makes Up The Fasts But Not The Salât

787. ‘Aishah narrated: “We would menstruate during the time of the Messenger of Allāh ṣallallaahu ‘alayhi wa sallam, then when we became pure we were ordered to make up the fasts but we were not ordered to make up the Salāt.”

(Hasan)

Abū ‘Elsā said: This Ḥadīth is Hasan. It has also been reported by Mu‘ādhah from ‘Aishah. This is acted upon according to the people of knowledge, and we do not know of any disagreement among them; the menstruating woman makes up the fasts but she does not make up the Salāt.

Abū ‘Elsā said: ‘Ubaidah (one of the narrators) is Ibn Mu‘attib Ad-Ḍabbbi Al-Kūfi, his Kunyah is Abū ‘Abdul-Karim.

Comments:
The Followers of the Sunnah are unanimously agreed that the missed fasts of Ramadān during the menstruating days will be made up after having been pure from the menses, but she will not make up the prayers.
Chapter 69. What Has Been Related About It Being Disliked To Take Excessive Amounts Of Water Into The Nose (Al-Istinshaq) When Fasting

788. ‘Āsim bin Laqīt bin Șabrah narrated from his father who said: “I said, ‘O Messenger of Allâh! Inform me about Wudū’.’ So he said: “Perform Wudū well, and go between the fingers, and perform Istinshaq extensively except when fasting.” (Ṣaḥīḥ)

Abū ‘Eisâ said: This Hadîth is Ṣaḥīḥ. The people of knowledge dislike sniffing (water) for the fasting person, and they consider that to break his fast, and in this Hadîth there is support for their saying.

Comments:

From this Hadîth, the scholars derived a rule and principle that if something reaches the uppermost part of the nostril or stomach it will void the fast. So if the mouth is rinsed excessively or water is sniffed up into the nose excessively, thus water can go to the uppermost part of the nostril or to the stomach, therefore doing so excessively while one is fasting is not allowed.

[1] That is: “Isbaghu-Wudū” and part of this Hadîth was mentioned earlier with a different chain of narration, see no. 38.

[2] See no. 27.
Chapter 70. What Has Been Related About: One Who Stays With A People Should Not Fast Without Their Permission

789. ‘Aishah narrated that the Messenger of Allah ﷺ said: “Whoever stays with a people, then he is not to fast without their permission.” (Da’if)

Abū ‘Eisā said: This Hadith is Munkar (objectionable), we do not know any of the trustworthy narrators who narrated it from Hishâm bin ‘Urwah. Mūsā bin Dāwūd reported similar to this from Abū Bakr Al-Madani, from Hishâm bin ‘Urwah, from his father, from ‘Āishah, from the Prophet ﷺ.

(Abū ‘Eisā said:) This Hadith is also weak. Abū Bakr is weak according to the scholars of Hadith. (As for) Abū Bakr (Al-Madani), the one who reports from Jābir bin ‘Abdullāh; his name is Al-Fāḍl bin Mubashshir, and he is more trustworthy than this one, and lived earlier.

Comments:
If fasting as a guest creates difficulty for the host and he will have to make special arrangements for breaking the fast and for the predawn meal, in this case he should not observe voluntary fast. If the host can make preparation with pleasure, easily and without painstaking work, then there is no harm.

(Tuhfat Al-Ahwadhi: 2/67)

Chapter 71. What Has Been Related About I’tikāf

790. Abū Hurairah and ‘Āishah
narrated: “The Prophet would perform *I'tikāf* during the last ten (days) of Ramadān until Allāh took him.” *(Sahih)*

(He said:) There are narrations on this topic from Ubayy bin Ka'b, Abū Laila, Abū Sa'īd, Anas, and Ibn ‘Umar.

Abū ‘Eisā said: The *Hadīth* of Abū Hurairah and ‘Aishah is a Hasan *Sahīh Hadīth*.

Abū ‘Eisā said: The *Hadīth* of Abū Hurairah and ‘Aishah is a Hasan *Sahīh Hadīth*.

Comments:
The literal meaning of *I'tikāf*: Sticking and adhering to something or to be regular in something. Religiously, it means a Muslim staying in the mosque for the purpose of worship, following certain religious guidelines.

791. ‘Aishah narrated: “When the Messenger of Allāh wanted to perform *I'tikāf*, he would perform the *Fajr* prayer and then he would enter his place of *I'tikāf*.” *(Sahīh)*

Abū ‘Eisā said: This *Hadīth* was reported in *Mursal* form, by Yahyā bin Sa'īd, from ‘Amrah, from the Prophet. Mālik and others reported it as a *Mursal* narration from Yahyā bin Sa'īd (from ‘Amrah). Al-Awzā‘ī reported it from Sufyān Ath-Thawrī (and others) from Yahyā bin Sa'īd, from ‘Amrah, from ‘Aishah.

This *Hadīth* is acted upon according to some of the people of knowledge. They say when a man wants to perform *I'tikāf* he prays


**Fajr** then he enters his place of *I'tikāf*. This is the view of Ahmad bin Hanbal and Ishaq bin Ibrāhim. Some of them said that when he wants to perform *I'tikāf*, then when the sun sets on the night prior to the morning that he intends to begin his *I'tikāf*, he should be sitting in the place of his *I'tikāf*. This is the view of Sufyān Ath-Thawrī, and Mālik bin Anas.

**Comments:**

Majority scholars, the three *A'immah*, Abū Hanīfah, Mālik and Shāfi‘ī are of the view that *I'tikāf* starts from the twenty first night of Ramaḍān and the person who is going to make *I'tikāf* should enter the mosque before sunset, one statement of Imam Ahmad is the same, and this is the correct view.

**Chapter 72. What Has Been Related About The Night of Al-Qadr**

792. ‘Aishah narrated: “The Messenger of Allah (ﷺ) would *Yūjāwīr* (stay in *I’tikāf*) during the last ten (nights) of Ramaḍān, and he said: ‘Seek the Night of Al-Qadr during the last ten (nights) of Ramaḍān.’” *(Sahih)*


Abū ‘Eisā said: The *Hadīth* of ‘Aishah is a *Hasan Sahih Hadīth*, and the statement: *Yūjāwīr* means to stay in *I’tikāf*. Most of the
narrations from the Prophet ﷺ say: “Search (Iltamisu) for it during the last ten on every odd (night).” It has been reported from the Prophet ﷺ that the Night of Al-Qadr is the twenty-first night; the twenty-third night; and the twenty-fifth night; the twenty-seventh night; the twenty-ninth night; and that it is the last night of Ramadân.

(Abû 'Eisâ said:) Ash-Shâfi‘î said: “To me, and Allâh knows best, it is as if the Prophet ﷺ would be asked about as it is (now) asked about. It would be said to him: ‘We search for it on this night.’ So he would say: ‘Search for it on this night.’” Ash-Shâfi‘î said: “The strongest narration to me is the one that mentions the twenty-first night.”

Abû ‘Eisâ said: It has been reported that Ubayy bin Ka‘b would take an oath that it was the twenty-seventh night, and he said: “The Messenger of Allâh ﷺ informed us of its signs, so we counted and preserved it.” (Saḥîḥ)

And it has been reported that Abû Qilâbah said: “The Night of Al-Qadr fluctuates between the last ten.” ‘Abdur-Razzâq narrated to us from Ma‘mar, from Ayyûb, from Abû Qilâbah. (Saḥîḥ)

Comments:

In the light of Qur’an and the authentic Ahadith, the Night of Power occurs in Ramadān, in the odd number nights of last ten days, and it keeps changing and most likely it is the twenty-seventh.

793. Zirr said: “I said to Ubayy bin Ka‘b: ‘O Abū Al-Mundhir! How do you know that it is the night of the twenty-seventh?’ He said: ‘Rather, the Messenger of Allāh ﷺ informed us that it is a night (after which) the sun rises without rays, so we counted and we remembered it. By Allāh! Ibn Mas‘ūd learned that it is in Ramadān and that it is the night of the twenty-seventh, but he did not want to inform you lest you would depend on it.’” (Ṣaḥīh)

Abū ‘Eisā said: This Ḥadīth is Ṣaḥīh.

Comments:

‘Abdullāh bin Mas‘ūd used to tell his pupils that only that blessed person will have the Night of Power who performs late night prayer during the whole year. His objective of this was that they would perform late night prayer the whole year to seek and achieve the Night of Power.

794. ‘Uyainah bin ‘Abdur-Rahmān narrated: ‘My father narrated to me: ‘The Night of Al-Qadr was mentioned in the presence of Abū Bakrah, so he said: ‘I do not search for it due to something that I heard from the Messenger of Allāh, ﷺ.’”
Allāh 除外 for the last ten nights. Therefore I heard him say: ‘Search for it when nine remain, or when seven remain, or when five remain, or during the last three nights.’” He (‘Uyainah) said: “During the twenty (nights) of Ramādān, Ābū Bakrah used to perform Salāt just as he performed Salāt during the rest of the year. But when the (last) ten began, he would struggle (performing more Salāt during the night).” (Ṣaḥīḥ)

Abū ‘Eisā said: This Hadith is Ḥasan Ṣaḥīḥ.

Comments:
This Hadith of Ābū Bakrah means: seek the Night of Power on 21st, 23rd, 25th, 27th and 29th night of Ramādān.

Chapter 73. Something Else About That
795. ‘Āli narrated: “The Prophet  would awaken his family during the last ten (nights) of Ramadān.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Hadith is Ḥasan Ṣaḥīḥ.

796. ‘Āishah narrated: “The Messenger of Allāh  would struggle (to perform Salāt more) during the last ten (nights) more than he would struggle in the rest of it.” (Ṣaḥīḥ)
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Abū ‘Eisā said: This Ḥadīth is Hasan Gharib.

Comment:
The last ten days of Ramadān are the days of I’tikāf and the Night of Power. Therefore the Prophet ﷺ himself would take a great care of it, he would awake his wives, the Mothers of the Believers, and also urged others to do so.

Chapter 74. What Has Been Related About Fasting During the Winter

797. ʿAmir bin Masʿūd narrated that the Prophet ﷺ said: “Fasting during the winter is an easy reward.” (Daʿīf)

Abū ‘Eisā said: This Ḥadīth is Mursal, ʿAmir bin Masʿūd did not see the Prophet ﷺ. He was the son of Ibrāhīm bin ʿAmir Al-Qurashi, the one that Shuʿbāh and Ath-Thawrī report from.

Comment:
A person observing fasts in winter does not face the pang of thirst and hunger, but he gets full reward and virtues, so the Prophet ﷺ stated it like the spoils of war gained without a hurdle.
Chapter 75. What Has Been Related About: “And For Those Upon Whom It Is Difficult.”\[1\]

798. Salamah bin Al-Akwa’ said: “When the following was revealed: ‘And for those upon whom it is difficult, (they may) feed a poor person’ – if one of us wanted to we would not fast, and pay the ransom, until the Ayah after it was revealed abrogating it.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih Gharib. Yazid (one of the narrators) is Ibn Abī ‘Ubaid, the freed slave of Salamah bin Al-Akwa’.

Comments:
According to the majority, it was allowed in the early era of Islam for the people who were able to fast, instead of fasting, if they want to feed a poor person for each day as ransom, they could do so. Later this rule was abrogated by the following Verse which is: ‘So, whoever of you sights (the crescent on the first night of) the month (of Ramadan) must observe fast that month.

Chapter 76. What Has Been Related About the One Who Ate And Then Went Out To Travel

799. Muḥammad bin Ka‘b narrated: “I went to Anas bin Mālik during Ramadān and he was about to travel. His mount was prepared for him, and he put on

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\[1\] Al-Baqarah 2:184.
his traveling clothes, then he called for some food to eat, and I said to him: ‘Is it Sunnah?’ He said: ‘It is Sunnah.’ Then he rode.” (Saḥīḥ)

800. (Another chain) from Muḥammad bin Ka'b who said: “I went to Anas bin Mālik during Ramaḍān” and he mentioned a similar narration (as no. 799). (Saḥīḥ)

Abū 'Elsā said: This Hadīth is Hasan. Muḥammad bin Ja'far (one of the narrators) is Ibn Abī Kathīr, (he is) from Al-Madīnah and trustworthy, and he is the brother of Ismā'il bin Ja'far. ‘Abdullāh bin Ja'far is Ibn Najīh the father of 'Ali bin Al-Madīnī, Yahyā bin Ma'īn graded him weak.

Some of the people of knowledge followed this Hadīth, they said that the traveler breaks his fast at his home before he leaves, and he is not to shorten his Ṣalāt until he leaves beyond the walls of his city or village. This is the saying of Isḥāq bin Ibrāhīm (Al-Ḥanzālī).

Comments:
There is disagreement about whether a traveler can eat and break the fast at home before commencing the journey or not. Imam Abū Ḥanīfah, Mālik, Shāfi‘ī, Awzā‘ī and the majority hold the opinion that on the day of setting off for journey he should leave fasting and he is not allowed to eat at home at the time of setting off. According to Imam Ahmad and Isḥāq in the light of this Hadīth, he may leave after eating at home, but Imam Ibn Qudāmah explained the view of Imam Ahmad that the traveler cannot eat before leaving behind the boundary of his town.
Chapter 77. What Has Been Related About The Gift For The Fasting Person

801. Al-Hasan bin ‘Ali narrated that the Messenger of Allâh ﷺ said: “The gift for the fasting person is (fragrant) oil and a censer.”¹¹¹

(‘Da‘if)

Abû ‘Eisâ said: This hadîth is Gharîb, its chain is not strong and we do not know of it except as a narration of Sa‘d bin Tarîf. Sa‘d (bin Tarîf) was graded weak, and they call (one of the narrators ‘Umair bin Ma‘mûn) ‘Umair bin Ma‘mûn as well.

¹¹¹ That is an incense burner. See Tuhfat Al-Ahwadhî.

Chapter 78. What Has Been Related About When (The Days Of) Al-Fitr And Al-Adhã Are

802. ‘Aishah narrated that the Messenger of Allâh ﷺ said: “Al-Fitr is the day that the people break the fast, and Al-Adhã is the day that the people sacrifice.”

(Sahîh)

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The objective of this Hadith is that the unity should be maintained to celebrate the days of ‘Eid; one should not be stubborn about one’s own personal and individual opinion. The people should start fasting all together and celebrate ‘Eid all together.

Chapter 79. What Has Been Related About When One Leaves From I’tikaf

803. Anas bin Malik narrated: “The Prophet would perform I’tikaf during the last ten (nights) of Ramadān. One year he did not perform I’tikaf, so he performed I’tikaf for twenty (nights) in the following year.” (Sahih)

Abū ‘Eisā said: This Hadith is Ḥasan Gharib Sahīḥ, as a narration of Anas (bin Malik).

The people of knowledge differ over the case of one who is performing I’tikaf and he severs his I’tikaf before completing what he intended. Some of the people of knowledge said that when he invalidates his I’tikaf then it is required for him to make it up. They argue using the Hadith: “The Prophet left his I’tikaf, so he performed I’tikaf during ten (nights) of Shawwāl.” This is the view of Mālik. Some of them said: If he did not take a vow to perform I’tikaf, or something that would make it obligatory upon him, and it is voluntary and he leaves, then it is not required for him to make it up, otherwise it would be required.

803 - خَذِّنَا مَعْمَدًا بِنُّ نَبَارٍ: خَذِّنَا أُبَيَّ عَدْيَّ قَالَ: أَبَناَتُوْتَهِمُّ الْعَتْرُ بِعَنْ أَنَسَ بْنِ مَالِكَ قَالَ: كَانَ النَّبيُّ ٱلْمُعْتَكِفُ فِي العُشْرِ الأَوَّلِ مِنْ رَضْمَانٍ، قَلَّمُ مَعْتَكِفُ عَامَّا، فَلَمْ كَانَ فِي الْعَامِ الْمُعْتَكِفُ ٱلْمُفْتَيْلُ عَشْرِينَ. أَءَابُ عِبَّسَ: هَذَا حَدِيثُ حُسَنٌ تَغْرُبُ صَحِيحٌ مِنْ حَدِيثِ أَنْسِ بْنِ مَالِكَ، وَخَالَفَ أَهْلُ الْعَلَمِ فِي الْمَعْتَكِفِ، إِذَا قَطَعَ الْمَعْتَكِفُ، فَأَلَّا أَن يُؤْمَنَّ عَلَى مَا تَوُىٰ، فَقَالَ بِغَضْبٍ أَهْلُ الْعَلَمِ إِذَا قَطَعَ الْمَعْتَكِفُ ٱلْمُفْتَيْلُ، وَجَبَ عَلَيْهِ الْقَضَاءَ، وَخَالَفُوا بِالْحَدِيثِ: أَنَّ النَّبِيَّ ٱلْمَعْتَكِفُ خَرَجَ مِنْ اسْتِحْيَاءِهِ فَمَعْتَكِفُ عَشْرًا مِنْ شَوْلَاي، وَهُوَ ۡقُولُ مَالِكَ. وَقَالَ بِغَضْبِهِمْ: إِنَّ نُمَيْنَ عَلَيْهِ نَذَرَ اسْتِحْيَاءَ أَوْ نَذَرَ أُوْجَيْهِ عَلَى شَفْهِهِ، وَكَانَ مَطَرَّعًا فَخَرَجَ فَلَسَنَّ عَلَيْهِ أَنْ يُحْبِّبَ ذَلِكَ اسْتِحْيَاءً مِنْهُ، وَلَا يُحْبِّبَ ذَلِكَ عَلَيْهِ. وَهُوَ ۡقُولُ ٱلشَّافِعِيِّ.
from him by his own choice, not because it was obligatory upon him. This is the view of Ash-Shafi'i.

Ash-Shafi'i said: “For every deed that you do not have to begin; if you do begin it, then leave it, then it is not required from you to make it up, except for Hajj and ‘Umrah.”

And there is something narrated on this topic from Abu Hurairah.

**Comments:**

Making up a violated *I'tikaf* is compulsory and in case of violating a voluntary *I'tikaf*, making it up is not compulsory.

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**Chapter 80. What Has Been Related About: Can The One Performing *I'tikaf* Leave For His Needs Or Not?**

804. ‘Aishah narrated: “When the Messenger of Allah ﷺ performed *I'tikaf*, he would bring his head near me so I could comb it, and he would not enter the house except for some personal needs.” (Sahih)

Abu ‘Elsa said: This *Hadith* is *Hasan Sahih*. This is how it was reported by others from Malik bin Anas, from Ibn Shihab, [from ‘Urwah, and ‘Amrah, from ‘Aishah. Some of them reported it from Malik, from Ibn Shihab], from ‘Urwah, from ‘Amrah, from ‘Aishah. What is correct is from ‘Urwah and ‘Amrah from ‘Aishah.

 قال الشافعي: وكل عمل كأن لا ندخل فيه، فإذا دخلت فيه فخرجت منه، فليس عليك أن تفسح إلا الحج والعمرة، وفي الباب عن أبي هريرة.

تخرج: [صحح] وأخرجه ابن خزيمة، ح: 2226 عن محمد بن بشار، وأحمد: 104/3 من حديث محمد بن أبي عدي به وله الحديث شواهد كثيرة عند البخاري، ح: 2044 وغيره *وفي الباب عن أبي هريرة (البخاري، ح: 2044).*

(المعجم 80) - باب المُفتَكِف يَخْرِجُ

لِحَاجَتِهِ أَمْ لَأْ؟ (التحفة 80)

804 - خذنا أبو مصعب المدني قرأة: عن مالك بن أنس، عن ابن شهاب، عن ﷺ، عن عروة، وعن عائشة أن النبي ﷺ قال: كان رسول الله ﷺ إذا اغتنف أذن إلى رأسه فأخرجته، وكان لا يدخل البيت إلا لحاجة الإنسان.

قال أبو عيسى: هذا حديث حسن صحيح، هكذا رواه غيّر واجد عن مالك ابن أنس، عن ابن شهاب [عن ﷺ، وعن عروة، وعن عائشة، ورواية بعضهم عن مالك، وعن ابن شهاب]، عن عروة، عن ﷺ.
This is how it was reported by Al-Laith bin Sa'd from Ibn Shihab, from 'Urwah and 'Amrah, from 'Aishah.

This is narrated to us by Qutaibah from Al-Laith (a similar narration as no. 804) (Sahih)

This is acted upon according to the people of knowledge. When a man performs Al-‘I’tikaf, he is not to leave his ‘I’tikaf except for some personal needs. They agree upon this: He goes out to relieve himself from defecation and urination. Then the people of knowledge differ about visiting the sick, attending the Friday prayer, and the funeral for the person performing ‘I’tikaf. Some of the people of knowledge among the Companions of the Prophet, and others, held the view that he may visit the sick, follow the funeral and attend the Friday prayer as long as he made that a condition (before entering the state of ‘I’tikaf). This is the view of Sufyân Ath-Thawrî and Ibn Al-Mubârak. Some of them said that he can not do any of that, and they thought that if a person is in a land where the Friday prayer is held, then he is not to perform ‘I’tikaf.
except in the Friday prayer Masjid, because they consider it disliked for him to leave his place of I'tikaf to go to the Friday prayer. They do not think that he should miss the Friday prayer, so they said that one is not to perform I'tikaf except in the Friday prayer Masjid, so that he will have no need to leave his place of I'tikaf except to relieve himself and for his personal needs. This is because in their view, leaving it for other than his personal needs will sever his I'tikaf. This is the saying of Malik and Ash-Shafi'i. Ahmad said that he does not visit the sick nor follow the funeral based upon the Hadith of 'Aishah. Ishâq said that if he makes it a condition then he can follow the funeral and visit the sick.

Comments:
If a mosque does not have the facilities, like: toilets, washing place, privacy, and facility for taking a bath due to sexual impurity, according to the consensus the person making I'tikaf is allowed to leave the mosque for these matters. If a mosque has these facilities then he is not allowed to leave the mosque.

Chapter 81. What Has Been Related About Standing (In The Night Prayer) During The Month Of Ramadân

806. Abû Dharr narrated: “We fasted with the Prophet ﷺ, so he did not pray (the night prayer) with us until seven (nights) of the month remained. Then he led us in prayer until a third of the night had gone, then he did not lead us in
prayer on the sixth. Then he led us in prayer on the fifth until half of the night had gone. We said to him: ‘O Messenger of Allāh! Wouldn’t you lead us in prayer for the remainder of the night?’ He said: ‘Indeed, whoever stands (praying) with the Imām until he finishes, then it is recorded for him that he prayed the whole night.’ Then he did not lead us in prayer until three (nights) of the month remained. Then he led us in prayer on the third and he called his family and his women to pray with us until we feared missing the Fālāh’’ I (Jubair bin Nufair) said to him: “What is the Fālāh” He said: “The Suhūr.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ. The people of knowledge differ over the night prayer of Ramadān. Some of them thought that it is to be prayed in forty-one Rak’ah with Witr. This is the view of the people of Al-Madinah, and this is what is acted upon by them in Al-Madinah. Most of the people of knowledge follow what is reported from ‘Aīh, ‘Umar, and others among the Companions of the Prophet that it is twenty Rak‘ah. This is the saying of Sufyān Ath-Thawrī, Ibn Al-Mubārak and As-Shāfi‘ī. As-Shāfi‘ī said: “This is what I see in our land in Makkah; they pray twenty Rak‘ah.” Ahmad said: “There is a variety reported about this.” He did not judge according to any of them. Ishaq said: “Rather we prefer forty-one Rak‘ah
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according to what has been reported from Ubayy bin Ka‘b.” Ibn Al-Mubārak, Aḥmad and ʿIšāq preferred that one perform the ʿSalāt with the ʿImām during the month of Ramadān. Ash-Shāfi‘ī preferred that he pray alone if he is a Qārī. (There are narrations on this topic from ‘Āishah, An-Nu‘mān bin Bashīr, and Ibn ʿAbbās.)

Comments:

‘Allamah Bannawrī (a Hanafi Deobandi) wrote: “It has to be accepted without any excuse that the Noble Prophet ﷺ offered eight Rak‘ah Tarāwīh prayer; and it is not proven from any narration that he ﷺ offered Tarāwīh and Tahajjud (late night prayer) separately. However when he ﷺ led the congregation of Tarāwīh prayer, he did not increase the number of Rak‘ah instead he prolonged it. In the light of the authentic Ahadīth, he ﷺ led Tarāwīh prayer only eight Rak‘ah and the number of Rak‘ah more than that is not proven from him ﷺ.”

Chapter 82. What Has Been Related About One Who Provides The Food For A Fasting Person To Break His Fast

807. Zaid bin Khālid Al-Juhānī narrated that the Messenger of Allāh ﷺ said: “Whoever provides the food for a fasting person to break his fast with, then for him is the same reward as his (the fasting person’s), without anything being diminished from the reward of the fasting person.” (Ṣaḥīḥ)
Chapter 83. Encouragement To Perform The Night Prayer During Ramadan And The Virtues That Accompany It

Abū Hurairah narrated: “The Messenger of Allāh would encourage the night prayer in Ramadan without firmly ordering it, and he would say: ‘Whoever stands (in the night prayer) for Ramadan with faith and seeking the reward (from Allāh), then he will be forgiven what has preceded of his sins.’ So the Messenger of Allāh died and the matter was like that. Then the matter was the same during the Khilāfah of Abū Bakr and it continued during a portion of the Khilāfah of ‘Umar bin Al-Khaṭṭāb.” (Sahih)

There are narrations on this topic from ‘Aishah. This Hadith has also been reported from Az-Zuhri, from ‘Urwah, from ‘Āishah, from the Prophet (Sahih).

(Abū ‘Eisā said: This Hadith is Hasan Sahih.)
Comments:

'With Faith' is that the motive and objective of the deed should be only Faith in Allāh and His Messenger and the person has a firm trust in their promise; and 'Hoping' is that its motive is the hope and desire of reward and righteousness, no other passion and purpose should be its motive except to gain the Pleasure and bliss of Allāh ﷺ.
In the Name of Allah, the Merciful, the Beneficent

7. The Chapters On Hajj From The Messenger of Allah ﷺ

Comments:

_Hajar_ means pilgrimage to Makkah in the Islamic month of Dhul-Hijjah. According to the respected, Khalili intending to go to a place again and again, and in the faith of Islam intending to go visit the House of Allah (ٰ) in a particular period, and performing a particular set of rituals is called _Hajj_.

Chapter 1. What Has Been Related About Makkah’s Sanctity

809. Sa’eed bin Abi Sa’eed Al-Maqburi narrated: “Abu Shuraih Al-‘Adawi said that when ‘Amr bin Sa’eed was sending troops to Makkah, he said to him: ‘O Amir! Allow me to tell you what the Messenger of Allah ﷺ said on the day following the Conquest of Makkah. My ears heard it, my heart understood it thoroughly, and with my own eyes, I saw the Prophet ﷺ when he – after glorifying and praising Allah – said: ‘Indeed Allah, the Most High, made Makkah a sanctuary, it was not made a sanctuary by the people. So it is not lawful for a man who believes in Allah and the Last Day to shed blood it, nor to cut down its trees. If anybody tries to use the Messenger of Allah ﷺ to make an excuse for fighting in it, then say to him: ‘Indeed Allah...
permitted His Messenger ﷺ and He did not permit you.’ Allâh only allowed it for me for a few hours of one day, and today its sanctity has returned as it was before. So let the one who is present convey to the one who is absent.” Abû Shuraih was asked: “What was ‘Amr bin Sa’eed’s reply to you?” He said: “I am more knowledgeable about that than you Abû Shuraih! The Haram does not give protection to a disobedient person, nor a person fleeing for murder, nor fleeing for (Kharbah) lawlessness.” (Sahîh)

Abû ‘Eisâ said: It has been reported as: “(Nor fleeing for) atrocities (Khîzyah).” There are narrations on this topic from Abû Hurairah and Ibn ‘Abbâs.

Abû ‘Eisâ said: The Hadîth of Abû Shuraih is a Hasan Sahîh Hadîth. Abû Shuraih Al-Khuza’i’s name is Khuwailid bin ‘Amr, (and he is) Al-Adawl (and he is) Al-Ka’bî. The meaning of Kharbah is criminal offence. He (Amr) said that whoever commits a crime, or sheds blood, if he comes to the Haram, then the legal punishment is to be implemented upon him.

Comments:

The saying of ‘Amr bin Sa’eed to Abû Shuraih “I am more knowledgeable about that” is not right as ‘Abdullâh bin Az-Zubair had not committed any crime and he was not involved in any kind of dishonesty.
Chapter 2. What Has Been Related About The Rewards For Hajj And 'Umrah

810. 'Abdulläh (bin Mas‘ūd) narrated that the Messenger of Allâh said: “Alternate between Hajj and 'Umrah; for these two remove poverty and sins just as the bellows removes filth from iron, gold, and silver – and there is no reward for Al-Hajj Al-Mabrûr except for Paradise.” (Hasan)

(He said:) There are narrations on this topic from ‘Umar, ‘Amir bin Rabî‘ah, Abû Hurairah, ‘Abdullah bin Hubshi, Umm Salamah, and Jâbir.

Abû ‘Eisâ said: The Hadith of Ibn Mas‘ūd is a Ḥasan Sahih Gharib Hadith as a narration of ‘Abdulläh bin Mas‘ūd.

Comments:
It is proved by this narration that a person who performs Hajj and 'Umrah with sincere and honest intentions alternatively in one or two visits dives in the river of blessings of Allâh (ﷻ).

[1] They say that the Al-Hajj Al-Mabrûr is the accepted Hajj, and it is said that it is the Hajj that is performed without sin. See Tuhfat Al-Ahwâdi.
811. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Whoever performs Hajj for Allāh, and he does not have sexual relations\[1] nor commit any sin, then his previous sins will be forgiven.” (Sahih)

Abū ‘Eisā said: The Hadīth of Abū Hurairah is a Hasan Sahih Hadīth. Abū Ḥazīm (one of the narrators) is from Al-Kūfah, and he is Al-Asghā‘ī. His name is Salmān, and he is the freed slave of ‘Azzah Al-Asghā‘iyah.

Comments:
It is a unanimously ‘agreed upon’ narration of Abū Hurairah that a person who performs Hajj for Allāh and during the Hajj does not perform any sexual activity nor commit any sin, and obeys Allāh’s Orders, good news of Allāh’s blessings are given to him that all his previous sins are forgiven and he returns home free from all sins as on the day he was born.

Chapter 3. What Has Been Related About The Severity Of Neglecting Hajj

812. ‘Alī narrated that the Messenger of Allāh ﷺ said: “Whoever has the provisions and the means to convey him to Allāh’s House and he does not perform Hajj, then it does not matter if he dies as a Jew or a Christian. That is because Allāh said in His Book: ‘And Hajj to the House is a duty that mankind owes to Allāh, for whomever is able to bear the journey.’ [2] (Da‘f)
Abū ‘Eisā said: This Hadith is Gharib, we do not know of it except from this route, and there is some criticism over its chain. Hilāl bin ‘Abdullāh is an unknown, and Al-Hārith was graded weak in Hadith.

Comments:
This narration is a warning for those who have the means for performing Hajj and they still do not perform. For such people it does not matter if they die as a Jew or a Christian.

Chapter 4. What Has Been Related About The Obligation Of Hajj While One Has The Provisions And The Means Of Conveyance

813. Ibn ‘Umar narrated: “A man came to the Prophet  and said: ‘O Messenger of Allāh! What is it that makes Hajj obligatory?’ He said: ‘The provisions and a means of conveyance.’” (Da‘īf)

Abū ‘Eisā said: This Hadith is Hasan and it is acted upon according to the people of knowledge. When a man possesses the provisions and a means of conveyance then Hajj is obligatory upon him. Ibrāhīm is Ibn Yazīd Al-Khawzī Al-Makki, and some of the people of knowledge have criticized him due to his memory.
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Chapter 5. What Has Been Related About How Many Times Hajj Is Obligatory

814. ‘Alî bin Abî Tâlib narrated: “When Allâh revealed: And Hajj to the House is a duty that mankind owes to Allâh, for whomever is able to bear the journey.”[1] They said: ‘O Messenger of Allâh! Is that every year?’ He remained silent. So they said: ‘O Messenger of Allâh! Is that every year?’ He said: ‘No. If I had said yes, then it would have been made obligatory.’ So Allâh revealed: O you who believe! Do not ask about things which, if made plain to you, may cause you trouble.[2] (Da’sîf) (He said:) There are narrations on this topic from Ibn ‘Abbâs and Abû Hurairah.

Abû ‘Eisâ said: The Hadîth of ‘Alî is a Hasan Gharib Hadîth from this route. Abû Al-Bukhtari’s name is Sa’eed bin Abî ‘Imrân, and he is Sa’eed bin Fairûz.

Comments:
According to the Noble Qur’ân “Hajj is a duty whomever is able to bear the journey.” Those who have the means and provisions and conveyance to go to the House of Allâh ّHajj is an obligation for them.

[3] That is, this version, with this chain, while the basis of it is recorded by Al-Bukhârî, Muslim, and others, from Abû Hurairah and others.
Comments:

It is agreed upon that Hajj and 'Umrah are obligatory only once in lifetime. It can be obligatory again if someone vows to perform it. It is agreed and sure that after emigration to Al-Madinah the Prophet ﷺ performed only one Hajj.

Chapter 6. What Has Been Related About How Many Times The Prophet ﷺ Performed Hajj

815. Ja'far bin 'Abdullah narrated: “The Prophet ﷺ performed Hajj three times. He performed Hajj twice before his emigration, and he performed one Hajj after he emigrated, and these were accompanied by 'Umrah. So he drove sixty-three sacrificial animals (Budn) and ‘Ali came from Yemen with the rest of them, among them was a camel of Abu Jahl that had a ring made of silver in its nose. So he (the Messenger of Allah ﷺ) slaughtered them, and the Messenger of Allah ﷺ ordered that a piece of each of them be cooked, and he drank from its broth.” (Da'if)

Abu 'Eisa said: This Hadith is Gharib as a narration of (one of the narrators) Sufyân, we do not know of it except from the narration of Zaid bin Hubab. I saw that ‘Abdullâh bin ‘Abdur-Rahmân[1] reported this Hadith in his books from ‘Abdullâh bin Abi Ziyâd.
He said: I asked Muhammad about this and he did not know it to be a narration of (Sufyan) Ath-Thawrī from Ja'far, from his father, from Jābir, from the Prophet [1] and I saw that he did not consider this Hadith to be preserved. He said: “It has only been reported from Ath-Thawrī, from Abū Ishāq, from Mujāhid, in Mursal form.”

815 (B) Qatadah narrated: “I said to Anas bin Mālik: ‘How many times did the Prophet [perform Hajj?’ He said: ‘He performed one Hajj, and he performed four ‘Umrah: An ‘Umrah during Dhul-Qa’dah; the ‘Umrah of Al-Hudaibiyah, an ‘Umrah with his Hajj, and an ‘Umrah from Al-Ji’irrānāh[2] when he divided up the war spoils of Ḥunain.’” (Sahīh)

Abū ‘Eisā said: This Hadith is Hasan Sahīh. Ḥabbān bin Hilāl (one of the narrators) is Abū Hābīb Al-Bāṣrī, he is noble and trustworthy, and was certified trustworthy by Yahya bin Sa‘eed Al-Qattān.

Meaning, as the chain appears for no. 815.

[1] A place located some six to nine miles outside of Makkah. See Tuhfat Al-Ahwadhi.
Chapter 7. What Has Been Related About How Many Times The Prophet ﷺ Performed ‘Umrah

816. Ibn ‘Abbâs narrated: “The Messenger of Allâh ﷺ performed four ‘Umrah: The ‘Umrah of Al-Ḥudaibiyah, a second ‘Umrah the following (year), (which was) the ‘Umrah of Al-Qiṣâs during Dhul-Qa’dah, a third ‘Umrah from Al-Jî’irrânah, and the fourth which accompanied his Ḥajj.” (Ṣahîh)

(He said:) There are narrations on this topic from Anas, ‘Abdullâh bin ‘Amr, and Ibn ‘Umar.

Abû ‘Eîsâ said: The Ḥadîth of Ibn ‘Abbâs is a (Hasan Gharîb) Ḥadîth. Ibn ‘Uyainah reported this Ḥadîth from ‘Amr bin Dînâr, from ‘Ikrimah: “The Prophet ﷺ performed four ‘Umrah” and he did not mention “from Ibn ‘Abbâs” in it.

(He said:) This was narrated to us by Sa’eed bin ‘Abdurrâhîm Al-Makhzûmî; Sufyân bin ‘Uyainah narrated to us, from ‘Amr bin Dînâr, from ‘Ikrimah: “The Prophet ﷺ…” and he mentioned similarly.

Comments:
It is agreed upon that the Messenger of Allâh ﷺ performed four ‘Umrah. First in 6 A.H. in the month of Dhul-Qa’dah. It was stopped by the disbelievers of Makkah. Though it was not performed, its reward was awarded. Second was
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performed in the month Dhul-Qa’dah in 7 A.H. as a result of the Hudaibiyah agreement. For this reason it has been called ‘Umrah of Al-Qisäs, or ‘Umrah Al-Qadha’ or ‘Umrah of Al-Šuḥ. This ‘Umrah is known by different names. The third ‘Umrah was performed from Jī’rānāh after bringing to conclusion the battles of Al-Hunian and At-Ṭa’īf. The fourth and last ‘Umrah was performed with the last Hajj. In the year 10 A.H. the Messenger of Allāh ﷺ started from Al-Madinah on the 25th of Dhul-Qa’dah on Saturday and on 4th of Dhul-Hijjah he reached Makkah and performed ‘Umrah and Hajj.

Chapter 8. What Has Been Related About Which Location
The Prophet ﷺ Assumed Iḥrām

817. Jābīr bin ‘Abbūlāh narrated:
“When the Prophet ﷺ wanted to perform Hajj, he announced it to the people, and they gathered (to accompany him). When he reached Al-Baidā’ he assumed Iḥrām.”

(Sahīḥ)

(He said:) There are narrations on this topic from Ibn ‘Umar, Anas, and Al-Miswar bin Makhramah.

Abū ‘Eisā said: The Hadith of Jābīr is a Hasan Sahīḥ Hadith.

818. Ibn ‘Umar narrated: “Al-Baidā’ the one that they lie about regarding the Messenger of Allāh ﷺ. By Allāh! The Messenger of Allāh ﷺ did not start the Talbiyah except from near the Masjid, near the tree.”

(Sahīḥ)

[1] “It is a desert that has nothing in it, but here it is the name of a specific place at Dhul-Hulaifah.” Tuhfat Al-Ahwadhi.

[2] They use the word ‘lie’ for any information that is not correct, whether intentionally or not, and Al-Baidā’ is a location before the Masjid.
Abū ‘Eisā said: This Hadith is Hasan Sahih.

Comments:
This is agreed upon unanimously that the Prophet assumed Ihram from Dhul Hulaifah and there is a difference of opinion about from where he started saying the Talbiyah. Some of the Ahādith indicate that the Prophet started saying the Talbiyah from the mosque after Zuhr prayer and some narrations indicate that he started saying the Talbiyah from near the tree just coming out of the mosque.

Chapter 9. What Has Been Related About When The Prophet Assumed Ihram

819. Ibn ‘Abbās narrated: “The Prophet started the Talbiyah after the Ṣalāt.” (Da‘f)
Abū ‘Eisā said: This Hadith is (Hasan) Gharib, we do not know of anyone who reported it other than ‘Abdus-Salām bin Ḥarb.
This is what is recommended according to the people of knowledge; that a man is to start his Ihram after the Ṣalāt.[1]

Comments:
This narration is considered weak on account of Abdus-Salām’s teacher Khusaif’s weakness. In spite of this, scholars agree that the start of saying the Talbiyah after prayer is correct and lawful.

[1] Meaning, he should begin the Talbiyah then, rather than when he mounts his ride to depart the Miqāt etc.
Chapter 10. What Has Been Related About The *Ifrād* Ḥajj

820. ‘Āishah narrated: “The Messenger of Allāh ﷺ performed the *Ifrād* form of Ḥajj.” (*Sahih*)

(He said:) There are narrations on this topic from Jābir and Ibn ‘Umar.

Abū ‘Eisā said: The Hadith of ‘Āishah is a Ḥasan Ṣaḥīh Hadith. This is acted upon according to some of the people of knowledge. It has been reported from Ibn ‘Umar that the Prophet ﷺ performed the *Ifrād* Ḥajj as did Abū Bakr, ‘Umar and ‘Uthmān.

That was narrated to us by Qutaibah; ‘Abdullāh bin Nāfi’ As-Sā’igh narrated to us from ‘Ubaidullāh bin ‘Umar, from Nāfi’, from Ibn ‘Umar.

Abū ‘Eisā said: Ath-Thawrī said: “If you perform *Ifrād* Ḥajj then that is fine, and if you perform *Qirān* Ḥajj then that is fine, and if you perform *Tamattu*’ Ḥajj then that is fine.” Ash-Shafi’ī said similarly, and he said: “To us the most recommended is *Ifrād* then *Tamattu* then *Qirān*.”

Comments:

There are three forms of Ḥajj. A) *Ifrād*: assuming *Ihram* from the *Miqāt* (the stations for initiating the *Ihram*) with the intention of performing Ḥajj. B) *Tamattu*’ (as is others above): Assuming *Ihram* from the *Miqāt* (in one of the
months of Hajj-Shawwal, Dhul-Qa'dah and the first ten days of Dhul-Hijjah) with the intention of performing 'Umrah only. After completing 'Umrah by completing Tawaf and Sa'i - circumbulating the Ka'bah and going between As-Safā and Marwah, releasing the Ihram, and on the 8th of Dhul-Hijjah assuming the Ihram again with the intention of performing Hajj. C) Qirān: Assuming Ihram with the intention of performing 'Umrah and Hajj both, and releasing Ihram after performing 'Umrah and Hajj.

Chapter 11. What Has Been Related About Combining Hajj and 'Umrah

821. Anas narrated: “I heard the Prophet saying: (Labbaika Bi'umratin wa Hajjah) ‘Here I am for ‘Umrah and Hajj.’” (Saḥīh)

(He said:) There are narrations on this topic from ‘Umar and ‘Imrān bin Ḥuṣain.

Abū ‘Eisā said: The Ḥadīth of Anas is a Hasan Saḥīh Hadīth. Some of the people of knowledge followed this, and it was preferred by some of the people of Al-Kūfah and others.


Comments:
Saying the Talbiyah for both ‘Umrah and Hajj together is only in Hajj Qirān. It proves that the Prophet ﷺ performed Hajj Qirān.

Chapter 12. What Has Been Related About Tamattu’

822. Ibn ‘Abbās narrated: “The Messenger of Allāh performed Tamattu’, as did Abū Bakr, ‘Umar and ‘Uthmān. And the first to prohibit it was Mu‘āwiyah.” (Da‘if)

There are narrations on this topic from ‘Ali, ‘Uthmān, Jābir, Sa‘eed, Asmā’ bint Abū Bakr, and Ibn ‘Umar.
The first one to prohibit from performing *Tamattu'* was 'Umar. He used to prohibit both *Tamattu'* and *Qiran Hajj*. According to 'Umar *Ifrad* is a preferred kind of *Hajj*, that is why he prohibited performing *Qiran* and *Tamattu'* *Hajj*, and urged the people to perform *Ifrad Hajj*.

823. Muhammad bin 'Abdulläh bin Al-Ḥārith bin Nawfal narrated that he heard Sa'd bin Abi Waqqâs, and Ad-Dähhâk bin Qais while they were mentioning *Tamattu'* after "*Umrah* until *Hajj*. Ad-Dähhâk bin Qais said: “No one does that except one who is ignorant of the order of Allah, Most High.” Sa’d said: “How horrible it is what you have said O my nephew!” So Ad-Dähhâk (bin Qais) said: “Indeed 'Umar bin Al-Khaṭṭâb has prohibited that.” So Sa’d said: “The Messenger of Allah did it, and we did it with him.”

*(Hasan)*

(He said:) This Hadith is *Sahih*.

Comments:

The Companions who had no animal for sacrifice with them, according to the directions of the Prophet ﷺ, first performed *Umrah* and released the *Ihrâm*.
and then they again assumed *Ihram* on 8th of Dhul-Hijjah and performed *Hajj*. As this type of *Hajj* is called *Tamattu‘* and it was performed by the instructions of the Prophet ﷺ so it was attributed to him.

824. Sālim bin ‘Abdullāh narrated that he had heard a man from Ash-Shām asking ‘Abdullāh bin ‘Umar about *Tamattu‘* after “*Umrah* until *Hajj*, so ‘Abdullāh bin ‘Umar said: “It is lawful.” The man from Ash-Shām said: “But your father prohibited it.” So ‘Abdullāh bin ‘Umar said: “Is the order to follow my father or is the order (to follow) for the Messenger of Allah ﷺ?” The man said: “Rather it is for the Messenger of Allah ﷺ.” So he said: “Indeed the Messenger of Allah ﷺ did it.” *(Ṣaḥīḥ)*

This Hadith is Hasan Ṣaḥīḥ.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Ṣaḥīḥ. There are those among the people of knowledge among the Companions of the Prophet ﷺ and others who preferred *Tamattu‘* after “*Umrah*. *Tamattu‘* is for a man to enter into “*Umrah* during the months of *Hajj* and stay there, as one who may gratify himself until he performs *Hajj*; he is required to slaughter whatever *Hady* is facilitated for him, and if he does not find one then he fasts for three days during *Hajj*, and seven when he returns to his family. When the one performing *Tamattu‘* fasts the three days during *Hajj*, it is recommended that he fast during the ten (days), and that the last of them be the Day of *Arafah*. If he
does not fast during the ten days then he does so during the Days of *Tashriq* according to the view of some of the people of knowledge among the Companions of the Prophet. Among them were Ibn 'Umar and 'Aishah, and it is the view of Mālik, Ash-Shāfi‘ī, Aḥmad and Iḥṣāq.

Some of them said that he does not fast the Days of *Tashriq*; this is the saying of the people of Al-Kūfah.

Abū ‘Eisā said: The people of Ḥadīth prefer *Tamattu‘* with ‘*Umrah* until *Ḥajj*. This is the view of Ash-Shāfi‘ī, Aḥmad, and Iḥṣāq.

**Comments:**

According to İmam At-Tirmidhī, Alḥil-Hadtth preferred the form of *Ḥajj *Tamattu‘*, but İmam An-Nawawī writes that *Ḥajj Ifrād* is a preferred form of *Ḥajj*. (Al-Majimu‘ v. 7. p.152.)

**Chapter 13. What Was Been Related About The Talbiyah**

825. Ibn ‘Umar narrated: “The Prophet would say the following for the Talbiyah: “*Labbaik Allāhumma labbaik. labbaik lā sharīka laka labbaik. Innal-hamda wan-ni’mata laka wal-mulk lā shartka laka.*” (*I respond to Your call O Allāh! I respond to Your call, You have no partner, I respond to Your call. All praise, thanks and blessings are for You. All sovereignty is for You. And You have no partners with You.*)” (*Sahīḥ*)

Abū ‘Eisā said: There are narrations on this topic from Ibn Mas‘ūd, Jābir,
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Abū ‘Eisā said: The Hadith of Ibn ‘Umar is a Hasan Sahih Hadith. It is acted upon according to [some of] the people of knowledge among the Companions of the Prophet and others. It is the view of Sufyān Ath-Thawrī, Ash-Shāfi‘ī, Ahmad, and Ishāq. Ash-Shāfi‘ī said: “If an addition exalting Allāh is added, then there is no harm – if Allāh wills. To me it is recommended to keep to the Talbiyah of the Messenger of Allāh.” And Ash-Shāfi‘ī said: “We only say that there is no harm in an addition of exaltation of Allāh because of what has been related from Ibn ‘Umar, and he memorized the Talbiyah from the Messenger of Allāh, then in his Talbiyah, Ibn ‘Umar himself added: (Labbaika warraghba’u ilaika wal’amal). I respond to your Call, and the requests and deeds are for You.”

826. Nāfi’ narrated: When Ibn ‘Umar would say the Talbiyah he would continue saying: “Labbaik Allāhumma labbaik. labbaik lā sharika laka labbaik. innal-hamda wal-mulk, lā Sharika Laka.” (I respond to Your call O Allāh! I respond to Your call, You have no partner, I

خُسُسُ صِحِيحٌ، وَالْعَمَلُ عَلَيْهِ عَنْدَ [بَغْضٍ]
أَهْلِ الْعِلْمِ مِنْ أَضْحَابِ النَّبِيِّ وَغَيْرِهِمْ،
وَهُمْ قَوْلُ سَفِيَانَ الثُّوْرِيَّ وَالْمَالِكِي، وَأَخْمَدُ
وَإِسْحَاقُ، وَقَالُ الْشَّافِعِيَّ: إِنَّ زَادَ زَادًّا فِي
الْتَّلِيَةِ شَبَتًا مِنْ تَعْظِيمِ اللَّهِ فَلاَ بَيْنَ يَنْسَ إِنُّ مَنْ أَمَّ اللَّهِ،
وَأَخْبَرْ إِلَيْهِ أَنْ يُقَتْصَرْ عَلَى تَلِيَةِ رَسُوْلِ
اللَّهِ. قَالَ الْشَّافِعِيَّ: وَإِنَّمَا قَالَنَا لَا بَيْنَ
ٍبِرْيَدَةٍ تَغْلِيظُهَا. اللَّهِ فِيهَا لَمْ يَجَاءَ عَنْ أَبِي عُمَرْ
وَهُمْ حَفْظُ التَّلِيَةِ عَنْ رَسُوْلِ اللَّهِ ﷺ. فَمَ زَادَ
أَبِي عُمَرْ فِي تَلِيَةِ هُمْ قَبِيلَةٌ: لَّبِيْكَ وَالْرَّجُعُاءُ
إِلَيْكَ وَالْعَمَلُ.
respond to Your call. All praise, thanks and blessings are for You. All sovereignty is for You. And You have no partners with You.

He said: ‘Abdullah bin ‘Umar would say: “This is the Talbiyah of the Messenger of Allah ﷺ. He would himself add the following after the Talbiyah of the Messenger of Allah ﷺ: “Labbaika labbaika wa-sa’daik, wal-khairu ft yadaik, labbaika warraghbâ’u ilaika wal-‘amal” (‘I respond to Your call, I respond to Your call, and I am obedient to Your orders, all good is in Your Hands. I respond to Your call, and the requests and deeds are for You’).” (ṣaḥiḥ)

He said: This Ḥadīth is (hasan) ṣaḥiḥ.

Comments:

Most of the people of knowledge and scholars are of the view that the Talbiyah pronounced by the Prophet ﷺ should suffice and no words should be added to it, and this is the better way of following. Some of the Companions added some words to the Talbiyah of the Prophet ﷺ and he did not stop them from adding. He himself continued with his own Talbiyah. (Fath Al-Bârî 513/3).

Chapter 14. What Has Been Related About The Virtue Of The Talbiyah And The Nahr (Sacrifice)

827. Abū Bakr Aṣ-Ṣiddîq narrated that the Messenger of Allah ﷺ was asked: “Which Ḥajj is most virtuous?” He said: “That with raised voices (Al-ʿAjj) and the flow of blood (of the sacrifice) (Ath-Thajj).” (Dâʾf)
828. Sahl bin Sa’d narrated that the Messenger of Allah (ﷺ) said:

“There is no Muslim who says the Talbiyah except that – on his right and left, until the end of the land, from here to there – the rocks, or trees, or mud say the Talbiyah.”

(Hasan)

Al-Hasan bin Muhammad Az-Za’farani and ‘Abdur-Rahmân bin Al-Aswad Abû ‘Amr Al-Basri narrated to us (another chain) with a similar Hadith.

(He said:) There are narrations on this topic from Ibn ‘Umar and Jâbir.

Abû ‘Eisá said: The Hadith of Abû Bakr (no. 827) is a Gharib Hadith, we do not know of it except from the narration of Ibn Abi Fudaik, from Ad-Dahhak bin ‘Uthmân. And Muhammad bin Al-Munkadir did not hear from ‘Abdur-Rahmân bin Yarbû’. Muhammad bin Al-Munkadir reported other Ahadith from Sa’eed bin ‘Abdur-Rahmân bin Yarbû’ from his father. Abû Nu’aim At-Tahhân Dirár bin Surad reported this Hadith from Ibn Abi Fudaik, from Ad-Dahhak bin ‘Uthmân, from Muhammad bin Al-Munkadir, from Sa’eed bin ‘Abdur-Rahmân bin Yarbû’, from his father, from Abû Bakr, from the Prophet (ﷺ), and Dirár was mistaken in it.

Meaning from the east to the west. See Tu'ifat Al-Ahwadhi.
Abū 'Eīsā said: I heard Ahmad bin Al-Ḥasan saying: Ahmad bin Ḥanbal said: “Whoever says about this Ḥadīth, that it is from Muḥammad bin Al-Munkadīr, from Ibn ‘Abdūr-Rahmān bin Yarbū‘, from his father – then he is mistaken.”

He said: I mentioned the narration of Dirār bin Šurād from Ibn Ābī Fudāik to Muḥammad, and he said: “He is mistaken.” So I said: “Others besides him also reported it from Ibn Ābī Fudāik and it is similar to his narration.” He said: “That is nothing, they only reported it from Ibn Ābī Fudāik without mentioning in it ‘from Sa‘eed bin ‘Abdūr-Rahmān.’” And I saw that he graded Dirār bin Šurād weak.

Al-‘Ajj is raising the voice with the Talbiyah, and Ath-Thajj is performing the Nahr on the sacrificial animals (Budn).

Comments:
This fact clearly and emphatically has been expressed in the Noble Qurʾān that every type of creature in the universe is busy in praise of Allāh  but we cannot understand it. The same way every thing on the left and right side of a person who says, “I respond to Your call” repeat these words with him but we understand and hear it not.
Chapter 15. What Has Been Related About Raising The Voice With The Talbiyah

829. Khallad bin As-Sā’īb (bin Khalād) narrated from his father who said that the Messenger of Allāh ﷺ said: “Jibrīl came to me and ordered me to order my Companions to raise their voices with the Ḥilāl, or; the Talbiyah.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Zaid bin Khālid, Abū Hurairah, and Ibn ʿAbbās.

Abū ʿEisā said: The Ḥadīth of Khallād from his father is a Ḥasan Sahīḥ Hadīth. Some have reported this Ḥadīth from Khallād bin As-Sā’īb, from Zaid bin Khallād, from the Prophet ﷺ, and it is not correct. What is correct is (from) Khallād bin As-Sā’īb from his father. He is Khallād bin As-Sā’īb bin Khallād bin Ṣuwaid Al-Anṣārī.

Comments:

According to most of the religious scholars pronouncing the Talbiyah loudly is recommended but according to Dāwūd Zāhirī saying the Talbiyah loudly is obligatory.
Chapter 16. What Has Been Related About Performing Ghusl When Assuming Ihram

830. Zaid bin Thabit narrated from his father who said that he saw the Prophet disrobing for his Ihlal[1] and to perform Ghusl. (Hasan)

Abū 'Eisā said: This Hadith is Hasan Gharib. There are those among the people of knowledge who considered it recommended to perform Ghusl at the time of Ihram, and this is the view of Ash-Shafī‘ī.

Comments:

This narration indicates that taking a bath for assuming Ihram is Sunnah of the Prophet. For this reason all Four A‘immah agree on this point that taking a bath before assuming Ihram for Hajj or ‘Umrah is recommended only.

Chapter 17. What Has Been Related About The Mawaqit[2] For Ihram For Each Region’s People

831. Ibn ‘Umar narrated that a man said: “Where should we begin our Hil (Ihram) O Messenger of Allah?” He said: “The people of Al-Madīnah begin their Hil (Ihram) from Dhul-Hulaifah, the people of Ash-Shām from Al-Juhfah, and the people of Najd from Qarn.” And he (Ibn ‘Umar Said: (“And they say:)[3]

[1] Meaning, changing his clothing to assume Ihram.
[2] Mawaqit is the plural of Miqāt which refers to the actual location where one assumes Ihram.
[3] He explains – in other narrations – that he was not sure, but other Companions said it like that.
“And the people of Yemen from Yalamlam.” (Ṣahih)

(He said:) There are narrations on this topic from Ibn ‘Abbās, Jābir bin Ṭabīb, ‘Abdullāh bin ‘Amr.

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Umar is a Ṣahīḥ Ḥadīth. This is acted upon according to the people of knowledge.

832. Ibn ‘Abbās narrated: “The Prophet ﷺ made Al-‘Aqiq the Miqāt for the people of the west.” (Dā‘if)

Abū ‘Eisā said: This Ḥadīth is Ṣahīḥ. [Muḥammad bin ‘Alī (one of the narrators) is Abū Ja‘far Muhammad bin ‘Alī bin Ḥusayn bin ‘Alī bin Abī Ṭalib].

Comments:

Only four places have been mentioned in this narration of Ibn ‘Umar that from where the Ḥarām should be assumed. In the narration of Ibn ‘Abbās the name of the fifth place has also been mentioned as “Al-‘Aqīq” which is located near Dhātul-‘Irq’.

Chapter 18. What Has Been Related About What Is Not Allowed For The Muḥrim To Wear

command us to wear in *Al-Haram*?' The Messenger of Allāh محمد ﷺ said:

‘Do not wear shirts, nor pants, nor burnooses, nor turbans, nor *Khuff* – unless one does not have any sandals, then let him wear *Khuff*, but let him cut them below the ankles. And do not wear any cloth that has been touched by saffron or *Wars*. And the woman in *Ihram* is not to cover her face, nor wear gloves.’” (*Sahih*)

Abū ‘Eisā said: This *Hadith* is Hasan Sahih, and it is acted upon according to the people of knowledge.

**Comments:**

The man had asked what clothes we should wear in *Al-Ihram*. The answer of the Prophet محمد ﷺ was that such and such clothes should not be used for *Al-Ihram*. This answer shows that other than the prohibited clothes all other clothes are allowed for *Ihram*.

**Chapter 19. What Has Been Related About The Muhrim Wearing Pants and *Khuff* When An *Izār* And Sandals Are Not Available**

834. Ibn ‘Abbās narrated that he heard the Messenger of Allāh محمد ﷺ say: “If the *Muhrim* cannot find an *Izār*, then let him wear pants, and if he cannot find sandals, then let him wear *Khuff*.” (*Sahih*)

Qutaibah narrated to us (another chain) with similar meaning. There

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[1] Both of which are used for their good fragrance.
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are narrations on this topic from Ibn ‘Umar and Jābir.

Abū ‘Eisā said: This Hadith is Hasan Sahih, and it is acted upon according to some of the people of knowledge. They say if the Muḥrim does not find an Iṣār then he wears pants, and if he does not find sandals then he wears Khuff. This is the view of Ahmad. Some of them held their view in accordance with the Hadith of Ibn ‘Umar from the Prophet ﷺ: “If he does not find sandals then let him wear Khuff, and let him cut them below the ankles.” This is the saying of Sufyān Ath-Thawrī and Ash-Shāfi’ī (and Mālik said accordingly).

Comments:
Most of the people of knowledge and religious scholars say that if the Muḥrim (who has assumed Ḥirām) does not have shoes he can wear socks after cutting them up to the ankles. According to Imām Ahmad one wear socks without cutting them but this point of view is not correct. In a previous chapter in the narration of Ibn‘Umar it is clearly mentioned to cut the socks up to the ankles.

Chapter 20. What Has Been Related About The One Who Assumed Ḥirām While Wearing A Shirt Or A Cloak

835. Ya’la bin Umayyah narrated: “The Messenger of Allāh ﷺ saw a Bedouin who was in Ḥirām wearing...
a cloak. So he ordered him to remove it.” (Sahih)

836. A Hadith similar to no. 835 with a different chain. (Sahih)
Abū ‘Eisā said: This (chain) is more correct, and there is a story that accompanies this Hadith. Similarly, Qatādah, Al-Ḥajjāj bin Arṭāh, and others reported it from ‘Āṭā from Ya’lā bin Umayyah. But what is correct is what ‘Amr bin Dīnār and Ibn Juraij reported from ‘Āṭā, from Ṣafwān bin Ya’la, from his father, from the Prophet ﷺ.

Comments:
Most of the people of knowledge and scholars say that a Muhrim can take off the sewn clothing without tearing it, but Imām Shāfi’ī and Nakh’ī argue that as the sewed clothes like a shirt or cloak covers the head while taking it off, so it must be torn off. (Tuhfat Al-Ahwādhi v.2 p.78 and Al-Mughni v.5 p.39

Chapter 21. What Has Been Related About What Creatures The Muhrim May Kill

837. ‘Āishah narrated that the Messenger of Allāh ﷺ said: “Five
are Fawāsiq\([1]\) which may be killed in the Haram: the mouse, the scorpion, the crow, the kite, and the barbed dog.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Ibn Mas‘ūd, Ibn ‘Umar, Abū Hurairah, Abū Sa‘eed, and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadīth of ‘Aishah is a Ḥasan Ṣaḥīḥ Hadīth.

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838. Abū Sa‘eed narrated that the Prophet ﷺ said: “The Muhrim may kill the wild beast of prey, the rabid dog, the mouse, the scorpion, the kite, and the crow.” (Da‘if)

Abū ‘Eisā said: This Hadīth is Hasan. This is acted upon according to the people of knowledge, they say that the Muhrim may kill the wild beast of prey and the dog. This is the view of Sufyān Ath-Thawrī and Ash-Shāfi‘ī. Ash-Shāfi‘ī said: “The Muhrim can kill any beast of prey that would attack people or their animals.”

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\[1\] Harmful vermin.
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Comments:
Fawāsiq is a plural of Fāsiq which is derived from Fisq. It means being out. These animals have been identified as Fāsiq due to their harmful and injurious nature and they have been treated differently by Shari‘ah. These animals, due to their harmful nature, can be killed in the Haram.

Chapter 22. What Has Been Related About Cupping For The Muḥrim

839. Ibn ‘Abbās narrated: “The Messenger of Allah ﷺ was cupped while he was a Muḥrim.”[1] (Ṣahih)
(He said:) There are narrations on this topic from Anas, ‘Abdullāh bin Buhainah and Jābīr.
Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. There are those among the people of knowledge who permitted cupping for the Muḥrim. They said he is not to shave any hair (in the processes). Mālik said the Muḥrim is not to be cupped (nor remove any hair) except out of necessity. Sufyān Ath-Thawrī and Ash-Shafī‘i said that there is no harm in cupping for the Muḥrim nor removing hair (to do so).

Comments:
According to Imām Abū Hanīfah, Imām Shafi‘i, Imām Ahmad and Sufyān Ath-Thawrī and Ishāq, a Muḥrim can have cupping without shaving the hair from the place of cupping. In case of shaving, the Muḥrim will have to pay a penalty or sacrifice an animal as ransom.

[1] See no. 775.
Chapter 23. What Has Been Related About It Being Disliked For the Muhrim To Marry

840. Nubaih bin Wahb narrated: “Ibn Ma’mar wanted to have his son married. So he sent me to Abãn bin ‘Uthmãn who was the ‘Amîr of the (Hajj) season. I went to him and said: ‘Your brother wants to marry his son and he would like for you to witness that.’ He said: ‘I think he is but a crude Bedouin; indeed the Muhrim is not to marry nor have someone married’” – or he said similarly – then he narrated from ‘Uthmân similar in Marfu’ form (from the Prophet ﷺ). (Saâhîh)

There are narrations on this topic from Abû Râfî’ and Maimûnîh.

Abû ‘Eîsâ said: The Hadith of ‘Uthmân is a Hasan Saâhîh Hadith. This is acted upon according to some of the Companions of the Prophet ﷺ. Among them were ‘Umar bin Al-Khâtîb, ‘Alî bin Abî Tâlib, and Ibn ‘Umar. It is the view of some of the Fuqahâ’ among the Tâbi’in, and it is the saying of Mâlik, Ash-Shãfi‘î, Ahmad and Ishåq. They do not think that the Muhrim can marry, and they said that if he marries then his marriage is invalid.

841. Abû Râfî’ narrated: “The Messenger of Allah ﷺ married
Maimūnāh while he was Ḥalāl, and he stayed with her while he was Ḥalāl, and I was the messenger between the two of them.” (Sahih)

Abū ‘Eisā said: This Hadith is Ḥasan, we do not know of anyone who narrated a chain for it (like this) except for Ḥammād bin Zaid from Ṭaṭār Al-Warrāq, from Rābi’ah. Mālik bin Anas narrated it from Rābi’ah, from Sulaimān bin Yāsār that the Prophet ﷺ married Maimūnāh while he was Ḥalāl, so Mālik’s report is Mursal. Sulaimān bin Bilāl also reported it from Rābi’ah in Mursal form.

Abū ‘Eisā said: It has been reported from Yazīd bin Al-‘Āṣamm, from Maimūnāh who said: “The Messenger of Allāh ﷺ married me while he was Ḥalāl.”

Some of them reported from Yazīd bin Al-‘Āṣamm that the Prophet ﷺ married Maimūnāh while he was Ḥalāl.

Abū ‘Eisā said: Yazīd bin Al-‘Āṣamm is Maimūnāh’s nephew.

Chapter 24. What Has Been Related About Permission For That [2]

842. Ibn ‘Abbās narrated: “The Prophet ﷺ married Maimūnāh while he was a Muḥrim.” (Sahih)

He said: There is something about this topic from ‘Aishah.

[1] That is, he was not in a state of Ḥirām.
Abū ’Eisā said: The Ḥadīth of Ibn ‘Abbās is a Ḥasan Šāhīn Ḥadīth. This is acted upon according to some of the people of knowledge. It is the view of Sufyān Ath-Thawrī and the people of Al-Kūfah.

843. (Another chain) that Ibn ‘Abbās narrated: “The Prophet ﷺ married Maimūnah while he was a Muhrim.” (Šāhīh)

844. (Another chain) that Ibn ‘Abbās narrated: This Ḥadīth is Ḥasan Šāhīh. The name of (one of the narrators:) Abū Ash-Sha’thā’ is Jābir bin Zaid. They disagree about the marriage of the Prophet ﷺ to Maimūnah because the Prophet ﷺ married her while on the journey to Makkah. Some of them said that he married her while he was Ḥalāl, but the apparent case is that he married her while he was a Muhrim, and then he stayed with her while he was Ḥalāl in Sarif which is on the route to Makkah. Maimūnah died in Sarif where the
Prophet was staying with her, and she was buried in Sarif.

845. Yazid bin Al-Asamm narrated about Maimunah: “The Messenger of Allâh married her while he was Halâl and he stayed with her while he was Halâl. She died in Sarif, and we buried her at the (site of the) tent where he had stayed with her.”

(Sahih)

Abû ‘Eisâ said: This Hadith is Gharib. More than one narrator has reported this Hadith: “The Prophet married Maimunah while he was Halâl” from Yazid bin Al-Asamm in Mursal form.

Comments:

The three A’immah, on the bases of ‘Uthman’s verbal narration and on the basis of Abû Râfi’s narration who was an intermediary between Maimunah, who was a party in the event, and the Prophet, prohibited a Muhrim to marry or to have someone married. If he does so it will be invalid. The Ahnaf on the other hand on the basis of the narration of Ibn ‘Abbas deem it lawful.

Chapter 25. What Has Been Related About The Muhrim Eating Hunted Animals

846. Jâbir bin ‘Abdullâh narrated that the Prophet said: “The land game is lawful for you while you are in Ihrâm as long as you did not hunt it – or – it was not hunted for you.”

(He said:) There are narrations on this topic from Abû Qatadah and Talhah.

Abû ‘Eisâ said: The Hadith of Jâbir is an explanatory Hadith, and
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we do not know of Al-Muttalib (one of the narrators) hearing from Jābír. This is acted upon according to some of the people of knowledge, they did not see any harm in the Muḥrim eating game when he did not hunt it or have someone hunt it for him. Ash-Shāfi‘ī said: “This is the best Ḥadīth reported on this topic and the most appropriate, and it is this that is to be acted upon.” And this is the view of Ḥāmid and Ishaq.

Comments:

In Sūrat Al-Mā‘idah, Allāh prohibits a Muḥrim from hunting animals. If a Muḥrim helps anyone in hunting, even if he points towards the game, he is not allowed to eat of that meat.

847. Abū Qatādah narrated that he was with the Prophet and when he got to one of the roads of Makkah some of his companions were Muḥrim and he (Abū Qadãdah) was not a Muḥrim. So he saw a wild donkey, so he mounted his horse, asked his companions to give him his whip but they refused, so he asked them to give him his spear and they refused. So he (himself) took it and struck the donkey killing it. Some of the Companions of the Prophet ate it and some of them refused. When they caught up to the Prophet they asked him about that and he said: “It is only food which Allāh fed you.” (Ṣahih)
Comments:

Why Abū Qatādah was not Muḥrim when he was accompanying the Prophet ﷺ? The scholars have given various answers to this question. The best and correct answer seems to be the narration of Abū Sa‘eed Al-Khudrī. In this narration it is narrated that the Prophet ﷺ had sent Abū Qatādah to collect Zakāt and the Prophet ﷺ and his Companions were going to perform ‘Umrah, on his way to Makkah Abū Qatādah met them at a place called Asfãn, and there this incident took place.

848. (Another chain that) Abū Qatādah narrated about the wild donkey, and it is similar to the (previous) narration of Abū An-Nadr except that in the narration of Zaid bin Aslam he said that the Messenger of Allāh ﷺ said: “Do you have any of its meat left with you?” (Sahih) 

Abū ‘Eisā said: This Ḥadīth is Ḥasan SaW/i.

Comments:

The Prophet ﷺ asked them to give him some, if they still had some of the meat.

Chapter 26. What Has Been Related About: The Meat Of Game Is Disliked For The Muḥrim

849. Ibn ‘Abbās narrated that Aṣ-Ṣ'āb bin Jath-thāmah informed him that the Messenger of Allāh ﷺ had passed him at Al-Abwā’ or Bawaddān. He (Aṣ-Ṣ'āb) gave him a wild donkey but he refused

[1] These are two places near Juḥfah, the first is a mountain.
it. When the Messenger of Allâh noticed on his face that he was upset, he said: “We would not refuse you, but we are in Ihram.”

(Sahîh)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh. There are those among the people of knowledge, among the Companions of the Prophet and others, who followed this Hadîth, and disliked eating of game for the Muhrîm. Ash-Shâfi‘î said: “The meaning of this Hadîth according to us, is that he only refused it because he thought that he hunted it for him, so he avoided it out of caution.”

Some of the companions of Az-Zuhri reported this Hadîth from him saying: “He gave him a gift of some meat from a wild donkey” but it (the narration) is not preserved.

(He said:) There are narrations on this topic from ‘Ali and Zaid bin Arqam.

Comments:

It appears from the narration of Sahîh Muslim that As-S’âb bin Jath-thâmah hunted a donkey for the Prophet and presented it to him at place called Al-Abwâ’ or Waddân which are twin villages. As this donkey was hunted for him he did not accept it. As-S’âb slaughtered the donkey in the hope that the Prophet will accept it, but he refused it again.

Chapter 27. What Has Been Related About The Game Of The Sea For The Muhrîm

850. Abû Hurairah narrated: “We went with the Messenger of Allâh during Hajj or ‘Umrah and we
encountered a swarm of locusts. We began striking at them with our whips and our staffs, and the Prophet ﷺ said: “Eat it, for indeed it is game of the sea.” (Da’if)

Abū ‘Eisā said: This Hadith is Gharib we do not know of it except as a narration of Abū Al-Muhazzim, from Abū Hurairah. Abū Muhazzim’s name is Yazīd bin Sufyān and he was criticized by Shu’bah. There are those among the people of knowledge who allowed the Muhrim to catch locusts and eat them. Some of them thought that Sadaqah (expiations) was due from him if he tried to catch it or eat it.

Comments:
Most of the religious scholars consider the locusts as the prey of land because it dies when it falls in the water, so the penalty is a must but, there is difference of opinion in determining the penalty. (see Al-Mughni v. 5. p 401.)

Chapter 28. What Has Been Related About A Badger Killed By A Muhrim


Abū ‘Eisā said: This Hadith is Hasan Sahih. ‘Ali (bin Al-Mādīnī) said: “Yahya bin Sa’eed reported
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this Hadith from Jarîr bin Ḥâzîm, so he said: ‘From Jâbir, from ‘Umar.’’ The Hadith of Ibn Juraij is more correct and it is the view of Aḥmad and Ištâq. This Hadith is acted upon according to some of the people of knowledge; when the Muḥrim kills a hyena then the penalty is due from him.

Comments:

See the author’s comments in the chapter about eating badgers, where this Hadith, which is authentic, appears again (no. 1791).

Chapter 29. What Has Been Related About Performing Ghusl When Entering Makkah

852. Ibn ‘Umar narrated: “The Prophet ﷺ performed Ghusl for entering Makkah at Fakhkh.”[1] (Da‘f)

Abû ‘Eisâ said: This Hadith is not preserved, what is correct is what Nâfî reported from Ibn ‘Umar; that he would perform Ghusl for entering Makkah, and based upon that, Ash-Shâﬁ‘î said that Ghusl for entering Makkah is recommended.

‘Abdur-Raḥmân bin Zaid bin Aslam (one of the narrators) is

(1) Fakhkh is a valley of Makkah (Mu‘jam Al-Buldân).
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weak in Hadith. He was graded weak by Ahmad bin Ḥanbal, ‘Alī bin Al-Madini, and others, and we do not know of this Hadith being narrated in Marfu' form except from him ('Abdur-Rahmān).

Comments:
In the light of another narration it is recommended and approved to take a bath before entering Makkah. Imām Al-Bukhārī in his Book Sahih Al-Bukhārī has written a chapter on this topic, and in this chapter Hafiz Ibn Hajar has quoted Ibn Al-Mundhir saying that according to most of the people of knowledge taking a bath before entering Makkah is recommended and there is no penalty at all if a bath is not taken. Most of them say that ablution is enough.

Chapter 30. What Has Been Related About The Prophet entering Makkah From Its Higher Side, And Leaving From Its Lower Side

853. ‘Āishah narrated: “When the Prophet came to Makkah he entered it from its higher side, and left from its lower side.” (Sahih)

(He said:) There is something on this topic from Ibn ‘Umar.

Abū ‘Eisā said: The Hadith of ‘Āishah is a Hasan Sahih Hadith.

Comments: متوقف عليه, وأخرجه البخاري، الحج, باب من أين يخرج من مكة؟، ح: 1577 ومسلم, ح: 1588 عن محمد بن المسني به * وفي الباب عن ابن عمر (المبخاري, ح: 1575 ومسلم, ح: 1575).
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Comments:
The Eastern side of Makkah is known as Kadä', it is the higher side, and also referred to as Hajûn.

Chapter 31. What Has Been Related About The Prophet Entering Makkah During The Day

854. Ibn ‘Umar narrated: “The Prophet entered Makkah during the daytime.” (Hasan)

Abû ‘Eisâ said: This Hadith is Hasan.

Comments:
It is recommended to enter Makkah at day time (Fath Al-Bârî v. 3. p.550)

Chapter 32. What Has Been Related About It's Being Disliked To Raise The Hand When One Sees The House (Ka'bah)

855. Al-Muhãjir Al-MakkI said: “Jãbir bin ‘Abdullãh was asked about a man raising his hands when he sees the House (Ka'bah). So he said: ‘We performed Hajj with the Messenger of Allah and we did it.’” (Da/) 

Abû ‘Eisâ said: We only know of raising the hand when seeing the House from the narration of Shu’bah from Abû Qaza’ah, and Abû Qaza’ah is Suwaid bin Hujair.
Comments:

There is no proof of raising hands from any authentic narration on seeing the Ka'bah, but there are reports from the Companions of the Prophet for making supplications on seeing the Ka'bah.

Chapter 33. What Has Been Related About How To Perform Ẓawāf

856. Jābir narrated: “When the Prophet arrived in Makkah, he entered the Masjid and touched the (Black) Stone, then went to his right and performed Ṳaml (walking quickly) for three (circuits) and walking for four. Then he came to the Maqām[1] and said: ‘And take you (people) the Maqām (place) of Ibrāhīm as a place of prayer.’[2]

Then he performed two Rak‘ah while the Maqām was between him and the House. Then he came to the (Black) Stone after the two Rak‘ah to touch it, then he left to Aṣ-Ṣafā – I think – he said: Indeed Aṣ-Ṣafā and Al-Marwah are among the Symbols of Allāh.’[3] (Sahih)

(He said:) There is something on this topic from Ibn ‘Umar.

Abū ‘Eisā said: The Hadīth of Jābir is a Hasan Sahih Hadīth. This is acted upon according to the people of knowledge.’
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Comments:

It is unanimously agreed upon that the circumambulation of Ka‘bah should be started at the Black Stone, and while performing circumambulation the Ka‘bah should be on the left side. The first three circles of Ka‘bah should be with short and nimble steps (Rami) and rest of the four circles should be completed by normal walking. This (Rami) is only in the first Tawāf after arriving in Makkah.

Chapter 34. What Has Been Related About Performing Raml From The (Black) Stone To The (Black) Stone

857. Jābir narrated: “The Prophet ﷺ performed Raml from the (Black) Stone to the (Black) Stone for three (circuits), and he walked four (circuits).” (Sahih)

(He said:) There is something about this from Ibn ‘Umar.

Abū ‘Eisā said: The Hadith of Jābir is a Hasan Šaḥīḥ Ḥadīth, and this is acted upon according to the people of knowledge. Ash-Shafi‘i said: “If he avoids Raml on purpose then he has committed an offense but nothing is required from him, and if he does not perform Raml for the three circuits then he is not to perform Raml in the rest.” Some of the people of knowledge say that the people of Makkah, and those who assume Ihram in it, are not required to perform Raml.

Comments:

The beginning of Raml started in the 7th year of Hijrah at the time of performing ‘Umratul-Qada’ in response to the sarcastic remarks of the disbelievers of Makkah that the Muslims have become weak due to the fever of Yathrib. They sat on the top of the hill known as Qiqa’an, to watch the
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performance of Muslims. The Prophet ﷺ ordered the Muslims to show their strength and power by making *Raml* in first three circles from the Black Stone to the Yamāni corner, because the disbelievers were sitting on that side of Ka'bah.

Chapter 35. What Has Been Related About Touching The (Black) Stone And The Yemeni Corner And Not The Other Corners

858. Abū Ṭufail narrated: “I was with Ibn ‘Abbās, and Mu‘āwiyyah would not pass any corner without touching it. So Ibn ‘Abbās said to him: ‘The Prophet ﷺ would not touch any besides the Black Stone and the Yemeni corner.’ So Mu‘āwiyyah said: ‘There is no part of the House that is untouchable.’” *(Hasan)*

(He said:) There is something about this from Ibn ‘Umar.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadīth. This is acted upon by most of the people of knowledge; one does not touch (any corner) but the Black Stone and the Yemeni corner.

Comments:

“Istilām” means touching and kissing. *Istilām* of Black Stone should be started if possible by touching and kissing it and if even touching is not possible due to the rush and crowd of people, then by pointing towards it.

Chapter 36. What Has Been Related About The Prophet ﷺ While Performed Ṭawāf Mudtabi‘an

859. Ibn Ya‘lā narrated from his
father: “The Prophet ﷺ performed Ṭawāf of the House Mudtabi’an, and he was wearing a Burd.”

Abū ‘Eīsā said: This is the narration of Ath-Thawrī from Ibn Juraij. We do not know of it except from his narration, and it is a Hasan Sahih Hadith. ‘Abdul-Ḥamīd (one of the narrators) is Ibn Jubair bin Shaibah, (who reported it from) Ibn Ya’lā from his father, and he is Ya’lā bin Umayyah.

Comments:

Iḍībā‘ means wearing the sheet of Ihram in a way by taking the one corner of the sheet from under the right shoulder and through the armpit and putting it on the other shoulder (left shoulder). In this way the right shoulder remains exposed, and it is symbol of power. One should remain in this form in every circle of the Tawāf of arrival, while neither Rami nor Iḍībā‘ are reported in any other Tawāf. And this (Iḍībā‘) is reported in authentic narrations.

Chapter 37. What Has Been Related About Kissing The (Black) Stone

860. ‘Abbās bin Rabi‘ah said: “I saw ‘Umar bin Al-Khaṭṭāb kissing the (Black) Stone and saying: ‘I am kissing you while I know that you are just a stone, and if I had not seen the Messenger of Allāh ﷺ kissing you, I would not kiss you.’” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Abū Bakr and Ibn ‘Umar.

Abū ‘Eīsā said: The Ḥadīth of ‘Umar is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge, they consider it recommended to kiss the (Black)

[1] Burd is a type of cloth, or a garment, that has designs or embroidery on it.
Stone. If it is not possible for him to reach it, then he touches it with his hand and kisses his hand. If he cannot reach it, then, when he is parallel to it, he faces it and says the Takbîr, and this is the saying of Ash-Shàfì‘î.

Comments:

This narration of 'Ábis bin Rabi‘ah is also present in Sahîh Al-Bukhàrî and Sahîh Muslim. There it includes the words “you cannot benefit or harm anyone.” ‘Umar uttered these words purposely to make it clear that the Black Stone has no power to benefit or harm the people. Kissing this stone is only done following the Sunnah of the Messenger of Allah ﷺ.

861. Az-Zubair bin ‘Arabî narrated that a man asked Ibn ‘Umar about touching the (Black) Stone, so he said: “I saw the Prophet ﷺ touching it and kissing it.” So the man said: “What is your view if there is a throng (around the Ka‘bah) and what is your view if the people overpowered me?” Ibn ‘Umar said: “Leave ‘What is your view’ in Yemen. I saw the Prophet ﷺ touching it and kissing it.” (Sahîh) He said: This is the Az-Zubair bin ‘Arabî that Êâmmàd bin Zaid reports from. And the Az-Zubair bin ‘Arabî from Al-Kûfah – whose Kunyah is Abû Salamah – he heard from Anas bin Mãlik and others among the Companions of the Prophet ﷺ, Sufyàn Ath-Thawrî and others among the A‘immah reported from him. Abû ‘Eisà said: The Hadîth of Ibn ‘Umar is a
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Hasan Sahih Hadith, and it has been reported from him through more than one route.

تخريج: وأخرج البخاري، الحج، باب نقيل الحجر، ح: 1111 من حديث حماد بن زيد.

Comments:
Ibn ‘Umar’s answer emphasizes that our utmost effort should be to follow the Sunnah of the Prophet ﷺ, and that we should not make lame excuses.

Chapter 38. What Has Been Related About Beginning With As-Safâ Before Al-Marwah

862. Jâbir narrated: “When the Prophet ﷺ arrived in Makkah, he performed seven (circuits) of Tawâf around the House. Then he came to the Maqâm and said: And take you (people) the Maqâm (place) of Ibrâhîm as a place of prayer.[1] Then he prayed behind the Maqâm. Then he came to the (Black) Stone to touch it. Then he said: ‘We begin with what Allâh began with.’ So he began at As-Safâ and recited: Indeed As-Safâ and Al-Marwah are among the Symbols of Allâh.”[2] (Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan Sahih. This is acted upon according to the people of knowledge. One begins with As-Sâfâ before Al-Marwah, if he begins with Al-Marwah before As-Safâ then it will not be acceptable and he has to start at As-Safâ. The people of knowledge differ over one who performs Tawâf of the House but does not go between

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As-Safâ and Al-Marwah until he returns (home). Some of the people of knowledge said if he does not go between As-Safâ and Al-Marwah until he leaves Makkah, then he remembers and he is close to it, he returns to go between As-Safâ and Al-Marwah. If he does not remember until he returns to his land then it is acceptable, but he has to offer a sacrifice as expiation. This is the view of Sufyân Ath-Thawrî. Some of them said that if he does not go between As-Safâ and Al-Marwah, and he reaches his land, then it is not acceptable for him. This is the view of Ash-Shâfi‘î, he said: “Tawâf between As-Safâ and Al-Marwah is obligatory, *Hajj* is not possible without it.”

Comments:

*Sa‘î* begins from As-Safâ. All Four A‘immah agree on this point. If some one starts *Sa‘î* from Al-Marwah it will not be correct. *Sa‘î* is always after the *Tawâf* of the House of Allâh عَزَّ وَجَلَّ. (*Al-Mughnî* v.5. p.237.)

Chapter 39. What Has Been Related About *Sa‘î* Between As-Safâ and Al-Marwah

863. Ibn ‘Abbâs narrated: “The Messenger of Allâh ﷺ only performed the *Sa‘î*[1] of the House and of As-Safâ and Al-Marwah to show his strength to the idolaters.” (*Sahîh*)

He said: There are narrations on this topic from ‘Aishah, Ibn ‘Umar, and Jâbir.

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Abū 'Eisā said: The Ḥadīth of Ibn ‘Abbās is a Hasan Sahih Ḥadīth. This is what is recommended according to the people of knowledge; one performs Sa‘ī quickly between As-Ṣafā and Al-Marwah. If one is not able, and he walks between As-Ṣafā and Al-Marwah, then they consider it acceptable.

**Comments:**

There was a dip between As-Ṣafā and Al-Marwah. This dip no longer exists after the passage of time, but its location between the two hills is marked by green lights in the present age. Running or walking quickly between these two hills is said to be due to three reasons. 1) to show the power to disbelievers of Makkah. 2) Sunnah of Ibrāhīm because he ran on this spot to run from Iblīs. 3) To remember the run of Hajar. (Maʿārif As-Sunan. V. 6 p. 157.) See number 902, where the actual reason is given.
Chapter 40. What Has Been Related About Riding For Tawaf

865. Ibn ‘Abbas narrated: “The Prophet performed Tawaf upon his mount, so when he arrived at the (Black Stone) corner, he pointed to it.” (Sahih)

(He said:) There are narrations on this topic from Jābir, Abū Tufail, and Umm Salamah.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbas is a Hasan Sahih Hadith. There are those among the people of knowledge who disliked for a man to perform Tawaf around the House and between As-Safã and Al-Marwhah while riding, except with an excuse. This is the view of Ash-Shãfi‘i.

Comments:

It is recommended to perform Tawaf on foot but if there is a physical problem or any other genuine cause it can be performed while riding.

Chapter 41. What Has Been Related About The Virtues Of Tawaf

866. Ibn ‘Abbãs narrated: “Whoever performs Tawaf around the House fifty times, he will be as free of his sins as the day his mother bore him.” (Da‘īf)

He said: There are narrations on this topic from Anas and Ibn ‘Umar.

Abu ‘Eisā said: The Hadith of Ibn ‘Abbas is a Gharib Hadith. I asked...
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Muhammad about this Hadith and he said: “This has only been reported from Ibn ‘Abbâs as his own saying.”

Comments:

Performing Tawâf of the House of Allâh ﷺ and asking His blessings and praying for forgiveness surely frees from all sin, is a means of reward and forgiveness (see no. 959). It is suggested to the people going to Makkah from abroad to perform as much Tawâf as they can because performing Tawâf in the House of Allâh ﷺ is the best of worships, and even better than voluntary prayers.

867. Ayyûb As-Sakhtiyânî said: “We considered ‘Abdullâh bin Sa‘e­ed bin Jubair[1] to be better than his father, and he had a brother named ‘Abdul-Mâlik bin Sa‘e­ed bin Jubair who also reported from him.” (Da‘îf)

Chapter 42. What Has Been Related About Ṣalât After ‘Asr (And After Subh) Regarding One Who Performed Tawâf

868. Jubair bin Mu’tîm narrated that the Prophet ﷺ said: “O Banû ‘Abd Manâf! Do not prevent anyone from performing Tawâf around this House, and Ṣalât, whichever hour it is of the night or day.” (Sahih)

[1] He narrated the previous narration from his father, from Ibn ‘Abbâs.
There are narrations on this topic from Ibn ‘Abbás and Abū Dharr.

Abū ‘Eisā said: The Hadith of Jubair bin Mut‘īm is a Hasan Šaḥīḥ Hadith. ‘Abdullāh bin Abī Najīḥ has reported it from ‘Abdullāh bin Bābāh as well.

The people of knowledge have differed over Salāt after ‘Aṣr and after Subh in Makkah. Some of them said that there is no harm in Salāt and Tawāf after ‘Aṣr and after Subh. This is the saying of ‘Ash-Shāfi‘ī, Ahmad and Ishāq. They argue using (this) the Hadith of the Prophet ﷺ. Some of them said that when one performs Tawāf after ‘Aṣr, he does not perform Salāt until the sun has set. Similarly, if he performs Tawāf after Subh, then he is also not to perform Salāt until the sun has risen. They argue using the Hadith of ‘Umar; that he performed Tawāf after the Subh prayer and he did not perform Salāt (after the Tawāf). Then he proceeded from Makkah until he halted at Dhu-Tuwa and he performed Salāt after the sun had risen. This is the saying of Sufyān Ath-Thawrī and Mālik bin Anas.

**Comments:**
This Šaḥīḥ narration provides proof that one can pray in the House of Allāh during the prohibited times.
Chapter 43. What Has Been Related About What Is to Be Recited During the Two Rak'ah (After) Tawâf

869. Újabir bin ‘Abdullah narrated: “During the two Rak'ah of Tawaf, the Messenger of Allâh ﷺ recited the two Sûrat of Ikhlâs, “Say: O you disbelievers!” and: “Say: He is Allâh, (the) One.” (Sahih)

870. Ja'far bin Mu'hammad narrated from his father, that he considered it recommended for the two Rak'ah of Tawaf to recite: Say: “O you disbelievers!” and: Say: “He is Allâh, (the) One.” (Sahih)

Abû ‘Eisâ said: This is more correct than the (previous) narration of ‘Abdul-'Azîz bin 'Imrân. Ja'far bin Mu'hammad’s narration about this from his father is more correct than Ja'far bin Muhammad, from his father, from Újabir, from the Prophet ﷺ. ‘Abdul-'Azîz bin 'Imrân is weak in Hadith.

Comments:

Sûrat Al-Kâfîrûn has been mentioned as Ikhlâs in this narration as it deals with the sincerity in worship of Allâh Alone; and Sûrat Ikhlâs is sincerity manifest.
Chapter 44. What Has Been Related About It Being Disliked to Perform Tawaf While Naked

871. Zaid bin Uthai said: I asked 'Ali: “What is it that you were sent with?” He said: “With four things: None will be admitted into Paradise except for the soul that is a Muslim. None is to perform Tawaf around the House while naked. The Muslims and the idolaters will not be gathering (in Makkah) together after this year. And for whomever there is a covenant between him and the Prophet ﷺ, then his covenant is (valid) until its term, and for that in which there was no term, then it shall be four months.” (Sahih)

(He said:) There is something on this topic from Abū Hurairah.

Abū 'Eisā said: The Hadith of 'Ali is a Hasan Hadith.

 comentarios: En el año 9º del Hıraj, el Profeta ﷺ envió a Abū Bakr a Makkah como el Amir de Hajj. Luego, envió a 'All bin Abi Talib a recitar, anunciando a la gente, desde el principio las Versículos de Sūrat At-Tawbah. Era costumbre en ese tiempo que para abrogar un tratado, el que lo firmó o uno de sus parientes cercanos anunciaría la cancelación del tratado.

872. (Another chain) and they said: “Zaid bin Yuthai” and this is more correct. (Sahih)

Shu'bah was mistaken about this, he said: “Zaid bin (Uthayl).”
Chapter 45. What Has Been Related About Entering The Ka'bah

873. 'Aishah narrated: "The Prophet left me while he had a joyous look of contentment and he returned to me grieving. So I asked him about that and he said: ‘I entered the Ka'bah, and I wished that I had not done it. I fear that my Ummah will follow me (in that) after me.’" (Da’if)

Abu ‘Elsa said: This Hadith is Hasan Sahih.

Comments:
He entered the Ka'bah at night for which he felt sorry and longed that he might not have entered. He thought it might be inferred from his action that entering the Ka'bah at night is part of Hajj. In compliance to his desire of not to enter the Ka'bah at night, most of the scholars are of the opinion that entering in the Ka'bah is not a part of Hajj but some say it is a part of Hajj which is not correct. If there is chance to enter it is good to pray inside the Ka'bah. (Tuhfat Al-Ahwadhi v. 2. p. 588.)

Chapter 46. What Has Been Related About Ṣalāt In The Ka'bah

874. Ibn ‘Umar narrated from (المعجم 45 - باب ما جاء في دعوى الكعبة (التحفة 45)}

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Bilāl: “The Prophet  performed  Salāt in the interior of the Ka'bah.”
And Ibn 'Abbās said: “He did not perform Salāt in it, but he said the Takbir.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Usāmah bin Zaid, Al-Fadl bin 'Abbās, 'Uthmān bin Talhah, and Shaibah bin 'Uthmān.

Abū 'Eisā said: The Ḥadīth of Bilāl is a Ḥasan Ṣaḥīḥ Ḥadīth, and it is acted upon according to most of the people of knowledge, they did not see any harm in performing Salāt inside the Ka'bah. Mālik bin Anas said: “There is no harm in voluntary Salāt inside the Ka'bah, and it is disliked to perform the obligatory Salāt inside the Ka'bah.”

Ash-Shāfi‘i said: “There is no harm in performing the obligatory or the voluntary Salāt inside the Ka'bah because the rules for the voluntary and obligatory are the same in the case of purification and the Qiblah.”

Comments:
According to this narration of Bilāl, the Prophet  performed Salāt in the interior of Ka'bah and according to Usāmah bin Zaid he did not perform Salāt in it, he only said the Takbir. Both of them Bilāl and Usāmah had entered the Ka'bah with the Prophet  but people prefer the narration of Bilāl because his narration implies affirmation.
Chapter 47. What Has Been Related About Demolishing The Ka'bah

875. Al-Aswad bin Yazid narrated that Ibn Az-Zubair said to him: “Narrate to me from what the Mother of the Believers used to (secretly) inform you about” – meaning ‘Aishah – so he said: “She narrated to me that the Messenger of Alläh ﷺ said: ‘Had your people not been still close to the pre-Islamic period of ignorance, then I would demolish the Ka’bah and rebuild it with two doors.” He said:[1] “So when Ibn Az-Zubair came to power he demolished it and rebuilt it with two doors.” (Ṣahīḥ)

Comments:
Imām Al-Bukhārī and others have deducted from this narration that if there is a possibility of the eruption of a disturbance or disagreement among the people by doing some recommended deed, then it should not be done, in order to save the people from the harm.

Chapter 48. What Has Been Related About Ṣalāt In The Ḥijr

876. ‘Aishah narrated: “I wanted to enter the House to perform Ṣalāt in it, so the Messenger of Alläh ﷺ took me by the hand and put me in the Ḥijr, and he said: ‘Perform Ṣalāt in the Ḥijr if you want to enter the

[1] That is either Al-Aswad, or Abū Ishaq, who narrated it from him here, and with Al-Bukhārī no. 126.
The place adjacent to the northern wall with a short curved wall of the Ka’bah is called “Hijr” and performing voluntary Salāt at this place is equal to performing Salāt in interior of Ka’bah. This part of Ka’bah remained outside the building of Ka’bah by Allah’s will to save the people from the difficult situation of going inside and performing prayer there.

Chapter 49. What Has Been Related About The Virtues Of The Black Stone, Its Corner, And The Maqām

877. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ said: “The Black Stone descended from Paradise, and it was more white than milk, then it was blacked by the sins of the children of Ādam.” (Hasan)

(He said:) There are narrations on this topic from ‘Abdullāh bin ‘Amr and Abū Hurairah.

Abū ‘Eisā said: The Hadīth of Ibn ‘Abbās is a Hasan Sahih Hadīth.

(سُهَبَّة)
Comments:

This narration is a proof that when this Black Stone descended from Paradise it was white and became black by absorbing the sins of the children of Adam who touch it.

878. ‘Abdullâh bin ‘Amr narrated that he heard the Messenger of Allah ﷺ saying: “Indeed the Corner[1] and the Maqâm are two corundums[2] from the corundums of Paradise. Allah removed their lights, and if their lights had not been removed then they would illuminate what is between the east and the west.”

(‘Da‘īf)

Abû ‘Eisâ said: This has been reported from ‘Abdullâh bin ‘Amr in Mawqûf form, as his own saying. There is also a narration from Anas, and it is a Gharîb Hadîth.

‘A‘la‘ reported that Ibn ‘Abbas narrated: “The Messenger of Allah ﷺ said: ‘Indeed the Corner is the Black Stone, and the Maqâm is the stone on which Ibrahim stood and constructed the Ka‘bah. These two stones are actually corundum of Paradise and their characteristics have been removed and taken away to prevent the people of earth to see the things of Paradise and to test their belief in the unseen.'
led us in Salāt at Minā for Zuhr, ‘Asr, Maghrib, ‘Ishā’, and Fajr, then he left in the morning to ‘Arafāt.” (Sahih)

Abū ‘Eisā said; Ismā’īl bin Muslim had been criticized (for his weak memory.) (Sahih)

880. Al-Ḥakam reported from Miqsam, that Ibn ‘Abbās narrated, that the Prophet ﷺ prayed Zuhr and Fajr in Minā, then he left in the morning to ‘Arafāt. (Sahih)

He said: There are narrations on this topic from ‘Abdullāh bin Az-Zubair and Anas.

Abū ‘Eisā said: As for the Ḥadīth of Miqsam from Ibn ‘Abbās; ‘Alī bin Al-Madīnī said: “Yaḥya said: ‘Shu’bah said: “Al-Ḥakam did not hear but five things from Miqsam.” And he listed them, and this Ḥadīth was not among those listed by Shu’bah.”

Comments:
On the 8th of Dhul-Hijjah, Zuhr, prayer is performed at Minā, and it is must to stay there till the sunrise of the 9th of Dhul-Hijjah. After sunrise
on the 9th it is time to proceed to ‘Arafat. ‘Arafat is a place 8 Kilometers from Minā and fifteen Kilometers from Makkah from the end of the border of the Haram.

Chapter 51. What Has Been Related About: Minā Is A Resting Place For Whoever Arrives

881. ‘Aishah said: “We said: ‘O Messenger of Allāh! Shall we build a structure to shade you at Minā?’ He said: ‘No, Minā is a resting place for whoever arrives.’”

(Hasan)

Abū ‘Eisā said: This Ḥadīth is Hasan (Sahih).

Comments:

Minā is a place of worship and many duties of the Ḥajj like stoning (Ramū) sacrifice of animals, shaving of head etc. are performed here, that is why permission for construction was not granted. The reason behind this was to save the people from inconvenience.

Chapter 52. What Has Been Related About Shortening the Ṣalāt At Minā

882. Harithah bin Wahb said: “I prayed two Rak‘ah with the Prophet at Minā, and the people were as secure as they ever were, and even more so.” (Sahih)

(He said:) There are narrations on this topic from Ibn Ma’sūd, Ibn ‘Umar, and Anas.

Abū ‘Eisā said: The Ḥadīth of Ḥarīthah bin Wahb is a Hasan (المحجوم 51) – بَابُ مَا جَاءَ أَنَّ مَنِّي مَّنَاخُ مِنْ سَبِيعٍ (التحفة 51)

881 - حَدَّثَنَا يُوسُفُ بْنُ عُيَيْسٍ وَمَحَّدَدٌ، أَبِيَ أَبَايْلُ قَالَ: حَدَّثَنَا وَكِيعُ عَنْ إِبْرَاهِيمَ، عِنْ يُوسُفَ بْنِ مَالَكَ، عِنْ أَمِّي مَسِيْكَة، عِنْ عَابِيْعَة قَالَتْ: فَنَّا بِرَسُولِ اللَّهِ أَلَا تَنَادِيُنَّكَ يَا بَنِي يَطْلُكُ. قَالَ: أَلَا مَنِّي مَّنَاخُ مِنْ سَبِيعٍ. (صحح)
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The people of knowledge differ over shortening the Salãt at Minã for the people of Makkah. Some of the people of knowledge said the people of Makkah are not to shorten their Salãt at Minã unless they are in Minã as a traveler. This is the saying of Ibn Juraij, Sufyan Ath-Thawri, Yahya bin Sa’eed Al-Qaṭṭân, Ash-Shãfi‘i, Ahmd and Ishãq. Some of them said there is no harm in the people of Makkah shortening their Salãt at Minã, and this is the view of Al-Awza’i, Mãlik, Sufyan bin ‘Uyainah, and ‘Abdur-Rahman bin Mahdí.

Comments:
Why did the Prophet perform shortened prayers in Minã? Mostly, scholars and people of knowledge deem it due to travel while others think its only reason is worship as Hajj is an Ibãdah (worship). Travel is not its reason as Minã is not that far away from Makkah, which validates the shorting of prayers. As Zuhr and ‘Asr prayers are performed shortened and combined at ‘Arafat at the time of Zuhr, and similarly Maghrib and ‘Isha’ prayers are performed combined at the time of ‘Isha’ prayer at Muzdalifah. All Muslims do as it has been commanded.

Chapter 53. What Has Been Related About Standing At ‘Arafat And Supplicating There

883. ‘Amr bin Dinãr narrated from 883 - بَيْنَيْنَ يُرَافِقُانِكَ وَيُدَعِّيَانِهَا (النَّبِيُّ صلى الله عليه وسلم)
'Amr bin ‘Abdulläh bin Ṣafwän, that Yazid bin Shaibän said: ‘Ibn Mirba’ Al-Anṣārī came to us while we were standing at our places’ (‘Amr bin Dinār said:) a place that ‘Amr (bin ‘Abdulläh) indicated was far – ‘And he said: ‘I am a messenger whom the Messenger of Allāh ﷺ sent to you to say: ‘Stay with your (Hajj) rites, for indeed you are following a legacy left by Ibrāhīm.’’ (Ṣaḥīḥ)

(He said:) There are narrations on this topic from ‘Ali, ‘Aīshah, Jubair bin Muṭ‘im, and Ash-Sharīd bin Suwaid Ath-Thaqafi.

Abū ‘Eisā said: The Ḥadīth of Ibn Mirba’ is a Ḥasan (Ṣaḥīḥ) Ḥadīth. We do not know of it except through the narration of Ibn ‘Uyainah from ‘Amr bin Dinār. The name of Ibn Mirba’ is Yazid bin Mirba’ Al-Anṣārī, and he is only known for this one Ḥadīth.

884. ‘Aīshah narrated: “The Quraish and those who followed their religion – and they were called Al-Hums[1] – would stand at Al-Muzdalifah, and they would say: ‘We are the people of Allāh.’ The others would stand at ‘Arafāt, so Allāh the Mighty and

[1] Al-Hums: The tribe of Quraish, their offspring and allies were called Hums. This word implies enthusiasm and strictness.
Sublime revealed: Then depart from where the people depart.\(^{[1]}\) (Sahih)

Abū ‘Eisā said: This Hadīth is Ḥasan Sahīh.

(He said:) The meaning of this Hadīth is that the people of Makkah would [not leave the Haram (sacred precincts of Makkah), and ‘Arafat was outside the Haram. The people of Makkah would] stand at Al-Muzdalifah and say, “We are Allāh’s people” meaning living in the sanctuary of Allāh. As for those who were not from the people of Makkah, they would stand at ‘Arafat. So Allāh Most High revealed: Then depart from where the people depart.

And Al-Hums are the people of the Haram.

Comments:

The word “Hums” is plural of “‘Aḥmas” and it means brave. Here it means steadfast in the matter of faith. The Quraish were the people of Makkah and lived within the bounds of the Haram. They deemed themselves very steadfast in matters of faith. Allāh rebuked this and commanded them to stay in ‘Arafat. Staying in ‘Arafat is the most important segment of Ḥajj and it must be performed otherwise there is no Ḥajj and there is no compensation for it. The stay in ‘Arafat starts from the time the sun begins descending on the 9th of Dhul-Hijjah up to the morning of the 10th of Dhul-Hijjah. Anybody who reaches ‘Arafat during this time, his Ḥajj is established, and who does not reach ‘Arafat in this specified period his Ḥajj is not established. He has to complete ‘Umrah and come out of Ḥiḍram. According to Imām Ahmad, the stay in ‘Arafat is from the morning of the 9th of Dhul-Hijjah up to the morning of 10th Dhul-Hijjah. (Al-Mughni v. 5. p.274)

\(^{[1]}\) Al-Baqarah 2:199.
Chapter 54. What Has Been Related About: All of 'Arafat Is A Place For Standing

885. 'Alī bin Abī Ṭālib, may Allāh be pleased with him, narrated: "The Messenger of Allāh ﷺ stopped at 'Arafāt and said: 'This is 'Arafah, and it is the place of standing. And all of 'Arafat is a place for standing.' Then he departed when the sun had set and took Usāmah bin Zaīd as a companion rider, and he was motioning with his hand as was his custom, and the people were striking (their camels) on the right and the left to try and catch them, so he said: 'O you people! Be calm.' Then he came to Jama' and performed the two Salah there combined. When the morning came, he went to Quzah and stood there and said: 'This is Quzah, and it is a place of standing, and all of Jama' is a place for standing.' Then he departed until he arrived at Wādī Muhassir. Then he stuck his she-camel and she trotted until he passed the valley. Then he stopped and took Al-Fadl as a companion rider and went to the Jamrah to stone it. Then he went to Al-Manhar and said: 'This is Al-Manhar, and all of Minā is a place for sacrifice.' A young girl from Khath'am came to ask him for a verdict, she said: 'Indeed my father is an elderly man who has lived until Allāh has made Hajj obligatory, so..."
would he be rewarded if I perform Hajj for him? He said: ‘Perform Hajj for your father.’” He said: “And he ṣaw turned the neck of Al-Fadl.[1] So Al-‘Abbās said: ‘O Messenger of Allāh! Why did you turn the neck of your cousin?’ He said: ‘I saw a young man and a young woman, and they were not safe from Shaitān.’ A man came to him and said, ‘O Messenger of Allāh! I performed (Tawāf) Al-Ifādah before shaving.’ He said: ‘Shave, and there is no harm’ – or; ‘Clip and there is no harm’” He said: “Someone else came and said: ‘O Messenger of Allāh! I did the sacrifice before stoning.’ So he said: ‘Stone, and there is no harm.’” He said: “The he went to the House (Ka’bah) to perform Tawāf around it, then he went to Zamzam and said: ‘O tribe of ‘Abdul-Muṭṭalib! If it were not that the people would rush upon you then I would remove it.”[2] (Da’if)

He said: There is something about this from Ḥabīr. Abū ‘Eisā said: The Hadīth of ‘Alī is a Hasan Sahīh Hadīth. We do not know of it as a narration of ‘Alī except from this route; as a narration of ‘Abdur-Rahmān bin Al-Ḥārith bin ‘Ayyāsh. Others have reported it similarly from Al-Thawrī.

This is acted upon according to the people of knowledge, they held the view that Zuhr and ‘Asr are combined during the time of Zuhr at ‘Arafāt.

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[1] Meaning, that he ṣaw caused him to look away from the girl.

[2] That is, he would help bring the water out of the well. See Al-Bukhārī no. 1635.
Some of the people of knowledge said that if a man performs the Salât at his camp without attending it with the Imãm, then if he wants he may combine the two prayers just as he does with the Imãm.

He said: Zaid bin ‘Ali is Ibn Ḥusain bin ‘Ali bin Abî Ṭalib [peace be upon him].

Comments:

a. It is recommended to proceed to ‘Arafat from Minâ after sunrise on the 9th of Dhul-Ḥijjah and it is also preferable to stay in the valley of Namirah, and, at the descent of the sun from its zenith one should reach ‘Arafat in either case.

b. On the 10th of Dhul-Ḥijjah there are four things to be performed: 1) to throw the pebbles at 1st Jamrah 2.) to sacrifice the animal 3.) shaving the head or cutting of hair 4.) Tawâf of Ka'bah which is as Tawâf-Az-Ziyarah or Tawâf Al-Ifâdah. It is recommended to perform these rituals in the same sequence as prescribed but if the sequence is not maintained there is no harm in it and there is no penalty for it.

c. What is reported in this narration is also reported in other authentic narrations with Al-Bukhâri, Muslim, and others.

Chapter 55. What Has Been Related About Departing From ‘Arafat

886. Jâbir narrated: “The Prophet hurried through Wâdi Muḥassir.” Bishr (one of the narrators) added: “He departed from Jam‘ calmly and he ordered them (the people) to be calm.” And Abû Nu‘aim (one of the narrators) added: “And he ordered them to do the stoning with what was similar to pebbles for Al-
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Khadjif\(^{[1]}\) And he said: “Perhaps I will not see you after this year.” (Sahih)

(He said:) There is something about this from Usâmah bin Zaid.

Abû ’Eisâ said: The Hadîth of Jâbir is a Hasan Sahîh Hadîth.

And he said: “Perhaps I will not see you after this year.” (Sahih)

(He said:) There is something about this from Usâmah bin Zaid.

Abû ’Eisâ said: The Hadîth of Jâbir is a Hasan Sahîh Hadîth.

Chapter 56. What Has Been Related About Combining Maghrib And ‘Ishâ’ At Muzdalifah

887. ‘Abdullâh bin Mâlik narrated:

“Inb ‘Umar prayed at Jam’
(Muzdalifah), so he combined two prayers with the Iqâmah, and he said: ‘I saw the Messenger of Allâh doing the same as this at this place.’” (Da’if)\(^{[2]}\)

888. (Another chain) that Sa‘eed bin Jubair narrated similarly from Ibn ‘Umar, from the Prophet (Sahih).

Muhammad bin Bash-shâr (one of the narrators) said: “Ya’âya said: ‘The (previous) narration of Sufyân is the one that is correct.’”

1 “The scholars say Khadjif pebbles are about the size of legumes,” (Tuhfat Al-Ahwadht). Al-Khadhf for hunting or fighting the enemy was prohibited in a Hadîth (see Al-Bukhâri no. 5479), and it is to throw pebbles at the enemy or game, or to shoot pebbles from a slingshot.

2 That is, its chain, while the basis of it is recorded by Al-Bukhâri, Muslim, and others.
(He said:) There are narrations on this topic from ‘Ali, Abū Ayyūb, ‘Abdullāh bin Mas‘ūd, Jābir, and Usāmah bin Zaid.

Abū ‘Eisā said: The Hadīth of Ibn ‘Umar in the narration of Sufyān (no. 887) is more correct than the narration of Ismā‘il bin Abī Khālid (888). The Hadīth of Sufyān is a Hasan Sahīh Hadīth.

This is acted upon according to the people of knowledge. The Maghrib Ṣalāt is not prayed before Jam’. So when he arrives at Jam’ – and Jam’ is Al-Muzdalifah – he combines the two prayers with one Iqāmah, and he does not perform voluntary prayers between them. This is what was preferred by some of the people of knowledge, and they follow it. This is the view of Sufyān Ath-Thawrī. Sufyān said: “If he wishes, he prays Maghrib then eats supper, situates his clothing, then he gets up to perform the ‘Ishā’ prayer.”

Some of the people of knowledge said that one is to combine the Maghrib and ‘Ishā’ prayers at Al-Muzdalifah with one Adhān and two Iqāmah, calling the Adhān for the Maghrib prayer, then the Iqāmah is called and he prays Maghrib, then the Iqāmah is called and he prays ‘Ishā’. This is the view of Ash-Shafī‘ī.

Abū ‘Eisā said: Isrā‘īl reported this Ḥadīth from Abū Ḥishāq, from ‘Abdullāh and Khālid the sons of Mālik, from Ibn ‘Umar. The narration of Sa‘eed bin Juhair from Ibn ‘Umar is a Hasan Sahīh Hadīth. It has also been reported from Salamah bin Kuhail from Sa‘eed bin Jubair. As
for Abū Ishāq, he only reported it from ‘Abdullāh and Khālid, the sons of Mālik, from Ibn ‘Umar.

Comments:
The view of the A‘immah regarding combining the prayers has been explained in chapter 54. All the A‘immah agree that an individual praying alone can combine two prayers. It is permitted to eat food between two prayers.

Chapter 57. What Has Been Related About: Whoever Sees The Imām At Jam‘ Then He Has Attended the Ḥajj

889. ‘Abdur-Rahmān bin Ya‘mar narrated that some people among the residents of Najd came to the Messenger of Allāh while he was at ‘Arafāt. They were questioning him, so he ordered a caller to proclaim: “The Ḥajj is ‘Arafah. Whoever came to Jam‘ during the night, before the time of Fajr, then he has attended the Ḥajj. The days of Minā are three, so whoever hastens (leaving after) two days, then there is no sin upon him, and whoever delays, then there is no sin upon him.” Mūhammad said: “Yahyā added: ‘And he took a companion rider to proclaim it.’”

(Sahih)
The view of the *A’immah* regarding staying at ‘Arafat has been explained in chapter 53, and the explanation about Al-Muzdalifah in chapter 54. According to three *A’immah*, Abû Hanifah, Ath-Thawri and Shafi’i, if anybody reached ‘Arafat after the sun has passed its zenith on the 9th of Dhul-Hijjah and returned from ‘Arafat before sunset, he attended the *Hajj*, but he will pay the penalty.

890. (Another chain) with a similar narration (as no. 889). *(Sahih)*

He said: Ibn Abî ‘Umar said: “Sufyân bin ‘Uyainah said: ‘This is the best of *Ahãdith* that Sufyân Ath-Thawri reported.’”

Abû ‘Eisâ said: The *Hadith* of ‘Abdur-Rahmân bin Ya’mar is acted upon according to the people of knowledge among the Companions of the Prophet and others. Whoever does not stand at ‘Arafah before the time of Fajr then he has missed the *Hajj*, and it is not acceptable from him if he comes after the time of Fajr begins, and it will be considered an “*Umrah*, and he will have to perform *Hajj* in the furture. This is the view of Ath-Thawri, Ash-Shafi’i, Aḥmad and Ishâq.

(Abû ‘Eisâ said:) Shu’bah reported a *Hadith* similar to that of Ath-Thawri from Bakair bin ‘Ata’.

He said: I heard Al-Jârûd saying: “I heard Wâki’ saying” and he reported this *Hadith*, so he said, “This *Hadith* is *Umm Al-Manâsîk*. ”[1]

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**Notes:**

1. The basis for the rites of *Hajj*. 

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**References:**

*1949*(انظر الحديث السابق) والحميدى، ح 901: **[ صحیح ]** وآخره أبو داود، ح.
Imam Suyuti writes that the narrations of the people of Al-Kufah usually (in the chain), contain *Tadlis* and are narrated differently by others. This narration is free of any of that, which is why it was called the best of *Ath-Thawri*. *(Tuhfat Al-Ahwadhi* v. 2, p102.)

891. ‘Urwah bin Mu‘azzar bin Aws bin Harithah bin Lam At-Wa Narrated: “I came to the Messenger of Allâh ﷺ at Al-Muzdalifah when he left for the *Salât*. I said: ‘O Messenger of Allâh! I came from the two mountains of (the tribe of) Tai, wearing out my mount and exhausting myself. By Allâh! I did not leave a *Habl* (sand dune) without stopping on it. So is there *Hajj* for me?’ The Messenger of Allâh ﷺ said: ‘Whoever attends this *Salât* of ours, and stays here with us until departing, while he has stood during the night or the day before that at ‘Arafât, then he has completed his *Hajj* and fulfilled his *Tafath*.” *(Sahih)*

Abû ‘Eisâ said: This Hadith is Hasan Sahih.

[He said: His saying: “his *Tafath*” means his rites. His saying, “I did not leave a *Habl* without stopping on it” — when it is sand they say: “Habl” and when it is rock they say: “Jabl.”

Comments:

This narration strengthens the point of view of Imâm Ahmad, that he who reaches ‘Arafât between the morning of the 9th of Dhul-Hijjah and morning of the 10th of Dhul-Hijjah then he has attended the *Hajj*. The view of the Rightly Guided Caliphs and Imâm Ahmad support each other.
Chapter 58. What Has Been Related About the Weak Departing Early From Jam‘ During the Night

892. Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ sent me with the Thaqal (load of baggage) during the night from Jam‘.”[1] (Sahih)

(He said:) There are narrations on this topic from ‘Aishah, Umm Ḥabībah, Asmā’ (bint Abī Bakr), and Al-Fadl (bin ‘Abbās).

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās: “The Messenger of Allāh ﷺ sent me with the Thaqal (load of baggage) during the night from Jam‘” is a Sahih Hadith which was reported from him through more than one route.

Shu‘bah reported this Hadith from Mūshāsh, from ‘Atā‘, from Ibn ‘Abbās, from Al-Fadl bin ‘Abbās: “The Prophet ﷺ advanced the weak among his family during the night from Jam‘.”

But this narration is a mistake. Mūshāsh was mistaken in it, he added “from Al-Faḍl bin ‘Abbās.” Ibn Juraij and others reported this Hadith from ‘Atā‘, from Ibn ‘Abbās, and they did not mention “from Al-Faḍl bin ‘Abbās” in it. (Mūshāsh is from Al-Baṣrah, and Shu‘bah reports from him.)

In contrast to the narration of Ibn ‘Abbās, the narration of Shu‘bah is Sahih and was reported from him through more than one route.

The interpretation: And another version, the night, when the weak among his family advanced during the night from Jam‘. From ‘Aishah, Umm Ḥabībah, Asmā’ (bint Abī Bakr), and Al-Fadl (bin ‘Abbās).


893. Ibn ‘Abbās narrated: “The Prophet ﷺ advanced the weak among his family and he said: ‘Do not stone the Jamrah until the sun has risen.’” (Ṣaḥīḥ)

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Abbās is a Hasan Ṣaḥīḥ Ḥadīth. This Ḥadīth is acted upon according to the people of knowledge. They did not see any harm in the weak leaving Al-Muzdalifah, early during the night, to go to Minā.

The view of most of the people of knowledge was in accordance with the Ḥadīth of the Prophet ﷺ that: they should not stone until the sun has risen. Some of the people of knowledge allowed them to stone during the night. The Ḥadīth of the Prophet ﷺ (that they should not stone) is acted upon, and it is the view of Ath-Thawrī and Ash-Shāfi‘ī.

Chapter 59. What Has Been Related About Stoning On The Day Of An-Nahr During Ɗuḥā (The Morning Light)

894. Jābir narrated: “The Prophet ﷺ would stone on the Day of An-Nahr during the morning light, as for (the days) afterwards, then (he ...
would do it) after the Zenith of the sun.” (Saḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Saḥīḥ. This (Hadīth) is acted upon according to most of the people of knowledge: one is not to stone after the Day of An-Nahr except after the sun passes the Zenith.

Comments:

On the Day of An-Nahr, pebbles are thrown to the Jamrah Al-‘Aqabah which is also called Jamrat Al-Kubra. It is situated on the side of Makkah. In the rest of the days the pebbles are thrown to all the Jamrah.

Chapter 60. What Has Been Related About: Departing From Jam‘ Is Before The Rising Of The Sun

895. Ibn ‘Abbās narrated: “The Prophet ﷺ departed before the rising of the sun.” (Saḥīḥ)

(He said:) There is something on this topic from ‘Umar.

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Abbās is a Ḥasan Saḥīḥ Ḥadīth. Only the people of Jahiliyah would wait until the sun had risen and then depart.

Comments:

The view of the A’immah has been explained in Chapter 54.
896. ‘Amr bin Maimūn narrated: “We were halted at Jama’ when ‘Umar bin Al-Khattāb said: ‘The idolaters would not depart until the sun had risen and they would say: “Let the sun shine on Thabîr”[1] and indeed the Messenger of Allāh contradicted them.’ So ‘Umar departed before the rising of the sun.” (Sahih)

Abū ‘Eisâ said: This Ḥadîth is Ḥasan Sahîh.

Comments:

In the era of Jahiliyyah (the Period of Ignorance) people used to sit and wait for the sunrise. The affirmation of sunrise was that the mount of Thabîr would shine. While sitting and waiting for the sunrise they used to say “O Thabîr shine up.” In Ibn Mâjah there is the addition of the words “so we could attack.”

Chapter 61. What Has Been Related About: The Jimâr Are Stoned With Pebbles Similar To Al-Khadhaf[2]

897. Jâbir narrated: “I saw the Messenger of Allâh stoning the Jimâr with what was similar to pebbles for Al-Khadhaf.” (Sahih)

(He said:) There are narrations on this topic from Sulaiman bin ‘Amr bin Al-Ahwâs from his mother – she is Umm Jundab Al-Azdiyah – and, Ibn ‘Abbâs, Al-Fadl bin ‘Abbâs, Abdur-Rahmân bin ‘Uthmân, At-
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Taimi, and `Abdur-Rahman bin Mu`adh.

Abu `Eisa said: This Hadith is Hasan Sahih. This is what is preferred by the people of knowledge; that the Jimar are stoned with what is similar to pebbles used for Al-Khadr.

Comments:
The scholars recommend that the Jimar should be stoned with pebbles, and not with big stones or anything else, as the Sunnah of the Prophet. The size of the pebble should be as the average size of chick peas.

Chapter 62. What Has Been Related About Stoning After The Sun Has Passed The Zenith

898. Ibn `Abbas narrated: “The Messenger of Allah stoned the Jimar when the sun had passed the zenith.” (Sahih)

Abu `Eisa said: This Hadith is Hasan.

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The scholars recommend that the Jimar should be stoned with pebbles, and not with big stones or anything else, as the Sunnah of the Prophet. The size of the pebble should be as the average size of chick peas.
Chapter 63. What Has Been Related About Stoning The Jimār While Riding (And Walking)


(He said:) There are narrations on this topic from Jābir, Qudāmah bin ‘Abdullāh, and Umm Sulaimān bin ‘Amr bin Al-Ahwās.

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Abbās is a Ḥasan Ḥadīth. It is acted upon according to some of the people of knowledge. Some of them preferred that one walk to the Jimār. (It has been reported from Ibn ‘Umar, from the Prophet ﷺ that he would walk to the Jimār). To us, the reasoning in this Ḥadīth is that he rode on some of the days to set a precedence for doing it, and both of the Ahādīth are acted upon according to the people of knowledge.

Comments:

The narration of Jābir is unanimously agreed upon, that the Prophet ﷺ stoned Jamrah Al-'Aqabah while riding his she-camel. He said, “Learn from me to perform the rites of Ḥajj, for I am not aware if I will perform the next Ḥajj or not.”

900. Ibn ‘Umar narrated: “The Prophet ﷺ would walk when stoning the Jimār, both going and returning.” *(Ṣaḥīḥ)*
Abū ‘Eisā said: This Ḥadīth is Ḥasan Šaḥīh. Some of them reported it from ‘Ubaidullāh, and they did not narrate it in Marfū‘ form. This is acted upon according to most of the people of knowledge. Some of them said that one is to ride on the Day of An-Naḥr and walk on the days after the Day of An-Naḥr.

Abū ‘Eisā said: It is as if those who said that only intended that out of following the action of the Prophet ﷺ, because it has only been reported from the Prophet ﷺ that he rode on the Day of An-Naḥr when he went to stone the Jimār, and he only stoned Jamrāt Al-‘Aqabah on the Day of An-Naḥr.

Comments:

Most of the A‘immah are of the opinion that it is commended and approved to stone the Jimār while riding on the Day of An-Naḥr. There is a difference of opinion on stoning the Jimār on rest of the two days. Imām Nawawī, Imām Mālik, and Imām Shafi‘i are of the opinion it is better if Jamrāt Al-‘Aqabah is stoned while riding, provided someone reaches there on a mount, but if he is on foot he should stone it as he reached there. It is Sunnah to stone the Jimār on foot in first two days of Tashriq, that is the 11th and 12th of Dhul-Hijjah and on the third, that is the 13th of Dhul-Hijjah it should be stoned while riding.

Chapter 64. (What Has Been Related About) The Manner Of Stoning The Jimār

901. ‘Abdur-Rahmān bin Yazīd narrated: “When ‘Abdullāh went to stone Jamrāt Al-‘Aqabah, he went to the middle of the valley, faced the Ka‘bah, and proceeded to stone the Jamrāh at its southern...
wall. Then he stoned with seven pebbles, saying: “Allâhu Akbar” with each pebble. Then he said: ‘By Allah except Whom none is worthy of worship. This is where the one stoned to whom Sûrat Al-Baqarah was revealed.’” (Sahih)

Hannâd narrated to us: Wâkî narrated it to us similarly from Al-Mas’ûdî, with this chain.

Abû ‘Eîsâ said: There are narrations on this topic from Al-Fadl bin ‘Abbâs, Ibn ‘Abbâs, Ibn ‘Umar, and Jâbir.

Abû ‘Eîsâ said: The Hadîth of Ibn Mas’ûd is a Hasan Sahih Hadîth. This is acted upon according to the people of knowledge. They preferred that a man stone from the middle of the valley with seven pebbles, saying Allâhu Akbar with each pebble. Some of the people of knowledge have permitted – in the case where one can not stone from the middle of the valley—that one stone from wherever one is able, even if it is not in the middle of the valley.

Comments:

All the scholars and people of knowledge unanimously agree that Jamrat Al-Aqabah should be stoned with seven pebbles, every pebble thrown separately towards the Jamrah, and Ka’bah should be on the left side, and Minâ on the right.

902. ‘Âîshah narrated that the Prophet said: “Stoning the Jimâr and Sa’î between Aš-Ṣafâ and Al-Marwâh...
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are only done for the establishment of Allāh’s remembrance.” (Hasan)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣaḥīḥ.

Comments:

This narration makes it clear that though stoning the Jimār and Saʿī between As-Safa and Al-Marwah apparently do not look like a part of worship, but as it is an order of Allāh it is worship, and a way to remember Allāh.

Chapter 65. What Has Been Related About It Being Disliked For the People To Crowd When Stoning The Jimār

903. Qudāmah bin ‘Abdullāh said: “I saw the Prophet ṣṣ stoning the Jimār upon his she-camel; there was no hitting, nor crowding, nor: ‘Look out! Look out!’” (Hasan)

(He said:) There are narrations on this topic from ‘Abdullāh bin Ḥanzalah.

Abū ‘Eisā said: The Hadīth of Qudāmah bin ‘Abdullāh is a Ḥasan Ṣaḥīḥ Ḥadīth. This Hadīth is only known from this route, and it is a Hasan Ṣaḥīḥ Ḥadīth.

Ayman bin Nābil (a narrator) is trustworthy according to the people of Ḥadīth.
Comments:
The Prophet's practice and way of the stoning the Jimâr shows that it should be done with grace and in a dignified manner. There should be no pushing and pressing others to make room for oneself.

Chapter 66. What Has Been Related About Sharing In Badanah (Sacrificial Camels) and Cows

904. Jâbir narrated: “We slaughtered with the Messenger of Allah during the year of Al-Hudaibiyah: a cow for seven, and a Badanah for seven.” (Sahih)

(He said:) There are narrations on this topic from Ibn ‘Umar, Abû Hurairah, ‘Âishah, and Ibn ‘Abbâs.

Abû ‘Eïsâ said: The Hadîth of Jâbir is a Hasan Sahîh Hadîth. This is acted upon according to the people of knowledge among the Companions of the Prophet and others. They saw that seven could share in one sacrificial camel, and seven could share in one cow. This is the view of Sufyân Ath-Thawri, Ash-Shâfi’î, and Ahmad. It has been reported from Ibn ‘Abbas, from the Prophet: “Seven on a cow, and ten on a sacrificial camel.” This is the view of Ishâq who argued using this Hadîth. We only know of the Hadîth of Ibn ‘Abbâs from one route.
Ibn ʿAbbas narrated: “We were with the Prophet  on a journey (on the Day of) Adhā, so seven of us shared in a cow, and ten for a camel.” (Hasan)

Abū ‘Eisā said: This Hadith is Hasan Gharib, it is a narration of Husain bin Waqīd.

Comments:
“Badanah” means a fat and well nourished cow or a camel. Imam Abū Hanīfah, Shafi’ī, Ahmad, Al-Auzā’ī, Ath-Thawrī and many Companions of the Prophet  and the followers of the Companions say that seven persons can share a cow or camel for sacrifice. Sa’eed bin Al-Musayyab and Isḥāq are of the opinion that seven person can share a cow and ten persons can share a camel. (Al-Mughni v.13. p. 363-364.)

Chapter 67. What Has Been Related About Marking The Budn (Sacrificial Camels)

Ibn ʿAbbās narrated: “The Prophet  garlanded two sandals and marked the Hādi on the right side at Dhul-Hulaifah, and removed the blood from it.” (Sahih)

(He said:) There is something on this topic from Al-Miswar bin Makhramah.

Abū ‘Eisā said: The Hadith of Ibn ʿAbbās is a Hasan Sahih Hadith.
Abū Ḥassān Al-Aʿrāj’s name is Muslim.

This is acted upon according to the people of knowledge among the Companions of the Prophet and others. They held the view that (the animal) should be marked. This is the view of Ath-Thawrī, Ash-Shāfiʿī, Ahmad, and Ishāq.

He said: I heard Yusuf bin ʿEisā saying: “I heard Wākiʾ saying – when he reported this Hadīth – ‘Do not consider the saying of the people of opinion about this, for marking is a Sunnah and their saying is an innovation.’”

He said: I heard Abū As-Sāʿib saying: “We were with Wākiʾ when he said to a man with him who considered the opinions: ‘The Messenger of Allāh marked, and Abū Hanīfah said that doing so is mutilation.’ The man said: ‘It has been reported from Ibrāhīm An-Nakhaʾī that he said marking is mutilation.’ I saw Wākiʾ becoming severely angry and he said: ‘I tell you that the Messenger of Allāh said, and you say Ibrāhīm said? You deserve to be imprisoned and not let out until you leave this saying of yours.’” (Ṣahīḥ)

Comments:

Qalādah means to garland a sacrificial animal with two sandals around the neck, to make it public that this animal is for sacrifice, and no one should harm it. The second sign is to mark the camel on the right side. This marking is called Ishʿār.
Chapter 68. (Purchasing the Hadi)

907. Ibn ‘Umar narrated: “The Prophet purchased his Hadi in Qudaid.” (Da‘if)

Abū ‘Eisā said: This Hadith is Gharib, we do not know of it as a Hadith of Ath-Thawri except from the narration of Yahya bin Al-Yamān. It has been reported from Nāfi‘ that Ibn ‘Umar purchased his Hadi from Qudaid.

Abū ‘Eisā said: This is more correct.

Comments:
It is unanimously agreed that the Prophet brought his Hadi (animal for sacrifice) from Al-Madinah. This event is related to Ibn ‘Umar and it proves that a Hadi can be bought on the way during travel.

Chapter 69. What Has Been Related About Garlanding The Hadi For The Resident

908. ‘Aishah narrated: “I twisted the garlands for the Hadi of the Prophet, then he did not assume Ihram, nor did he avoid any clothing.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih. This is acted upon according to some of the people of knowledge, they said that when a man garlands his Hadi, and he intends to perform Hajj, no Meaning, one who has not yet entered a state of Ihram.
clothing or perfume is unlawful for him until he assumes *Ihram*. Some of the people of knowledge said that when a man garlands the *Hadi*, then whatever is required of the *Muhrim* is required from him.

**Comments:**

Most of the scholars and people of knowledge are of the opinion that if someone garlands his *Hadi* and sends it to the *Haram*, he is not a *Muhrim* until he puts on *Ihram*.

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**Chapter 70. What Has Been Related About Garlanding Sheep**

909. ‘Aishah narrated: “I twisted the garlands for all of the *Hadi* of the Messenger of Allāh ﷺ, which were sheep, then he did not assume *Ihram*.” (ṣaḥīḥ)

Abū ‘Eisā said: This *Hadīth* is Ḥasan Ṣaḥīḥ. This is acted upon according to some of the people of knowledge among the Companions of the Prophet ﷺ and others, they held the view that one is to garland sheep.

**Comments:**

According to Imām Nawawī, most of the people of knowledge are of the opinion that the sheep too should be garlanded.

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[1] *Al-Ghanam* is used for goat and sheep.
Chapter 71. What Has Been Related About What Is Done With The Hadi When It Is Afflicted

910. Nājiyāh Al-Khuzā’ī (the Companion of the Messenger of Allāh) said: “I said: ‘O Messenger of Allāh! What should be done with the afflicted among the Hādī?’ He said: ‘Slaughter them, then dip their sandals in their blood, then leave them so that the people can eat them.” (Sahih)

There is something on this topic from Dhu’aib Abū Qabisah Al-Khuzā’ī. Abū ‘Eisā said: The Hadīth of Nājiyāh is a Hasan Sahīh Hadīth. This is acted upon according to the people of knowledge they say – in the case of the voluntary Hādī – when it is afflicted: Neither he nor any people in his group eat from it, and he is to leave it behind so that the people can eat it, then that is acceptable. This is the saying of Ash-Shafī‘i, Ahmad, and Ishaq. And they said that if he eats something from it, he is to pay (charity) according to the amount he ate from it. Some of the people of knowledge said that when he eats something from a voluntary Hādī then he is liable.

Comments: If somebody takes his Hādī with him and on the way it is near to its death, it should be slaughtered before its death and its sandals should be dipped in the
blood to make it clear to the people that this animal is *Hadi* and they can eat it. The owner of the *Hadi* and his companions are not allowed to eat from *Hadi*. If this *Hadi* is voluntary, there is no need to slaughter another animal, but if this sacrifice is obligatory, another *Hadi* must be given in *Hajj*.

**Chapter 72. What Has Been Related About Riding The Badanah**

911. Anas bin Malik narrated that the Prophet ﷺ saw a man driving his Badanah so he said to him: “Ride it.” He said: “O Messenger of Allah! It is a Badanah.” So on the third or fourth time he said to him: “Ride it. And woe to you!” (*Sahih*)

(He said:) There are narrations on this topic from ‘Ali, Abù Hurairah, and Jābir.

Abû ‘Eisā said: The *Hadith* of Anas is a *Hasan Sahih Hadith*. Some of the people of knowledge among the Companions of the Prophet ﷺ and others, permitted riding the Badanah when there is a need for it. This is the view of Ash-Shāfi‘ī, Ahmad, and Ishâq.

Some of them said that it is not to be ridden if it is not necessary.

**Chapter 73. What Has Been Related About Which Side Of The Head To Begin With For Shaving**

912. Anas bin Malik narrated: “When the Messenger of Allah ﷺ stoned the Jamrah, he slaughtered his sacrifice, then he presented the
barber the right side (of his head) and he shaved it, then he gave (the hair) to Abū Ṭalḥah. Then he presented the left side to him and he shaved it. Then he said: ‘Divide it (the hair) among the people.’”

Ibn Abī ʿUmar narrated to us: Sufyān bin ʿUyainah narrated similar to us, from Hishâm.

(Ābū ʿEīsā said:) This Ḥadīth is Hasan (Ṣaḥīḥ).

Comments:

According to Imām Nawawi, and in view of many other scholars, shaving the head should be started from the right side, and it is Sunnah of the Prophet ﷺ, Imām Abū Ḥanifah is of the opinion that shaving should be started from the left side. (Ṣaḥīḥ Muslim/Nawawi v.1. p.421). According to ‘Allamah Ibn ʿAbidin, Imām Abū Ḥanifah changed his view after knowing the narration. If a barber shaves the head while standing behind a person, both of them will have their right side on the right, but if the barber shaves the head while standing in front of the person, the barber’s right will be the persons’ left. (Maʿārif As-Sunan v. 6. p.275.)

Chapter 74. What Has Been Related About Shaving, And About Shortening

913. Ibn ʿUmar narrated that the Messenger of Allāh ﷺ said: “May Allāh have mercy upon those who shaved” saying it one or two times, then he said: “And those who shortened.” (Ṣaḥīḥ)

He said: There are narrations on this topic from Ibn ʿAbbās, Ibn Umm Al-Huṣain, Mārib, Abū Saʿeed, Abū Mariam, Ḥubshī bin Junādah, and Abū Hurairah.
He said: This Hadith is Hasan Sahih. This is acted upon according to the people of knowledge. They prefer that a man shave his head, and if he shortens (his hair instead) then they consider that it is acceptable. This is the view of Sufyan Ath-Thawri, Ash-Shafi’i, Ahmad, and Ishâq.

Comments:
All scholars agree that shaving of head is recommended and hair cutting (shortening of hair) is also approved. According to scholars, cutting the hair or shaving the head is a part of ’Umrah and Hajj, and without it Hajj or ’Umrah is not complete.

Chapter 75. What Has Been Related About It Being Disliked For Women To Shave

914. ‘Ali narrated: “The Messenger of Allah ﷺ prohibited that a woman should shave her head.” (Hasan)

915. (Another chain) with similar (as no. 914) from Khilâs, but he did not mention “from 'Ali.” (Hasan)
Abû ‘Eisâ said: There is confusion
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(İdtirâb) in the Hadith of ‘Ali. This Hadith was reported from Hammâd bin Salamah, from Qatadah, from ‘Aishah: “The Prophet prohibited that a woman should shave her head.”

This is acted upon according to the people of knowledge; they do not think that a woman is to shave, and they hold the view that she is to shorten.

Comments:

All scholars agree that a woman is not allowed to shave her head, she is allowed to shorten her hair only.

Chapter 76. What Has Been Related About One Who Shaved Before He Slaughtered, Or Offered The Sacrifice Before He Stoned

916. ‘Abdullâh bin ‘Amr narrated: “A man asked the Messenger of Allah: ‘I shaved before slaughtering.’ So he said: ‘Slaughter, and there is no harm.’ Another man asked him: ‘I performed the sacrifice before stoning.’ He said: ‘Stone, and there is no harm.’” (Sahih)

(He said:) There are narrations on this topic from ‘Ali, Jâbir, Ibn Abbâs, Ibn ‘Umar, and Usâmah bin Sharîk.

Abû ‘Eisâ said: The Hadith of ‘Abdullâh bin ‘Amr is a Hasan Sahîh Hadith. This is acted upon according to most of the people of knowledge. It is the view of Ahmad and Ishâq. Some of the people of knowledge said when one performs a rite before another rite (out of...
order) then he is required to (offer a sacrifice).

Comments:
A detailed explanation has been given in Chapter 54.

Chapter 77. What Has Been Related About Using Perfume When Ending Ihrãm Before The Visiting

917. \textit{‘Aishah narrated: “I put perfume with musk in it on the Messenger of Allâh \text{\textregistered} before he assumed Ihrãm, and on the Day of An-Nahr before he performed \textit{Tawaf} around the House.”} (\textit{Sahîh})

There is something related to this from Ibn ‘Abbas.

Abû ‘Eisâ said: The \textit{Hadith} of ‘Aishah is a \textit{Hasan Sahîh Hadith}. This is acted upon according to most of the people of knowledge among the Companions of the Prophet \textregistered and others. They held the view that when the \textit{Muhrim} stones \textit{Jamrat Al-‘Aqabah} on the Day of An-Nahr, and he slaughters and shaves – or shortens (his hair) – then everything is lawful for him that was previously unlawful except for (relations with) women. This is

[1] That is, before returning to perform \textit{Tawaf} around the Ka’bah.
The saying of Ash-Shaf’i, Ahmad, and Isḥaq.

It has been reported that ‘Umar bin Al-Khattāb said: “Everything is lawful for him except for women and perfume.” Some of the people of knowledge, among the Companions of the Prophet and others, followed this; and it is the view of the people of Al-Kūfah.

Comments:

Most scholars are of the opinion that use of perfume before assuming Ḥiṣām is allowed, and also allowed before the Ṭawfāq around the House on the Day of An-Nahr. The Alnāf are also of the same opinion.

Chapter 78. What Has Been Related About Discontinuing The Talbiyah During Hajj

918. Al-Faḍl bin ‘Abbās narrated: “I was a companion rider with the Messenger of Allāh from Jam’ to Minā. He did not cease saying the Talbiyah until stoning Jamrat Al-ʿAqabah.” (Ṣaḥīḥ)

There are narrations on this topic from ‘Alī, Ibn Mas‘ūd, and Ibn ‘Abbās.

Abū ‘Eisā said: The Ḥadīth of Al-Faḍl is a Hasan Sahih Hadīth. This is acted upon according to the people of knowledge among the Companions of the Prophet and others. The Hajj pilgrim is not to discontinue the Talbiyah until the saying of Ash-Shaf’i, Ahmad, and Isḥaq.

It has been reported that ‘Umar bin Al-Khattāb said: “Everything is lawful for him except for women and perfume.” Some of the people of knowledge, among the Companions of the Prophet and others, followed this; and it is the view of the people of Al-Kūfah.

Comments:

Most scholars are of the opinion that use of perfume before assuming Ḥiṣām is allowed, and also allowed before the Ṭawfāq around the House on the Day of An-Nahr. The Alnāf are also of the same opinion.

Chapter 78. What Has Been Related About Discontinuing The Talbiyah During Hajj

918. Al-Faḍl bin ‘Abbās narrated: “I was a companion rider with the Messenger of Allāh from Jam’ to Minā. He did not cease saying the Talbiyah until stoning Jamrat Al-ʿAqabah.” (Ṣaḥīḥ)

There are narrations on this topic from ‘Alī, Ibn Mas‘ūd, and Ibn ‘Abbās.

Abū ‘Eisā said: The Ḥadīth of Al-Faḍl is a Hasan Sahih Hadīth. This is acted upon according to the people of knowledge among the Companions of the Prophet and others. The Hajj pilgrim is not to discontinue the Talbiyah until
stoning the Jamrah. This is the view of Ash-Shafi'i, Ahmad, and Ismaq.

**Comments:**

All the scholars agree that till stoning Jamrat Al-'Aqabah, saying the Talbiyah is Sunnah.

**Chapter 79. What Has Been Related About Discontinuing The Talbiyah During "Umrah**

919. Ibn 'Abbãs narrated (that the Prophet ﷺ): “Would stop saying the Talbiyah during ‘Umrah when he touched the (Black) Stone.” (Da'if)

(He said:) There is something on this topic from ‘Abdullãh bin ‘Amr. Abû ‘Eisã said: The Hadith of Ibn ‘Abbãs is a Hasan Sahîh Hadith, and it is acted upon according to most of the people of knowledge. They said that the one performing ‘Umrah does not discontinue the Talbiyah until he touches the (Black) Stone. Some of them said when he reaches the homes of Makkah he discontinues the Talbiyah. But the Hadith of the Prophet ﷺ is acted upon, and it is the view of Sufyân, Ash-Shaтяж, Ahmad, and Ismaq.

**Tafsîr:** [Istehlak al-Talbiya] أَيَّامُ ٱلنَّجَاхِ مَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ وَمَكَّةَ. Verily, the days of pilgrimage are Makkah and Makkah and Makkah and Makkah. And there is a verse that says, “Verily, the pilgrimage is to Makkah for everyone who can make its journey” (Qur’an: 2:126).
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Comments:

According to Imām Abū Ḥanīfah, Imām Shāfi‘ī and Imām Ahmad, the one who intends to perform 'Umrah should say the *Talbiyah* till he touches the Black Stone. According to Imām Mālik if the *Ihram* has been assumed from the *Miqāt*, one should discontinue saying the *Talbiyah* as soon as he enters the limits of *Haram*.

Chapter 80. What Has Been Related About The Visiting *Tawaf* During the Night

920. ‘A‘ishah narrated: “The Prophet ﷺ delayed the visiting *Tawaf* until the night.” (Da‘f)

Abū ‘Eisa said: This *Hadith* is Ḥasan (Ṣaḥīḥ). Some of the people of knowledge have allowed for one to delay the visiting *Tawaf* until the night, some of them considered it recommended that the visiting be done on the Day of *An-Nahr*, and some of them were not as restrictive with its delay, even up to the last of the days of Minā.

Comments:

The 10th of *Dhul-Hijjah* is the Day of *An-Nahr* and four things are to be performed on this day, and the last thing is *Tawaf* of the House. This *Tawaf* is known by many names like *Tawaf of Fard*, *Tawaf Al-Ifāqah*, *Tawaf Az-Ziyarah*.

Chapter 81. What Has Been Related About Camping At Al-Abtah


(He said:) There are narrations on this topic from ‘Āishah, Abū Rāfi‘, and Ibn ‘Abbās.

Comments:

(المعجم (الحجة) 81 - باب ما جاء في طواف الْزيَّارة بِاللَّيْلِ)
Abū ‘Eisā said: The Hadith of Ibn ‘Umar is a Ḥasan Ṣaḥīh Gharib Hadith. We only know of it from the narration of ‘Abdur-Razzāq from ‘Ubaidullāh bin ‘Umar.

Some of the people considered it recommended to camp at Al-Abtaḥ without considering it necessary except for one who would like to do that. Ash-Shāfi‘i said: “Camping at Al-Abtaḥ does not represent any of the rites, it is only a place that the Messenger of Allāh ﷺ camped at.”

 Comments:

According to Imam Nawāwī Muhassab, Abtah, Baṭḥā‘ and Khāīf Banna’ī Kinnārah are different names of one place, and staying here is approved as the Prophet ﷺ camped here and Al-Khulafā’ Ar-Rāshīdūn also camped there. It is better if Ṣalāt Az-Zuhr, ‘Asr and Maghrib and ‘Ishā’ are performed there. (Ṣaḥīh Muslim v.1 p.422)
Chapter 82. (About Camping At Al-Abtah)

923. 'A'ishah narrated: “The Messenger of Allah only camped at Al-Abtah because it was easier for his departure.” (Saḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Hasan Saḥīḥ.

Ibn Abī ‘Umar narrated to us: Sufyān narrated similar to us from Ḥishām bin ‘Urwah.

Comments:
All the scholars agree that camping at the valley of Muḥassab is not a part of Hajj, if some one does not encamp there, there is no harm in it, and there is no penalty on him.

Chapter 83. What Has Been Related About The Hajj Of A Boy

924. Jābir bin ‘Abdullāh narrated: “A woman held a boy of hers up for the Messenger of Allah and said: ‘O Messenger of Allah! Is there Hajj for this one?’ He said: ‘Yes, and you will be rewarded.’” (Saḥīḥ)

(He said:) There is something on this topic from Ibn ‘Abbas. The Ḥadīth of Jābir is a Gharīb Ḥadīth.

تخرج: منافق عليه، وأخرجه مسلم، الحج، باب استحباب نزول المنصب يوم النفر...

الإجابة: 1311 من حديث يزيد بن زريع والبخاري، ح: 1765 من حدث هشام بن عروة به.
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925. As-Sâ‘ib bin Yazîd narrated: “My father took me for Hajj with the Messenger of Allah during the Farewell Hajj, and I was seven years old.” (Sahîh)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh.

The people of knowledge agreed that when a young boy performs Hajj before the age of maturity, then he is required to perform Hajj when he attains the age of maturity. That Hajj will not be accepted from him as the Hajj of Islam. The same is the case of the slave who performs Hajj while he is owned, then he is freed. He is required to perform Hajj when he has the means for it, and the Hajj that he performed while he was in a state of being owned is not acceptable. This is the view of Sufyân Ath-Thawrî, Ash-Shafi‘î, Ahmad, and Ishâq.

Comments:
All the A‘immah and scholars agree the Hajj is not obligatory for a minor, but if it is performed by a minor it is approved and correct.

926. (Another chain) from Jâbir bin ‘Abdullâh from the Prophet, with similar (Hadîth of Muhammad bin Tarîf no. 924). (Sahîh)

(Abû ‘Eisâ said:) It has (also) been reported from Muhammad bin Al-Munkadir, from the Prophet in Mursal form.[1]

[1] That is, that Muḥammad bin Al-Munkadir is in the chain of nos 925 and 926.
Chapter 84. The Talbiyah On Behalf Of Women And Stoning On Behalf Of Boys

927. Jābir narrated: “When we performed our Hajj with the Prophet ﷺ, we would say the Talbiyah for the women and we would stone for the boys.” (Da'if)

Abū ‘Eisā said: This Hadith is Gharib; we do not know of it except through this route. The people of knowledge have agreed that the Talbiyah is not to be said for a woman by others, rather she says the Talbiyah for herself, and it is disliked for her to raise her voice with the Talbiyah.

Comments:

According to Imām Muḥibb Tabarj, men should say Talbiyah on behalf of women. It is unanimously agreed that women should say Talbiyah in a low voice, as their voice may cause some type of temptation for male members.

Chapter 85. What Has Been Related About Hajj On Behalf Of The Elderly Man And The Dead

928. Al-Fadl bin ‘Abbās narrated: “A woman from Khath’am said: ‘O Messenger of Allāh! My father has lived until Allāh has made Hajj obligatory, and he is an elderly man who is not able to sit on the back of a camel.’ So he (ﷺ) said:
‘Perform Hajj for him.’' \(^{[1]}\) (\textit{Ṣaḥīḥ})

(He said:) There are narrations on this topic from ‘Ali, Buraidah, Ḥuṣain bin ‘Awf, Abū Razīn Al-‘Uqaili, Sawdah (bint Zam‘ah) and Ibn ‘Abbās.

Abū ‘Eisā said: The \textit{Hadith} of Al-Fadl bin ‘Abbās is a \textit{Hasan Ṣaḥīḥ} \textit{Hadith} (and it has been reported from Ibn ‘Abbās, from Ḥuṣain bin ‘Awf Al-Muzani, from the Prophet \textit{Ṣaḥīḥ}).

It has also been reported from Ibn ‘Abbās from Sinān bin ‘Abdullāh Al-Juhanī, from his aunt, from the Prophet \textit{Ṣaḥīḥ}. And it has been reported from Ibn ‘Abbās from the Prophet \textit{Ṣaḥīḥ}.

(He said:) I asked Muḥammad about these narrations. He said: “The most correct thing on this topic is what Ibn ‘Abbās reported from Al-Fadl bin ‘Abbās from the Prophet \textit{Ṣaḥīḥ}.”

Muḥammad said: “It implies that Ibn ‘Abbās heard it from Al-Fadl and others, from the Prophet \textit{Ṣaḥīḥ}. Then he reported this (from the Prophet \textit{Ṣaḥīḥ}) in \textit{Mursal} form and he did not mention the one who he heard it from.”

Abū ‘Eisā said: Other \textit{Aḥādīth} are authentically reported from the Prophet \textit{Ṣaḥīḥ} on this topic. And this is acted upon according to the people of knowledge among the Companions of the Prophet \textit{Ṣaḥīḥ} and others. It is the view of Sufyān Ath-Thawrī, Ibn Al-Mubārak, Ash-

\(^{[1]}\) See no. 885.
Shafi’i, Ahmad, and Ishaq. They held the view that one could perform Hajj on behalf of the dead. Malik said: “If he instructed that Hajj be performed for him then one performs Hajj for him.” Some of the people of knowledge have permitted Hajj on behalf of the living, when he is old or in a condition that does not allow him to perform Hajj. This is the view of Ibn Al-Mubarak and Ash-Shafi’i.

Comments:
It is allowed to perform Hajj on behalf of a deceased person. According to Ibn ‘Umar and Ibrähim An-Nakha‘i, Hajj cannot be performed on behalf of others. Imam Malik is of same point of view. Most of the scholars and people of knowledge say that if someone cannot perform Hajj himself due to some weakness or some other genuine reason, someone else can perform Hajj on his/her behalf in his/her life.

Chapter 86. Something Else (What Has Been Related About Hajj On Behalf Of The Dead)

929. ‘Abdullah bin Buraidah narrated from his father who said: “A woman came to the Prophet and said: ‘My mother died and she did not perform Hajj should I perform Hajj on her behalf?’ He said: ‘Yes, perform Hajj on her behalf.’” (Sahih)
He said: This Hadith is Hasan Sahih.
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Comments:
It is agreed that he who has performed his Fard (obligatory) Hajj then he can perform Hajj on behalf of another person. But whoever has not performed his Fard Hajj, he is not allowed to perform Hajj on behalf of others. (Tuḥfat Al-Ahwadhī v. 2. p. 113.)

Chapter 87. Something Else About That

930. Abū Razīn Al-'Uqailī narrated that he went to the Prophet ﷺ and said: “O Messenger of Allah! My father is an elderly man who is not able to perform Hajj nor 'Umrah nor undertake a journey.' He said: Perform Hajj on behalf of your father, and perform 'Umrah.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ. And the Prophet ﷺ only mentioned 'Umrah in this Ḥadīth regarding when a man performs 'Umrah on behalf of someone else. Abū Razīn Al-'Uqailī’s name is Laqīṭ bin ‘Āmir.

Comments:
Both Hajj and 'Umrah can be performed by proxy (Al-Mughnī. v. 5. p27)

Chapter 88. What Has Been Related About 'Umrah: Is It Required Or Not?

931. Jābir narrated that the Prophet ﷺ
was asked about whether 'Umrah was obligatory? He said: “No. But if you perform 'Umrah it is more virtuous.” (Da’if)

Abū ‘Eisā said: This Ḥadīth is Hasan Sahih.

It is the view of some of the people of knowledge. They said: “'Umrah is not obligatory. It has been said that they are two Ḥajj: The Greater Ḥajj of the Day of An-Nahr and the Lesser Ḥajj of 'Umrah. Ash-Shāfi‘ī said: ‘'Umrah is a Sunnah about which we do not know anyone who permitted leaving it, and there is nothing confirmed about it stating that it is merely voluntary and optional.” He said: “It has been reported from the Prophet [with a chain] but it is weak, the like of which proof is not established upon. And it has reached us that Ibn ‘Abbās considered it obligatory.”

(‘Abū ‘Eisā said: All of it is the statement of Ash-Shāfi‘ī).

Comments:

Hajj and ‘Umrah are both obligatory for a person who has the means.

Chapter 89. Something Else From That ('Umrah Has Been Entered Into Ḥajj Until the Day of Resurrection)

932. Ibn ‘Abbās narrated that the Prophet ﷺ said: “'Umrah has been entered into Ḥajj until the Day of Resurrection.” (Sahih)

(He said:) There are narrations on
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this topic from Surâqah bin Mâlik bin Jušhum and Jâbir bin ‘Abdullah.

Abû ‘Eisâ said: The Hadîth of Ibn ‘Abbâs is a Hasan Hadîth.

The meaning of the Hadîth is that there is no harm in performing ‘Umrah during the months of Hajj. This is what was said by Ash-Shâfi‘î, Ahmad, and Ishâq. And, the meaning of this Hadîth is that the people of Jahiliyyah would not perform ‘Umrah during the months of Hajj. When Islam came, the Prophet  permitted that, so he said: “‘Umrah has been entered into Hajj until the Day of Resurrection” meaning there is no harm in ‘Umrah during the months of Hajj.

The months of Hajj are Shawwâl, Dhul-Qa’da, and the ten days of Dhul-Hijjah; it is not possible for a man to say the Talbiyah for Hajj except during these months.

The Sacred months are Rajab, Dhul-Qa’da, Dhul-Hijjah, and Al-Muharran. This is what was said by more than one of the people of knowledge among the Companions of the Prophet  and others.

Comments:

According to Imam Mâlik, and Shâfi‘î, Shawwâl, Dhul-Qa’da and Dhul-Hijjah – three complete months, are Hajj months, whereas according to Imam Ahmad and Abû ‘Hanîfah, up to the 10th of Dhul-Hijjah are the months of Hajj. T correct report of Imam Shâfi‘î is that the 10th of Dhul-Hijjah is not included in the months of Hajj. (Tuhfat Al-Ahwadhî v.2 p.114). The correct understanding of the narration is as described by Imam At-Tirmidhî.
Chapter 91. What Has Been Related About Performing ‘Umrah


Abû ‘Eisâ said: This Ḥadîth is Hasan Sahîh.

Comments:

The blessed journey of ‘Umrah provides a chance for repentance and to ask Allâh for forgiveness. The sins between ‘Umrah to ‘Umrah are forgiven by Allâh. Similarly Hajj free from showing off and hypocrisy is rewarded with Paradise.

See no. 810.

[1] “A well known location outside Makkah. It is about four miles from Makkah in the direction of Al-Madinah.” (Tuhfat Al-Ahwadhi).
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Comments:

‘Aishah like other wives of the Prophet ﷺ had intended to perform Hajj Tamattu’ but due to the start of the menses she was unable to perform ‘Umrah separately and her Hajj became Qirān, in which the segments of ‘Umrah come under the performance of Hajj. She longed to perform ‘Umrah separately. The Prophet ﷺ asked her brother Abdur-Rahmān to take her to Tan‘im to reassume Ḥirmām and perform ‘Umrah.

Chapter 92. What Has Been Related About Performing ‘Umrah From Al-Ji‘rānah

935. Muharrish Al-Ka‘bī narrated: “The Messenger of Allāh ﷺ left Al-Ji‘rānah during the night for ‘Umrah, then he entered Makkah during the night and performed his ‘Umrah. Then he left there during the night, then he was in Al-Ji‘rānah by the morning, as if he had spent the night. When the sun passed the zenith in the morning he left from the midst of Sarif until he came on a road from amidst Sarif. It is because of this that his ‘Umrah was concealed from the people.” (Hasan)

Abū ‘Eisā said: This Hadith is Ḥasan Ghartib. We do not know of a Hadith narrated by Muharrish Al-Ka‘bī from the Prophet ﷺ other than this one. (It has been said: “He came on a road connecting.”)

Comments:

The Prophet ﷺ on 17th or 18th of Dhul-Qa‘dah A.H. on Wednesday left Ji‘rānah and went to Makkah, there he performed ‘Umrah and the same night returned to Ji‘rānah, and on Thursday via Sarif went back to the valley, that is why most of the people were not aware of his ‘Umrah. Some of the Companions have denied it because they were not aware of this ‘Umrah.

[1] See no. 815B.
Chapter 93. What Has Been Related About ‘Umrah During Rajab

936. ‘Urwah said: “Ibn ‘Umar was asked: In which month did the Messenger of Allâh ﷺ perform ‘Umrah? He said: ‘During Rajab.’ So ‘Aishah said: ‘The Messenger of Allâh ﷺ did not perform ‘Umrah except that he was with him – meaning Ibn ‘Umar – and he did not ever perform ‘Umrah in the month of Rajab.’” (Sahîh)

Abû ‘Eisâ said: This Hadith is Gharib. I heard Muhammad saying: “Habîb bin An Thãbit did not hear from ‘Urwah bin Az-Zubair.”

937. Ibn ‘Umar narrated: “The Prophet ﷺ performed ‘Umrah four times, one of them was during Rajab.” (Sahîh)

Abû ‘Eisâ said: This Hadith is Gharib Hasan Sahîh

Comments:

The Prophet ﷺ did not perform any ‘Umrah in Rajab, but performing ‘Umrah in this month is proven from Salaf like ‘Umar and Uthman, both of them performed ‘Umrah in the month Rajab and Al-Muharram every year. ‘Aishah also performed ‘Umrah in Rajab. (Ma’arif v.6. p.339.)
Chapter 94. What Has Been Related About 'Umrah During Dhul-Qa'dah

938. Al-Bara’ narrated: “The Prophet performed ‘Umrah during Dhul-Qa’dah.” (Saḥīḥ)

Abū ‘EIsā said: This Ḥadīth is Ḥasan Šaḥīḥ. There is something on this topic from Ibn ‘Abbās.

Comments:

The Prophet performed four ‘Umrah 1.) ‘Umratul-Hudaybiyah which actually was not performed but its reward was given by Allāh 2.) In the 7th year of Hijrah, ‘Umratul-Qa’ad was performed. 3.) The very next year at the time of the conquest of Makkah, ‘Umrah of Ji’raḥ was performed. 4.) In the 10th A.H. before the performance of Hajj ‘Umrah was performed. The first three ‘Umrah were performed in the month of Dhul-Qa’dah, and the fourth was performed in Dhul-Hijjah with Hajj, but its travel began in Dhul-Qa’dah.

Chapter 95. What Has Been Related About ‘Umrah During Ramadān

939. Umm Ma’qil narrated that the Prophet said: “Umrah during Ramadān is equal to Hajj.” (Saḥīḥ)

There are narrations on this topic from Ibn ‘Abbās, Jābir, Abū Hurairah, Anas, and Wahb bin Khanbash. – He (Abū ‘EIsa) said: And they say Haram bin Khanbash– Bayān and Jābir said: “From Ash-Sha’bi, from Wahb bin Khanbash.” Dāwūd Al-Awdi said: “From Ash-Sha’bi, from Haram bin Khanbash.” And Wahb is more correct.
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The Hadith of Umm Ma'qil is a Hasan Gharib Hadith from this route.

Aḥmad and Iṣḥāq said: It has been confirmed from the Prophet ﷺ that: "Umrah during Ramaḍān is equal to Hajj”

Iṣḥāq said: “The meaning of this Hadith is similar to what is reported about the Prophet ﷺ saying: ‘Whoever recites ‘Qul huwa Allāhu ‘Ahad then he has recited a third of the Qur'ān.’”

Comments:

This narration proves that as reward is increased due to Holy places (where the act was performed) the same way, reward is increased due to sacred times (when the act was performed).

Chapter 96. What Has Been Related About the One Who Says The Talbiyah For Hajj But He Suffers A Fracture Or Becomes Lame

940. ‘Ikrimah narrated from Al-Hajjaj bin ‘Amr who narrated that the Messenger of Allāh ﷺ said: “Whoever suffers a fracture or becomes lame then he (leaves the state of Ihrām) and is required to perform another Hajj.” I (I‘krīmah) mentioned that to Abū Hurairah and Ibn ‘Abbās and they said: “He told the truth.” (Sahīḥ)

(Another chain of narrators, a similar Hadith as above)
Abū 'Eisā said: This Hadith is Hasan (Sahih) Hadith. This has been reported by more than one from Al-Hajjāj Aṣ-Ṣawwāf, and it is similar to this narration.

Ma’mar and Mu’āwiyah bin Sallām reported this Hadith from Yahya bin Abī Kathīr, from ‘Ikrimah, from ‘Abdullāh bin Rāfī‘, from Al-Hajjāj bin ‘Amr, from the Prophet. Hajjāj bin Aṣ-Ṣawwāf did not mention “Abdullāh bin Rāfī‘” in his narration.

Hajjāj is a trustworthy Hāfiz according to the people of Hadith.

I heard Muhammad saying: “The narration of Ma’mar and Mu’āwiyah bin Sallām is more correct.”

Another chain of narration with similar of meaning

**Comments:**

If someone resumes Ihram for Hajj and on his way some mishap happens, he meets some accident or fever overcomes him, or his means of maintenance are spent or some enemy blocks his way, or for some other unavoidable reason he is not able to reach Makkah and perform Hajj, according to the Ahnāf he will leave the state of hājirah and will have to perform Hajj at some other time.

**Chapter 97. What Has Been Related About Stating A Condition For Hajj**

941. Ibn ‘Abbās narrated:
Dubâ’ah bint Az-Zubair came to the Prophet ﷺ and said: ‘O Messenger of Allâh! I want to perform Hajj so should I state a condition?’ He said: ‘Yes.’ She asked: ‘So how should I say it?’ He said: ‘Say: “Labbaik Allãhumma labbaika mahilli minal-Ard fzaithu tahbisuni” (I respond to Your call 0 Allah, I respond to Your call, I will exit Ihram any where on the earth where You prevent me.”’ (Hasan)

(He said:) There are narrations on this topic from Jâbir, Asmâ’ (bint Abi Bakr), and ‘Âishah.

Abû ‘Eisâ said: The Hadith of Ibn ‘Abbâs is a Hasan Sahih Hadith. This is acted upon according to some of the people of knowledge. They held the view that one could make a condition for Hajj, and they said that if one makes a condition and is faced with illness or an excuse, then he exits from his state of Ihram. This is the view of Ash-Shâfi’î, Ahmad, and Ishâq. Some of the people of knowledge did not think one could make a condition during Hajj, and they said if he were to make a condition, there is nothing for which he could exit from Ihram, so they see him to be just like the one who did not make a condition.


قال أبو يعيش: حديث ابن عباس حديث حسن صحيح. والعمل على هذا عند بعض أهل العلم يزور الإشتراف في الحج ويقولون: إن اشترط فعرض له مرض أو عذر قلته أن يقول ويخرج من إحرامه وهو قول الشافعي وأحمد وإشاق. ولم يزة بعض أهل العلم الإشتراف في الحج وقالوا: إن اشترط فليس له أن يخرج من إحرامه ويرونه كمن لم يشترط.
Chapter 98. Something Else About That

942. Sālim narrated that his father disliked making a condition during Ḥajj and he said: “Is not the Sunnah of your Prophet () enough for you?” (Ṣaḥīh)

Abū 'Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ.

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Comments:
Ibn ‘Umar was not aware of the narration of Dubã‘ah, that is why he objected to performing a conditional Ḥajj. Had he known this narration he would not have objected.

Chapter 99. What Has Been Related About A Woman Whose Menses Begin After Al-Ifādah

943. ‘Aishah narrated: “It was mentioned to the Messenger of Allāh ﷺ that Ṣafiyah bint Ḥuyai‘ got her menses during the days of Minā, so he said: “Will she prevent us (from departing)?” Then they said: “She has done (Tawāf) Al-Ifādah.” So the Messenger of Allāh ﷺ said: “In that case there is no harm.” (Ṣaḥīh)

(He said:) There are narrations on this topic from Ibn ‘Umar and Ibn ‘Abbās.

Abū 'Eisā said: The Ḥadīth of ‘Aishah is a Ḥasan Ṣaḥīḥ Ḥadīth. This is acted upon according to the people of knowledge. When a woman performs Tawāf Al-Ifādah then her menses begin she may leave and there is nothing due from her.

This is the view of Ath-Thawrī, Ash-Shāfi‘ī, Ahmad, and Isḥāq.
Solution of the Problem: If the menses of a woman start before performing Tawaf Al-Ifadah and her stay in Makkah is not possible, as the date and time of her departure from Makkah is fixed, and there is no possibility of change in this schedule, in this difficult situation, according to Hafiz Ibn Taimiyyah, she should take bath and perform Tawaf Al-Ifadah, and she will pay the penalty (sacrifice of an animal in the limits of the Haram. (for more details see Fatawa Ibn Taimiyyah v.26 p. 242-244.)

Chapter 100. What Has Been Related About Which Rites Are Carried Out By the Menstruating Woman

945. ‘Aishah narrated: “I got my menses so the Prophet ﷺ ordered me to carry out all of the rites except for Tawaf around the House.” (Sahih)

Abu ‘Eisa said: This is acted upon according to the people of knowledge. The menstruating woman carries out all of the rites besides Tawaf around
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the House. This Hadith was reported from ‘Aishah through routes other than this as well.

945 B. Ibn ‘Abbas narrated (that the Prophet said): “The women in post-natal bleeding and menses were to perform Ghusl, enter Iḥrām and carry out all of the rites except for Tawāf around the House, until they become clean.” (Da’if)

[Abū ‘Eisā said:] This Hadith is Hasan Gharib.

Chapter 101. What Has Been Related About Whoever Performs Hajj Or ‘Umrah Then Let The Last Of His Acts Be At The House

946. Al-Ḥārith bin ‘Abdullāh bin Aws said: “I heard the Prophet saying: ‘Whoever performs Hajj to this House, or “Umrah, then let the last of his acts be at the House.’” So ‘Umar said: “May your hand be humiliated! You heard this from the Messenger of Allah but did not inform us of it?” (Da’if)
(He said:) There is something on this topic from Ibn ‘Abbās.

Abū ‘Eisā said: The *Hadīth* of Al-Hārīth bin ‘Abdullāh bin Aws is a *Gharīb* Hadīth. This was reported by more than one from Al-Hajjāj bin Artāh, and it is similar to this. Al-Hajjāj was contradicted in some of this chain.

**Comments:**

Ḥārīth bin ‘Abdullāh bin Aws asked about the *Tawāf* of departing though he had heard about this issue from the Prophet ﷺ. For this reason ‘Umar showed his annoyance and said if he had heard it from the Prophet ﷺ, why he did not mention it.

**Chapter 102. What Has Been Related About: The Qārin Performs One Tawāf**

**947. Jābir narrated:** “The Messenger of Allāh ﷺ performed *Qāran* for *Hajj* and *‘Umrah*, so he performed one *Tawāf* for both of them.” (*Sahīh*)

(He said:) There are narrations on this topic from Ibn ‘Umar and Ibn ‘Abbās.

Abū ‘Eisā said: The *Hadīth* of Jābir is a *Hasan* Hadīth. This is acted upon according to some of the people of knowledge among the Companions of the Prophet ﷺ and others. They said that the *Qārin* performs one *Tawāf*. This is

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(Al-Mukhām 2:947) - بَابُ مَا جَاءَ أَنَّ الْقَارِنِ يَطُوْفُ طَوَافًا وَأَجَدًا (التحفة 162)

Cal.: In the *tabi‘īn* of Abī ‘Umar, Abī ‘Umar knows. *Jābir*: So *Qārīn* performs one *Tawāf*, and that is performed for both of them. (Cal.: In the *tabi‘īn* of Abī ‘Umar, Abī ‘Umar knows. *Jābir*: So *Qārīn* performs one *Tawāf*, and that is performed for both of them.)
The view of Ash-Shafi‘i, Ahmad, and Ishâq. Some of the people of knowledge among the Companions of the Prophet ﷺ and others said that he performs Tawâf twice and he performs Sa‘î twice. This is the view of Ath-Thawri and the people of Al-Kufah.

**Comments:**

All the 'Aimmah and the people of knowledge agree that a person performing Hajj Qirân will perform one Tawâf and Sa‘î only. (Tuhsat Al-Ahwadhi v.2. p.119.) It should be remembered that here, one Tawâf means that Tawâf which is accompanied by Sa‘î. After voluntary Tawâf there is no Sa‘î. There is no restriction on the number of voluntary Tawâf, one can perform as many as one wishes. Tawâf Al-Iffâdah and Tawâf Al-Wadâ‘ are essential. (see Fath Al-Bâri v.3. p. 624-626.)

948. Ibn ‘Umar narrated that the Messenger of Allâh ﷺ said: “Whoever assumes Ḳîrân for Ḥajj and ‘Umrah, then it is acceptable for him to perform one Tawâf and one Sa‘î for them both, until he exits Ḳîrân for both of them together.” (Ṣaḥîh)

Abû ‘Elsa said: This Ḥadîth is Ḥasan Gharîb Sahîh, Ad-Darâwardi is alone with that wording. It has been reported by more than one from ‘Ubaidullâh bin ‘Umar, and they did not mention it as Marfu‘, and that is more correct.

**Tafsîr:** [Explanations of the Sûras] A‘îr-Bu‘ayn, the manalas, Bâb Tawâf, the people of knowledge, and the people of the view of Al-Kufah.

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**Tafsîr:** [Explanations of the Sûras] A‘îr-Bu‘ayn, the manalas, Bâb Tawâf, the people of knowledge, and the people of Al-Kufah.
Chapter 103. What Has Been Related About The Muhājir Staying In Makkah For Three Days After Returning (From Minā)

949. Al-‘Alā’ bin Al-Ḥaḍramī narrated (that the Prophet ﷺ said):
“The Muhājir may stay for three (days) in Makkah after carrying out his rites.” (Ṣahih)

Abū ‘Eisā said: This Ḥadīth is Hasan Sahih. This Ḥadīth has been reported in Marfū’ form by more than one route.

Comments:
An emigrant who has migrated from Makkah cannot reside in Makkah again. Upon the return from Minā on the 13th of Dhul-Hijjah to Makkah, one can stay for three days only, and these three days will not be considered residence in Makkah. (For details See, Fath Al-Bārī v. 7. Chapter on Residence of an emigrant.)

Chapter 104. What Has Been Related About What To Say When Coming Home After Hajj And ‘Umrah

950. Ibn ‘Umar said: “When the Prophet ﷺ would come home from a battle, or Ḥajj, or ‘Umrah, when he was it a tract of land or raised area he would say ‘Allahu Akbar (Allah is Most Great)’ three times, then say: ‘Lā ilāha illallah Wahdahu la sharika lahu, lahul-mulku wa lahul-Hamdu lahu. A‘ibuna tã’ibün ‘ãbidün saã’ihüna Ii Rabbina Hāmidüna, Sadaqallahu’
The Chapters On Hajj

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Abū ʿEisā said: The Ḥadīth of Ibn ʿUmar is a Hasan Sahih Hadīth.

Comments:

The Prophet ﷺ in his travel or sojourn always asked Allāh’s blessings according to the need of the situation. The reason behind making these supplications was to praise Allāh and express His greatness, and confess one’s humbleness. This is all for the guidance of the Muslims and to show them that a man may attain the greatest status in this world, but before Allāh he is always weak, humble and slave of Allāh. Man is always in need of Allāh’s help and guidance.

Chapter 105. What Has Been Related About The Muḥrim Who Dies In His Ḥijām

951. Ibn ʿAbbās narrated: “We were with the Messenger of Allāh on a journey when he saw a man fall from his camel, his neck was broken and he died, and he was a Muḥrim. So the Messenger of Allāh ﷺ said: ‘Wash him with water and Sidr, and shroud him in his garments, and do

The Prophet ﷺ said: There are narrations on this topic from Al-Barāʾ, Anas, and Jābir.

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The Prophet ﷺ said: There are narrations on this topic from Al-Barāʾ, Anas, and Jābir.
not cover his head. For indeed he will be resurrected on the Day of Judgement saying the *Talbiyah*.”

(*Sahih*)

Abū ‘Eisā said: This *Hadith* is *Hasan* *Sahih*. [This is acted upon according to some of the people of knowledge.] It is the saying of Sufyān Ath-Thawrī, Ash-Shāfi‘ī, Ahmad, and Ishaq. Some of the people of knowledge said that when the *Muhrim* dies his *Ihrām* ends, and what is to be done with a non- *Muhrim* is what is to be done with him.

Comments:

On the basis of this narration, Imam Ash-Shāfi‘ī, Imam Ahmad, Ishaq and Az-Zāhriyyah all say that after the death of a *Muhrim* the deceased remains in the state of *Ihrām*, therefore, his head should not be covered, and no perfume should be sprinkled on his body or coffin. This is the correct view that emerges from the narration.

Chapter 106. What Has Been Related About: If The *Muhrim*’s Eyes Bother Him Then He May Use A Bandage With Aloes

952. Nubaih bin Wahb narrated that ‘Umar bin ‘Ubaidullāh bin Ma’mar was complaining about his eyes while he was a *Muhrim*. He asked Abān bin ‘Uthmān about it and he said: “Bandage it with some aloes, for I heard ‘Uthmān bin ‘Affān mentioning that the Messenger of Allāh ﷺ said: ‘Bandage it with aloes.’” *(Sahih)*

Abū ‘Eisā said: This *Hadith* is

God says: "إِغْلِبْوَهُ بَيْنَاهُ وَسِدْرَ وَكِفْنُوهُ فِي نُؤُبِّهِ وَلَا تَحْمِرْوا رَأِسَهُ، فَإِنَّهُ لَيُغْلِبْ يَوْمَ الْقِيَامَةِ يَهْلُكُ أوْ يُثْبَثُ."

He said: This narration is *Sahih*. It is the saying of Sufyān Ath-Thawrī, Ash-Shāfi‘ī, Ahmad, and Ishaq. Some of the people of knowledge said that when the *Muhrim* dies his *Ihrām* ends, and what is to be done with a non- *Muhrim* is what is to be done with him.

تخريج: متفق عليه، وأخرجه مسلم، الحج، باب ما يفعل بالمحرم إذا مات، ح: 1806 من حديث عمر بن دينار به.
Chapter 107. What Has Been Related About What Is Required From A Muhrim Who Shaves His Head While In Ihrãm

953. ‘Abdur-Rahmãn bin Abã Laila narrated from Ka'b bin ‘Ujrah that the Prophet Û passed by him while he was at Al-Hudaibiyah, before entering Makkah, and he was a Muhrim. He had lit a fire under a cooking pot and lice were falling all over his face. So he (the Prophet) said: “Have these lice of yours troubled you?” He said: “Yes.” He said: “Shave and feed six of the poor with a Faraq” and a Faraq is three Sã‘ – “or fast three days, or slaughter a sacrifice.” Ibn Abã Najãh (one of the narrators) said: “Or slaughter a sheep.” (Saḥîh)

Abû ‘Eisã said: This Hâdîth is Hasan Saḥîh.

This is acted upon according to the people of knowledge among the Companions of the Prophet Û and others. When a Muhrim shaves [his head], or wears some clothing
that he is not supposed to wear during his *Ihram*, or he uses perfume, then he has to pay an atonement similar to what was mentioned by the Prophet ﷺ.

**Comments:**
If a *Muhrim* has a problem with his head, and needs to shave his head, all agree that he can do it, but have to pay the penalty. He will have to either slaughter an animal, or fast for three days, or feed six poor persons.

Chapter 108. What Has Been Related About Giving Permission For The Shepherds To Stone A Day And Leave (Stoning) A Day

954. Abī Al-Baddāh bin ‘Adī narrated from his father: “The Prophet ﷺ permitted the shepherds to stone a day and leave a day.” (Ṣaḥīḥ)

Abū ‘Eisā said: This is how Ibn ‘Uyainah reported it. Mālik bin Anas reported it from ‘Abdullāh bin Abī Bakr, from his father, from Abū Al-Baddāh bin ‘Āsim bin ‘Adī from his father. The narration of Mālik is more correct.

There are those among the people of knowledge who permitted the shepherds to stone a day and leave (stoning for) a day, and this is the view of Ash-Shāfi‘ī.
Comments:

Spending the night in Minā is Sunnah according to Imām Abū Ḥanifah and Imām Aḥmad. If the night is not spent in Minā, it is disliked and disapproved, but there is no penalty for it. (Al-Mughni v. 5. p.325) According to Imām Mālik and Ash-Shāfi’ī, spending the night in Minā is obligatory.

955. Abī Al-Baddãh bin ‘Āsim bin ‘Adi narrated from his father: “The Messenger of Allāh  permitted the camel herders who were in the camp (at Minā) to stone on the Day of An-Nahr then to gather the stoning of two days after the Day of An-Nahr, so that they stoned them during one of them.” Mālik said: “I think that he said about the first of them: ‘Then they should stone on the day of departure.’” (Ṣahīh)

(He said:) This Ḥadīth is Ḥasan Ṣahīh, and it is more correct than the narration of Ibn ‘Uyainah from ‘Abdullāh bin Abī Bakr.

Comments:

Most of the scholars agree, and their point of view is that the stoning of the 11th and 12th of Dhul-Hijjah (Ma`ārif v. 6. p. 410.) and then one can be combined on one of those days, stones again on the 13th of Dhul-Hijjah. Imām Khattābī has quoted this from Imām Mālik and Imām Shāfi’ī.

Chapter 109. (For A Man To Begin The Talbiyah As The Prophet Did)

956. Anas bin Mālik narrated: “When ‘Alî returned to the Messenger of Allāh  from Yemen he said: ‘For what did you intended the Talbiyah?’ He replied: ‘I intended the Talbiyah for what
Abū ‘Eisā said: This Ḥadīth is Hasan (Ṣahīh) Gharib from this route.

Comments:

Imām Ibn Qudāmah writes that assuming unspecified Ḥārām, and to follow some other one’s Ḥārām is approved. There is no difference of opinion in it. (Al-Mughnī v. 5. p. 97.)

Chapter 110. What Has Been Related About The Day Of Al-Ḥajj Al-Akbar

957. ‘Alī narrated: “I asked the Messenger of Allāh  about the day of Al-Ḥajj Al-Akbar and he said: ‘The Day of An-Nahr.’” (Ṣahīh)

He did not narrate it in Marfū‘ form and this is more correct than the first Ḥadīth. The Mawqūf narration of Ibn ‘Uyainah is more correct than the Marfū‘ narration of Muhammad bin ʿIshāq.

Abū ‘Eisā said: This is how it was
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reported by more than one of the Huffaz from Abū Ishāq, from Al-Hārith, from ‘Ali, in Mawqūf form. (Shu‘bāh reported it from Abū Ishāq who said: “from ‘Abdullāh bin Murrah, from Al-Hārith, from ‘Ali, in Mawqūf form.)

Comments:

There is difference of opinion in the explanation of Al-Hajj Al-Akbār. Most of the scholars say that Al-Hajj Al-Akbār means Al-Hajj and ‘Umrah is called Al-Hajj Al-Aṣghar. The Day of An-Nahr is named Al-Hajj Al-Akbār because many of the Hajj segments are performed on this day like, a) stoning the Jamrah. b) shaving the head or cutting the hair. c) sacrifice of the animal and d) Tawāf Al-Ifadah. (Tuhfat Al-Ahwadhi v. 2 p. 122.)

Chapter 111. What Has Been Related About Touching The Two Corners

959. Ibn ‘Ubaid bin ‘Umair narrated from his father: “Ibn ‘Umar was clinging on the two corners (in a manner that I had not seen any of the Companions of the Prophet doing) so I said: ‘O Abū ‘Abdur-Raḥmān! You are clinging on the two corners in a manner that I have not seen any of the Companions of the Prophet clinging.’ So he said: ‘I do it because I heard the Messenger of Allāh saying: “Touching them atones for sins.” And I heard him saying: “Whoever performs Tawāf around this House seven times and he keeps track of it, then it is as if he freed a slave.” And I heard him saying: “One foot is not put down, nor another raised except that Allāh removes a sin from him and records a good merit for him.”’ (Hasan)
Abū ‘Eisā said: Hammād bin Zaid reported similar from ‘Atā’ bin As-Sā‘ib, from Ibn ‘Ubaid bin ‘Umar, from Ibn ‘Umar. But he did not mention “from his father” in it.

(Abū ‘Eisā said: This Hadīth is Hasan).

Comments:
While touching the Black Stone, it is not proper to make it difficult for others to reach it, or pushing others, to make room for oneself. In this narration Ibn ‘Umar’s answer means that he is not harming or hitting anybody, nor he is not creating trouble for others.

Chapter 112. What Has Been Related About Talking During Ṭawāf

960. Ibn ‘Abbās narrated that the Prophet ﷺ said: “Ṭawāf around the House is similar to Ṣalāt except that you talk during it. So whoever talks in it, then let him not say but good.” (Hasan)

Abū ‘Eisā said: This Hadīth has been reported from Ibn Tawūs and others, from Tawūs, from Ibn ‘Abbās in Mawqūf form. We do not know of it being Marfu‘ except in the narration of ‘Atā’ bin As-Sā‘ib.

This is acted upon according to most of the people of knowledge. They consider it recommended that a man not speak during Ṭawāf except when necessary, or for remembrance of Allāh, or when it is regarding knowledge.

Comments:
While touching the Black Stone, it is not proper to make it difficult for others to reach it, or pushing others, to make room for oneself. In this narration Ibn ‘Umar’s answer means that he is not harming or hitting anybody, nor he is not creating trouble for others.
Chapter 113. What Has Been Related About The Black Stone

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Comments:

According to this narration, Tawaf is an ‘Ibadah like Salāt, so one should perform Tawaf after making ablution and the woman should not cover their faces and palms just as in the case of Salāt.

Chapter 113. What Has Been Related About The Black Stone

961. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ said about the (Black) Stone: “By Allāh! Allāh will raise it on the Day of Resurrection with two eyes by which it sees, and a tongue that it speaks with, testifying to whoever touched it in truth.” (Hasan)

Abū ‘Eisā said: This is a Hasan Hadith.

Comments:

This narration shows that the Black Stone, which apparently appears to be a simple piece of stone, will be granted the ability to testify for those who touch it.

Chapter 114. The Muhrim Who Had Some Oil Applied

962. Ibn ‘Umar narrated: “The Prophet ﷺ would apply oil that is not scented (Ghair Muqattat) while he was a Muhrim.” (Dai’f)

Abū ‘Eisā said: Muqattat means scented.

(Abū ‘Eisā said:) This Hadith is Gharib, we do not know of it except as a narration of Farqad As-
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Sabakhi from Sa’eed bin Jubair. Yahya bin Sa’eed has criticized Farqad As-Sabakhi, and (other) people report from him.

Comments:
It is unanimously agreed upon that while in a state of Ihram it is prohibited to use any kind of perfume or perfumed oil.

Chapter 115. What Has Been Related About Carrying Zamzam Water

963. Hisham bin ‘Urwah narrated from his father about ‘Aishah, that she would carry some Zamzam water, and she would say: “Indeed the Messenger of Allah would carry it.” [1]

Abu ‘Eisa said: This Hadith is Hasan Gharib, we do not know of it except from this route.

Comments:
This narration shows that taking Zamzam water to other places is Sunnah.

Chapter 116. Where To Perform The Zuhr Prayer On The Day Of Tarwiyyah

964. ‘Abdul-‘Aziz bin Rufai’ narrated: “I said to Anas bin...”

[1] That is, to take some of it when leaving Makkah.
[2] Meaning; carrying it home, or taking some of it when leaving.
[3] That is, the eighth of Dhul-Hijjah.
Malik: ‘Narrate something to me that you understand about where the Messenger of Allâh ﷺ performed Zuhr on the Day of Tarwiyah.’ He said: ‘In Minã.’” “I said: ‘So where did he pray ‘Asr on the day of departure?’ He said: ‘In Al-Abtãh.’ Then he said: ‘Do what your leaders do.’” (Sahîh)

Abû ‘Eisã said: This Hadîth is Hasan Sahîh, but it is considered Gharîb as a narration of Ishâq (bin Yûsuf) Al-Azadî from Ath-Thawrî.

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Chapter 1. What Has Been Related About Reward For The Sick

965. ‘Aishah narrated that the Messenger of Allâh ﷺ said: “The believer is not afflicted by the prick of a thorn or what is worse (or greater) than that, except that by it, Allâh raises him in rank and removes sin from him.” (Sahih)

(He said:) There are narrations on this topic from Sa‘eed bin Abî Waqqâs, Abû ‘Ubaydah bin Al-Jarrâh, Abû Hurairah, Abû Umãmah, Abû Sa‘d, Anas, ‘Abdullâh bin ‘Amr, Asad bin Kurz, Jâbir bin ‘Abdullâh, ‘Abdur-Rahmân bin Azhar, and Abû Mûsã.

Abû ‘Eisã said: The Hadith of ‘Aishah is a Hasan Sahih Hadith.

Comments:
In this narration, pain or suffering greater or less than a prick of a thorn, means even small pain or suffering.
Abū Sa‘eed Al-Khudri (may Allah be pleased with him) narrated that the Messenger of Allah ﷺ said: “Nothing afflicts the believer, whether fatigue, grief, disease – even a worry that concerns him – except that by it, Allah removes something from his bad deeds.” (Sahih)

Abū ‘Eisā said: This Hadith about this topic is Hasan.

He said: I heard Al-Jārūd saying: “I heard Wākī saying that it had not been heard that worry was an atonement except in this narration.”

He said: Some of them narrated this Hadith from ‘Ātā’ bin Yāsār, from Abū Hurairah (may Allah be pleased with him), from the Prophet ﷺ.

Comments:

Any type of pain or suffering for a Muslim is not merely pain or grief, but it is also a cause of Allah’s blessing. Due to this pain or suffering, sins are forgiven and the status in Paradise is elevated.

Chapter 2. What Has Been Related About Visiting The Sick

967. Thawbān narrated that the Prophet ﷺ said: “Indeed the Muslim remains in the Khurfah (harvest) of Paradise while he visits his brother Muslim.” (Sahih)

There are narrations on this topic from ‘Alī, Abū Mūsā, Al-Barā’, Abū Hurairah, Anas, and Jābīr.

Abū ‘Eisā said: The *Hadith* of Thawbân is *Hasan* (*Sahih*). Abū Ghifār and ‘Aṣīm Al-Ahwâl reported this *Hadith* similarly, from Abū Qilâbah from Abū Al-Ash’ath, from Abū Asmâ’, from Thawbân, from the Prophet ﷺ.

He said: I heard Muḥammad saying: “Whoever reported this *Hadith* from Abū Al-Ash’ath, from Abū Asmâ’, then he is more correct.” Muḥammad said: “The *Ahâdith* of Abū Qilâbah are only from Abū Asmâ’, except for this *Hadith*; to me, it is from Abū Al-Ash’ath, from Abū Asmâ’.

**968. (Another chain) from Thawbân who narrated that the Prophet ﷺ said similarly, but he added in it: “They said: ‘What is the Khurfah of Paradise?’ And he said: “Its harvest.” (*Sahih*)**

(Another chain) from Thawbân who narrated that the Prophet ﷺ said it, and it is similar to the narration of Khâlid (no. 967) but he did not mention “from Al-Ash’ath” in it.

(Abū ‘Eisā said:) Some of them narrated it through Hammad bin Zaid, but not in *Marfu‘* form.
When a Muslim goes to visit some sick person he gets reward from Allāh ﷻ. Each of his steps brings him reward from Allāh ﷻ.

969. Thuwar [and he is Ibn Ābī Fakhīthah] narrated that his father said: “Āli took me by the hand and said: ‘Come with us to pay a visit to Al-Ḥasan.’ So we found that Ābū Mūsā was with him. ‘Āli – peace be upon him – said: ‘O Ābū Mūsā! Did you come to visit (the sick) or merely (stop by to) visit?’ He said: ‘No, to visit (the sick).’ So ‘Āli said: ‘I heard the Messenger of Allāh ﷺ saying: “No Muslim visits (the sick) Muslim in the morning, except that seventy-thousand angels send Ṣalāt upon him until the evening, and he does not visit at night except that seventy-thousand angels send Ṣalāt upon him until the morning, and there will be a garden for him in Paradise.”’ (Da‘if)

Ābū ‘Eisā said: This Ḥadīth is Gharīb Hasan. This Ḥadīth has been reported from ‘Āli by other routes, among those who narrated it in Mawqūf not Marfu‘ form. Ābū Fakhīthah’s name is Sa‘eed bin ‘Ilaqah.

Comments:

When a Muslim goes to visit a sick person and consoles him and says some good words to solace his feelings he gets reward from Allāh ﷻ.
Chapter 3. What Has Been Related About The Prohibition Against Wishing For Death

970. Ḥārithah bin Muḍarrīb said: “I entered upon Khabbāb and he had been cauterized on his stomach. He said: ‘I do not know of any of the Companions of the Prophet who met with the trial I have met with. Indeed I could not find a Dirham during the time of the Prophet, and (now) outside my house there are forty thousand. If it were not that the Messenger of Allāh forbade us’ – or: ‘forbade’ – ‘from wishing for death, then I would wish for it.’” (Sahih)

There are narrations on this topic from Abū Hurairah, Anas and Jābīr. Abū ‘Eisā said: The Hadith of Khabbāb is a Hasan Sahih Hadith. It has been reported from Anas bin Mālik, that the Prophet said: “None of you should wish for death because of a calamity that has befallen him. Let him say: (Allāhumma ahyini mā kānati-l-ḥayātū khairan li, wa tawaffīni id'id kānati-l-wafatū khairan li.) ‘O Allāh! Let me live as long as life is better for me, and take my life if death is better for me.’”

Comments:
Praying for death is a sign of weakness of faith in Allāh. In the times of difficulties and hardships, being patient brings reward from Allāh and it is a cause of increase of status in Paradise.
Chapter 4. What Has Been Related About Seeking Refuge For The Sick

972. Abu Sa'eed narrated that Jibril came to the Prophet ﷺ and said: “O Muhammad! Are you suffering?” He said: “Yes.” He said: “In the Name of Allah, I recite a prayer (Ruqyah) over you, from everything that harms you, from the evil of every person and evil eye. In the Name of Allah I recite a prayer (Ruqyah) over you, may Allah cure you.” (Sahih)

973. ‘Abdul-'Aziz bin Suhaib said: “Thabit Al-Bunain and I entered upon Anas bin Malik, and Thabit said: ‘O Abu Hamzah! I am suffering from an illness. So Anas said: ‘Shall I not recite the Ruqyah of the Messenger of Allah over you?’ He said: ‘Why, yes.’ He said: ‘O Allah! Lord of mankind, remove the harm, and cure (him). Indeed You are the One Who cures, there
is none who cures except you, a cure that leaves no disease.’”

(Sahih)

(He said:) There are narrations on this topic from Anas and ‘Aishah.

Abū ‘Eisā said: The Hadith of Abū Sa‘eed is a Hasan Sahih Hadith.

He said: I asked Abū Zur‘ah about this Hadith. I said to him: “Is the narration of ‘Abdul-‘Azīz from Abū Naḍrah, from Abū Sa‘eed more correct, or, the narration of ‘Abdul-‘Azīz from Anas?” He said: “Both of them are Sahih.” (Another chain) from Anas.

Comments:

These narrations prove that health is from Allāh and being healthy or sick, in every condition, and in every situation, one has to pray to Allāh alone, as only Allāh cures the sick. Offering to recite Ruqyah for someone is not prohibited and it is not against faith.

Chapter 5. What Has Been Related That Encourages The Will

974. Ibn ‘Umar narrated that the Messenger of Allāh ﷺ said: “A Muslim man has no right to spend two nights while he has something to will, except while his will is recorded with him.” (Sahih)

(He said:) There are narrations on this topic from Ibn Abī Awfā.

Abū ‘Eisā said: The Hadith of Ibn ‘Umar is a Hasan Sahih Hadith.
It is agreed upon that if someone has some entrusted things of others, or he is indebted, or he owes something to anyone, he must write a will. If he does not owe anything to anyone, then it is not necessary to write a will.

Chapter 6. What Has Been Related About A Will For Third And A Fourth

975. Sa'd bin Malik said: “The Messenger of Allāh ﷺ came to visit me while I was sick. He said: ‘Do you have a will?’ I said: ‘Yes.’ He said: ‘For how much?’ I said: ‘All of my wealth, for the cause of Allāh.’ He said: ‘What did you leave for your children?’” He (Sa’d) said: “They are rich in goodness.” He said: ‘Will a tenth.’” He (Sa’d) said: “He continued decreasing it until he said: ‘Will a third, and a third is too great.’” (One of the narrators:) ‘Abdur-Rahmān said: “We considered it recommended that it be less than a third, since the Messenger of Allāh ﷺ said: ‘And a third is too great.’” (Ṣaḥīḥ)

(He said:) There is something on this topic from Ibn ‘Abbās.

Abū ‘Elsā said: The Ḥadīth of Sa’d is a Ḥasan Sahīh Ḥadīth. It has been reported from him through other routes, and it has been reported that he said: “too great” and it has been reported as: “too much.”

This is acted upon according to the people of knowledge, they do not think that a man should will more than a third, and they consider it (المعجم ٦ - باب مِجاهِينِی فِی الْوَصَیْةِ)
recommended that it be less than a third. Sufyān Ath-Thawrī said: “They consider it recommended that a will be for a fifth rather than a fourth, and a fourth rather than a third. And that whoever willed a third, then he has not missed anything, and that no more than a third is allowed for him.”

Comments:
One can bequeath up to one third of his total property. If he bequeaths less than that, it is commendable. According to the Ahnaf, if the deceased has no heir, he can bequeath more than one third of his total property. (Rad ‘Alā! - Mukhtar v.6. p. 652) Most of the scholars hold that to bequeath more than one third is not approved or lawful. (Ṣāḥīḥ Muslim v. 2. p. 39.)

Chapter 7. What Has Been Related About Instructing The Sick When Dying And Supplicating For Him

976. Abū Sa‘eed Al-Khudrī narrated that the Prophet said: “Instruct your dying to say: (La Ilāha illallah.) ‘None has the right to be worshipped but Allah’ (Ṣāḥīḥ).
(He said:) There are narrations on this topic from Abū Hurairah, Umm Salamah, ‘Āishah, Jābir, Su’dā Al-Murriyyah the wife of Ṭalḥah bin ‘Ubaidullāh.
Abū ‘Eisā said: The Ḥadīth of Abū Sa‘eed is a Gharīb Ḥasan Ṣāḥīḥ Ḥadīth.
977. Umm Salamah narrated: “The Messenger of Allâh ﷺ said to us: ‘When you attend to the sick or dying then say only good, for indeed the angels say “Amin” to what you say.’” She said: “When Abû Salamah died I went to the Prophet ﷺ and said: ‘O Messenger of Allâh! Abû Salamah has died.’ He said: ‘Then say: “O Allâh forgive me and him, and give me a good replacement for him.”’ She said: “I said that, and Allâh gave a replacement that was better than him: The Messenger of Allâh.” (Sahîh)

Abû ‘Eisâ said: Shaqiq (one of the narrators) is Ibn Salamah, Abû Wâ’il Al-Asadi.

Abû ‘Eisâ said: The Hadîth of Umm Salamah is a Hasan Sahîh Hadîth. It is recommended to instruct the sick at the time of death to say Lâ Ilãha Ilallâh.

Some of the people of knowledge said that when he says that one time, as long as he does not say anything after that then there is no need to coax him again nor get him to say more. It has been reported from Ibn Al-Mubârak that when he was in the near his death a man began to coax him to say Lâ Ilãha Ilallâh and to say it many times. So ‘Abdullah said to him: “When I say it one time, that is enough as long as I do not talk afterwards.” ‘Abdullah was referring to what has
been reported from the Prophet ﷺ, saying: “Whoever’s last words are لَا إِلَٰهَ إِلَّاَنَا، he will enter Paradise.”

Comments:

Whoever goes to visit a sick person, he should pray for his health, and whoever goes to visit or participate in a funeral of someone, he should pray for forgiveness and blessings of Allâh ﷻ for the deceased, because when someone asks for Allâh’s blessings, the angels say ‘Amin.’ On such occasions one should not talk about useless matters.

Chapter 8. What Has Been Related About The Severity Of Death

978. ‘A’ishah narrated: “I saw the Messenger of Allâh ﷺ while he was dying. He had a cup with water in it, he put his hand in the cup then wiped his face with the water, then said: ‘O Allâh! Help me with the throes of death and the agony of death.’” (Hasan)

Abû ‘EIsâ said: This Hadith is (Hasan) Gharib.

Comments:

Gamarât and Sakar are plurals of Gamarah and Sakarah respectively, and both mean throes and agony of death.

979. ‘Aîshah narrated: “I was not envious of anyone whose death was easy after I saw the severity the
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He said: I asked Abu Zur‘ah about (one of the narrators of) this Hadîth, saying to him: “Who is ‘Abdur-Rahmân bin Al-‘Alâ’?” He said: “He is Ibn Al-‘Alâ’ bin Al-Lajlaj” and I only know of it from this route.

Comments:
The painful death or severity of illness is not a sign of bad or evil in the Hereafter and easy death or painless illness is not a sign of good reward in the Hereafter.


They said: “And what is the death of the donkey?” He said: “A sudden death.”] (Dařf)

Comments:
The Prophet [sa] sought exclusion from sudden death because in such a death there is no chance of asking Allâh’s forgiveness.

[1] Meaning, if an easy death was a good thing then the Prophet [sa] was the most worthy of people to have an easy death. So I do not consider it bad that someone experiences the severity of death, nor do I envy anyone who dies without such severity. See Tuhfat Al-Ahwadhi.
Chapter 9. Regarding The Virtue Of Good Deeds At The Ends Of The Day And The Night

981. Anas bin Malik narrated that the Messenger of Allâh ﷺ said: “There is nothing that the two Guardian Angels raise to Allâh that they have preserved in a day or night, and Allâh finds good in the beginning of the scroll and in the end of the scroll, except that Allâh Most High says: ‘Bear witness that I have forgiven my servant for what is included in the scroll.’” (Da'if)

Comments:
This narration is a clear proof that a Muslim who’s deeds in the start and at the end of the day are good and in accordance with the divine law, his bad deeds of the middle day are forgiven and pardoned. That is to say, it can be inferred from this narration that when the deeds in the beginning of the day and in the end of the day are in accordance to Islamic faith, then he is forgiven.

Chapter 10. What Has Been Related About Dying With Sweat On Ones Brow
982. ‘Abdullåh bin Buraidah narrated from his father, that the Prophet ﷺ said: “The believer dies with sweat on his brow.” (Saîhîh)

(He said:) There is something on this topic from Ibn Mas'ûd.
Abû 'Eisa said: This Hadîth is Hasan, and some of the people of Hadîth said: “We do not know that Qatadah heard from ‘Abdullåh bin Buraidah.”
The life of a Muslim is a continuous struggle for legitimate and lawful earnings and subsistence, and he strives for righteousness and regularly observes religious commands.

At the time of death sweat on the brow is a sign of being true Muslim (Tuhfat Al-Ahwadhi. 2. p. 128 and At-Ta‘liqat As-Salafiyyah ‘Ala An-Nasa‘i.

Chapter 11. Hope In Allâh And Fear Of Ones Sins In The Presence Of Death

983. Thabit narrated from Anas, that the Prophet entered upon a young man while he was dying. So he said: “How do you feel?” He said: “By Allah! O Messenger of Allâh! Indeed I hope in Allâh and I fear from my sins.” So the Messenger of Allâh said: “These two will not be gathered in a worshipper’s heart at a time such as this, except that Allâh will grant him what he hopes and make him safe from what he fears.” (Hasan)

Abû ‘Eisâ said: This Hadîth is Hasan Gharib. Some of them have reported this Hadîth in Mursal form from Thabit from the Prophet.


Say: ‘Healing the heart’ is a continuous struggle for legitimate and lawful earnings and subsistence, and he strives for righteousness and regularly observes religious commands. At the time of death sweat on the brow is a sign of being true Muslim (Tuhfat Al-Ahwadhi. 2. p. 128 and At-Ta‘liqat As-Salafiyyah ‘Ala An-Nasa‘i.

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Comments:
‘Fear’ and ‘Hope’ are two essential parts of a Muslim’s belief. When he views his sins, he is afraid of accountability, and tries to keep himself away from sins, and when he looks at the grace and bounty of Allah, he is hopeful of forgiveness.

Chapter 12. What Has Been Related About It Being Disliked To Announce One’s Death (An-Na’ī)

984. ‘Abdullāh narrated that the Prophet said: “Beware of An-Na’ī, for indeed announcing one’s death is from the deeds of Jahiliyyah.” (Daʿīf)
‘Abdullāh said: “An-Na’ī is announcing of one’s death.” There is something about this from Hudhaifah.

985. (Another chain) from ‘Abdullāh (from the Prophet similar (to no 984), but he did not narrate it in Marfu’ form, and he did not mention in it: “An-Na’ī is announcing of one’s death.” (Daʿīf)
(Abū ‘Eisā said:) This is more correct than the narration of ‘Anbasah from Abū Ḥamzah (no. 984). Abū Ḥamzah is Māmūn Al-A’war, and he is not strong according to the people of Ḥadīth.
Abū ‘Eisā said: The Ḥadīth of ‘Abdullāh is a (Hasan) Gharīb Ḥadīth. Some of the people of knowledge disliked An-Na’ī. To them, An-Na’ī is when it is announced among the people that
so-and-so has died, so that they can attend his funeral. Some of the people of knowledge said that there is no harm in a man informing his relatives and his brethren. It has been related that Ibråhîm said: “There is no harm if a man informs his relatives.”

986. Bilāl bin Yahya Al-‘Anbasi narrated that Ḥudhaifah (bin Al-Yamân) said: “When I die do not announce about me to anyone, indeed I fear that it would be An-Na‘î, and I heard the Messenger of Allah 40 prohibiting from An-Na‘î.” (Da‘îf)

This Ḥadîth is Hasan [Sahîh].

Comments:

An-Na‘î means to give or announce the information of someone’s death as the Prophet Ḥ announced the news of An-Najashi’s death or the news of Zaid and Ja‘far’s deaths. There are three aspects of such announcements.

1. To inform the relatives and friends etc., this type of announcement is allowed.

2. To inform the people and invite them as a symbol of pride and status. This is an unbecoming thing and it is disapproved.

3. Announcement of the death in a way as the people used to do in the period Jâhiliyyah. This type of announcement is of two types. A) In the era of Jâhiliyyah when a rich or a person of status died, they used to send a person to different tribes to announce his death with the beat of the drum. B) When a person of status or a rich person dies, they used to call the lamenting women who would cry on the death and would pronounce the important deeds of the deceased. This kind of announcement of death was for the sake of pride and vanity. This is prohibited. Just informing the friend and relatives is allowed. (Tuhfat Al-Ahwadhi v. 2 p129 and Faṣî Al-Bârî v. 3 p. 151.)
Chapter 13. What Has Been Related About Patience Is To Be Observed At The First Stroke Of The Calamity

987. Anas narrated that the Messenger of Allâh ﷺ said: “(Real) Patience is at the first stroke of the calamity.” (Hasan)
Abû ‘Eisâ said: This Hadîth is Gharîb from this route.

988. Anas bin Mâlik narrated that the Messenger of Allâh ﷺ said: “(Real) Patience is at the first stroke of the calamity.” (Sahîh)
Abû ‘Eisâ said: This Hadîth is Hasan Sahîh.

Comments:
Real patience and tolerance is at the first stroke of the calamity because the time heals the shock and one cannot remain in a state of wailing and mourning all the time. A believer who submits to the decision of Allâh ﷺ is always patient.

Chapter 14. What Has Been Related About Kissing The Dead

989. Al-Qâsim bin Muḥammad narrated from ‘Aīshah: “The Prophet ﷺ kissed ‘Uthmân bin Maz‘ûn when

he died, and he was crying.” Or, he (one of the narrators) said: “His eyes were brimming with tears.”

(Da‘if)

There are narrations on this topic from Ibn ‘Abbās, Jābir, and ‘Aīshah, they said that Abū Bakr kissed the Prophet when he died.”

Abū ‘Eisā said: The Hadīth of ‘Aīshah is a Hasan Sahih Hadīth.

Comment:

A Muslim is chaste, pure and clean during his life, and remains in the same state after his death. It is agreed upon that out of love and out of honor, kissing a deceased person is allowed as Abū Bakr kissed the Prophet when he died and no one objected to his action.

Chapter 15. What Has Been Related About Washing The Dead

990. Umm ‘Aṭiyahah narrated: “One of the daughters of the Prophet died, so he said: ‘Wash her an odd number of times; three, or five, or more than that as you see fit. Wash her with water and Sidr, and in the last (washing) add camphor, or something from camphor. When you are finished then inform me.’ When we finished we informed him so he gave us his waist-sheet and said: ‘Wrap her in it.’” (Ṣaḥīḥ)
one of them – she said: ‘We entwined her hair in three braids.’”

Hushaim said: “I think he said: ‘We put them (braids) behind her (head).’” Hushaim said: “Khālid narrated to us, among the people, that Ḥafṣah, and Muhammad (narrated) that Umm ‘Atiyah said: ‘And we began with the right side and the places of Wudu.’”

And there is something about this topic from Umm Sulaim.

Abū ‘Eisā said: The Ḥadith of Umm ‘Atiyah is a Ḥasan Ṣahih Ḥadith.

This is acted upon according to the people of knowledge. It has been reported that Ibrāhīm An-Nakha’ī said: “Ghusl for the dead is like Ghusl for Janābah.” Mālik bin Anas said: “To us, there is no fixed number of times for the washing, and similarly, there is no well known description, rather it is done to clean.” Ash-Shāfī‘ī said: “In summary, Mālik’s view is that it is done for washing and cleaning, and when the dead is cleaned (once) by clear water, or other water, then such washing is sufficient. But to me it is better to wash him three times or more, and that one not be washed less than three times, since the Messenger of Allāh ﷺ said: ‘Wash her three or five (times).’” If they clean with less than three times, it will be acceptable. And, he did not think that the saying of the Prophet ﷺ meant to clean three or five times, so he did not consider the number of times binding.”
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And this is what the Fuqahā’ said, and they are more knowledgeable about the meaning of the Hadīth. Ahmad and Ishâq said that the washings are to be done with water and Sîdr, and some type of camphor is to be used in the last washing.

Comments:

It is necessary and essential to give a bath to the deceased properly and according to Islamic law, then the deceased should be shrouded and buried after performing the funeral prayer.

Chapter 16. What Has Been Related About Using Musk When Washing The Dead

991. Abū Sa‘eed Al-Khudrī narrated that the Messenger of Allah ﷺ said: “The best scent is the perfume of musk.” (Ṣaḥīh)

Abū ‘Eisā said: This Hadīth is Hasan Ṣaḥīh.

992. Abū Sa‘eed narrated that the Prophet ﷺ was asked about musk and he said: “It is the best of your perfumes.” (Ṣaḥīh)

Abū ‘Eisā said: This Hadīth is Hasan Ṣaḥīh. This is acted upon according to some of the people of knowledge. It is the view of Ahmad and Ishâq. Some of the people of
knowledge disliked using musk for the dead.

He said: Al-Mustamirr bin Ar-Rayyān also reported it from Abū Naṣrah, from Abū Sa‘eed, from the Prophet ﷺ.

‘Ali said: “Yahya bin Sa‘eed said: ‘Al-Mustamirr bin Ar-Rayyān is trustworthy.’ Yahya said: ‘Khulaid bin Ja‘far is trustworthy.’”[1]

Comments:

Perfuming the deceased is Sunnah and musk is the best perfume. Its use is lawful and approved. If camphor is available it should be preferred.

Chapter 17. What Has Been Related About Performing Ghusl For The One Who Has Washed The Deceased

993. Abū Hurairah narrated that the Prophet ﷺ said: “Ghusl for one who washed him, and Wudū’ for one who carried him.” (Sahih)

Meaning the deceased.

(He said:) There are narrations on this topic from ‘Ali and ‘Aishah.

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith. It has been reported in Mawqūf form from Abū Hurairah.

The people of knowledge have differed in the case of one who has washed the deceased. Some of the people of knowledge among the Companions of the Prophet ﷺ and others said that when one washes the deceased, then he is required to perform Ghusl. Some of them said that he is required to perform Wudū’.

[1] He is a narrator for nos. 991 and 992.
Malik bin Anas said: “Ghusl is recommended for the one who washed the deceased, and I do not think that it is required.” This is what Ash-Shafi’i said. Ahmad said: “Whoever washes the deceased, I believe that it is not required for him to perform Ghusl, as for Wuḍū’ it is the least of what they say (is required) about it.” Ishāq said: “He must perform Wuḍū’.”

(He said:) It has been reported that ‘Abdullâh bin Al-Mubârâk said: “Neither Ghusl nor Wuḍū’ are required for the one who washed the deceased.”

Comments:
The Four A’immah and most of the people agree upon this issue, that taking a bath after washing the deceased is not obligatory, but if a bath is taken it is good and making ablution is essential. (Sharh Al-Muhadhdhab. v.5. p.186)

Chapter 18. What Has Been Related About What Is Recommended For Shrouding

994. Ibn ‘Abbâs narrated that the Messenger of Allâh ḥ ﷺ said: “Wear the white among your garments, for indeed they are among the best of your garments; and shroud your dead in them.” (Hasan)

There are narrations on this topic from Samurah, Ibn ‘Umar and ‘Aishah.

Abû ‘Eisâ said: The Hadîth of Ibn ‘Abbâs is a Hasan Sahih Hadîth. The people of knowledge consider
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this recommended. Ibn Al-Mubärak said: “I prefer that he be shrouded in the clothing that he performed Şalāt in.” Ahmad and Ishāq said: “The clothing that is recommended to us – to be shrouded it – is the white (clothing), and the best of shrouds is recommended.”

Tafsīr: [Ibn Al-Husn] and Aḥmēd B. Dāwūd, the ibādah, bāb: in the ibādah, h: 4011, wāb: Māhē, h: 1752, mūn: حسابه ابن خصمه وهو صحيح، ابن مبارک بليغ: “I prefer that he be shrouded in the clothing that he performed Salāt in.” Ahmad and Ishāq said: “The clothing that is recommended to us – to be shrouded it – is the white (clothing), and the best of shrouds is recommended.”

Comments:

It is unanimously agreed that white cloth is recommended for shrouding.

(Tuhfat Al-Ahwadhi. v. 2, p. 133)

Chapter 19. Ordering The Believer To Shroud His Brother With The Best

995. Abū Qatādah narrated that the Messenger of Allāh ﷺ said: “When one of you shrouds his brother, then let him use the best of his shrouds.” (Sahih)

There is something about this from Jābir.

Abū ‘Eisā said: This Ḥadīth is Hasan Gharīb. Regarding his saying: “then let him use the best of his shrouds” Ibn Al-Mubārak said that Sallām bin (Abi) Muṭrī said: “It is the cleanest, it does not mean the most valuable.”

Nafs: [ صحيح] وآخريه ابن ماجه، الجنائز، باب ماجاه فيما ينتهي من الكفن.

ح: 1474 عن ابن بشار وله شاهد صحيح عند مسلم، الجنائز: 15، ح: 943 وخبره ﷺ وله شاهد صحيح عند مسلم، ح: 943.

What is meant by “the best” is described in the next chapter.
The deceased should be given a shroud according to the status he holds in this world. Using costly cloth for shroud is against the Sunnah. In spite of having the ability of providing a suitable shroud, giving a cheap one is also disapproved.

Chapter 20. What Has Been Related About How Many Shrouds Were Used For The Prophet ﷺ

996. Hishâm bin ‘Urwah narrated from his father that ‘Āishah said: “The Prophet ﷺ was shrouded in three white Yemeni cloths, there was no shirt nor turban among them.” He said: “So they mentioned the saying of the others to ‘Āishah, that there were two garments and a Habîr Burd.”¹ She said: ‘A Burd was brought, but they refused it and they did not shroud him in it.” (Sahih)

Abū ‘Eisâ said: This Hadîth is Hasan Sahîh.

Comments:
Using three pieces of cloth for shroud is recommended. There should be no shirt in these three pieces, though the use of a shirt as a shroud is not prohibited or disapproved. The Prophet ﷺ gave a shirt to the son of ‘Abdullâh bin Ubayy to include it in the shroud. (Sharh Al-Muhadh-dhab. v.5. p.193.)


¹ See no. 859. The Habîr Burd is a Yemeni Burd (type of garment or cloth) with designs on it. See An-Nihayah.
² A wrap made of wool or otherwise with white and black designs. See Tuhfat Al-Ahwadhi.
(He said:) There are narrations on this topic from ‘Ali, Ibn ‘Abbâs, Abdullâh bin Mughaffal, and Ibn ‘Umar.

Abû ‘Eîsâ said: The Hadîth of ‘Aîshah is a Hasan Sahîh Hadîth.

Narrations about the shroud of the Prophet differ, and the Hadîth of ‘Aîshah is the most correct of the Aḥâdîth that have been reported about shrouding the Prophet.

This is acted upon according to most of the people of knowledge among the Companions of the Prophet and others. Sûfîyân Ath-Thawrî said: “A man should be shrouded in three cloths, it can be a shirt and two wraps if one wills, or three wraps if one wills.”

One cloth is acceptable if they do not find two cloths, and two cloths is acceptable, and three is better to them for those who find them. This is the saying of Ash-Shâfi’î, Ahmad and Ishâq. They say that the woman is shrouded in five cloths.

Comments:
Three pieces of cloth are legislated for a male as it has been explained, but if three pieces of cloth are not available one piece will suffice. A female should be shrouded in five pieces of cloth, a lower wrap, shirt, two other pieces and one head cover. (Al-Mughni v. 5. p392.)
“When the news of the death of Ja’far came, the Prophet  said: ‘Prepare some food for the family of Ja’far, for indeed something has happened to them that will keep them busy.’” (Hasan)

Abû ‘Eisâ said: This Hadith is Hasan (Sahih).

Some of the people of knowledge considered it recommended to send something to the family of the deceased due to them being occupied as a result of their calamity. This is the view of Ash-Shâfi’î.

(Abû ‘Eisâ said:) Ja’far bin Khalid is Ibn Sãrrah, and he is trustworthy. Ibn Juraij reports from him.

Comments:
This narration proves that it is an obligation upon neighbors or friends to prepare food for the deceased family, because due to their own perplexed and unavoidable situation they are unable to cook food for themselves.

Chapter 22. What Has Been Related About The Prohibition Of Slapping The Cheeks And Tearing The Clothes During A Calamity

999. ‘Abdullãh narrated that the Prophet  said: “He who slaps (his) cheeks, tears (his) clothes and calls with the calls of Jahiliyyah is not one of us.” (Sahih)

Abû ‘Eisâ said: This Hadith is Hasan Sahih.
Comments:
It is natural to feel sad upon the death of a loved one and sometimes tears roll on cheeks with grief. It is but natural, and faith does not hinder the flow of sentiments. Sometimes some people go beyond the limits, they cry, they tear off their clothes; they rip out their hair, and do many other things to show their grief. It is unlawful to behave this way.

Chapter 23. What Has Been Related About It Being Disliked To Wail

1000. 'Ali bin Rabî'ah Al-Asadî said: “A man died among the Ansãr named Qarazah bin Ka'b, and he was being wailed over. So Al-Mughirah bin Shu’bah came and ascended the Minbar. He uttered thanks and praise to Allãh, and he said: “As for the gravity of wailing in Islãm, indeed I heard the Messenger of Allãh ﷺ saying: ‘The one who is wailed over is punished as long as he is being wailed over.’”

(Sahîh)

There are narrations on this topic from 'Umar, 'Ali, Abû Mûsá, Qais bin 'Âsim, Abû Hurairah, Junãdah bin Mâlik, Anas, Umm 'Atiyah, Samurah, and Abû Mâlik Al-Asha’rî.

Abû 'Eisâ said: The Hadith of Al-Mughirah is a Gharîb Hasan Sahih Hadith.

قال أبو عيسى: هذا حديث حسن صحيح.

(المعجم 23) - باب ما جاء في كرارة
النّوجه

1000 - حَدَّثَنَا أَخْمَدُ بْنُ مَنْيَعُ، حَدَّثَنَا قَرَازُ قَاَّمُ وَمُرَوَّانُ بْنُ مُعَارِيْنَةَ، وَيَرِّدُ بْنُ حَارُوْنَ عَنْ سَعِيْدٍ بْنِ يَعْمَرِيْتِيَةَ، عَنْ عَلِيٍّ اِبْنِ رَيْبَعَةَ الأَسْنَدَيْنِ، قَالَ مَاتُ رَجُلٌ مِنَ الأَنْصَارِ، يَقَالُ لَهُ قَرَّةُ بْنُ كَعْبٍ، فَقَبَضَ عَلَيْهِ فِجْاهُ الْمَغِيْرَةُ، فَقَرَأَهُ فِصْدَعُ الْمِنْبِرِ فَهَدَى الْلَّهُ وَأَتَى عَلِيٍّ وَقَالَ، مَا بَالُ النَّوْحُ فِي الْإِسْلَامِ أَمَّامٌ إِنِّي سَمِعْتُ زِينُبَةَ الْمُلْكَ يَقُولُ: «مَنْ يَنْبِئُ عَلَيْهِ غَدَّةً مَا يَنْبِئُ عَلَيْهِ.» وَفِي الْأَبَادُ عَنْ عَمْرٍ وَعَلِيٍّ وَأَبِي مُوسَى وَقَيْسٍ بْنُ غَاصِبٍ، وَأَبِي حَرِيرَةَ وَجَانِدَةُ بْنُ مَالِكٍ، وَأَبِي وَأَمْ عُبَيْدَةَ وَسُمْرَةُ وَأَبِي مَالِكٍ الأَشْعَرَيَّيْنَ، وَقَالَ أَبُو عِيسَى: خَيْبَةُ الْمَغِيْرَةِ خَيْبَةٌ غَرِيبٌ حَسَنٌ صَحِيحٌ.
On the death of a dear one weeping and crying is a sign that the deceased is loved. Sentiments of love and grief are noble feelings, but crying and wailing, doing meaningless things, and narrating false attributes of the deceased while wailing are not allowed. It is unlawful and prohibited.

1001. Abû Hurairah narrated that the Messenger of Allâh ﷺ said:
“There are four matters in my nation that are from the matters of Jahiliyyah which the people will not leave: Wailing, slandering one’s lineage, Al-‘Adwã[1] – a camel gets mange, so one hundred camels get mange – but who gave the first camel mange? And Al-Anwa’ (saying): ‘We got rain because of this or that celestial positioning.’” (Hasan)
Abû ‘Eisã said: This Ḥadîth is Hasan.

Comments:
Al-‘Adwã is an infectious disease. This statement makes it clear that the thinking of the people of Jahiliyyah was wrong and disease did not pass to another animal by itself, but goes to another animal by the will of Allâh. As the first person gets some disease with the will of Allâh, the same way the second and third get the disease by the will of Allâh.

Chapter 24. What Has Been Related About It Being Disliked To Cry Over The Deceased
1002. ‘Umar bin Al-Khattãb narrated that the Messenger of Allâh ﷺ said: “The deceased is...
punished for the crying of his family over him.” (Saḥīḥ)

There are narrations on this topic from Ibn ‘Umar and ‘Ibrāhīm bin Ḥuṣayn.

Abū ‘Eisā said: The Hadith of ‘Umar is a Ḥasan Saḥīḥ Hadith.

There are those among the people of knowledge who disliked crying over the deceased. They said: “The deceased is punished for the crying of his family over him.” So they followed this Hadith. Ibn Al-Mubārak said: “I hope that if he (i.e., the deceased) had prohibited them (from doing so) during his life, then nothing will happen to him due to that.”

1003. Mūsā bin Abī Mūsa Al-Asha‘rī narrated from his father that the Messenger of Allāh ﷺ said: “No one dies and they stand over him crying and saying: ‘O what a great man he was! O how respectful he was!’ except that two angels are appointed for him to poke him (saying): ‘Is that you?’” (Ḥasan)

Abū ‘Eisā said: This Hadith is Ḥasan Gharīb.

Comments:

Imām At-Tirmidhī has explained the narration of ‘Umar and clarified the weeping by which the deceased is punished and tortured. Crying with a loud voice, wailing and ripping out one’s hair, narrating false attributes of the
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Chapter 25. What Has Been Related About The Permission For Crying Over The Deceased

1004. Yahya bin ‘Abdur-Rahmân narrated from Ibn ‘Umar that the Prophet ﷺ said: “The deceased is punished for the crying of his family over him.” So ‘Aishah said: “May Allâh have mercy upon him. He has not lied, but he is mistaken. It is only that the Messenger of Allâh ﷺ said about a Jewish man who died: ‘The deceased is being punished and his family is crying over him.’” (Hasan)

(He said:) There are narrations on this topic from Ibn ‘Abbâs, Qarazah bin Ka‘b, Abu Hurairah, Ibn Mas‘ûd and Usâmah bin Zaid.

Abû ‘Eisâ said: The Hadîth of ‘Aishah is a Hasan Sahîh Hadîth, and it has been reported through more than one route from ‘Aishah.

The people of knowledge followed this, and they interpreted it with the Æyah: No one laden with burdens can bear another’s burden.[1]

This is the view of Ash-Shâfi‘î.

1005. Jâbîr bin ‘Abdullâh narrated: “The Prophet ﷺ took ‘Abdur-Rahmân bin ‘Awf by the hand and

went with him to his son Ibrâĥîm. He found him in his last breaths, so he took him and put him on his lap and cried. ʿAbdur-Rahmân said to him: ‘You cry? Didn’t you prohibit (your followers) from crying?’ He said: ‘No. But I prohibited two foolish immoral voices: A voice during a calamity while clawing at one’s face and tearing one’s clothes, and Shaitân’s scream.’”

And there is more that is stated in the Hadîth. (Hasan)

Abû Ṭayîb said: This Hadîth is Hasan.

1006. ‘Abdullâh bin Abî Bakr – and he is Ibn Mûhammâd bin ‘Amr bin Ḥazm – narrated from his father, that ‘Amrah informed him that she heard ʿÂishah, while it was being mentioned to her that Ibn ʿUmar had said that the deceased would be punished for the crying of the living (over him). So ʿÂishah said: ‘May Allâh forgive Abû Ṭayîb and his son Abû-Ṭayîb. He has not lied, but he has either forgotten or he is mistaken in the understanding. Rather, the Messenger of Allâh passed by a Jewish woman who was being cried over, so he said: ‘They are crying over her and she is being punished in her grave.’” (Sâhih)
Abū ʿEisā said: This Hadīth is (Hasan Ṣahīh.)

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Abū ʿEisā said: This Hadīth is (Hasan Ṣahīh.)

Tahrij: منتق عله، وأخرجه مسلم، الجنائز، باب اليمت يعذب بيكاء أهله عليه، ح: 932/

27 عن قتيلة والبخاري، ح: 1289 من حديث مالك به وهو في الموطأ: 1/1234 (بيحي) باختلاف

Comments:

ʿAishah made it clear that the Jewish woman was being punished in the grave due to her disbelief and not due to crying and lamenting over her death by her relatives.

Chapter 26. What Has Been Related About Walking In Front Of (The Deceased Being Carried For) The Funeral

1007. Sâlim narrated that his father said: “I saw the Prophet ﷺ, Abū Bakr, and ʿUmar walking in front of the funeral.” (Hasan)

1008. Sâlim bin ʿAbdullāh narrated that his father said: “I saw the Prophet ﷺ, Abū Bakr, and ʿUmar walking in front of the funeral.” (Hasan)
1009. Az-Zuhri said: “The Prophet ﷺ, Abū Bakr, and ‘Umar would walk in front of the funeral.” Az-Zuhri said: “Salīm informed me that his father would walk in front of the funeral.” (Hasan)

He said: There is something on this topic from Anas.

Abū ‘Eisā said: The Hadith of Ibn ‘Umar was reported like this from Ibn Juraij, Ziyād bin Sa’d, and others, from Az-Zuhri, from Salīm, from his father, and it is similar to the narration of Ibn ‘Uyainah.[1]

Ma’mar, Yūnus bin Yazīd, Mālik and others among the Muḥaddithūn reported it from Az-Zuhri: “The Prophet ﷺ would walk in front of the funeral.” (Az-Zuhri said: “Salīm informed me that his father would walk in front of the funeral”). All of the people of Hadith thought that the Mursal narration about this is the most correct.


Abū ‘Eisā said: Hammām bin Yahya reported this Hadith from Ziyād – and he is Ibn Sa’d – and Mansūr, Bakr, and Sufyān from Az-Zuhri, from Salīm, from his father. And the only Sufyān that

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Hammām reports from is Sufyān bin ‘Uyainah.

The people of knowledge differ over walking in front of the funeral. Some of the people of knowledge, among the Companions of the Prophet ﷺ and others, thought that walking in front of the funeral is more virtuous. This is the view of Ash-Shāfi‘ī, and Ahmad.

(He said: The Hadith of Anas on this topic is not preserved).


Comments:

Walking on any side of the funeral is allowed and lawful. All agree on this point.

1010. Anas bin Mālik narrated:

“The Messenger of Allāh ﷺ would walk in front of the funeral, as did Abū Bakr, ‘Umar, and ‘Uthmān.”

(Hasan)

(Abū ‘Eisā said:) I asked Muḥammad about this Hadith and he said: “This Hadith (is a mistake), Muhammad bin Bakr was mistaken in it. This Hadith was only reported from Yūnus, from Az-Zuhri: ‘The Prophet ﷺ, Abū Bakr, and ‘Umar would walk in front of the funeral.’ Az-Zuhri said: ‘Sālim informed me that his father would walk in front of the funeral.’” Muḥammad said: “This is more correct.”
Chapter 27. What Has Been Related About Walking Behind (The Deceased Being Carried For) The Funeral

1011. Yahya, the Imam of Banû Taimillāh, narrated from Abū Mājid from 'Abdullāh bin Mas'ūd who said: “We asked the Messenger of Allah about walking behind the funeral. He said: ‘Less than a trot.’ [1] For if he was good, then you will be hastening him to it (goodness), and if he was evil, then it is only an inhabitant of the Fire that is being taken away.” The funeral is (to be) followed. The one who precedes it shall not have the reward of those who follow it.” [2] (Daif)

Abū 'Eisā said: We do not know of this as a narration of 'Abdullāh bin Mas'ūd except from this route. (He said:) I heard Muhammad bin Ismā'il grading this narration of Abū Mājid weak. Muḥammad said: “Al-Ḥumaidī said: ‘Ibn 'Uyainah said: “Yaḥya was asked about who this Abū Mājid was. He said: “A person who appeared unexpectedly and he narrated to us.”

Some of the people of knowledge among the Companions of the Prophet and others followed this. They thought that walking behind (the funeral) was more virtuous. It was the view of Sufyān Ath-Thawrī and Isḥāq. Abū Mājid is an unknown person, he has two Ahādīth from Ibn Mas'ūd. Yaḥya,

[1] Meaning, walk quickly, but not as fast as a trot.
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the Imám of Banû Taimillâh is trustworthy. His Kunyah is Abul-Harîth, and they call him Yaḥṣa Al-Jâbir, and they also call him Yaḥṣa Al-Mujbir. He is from Al-Kūfah, Shu'bâh, Sufyân Ath-Thawrî, Abû Al-Âhwaṣ, and Sufyân bin 'Uyainah report from him.


Comments:

Accompanying a funeral is just to carry the deceased to the graveyard, and for this purpose any convenient way can be adopted.

Chapter 28. What Has Been Related About It Being Disliked To Ride Behind The Funeral

1012. Thawbân narrated: “We went with the Prophet (following) a funeral. He saw people riding so he said: ‘Are you not ashamed? Indeed Allah’s angels are on their feet, while you are on the backs of your beasts’”

(He said:) There are narrations on this topic from Al-Mughirah bin Shu'bâh and Jâbir bin Samurah.

Abû ‘Eîsâ said: The Hadîth of Thawbân has been reported from him in Mawqûf form [Muḥammad said: “The Mawqûf (version) is more correct.”]

تخريج: [إسناده ضيف] وأخرجه ابن ماجه، الجنائز، باب ماجاه في شهود الجنائز، ح: 1480 من حدث أبي بكر بن أبي مريم به، وأبو بكر ضيف: وكان قد سرق بنيه فاختلط (تقرير) *

وفي الباب عن المغيرة بن شعبة [بأتي: 1031] وجابر بن سمرة [بأتي: 1013، 1014].

Comments:

Without any genuine reason, going with a funeral on a mount is not correct (Sharh Al-Muhadh-dhab v.5. p. 279.) If someone is riding with a funeral he should remain behind the funeral.
Chapter 29. What Has Been Related About Permitting That

1013. Jābir bin Samurah narrated: “We were with the Prophet (ﷺ) (following) the funeral of Ibn Ad-Dahdah, and he was on a horse that was walking quickly, and we were around him, and he was trotting.” (Ṣahih)

Comments:
“Yatawaqqas” means trotting or walking with small steps.

1014. Jābir bin Samurah narrated: “The Prophet (ﷺ) followed the funeral of Ibn Ad-Dahdah walking, and he returned on horseback.” (Ṣahih)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣahih.

Comments:
This narration proves that returning from a funeral, after burying the dead on a mount is allowed and correct and there is no difference of opinion on this issue. (Al-Mughni v. 2. p. 397.)

Chapter 30. What Has Been Related About Haste For The Funeral (Procession)

1015. Abū Hurairah narrated that the Prophet (ﷺ) said: “Hurry up with the funeral (procession) for if it was good, you are advancing it to good, and it was evil, then you are taking it off of your necks.” (Ṣahih)

There is something on this topic from Abū Bakrah.
Abū ‘Eisâ said: The Hadîth of Abû Hurairah is a Ḥasan Ṣâḥîh Hadîth.

Comments:
Without any consideration that the deceased is a pious person or sinful and wrong doer, haste should made to prepare the body for burial and brought to the graveyard quickly without any delay.

Chapter 31. What Has Been Related About Those Killed At Uhud, and Mention of Ḥamzah

1016. Anas bin Mâlik narrated: “The Messenger of Allah ﷺ came to Ḥamzah on the Day of Uhud, he stood over him and saw that he had been mutilated. He said: Had it not been that Ṣâfiyyah would be distressed, then I would have left him to be eaten by the beasts until he was gathered on the Day of Judgement from their stomachs.”

He said: “Then he called for a Namirah to shroud him with. When it was extended over his head, it left his feet exposed, and when it was extended over his feet, it left his head exposed.” He said: “There were many dead and few cloths.” He said: “One, two and three men were shrouded in one cloth and buried in one grave.” He said: “So the Messenger of Allah ﷺ was asking which of them knew the most Qur’an, so he could put him toward the Qiblah.” He said: “So
The Messenger of Allāh ﷺ buried them and he did not perform (funeral prayers) for them.” (Daʿīf)

Abū Eisā said: The Ḥadīth of Anas is a Hasan Gharib Ḥadīth. We do not know of it as a Ḥadīth of Anas except through this route. (And An-Namirah is an old garment.)

Usāmah bin Zaid has been contradicted in this narration. Al-Laith bin Saʿd reported it from Ibn Shīhāb, from ‘Abdur-Rahmān bin Kaʿb bin Mālik, from Jābir bin ‘Abdullāh bin Zaid. And, Maʿmar reported it from Az-Zuhri, from ‘Abdullāh bin Thaʿlabah, from Jābir. We do not know of anyone who mentioned it as a narration of Az-Zuhri from Anas, except for Usāmah bin Zaid.

I asked Muḥammad about this Ḥadīth, and he said: “The Ḥadīth of Al-Laith from Ibn Shīhāb, from ‘Abdur-Rahmān bin Kaʿb bin Mālik bin Jābir is more correct.”


Abū Eīsā said: The Ḥadīth of Anas is a Hasan Gharib Ḥadīth. We do not know of it as a Ḥadīth of Anas except through this route. (And An-Namirah is an old garment.)

Usāmah bin Zaid has been contradicted in this narration. Al-Laith bin Saʿd reported it from Ibn Shīhāb, from ‘Abdur-Rahmān bin Kaʿb bin Mālik, from Jābir bin ‘Abdullāh bin Zaid. And, Maʿmar reported it from Az-Zuhri, from ‘Abdullāh bin Thaʿlabah, from Jābir. We do not know of anyone who mentioned it as a narration of Az-Zuhri from Anas, except for Usāmah bin Zaid.

I asked Muḥammad about this Ḥadīth, and he said: “The Ḥadīth of Al-Laith from Ibn Shīhāb, from ‘Abdur-Rahmān bin Kaʿb bin Mālik bin Jābir is more correct.”

Comments:

This narration is a proof that the Prophet ﷺ did not perform the funeral prayer of the martyrs of Uhud. The issue of the performing funeral prayer of martyrs will be discussed in a forthcoming chapter. Religious scholars and those who have learnt the Qurʾān by heart are honorable and respected in this world, and their respect will remain after their death.

Chapter 32. Something Else (Regarding The Sunnah For Visiting The Sick And Attending The Funeral)

1. Anas bin Mālik narrated: “The Messenger of Allāh ﷺ said:
visit the sick, attend the funerals, ride a donkey, accept the invitation of a slave, and on the Day of Banū Quraizah he was on a donkey muzzled with a cord of fibers and a pack-saddle made of fibers.” (Pa`if)

Abū ‘Eisā said: We do not know this Hadīth except from the narration of Muslim from Anas. Muslim Al-A’war was graded weak. His name is Muslim bin Kaisān Al-Mulā’ī, and he has been criticized. Shu`bah and Sufyān report from him.

Comments:
There are many narrations which prove that the attitude of the Prophet ﷺ with his Companions was very affectionate and kind. He always participated in their joys and grief and he never made any difference between rich and poor. He participated in all occasions of his Companions. Whatever mount was available he used it.

Chapter 33. Where Are The Prophets To Be Buried?

1018. ‘Aishah narrated: “When the Messenger of Allāh ﷺ died, they disagreed over where to bury him. So Abū Bakr said: ‘I heard the Messenger of Allāh ﷺ saying something which I have not forgotten, he said: ‘Allāh does not take (the life of) a Prophet except at the location in which He wants him to be buried.’” So they buried him at the spot of his bed.” (Sahih)

Abū ‘Eisā said: This Hadīth is Gharīb. ‘Abdur-Rahmān bin Abī Bakr Al-Mulaikī was graded weak because of his memory. But this Hadīth has been reported through
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routes other than this one. Ibn ‘Abbâs reported it from Abû Bakr As-Siddîq, from the Prophet (as well).

Comments:
This narration proves that the body of the Prophet was buried in his room, and this was the perfect and appropriate place for his burial. According to ‘Aishah there was a reason behind this Will of Allah. If he had been buried in a graveyard the people would have started worshipping him. Today we see people performing acts of Shirk at the graves of the pious people.

Chapter 34. Something Else
(Regarding The Order To Mention Good Things About The Deceased And To Refrain From Mentioning Their Evil)

1019. Ibn ‘Umar narrated that the Messenger of Allah said: “Mention good things about your dead, and refrain from (mentioning) their evil.” (Da’îf)

Abû ‘Eisâ said: This Hadith is Gharib. I heard Muḥammad saying: “Imrân bin Anas Al-Makki is Munkar in Hadîth.”[1] Some of them reported it from ‘Atã’, from ‘Aishah. (He said:) ‘Imrân bin Abî Anas the Egyptian is more reliable and earlier than ‘Imrân bin Anas Al-Makki.

Comments:
Good and noble characteristics of the pious and righteous should be publicized so the masses could follow them and if by chance there is a shortcoming in their character it should be concealed. It is not proper to make it public.

Chapter 35. What Has Been Related About Sitting Before The Deceased Is Placed In The Grave

1020. ‘Ubadah bin As-Samit said: “When the Messenger of Allah follows a corpse, he would not sit until (the deceased was) placed in the Lahd.”[1] A rabbi came upon him and said: “This is what we do, O Muhammad.” He said: “So the Messenger of Allah sat, and he said: ‘Differ from them.’” *(Da‘if)*

Abu ‘Eisa said: This Hadith is Gharib. Bishr bin Rafi’ is not strong in Hadith.

Comments:

Imam Abu Qudamah writes that whoever goes with the funeral, he should not sit until the deceased is placed on the ground.

Chapter 36. The Virtue In The Calamity When One Patiently Seeks A Reward For It

1021. Abu Sinan said: “I buried my son Sinan and Abu Talha Al-Kawlanî was sitting on the rim of the grave. When I wanted to leave he took me by my hand and said: ‘Shall I not inform you of some good news O Abu Sinan!’ I said: ‘Of course.’ He said: ‘Ad-Dahhak bin Abdur-Rahman bin ‘Arzab

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narrated to me, from Abû Mûsâ Al-Ash'ârî: “The Messenger of Allah ﷺ said: ‘When a child of the slave (of Allah) dies, Allah says to the angels: ‘Have you taken My slave’s child?’ They reply: ‘Yes.’ He says: ‘Have you taken the fruits of his work.’ They reply: ‘Yes.’ So He says: ‘What did My slave say?’ They reply: ‘He praised you and mentioned that to You is the return.’” So Allah says: “Build a house in Paradise for My slave, and name it ‘the house of praise.’”

(Do’â)

Abû ‘Eîsâ said: This Hadîth is Gharîb.

Comments:
Children are very dear to parents, and it is very difficult to be patient on their death. But the people who submit to the Will of Allah ﷺ and bear the grief get reward from Allah ﷺ, and their place is in Paradise.

Chapter 37. What Has Been Related About The Takbir For The Funeral (Prayer)

1022. Abû Hurairah narrated: “The Prophet ﷺ prayed and in the funeral prayer he for An-Najâshî, said four Takbir.”

(He said:) There are narrations on this topic from Ibn ‘Abbâs, Ibn Abî Awfa, Jâbîr, Anas, and Yazîd bin Thâbit.

Abû ‘Eîsâ said: Yazîd bin Thâbit is the brother of Zaid bin Thãbit, and

الله: إنّا أُحْمِدْ بُنِّ مَيْمَعٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا مُعَمَّرُ عَنِ الزُّهَرِيِّ، عَنْ سَعِيدِ بْنِ النَّسِيبِ، عَنْ أَبِي هُرَيْرَةَ: أَنَّ النَّبِيَّ ﷺ صَلَّى عَلَيْهِ النَّجَاشِيَّةُ فَكُرَّ أَرْبَعَٰٰ.

قال: [وَفِي الْثَّابَ أنَّ أَبِي عُبَيْسٍ وَأَبِي أَوْفِي وَجَابِرٌ وَأَنْسٍ وَزَيْدٌ بْنِ نَافِعٍ.}
he is older than him. He participated in (the battle of) Badr, while Zaid did not participate in Badr. *(Sahih)*

Abū ‘Eisā said: This *Hadith* of Abū Hurairah is a *Hasan Sahih Hadith*. This is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others. They thought that there should be four *Takbir* for the funeral (prayer). This is the saying of Sufyān Ath-Thawrī, Mālik bin Anas, Ibn Al-Mubārak, Ash-Shāfi‘ī, Ahmad, and Iṣḥāq.


Abū ‘Eisā said: This *Hadith* of Zaid bin Arqam is a *Hasan Sahih Hadith*. Some of the people of knowledge among the Companions of the Prophet ﷺ and others held the view that there should be five *Takbir* for the funeral (prayer). Aḥmad and Iṣḥāq said: When the *Imām* says five *Takbir* for the funeral, then he is to follow the *Imām*.

**Comments:**

According to *Hanbalis* more than seven and less than four *Takbir* are not lawful for a funeral prayer. It is approved to say four *Takbir* in a funeral prayer.
Chapter 38. What Is To Be Said In The Ṣalāt For The Deceased

1024. Abū Ibrāhīm Al-Ashhali narrated from his father who said: "When the Messenger of Allāh ﷺ would perform the Salāt for the funeral he would said: (Allāhumma  ṣallī 'alá settahīnā, wa shāhidinā, wa gha'iābīnā, wa saghirinā wa kabīrinā, wa dhakharinā wa unthānā) 'O Allāh! Forgive our living and our deceased, our present and our absent, our young and our old, our male and our female.'"

(Yaḥyā) Abū Salamah bin ‘Abdur-Rahmān narrated from Abū Hurairah, from the Prophet ﷺ, what is similar to that, but he added: (Allāhumma man ahidayatuhu minnā fa ahīyihī  ḍal-Īslām, wa man ṭawaffīatuhu minnā fatawaffīhu  ḍal-Imān) 'O Allāh! Whoever among us You cause to live, make him live upon Islam, and whomever among us You cause to die, make him die upon faith.'"

(He said:) There are narrations on this topic from ‘Abdur-Rahmān bin ‘Awf, ‘Āishah, Abū Qatādah, Jābir. and ‘Awf bin Mālik.

Abū ‘Eisā said: The Hadīth of the father of Abū Ibrāhīm is a Ḥasan Sahīḥ Hadīth. Hishām Ad-Dastawā’i and ‘Alī bin Al-Mubārak reported this Hadīth from Yaya bin Abī Kathīr from Abū Salamah bin ‘Abdur-Rahmān, from the Prophet ﷺ, in Mursal form.
‘Ikrimah bin ‘Ammār reported it from Yāḥyā bin ʿAbī Kathīr, from ʿAbū Salamah, from ʿAishah, from the Prophet ﷺ.

But the narration of ‘Ikrimah bin ‘Ammār is not preserved. Sometimes ‘Ikrimah is mistaken with the narrations of Yāḥyā.

It has also been reported from Yāḥyā bin ʿAbī Kathīr, from ‘Abdullāh bin ʿAbī Qatādah, from his father, from the Prophet ﷺ.

Abū ‘Elsa said: I heard Muḥammad saying: “The narration of this Ḥadīth of Yāḥyā bin ʿAbī Kathīr that is the most correct is the one from ʿAbū ʿIbrāhīm Al-ʿAsh-hālī, from his father.” He said: And I asked him about the name of ʿAbū ʿIbrāhīm Al-ʿAsh-hālī, but he did not know it.

1025. ‘Awf bin Mālik said: “I heard the Messenger of Allāh ﷺ, while he was performing ʿṢalāt for a deceased person. I could hear him saying in his prayer: (Allahummagfir lahu, war ḥamhu, waghsilhu bil-baradi (waghslihu) kamā yughsaluth-thawb) ‘O Allāh! Forgive him, have mercy upon him, and wash him with (snow or ice) (and wash him) just as a garment is washed.”’ (Ṣaḥīh)
Abū 'Eisā said: This Hadīth is Hasan Sahih. Muḥammad bin Ismā’īl said: “This Hadīth is the most correct thing on this topic.”

Comments:
There are various supplications and invocations for the funeral prayer which the Prophet ﷺ recited. Sometimes he recited these invocations loudly, and his Companions have preserved them, learning them by heart. Maybe the Prophet ﷺ did it for that reason, and the Companions preserved these supplications, because the main purpose of the funeral prayer is to ask Allāh’s Blessings for the deceased.

Chapter 39. What Has Been Related About The Recitation Of Fāṭihatil-Kitāb For The Funeral (Prayer)

1026. Ibn ‘Abbās narrated: “The Prophet ﷺ recited Fāṭihatil-Kitāb for a funeral (prayer).” (Da’if Jiddan)

There is something on this topic from Umm Sharīk.

Abū ‘Eisā said: The chain for the Hadīth of Ibn ‘Abbās is not that strong. Ibrāhīm bin ‘Uthmān is Abū Shaibah Al-Wāṣiti who is Munkar in Hadīth. What is Sahih is that Ibn ‘Abbās said: “The recitation of Fāṭihatil-Kitāb for the funeral (prayer) is from the Sunnah.”

1027. Ṭalḥah bin ‘Abdullāh bin ‘Awf narrated: “Ibn ‘Abbās performed Salāt for a funeral and he recited
Fātihatil-Kitāb. So I asked him about it and he said: ‘It is from the Sunnah’ or, ‘From the completeness of the Sunnah.” (Ṣaḥīḥ)

Abū ‘Eīsā said: This Ḥadith is Ḥasan Ṣaḥīḥ. This is acted upon according to some of the people of knowledge among the Companions of the Prophet ﷺ and others. They preferred to recite Fātihatil-Kitāb after the first Takbīr. This is the view of Ash-Shafī‘ī, Ahmad and Ishāq.

Some of the people of knowledge said that there is no recitation during the Ṣalāt for the funeral, it only consist of praising Allāh, sending Ṣalāt upon the Prophet ﷺ, and supplications for the deceased. This is the view of Sufyān Ath-Thawrī and others among the people of Al-Kūfah. (Ṭalḥah bin ‘Abdullāh bin ‘Awf is the son of the brother of ‘Abdur-Rahmān bin ‘Awf and Az-Zuhrī reports from him.)

Comments:

It is proven from various narrations, that in a funeral prayer, after the first Takbīr SuratAl-Fatihah and some other part of the Noble Qur’ān is recited but it is not clear from any narration whether supplications of praise are recited or not.

Chapter 40. How To Perform Ṣalāt For The Deceased, And Interceding For Him

1028. Marthad bin ‘Abdullāh Al-Yazānī narrated: “When Mālik bin Hubairah performed Ṣalāt for a funeral and the people were few he would divide them into three
groups (rows) then say: ‘The Messenger of Allâh ﷺ said: “For whoever three rows perform Salât, then it is granted.”’[1] (Da‘îf)

(He said:) There are narrations on this topic from ‘Aishah, Umm Habibah, Abû Hurairah, and Maimûnah the wife of the Prophet ﷺ.

Abû ‘Eisâ said: The Hadîth of Mâlik bin Hubairah is a Hasan Hadîth. This is how it was narrated by others from Muhammad bin Ishâq. Ibrâhîm bin Sa‘îd reported this Hadîth from Muhammad bin Ishâq, but he added a man between Marthad and Mâlik bin Hubairah. But the narration of these people is more correct to us.

وَامَرَنَّهُ تَنَبِّئَيْنَ ابْنِ الْحَمَّامَيْنِ قَالَ: كَانَ مَّاْكِلْ بَنْهُ ثَمَّ أَمْرَنَّهُ إِذَا صَلَّى عَلَى جَنَازَةٍ فَقَالَ النَّاسُ عَلَيْهِ عَلَى ثَلَاثَةَ أَجَزَاءٍ ثُمَّ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: فَمَّا صَلَّى عَلَيْهِ ثَلَاثَةَ صُفُوفٍ فَقَدْ أُوْجَبَ.

[Man said:] In the Paradise of ‘Aishah, and ‘Amm Habibah, and Abû Hurairah, and Maimûnah the wife of the Prophet ﷺ.

Abû ‘Eisâ said: The Hadîth of Mâlik bin Hubairah is a Hasan Hadîth. This is how it was narrated by others from Muhammad bin Ishâq. Ibrâhîm bin Sa‘îd reported this Hadîth from Muhammad bin Ishâq, but he added a man between Marthad and Mâlik bin Hubairah. But the narration of these people is more correct to us.

1029. ‘Aishah narrated that the Prophet ﷺ said: “No one among the Muslims dies, and Salât is performed for him by a community of Muslims reaching one hundred, and they intercede (supplicate) for him, except that their intercession for him is accepted.” In his narration, ‘Ali bin Hujr said: “One hundred or more than that.” (Sâhih)

Abû ‘Eisâ said: The Hadîth of ‘Aishah is a Hasan Sâhih Hadîth.

[1] “Then Paradise is granted to him” in the narration recorded by Abû Dawûd, see no. 1059 as well.
Some have narrated it in *Mawqūf* rather than *Marfu’* form.

In the light of various narrations, it is proven that if in the funeral prayer of a Muslim, the number of participants exceeds one hundred, or forty, or there are more than three rows, and they pray to Allāh sincerely, Allāh forgives the deceased.

Chapter 41. What Has Been Related About It Being Disliked To Pray The Funeral *Ṣalāt* While The Sun Is Rising And While It Is Setting

1030. 'Uqbah bin 'Amir Al-Juhnī narrated: “There are three times that the Messenger of Allāh prohibited us from performing *Ṣalāt* in, or burying our dead in: When the sun’s rising appears until it has risen up; when the sun is at the zenith until it passes, and when the sun begins its setting, until it has set.” (*Sahih*)

Abū 'Eisā said: This *Hadith* is *Hasan Sahih*. This is acted upon according to some of the people of knowledge among the Companions of the Prophet and others; they dislike performing *Ṣalāt* for the funeral during these times. Ibn Al-Mubarak said: The meaning of this *Hadith*: ‘burying our dead in’ is *Ṣalāt* for the funeral. And it is disliked to perform *Ṣalāt* for the...
funeral when the sun is rising and when it is setting, and at the middle of the daytime until the sun passes the meridian. This is the saying of Ahmad and Ishāq. Ash-Shāfi‘ī said: “There is no harm in performing Salāt for the funeral during the times in which it is disliked to perform Salāt.”

Comments:
Imām Abū Hanīfah, Imām Mālik and Imām Awzā‘ī, and most of the scholars agree that the three times mentioned in the narration are not proper times for the funeral prayer.

Chapter 42. What Has Been Related About Salāt For (The Funerals Of) Children

1031. Al-Mughirah bin Shu‘bah narrated that the Prophet ﷺ said: “The rider is to be behind the funeral (procession), and the walker where he wishes, and the child should be prayed over.” (Saḥīh) Abū ‘Eisā said: This Ḥadīth is Hasan Saḥīh. Isrā‘īl and others reported it from Sa‘eed bin ‘Ubaidullāh. This is acted upon according to some of the people of knowledge among the Companions of the Prophet ﷺ and others. They said that the child is prayed for (i.e., funeral prayers) even if it has not fully developed, once it is known that it has formed. This is the view of Ahmad and Ishāq.
Comments:

If a child is born and it’s cry is heard, or by any means it is proven that the child was alive at the time of birth, it is agreed upon, that the child will be given a bath and a funeral prayer will be performed for it before burial. If a baby is miscarried after four months of pregnancy, and parts of its body are already formed, then, according to Imãm Ahmad, Sa’eed bin Musayyab, Ibn Sirîn and Ishãq, the child will be given a bath and a funeral prayer will be performed for it before burial.

Chapter 43. What Has Been Related About Not Performing The Salãt For The Child Until One Is Sure He Was Alive At Birth

1032. Jâbir narrated that the Prophet ﷺ said: “The child is not prayed over, nor does he inherit, nor is he inherited from until one is sure he was alive at birth.” (Da’if)

Abû ‘Eisâ said: The people are confused in the case of this Hadîth. Some of them reported it from Abû Az-Zubair, from Jâbir, from the Prophet ﷺ in Marfu’ form. Ash’ath bin Sawwâr and others, reported it from Abû Az-Zubair, from Jâbir in Mawqûf form. (Muhammad bin Ishâq reported it from ‘Atã’ bin Abî Rabâh, from Jâbir in Mawqûf form.) It is as if this is more correct than the Marfu’ narration. Some of the people of knowledge followed this, they said that the child is not prayed over until one is sure he was alive at birth. This is the view of (Sufyân) Ath-Thawrî and Ash-Shãfi’î.

Chapter 44. What Has Been Related About Ṣalāt For The Deceased In The Masjid

1033. ‘Aishah narrated: “The Messenger of Allah ﷺ performed Ṣalāt over Suhail bin Al-Baidā’ in the Masjid.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan. This is acted upon according to some of the people of knowledge. Ash-Shāfi‘i said: “Mālik said that the funeral prayer is not performed over the deceased in the Masjid.” Ash-Shāfi‘i said: “The deceased is prayed over in the Masjid.” And he argued using this Ḥadīth.

Comments:
According to Imām Ash-Shāfi‘i, Imām Ahmad and Ishaq, performing the funeral prayer in the mosque is lawful and approved because ‘Umar performed the funeral prayer for Abū Bakr in the mosque and Suhaib too performed ‘Umar’s funeral prayer in the mosque. (At-Tuhfat Al-Ahwadhi v.2, p. 146.)

Chapter 45. What Has Been Related About Where The Imam Is To Stand For The Man And For The Woman

1034. Abū Ghālib narrated: “I prayed for the funeral of a man with Anas bin Malik, so he stood parallel to his head. Then they came with the body of a woman from the Quraish. They said: ‘O Abū Ḥamzah perform the prayer for her.’ So he stood parallel to her waist. Al-‘Alā’ bin Ziyād said to
him: ‘Is this how you saw the Messenger of Allâh standing in the place for the funeral as you did for her, and for place that you stood for the man?’ He said: ‘Yes.’ When he was finished he said: ‘Remember (this).’” (Hasan)

There is something about this topic from Samurah.

Abû ‘Eisâ said: This Hadith of Anas is a Hasan Ḥadîth. Others have reported it similarly from Hammâm. Wâkî reported this Ḥadîth from Hammâm but he made a mistake in it, he said: “from Ghâlib, from Anas” and what is correct is “from Abû Ghâlib.” ‘Abdul-Wârith bin Sa’eed, and others, reported this Ḥadîth from Abû Ghâlib the same as Hammâm did. They disagree over the name of this Abû Ghâlib. Some of them said his name is Nâfi’ and they also say it was Râfi’. Some of the people of knowledge followed this, and it is the view of Ahmâl and Ishâq.

1035. Samurah bin Jundab narrated: “The Prophet ﷺ prayed over a woman, so he stood at her middle.” (Sahîh)

Abû ‘Eisâ said: This Hadith is Hasan Sahîh. Shu’bah reported it from Al-Husain Al-Mu‘allim.
Comments:

According to this narration, the Imam while performing the funeral prayer on a male will stand parallel to the head of the deceased and in case of a female he will stand in the middle.

Chapter 46. What Has Been Related About Not Performing The (Funeral) Salāt For The Martyr

1036. ‘Abdur-Rahmān bin Ka‘b bin Mālik narrated that Jābir bin ‘Abdullāh informed him that the Prophet had put two men together in one cloth from those who were killed at (the battle of) Uḥud, then he said: “Which of them memorized the more of the Qur‘ān?” When one of them was indicated to him, he put him in the Lahd (first) and said: “I am a witness for these people on the Day of Judgement.” And he ordered that they be buried in their blood, and that they not be prayed over, nor washed. (Ṣāhiḥ)

There is something on this topic from Anas bin Malik.

Abū ‘Eisā said: The Hadīth of Jābir is a Hasan Ṣāhiḥ Hadīth.

This Hadīth has been reported from Az-Zuhrī, from ‘Abdullāh bin Tha‘labah bin Abī Sughair, from the Prophet. Some of (the narrators) mentioned that it was from Jābir.

The people of knowledge differed over Salāt for the martyr. Some of them said the martyr is not prayed over, and this is the saying of the
people of Al-Madinah, and it is also the saying of Ash-Shāfi‘ī and Ahmad.

Some of them said that the martyr is prayed over, and for proof, they used the Hadīth of the Prophet ﷺ that he prayed over Hamzah. This is the view of Ath-Thawrī and the people of Akkūfah, and it is the view of Ishaq.

Chapter 47. What Has Been Related About (Performing) The (Funeral) Salah At The Grave

1037. Ash-Shaibānī narrated that Ash-Sha‘bī said: “I was informed by one who saw the Prophet ﷺ: He (ﷺ) saw a solitary grave, so he lined his Companions (behind him) to pray over it.” It was said to him (Ash-Sha‘bī): “Who informed you?” He said: “Ibn ‘Abbās.” (Sahih)

(He said:) There are narrations on this topic from Anas, Buraidah, Yazid bin Thābit, Abū Hurairah, ‘Āmir bin Rabī‘ah, Abū Qatādah, and Suhail bin Ḥunaif.

Abū ‘Eisā said: The Hadīth of Ibn ‘Abbās is a Hasan Sahih Hadīth. This is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others. It is the saying of Ash-Shāfi‘ī, Ahmād, and Ishaq. Some of the people of knowledge say that Salah is not to be performed over the grave. This
is the view of Mālik bin Anas. (‘Abdullāh) Ibn Al-Mubārak said: “When the deceased is buried and Salāt has not been performed for him, then the Salāt is performed at the grave.” So Ibn Al-Mubārak held the view that the Salāt could be held at the grave.

Ahmad and Ishaq said that the Salāt may be held at the grave for up to a month. They said: “The most that we have heard about it is (what is reported) from Ibn Al-Musayyab, that the Prophet prayed at the grave of Umm Sa’d bin ‘Ubādah after a month.”

Comments:

If a deceased is buried before the performance of the funeral prayer or if there are some people who missed the funeral prayer, it is allowed to perform the funeral prayer on the grave, but the Imām for the funeral prayer should be a person who has not performed the funeral prayer before for the deceased. This issue is clear and proved from various Sahih narrations. (See for explanation Akām Al-Janā‘iz p.112-115.)
Chapter 48. What Has Been Related About The Prophet Ṣalāt For (The Death Of) An-Najāshi

1039. 'Imrān bin Ḥusain narrated that the Prophet ﷺ said: “Indeed your brother An-Najāshi has died. So stand to perform Ṣalāt for him.” He (‘Imrān) said: “We stood and lined up just as the deceased is lined up for, and we prayed for him just as the deceased is prayed for.”

(Ṣahīh)

There are narrations on this topic from Abū Hurairah, Jābir bin ‘Abdullāh, Abū Sa’eed, Hudhaifah bin Asīd, and Jarīr bin ‘Abdullāh. Abū ‘Elsa said: This Ḥadīth is Ḥasan Ṣahīh Gharib from this route. Abū Qilābah has reported it from his uncle Abū Al-Muhallab, from ‘Imrān bin Ḥusain. Abū Al-Muhallab’s name is ‘Abdur-Rahmān bin ‘Amr, and they say it is Mu‘āwiyah bin ‘Amr.

Comments:
This narration is a proof that the ‘prayer in the absence’ of the deceased can be performed. It seems more reasonable to perform the funeral prayer of the deceased only in peculiar circumstances. If the deceased is a prominent and
important personality or great scholar of Islamic world, or who has rendered
deservices of great value to the nation and community, and people wanted to
participate in his funeral prayers but they missed it for some reason, his
funeral prayer can be performed in absence.

Chapter 49. What Has Been Related About The Virtue Of  Ṣalāt For A Funeral

1040. ʻAbû Hurairah narrated that
the Messenger of Allâh said:
“Whoever performs the funeral
prayer then he will get a reward
equal to a Qirât.  Whatever follows
it until it is buried then he will get
a reward equal to two Qirât, one of
them, or the least of them, is
similar to Uhud (mountain).” This
was mentioned to Ibn ʻUmar, so he
sent a message to ʻAishah to ask
her about that, and she said: “Abû
Hurairah has told the truth.” So
Ibn ʻUmar said: “We have missed
many Qirât.” (Hasan)

He said: There are narrations on
this topic from Al-Barâ', ʻAbdullâh
bin Mughaffal, ʻAbdullâh bin
Mas'ûd, Abu Sa'eed, Ubayy bin
Ka'b, Ibn ʻUmar, and Thawbân.

ʻAbû ʻEisâ said: The Ḥadîth of Abû
Hurairah is a Hasan Ṣâhih Ḥadîth,
and it is has been reported from
him through more than one route.

تخريج: [إسناده حسن] وآخerged أحمد: 2/240 من حديث محمد بن عمرو اللبني بنه
في صحيح البخاري، ح: 1325 ومسلم، ح: 945 من حديث أبي هريرة به * وفي الباب عن اليراء

Comments:
It comes to the light in this narration, that sometimes elite Companions were
also unaware of some important narrations, and they consulted ‘Aishah for
clarification and confirmation.
Chapter 50. Something Else
(About The Extent Of What Is Acceptable (To Fulfill The Obligation) For Following The Funeral And Carrying It)

1041. Abū Al-Muhazzim said: “I accompanied Abū Hurairah for ten years, and I heard him saying: ‘I heard the Messenger of Allāh ﷺ saying: “Whoever follows a funeral, and carries it three times, \[\text{[1]}\] then he has fulfilled the right that is required from him.”’ \textit{(DaJ)}

Abū 'EIsā said: This \textit{Hadith} is \textit{Gharib}, some of them reported it with this chain of narration but they did not narrate it in \textit{Marfū'} form. Abū Al-Muhazzim’s name is Yazīd bin Sufyān, and Shu‘bah graded him weak.

Chapter 51. What Has Been Related About Standing For The Funeral (Procession)

1042. ’Amir bin Rabi‘ah narrated that the Messenger of Allāh ﷺ said: “When-ever you see a funeral (procession), stand up until it goes ahead of you or it is put down.” \textit{(Sahih)}

(He said:) There are narrations on this topic from Abū Sa‘eed, Jābir, Suhail bin Ḥunaif, Qais bin Sa‘d and Abū Hurairah.

\[\text{[1]}\] “Ibn Malik said: ‘Meaning he helps those carrying it on the road, then he lets go to catch his breath, then he carries it for some of the road, doing that three times.’” \textit{Tuhfat Al-Ahwadhī}. 

Abū 'Eisā said: The Hadith of 'Amir bin Rabī‘ah is a Ḥasan Ṣaḥīh Hadith.

Abū 'Eisā said: The Hadith of -

Abū Sa‘eed Al-Khudrī narrated that the Messenger of Allāh ﷺ said: “Whenever you see a funeral (procession), stand up (for it). Whoever follows it, then do not sit down until it is put down.” (Ṣaḥīḥ)

Abū Sa‘eed on this topic is a Ḥasan Ṣaḥīh Hadith. This is the view of Ahmad and Ishāq. They said the one following the funeral procession is not to sit down until the men put it down from their necks. It has been reported from some of the people of knowledge among the Companions of the Prophet ﷺ and others, that they would go ahead of the funeral procession so that they could sit down before the funeral procession caught up to them. This is the view of Ash-Shafi‘i.

Comments:

Hāfiz Ibn Qayyim writes that the Prophet ﷺ used to stand up on seeing a
funeral and he ordered (his followers) as well to stand up on seeing a funeral, but after some time he kept on sitting when seeing a funeral and he would not stand up for it. Meaning that the order for standing up when seeing a funeral is abrogated.

Chapter 52. Regarding Permission To Not Stand For It

1044. Masʿūd bin Al-Ḥakīm narrated that standing for the funeral (procession) until it is put down was mentioned, and ‘Alī bin Abī Ṭālib said: “The Messenger of Allāh ῶ stood, then (later) he sat.” *(Sahih)*

There are narrations on this topic from Al-Ḥasan bin ‘Alī, and Ibn ‘Abbās.

Abū ‘Eisā said: The Ḥadīth of ‘Ali is a Ḥasan Ṣahīh Ḥadīth, regarding which there are narrations from four of the Ṭābiʿin narrating it from each other. This is acted upon according to some of the people of knowledge. Ash-Shāfiʿī said: “This is the most correct thing on this topic.” This Ḥadīth abrogates the first Ḥadīth: “Whenever you see a funeral (procession), stand up [for it].”

Ahmad said: “If he wants, he stands, and if he wants, he does not stand.” His proof is that it has been reported that the Prophet ῶ stood, then sat, and this is what Ishāq bin Ibrāhīm said.

(Abū ‘Eisā said:) As for the saying of ‘Ali: That the Prophet ῶ stood for the funeral and then sat, he means that the Prophet ῶ would stand when he saw a funeral (procession), then he did not do so later, so he would not stand when he saw the funeral (procession).
Comments:

Imâm Baidâwî writes that the words “he sat” may have been used in two senses. Firstly in the sense that when the funeral procession passed and went considerably away he sat down. The second sense is that he used to stand up on seeing a funeral procession, but later on he stopped this practice of standing up. It makes it clear that the orders of standing up on seeing a funeral procession were abrogated.

Chapter 53. What Has Been Related About The Saying of the Prophet ﷺ: The Lahd Is For Us And The Hole Is For Other Than Us

1045. Ibn ‘Abbâs narrated that the Prophet ﷺ said: “The Lahd is for us and the hole is for other than us.” (Daʿîf)

There are narrations on this topic from Jarîr bin ‘Abdullâh, ‘Âishah, Ibn ‘Umar, and Jâbir.

Abû ‘Eisâ said: The Hadîth of Ibn ‘Abbâs is a Hasan Gharib Hadîth from this route.

١٠٤٥ - حَدَّثَنَا أَبُو كَبْرٍ بْنُ عُبَيْدَ الْحَرُّمِيَّ الْمُكْفَرِيَّ وَيُوْسِفُ بْنُ مُوسَى الفَقَّانُ الْبَعْذَادَيْيُ قَالُوا: حَدَّثَنَا حَكَمَانُ بْنُ سَلَمَ عَلَيْهِ نُورُ الْأَمْلَى عَنْ أَبِيهِ، عَنْ سَعْيَدٍ بْنِ جَبَرِيلٍ، عَنْ اِبْنِ عَبَّاسٍ قَالَ: قَالَ الْنَّبِيُّ ﷺ: "الْلَّهْدُ لَنَا وَالْقَرْنُ لَعَلَّهُ بِالْكُنُفَ".

وَقَالَ النَّبِيُّ ﷺ: خَلَطَ اِبْنِ عَبَّاسٍ حَدِيثَ

حَسَنُ غَرِيبٍ مِنْ هَذَا الْمَوْجِهَ.
Lahd means a niche hole dug in the side wall of a grave for the purpose of placing the deceased in it. While making a sidewise niche in the grave, it is to be made sure that when the deceased is placed in deceased it the face is facing Qiblah. Shaqq means a hole made in the earth for burial. It is clear from this narration that making a grave with a Lahd is better for Muslims, but it is only possible when the soil is good enough to make a Lahd in it. It is not possible to make a Lahd in sandy soil.

Chapter 54. What Has Been Related About What Is Said When Putting The Deceased In The Grave

1046. Ibn ‘Umar narrated: “When the Prophet put the deceased in the grave” He said: And Abū Khālid (one of the narrators) said [one time]: “When he placed the deceased in the Lahd” – “He said one time: ‘In the Name of Allāh, by His command and upon the Millah of the Messenger of Allāh.’ And one time he said: ‘In the Name of Allāh, by His command and upon the Sunnah of the Messenger of Allāh’.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Gharib from this route. This Hadith has also been reported from a different route, from Ibn ‘Umar, from the Prophet. Abū Aṣ-Ṣiddiq An-Nājī reported it from Ibn ‘Umar, from the Prophet. It has also been reported from Abū Aṣ-Ṣiddiq (An-Nājī), from Ibn ‘Umar in Mawqūf form.

Chapter 55. What Has Been Related About The One Cloth That Is Placed Under The Deceased In The Grave

1047. Ja'far bin Muhammad narrated that his father said: "The one who made the Lahd in the grave of the Messenger of Allāh was Abū Ṭalḥah. And the one who placed the velvet cloth under him was Shuqrān a freed slave of Messenger of Allāh.

Ja'far said: "(Ubaidullāh) Ibn Abī Rāfī' informed me, he said: 'I heard Shuqrān saying: 'By Allāh! It was I who placed the velvet cloth under the Messenger of Allāh in the grave.'"

He said: There is something on this topic from Ibn 'Abbās.

Abū 'Eīsā said: The hadith of Shuqrān is a Hasan Gharīb Hadith. 'Ali bin Al-Madīnī (also) reported this Hadith from 'Uthmān bin Farqad.

1048. Ibn 'Abbās narrated: "A red velvet cloth was placed in the grave of the Prophet."

(He said: In another place, Muhammad bin Bash-shār said: 'Muhammad bin Ja'far and Yahya bin Shu'bah narrated to us, from Abī Jamrah, from Ibn 'Abbās,' and this is more correct.)

Abū 'Eīsā said: This Hadith is Hasan Sahīh. Shu'bah reports from Abū Ḥamzah Al-Qaṣṣāb, and his
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name is ‘Imrân bin Abî ‘Atâ’. He also reports from Abû Jamrah Ad-Duba’î. His name is Naṣr bin ‘Imrân, and both of them report from Ibn ‘Abbâs.

It has been reported from Ibn ‘Abbâs that he disliked placing anything under the deceased in the grave, and some of the people of knowledge followed that.

Comments:

Shuqrân, a freed slave of the Prophet ﷺ, placed the sheet of the Prophet ﷺ in the grave with him, with the intention to prevent its use by others. But when the other Companions came to know they pulled the sheet out of the grave. It can be inferred from this incident that it is not proper to put any cloth under the shroud. (Tuhfat Al-Ahwadhi v. 2 p.153.)

Chapter 56. What Has Been Related About Leveling The Grave

1049. Abû Wâ’il narrated: “‘Alî said to Abû Al-Hayyâj Al-Asadi: ‘I am dispatching you with what the Prophet ﷺ dispatched me: “That you not leave an elevated grave without leveling it, nor an image without erasing it.” (Sahih)

There is something about this from Jâbir.

Abû ‘Eisâ said: The Hadîth of ‘Alî is a Hasan Hadîth. This is acted upon according to some of the people of knowledge. They consider it disliked for a grave to be raised above the ground.

Ash-Shâfi‘î said: “It is disliked to elevate a grave more than the
The height of the grave should only be to the limit by which it could be assumed that this is a grave. Usually its height is one hand-span.

Chapter 57. What Has Been Related About It Being Disliked to Tread On Graves, Sit On Them, (And Pray Towards Them)

1050. Abū Marthad Al-Ghanāwī narrated that the Prophet ﷺ said: “Do not sit on the graves nor perform Salāt towards them.” (Sahih)

(He said:) There are narrations on this topic from Abū Hurairah, ‘Amr bin Hazm, and Bashīr bin Al-Khaṣāṣiyah.

(Another route) with this chain, and it is similar.

1051. (Another chain) from Abū Marthad Al-Ghanāwī from the Prophet ﷺ, similar (to no. 1050), but it does not contain “from Abū
Idris” and this is what is correct. (Sahih)

Abū ‘Eisā said: Muhammad said: “The narration of Ibn Al-Mubārak[1] is mistaken, Ibn Al-Mubārak is the one who made the mistake, he added ‘from Abū Idris Al-Khawlānī’ when it is ‘Busr bin ‘Ubaidullāh, from Wāthilah.’”[2]

This is how it was reported by more than one from ‘Abdur-Rahmān bin Yazīd bin Jābir, it does not contain Abū Idris Al-Khawlānī. And Busr bin ‘Ubaidullāh heard from Wāthilah bin Al-Asqa’.

Comments:
It is not proper to destroy the graves. Sitting or walking over the graves is also not allowed. Praying or performing prayers facing the graves is unlawful.

Chapter 58. What Has Been Related About It Being Disliked To Plaster Graves And Write On Them

1052. Jābir narrated: “The Messenger of Allāh prohibited plastering graves, writing on them, building over them, and treading on them.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih, it has been reported through other routes from Jābir.

Some of the people of knowledge, among them Al-Hasan Al-Baṣrī, permitted covering it with clay.

Ash-Shāfi‘ī said: “There is no harm if the grave is covered with clay.”

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[1] That is, the chain for no. 1050.
[2] That is, as it appears in the chain of no. 1051.
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Comments:
It is not lawful to make a dome over the grave. Constructing a grave with bricks or concrete blocks is also unlawful. Destroying a grave is also unlawful. Plastering a grave with mud is allowed and it is not considered as constructed with bricks or blocks.

Chapter 59. What A Man Is To Say When He Enters A Graveyard

1053. Ibn ‘Abbãs narrated: “The Messenger of Allah ﷺ passed by the graves of Al-Madinah, so he turned his face towards them and said: (As-Salâmû ‘alaikum yâ ahlul-qubûr! Yaghfirûl-lahu land wâ lakum, antum salafûnâ wa nahnu bil-athar.) Peace be upon you O inhabitants of the graveyard! May Allâh forgive us and you; you are our predecessors and we are to follow you.”” (Da’îf)¹

(He said:) There are narrations on this topic from Buraidah and ‘Aishah. (Abû ‘Eisâ said:) the Hadîth of Ibn ‘Abbãs is a Hasan Gharîb Hadîth. Abû Kudaibah’s name is Yahya bin Al-Muhallab, and Abû Zabyân’s name is Hûsain bin Jundab.

Comments:
In this narration it has been mentioned that the purpose of going to a graveyard is just a reminder of death, and to ask Allâh’s blessings for the dead and for oneself. Nowadays we see people going to graves asking their various needs from the dead which is clear Shirk.

¹ See Muslim, nos (974) 2255, 2256 and (975) 2275.
Chapter 60. What Has Been Related About The Permission To Visit the Graves

1054. Sulaimān bin Buraidah narrated from his father that the Messenger of Allāh ﷺ said: “I had prohibited you from visiting the graves. But Muhammad (ﷺ) was permitted to visit the grave of his mother: so visit them, for they will remind you of the Hereafter.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Ābi Sa‘eed, Ibn Mas‘ūd, Anas, Ābu Hurairah, and Umm Salamah.

Ābu ‘Eisā said: The Hadith of Buraidah is a Ḥasan Sahīḥ Hadith. This is acted upon according to the people of knowledge. They did not see any harm in visiting the graves. This is the view of Ibn Al-Mubārak, Ṣaḥīḥ, ʿAlīmad and ʿIshāq.

Chapter 61. What Has Been Related About Women Visiting Graves


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was carried to Makkah to be buried there. So when ‘Aishah arrived she went to the grave of ‘Abdur-Rahmān bin Abī Bakr and she said: “We were like two drinking companions of Jadhīmah for such a long time that they would say: ‘They will never part.’ So when we were separated it was as if I and Mālik – due to the length of unity – never spent a night together.”[1]

(Ḍa‘if)

Then she said: “By Allāh! Had I been present, you would not have been buried except where you died, and if I had attended (the burial) I would not be visiting you.”

تخريج: [إسناده ضعيف] ابن جريج عن شعفان: "فقالت: "ولو آتتني مارية لأتصل فيها.

لا تحبس مَّتِّ، ولا تهديك مارَّتك."

ح: ١٥٣٥ عن ابن جريج به منصوراً دون الأشعار وصرف بالسماع عنه.

Chapter 61B. What Has Been Related About It Being Disliked For Women To Visit The Graves

1056. Abū Hurairah narrated:

"Indeed the Messenger of Allāh cursed the women who visit the graves.” (Hasan)

(He said:) There are narrations on this topic from Ibn ‘Abbās, and Ḥassān bin Thābit.

[1] Al-Mubaarakpūrī said: “In Sharḥ Al-Mughnī, Ash-Shamanī said: ‘This is Tamīm bin Nuwairah’s (that is: Mutamīm bin Nuwairah At-Tamimi as mentioned in Al-Isabah) verse (of poetry) eulogizing his brother Mālik who was killed by Khalid bin Walid.’” And he said: “At-Ṭibī said: ‘This Jadhīmah was a king of ‘Iraq and Mesopotamia whom the Arabs rallied around while he was the governor of Az-Zabā’. ‘And he said about the drinking companions of Jadhīmah: “They were Mālik and ‘Aqīl, and they were his drinking companions and comrades for a period of forty years.” Tuhfat Al-Ahwadhi. Az-Zabā’ is a city on the banks of the Euphrates as mentioned in Mu‘jam Al-Buldān.
Abū ‘Eisā said: This Hadith is Hasan Sahih. Some of the people of knowledge thought that this was before the Prophet permitted visiting the graves. Then when he permitted it, both men and women were included in the permission.

Some of them said that visiting the graves is only disliked (for women) due to their lack of patience and excessive mourning.

Comments:
The purpose of visiting the graves is to understand the finite nature of this life and this world and to prepare oneself to face Allah. If the woman goes to the graves for this purpose it is allowed, but going to graves for making vows is unlawful and strictly prohibited.

Chapter 62. What Has Been Related About Burial During The Night

1057. Ibn ‘Abbās narrated: “The Prophet entered a grave during the night, so a torch was lit for him. He took it (the deceased) in from the direction of the Qiblah, and he said: ‘May Allâh have mercy upon you, you were often invoking (Allâh) by reciting the Qur’an.’ And he said ‘Allâhu Akbar four times.’” (Da’if)

(He said:) There are narrations on this topic from Jâbir, and Yazîd bin Thâbit – the elder brother of Zaid bin Thâbit.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Hadith. Some of the people of knowledge followed this. He said: The deceased is entered into the grave from the
direction of the Qiblah (with his head pointing towards it). Some of them say (he is brought in with his feet toward the Qiblah), and most of the people of knowledge permitted burial at night.

Comments:
Scholars have inferred from this narration that burial at nighttime is legal and making an arrangement of light near the grave is allowed. Most of the people of knowledge agree upon this issue. (Ṣaḥīḥ Muslim/Nawawī v.1 p.306.)

Chapter 63. What Has Been Related About Praise For The Deceased

1058. Anas bin Mālik narrated: “A funeral (procession) passed by the Messenger of Allāh صلی‌الله۴‌علیه وآله‌وسلم and they were praising him with good statements. So the Messenger of Allāh صلی‌الله۴‌علیه وآله‌وسلم said: ‘Granted.’ Then he said: ‘You are Allāh’s witnesses on the earth.’”[1] (Ṣaḥīḥ)

He said: There are narrations on this topic from ‘Umar, Ka‘b bin ‘Ujrah, and Abū Hurairah.

Abū ‘EIsā said: The Ḥadīth of Anas is a Hasan Ṣaḥīḥ Ḥadīth.

Comments:
This narration gives us the information that if the pious people praise the deceased, it is an indication that the deceased too was a pious person. And the supplications of the pious for the deceased is accepted by Allāh by His grace and mercy.

1059. Abū Al-Aswad Ad-Dili narrated: "I arrived in Al-Madinah and while I was sitting with ‘Umar bin Al-Khaftāb they passed by with a funeral, over (a person) whom they were praising with good. ‘Umar said: ‘Granted.’ I said to ‘Umar: ‘What is granted?’ He said: ‘I said as the Messenger of Allāh said: “There is no Muslim about whom three bear witness, except that he is granted Paradise.”’ He said: ‘We asked: “And two?”’ He said: ‘And two (as well).’” He said: ‘We did not ask the Messenger of Allāh about one.”’ (Sahih)

Abū ‘Elsa said: This Hadith is Hasan Sahih. Abū Al-Aswad Ad-Dili’s name is Zālim bin ‘Amr bin Sufyān.

Comments:

Before passing any verdict Allāh has recommended and approved the witness of two pious persons. It means that the verdict can be made on the basis of two witnesses. Similarly, when two Muslims say good remarks about the deceased, their witness is approved before Allāh. Good people always stand witness to good people.

Chapter: 64. What Has Been Related About The Rewards For One Whose Child Dies Before Him

1060. Abū Hurairah narrated that the Messenger of Allāh said: “Any Muslim who has lost three of his children will not be touched by the Fire, except for what will fulfill the oath.”[1] (Sahih)


(He said:) Abū Tha‘labah (Al-Ashja‘ī) has one Ḥadīth from the Prophet, that is, this Ḥadīth. He is not (Abū Tha‘labah) Al-Khushānī.

Abū ‘Eisā said: The Ḥadīth of Abū Hurairah is a Ḥasan Sahīh Ḥadīth.

Comments:

In this narration “except for what will fulfill the oath” means Allāh’s Command in Qur‘ān Surat Maryam Verse 71 “not one of you will pass over it.” Pass over it does not mean to enter Hell or going into the Fire, it only means to pass by it.

1061. ’Abdullāh bin Mas‘ūd narrated that the Messenger of Allāh said: “Whoever has three that precede him (in death) while they did not reach the age of puberty, then they will be a well-fortified fortress for him against the Fire.”
Abū Dharr said: “Two preceded me (in death)” so he (ﷺ) said: “And two.” Ubayy bin Ka'b, the master reciter, said: “I was preceded by one” So he (ﷺ) said: “And one, but that is only at the first stroke of the calamity.”

Abū ‘Elsā said: This Ḥadīth is Gharīb, and Abū ‘Ubaidah (the son of Ibn Mas‘ūd, one of the narrators) did not hear from his father.

Comments:

In this narration it has been mentioned that the children who die as minors will become protection from the Fire in the Hereafter for their parents. The reason is that parents love their children and they submit to the Will of Allāh on their death and remain patient. The other reason is that the children are free from accountability due to their innocence. Patience of parents and innocence of children will be a means to Paradise.

1062. ‘Abdurrahbīh bin Bāriq Al-Ḥanāfī said: “I heard my grandfather, the father of my mother, Simāk bin Al-Walīd Al-Ḥanāfī narrating, that he heard Ibn Ābbās narrating, that he heard the Messenger of Allāh saying: ‘Whoever has two predecessors (in death) among my Ummah, then Allāh will admit them into Paradise.’”

So ‘Āishah said to him: “What about one from your Ummah who has one predecessor?” He (ﷺ) said: “And whoever has one predecessor ᪁ Muwaffaqah!”

So she said: “What about one who

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does not have a predecessor from your Ummah?” He said: “I am the predecessor for my Ummah; you will never suffer (in grief) for (the loss of) anyone similar to me.”

(Hasan)

Abū ‘Eisā said: This Hadīth is Hasan Gharīb, we do not know of it except as a narration of ‘Abdu Rabbih bin Bāriq, and more than one of the A‘immah have reported from him.

(Another route from) ‘Abdu Rabbih bin Bāriq, and he mentioned similarly.

And Simāk bin Al-Walid Al-Hanafi, is Abū Zumail Al-Hanafi.

تخريج: [إسناده حسن] وأخرجه أحمد: 34/1 33 من حديث عبد ربه وله الحديث شواهد.

Comments:

“Farat” means the person who goes first and makes suitable arrangement for the person arriving later, and a minor child who dies is a Farat. The child takes the parents to Paradise. The Prophet is a Farat for every individual of his Ummah because every Muslim loves him more than his own life. As a minor will not be worried about himself but for his parents, in the same way the Prophet will be anxious for every Muslim to be admitted to Paradise.

Chapter 65. What Has Been Related About Who The Martyrs Are

1063. Abū Hurairah narrated that the Messenger of Allāh said: “The martyrs are five: Those who die of the plague, stomach illness,[1] drowning, being crushed,[2] and the martyr in the cause of Allāh.”

(Saḥīḥ)

(He said:) There are narrations on

[1] “The one who dies from an illness of the stomach like dropsy, etc. Al-Qurtubi said: ‘By “stomach” what is meant is dropsy or diarrhea according to the two views of the scholars.” Tuhfat Al-Ahwadhi.

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this topic from Anas, Ṣafwān bin Umayyah, Jābir bin ‘Atīk, Khālid bin ‘Urfuṭah, Sulaimān bin Ṣurad, Abū Mūsā, and ‘Aīshah.

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith.

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith.

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith.

Comments:

A real martyr is one who is martyred in the battlefield fighting for the cause of Allāh ﷻ, and those who have been included in the category of martyrs in this narration are due to their reward.

1064. Abū Ishāq Aṣ-Ṣābi‘ī said: “Sulaimān bin Ṣurad said to Khālid bin ‘Urfuṭah – or, Khālid said to Sulaimān – ‘Did you hear the Messenger of Allāh ﷻ saying: ‘Whoever is killed by his stomach then he will not be punished in the grave.’?’ One of them said to the other: “Yes.” (Ṣahih)

Abū ‘Eisā said: This Hadith on this topic is Hasan Gharīb, and it has been reported through routes other than this.

Comments:

Some of the scholars have described this to mean dying by internal illness, like diseases of stomach, liver and heart, etc. because all of these are inside the body. The Arabic word ‘Barn’ means internal and not only stomach. A person dying with internal disease suffers and bears the pangs of pain and
Chapter 66. What Has Been Related About It Being Disliked To Flee From The Plague

1065. Usâmah bin Zaid narrated that the Prophet ﷺ mentioned the plague and said: “It is an abiding punishment or chastisement that was sent upon a group of the children of Isrã’îl. So when it occurs in a land while you are in it, then do not leave it. And when it occurs in a land while you are not in it, then do not enter it.” (Sahih)

(He said:) There are narrations on this topic from Sa’d, Khuzaimah bin Thâbit, ‘Abdur-Rahmãn bin ‘Awf, Jabir, and ‘Aishah.

Abû ‘Eisã said: The Hadith of Usamah bin Zaid is a Hasan Sahih Hadith.

Comments:
In this narration “Banû Isrã’îl” means that group of Isrã’îl to whom Allah ﷻ had ordered “and enter the gate prostrating” but they entered the gate on their buttocks and “the transgressors changed the word from that which had been given to them; so we sent on the transgressors a plague from the heaven” (Tuhfat Al-Ahwadhi v. 2. p. 160.)
Chapter 67. What Has Been Related About: Whoever Loves To Meet Allah, Then Allah Loves To Meet Him

1066. ‘Ubâdah bin Aš-Šâmit narrated that the Prophet ﷺ said: “Whoever loves to meet Allah, then Allah loves to meet him. And whoever dislikes meeting Allah, then Allah dislikes meeting him.”

(Sahih)

There are narrations on this topic from Abû Musâ, Abû Hurairah, and ‘Aishah.

Abû ‘Elsa said: The Hadith of ‘Ubâdah bin Aš-Šâmit is a Hasan Sahih Hadith.

1067. Sa‘d bin Hishâm narrated that ‘Aishah mentioned that the Messenger of Allah ﷺ said: “Whoever loves to meet Allah, then Allah loves to meet him. And whoever dislikes meeting Allah, then Allah dislikes meeting him.” She said: “O Messenger of Allah! All of us dislike death.” He said: “It is not like that. But when the believer is given the good news of Allah’s mercy, His pleasure, and His Paradise, then he loves to meet Allah and Allah loves to meet him. Whereas when the disbeliever is given the news of Allah’s punishment and
His wrath, he dislikes meeting Allâh, and Allâh dislikes meeting him.’’

(Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh.

Comments:

It is proven from this narration that liking and disliking to meet Allâh depends not only on the normal lifestyle, but also on the state of mind at the time of the last breath when good news of mercy of Allâh or bad news of punishment is conveyed.

Chapter 68. What Has Been Related About: The Funeral Prayer Is Not Performed For A Person Who Killed Himself

Jâbir bin Samurah narrated: “A man killed himself, so the Prophet did not perform Salât over him.” (Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan (Sahîh), and the people of knowledge differ about this. Some of them said funeral prayer should be performed on every person who prayed towards the Qiblah, as well as the one who killed himself. This is the view of Sufyân Ath-Thawrî and Ishaq.

Ahmad said that the Imam is not to pray over the one who killed himself, but those besides the Imam may pray over him.

Comments:

Committing suicide is prohibited in Islam. Respected scholars should not participate in the funeral and burial rituals of a person who committed suicide. Such a base and unlawful action should be discouraged by all the society and especially by the elites.
Chapter 69. What Has Been Related About (Prayer Over) The Indebted

1069. ‘Abdullãh bin AN Qatãdah narrated from his father that the Prophet ﷺ was brought a (deceased) man to perform Salãt over. So the Prophet ﷺ said: “Pray for your companion; for indeed he had a debt upon him.” Abû Qatãdah said: “It shall be upon me.” So the Messenger of Allãh ﷺ said: “To pay it off?” (He said: “To pay it off.”) So he performed the prayer for him. (Sahih)

(He said:) There are narrations on this topic from Jâbir, Salamah bin Al-Akwa’, and Asmã’ bint Yazïd. Abû ‘Eisã said: The Hadith of Abû Qatadah is a Hasan Sahih Hadith.

Comments:

It is clear from this narration that the responsibility of the debt of the deceased can be taken by someone who wants to pay it off on his behalf.

1070. Abû Hurairah narrated: “A deceased man would be brought to the Messenger of Allãh ﷺ while a debt was due upon him. So he would say: ‘Has he left anything to pay off his debt?’ If he was told that he had left something to pay it then he would pray (the funeral prayer) for him. Otherwise he
would tell the Muslims: 'Pray for your companion.' So when Allāh granted him the victories, he stood and said: 'I am more worthy in the case of the believers than they themselves are. So whoever among the believers dies and leaves a debt behind, then it is up to me to fulfill it. And whoever leaves wealth behind, then it is for his heirs.'” (Sahih)

Abū 'Eisā said: This Hadith is Hasan Sahih. Yahya bin Bukair and others have reported it from Al-Laith bin Sa'd [similarly to the narration of 'Abdullāh bin Salill (a narrator in the chain of this Hadith)].

Comments:
As the Prophet ﷺ is kinder to every Muslim, more than his own self, so it is obligatory on every individual of the Ummah to follow him sincerely.

Chapter 70. What Has Been Related About The Punishment In The Grave

1071. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: "When the deceased - or he said when one of you - is buried, two angels, black and blue (eyed) come to him. One of them is called Al-Munkar, and the other An-Nakir. They say: 'What did you used to say about this man?' So he says what he was saying (before death) 'He is Allāh's slave and His Messenger. I testify that none has the right to be worshipped but

"Verily, the Sinners say to the Righteous, 'Verily, we are with you.' So if they come, then a pair of angels will come (to him), black and blue (eyed). One of them is named Munkar, and the other An-Nakir. They will say, 'What did you used to say about this man?' So he will say what he was saying before his death, 'He is Allāh's slave and His Messenger. I testify that none has the right to be worshipped but..."
Allāh and that Muhammad is His slave and His Messenger.' So they say: 'We knew that you would say this.' Then his grave is expanded to seventy by seventy cubits, then it is illuminated for him. Then it is said to him: 'Sleep.' So he says: 'Can I return to my family to inform them?' They say: 'Sleep as a newly-wed, whom none awakens but the dearest of his family.' Until Allāh resurrects him from his resting place."

"If he was a hypocrite he would say: 'I heard people saying something, so I said the same; I do not know.' So they say: 'We knew you would say that.' So the earth is told: 'Constrict him.' So it constricts around him, squeezing his ribs together. He continues being punished like that until Allāh resurrects him from his resting place." (Hasan)

There are narrations on this topic from 'Ali, Zaid bin Thābit, Ibn 'Abbās, Al-Barā' bin 'Azib, Abū Ayyūb, Anas, Jābīr, 'Aishah, and Abū Sa'eed. All of them reported something from the Prophet about the punishment in the grave.

Abū 'Eisā said: This Hadīth of Abū Hurairah is a Hasan Gharīb Hadīth.

تخريج: [إسناد حسن] وآخره البهقفي في إثبات عذاب القبر، ح: 54، 194. (تثقيفي) من
Comments:

If the deceased is a true Muslim it is obvious as he declared and testified to the Prophethood of Muḥammad ﷺ in this world, then Allāh ﷻ gives him help and guidance to testify to the Prophethood of Muḥammad ﷺ in the grave, and the angels will know the answer from his happy face.

1072. Ibn ‘Umar narrated that the Messenger of Allāh ﷺ said: “When a person dies, he is shown his place [both in the morning and the evening]. If he is one of the people of Paradise; he is shown his place among the people of Paradise, and if he is one of the people of the Fire; he is shown his place among the people of the Fire. Then it is said to him: ‘This is your place until Allāh resurrects you on the Day of Judgement.’” (Saḥīh)

Abū ‘Eisā said: This Hadith is Hasan Saḥīh.

Chapter 71. What Has Been Related About: The Reward For One Who Consoles A Person With An Affliction

1073. ‘Abdullāh narrated that the Prophet ﷺ said: “Whoever consoles a person with an affliction, then he gets the same reward as him.” (Dāʾīf)

Abū ‘Eisā said: This Hadith is Gharīb, we do not know of it being Marfu’ except through the narration of ‘Alī bin ‘Aṣīm. Some of them reported it in the same way from Muḥammad bin Sūqah with this chain, in Mawqūf form, not Marfu’.
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They say that most of what ‘Alī bin ‘Āsim suffered of criticism from them was for this Ḥadīth.

Comments:
Though this narration is weak, it is true that preaching and asking others to do good deeds brings reward for the preacher.

Chapter 72. What Has Been Related About One Who Died on Friday

1074. ‘Abdullāh bin ‘Amr narrated that the Messenger of Allāh ﷺ said: “No Muslim dies on the day of Friday, nor the night of Friday, except that Allāh protects him from the trials of the grave.”

(Hasan)
Abū ‘Eisā said: This Ḥadīth is Gharīb (He said: This Ahādīth) chain is not connected. Rabī‘ah bin Saif only reported from Abū ‘Abdur-Rahmān Al-Ḥubuli, from ‘Abdullāh bin ‘Amr. We do not know of Rabī‘ah bin Saif hearing from ‘Abdullāh bin ‘Amr.

Comments:
This narration shows that Allāh ﷺ has aggrandized the status of some special periods of time in the ordinary flow of time (Time in the sense of hours and
days months and so on...). The day of Friday and the night of Friday is higher in status as compared to other days of the week. This status is given by Allāh Himself out of His mercy.

Chapter 73. What Has Been Related About Hastening The Funeral

1075. ‘Alī bin Abī Talīb narrated that the Messenger of Allāh ﷺ said to him: “O ‘Alī! Three are not to be delayed: Salāt when it is due, the funeral when it is presented, and (marriage) for the single woman when someone compatible is found.” (Sahīh)

Abū ‘Eisā said: This Hadīth is Gharīb, and I do not think that its chain is connected.

Chapter 74. Something Else About The Virtue Of Consoling

1076. Abū Barzah narrated that the Messenger of Allāh ﷺ said: “Whoever consoles a bereaved mother, he will be clothed with a Burd[1] in Paradise.” (Dā'if)

Abū ‘Eisā said: This Hadīth is Gharīb and its chain is not strong.

Comments:
This narration tells us that it is not proper to make any delay in doing virtuous deeds.

[1] See nos. 859 and 996.
Chapter 75. What Has Been Related About Raising The Hands For The Funeral (Prayer)

1077. Abü Hurairah narrated: “The Messenger of Allah ﷺ said, ‘Allãhu Akbar’ over the deceased, so he raised his hands with the first Takbir, and he placed his right (hand) over his left.” (Da’if)

Abû ‘Eisâ said: This Hadith is Gharib, we do not know of it except from this route.

The people of knowledge differ over this. Most of the people of knowledge among the Companions of the Prophet ﷺ and others held the view that the man is to raise his hands for every Takbir for the funeral (prayer). This is the view of Ibn Al-Mubârak, Ash-Shãfi‘î, Ahmad, and Ishãq.

Some of the people of knowledge said that the hands are not to be raised except in the first Takbir. This is the saying of Ath-Thawrî and the people of Al-KUfah.

It has been mentioned that Ibn Al-Mubârak said about the funeral prayer: “He does not put his right over his left.”
But some of the people of knowledge held the view that the right is put over the left just as it is for Salāt.

Abū 'Eisā said: Holding is better to me.

(المعجم 71 - موضع )

المؤمن معلقة بدين له حتى يقضى عليه

(التحفة 77)

1078. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “The believer’s soul is suspended by his debt until it is settled for him.” (Hasan)

* تخرج: [حسن] وصححه الحاكم على شرط الشيخين: 2/26 ووافقه الذهبي

1079. (Another chain) Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “The believer’s soul is suspended by his debt until it is settled for him.” (Hasan)

تخرج: [حسن] وله الحديث لون آخر عند أحمد: 2/58 وانظر الحديث الآتي

Comments:
Raising the hands on first Takbīr of funeral prayer is unanimously agreed upon. As for the rest of Takbīrat, there is difference of opinion.
Abū ‘Eisā said: This Hadith is Hasan and it is more correct than the first (no. 1078).

Comments:
As the debt is the right of people, so its payment is a must and everyone should try to pay it in his life time. This Hadith exhorts the Muslims to help in the payment of debt of the deceased.
9. The Chapters (On Narrations Reported) On Marriage From The Messenger of Allah ﷺ

Chapter 1. What Has Been Related About The Virtues Of Marriage And Encouraging It


(He said:) There are narrations on this topic from ‘Uṯmān, Thawbān, Ibn Mās‘ūd, ‘Āishah, ‘Abdullāh bin ‘Amr, (Abī Najīḥ), Jābir, and ‘Akkāf.

(‘Abū ‘Eisā said:) The Hadīth of Abū Ayyūb is a Ḥasan Gharib Hadīth.

(Another chain) that is similar to the narration of Ḥafṣ. (a narrator in the chain of this Hadīth)

(‘Abū ‘Eisā said:) This Hadīth was reported by Hushaim, Muhammad bin Yazīd Al-Wāṣiṭī, Abū Mu‘āwiyah, and others, from Al-Ḥajjāj, from Makhūl, from Abū Ayyūb, and they did not mention “from Abū Ash-Shimal” in it. (as Ḥafṣ bin Ghiyāth did).

The narration of Ḥafṣ bin Ghiyāth and ‘Abbād bin Al-‘Awwām (the previous chain) is more correct.

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[1] Modesty, self-respect, bashfulness, honor etc.

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Comments:

'Nikāh' means marriage or to merge. In the Qur'an this word occurs with the meaning of 'Aqīd a bond or contract of marriage. As 'Aqīd or marriage is a cause of being husband and wife, so it has been used in the sense of making a relationship. Marriage is a Sunnah which Muslims are advised to follow.

1081. 'Abdullāh bin Mas'ūd narrated: "We went with Allāh's Messenger ﷺ, while we were young men who had nothing. He said: 'O young men! You should marry, for indeed it helps in lowering the gaze and protecting the private parts. Whoever among you is not able to marry, then let him fast, for indeed fasting will diminish his sexual desire." (Ṣaḥīḥ)

(Another chain) with similar narration.

(Abū 'Eisā said: Others have reported this chain from Al-
A'mash similarly. Abū Mu'awiyah and Al-Muhãribi reported similarly from Al-A'mash, from 'Alqamah, from 'Abdullãh, from the Prophet (AbU 'EIsa said: Both of them are Sahih).

Comments:
The Arabic word 'Al-Ba 'ah' means to make relationship and it is deducted from 'Maba 'a' which means to provide residence. Whoever marries a woman provides her residence. For the sake of making a relationship, it is necessary to marry and to take the responsibility of food and maintenance.

Chapter 2. What Has Been Related About The Prohibition of Celibacy

1082. Qatadah narrated from Al-Hasan, from Samurah that the Prophet prohibited celibacy. (Sahih)
(He said:) There are narrations on this topic from Sa'd, Anas bin Mälik, 'Aishah and Ibn 'Abbãs. (mu'jam 2) - باب ما جاء في النهى عن اكتسال المتحفة

(1) Ar-Ra'd 13:38.
(Abū ‘Eisā said:) The Hadīth of Samurah is a Hasan Gharib Hadīth. Al-Ash‘ath bin ‘Abdul-Mālik reported this Hadīth from Al-Hasan, from Sa‘d bin Hishām, from ‘Aishah, from the Prophet ﷺ and it is similar.

And it is said that both narrations are Sahīh.

1083. Sa‘eed bin Al-Musayyab narrated from Sa‘d bin Abī Waqqās: “The Messenger of Allāh ﷺ refused ‘Uthmān bin Ma‘zūn (when he asked) regarding celibacy, and if he had permitted it for him, then we would have castrated ourselves.” (Sahīh)

(Abū ‘Eisā said:) This Hadīth is Hasan Sahīh.

Comments:

Celibacy is not allowed in Islām. The Arabic word ‘At-Tabbattul’ means to stay away from women. A woman who has no interest in men is called ‘Batūl’ in the Arabic language. Fatimah was called Batūl because she was always busy in the remembrance of Allāh ﷺ.
Chapter 3. What Has Been Related About: If You Are Pleased With Someone's Religion Then Marry Him

1084. Ābū Hurairah narrated that the Messenger of Allāh ﷺ said: “When someone whose religion and character you are pleased with proposes to (someone under the care) of one of you, then marry to him. If you do not do so, then there will be turmoil (Fitnah) in the land and abounding discord (Fasad).” (Daqīq)[1]

(He said:) There are narrations on this topic from Ābū Hātim Al-Muzānī and ‘Āishah.

(Ābū ‘Eisā said:) As for the Hadīth of Ābū Hurairah; ‘Abdul-Ḥamīd bin Sulaimān has been contradicted in this narration. Al-Laith bin Sa’d reported it from Ibn ‘Ajlān, from Ābū Hurairah, from the Prophet ﷺ, as a Mursal narration.

(Ābū ‘Eisā said:) Muḥammad said: “The narration of Al-Laith is more appropriate, and the narration of ‘Abdul-Ḥamīd is not considered preserved.”

Comments:
Wealth and physical beauty carry no weight in acquiring higher status or preference in Muslim society.

[1] It was graded Hasan by Shaikh Al-Albānī in Irwa’ Al-Ghaṭil (no. 1868) and As-Saḥīḥah (no. 1022)
Abū Ḥātim Al-Muzani narrated that the Messenger of Allah ﷺ said: “When someone whose religion and character you are pleased with comes to you then marry (her to) him. If you do not do so, then there will be turmoil (Fitnah) in the land and discord (Fasad). If you do not do so, then there will be turmoil (Fitnah) in the land and discord (Fasad).” [1]

They said: “O Messenger of Allah! What if there was something about him?” [2]

He said: “When someone whose religion and character you are pleased with comes to you then marry him.” (And he ﷺ said this) three times. (Da'if)

(‘Abū ‘Eisā said:) This Hadith is Ḥasan Gharib. Abū Ḥātim Al-Muzani was a Companion, and we do not know of a Hadith that he narrated from the Prophet ﷺ other than this.


Comments:
A Muslim should prefer a religious minded lady for marriage and a Muslim lady should also prefer the same in a Muslim man.

Chapter 4. What Has Been Related About: One Who Is Married For Three Things

1086. Jābir narrated that the Prophet ﷺ said: “Indeed the woman is married for her religion, her wealth, and her beauty, so take

[1] See previous note.

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the one with religion, and may your hands be dusty.” (Ṣahih)
(He said:) There are narrations on this topic from ‘Awf bin Mālik, ‘A‘ishah, ‘Abdullāh bin ‘Amr, and Abū Sa‘eed.

(Abū ‘Eisā said:) The Ḥadīth of Jābir is a Hasan Ṣahīh Ḥadīth.

Comments:

Usually people see three things in a woman for marriage. Her wealth, beauty and lineage or family but Islām recommends religiosity.

Chapter 5. What Has Been Related About Looking At The Proposed Woman

1087. Bakr bin ‘Abdullāh Al-Muzanī narrated that Al-Mughirah bin Shu‘bah proposed to a woman, so the Prophet ṣallallāhu ‘alayhi wa sallam said: “Look at her, for indeed that is more likely to make things better between the two of you.” (Ṣahīh)

There are narrations on this topic from Muhammad bin Maslamah, Jābir, Anas, Abū Humaid, and Abū Hurairah.

(Abū ‘Eisā said:) This Ḥadīth is Ḥasan. Some of the people of knowledge followed this Ḥadīth. They said that there is no harm in looking at her as long as he does not see anything unlawful from her.
This is the saying of Ahmad and Ishâq. And the meaning of his saying “More likely to make things better between the two of you” is; more likely to cause mutual love between the two of you.

Comments:
As marriage is a contract for the whole life, therefore it should be given due consideration before going into it. According to most of the scholars and the Four A’immah, it is approved and lawful to see the spouse before betrothal.

Chapter 6. What Has Been Related About Publicizing The Marriage

1088. Abû Al-Balj narrated from Muḥammad bin Ḥāṭib Al-Jumahi who said that the Messenger of Allah ﷺ said: “The distinction between the lawful and the unlawful is the Duff and the voice.” (Hasan)

(He said:) There are narrations on this topic from ‘Aishah, Jâbir, Ar-Rubâ’il and Mu’awwidh. (Abû ‘Eisâ said:) The Hadith of Muhammad bin Ḥâṭib is a Hasan Hadith. Abû Balj’s name is Yahya bin Abî Sulaim, and they say it is Ibn Sulaim as well. Muḥammad bin Ḥâṭib saw the Prophet ﷺ when he was a young boy.


(المعجم ۶) - باب ما جاء في إعلان النكاح (التحفة ۶)

1088 - حديثٌ أحمد بن ميعجم حديثاً في أسماء أبي بليغ عن حمزة بن حاطب الجمحي قال: قال رسول الله ﷺ: «فصل ما بين الحرام والحلال التلف والصوت».

وقال: وفي الباب عن عائشة وجابر والبرهان يثبت موعود.

وقال: أبو عيسى: خليل محمد بن حاطب حديث حسن.

وقال: ابن سهيل: أيضاً.

ومحمد بن حاطب قد رأى النبي ﷺ وهو علامة ضيّع.
Marriage should be celebrated and publicized. Concealed marriages creates many problems and misunderstandings among the people and concerned families.

1089. ‘Aishah narrated that the Messenger of Allāh ﷺ said:
“Publicize this marriage, and hold it in the Masjid, and beat the Duff for it.” (Da’if)

(Abū ‘Eisā said:) This Hadith, about this topic, is Hasan Gharīb.
‘Eisā bin Maimūn Al-Ansārī was graded weak in Hadīth.
‘Eisā bin Maimūn, the one that reports At-Tafsīr from Ibn Abī Najīh is trustworthy.

Comments:

Though this narration is weak, it supports the idea of publicizing the marriage when it is held in a Masjid.

1090. Ar-Rubā‘ī bint Mu‘awwidh said: “The morning after the consummation of my marriage, the Prophet ﷺ came and sat on my bed as far from me as you are sitting now, and our little girls started beating the Duff and reciting verses mourning my fathers[1] who had been killed in the battle of Badr. One of them said: ‘Among us is a Prophet who knows what will happen tomorrow.’

[1] Her father and two uncles had been killed in the battle of Badr. By saying: “My fathers” she meant that her two uncles were as dear to her as her father was.
On that the Prophet ﷺ said: ‘Stop saying this, and keep on saying what you were saying before.’”

Abū ‘Eisā said: This Hadīth is Ḥasan Ṣahīh.

Comments:
When the little girls uttered an improper statement in their song the Prophet ﷺ stopped them there and then. This indicates that wrong, false and unlawful things should not be permitted or appreciated at any occasion.

Chapter 7. What (Has Been Related About What) To Say To The Newlywed

1091. Abū Hurairah narrated that when supplicating for the newlywed, the Prophet ﷺ would say: (Bāрак Allāhu laka wa bāraka ‘alaik, wa jama‘a bainakuma fī khāir.) “May Allāh bless you and send blessings upon you, and bring goodness between you.” (Ṣaḥīḥ)

(He said:) There is something about this from ‘Aqīl bin Abī Ṭālib.

(Abū ‘Eisā said:) The Hadīth of Abū Hurairah is a Ḥasan Ṣahīh Ḥadīth.

Comments:
In this world, in different nations, there are different ways to congratulate on marriage. The Prophet ﷺ told the Muslims to congratulate the husband and wife and ask Allāh’s blessings for them.
Chapter 8. What Has Been Related About What Is Said When One Has Intercourse With His Wife

1092. Ibn ‘Abbas narrated that the Messenger of Allahﷺ said: “If anyone of you, when having sexual intercourse with his wife, says: (Bismillah, Allahumma jannibnash-Shaitãna wa jannibish-Shaitana mà razaqtana) ‘In the Name of Allah. O Allah! Protect me from Shaitãn and protect what you bestow upon us from Shaitãn’ – then if Allah decrees that they should have a child, Shaitãn will not be able to harm him.”” (Ṣahih)

(Abû ‘Eisa said:) This Ḥadîth is Hasan Ṣahîh.

Comments:

When a person intends to have sexual intercourse with his wife, he should pray and ask Allah’s blessings with the mentioned supplication. If the child is born in result of this intercourse, Allah will save the child from the evil of Satan.

Chapter 9. What Has Been Related About The Times In Which Marriage Is Recommended

1093. ‘Aishah narrated: “The Messenger of Allahﷺ married me in Shawwãl, and he took up residence with me in Shawwãl.” (Ṣahîh)

And ‘Aishah used to recommend her women folk to take up residence (with their husbands) during Shawwãl.[1]

[1] They say that this was to contradict the pre-Islamic belief that it should not be done during Shawwãl. See Tuhfat Al-Ahwadhi.
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(Abū ‘Eīsā said:) This Hadith is Ḥasan Šāhiḥ, we do not know of it except from the narration of Ath-Thawri from Ismā‘il (bin Umayyah).

Comments:

In the period of Jahiliyyah, people disliked to marry in the month of Shawwāl. As for today people do not like to marry in the month of Muharram. The Prophet ﷺ did it purposely in the month of Shawwāl to disapprove the prevailing idea.

Chapter 10. What Has Been Related About (Al-Walîmah) The Banquet

1094. Anas bin Mālik narrated: “The Messenger of Allâh ﷺ saw some traces of saffron on ‘Abdur-Rahmān bin ‘Awf so he said: ‘What is this?’ He said: ‘I married a woman for the amount of gold equal to a date stone.’ So he said: ‘May Allâh bless you. Have a banquet, even if with only one sheep.’” (Ṣahîh)

(He said:) There are narrations on this topic from Ibn Mas‘ūd, ‘Āishah, Jābir, and Zuhair bin ‘Uthmān.

(Abū ‘Eīsā said:) The Hadith of Anas is a Hasan Šāhiḥ Hadith.

Ahmad bin Ḥanbal said: “The amount of gold equal to a date stone is the weight of three and one third Dirham.” Ḥishāq said: “It is the weight of five (and one third) Dirham.”
Comments:

‘Abdur-Rahmân bin ‘Awf is one among the Ten who were given the glad tidings of Paradise in this world, and he had very special and close relations with the Prophet ﷺ. He did not invite the Prophet ﷺ to attend his marriage and the Prophet ﷺ did not mind it. It can be inferred from this that the people in the early period of Islam did not make any special arrangements for marriage and did not consider it mandatory to invite all friends and relatives to attend it.

1095. Anas bin Mâlík narrated:

“The Prophet ﷺ had a banquet for Ṣafîyyah bint Ḥuyayy with Sawîq [1] and dates.”

(Ābū ‘Eisâ said:) This Hadîth is Hasan Gharîb.

Comments:

There is a narration in Sahîh Al-Bukhârî that the Prophet ﷺ, in the Walîmah banquet of Ṣafîyyah, with the help of his friends served dates, cheese and ghee mixed together. Maybe the flour of barley was also mixed in it.

1096. (Another chain similar to the narration as no. 1095).

Others have reported this Hadîth from Ibn ‘Uyainah, from Az-Zuhrî, from Anas, and they did not mention “from Wā’il, from his son Nawf” in it. (Hasan)

(Ābû ‘Eisâ said:) Sufyân bin ʿUyainah committed some Tadlîs in

[1] A kind of mash made of powdered roasted wheat or barley grain, or with sugar and dates.
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this Hadith. Sometimes he did not mention "from Wã'il, from his son Nawf" in it, and sometimes he did.

1097. Ibn Mas'ûd narrated that the Messenger of Allah ﷺ said:

"Having food on the first day is what is obligatory, and having food on the second day is Sunnah, and having food on the third day is to be heard of, and whoever wants to be heard of, Allah will make him heard of." (Da'if)

Abû 'Eisâ said: We do not know of the Hadith of Ibn Mas'ûd to be Marfu' except from the narration of Ziyâd bin 'Abdollâh, and Ziyâd bin 'Abdollâh narrates many strange and objectionable things.

(He said:) I heard Muḥammad bin Isma'îl mentioning that Muḥammad bin 'Uqbah said: "Wâki' said: 'Ziyâd bin 'Abdollâh, in spite of his nobility, lies in his narrations.'"

Comments:

Having the banquet on the third day is supported by narrations recorded by Al-Bukhdri, Muslim, and others.
Chapter 11. What Has Been Related About Accepting The Invitation

1098. Ibn ‘Umar narrated that the Messenger of Allāh ﷺ said: “Accept the invitation when you are offered.” (Ṣaḥīḥ)

He said: There are narrations on this topic from ‘Ali, Abū Hurairah, Al-Barā’, Anas, and Abū Ayyūb.

Chapter 12. What Has Been Related About One Who Comes To A Banquet Without An Invitation

1099. Abū Mas‘ūd narrated: “A man named Abū Shu‘aib came to a slave of his, who was a butcher, and said: ‘Prepare some food for me that will be sufficient for five, for I have seen hunger in the face of the Messenger of Allāh ﷺ.’ So he prepared some food. Then he...
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sent a message to the Prophet inviting him and those who were sitting with him. When the Prophet stood, he was followed by a man who was not with them when they were invited. When the Messenger of Allāh arrived at the door he said to the owner of the house: ‘A man who was not with us when you invited us followed us, if you permit him, he will enter.’” He said: We have permitted him, let him enter.” (Sahih)

(Abū ‘Eisā said:) This Hadīth is Hasan Sahih. (He said:) There are narrations on this topic from Ibn ‘Umar.

Comments:

It is clear from this narration that attending banquets without being invited is not correct, and an invitee should not bring another person along to the banquet without prior permission from the host. If someone is sure that the additional guest will not be a burden on the host, then he may take him.

Chapter 13. What Has Been Related About Marrying Virgins

1100. Jābir bin ‘Abdullāh narrated: “I married a woman and went to the Prophet, he said: ‘O Jābir! Have you married?’ I said: ‘Yes.’ He said: ‘A virgin or a matron?’ I said: ‘A matron.’ He said: ‘Why didn’t you marry a young girl, so that you may play with her and she with you?’ I said: ‘O Messenger of Allāh! ‘Abdullāh (his father) died and left behind seven – or nine – daughters, so I have brought someone who can

look after them.” (He said:) “So he supplicated for me.” (Sahih)

(He said:) There are narrations on this topic from Ubayy bin Ka‘b and Ka‘b bin ‘Ujrah.

(Abū ‘Īsā said:) The Hadith of Jābir (bin ‘Abdullāh) is a Hasan Sahih.

Comments:
It is clear from this narration that marrying a virgin is preferable as this marriage is lively and spirited. But marrying a widow or a divorced lady is also recommended if there is need of it for some higher cause.

Chapter 14. What Has Been Related About: There Is No Marriage Except With A Walī

1101. Abū Mūsā narrated that the Messenger of Allāh sas said: “There is no marriage except with a Walī.” (Sahih)

(He said:) There are narrations on this topic from ‘Aishah, Ibn ‘Abbas, Abū Hurairah, ‘Imrān bin Ḥusain, and Anas.
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1102. ‘Aishah narrated that the Messenger of Allâh ﷺ said:

“Whichever woman marries without the permission of her Wali her marriage is invalid, her marriage is invalid, her marriage is invalid. If he entered into her, then the Mahr is for her in lieu of what he enjoyed from her private part. If they disagree, then the Sultan is the Wali for one who has no Wali.” (Hasan)

(Abû ‘Eisâ said:) This is a Hasan Hadîth. Yahya bin Sa’eed Al-Ansârî, Yahya bin Ayyûb, Sufyân Ath-Thawrî and others among the Huffâz had reported similar from Ibn Juraj.

(Abû ‘Eisâ said:) There is some disagreement with regard to the (previous) Hadîth of Abû Mûsâ. It was reported by Isrâ’il, Sharîk bin ‘Abdullâh, Abû ‘Awânah, Zuhair bin Mu‘awiyah, and Qais bin Ar-Râbi’ (all of them) from Abû Ishâq, from Abû Burdah, from Abû Mûsâ, from the Prophet ﷺ.

Asbâṭ bin Muhammad and Zaid bin Ḥubâb reported it from Yûnus bin Abî Ishâq, from Abû Ishâq, from Abû Burdah, from Abû Mûsâ, from the Prophet ﷺ.

Abû ‘Ubaidah Al-Ḥaddâd reported it from Yûnus bin Abî Ishâq, from Abû Burdah, from Abû
Mūsā, from the Prophet صل الله عليه وسلم and it is similar, but he did not mention "from Abū Ishāq" in it.

It has also been reported from Yūnus bin Abī Ishāq, (from Abū Ishāq), from Abū Burdah, (from Abū Mūsā), from the Prophet صل الله عليه وسلم.

Shu‘bāh and Ath-Thawrī reported from Abū Ishāq, (from Abū Mūsā), from the Prophet صل الله عليه وسلم: “There is no marriage except with a *Wall*.”

Some of the companions of Sufyān mentioned it from Sufyān, from Abū Ishāq, from Abū Burdah, from Abū Mūsā, but that is not correct.

These people who reported from Abū Ishāq, from Abū Burdah, from Abū Mūsā, from the Prophet صل الله عليه وسلم: “There is no marriage except with a *Wall*” — they heard from Abū Ishāq during different times, even though Shu‘bāh and Ath-Thawrī have better memories and are more reliable than all of these who reported this Hadith from Abū Ishāq, even still, the narrations of these people are more appropriate and correct to me. This is because Shu‘bāh and Ath-Thawrī heard this Hadith from Abū Ishāq in one sitting. What proves this is what has been narrated to us by Mahmūd bin Ghailān: (He said:), “Abū Dāwūd narrated to us: (He said) ‘Shu‘bāh informed us, he said: “I heard Sufyān Ath-Thawrī ask Abū Ishāq: ‘Did you hear Abū Burdah saying: ‘The Messenger of Allah صل الله عليه وسلم said: ‘There is no marriage except with a *Wall*’? He said: “Yes.”
So this narration proves that Shu'bah and Ath-Thawri heard this *Hadith* (from Makhül) at the same time, while Isrâ’il is (trustworthy and) reliable in the case of Abû Isâq.

I heard Abû Mûsâ Muhammad bin Al-Muthanna saying: “I heard ‘Abdur-Ra’hân bin Mahîdî saying; ‘I only left the (Hadîth) of Sufyân Ath-Thawri from Abû Isâq because I relied on Isrâ’il for it, since he narrated it in a more complete fashion.’”

The *Hadîth* on this topic from ‘Aishah, from the Prophet ﷺ:
“There is no marriage except with a *Wali*” is a *Hasan* Hadîth to me, it was reported by Ibn Juraij from Sulaimân bin Mûsâ, from Az-Zuhri, from ‘Urwa, from ‘Aishah, from the Prophet ﷺ.

It was reported by Al-Hajjâj bin Artâh and Ja’far bin Râbî’ah from Az-Zuhri, from ‘Urwa, from ‘Aishah, from the Prophet ﷺ. And it was reported from Hishâm bin ‘Urwa from his father, from ‘Aishah, from the Prophet ﷺ, similarly.

Some of the people of Hadîth have criticized the narration of Az-Zuhri from ‘Urwa, from ‘Aishah, from the Prophet ﷺ. Ibn Juraij said: “Then I met Az-Zuhri and asked him about it, and he rejected it.” So they considered this Hadîth weak because of this. It has been mentioned that Yahya bin Ma’in said: “This statement from Ibn
Juraij has not been mentioned by anyone but Ismā'il bin Ibrāhīm. Yahya bin Ma'in said: “The case of Ismā'il bin Ibrāhīm hearing from Ibn Juraij is not well established; he only corrected his books according to the books of ‘Abdul-Majīd bin ‘Abdul-'Azīz bin Abī Rawwād, but he (Ismā'il) did not hear from Ibn Juraij.”

So Yahya graded the narrations of Ismā'il from Ibn Juraij weak.

On this topic, the Ḥadīth of the Prophet ﷺ: “There is no marriage except with a Wall” is acted upon according to the people of knowledge among the Companions of the Prophet. Among them are ‘Umar bin Al-Khaṭṭāb, ‘Āli bin Abī Taḥlib, ‘Abdullāh bin ‘Abbas, Abū Hurairah, and others.

Similarly, it has been reported from some of the Fuqahā’ among the Tablī’in saying: “There is no marriage except with a Wali.” Among them were Sa’eed bin Al-Musayyab, Al-Hasan Al-Bāṣrī, Shuraib, Ibrāhīm An-Nakha’ī, ‘Umar bin ‘Abdul-'Azīz, and others.

This is the view of Sufyān Al-Thawrī, Al-Awzā’ī, Malik, ‘Abdullāh bin Al-Mubārak, Ash-Shāfi’ī, Ahmad, and Ishaq.

تخريج: [إسناده حسن] وأخرجه أبو داود، النكاح، باب: في الولي، ح: ۳۵۶ من حديث
صفين بن عبيد الله وصحبه ابن حبان، ح: ۱۴۸ والحاكم: ۱۸/۲ على شرط الشيخين وقواه ابن
عدي في الكامل: ۲/۱۱۱۵ * ابن جرير سمعه من سليمان وسليمان من الزهري من عروة وطول
تخريجه في تحقیق مسند الحمدی، ح: ۳۰۷ ومحدث شواهد كثيرة.
Chapter 15. What Has Been Related About: There Is No Marriage Except With Proof (Bayyinah)\(^\text{[1]}\)

1103. Ibn ‘Abbâs narrated that the Prophet said: “The adulteresses are the ones who marry themselves without \textit{Bayyinah} (proof).” (\textit{Da'if})

Yûsuf bin Hammãd (one of the narrators) said: “‘Abdul-A’lä (one of the narrators) reported this Hadith in \textit{Marfü‘} form in \textit{At-Tafsîr}, and in \textit{Kitâb At-Talāq} he reported it in \textit{Mawqûf} not \textit{Marfü‘} form.”

1104. (Another chain) from Sa’eed bin Abî ‘Arûbah, with similar (narration), and he did not narrate it in \textit{Marfü‘} form, and this is more correct. (\textit{Da'if})

(Abû ‘Eisâ said:) This Hadith is not preserved. We do not know of anyone who narrated it in \textit{Marfü‘} form except for what has been reported from ‘Abdul-A’lä, from Sa’eed, from Qatâdah which is \textit{Marfü‘}.

This Hadith has also been reported from ‘Abdul-A’lä, from Sa’eed in \textit{Mawqûf} form.

What is \textit{Sahîh} is what is reported from Ibn ‘Abbâs, as his saying: “There is no marriage except with \textit{Bayyinah}.”

This is how it has been reported.
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There are narrations on this topic from 'Imrân bin Ḥuṣain, Anas, and Abû Hurairah.

This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and those after them from the Ṭabī‘īn and others. They say that there is no marriage except with witnesses. There is no disagreement over that – according to what we know, from those who were among them – except for those among the latter people of knowledge. And the only disagreement among the people of knowledge on this topic is when it is witnessed by one person, and another one afterwards. So most of the people of knowledge among the people of Al-Kūfah and others said: A marriage is not acceptable until it is witnessed by two witnesses together, at the time the marriage is contracted. Some of the people of Al-Madinah held the view that when it is witnessed by one person, and then another afterwards, then it is permissible, as long as that is publicized.

This is the view of Mãlik bin Anas [and others]. This is what was said by Ishāq bin Ibrâhim regarding what has been quoted from the people of Al-Madinah. Some of the people of knowledge said that it is allowed for a man and two women to witness the marriage, and this is the view of Aḥmad and Ishāq.
Comments:

All scholars agree that marriage without witnesses is not possible. According to Imám Malik it is not necessary that two witnesses should be present at a time, they can witness the marriage at different times, but it is essential to publicize it. According to Imám Ahmad one male and two females can also stand witnesses for a marriage whereas according to Imam Shafi’is view two male witnesses are necessary.

Chapter 17. What Has Been Related About The Marriage
Khutbah

1105. ‘Abdullãh bin Mas’Ud narrated: “The Messenger of Allah taught us the Tashah-hud for Salãt and the Tashah-hud for Al-Hajjah.”[1] He said: “The Tashah-hud for Salãt is: (At-Tahiyyatulillah, was-walawatu wa-ayyibãtu. As-Sa lãmu 'alaika auhan-Nabiu wa rahmatullahi wa barakdtuhu, As-Salãmu 'alainã wa 'alã 'ibãdillãhis-sãlihin. Ashhadu an lã ilãha illallãh, wa ashhadu anna Ia ilãha illallãh, wa ashhadu anna Muhammadan 'abduhu wa Rasüluh.) ‘All greetings, prayers, and pure words are for Allah. Peace be upon you O Prophet, and Allah’s mercy and His blessings. Peace be upon us and all of the righteous worshippers of Allah. I testify that none has the right to be worshipped but Allah, and I testify that Muhammad is His slave and His Messenger.’”

And the Tashah-hud for Al-Hajjah is:

‘Indeed all praise is due to Allah, we

[1] That is the “speech of need” or, “compliance” or the “prerequisite speech.” It is to be used for marriage or any other important matter.
seek His aid, and we seek His forgiveness, and we seek refuge with Allah from the evils of our souls and the mischief of our deeds. (Innal-Hamdalillahi nasta'inuhu, wa nastaghfirruhu, wa na'âdhâ billâhi min shurâri' anfusinâ, wa sayy'âti a'mâlinâ, man yahdihi, fâlâ mu'dilla lahu, wa manyudil, fâlâ hâdiya lahu, wa ashhadu an lâ illah illallâh wa ashhadu anna Muhammadan 'abdulhu wa Rasûluh) ‘Whomever He guides — meaning Allah — then there is none to lead him astray, and whomever He misleads, then there is no guide for him. I testify that none has the right to be worshipped but Allah, and I testify that Muhammad is His worshipper and Messenger.”

He said: “And he recited three Ayât.” (Da'âfî) [1]

‘Abthar (one of the narrators) said: “Sufyân Ath-Thawri explained that to us: Have Taqwa of Allah, with the Taqwa that He is due, and do not die except while you are Muslims.”[2] And have Taqwa of Allah from whom you demand your mutual rights and revere the ties of kinship. Indeed Allah is Ever Watching over you.[3] Have Taqwa of Allah, and speak (always) the truth.”[4]

(He said:) There is something on this topic from ‘Adî bin Hâtim.

(Abû ‘Eisâ said:) The Hadîth of

[1] The Hadîth is authentic via other chains.
‘Abdullâh is a Hasan Hadîth. It was reported by Al-A’mash, from Abû Ishâq, from Abû Al-Ahwas, from ‘Abdullâh, from the Prophet ﷺ.

Shu’bah also reported it from Abû Ishâq, from Abû ‘Ubaidah, from ‘Abdullâh from the Prophet ﷺ. Both of the narrations are Sahîh because Isrâ’il combined them both saying: “From Abû Ishâq, from Abû Al-Ahwas, and Abû ‘Ubaidah, from ‘Abdullâh bin Mas‘ûd from the Prophet ﷺ.”

The people of knowledge have said that a marriage without a Khutbah is acceptable. This is the view of Sufyân Ath-Thawrî and others among the people of knowledge.

Comments:

In the oration of the marriage sermon all three Verses of the Qur’ân carry the subject of being ‘fearful of Allah’. And the wholesome and agreeable relationship between husband and wife depend on the fear of Allah ﷺ. Husband and wife both are required to care for each other and each other’s rights. According to most of the scholars, the marriage sermon is not essential but according to Az-Zahriyah it is necessary and essential. (Tuzfat Al-Ahwadhi)

1106. Abû Hurairah narrated that the Messenger of Allâh ﷺ said: “Every Khutbah that does not have the Tashah-hud in it, then it is like a severed hand.” (Sahîh)

(‘Abû ‘Eisâ said:) this Hadîth is Hasan (Sahîh) Gharîb.
Chapter 18. What Has Been Related About Seeking The Permission Of The Virgin And The Matron

1107. Abū Hurairah narrated that the Prophet ﷺ said: "A matron should not be given in marriage until she is consulted, and a virgin should not be given in marriage until her permission is sought, and her silence is her permission." (Sahih)

(He said:) There are narrations on this topic from 'Umar, Ibn 'Abbas, 'Aishah, and Al-'Urs bin 'Amirah.

(Abū 'Elsa said:) The Hadith of Abū Hurairah is a Hasan Sahih Hadith, and this is acted upon according to the people of knowledge. The matron is not to be married until she is consulted, and if her father were to give her in marriage without having consulted her, and she dislikes it, then the marriage is annulled according to the people of knowledge in general.

The people of knowledge differ over virgins when they are given in marriage by their fathers. Most of the people of knowledge from the people of Al-Kūfah, and others, held the view that if the father gives

Comments:

This narration is a proof that reciting the formula of testimony is essential in every sermon.
the virgin in marriage, and she has attained the age of responsibility, and he did so without consulting her, if she does not accept the marriage arranged by her father, then the marriage is annulled.

Some of the people of Al-Madinah said: The father’s giving the virgin in marriage is allowed, even if she dislikes it. This is the saying of Malik bin Anas, Ash-Shafi’i, Ahmad and Ishâq.

Comments:
The Prophet ﷺ has instructed that a widow or a divorced woman must extend her consent by word of mouth, and a virgin should also give her consent for her marriage. Her silence is also her permission.

1108. Ibn ‘Abbas narrated that the Messenger of Allah ﷺ said: “The matron has more right to herself than her Wali, and the virgin is to give permission for herself, and her silence is her permission.” (Sahih)

This Hadith is Hasan Sahih. Shu’bah and Sufyan Ath-Thawri have reported this Hadith from Malik bin Anas.

Some people argued for the validity of marriages without the Wali’s permission based upon this Hadith. But there is nothing in this Hadith to support what they argued, because it has been reported from other routes, from Ibn ‘Abbas, that the Prophet ﷺ said: “There is no marriage except...
with a *Wall*.” And Ibn ‘Abbas gave a verdict accordingly, after the Prophet ﷺ; he said: “There is no marriage except with a *Wall*.” So the saying of the Prophet ﷺ: “The matron has more right to herself than her *Wall*” only means – according to most of the people of knowledge – that her *Wall* may not give her in marriage except with her acceptance and her approval, and if he were to give her in marriage then the marriage would be annulled. This is based upon the *Hadith* of Khansâ’ bint Khidâm, in which her father married her while she was a matron, and she did not like that, so the Prophet ﷺ rejected her marriage.

### Comments:

*“Al-Ayyim” means a woman who has no husband. Allâh’s command is to marry those women who have no husbands but this *Al-Ayyim* stands for women who are divorced or widowed. In a narration of *Sahîh Muslim* the word *Thyib* has occurred which is used for the opposite of married.*

### Chapter 19. What Has Been Related About Coercing A Female Orphan To Marry

1109. Abû Hurairah narrated that the Messenger of Allâh ﷺ said: “An orphan is to be consulted about herself, then if she is silent that is her permission, and if she refuses, then do not authorize it (the marriage) for her” (meaning: when she attains the age of puberty and refuses it.) *(Hasan)*

(He said:) There are narrations on
this topic from Abū Mūsā, Ibn ‘Umar (and ‘Aishah).

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Ḥasan Hadith.

The people of knowledge differ over (the rules governing about) giving the orphan girl in marriage. Some of the people of knowledge held the view that when the orphan girl is given in marriage, the consummation is postponed until she attains the age of responsibility. Then, when she attains the age of responsibility, it is up to her to permit the wedding or annul it. This is the saying of some of the Tābi‘īn and others.

Some of them said: It is not allowed to give the orphan girl in marriage until she attains the age of responsibility, and she is not allowed a choice about the wedding. This is the view of Sufyān Ath-Thawrī Ash-Shāfī‘i, and others among the people of knowledge.

Āhmād and Ishāq said that when the orphan girl reaches nine years of age, and she is given in marriage and she approves, then the marriage is allowed, and she does not have a choice to permit or to annul it when she reaches puberty. They argued using the Hadith of ‘Aishah that the Prophet ﷺ consummated his marriage with her when she was nine years of age,\(^1\) and ‘Aishah has said: “When a girl reaches nine years of age then she is a woman.”\(^2\)

\(^1\) “‘Aishah had reached puberty at nine years of age.” (Tuhfat Al-Ahwadhi).

\(^2\) “She is judged as having reached womanhood because at that time she has attained the perceptions and discernment to know what is beneficial or harmful for herself, and Allāh Most High knows best.” (Tuhfat Al-Ahwadhi).
Comments:

When a girl who attains the age that she is wise enough to understand the matters of matrimony, taking her consent is necessary. If she gives her consent and the marriage takes place, later on she has no choice of revoking her marriage. If the marriage takes place at the age when she is a minor or before the age of understanding the matters of matrimony, if her consent is taken, it carries no weight. In this situation the girl has the right of keeping or revoking her agreement to the marriage.

Chapter 20. What Has Been Related About Two Wali Giving The Same Woman In Marriage

1110. *Samurah bin Jundab* narrated that the Messenger of Allah ﷺ said: “Whichever woman is given in marriage by two Wali, then her case is in accordance with the first of them, and whoever sells something to two men, then it is for the first of them.” *(Hasan)*

(‘Abū ‘Eisā said:) This Ḥadīth is Ḥasan, and this is acted upon according to the people of knowledge. We do not know of any disagreement among them regarding that. When one of two Wali gives her in marriage before the other, then the marriage of the first is accepted, and the marriage of the other is annulled, and if they both gave her in marriage together (meaning; at the same time) then both of them are annulled. This is the view of Ath-Thawrī, Ahmad, and Ishāq.
Comments:

If two guardians (Wali), equally responsible in status of guardianship, give a girl in marriage, the first marriage will be accepted as the valid marriage and the second marriage conducted by the second guardian will have no value, and will be invalid. If two guardians are not equal in status of guardianship, the marriage conducted by the nearer guardian will be accepted as the valid marriage. The nearest guardian is father then grandfather then real brother. (For detail see Al-Mughni v. 9. p. 355-561. For the detail of two guardians see Al- Mughni v. 16. p.190)

Chapter 21. What Has Been Related About A Slave Marrying Without The Permission Of His Owner

1111. Jābir bin ‘Abdullāh narrated that the Prophet ﷺ said: “Whichever slave gets married without the permission of his owner, then he is a fornicator.” (Da‘īf)

(He said:) There is something on this topic from Ibn ‘Umar.

(Abū ‘Eisā said:) The Hadith of Jābir is a Hasan Hadith. Some of them reported this Hadith from ‘Abdullāh bin Muḥammad bin ‘Aqil, from Ibn ‘Umar, from the Prophet ﷺ but it is not correct. What is Sahīh is from ‘Abdullāh bin Muhammad bin ‘Aqil, from Jābir bin ‘Abdullāh.

This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and others. The marriage of a slave without the permission of his owner is not allowed. This is the view of Ahmad, Ishāq and others (without any disagreement).
Chapter 22. What Has Been Related About Women’s Dowries

1113. 'Abdullâh bin 'Amr bin Rabî‘ah narrated from his father:

“A woman from Banû Fazârah was married for (the dowry of) two sandals. So the Messenger of Allah ﷺ said to her: ‘Do you approve of (exchanging) yourself and your wealth for two sandals?’ She said: ‘Yes.’ He said: “So he permitted it.” (Da‘if)

(He said:) There are narrations on this topic from ‘Umar, Abû Hurairah, Suhail bin Sa‘îd, Abû Sa‘îd, Anas, ‘Aishah, Jâbir, and Abû Hadrad Al-Aslami.

(‘Abû ‘Eisa said:) The Hadîth of ‘Amir bin Rabî‘ah is a Hasan Sahîh Hadîth.

Comments:

It is agreed upon that a slave cannot marry without the permission of his master. If he marries without permission it will not be valid.
The people of knowledge disagreed over the dowry. Some of them said that the dowry is whatever (meaning the two parties in the marriage contract) agreed to. This is the saying of Sufyân Ath-Thawrî, Ash-Shâfi‘î, Ahmad, and Isâq.

Mâlik bin Anas said: “The dowry is not to be less than four Dînâr.” Some of the people of Al-Kûfah said that the dowry is not to be less than ten Dîrham.

Comments:
The Prophet ﷺ has not prescribed the amount of dowry, but for most of his wives the amount of dowry was five hundred Dîrham. People fixed varied amounts as a dowry and the Prophet ﷺ did not stop them by fixing less or higher amounts. An-Najîshî paid four thousand Dînâr on behalf of the Prophet ﷺ as the dowry of Umm Ilâbibah. The dowry is not only an amount that is to be fixed, but it is to be paid to the wife and its payment is an obligation.

Chapter 23. Something Else

1114. Sahl bin Sa‘d As-Sâ`idi narrated that a woman came to the Messenger of Allâh ﷺ and said: “I present myself to you (for marriage).” So she stood for a long time. Then a man said: “O Messenger of Allâh! Marry her to me if you have no need of her.” So he said: “Do you have anything to give her as a dowry?” He said: “I have nothing except this Izâr.” So the Messenger of Allâh ﷺ said: “If you give her your Izâr then you will have no Izâr, so search for something.” He said: “I did not find anything.” He said: “Search for
something, even if it is just an iron ring.” He said: So he searched but he did not find anything. The Messenger of Allâh  said: “Do you have any Qur’ân (memorized)?” He said: “Yes. This Sûrat and that Sûrat” and he named the Sûrat. So the Messenger of Allâh  said: “I marry her to you for what you have (memorized) of the Qur’ân.”

(Šâih) (Abû ‘Eisâ said:) This Hadîth is Hasan Šâih. Ash-Shâfi’î followed this Hadîth, he said: “If he does not have anything to give to her, and he marries her for a Sûrat of the Qur’ân, then the marriage is acceptable and he is to teach her the Sûrat of the Qur’ân.” Some of the people of knowledge said that the marriage is allowed if he gives her a dowry of its like.

This is the saying of the people of Al-Kûfah, Ahmad, and Ishâq.


1114. B. Abû Al-‘Ajfâ’ (As-Sulami) said: “Umar bin Al-Khattâb said: ‘Do not exaggerate in the dowries of women. If doing so was honorable in the world or Taqwâ before Allâh then Allâh’s Prophet would have been the first of you to do it. I do not know of the Messenger of Allâh marrying any of his women, nor giving any of his daughters in marriage, for more than twelve Uqiyah.” (Hasan)
(Abū ‘Eisā said:) This Hadith is Hasan Sahih. Abū Al-'Ajfã' As-Sulami's name is Haram, and a Uqiyah — according to the people of knowledge — is forty Dirham, so twelve Uqiyah is four hundred and eighty Dirham.

Comments:
According to a Sahih, narration the point of view of Imam Shafi'i is correct. If a person has nothing to pay as dowry he can pay in the form of teaching Qur'an. (Fath Al-Bari v.9, p.267) In the narration of 'Aishah the amount of dowry is five hundred Dirham. 'Umar has disregarded 20 Dirham. (1/2 Uqiyah) Some say the dowry of Umm Habibah paid by Najashi was four hundred Dinár and some say four hundred Dirham. (Ma’arif Al-Hadith v.7, p.26.)

Chapter 24. What Has Been Related About A Man Who Emancipates A Slave Woman, Then Marries Her

1115. Anas bin Mãlik narrated: “The Messenger of Allāh emancipated Ṣafiiyah and he made her emancipation her dowry.” (Sahih) (He said:) There is something on this topic from Ṣafiiyah.

(Abū ‘Eisā said:) The Hadith of Anas is a Hasan Sahih Hadith. This is acted upon according to some of the people of knowledge among the Companions of the Prophet and others. It is the view of Ash-Shāfi'I, Ahmad, and Ishaq.

Some of the people of knowledge disliked considering her emancipation to be her dowry, to the extent that he should give her a dowry besides freeing her. The first view is more correct.
Manumission of a slave is an act of great reward and honor. Freedom also brings monetary benefits to a slave or slave woman. So freedom being a monetary benefit can serve as a dowry, and this is the sense of the narration.

Chapter 25. What Has Been Related About the Virtue of That

1116. Abū Burdah bin Abī Mūsā narrated from his father that the Messenger of Allāh ﷺ said: “Three will receive their reward twice: A slave who fulfills the rights of Allāh and the rights of his owners, then he will be given his reward twice. And a man who has a beautiful slave girl, so he teaches her good manners, then he frees her, then he marries her seeking the Face of Allāh by that; then he will be given his reward twice. And a man who believed in an earlier Book, then another Book came to him and he believed in it; then he will be given his reward twice.” (Ṣaḥīh)

(Another chain) from Abū Mūsā, from the Prophet ﷺ and it is similar in meaning.

(Abū ‘Eisā said:) The Ḥadīth of Abū Mūsā is a Ḥasan Ṣaḥīh Ḥadīth. Abū Burdah bin Abī Mūsā’s name is ‘ʿAmir bin ʿAbdullāh bin Qais. Shuʿbah and Sufyān Ath-Thawrī reported this Ḥadīth from Ṣāliḥ bin Ṣāliḥ bin Ḥayy. (And Ṣāliḥ bin Ṣāliḥ bin Ḥayy is the father of Al-Ḥasan bin Ṣāliḥ bin Ḥayy).
Comments:

For a slave to fulfill the rights of the master and rights of Allāh is a very difficult task. Similarly freeing a slave girl and bringing her to the status of a free woman, and marrying her is an uphill task, likewise believing in an earlier Messenger of Allāh and the Book given to him, and then to believe in another Messenger and the Book that came to him is also very difficult. All these tasks are quite difficult, perplexing and against the ego of a human being. On the same analogy, the Christians and Jews refused to believe in the Prophet ﷺ and accept the faith. These three tasks are rewarded twice as, it requires one to cross the barrier of ego, pride and prejudice.

Chapter 26. What Has Been Related About A Person Who Marries A Woman, Then Divorces Her Before Having Intercourse With Her: Can He Marry Her Daughter Or Not?

1117. 'Amr bin Shu'aib narrated from his father, from his grandfather that the Prophet ﷺ said: “Whichever man married a woman and entered into her, then it is not lawful for him to marry her daughter. If he did not enter into her then he may marry her daughter. And whichever man married a woman and he entered into her, or he did not enter into her, then it is not lawful for him to marry her mother.” (Da'if)

Abū 'Eisā said: This Hadith is not correct considering of its chain. It has only been reported by Ibn
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Lahî'ah and Al-Muthannã bin Aš-Sabbãh from 'Amr bin Shu'aib, and Al-Muthanã bin Aš-Sabbãh and Ibn Lahî'ah are both weak in Hadith.

This is acted upon according to most of the people of knowledge, they said that when a man marries a woman and then he divorces her before having entered into her, then marrying her daughter is lawful for him. And when a man marries a daughter and he divorces her before having entered into her, then it is not lawful for him to marry her mother due to Allah, Most High's Saying: Your wives' mothers.[1] And this is the view of Ash-Shâfi‘î, Ahmad and Ishâq.

Comments:

Allâh has set up a condition of relationship on the daughter of the wife and said; “No prohibition if you have not gone in.” There is no harm in marrying their daughters after divorcing them. But the mothers of the wives are forbidden without any condition of going in or not going in with them. It is not allowed to marry the mother of the wife in any condition.

Chapter 27. What Has Been Related About One Who Divorced His Wife Three Times, Then She Married Someone Else, And He Divorced Her Before Having Intercourse With Her

1118. ‘Aishah narrated: “The wife of Rifa‘ah Al-Qurzi came to the Messenger of Allâh ﷺ and said: ‘I was with Rifa‘ah and he divorced

me irrevocably. Then I married ‘Abdur-Raḥmān bin Az-Zubair, but he only has the likes of the fringe of a garment.’[1] So he said: ‘Perhaps you want to return to Rifā‘ah? No, not until you taste his sweetness and he tastes your sweetness.’”[2] (Sahih)

(He said:) There are narrations on this topic from Ibn ‘Umar, Anas, Ar-Rumaisah or Al-Ghumaisah, and Abu Hurairah.

(‘Abū ‘Eisā said:) The Hadith of ‘Aishah is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge in general among the Companions of the Prophet and others. When a man divorces his wife three times then she marries a different husband and he divorces her before having entered into her, then she is not lawful to the first husband to marry while she has not had intercourse with the second one.

Comments:
According to the Four A‘immah and religious scholars, if the second husband without having sexual intercourse, divorces her, it is not lawful to marry the first husband. According to Sa‘eed bin Musayyab, if a woman had married in a legal way, to live with the second husband, and not just to fulfill the condition of the second husband to marry the first husband again, and the second husband divorced her without having sexual intercourse, she can marry the first husband, but this point of view is against the Hadith. He might not have heard this narration.

[1] Meaning that he was impotent. See Tuḥfat Al-Ahwadhī and Fatḥ Al-Bārī no. 5317.
Chapter 28. What Has Been Related About The Muhill And The One Who The Muhallal Was Done For

1119. Jabir bin 'Abdullãh and 'Alî narrated: "The Messenger of Allah cursed the Muhill and the one the Muhallal was done for." (Da'îf) 

(He said:) There are narrations on this topic from Ibn Mas'ûd, Abû Hurairah, 'Uqbah bin 'Amir, and Ibn 'Abbãs.

Abû 'Eisã said: The Hadîth of 'Alî and Jabir is defective. This is how Ash'ath bin 'Abdor-Rahmân reported it from Mujãlid from 'Amir (Ash-Sha'bi), from Al-Hãrith, from 'Alî. And, from 'Amir, from Jabir bin 'Abdullah, from the Prophet. The chain for this Hadîth is not supported because Mujãlid bin Sa'eed was graded weak by some of the people of knowledge, among them Ahmad bin Hanbal. And 'Abdullãh bin Numair reported this Hadîth from Mujãlid, from 'Amir, from Jabir bin 'Abdullãh, from 'Alî. In this Ibn Numair was confused, the first narration is more correct. Mughirah and Ibn Abî Khãlid and others, reported it from Ash-Sha'bi, from Al-Hãrith, from 'Alî.

1 "The meaning of the Muhill is the one who marries a woman, who was divorced three times, with the intent of divorcing her, or with the condition of making her lawful for her previous husband. And the one the Muhallal was done for is the first husband." (Tuhfat Al-Ahwadhi).

2 There are authentic versions which support this and the following narration.
1120. 'Abdullãh bin Mas'ûd narrated: “The Messenger of Allah cursed the Muhall and the one the Muhallal was done for.” (Da'if) (Abû 'Elsa said:) This Hadith is Hasan Sahih. Abû Qais Al-Awdî's name is 'Abdur-Rahman bin Thaw玟, and this Hadith has been reported from the Prophet through other routes.

This (Hadith) is acted upon according to the scholars among the Companions of the Prophet, among them are 'Umar bin Al-Khaţţab, 'Uthmân bin 'Affân, 'Abdullãh bin 'Amr, and others. This is the view of the Fuqahä' among the Tābi'în and it is the view of Sufyân Ath-Thawri, Ibn Al-Mubârak, Ash-Shâfi'i, Ahmad, and Ishâq.

(He said:) I heard Al-Jârud (bin Mu'ãdh) mentioning that Wâkî held this view, and he said: “The view of the people of opinion on this topic must be cast aside.”[1] (Al-Jârud said:) “Wâkî said: ‘Sufyân said: “When (a man) marries a woman to make her lawful (for the previous husband) then it occurs to him to keep her, then it is not lawful for him to keep her until he has a new marriage with her.”

That is the view that the marriage is valid even if the man intended to divorce the woman to make her lawful to the previous husband.
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Comments:

Marrying a second husband for the sake of getting married again to the first husband, is not lawful according to this narration. No Muslim is allowed to go against the divine law. The Prophet ﷺ said he who acts against the law, then he is reprobed.

Chapter 29. What Has Been Related About (The Prohibition of) Mut'ah

1121. ‘Alî bin Abî Ṭâlib narrated: “The Prophet ﷺ prohibited Mut'ah with women, and the meat of domestic donkeys during (the campaign of) Khaibar.” (Sahih)

(He said:) There are narrations on this topic from Sabrah Al-Juhani and Abû Hurairah.

(Abû ‘Eisâ said:) The Hadith of ‘Ali is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and others. It is only from Ibn ‘Abbâs that something about permitting Mut'ah has been narrated, then he reverted from his opinion when he was informed of this from the Prophet ﷺ. Most of the people of knowledge ordered the prohibition of Mut'ah, and it is the view of Ath-Thawrî, Ibn Al-Mubârak, Ash-Shâfi’î, Aḥmad, and Ishâq.

Comments:

Mut'ah is unlawful in every condition or situation. In the beginning of Islam during war, being away from home and in unavoidable conditions it was permitted, but at the time of the Farewell Hajj (Hajjatul-Wada’) it was declared unlawful, and the temporary permission was abrogated.
1122. Muhammad bin Ka‘b narrated that Ibn ‘Abbas said: “Mut‘ah was only during the beginning of Islam. A man would arrive in a land that he was not familiar with so he would marry a woman for the extent of time that he thought he would remain there. So his Mut‘ah was upheld and his case was fine until the (following) Ayah was revealed: Except their wives or what their right hands possess. [1] Then every private part other than those became unlawful.”

(Da‘if)

Comments:
The issue and its subject matter which Ibn Abbas has described, belongs to the pre-Islamic era, and after the advent of Islam, when the Islamic Divine Law was still being revealed to the Prophet, this custom of the pre-Islamic era was still in existence in beginning of Islam. This issue of Mut‘ah was totally terminated with the Verse of the Qur‘an revealed in Makkah that only the wife and the slave girl are lawful for sexual intercourse. A woman under Mut‘ah is neither a wife nor a slave girl, and it is agreed upon that she cannot be an heir.

Chapter 30. What Has Been Related About The Prohibition Of The Shigãr Marriage

1123. ‘Imrãn bin Husain narrated that the Prophet said: “There is no Jalab, no Janab,[2] and no

[2] “Jalab and Janab can occur in racing and in Zakãt. As for the Jalab in racing, it is when a man follows his horse shouting and screaming at it in order to drive and encourage it on. Janab is when he has a horse next to his horse, so that when the one he is riding tires he can change to (the other one). Jalab in Zakãt is when the Zakãt collector does not come close to the people, but he halts somewhere and sends someone who will fetch the wealth for him from its different locations so that he can take the charities from them, and Janab is when the owner of the wealth keeps it at such a distance from where he is, that the collector has to go far away to get it.” (Tuhfat Al-Ahwadhi).
Shighār in Islām. And whoever takes some property by force, then he is not from us.” (Sahih)

(Abū ‘Eisā said:) This Hadīth is Ḥasan Sahīh. (He said:) There are narrations on this topic from Anas, Abū Raihānah, Ibn ‘Umar, Jābīr, Mu‘āwiyyah, Abū Hurairah, and Wā’il bin Ḥujr.

Comments:

Shighār means marriage of reciprocity. It is not allowed that the guardian of a woman or girl marry her in exchange of another woman to marry him. Islamic law does not allow such type of marriages.

1124. Ibn ‘Umar narrated: “The Prophet prohibited Shighār.” (Sahih)

(Abū ‘Eisā said:) This Hadīth is Ḥasan Sahīh. This is acted upon according to this people of knowledge in general. They do not allow the Shighār marriage. Shighār is when a man gives his daughter in marriage in exchange for marrying the other man’s daughter or sister and no dowry is exchanged
between them. Some of the people of knowledge said that the Shighar marriage is annulled and it is not lawful even if they gave them a dowry. This is the view of Ash-Shâfi‘î, Ahmad and Ishâq. It has been reported that ‘Atã’ bin Abî Rabãh said: “They marry them simultaneously, and they set the same dowry.” This is the view of the people of Al-Kufah.

Chapter 31. What Has Been Related About: A Woman Should Not Be Married Along With Her Paternal Aunt Nor Her Maternal Aunt

1125. Ibn ‘Abbãs narrated: “The Prophet prohibited marrying a woman along with her paternal aunt or along with her maternal aunt.” (Sahîh)

Abû Ḥarîz’s (a narrator in the chain of this Hadîth) name is ‘Abdullâh bin Ḥusain.

(Another chain) from Abû Hurairah, and it is similar.

1126. Abū Hurairah narrated: “The Messenger of Allah prohibited that a woman be married along with her paternal aunt, or the paternal aunt along with her brother’s daughter, or a woman with her maternal aunt, or the maternal aunt along with her sister’s daughter, and the younger[^1] is not to be married with the older[^2], nor the older with the younger.” (Sahih)

(Abū 'Elsa said:) The Hadith of Ibn ‘Abbās and Abū Hurairah is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge in general. We do not know of any disagreement among them. It is not lawful for a man to be married to a woman and her paternal or maternal aunt at the same time. If he marries a woman along with her paternal or maternal aunt, or, a paternal aunt along with her brother’s daughter, then the second of the two marriage is annulled. This is the view of the people of knowledge in general.

[^1] “That is the sister’s daughter or the brother’s daughter (i.e., the niece), and she is called ‘the younger’ because she holds the status like that of the daughter.” (Tuhfat Al-Ahwadhi).

[^2] “Meaning the paternal or maternal aunt.” (Tuhfat Al-Ahwadhi).
Abū 'Eisā said: Ash-Sha'bī said: Announced by Abū Hurairah and he reported from him. I asked Muḥammad about this and he said: “Correct.”

Abū ‘Eisā said: Ash-Sha'bī (also) reported from a man, from Abū Hurairah.

Comments:
All Sunnies agree on this point that it is not allowed for a man to marry parental aunt and her niece both and similarly the maternal aunt and her niece cannot be married to a man. But amongst the Shi’ites such marriages are allowed!!.

Chapter 32. What Has Been Related About Conditions When Contracting A Marriage

1127. ‘Uqbah bin ‘Āmir Al-Juhānī narrated that the Messenger of Allāh ṣallallāhu ‘alaihi wa sallam said: “Indeed the conditions most deserving to be fulfilled are those that make the private parts lawful among you.” (Ṣaḥīḥ)

(Another chain with similar narration) (Abū ‘Eisā said:) This Ḥadīth is Ṣaḥīḥ. This is acted upon according to some of the people of knowledge among the Companions of the Prophet ṣallallāhu ‘alaihi wa sallam. Among them is ‘Umar bin Al-Khaṭṭāb: When a man marries a woman, and he makes the condition for her that he will not take her out of her land, then he is not to take her out. This is the saying of some of the people of knowledge. It is the view of Ash-Shāfī‘ī, Ahmad, and Isḥāq.

(المعجم 22) - باب ما جاء في الزرقط عند عقدة النكاح (التحفة 31)

١١٢٧ - خُذوا وسَوَّا بِنُّ عَيْبَة: حَدَّثَنَا عَبْدُ الْحَمِيدَ بْنُ جَعْفَرٍ عَنْ تَزْيِدَ بْنِ أَبِي حَيْبَةَ، عَنْ مَرْفُدَ بْنِ عَبْدِ اللَّهِ الْبَزَّارِ بْنِ أبي الحَيْبَةَ، عَنْ عَقْبَةَ بْنِ عَمَّارِ الجَهَّازِيَّ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ أَشْرَأَتْ الشَّرُوطُ أَنْ يَوْقَى بِهَا، مَا اسْتَحْلَلَّهُ مِنْهَا، وَبِهِ الْفُرْوْجُ».

خُذْنَا أبو موسى مَحْمُودُ بْنُ الْمُثْلِى: حَدَّثَنَا يَعْبُدُ بْنُ سَعْبَةَ عَنْ عَبْدِ الْحَمِيدَ بْنِ جَعْفَرٍ، نَحْوَهُ.

[قال أبو عيسى:] هذا حديث حسن صحيح، والعمل على هذا عند بعض أهل العلم من أصحاب النبي ﷺ. فنقم عمر
It has been related that ‘Ali bin Abī Tālib said: “Allāh’s conditions take precedence over her conditions.” It is as if he held the view that the husband could take the woman even if she had made the condition on her husband that he could not take her out (of her land). And some of the people of knowledge followed this. This is the view of Sufyān Ath-Thawrī and some of the people of Al-Kūfah.

Chapter 33. What Has Been Related About A Man Who Accepted Islām While Having Ten Wives

1128. Ibn ‘Umar narrated: “Ghīlān bin Salamah Ath-Thaqafi accepted Islām and he had ten wives in Jahiliyyah who accepted Islām along with him. So the Prophet ordered (him) to chose four (of them).” (Da‘īf) (Abū ‘Eisā said:) This is how Ma‘mar reported this Hadith from Az-Zuhri: “From Sālim, from his father.” (He said:) I heard Muhammad bin Ismā‘il saying: “This Hadith is not preserved. What is correct is what Shu‘aib bin Abī Hamzah and others reported from Az-Zuhri (and Hamzah), he said: “He narrated to me from Muhammad bin Suwaid Ath-
Chapter 34. What Has Been Related About A Man Who Accepts Islam While He Is Married To Two Sisters

Abu Wahb Al-Ja'ishani narrated that he heard Ibn Fairuz Ad-Dailami narrating from his father: “I went to the Prophet and said: ‘O Messenger of Allah! I accepted Islam and I had two sisters (as wives).’” So the Messenger of Allah said: “Chose whichever of them you will.” (Hasan)
1130. [Abū Wahb Al-Jaishiñi narrated from Ad-Dahhāk bin Fairūz Ad-Dailamī from his father: “I said: ‘O Messenger of Allāh! I accepted Islām and I had two sisters (as wives).’ So Messenger of Allāh  said: ‘Chose whichever of them you will.’"] (Hasan)

This Ḥadīth is Hasan Gharīb. Abū Wahb Al-Jaishiñi’s name is Ad-Dailam bin Hawsha’.

Comments:
According to three A’immah, — Malik, Shafi’i, and Ahmad, if someone embraces Islam and two sisters are married to him, he can keep one and separate from the other.

Chapter 35. (What Has Been Related About) A Man Who Buys A Slave Girl Who Is Pregnant

1131. Ruwaifī bin Thābit narrated that the Prophet  said: “Whoever believes in Allāh and the Last Day, then he does not levy his water on someone else’s child.”[1]

(Hasan)

(Ṭā’ī said:) This Ḥadīth is Ḥasan. It has been reported through more than one route from Ruwaifī bin Thābit. This is acted upon according to the people of knowledge. They do not think that if a man buys a slave girl and she is pregnant, that he can have sexual

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[1] It is explained by the author below.
relations with her until she delivers. There are narrations on this topic from Ibn ‘Abbās, Abū Ad-Dardā’, Al-‘Irbd bin Sāriyah, and Abū Sa’eed.

Comments:

The child in the womb of the mother belongs to the father, so it is not lawful to have sexual relations with a woman who is pregnant from someone else. All A’immah agree on this point. This narration is with reference to slave girls.

Chapter 36. What Has Been Related (About A Man) Who Captures A Slave Woman That Has A Husband, Is It Lawful For Him To Have Relations With Her?

1132. Abū Sa’eed Al-Khudrī narrated: “We got some captives on the day of Awtās, and they had husbands among their people. They mentioned that to the Messenger of Allah, so the following was revealed: And women who are already married, except those whom your right hands posses. (Abū ‘Eisā said:) This Hadith is Hasan. This is how Ath-Thawrī reported it: “From ‘Uthmān Al-Battī, from Abū Al-Khalil, from Abū Sa’eed.” Abū Al-Khalil’s name is Šālīḥ bin Ṣalmān.

Chapter 37. What Has Been Related About The Dowry Of The Baghi

1133. Abū Mas'ūd Al-Anṣārī narrated: “The Messenger of Allāh prohibited the price of a dog, the dowry of a fornicator, and the payment made to the fortune-teller.” (Sahih)

He said: There are narrations on this topic from Rāfi' bin Khadij, Abū Juhaifah, Abu Hurairah, and Ibn 'Abbās.

(Abū 'Eisā said:) The Ḥadīth of Abū Mas'ūd is a Hasan Sahih Hadīth.

Comments:

This issue is agreed upon by all Four 'A'īmah; when a married woman becomes a prisoner of war without her husband, her contract of marriage with her husband ends, and her new master has the right to have sexual relations with her after the birth of a child if she is pregnant, or after waiting a while to confirm the status of her womb if she is not apparently pregnant.

[1] Here it means the fornicator. See Tuhfat Al-Ahwadhi.
In the view of most of the scholars, buying and selling of dog is unlawful, but in the view of Imam Abū Ḥanīfah it is allowed. Imam 'Aṭā and Nakha'i allow the buying and selling of a hunting dog. It is agreed upon by all, that money paid for illegal sexual intercourse (Zina) is unlawful.

Chapter 38. What Has Been Related About A Man Is Not To Propose To A Woman Who Has Been Proposed To By His Brother

1134. Abū Hurairah narrated that the Messenger of Allah ﷺ said: “A man is not to sell over his brother’s sale, nor is he to propose to whom his brother has proposed.” (Sahih)

(He said:) There are narrations on this topic from Samurah and Ibn 'Umar.

Abū 'Eisā said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith.

Mālik bin Anas said: “The meaning of it being disliked to propose to a woman that his brother has proposed to, is when the man proposed to the woman and she accepted it, then no one is to make a proposal over his proposal.”

Ash-Shafi'i said: “This Hadith: ‘A man is not to propose to whom his brother has proposed’ – means, according to us, when a man proposes to a woman and she accepts and agrees to it. Then no one is to make a proposal over his proposal. If it is before he knows that she accepted or agreed with him, then there is no harm in him proposing to her. The proof for that is the Hadith of Fātimah bint Qais, the daughter of Fatimah bint Qais.”
in which she came to the Prophet and she mentioned to him that Abū Jahm bin Ḥudhaifah and Mu‘āwiyah bin Abī Sufyān had both proposed to her. So he said: ‘As for Abū Jahm, he is a man who does not give women a rest from his stick. As for Mu‘āwiyah he is a destitute person with no wealth. But marry Usāmah.’ So the meaning of this Hadith, to us, and Allāh knows best, is that Fāṭimah had not informed him of her acceptance of either one of them. If she had told him that, then he would not have directed her to someone other than whom she had mentioned.”

Comments:

‘Selling over his brother’s sale’ means that a person who has completed a transaction and the matters are over, the third person should not poke in for less or more money. According to the situation a third person as a buyer or as a seller should not try to undo the deal by paying more or accepting less.

1135. Abū Bakr bin Al-Jahm narrated: “Abū Salamah bin ‘Abdur-Rahmān and I visited Fāṭimah bint Qais. She narrated to us that her husband had divorced her three times, and he did not leave her with anywhere to live nor any wealth. She said: ‘He left ten Aqīfah for me with the son of his uncle: five were of barely, and five of wheat.’ She said: ‘I went to the Messenger of Allāh and

\[1\] Aqīfah is plural of Qafiz and it is a type of container.
mentioned that to him.' She said: 'He said: “He is correct.”'[1] (She said:) ‘So he ordered me to complete my ‘Iddah in the home of Umm Sharrk. But then the Messenger of Allāh (ﷺ) said to me: “Umm Sharrk’s home is visited by the Muhajirūn, so spend your ‘Iddah in the home of Ibn Umm Maktūm, for there you can remove your garments and he will not see you. Then when your ‘Iddah is completed and someone proposes to you come to me.”

‘So when my ‘Iddah completed Abū Jahm and Mu‘āwiyyah proposed to me.’ She said: ‘I went to the Messenger of Allāh (ﷺ) and mentioned that to him, and he said: “As for Mu‘āwiyyah, he is a man with no wealth, and as for Abū Jahm he is a man who is harsh with women.”’ She said: ‘Then Usamah bin Zaid proposed to me, and he married me. So Allāh blessed me with Usamah.”’  (Sahih)

This Hadith is Sahih, Sufyān Ath-Thawrī reported a Hadith similar to this from Abū Bakr bin Al-Jahm, but he added in it: “So the Messenger of Allāh (ﷺ) said to me: ‘Marry Usãmah.’” (And he mentioned the chain of narration for that.)

[1] Meaning it was correct of him to not give her any wealth or a place to live. See Tuhfat Al-Ahwadhi.
Chapter 39. What Has Been Related About ‘Azl [1]

1136. Jābir narrated: “We said: ‘O Messenger of Allāh! We practice ‘Azl, but the Jews claim that it is minor infanticide.’ So he said: ‘The Jews lie: When Allāh wants to create it, nothing can prevent Him.’” (Da’if) [2]

He said: There are narrations on this topic from ‘Umar, Al-Bara‘, Abū Hurairah, and Abū Sa‘eed.

1137. Jābir bin ‘Abdullāh narrated: “We practiced ‘Azl while the Qur’ān was being revealed.” (Sahih)

(‘Abū ‘Eisā said:) The Hadith of Jābir is a Hasan Sahih Hadith. It has been reported from him through other routes.

There are those among the people of knowledge, among the Companions of the Prophet and others, who permitted ‘Azl. Malik bin Anas said: “The permission of the free woman is to be requested for ‘Azl, while the slave woman’s permission need not be requested.”

[1] When the man pulls out prior to ejaculation during intercourse.
[2] There are other chains which support it.
Comments:

Some people want a reasonable gap between their two children. For this purpose the husband during the performance just at the time of seminal discharge takes out the organ from her's to prevent pregnancy. But it is not sure that by doing that the pregnancy will not take place. If a child has to come into this world, a drop of sperm may enter the womb in spite of such action. That is why it has been said that if Allāh wants some human being to come into this world nothing will prevent it.

Chapter 40. What Has Been Related About ‘Azl Being Disliked

1138. Abū Sa'eed narrated: “‘Aṣl was mentioned before the Messenger of Allāh and he said: ‘Why would one of you do that?’” (Sahih)

(Abū ‘Eisā said:) In his narration, Ibn Abī ‘Umar added: “And he did not say: ‘None of you should do that.’”

In both narrations they said: “For there is no soul to be created except that Allāh will create it.”[1]

(He said:) There is something on this from Jābir.

(Abū ‘Eisā said:) The Hadith of Abū Sa'eed is a Ḥasan Sahih Hadith. It has been reported through other routes from Abū Sa'eed. There are those among the people of knowledge, from the Companions of the Prophet and others, who disliked ‘Aṣl.

[1] That is, At-Tirmidhi heard the same chain for this Hadith, but with alternative wording, from Qutaibah, and Ibn Abī ‘Umar.
Chapter 41. What Has Been Related About Dividing Time For The Virgin And The Matron

1139. Abū Qilābah narrated from Anas bin Malik, he (Abū Qilābah) said: “If I wish, I could say: ‘The Messenger of Allāh ṣṣḥ said’” but he said: “The Sunnah when a man marries a virgin after he already has a wife, is that he stays with her seven (nights). And when he marries a matron when he already has a wife, he stays with her three (nights).” (Sahih)

(He said:) There is a narration on this topic from Umm Salamah.

(‘Abū ‘Eīsā said:) The Hadīth of Anas is a Hasan Sahih Hadīth. Muhammad bin Ishāq reported it in Marfu’ form from Ayyūb, from Abū Qilābah, from Anas. While some of them did not narrate it in Marfu’ form.

(He said:) This is acted upon according to some of the people of knowledge, they said that when a man marries a virgin woman along with his (current) wife, then he stays with her for seven (nights). Then he divides equally between them afterwards. When he marries a matron along with his wife, he stays with her for three (nights).

(This is the view of Malik, Ash-Shāfī‘ī, Ahmad, and Isḥāq.)

[Some of the people of knowledge among the Tābi‘īn said: “When he marries a virgin along with his wife, then he stays with her for three (nights). And when he marries a virgin along with his wife, then he stays with her for seven (nights).”]
matron he stays with her for two nights." But the first view is more correct].

تخريج: منتق عليه، وأخرجه البخاري، النكاح، باب العدل بين النساء "ولن تستطيعوا أن تعدلوا بين النساء ... إلخ"، ح: 511/3 من حديث بشر ومسلم، ح: 1461 من حديث خالد الحذاء به وفي الباب عن أم سلمة (مسلم، ح: 1460).

Comments:
The view point of the three A’immah and Ishāq and Abū Thawr is that if a married person marries another woman, he will stay with her for seven days if she is a virgin, and if she is a widow or divorced, he will stay with her for three days, and after this period he will have to fix the turns among his wives.

Chapter 42. What Has Been Related About Equality Between Co-Wives

1140. ‘Aishah narrated that the Prophet ﷺ would divide (his time) equally between his wives and say: "O Allâh! This is my division in what I have control over, so do not punish me for what You have control over which I do not have control over."

(Sahih)

(Abū ‘Eisâ said:) This Hadith of ‘Aishah has been reported by more than one, from Ḥammâd bin Salamah, from Ayyûb, from Abû Qilâbah, from ‘Abdullâh bin Yazid, from ‘Aishah: “The Prophet ﷺ would divide” while Ḥammâd bin Zaid and others reported it from Ayyûb, from Abû Qilâbah in Mursal form: “The Prophet ﷺ would divide” and this is more correct than the narration of Ḥammâd bin Salamah. (a narrator in the chain of Hadith no. 1140)

As for his saying: “Do not punish me for what you have control over which I do not have control over” –
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he meant love and affection, this is how it was explained by some of the people of knowledge.

وَمَعْنَى قَوْلِهِ: «لا تَلْمِنِي فِيَّمَا تَمْلِكُ وَلَا أَمْلَكُ»، إِنَّمَا يَعْمَلُهُ الْحُبُّ وَالْمُؤْدِ، كَذَا ۚ فَشَرَّهُ بِغَضْرٍ أَهْلِ الْجَلَّ.


Comments:
This narration makes it clear that the Prophetﷺ, in his practical life, did justice with his honorable wives. He used to treat all of them alike. Sentiments of love towards one is a natural phenomenon, and it is not easy to control, but the Prophetﷺ did justice at all times with his wives.

1141. Abū Hurairah narrated that the Messenger of Allâh ﷺ said: “When a man has two wives and he is not just between them, he will come on the Day of Judgement with one side drooping.” (Da‘if)

(عَندُ الرَّجُلِ مَنْ يَبْيَضُ نُسُورَتُهُ: حَدَّثَنَا مُحَمَّدُ بْنُ بُطَيْشَةَ إِنَّمَا عَنْ قَتَادَةَ، عَنْ النَّصَارِيِّ بْنِ أَنْسٍ، عَنِ السَّبِيرِ بْنِ نَهْيَنِ. عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: إِذَا كَانَ عَندُ الرَّجُلِ الْمَرْتَعَانِ، فَلَمْ يُغْدِلْ بَيْنَهُمَا، حَاجَّ بَيْنَمَا الْقِيَامَةَ وَشَفَظَ سَافِقًا."

[قَالَ أَبُو عُيَيْنَةَ: وَإِنَّمَا أَسْتَنَدَ هَذَا الْحَدِيثُ هَمَامٌ عَنْ نُحَيَّ حَنْذَةَ، وَرَوَاهُ هَمَامُ الْبَنْسُوْبِيِّ عَنْ قَتَادَةَ قَالَ: كَانَ بَيْنَ الْمَرْتَعَانِ وَلا نَعْرُفُ هَذَا الْحَدِيثَ مُرْفوعًا إِلَّا مِنْ حَدِيثِ هَمَامٍ، وَهَمَامُ نَفْعًا حَافِظَ.


Comments:
This is an example of a punishment for wrongdoing in this world. A person who does not treat his wives with justice on the Day of Judgement will come with one side drooping, as described in the narration, moreover he will be disgraced before the people on that day.
Chapter 43. What Has Been Related About a Married Couple Who Are Idolaters, Then One Of Them Accepted Islam

1142. ‘Amr bin Shu’aib narrated from his father, from his grandfather: “The Messenger of Allah returned his daughter Zainab to Abul-‘As bin Ar-Rabi’ with a new dowry and a new wedding.” (Da’if)

(‘Abū ‘Eisā said:) There is some criticism regarding the chain of this Hadith (and there is some criticism regarding the other Hadith as well). And this is acted upon according to the people of knowledge; when the woman accepts Islam before her husband, then if her husband accepts Islam while she is in her Iddah, then her husband has more right to her while she is in her Iddah. This is the view of Mālik bin Anas, Al-Awzā’i, Ash-Shafi’i, Ahmad, and Ishaq.

Comments:

Maulāna Saḥfūr-Rahmān, in his book Tajalliyāt-i-Nubuwat, on page 177 writes that the Prophet returned his daughter Zainab to her husband. This return took place after the separation of three years. The reason is that the Qur’ānic Verse regarding the revocation of marriage of unbelievers with Muslim women was not revealed yet, so the marriage was intact. Abul-‘As was captured as a prisoner in the year 6 A.H on 6th of Jumada Al-Awwal on his return from Shām. He was released on the intercession of Zainab. After his release he went to Makkah and returned all the entrusted things to their owners and migrated to Al-Madinah, there he accepted Islam.
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after six years in the first marriage without renewing the marriage.”

(Debe’)

(‘Abdu ‘Eisa said:) There is no harm in the chain of this Hadith, but we are not aware of the point in this Hadith. Perhaps this Hadith ensues from Dawud bin Husain (one of the narrators); due to his (bad) memory.

1144. Ibn ‘Abbás narrated: “A man became a Muslim during the time of the Prophet ﷺ, then his wife became a Muslim, so he said: ‘O Messenger of Allah! She accepted Islam along with me, so return her to me.’ So he returned her to him.” (Debe’)

This Hadith is Sahih. I heard ‘Abd bin Humaid saying: “I heard Yazid bin Harun mentioning this Hadith from Muhammad bin Ishâq.”

As for the narration of Al-Hajjâj, from ‘Amr bin Shuaib, from his father, from his grandfather: “The Prophet ﷺ returned his daughter Zainab to Abul-’As with a new dowry and a new wedding” – Yazid bin Harun said: “The Hadith of Ibn ‘Abbás has a better chain.” While the Hadith of ‘Amr bin Shuaib is acted upon.
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Comments:
Most of the scholars say that if a husband accepts Islam after the prescribed waiting period of three months for a separated woman has passed, she does not remain his wife, and there is a need for new dowry and marriage.

Chapter 44. What Has Been Related About A Man Who Married A Woman Then He Died Before Stipulating The Dowry For Her

1145. 'Alqamah narrated that Ibn Mas'úd was asked about a man who married a woman and he did not stipulate the dowry for her, and he did not enter into her until he died. So Ibn Mas'úd said: “She gets the same dowry as other women, no less and no more, she has to observe the 'Iddah, and she gets inheritance.” So Ma'qil bin Sinãn Al-Aa'i stood and said: “The Messenger of Allah ﷺ judged the same as you have judged regarding Birwa' bint Washiq, a woman of ours.” So Ibn Mas'úd was happy about that. (Sahîh)

(He said:) There is something on this topic from Al-Jarrâh.

(Another chain for the same)
(Abû 'Elsa said:) The Hadîth of Ibn Mas'úd is a Hasan Sahîh Hadîth, and it has been reported from him through other routes.

This is acted upon according to some of the people of knowledge among the Companions of the Prophet ﷺ and others, it is the view of Ath-Thuwrî, Ahmad, and Ishaq.
Some of the people of knowledge among the Companions of the Prophet, among them ‘Ali bin Abī Ṭālib, Zaid bin Thābit, Ibn ‘Abbās, and Ibn ‘Umar said that when a man marries a woman and he does not enter into her, and he does not stipulate a dowry for her until he dies, then she inherits but there is no dowry for her, and she observes the ‘Iddah. This is the view of Ash-Shāfi‘ī. He said: “If the narration about Birwa‘ bint Wāshiq is reliable then it is a proof reported from the Prophet.” It has been related that in Egypt, Ash-Shāfi‘ī changed this view and his new rulings were in accord with the Hadith about Birwa‘ bint Wāshiq.

Comments:
This narration of Birwa‘ bint Wāshiq is a Ṣaḥīḥ narration and it proves that if the husband dies without fixing dowry, and without having sexual intercourse, she will get the dowry. She will become an heir and will pass the waiting period prescribed for a widow.
Chapter 1. What Has Been Related About: Suckling Makes Unlawful Whatever Lineage Makes Unlawful

1146. ‘Ali (bin Abī Ṭālib) narrated that the Messenger of Allāh ﷺ said: “Indeed Allāh has made unlawful through suckling whatever He made unlawful through lineage.” (Sahīh)

He said: There are narrations on this topic from ‘Āishah, Ibn ‘Abbās, and Umm ʿAbītibah.

(Abū ‘Eisā said:) This is a Sahīh Hadīth.

Comments:

Kinship by suckling develops only among the child who sucked and the woman and her relatives who sucked. Other brothers and sisters of the suckling will not develop a foster relationship.

1147. ‘Āishah narrated that the Messenger of Allāh ﷺ said: “Indeed Allāh has made unlawful through suckling whatever He made unlawful through birth.” (Sahīh)
(Abū ‘Eisā said:) This Hadith is Ḥasan Sahih, and the Hadith of ‘Ali is Sahih.

This is acted upon according to the people of knowledge in general among the Companions of the Prophet ﷺ and others. We do not know of any disagreement among them about that.

Chapter 2. What Has Been Related About A Man’s Milk

1148. ‘Aishah narrated: “My uncle through suckling came and asked permission (to enter) but I refused to admit him until I asked the Messenger of Allāh ﷺ. So he said: ‘Let him in since he is your uncle.”’ She said: ‘It is only the woman who suckled me; I was not suckled by the man.’ So he said: ‘Indeed he is your uncle, so let him in.’” (Sahih)

(Abū ‘Eisā said:) This Hadith is Ḥasan Sahih. This is acted upon according to some of the people of knowledge among the Companions

[1] The milk that a woman produces as a result of the man having intercourse with her.
of the Prophet and others. They considered the man’s milk to be a prohibitor based upon this Hadith of ‘Āishah. Some of the people of knowledge permitted (marriage) in the case of the man’s milk. But the first view is more correct.

**Comments:**
As a woman who suckles is the mother of the suckling, her sister is a maternal aunt of the suckling and her husband is father and her husband’s brother is uncle, and her husband’s sister is, paternal aunt of the suckling. These are foster relations.

1149. ‘Amr bin Ash-Sharid narrated that Ibn ‘Abbas was asked about the case in which a man had two slave girls, one of them suckled a girl and the other suckled a boy, is it lawful for the boy to marry the girl? So he said: “No, the semen is the same.” (Da‘if)

(Abu ‘Elsa said:) This is the explanation of the man’s milk, and this is the basis of this topic. This is the view of Ahmad and Ishaq.

Chapter 3. What Has Been Related About: One Sip Or Two Sips Will Not Make A Prohibition

1150. ‘Abdullāh bin Az-Zubair

[Arabic text]

Translation:

...
narrated from 'Aishah from the Prophet ﷺ who said: “One sip or two sips do not make a prohibition.” (Sahih)

(He said:) There are narrations on this topic from Umm Al-Fadl, Abû Hurairah, Az-Zubair [bin Al-Awwâm], and Ibn Az-Zubair, from ‘Aishah, from the Prophet ﷺ, that he said: “One sip or two sips do not make a prohibition.”

Muhammad bin Dînár reported it from Hishâm bin ‘Urâw, from his father, from ‘Abdullâh bin Az-Zubair, from Az-Zubair, from the Prophet ﷺ. So Muhammad bin Dînár [Al-BAšRî] added: “from Az-Zubair, from the Prophet ﷺ” and this is not preserved. What is correct according to the people of Hadith is the narration of Ibn Abî Mulaikâh, from ‘Abdullâh bin Az-Zubair, from ‘Aishah, from the Prophet ﷺ.

(‘Abû ‘EIsâ said:) The Hadîth of ‘Aishah is a Hasan Sahîh Hadîth.

(I asked Muhammad about this Hadîth, and he said: “What is correct is: ‘From Ibn Az-Zubair, from ‘Aishah.’ As for the Hadîth of Muhammad bin Dînár, he added in it: ‘From Az-Zubair’ while it should be ‘Hishâm bin ‘Urâw, from his father, from Az-Zubair.’”)

This is acted upon according to some of the people of knowledge among the Companions of the Prophet ﷺ and others.

‘Aishah said: “What was revealed in the Qur’ân was ten well-known sucklings, five were abrogated from
that, so it became five well-known sucklings. Then the Messenger of Allah ﷺ died and the matter remained like that.”

(A chain of narration for that)

This is the judgement of ‘Aishah as well as some of the wives of the Prophet ﷺ, and it is the view of Ash-Shaf’i and Ishâq.

Ahmad’s view was in accordance with the Hadith of the Prophet ﷺ: “One sip or two sips do not make a prohibition.” And he said: “If someone followed the opinion of ‘Aishah about five sucklings then such a view would be strong.” And he hesitated saying anything about that.

Some of the people of knowledge among the Companions of the Prophet ﷺ and others said that a little suckling or a lot (both) makes a prohibition, provided that it reaches the stomach. This is the view of Sufyân Ath-Thawrî, Malik bin Anas, Al-Awzâ’î, ‘Abdullâh bin Al-Mubarak, Wâki’, and the people of Al-Kufah.

(‘Abdullâh bin Abî Mulaikah is ‘Abdullâh bin ‘Ubaidullâh bin Abî Mulaikah, and his Kunyah is Abû Muhammad, and ‘Abdullâh bin Az-Zubair had him as a judge in At-Tâ’îf.)

(Ibn Juraij narrated that Ibn Abî Mulaikah said: “I saw thirty Companions of the Prophet ﷺ.”)

تخريج: وأخرجه مسلم، الراعض، باب في المشاكل والمصانع، ح: 1450 من حديث المتمر
به * وفي الباب عن أم الفضل [مسلم، ح: 1451] وأبي هريرة [النسائي في الكبرى، ح: 5460، 5461].
Chapter 4. What Has Been Related About One Woman’s Testimony About Suckling

1151. ‘Abdullâh bin Abî Mulaikah narrated: “Ubaid bin Abî Maryam narrated to me from ‘Uqbah bin Al-Ḥarîth” and, he (‘Abdullâh bin Abî Mulaikah) said: “And I heard it from ‘Uqbah bin Al-Ḥarîth, but to me, the narration of ‘Ubaid is better preserved; he said: (‘Uqbah bin Al-Ḥarîth narrated:) “I married a woman, then a black woman came to us and said: ‘I suckled both of you.’ So I went to the Prophet and said: ‘I married so-and-so the daughter of so-and-so, then a black woman came to us and said: ‘I suckled both of you’ but she is a liar.’” He said: “Then he (ﷺ) turned away from me.” He said: “So I went around to face him (and he turned his face away from me) so I said: ‘She is a liar.’ He said: ‘How can you stay with her while she claims that she suckled both of you? Leave her.” (Ṣaḥīḥ)

(He said: There is something on this topic from Ibn ‘Umar).

(Abû ‘Eisâ said:) The Ḥadîth of ‘Uqbah bin Al-Ḥarîth is a Ḥasan Ṣaḥīḥ Ḥadîth. This Ḥadîth has been reported by others, from Ibn Abî Mulaikah, from ‘Uqbah bin Al-Ḥarîth, and they did not mention ‘Ubaid bin Abî Maryam in it, and
they did not mention “Leave her” in it.

This (Hadith) is acted upon according to some of the people of knowledge among the Companions of the Prophet and others. They accepted the testimony of one woman about suckling.

Ibn ‘Abbās said: “One woman’s testimony about suckling is acceptable, and her oath is to be taken.” This is the view of Ahmad and Ishāq. Some of the people of knowledge said that the testimony of one woman about suckling is not acceptable, not until there are more. This is the view of Ash-Shāfi‘i. I heard Al-Jārūd bin Mū‘ādh saying: “I heard Waki‘ saying: ‘One woman’s testimony about suckling is not acceptable to pass a decisive judgement, but they are separated out of caution.”

Comments:
According to Imam Ahmad, Ishāq, Awzā‘i and others, concerning the issue of suckling, testimony of one woman is enough provided she is the lady who suckled.

Chapter 5. What Has Been Related About: Suckling Does Not Make A Prohibition Except During Infancy Less Than Two Years

1152. Umm Salamah narrated that the Messenger of Allāh said: “No prohibition results from suckling except for what penetrates the intestines while on the breast before weaning.” (Sahih)
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(Abū ‘Eisā said:) This Hadith is Hasan Sahih. This is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others: Suckling does not make a prohibition except when it occurs before two years of age, and whatever comes after two years are completed then it does not make anything unlawful.

Comments:
It is clear from this narration, that a prohibition suckling is from that milk which serves the purpose of proper food, and there is no need of any kind of food other than this. ‘What penetrates in the intestines’ means what fills the stomach and there is no need for further food, and this routine of feeding continues till weaning.

Chapter 6. What Fulfills The Rights Of The Foster Relationship (From Suckling)

1153. Hajjāj bin Hajjāj Al-Aslami narrated that his father asked the Prophet ﷺ: “O Messenger of Allāh! What will remove the responsibility of the foster relationship from me?” So he said: “A Ghurrah[1] : a male slave or a female slave.” (Hasan)

(Abū ‘Eisā said:) This Hadith is Hasan Sahih.

As for his saying: “What will remove the responsibility of the

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foster relationship from me?” It is said that by that, he only meant the responsibility and rights due from the suckling. So when you give the woman who suckled you a male or female slave, then you have fulfilled her right. And it has been related that Abū At-Tufail said: “I was sitting with the Prophet ﷺ when a woman entered so he spread out his ṭirā for her to sit on. When she left it was said: ‘She was the one who suckled the Prophet ﷺ.’”

This is how Yahya bin Sa’eed and Ḥātim bin Ismā‘il and others reported it (no. 1153): From Hishām bin ‘Urwh, from his father, from Ḥajjaj bin Ḥajjāj, from his father, from the Prophet ﷺ. But the narration of Ibn ‘Uyainah is not preserved.

What is correct is what these people reported from Hishām bin ‘Urwh, from his father. Hishām bin ‘Urwh’s Kunyah is Abū Al-Mundhir, and he saw Jābir bin ‘Abdullāh, (Ibn ‘Umar, Fātimah bint Al-Mundhir bin Az-Zubair bin Al- ‘Awwām – and she is Hishām bin ‘Urwh’s wife).


Comments:

This narration shows that giving a slave or slave girl as a gift to the suckling...
mother by the suckling is an acknowledgement and a token repayment of her help and services which she rendered to the suckling. Halimah, the suckling mother of the Prophet ﷺ visited him on the occasion of the battle of Hunain.

Chapter 7. What Has Been Related About A Slave Woman Who Is Freed But She Has A Husband

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1154. ‘Aishah narrated: “Barirah’s husband was a slave, so the Messenger of Allah ﷺ let her chose, and she chose herself, and if he was a free man she would not have had a choice.” [1] (Sahih)

1155. ‘Aishah narrated: “Barirah’s husband was a free man, so the Messenger of Allah ﷺ let her chose.” (Da’if)

(Abū ‘Eisā said:) The Hadith of ‘Aishah is Hasan Sahih. This is how it (no. 1154) was reported by Hīshām bin ‘Urwah, from his father, from ‘Aishah that she said: “Barirah’s husband was a slave.” ‘Ikrimah reported it from Ibn ‘Abbas who said: “I saw Barirah’s husband, and he was a slave named Mughith.” This is how it was reported from Ibn ‘Umar.

This is acted upon according to some of the people of knowledge. They said that when a slave woman is married to a free man and she is

[1] This last phrase was interpolated by ‘Urwah (a narrator in the Hadith). See Tuhfat Al-Ahwadhi.
freed, then she has no choice. She only has a choice when she is freed and she was married to a slave.

This is the view of Ash-Shafi‘i, Ahmad and Ishâq.

More than one narrator reported the story of Barirah from Al-A‘mash, from Ibâhîm, from Al-Aswad, from ‘Aishah. Al-Aswad said: “And her husband was a free man.”

And this is acted upon according to some of the people of knowledge among the Tābi‘in and others, and it is the view of Sufyân Ath-Thawri and the people of Al-Kūfah.

1156. Ibn ‘Abbâs narrated: “Barirah’s husband was a black slave belonging to Banû Al-Mughîrah. On the day that Barirah was freed. By Allâh! It is as if I can see him in the streets of Al-Madînah behind her. Indeed tears were flowing down his beard while he was trying to get her to choose to stay with him, but she did not do it.” (Sâhîh)

(ʻAbû ‘Eisâ said:) This Hadîth is Hasan Sâhîh. Sa‘eed bin Abî ‘Arûbah (one of the narrators) is Sa‘eed bin Mihrân, and his Kunyah is Abû An-Nadr.
Chapter 8. What Has Been Related About The Child Belongs To The Bed

1157. Abū Hurairah narrated that the Messenger of Allah ﷺ said: “The child is for the bed, and for the fornicator is the stone.” [1] (Sahih)


(‘Abū ‘Eisā said:) The Hadith of Abū Hurairah is a Hasan Sahih Hadith, and this is acted upon according to the people of knowledge (among the Companions of the Prophet ﷺ).

Az-Zuhrī reported it from Sa‘eed bin Al-Musayyab, and Abū Salamah, from Abū Hurairah.

The meaning of ‘for him is the stone’ is despair. That is he gets nothing in relation to the child. The ‘Arabs say: ‘For him is the stone’ or, ‘May his mouth be filled with dust’ meaning nothing for him but despair. And they say that the meaning of ‘the stone’ is stoning to death for fornication. But every fornicator is not stoned to death, rather it is only for the one who has been married.” (Tuhfat Al-Ahwadhi).
Chapter 9. What Has Been Related About A Man Who Sees A Woman And Becomes Fascinated With Her

1158. Jābir (bin ‘Abdulläh) narrated: “The Prophet  saw a woman, then he went to Zainab to fulfill his need and he left. He said: ‘Indeed when the woman enters, she enters in the image of Shaitân. So when one of you sees a woman that he is fascinated with, then let him go to his wife, for indeed with her (his wife) is the same as that which is with her.’” ( Sahih )

(He said:) There is something on this topic from Ibn Mas‘ūd.

(‘Abū ‘Eisā said:) The Hadith of Jābir is a Hasan Sahih Gharib Hadith. Hishâm bin Abī ‘Abdulläh (a narrator), the (merchant), Ad-Dastawa‘ī, is Hishâm bin Sanbar.

Comments:
In this narration the sexual urge of a human being has been discussed. There is an attraction in a female for the male and it is natural. This natural attraction is also a test for human beings. Satan attacks the man in various ways and in different forms. Man’s natural attraction towards woman supports Satan to deviate him from the right path, and for this very reason the orders of lowering the gaze and covering are given.

Chapter 10. What Has Been Related About The Husband’s Rights Over The Wife

1159. Abū Hurairah narrated that the Prophet said: “If I were to
order anyone to prostrate to anyone, then I would order the wife to prostrate to her husband.”

(Hasan)

(He said:) There are narrations on this topic from Mu‘ādh bin Jabal, Surāqah bin Mālik bin Ju‘shum, ‘Āishah, Ibn ‘Abbās, ‘Abdullāh bin Abī Awfa, Ṭalq bin ‘Alī, Umm Salamah, Anas, and Ibn ‘Umar.

(Ābu ‘Eīsā said:) The Hadith of Abū Hurairah is a Hasan Gharib Hadith from this route – as a narration of Muhammad bin ‘Amr, from Abū Salamah, from Abū Hurairah.

Comments:

This narration is a proof that – as according to Islamic Shā‘i‘ah – prostration to anything other than Allah ﷺ is prohibited, and similarly prostration of respect is also prohibited. Prostration is due only to Allah ﷺ and strictly prohibited to everything other than Allah ﷺ. Had the prostration of respect been lawful, the Prophet ﷺ would have ordered the wife to prostrate to her husband.

1160. Talq bin ‘Alī narrated that the Messenger of Allah ﷺ said: “When a man calls his wife to fulfill his need, then let her come, even if she is at the oven.” (Sahih)

(Ābu ‘Eīsā said:) This Hadith is Hasan Gharib.
This narration makes it clear that the wife should take care of the needs of her husband and that includes sexual needs.

Abū Hurairah narrated that the Messenger of Allah ﷺ said:

"The most complete of the believers in faith, is the one who

Comments:

The husband being pleased with his wife is a proof that she is a caring lady and fulfills her duties. A lady who cares for the rights of human beings, it is obvious that she is more careful about the Commands of Allah. So, she deserves Paradise.

Chapter 11. What Has Been Related About The Woman’s Rights Over Her Husband

1162. Abū Hurairah narrated that the Messenger of Allah ﷺ said:

"The most complete of the believers in faith, is the one with
the best character among them. And the best of you are those who are best to your women.” (Hasan)

(He said:) There are narrations on this topic from ‘Aishah and Ibn ‘Abbâs.

(Abû ‘Eisâ said:) This Hadîth of Abû Hurairah is a Ḥasan Ṣâhih Hadîth.

Comments:

In this narration, behaviour means the general behaviour of a person, and his treatment of other human beings, and other creatures in a manner which is liked and desired by Allâh.

1163. Sulaimân bin ‘Amr bin Al-Ahwâs said: “My father narrated to me that he witnessed the farewell Ḥajj with the Messenger of Allâh ﷺ. So he thanked and praised Allâh and he reminded and gave admonition. He mentioned a story in his narration and he (the Prophet ﷺ) said: “And indeed I order you to be good to the women, for they are but captives with you whom you have no power other than that, except if they come with manifest Faîshah (evil behaviour). If they do that, then abandon their beds and beat them with a beating that is not harmful. And if they obey you then you have no cause against them. Indeed you have rights over your women, and your women have rights over you. As for your rights over your women, then they must not allow anyone whom you dislike to tread on your bedding.
nor to admit anyone in your home that you dislike. And their rights over you are that you treat them well in clothing them and feeding them.” \(\text{(Sahih)}\)

\(\text{(Abū ‘Eisā said:) This (Hadīth) is Hasan Šahīh. And the meaning of his saying: “they are but captives with you” means they are captives under your care.}\)

\(\text{تَحْرِیخ:} [\text{إسناده صحيح}] \text{و} \text{أخرجه ابن ماجه} \text{، النكاح} \text{، باب} \text{حق المرأة على الزوج} \text{،}\)

\(\text{ح: 1851 من حديث الحسن بن علي الجعفي} \text{.}\)

Comments:

In a house where a husband and wife live in love and peace, and care for each other, prosperity comes to that home. It is not deemed proper to get annoyed with small things. Forgiving and overlooking the minor mistakes of each other makes the home a lovable place to live in.

\(\text{Chapter 12. What Has Been Mentioned About It Being Disliked To Enter Women In Their Behinds}\)

\(\text{1164. ‘Alī bin Ṭalq narrated that a Bedouin came to the Prophet} \text{، and said: “O Messenger of Allāh! A man among us would be in the desert and a small smell would come from him, (what should he do) while the water is scarce? so the Messenger of Allāh} \text{، said: “When one of you breaks wind then let him perform} \text{Wudu’}, \text{and do not go into your women in their behinds, for indeed Allāh is not shy of the truth.” \(\text{(Hasan)}\)}

\(\text{(He said:) There are narrations on this topic from} \text{‘Umar, Khuzaimah bin Thābit, Ibn ‘Abbās, and Abū Hurairah.}\)

\(\text{[1]} \text{Meaning, that they are not to let anyone you dislike in your home, as mentioned in the following statement. See Tuhfat Al-Ahwādī.}\)
The Chapters On Suckling

(Abū 'Eisā said:) The Hadīth of ‘Ali bin Ṭalq is a Hasan Hadīth.

I heard Muhammad saying: “I do not know a Hadīth for ‘Ali bin Ṭalq from the Prophet prz other than this one, and I do not know that this is a Hadīth of Ṭalq bin ‘Ali As-Suhaimi.”([1]

It is as if he thought that this man was another Companion of the Prophet prz. Wākī also reported this Hadīth.

Comment:

This is a strong warning for those who engage in the accursed act of homosexuality. Nothing is expected of them except complete repentance from this act of a destroyed people.

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([1]) Perhaps it should be “Ali bin Talq As-Suhaimi” as Al-Mubārakpūrī said. See Tuhfāt Al-Ahwadhī, and Tahdhib At-Tahdhib by Ibn Hājar.
1166. ‘Ali narrated that the Messenger of Allâh ﷺ said:
“When one of you breaks wind then let him perform Wudû’, and
do not go into your women through
their behinds.” (Hasan)

(Abû ‘Eisâ said:) This ‘Ali is ‘Alîbin Ṭâlq.

Comments:
Breaking wind which makes sound or without sound invalidates the Wudû’
(ablation). In this narration, the Prophet ﷺ deemed it necessary to explain
the other issue which is also related to the anus ‘Ajâz’ means anus.

Chapter 13. What Has Been Related About It Being Disliked
For Women To Go Out While Wearing Their Adornments

1167. Maimûnâh bint Sa’d who was a servant for the Prophet ﷺ,
narrated that the Messenger of Allâh ﷺ said: “The parable of
the woman who walks to impress others in adornments for other
than her family, is that of darkness on the Day of Judgement: There is
no light for her.” (Da’îf)

(Abû ‘Eisâ said:) We do not know of this Hadîth except from Mûsâ bin
‘Ubaidah, and Mûsâ bin ‘Ubaidah is weak in Hadîth due to his poor
memory, although he is truthful. He reported from Shu’bah, and some of
them reported it from Mûsâ bin ‘Ubaidah without it being Marfu’.

تخريج: [إسناده ضعيف] وأخرجه الطبري في الكبير: 128/30 ح: 75 من حديث موسى
ابن عبيدة به وهو ضعيف.
Comments:
The word ‘Ar-Rafilah’ describes a woman who goes on the streets in adornments to attract the male folks of the society. It is essential for a woman to hide her beauty from strangers, and the one who does the opposite is accountable in the Hereafter, and she will face a severe punishment. She will walk in darkness, and on that Day will have no excuse to save herself.

Chapter 14. What Has Been Related About Jealousy

1168. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Allāh becomes jealous and the believer becomes jealous. Allāh’s jealousy occurs when a believer does what He has made unlawful for him.” (Sahih)

(He said:) There are narrations on this topic from ‘Āishah and ‘Abdullāh b. ‘Umar.

(Ābu ‘Eisā said:) The Ḥadīth of Ābū Hurairah is a Ḥasan Gharīb Ḥadīth.

This Ḥadīth has been reported from Ṭabya b. Kāthīr, from Ābū Salamah, from ‘Urwa, from Ṭasma‘ b. Bakhth, from the Prophet ﷺ. Both of these Ḥadīths are Sahīh.

(Regarding the narrators) Al-Ḥajjāj Aṣ-Ṣawwāf is Al-Ḥajjāj b. Ābī ‘Uthmān, and Ābū ‘Uthmān’s name is Maisarah. Al-Ḥajjāj’s Kunyah is Ābū Āṣ-Salt, and Ṭabya b. Sa‘īd Al-Qattān said he was trustworthy. Ābū ‘Eisā narrated to us: “Ābū Bakr Al-‘Aṣṭār narrated to us from ‘Alī b. Ābūl-Ḥuṣayn (Al-Madini) who said: I asked Ṭabya b. Sa‘īd Al-Qattān about Ḥajjāj Aṣ-Ṣawwāf and he said: “He is (trustworthy) intelligent, (and) clever.”
In this narration jealousy means to be angry with an offensive action. It is obvious that this meaning is in reference to the creation of Allāh, and Allāh’s jealousy is according to His Own splendor and dignity.

Chapter 15. What Has Been Related About It Being Disliked For A Woman To Travel Alone

1169. Abū Sa'eed Al-Khudri narrated that the Messenger of Allāh ﷺ said: “It is not lawful for a woman who believes in Allāh and the Last Day to travel on a trip that is three days or more, unless she is accompanied by her father, her brother, her husband, her son, or someone who is a Mahram to her.” (Sahih)

There are narrations on this topic from Abū Hurairah, Ibn ‘Abbās, and Ibn ‘Umar.

(Abū ‘Eisā said:) This Ḥadīth is Hasan Sahih.

It has been related that the Prophet ﷺ said: “A woman is not to travel the distance of a day and a night unless she is accompanied by someone who is a Mahram.”

And this is acted upon according to the people of knowledge, they dislike for a woman to travel unless accompanied by a Mahram. The people of knowledge differ over a woman who is well-off and she does not have a Mahram, does she perform Ḥajj?
Some of the people of knowledge said that the *Hajj* is not obligatory upon her because having the *Mahram* is part of (the means) for the journey, as in Allāh, the Mighty and Sublime’s saying: For whoever is able to bear the journey. So they say that when there is no *Mahram* for her then she is not able to bear the journey. This is the view of Sufyān Ath-Thawrī and the people of Al-Kūfah.

Some of the people of knowledge said when the route is safe then she goes with the people for *Hajj*. This is the view of Mālik and Ash-Shafi’ī.

**Comments:**

When a woman goes out to travel, she is in a different environment than the protected environment of her house. If she travels alone, she might face some mishap and it would not be possible for her to handle the situation all alone and save her honor. For this reason the Islamic Law has made it compulsory for her to travel with someone who is a *Mahram*.

1170. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “A woman is not to travel the distance of a day and a night unless she is accompanied by someone who is a *Mahram*.” *(Sahih)*

(ʻAbd ʻElsā said:) This *Hadīth* is *Hasan Sahīh*.
Chapter 16. What Has Been Related About It Being Disliked To Enter Upon Women Whose Husband's Are Absent

1171. 'Uqbah bin 'Amir narrated that the Messenger of Allāh ﷺ said: “Beware of entering upon women.” So a man from the Ānṣār said: “O Messenger of Allāh! What do you think about the Ḥamū? So he said: “The Ḥamū is death.” (Sahih)

He said: There are narrations on this topic from 'Umar, Jābir, and 'Amr bin Al-Ās. (Abū ‘Eisā said:) The Hadith of 'Uqbah bin 'Amir is a Hasan Sahih Hadith. Regarding “entering upon women” what is disliked is similar to what has been related from the Prophet ﷺ: “A man and a woman are not secluded together except that the third of them is the Sha‘īṭān.” And as for the meaning of his saying: “Al-Ḥamwu,” the Al-Ḥamwu is the brothers of the husband, and it is as if it is disliked for him to be alone with her.

Comments:
The word ‘Al-Ḥamwu’ stands for those male relatives of the husband who are not Mahram, and the marriage is lawful with them, like brothers and cousins or nephews of the husband etc.
Chapter 17. The Warning About That Due To The Shaitân Flowing (Through The Body) Like The Flow Of Blood

1172. Jābir narrated that the Prophet ﷺ said: “Do not enter upon Al-Mughibāt (the women whose husbands are absent), for indeed the Shaitân flows through one of you as the blood flows.” We said: “And you?” He said: “And me, but Allāh helped me over him, so I am safe.”

(Hasan)

(‘Abd ‘Elsィ said:) This Hadīth is Gharib from this route. Some of them have criticized Mujālid bin Sa‘eed due to his memory. I heard ‘Alィ bin Khashram saying: “Explaining the saying of the Prophet ﷺ: ‘but Allāh helped me over him, so I am safe’” Sufyān bin ‘Uyainah said: It means ‘So I am safe from him.’ Sufyān said: ‘The Shaitān does not submit.’”

And as for: ‘do not enter upon Al-Mughibāt,’ Al-Mughibah is the woman whose husband is absent, and Al-Mughibāt is plural of Al-Mughibah.

Comments:

In this narration Satan means his influence on human nature, compelling the human being to act according to his desires. Allāh ﷻ has helped the Prophet ﷺ to get control over Satan. Satan cannot harm the Prophet ﷺ.

[1] See the comments of Sufyān bin ‘Uyainah below, for the Hadīth can be interpreted to mean: “So he submitted” meaning the Shaitān, or “So I am safe from him.”
Chapter 18. The Shaitan Seeks to Tempt the Woman When She Goes Out

1173. `Abdullah narrated that the Prophet ﷺ said: “The woman is ‘Awrah,”¹ so when she goes out, the Shaitan seeks to tempt her.” (Da'if)

(ʻAbū Eiṣā said:) This Ḥadīth is Ḥasan Șaḥīh Gharib.

Comments:
In Arabic language ‘Awrah’ means those parts of the human body that must be covered and kept in hidden from others. It is indecent to keep those parts uncovered. It is proved by this narration that a woman should veil from strangers. If she goes out uncovered it will create problems for others and for her. So she should go out, if it is necessary, by covering herself.

Chapter 19. The Threat for the Woman Who Annoys Her Husband

1174. Muʻādh bin Jabal narrated that the Prophet ﷺ said: “No woman annoys her husband in the world except that his wife among Al-Ijuril-'Ain says: ‘Do not annoy him, may Allah destroy you, he is only like a guest with you, soon he will part from you for us.’” (Hasan)

(ʻAbū Eiṣā said:) This Ḥadīth is (Hasan) Gharib, we do not know of it except from this route. Iṣmā‘īl bin ‘Ayyāsh’s (a narrator in the chain of this Ḥadīth) narrations

¹ Meaning when she appears one is shy of her just like one would be shy if someone’s private parts were exposed. See Tuhfat Al-Ahwadhi.
from the people of Ash-Shām are better, while he reports what is objectionable from the people of Al-Ḥijāz and Al-ʿIrāq.

Comments:

It appears from this narration that a Muslim who is going to enter Paradise, if his wife in this world teases him without any cause, Allāh makes it known to Al-Ḥūrul-ʿEin who is going to be his wife in the Paradise. She wonders at this improper attitude of his wife of the material world and says that he is a guest with her for some days and she should not bother him. He will come to her in Paradise very soon and she will be very sorry.
Chapter 1. What Has Been Related About The Sunnah Divorce

1175. Yûnus bin Jubair said: “I asked Ibn ‘Umar about a man who divorced his wife while she was menstruating. So he said: ‘Don’t you know ‘Abdullah bin ‘Umar?’ Indeed he divorced his wife while she was menstruating, so ‘Umar asked the Prophet ♂ about that, and he ordered him to take her back.” He said: “I said: And that divorce is counted? He said: And that divorce is counted? He said: ‘What else would you think if he was helpless and foolish?’” (Sahih)

1176. Sâlim narrated that his father divorced his wife during her menses, so ‘Umar asked the Prophet ♂ about that, and he said: “Tell him to take her back, then let him divorce her while she is pure or pregnant.” (Sahih)

(Abû ‘Eisâ said:) The Hadîth of Yûnus bin Jubair from Ibn ‘Umar is a Hasan Sahih Hadîth, and so is the Hadîth of Sâlim from Ibn
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ْأَبُو عِبْدُ اللَّهِ عَلِيُّ بْنُ مُحَمَّدٍ، حَدَّثَنَا يَعْوَنُ بْنُ جَعْفَرٍ، حَدَّثَنَا مَجَاهِدٌ، حَدَّثَنَا سَعْدٌ بْنُ عُمَرَ بْنُ أَبِي طَالِبٍ، وَقَدْ رَوَىَ هَذَا الْحَدِيثُ مِنْ عُبَيْدٍ وَأَبِي عُمَرَ بْنِ عُلْيَةَ، مُعَذَّبَةً عِنْدَ الْمُهَدِّضِينَ. وَالْمَلَكُ عَلَى هَذَا عَدَّلَ أَهْلُ الْبَيْتِ مِنْ أَصْحَابِ الْبَيْتِ وَغَيْرِهِمْ، أَنَّ طَلَاقَ السَّلَامَةِ، أَنْ يُطَلِّقَهَا طَاهِرًا بِنَاءً عَلَى جَمَاعٍ. وَقَالَ بَعْضُهُمْ: إِنْ طَلَقَهَا تَلَاءًا وَهُوَ طَاهِرٌ، فَإِنَّهُ يَكُونُ لِلسَّبِيلِ أَيْضًا. وَهُوَ قَولُ الْشَافِعِيَّةَ وَأَحْمَدٍ، وَقَالَ بَعْضُهُمْ: لَا تَكُونُ تَلَاءًا لِلسَّبِيلِ، إِلَّا أَنْ يُطَلِّقَهَا وَاحِدَةً.

Regarding divorcing a pregnant woman they said: He divorces her whenever he wants to. This is the view of Ash-Shafi‘i, Ahmad and Ishäq. Some of them said that he pronounces one divorce on her during each month.

Comments:

It is not correct to divorce a woman during her menstruating period, because a woman is divorced when her husband actually hates her and has ill feelings about her. During the menstruating period, a woman is not clean and tidy, moreover, dullness and laziness overcomes her. In such physical and mental condition she is averse to adorn herself for her husband and the husband too is not inclined towards her in this period. So it is not approved to divorce a woman during the menstruating period. According to all Four A‘immah, and in view of most of the people of knowledge among the Companions, if a woman has been divorced during this period it will be considered as divorced.

[Qalā ʿAbū ʿAbīyāh: حَدَّثَنَا يَوْسَنُ بْنُ جَعْفَرٍ عَلِيُّ بْنُ مُحَمَّدٍ، حَدَّثَنَا مَجَاهِدٌ، حَدَّثَنَا سَعْدٌ بْنُ عُمَرَ بْنُ أَبِي طَالِبٍ، وَقَدْ رَوَىَ هَذَا الْحَدِيثُ مِنْ عُبَيْدٍ وَأَبِي عُمَرَ بْنِ عُلْيَةَ، مُعَذَّبَةً عِنْدَ الْمُهَدِّضِينَ. وَالْمَلَكُ عَلَى هَذَا عَدَّلَ أَهْلُ الْبَيْتِ مِنْ أَصْحَابِ الْبَيْتِ وَغَيْرِهِمْ، أَنَّ طَلَاقَ السَّلَامَةِ، أَنْ يُطَلِّقَهَا طَاهِرًا بِنَاءً عَلَى جَمَاعٍ. وَقَالَ بَعْضُهُمْ: إِنْ طَلَقَهَا تَلَاءًا وَهُوَ طَاهِرٌ، فَإِنَّهُ يَكُونُ لِلسَّبِيلِ أَيْضًا. وَهُوَ قَولُ الْشَافِعِيَّةَ وَأَحْمَدٍ، وَقَالَ بَعْضُهُمْ: لَا تَكُونُ تَلَاءًا لِلسَّبِيلِ، إِلَّا أَنْ يُطَلِّقَهَا وَاحِدَةً.

وَهُوَ قَولُ [شَفَأَةَ] الْبَيْتِ وَإِشْخَاصٍ. وَقَالُوا فِي طَلَاقِ الْحَامِلِ: يُطَلِّقَهَا شَيْءًا وَهُوَ قَولُ الْشَافِعِيَّةَ وَأَحْمَدٍ وَإِشْخَاصٍ. وَقَالَ بَعْضُهُمْ: يُطَلِّقَهَا عَنْدَ كُلِّ شَهْرٍ مَّثُلَّةً.

تخريج: متفق عليه، وأخرجه مسلم، ح: 5/1471 (انظر الحديث السابق) من حديث وكعب والخليج، ح: 7160 من حديث سالم بن عبد الله بن عمر به. ]

Comments:

It is not correct to divorce a woman during her menstruating period, because a woman is divorced when her husband actually hates her and has ill feelings about her. During the menstruating period, a woman is not clean and tidy, moreover, dullness and laziness overcomes her. In such physical and mental condition she is averse to adorn herself for her husband and the husband too is not inclined towards her in this period. So it is not approved to divorce a woman during the menstruating period. According to all Four A‘immah, and in view of most of the people of knowledge among the Companions, if a woman has been divorced during this period it will be considered as divorced.
Chapter 2. What Has Been Related About A Man Who Divorces His Wife Irrevocably

1177. ‘Abdullah bin Yazid bin Rukãnah narrated from his father, from his grandfather who said: “I went to the Prophet and said: ‘O Messenger of Allah! I irrevocably divorced my wife.’ So he said: ‘What did you intend by that?’ I said: ‘One (divorce).’ He said: ‘(Do you swear) By Allãh?’ I said: ‘By Allãh.’ He said: ‘Then it is as you intended.’”

(Å†f) (Abû ‘Eisã said:) We do not know of this Hadith except from this route.

I asked Muhammad about this Hadith and he said: “There is some confusion (Idtirab) in it; and it has been reported from ‘Ikrimah, from Ibn ‘Abbas that Rukãnah divorced his wife three times.”

The people of knowledge among the Companions of the Prophet and others differ over the irrevocable divorce. It has been related from ‘Umar bin Al-Khattab that he counted the irrevocable divorce as one, and it has been related from ‘Ali that he considered it three. Some of the people of knowledge said it depends on the intention of the man; if he intended one then it is one, and if he intended three then it is three, and if he intended two then it will only count as one. This is the view of Sufyan Ath-Thawri and the people of Al-Kufah.

Mãlik bin Anas said about the irrevocable divorce: If he had gone
The Chapters On Divorce And Li’ān

Chapter 3. What Has Been Related About: Your Case Is Up To You

1178. Ḥammād bin Yazīd said: “I said to Ābu Ayyūb: ‘Do you know of anyone who said that: “Your case is up to you” counts as three besides Al-Hasan?’ He said: ‘No, not besides Al-Hasan.’ Then he said: ‘O Allāh forgive me – except for what has been narrated to me by Qatādah, from Kāthīr the freed slave of Banū Samarrah, from Ābu Salamah, from Ābu Hurairah, that the Prophet said: “Three.”’

Ābu Ayyūb said: ‘So I met Kāthīr the freed slave of Banū Samarrah and asked him about it, but he was not aware of it. So I returned to Qatādah and informed him about that and he said: “He forgot.” (Daʿif)

(Ābu ‘Eisā said:) This Ḥadīth is Gharīb, we do not know of it except as a narration of Sulaimān bin Ḥarb, from Ḥammād bin Yazīd. I asked Muḥammad about this Ḥadīth and he said: “Sulaimān bin Ḥarb narrated this from Ḥammād bin Yazīd to us, but it was only Mawqūf from Ābu Hurairah.”

Shāfiʿī said: “If he intended one then it is one, and he is able to return, and if he intended two then it is two, and if he intended three then it is three.”

Chapter 3. What Has Been Related About: Your Case Is Up To You

1179. ـ حدَّثنا سَلِيمَانُ بْنُ حُرْبٍ حَدَّثَنَا حَمَّادٌ بْنُ َرَئِيْدٍ قَالَ: قُلْتُ لِأَبُو يُوبُ: هَلْ عَلِمْتُ (آنَّ) أَحَدٌ قَالَ فِي: أُمُّرَكَ بِبِلِيكُ: إِنَّهَا تَلَاثٌ إِلَّا الْحَسَنُ؟ قَالَ: لَا إِلَّا الْحَسَنُ. قَالَ: الْلَّهُمَّ أُعْفِرْيَ إِلَّا مَا حَدَّثَنِي قَاتِدَةً عَنْ كِتَابِ مُؤُؤَلِي بَيْنِي سَمْرَةٍ، عَنْ أُبِي سَلَمَةٍ، عَنْ أُبِي الْحُرَيْرَةِ عَنْ الْبَيْنِيِّ أَلَاثَ قَالَ: "لَاثَ

Qālū ʾAbī Ayyūb: قَلْبَتُ كَثِيرًا مُؤُؤَلِي بَيْنِي سَمْرَةٍ فَسَأَلَتُهُمْ فَلَمْ يَغْفِرُهُمْ، فَرَجَعَتُ إِلَى قَاتِدَةً فَأُخْرِجَتْ فِيهِ. فَقَالَ: تَحْتِيَ. [Qālū ʾAbī Ḥusayn:] هَذَا حَدِيثٌ غَرِيبٌ لَا تَغْفِرُهُ إِلَّا مَا حَدَّثَنِي سَلِيمَانُ بْنُ حُرْبٍ عَنْ حَمَّادٍ بْنُ َرَئِيْدٍ. وَسَأَلَتُ مُؤُؤَلِي عَنْ هَذَا الحَدِيثِ فَقَالَ: حَدَّثَنَا سَلِيمَانُ بْنُ حُرْبٍ عَنْ حَمَّادٍ بْنُ َرَئِيْدٍ بِهِذَا. وَإِنَّمَا هُوَ عَنْ أُبِي الْحُرَيْرَةِ مُؤُؤَلٌ. وَلَمْ يُعْفِرُ حَدِيثُ أُبِي الْحُرَيْرَةِ مُؤُؤَلًا.
The Hadith of Abū Hurairah is not known to be Marfu’, and ‘Ali bin Naṣr (one of the narrators) is a Ḫāṣī, a person of Ḥadīth.

The people of knowledge differ over (the statement): “Your case is up to you.” Some of the people of knowledge among the Companions of the Prophet and others – among them ‘Umar bin Al-Khattāb and ‘Abdullāh bin Mas‘ūd – said: “It is one.” This is the view of more than one of the people of knowledge among the Tābi’in and those after them.

‘Uthmān bin ‘Affān and Zaid bin Thābit said that the decision is as she decides.

Ibn ‘Umar said: “If a man leaves the case up to his wife and she divorces herself three times and her husband dislikes that, saying: ‘I only left the case up to her for one’ then the husband is to take an oath and it will be in accordance with whatever he swears.”

Sufyān and the people of Al-Kūfah followed the view of ‘Umar and ‘Abdullāh. As for Mālik bin Anas he said: “The decision is as she decides,” and this is the view of Ahmad. As for Isbāq, he followed the view of Ibn ‘Umar.

Comments:

Imām Muḥammad has reported this point of view of the Ahnāf; that it depends on the intention of the husband. If he intends one divorce it will be revocable during the waiting period of three months. According to Zaid bin Thābit, if the husband intends one divorce it is revocable.
Chapter 4. What Has Been Related About The Choice

1179. ‘A‘ishah said: “The Messenger of Allah ﷺ gave us the choice, so we chose him. So was that a divorce?” (Sahih)

(Another chain with a similar narration)

(Abu ‘Eisa said:) This Hadith is Hasan Sahih. The people of knowledge differ over the choice. It has been related from ‘Umar and ‘Abdullãh bin Mas‘at that they said: “If she chooses herself (divorce) then it is once, irrevocable.” And it has been related from them that they also said: “Once, and he has the ability to take her back, and if she chooses her husband then it is (counted as) nothing.”

It has been related that ‘Ali said: “If she chooses herself (divorce) then it is once, irrevocable, and if she chooses her husband then it counts as once, and he has the ability to take her back.”

Zaid bin Thãbit said: “If she chooses her husband then it is once, and if she chooses herself then it is three.”

On this topic, most of the people of knowledge and Fiqh among the Companions of the Prophet ﷺ and those after them followed the view of ‘Umar and ‘Abdullãh, and it is the view of Sufyan Ath-Thawrî and the people of Al-Kufah. As for Ahmad bin Hanbal, he followed the view of ‘Ali, may Allah be pleased with him.
Chapter 5. What Has Been Related About: The Woman With Three Divorces Gets No Housing Nor Maintenance (From The Husband)

1180. Fāṭimah bint Qais said: “My husband divorced me three times during the time of the Prophet. So the Messenger of Allāh said: ‘There is no housing for you nor maintenance.’” Al-Mughirah (one of the narrators) said: “I mentioned that to Ibrāhīm and he said: ‘Umar said: ‘We do not leave the Book of Allāh and the Sunnah of our Prophet for the saying of a woman, and we do not know if she remembered or forgot.’” And ‘Umar used to give her (the divorced woman) housing and maintenance.” (Ṣaḥīḥ)

This was narrated to us from Aḥmad bin Mani‘ (who said): “Hushaim narrated to us: ‘Huṣain, Ismā‘īl and Mujālīd informed us.’” Hushaim said: “Dāwūd narrated it to us as well, from Ash-Sha‘bī who said: ‘I entered upon Fāṭimah bint Qais and asked her about the judgement of the Messenger of
Allâh in her case. She said that she was divorced irrevocably by her husband and she argued with him for housing and maintenance, but the Prophet did not grant her housing, nor maintenance.”

And in the narration of Dâwûd she said: “And he ordered me to stay at the home of Ibn Umm Maktûm during my ‘Iddah.’”

(Âbu ‘Eisâ said:) This Hadîth is Hasan Sahîh.

This is the view of some of the people of knowledge, among them Al-Hasan Al-Bâsîrî, ‘Âtâ’ bin Abî Rabîh, and Ash-Shâ’bi, and it is the view of Aḥmad and Iṣhâq. And they said: The divorced woman gets neither housing nor maintenance when her husband does not have the ability to take her back.

Some of the people of knowledge among the Companions of the Prophet – among them ‘Umar and ‘Abdullâh – said that the woman divorced three times gets housing and maintenance. This is the view of Sufyân Ath-Thawrî and the people of Al-Ãufah.

Some of the people of knowledge said that she gets housing but there is no maintenance for her. This is the view of Mâlik bin Anas, Al-Laith bin Sa’d, and Ash-Shâfî. Ash-Shâfî said: “We only give her housing based upon the Book of Allâh, Allâh Most High said: And turn them not out of their homes, nor shall they (themselves) leave, except in the case they are guilty of
some open *Fahishah*. And they say it (*Fahishah*) is to behave in a foul manner, that she misbehaves with her family, and they explain that the reason that Fāṭimah bint Qais was not granted housing by the Prophet 

is that she had behaved in a foul manner with her family.”

Ash-Shāfi’i said: “And she gets no maintenance due to the Hadith of the Prophet 

about the story of Fāṭimah bin Qais.

Comments:

This is agreed upon that one divorce which is revocable and three divorces which are irrevocable in both if a woman is pregnant has the right of housing and maintenance during her *‘Iddah*. (Probationary period of divorce.)

Chapter 6. What Has Been Related About: There Is No Divorce Before Marriage

1181. ‘Amr bin Shu‘aib narrated from his grandfather, from his father, that the Messenger of Allāh ﷺ said: “There is no vow for the son of Ādām over what he has no control, and there is no emancipating he can do for one whom he does not own, and there is no divorce for him regarding that which he has no control over.”

(Hasan)

(He said:) There are narrations on this topic from ‘Ali, Mu‘adh bin Jabal, Jābir, Ibn ‘Abbās, and ‘Āishah.

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(Abū ‘Eisā said:) The Ḥadīth of ‘Abdullāh bin ‘Amr is a Ḥasan Ṣahīh Ḥadīth, and it is the best thing reported on this topic. This is the view of most of the people of knowledge among the Companions of the Prophet ﷺ and others. This has been related from ‘Alī bin Abī Ṭālib, Ibn ‘Abbās, Jābir bin ‘Abdullāh, Sa‘eed bin Al-Musayyab, Al-Ḥasan, Sa‘eed bin Jubair, ‘Alī bin Al-Ḥasan, Shuraih, Jābir bin Zaid, and more than one of the Fuqaha‘ among the Ṭābi‘īn, and it is the view of Ash-Shafī‘i.

It has been related that Ibn Mas‘ūd said about the Mansūbah:[1] “She is divorced.” It has been related from Ibrāhīm An-Nakha‘ī, Ash-Sha‘bī, and others among the people of knowledge that they said: “If he specifies a time, it (the divorce) holds (at the expiration of the time).” This is the view of Sufyān Ath-Thawrī. Mālik bin Anas said: “When he names a woman specifically, or specifies a time, or he says: ‘If I marry someone from this district,’ then if he marries someone, she is divorced.”

As for Ibn Al-Mubārak, he was very stern on this topic, he said: “If it is done, I do not say that it is unlawful.” Ahmad said: “If he married, I do not order him to separate from his wife.” Ishāq said: “I allow it in the case of Al-Mansūbah, due to the Ḥadīth of Ibn Mas‘ūd, but if he marries her, I

[1] “In some of the manuscripts it is: Mansūbah with Sin meaning a woman belonging to a tribe or a land. And the meaning of Mansūbah is the particular woman.” (Tuhfat Al-Ahwadhi)
do not say that his wife is unlawful for him.” In cases other than the Mansūbah, Ishaq was liberal with it.

It has been mentioned that ‘Abdullāh bin Al-Mubārak was asked about a man who took an oath of divorce that he would not marry, then it occurred to him to marry, does he have the permission to do it if he follows the view of the Fuqahā’ that permit that? So (‘Abdullāh) Ibn Al-Mubārak said: “If he thought that this view was the truth before he was tested with this issue, then he can take their saying. As for the one who did not accept this, then if he is tested and wants to take their saying, then I do not think it is allowed for him.”

Comments:

Shah Waliullāh writes that the saying of the Messenger of Allāh ﷺ “There is no divorce for him regarding that which he has no control over” is quite clear, and it relates to the divorce that is going to be effective, but is pending or delayed for some condition. As in this example, “when I marry someone she is divorced.” This is a general order for all.

Chapter 7. What Has Been Related About: Divorce For A Slave Woman Is Twice

1182. Muzāhir bin Aslam narrated that Al-Qāsim narrated from ‘Aishah that the Messenger of Allāh ﷺ said: “The divorce for a slave woman is two divorces, and her ‘Iddah is two menstruations.” (Da‘īf)
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According to the Ahnaf enforcement and effectiveness of divorce depends on the wife's status, whether she is a free woman or a slave woman. If she is a slave woman, divorce will be effective with two divorces and she cannot marry her husband again until and unless she marries another person, and they have sexual relations. Her Iddah is two menstruating periods. The status of the male has no concern with it whether he is a free man or a slave. The Ahnaf bring forward this narration in their support. According to the other three A'immah, this narration is related to that slave woman whose husband is also a slave.

Chapter 8. What Has Been Related About The Man Who Thinks To Himself About Divorcing His Wife

Abū Hurairah narrated that the Messenger of Allâh ﷺ said: “Allâh has permitted my Ummah what occurs in their minds, as long as it is not spoken or acted upon.” (Sahih)
(Abū ‘Eisā said:) This Ḥadīth is Hasan Sahih. This is acted upon according to the people of knowledge, when a man thinks about divorce to himself, it will not amount to anything until he talks about it.

[Cal.] This Hadith is Hasan Sahih. This is acted upon according to the people of knowledge, when a man thinks about divorce to himself, it will not amount to anything until he talks about it.

Comments:
There is no accountability on thinking of human beings until they put this thinking into practice. If someone ponders over the issue of divorce, whether to divorce his wife or not, no matter if it is out loud there is no accountability and no divorce is implemented because no one knows his intention accept Allāh. When he brings his intention of divorce on his tongue and says it before the people it is effective.

Chapter 9. What Has Been Related About Seriousness And Jest Regarding Divorce

1184. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Three are serious when they are serious, and serious when they are in jest: Marriage, divorce, and return.” (Hasan)

(Abū ‘Eisā said:) This Ḥadīth is Hasan Gharib.

This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and others.

Abū ‘Eisā said: And ‘Abdur-Rahmān (one of the narrators) is Ibn Habīb bin (Ardak Al-Madani). And Ibn Māhak; to me (it seems that) he is Yūsuf bin Māhak.
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Comments:

In Islamic Law, some serious deeds like marriage, divorce, return, and manumission and their execution are strictly determined under decisive expediencies. So, it is strongly prohibited doing these in jest. Whoever performs these deeds in jest and fun, his action is taken seriously and it is considered implemented according to Islamic Law.

Chapter 10. What Has Been Related About Khul‘

1185. Ar-Rubayyi‘ bint Mu‘awwidh bin Al-Afrã’ narrated that she got a Khul‘ during the time of the Prophet س. So the Prophet س ordered her – or: she was ordered – that she observe an ‘Iddah of a menstruation.” (Hasan)

(He said:) There is something on this topic from Ibn ‘Abbãs.

Abû ‘Eisã said: In the Hadith of Ar-Rubai‘ what is correct is: “she was ordered that she observe an ‘Iddah of one menstruation.”

1185B. Ibn ‘Abbãs narrated that the wife of Thãbit bin Qais was granted a Khul‘ from her husband during the time of the Prophet س. So the Prophet س ordered her to observe an ‘Iddah of a menstruation. (Hasan)

(Abû ‘Eisã said:) This Hadith is Hasan Gharib.
The people of knowledge differ over the ‘Iddah for the woman who was granted a Khul’. Most of the people of knowledge among the Companions of the Prophet and others said that the ‘Iddah for the woman who was granted a Khul’ is the ‘Iddah of the divorced woman’, three menstruations. This is the view of (Sufyân) Ath-Thawri and the people of Al-Kūfah, and it is the view of Ahmad and Ishāq.

Some of the people of knowledge among the Companions of the Prophet and others said that the ‘Iddah of the woman who was granted a Khul’ is one menstruation. Ishāq said: “If someone followed this view, then it is a strong view.”

Comments:

“Khul” means putting off the clothes as it is said ‘put off your shirt’ or ‘put off your shoes’, etc. In the Qur'an, man and wife have been mentioned as clothes for each other, so a wife’s separation from her husband after giving his rights is like casting off the clothes.
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1187. Thawbân narrated that the Messenger of Allāh ﷺ said: “Whichever woman seeks a *Khul'* from her husband without harm (cause), then the scent of Paradise will be unlawful for her.” *(Sahih)*

(Abū ‘Eisa said:) This *Hadith* is *Hasan*. This *Hadith* has been reported from Ayyūb, from Abū Qilābah, from Abū Asmā’, from Thawbân. Some of them reported it from Ayyūb with this chain, but without mentioning it to be *Marjū‘*.

**Comments:**

The *Shari‘ah* aims to see the relationship of a husband and wife as permanent and lifelong, for this reason it has been suggested to overlook the weaknesses and drawbacks of each other, and pay no heed to small inaccuracies. Though *Khul'* and divorce are lawful, yet they have not been encouraged.

Chapter 12. What Has Been Related About Treating Women Kindly

1188. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Indeed the woman is like a rib, if you try to straighten her you will break her, and if you leave her, what you enjoy from her will be with the crookedness.” *(Sahih)*
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(He said:) There are narrations on this topic from Abū Dharr, Samurah, and ‘Aishah.

(Abū ‘Eisā said:) The Hadith of Abū Hurairah is a Ḥasan Sahīh Hadith that is Gharib from this route, (and its chain is Jayyid).

(The Prophet said:) There are narrations on this topic from Abū Dharr, Samurah, and ‘Aishah.

[Abū ‘Eisā said:] The Hadith of Abū Hurairah is a Ḥasan Sahīh Hadith that is Gharib from this route, (and its chain is Jayyid).

[Abū ‘Eisā said:] The Hadith of Abū Hurairah is a Ḥasan Sahīh Hadith that is Gharib from this route, (and its chain is Jayyid).

Comments:
Dealing with women with kindness and overlooking their crookedness makes the family life more pleasant.

Chapter 13. What Has Been Related About A Man Whose Father Asks Him To Divorce (His Wife)

1189. Ibn ‘Umar narrated: “I had a wife whom I loved, but my father disliked her, so he ordered me to divorce her but I refused. I mentioned that to the Prophet and he said: ‘O ‘Abdullāh bin ‘Umar! Divorce your wife.’” (Ḥasan)

(Ḥasan) (Abū ‘Eisā said;) This Hadith is Ḥasan Sahīh, we only know of it as a narration of Ibn Abī Dhi‘b.
Divorce is lawful but not appreciated. Divorce has been permitted under severe circumstances and dire need. No one should divorce his wife without utmost necessity, and in unavoidable circumstances.

Chapter 14. What Has Been Related About: No Woman Should Ask For The Divorce Of Her Sister

Abū Hurairah narrated that the Prophet said: “No woman should ask for the divorce of her sister (in religion) in order to spill what is in her container.” [1]

(他曾曰:) There is something about this from Umm Salamah.

(Abū ‘Eisā said:) The Hadīth of Abū Hurairah is a Ḥasan Sahīh Hadīth.

Comments:
This narration is proof that a woman in any circumstances, and in any situation – even for the woman who is going to be her co-wife – should not ask for divorce. When Allah gave her shelter and spending in the form of a husband, no woman should dare to undo this arrangement.

[1] “In order to spill what is in her container” is a phrase that here refers to when a co-wife tries to get her husband to be inclined to her over his other wife. (See Tuhfat Al-Ahwadhi)
Chapter 15. What Has Been Related About The Divorce Pronounced By The *Ma‘tüh* Person

1191. Abū Hurairah narrated that the Messenger of Allah ﷺ said:

“Every divorce is valid except the divorce of the *Ma‘tūh* person whose reason is overcome.” *(Da‘if Jiddan)*

(‘Abū ‘Eisā said:) We do not know of this *Hadith* to be *Marfu‘* except through the narration of ‘Atā’ bin ‘Ajlān, and ‘Atā’ bin ‘Ajlān is weak and his narrations are not preserved.

This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and others: The divorce of the *Ma‘tūh* whose reason is overcome is not valid, unless his state of *Ma‘tūh* is sometimes lifted and he said the divorce when it was lifted.

**Comments:**

A divorce is effective when a woman is divorced consciously and deliberately by understanding the consequences of the words pronounced. As for a man who is insane or not in his senses and totally unaware of his actions, the pronouncement of divorce from him will not be implemented. Similarly the divorce given by a drunkard or intoxicated person is in effective.

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[1] It is explained in the *Hadith*. See *Tuhfat Al-Ahwadhi*. This *Hadith* is mentioned by *Al-Bukhari* as a statement of ‘Ali which appears directly before *Hadith* no. 5269 in his *Sahih*.**
Chapter 16. The Revelation Of Alläh’s Saying: Divorce Is Two Times

1192. Hishãm bin ‘Urwah narrated from his father, from ‘Aishah that she said: “The people were such that a man would divorce his wife when he wanted to divorce her, and she remained his wife when he wanted to take her back while she was in her ‘Iddah, and he could divorce a hundred times, or even more, such that a man could say to his wife: ‘By Alläh! I will neither divorce you irrevocably, nor give you residence ever!’ She would say: ‘And how is that?’ He would say: ‘I will divorce you, and whenever your ‘Iddah is just about to end I will take you back. So a woman went to ‘Aishah to inform her about that, and ‘Aishah was silent until the Prophet ﷺ came. So she told him and the Prophet ﷺ was silent, until the Qur’an was revealed: Divorce is two times, after that, retain her on reasonable terms or release her with kindness.”[1] So ‘Aishah said: “So the people could carry on with divorce in the future, (knowing) who was divorced, and who was not divorced.” (Hasan)

(Another chain) from Hishãm bin ‘Urwah from his father and it is similar to this Hadîth in meaning, but he did not mention in it: “From ‘Aishah.”

(Abû ‘Eisã said:) This is more

correct than the (previous) narration of Ya'lã bin Shabîb.

Comments:
In the period of Jahiliyyah people used to divorce their wives, and before the expiry of the probationary period ('Iddah) they would take them back. There was no limit to this way of conduct. The husband could divorce his wife as many times as he wanted and take them back within the expiry of 'Iddah and she would remain his wife. Islamic Divine Law (Shari'ah) imposed a limit to it. "Divorce is two times, after that retain her on reasonable terms of release her with kindness." According to Shah Waliullãh excessive use of the right of divorce and giving little importance to its consequences causes many evils and miseries in the society.

Chapter 17. What Has Been Related About The Pregnant Woman Who Gives Birth After Her Husband Dies

1193. Al-Aswad narrated from Abû As-Sanãbil bin Ba'kak who said: "Subai'ah delivered twenty-three or twenty-five days after her husband had died. So when she was ready (finished post-natal bleeding) she adorned herself for marriage, but she was rebuked for doing that, so it was mentioned to the Prophet ﷺ and he said: 'If she has done that then her time has come.'" (Hasan)

(Another chain with a similar narration)
(He said:) There is something on this topic from Umm Salamah.

(Abû 'Eisa said:) The Hadith of Abû As-Sanãbil is a well known Hadith that is Gharib from this route; we do not know of anything from Al-Aswad from Abû As-Sanãbil. I heard Muḥammad saying:
"I do not know that Abū As-Sanābil lived after the Prophet ﷺ."

This is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others. It is lawful for the pregnant woman whose husband dies to seek marriage when she gives birth, even though her 'Iddah has not transpired.

This is the view of Sufyān Ath-Thawrī, Ash-Shafi‘ī, Aḥmad, and Ishaq. Some of the people of knowledge among the Companions of the Prophet ﷺ and others said that she remains in her 'Iddah until the end of the two terms.[1] But the first view is more correct.


1١٩٤. Sulaimān bin Yasār narrated that Abū Hurairah, Ibn ‘Abbās, and Abu Salamah bin ‘Abdur-Rahmān mentioned the pregnant woman whose husband died and she gave birth after the death of her husband. So Ibn ‘Abbās said: “She observes 'Iddah until the end of the two terms.” Abū Salamah said: “Rather, she is allowed when she gives birth.” Abū Hurairah said: “I am with my nephew,” meaning Abū Salamah.

So he sent a message to Umm Salamah the wife of the Prophet ﷺ. She said: “Subai‘ah Al-

[1] Meaning four months and ten days.
Aslamiyyah gave birth a short time after her husband died, so she sought the judgement of the Messenger of Allāh ﷺ and he ordered her to get married.”

(Šaḥīh)

(Abū ‘Eisā said:) This Hadith is Hasan Šaḥīh.

trans.: And another of the marriage, a question of the waiting until the birth. She brought the Hadith to the Messenger of Allāh ﷺ, and he ordered her to get married.

Chapter 18. What Has Been Related About the ‘Iddah Of A Woman Whose Husband Dies

Humaid bin Nāfi‘ narrated that Zainab bint Abi Salamah informed him of these three Ahadith:

1195. Zainab said: “I entered upon Umm Habibah, the wife of the Prophet ﷺ when her father Sufyān bin Harb died. So she asked for some perfume that had something yellow saffron or something else, so a girl applied it to her and put some on her cheeks. Then she said: ‘By Allāh! I have no need for perfume except that I heard the

Comments:

Allāh’s Command about the woman whose husband has died are quite clear in Surat Al-Baqarah Verse 234. “If any of you dies and leaves a widow behind; they shall wait concerning themselves four months and ten days when they have fulfilled their term.” In this Verse it has not been mentioned about the widow left behind whether she is pregnant or not. It can be inferred that in both cases the period is four months and ten days. In Surat At-Talaq it has been mentioned about the pregnant woman “For those who are pregnant their period is until they deliver their burden.”
Messenger of Allah (ﷺ) saying: “It is not lawful for a woman who believes in Allah and the Last Day to mourn for the dead more than three days, except for her husband (in which case it is) four months and ten days.”[1] (Sahih)

**Comments:**
This narration proves that mourning for the dead for more than three days is not allowed. In case of the death of the husband, a widow must mourn and wait for four months and ten days. In this period she should not adorn herself. This is essential for her as it is mentioned in the narration no. 1197.

1196. Zainab said: “So I entered upon Zainab bint Jahsh when her brother died. She called for some perfume and put it on, then said: ‘By Allah! I have no need for perfume except that I heard the Messenger of Allah (ﷺ) saying: “It is not lawful for a woman who believes in Allah and the Last Day to mourn for the dead more than three nights, except for her husband (in which case it is) four months and ten days.”’ (Sahih)

1197. Zainab said: “And I heard my mother, Umm Salamah say: ‘A woman came to the Messenger of Allah (ﷺ) and she said: ‘O Messenger of Allah! I am the mother of so-and-so who has died, and I have no perfume. I heard the Messenger of Allah (ﷺ) saying: “It is not lawful for a woman who believes in Allah and the Last Day to mourn for the dead more than three nights, except for her husband (in which case it is) four months and ten days.”’

[1] This occurred after the mourning period had ended, and she said that she had no need because she was still sad, but she ended the mourning due to the Hadith. See Tuhfat Al-Ahwadhi.
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Messenger of Allah! My daughter’s husband died, and she is suffering from an eye ailment, so can she use Kohl?” the Messenger of Allah said: “No” two or three times. Each time (she asked) he said “no.” Then he said: “It is just a matter of four months and ten (days). During Jahiliyyah one of you would throw a clump of camel dung when one year passed.”[1] (Sahih)

(He said:) There are narrations on this topic from Furai‘ah bint Mâlik bin Sinân who is the sister of Abû Sa‘eed Al-Khudrî, and Hafshah bint ‘Umar.

(Abû ‘Eisa said:) The Hadîth of Zainab is a Hasan Sahîh Hadîth. This is acted upon according to the people of knowledge among the Companions of the Prophet and others. The woman whose husband has died is to avoid perfume and adornments during her ‘Iddah.

This is the view of Sufyân Ath-Thawrî, Mâlik (bin Anas), Ash-Shâfi‘î, Aḥmad, and Išâq.

Comments:

Mourning is a must for every widow without any distinction, no matter if the widow is a free woman or a slave woman, young or aged. (Zad Al-Ma‘ād. v. 5.p. 620.)

Chapter 19. What Has Been Related About The One Who Has Uttered Zihār And Has Intercourse (With His Wife) Before Atoning

1198. Salamah bin Ṣakhir Al-Bayādī narrated that the Prophet ﷺ said, about the one who uttered Zihār and had intercourse before the atonement: “One atonement.” (Daʿīf)

(Abu ʿEisā said:) This Hadīth is Ḥasan Gharīb.

This is acted upon according to most of the people of knowledge. This is the view of Sufyān Ath-Thawrī, Mālik, Ash-Shāfiʿī, Aḥmad and Ishaq.

Some of them said that when he has intercourse with her before he fulfills the atonement, then he has to fulfill two atonements. This is the view of ‘Abdur-Rahmān bin Mahdī.

1199. Ibn ʿAbbās narrated that a man came to the Prophet ﷺ, and he had uttered Zihār upon his wife then he had intercourse with her. So he said: ‘O Messenger of Allah! I uttered Zihār against my wife, then I had intercourse with her before atoning.’ He (ﷺ) said: ‘What caused you to do that, may
Allāh have mercy upon you?’ He said: ‘I saw her anklets in the moonlight.’ He said: ‘Then do not go near her until you have done what Allāh ordered (for it).’” (Hasan) This Ḥadīth is Hasan Gharib.

Comments:

Word ‘Ẓihār’ is derived from ‘Zahr’ meaning back. This word is also used for a riding animal, and there is also a hint in it for sexual relationship between the husband and wife, that is why it has been used as a symbolic reference. In the period of Jahiliyyah, it was customary that if anybody wanted to make his wife unlawful for himself, he would say that she resembles his mother from the back.

Chapter 20. What Has Been Related About The Atonement For Zihār

1200. Abū Salamah and Muḥammad bin ‘Abdur-Rahmān (bin Thawbān) narrated that Salmān bin Ṣakhir Al-Anṣārī – from Banū Bayḍāh – said that his wife was like the back of his mother to him until Ramadān passed. After half of Ramadān had passed he had intercourse with his wife during the night. So he went to the Messenger of Allāh to mention that to him. The Messenger of Allāh said to him: “Free a slave.” He said: “I don’t have one.” So he said: “Then fast two consecutive months.” He said: “I am unable.” He said: “Feed sixty needy people.” He said: “I can not.” So the Messenger of Allāh said to Farwāh bin ‘Amr: “Give him that ‘Araq – and it is a large basket that holds fifteen or sixteen Sā‘ – to feed sixty needy people.” (Hasan)
(Abū 'Eisā said:) This Hadīth is Hasan. They say: "Salmān bīn Ṣākhīr" and they say: "Salāmah bīn Ṣākhīr Al-Bayāḍī.

The people of knowledge act according to this Hadīth regarding the atonement for Zihār.

**Comments:**

According to Imām Aḥmad, if atonement is paid in the form of wheat it will be one Mudd, and if it is in the form of dates or barley, it will be two Mudd or half a -SA-. In view of Imām Shaḥīrī, Imām Awzā'i and 'Aṭā there is only one Mudd to be paid from any kind of grain as atonement. In the view of Imām Mālik the amount of atonement is two Mudd from any kind of grain, and according to Imām Aḥth-Thawrī and Imām Abū Ḥanīfah, for wheat one Mudd, dates two Mudd and barley one Sa' is prescribed as the atonement.

**Chapter 21. What Has Been Related About Ilā**

1201. 'Aishah narrated: "The Messenger of Allāh ἢ swore Ilā' from his wives, and he made something unlawful and he made for himself unlawful what was lawful, and he made atonement for his oath." (Da'iJ)

(He said:) There are narrations on this topic from Anās and Abū Mūsā.

(Abū 'Eisā said:) The narration of Maslamah bīn 'Alqamah from Dāwūd was reported by 'Alī bin Mushir and others from Dāwūd: "From Ash-Sha'bī, that the Prophet ἢ, which is Mursal, and it does not

[1] When a man vows to abandon intercourse with his wife.
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contain: “From Masruq, from ‘Aishah.” And this is more correct than the narration of Maslamah bin ‘Alqamah.

Ilā’ is that a man swears to not approach his wife for four months or more. The people of knowledge differ about it when the four months have passed. Some of the people of knowledge among the Companions of the Prophetس and others said that when the four months pass, it (the Ilā’) ends. He either returns or he divorces. This is the view of Mālik bin Anas, As-Shafī‘, Ahmad, and Ishāq.

Some of the people of knowledge among the Companions of the Prophetس and others said that when the four months pass she is irrevocably divorced. This is the view of (Sufyān) Ath-Thawrī and the people of Al-Kūfah.

Comments:

Why the Messenger of Allahس swore ‘Ilā’ from his wives. There are various reasons and statements about it. a) Events related to the honey. Prohibiting himself from eating honey. b) Incident of Mariya Qabtiyah. c) Demand of increase in spending and housing. d) Issue of the Caliphate of Abū Bakr and ‘Umar.

Chapter 22. What Has Been Related About Li‘ān

1202. Sa‘eed bin Jubair narrated: “I was asked about those who were involved in the case of Li‘ān and if they are to be separated, during
The leadership of Muṣṭāb bin Az-Zubair. I did not know what to say. So I went to the house of ʿAbdullāh bin ʿUmar and I sought permission to enter. I was told that he was taking a nap, but he heard me talking and he said: ‘Is it Ibn Jubair? Enter. You would not have come except for a need.’"

He said: ‘So I entered and found him lying on a saddlecloth from his mount. I said: ‘O ʿAbū ʿAbdur-Rahmān! Are those involved in Liʿān separated?’ He said: ‘Glorious is Allāh! Yes. The first who asked about that was so-and-so the son of so-and-so. He came to the Prophet and said: ‘0 Messenger of Allāh! If one of us saw his wife committing adultery what should he do? If he were to say anything, his statement would be a horrible matter, and if he were to remain silent, his silence about the matter would be horrible.’"

“He said: ‘So the Prophet remained silent and did not answer him. Afterwards he came to the Prophet and said: “The one who asked you about it has been tried by it.” So Allāh revealed these Āyāt from Sūrat An-Nūr: And those who accuse their wives and have no witnesses except themselves.[1] – until the end of those Āyāt. So he called for the man and recited the Āyāt to him and admonished him, reminded him, and he told him:

And Allah revealed these Āyāt from Sūrat An-Nūr: And those who accuse their wives and have no witnesses except themselves – until the end of those Āyāt. So he called for the man and recited the Āyāt to him and admonished him, reminded him, and he told him:

“Indeed the punishment of the world is less than the punishment of the Hereafter.” So he said: “Nay! By the One Who sent you with the truth! I did not lie about her.” Then he did the same with the woman, admonishing her and reminding her and he told her: “Indeed the punishment of the world is less than the punishment of the Hereafter.” She said: “Nay! By the One Who sent you with the truth! He is not telling the truth.”

“He said: ‘So he started with the man: He testified four times, by Allâh that he is one of the truthful, and the fifth time that the curse of Allâh be upon him if he was one of the liars. Then the same with the woman: She testified four times by Allâh, that he was one of the liars, and the fifth time that the wrath of Allâh be upon her if he was one of the truthful. Then he seperated the two of them.”’ (Sâhih)

(He said:) There are narrations on this topic from Sahîl bin Sa’d, Ibn ‘Abbás, Hudhaifah, and Ibn Mas’ûd.

(‘Abû ‘Eisâ said:) The Hadîth of Ibn ‘Umar is a Hasan Sahîh Hadîth. This Hadîth is acted upon according to the people of knowledge.

Comments:
According to Imam Shafî‘i only on the occasion of a man’s Li‘ân will there be separation, but in the view of the Ahnaf, separation will be effective on the
orders of the judge. Imam Ahmad affirms both the views. When the Li’an is imposed there is no way out for their remarriage. It will be a life long separation. The issue of Li’an is started with the oath of husband. (Al-Mughni v. 11 p. 144-145.)

1203. Ibn ‘Umar narrated: “A man pronounced the Li’an on his wife, and the Prophet ﷺ separated the two of them, and he decided that the child belonged to the mother.”

(Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih (And this is acted upon according to the people of knowledge).

For the law of Li’an, see pp. 144-145 of Al-Mughni. When the Li’an is imposed there is no way out for their remarriage. It will be a life long separation. The issue of Li’an is started with the oath of husband.

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Abū ‘Eisā said: This Hadith is Hasan Sahih (And this is acted upon according to the people of knowledge).

Chapter 23: What is Reported On Where The Widow Observes Her ‘Iddah

1204. Zainab bint Ka’b bin ‘Ujrah narrated that Al-Furay’ah bint Malik bin Sinân – the sister of Abū Sa’eed Al-Khudri – informed her that she went to the Messenger of Allāh ﷺ to ask him if she could return to her family in Banû Khudrah. Her husband had gone out searching for his runaway slaves, and when he was in Taraf Al-Qadûm he caught up with them and they killed him. She said: “So I asked the Messenger of Allāh ﷺ if I could return to my family since my husband had not left me a home that he owned nor any maintenance.” She said: “So the Messenger of Allāh ﷺ said: ‘Yes.’ Then I left. When I was in the courtyard,” or, “in the Masjid, the
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Messenger of Allah ﷺ called me” or, “summoned for me to come back to him and he said: ‘What did you say?’” She said: “So I repeated the story that I had mentioned to him about the case of my husband. He said: ‘Stay in your house until what is written reaches its term.’” She said: “So I observed my Iddah there for four months and ten (days).” She said: “During the time of ‘Uthmân, he sent a message to me asking me about that, so I informed him. He followed it and judged accordingly.” (Sahih)

(Another chain) which is similar in meaning.

(Abû ‘Eisâ said:) This Hadîth is Hasan Sahih. This Hadîth is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others. They did not think that the woman observing Iddah could move from the home of her husband until her Iddah transpired.

This is the view of Sufyân Ath-Thawrî, Ash-Shâfi‘î, Ahmad, and Ishâq.

Some of the people of knowledge among the Companions of the Prophet ﷺ and others, said that the woman is to spend her Iddah wherever she wishes, even if she does not observe the Iddah in the home of her husband.

(Abû ‘Eisâ said:) But the first view is more correct.

Comments:

According to the point of view of the Four A'immah and in view of most of the Companions of the Prophet ﷺ and the followers of the Companions, a widow must stay in the house of her husband to complete the period of 'Iddah, no matter whether the house she is living in is a rented house or the property of her husband. According to ‘Alix, Ibn ‘Abbās, ‘Āishah, Jābir bin Zaid, Hasan Al-Basri, they say she can spend her period of ‘Iddah wherever she wants, there is no binding on her. This narration confirms the first point of view. She is allowed to go out during the daytime for her needs, but she must spend the night in the house of her husband. (Al-Mughni v. 11. p. 297.)