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)

Ahādhīth edited & referenced by:
Hāfiz Abu Tāhir Zubair 'Ali Za'i

Final review by:
Islamic Research Section
Darussalam
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544. Ibn ‘Umar narrated: “I traveled with the Prophet, Abū Bakr, ‘Umar, and ‘Uthmān; they would pray Zuhr and ‘Aṣr 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, ‘Ali, Ibn ‘Abbās, Anas, ‘Imrān bin Ḥusain, 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 ‘Aṭīyyah Al-‘Awfī, from Ibn ‘Umar, that the Prophet 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 Abü Bakr, and ‘Umar would shorten while traveling, as would ʿUthmân 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 ʿAishah 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-Shãfiʿi, Ahmad, and Isbaq, but Ash-Shãfiʿi 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, ʿAishah, 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. Abû An-Nadrah said: "‘Imrân bin Husain was asked about the traveler’s prayer. He said: ‘I performed Ḥajj with the Messenger of Allâh 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‘f)

Abū ‘Eisā said: This Ḥadīth is Hasan Sahih.

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 Mālik narrated: “We prayed Zuhr as four with the Prophet in Al-Madinah, and ‘Asr as two Rak‘ah in Dhil-Hulaifah.” (Sahīh)

(‘Abū ‘Eisā said: This Ḥadīth is Sahīh.)

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

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

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

Comments:
This Ḥadīth tells that as a traveler comes out of the territory of his own town, he is allowed to shorten the prayer.
Comments:
The aim of Ibn ‘Abbâs 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 Ishâq Al-Hadrâmî narrated that Anas bin Malik said: “We went with the Messenger of Allah from Al-Madinah to Makkah, and he prayed two Rak’ah.” He said: “I said to Anas: ‘How long did Messenger of Allah stay in Makkah?’ He said: ‘Ten (days).’”

(Šahîh)

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

Abu ‘Eisâ said: The Hadîth of Anas is a Hasan Šahîh Hadîth.

It has been reported from Ibn ‘Abbâs that during some of his journeys, the Prophet stayed for nineteen (days) praying two Rak’ah. Ibn ‘Abbâs 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 Šalât.”

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

It has been reported that Ibn ‘Umar said: “Whoever stays for fifteen days, then he completes the Šalât.” 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 ‘Ata’ Al-Khurāsānī. Dāwūd bin Abī Hind reported something from him that contradicts this, and the people of knowledge differed after that.

As for Sufyān Ath-Thawrī and the people of Al-Kūfah, they followed the fifteen day time limit. They said if one in intends to stay for fifteen days he completes the Salāt.

Al-Awzā‘ī said: If he intends to stay for twelve days he completes the Salāt.

Mālik (bin Anas), Ash-Sha‘fī, and Ahmad said: When he intends to stay for four days, he completes the Salāt.

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

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 Mubârakpuri preferred the view of the *A’immah* of Hijâz, forty eight miles, concerning the distance of shortening the prayer, and he preferred the opinion of Imâm Ahmad about the period of journey. [Mîrâj: 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. Allâh knows the truth best!

549. Ibn ‘Abbâs narrated: “The Messenger of Allâh ﷺ traveled on a journey and he prayed two Rak‘ah and two Rak‘ah for nineteen days.” Ibn ‘Abbâs 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.” (Saâih)

Abû ‘Eisâ said: This Hadîth is Hasan Gharîb Saâih.

Comments:

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-Barâ‘ bin ‘Azîb said: “I accompanied the Messenger of Allâh 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-Ghifãrî, and he considered his narrations to be Ḥasan.

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

Then, the people of knowledge differed after the Prophet, some of the Companions of the Prophet thought that one could perform voluntary prayers while traveling. This is the view of Ahmad and Ishãq. 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.

تخريج: [إسناده حسن] وأخرجه أبو داود، صلاة السفر، باب التطوع في السفر، ح: 1222 عن قتيبة بن صخر ح: 1253 والحاكم على شرط الشيخين: 355/1 وأוכיח الدهبى أبو بسرة الغفاري ثقة وثقة العجل المعتدل وابن حبان وغيرهما "كان لا يتطوع في السفر ... إلخ". تقدم: 544.
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-Mughni: 3/156, for further detail see: Al-Mirâ‘at: 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 Hadith is Hasan, and Ibn Abī Laila narrated it from ‘Atīyyah 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 Hadith 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).”
Comments:

This Hadith 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.

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 ‘Asr. If he wanted to depart after the sun’s decline, he would hasten ‘Asr to Zuhr, and pray Zuhr and ‘Asr together, and then move out. If he wanted to depart before Maghrib he would delay Maghrib until he prayed it with ‘Ishâ’, and if he wanted to depart after Maghrib he would hasten ‘Ishâ’ so that he would pray it along with Maghrib.” (Sahih)

(He said:) There are narrations on this topic from ‘Ali, Ibn ‘Umar, Anas, Abdullâh bin ‘Amr, ‘Aishah, Ibn ‘Abbas, Usâmah bin Zaid, and Jâbir (bin ‘Abdullâh).

Abû ‘Eisâ said: (And the one that is Sahih is from Usâmah.) And ‘Ali bin Al-Madini reported this Hadith from Ahmad bin Hanbal, from Qutaibah.

554. [(Another chain) Qutaibah narrated this Hadith to us, meaning the Hadith of Mu’ādh]. (Sahih)

The Hadith of Mu’ādh 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 Abī Habīb, from Abū Ṭufail, from Mu’ādh, is a Gharib Hadith.

What is popular among the people of knowledge is that the Hadith of Mu’ādh is narrated by Abū Az-Zubair from Abū At-Ṭufail from Mu’ādh: “That during the Battle of Tabuk, the Prophet combined Zuhr and ‘Asr, and, Maghrib and ‘Isha’.” This was reported by Qurrah bin Khālid, Sufyān Ath-Thawrī, Malik and others – from Abū Az-Zubair Al-Makkī. The view of Ash-Shāfi‘i is in accordance with this Hadith. Ahmad and Ishāq 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. Nafi’ 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 ἡ would do that when he was in a hurry on a trip.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ.

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

Comments:

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

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

556. ‘Abbād bin Tamīm narrated from his uncle: “The Messenger of Allah ἡ 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.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Ibn ‘Abbās, Abū Hurairah, Anas, and Abī Al-Lahm.

Abū ‘Eisā said: The Ḥadīth of ‘Abdullāh bin Zaid is a Ḥasan Ṣaḥīḥ Ḥadīth. One should act based upon this, according to the people of knowledge. It is the view of Ash-Shafi‘i, Ahmad, and Ishāq.

‘Abbād bin Tamīm’s uncle’s name is ‘Abbāl bin Zaid bin ‘Asim Al-Māzinī.
According to the majority scholars, Imám Shãfi'i, Mālik, Ahmad, the two disciples of Imám Abû Hanifah and other people of knowledge: performing a prayer to seek rain is proven from the Sunnah. Shaikh Taqi 'Uthmānī said, Imám Abû 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 Abî Al-Lahm narrated from Abî Al-Lahm that he saw the Messenger of Allâh ﷺ at Ahjār Az-Zait, supplicating for rain, and he was raising his hands in supplication. (Sahîh)

Abû ‘Eîsâ said: This is how Qutaibah narrated this Hâdîth, “from Abî Al-Lahm” and we do not know anything he narrated from the Prophet ﷺ except for this one Hâdîth. And ‘Umair, the freed slave of Abî Al-Lahm reported Ahâdîth from the Prophet ﷺ, and he was a Companion.

558. It is narrated from Hishâm bin Ishâq – and he was Ibn ‘Abdullâh bin Kinânah – from his father who said: “Al-Walîd bin ‘Uqbah, the governor of Al-Madinah, sent me to ask Ibn ‘Abbâs about how the Messenger of Allâh ﷺ would
perform Şalât Al-Istisqa’. I came to him and he said: ‘The Messenger of Allah ﷺ would go out in modest dress, humbly, imploring, until he reached the Musâllâ. He would not give this Khutbah of yours, rather, he would continue supplicating and imploring and saying the Takbîr, and pray two Rak’ah, just as he would pray for the ‘Eid.’” (Hasan)

Abû ‘Eisâ said: This Hadîth is Hasan Šâhih.

Comments:

Imâm Shâfi’î said: ‘Like the prayer of ‘Eid’ means that seven Takbîr 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 the ‘Eid Prayer and the two Rak’ah are led before the sermon. (Tahfât Al-Ahwâdhi: 1/390); the majority are Imâm Mâlik, Ath-Thawrî, Al-Awzâ’î, Aḥmad, Ishaq, Abû Thawr, Abû Yûsuf and Muhammad.

559. (Another chain) from Hishâm bin Ishâq bin ‘Abdullâh bin Kinânah, from his father, and he mentioned a similar narration and added: “with humility” to it. (Hasan)

Abû ‘Eisâ said: This Hadîth is Hasan Šâhih.

And it is the view of Ash-Shâfi’î, he said: “Şalât Al-Istisqa’ is prayed like the two ‘Eid prayers. The Takbîr is said seven times in the first Rak’ah, and five times in the second.” And he used the Hadîth of Ibn ‘Abbâs as proof.

Abû ‘Eisâ said: It has been reported that Mâlik bin Anas said: “There is no Takbîr in Şalât Al-Istisqa’ like that of the two ‘Eid prayers.”
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(An-Nu'man Abu Hanifah said: “Salat 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.” Abü ‘Eisä said: This contradicts the Sunnah.)

Comments:
(1) The interpretation of the opinion of Imam Abü Hanifah, according to the Ahnaf, has already been mentioned. Shaikh Banawri said, Imãm Abü Hanifah denied the prayer for rain being a Stressed Sunnah, but he did not deny it being Sunnah and desirable. (Ma’ârif: 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 Salãt Al-Kusûf (The Eclipse Prayer)

560. Ibn ‘Abbâs 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.” (Sahîh)

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

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, Aḥmad, 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, Aḥmad, 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.
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 Abü Dawūd, 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 Allāh, so the Messenger of Allāh 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.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣaḥīḥ.

The views of Ash-Shafī‘ī, Ahmad, and Ishaq are based on this Ḥadīth. They held the view that the eclipse prayer was four Rak’ah with four prostrations.
Ash-Shafi'i said: “He recites Umm Al-Qur’an (Al-Fatihah) in the first Rak‘ah and something the length of Sūrat 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’an 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’an and something the length of Sūrat 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 Sūrat Al-Mā‘idah, then he bows a lengthy bowing about the length of his recitation. Then he raises, and he says (Sami‘ Allâhu liman hamidah).’ (‘Allâh 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 Shafi‘i and Mâlik, Sūrat Al-Fātiha is to be recited before each recitation and one should stand up from Ruk‘a’ 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 \(\text{衆} \) 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 Sahih Gharib Hadīth.

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

Comments:

In the opinion of Imam Abū Hanifah, Mālik 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 \(\text{衆} \) prayed the eclipse prayer, and he recited aloud in it.” (Sahih)

Abū ‘Eisā said: This Hadīth is Ḥasan Sahih.

Abū Ishāq Al-Fazārī narrated similarly from Sufyān bin Husain.

Mālik (bin Anas), Ahmad, and Ishāq held views according to this Hadīth.
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, Hudhaifah, Zaid bin Thābit, Ibn ‘Abbās, Abū Hurairah, Ibn Mas‘ūd, Sahl bin Abī Ḥathmah, Abū ‘Ayyāsh Az-Zurqī - whose name is Zaid bin Šāmit - 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-Shāfi‘ī.
Aḥmad said: “Ṣalāt Al-Khawf has been reported from the Prophet ﷺ in different ways, and I do not know anything but authentic Ahādīth about this topic.” And he preferred the Hadīth of Sahl bin Abī Ḥathmah.

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

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

The Hadīth 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 ﷺ.

Comments:

Hāfīz Ibn Hajar said: Our Shaikh Abul-Fadl ‘Allamah Ḥusain ‘Irāqī quoted seventeen forms of the Prayer of Fear, in Sharh 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 Hadīth 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
the enemy. He leads them in a *Rak'ah*, and they perform a bowing by themselves, and they perform two prostrations in their places. Then they go to take the position of the others and the others come (for prayers). He (the *Imam*) bows for one *Rak'ah* with them and performs two prostrations with them. That is two for him and one for them, then they perform one bowing and two prostrations.” *(Sahih)*

566. (Abū 'Eisā said:) Muhammad bin Bash-shār said: “I asked Yahya bin Sa'eed (narrators in no. 565) about this *Hadith*. So he narrated it to me from Shu’bah, from ‘Abdur-Rahmān bin Al-Qāsim, from his father, from Ṣālih bin Khawwāt, from Sahl bin Abī Ḥathmah, from the Prophet ﷺ – the same as the *Hadith* of Yahya bin Sa'eed Al-Anṣārī. And he (Yahya) said to me: ‘Write it next to it. He did not memorize the *Hadith* better though, rather it is the same *Hadith* as that of Yahya bin Sa'eed Al-Anṣārī.’” (a *Hadith* similar to no. 565, with a different chain of narrators) *(Sahih)*

Abū ‘Eisā said: This *Hadith* is Hasan *Sahih*, Yahya bin Sa'eed Al-Anṣārī did not narrate it from Al-Qāsim bin Muḥammad in *Marfu'* form, similarly the companions of
Yaḥya bin Sa‘eed Al-Anṣarī reported it as Mawqūf. It is Shu‘bah who narrated it in Marfu‘ form from ‘Abdur-Rahmān bin Al-Qāsim bin Muḥammad.

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

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣaḥīḥ.

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 Sāmit.)

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)
(He said:) There are narrations on this topic from ‘Ali, Ibn ‘Abbas, Abū Hurairah, Ibn Mas‘ūd, Zaid bin Thābit, and ‘Amr bin Al-‘Āṣ.

Abū ‘Eisā said: The Hadith of Abū Ad-Dardā‘ is a Gharib Hadith, we do not know of it except as a narration of Sa‘eed bin Abī Hilāl from ‘Umar Ad-Dimashqī.

569. (Another chain in which) Abū Ad-Dardā‘ narrated: “I performed eleven prostrations with the Messenger of Allāh ﷺ, among them was that which is in Sūrat An-Najm.” (Da‘īf)

And this is more correct than the (previous) narration of Suﬁyān bin Wākī‘ from ‘Abdullāh bin Wahb.

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

570. Mujahid 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 Abu Hurairah, Zainab the wife of ‘Abdullah bin Mas’ud, and Zaid bin Khalid.

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

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

(He said:) I heard Al-Jārūd saying: "I heard Wakī saying: 'Rib‘i bin Ḥirāsh 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 Hadith 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 Qiblah is in the front and this is against the sanctity and honor of the Qiblah.

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."

(Sahīḥ)

Abū ‘Eisā said: This Hadith is Hasan Sahīḥ.
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.

Chapter 50. What Has Been Related About the Prostration (Of Recitation) In: When The Heaven Is Split Asunder[1] And: Read! In The Name Of Your Lord Who Has Created.[2]

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

السّجَدَةُ (النَّجْحَةُ 285) في {إِذَا أَنْبِئُونَكُمُ ۖ وَقُرْنُواْ يَا نَجِيَّ ۖ إِنَّ مَّسَىٰهُ مَسَىٰ}. أَلْوَىٰ عَلَيْهِ.

نَحْرَ مَّالِكٍ: مَنْ فَقَرَ عَلَيْهِ، وَأَخْرَجَهُ مَسْلِمٌ، المَسَاجِدُ، بَابُ سَجْوَدَةُ التَّلاوَةُ، حُ: 108/578 من حديث أبي هريرة.

574. (Another chain in which) Abu Hurairah narrated from the Prophet 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.’

Comments:

This Hadith rejects the view of Imām Mālik, 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 ﷺ 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 Maṣ‘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 ﷺ 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.

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Comments:
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, and he did not prostrate for it.” (Sahih)

Abū 'Eisā said: The Ḥadith of Zaid bin Thābit is a Hasan Sahih Hadith.

Some of the people of knowledge gave this Ḥadith some interpretation, saying that the Prophet 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) not to prostrate.

And they say that if a man hears it and he does not have Wudū', then he prostrates when he has Wudū'. This is the view of Sufyān (Ath-Thawrī) 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 Marfu' Ḥadith of Zaid bin Thābit who said: “I recited (Sūrat) An-Najm...
to the Messenger of Allah, and he did not prostrate for it." They said: If the prostration was obligatory then the Prophet would not have left Zaid alone until he prostrated, and the Prophet would have prostrated, too.

They also cited as proof the Hadith of 'Umar, that he recited an (Ayah 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-Shafi'i and Ahmad.

Comments:

It is proven from the Hadith of Zaid bin Thabit that the recital prostration is not compulsory for the reciter. Were it compulsory for the reciter then the Messenger of Allah would have commanded Zaid to prostrate (Sujūd). 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 Ayah of prostration.

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

577. Ibn 'Abbās narrated: "I saw the Messenger of Allah prostrating for (Sūrat) Sad." Ibn 'Abbās said: "It is not one of the resolute prostrations."\[1\] (Sahih)

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

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-Ḥajj

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

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

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

[1] Refering to Dāwūd, peace be upon him, see Sūrat Sād 38:24.
The view of Ibn Al-Mubārak, Ash-Shāfi‘i, Ḥāfiz, and Isāq.

Some of them held the view that there is one prostration in it, this is the view of Sufyān Ath-Thawrī, Mālik, and the people of Al-Kūfah.

Comments:
This saying is reported on behalf of many noble Companions; they mean that as the recitation of these two Verses cannot be overlooked, the prostrations in them should also not be ignored.

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

579. Al-Ḥasan bin Muhammad bin ‘Ubaydullāh bin Abī Yazīd said: Ibn Juraij said to me: O Ḥasan! ‘Ubaydullāh bin Abī Yazīd informed me that Ibn ‘Abbās said: “A man came to the Prophet ﷺ and said: ‘O Messenger of Allāh! 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: (Allāhumma kātib bihā ‘indaka ajran, wa ḍa‘ ṣann bihā wizran, wa taqabbalhā minnī kamā taqabballahā min ‘abdī Dāwūd.)’ (O Allāh! 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 Dāwūd). Al-Hasan said: "Ibn Juraij said to me: 'Your grandfather said to me: ‘Ibn ‘Abbās said: ‘So the Prophet 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 Hadīth is (Hasan) Gharīb as a Hadīth of Ibn ‘Abbās, we do not know of it except from this route.

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

Abū ‘Eisā said: This Hadīth is Hasan Sahīh.

Comments:

The real supplication for the recital prostration is the one mentioned in this Hadīth. So the known supplication coming in the following Hadīth ‘Sajada wajhiya...’ the Prophet used to read it in the recital prostration of the night prayer, as clearly mentioned in the Hadīth itself. This clear evidence also exists in the narration of Sahih Muslim. (Sahih Muslim, Hadīth: 771)
Chapter 56. What Has Been Related About One Who Missed His Section At Night, So He Makes it Up During the Day

581. 'Umar bin Al-Khattab narrated that the Messenger of Allah 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)

Abū 'Eīsā said: This Hadith is Ḥasan Sahih.

(He said:) Abū Sa‘fān’s name is ‘Abdollāh bin Sa‘eed Al-Makkī, and Al-Ḥumaidī and the important people report from him.

Comments:

He who does not say the first supplication may say this one, but saying the first one is even better.

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

[1] That is the section of the Qur’an that he normally recites, or the voluntary night prayer in which he recites that section. See Tuhfat Al-Ahwadhi.
Chapter (...) . What Has Been Related About The Severe Warning Regarding The One Who Raises His Head Before The Imām

582. Abū Hurairah narrated: “Muhammad ﷺ said: ‘Does not the one who raises his head before the Imām fear that Allāh will transform his head into a donkey’s head?” (Sahih)

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

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

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

Chapter 57. What Has Been Related About The One Who Prays The Obligatory Prayer, Then Leads The People In Prayer After That

583. Jābir bin ‘Abdullāh narrated: “Mu‘ādh bin Jabal would pray Al-Maghrīb with the Messenger of

[1] 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 -navigation, then he would return to his people to lead them (in prayer).” (Ṣaḥīḥ)
Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ.

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 Ṭaḥāf while the people were praying the ‘Asr 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 Imām who is praying ‘Asr 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 Imām differed with the intention of those being lead.

تخريج: [صحيح] وأخرج حمله، الصلاة، باب القراءة في العشاء، ح: 465 من حديث حماد بن زيد به عاصمه البخاري. ح: 700 من حديث عمر بن سهيل به أثر أبي الدرباء لم أجد.

Comments:
The scholars and the jurists hold different opinions concerning the diverse intentions of the Imām and the followers. Shāfi‘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 *Imām* and the follower doing two different obligatory prayers, their prayers are all valid. Tawūs, ‘Atā, Awzā’i, Ahmad, Abū Thawr, Sulaimān bin Ḥarb, Dāwūd and Ibn Al-Mundhir hold the same opinion. Ibn Qudāmah said: Offering voluntary prayer behind a person offering obligatory prayer is unanimously agreed according to the Ḥanbalah. He even said: ‘As for our knowledge there is no disagreement among the people of knowledge concerning this issue’. [Al-Mughnī: 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‘ādh* would ‘lead the same prayer for his people’ which he *Ṣâhih* 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 Mālik narrated: “When we prayed behind the Prophet ﷺ in the midday heat, we would prostrate on our garments as a protection against the heat.” *(Ṣâhih)*

Abū ‘Eīsā said: This *Ḥadith* is *Hasan Ṣâhih*.

(He said:) There are narrations on this topic from Jābir bin ‘Abdullāh, and Ibn ‘Abbās. And Wākī reported this *Ḥadith* from Khalid bin ‘Abdur-Rahmān.

Comments:
According to the majority of the people of knowledge, Imām Abū Ḥanīfah, Ahmad, Mālik and Awzā’i, a person offering prayer can make *Sujūd* 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. Jābir bin Samurah narrated: “When the Prophet prayed Fajr he would remain seated where he had prayed until the sun had risen.” (Sahih)
Abū ‘Eisā said: This Hadith is Hasan Sahih.

586. Anas bin Mālik narrated that the Messenger of Allāh said: “Whoever prays Fajr in congregation, then sits remembering Allāh 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 Allāh said: ‘Complete, complete, complete.’” (Da‘if)
Abū ‘Eisā said: This Hadith is Hasan Gharib.

(He said:) I asked Muhammad bin Ismā‘īl about Abū Zilāl, and he said: “He is Muqarib (average) in Hadith.” Muhammad said: “His name is Hilāl.”

Comments:
Offering morning prayer with congregation and then to remain seated, sitting engaged in the remembrance of Allāh until the sun rose, and making this a
Chapter 60. What Has Been Mentioned About Looking Around During *Ṣalāt*

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

Abū ‘Eisā said: This *Hadīth* is *Gharīb*. Wākī\(^1\) contradicted Al-Fadl bin Mūsā (one of the narrators) in his narration.

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

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

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

\(^{1}\) He narrated the following *Hadīth*, 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‘īj)

Abū ‘Eīsā said: this Hadīth is Ḥasan (Gharīb)

Comment:

Turning one’s body and chest away from the direction of Qiblah and to look to the right and left will spoil the prayer. If there is a need for doing so for the protection and safety against a dangerous animal or insect, it then has exemption. The narrator negated looking backwards by turning the neck. The Prophet ﷺ would not turn his neck to the back because it is impossible without turning the chest.

590. ‘Āishah narrated: “I asked the Messenger of Allah ﷺ about looking around during the Salāt. He said: ‘It is a portion which the Shaitān snatches during a man’s prayer.”’ (Sahīh)

Abū ‘Eīsā said: This Hadīth is Ḥasan Gharīb.

Comment:

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‘ādh bin Jabal narrated that the Messenger of Allâh said: “When one of you comes to the Salât and (finds) the Imam is in a position, then do as the Imam is doing.” (Da‘îf)

Abû ‘Eisâ 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.

‘Abdullâh bin Al-Mubârak 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 Hadîth 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 Rukû’ (bowing), there are two opinions about him:

a. If he joins in Rukû’, 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-Fātihah, then his Rak'ah will not be counted; because thus he missed two pillars of the prayer, standing and reading Fātihah, and reading Fātihah, 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 Fātihah, 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." (Sahih)

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

Abū Ėīsā said: “The Hadith of Abū Qatādah is a Hasan Sahih Hadith. 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-'alat” this is the view of Ibn Al-Mubārak.

Comments:

Hadith 1367 of Sahih Muslim in which Abū Hurairah ﷺ reports that the Iqāmah had been pronounced, we stood up for prayer and we straightened

the rows, the Prophet had not yet come out to us; while no. 1369 tells that the *Iqāmah* used to be pronounced for the Prophet to lead the prayer and the people had already taken their places in the rows before the Prophet would stand at his place. The reconciliation is that the people should stand up only after seeing the *Imām* if the *Imām* is not already in the mosque, as he said: ‘When the prayer is ready, do not stand until you see me.’

**Chapter 63. What Has Been Mentioned About Praising Allāh And Sending *Ṣalāt* Upon The Prophet Before Supplicating**

593. ‘Abdullāh said: “I was praying and the Prophet, Abū Bakr, and ‘Umar were there, so when I sat, I started off with praising Allāh, then sending *Ṣalāt* 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 Fadālah bin ‘Ubaid.

Abū ‘Eisā said: The *Hadith* of ‘Abdullāh (bin Mas‘ūd) is a Hasan Sahih *Hadith*.

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

Comments:

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 Allāh 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 Allāh 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 Masajid in all Dür and that they be kept clean and scented.” (Sahih)

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

Abû 'Eısâ said:) This is more correct than the first Hadith.

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

Sufyân said: “His saying: ‘the construction of Masajid in all Dür 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 ﷺ said: “The Salāt during the night and the day is two and two.” (Hasan)

Abū ‘Eisā said: The companions of Shu‘bāh differed over the Hadīth of Ibn ‘Umar; some of them narrated it Marfū‘, and some of them Mawqūf. It was reported from ‘Abdullāh Al-‘Umarī, from Nāfī‘, from Ibn ‘Umar, from the Prophet ﷺ and it is similar to this.

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

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

It has been reported from ‘Ubaiddullāh, from Nāfī‘, 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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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 
Performed Voluntary 
Prayers During the Day

598. 'Asim bin Damrah said: “We asked ‘Ali about the prayer of the Messenger of Allah during the day. He said: ‘You will not be able to do that.’ We said: ‘Whoever among is able (he will)?’ So he said: ‘When the sun appeared over there (east) like it appears here (west) at ‘Asr, the Messenger of Allah would pray two Rak’ah. And when the sun appeared over there (east) like it appears here (west) at Zuhr, he would pray four Rak’ah. And he would pray four before Zuhr and two after it, and four before ‘Asr separating between every two Rak’ah with At-Taslim upon the angels that are close (to Allah) and those who follow them among the believers. and the Muslims.’” (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.
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Comments:
This Hadith tells us that the Prophet 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 Duhā 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 Prophet similarly (no. 598). (Hasan)
Abū 'Eisā said: This Hadith is Hasan.
Ishāq bin Ibrāhīm said: “This is the best thing reported about the voluntary prayer of the Prophet 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 'Āṣim bin Ḍamrah, from 'A-. And 'Āṣim bin Ḍamrah is trustworthy according to some of the people of Hadith.

'Ali bin Al-Madīnī said: “Yahya bin Sa'eed Al-Qāṭān said: ‘Sufyān said: “We recognize the virtue of the narrations of 'Āṣim bin Ḍamrah to be better than the narrations of Al-Ḥārith.”

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[1] Being Disliked

600. ‘Aishah narrated: “The Messenger of Allâh would not pray in women’s covers.” (Saḥîh)

Abû ‘Eisâ said: This Hadîth is Hasan Şâhîh and it has been reported that the Prophet permitted that.

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

601. ‘Urwah narrated that ‘Aishah said: “I came while the Messenger of Allâh 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 Qiblah. (Da’îf)

Abû ‘Eisâ said: This Hadîth is Hasan Gharîb.

[1] Luhuf plural for Lihâf and it is a blanket or cloth which may be worn above the rest of the clothing.
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 comentarios:

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

602. Ābū Wā’il said: "A man asked ‘Abdullâh bin Mas’ūd about this phrase: ‘Ghairi ʾāsinin’ or is it ʾāsinin? 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 are dispersed, without it passing their throats. Indeed I am aware of the Sūrat that are comparable which the Messenger of Allah 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 Hasan 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 Wudū’ and he performs his Salāt well, then he leaves to the Masjid, 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 Allāh raises him a degree from it, or removes a sin from him for it.” (Sahih)
Abū ‘Eisā said: This Hadith is Hasan 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, Allāh 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
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 Hadith is Ḥasan Gharib (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 'Isha’. So in this Hadith 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 ‘Āşim narrated that he accepted Islam and the Prophet ordered him to perform Ghusl with water and Sīdr. *(Ṣaḥīḥ)*
(He said:) There is a narration on this topic from Abū Hurairah.

Abū 'Eisā said: This Hadīth 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 Islām, 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 Hanaft and Shafi'i.

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

606. 'Ali bin Abī Ṭalīb (may Allāh be pleased with him) narrated that the Messenger of Allāh ﷺ said: “The screen between the eyes of the jinns and the nakedness of the children of Ādam when one of you enters the area of relieving oneself is saying: ‘Bismillāh.’” (Da‘f)

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

قال أبو عيسى: هذا حديث غريب لا تعرفه إلا من هذا الوعد. وإسناده ليس بذك [القوي].

وقد روى عن أبي نعيم التيمي مينًا في هذا.


Comments:

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 minal khubthi wal khhabith’. 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 Wudū’.” (Sahîh)

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

(المجمع (معجم) ٧٤ - باب ما ذكر من سيرما هذه الأئمة من أثر السジョン والطهر يَوُم القيامة (التحفة ٣١٠)


تخريج: [صحيح] وأخرجه أحمد: ٤٤٩ بإسناد صحيح عن صفوان بن عمرو به وللحديث شواهد كثيرة * الوليد بن مسلم تابعه أبو المغيرة وهو ثقة.

Comments:

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 Allah would love to start with the right side when he purified himself, and when he combed, and when putting his sandals on." (Sahih)

Abū Ash-Sha’thā’s name is Sulaim bin Aswad Al-Muḥāribī. Abū ‘Eisā said: This Ḥadīth is Ḥasan Šāhīh.

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 Wudū’

609. Anas bin Malik narrated that the Messenger of Allah said: The acceptable Wudū’ is with two Raṭīls[1] of water.” (Da’īf)

Abū ‘Eisā said: This Ḥadīth is Gharīb, we do not know it except as a narration of Sharīk with this wording.

Shu’bāh reported from ‘Abdullāh

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[1] “A Raṭīl is twelve Uqiyah, and an Uqiyah is forty Dirham.” Tuhfat Al-Ahwadhi, and he cited it from Al-Qamūs Al-Muḥīt.
bin ‘Abdullâh bin Jabr, from Anas bin Mâlik: “The Prophet would perform \textit{Wudâ} with a \textit{Makûk}\textsuperscript{1} and \textit{Ghusl} with five \textit{Makûk}.”

[And it has been reported from Sufîyân Ath-Thawrî, from ‘Abdullâh bin ‘Eisâ, from ‘Abdullâh bin Jabr, from Anas: “The Prophet would perform \textit{Wudâ} with a \textit{Mudd}\textsuperscript{2} and he would perform \textit{Ghusl} with a \textit{Sâ’}.” And this is more correct than the Hadith of Sharîk].

\textbf{Comments:}

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

\textbf{Chapter 77. What Has Been Mentioned About Sprinkling Water On The Urine Of A Male Child Of Suckling Age}

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

Abû ‘Eisâ said: This \textit{Hadîth} is \textit{Hasan} (\textit{Sahih}).

Hishâm Ad-Dastawâ’î narrated this \textit{Hadîth} from Qatâdah in \textit{Marfû’}.

\textsuperscript{1} An-Nawâwi said: “Perhaps the meaning of \textit{Makûk} here is \textit{Mudd}.” See \textit{Tuhfat Al-Ahwadî}.

\textsuperscript{2} These two are defined under \textit{Hadîth} no. 56.
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* After the Revelation Of *Sūrat Al-Mā‘idah*

611. [Shahr bin Hawshab said: “I saw Jarir bin ‘Abdullāh performing *Wūdū‘* and wiping over his *Khuff*.”

He said: “So I asked him: ‘What is that?’ He said: ‘I saw the Prophet performing *Wūdū‘* and he wiped over his *Khuff*.’ So I said to him: ‘Before *Al-Mā‘idah* or after *Al-Mā‘idah*?’ He said: ‘I did not accept *Islam* until after *Al-Mā‘idah*.‘

(Hasan)

Comments:

Some people, due to the Verse of *Sūrat Al-Mā‘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 *Hadīth* 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

612. [(Another chain) from Khalid bin Ziyadh with similar. (Hasan)]

[1] Wiping over the footwear during *Wūdū‘*.
[2] He is one of the narrators in the previous *Hadīth*. 
Abū ‘Eisā said: This Hadith is Gharīb, we do not know of its like but from the narration of Muqātil bin Hayyān, from Shahr bin Hawshab.

Chapter 78. What Has Been Mentioned About The Permission For The Sexually Impure (Junub) Person To Eat And Sleep When He Performs Wudu’

613. ‘Ammār narrated: “The Prophet permitted the Junub when he wanted to eat, drink, or sleep, to perform Wudu’ like the Wudu’ for Salāt.” (Da’if)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

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. (Tuḥfat Al-‘Aḥwād: 1/416)
Chapter 79. What Has Been Mentioned About The Virtue Of The Ṣalāt

614. Ka'b bin 'Ujrah narrated: “The Messenger of Allah ﷺ said to me: ‘I seek refuge in Allah 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 Hawd. 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 Hawd. O Ka'b bin 'Ujrah! Salāt is a clear proof, and Saum (fasting) is an impregnable shield, and 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.’” (Hasan)

Abū 'Eisā said: This Ḥadīth is Hasan Gharib, we do not know of it from this route (except from the narration of ‘Ubaidullāh bin Mūsā. Ayyūb bin ‘Ā’idh At-Tā’i was graded weak, and they said that he held the views of Ijā'). I asked Muḥammad about this Ḥadīth and he did not know of it except as a narration of ‘Ubaidullāh bin Mūsā and he considered it very much Gharib.
Chapter 80. Something Else About That

616. Sulaim bin ‘Ämir narrated: “I heard Abû Umãmah saying: I heard the Messenger of Allah ﷺ giving a Khutbah during the Farewell Hajj, and he said: ‘Have Taqwâ of your Lord, and pray your five (prayers), and fast your month, and pay the Zakât 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 Abû Umâmah: ‘How old were you when you heard this Hadith (from the Messenger of Allah ﷺ)?’ He said: ‘I heard it when I was thrity years old.’” (Hasan)

Abû ‘Elsa said: This Hadith is Hasan Sahîh.

Comments:

In this Hadith, the prayer and the month of Ramaâdan 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 Allâh About The Severe Warning Against Withholding Zakât

617. Abû Dharr narrated: “I came to the Messenger of Allâh 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 Allâh 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 Zakât on, except that it will come on the Day of Judgement! By the Lord of the Ka’bah! Therefore, I have made a severe warning about it, and I have made a severe warning about it, and I have made a severe warning about it.”

[Zakât literally means augmentations and increase it also means purification, praise and righteousness. The due amount paid on wealth is called “Zakât” 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-Bukhâri 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 Abü Hurairah that is similar. And from ‘Ali bin Abi Talib, may Allah be pleased with him: “Cursed is the one who withholds Sadaqah”[1] and (from) Qabisah bin Hulb from his father, and from Jabir bin Abdullah, and ‘Abdullah bin Mas‘ūd.

Abu ‘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 Junadah.

(Another chain) that Ad-Ḍahhak bin Al-Muzahim 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 Zakāt You Have Fulfilled What Is Required Of You

618. Abū Hurairah narrated that the Prophet ﷺ said: “When you pay the Zakāt you have fulfilled what is required of you.” (Hasan)

Abū ‘Eisā said: This Hadith is Hasan Gharīb. It has been reported from more than one route that the Prophet ﷺ mentioned the Zakāt, and a man said: “O Messenger of Allāh! Is there anything else required from me?” So he said: “No. Except for what is voluntary.”

Ibn Hujairah (one of the narrators) is ‘Abdur-Rahmān bin Ḥujairah Al-Baṣrī.

Comments:

It is proven from this Hadith that the obligation of wealth due from a person is only Zakāt; no other compulsory duty is due on the wealth except Zakāt. Financial obligations and responsibilities other than Zakāt 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-Ahwadhī: 2/2)

619. Anas narrated: “We used to hope that an intelligent Bedouin would show up to question the Prophet ﷺ 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?’ He 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 Zakāt is from our wealth.’ The Prophet ﷺ said, ‘He told the truth.’ He said, ‘By the One Who sent you, has Allāh ordered you that?’ The Prophet ﷺ said, ‘Yes.’ He said, ‘Your messenger told us that you say that we are required to perform Ḥajj 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).
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 from routes other than this.

I heard Muhammad bin Ismā'il 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, and the Prophet approved of it.”

 prática: منفقة عليه، وأخرجه البخاري، العلم، باب القراءة والعرض على المحدث، ح: ٣٤ من حديث علي بن عبدالمحمد تعلقا ومسلم، ح: ١٢ من حديث سليمان بن المجيرة به.

Comments:

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’if)

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

Abū ‘Eisā said: This Hadith was reported by Al-ʿA’māsh, Abū ‘Awānah and others, from Abū ʿIṣḥāq, from ‘Āṣim bin ʿAmrah, from ‘Ali. Sufyān Ath-Thawrī, Ibn ‘Uyainah and others reported it from Abū ʿIṣḥāq from Al-Ḥārith, from ‘Ali.

He said: I asked Muḥammad bin Ismāʿīl about this Hadith, he said: “To me, both of the two chains from Abū ʿIṣḥāq are authentic.”

This (saying of Muḥammad bin Ismāʿīl Al-Bukhārī) implies that Abū ʿIṣḥāq had narrated the Hadith from both (‘Āṣim bin ʿAmrah and Al-Ḥārith).

Comments:

In these days, the paper currency is in vogue in place of the Dirham and Dinār. Generally in the Marfuʿ Ahādīth, the silver is used as the minimum amount (Nisāb) on which Zakāt is levied, therein is also the benefit of the poor. So most people of knowledge think that Zakāt 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 (Nisāb) should be equal to the value of gold (85 grams) on which Zakāt is levied. Regarding horses and slaves, see no. 626. See also nos. 626 and 627.

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

621. Az-Zuhrī narrated from Sālim from his father: “The Messenger of Allāh ﷺ 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, Abû 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 Makhadh\(^1\) on twenty-five to thirty-five. When it is more than that, then a Bint Labûn,\(^2\) (is due, till the number of the camels reaches) forty-five. When it is more than that, then a Hiqqah\(^3\) until sixty. When it is more than that, then two Bint Labûn until ninety. When it is more than that, then two Hiqqah until one hundred and twenty. When it is more than one hundred and twenty, then a Hiqqah on every fifty, and a Bint Labûn 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

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\(^1\) 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 Hakīm from his father, from his grandfather; and, from Abū Dharr and Anas.

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

Comments:

‘Separate herds will not be combined and neither the combined herd will be separated fearing Sadaqah / Zakāt.’ Imām Shāfī’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.

Chapter 5. What Has Been Related About Zakāt On Cows

622. ‘Abdullāh bin Mas‘ūd narrated that the Prophet ﷺ said: “A Tabī’[1] or a Tabī‘ah (is due) on thirty cows, and a Musinnah[2] (is due) on every forty.” (Da‘f)

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

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

Sharīk reported this Ḥadīth from Khuṣaif, from Abū ‘Ubaidah, from his father, from ‘Abdullāh, but Abū ‘Ubaidah 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 Musinnah on every forty, a Dinār for every Ḥālim,[3] or its equivalent of Ma‘āfīr.”[4]

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[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 Hadīth is Hasan. Some of them reported this Hadīth from Sufyān, from Al-A'mash, from Abū Wā'il, from Masruq: "The Prophet sent Mu'ādh to Yemen and ordered him to take..." and this is more authentic. (Da'īf)

Comments:
Some of the scholars divided Jīzah into two categories: A): Jīzah 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 Jīzah 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.

that tribe. See An-Nīḥāyah and Tuhfat Al-Ahwādhi.

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

625. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ sent Mu‘ādh 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 Allāh, and that I am the Messenger of Allāh. If they comply with that, then inform them that Allāh has made five prayers obligatory upon them in a day and a night. If they comply with that, then inform them that Allāh 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 Allāh.” (Sahih)

There is a similar narration on this from As-Ṣunābhī. Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. Abū Ma‘bad’s (one of the narrators) name, the freed slave of Ibn ‘Abbās, is Nāfidh.

Comments:

According to the majority biographers, Mu‘ādh bin Jabal was appointed a judge and governor of Yemen in 9th year of Hijrah/Emigration. ʿImām Al-
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Bukhārī and some other people of knowledge hold that he was sent in the 10th year of Hijrah. Nevertheless, sending him to Yemen, the Prophet ﷺ told him this wise manner of calling and inviting to Islam.

Chapter 7. What Has Been Related About Charity Due On Plants, Fruits And Grains

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.” (Sahih)

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 Hadith no. 626). (Sahih)

Abū ‘Eisā said: The Hadith of Abū Sa‘eed is a Hasan Sahih Hadith. 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’s. The Sā of the Prophet ﷺ was five and one-third
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 ‘Eisā 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

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.
are for trade, if they are for trade then Zakāt is due on their price when the Ḥawl\textsuperscript{[1]} is fulfilled for them.

Comments:

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

Chapter 9. What Has Been Related About Zakāt On Honey

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

There are narrations on this topic from Abū Hurairah, Abū Sāyārah Al-Muta'ī, and ʿAbdullāh bin ʿAmr.

Abū ʿEisā said: The chain for the Ḥadīth 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.

\textsuperscript{[1]} One lunar year.

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

[And Sadaqah bin ‘Abdullāh (one of the narrators) does not have a good memory, and Sadaqah bin ‘Abdullāh has been contradicted in narrating this Hadīth from Nāfi’].

Comments:

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

631. Ibn 'Umar narrated that the Messenger of Allah ﷺ said: “Whoever acquires wealth, then there is no Zakat 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 Zakat on it until the Hawl has passed while it is in his possession.”

(Abū ‘Eisā said:) This is more correct than the (previous) Ḥadith 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 Mawqīf form. ‘Abdur-Rahmān bin Zaid bin Aslam is weak in Ḥadith. Ḥāmid bin Ḥanbal, ‘Alī bin Al-Madini and others among the scholars of Ḥadith graded him weak. (And he) has many mistakes.
It has been reported from more than one of the Companions of the Prophet that there is no Zakāt on acquired wealth until the Hawl passes on it. This is the saying of Malik bin Anas, Ash-Shafi'i, Aḥmad bin Ḥanbal, and Ishaq.

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 Imām 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 Mirāt: 2/21-22.
Chapter 11. What Has Been Related About: There Is No Jizyah Required From The Muslims

633. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ said: "Two Qiblahs in one land are of no benefit, and there is no Jizyah upon the Muslims." (Daʿīf)

Comments:

‘Allāmah 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). (Daʿīf)

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

Abū ‘Eisā said: The Hadīth of Ibn ‘Abbās was reported from Qābūs bin Abī Zibyān, 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 Islām, 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 ‘Ushûr 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 ‘Ushûr is only required from the Jews and Christians, there is no ‘Ushûr required from the Muslims.”

Comments:
Some people of knowledge meant by ‘Ushûr’ 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 Zakât on their trading commodities, so their trading merchandise are not subject to ten percent levy. [Tuhfat Al-Ahwadi: 3/10]

Chapter 12. What Has Been Related About Zakât On Jewelry

635. ‘Amr bin Al-Ḥarîth bin Al-Muṣṭaliq narrated from the nephew of Zainab, the wife of ‘Abdullâh (Ibn Mas‘ūd) who said: “The Messenger of Allâh ﷺ 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.’” (Sahih)

636. ‘Amr bin Al-Ḥarîth, the nephew of Zainab, the wife of ‘Abdullâh, narrated that Zainab, the wife of ‘Abdullâh narrated similarly from the Prophet ﷺ. (Sahih)
(Abū ‘Eisā said:) This is more correct than the (previous) narration of Abū Mu‘āwiyyah. Abū Mu‘āwiyyah 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‘aib, 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 Ṭabi‘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 Fuqaha’ among the Ṭabi‘in. This is the view of Mālik bin Anas, Ash-Shāfi‘i, Ahmad, and Ishāq.

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.
637. ‘Amr bin Shu’ayb narrated from his father, from his grandfather, that two women came to the Messenger of Allah, 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 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 ‘Eisa said: This Hadith was also reported like this by Al-Muthanna bin Aṣ-Ṣabbāḥ from ‘Amr bin Shu’ayb. Al-Muthanna bin Aṣ-Ṣabbāḥ and Ibn Lahi’ah (narrators in the chain of this Hadith are weak in Hadith, and there is nothing correct on this chapter from the Prophet). Abū ‘Eisa said: This Hadith was also reported like this by Al-Muthanna bin Aṣ-Ṣabbāḥ from ‘Amr bin Shu’ayb. Al-Muthanna bin Aṣ-Ṣabbāḥ and Ibn Lahi’ah (narrators in the chain of this Hadith are weak in Hadith, and there is nothing correct on this chapter from the Prophet).

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 Ahâdîth.

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

638. ‘Eisa bin Talbâh narrated that Mu’âdh had written to the Prophet to ask him about greens – which is “herbs” – so he (ṣ) said, “There is nothing due on them.” (Da’if)

Abū ‘Eisa said: The chain for this Hadith is not Sahih, Nothing
authentic is reported from the Prophet ﷺ on this topic. This was only reported from Mūsā bin Ṭalḥah, 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.

Abū ‘Eisā said: Al-Ḥasan (one of the narrators) is Ibn ‘Ummārah, and he is weak according to the people of Hadith. Shu’bah and others considered him weak, and he was abandoned by ‘Abdullah bin Al-Mubārak.

Comments:

Three A‘immah and two disciples of Imām Abū Hanifah hold the opinion that Zakāt 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. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: "For what is watered by the heavens and streams, the ‘Usr is due, and for what is watered by irrigation;[1] half of the ‘Usr." (Hasan)

(He said:) There are narrations on this topic from Anas bin Mālik, Ibn ‘Umar, and Jābir.

Abū ‘Eisā said: This Hādith 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-Ahwādhi and Fath Al-Bārī (no. 1483)
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bin ‘Abdullāh Al-Ashajj, from Sulaimān bin Yāsār and Busr bin Sa’eed from the Prophet ﷺ, and it is as if this narration is more correct. The Hadith of Ibn ‘Umar on this topic from the Prophet ﷺ is authentic, and it is acted upon according to the Fuqahā’ in general.

Comments:

It is proven with Hadith 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 Hadith is Ḥasan Sahih.

Comments:

‘Athāri’ 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.
Chapter 15. What Has Been Related About Zakāt 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 As-Sabbāh was considered weak in Hadith. Some of them reported this Hadith from ‘Amr bin Shu‘aib that ‘Umar bin Al-Khattāb, 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 Zakāt due on the wealth of the orphan. Among them are ‘Umar, ‘Ali, ‘Āishah, and Ibn ‘Umar. This is the saying of Mālik, Ash-Shāfi‘i, Aḩmad and Ishaq.

A group of the people of knowledge said that there is no Zakāt 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.
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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 Ḥadîth, 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 Allah ﷺ said: "The injuries caused by the animal are without liability, and mines are without liability, and wells are without liability, and the Khumus is due on Rikâz."[2] (Ṣaḥîh)

(He said:) There are narrations on this topic from Anas bin Mâlik, ‘Abdullâh bin ‘Amr, ‘Ubâdah bin Aš-Ṣâmi‘, ‘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 Ḥadîth occur when it appears again; no. 1377.
Abū 'Eisā said: This Hadīth is Ḥasan Ṣahīh.


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-Khārṣ (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.” (Ḥasan)

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

Abū ‘Eisā said: The Hadīth of Sahl bin Abī Khathmah is acted upon for Al-Khārṣ (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 Khathmah.[1]

Al-Khars 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-Khars 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‘ī, Ahmad, and Ishāq.

644. ‘Attāb bin Asid narrated that the Prophet ﷺ 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.” (Da’if)

[1] This statement was interpreted here as it was interpreted in Tuhfat Al-Ahwādhi.
Abū 'Eisā said: This Hadith is Hasan Gharīb. Ibn Juraij reported this Hadith from Ibn Shihāb, from ‘Urwah, from ‘Āishah. 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 Asid (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 Ahadith about the estimation are contrary to the Ahadith of Muzābanah, while these Ahadith are about selling and buying. Three A‘immah are agreed principally on the issue of estimation, as Imam At-Tirmidhī has mentioned. For further detail see: (Mir’āt: 3/74-80)

Chapter 18. What Has Been Related About The One Who Works In Collecting Sadaqah 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 Allah until he returns.’” (Hasan)

Abū ‘Eisā said: The Hadith of Rāfi’ bin Khadij is a Hasan (Ṣahih)
Hadith. Yazid bin 'Iyyad is weak according to the people of Hadith, and the Hadith of Muhammad bin Ishaq 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 'Umar, Umm Salamah, and Abū Hurairah.

Abū ‘Eisā said: The Hadith of Anas is a Gharib Hadith from this route.

Aḥmad bin Ḥanbal has criticized

\[1\] At-Tirmidhī narrated this Hadith with two different chains.
Sa'd bin Sinān. This is how it was narrated by Al-Laith bin Sa'd, from Yazīd bin Abī Habīb, from Sa'd bin Sinān, from Anas bin Mālik. ['Amr bin Al-Hārīth and Ibn Lahi'ah said: "From Yazīd bin Abī Habīb, from Sinān bin Sa'd, from Anas."] Abū 'Eīsā said: I heard Muḥammad saying: "Sinān 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 Hadith, that as it is a crime and sin not to pay the Zakāt, likewise it is also a crime and sin that a Zakāt collector takes from the people more than what is due, or he takes the best quality and the fine one; because if a Zakāt collector deals unjustly and unfairly the people will avoid the payment of Zakāt and they will conceal their wealth.

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

647. Jarir narrated that the Prophet ﷺ said: "When the charity collector comes to you, then he should not depart from you except while pleased." (Ṣaḥīḥ)

Comments:
It is necessary that what a Zakāt collector tells about the Zakāt 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 (ﷺ). (Sahîh)

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'if)

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

Abû 'Eisâ said: The Hadith of Abî Juhaifah is a Hasan Gharb 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.” (Dа�ъ)

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

Comments:

Khumūsh is plural of Khamsh, Khudūsh is plural of Khadsh, Kudūh 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: Yahyā bin ʿAdam narrated to us, Sufyān narrated this Ḥadīth to us from Ḥakīm bin Jubair. So ‘Abdullāh bin ʿUthmān, the companion of Shu‘bāh said to him (Sufyān): “If only someone besides Ḥakīm had narrated this (Ḥadīth).” Sufyān said to him, “So what is with Ḥakīm; Shu‘bāh would not narrate from
him?” He said: “Yes.” So Sufyân said: “I heard Zubaid narrating this from Muḥammad bin ‘Abdur-Rahmân bin Yazîd.” (Daʿî)[1]

This is acted upon according to some of our companions, it is the view of Ath-Thawrî, ‘Abdullâh bin Al-Mubârak, Aḥmad and Ishaq. 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 Aš-Shâfiʿî, 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 said: “Charity is not lawful for the rich nor for the physically fit.” (Hasan)

(He said:) There are narrations on this topic from Abû Hurairah, Ḥubší bin Junâdah, and Qabisâh bin Al-Mukhâriq.

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

[1] That is the narration of Ḥakîm, not the discussion between Sufyân and ‘Abdullâh.
Hadith. This Hadith has been reported with this chain from Shu'bah, from Sa'd bin Ibrâhîm, 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. Hubshî bin Junâdah As-Salûlî narrated: “During the Farewell Hajj, while the Messenger of Allâh was standing at ‘Arafat, a Beduoin came to him begging while pulling on the edge of his Ridâ’. He gave him something and he left. With that, begging was made unlawful, so the Messenger of Allâh 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.” (Da'if)

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. (Da'if)
Abū 'Eisā said: This Hadith is Gharib from this route.

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

255. Abū Sa'eed Al-Khudrī narrated: “During the time of the Messenger of Allāh ﷺ, a man suffered a loss on fruits that he had sold, resulting in more debt. The Messenger of Allāh ﷺ said: ‘Give him charity.’ So the people gave him charity but it did not cover his debt.
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So the Messenger of Allāh (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 ‘Āishah, Juwairiyah, and Anas.

Abū ‘Eisā said: The Hadīth of Abū Sa‘eed is a Hasan Sahih Hadīth.

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 Mawāli’[1] To Accept Charity

656. Bahr bin Hakīm narrated from his father, from his grandfather who said: “When something was brought to him, the Messenger of Allāh (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 Salmān, Abū Hurairah, Anas, Al-Ḥasan bin ‘Ali, Abū ‘Amīrah the grandfather of Mu‘arrāf bin Wāsīl, and his name is Rushāid bin Mālik, and Maimūn (bin) Mihrān, Ibn ‘Abbās, ‘Abdullāh bin ‘Amr, and Abū Rāfī’,

[1] Mawāli plural of Mawlā. When a slave is freed he is considered similar to a family member of the one who freed him, and called a Mawlā, or, one who has allegiance.
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Abū ‘Eisā said: The Hadith of Bahz bin Ḥakīm is a Hasan Gharib Hadith.

Comments:
The Prophet 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 never accepted it for himself.

657. Abū Rāfī' (may Allāh be pleased with him) narrated that the Messenger of Allāh 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.” So he went to the Prophet 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.” (Sahih)
(Abū ‘Eisā) said: This Ḥadīth is Hasan Ṣaḥīḥ. The name of Abū Rāfī, the Mawla of the Prophet, is Aslam, and the son of Abū Rāfī is Ubaidullāh bin Abī Rāfī, the scribe of ‘Alī bin Abī Ṭālib (may Allāh be pleased with him).

Comments:

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

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

658. Ḥafṣah bint Șīrīn narrated from Ar-Rabāb, from her uncle Salmān bin ʿĀmir that he related that the Prophet 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).” (Ṣaḥīḥ)

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

Abū ‘Eisā said: The Ḥadīth of Salmān bin ʿĀmir is a Hasan Ḥadīth. Ar-Rabāb is Umm Ar-
Rā'īš bint Šulār. This is how a similar Hadith was reported by Sufyān Ath-Thawrī, from ‘Āṣim, from Ḥafṣah bint Sīrīn, from Ar-Rabāb, from Salmān bīn ‘Āmir, from the Prophet, And Shu‘bāh reported it from ‘Āṣim, from Ḥafṣah bint Sīrīn, from Salmān bīn `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 ‘Awīn and Hishām bīn Ḥassān from Ḥafṣah bīn Sīrīn, from Ar-Rabāb, from Salmān bīn ‘Āmir.

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

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.
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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) (Da'if)

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.” (Da'if)

Abū ‘Eisā said: The chain for this Hadith is not that strong. Abū Ḥamzah Maimūn Al-A'war was graded weak, and Bayān as well as Ismā'īl bin Sālim reported this Hadith from Ash-Sha'bī 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 Tayyib[1] – and Allâh does not accept but 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.” (Sahîh)


Comments:
This Hadîth tells that pure and fine things should be donated for the sake of Allâh and Allâh accepts such things with great kindness and love.

662. Abû Hurairah narrated that the Messenger of Allâh ﷺ 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 Uhud.” The Book of Allâh, the Mighty and Sublime testifies to that: ‘He accepts repentance from Good and lawful.”
His worshippers, and accepts charity.\[1\]

And: 'Allāh will destroy Riba and will give increase for charity.'\[2\] (Abū ‘Eisā) said: This Ḥadīth is (Hasan) Sahih. It has been reported from ‘Aishah from the Prophet similarly. More than one of the people of knowledge have spoken about this Ḥadīth, 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 Ḥadīth: 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 Tashbīḥ.\[3\] 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 Ayāt and give them interpretations other than the interpretations of the people of knowledge. They say that Allāh did not create Ādam with His Hand, and they say the meaning of Hand is merely power. Ishāq bin

\[1\] Al-Tawbah 9:104.
\[2\] Al-Baqarah 2:276.
\[3\] Anthropomorphism, resembling Allāh to creatures.
Ibrahim 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 Allah (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 Allah, Blessed and Most High is He said: ‘There is nothing like Him, and He is the All-Hearing, the All-Seeing.’ *(Ash-Shura* 42:11).

Comments:
As the reality and condition of Allah’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 Ramadan? He said: “Sha’ban in honor of Ramadan” He said: “Which charity is best?” He ﷺ said: “Charity in Ramadan.” *(Dařf)*

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

تخريج: [إسنادة ضعيف] وأخرجه أبو شيبة: 3/103 ح 9763 من حديث صدقة بن موسى به مختصرًا جدًا وهو في شرح السنة للبغوي: 1/229 ح 1778 من حديث الترمذي به صدقة بن موسى ضعيف، ضعفه الجمهور.
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Comments:

It is a narration of Sahih Muslim that after Ramadān the fasting of Muḥarram is more virtuous. (Sahih Muslim, Ḥadīth: 1163). So the narration of Sahih 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."\(^{[1]}\) (Dā‘īf)

(‘Abū ‘Eisā said:) This Ḥadīth is Hasan Gharīb from this route.

665. ‘Abdur-Rahmān 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

Comments:

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

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

665. ‘Abdur-Rahmān 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

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

(He said:) There are narrations on this topic from ‘Ali, Ḥusain 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 ﷺ 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
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Messenger of Allāh ﷺ gave to me... 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 Ṣafwān bin Umayyah”. The people of knowledge differ over giving to those whose hearts are inclined (towards Islām). 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 Allāh ﷺ whom he would encourage to accept Islām until they accepted it. And they did not think that such people should be given from the Zakāt today. This is the saying of Sufyān Ath-Thawri, the people of Al-Kūfah and others. And it is the view of Ahmad and Isbāq. Some of them said: If there is someone today like those people, and the Imām sees that they are inclined toward Islām, then giving to them is allowed. This is the view of Ash-Šāfi‘ī.

Comments:

According to Imām Al-Qurtubi and Qādi Thāna-Ullāh Panipati, those whose hearts were to be attracted having been inclined towards Islam 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 Islam, then they were given from the spoils of war, but the weak Muslims were given financial support from the wealth of Zakāt 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 Allãh! 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 Allãh! 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 Allãh! She never performed Hajj, shall I perform Hajj for her?’ He said: ‘Yes, perform Hajj on her behalf.’” (Sahih)

Abû ‘Elsa said: This Hadith is Hasan Sahih. 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 Hadith. 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 Allãh, so when he inherits it, then it is obligatory for him to do the same with it (i.e. give it in charity). Sufyân Ath-Thawrãi and Zuhair bin Mu‘awiyyah reported this Hadith from ‘Abdullãh bin ‘Atã’. 

تخريج: وأخرجه مسلم، الصيام، باب فضاء الصوم عن الميت، ح: 1149 عن علي بن حجر به.
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Comments:
This Hadīth 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.” (Sahīh)
Abū ‘Eisā said: This Hadīth is Hasan Sahīh, and this is acted upon according to most of the people of knowledge.

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.

Chapter 33. What Has Been Related About (Giving) Charity On Behalf Of The Dead

669. ‘Ikrimah narrated from Ibn ‘Abbās that a man said: “O
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 Makhruf, so bear witness that I have given it in charity on her behalf.’” (Sahih)

Abu ‘Eisâ said: This Hadith 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 Hadith from ‘Amr bin Dinâr from ‘Ikrimah, from the Prophet in Mursal form. (He said:) And his saying: “I have a Makhruf” 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 Shari’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 Umâmah Al-Bâhili 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, Abū Hurairah, 'Abdullāh bin 'Amr, and 'Aishah (may Allāh be pleased with her).

Abū 'Eisā said: The Hadīth of Abū Umāmah is a Ḥasan Hadīth.

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." (Sahīh)

Abū ‘Eisā said: This Hadīth is Ḥasan.

672. 'Aishah narrated that the Messenger of Allāh 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-Fīr."
Abū ‘Eisā said: This Hadīth is Ḥasan Ṣaḥīh. This is acted upon according to some of the people of knowledge; they hold the view that it is a Sā‘ in all cases. This is the saying of Ash-Shaf’ī, Aḥmad, and Ishaq. Some of the people of knowledge among the Companions of the Prophet盛世 and others said that it is a Sā‘ for everything except for wheat, in which case half of a Sā‘ 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 Sā‘ for wheat.

Comments:

Three A‘immah, Mālik, Shaf’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 Sa‘daqatul-Fitr 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.

٦٧٤. ‘Amr bin Shu‘aib narrated from his father, from his grandfather that the Prophet ﷺ 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 Sā‘ of food.” (Da‘if)
from the Prophet \( 	ext{ﷺ} \). So he mentioned some of this Hadith. Jārūd narrated it to us, (he said) ‘Umar bin Ḥārūn narrated it to us.)

\[ \text{675. Ibn 'Umar narrated: “The Messenger of Allāh \( 	ext{ﷺ} \) made } \text{Sadaqatul-Fihr} \text{ an obligation upon the male and the female, the free and the bondsmen, as a } Sā' \text{ of dried dates or a } Sā' \text{ of barley.”} \]

He said: “So the people equated that to half a } Sā' \text{ of wheat.” (Sahih) \]

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

Comments:

In the lifetime of the Messenger of Allāh \( 	ext{ﷺ} \), the customary food of the people used to be dates and barley, so the people would pay Sadaqatul-Fihr as one } Sā' \text{. Later when the use of wheat became usual food grain, and it was costly compared to the dates, they considered (that) half a } Sā' \text{ of wheat was equal to one } Sā' \text{ of dates.} \]
676. Ibn `Umar narrated: “The Messenger of Allâh ﷺ made Sadaqatul-Fîr of Ramadân an obligation – a Šâ’ of dried dates or a Šâ’ of barley – required upon every free person and slave, male and female among the Muslims.”

(Saḥîh)

Abû `Elsa said: The Hadîth of Ibn `Umar is a Ḥasan Sahîh Hadîth. Malik reported the Hadîth on this topic from Nâfî’, from Ibn `Umar, from the Prophet ﷺ, and he added in it: “among the Muslims” while others reported it from Nâfî’ 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 Sadaqatul-Fîr on their behalf. This is the opinion of Mâlik, Ash-Shâfi’î, 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 Sufyân Ath-Thawrî, Ibn Al-Mubârak and Ištâq.

Comments:

In the opinion of the majority of scholars, Islam is a condition for paying Sadaqatul-Fîr. Therefore, it is due only from a Muslim. It is not necessary to pay Sadaqatul-Fîr on behalf of a non-Muslim slave, but it is compulsory according to `Aṭâ, An-Nakha’î, Ath-Thawrî and the Aḥnâf. (Fâth Al-Bârî: 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 ᴧ would order paying the Zakāt before going to the Salāt on the day of Fitr. (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth 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-Ahwadhi: 3/300)

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

678. ‘Alī narrated: “Al-‘Abbās asked the Messenger of Allah ᴧ 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.” (Dağıf)
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 Abū 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 Mālik and Sufyān Ath-Thawrī. (Tuhfat Al-Ahwadhi: 2/30)

679. 'Ali narrated that the Prophet said to 'Umar: "We have taken this year's Zakāt from Al-'Abbās in the previous year." (Da‘īf)

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

(Abū 'Elsa said:) We do not know of the Hadīth 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 Zakariyyā from Al-Ḥajjāj is more correct to me than the narration of Isrā‘il from Al-Ḥajjāj bin Dīnār. This Hadīth was also reported in Mursal form by Al-Hakam bin ‘Utaibah from the Prophet. 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. Ābu 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 Ḥākim bin Ḥizām, Ābu Sa‘eed Al-Khudrī, Az-Zubair bin Al-Awwām, ʿAṭiyyah As-Sa‘dī, ‘Abdullāh bin Mas‘ūd, Mas‘ūd bin ‘Amr, Ibn ‘Abbās, Thawbān, Ziyād bin Al-Ḥārith As-Ṣūdā‘ī, Anas, Ḥubshī bin Junādah, Qabiṣah bin Mukhāriq, Samarrah, and Ibn ‘Umar.

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

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 Ramadân

682. Abû Hurairah narrated that the Messenger of Allâh ﷺ said: “On the first night of the month of Ramâdân, the Shayâtîn 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 Allâh frees from the Fire.’ And that is every night.” (Hasan)

(He said:) There are narrations on this topic from ‘Abdur-Rahmân bin ‘Awf, Ibn Mas‘ûd, and Salmân.

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 Allâh and His Messenger ﷺ, the appearance of the good effects and qualities
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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 Ḥadīth is Ṣahīh.

Abū 'Eisā said: The Ḥadīth of Abū Hurairah which Abū Bakr bin 'Ayyāsh reported is a Gharīb Ḥadīth, we do not know of it as a narration of Abū Bakr bin 'Ayyāsh from Al-'A'mash, from Abū Ṣālih, from Abū Hurairah except from the narration of Abū Bakr. He said: I asked Muḥammad bin Ismā'il about this Ḥadīth, and he said: “Al-Ḥasan bin Ar-Rabī’ narrated to us, Abū Al-Aḥwās narrated to us from Al-'A'mash, from Mujāhid as his own saying. He said: ‘On the first night of Ramadan’ and he mentioned the Ḥadīth.’ Muḥammad said: “This is more correct in my view, than the narration of Abū Bakr bin 'Ayyāsh.”


Comments:

In this Ḥadīth, the virtuousness of fasts of Ramadān, Tarāwīḥ and voluntary prayer during its night, and the voluntary prayer during the Night of Power is
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
Allâh ﷺ.

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

684. Abû 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. Mansûr bin Al-Mu’tamir informed us from Rib’î bin Hirâsh, from some of the Companions of the Prophet ﷺ, and it is similar to this.

Abû ‘Eisâ said: The Hadîth of Abû Hurairah is a Hasan Sahih Hadîth. 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 Ramadân begins, if he thinks that is for Ramadân. 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. Abû Hurairah narrated that the Messenger of Allâh ﷺ said:
"Do not precede the month of Ramadān 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." (Ṣahīh)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣahīh.

Comments:
It is prohibited to fast a day or two days for welcoming Ramadān, before the arrival of Ramadān. However, if a day before Ramadān 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 Ramadān, 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 ‘Ammār bin Yāsir when a roasted sheep was brought and he said: ‘Eat.’ Someone among the people said: ‘I am fasting.’ So ‘Ammār said: ‘Whoever fasts on a day in which there is doubt, then he has disobeyed Abul-Qāsim.’” (Da‘if)

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

Abū ‘Eisā said: The Ḥadīth of ‘Ammār is a Ḥasan Ṣahīh Ḥadīth. 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 Ṭābi‘īn. It is the view of Sufyān Ath-Thawrī, Mālik bin Anas, ‘Abdullāh
Chapter 4. What Has Been Related About Counting The (Appearances Of) The Crescent Of Sha'bân For Ramâdan

687. Abû Hurairah narrated that the Messenger of Allah ﷺ said: “Count the (the appearances of) the crescent of Sha'bân for Ramadan.” (Ḍa‘īf)

Abû ‘Eisâ said: We do not know of the Hadith of Abu Hurairah to be like this except from the narration of Abû Mu‘âwiyyah. What is correct is what is reported from Muhammad bin ‘Amr, from Abû Salamah from Abû Hurairah that the Prophet ﷺ said: “Do not precede the month of Ramadân 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 Ramadân with certainty, so if it appeared later that it was a day of Ramadân then he must make up for it by fasting a day in its place.” Tuhfat Al-Ahwâdi.
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Yahya bin Abi Kathir, from Abu Salamah, from Abū Hurairah from the Prophet ﷺ, and it is similar to the narration of Muhammad bin 'Amr Al-Laithi.

Comments:

'The day of doubt' is the thirtieth of Sha'bân, when the sky is overcast and cloudy the moon cannot be sighted, which causes doubt that perhaps it is a day of Ramadân, because the people could not see the moon, if a person fasts with the intention of fasting Ramadân, this fast is *Makrûh 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 'Abbas narrated that the Messenger of Allah ﷺ said: "Do not fast before Ramadân. 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 'Elsa said: The Hadith of Ibn 'Abbas is a Ḥasan Sahih Hadith, it has been reported from him through other routes.

Comments:

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

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.

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

Abū ‘Eisā said: This Hadīth is Ḥasan Sahih.

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

691. Ibn ‘Abbās 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 Hadīth 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 Hadīth is acted upon according to most of the people of knowledge. They say that the testimony of one man is

Comments:
The month of Ramadān occurred nine times in the lifetime of the Messenger of Allāh ﷺ and only once the month of Ramadān was thirty days. (Ma’ārif As-Sunan: 5/343)
accepted for fasting. This is the view of Ibn Al-Mubarak, Ash-Shafi’i, 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 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, and eighteen, it will be complete.”
not deficient.” So according to the view of Ishâq it is possible that the two months would be decreased in the same year.

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 Ḳâ according to it.

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

703. Muhammad bin Abî Ḥarmalah narrated: “Kuraib informed me that Umm Al-Faadl bint Al-Ĥârith sent him to Mu‘āwiyyah in Ash-Shâm. He said: ‘So I arrived in Ash-Shâm and finished her errand, and I saw the crescent of Ramadân while I was in Ash-Shâm. We saw the crescent on the night of Friday. Then I arrived in Al-Madinah 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 Mu‘āwiyyah 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 Ḥasan 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 Imām Laith, Ash-Shāfi‘ī, Ahmad, Mālik and Abū Ḥanīfah 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`bāh 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 `Āsim Al-Ahwâl, from Hafṣah bint Sirîn, from Ar-Rabâb, from Salmân bin `Amîr from the Prophet ﷺ. And it is more correct than the narration of Sa'eed bin `Amîr. They also reported it from Shu'bah from `Āsim, from Hafṣah bint Sirîn, from Salmân bin `Amîr, and Shu'bah did not mention “from Ar-Rabâb” in it. What is correct is what is narrated by Suﬁyân Ath-Thawri, Ibn `Uyainah and others, from `Āsim Al-Ahwâl, from Hafṣah bint Sirîn, from Ar-Rabâb, from Salmân bin `Amîr.[1] Ibn `Awn said: “From Umm Ar-Râ'îh bint Sulâl”, from Salman bin `Amîr,” and Ar-Rabâb is Umm Ar-Râ'îh.

695. Salmân bin `Amîr Ad-Dabî narrated that the Prophet ﷺ 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.” (Sahîh)

Abû `Eîsâ said: This Hadith is Hasan Sahîh.

[1] That is no. 658 as well as the following Hadîth.
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

697. Abû 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." (Hasan)
Abū ‘Eisā said: This Hadith is Gharib Hasan, 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’īd. (Saḥīḥ)

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

699. Sahih 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 Abū Hurairah, Ibn ‘Abbās, ‘Āishah, and Anas bin Mālik.

Abū ‘Eisā said: The Hadith of Sahl 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 Allāh 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.’” (Daʿīf)

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

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

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

Chapter 14. What Has Been Related About Delaying The Ṣahūr

703. Anas (bin Mālik) narrated that Zaid bin Thābit said: “We ate Ṣahūr with the Messenger of Allāh, then we stood for the Salāt.” I (Anas) said: “How long was that?” He said: “About the length of fifty Āyāhs.” (Sahīh)

Comments:

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 Allāh between his predawn meal and the call to morning prayer was only five to seven minutes or less than that; a narration of Sahīh Al-Bukhārī also clarifies this issue. (Hadīth 575-1921)

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

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

Abū ‘Eisā said: The Hadīth of
Zaid bin Thabit is a Hasan Sahih Hadith, and this is the view of Ash-Shafi'i, Ahmad and Ishâq. They consider it recommended to delay the Sahûr.

Comments:
Imam 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 Imam Al-Bukhari 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)

Chapter 15. What Has Been Related About Clarifying Al-Fajr

705. 'Ali bin Talq narrated that the Messenger of Allâh 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 Hâtîm, Abu Dharr, and Samurah.

Abû 'Eisâ said: The Hadith of Talq bin 'Ali is a Hasan Gharib Hadith 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.
706. Samurah bin Jundab narrated that the Messenger of Allah ꝏ said: “Do not let the Adhān of Bilāl prevent you from your Sahūr, nor the drawn out Fajr, but the Fajr that spreads on the horizon.”

(Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan.

Comments:

This Ḥadīth is Ḥasan. 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. Abū Hurairah narrated that the Prophet ꝏ said: “Whoever does not leave false speech, and acting according to it, then Allāh is not in any need of him leaving his food and his drink.”

(Ṣaḥīḥ)

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

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ.

Comments:

There is something on this topic from Anas.
Comments:

‘Qawl Az-Zür’ is a talk away from truth and reality, according to Mulla Alî Qarî, it is false and vain talk, At-Tibi said: It is a talk of disbelief, false witness, false accusation, backbiting, telling lies, slandering, swearing, cursing and false criticism, nevertheless it includes all types of disobedience and sins. (Tuhfat Al-Ahwadhi: 2/39)

Chapter 17. What Has Been Related About The Virtue Of Sahûr

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

"Partake of Sahûr, for indeed there is a blessing in the Sahûr." (Sâhîh)

He said: There are narrations on this topic from Abû Hurairah, ‘Abdullâh bin Mas‘ûd, Jâbir bin ‘Abdullâh, Ibn ‘Abbâs, ‘Amr bin Al-‘Âs, Al-‘Irbâd bin Sâriyâh, ‘Utbah bin ‘Abdullâh, and Abû Ad-Dardâ‘.

Abû ‘Elsa said: The Hadîth of Anas is a Hasan Sâhîh Hadîth. 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 Sahûr.”
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709. ‘Amr bin Al-‘Āṣ narrated (similar to no. 708) from the Prophet ﷺ. (Ṣaḥīḥ)

He said: This Hadith is Hasan Ṣaḥīḥ. The people of Egypt say (one of the narrators is) Mūsā bin ‘Ulayy, and the people of Al-‘Irāq say “Mūsā bin ‘Āli 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 Allāh 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 'Abbás, and Abú Hurairah. Abú 'Eisâ said: The Hadîth of Jâbir is a Hasan Sahîh Hadîth. It has been reported that the Prophet ṣâhîh said: “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 ṣâhîh 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 ṣâhîh 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 Sufyân Ath-Thawrî, Mâlik bin Anas, and ‘Abdullâh bin Al-Mubârak. Ash-Shâfi‘î said: “The meaning of the saying of the Prophet ṣâhîh: ‘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.’ 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.”

Chapter 19. What Has Been Related About The Permission To Fast While Traveling

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

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

Abū ‘Eisā said: The Hadīth of ‘Aishah – stating that Ḥamzah bin ‘Amr Al-Aslāmī asked the Messenger of Allāh Ⲁ – is a Hasan Sahīh Hadīth.

Chapter [19] - ۱١١ ۱١۱ - حَدَّثَنَا هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيِّ - حَدَّثَنَا عَبْدُ بْنُ سَلِيْمَانَ عَنْ هُشَامَ ابْنِ عُمَروَةَ - عَنْ أَبِيهِ عَنْ عَائِشَةَ بْنتِ ابْنِ عُمَروَةَ الأَشْلَامِيَّةِ سَأَلَ رَسُولَ اللَّهِ ﷺ عَنْ الصُّوْمِ فِي السَّفرِ وَكَانَ يُشْرِدُ الصُّوْمُ - فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِنِّي بَيِّنْتُ فُضُولَهُ وَإِنَّ شَابَتِ فَاقْتُرِهَا».

[Sahīh]


Chapter [19] - ۱١١ ۱١۱ - حَدَّثَنَا هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيِّ - حَدَّثَنَا عَبْدُ بْنُ سَلِيْمَانَ عَنْ هُشَامَ ابْنِ عُمَروَةَ - عَنْ أَبِيهِ عَنْ عَائِشَةَ بْنتِ ابْنِ عُمَروَةَ الأَشْلَامِيَّةِ سَأَلَ رَسُولَ اللَّهِ ﷺ عَنْ الصُّوْمِ فِي السَّفرِ وَكَانَ يُشْرِدُ الصُّوْمُ - فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِنِّي بَيِّنْتُ فُضُولَهُ وَإِنَّ شَابَتِ فَاقْتُرِهَا».

[Sahīh]


Chapter [19] - ۱١١ ۱١۱ - حَدَّثَنَا هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيِّ - حَدَّثَنَا عَبْدُ بْنُ سَلِيْمَانَ عَنْ هُشَامَ ابْنِ عُمَروَةَ - عَنْ أَبِيهِ عَنْ عَائِشَةَ بْنتِ ابْنِ عُمَروَةَ الأَشْلَامِيَّةِ سَأَلَ رَسُولَ اللَّهِ ﷺ عَنْ الصُّوْمِ فِي السَّفرِ وَكَانَ يُشْرِدُ الصُّوْمُ - فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِنِّي بَيِّنْتُ فُضُولَهُ وَإِنَّ شَابَتِ فَاقْتُرِهَا».

[Sahīh]


712. Abū Sa‘eed (Al-Khudrī) narrated: “We were on a journey with the Messenger of Allāh during the month of Ramaḍān. No one objected to the fast of the one fasting nor the fast breaking of the one who broke his fast.” (Sahih)

(Albū ‘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
others, or there is a possibility of turning away from the permission given by the *Shari‘ah*, or other people will take his example to follow, it is then better not to fast. If observing fast does not involve difficulty and hardship, neither is there a risk of harm, or there is a fear of not making it up later, or he has the facility and provision of fasting along with his colleagues, in this case fasting is better. (see for more details: *Al-Mugni*: 4/406 to 408)

Chapter 20. What Has Been Related About The Permission For The One At War To Break The Fast

714. Ma‘mar bin Abī Huyaiyāh narrated that he asked Ibn Al-Musaiyāb 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.” (*Darf*)

(He said:) There is something on this topic from Abū Sa’eed.

Abū ‘Eisā said: We do not know of the *Hadīth* 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 *Jihād*.
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 Banu 'Abdullah 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 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 Abü Umamah.

Abū ‘Eisā said: The Hadith of Anas bin Mālik Al-Ka'bi is a Ḥaṣan Hadith. We do not know of anything this Anas bin Mālik narrated from the Prophet other than this one Hadith. 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. This is the view of Sufyān, Mālik, Ash-Shāfi‘i, and Aḥmad. Some of them said: They

[1] 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 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 Ḥadīth of Ibn ‘Abbās is a Hasan Sahīh Ḥadīth.


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(المعجم 22) - باب ما جاء في الصوم

معنًى المُفتِّح (النفحَة 22)

716 - حَدَّثَنَا أَبُو سْعَيْدُ الأَسْجُدُ حَدَّثَنَا أَبُو خالِدٍ الأَحْمَرُ عَنِ السُّلَمَةَ بْنِ تُحِبَّيْلٍ مَسْلِمَ الْبَتْنِي، عَنْ سَعِيدِ بْنِ سُعِيدِ بْنِ جَبْرِيلٍ ومُجَاهِدٍ عَنْ أَبِي عُبَيْسَةَ قَالَ: جَاءَتِهِ اِلْجَارَاءُ إِلَى النِّيَابَةِ فَقَالَتِ: إِنِّي أَخْتُ مَائِثْةٍ وَعَلَى هَا الصَّوْمُ شَهَرَيْنَ مَتَابَيْنِ؟ قَالَ: أَرَأَيْتُ أَلْوَلَ كَانَ عَلَى أَخْتِي ذَلِكَ أَكْثَرُ تَغْضِبُهُ؟ قَالَتْ: نُعِمَّ، قَالَ: "فَخَرَحَ اللَّهُ أَحْيَا" وَعَاشَتَهُ. قال: وفي الباب عن مُرْبِدَةُ وابن عَمْرٍ وعَاشَتَهُ.

قَالَ أَبُو عَبْسَى: حَدِيثُ ابن عُيُوسِي حَدِيثٌ حَسَنٌ صَحِيحٌ.
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717. (A Hadith similar to no. 716 with a different chain.) (Sahih)

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

Abū ‘Eisā said: Abū Muʿāwiyyah and others reported this Hadith from Al-Aʿmash, from Muslim Al-Baṭīn, from Saʿeed bin Jubair, from Ibn ‘Abbās, from the Prophet ﷺ, and they did not mention Salamah bin Kuhail in it, nor ‘Atāʾ, 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.” (Daʿīf)

Abū ‘Eisā said: We do not know of the Hadith of Ibn ‘Umar except from this route. What is Sahih is that it is Mawqaf 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 Ishāq. 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 Ramađan, then one is to feed (a needy person) on his behalf. Malik, Sufyān, and Ash-Shāfi‘ī said: “No one fasts for anyone.” (He said:) Ash’ath is Ibn Sawwār. Muḥammad is Muḥammad bin ‘Abdūr-Rahmān bin ʻAbī Laila. (narrators in the chain of this Hadith)

**Comments:**

It is proven very clearly from the Hadith of Ibn ʻAbbās and ‘Aīshah, mentioned in Sahih Muslim (Hadith: 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. ʻAbū Sa‘eed Al-Khudrī narrated that the Messenger of Allāh ﷺ said: “Three things do not break the fast of the fasting person: Cupping, vomiting, and the wet dream.” (Da‘iff)

ʻAbū ʻEisā said: The Hadith of ʻAbū Sa‘eed is not preserved. ʻAbdullāh bin Zaid bin Aslām, ‘Abdul-ʻAzīz bin Muḥammad and others reported this Hadith from Zaid bin Aslām in Mursal form, they did not mention “from ʻAbū Sa‘eed” in it. ‘Abdūr-Rahmān bin Zaid bin Aslām was graded weak in Hadith. (He said:) I heard ʻAbū Dawūd As-Sijzī saying: “I asked Ḥāmid
bin Ḥanbal about ‘Abdur-Rahmān 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-Rahmān 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.” (Da‘if)

(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 ‘Ubayd 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 Isḥāq.

Comments:
The Four A‘immah 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 ﷺ said: “Whoever eats or drinks forgetfully, then he has not broken (the fast), for it was only a provision that Allāh provided for him.” (Sahih)

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

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

Abū 'Eesa said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith. This is acted upon according to most of the people of knowledge. It is the saying of Sufyān Ath-Thawrī, Ash-Shāfi‘i, 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‘īf)

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 Yazīd bin 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:

تخريج: [إسناه ضعيف] وأخرجه أبو داود، الصباح، باب التغليب فيمن أفطر عمداً، ح: 2366. من حديث حبيب به، أبو المطوس لين الحديث وأبو مجهول (تقريب) وأعله ابن خزيمة.

“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, 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 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, ‘Āishah, and ‘Abdullāh bin ‘Amr.

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith. This Hadith is acted upon according to the people of knowledge regarding one who breaks his fast on purpose during Ramadan 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 Sufyān Ath-Thawrī, Ibn Al-Mubārak, and Ishāq. 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.

Comments:
If a person has sexual intercourse with his wife while he was in state of fasting in the month of Ramadañ, 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 Siwak For The Fasting Person

725. ‘Abdullâh bin ‘Ámir bin Rabî’ah 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.” (Da’îf)

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

Abû ‘Eisâ said: The Hadîth of ‘Ámir bin Rabî’ah is a Hasan Hadîth. 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 for the fasting person to use fresh wood, and they considered it disliked to use the Siwâk at the end of the day. Ash-Shâfi’î 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:
Imâm Sufyân Ath-Thawrî, Al-Awzâ’î and Abû Hanîfah are of the view that a fasting person may use any type of Siwâk / tooth-stick / toothbrush during any part of the day. ‘Alî, Ibn ‘Umar, ‘Urwah and Mujähid 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 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 Hadith of Anas is not strong, and there is nothing authentic from the Prophet 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 would kiss during the month of fasting.” (Sahīh)

(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 Hadith of ‘Āishah is a Hasan Sahīh Hadith.
The people of knowledge, among the Companions of the Prophet and others, differ over kissing for the fasting person. Some of the Companions of the Prophet 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-Shāfi‘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
Messenger of Allāh would fondle me while he was fasting, and he had the most control among you of his limbs (li irbihi).” (Sahih)

729. ‘Aishah narrated: “The Messenger of Allāh would kiss and fondle while he was fasting, and he had the most control among you of his limbs.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih. Abū Maisarah’s name is ‘Amr bin Shurahbīl, 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
730. Hafsah narrated that the Prophet said: “Whoever did not decide to fast before Fajr then there is no fast for him.” (Da’īf)

Abū ‘Eisā said: We do not know of the Hadith of Hafsah to be Marfu‘ except from this route. It has been reported from Nāfi’, from

[1] It may also be read: Al-Arabihi which would mean “his desires”. Al-Mubārakpūrī 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 Mawqūf form, and we do not know of anyone who narrated it in Marfū‘ form except for Yahya bin Ayyūb.) 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 Ramadān, 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-Shāfi‘ī, Ahmad, and Ishāq.

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 Hāni’ 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.’”

(\textit{Da'if})

(He said:) There are narrations on this topic from Abü Sa'eed and 'Aishah.

Comments:

The majority said that making up a voluntary broken fast is not compulsory, whereas according to the \textit{Ahnaf} 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. Simåk bin Ḥarb narrated: “A person from the offspring of Umm Hāni’ narrated to me – I met one of the most virtuous among them, and his name was Ja'dah, and Umm Hāni’ was his grandmother – he narrated to me from his grandmother that the Messenger of Allah \textcircled{S} 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 Allah! I was fasting.” So the Messenger of Allah \textcircled{S} 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’dah):[^1] ‘Did you hear this from Umm Hāni’?’ He said: ‘No

[^1]: \textit{Tuhfat Al-Ahwadhī}. 
Abū Ṣāliḥ and our family informed us of it from Umm Ḥānî‘.” (Ḍa‘f)

Hammâd bin Salamah reported this Ḥadîth from Simâk [bin Ḥarb] and he said: “From Hârûn the son of the daughter of Umm Ḥānî‘, from Umm Ḥānî‘.” And the narration of Shu’bah is better. This is how it was narrated to us by Maḥmûd bin Ghâlân, from Abû Dâwûd, he said: “The trustee for himself”, while others besides Maḥmûd narrated it from Abû Dâwûd that he said: “in charge of himself – or the trustee for himself” with doubt. Similarly it was reported from others, from Shu’bah: “in charge of himself – or the trustee for himself” with doubt.

(He said: There is disparagement regarding the chain for the Ḥadîth of Umm Ḥânî‘, while it is acted upon according to some of the people of knowledge among the Companions of the Prophet ş.a.w. 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 Sufyân Ath-Thawrî, Aḥmâd, Ishâq and Ash-Shâfî‘.)

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

733. ‘Aishah, the Mother of the Believers, narrated: “The Messenger of the Chapters On Fasting
of Allâh visited me one day and said: ‘Do you have anything (to eat)?’” She said: “I 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’[1] 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 Imam Ahmad the intention may be determined even after the sun has passed the meridian, said Imam Ibn Qudamah.

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

735. ‘Aishah narrated: “Haṣfah 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,
and Hafṣah beat me to him – she was the daughter of her father[1] – and she said: ‘O Messenger of Allah! We were both fasting when we were presented with some food that we wanted, so we ate from it.’ He said: ‘Make up another day in its place.’” (Daʿīf)

Abū ʿEisā said: Ṣāliḥ bin Abī Al-Akhḍar and Muhammad bin Abī Hafṣah (also) narrated this Hadith from Az-Zuhrī, from ‘Urwhah, from ‘Āishah. While Mālik bin Anas, Maʿmar, ‘Ubaidullāh bin ‘Umar, Ziyād bin Saʿd and others among the Huffāẓ reported it from Az-Zuhrī, from ‘Āishah, in Mursal form; they did not mention “from ‘Urwarh” in it. This is more correct because it has been reported from Ibn Juraij that he said: “I asked Az-Zuhrī: ‘Did ‘Urwhah narrate this to you from ‘Āishah?’ He said: ‘I did not hear anything from ‘Urwhah about this. Rather, during the Khilāfa of Sulaimān bin ‘Abdul-Malik I heard from some people, from someone who asked ‘Āishah 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 ﷺ 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 ﷺ, but she was quicker than ‘Āishah, 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 Ahādīth that making it up is not compulsory, it is rather better.

Chapter 37. What Has Been Related About Connecting Fasts Of Sha'bān To Ramadān

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

There is something on this topic from 'Āishah.

Abū ‘Eisā said: The Hadith of Umm Salamah is a Hasan Hadith.
This Hadith has also been reported from Abū Salamah, from 'Āishah, that she said: “I did not see the Prophet fasting more in any month than he did during Sha'ban. 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 'Āishah, from the Prophet (Hasan)
Sālim Abū An-Naḍr and others,
narrated this Hadith from Abū Salamah, from ‘Āishah, and it is similar to the narration of Muḥammad bin ‘Amr. (a narrator in the chain of this Hadith) It has been reported that Ibn Al-Mubārak said about this 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-Mubārak saw that both of the Ḥadīth were in agreement, saying that the meaning of this Ḥadīth is only that he fasted most of the month.

Chapter 38. What Has Been Related About It Being Disliked To Fast During The Second Half of Sha'bān For The Sake Of Ramadān.

738. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “When a half of Sha'bān remains then do not fast.” (Sahih)

Abū ‘Eisā said: The Ḥadīth of Abū Hurairah is a Ḥasan Sahih Ḥadīth, and, we do not know of it except

Comments:
The Prophet ﷺ explained that the wisdom of fasting frequently in Sha'bān 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 Allāh; therefore I wish that my deeds are presented while I am fasting.
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from this route, with this wording. According to some of the people of knowledge, this Hadith refers to the case of a man who is not fasting, and when part of the month of Sha'bân remains, he starts fasting for the sake of the month of Ramadân. There is something that is reported from Abû Hurairah, from the Prophet that is similar to this saying: where he said: “Do not precede the month of Ramadân by fasting, unless that fast falls on a day that one of you would have (normally) fasted.”

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

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'bân

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

[1] A place on the outskirts of Al-Madinah that is known for its graveyard.
So he said: ‘Indeed Allāh, 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 ‘Aishah except by this route, from the narration of Al-Hajjāj, and I heard Muḥammad saying that this Ḥadīth is weak. He said: “Yaḥya bin Abī Kathīr did not hear from ‘Urwah.” Muḥamamd said: “Al-Hajjāj did not hear from Yaḥya 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‘ṣūr få 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-Muḥarram

740. Abū Hurairah narrated that the Messenger of Allāh ﷺ 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 Ḥasan 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 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 Allah’s month in which there is a day that Allah accepted the repentance of a people, and in which He accepts the repentance of other people.” (Da‘f)
Abū ‘Eisā said: This Hadith is Hasan Gharib.

Comments:
The attribution of Muharram 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 ‘Āshūrā] 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 ‘Āshūrā 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 would fast during the beginning of every

(Al-mu‘jam 41) - بَابُ مَا جَاءَ فِي صَوْمٍ يوْمُ الْجُمَعَةِ (النَّطْفَةِ 41) 742 - حَذَّنَا الْقَاضِيَ بْنُ دَينَارِ. حَذَّنَا ُعْبِدُ اللَّهِ بِنْ موَسَى وَطَلِقَ بْنَ عُمَّانَ عَنْ شَبِيبٍ.
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‘bah 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 ﷺ 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 ‘Ali, Jābir, Junādah Al-Azdi, Juwairiyah, 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
Friday with fasting by not fasting before it nor after it. This is the view of Ahmad and Ishāq.

Chapter 43. What Has Been Related About Fasting on Saturday

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

Abū ‘Eisā said: This Ḥadīth 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.” (Saḥīḥ)

(He said:) There are narrations on this topic from Hafṣah, Abū Qatādah, (Abū Hurairah), and Uṣāmah bin Zaid.

Abū 'Eisā said: The Hadith of 'Aishah is a Ḥasan Gharib Ḥadīth from this route.

746. 'Aishah narrated: “The Messenger of Allāh would fast Saturdays, Sundays and Mondays in one month, and Tuesdays, Wednesdays and Thursdays in the next month.” (Daʿīf)

Abū 'Eisā said: This Hadith is Ḥasan. 'Abdur-Rahmān bin Mahdī narrated this Hadith from Sufyān, and he did not narrate it in Marfū’ form.

747. Abū Hurairah narrated that the Messenger of Allāh 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 Allâh on these two days and he liked to be fasting the day on which the deeds are presented to Allâh.

Chapter 45. What Has Been Related About Fasting On Wednesday And Thursday

748. ‘Ubaidullâh (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 Ramadân 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‘îf)

There is something on this topic from Ṭābi‘īs.

Abū ‘Eisā said: The Hadith of Muslim Al-Qurashi is a Gharib Hadith. Some of them narrated it from Ḥarûn bin Salmân, from Muslim bin ‘Ubaidullâh, from his father.
The Messenger of Allah 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

749. Abu Qatada narrated that the Prophet said: “Fast the Day of 'Arafah, for indeed I anticipate that Allah will forgive (the sins) of the year after it, and the year before it.” (Daif)

(He said:) There are narrations on this topic from Abu Sa'eed.

Abu 'Eisa said: The Hadith of Abu Qatada is a Hasan Hadith. The people of knowledge consider fasting recommended on the Day of 'Arafah, except while (the pilgrim) is at 'Arafat.

Comments:

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 'Abbas narrated: "The Prophet \(\text{ﷺ} \) broke (the fast) at 'Arafah, Umm Fadl sent him some milk to drink." (\textit{Sahih})

There are narrations on this topic from Abū Hurairah, Ibn 'Umar, and Umm Al-Fadl.

Abū 'Eisā said: The Hadith of Ibn 'Abbas is a Hasan Sahih Hadith. It has been reported that Ibn 'Umar said: "I performed Hāj with the Prophet \(\text{ﷺ} \), 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.

Comments:
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 'Arafāt). He said: I performed Hāj with the Prophet \(\text{ﷺ} \), 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 ‘Uthmān, and he did not fast it. I do not fast it, nor order it nor forbid it.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan, Abū Najīh’s name is Yāsār, and he heard from Ibn ‘Umar, and this Hadith was also reported from Ibn Najīh from his father, from a man, from Ibn ‘Umar.

Comments:

Ibn ‘Umar meant that the example and practice of the Messenger of Allāh ﷺ and the caliphs was not to fast the Day of ‘Arafa in the valley of ‘Arafāt.

Chapter 48. What Has Been Related About The Encouragement To Fast The Day Of ‘Ašūrā’[1]

752. Abū Qatadah narrated that the Prophet ﷺ said: “Fast the Day of ‘Ašūrā’, for indeed I anticipate that Allāh will forgive (the sins of) the year before it.” (Sahih)

There are narrations on this topic from ‘Alī, Muḥammad bin Ṣaīfī, Salamah bin Al-Akwa’, Hind bin Asmā’, Ibn ‘Abbās, Ar-Rubayyī’ bint Mu’āwwidh bin ‘Afrā’, ‘Abdur-Rahmān bin Salamah Al-Khuzā’ī from his uncle, and ‘Abdullāh bin Az-Zubair – they mentioned that the Prophet ﷺ encouraged fasting the Day of ‘Ašūrā’. 

[1] That is the ninth or tenth of Al-Muḥarram, 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 ‘Ashūrā’ expiates (the sins of) a year, except for the narration of Abū Qatādah, and the Hadīth of Abū Qatādah is followed by ‘Alīmad and ‘Ishāq.

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 ‘Ashūrā’

753. ‘Aishah narrated: “‘Ashūrā’ was a day that the Quraish used to fast during Jahiliyyah, 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 ‘Ashūrā’ 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, ‘Abdīr bin Samurah, Ibn ‘Umar, and Mu‘āwiyah.
Abū ‘Eisā said: The Hadīth of ‘Āishah is acted upon according to the people of knowledge, and it is a Sahīh Hadīth. They do not consider fasting the Day of ‘Ashūrā’ 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 ‘Ashūrā’ Is

754. Al-Hakam bin Al-A’rfaj said: “I met up with Ibn ‘Abbās while he was reclining on his Ridā’ at the Zamzam (well). So I said: ‘Inform me about the Day of ‘Ashūrā’, 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 Muhammad ﷺ fasted it?’ He said: ‘Yes.’” (Sahīḥ)

755. Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ ordered fasting the tenth day for the Day of ‘Ashūrā’.” (Da’īf)

Abū ‘Eisā said: The Hadīth of Ibn ‘Abbās is a Hasan Sahīh 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 ‘Abbas said: “Fast the ninth and the tenth, and differ from the Jews.”

Ash-Shafi’i, Ahmad and Isḥaq followed this Hadith.

Comments:

This Hadith gives two possible meanings:

1. Next year we shall fast the 9th of Muharram instead of the 10th.
2. We shall fast the 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 Ahmad.

Chapter 51. What Has Been Related About Fasting The Ten
(Days Of Dhul-Hijjah)

756. ‘Aishah 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 ‘Aishah. Ath-Thawrī and others narrated this Hadith from Mansūr, from Ibrāhīm: “That the Prophet was not seen fasting during the ten.” Abū Al-Åhwaṣ reported it from Mansūr, from Ibrāhīm, from ‘Aishah, 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 Muhammad bin Abãn saying: “I heard Waki’ saying: ‘Al-A’mash has preserved the chain of Ibrāhīm better than Mansûr.’”

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 ﷺ 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 ‘Abbās narrated that the Messenger of Allāh ﷺ 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 Jihād in Allāh’s Cause?” The Messenger of Allāh ﷺ said: “Not even Jihād 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 ‘Umar, Abū Hurairah, ‘Abdullāh bin ‘Amr, and Jābir.

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

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 Qatādah, 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.)
Chapter 53. What Has Been Related About Fasting The Six Days Of Shawwāl

759. Abū Ayyūb narrated that the Messenger of Allāh ﷺ said: "Whoever fasts Ramadān, then follows it with six from Shawwāl, then that is (equal in reward) to fasting every day." (Ṣaḥīḥ)

There are narrations on this topic from Jābir, Abū Hurairah, and Thawbān.

Abū ‘Eisā said: The Hadīth of Abū Ayyūb is a Hasan Ṣaḥīḥ Hadīth. There are those people who consider fasting six (days) of Shawwāl recommended due to this Hadīth.

Ibn Al-Mubārak said it is good to do, just like fasting three days of every month. Ibn Al-Mubārak said that it has been reported in some of the Aḥādīth: “This fast is connected to Ramadān.” Ibn Al-Mubārak preferred that these six days be at the beginning of the month, and it has been reported that Ibn Al-Mubārak said that if one fasted six separate days of Shawwāl then it is acceptable.

Abū ‘Eisā said: (Two other chains from Sa‘d bin Sa‘eed for this Hadīth) and Sa‘d bin Sa‘eed is the brother of Yahyā bin Sa‘eed Al-Ansārī. Sa‘d bin Sa‘eed has been criticized by some of the people of Hadīth due to his memory.

(Another chain) that when fasting the six days of Shawwāl was mentioned before Al-Hasan Al-Baṣrī, he would say: “By Allāh!
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 ﷺ 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 ﷺ said: “O Abū Dharr! When you fast three days out

Comments:
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of a month, then fast the thirteenth, fourteenth, and fifteenth.” (Hasan)

There are narrations on this topic from Abū Qatādah, ‘Abdullāh bin ‘Amr, Qurrah bin Iyās Al-Muzānī, ‘Abdullāh bin Mas‘ūd, Abū ‘Aqrab, Ibn ‘Abbās, ‘Āishah, Qatādah bin Mīlhān, ‘Uthmān bin Abī Al-‘Ās, and Jarīr.

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 Allāh ﷺ said: ‘Whoever fasts three days in every month, then that is (similar to) fasting every day.’ Then Allāh 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 (Sahīh).

Abū `Eisā said: Shu`bah has reported this Hadīth from Abū Shimr and Abū At-Tayyah, from Abū `Uthmān, from Abū Hurairah, from the Prophet ﷺ.

763. Yazīd Ar-Rishk said: “I heard Mu`ādhah saying to `Aishah: ‘Did the Messenger of Allāh ﷺ fast three days of every month?’ She replied in the affirmative. So she said: ‘Which of them would he fast?’ She said: ‘Which of them he would fast was not noticeable.’” (Ṣahīh)

Abū `Eisā said: This Hadīth is Hasan Sahīh. He said: Yazīd bin Ar-Rishk is Yazīd bin Ad-Duba`i, and he is Yazīd 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 Allāh ﷺ 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

لاذن (المعجم 55) - باب ما جاء في فضل الصوم (التحفة 55)

764 - حذننا عدوان بن موسى القرآني البصري: حذننا عبد الوؤيث بن سعيد: حذننا علوي بن رياض عن معبيد بن الصمليب، عن أبي هريرة قال: قال رسول الله ﷺ: إن ركبتم
shall reward for it.’ Fasting is a shield from the Fire. The smell coming from the mouth of one fasting is more pleasant to Allâh 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.’” (Sâhîh)

There are narrations on this topic from Mu’âdh bin Jabal, Sahl bin [Sa’d], Ka’b bin ‘Ujrah, Salâmah bin Qaisâr, Bashîr bin Al-Khâsâsiyyah, and Bashîr’s name is Zâhm bin Ma’bad, and Al-Khâsâsiyyah is his mother.

Abû ‘Elîsâ said: The Hadîth of Abû Hurairah is Hasan Gharîb from this route.

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.
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who fasted, then he will enter it; and whoever enters it, he will never thirst again.” (Hasan)

Comments:
The pang which is felt and experienced most in 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 Allah 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.

Comments:
A believing servant of Allah, when he fulfills his duty towards Allah, he is pleased and delighted that Allah 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.

Chapter 56. What Has Been Related About Fasting Daily (Ad-Dahr)

767. Abū Qatādah said: “It was said: ‘O Messenger of Allah! What is the case of the one who fasts daily?’ He said: ‘He did not fast nor break (the fast).’” Or, he said:

(المحجوم) 56 - باب ما جاء في صوم
(الدهر) (الحيفة) (56)
"He never fasted nor broke (his fast)." (Sahih)

There are narrations on this topic from 'Abdullah bin 'Amr, 'Abdullah bin Ash-Shikh-khir, 'Imrân bin Huṣain, 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 Fitr, the Day of Adhâ, and the Days of Tashriq. 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-Shaâfi'i. 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 : the Day of Fitr, the Day of Adhâ, and the Days of Tashriq.

Chapter 57. What Has Been Related About Fasting
Consecutive Days

767. ‘Abdullah bin Shaqiq narrated: “I asked ‘Aishah about the Prophet’s 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 Ramadân.’” (Sahîh)

There are narrations on this topic from Anas and Ibn ‘Abbâs.

Abû ‘Eisâ said: The Hadîth of ‘A’îshah is a Ḥasan Sahîh Hadîth.

769. Ja’far bin Humaid narrated that Anas bin Malik was asked about the Prophet’s 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 Ṣalât during the night, except that I would see him praying, nor to see him sleeping, except that I would see him sleeping.” (Sahîh)

Abû ‘Eisâ said: This Hadîth is Ḥasan Sahîh.

Comments:

The Messenger of Allâh ﷺ did not follow a regular and routine procedure for observing voluntary fasts; sometimes he ﷺ would fast regularly every day without a break and sometimes he would abandon fasting for many

[1] See the following Hadîth.
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. ‘Abdulläh bin ‘Amr narrated that the Messenger of Allah ﷺ said: “The most virtuous fast is the fast of my brother Dawûd. He would fast a day, and not fast (the next) day. He would not flee at the time of engagement (with the enemy).”

(Šahîh)

Abû ‘Eisâ said: This Ḥadîth is Ḥasan Šahîh. Abul-‘Abbâs (one of the narrators) is Ash-Shã’îr (the poet) (Al-Makkî), Al-A’mâ (the blind), and his name is As-Sã’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.

Comments:
Islam 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 Naḥr

771. Abû ‘Ubaid, the freed slave of
Abū 'Eisâ said: This Ḥadîth is (Ḥasan) Sahîh. Abū 'Ubaid, the freed slave of ‘Abdur-Rahmân bin ‘Awf – his name is Sa’d. They say that he is the freed slave of ‘Abdur-Rahmân bin Azhar as well. ‘Abdur-Rahmân bin Azhar is the son of the uncle of ‘Abdur-Rahmân bin ‘Awf.

Comments:
Fasting on the day of ‘Eid is prohibited because Allâh declared this day, after the fasts of Ramadān, a day of eating and drinking, so fasting on this day opposes the Will of Allâh. The Day of Sacrifice; fasting on this day is prohibited because Allâh commanded to eat the meat of the sacrifice, as it is the Will of Allâh that the Muslims offer the sacrifices, on this day, to achieve the pleasure and bliss of Allâh; they should eat the meat of the sacrifices enjoyably, regarding it a Feast from Allâh and they should feed others too.


Abū ‘Eisā said: The Hadith of Abū Sa‘eed is a Ḥasan Ṣaḥīḥ Hadith, and it is acted upon according to the people of knowledge.

Abū ‘Eisā said: ‘Amr bin Yahya is Ibn ‘Umarah bin Abī Al-Ḥasan Al-Māzīnī Al-Madani, and he is trustworthy, Sufyān Ath-Thawrī, Shu‘bah, 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 ‘Āmir narrated that the Messenger of Allāh س 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 ‘Āmir is a Ḥasan Ṣaḥīḥ 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) Tamatu' — 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 Ishâq.

Abu ‘Eisâ said: (Regarding one of the narrators:) The people of Al-Iraq say: “Mûsâ bin ‘Ulayy bin Rabâh” while the people of Egypt say: “Mûsâ bin ‘Ali.”

He said: I heard Qutaibah saying: “I heard Al-Laith bin Sa’d saying: ‘Mûsâ bin ‘Ali said: “No one has been given the liberty to pronounce my father’s name in the diminutive.””

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.

Chapter 60. What Has Been Related About Cupping Being Disliked For The Fasting Person

774. Râfi' bin Khadij narrated that the Prophet 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, Thawbân, Usâmah bin Zaid, ‘Âishah, Ma’qil bin Yasâr – and they call him Ma’qil bin Sinân– Abû Hurairah, Ibn ‘Abbas, Abu Mâsâ, and Bilâl.

(Abû ‘Eisâ said:) The Hadith of Râfi’ bin Khadij is a Hasan Sahîth Hadith. It has been mentioned that Aâhmad bin Hanbal said: “The most correct thing on this topic is the Hadith of Râfi’ bin Khadij.” And, it has been mentioned that ‘Ali bin Abdullâh said: “The most correct thing on this topic is the Hadith of Thawbân and Shaddâd bin Aws, because Yahya bin Abi Kathîr reported both of those Ahâdîth, that of Thawbân, and that of Shaddâd bin Aws.”

There are those people of knowledge among the Companions of the Prophet, and others, who disliked cupping for the fasting person, such that some of the Companions of the Prophet would be cupped during the night, among them are Abû Mâsâ Al-Ash’ari and Ibn ‘Umar. This is the view of Ibn Al-Mubârak.

Abû ’Eisâ said: I heard Isbâq bin Mansûr saying: “Abdur-Rahmân

قال أبو عيسى: أخبرني الحسن بن مُحَمَّد الزُّعَرَافِي قال: "قل: الشافعي: قد روى عن النبي ﷺ أنه: "اِحْتَجِمْ وَهُوَ صَائِمٌ وَرَوِيَ عَن النَّبِيِّ ﷺ أنه قال: "أَفْطَرُ الْحَاجِمُ والمَحْجُومُ ولا أَعْلَمُ وَاحِدًا مِن هَذِين الحدِيثين ثابيًا. وَلَوْ نُوَفَّى زِجَّ الْحَاجِمَةَ وَهُوَ صَائِمٌ كَانَ أَحَبَّ إِلَيِّ وَإِنّي اِحْتَجِمَ وَهُوَ صَائِمٌ لَمْ أَرْ دَلِلَّ أن يُفْطِرْهُ.

قال أبو عيسى: هَكَذَا كَانَ قَوْلُ الشافعي بِيِّنَادُادَة، وأَمَّا يِمْضِر فَمَا لِالرَّجُحْ، وَلَمْ يِنْبِر بالحجامة، [للصائم] بَيْنَا وَاحِجِّ يَقَذَّر النَّيِّ اِحْتَجِمَ فِي حَجَةِ الْوُدُّ وَهُوَ مَحْجُومٌ صَائِمٌ.

Chapter 61. What Has Been Related About Permission For That

775. Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ was cupped while he was a fasting and in Ihrām.” (Ṣaḥīḥ)
Abū ‘Eīsā said: This Hadith is Sahīh. Wuhāb reported it similar to the narration of ‘Abdul-Wārith. Ismā‘īl bin Ibrāhīm reported it from Ayyūb, from ‘Ikrimah in Mursal form, he did not mention “from Ibn ‘Abbās” in it.

776. Ibn ‘Abbās narrated: “The Prophet ﷺ was cupped while he was fasting.” (Ṣaḥīḥ)
Abū ‘Eīsā said: This Hadith is Hasan Gharīb from this route.

777. Ibn ‘Abbās narrated: “The Prophet ﷺ was cupped somewhere between Makkah and Al-Madinah, and he was a fasting and in Ihrām.” (Dā‘f)
(Albū ‘Eīsā said:) There are narrations on this topic from Albū Sa‘eed, Jābir, and Anas.
Abū ‘Eīsā said: The Hadith of Ibn
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‘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 Sufyân Ath-Thawrî, Malik bin Anas, and Ash-Shâfi‘î.

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-Bukhârî 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-Bârî: 4/426)

Chapter 62. What Has Been Related About Al-Wisâl
(Continuous) Fasting Is Disliked

778. Anas narrated that the Messenger of Allâh said: "Do not perform Wisâl" They said: "But you perform Wisâl O Messenger of Allâh.” 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, Abû Hurairah, ‘Aishah, Ibn ‘Umar, Jâbir, Abû Sa‘eæd, and Bashîr bin Al-Khaæsiyyah.
Abû ‘Eisâ said: The Hadith 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 Hadith of ‘Āishah and Umm Salamah 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. It is the view of Sufyân, Ash-Shâfi‘î, Ahmad, and Ishâq. Some people among the Tabi‘în 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. (Sâhîh)

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.’” (Sâhîh)
Chapter 65. What Has Been Related About It Being Disliked For A Woman To Fast Except With The Permission Of Her Husband

782. Abû Hurairah narrated that the Prophet ﷺ said: “A woman may not fast a day – other than in the month of Ramadân – while her husband is present, except with his permission.” (Sahih)

(He said:) There are narrations on this topic from Ibn ‘Abbâs and Abû Sa‘eeed.

Abū ‘Eisā said: The Hadîth of Abû Hurairah is a Hasan Sahîh Hadîth. This Hadîth has been reported from Abû Az-Zinâd (one of the narrators), from Mûsâ bin Abî ‘Uthmân, from his father, from Abû 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 Ramadan

783. ‘Aishah narrated: “I would not make up what was due upon me from Ramadan except in Sha’bân, until the Messenger of Allah died.” (Hasan)

Abû ‘Eisâ said: This Ḥadîth is Hasan Sahîh. (He said:) Similar to this was reported by Yahyâ bin Sa’eed Al-Ansârî, from Abû Salamah, from ‘Aishah.

Comments:

According to the majority, making up missed fasts of Ramadan 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 Ramadan.

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 ‘Amârah) that the Prophet said: “When those who are not fasting eat in the presence of the fasting person, the angels send Salât upon him.” (Hasan)

Abû ‘Eisâ said: Shu’bah narrated this Ḥadîth from Habib bin Zaid, from Laila, from his (Habib’s) grandmother Umm ‘Amârah, from the Prophet, 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 Abû Hanîfah, Imam Mâlik and Imam Shâfî‘î hold the same opinion. (Ma‘ârif 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. Ḥabîb bin Zaid said: “I heard a freed slave of ours called Laila narrating from [his (Ḥabîb’s) grandmother] Umm ‘Amârah bint Ka‘b Al-Ansâri, 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 Allâh said: ‘Indeed the angels send Salât upon the fasting person when (others) eat in his presence, until they finish.’ And perhaps he said: ‘Until they have eaten their fill.” (Hasan)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh, and it is more correct than the (previous) narration of Sharîk.

786. (Another chain) from Umm ‘Amârah bint Ka‘b Al-Ansâri from the Prophet, that is similar, except that he did not mention “Until they finish, or they have eaten their fill.” (Hasan)

Abû ‘Eisâ said: Umm ‘Amârah is the grandmother of Ḥabîb bin Zaid Al-Ansârî.
Chapter 68. What Has Been Related About The Woman Who Menstruated Makes Up The Fasts But Not The \( \text{\textit{Salat}} \)

787. 'Aishah narrated: "We would menstruate during the time of the Messenger of Allah (ﷺ), then when we became pure we were ordered to make up the fasts but we were not ordered to make up the Salat."

(Hasan)

Abu 'Elsa said: This Hadith is Hasan. It has also been reported by Mu'adhah 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 of the Salat.

Abu 'Elsa said: 'Ubaidah (one of the narrators) is Ibn Mu'attib Ad-Dbabi Al-Kufi, his Kunyah is Abu Abdul-Karim.

Comments:

The Followers of the Sunnah are unanimously agreed that the missed fasts of Ramadan 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-Istinshāq) When Fasting

788. ‘Āṣim bin Laqīt bin Ṣabrāh narrated from his father who said: “I said, ‘O Messenger of Allah! Inform me about Wudū’.’ So he said: “Perform Wudū well, and go between the fingers, and perform Istinshāq extensively except when fasting.” (Ṣahīḥ)

Abū ‘Eisā said: This Hadith is Hasan Şähīḥ. The people of knowledge dislike sniffing (water) for the fasting person, and they consider that to break his fast, and in this Hadith there is support for their saying.

Comments:

From this Hadith, 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: “Isbāghul-Wudū” and part of this Hadith 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 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 Hishām bin ‘Urwah. Mūsā bin Dāwūd reported similar to this from Abū Bakr Al-Madani, from Hishām bin ‘Urwah, from his father, from ‘Aishah, from the Prophet.

(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-Faḍl 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 ‘Aishah
narrated: “The Prophet would perform I'tikāf during the last ten (days) of Ramaḍān until Allāh took him.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Ubayy bin Ka'b, Abū Laila, Abū Sa'eed, Anas, and Ibn 'Umar.

Abū ‘Eisā said: The Ḥadīth of Abū Hurairah and ‘Aishah is a Hasan Ṣaḥīḥ Ḥadīth.

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.
Fajr then he enters his place of I'tikāf. This is the view of Ahmad bin Hanbal and Isḥaq 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’īmmah, Abū Hanīfah, Mālik and Shāfī’ī are of the view that I’tikāf starts from the twenty first night of Ramāḍān and the person who is going to make I’tikāf should enter the mosque before sunset, one statement of Imām Ahmad is the same, and this is the correct view.

Chapter 72. What Has Been Related About The Night of Al-Qadr

792. ‘Āishah narrated: “The Messenger of Allāh (ﷺ) would Yūjāwir (stay in I’tikāf) during the last ten (nights) of Ramadān, and he said: ‘Seek the Night of Al-Qadr during the last ten (nights) of Ramadān.’” (Ṣaḥīḥ)
narrations from the Prophet say: “Search (Iltamisu) for it during the last ten on every odd (night).”

It has been reported from the Prophet 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 is the last night of Ramadân.

(Abū ‘Eisâ said:) Ash-Shâfi‘î said: “To me, and Allâh knows best, it is as if the Prophet 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.’”

He said: “The strongest narration to me is the one that mentions the twenty-first night.”

Abū ‘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 informed us of its signs, so we counted and preserved it.” (Sahih)

And it has been reported that Abū Qilābah said: “The Night of Al-Qadr fluctuates between the last ten.” ‘Abd bin Humaid informed us of that; ‘Abdur-Razzâq narrated to us from Ma’mar, from Ayyûb, from Abū Qilābah. (Sahih)

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 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.” (Sunah)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

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

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.
Allāh ﷻ, except for during the last ten (nights); for indeed 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 Ramaḍān, Abū 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).” (Ṣahīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣahīḥ.

Comments:
This Ḥadīth of Abū Bakrah means: seek the Night of Power on 21st, 23rd, 25th, 27th and 29th night of Ramaḍān.

Chapter 73. Something Else About That
795. ‘Aṭlī narrated: “The Prophet ﷺ would awaken his family during the last ten (nights) of Ramaḍān.” (Ṣahīḥ)

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣahīḥ.

796. Ā‘ishah narrated: “The Messenger of Allāh ﷺ would struggle (to perform Salāt more) during the last ten (nights) more than he would struggle in the rest of it.” (Ṣahīḥ)
Abū ‘Eisā said: This Ḥadīth is Hasan Gharib.

Comments:
The last ten days of Ramadān are the days of Ḥiṭkāf 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. 'Āmir bin Mas'ūd narrated that the Prophet ﷺ said: “Fasting during the winter is an easy reward.” (Da'īf)

Abū ‘Eisā said: This Ḥadīth is Mursal, 'Āmir bin Mas'ūd did not see the Prophet ﷺ. He was the son of Ibrāhīm bin 'Āmir Al-Qurashi, the one that Shu‘bāh and Ath-Thawrī report from.

Comments:
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.

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أبواب الصوم

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كان رسول الله ﷺ يُجْهَدُ في الغُدِّ الأوَّلِ
ما لا يُجْهَدُ في غُدِّها.
قال أبو عيسى: هذا حديث حسن غريب

تخرج: وأخرجه مسلم، الاعتكاف، باب الجهاد في العشر الأواخر من شهر رمضان.

115 ح: عن قتيبة.

(المعجم ٧٤) - باب ما جاء في الصوم في الشتاء

(التفسير ٧٤)

797 - حديث محمد بن بشار بن عبد

خلي بن سعيد، حدثنا سفيان عن ابن أبي

إشاق، عن نعيم بن عريب، عن عامر بن

منصور عن النبي ﷺ قال: «الغيبة الباردة

الصوم في الشتاء».

قال أبو عيسى: هذا حديث مرضي.

عامر بن منصور لم يذكر النبي ﷺ وهو والد

إبراهيم بن عامر العقشية الذي روى عنه

شعره والمؤرخ.

تخرج: [إسناده ضعيف] وأخرجه أحمد: ٣٣٥/٤ حديث سفيان الثوري به وأورده
الضاي في المختار وصححه ابن خرمة، ح: ٢٤٥/٤ وقال البهظي: "هذا مرسل" وله
شواهد ضعيفة وأخرج البهظي بإسناد صحيح عن أبي هريرة قال: "الغيبة الباردة، الصوم في

الشتاء".

Comments:
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 Ramaḍān and he was about to travel. His mount was prepared for him, and he put on

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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." (Sahih)

Then he rode.

800. (Another chain) from Muḥammad bin Ka'b who said: "I went to Anas bin Malik during Ramadān" and he mentioned a similar narration (as no. 799). (Sahih)

Abū 'Elsā said: This Hadith is Hasan. Muḥammad bin Ja'far (one of the narrators) is Ibn Abī Kathīr, (he is) from Al-Madinah and trustworthy, and he is the brother of Ismā'īl bin Ja'far. 'Abdullāh bin Ja'far is Ibn Nājih the father of 'Ali bin Al-Madīnī, Yahya bin Ma'īn graded him weak.

Some of the people of knowledge followed this Hadith, they said that the traveler breaks his fast at his home before he leaves, and he is not to shorten his Salāt until he leaves beyond the walls of his city or village. This is the saying of Isḥāq bin Ibrāhīm (Al-Ḥanẓalī).

Comments:

There is disagreement about whether a traveler can eat and break the fast at home before commencing the journey or not. Imam Abū Hanifah, Mālik, Shāfi'i, Aważāi 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 Ishāq in the light of this Hadith, 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.” \[1\]

(\textit{Da’if})

Abû ‘Eisâ said: This \textit{Hadith} is \textit{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.

802. ‘Aishah narrated that the Messenger of Allâh ﷺ said: “Al-Fîr is the day that the people break the fast, and Al-Adhâ is the day that the people sacrifice.”

(\textit{Sahîh})


Abû ‘Eisâ said: This \textit{Hadith} is Hasan \textit{Gharîb} \textit{Sahîh} from this route.

\[1\] That is an incense burner. See \textit{Tuhfat Al-Ahwâdî}. 
Comments:

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 Ḳāf

803. Anas bin Mālik narrated:

“The Prophet would perform Ḳāf during the last ten (nights) of Ramadān. One year he did not perform Ḳāf, so he performed Ḳāf for twenty (nights) in the following year.” (Sahih)

Abū ‘Eisā said: This Hadith is Ḥasan Gharb Sahīh, as a narration of Anas (bin Mālik).

The people of knowledge differ over the case of one who is performing Ḳāf and he severs his Ḳāf before completing what he intended. Some of the people of knowledge said that when he invalidates his Ḳāf then it is required for him to make it up. They argue using the Hadith: “The Prophet left his Ḳāf, so he performed Ḳāf during ten (nights) of Shawwāl.” This is the view of Málik. Some of them said: If he did not take a vow to perform Ḳāf, 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
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.

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.
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This is how it was reported by Al-Laith bin Sa'd from Ibn Shihab, from 'Urwah and 'Amrah, from 'Aishah.

805. That was 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-Thawri and Ibn Al-Mubarak. 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
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except in the Friday prayer Masjid, because they consider it disliked for him to leave his place of I'tikāf 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'tikāf except in the Friday prayer Masjid, so that he will have no need to leave his place of I'tikāf 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'tikāf. This is the saying of Mālik and Ash-Shāfi‘ī. Ahmad said that he does not visit the sick nor follow the funeral based upon the Hadīth of ‘Āishah. Ishāq 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'tikāf 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 Ramadān

806. Abū 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 ﷺ 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 Allâh! Wouldn’t you lead us in prayer for the remainder of the night?’ He said: ‘Indeed, whoever stands (praying) with the Imâm 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 Falâh’ I (Jubair bin Nufair) said to him: “What is the Falâh” He said: “The Suîr.” (Saîhîh)

Abû ‘Eisâ said: This Hadîth is Hasan Saîhîh. The people of knowledge differ over the night prayer of Ramadan. 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 ‘Allî, ‘Umar, and others among the Companions of the Prophet ﷺ that it is twenty Rak‘ah. This is the saying of Sufyân Ath-Thawrî, Ibn Al-Mubârak and Ash-Shàfî‘î. Ash-Shàfî‘î 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. İs’hâq 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 Iṣḥāq preferred that one perform the Şalāt with the Imām during the month of Ramadān. Ash-Shāfi‘i preferred that he pray alone if he is a Qāri. (There are narrations on this topic from ‘Āishah, An-Nu‘mān bin Bashīr, and Ibn ‘Abbās.)


Comments:

‘Allamah Bannawri (a Hanafi Deobandi) wrote: “It has to be accepted without any excuse that the Noble Prophet ﷺ offered eight Rak‘ah Tarawīh prayer; and it is not proven from any narration that he ﷺ offered Tarawīh and Tahajjud (late night prayer) separately. However when he ﷺ led the congregation of Tarawīh prayer, he did not increase the number of Rak‘ah instead he prolonged it. In the light of the authentic Ahadith, he ﷺ led Tarawīh 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 Allah 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)
Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣahīḥ.

Comments:

Many Ḥadīth are reported regarding the virtues of making arrangements for the people to break fast. All these Ḥadīth tell that providing food and drink to the fill is not necessary, according to one’s capability with good intention providing usual food and drink will also be a source of reward and righteousness.

Chapter 83. Encouragement To Perform The Night Prayer During Ramadan And The Virtues That Accompany It

808. Abū Hurairah narrated: “The Messenger of Allāh ﷺ 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 ﷺ 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.’ (Ṣaḥīḥ)

There are narrations on this topic from ‘Āishah. This Ḥadīth has also been reported from Az-Zuhrī, from ‘Urwah, from ‘Āishah, from the Prophet ﷺ.

(Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣahīḥ.)
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 ﷻ.
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7. The Chapters On Hajj From The Messenger of Allah ﷺ

Comments:

Hajj 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 (ﷻ) 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-Maqburī narrated: “Abu Shuraib 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 in 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.’ Allah 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.” Abū Shuraih was asked: “What was ‘Amr bin Sa’eed’s reply to you?” He said: “I am more knowledgeable about that than you Abū Shuraih! The Haram does not give protection to a disobedient person, nor a person fleeing for murder, nor fleeing for (Kharbah) lawlessness.” (Sahih)

Abū ‘Eisā said: It has been reported as: “(Nor fleeing for) atrocities (Khizyah).” There are narrations on this topic from Abū Hurairah and Ibn ʿAbbās.

Abū ‘Eisā said: The Hadith of Abū Shuraih is a Hasan Sahih Hadith. Abū Shuraih Al-Khuza’î’s name is Khuwailid bin ‘Amr, (and he is) Al-Adawī (and he is) Al-Ka’bi. 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 Abū Shuraih “I am more knowledgeable about that” is not right as ‘Abdullãh 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. ‘Abdullāh (bin Mas‘ūd) narrated that the Messenger of Allāh ﷺ 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-Mabrūr[1] except for Paradise.”(Hasan)

(He said:) There are narrations on this topic from ‘Umar, ‘Amīr bin Rabī‘ah, Abū Hurairah, ‘Abdullāh bin Ḥubshi, Umm Salamah, and Jābir.

Abū ‘Eiṣā said: The Ḥadīth of Ibn Mas‘ūd is a ِHasan Sahīḥ Gharīb Ḥadīth as a narration of ‘Abdullāh bin Mas‘ūd.

Comments:

It is proved by this narration that a person who performs Ḥajj and ‘Umrah with sincere and honest intentions alternatively in one or two visits dives in the river of blessings of Allāh (ﷻ).

[1] They say that the Al-HaJJ Al-Mabrūr is the accepted Ḥajj, and it is said that it is the Ḥajj that is performed without sin. See Tuhfat Al-Ahwādi.
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 ‘Eisa said: The Hadith of Abū Hurairah is a Hasan Sahih Hadith. Abū Ḥazim (one of the narrators) is from Al-Kūfah, and he is Al-
Ashja‘ī. His name is Salmān, and he is the freed slave of ‘Azzah Al-
Ashja‘īyah.

Comments:
It is a unanimously ‘agreed upon’ narration of Abū Hurairah that a person who performs Hajj for Allāh ﷺ 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‘fū)

[1] See Al-Baqarah 2:197, and Rafath may be more general than sexual relations. See Tuhfat Al-Ahwadhi.
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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. Ibrāhim 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. ‘Ali bin Abi Ṭālib narrated: “When Allah revealed: And Hajj to the House is a duty that mankind owes to Allah, for whomever is able to bear the journey.”[1] They said: ‘O Messenger of Allah! Is that every year?’ He remained silent. So they said: ‘O Messenger of Allah! Is that every year?’ He said: ‘No. If I had said yes, then it would have been made obligatory.’ So Allah revealed: O you who believe! Do not ask about things which, if made plain to you, may cause you trouble.[2] (DA'IF) (He said:) There are narrations on this topic from Ibn ‘Abbās and Abū Hurairah.

Abū ‘Eisā said: The Hadīth of ‘Ali is a Hasan Gharib Hadith from this route. Abū Al-Bukhtari’s name is Sa’eed bin Abi ‘Imrān, and he is Sa’eed bin Fairūz.

[3] That is, this version, with this chain, while the basis of it is recorded by Al-Bukhārī, Muslim, and others, from Abū 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 performed only one Hajj.

Chapter 6. What Has Been Related About How Many Times The Prophet Performed Hajj

815. Jābir bin ‘Abdullāh narrated: “The Prophet 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 Abū Jahl that had a ring made of silver in its nose. So he (the Messenger of Allah) slaughtered them, and the Messenger of Allah ordered that a piece of each of them be cooked, and he drank from its broth.” (Da‘f)

Abū ‘Eisā said: This Hadith is Gharīb as a narration of (one of the narrators) Sufyān, we do not know of it except from the narration of Zaid bin Hubāb. I saw that ‘Abdullāh bin ‘Abdur-Rāhmān reported this Hadith in his books from ‘Abdullāh bin Abī Ziyād.

He said: I asked Muhammad about this and he did not know it to be a narration of (Sufyân) Ath-Thawrî from Ja'far, from his father, from Jâbir, 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-Thawrî, from Abû Ishâq, from Mujâhid, in Mursal form.”

815 (B) Qatâdah narrated: “I said to Anas bin Mâlik: ‘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’irranah[2] when he divided up the war spoils of Hunain.” (Sahîh)

Abû ‘Eisâ said: This Hadîth is Hasan Sahîh. Habbân bin Hilâl (one of the narrators) is Abû Habîb Al-Bâsîrî, he is noble and trustworthy, and was certified trustworthy by Yahya bin Sa’eed Al-Qattân.

[1] Meaning, as the chain appears for no. 815.

Chapter 7. What Has Been Related About How Many Times The Prophet ﷺ Performed 'Umrah

816. Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ performed four 'Umrah: The 'Umrah of Al-Ḥudaibiyah, a second 'Umrah the following (year), (which was) the 'Umrah of Al-Qiṣās during Dhul-Qa’dah, a third 'Umrah from Al-Jī’irrānāh, and the fourth which accompanied his Hajj.” (Ṣaḥīḥ)

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

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Abbās is a (Ḥasan Gharīb) Ḥadīth. Ibn ‘Uyainah reported this Ḥadīth from ‘Amr bin Dīnār, from ‘Ikrimah: “The Prophet ﷺ performed four 'Umrah” and he did not mention “from Ibn ‘Abbās” in it.

(He said:) This was narrated to us by Sa’eed bin ‘Abdur-Rahmān Al-Makzhūmī; Sufyān bin ‘Uyainah narrated to us, from ‘Amr bin Dīnār, from ‘Ikrimah: “The Prophet ﷺ...” and he mentioned similarly.

Comments:

It is agreed upon that the Messenger of Allāh 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-Qisás, or 'Umrah Al-Qadha' or 'Umrah of Al-Sulh. This 'Umrah is known by different names. The third 'Umrah was performed from Jīrānāh after bringing to conclusion the battles of Al-Hunian and At-Tā'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 Ihram

817. Jābir bin ‘Abdullāh 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-Baida’[1] he assumed Ihram.”

(He said:) There are narrations on this topic from Ibn ‘Umar, Anas, and Al-Miswar bin Makhramah.

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

818. Ibn ‘Umar narrated: “Al-Baida’ 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.”[2]

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[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-Baida’ is a location before the Masjid.
Abū 'Eisā said: This Hadith is Hasan Sahih.

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819. Ibn 'Abbās narrated: “The Prophet started the Talbiyah after the Salat.” (Da’if)

Abū ‘Eisā said: This Hadith is Gharib, we do not know of anyone who reported it other than 'Abdus-Salam bin Harb.

This is what is recommended according to the people of knowledge; that a man is to start his Ḩaram after the Salat.[1]

Comments:

This narration is considered weak on account of Abdus-Salam’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* *Hajj*

820. ‘Aishah narrated: "The Messenger of Allāh ﷺ performed the *Ifrād* form of *Hajj*.” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from Jābir and Ibn ‘Umar.

Abū ‘Eisā said: The Hadith of ‘Aishah is a Ḥasan Ṣaḥīḥ 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* *Hajj* as did Abū Bakr, ‘Umar and ‘Uthmān.

That was narrated to us by Qutaibah; ‘Abdullāh bin Nāfî ‘Aṣ-Ṣā’īgh narrated to us from ‘Ubaidullāh bin ‘Umar, from Nāfî, from Ibn ‘Umar.

Abū ‘Eisā said: Ath-Thawrī said: “If you perform *Ifrād* *Hajj* then that is fine, and if you perform *Qirān* *Hajj* then that is fine, and if you perform *Tamattu’* *Hajj* then that is fine.” Ash-Shāfī’ī said similarly, and he said: “To us the most recommended is *Ifrād* then *Tamattu’* then *Qirān*.”

**Comments:**

There are three forms of *Hajj*. A) *Ifrād*: assuming *Ihrām* from the *Miqāţ* (the stations for initiating the *Ihrām*) with the intention of performing *Hajj*. B) *Tamattu’* (as is others above): Assuming *Ihrām* from the *Miqāţ* (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 - circumambulating the Ka’bah and going between Aṣ-Ṣafā 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.”’ (Sahih)

(He said:) There are narrations on this topic from ‘Umar and ‘Imrān bin Ḥuṣain.

Abū ‘Eisā said: The Hadīth of Anas is a Hasan Sahih 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 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‘f)

There are narrations on this topic from ‘Ali, ‘Uthmān, Jābir, Sa’eeed, 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 Ifrād is a preferred kind of Hajj, that is why he prohibited performing Qiran and Tamattu' Hajj, and urged the people to perform Ifrād Hajj.

823. Muhammad bin 'Abdullāh bin Al-Ḥārith bin Nawfal narrated that he heard Sa'd bin Abī Waqqās, and Ad-Dahhāk bin Qais while they were mentioning Tamattu' after 'Umrah until Hajj. Ad-Dahhāk 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-Dahhāk (bin Qais) said: “Indeed 'Umar bin Al-Khaṭṭāb 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 Sahīh.

Comments:
The Companions who had no animal for sacrifice with them, according to the directions of the Prophet, first performed ‘Umrah and released the Ihrām.
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 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 Allāh?” The man said: “Rather it is for the Messenger of Allāh.” So he said: “Indeed the Messenger of Allāh did it.” *(Sahih)*

This Hadith is Hasan Sahih.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Hadith. There are those among the people of knowledge among the Companions of the Prophet 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

CB249 - حَدَّثَنَا عَبْدُ اللَّهُ بْنُ سَمِيْعُ مُحَمَّدُ: حَدَّثَنَا أَبِي عُنُوْنٍ صَالِحُ بْنُ كَيْسَانُ، عَنْ أَبِي بْنِ شَهَابٍ: أَنَّ سَالِمَ أَبِي عُلْدَةَ اللَّهُ صَلِّي اللهُ عَلَيْهِ وَسَلِّمَ. مَنْ أَهْلِ الْشَّامِ وَكَيْلَا بَيْنَ عُلْدَةَ اللَّهُ صَلِّي اللهُ عَلَيْهِ وَسَلِّمَ. عَنْ التَّمَّمُّ بِالْعُمَرَةِ إِلَى الْحَجِّ. فَقَالَ عُلْدَةَ اللَّهُ صَلِّي اللهُ عَلَيْهِ وَسَلِّمَ: إِنَّ أَبَاكَ فَذَٔى عَنْهَا، فَقَالَ عُلْدَةَ اللَّهُ صَلِّي اللهُ عَلَيْهِ وَسَلِّمَ: أَرَأَيْتُ إِنَّ كَانَ أَبَاكَ فَذَٔى عَنْهَا وَصَنَّفَهَا رَسُوْلُ اللَّهِ ﷺ? فَقَالَ الْرَّجُلُ: بَلَّ أَمْرُ رَسُوْلِ اللَّهِ ﷺ. فَقَالَ: لَقَدْ صَنَّفَهَا رَسُوْلُ اللَّهِ ﷺ. هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ.

قَالَ أُبُو عَبْدُ اللَّهِ: حَدِيثُ أَبِي عُبْدِ اللَّهِ حَدِيثٌ حَسَنٌ. وَقَدْ أَخَذَتْ لَا قُوَّةَ مِنْ أَحَلِّ الْعِلْمِ مِنْ أُسْحَابِ الْبَيْتِ وَعَهَّلُوهُمُ التَّمَّمُّ بِالْعُمَرَةِ، وَالْمُتَّمُّ مَنْ يَدْخُلُ الْرَّجُلُ بِغُرْمَةِ فِي أَشْهَرِ الْحَجِّ لَا يُقِيمُ حَتَّى يَنْبِجْ فَهُوَ مُتَّمُّ وَعَلَّيْهِ ذَٔى مَا أَسْتَبْسَرَ مِنْهُ الْأَهْلِيَّةُ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ أَمَامَ أَيَّامٍ فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ Aًٔامُ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَمْ يَجِدَ فِصْيَمٗ فِي الْعُشَّرِ وَيَكُونُ أَحْرَهُ يَوْمَ عَرَفَةُ، فَإِنَّ لَم
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 'Āishah, and it is the view of Mālik, Ash-Shāfi‘i, Aḥmad and Iṣḥāq.

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‘i, Aḥmad, and Iṣḥāq.

Comments:

According to ʿImām At-Tirmidhī, Ahlil-Ḥadīth preferred the form of Ḥajj Tamattu’, but ʿImām An-Nawawī writes that Ḥajj Ifrād is a preferred form of Ḥajj. (Al-Maṣāmu‘ 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 là sharīka laka labbaik. Innal-hamda wan-nī‘mata laka wal-mulk, là sharīka 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).” (Sahih)

Abū ‘Eisā said: There are narrations on this topic from Ibn Mas‘ūd, Jābir,
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'Āishah, Ibn 'Abbās, and Abū Hurairah.

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 war-ragha’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 wan-ni’mata laka wal-mulk, lā Sharika 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).

He said: “‘Abdullâh bin ‘Umar would say: ‘This is the Talbiyah of the Messenger of Allâh ﷺ’ He would himself add the following after the Talbiyah of the Messenger of Allâh ﷺ: ‘Labbaika labbaika wa-sa’daik, wal-khairu fi yadaik. labbaika war-raghba’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’).” (Sahih)

He said: This Hadith is (Hasan) Sahîh.

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. Abû Bakr AŞ-Siddîq narrated that the Messenger of Allâh ﷺ was asked: “Which Hajj is most virtuous?” He said: “That with raised voices (Al- ‘Ajj) and the flow of blood (of the sacrifice) (Ath-Thaajj).” (Da’î)
Sahl bin Sa'd narrated that the Messenger of Allah 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\[1\] - the rocks, or trees, or mud say the Talbiyah." (Hasan)

Al-Hasan bin Muhammad Az-Za'farānī and 'Abdur-Rahmān bin Al-Aswad Abū 'Amr Al-Baṣrī narrated to us (another chain) with a similar Hadith.

(He said:) There are narrations on this topic from Ibn 'Umar and Jābir.

Abū 'Eisā said: The Hadith of Abū Bakr (no. 827) is a Gharib Hadith, we do not know of it except from the narration of Ibn Abi Fudaiq, from Ad-Dahhâk bin 'Uthmān. And Muhammad bin Al-Munkadīr did not hear from 'Abdur-Rahmān bin Yarbū'. Muhammad bin Al-Munkadīr reported other Ahādith from Sa'eed bin 'Abdur-Rahmān bin Yarbū' from his father. Abū Nu'am At-Taḥān Dirār bin Ṣurād reported this Hadith from Ibn Abi Fudaiq, from Ad-Dahhâk bin 'Uthmān, from Muhammad bin Al-Munkadīr, from Sa'eed bin 'Abdur-Rahmān bin Yarbū', from his father, from Abū Bakr, from the Prophet, and Dirār was mistaken in it.

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[1] Meaning from the east to the west. See Tuhfat Al-Ahwadhi.
Abū ‘Eisā said: I heard Āḥmad bin Al-Ḥasan saying: Āḥmad bin Ḥanbal said: “Whoever says about this Hadīth, that it is from Muḥammad bin Al-Munkadir, from Ibn ‘Abdur-Rahmān bin Yarbu', from his father – then he is mistaken.”

He said: I mentioned the narration of Dirār bin Surad from Ibn Abī Fudaik to Muḥammad, and he said: “He is mistaken.” So I said: “Others besides him also reported it from Ibn Abī Fudaik and it is similar to his narration.”

He said: “That is nothing, they only reported it from Ibn Abī Fudaik without mentioning in it ‘from Sa'eed bin ‘Abdur-Rahmān.’” And I saw that he graded Dirār bin Surad 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 Qur'ān 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. Khallâd bin As-Sâ’ib (bin Khalâd) narrated from his father who said that the Messenger of Allah ﷺ said: “Jibrîl came to me and ordered me to order my Companions to raise their voices with the Ihlãl, or; the Talbiyah.”

(Šâhih)

(He said:) There are narrations on this topic from Zaid bin Khâlid, Abû Hurairah, and Ibn ʿAbbâs.

Abû ‘EIsâ said: The Hadith of Khallâd from his father is a Ḥasan Sahih Hadith. Some have reported this Hadith from Khallâd bin As-Sâ’ib, from Zaid bin Khallâd, from the Prophet ﷺ, and it is not correct. What is correct is (from) Khallâd bin As-Sâ’ib from his father. He is Khallâd bin As-Sâ’ib bin Khallâd bin Šuwaíd Al-Ansâri.

Comments:

According to most of the religious scholars pronouncing the Talbiyah loudly is recommended but according to Dâwûd Šâhîri 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 and to perform Ghusl. (Hasan)

Abū ‘Eīsā 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-Shāfi‘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 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:)

[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.” (Sahih)

(He said:) There are narrations on this topic from Ibn ‘Abbâs, Jâbir bin ‘Abdullãh, ‘Abdullâh bin ‘Amr.

Abû ‘Eisâ said: The Hadith of Ibn ‘Umar is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge.

Comments:

Only four places have been mentioned in this narration of Ibn ‘Umar that from where the Ihram should be assumed. In the narration of Ibn ‘Abbâs the name of the fifth place has also been mentioned as “Al-‘Aqiq” which is located near Dhatul-Irq’.
command us to wear in Al-Harām?’

The Messenger of Allāh ﷺ said: ‘Do not wear shirts, nor pants, nor burnoose, nor turbans, nor Khuff – unless one does not have any sandals, then let him wear Khuff, but let him cut them beneath the ankles. And do not wear any cloth that has been touched by saffron or Wars.[1] And the woman in Iḥrām is not to cover her face, nor wear gloves.’” (Sāhīh)

Abū ‘Eisa said: This Hadīth is Ḥasan Sāhīh, and it is acted upon according to the people of knowledge.

Comments:
The man had asked what clothes we should wear in Al-Iḥrām. The answer of the Prophet ﷺ was that such and such clothes should not be used for Al-Iḥrām. This answer shows that other than the prohibited clothes all other clothes are allowed for Iḥrām.

Chapter 19. What Has Been Related About the Muḥrim Wearing Pants and Khuff When an Izār and Sandals Are Not Available

834. Ibn ‘Abbās narrated that he heard the Messenger of Allāh ﷺ say: “If the Muḥrim cannot find an Izār, then let him wear pants, and if he cannot find sandals, then let him wear Khuff.” (Sāhīh)

Qutaibah narrated to us (another chain) with similar meaning. There

[1] Both of which are used for their good fragrance.
are narrations on this topic from Ibn 'Umar and Jābir.

Abū 'Eisā said: This Hadith is Hasan Šahīh, and it is acted upon according to some of the people of knowledge. They say if the Muḥrīm does not find an Ižār 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-Shāfī’ī (and Mālīk said accordingly).

Comments:
Most of the people of knowledge and religious scholars say that if the Muḥrīm (who has assumed Ḥaḍām) 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 Ḥaḍām While Wearing A Shirt Or A Cloak

835. Ya'la bin Umayyah narrated: “The Messenger of Allāh ﷺ saw a Bedouin who was in Ḥaḍām wearing
a cloak. So he ordered him to remove it.” (Sahih)

836. A Hadith similar to no. 835 with a different chain. (Sahih)
Abû 'Eisâ said: This (chain) is more correct, and there is a story that accompanies this Hadith.\[1\] Similarly, Qatâdah, Al-Ḥajjâj bin Arṭâh, and others reported it from ‘Aṭâ’ from Ya‘lâ bin Umayyah. But what is correct is what ‘Amr bin Dinâr and Ibn Juraïj reported from ‘Aṭâ’, from Ṣafwân 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 Imâm Shâfi‘î and Nakhî 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-Ahwadhi 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 Allâh ﷺ said: “Five...
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are Fawāsiq[1] which may be killed in the *Haram*: the mouse, the scorpion, the crow, the kite, and the barbed dog.” (*Sahih*)

(He said:) There are narrations on this topic from Ibn Mas'ûd, Ibn 'Umar, Abû Hurairah, Abû Sa'eed, and Ibn 'Abbâs.

Abû 'Eisâ said: The *Hadîth* of 'Aishah is a *Hasan Sahîh Hadîth*.

838. Abû 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*)

Abû 'Eisâ said: This *Hadîth* 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 Sufyân Ath-Thawrî and Ash-Shâfî'i. Ash-Shâfî'i said: “The *Muhrim* can kill any beast of prey that would attack people or their animals.”

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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 Fasīq 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 Muhrim

839. Ibn ‘Abbās narrated: “The Messenger of Allah was cupped while he was a Muhrim.”[1] (Sahih)
(He said:) There are narrations on this topic from Anas, ‘Abdullāh bin Buhainah and Jābir.
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 Muhrim. They said he is not to shave any hair (in the processes). Mālik said the Muhrim is not to be cupped (nor remove any hair) except out of necessity. Sufyān Ath-Thawrī and Ash-Shafi’ī said that there is no harm in cupping for the Muhrim nor removing hair (to do so).

Comments:
According to Imām Abū Ḥanīfah, Imām Shafi‘ī, Imām Ahmad and Sufyān Ath-Thawrī and Ishāq, a Muhrim can have cupping without shaving the hair from the place of cupping. In case of shaving, the Muhrim 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 Muḥrīm To Marry

840. Nubaih bin Wahb narrated: “Ibn Ma‘mar wanted to have his son married. So he sent me to Abān bin ‘Uthmān who was the ‘Amīr of the (Ḥajj) 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 Muḥrīm is not to marry nor have someone married’” – or he said similarly – then he narrated from ‘Uthmān similar in Marfū‘ form (from the Prophet ﷺ). (Ṣaḥīḥ)

There are narrations on this topic from Abū Rāfī‘ and Maimūnā.

Abū ‘Eisā said: The Ḥadīth of ‘Uthmān is a Hasan Ṣaḥīḥ Ḥadīth. This is acted upon according to some of the Companions of the Prophet ﷺ. Among them were ‘Umar bin Al-Khaṭṭāb, ‘Alī bin Abī Ṭālib, and Ibn ‘Umar. It is the view of some of the Fuqahā’ among the Tābi‘īn, and it is the saying of Mālik, Ash-Shāfi‘ī, Ahmad and Iṣḥāq. They do not think that the Muḥrīm can marry, and they said that if he marries then his marriage is invalid.

Maimûnah while he was *Halâl*, and he stayed with her while he was *Halâl*, and I was the messenger between the two of them.” *(Sahîh)*

Abû ‘Eisâ said: This Hadîth is *Hasan*, we do not know of anyone who narrated a chain for it (like this) except for Hammâd bin Zaid from Maṭâr Al-Wârâq, from Rabî‘ah. Mâlik bin Anas narrated it from Rabî‘ah, from Sulaimân bin Yasâr that the Prophet ﷺ married Maimûnah while he was *Halâl*, so Mâlik’s report is *Mursal*. Sulaimân bin Bilâl also reported it from Rabî‘ah in *Mursal* form.

Abû ‘Eisâ said: It has been reported from Yazid bin Al-Aṣamm, from Maimûnah who said: “The Messenger of Allâh ﷺ married me while he was *Halâl*.”

Some of them reported from Yazid bin Al-Aṣamm that the Prophet ﷺ married Maimûnah while he was *Halâl*.

Abû ‘Eisâ said: Yazid bin Al-Aṣamm is Maimûnah’s nephew.

Chapter 24. What Has Been Related About Permission For That[2]

842. Ibn ‘Abbâs narrated: “The Prophet ﷺ married Maimûnah while he was a *Muḥrîm*.” *(Sahîh)*

He said: There is something about this topic from ‘Âishah.

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[1] That is, he was not in a state of *Iḥrâm*.

[2] Meaning permission to marry while in a state of *Iḥrâm*. 
Abū 'Eīsā said: The Ḥadīth of Ibn 'Abbās is a Ḥasan Ṣaḥīh 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.

Abū 'Eīsā said: The Ḥadīth of Ibn 'Abbās is a Ḥasan Ṣaḥīh 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 married Maimūnah while he was a Muhrīm.” (Ṣaḥīh)

844. (Another chain) that Ibn 'Abbās narrated: “The Prophet married Maimūnah while he was a Muhrīm.” (Ṣaḥīh)

Abū 'Eīsā said: This Ḥadīth is Hasan Ṣaḥīh. The name of (one of the narrators:) Abū Ash-Shaṭṭā’ is Jābir bin Zaid. They disagree about the marriage of the Prophet to Maimūnah because the Prophet 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 Muhrīm, 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
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Prophet ﷺ was staying with her, and she was buried in Sarif.

845. Yazid bin Al-Asamm narrated about Maimunah: “The Messenger of Allah ﷺ married her while he was Halal and he stayed with her while he was Halal. She died in Sarif, and we buried her at the (site of the) tent where he had stayed with her.”

(Sahih)

Abū ‘Eisā said: This Hadith is Gharib. More than one narrator has reported this Hadith: “The Prophet ﷺ married Maimunah while he was Halal” from Yazid bin Al-Asamm in Mursal form.

Comments:
The three A’immah, on the bases of ‘Uthmān’s verbal narration and on the basis of Abū Rāfi’a narration who was an intermediary between Maimunah, who was a party in the event, and the Prophet ﷺ, prohibited a Muhrim to marry or to have someone married. If he does so it will be invalid. The Ahlaf on the other hand on the basis of the narration of Ibn ‘Abbās deem it lawful.

Chapter 25. What Has Been Related About The Muhrim

846. Jābir bin ‘Abdullāh narrated that the Prophet ﷺ said: “The land game is lawful for you while you are in Ḥaram as long as you did not hunt it – or – it was not hunted for you.”

(Da‘if)

(He said:) There are narrations on this topic from Abū Qatādah and Ṭalḥah.

Abū ‘Eisā said: The Hadith of Jābir is an explanatory Hadith, and
we do not know of Al-Muṭṭalib (one of the narrators) hearing from Jābīr. 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 ʿAḥmad and Ishāq.

Comments:

In Sūrat Al-Mā‘ādah, 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 ﷺ and when he got to one of the roads of Makkah some of his companions were Muḥrim and he (Abū Qadādah) 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 ﷺ ate it and some of them refused. When they caught up to the Prophet ﷺ they asked him about that and he said: “It is only food which Allāh fed you.” (Ṣaḥīh)
Comments:

Why Abū Qatādah was not *Muhrim* 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-Khudrí. 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 Asfān, 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-Naḍlr 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?” *(Sahīh)*

Abū ‘Eisā said: This *Hadith* is Ḥasan *Ṣahīh*.

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 *Muhrim*

849. Ibn ‘Abbās narrated that Aṣ-Ṣ'ab bin Jath-thāmah informed him that the Messenger of Allāh ﷺ had passed him at Al-Abwā’ or Bawaddān.[1] He (Aṣ-Ṣ'ab) gave him a wild donkey but he refused

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[1] These are two places near Juḥfah, the first is a mountain.
it. When the Messenger of Allāh ﷺ noticed on his face that he was upset, he said: “We would not refuse you, but we are in Iḥrām.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih. There are those among the people of knowledge, among the Companions of the Prophet ﷺ and others, who followed this Hadith, and disliked eating of game for the Muḥrim. Ash-Shāfi‘ī said: “The meaning of this Hadith 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 Aẓ-Zuhri reported this Hadith 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 ‘Alī and Zaid bin Arqam.

Comments:

It appears from the narration of Sahih Muslim that Aṣ-Ṣ’āb bin Jath-thāmah hunted a donkey for the Prophet ﷺ and presented it to him at place called Al-Abwā’ or Waddān which are twin villages. As this donkey was hunted for him he did not accept it. Aṣ-Ṣ’āb slaughtered the donkey in the hope that the Prophet ﷺ will accept it, but he refused it again.
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.” (Daʿīf)

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-Madīnī) said: “Yahya bin Sa’eed reported

NPC.data
this Hadith from Jarir bin Hāzim, so he said: ‘From Jabir, from ‘Umar.’” The Hadith of Ibn Juraij is more correct and it is the view of Ahmad and Ishāq. This Hadith is acted upon according to some of the people of knowledge; when the Muhrim 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]

(Province)

Abū ‘Eisā said: This Hadith is not preserved, what is correct is what Nāfi’ reported from Ibn ‘Umar; that he would perform Ghusl for entering Makkah, and based upon that, Ash-Shāfi‘i said that Ghusl for entering Makkah is recommended.

‘Abdur-Raḥmān bin Zaid bin Aslam (one of the narrators) is

[1] Fakhkh is a valley of Makkah (Mu’jam Al-Buldān).
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weak in Hadīth. He was graded weak by Ahmad bin Ḥanbal, ‘Alī bin Al-Madīnī, and others, and we do not know of this Hadīth being narrated in Marfū’ī form except from him (‘Abdur-Raḥmān).

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 Sahīh Al-Bukhārī has written a chapter on this topic, and in this chapter Hafiz Ibn Hājur 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 travelled to Makkah he entered it from its higher side, and left from its lower side.” (Sahīh)
(He said:) There is something on this topic from Ibn ‘Umar.
Abū ‘Eisā said: The Hadīth of ‘Āishah is a Hasan Sahīh Hadīth.

Comments: [Explanations] And ‘Ārgeh the darqūṭi: 2/211, Ḥ: 2412 from Ḥadīth Ḥarūn

ابن صالح به * عبدالرحمن بن زيد بن أسلم: ضعيف جداً فيما يروي عن أبيه.
Comments:
The Eastern side of Makkah is known as Kadä’, it is the higher side, and also referred to as Ḥajûn.

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.” (Ḥasan)

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-Muhâjir Al-Makkî said: “Jâbir bin ‘Abdullâh was asked about a man raising his hands when he sees the House (Ka’bah). So he said: ‘We performed Ḥajj with the Messenger of Allâh and we did it.’” (Da‘îf)

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.
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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 ﷺ for making supplications on seeing the Ka‘bah.

Chapter 33. What Has Been Related About How To Perform Ţawāf

856. Jābir narrated: “When the Prophet ﷺ arrived in Makkah, he entered the Masjid and touched the (Black) Stone, then went to his right and performed Raml (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 Ibrāhîm 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 A-Safā I think I said: Indeed A-Safā and Al-Marwah are among the Symbols of Allâh.’[3] (Sahih)

(He said:) There is something on this topic from Ibn ‘Umar.

Abū ‘Eisâ said: The Hadîth of Jâbir is a Hasan Sahih Hadîth. This is acted upon according to the people of knowledge.’

[1] The station of Ibrâhîm mentioned in the Âyâh.
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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 (Raml) and rest of the four circles should be completed by normal walking. This (Raml) is only in the first Tawaf 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).” (Ṣaḥīḥ)

(He said:) There is something about this from Ibn ‘Umar.

Abū ‘Eisā said: The Ḥadīth of Jābir is a Hasan Ṣaḥīḥ 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.

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 ordered the Muslims to show their strength and power by making Ramī in first three circles from the Black Stone to the Yamānī 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‘āwiyah would not pass any corner without touching it. So Ibn ‘Abbās said to him: ‘The Prophet would not touch any besides the Black Stone and the Yemeni corner.’ So Mu‘āwiyah 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 Hadith. 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 While Performed Tawāf Mudtābi‘an

859. Ibn Ya‘lā narrated from his
father: “The Prophet performed *Tawaf* of the House *Mudtabi’an*, and he was wearing a *Burd*.”[1] *(Da’if)*

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 *Iḥrām* 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 *Tawaf* of arrival, while neither *Raml* nor *Iḍībā’* are reported in any other *Tawaf*. And this (*Iḍībā’*) is reported in authentic narrations.

Chapter 37. What Has Been Related About Kissing The (Black) Stone

860. ‘Abbās bin Rabī’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 Allah *Ṣallallāhu ‘alayhi wa sallam* kissing you, I would not kiss you.’” *(Ṣahīh)*

(He said:) There are narrations on this topic from Abū Bakr and Ibn ‘Umar.

Abū ‘Eīsā said: The *Hadith* 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)

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[1] *Burd* is a type of cloth, or a garment, that has designs or embroidery on it.
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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-Shâfi‘i.

Comments:

This narration of ‘Abîs bin Rabî‘ah is also present in Sahîh Al-Bukhâri 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 Ḥammâd bin Zaid reports from. And the Az-Zubair bin ‘Arabî from Al-Kûfâh - whose Kunyah is Abû Salamah - he heard from Anas bin Mãlik and others among the Companions of the Prophet ﷺ, Sufyân Ath-Thawrî and others among the A’immah reported from him. Abû ‘EIsâ said: The Hadîth of Ibn ‘Umar is a
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Hasan Ṣahīḥ Ḥadīth, and it has been reported from him through more than one route.

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 Aš-Ṣafā Before Al-Marwah

862. Jābir narrated: “When the Prophet ﷺ arrived in Makkah, he performed seven (circuits) of Tawāf around the House. Then he came to the Maqām and said: And take you (people) the Maqām (place) of Ibrāhīm as a place of prayer. Then he prayed behind the Maqām. Then he came to the (Black) Stone to touch it. Then he said: ‘We begin with what Allāh began with.’ So he began at Aš-Ṣafā and recited: Indeed Aš-Ṣafā and Al-Marwah are among the Symbols of Allāh.”

Abū ‘Eisā said: This Ḥadīth is Ṣahīḥ. This is acted upon according to the people of knowledge. One begins with Aš-Ṣafā before Al-Marwah, if he begins with Al-Marwah before Aš-Ṣafā then it will not be acceptable and he has to start at Aš-Ṣafā. The people of knowledge differ over one who performs Tawāf of the House but does not go between

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As-Šafā and Al-Marwah until he returns (home). Some of the people of knowledge said if he does not go between As-Šafā and Al-Marwah until he leaves Makkah, then he remembers and he is close to it, he returns to go between As-Šafā 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 Sufyān Ath-Thawrī. Some of them said that if he does not go between As-Šafā and Al-Marwah, and he reaches his land, then it is not acceptable for him. This is the view of Ash-Shāfi‘ī, he said: “Tawāf between As-Šafā and Al-Marwah is obligatory, Hajj is not possible without it.”

Comments:
Sa‘ī begins from As-Šafā. All Four A‘immah agree on this point. If some one starts Sa‘ī from Al-Marwah it will not be correct. Sa‘ī is always after the Tawāf of the House of Allāh ﷺ. (Al-Mughni v.5. p.237.)

Chapter 39. What Has Been Related About Sa‘ī Between As-Šafā and Al-Marwah

863. Ibn ‘Abbās narrated: “The Messenger of Allāh ﷺ only performed the Sa‘ī[1] of the House and of As-Šafā and Al-Marwah to show his strength to the idolaters.” (Sahih)

He said: There are narrations on this topic from ‘Aīshah, Ibn ‘Umar, and Jābir.

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Abū 'Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. This is what is recommended according to the people of knowledge; one performs Sa‘ī quickly between As-Safā and Al-Marwah. If one is not able, and he walks between As-Safā and Al-Marwah, then they consider it acceptable.

864. Kathîr bin Jumhãn said: “I saw Ibn ‘Umar walking at the place of Sa‘ī so I said to him: ‘Do you walk at the place of Sa‘ī between As-Safā and Al-Marwah?’ He said: ‘If I performed Sa‘ī, then it is because I saw the Messenger of Allāh ﷺ performing Sa‘ī there, and if I walked, then it is because I have seen the Messenger of Allāh ﷺ walking. And I am an old man.’” (Hasan)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

Sa‘eed bin Jubair reported similarly from Ibn ‘Umar.

Comments:

There was a dip between As-Safā 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 Ibrahîm because he ran on this spot to run from Iblîs. 3) To remember the run of Hajar. (Ma‘arif As-Sunan. V. 6 p. 157.) See number 902, where the actual reason is given.
Chapter 40. What Has Been Related About Riding For Ṭawāf

865. Ibn ‘Abbas narrated: “The Prophet ﷺ performed Ṭawāf 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 Ṭawāf around the House and between As-Safā and Al-Marwah while riding, except with an excuse. This is the view of Ash-Shāfi‘ī.

Comments:
It is recommended to perform Ṭawāf 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 Ṭawāf

866. Ibn ‘Abbas narrated: “Whoever performs Ṭawāf around the House fifty times, he will be as free of his sins as the day his mother bore him.” (Da‘if)

He said: There are narrations on this topic from Anas and Ibn ‘Umar.

Abū ‘Eisā said: The Hadith of Ibn ‘Abbas is a Gharib Hadith. I asked
Muhammad about this Hadith and he said: “This has only been reported from Ibn ‘Abbās as his own saying.”

Comments:
Performing Tawāf of the House of Allāh 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 Tawāf as they can because performing Tawāf in the House of Allāh is the best of worships, and even better than voluntary prayers.

867. Ayyūb As-Sakhtiyānī said: “We considered ‘Abdullāh bin Sa‘eed bin Jubair to be better than his father, and he had a brother named ‘Abdul-Mālik bin Sa‘eed bin Jubair who also reported from him.” (Da‘f)

Chapter 42. What Has Been Related About Salāt After ‘Asr (And After Subh) Regarding One Who Performed Tawāf

868. Jubair bin Mu‘t‘im narrated that the Prophet said: “O Banū ‘Abd Manāf! Do not prevent anyone from performing Tawāf around this House, and Salāt, whichever hour it is of the night or day.” (Saḥīḥ)

[1] He narrated the previous narration from his father, from Ibn ‘Abbās.
There are narrations on this topic from Ibn ‘Abbás and Abú Dharr.

Abû ‘Eisā said: The Hadith of Jubair bin Mut‘im is a Hasan Ṣahîh Hadîth. ‘Abdullâh bin Abî Najîh has reported it from ‘Abdullâh bin Bâbâh as well.

The people of knowledge have differed over Ṣalāt after ‘Aṣr and after Šubh in Makkah. Some of them said that there is no harm in Ṣalāt and Tâwâf after ‘Aṣr and after Šubh. This is the saying of ‘Ash-Shâfî’i, Ahmad and Ishâq. They argue using (this) the Hadîth of the Prophet ﷺ. Some of them said that when one performs Tâwâf after ‘Aṣr, he does not perform Ṣalāt until the sun has set. Similarly, if he performs Tâwâf after Šubh, then he is also not to perform Ṣalât until the sun has risen. They argue using the Hadîth of ‘Umar; that he performed Tâwâf after the Šubh prayer and he did not perform Ṣalāt (after the Tâwâf). Then he proceeded from Makkah until he halted at Dhu-Tuwa and he performed Ṣalât after the sun had risen. This is the saying of Sufyân At-Thawri and Mâlik bin Anas.

Comments:

This Ṣahîh narration provides proof that one can pray in the House of Allah during the prohibited times.
Chapter 43. What Has Been Related About What Is to Be Recited During the Two Rak'ah (After) Tawaf

869. Jābir bin ‘Abdullah narrated: “During the two Rak'ah of Tawaf, the Messenger of Allah ﷺ recited the two Sūrat of Ikhlās, “Say: O you disbelievers!” and: “Say: He is Allāh, (the) One.” (Sahih)

870. Ja'far bin Muḥammad 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 Allāh, (the) One.” (Sahih)

Abū ‘Eisā said: This is more correct than the (previous) narration of ‘Abdul-'Azīz bin ‘Imrān. Ja'far bin Muḥammad’s narration about this from his father is more correct than Ja'far bin Muḥammad, from his father, from Jābir, from the Prophet ﷺ. ‘Abdul-'Azīz bin ‘Imrān is weak in Hadīth.

Comments:
Sūrat Al-Kāfirūn has been mentioned as Ikhlās in this narration as it deals with the sincerity in worship of Allāh ﷺ Alone; and Sūrat Ikhlās 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 , 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 Abu Hurairah.

Abu 'Eisa said: The Hadith of 'Ali is a Hasan Hadith.

Comments:
In the 9th year of Hijrah the Prophet sent Abū Bakr to Makkah as the Amir of Hajj. Later on, he sent 'Ali bin Abī Ṭālib to recite, announcing to the people, from the beginning Verses of Sūrat At-Tawbah. It was customary in that time that to abrogate a treaty, the one who signed it or one of his close relatives should announce the cancellation of the treaty.

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 (Uthair)."
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 'Eisā 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
Bilāl: “The Prophet ﷺ performed Ṣalāt in the interior of the Ka’bah.”
And Ibn ‘Abbās said: “He did not perform Ṣalāt in it, but he said the Ṭakbîr.” (Ṣâhih)

(He said:) There are narrations on this topic from Usāmah bin Zaid, Al-Fadl bin ‘Abbās, ‘Uthmân bin Taḥlah, and Shaibah bin ‘Uthmân.

Abū ‘Eisā said: The Ḥadîth of Bilāl is a Ḥasan Ṣâhih Ḥadîth, and it is acted upon according to most of the people of knowledge, they did not see any harm in performing Ṣalāt inside the Ka’bah. Mālik bin Anas said: “There is no harm in voluntary Ṣalāt inside the Ka’bah, and it is disliked to perform the obligatory Ṣalāt inside the Ka’bah.”

Ash-Shâfi‘î said: “There is no harm in performing the obligatory or the voluntary Ṣalāt 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 ﷺ performed Ṣalāt in the interior of Ka’bah and according to Usāmah bin Zaid he did not perform Ṣalāt in it, he only said the Ṭakbîr. Both of them Bilāl and Usāmah had entered the Ka’bah with the Prophet ﷺ 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 Allah 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."

(Ṣahih)

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 Allāh 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 Ishāq, who narrated it from him here, and with Al-Bukhārī no. 126.
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The place adjacent to the northern wall with a short curved wall of the Ka'bah is called "`Ijir" 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 Allāh'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 Sahīh Hadīth.
Chapter 50. What Has Been Related About Leaving For Minā And Staying There

879. ‘Aṭā’ reported that Ibn ‘Abbās narrated: “The Messenger of Allāh

Comments:

“Corner” means the Black Stone, and “Maqām” means that stone on which Ibrāhīm 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.

[1] That is, the corner where the Black Stone is located. Tuhfat Al-Ahwadhi. See also Fath Al-Bārī no. 1597.

[2] Corundum: Yāqūt. It is often translated as “ruby.” In the Arabic language it is used for a ruby, sapphire, topaz, or any of the clear gems from the corundum family, but it is often qualified by a description of color in those cases, whereas in this case it is not.
led us in *Salāt* at Minā for *Zuhr*, *ʿAṣr*, *Maghrib*, *ʿIshāʾ*, and *Fajr*, then he left in the morning to ‘Arafāt.”

(*Sahih*)

Abū ‘Eisā said; Ismāʾīl bin Muslim had been criticized (for his weak memory.) (*Sahih*)

**880.** Al-Ḥakam reported from Miqsam, that Ibn ʿAbbās narrated, that the Prophet  prayed *Zuhr* and *Fajr* in Minā, then he left in the morning to ‘Arafāt. (*Sahih*)

He said: There are narrations on this topic from ʿAbdullāh bin Az-Zubair and Anas.

Abū ‘Eisā said: As for the Hadīth of Miqsam from Ibn ʿAbbās; ʿAlī bin Al-Madīnī said: “Yaḥya said: ‘Shuʿbah said: “Al-Ḥakam did not hear but five things from Miqsam.’” And he listed them, and this Hadīth was not among those listed by Shuʿbah.”

**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 ﷺ! 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 (Ṣaḥīh).

Comments:
Minā is a place of worship and many duties of the Hajj like stoning (Ramy) 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 Salāt At Minā

882. Harithah bin Wahb said: “I prayed two Rak‘ah with the Prophet ﷺ at Minā, and the people were as secure as they ever were, and even more so.” (Ṣaḥīh)

(He said:) There are narrations on this topic from Ibn Mas‘ūd, Ibn ‘Umar, and Anas.

Abū ‘Eisā said: The Hadith of Ḥārithah bin Wahb is a Ḥasan (ṣaḥīḥ).
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It has been reported that Ibn Mas'ūd said: “I prayed two Rak'ah at Minā with the Prophet ∏, and with Abū Bakr, and with ‘Umar, and two Rak'ah with ‘Uthmān during the beginning of his leadership.”

The people of knowledge differ over shortening the Salāt at Minā for the people of Makkah. Some of the people of knowledge said the people of Makkah are not to shorten their Salāt at Minā unless they are in Minā as a traveler. This is the saying of Ibn Juraij, Sufyān Ath-Thawri, Yahya bin Sa'eed Al-Qaṭṭān, Ash-Shafi‘i, Ahmad and Ishāq. Some of them said there is no harm in the people of Makkah shortening their Salāt at Minā, and this is the view of Al-Awza‘ī, Mãlik, Sufyān bin ‘Uyainah, and ‘Abdur-Rahmān bin Mahdī.

Why did the Prophet ∏ perform shortened prayers in Minā? Mostly, scholars and people of knowledge deem it due to travel while others think its only reason is worship as Hajj is an Ibādah (worship). Travel is not its reason as Minā is not that far away from Makkah, which validates the shorting of prayers. As Zuhr and ‘Asr prayers are performed shortened and combined at ‘Arafāt at the time of Zuhr, and similarly Maghrib and ‘Ishā’ prayers are performed combined at the time of ‘Ishā’ prayer at Muzdalifah. All Muslims do as it has been commanded.

Chapter 53. What Has Been Related About Standing At ‘Arafāt And Supplicating There

883. ‘Amr bin Dīnār narrated from
‘Amr bin ‘Abdullāh bin Ṣafwān, that Yazid bin Shaibān said: “Ibn Mirba’ Al-Anṣārī came to us while we were standing at our places” (‘Amr bin Dinār said:) a place that ‘Amr (bin ‘Abdullāh) 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 Iblīṣ.’” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from ‘Āli, ‘Āishah, 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. ‘Āishah 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
Sublime revealed: Then depart from where the people depart.\[^{[1]}\] (Sahih)

Abū ‘Eīsā said: This Hadīth is Hasan 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 “Ahmas” 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 ‘Arafāt. Staying in ‘Arafāt is the most important segment of Hajj and it must be performed otherwise there is no Hajj and there is no compensation for it. The stay in ‘Arafāt 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 ‘Arafāt during this time, his Hajj is established, and who does not reach ‘Arafāt in this specified period his Hajj is not established. He has to complete Umrah and come out of Ihram. According to Imām Ahmad, the stay in ‘Arafāt 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. ‘Ali bin Abī Ṭālīb, may Allāh be pleased with him, narrated: “The Messenger of Allāh ﷺ stopped at ‘Arafat 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 Usūmah 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’[1] and performed the two Šalāt 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[2] and said: ‘This is Al-Manhar, and all of Mīnā 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 Ḥajj obligatory, so

[2] Al-Manhar means “the place of An-Nahr (sacrifice).”
would he be rewarded if I perform *Hajj* for him? He said: ‘Perform *Hajj* for your father.’” He said: “And he **turned** the neck of Al-Fadl.\[1\] So Al-‘Abbâs said: ‘O Messenger of Allâh! 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 Shaitân.’ A man came to him and said, ‘O Messenger of Allâh! I performed (Tawâf) Al-Ifâdah 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 Allâh! 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 Tawâf around it, then he went to Zamzam and said: ‘O tribe of ‘Abdul-Mu’tâlib! 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 Jabir. Abû ‘Eisâ said: The *Hadîth* of ‘Alî is a Hasan Sahîh Hadîth. We do not know of it as a narration of ‘Alî except from this route; as a narration of ‘Abdur-Rahmân bin Al-Hârîth bin ‘Ayyâsh. Others have reported it similarly from Ath-Thawrî.

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 ‘Arafât.

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[1] Meaning, that he **turned** caused him to look away from the girl.

[2] That is, he would help bring the water out of the well. See *Al-Bukhârî* no. 1635.
Some of the people of knowledge said that if a man performs the Salât at his camp without attending it with the Imâm, then if he wants he may combine the two prayers just as he does with the Imâm.

He said: Zaid bin 'Ali is Ibn Ḥusain bin 'Ali bin Abi Ṭālib [peace be upon him].

Comments:

a. It is recommended to proceed to 'Arafât from Minâ after sunrise on the 9th of Dhul-Hijjah 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 'Arafât in either case.

b. On the 10th of Dhul-Hijjah there are four things to be performed: 1) to throw the pebbles at ërst 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-Ifadah. 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 'Arafât

886. Jâbir narrated: “The Prophet hurried through Wâdi Muhassir.” 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-
And he said: "Perhaps I will not see you after this year."

(He said:) There is something about this from Usâmah bin Zaid.

Abû ‘Eisâ said: The Hadith of Jâbir is a Hasan Sahîh Hadith.

Chapter 56. What Has Been Related About Combining Maghrib And ‘Ishâ’ At Muzdalifah

887. ‘Abdullâh bin Mâlik narrated: “Ibn ‘Umar prayed at Jam’ (Muzdalifah), so he combined two prayers with the Iqâmah, and he said: ‘I saw the Messenger of Allâh ﷺ doing the same as this at this place.’” (Da’îf)[2]

888. (Another chain) that Sa’eed bin Jubair narrated similarly from Ibn ‘Umar, from the Prophet ﷺ.

Muhammad bin Bash-shâr (one of the narrators) said: “Yaḥyâ said: ‘The (previous) narration of Sufyân is the one that is correct.’”

[1] “The scholars say Khadhîf pebbles are about the size of legumes.” (Tuhfat Al-Ahwadhi). Al-Khadîf for hunting or fighting the enemy was prohibited in a Hadith (see Al-Bukhârî 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-Bukhârî, Muslim, and others.
(He said:) There are narrations on this topic from ‘Ali, Abū Ayyūb, ‘Abdūllāh bin Mas‘ūd, Jābir, and Usāmah bin Zaid.

Abū ‘Eīsā said: The Hadith of Ibn ‘Umar in the narration of Sufyān (no. 887) is more correct than the narration of Ismā‘il bin Abī Khālid (888). The Hadith of Sufyān is a Hasan Sahih Hadith.

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-Shafi‘ī.

Abū ‘Eīsā said: Isrā‘īl reported this Hadith from Abū Ishāq, from ‘Abdullāh and Khālid the sons of Mālik, from Ibn ‘Umar. The narration of Sa‘eed bin Jubair from Ibn ‘Umar is a Hasan Sahih Hadith. 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 Imam at Jam‘ Then He Has Attended the Hajj

889. ‘Abdur-Rahmān bin Ya‘mar narrated that some people among the residents of Najd came to the Messenger of Allāh ﷺ while he was at ‘Arafat. They were questioning him, so he ordered a caller to proclaim: “The Hajj is ‘Arafah. Whoever came to Jam‘ during the night, before the time of Fajr, then he has attended the Hajj. 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.” Muḥammad said: “Yaḥyā added: ‘And he took a companion rider to proclaim it.’”

(Ṣaḥīḥ)
Comments:

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, Abü 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 Abi ‘Umar said: “Sufyân bin ‘Uyainah said: ‘This is the best of Ahâdith that Sufyân Ath-Thawri reported.””

Abü ‘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 future. This is the view of Ath-Thawri, Ash-Sha‘î, Abû ‘Eisâ, and others.

(Al-Jârûd 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 Waki’ saying” and he reported this Hadith, so he said, “This Hadith is Umm Al-Manâsîk.”[1]
Comments:

Imām Suyūtī writes that the narrations of the people of Al-Kūfah 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-Thawrī. (Tuhfat Al-Ahwadhi v. 2. p102.)

891. 'Urwah bin Muḍarris bin Aws bin Harithah bin Lām At-Ṭā‘i narrated: “I came to the Messenger of Allāh ﷺ at Al-Muzdalifah when he left for the Ṣalāt. I said: ‘O Messenger of Allāh! I came from the two mountains of (the tribe of) Ṭā‘, wearing out my mount and exhausting myself. By Allāh! I did not leave a Ḥabl (sand dune) without stopping on it. So is there Ḥajj for me?’ The Messenger of Allāh ﷺ said: ‘Whoever attends this Ṣalāt of ours, and stays here with us until departing, while he has stood during the night or the day before that at ‘Arafāt, then he has completed his Ḥajj and fulfilled his Ṭafāth.” (Ṣahīh)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

[He said: His saying: “his Ṭafāth” means his rites. His saying, “I did not leave a Ḥabl without stopping on it” – when it is sand they say: “Ḥabl” and when it is rock they say: “Jabl.”

Comments:

This narration strengthens the point of view of Imām Ahmad, that he who reaches ‘Arafāt between the morning of the 9th of Dhul-Hijjah and morning of the 10th of Dhul-Hijjah then he has attended the Ḥajj. The view of the Rightly Guided Caliphs and Imām 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 ‘Āishah, 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 Mushāsh, 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. Mushāsh was mistaken in it, he added “from Al-Fadl bin ‘Abbās.” Ibn Juraij and others reported this Hadith from ‘Atā’, from Ibn ‘Abbās, and they did not mention “from Al-Fadl bin ‘Abbās” in it. (Mushāsh is from Al-Basrah, and Shu‘bah reports from him.)

تخريج: وأخرج مسلم، الحج، باب استجابة تقديم دفع الضعفة من النساء وغيرهن من مزدلفة ... إلاّ ح:193 عن تقدية، والبخاري، ح:177 من حديث حماد بن زيد به *

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.’” (Sahih)

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. This Hadith 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 Hadith 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 Hadith of the Prophet ﷺ (that they should not stone) is acted upon, and it is the view of Ath-Thawri and Ash-Shāfi‘ī.

Chapter 59. What Has Been Related About Stoning On The Day Of An-Nahr During Duḥā (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.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih. This (Hadith) 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 left before the rising of the sun.” (Sahih)

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

Abū ‘Eisā said: The Hadith of Ibn ‘Abbās is a Hasan Sahih Hadith. 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-Khaṭṭāb 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 Allâh contradicted them.’ So ‘Umar departed before the rising of the sun.” (Sahîh)
Abû ‘Eisâ said: This Hadîth is Hasan 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 Majah there is the addition of the words “so we could attack.”

Chapter 61. What Has Been Related About: The Jîmâr Are Stoned With Pebbles Similar To Al-Khâdhîf[2]

897. Jâbir narrated: “I saw the Messenger of Allâh stoning the Jîmâr with what was similar to pebbles for Al-Khâdhîf.” (Sahîh)
(He said:) There are narrations on this topic from Sulâîmân bin ‘Amr bin Al-Ahwâs from his mother – she is Umm Jundâb Al-Azdiyah – and, Ibn ‘Abbâs, Al-Fadl bin ‘Abbâs, ‘Abdur-Rahmân bin ‘Uthmân, At-
Chapter 62. What Has Been Related About Stoning After The Sun Has Passed The Zenith

898. Ibn ‘Abbâs narrated: “The Messenger of Allâh ﷺ stoned the Jamâr when the sun had passed the zenith.” (Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan.

Comments:
The scholars recommend that the Jimâr should be stoned with pebbles, and not with big stones or anything else, as the Sunnah of the Prophet ﷺ. The size of the pebble should be as the average size of chick peas.
Chapter 63. What Has Been Related About Stoning The Jamrāh
While Riding (And Walking)

(Hasan)

(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 Hadīth of Ibn `Abbās is a Hasan Hadīth. It is acted upon according to some of the people of knowledge. Some of them preferred that one walk to the Jamrāh. (It has been reported from Ibn `Umar, from the Prophet ﷺ that he would walk to the Jamrāh). To us, the reasoning in this Hadīth 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 Jamrāh Al-`Aqabah while riding his she-camel. He said, “Learn from me to perform the rites of Hajj, for I am not aware if I will perform the next Hajj or not.”

900. Ibn `Umar narrated: “The Prophet ﷺ would walk when stoning the Jamrāh, both going and returning.” (Sahih)
Abū 'Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ. 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-Nahr and walk on the days after the Day of An-Nahr.

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-Nahr when he went to stone the Jimār, and he only stoned Jamrāt Al-‘Aqabah on the Day of An-Nahr.

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-Nahr. There is a difference of opinion on stoning the Jimār on rest of the two days. Imām Nawawī, Imām Mālik, and Imām Shāfī‘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 Tashrīq, 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.
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: Wâki narrated it to us similarly from Al-Mas‘ûdî, with this chain.

Abû ‘Eisâ said: There are narrations on this topic from Al-Fadl bin ‘Abbâs, Ibn ‘Abbâs, Ibn ‘Umar, and Jâbir.

Abû ‘Eisâ said: The Hadith of Ibn Mas‘ûd is a Hasan Sahih Hadith. 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. ‘Aîshah narrated that the Prophet ﷺ said: “Stoning the Jimâr and Sa‘î between Aš-Šafâ and Al-Marwah

902 - حَدَّثَنَا عُلَيُّ بْنُ عَطَاءِ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ بَرَكَةَ، حَدَّثَنَا عُمَرُ بْنُ يَسَرَّ بْنُ يَزِيدَ بْنُ عَبَّاسَ، حَدَّثَنَا سَعْدُ بْنُ سَعْدٍ بْنُ ثَلَاثٍ إِبْنُ عَبَّاسَ، حَدَّثَنَا سَعْدُ بْنُ سَعْدٍ، حَدَّثَنَا عُلَيُّ بْنُ عَطَاءَ، حَدَّثَنَا عَبْدُ اللَّهِ بْنُ بَرَكَةَ، حَدَّثَنَا عُمَرُ بْنُ يَسَرَّ بْنُ يَزِيدَ بْنُ عَبَّاسَ، حَدَّثَنَا سَعْدُ بْنُ سَعْدٍ بْنُ ثَلَاثٍ إِبْنُ عَبَّاسَ، حَدَّثَنَا سَعْدُ بْنُ سَعْدٍ
are only done for the establishment of Allah’s remembrance.” (Hasan)

Abu ‘Eisā said: This Hadith is Hasan Şahih.

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 Allah it is worship, and a way to remember Allah.

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 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 Hānzalah.

Abū ‘Eisā said: The Hadith of Qudāmah bin ‘Abdullāh is a Hasan Şahih Hadith. This Hadith is only known from this route, and it is a Hasan Şahih Hadith.

Ayman bin Nābil (a narrator) is trustworthy according to the people of Hadith.
The Prophet’s practice and way of the stoning the Jimār 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. Jābir narrated: “We slaughtered with the Messenger of Allāh 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, Abū Hurairah, ‘Āśhah, and Ibn ‘Abbās.

Abū ‘Eīsā said: The Ḥadīth of Jābir is a Hasan Sahih Hadīth. 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 Sufyān Ath-Thawrī, Ash-Shāfi‘ī, and Ahmad. It has been reported from Ibn ‘Abbās, from the Prophet as: “Seven on a cow, and ten on a sacrificial camel.” This is the view of Ishāq who argued using this Hadīth. We only know of the Hadīth of Ibn ‘Abbās from one route.
Chapter 67. What Has Been Related About Marking The Budn (Sacrificial Camels)

906. Ibn ‘Abbās narrated: “The Prophet ﷺ garlanded two sandals and marked the Hādī 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 ‘Abbās is a Hasan Sahih Hadith.
Abū Ḥassān Al-A’raj’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-Shāfi‘ī, Ahmad, and Ishaq.

He said: I heard Yusuf bin ‘Eisā saying: “I heard Waki saying – when he reported this Ḥadīth – ‘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-Sa‘ib saying: “We were with Waki when he said to a man with him who considered the opinions: ‘The Messenger of Allāh marked, and Abū Hanifah said that doing so is mutilation.’ The man said: ‘It has been reported from İbrahim An-Nakhā‘ī that he said marking is mutilation.’ I saw Waki becoming severely angry and he said: ‘I tell you that the Messenger of Allāh said, and you say İbrahim said? You deserve to be imprisoned and not let out until you leave this saying of yours.’” (Ṣāhiḥ)

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 Ish‘ār.
Chapter 68. (Purchasing the Hadi)

907. Ibn ‘Umar narrated: “The Prophet purchased his Hadi in Qudaid.” (Da‘īf)

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.” (Saḥīḥ)

Abū ‘Eisā said: This Hadith is Hasan Saḥīḥ. 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*.

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 Allâh ﷺ, which were sheep, then he did not assume *Ihram*.” (Sahih)

Abû ‘Eisâ said: This *Hadîth* is *Hasan* *Sahih*. 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 Imam Nawawî, 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. Najiyah Al-Khuzay‘i (Companion of the Messenger of Allah) said: “I said: ‘O Messenger of Allah! What should be done with the afflicted among the Hadi?’ 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 Abu Qabisah Al-Khuzay‘i.

Abū ‘Eisā said: The Ḥadīth of Najiyah is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge they say – in the case of the voluntary Hadi – 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 Ishāq. 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 Hadi then he is liable.

Comments:

If somebody takes his Hadi 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 Mālik narrated that the Prophet 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 ‘Alī, Abū Hurairah, and Jābir.

Abū ‘Eisā said: The *Hadîth* of Anas is a Hasan *Sahîh* *Hadîth*. Some of the people of knowledge among the Companions of the Prophet and others, permitted riding the *Badanah* when there is a need for it. This is the view of Ash-Shâfi‘i, 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 Mālik narrated: “When the Messenger of Allâh stoned the *Jamrah*, he slaughtered his sacrifice, then he presented the (المعجم 2) - بَابُ مَا جَاءَ بِأَيُّ جَانِبٍ الرَّاسِ بُدَا في الحَلِيّ (النُحْفَة 2)
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 'Umar narrated to us: Sufyān bin ‘Uyainah narrated similar to us, from Hishām.

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

Comments:
According to Imam 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, Imam Abū Hanifah is of the opinion that shaving should be started from the left side. (Sahih Muslim/Nawawi v.1. p.421). According to ‘Allamah Ibn ‘Abidin, Imam 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. (Ma’ārif As-Sunan v. 6. p.275.)

Chapter 74. What Has Been Related About Shaving, And About Shortening

913. Ibn ‘Umar 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.” (Sahih)

He said: There are narrations on this topic from Ibn ‘Abbās, Ibn Umm Al-Huṣain, Mārib, Abū Sa‘eed, 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 Sufyán Ath-Thawrī, Ash-Shāfī‘ī, Aḥmad, and Iṣḥāq.

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 prohibited that a woman should shave her head.” (Hasan)

915. (Another chain) with similar (as no. 914) from Khilās, but he did not mention “from ‘Ali.” (Hasan)

Abū ‘Eisā said: There is confusion
(Iḍīrāh) in the Hadīth of ‘Ali. This Hadīth was reported from Hammād bin Salamah, from Qatādah, from ‘Āishah: “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. ‘Abdullāh bin ‘Amr narrated: “A man asked the Messenger of Allāh: ‘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.’” (Ṣaḥīḥ)

(He said:) There are narrations on this topic from ‘Ali, Jābir, Ibn ‘Abbās, Ibn ‘Umar, and Usāmah bin Shāriq.

Abū ‘Eisā said: The Hadīth of ‘Abdullāh bin ‘Amr is a Ḥasan Ṣaḥīḥ Hadīth. This is acted upon according to most of the people of knowledge. It is the view of Ahmad and Ishāq. 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).

وَقَالَ يَغْفِرُ أَحَلُّ الْيَلِيمٍ إِذَا قَدَمْ نُسَبَا قَلِلۡ
سَاَكُلَّ فَعَلَهُ دَمَّ.

تخريج: متفق عليه، وأخرجه مسلم، الحج، باب جواز تقديم الذبح على الرمي... إن، ح: 1306/332 من حديث سفيان بن عيينة والبخاري، ح: 1737/1 من حديث الزهري به س وفي الباب عن علي (تقدم) والجاح [ابن ماجه، ح: 33/2، وابن عباس [البخاري، ح: 1723/1، ومسلم، ح: 317/1، وابن عمر [الله يدرك إلى حديث النساء في الكبرى: 249/2، ح: 477/1، وأحمد: 313/1، أو حديث البخاري، ح: 1767 ومسلم، ح: 1395/3، وأبو داود، ح: 2015/1، وابن خزيمة، ح: 2955/1).

Comments:
A detailed explanation has been given in Chapter 54.

Chapter 77. What Has Been Related About Using Perfume When Ending Ihrām Before The Visiting

917. ‘Aishah narrated: “I put perfume with musk in it on the Messenger of Allah ﷺ before he assumed Ihrām, and on the Day of An-Nahr before he performed Tawaf around the House.” (Sahih) There is something related to this from Ibn ‘Abbas.

Abū ‘Eisā said: The Hadith of ‘Aishah 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 held the view that when the Muhrim stones 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 returing to perform Tawaf around the Ka'bah.
the saying of Ash-Shafi‘i, Ahmad, and Ishāq.

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 ﷺ 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 Ihram is allowed, and also allowed before the Tawaf around the House on the Day of An-Nahr. The Ahnaf 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 ﷺ from Jam‘ to Minā. He did not cease saying the Talbiyah until stoning Jamrat Al-‘Aqabah.” (Ṣaḥīh)

There are narrations on this topic from ‘Alī, Ibn Mas‘ūd, and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadith of Al-Faḍl is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ 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 Ishâq.

The Chapters On Hajj

stoning the Jamrah. This is the view of Ash-Shafi’i, Ahmad, and Ishâq.

The Chapters On Hajj

stoning the Jamrah. This is the view of Ash-Shafi’i, Ahmad, and Ishâq.

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Comments:

According to Imâm Abû Hanifah, Imâm Shãfi‘î and Imâm Ahmad, the one who intends to perform 'Umrah should say the Talbiyah till he touches the Black Stone. According to Imâm Malik if the Ihram has been assumed from the Miqât, 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’îf)
Abû ‘Eisa said: This Hadîth is Hasan (Saâhîh). Some of the people of knowledge have allowed for one to delay the visiting Tawaf until the night, some of them were not as restrictive with its delay, even up to the last of the days of Minâ.

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-Ifãdah, Tawaf Az-Ziyarah.

Chapter 81. What Has Been Related About Camping At Al-Abtah

(He said:) There are narrations on this topic from ‘Aishah, Abû Rãﬁ’, and Ibn ‘Abbâs.
Abū 'Eisā said: The Ḥadīth of Ibn ‘Umar is a Ḥasan Ṣaḥīḥ Gharib Ḥadīth. 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-Abtāh without considering it necessary except for one who would like to do that. Ash-Shāfi‘ī said: “Camping at Al-Abtāh does not represent any of the rites, it is only a place that the Messenger of Allāh ﷺ camped at.”

922. Ibn ‘Abbās narrated: “At-Tahṣīb is nothing, it is only a place that the Messenger of Allāh ﷺ camped at.” (Ṣaḥīḥ)

Abū ‘Eisā said: At-Tahṣīb means camping at Al-Abtāh.

Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ.

Comments:
According to Imām Nawawī Muhassab, Abtah, Baṭhā’ and Khaīf Banī Kina‘nah are different names of one place, and staying here is approved as the Prophet ﷺ camped here and Al-Khulafā’ Ar-Rāshidūn also camped there. It is better if Ṣalāt Az-Zuhr, ‘Aṣr and Maghrib and ‘Ishā’ are performed there. (Ṣaḥīḥ Muslim v.1 p.422)
Chapter 82. (About Camping At Al-Abtah)

923. 'A'ishah narrated: “The Messenger of Allâh صلی الله علیه وآله وسلم only camped at Al-Abtah because it was easier for his departure.” (Sahih)

Abû 'Eisâ said: This Hadith is Hasan Sahih.

Ibn Abî ‘Umar narrated to us: Sufyân narrated similar to us from Hishâm bin ‘Urwh.

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. Jâbir bin ‘Abdullâh narrated: “A woman held a boy of hers up for the Messenger of Allâh صلی الله علیه وآله وسلم and said: ‘O Messenger of Allâh! Is there Hajj for this one?’ He said: ‘Yes, and you will be rewarded.’” (Sahih)

(He said:) There is something on this topic from Ibn ‘Abbâs. The Hadith of Jâbir is a Gharîb Hadith.

تخريج: منفق عليه وأخرجه مسلم، الحج: باب استحباب نزول المحصب يوم النفر 1311 من حديث يزيد بن زرين والبخاري، ح: 1765 من حديث هشام بن عروة به.

تخريج: إسناد صحيح وأخرجه ابن ماجه، المناسك، باب حج الصبي، ح: 2910 عن محمد بن طريف بن أبي معاوية صرح بالسماع وفي الباب عن ابن عباس [مسلم، ح: 1326].

(المجمع 83) - باب ما جاء في حج الصبي (التحفة 83)
925. As-Sā'ib bin Yazīd narrated: “My father took me for Hajj with the Messenger of Allah during the Farewell Hajj, and I was seven years old.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

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 Sufyān Ath-Thawrī, Ash-Shafi‘i, Ahmad, and Ishāq.

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 Jābir bin ‘Abdullāh from the Prophet with similar (Hadith of Muhammad bin Ṭarīf no. 924). (Sahih)

(Abū ‘Eisā said:) It has (also) been reported from Muhammad bin Al-Munkadir, from the Prophet in Mursal form.[1]

[1] That is, that Muhammad 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 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 Imam Muhibb Tabarî, 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] (Sahih) (He said:) There are narrations on this topic from ‘Ali, Buraidah, Husain bin ‘Awf, Abū Razīn Al-‘Uqailī, Sawdah (bint Zam‘ah) and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadith of Al-Fadl bin ‘Abbās is a Ḥasan Sahih Hadith (and it has been reported from Ibn ‘Abbās, from Husain bin ‘Awf Al-Muzani, from the Prophet ﷺ).

It has also been reported from Ibn ‘Abbās from Sinān bin ‘Abdullāh Al-Juhrānī, from his aunt, from the Prophet ﷺ. And it has been reported from Ibn ‘Abbās from the Prophet ﷺ.

(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 ﷺ.”

Muḥammad said: “It implies that Ibn ‘Abbās heard it from Al-Fadl and others, from the Prophet ﷺ. Then he reported this (from the Prophet ﷺ) in Mursal form and he did not mention the one who he heard it from.”

Abū ‘Eisā said: Other Ahadith are authentically reported from the Prophet ﷺ on this topic. And this is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and others. It is the view of Sufyān Ath-Thawrī, Ibn Al-Mubārak, Ash-

Shâfi‘î, Aḥmad, and Isḥâq. They held the view that one could perform Hajj on behalf of the dead. Mâlik 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-Mubârak and Ash-Shâfi‘î.

Comments:
It is allowed to perform Hajj on behalf of a deceased person. According to Ibn ‘Umar and Ibrâhîm An-Nakha‘î, Hajj cannot be performed on behalf of others. Imâm Mâlik 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. ‘Abdullâh bin Burайдâh 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 Hadîth is Hasan Sahih.
The Chapters On Hajj

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. (Tuhafti Al-Ahwadhi, v. 2, p. 113.)

Chapter 87. Something Else About That

930. Abū Razīn Al-'Uqaili narrated that he went to the Prophet and said: "0 Messenger of Allāh! 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.'" (Ṣahīh)

Abū 'Eisā said: This Hadith is Hasan Sahih. And the Prophet only mentioned 'Umrah in this Hadith regarding when a man performs 'Umrah on behalf of someone else. Abū Razīn Al-'Uqaili's name is Laqīt bin 'Āmīr.

Comments:

Both Hajj and 'Umrah can be performed by proxy (Al-Mughni, v. 5, p.27)

Chapter 88. What Has Been Related About 'Umrah: Is It Required Or Not?

931. Jābir narrated that the Prophet
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 Sahīh.

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 Hajj: The Greater Hajj of the Day of An-Nahr and the Lesser Hajj 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 ﷺ [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 Hajj Until the Day of Resurrection)

932. Ibn ‘Abbās narrated that the Prophet ﷺ said: “‘Umrah has been entered into Hajj until the Day of Resurrection.” (Sahih)

(He said:) There are narrations on
The meaning of the Hadith is that there is no harm in performing 'Umrah during the months of Hajj. This is what was said by Ash-Shafi'i, Ahmad, and Ishaq. And, the meaning of this Hadith 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 Shawwāl, Dhul-Qa'dah, 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'dah, Dhul-Hijjah, and Al-Muḥarran. 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 Imām Mālik, and Shafi'i, Shawwāl, Dhul-Qa’da and Dhul-Hijjah – three complete months, are Hajj months, whereas according to Imām Ahmad and Abū Ḥanifah, up to the 10th of Dhul-Hijjah are the months of Hajj. The correct report of Imām Shafi’i is that the 10th of Dhul-Hijjah is not included in the months of Hajj. (Tuhfat Al-Ahwadhi v.2 p.114). The correct understanding of the narration is as described by Imām At-Tirmidhi.

This topic from Surāqah bin Mālik bin Ju‘shum and Jābir bin ‘Abdullāh.

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

Abū ‘Elsa said: The Hadith of Ibn ‘Abbas is a Hasan Hadith.

The meaning of the Hadith is that there is no harm in performing ‘Umrah during the months of Hajj. This is what was said by Ash-Shafi'i, Ahmad, and Ishaq. And, the meaning of this Hadith 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 Shawwāl, 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-Muḥarran. 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 Imām Mālik, and Shafi'i, Shawwāl, Dhul-Qa’da and Dhul-Hijjah – three complete months, are Hajj months, whereas according to Imām Ahmad and Abū Ḥanifah, up to the 10th of Dhul-Hijjah are the months of Hajj. The correct report of Imām Shafi’i is that the 10th of Dhul-Hijjah is not included in the months of Hajj. (Tuhfat Al-Ahwadhi v.2 p.114). The correct understanding of the narration is as described by Imām At-Tirmidhi.
Chapter 91. What Has Been Related About Performing 'Umrah


Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ.

Comments:

The blessed journey of ‘Umrah provides a chance for repentance and to ask Allāh for forgiveness. The sins between ‘Umrah to ‘Umrah are forgiven by Allāh. Similarly Ḥajj free from showing off and hypocrisy is rewarded with Paradise.


[2] “A well known location outside Makkah. It is about four miles from Makkah in the direction of Al-Madinah.” (Tuhfat Al-Ahwādī).
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 Qiran, 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’īm to reassume *Ihrām* and perform ‘Umrah.

Chapter 92. What Has Been Related About Performing ‘Umrah From Al-Jīrānāh

935. Muharrish Al-Ka’bī narrated: “The Messenger of Allah ﷺ left Al-Jīrānāh 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-Jīrānāh 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 Sarīf until he came on a road from amidst Sarīf. 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.”)

Comment:

The Prophet ﷺ on 17th or 18th of Dhul-Qa’dah A.H. on Wednesday left Ji’rānāh and went to Makkah, there he performed ‘Umrah and the same night returned to Ji’rānāh, and on Thursday via Sarīf 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 Allāh ﷺ perform ‘Umrah? He said: ‘During Rajab.’ So ‘Aishah said: ‘The Messenger of Allāh 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.’” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Gharīb. I heard Muhammad saying: “Habīb bin Abī Thābit 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.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Gharīb Hasan Ṣaḥīḥ

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. ‘Āishah also performed ‘Umrah in Rajab. (Ma‘ārif v.6. p.339.)
Chapter 94. What Has Been Related About 'Umrah During Dhul-Qa‘dah

938. Al-Barâ’ narrated: “The Prophet performed 'Umrah during Dhul-Qa‘dah.” (Sahih)

Abû ‘Eisâ said: This Hadith is Hasan Sahîh. There is something on this topic from Ibn ‘Abbâs.

Comments:
The Prophet performed four 'Umrah: 1.) 'Umratul-Hudaibiyah which actually was not performed but its reward was given by Allah. 2.) In the 7th year of Hijrah, 'Umratul-Qa‘dah was performed. 3.) The very next year at the time of the conquest of Makkah, 'Umrah of Ji'ranah 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 Ramadan

939. Umm Ma‘qîl narrated that the Prophet said: “'Umrah during Ramadan is equal to Hajj.” (Sahih)

There are narrations on this topic from Ibn ‘Abbâs, Jâbir, Abû Hurairah, Anas, and Wahb bin Khânbash. He (Abû ‘Eisâ) said: And they say Haram bin Khânbash—Bayân and Jâbir said: “From Ash-Shâ’bî, from Wahb bin Khânbash.” Dâwûd Al-Awdî said: “From Ash-Shâ’bî, from Haram bin Khânbash.” And Wahb is more correct.
The Hadith of Umm Ma’qil is a Hasan Gharib Hadith from this route.

Ahmad and Ishāq said: It has been confirmed from the Prophet ﷺ that: “Umrah during Ramaḍān is equal to Hajj”

Ishāq 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-Hajjāj bin ‘Amr who narrated that the Messenger of Allāh ﷺ said: “Whoever suffers a fracture or becomes lame then he (leaves the state of Ihram) and is required to perform another Hajj.” I (‘Ikrimah) mentioned that to Abū Hurairah and Ibn ‘Abbās and they said: “He told the truth.” (Sahih)

(Another chain of narrators, a similar Hadith as above)
Abū ‘Eisā said: This Hadīth is Hasan (Sahīh) Hadīth. 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 Hadīth from Yahya bin Abī Kathīr, from ‘Ikrimah, from ‘Abdullāh bin Rāfī‘, from Al-Hajjāj bin ‘Amr, from the Prophet ﷺ. Hajjāj bin Aṣ-Ṣawwāf did not mention “Abdullāh bin Rāfī’” in his narration.

Hajjāj is a trustworthy Ḥāfīz according to the people of Ḥadīth.

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 Ḩārām for Ḥaajj 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 Ḥaajj, according to the Aḥnāf he will leave the state of Ḩārām and will have to perform Ḥaajj at some other time.

Chapter 97. What Has Been Related About Stating A Condition For Ḥaajj

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 Allâhumma labbaika mahilli minal-Ard fzaithu tahbisuni” (I respond to Your call O Allâh, 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 Abî Bakr), and ‘Aishah.

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, Aḥmad, 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.

Chapter 98. Something Else About That

942. Salim narrated that his father disliked making a condition during Hajj and he said: “Is not the Sunnah of your Prophet (ﷺ) enough for you?” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

Comments:
Ibn ‘Umar was not aware of the narration of Duba‘ah, that is why he objected to performing a conditional Hajj. Had he known this narration he would not have objected.

Chapter 99. What Has Been Related About A Woman Whose Menses Begin After Al-Ifadah

943. ‘Aishah narrated: “It was mentioned to the Messenger of Allah ﷺ that Safiyyah bint Ḥuyai got her menses during the days of Minā, so he said: “Will she prevent us (from departing)?” They said: “She has done (Tawaf) Al-Ifadah.” So the Messenger of Allah ﷺ said: “In that case there is no harm.” (Sahih)

(He said:) There are narrations on this topic from Ibn ‘Umar and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadith of ‘Aishah is a Hasan Sahih Hadith. This is acted upon according to the people of knowledge. When a woman performs Tawaf Al-Ifadah then her menses begin she may leave and there is nothing due from her. This is the view of Ath-Thawrī, Ash-Shāfi‘, Ahmad, and Ishāq.
Comments:

Solution of the Problem: If the menses of a woman start before performing Ṭawāf Al-‘Ifādah 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 Hāfīz Ibn Taimiyyah, she should take bath and perform Ṭawāf Al-‘Ifādah, and she will pay the penalty (sacrifice of an animal in the limits of the Haram. (for more details see Fatāwa Ibn Taimiyyah v.26 p. 242-244.)

944. Ibn ‘Umar said: “Whoever performs Ḥajj to the House, then let the last of their acts be at the House, except for menstruating women. The Messenger of Allāh ﷺ gave them permission (to leave).” (Ṣaḥīḥ Mawqūf)

Abū ‘Eisā said: The Ḥadīth of Ibn ‘Umar is a Ḥasan Ṣaḥīḥ Ḥadīth. This is acted upon according to the people of knowledge.

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 Ṭawāf around the House.” (Ṣaḥīḥ)

Abū ‘Eisā said: This is acted upon according to the people of knowledge. The menstruating woman carries out all of the rites besides Ṭawāf around
the House. This Hadith was reported from ‘Aishah through routes other than this as well.

945 B. Ibn ‘Abbâs narrated (that the Prophet ﷺ said): “The women in post-natal bleeding and menses were to perform Ghusl, enter Ihrãm and carry out all of the rites except for Tawâf around the House, until they become clean.” (Da’îf)

[Abû ‘Eisâ said:] This Hadith is Hasan Gharîb.

946. Al-Ḥârîth bin ‘Abdullâh bin Aws said: “I heard the Prophet ﷺ 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 ﷺ but did not inform us of it?” (Da’îf)
(He said:) There is something on this topic from Ibn ‘Abbās.

Abū ‘Eisā said: The Ḥadīth of Al-Hārith bin ‘Abdullāh bin Aws is a Gharīb Ḥadīth. This was reported by more than one from Al-Hajjāj bin Arṭānah, and it is similar to this. Al-Hajjāj was contradicted in some of this chain.

Chapter 102. What Has Been Related About: The Qārin Performs One Ẓawâf

947. Jábir narrated: “The Messenger of Allāh ﷺ performed Qarān for Ḥajj and ‘Umrah, so he performed one Ẓawâf for both of them.” (Sahīh)

(He said:) There are narrations on this topic from Ibn ‘Umar and Ibn ‘Abbās.

Abū ‘Eisā said: The Ḥadīth of Jābir is a Hasan Ḥadīth. 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 Ẓawâf. This is
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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 A’immah and the people of knowledge agree that a person performing Hajj Qiran 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 Sad. 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-Ifadah and Tawâf Al-Wadâ are essential. (see Fath Al-Bâri v.3. p. 624-626.)

948. Ibn ‘Umar narrated that the Messenger of Allah ﷺ said:

“Whoever assumes Içra’m for Hajj and ‘Umrah, then it is acceptable for him to perform one Tawâf and one Sa’î for them both, until he exits Içra’m for both of them together.” (Sahih)

Abû ‘Eisâ said: This Hadîth is Hasan Gharib Sahih, 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.
Chapter 103. What Has Been Related About The Muhajir Staying In Makkah For Three Days After Returning (From Minā)

949. Al-‘Alā’ bin Al-Ḥaḍramī narrated (that the Prophet said): “The Muhajir may stay for three (days) in Makkah after carrying out his rites.” (Sahih)

Abū ‘Eīsā 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-Ḥijjah 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 would come home from a battle, or Hajj, or ‘Umrah, when he was it a tract of land or raised area he would say ‘Allāhu Akbar (Allah is Most Great)’ three times, then say: ‘Lā ilāha illallah Wahdahu la sharika lahū, lahub-mulku wa lahub-Hamdu wa Huwa ‘ala kulli shai’in qadīr. Ā’ibuna tā’ibūn ābidūn sādāthu ni Rabbina Hāmidūn, Sadaqallahu’
None has the right to be worshipped but Allah Alone without partners. To Him belongs the sovereignty and to Him belongs the praise, and He has power over all things. We are returning, repenting, worshipping, traveling for our Lord, and we are praising. Allah has told the truth, and kept His promise and helped His worshipper, and routed the confederates, Alone."

(He said:) There are narrations on this topic from Al-Barâ’, Anas, and Jâbir.

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

Comments:
The Prophet ﷺ in his travel or sojourn always asked Allah’s blessings according to the need of the situation. The reason behind making these supplications was to praise Allah ﷺ 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 Allah ﷺ he is always weak, humble and slave of Allah. Man is always in need of Allah’s help and guidance.

Chapter 105. What Has Been Related About The Muhrim Who Dies In His Ibrâm

Ibn ‘Abbâs narrated: “We were with the Messenger of Allah on a journey when he saw a man fall from his camel, his neck was broken and he died, and he was a Muhrim. So the Messenger of Allah ﷺ said: ‘Wash him with water and Sidr, and shroud him in his garments, and do
not cover his head. For indeed he will be resurrected on the Day of Judgement saying the *Talbiyah.*” *(Sahih)*

Abū ‘Eisā said: This *Hadīth* is *Hasan Sahīh.* [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 Iṣḥāq. Some of the people of knowledge said that when the *Muḥrīm* dies his *Iḥrām* ends, and what is to be done with a non-*Muḥrīm* is what is to be done with him.

Comments:

On the basis of this narration, Imām Ash-Shāfi‘ī Imām Ahmad, Ishaq and Az-Zāhiriyah all say that after the death of a *Muḥrīm* the deceased remains in the state of *Iḥrām*, 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 Muḥrīm’s Eyes Bother Him Then He May Use A Bandage With Aloe

952. Nubaih bin Wahb narrated that ‘Umar bin ‘Ubaidullāh bin Ma‘mār was complaining about his eyes while he was a *Muḥrīm.* He asked Abān bin ‘Uthmān about it and he said: “Bandage it with some aloe, for I heard ‘Uthmān bin ‘Affān mentioning that the Messenger of Allāh Ḥ. said: ‘Bandage it with aloe.’” *(Sahih)*

Abū ‘Eisā said: This *Hadīth* is
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Hasan Sahih. This is acted upon according to the people of knowledge, they did not see any harm in a Muhrim being treated with some treatment as long as it did not have any perfume in it.

Comments:
It is unanimously agreed upon that a Muhrim can use aloes ointment, which has no perfume, for his eye ailment. There is no penalty on him if he uses odorless medicine, but if he uses a perfumed medicine, there will be a penalty on him.

Chapter 107. What Has Been Related About What Is Required From A Muhrim Who Shaves His Head While In Ihram

953. `Abdur-Rahmān bin Abī Laila narrated from Ka'b bin `Ujrah that the Prophet ﷺ 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 ﷺ) 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 Sā’ – “or fast three days, or slaughter a sacrifice.” Ibn Abi Najih (one of the narrators) said: “Or slaughter a sheep.” (Sahih)
Abū ‘Eisā said: This Hadith is Hasan Sahih.

This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ 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.” (*Sahih*)

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 ‘Āşim 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 Minâ is Sunnah according to Imam Abû Hanifah and Imam Aḥmad. If the night is not spent in Minâ, it is disliked and disapproved, but there is no penalty for it. (Al-Mughnî v. 5. p.325) According to Imam Mâlik and Ash-Shâfi‘î, spending the night in Minâ is obligatory.

955. Abî Al-Baddâh bin ‘Âsîm bin ‘Adî narrated from his father: “The Messenger of Allâh permitted the camel herders who were in the camp (at Minâ) to stone on the Day of An-Nâhîr then to gather the stoning of two days after the Day of An-Nâhîr, so that they stoned them during one of them.” Mâlik said: “I think that he said about the first of them: ‘Then they should stone on the day of departure.’” (Sahih)

(He said:) This Hadîth is Hasan Sahîh, and it is more correct than the narration of Ibn ‘Uyainah from ‘Abdullâh bin Abî 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‘ârif v. 6. p. 410.) and then one can be combined on one of those days, stones again on the 13th of Dhul-Hijjah. Imâm Khattäbi has quoted this from Imâm Mâlik and Imâm Shâfi‘î.

Chapter 109. (For A Man To Begin The Talbiyah As The Prophet Did)

956. Anas bin Mâlik narrated: “When ‘Alî returned to the Messenger of Allâh from Yemen he said: ‘For what did you intended the Talbiyah?’ He replied: ‘I intended the Talbiyah for what
the Messenger of Allāh announced it.’ So he (ﷺ) said: ‘If I did not have the Hadīth with me then I would exit Ihram.’” (Sahīh)

Abū ‘Eisā said: This Ḥadīth is Hasan (Sahīh) Gharib from this route.

Comments:

Imām Ibn Qudāmah writes that assuming unspecified Ihram, and to follow some other one’s Ihram is approved. There is no difference of opinion in it.

(Al-Mughni v. 5. p. 97.)

Chapter 110. What Has Been Related About The Day Of Al-Ḥajj Al-Akbar

957. ‘Allā narrated: “I asked the Messenger of Allāh about the day of Al-Ḥajj Al-Akbar and he said: ‘The Day of An-Nahr.’” (Sahīh)

(Tafsīr) And he said: ‘The Day of An-Nahr.’

Comments:

We have seen that the Sahīh narration of Ibn ‘Uyainah is more correct than the Marfū’ narration of Muhammad bin Ishāq.

958. ‘Allā narrated: “The day of Al-Ḥajj Al-Akbar is the Day of An-Nahr.”’ (Sahīh)

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 Ishāq.

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-Akbar. Most of the scholars say that Al-Hajj Al-Akbar means Al-Hajj and ‘Umrah is call Al-Hajj Al-Aṣghar. The Day of An-Nahr is named Al-Hajj Al-Akbar 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-Ahwādi 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-Rahmān! 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 'Ātā' 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 Ḥasan).

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 one self. 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.” (Ḥasan)

Abū ‘Eisā said: This Hadīth has been reported from Ibn Tawās and others, from Tawūs, from Ibn ‘Abbās in Mawqūf form. We do not know of it being Marfu‘ except in the narration of ‘Ātā’ 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.
Chapter 113. What Has Been Related About The Black Stone

961. Ibn 'Abbas narrated that the Messenger of Allah (ﷺ) said about the (Black) Stone: "By Allah! Allah 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.” (Da'if)

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.

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.” [Sahih]

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 Tarwiyah

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.
Mālik: ‘Narrate something to me that you understand about where the Messenger of Allāh performed Zuhr on the Day of Tarwiyah.’ He said: ‘In Minā.’ “I said: ‘So where did he pray ‘Asr on the day of departure?’ He said: ‘In Al-Abṭāḥ.’ Then he said: ‘Do what your leaders do.’” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih, but it is considered Gharīb as a narration of Ishāq (bin Yūsuf) Al-Azādi from Ath-Thawrī.
8. The Chapters On Janā'iz

From The Messenger of Allah ﷺ

Chapter 1. What Has Been Related About Reward For The Sick

965. ‘Aishah narrated that the Messenger of Allah 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, Allah raises him in rank and removes sin from him.” (Sahih)

(He said:) There are narrations on this topic from Sa’eed bin Abi Waqqas, Abū ‘Ubaidah bin Al-Jarrāḥ, Abū Hurairah, Abū Umãmah, Abū Sa’d, Anas, ‘Abdullãh bin ‘Amr, Asad bin Kurz, Jãbir bin ‘Abdullãh, ‘Abdur-Rahmãn 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 Wāki’ 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 ‘Atā’ bin Yasar, 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

Thawbān narrated that the Prophet ﷺ said: “Indeed the Muslim remains in the Khurfah (harvest)[1] 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 Jābir.

Abū ‘Eisā said: The Ḥadīth of Thawbān is Hasan (Ṣaḥīḥ). Abū Ghifār and ‘Aṣim Al-Ahwāl reported this Ḥadīth similarly, from Abū Qilābah from Abū Al-Aswāth, from Abū Aṣmā’, from Thawbān, from the Prophet ﷺ.

He said: I heard Muḥammad saying: “Whoever reported this Ḥadīth from Abū Al-Aswāth, from Abū Aṣmā’, then he is more correct.” Muhammad said: “The Ahādīth of Abū Qilābah are only from Abū Aṣmā’, except for this Ḥadīth; to me, it is from Abū Al-Aswāth, from Abū Aṣmā’.

968. (Another chain) from Thawbān 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.” (Ṣaḥīḥ)

(Another chain) from Thawbān who narrated that the Prophet ﷺ said it, and it is similar to the narration of Khālid (no. 967) but he did not mention “from Al-Aswāth” in it.

(Abū ‘Eisā said:) Some of them narrated it through Hammad bin Zaid, but not in Marfū‘ form.
When a Muslim goes to visit some sick person he gets reward from Allah ﷻ. Each of his steps brings him reward from Allah ﷻ.

969. Thuwar [and he is Ibn Abī Fakhitah] narrated that his father said: “Alī took me by the hand and said: ‘Come with us to pay a visit to Al-Ḥasan.’ So we found that Abū Mūsā was with him. ‘Alī – peace be upon him – said: ‘O Abū Mūsā! Did you come to visit (the sick) or merely (stop by to) visit?’ He said: ‘No, to visit (the sick).’ So ‘Alī said: ‘I heard the Messenger of Allah 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)

Abū ‘Eisā said: This Ḥadith is Gharib Hasan. This Ḥadith has been reported from ‘Alī by other routes, among them those who narrated it in Mawqūf not Marfu’ form. Abū Fakhitah’s name is Sa‘eed bin ‘Ilāqah.

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 Allah ﷻ.
Chapter 3. What Has Been Related About The Prohibition Against Wishing For Death

970. Ḥāridah 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.’” (Ṣaḥīḥ)

There are narrations on this topic from Abū Ḥurairah, Anas and Jābir. Abū ‘Eisā said: The Ḥadīth of Khabbāb is a Ḥasan Ṣaḥīḥ Ḥadīth. 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 aḥyainī mā kānatil-wafatū khairan li, wa tawaffāni idhā kānatil-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.
The Chapters On *Jānā'īz*

971. Anas bin Mālik narrated that the Prophet said that (a *Hadith* similar to no. 970). (*Sahih*)

Abū 'Eisā said: This *Hadith* is Ḥasan *Sahih*.

972. Abu Sa'eed narrated that Jibril came to the Prophet and said: “O Muḥammad! Are you suffering?” He said: “Yes.” He said: “In the Name of Allāh, 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 Allāh I recite a prayer (*Ruqyah*) over you, may Allāh cure you.” (*Sahih*)

973. ‘Abdul-'Azīz bin Ṣuhaib said: “Thābit Al-Bunānī and I entered upon Anas bin Mālik, and Thābit said: ‘O Abū Ḥamzah! I am suffering from an illness. So Anas said: ‘Shall I not recite the *Ruqyah* of the Messenger of Allāh over you?’ He said: ‘Why, yes.’ He said: ‘O Allāh! 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.” (\textit{Sahih})

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

Abū ‘Eisā said: The \textit{Hadith} of Abū Sa‘eed is a \textit{Hasan \textit{Sahih} Hadith}.

He said: I asked Abū Zur‘ah about this \textit{Hadith}. I said to him: “Is the narration of ‘Abdul-‘Azīz from Abū Nadrah, from Abū Sa‘eed more correct, or, the narration of ‘Abdul-‘Azīz from Anas?” He said: “Both of them are \textit{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 \textit{Ruqyah} for someone is not prohibited and it is not against faith.

\textbf{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.” (\textit{Sahih})

(He said:) There are narrations on this topic from Ibn Abī Awfā. Abū ‘Eisā said: The \textit{Hadith} of Ibn ‘Umar is a \textit{Hasan \textit{Sahih} Hadith}. 
The Chapters On Janā'iz

Chapter 6. What Has Been Related About A Will For Third And A Fourth

975. Sa'd bin Malik said: "The Messenger of Allah (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 Allah.' 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 Allah (ﷺ) said: 'And a third is too great.'" (Sahih)

(He said:) There is something on this topic from Ibn 'Abbās.

Abu 'Eisā said: The Hadīth of Sa'd is a Hasan Sahih Hadith. 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

Comments:

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.
recommended that it be less than a third. Sufyân Ath-Thawrî 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 Ahnâf, if the deceased has no heir, he can bequeath more than one third of his total property. (Rad ’Alâ! - Mukhtar v.6. p. 652) Most of the scholars hold that to bequeath more than one third is not approved or lawful. (Sahîh Muslim v. 2. p. 39.)

Chapter 7. What Has Been Related About Instructing The Sick When Dying And Supplicating For Him

976. Abû Sa'eed Al-Khudrî narrated that the Prophet said: “Instruct your dying to say: (La Ilâha illallah.) ‘None has the right to be worshipped but Allâh’ (Sahîh)
(He said:) There are narrations on this topic from Abû Hurairah, Umm Salamah, ‘Aishah, Jâbir, Su'dâ Al-Murriyyah the wife of Talhah bin ‘Ubaidullah.
Abû ‘Eisâ said: The Hadîth of Abû Sa'eed is a Gharîb Hasan Sahîh Hadîth.
977. Umm Salamah narrated: "The Messenger of Allah 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 Abu Salamah died I went to the Prophet ﷺ and said: 'O Messenger of Allah! Abü Salamah has died.' He said: 'Then say: 'O Allah forgive me and him, and give me a good replacement for him.'" She said: "I said that, and Allah gave a replacement that was better than him: The Messenger of Allah." (Sahih)

Abū 'Eisa said: Shaqiq (one of the narrators) is Ibn Salamah, Abū Wā'il Al-Asadi.

Abū 'Eisa said: The Hadith of Umm Salamah is a Hasan Sahih Hadith. It is recommended to instruct the sick at the time of death to say La Ilâha Illâh.

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-Mubarak that when he was in the near his death a man began to coax him to say La Ilâha Illâh and to say it many times. So 'Abdullâh said to him: "When I say it one time, that is enough as long as I do not talk afterwards."

'Abdullâh was referring to what has
been reported from the Prophet ﷺ, saying: “Whoever’s last words are Lâ Ilâha Illallâh, 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. ‘Ä’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 ‘Eîsâ said: This Hadîth is (Hasan) Gharib.

Comments:
Gamarât and Sakar are plurals of Gamarah and Sakarah respectively, and both mean throes and agony of death.

979. ‘Ä’ishah narrated: “I was not envious of anyone whose death was easy after I saw the severity the
Death of the Messenger of Allāh ﷺ.\(^1\) (Hasan)

He said: I asked Abū Zur‘ah about (one of the narrators of) this Hadith, saying to him: “Who is ‘Abdur-Rahmān bin Al-‘Alā’?” He said: “He is Ibn Al-‘Alā’ bin Al-Lajlāj” 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.

980. [‘Alqamah narrated: “I heard ‘Abdullāh saying: ‘I heard the Messenger of Allāh ﷺ saying: ‘The believer’s soul seeps out, and I do not like the death like that of a donkey.’” He said: “And what is the death of the donkey?”] (Da‘f)

Comments:

The Prophet ﷺ sought exclusion from sudden death because in such a death there is no chance of asking Allāh’s forgiveness.

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\(^1\) Meaning, if an easy death was a good thing then the Prophet ﷺ 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 Mālik narrated that the Messenger of Allāh ﷺ said: "There is nothing that the two Guardian Angels raise to Allāh that they have preserved in a day or night, and Allāh finds good in the beginning of the scroll and in the end of the scroll, except that Allāh Most High says: 'Bear witness that I have forgiven my servant for what is included in the scroll.'" (Da‘īf)

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. ‘Abdullāh bin Buraidah narrated from his father, that the Prophet ﷺ said: "The believer dies with sweat on his brow." (Sahih)

(He said:) There is something on this topic from Ibn Mas‘ūd.

Abū ‘Eisā said: This Ḥadīth is Ḥasan, and some of the people of Ḥadīth said: "We do not know that Qatādah heard from ‘Abdullāh bin Buraidah."
The Chapters On Janāiz

Chapter 11. Hope In Allāh 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 Allāh! Indeed I hope in Allāh and I fear from my sins." So the Messenger of Allāh said: "These two will not be gathered in a worshipper's heart at a time such as this, except that Allāh will grant him what he hopes and make him safe from what he fears." (Hasan)

Abū 'Eisā said: This Hadith is Hasan Gharib. Some of them have reported this Hadith in Mursal form from Thabit from the Prophet .

Comments:
1. 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.
2. 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.)
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 صل الله عليه وسلم, he is hopeful of forgiveness.

Chapter 12. What Has Been Related About It Being Disliked To Announce One’s Death (An-Na‘ī)

984. ‘Abdullâh narrated that the Prophet صل الله عليه وسلم said: “Beware of An-Na‘ī, for indeed announcing one’s death is from the deeds of Jahiliyyah.” (Da‘îf)

‘Abdullâh said: “An-Na‘ī is announcing of one’s death.” There is something about this from Hudhaifah.

985. (Another chain) from ‘Abdullâh (from the Prophet صل الله عليه وسلم) similar (to no 984), but he did not narrate it in Marfû’ form, and he did not mention in it: “An-Na‘ī is announcing of one’s death.” (Da‘îf)

(Âbu ‘Eisâ said:) This is more correct than the narration of ‘Abbasah from Abû Hamzah (no. 984). Abû Hamzah is Mâ’mûn Al-A‘war, and he is not strong according to the people of Hadith.

Âbu ‘Eisâ said: The Hadith of ‘Abdullâh is a (Hasan) Gharîb Hadith. 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 Ibrāhīm said: “There is no harm if a man informs his relatives.”

986. Bilāl bin Yahya Al-Anbāsi narrated that Ḥudhaifah (bin Al-Yamān) said: “When I die do not announce about me to anyone, indeed I fear that it would be An-Na‘ī, and I heard the Messenger of Allah prohibing from An-Na‘ī.” (Da’āf)

This Ḥadīth is Ḥasan [Ṣaḥīḥ].

Comments:

An-Na‘ī means to give or announce the information of someone’s death as the Prophet 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 Jāhilīyyah. This type of announcement is of two types. A) In the era of Jāhilīyyah 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-Ahwādhi v. 2 p129 and Faṣād Al-Bārī 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.”¹¹ (Hasan)

Abû ‘Eisâ said: This Hadîth is Gharîb from this route.

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 ‘Āishah: “The Prophet ﷺ kissed ‘Uthmân bin Maẓʿûn when

¹¹ See no. 1061.
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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 'Abbâs, Jâbir, and 'Aishah, they said that Abû Bakr kissed the Prophet ã when he died."

Abû 'Eisâ said: The Hadîth of 'Aishah is a Hasan Sahîh Hadîth.

Comments:

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 Abû Bakr kissed the Prophet ã when he died and no one objected to his action.

Chapter 15. What Has Been Related About Washing The Dead

990. Umm 'Atiyyah narrated: "One of the daughters of the Prophet ã 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.’" (Sahîh)

Hushaim said: “In the narration of others besides these people – and I do not know perhaps Hishâm was
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: “Khälid narrated to us, among the people, that Ḥafṣah, and Muhammad (narrated) that Umm ‘Ātiyyah said: ‘And we began with the right side and the places of Wudū’.’”

And there is something about this topic from Umm Sulaim.

Abū ‘Eisā said: The Hadith of Umm ‘Ātiyyah is a Hasan Ṣahih Hadith.

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-Shāfi‘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.”
And this is what the *Fuquhâ’* said, and they are more knowledgeable about the meaning of the *Hadîth*. Ahmad and Ishâq said that the washings are to be done with water and *Sidr*, 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. Abû Sa'eed Al-Khudrî narrated that the Messenger of Allah ﷺ said: “The best scent is the perfume of musk.” *(Saḥîh)*

Abû 'Eisâ said: This *Hadîth* is Hasan *Saḥîh*.

992. Abû Sa'eed narrated that the Prophet ﷺ was asked about musk and he said: “It is the best of your perfumes.” *(Saḥîh)*

Abû 'Eisâ said: This *Hadîth* is Hasan *Saḥîh*. 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.’”

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]

[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-Mubârak 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. (Sharḥ Al-Muhadh-dhab. 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 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 ‘Aîshah.

Abû ‘Eisâ said: The Hadîth of Ibn ‘Abbâs is a Hasan Sahîh Hadîth.

The people of knowledge consider
this recommended. Ibn Al-Mubarak said: “I prefer that he be shrouded in the clothing that he performed Salát in.” Ahmad and Ishâq said: “The clothing that is recommended to us – to be shrouded in – is the white (clothing), and the best of shrouds is recommended.”[1]

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 Qatâdah narrated that the Messenger of Allâh 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 Jâbir.

Abû ‘Eisâ said: This Hadîth is Hasan Gharîb. Regarding his saying: “then let him use the best of his shrouds” Ibn Al-Mubârak said that Sallâm bin (Abi) Mu'tî said: “It is the cleanest, it does not mean the most valuable.”

[1] 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**

996. Hishãm bin ‘Urwah narrated from his father that ‘Aishah said: “The Prophet 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 ‘Aishah, that there were two garments and a Habîr Burd. She said: ‘A Burd was brought, but they refused it and they did not shroud him in it.” (Sahih)

Abû ‘Eisã 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 gave a shirt to the son of ‘Abdullãh 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-Nihåyah.

[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 'Abbás, 'Abdullāh bin Mughaffal, and Ibn 'Umar.

Abū 'Eisā said: The Hadīth of Āishah is a Hasan Saḥīh Hadīth.

Narrations about the shroud of the Prophet ﷺ differ, and the Hadīth of Āishah is the most correct of the Ahādīth that have been reported about shrouding the Prophet ﷺ.

This is acted upon according to most of the people of knowledge among the Companions of the Prophet ﷺ and others. Sufyān Ath-Thawrī said: “A man should be shrouded in three clothes, 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-Shāfī‘ī, Ahmad and Ishāq. They say that the woman is shrouded in five clothes.

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.)

Chapter 21. What Has Been Related About Preparing Food For The Family Of The Deceased

998. 'Abdullāh bin Ja'far said:
“When the news of the death of Ja’far came, the Prophet جاً said: ‘Prepare some food for the family of Ja’far, for indeed something has happened to them that will keep them busy.’” (Hasan)

Abū ‘Eisā 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-Shafi‘i.

(Abū ‘Eisā said:) Ja’far bin Khalid is Ibn Sārrah, 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. ‘Abdullāh narrated that the Prophet حکم said: “He who slaps (his) cheeks, tears (his) clothes and calls with the calls of Jahiliyyah is not one of us.” (Sahih)

Abū ‘Eisā 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 Rabī’ah Al-Asadī said: “A man died among the Ansâr 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 Allāh, and he said: “As for the gravity of wailing in Islām, indeed I heard the Messenger of Allāh ﷺ saying: ‘The one who is wailed over is punished as long as he is being wailed over.’” (Sahih)

There are narrations on this topic from ‘Umar, ‘Ali, Abū Mūsā, Qais bin ‘Āṣim, Abū Hurairah, Junādah bin Mālik, Anas, Umm ‘Aṭiyyah, Samurah, and Abū Mālik Al-Asha’rī.

Abū ‘Eisā said: The Hadīth of Al-Mughirah is a Gharīb Hasan Sahih Hadīth.
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. Abū Hurairah narrated that the Messenger of Allāh 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-‘Adwā’ – a camel gets mange, so one hundred camels get mange – but who gave the first camel mange? And Al-Anwā’ (saying): ‘We got rain because of this or that celestial positioning.” (Hasan)

Abū ‘Eisā said: This Ḥadīth is Hasan.

Comments:

Al-‘Adwā’ 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 Allāh ﷻ. As the first person gets some disease with the will of Allāh ﷻ, the same way the second and third get the disease by the will of Allāh ﷻ.

Chapter 24. What Has Been Related About It Being Disliked To Cry Over The Deceased

1002. ‘Umar bin Al-Khaṭṭāb narrated that the Messenger of Allāh ﷺ said: “The deceased is...
punished for the crying of his family over him.” (Sahih)

There are narrations on this topic from Ibn ‘Umar and ‘Imrân bin Ḥusain.

Abū ‘Eisā said: The Hadîth of ‘Umar is a Hasan Sahîh Hadîth.

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 Hadîth. Ibn Al-Mubârak 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.”

Ibn Al-Mubârak 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.”

Abû ‘Eisâ said: This Hadîth is Hasan Gharîb.

Comments:

Imâm At-Tirmidhî 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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deceased and saying untrue things about him during wailing, all this brings punishment to the dead.

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 Allah have mercy upon him. He has not lied, but he is mistaken. It is only that the Messenger of Allah 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 ‘Abdîs, Qarazah bin Ka'b, Abu Hurairah, Ibn Mas'ûd and Usâmah bin Zaid.

Abû ‘Eisâ said: The Hadith of ‘Aishah is a Hasan Sahîh Hadith, and it has been reported through more than one route from ‘Aishah.

The people of knowledge followed this, and they interpreted it with the Ayah: No one laden with burdens can bear another’s burden.[1]

This is the view of Ash-Shafi‘î.

1005. Jâbir bin ‘Abdullãh narrated: “The Prophet ﷺ took ‘Abdur-Rahmân bin ‘Awf by the hand and

went with him to his son Ibrāhīm. He found him in his last breaths, so he took him and put him on his lap and cried. ‘Abdur-Rahmān 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 Shaitān’s scream.’” And there is more that is stated in the Hadith. (Hasan)

Abū ‘Eisā said: This Hadith is Hasan.

Comments:
This narration proves that weeping in a low voice or shedding tears is not prohibited, but lamenting, wailing and crying are prohibited.

1006. ‘Abdullāh bin Abī Bakr – and he is Ibn Muḥammad bin ‘Amr bin Hazm – narrated from his father, that ‘Amrah informed him that she heard ‘Aishah, while it was being mentioned to her that Ibn ‘Umar had said that the deceased would be punished for the crying of the living (over him). So ‘Aishah said: ‘May Allāh forgive Abū ‘Abdur-Rahmān. He has not lied, but he has either forgotten or he is mistaken in the understanding. Rather, the Messenger of Allāh ﷺ 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.’” (Ṣaḥīh)
Abū ‘Eisā said: This Hadith is (Hasan Ṣahih.)

قال أبو عيسى: هذا حديث حسن صحيح.

تخرج: منتق علیه، وأخرجه مسلم، الجنائز، باب اليت يعذب بيكاء أهله عليه، ح: 922/227 عن قتيبة والبحاري، ح: 1289 من حديث مالك به وهو في الموطا: 234/22 (بيهي) باختلاف.

Comments:
‘Āishah 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. Sālim narrated that his father said: “I saw the Prophet ﷺ, Abū Bakr, and ‘Umar walking in front of the funeral.” (Hasan)

1008. Sālim bin ‘Abdullāh narrated that his father said: “I saw the Prophet ﷺ, Abū Bakr, and ‘Umar walking in front of the funeral.” (Hasan)
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1009. Az-Zuhri said: “The Prophet ﷺ, Abû Bakr, and ‘Umar would walk in front of the funeral.” Az-Zuhri said: “Sâlim informed me that his father would walk in front of the funeral.” (Hasan)

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

Abû ‘Eisâ said: The Hadith of Ibn ‘Umar was reported like this from Ibn Juraij, Ziyâd bin Sa’d, and others, from Az-Zuhri, from Sâlim, from his father, and it is similar to the narration of Ibn ‘Uyainah.[1]

Ma’mar, Yûnus bin Yazîd, Mâlik and others among the Huffâz reported it from Az-Zuhri: “The Prophet ﷺ would walk in front of the funeral.” (Az-Zuhri said: “Sâlim 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.


Abû ‘Eisâ said: Hammâm bin Yahya reported this Hadith from Ziyâd – and he is Ibn Sa’d – and Mansûr, Bakr, and Sufyân from Az-Zuhri, from Sâlim, from his father. And the only Sufyân that

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 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 Ḥadīth 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 would walk in front of the funeral, as did Abū Bakr, ‘Umar, and ‘Uthmān.”

(Ḥasan)

(‘Abū ‘Eisā said:) I asked Muḥammad about this Ḥadīth and he said: “This Ḥadīth (is a mistake), Muhammad bin Bakr was mistaken in it. This Ḥadīth was only reported from Yūnus, from Az-Zuhri: ‘The Prophet, 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 Banū Taimillāh, narrated from Abū Majīd from ‘Abdullāh bin Mas‘ūd who said: “We asked the Messenger of Allah J 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] (Dā’f)

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 Muḥammad bin Ismā‘īl grading this narration of Abū Majīd weak. Muḥammad said: “Al-Ḥumaidī said: ‘Ibn ‘Uyainah said: “Yaḥya was asked about who this Abū Majīd 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 Iṣḥāq. Abū Majīd is an unknown person, he has two Ahādīth from Ibn Mas‘ūd. Yaḥya, the Imam of Banū Taimillāh, narrated from Abū Majīd from ‘Abdullāh bin Mas‘ūd who said: “We asked the Messenger of Allah J about walking behind the funeral. He said: ‘Less than a trot.’ [1]

[1] Meaning, walk quickly, but not as fast as a trot.
the Imām of Banū Taimillāh is trustworthy. His Kūnyah is Abūl-Ḥarīth, and they call him Yaḥyā Al-Ḥābir, and they also call him Yaḥyā Al-Mujbir. He is from Al-Kūfah, Shu‘bāh, Sufyān Ath-Thawrī, Abū Al-Ḥāwas, and Sufyān 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. Thawbān 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‘bah and Jābir bin Samurah.

Abū ‘Eisā said: The Hadīth of Thawbān has been reported from him in Mawqūf form [Muḥammad said: "The Mawqūf (version) is more correct.”]

Comments:
Without any genuine reason, going with a funeral on a mount is not correct
(Sharḥ Al-Muḥaddīb 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-Dahdäh, and he was on a horse that was walking quickly, and we were around him, and he was trotting.” (Sahih)

Comments:
“Yatawaqqas” means trotting or walking with small steps.

1014. Jābir bin Samurah narrated: “The Prophet ﷺ followed the funeral of Ibn Ad-Dahdäh walking, and he returned on horseback.” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

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.” (Sahih)

There is something on this topic from Abū Bakrah.
Abū ‘Eisā said: The Hadith of Abū Hurairah is a Ḥasan Šāhīḥ Hadith.

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 Mãlik narrated: “The Messenger of Allāh 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 Šafiyah 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 Allāh ﷺ was asking which of them knew the most Qur’ān, so he could put him toward the Qiblah.” He said: “So
the Messenger of Allâh ﷺ buried them and he did not perform (funeral prayers) for them.” (Da'if)

Abû 'Eisâ said: The Hadîth of Anas is a Hasan Gharib Hadîth. We do not know of it as a Hadîth of Anas except through this route. (And An-Namirah is an old garment.)

Usâmah bin Zaid has been contradicted in this narration. Al-Laith bin Sa'd reported it from Ibûn Shihâb, from 'Abdur-Rahmân bin Ka'b bin Mâlik, from Jâbir bin 'Abdullâh bin Zaid. And, Ma'mar reported it from Az-Zuhri from 'Abdullâh bin Tha'labah, from Jâbir. We do not know of anyone who mentioned it as a narration of Az-Zuhri from Anas, except for Usâmah bin Zaid.

I asked Muhammad about this Hadîth, and he said: “The Hadîth of Al-Laith from Ibn Shihâb, from 'Abdur-Rahmân bin Ka'b bin Mâlik bin Jâbir is more correct.”

Comments:

This narration is a proof that the Prophet ﷺ did not perform the funeral prayer of the martyrs of Uhûd. The issue of the performing funeral prayer of martyrs will be discussed in a forthcoming chapter. Religious scholars and those who have learnt the Qur'ân by heart are honorable and respected in this world, and their respect will remain after their death.
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 Hadith except from the narration of Muslim from Anas. Muslim Al-A‘war was graded weak. His name is Muslim bin Kaisân Al-Mulâ‘i, and he has been criticized. Shu‘bah and Sufyân 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. ‘Aïshah narrated: “When the Messenger of Allah ﷺ died, they disagreed over where to bury him. So Abū Bakr said: ‘I heard the Messenger of Allah ﷺ saying something which I have not forgotten, he said: “Allâh 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.” (Sahîh)

Abū ‘Eisâ said: This Hadith is Gharîb. ‘Abdur-Rahmân bin Abî Bakr Al-Mulaikî was graded weak because of his memory. But this Hadith has been reported through
routes other than this one. Ibn ‘Abbãs reported it from Abû Bakr Aš-Šiddîq, from the Prophet ﷺ (as well).

Comments:
This narration proves that the body of the Prophet ﷺ 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 ﷻ. 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 ﷺ said: “Mention good things about your dead, and refrain from (mentioning) their evil.” (Da‘f)

Abû ‘Eîsâ 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 ‘Aţâ’, 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. ‘Ubádah bin As-Sámíṣ said: "When the Messenger of Alláh ﷺ follows a corpse, he would not sit until (the deceased was) placed in the Láhíd.î A rabbi came upon him and said: ‘This is what we do, O Muḥammad.’” He said: “So the Messenger of Alláh ﷺ sat, and he said: ‘Differ from them.’” (Da’f) Abú ‘Eisá said: This Ḥadîth is Gharib. Bishr bin Râfî‘ is not strong in Ḥadîth.

Comments:
Imám Abú Qudámah 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. Abú Sinân said: “I buried my son Sinân and Abú Ṭalâh Al-Khawlânî 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 Abú Sinân!’ I said: ‘Of course.’ He said: ‘Ad-Ḍahhák bin ‘Abdur-Rahmân bin ‘Arzab

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narrated to me, from Abū Mūsā Al-Ash'arī: "The Messenger of Allah  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.'""

(Ḍaf‘)

Abū ‘Eisā said: This Hadīth is Gharib.

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  and bear the grief get reward from Allah , and their place is in Paradise.

Chapter 37. What Has Been Related About The Takbir For The Funeral (Prayer)

1022. Abū Hurairah narrated: "The Prophet  prayed and in the funeral prayer he for An-Najāshi, said four Takbir."

(He said:) There are narrations on this topic from Ibn ‘Abbās, Ibn Abī Awfa, Jābir, Anas, and Yazid bin Thābit.

Abū ‘Eisā said: Yazīd bin Thābit is the brother of Zaid bin Thābit, and
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 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 Ishāq.

Comment:

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 *Salāt* For The Deceased

1024. Abū Ibrahim Al-Ashhāli narrated from his father who said: “When the Messenger of Allāh ﷺ would perform the *Salāt* for the funeral he would said: (Allāhumma�ُجِرِيْلَهَا وَمَا يَغُرُّهَا وَطَيْفَةُ سَلَائِمُهَا، وَالْمُمْتَازُونَ يَا رَبَّنَا! فَاضْلِعْ بِهِمَا وَلا تَضْلِعْ بِأَحَدَهُمَا، يَا رَبَّنَا! مَعْفَرْنِى وَمَعْفَرْنِىِّ ابْنَيْتِكَ، وَلَيْسَ لَكَ نَغْفِرُ لَهَا حَتَّى يَفْرَحِي الْمُتْلَقَةَ بِهِ، وَلَيْسَ لِسُلْطَانِ الْحَالِيَةَ). ‘O Allāh! Forgive our living and our deceased, our present and our absent, our young and our old, our male and our female.’” (Ṣaḥīḥ)

Yahya said: “Abū Salamah bin ‘Abdur-Rahmān narrated from Abū Hurairah, from the Prophet ﷺ, what is similar to that, but he added: (Allāhumma tăngi lā ilā i lā ilā minnā fa ahayihi ‘alal-Islām, wa man tawaffaitahu minnā fatawaffahu ‘alal-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 Abū ‘Awf, ‘Āshah, Abū Qatādah, Jābir. and ‘Awf bin Mālik.

Abū ‘Eisā said: The Hadīth of the father of Abū Ibrāhīm is a Ḥasan Ṣaḥīḥ Hadīth. Hishām Ad-Dastawā’i and ‘Ali bin Al-Mubārak reported this Hadīth from Yahyā bin Abī Kathīr from Abū Salamah bin ‘Abdur-Rahmān, from the Prophet ﷺ, in Mursal form.
‘Ikrimah bin ‘Ammār reported it from Yāhyā bin Abī Kathīr, from Abū Salamah, from ‘Āishah, from the Prophet ﷺ.

But the narration of ‘Ikrimah bin ‘Ammār is not preserved. Sometimes ‘Ikrimah is mistaken with the narrations of Yāhyā.

It has also been reported from Yāhyā bin Abī Kathīr, from ‘Abdullāh bin Abī Qatādah, from his father, from the Prophet ﷺ.

Abū ‘Eisā said: I heard Muḥammad saying: “The narration of this Ḥadīth of Yāhyā bin Abī Kathīr that is the most correct is the one from Abū Ibrāhīm Al-Asḥāhālī, from his father.” He said: And I asked him about the name of Abū Ibrāhīm Al-Asḥāhālī, but he did not know it.

1025. ‘Awf bin Mālik said: “I heard the Messenger of Allāh ﷺ, while he was performing Ṣalāt for a deceased person. I could hear him saying in his prayer: (Allahumma ғafr lahu, wa rhamhu, waghsilhu bil-baradi (waghsilhu) kamā yughalsaluh-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.’” (Ṣahīḥ)
Abū ‘Eisā said: This Ḥadīth is Ḥasan Ṣaḥīḥ. Muḥammad bin Ismā‘īl said: “This Ḥadīth 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‘īf Jiddan)

There is something on this topic from Umm Sharīk.

Abū ‘Eisā said: The chain for the Ḥadīth of Ibn ‘Abbās is not that strong. Ibrāhīm bin ‘Uthmān is Abū Shaibah Al-Wāṣiṭi who is Munkar in Ḥadīth. What is Ṣaḥīḥ 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 Ṣalāt for a funeral and he recited
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Fatīha-il-Kitāb. So I asked him about it and he said: ‘It is from the Sunnah’ or, ‘From the completeness of the Sunnah.’” (Sāhih)

Abū ‘Eisā said: This Ḥadith is Ḥasan Sāhih. This is acted upon according to some of the people of knowledge among the Companions of the Prophet and others. They preferred to recite Fāṭiha-il-Kitāb after the first Takbīr. This is the view of Ash-Shāfi‘ī, Ahmad and Isḥāq.

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 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 Surat Al-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 whomever three rows perform Salah, then it is granted.”’\(^\text{[1]}\) (Da’f)

(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 Muḥammad bin Ishâq. Ibrâhîm bin Sa’d reported this Hadîth from Muḥammad bin Ishâq, but he added a man between Marthad and Mâlik bin Hubairah. But the narration of these people is more correct to us.

\(^\text{[1]}\) “Then Paradise is granted to him” in the narration recorded by Abû Dawûd, see no. 1059 as well.

1029. ‘Aishah narrated that the Prophet ﷺ said: “No one among the Muslims dies, and Salah 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, ‘Alî bin Hujr said: “One hundred or more than that.” (Sâhih)

Abû ‘Eisâ said: The Hadîth of ‘Aishah is a Hasan Sâhih Hadîth.
Some have narrated it in Mawqūf rather than Marfu‘ form.

Comments:
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.” (Ṣaḥīḥ)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣaḥīḥ. 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-Mubārak said: The meaning of this Ḥadīth: ‘burying our dead in’ is Ṣalāt for the funeral. And it is disliked to perform Ṣalāt for the
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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‘i 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 Ḥanīfah, Imām Mālik and Imām Awzā‘i, 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.” (Ṣaḥīh)

Abū ‘Eisā said: This Ḥadīth is Hasan Ṣaḥīh. Isrā‘īl and others reported it from Sa‘eed bin ‘Ubaiddullāh. 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.

تخريج: وأخرجه ابن ماجه، الجناز، باب ماجاه في الصلاة على الطفل.
Comments:

If a child is born and its 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 Imam Ahmad, Sa’eed bin Musayyab, Ibn Sirin and Ishâq, 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 Salât For The Child Until One Is Sure He Was Alive At Birth

1032. Jabir narrated that the Prophet 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 ‘Elsa said: The people are confused in the case of this Hadith. Some of them reported it from Abû Az-Zubair, from Jabir, from the Prophet in Marfu’ form. Ash’ath bin Sawwâr and others, reported it from Abû Az-Zubair, from Jabir in Mawqûf form. (Muhammad bin Ishâq reported it from ‘Atâ’ bin Abî Rabâh, from Jabir 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-Shafi’î.

الصلاة على الطفلي حتى يُستهلَّ

(المعجم ٤٣٣) - باب ما جاء في ترك الصلوة على الطفلي حتى يستهل

(السنة ٤٣١) - ١٠٣٢ - حدثنا أبو عمارة الحسن بن حرب: حدثنا محمد بن يزيد [الواسطي] عن إسماعيل بن مسلم [الموكئي] عن أبي الزبير: نقل: الطفلي لا يصلّى عليه ولا يرث ولا يرث عنه. وقال أبو عبيدة: هذا الحديث قد أصطرّب الناس فيه، فرواه بعضهم عن أبي الزبير، عن جابر عين الطبيب. وروى أحمد بن سؤلُ وعَذَبِرَ وعَذَبِرَ عن أبي الزبير، عن جابر مؤكّفًا: وروى محمد بن إسحاق عن عطاء بن أبي رباح، عن جابر مؤكّفًا: وكان هذا أصح من الحديث المرفوع. وقد ذهب بعض أهل العلم إلى هذا. قالوا: لا يصلّى على الطفلي حتى يُستهلَّ. وقيل:

[صفُن] النورُيُّ والشافعيُّ.

تخريج: [إسناد ضعيف] وأخريج ابن ماجه، الجناين، باب ماجاه في الصلاة على الطفل.
Chapter 44. What Has Been Related About Salāt For The Deceased In The Masjid

1033. 'Aishah narrated: “The Messenger of Allah ﷺ performed Salāt over Suhail bin Al-Bā'idā in the Masjid.” (Sahīh)

Abū 'EIsā said: This Ḥadīth is Hasan. This is acted upon according to some of the people of knowledge. Ash-Shāfī’ī said: “Mālik said that the funeral prayer is not performed over the deceased in the Masjid.” Ash-Shāfī’ī said: “The deceased is prayed over in the Masjid.” And he argued using this Ḥadīth.

Comments:

According to Imam Ash-Shāfī’ī, Imam 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 Ghalib narrated: “I prayed for the funeral of a man with Anas bin Mālik, so he stood parallel to his head. Then they came with the body of a woman from the Qurais. They said: ‘O Abū Hamzah 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 Allah 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.

Abū 'Eisā said: This Hadith of Anas is a Hasan Ḥadith. Others have reported it similarly from Hammām. Wākī' reported this Hadith from Hammām but he made a mistake in it, he said: “from Ghālib, from Anas” and what is correct is “from Abū Ghālib.” ‘Abdul-Wārith bin Sa'eed, and others, reported this Hadith from Abū Ghālib the same as Hammām did. They disagree over the name of this Abū Ghālib. Some of them said his name is Nāfī' and they also say it was Rāfī'. Some of the people of knowledge followed this, and it is the view of Al-Hamīr and Ishāq.

تخريج: [إسناده حسن] وأخرجه ابن ماجه، الجنائزة، باب ماجاء في ابن يقوم الإمام إذا صلى على الجنازة، ح: 1494 من حديث سعيد بن عامر به وفي الباب عن سمرة . (ياعي: 1035)

1035. Samurah bin Jundab narrated: “The Prophet prayed over a woman, so he stood at her middle.” (Ṣaḥīḥ)  

Abū 'Eisā said: This Hadith is Hasan Ṣaḥīḥ. Shu'bah reported it from Al-Husain Al-Mu'allim.
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**Comments:**

According to this narration, the *Imām* 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) Ṣalāt For The Martyr**

1036. ‘Abdur-Rahmān bin Ka‘b bin Mālik narrated that Jābir bin ‘Abdullāh informed him that the Prophet ﷺ had put two men together in one cloth from those who were killed at (the battle of) Uhud, 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 Ḥāidh (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. (*Ṣaḥiḥ*)

There is something on this topic from Anas bin Mālik.

Abū ‘Eisā said: The *Ḥadīth* of Jābir is a Ḥasan *Ṣaḥiḥ Hadīth*.

This *Ḥadīth* has been reported from Az-Zuhri, from ‘Abdullāh bin Tha‘labah bin Abī Ṣughair, from the Prophet ﷺ. Some of (the narrators) mentioned that it was from Jābir.

The people of knowledge differed over Ṣalāt 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-Shâfi‘i and Ahmad.

Some of them said that the martyr is prayed over, and for proof, they used the Hadith of the Prophet that he prayed over Hamzah. This is the view of Ath-Thawri and the people of Al-Kufah, and it is the view of Ishâq.

Chapter 47. What Has Been Related About (Performing) The (Funeral) Salât At The Grave

1037. Ash-Shaibâni narrated that Ash-Sha’bî said: “I was informed by one who saw the Prophet: He saw a solitary grave, so he lined his Companions (behind him) to pray over it.” It was said to him (Ash-Sha’bî): “Who informed you?” He said: "Ibn ‘Abbâs." (Sahîh)

(He said:) There are narrations on this topic from Anas, Buraidah, Yazid bin Thâbit, Abû Hurairah, ‘Âmir bin Rabî’ah, Abû Qatâdah, and Suhail bin Ḥunaif.

Abû ‘Eisâ said: The Hadith of Ibn ‘Abbâs is a Hasan Sahîh Hadith. This is acted upon according to most of the people of knowledge among the Companions of the Prophet and others. It is the saying of Ash-Shâfi‘i, Ahmad, and Ishâq. Some of the people of knowledge say that Salât 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 Ahkām Al-Jānā‘iz p.112-115.)
Chapter 48. What Has Been Related About The Prophet Performing Salât For (The Death Of) An-Najāshi

1039. 'Imrān bin Ḥusain narrated that the Prophet said: "Indeed your brother An-Najāshi has died. So stand to perform Salât 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." (Sahih)

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 Hadith is Ḥasan Sahīh Gharib from this route. Abū Qilābah has reported it from his uncle Abū Al-Muhallab, from 'Imrān bin Husain. 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 services 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 Salāt For A Funeral

1040. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Whoever performs the funeral prayer then he will get a reward equal to a Qirāt. Whoever follows it until it is buried then he will get a reward equal to two Qirāt, one of them, or the least of them, is similar to Uhud (mountain).” This was mentioned to Ibn ‘Umar, so he sent a message to ‘Āishah to ask her about that, and she said: “Abū Hurairah has told the truth.” So Ibn ‘Umar said: “We have missed many Qira.” (Hasan)

He said: There are narrations on this topic from Al-Bara‘, ‘Abdullāh bin Mughaffal, ‘Abdullāh bin Mas‘ūd, Abu Sa‘eed, Ubayy bin Ka‘b, Ibn ‘Umar, and Thawbān.

Abū ‘Eisā said: The Ḥadīth of Abū Hurairah is a Hasan Ṣāhih Ḥadīth, and it is has been reported from him through more than one route.

Comments:

It comes to the light in this narration, that sometimes elite Companions were also unaware of some important narrations, and they consulted ‘Āishah 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, then he has fulfilled the right that is required from him.”’ (Da'īf)

Abū 'Eīsā said: This Hadith is Gharib, some of them reported it with this chain of narration but they did not narrate it in Marfu’ 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. ‘Āmir bin Rabī’ah narrated that the Messenger of Allāh ﷺ said: “Whenever you see a funeral (procession), stand up until it goes ahead of you or it is put down.” (Sahīh)

(He said:) There are narrations on this topic from Abū Sa’eed, Jābir, Suhail bin Ḥunaif, Qais bin Sa’īd and Abū Hurairah.

[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.’” Tuhfat Al-Ahwadhī.
Abū Ḥanīfah said: The Hadīth of 'Amir bin Rabī'ah is a Ḥasan Šāhīḥ Hadīth.

Abū 'Eisā said: The Hadīth of 'Amir bin Rabi'ah is a Ḥasan Šāhīḥ Hadīth.

Abū Sa'īd Al-Khudrī narrated that the Messenger of Allāh 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 'Eisā said: The Hadīth of Abū Sa'īd on this topic is a Ḥasan Šāhīḥ Hadīth. 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 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-Shafī‘ī.

Comments:

Hāfīz Ibn Qayyīm writes that the Prophet 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. Mas'ūd bin Al-Ḥakīm narrated that standing for the funeral (procession) until it is put down was mentioned, and ‘Ali bin Abī Tālib said: “The Messenger of Allah stood, then (later) he sat.” (Sahih)

There are narrations on this topic from Al-Ḥasan bin ‘Ali, and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadith of ‘Ali is a Ḥasan Sahih Hadith, regarding which there are narrations from four of the Ṭābi‘īn 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 Hadith abrogates the first Hadith: “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 stood, then sat, and this is what Isḥāq bin Ibrāhīm said.

(Abū ‘Eisā said:) As for the saying of ‘Ali: That the Prophet stood for the funeral and then sat, he means that the Prophet 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:

Imām Bāḍāwī 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 ‘Abbās narrated that the Prophet ﷺ said: “The Lahd is for us and the hole is for other than us.” (Da'if)

There are narrations on this topic from Jarîr bin ‘Abdullâh, ‘Āishah, Ibn ‘Umar, and Jâbir.

Abû ‘Eisâ said: The Ḥadîth of Ibn ‘Abbâs is a Hasan Gharîb Ḥadîth from this route.

(المعجم 53) - بَابُ مَا جَاءَ فِي قُوَّلٍ النَّبِيُّ ﷺ : «اللَّهِدُ لَنَا وَالْبَئِسُ لِغَيْرِنَا»

(التحفة 53)

١٠٤٥ - حَدَّثَنَا أَبُو كَرِبْتٍ رَضِيَ اللَّهُ عَنْهُ تَرْحَمَانُ الْكُوفِيُّ وَيُوْسُفُ بْنُ مُوسى الْقَطَانُ الْبَعْدِيُّ قَالُوا: حَدَّثَنَا حَكَامُ بْنُ سَلْمَانِ عَلَيْهِ نَعَمَ بْنُ عَبْدِ الأَعْلَى، عَنِ أَبِيهِ، عَنْ سَعِيدٍ بْنِ سَعِيدٍ بْنِ جُبَيْرٍ، عَنْ بْنِ عَبَّاسٍ قَالَ: قَالَ النَّبِيُّ ﷺ: «اللَّهِدُ لَنَا وَالْبَئِسُ لِغَيْرِنَا».

وَفِي الْبَابِ عَنْ جِرَيرٍ بْنِ عَبَّادِ اللَّهِ وَعَائِشَةَ وَأَبَنِ عُمَرَ وَجَابِرَ.

قَالَ أَبُو عِيسَى: حَدَّثَنِي بْنُ عَبَّاسٍ حَدِيْثُ حَسْنٌ غَرِيبٌ مِّنْ هَذَا الْمَوْجِهِ.

تَخْرِيجٌ: [إِسْتِسْمَةُ ضَعِيفُ] وَأَخَرِجَهُ أَبُو داوِدُ، الْجَانَّاتُ، بَابُ: فِي الْلَّهَدِ، حُ۪: ٢٢٨ وَأَبِنِ مَاجِهُ، حُ۪: ١٥٤ وَعَقَرَ وَاَنْبَّهُ مِنْ حَدِيثِ حَكَامِ بْنِ عَبَّادِ الْأَعْلَى الْعَلَّمِيُّ: ضَعِيفُ وَقَالَ الْهِلِيشَيُّ فِي الْمَجْمُوعَةَ: ١٤٧: "الْأَكْثَرُ عَلَى تَضَعِيفِهِ" وَلِلِّحَدِيثِ شَوَاهِدٌ ضَعِيفَةُ وَفِي الْبَابِ عَنْ جِرَيرِ بْنِ عَبَّادِ اللَّهِ وَعَائِشَةَ، حُ۪: ١٥٥ وَأَبَنِ مَاجِهُ، حُ۪: ٢٢٤ وَوَأَبِنِ عَمَرَ، حُ۪: ١٧۶ وَوَأَمَا الْلَّهَدُ لْرُسُولِ اللَّهِ ﷺ فِي النَّهَيَّةِ، كَمَّا فِي النَّخَصُصِيِّ الحَبِيرُ: ٢٨٧: فَكَذَّبَ، وَقَالَ الْمَلِكُ الْمُؤْنِيُّ فِي الْمَجْمُوعَةَ: ٥٠٧: "أَجْمَعُ الْعَلَمَاءُ أَنَّ الْدَّفْنَ فِي الْلَّهَدِ وَالْبَئِسِ جَانَّاتُ، لِكَنَّ الْأَرْضَ صَلِبَةُ لَا يَهْرُ تُرَابِهَا فَالْلَّهَدُ أَفْضِلُ لَمْ يَسْبِقُ مِنَ الْأَدْلَةِ، وَإِنَّ كَانَ رَخَوَةُ تَهْرَارُ فَالْبَئِسِ أَفْضِلُ".
Comments:

"Lahđ" 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 Lahđ is better for Muslims, but it is only possible when the soil is good enough to make a Lahđ in it. It is not possible to make a Lahđ 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 Lahđ” – “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.’” (Sahīḥ)

Abū 'Elsā said: This Hadīth is Hasan Ghārīb from this route. This Hadīth has also been reported from a different route, from Ibn ‘Umar, from the Prophet. Abū Aṣ-Ṣiddīq An-Nājī reported it from Ibn ‘Umar, from the Prophet. It has also been reported from Abū Aṣ-Ṣiddīq (An-Nājī), from Ibn ‘Umar in Mawqūf form.

(المعجم) - باب ما جاء ما يقول
إذا أدخل الميت القبر (التحفة) (المعجم) (54)

وَقَدْ رَوَى عَنْ أَبِي الصَّلَمَيْنِ [الَّاجِيَ], عَنْ أَبِي عُمَّرٍ، مُؤَوْقَأً أَيْضًا.

تخريج: [صحب] وأخرجه ابن ماجه، الجنائز، باب ما جاء في إدخال الميت القبر، ح: 1500 عن أبي سعيد الأشج بـ حجاح هو ابن أرطاة وللحديث شواهد عند ابن ماجه، ح: 1500 وأبي داود، ح: 3213 وغيرهما.
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 \textit{La'had} in the grave of the Messenger of Allah was Abū Tālḥah. And the one who placed the velvet cloth under him was Shuqrān a freed slave of the Messenger of Allah."

(Hasan)

Ja'far said: "('Ubaidullāh) Ibn Abī Rāfī' informed me, he said: 'I heard Shuqrān saying: "By Allah! It was I who placed the velvet cloth under the Messenger of Allah in the grave.'"

He said: There is something on this topic from Ibn 'Abbās. Abū 'Eīsā said: The \textit{Hadith} of Shuqrān is a \textit{Hasan Gharīb Hadith}. 'Ali bin Al-Madīnī (also) reported this \textit{Hadith} from 'Uthmān bin Farqad.

1048. Ibn 'Abbās narrated: "A red velvet cloth was placed in the grave of the Prophet." (\textit{Sahih})

(He said: In another place, Muhammad bin Bash-shār said: 'Muhammad bin Ja'far and Yahya bin Shu'bah narrated to us, from Abū Jamrah, from Ibn 'Abbās,' and this is more correct.)

Abū 'Eīsā said: This \textit{Hadith} is \textit{Hasan Sahīh}. Shu'bah reports from Abū Ḥamzah Al-Qaṣṣāb, and his
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name is ‘Imrān bin Abī ‘Aṭā‘. He also reports from Abū Jamrah Ad-Duba‘ī. His name is Naṣr bin ‘Imrān, and both of them report from Ibn ‘Abbās.

It has been reported from Ibn ‘Abbās that he disliked placing anything under the deceased in the grave, and some of the people of knowledge followed that.

Comments:

Shuqran, 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. Abū Wā’il narrated: “‘Alī said to Abū Al-Ha’āj Al-Asadī: ‘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 Jābir.

Abū ‘Eisā said: The Ḥadīth of ‘Alī is a Ḥasan Ḥadīth. 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-Shāfi‘ī said: “It is disliked to elevate a grave more than the
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extent by which it may be known that it is a grave, and it may not be tread on or sat on.”

Comments:
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-Khāṣāšīyah.

(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
Idrīs” and this is what is correct. (Ṣaḥīḥ)

Abū ‘Iṣā 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 Idrīs Al-Khawlānī’ when it is ‘Busr bin ‘Ubaḍiyyāh, from Wāthilah.’”[2]

This is how it was reported by more than one from ‘Abdūr-Rahmān bin Yazīd bin Jābīr, it does not contain Abū Idrīs Al-Khawlānī. And Busr bin ‘Ubaḍiyyāh 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.” (Ṣaḥīḥ)

Abū ‘Iṣā said: This Ḥadīth is Ḥasan Ṣaḥīḥ, it has been reported through other routes from Jābir.

Some of the people of knowledge, among them Al-Ḥasan Al-Baṣrī, permitted covering it with clay.

Ash-Shāfi‘ī said: “There is no harm if the grave is covered with clay.”

[1] That is, the chain for no. 1050.
[2] That is, as it appears in the chain of no. 1051.
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 ‘Abbās narrated: “The Messenger of Allāh ﷺ passed by the graves of Al-Madinah, so he turned his face towards them and said: (As-Salāmu ‘alaikum yā ahlu-quḥūr! Yaghfirul-lāhu lanā wa lakum, antum salafunā wa nahnu bil-athar.) ‘Peace be upon you O inhabitants of the grave! May Allāh forgive us and you; you are our predecessors and we are to follow you.’” (Da’if)[1]

(He said:) There are narrations on this topic from Buraidah and ‘Āishah.

(‘Abū `Eisā said:) the Hadith of Ibn ‘Abbās is a Hasan Gharib Hadith. ‘Abū Kudaibah’s name is Yahya bin Al-Muhallab, and ‘Abū Žabyān’s name is Ḥuṣain 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 Allāh’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 Allah 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.”

(Ṣaḥḥih)

(He said:) There are narrations on this topic from Abū Sa‘eed, Ibn Mas‘ūd, Anas, Abū Hurairah, and Umm Salamah.

Abū ‘Eisā said: The Hadith of Buraidah is a Ḥasan Ṣaḥḥīḥ Ḥadīth. 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, As-Shāfī‘ī, Almahd and Ishāq.

Chapter 61. What Has Been Related About Women Visiting Graves


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 Jadhimah 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] (Da’if)

Then she said: “By Allah! 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.”

Chapter 61B. What Has Been Related About It Being Disliked For Women To Visit The Graves

1056. Abū Hurairah narrated: “Indeed the Messenger of Allah cursed the women who visit the graves.” (Hasan)

(He said:) There are narrations on this topic from Ibn ‘Abbās, and Hassān bin Thābit.

[1] Al-Mubāракpūrī said: “In Sharh Al-Mughnī, Ash-Shamaṇī said: ‘This is Tamim bin Nuwairah’s (that is: Mutamim bin Nuwairah At-Tamimi as mentioned in Al-Isābah) verse (of poetry) eulogizing his brother Mālik who was killed by Khalid bin Walīd.’” And he said: “At-Ṭibī said: ‘This Jadhimah 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 Jadhimah: “They were Mālik and ‘Aqil, 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 Hadīth is Hasan Sahīh. 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 Allāh. 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.
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. (Sahih Muslim/Nawawi v.1 p.306.)

Chapter 63. What Has Been Related About Praise For The Deceased

1058. Anas bin Malik narrated: “A funeral (procession) passed by the Messenger of Allâh ﷺ and they were praising him with good statements. So the Messenger of Allâh ﷺ said: ‘Granted.’ Then he said: ‘You are Allâh’s witnesses on the earth.’”[1] (Sahih)

He said: There are narrations on this topic from ‘Umar, Ka‘b bin ‘Ujrah, and Abû Hurairah.

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

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 Allâh by His grace and mercy.

1059. Abū Al-Aswad Ad-Dīlī narrated: “I arrived in Al-Madinah and while I was sitting with ‘Umar bin Al-Khaṭṭāb 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 Allah ﷺ said: “There is no Muslim about whom three bear witness, except that he is granted Paradise.” He said: ‘We asked: “And two?” He said: ‘We did not ask the Messenger of Allah ﷺ about one.”’ (Ṣahīḥ)

Abū ‘Elsā said: This Hadith is Hasan Ṣahīḥ. Abū Al-Aswad Ad-Dīlī’s name is Zālīm bin ‘Amr bin Sufyān.

Comments:

Before passing any verdict Allah ﷺ 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 Allah. ﷺ 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 Allah ﷺ said: “Any Muslim who has lost three of his children will not be touched by the Fire, except for what will fulfill the oath.”[11] (Ṣahīḥ)

(He said:) Abū Tha‘labah (Al-Ashja‘ī) has one Hadith from the Prophet ﷺ, that is, this Hadith. He is not (Abū Tha‘labah) Al-Khushanī.

Abū ‘Eisā said: The Hadith of Abū Hurairah is a Ḥasan Ṣahih Hadith.

Comments:
In this narration “except for what will fulfill the oath” means Allāh’s Command in 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 ﷺ 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.”[1] *(Da‘f)*

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. ‘Abdurabbih bin Bāriq Al-Hanafi said: “I heard my grandfather, the father of my mother, Simāk bin Al-Walid Al-Hanafi narrating, that he heard Ibn ‘Abbās narrating, that he heard the Messenger of Allāh say: “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 O Muwaffaqah!”[2]

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 Hadith is Hasan Gharib, 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-Ḥanafi, is Abū Zumail Al-Ḥanafi.

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, drowning, being crushed, and the martyr in the cause of Allāh.”

(Saḥīḥ)

(He said:) There are narrations on

\[ \text{“The one who dies from an illness of the stomach like dropsy, etc.” Al-Qurtubi said: ‘By ‘stomach’ what is meant is dropsy or diarrhea according to the two views of the scholars.’ Tuhfat Al-Ahwadhi.} \]

\[ \text{“The one who dies under a collapse.” Tuhfat Al-Ahwadhi.} \]
this topic from Anas, Ծfwân bin Umayyah, Jâbîr bin ‘Âtîk, Khâlid bin ‘Urufutâh, Sulaimân bin Șûrad, Abû Müsû, and ‘Âishah.

Abû ‘Eisâ said: The Hadith of Abû Hurairah is a Hasan Sahîh Hadith.

Abû ‘Elsa said: The Hadith of Abû Hurairah is a Hasan Sahîh Hadith.

Comments:
A real martyr is one who is martyred in the battlefield fighting for the cause of Allah عّ, and those who have been included in the category of martyrs in this narration are due to their reward.

1064. Abû Isbâq As-Sâbî said: “Sulaimân bin Șûrad said to Khâlid bin ‘Urufutâh or, Khâlid said to Sulaimân – ‘Did you hear the Messenger of Allah عّ saying: “Whoever is killed by his stomach then he will not be punished in the grave.”?’ One of them said to the other: “Yes.” (Sahîh)

Abû ‘Eisâ said: This Hadith on this topic is Hasan Gharîb, 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 ‘Basm’ means internal and not only stomach. A person dying with internal disease suffers and bears the pangs of pain and
lives in the state of fear and hope. In this situation he is patient with Allah's Will and asks His blessings and forgiveness. Allah's mercy saves him from the torment of the grave.

Chapter 66. What Has Been Related About It Being Disliked To Flee From The Plague

1065. Usāmah 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 Isrā'il. 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 Thābit, ‘Abdur-Rahmān bin ‘Awf, Jabir, and ‘Aishah.

Abū ‘Eisā said: The Hadith of Usāmah bin Zaid is a Ḥasan Sahih Hadith.

Comments:

In this narration “Banū Isrā'īl” means that group of Isrā'il to whom Allah 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-Ahwādhi v. 2. p. 160.)
Chapter 67. What Has Been Related About: Whoever Loves To Meet Allāh, Then Allāh Loves To Meet Him

1066. ‘Ubādah bin As-Šāmi t narrated that the Prophet ﷺ said: “Whoever loves to meet Allāh, then Allāh loves to meet him. And whoever dislikes meeting Allāh, then Allāh dislikes meeting him.” (Sahih)

There are narrations on this topic from Abū Mūsā, Abū Hurairah, and ‘Aishah.

Abū ‘Eisa said: The Hadith of ‘Ubādah bin As-Šāmi t is a Hasan Sahih Hadith.

1067. Sa’d bin Hisham narrated that ‘Aishah mentioned that the Messenger of Allāh ﷺ said: “Whoever loves to meet Allāh, then Allāh loves to meet him. And whoever dislikes meeting Allāh, then Allāh dislikes meeting him.” She said: “O Messenger of Allāh! All of us dislike death.” He said: “It is not like that. But when the believer is given the good news of Allāh’s mercy, His pleasure, and His Paradise, then he loves to meet Allāh and Allāh loves to meet him. Wheras when the disbeliever is given the news of Allāh’s punishment and
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His wrath, he dislikes meeting Allāh, and Allāh dislikes meeting him.”

(Sahih)

Abū ‘Eisā said: This Hadīth is Hasan Sahih.

Comments:

It is proven from this narration that liking and disliking to meet Allāh 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 Allāh 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

1068. Jābir bin Samurah narrated: “A man killed himself, so the Prophet did not perform Salāt over him.”

(Sahih)

Abū ‘Eisā said: This Hadīth is Hasan (Sahih), 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 Sufyān Ath-Thawrī and Ishaq.

Ahmad said that the Imām is not to pray over the one who killed himself, but those besides the Imām 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 Ṣalāt over. So the Prophet ﷺ said: “Pray for your companion; for indeed he had a debt upon him.” Abû Qatädah said: “It shall be upon me.” So the Messenger of Allâh ﷺ said: “To pay it off?” (He said: “To pay it off.”) So he performed the prayer for him. (Sahîh)

(He said:) There are narrations on this topic from Jâbir, Salamah bin Al-Akwa’, and Asmã’ bint Yazîd. Abû ‘Eisâ said: The Hadîth of Abû Qatadah is a Hasan Sahîh Hadîth.

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 Allâh 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 Hadīth is Hasan Sahīh. Yahyā bin Bukair and others have reported it from Al-Laith bin Sa’d [similarly to the narration of ‘Abdullāh bin Sāliḥ (a narrator in the chain of this Hadīth)].

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
Allāh and that Muḥammad 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 ‘Allī, Zaid bin Thābit, Ibn ‘Abbās, Al-Barā’ bin ‘Āzib, Abū Ayyūb, Anas, Jābir, ‘Aishah, and Abū Sa‘eed. All of them reported something from the Prophet about the punishment in the grave.

Abū ‘Īsā said: This Hadith of Abū Hurairah is a Hasan Gharib Hadith.

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 Allah 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 Allah 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 Allah resurrects you on the Day of Judgement.’” (Sahih)

Abū ‘Eisā said: This Hadith is Hasan Sahih.

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.” (Da‘īf)

Abū ‘Eisā said: This Hadith is Gharib, we do not know of it being Marfu’ except through the narration of ‘Ali bin ‘Aṣim. Some of them reported it in the same way from Muḥammad bin Sūqah with this chain, in Mawqūf form, not Marfu’.
They say that most of what ‘Alī bin ‘Āṣim suffered of criticism from them was for this Hadith.

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. ‘Abdullâh bin ‘Amr narrated that the Messenger of Allâh ﷺ said: “No Muslim dies on the day of Friday, nor the night of Friday, except that Allâh protects him from the trials of the grave.” (Hasan)

Abû ‘Eisâ said: This Hadith is Gharib (He said: This Ahâdîth) chain is not connected. Rabî’ah bin Saïf only reported from Abû ‘Abdur-Rahmân Al-Ḥubuli, from ‘Abdullâh bin ‘Amr. We do not know of Rabî’ah bin Saïf hearing from ‘Abdullâh bin ‘Amr.

Comments:
This narration shows that Allâh 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 Allâh Himself out of His mercy.

Chapter 73. What Has Been Related About Hastening The Funeral

1075. 'Ali bin Abî Talib narrated that the Messenger of Allâh ﷺ said to him: “O 'Ali! Three are not to be delayed: Salât when it is due, the funeral when it is presented, and (marriage) for the single woman when someone compatible is found.” (Sahîh)

Abû 'Eîsâ said: This Hadîth is Gharîb, and I do not think that its chain is connected.

Comments:

This narration tells us that it is not proper to make any delay in doing virtuous deeds.

Chapter 74. Something Else About The Virtue Of Consoling

1076. Abû Barzah narrated that the Messenger of Allâh ﷺ said: “Whoever consoles a bereaved mother, he will be clothed with a Burd[1] in Paradise.” (Da'iJ)

Abû 'Eîsâ said: This Hadîth is Gharîb and its chain is not strong.

[1] See nos. 859 and 996.
Chapter 75. What Has Been Related About Raising The Hands For The Funeral (Prayer)

1077. Abū Hurairah narrated: “The Messenger of Allah ﷺ said, ‘Allāhu Akbar’ over the deceased, so he raised his hands with the first Takbīr, and he placed his right (hand) over his left.” (Da‘īf)

Abū ‘Eisā said: This Hadith is Gharīb, 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 Takbīr for the funeral (prayer). This is the view of Ibn Al-Mubārak, Ash-Shāfi‘ī, Ahmad, and Iṣḥāq.

Some of the people of knowledge said that the hands are not to be raised except in the first Takbīr. This is the saying of Ath-Thawrī and the people of Al-Kūfah.

It has been mentioned that Ibn Al-Mubārak said about the funeral prayer: “He does not put his right over his left.”

Comments:
Comforting and consoling an afflicted person and advising him to be patient, and to put his trust in Allāh ﷻ, are acts of great reward.
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 'Eīsā said: Holding is better to me.

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.

Chapter 76. What Has Been Related About: The Believer’s Soul Is Suspended By His Debt Until It Is Settled For Him

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.” (Ḥasan)

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.” (Ḥasan)
Abû ‘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

1080. Abū Ayyūb narrated that the Messenger of Allah ﷺ said: “Four are from the Sunan of the Messengers: Al-Ḥayā‘,[1] using ‘Aṭār,[2] the Siwāk, and marriage.” (Da‘if)

(He said:) There are narrations on this topic from ‘Uthmān, Thawbān, Ibn Mas‘ūd, ‘Āishah, ‘Abdullāh bin ‘Amr, (Abī Najfli), Jābir, and ‘Akkāf.

(Abū ‘Eisā said:) The Hadith of Abū Ayyūb is a Ḥasan Gharib Hadith. (Another chain) that is similar to the narration of Hafṣ. (a narrator in the chain of this Hadith)

(Abū ‘Eisā said:) This Hadith was reported by Hushaim, Muhammad bin Yazīd Al-Wāsiṭi, Abū Mu‘āwiyah, and others, from Al-Ḥajjāj, from Makhūl, from Abū Ayyūb, and they did not mention “from Abū Ash-Shimāl” in it. (as Hafṣ bin Ghiyāth did).

The narration of Hafṣ bin Ghiyāth and ‘Abbād bin Al-‘Awwâm (the previous chain) is more correct.

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[1] Modesty, self-respect, bashfulness, honor etc.
Comments:

‘Nikāh’ means marriage or to merge. In the Qur’ān this word occurs with the meaning of ‘Aqd’ a bond or contract of marriage. As ‘Aqd’ 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 صلى الله عليه وسلم, 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.” (Sahih)

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

(Another chain) with similar narration.

(Abū ‘Eisā said:) Others have reported this chain from Al-
A’mash similarly. Abū Mu‘āwiyyah and Al-Muhāribi reported similarly from Al-A’mash, from ‘Alqamah, from ‘Abdullāh, from the Prophet (Abū ‘Eisā 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)

(Abū ‘Eisā said:) Zaid bin Akhzam added in his narration: “And Qatadah recited: And indeed We sent Messengers before you, and made for them wives and offspring.”[1]

(He said:) There are narrations on this topic from Sa‘d, Anas bin Mālik, ‘Āishah and Ibn ‘Abbās.

(Abū 'Eisā said:) The Hadīth of Samurah is a Hasan Gharib Hadīth. Al-Ashʿath 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. Fātimah 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. Abu Hurairah narrated that the Messenger of Allah 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).” (Daʿf) [1]

(He said:) There are narrations on this topic from Abu Ḥātim Al-Muzani and ‘Aishah.

(Abū ‘Eisā said:) As for the Hadīth of Abu Hurairah; ‘Abdul-Ḥamīd bin Sulaimān has been contradicted in this narration. Al-Laith bin Sa’d reported it from Ibn ‘Ajlan, from Abu Hurairah, from the Prophet ﷺ, as a Mursal narration.

(Abū ‘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 Ḥasan by Shaikh Al-Albānī in Irwa’ Al-Ghaṭil (no. 1868) and As-Sahihah (no. 1022)
1085. Abū Ḥātim Al-Muzānī narrated that the Messenger of Allāh 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 (Fasād). If you do not do so, then there will be turmoil (Fitnah) in the land and discord (Fasād).”[1]

They said: “O Messenger of Allāh! 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‘īf)

(‘Abū ‘Eisā said:) This Hadith is Ḥasan Gharīb. Abū Ḥātim Al-Muzānī 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.

Chapter 5. What Has Been Related About Looking At The Proposed Woman

1087. Bakr bin 'Abdullāh Al-Muzani narrated that Al-Mughīrah bin Shu'bah proposed to a woman, so the Prophet ﷺ said: “Look at her, for indeed that is more likely to make things better between the two of you.” (Sahih)

There are narrations on this topic from Muhammad bin Maslamah, Jābir, Anas, Abū Humaid, and Abū Hurairah.

(Ābū ‘Ēisā said:) This Hadīth is Hasan. Some of the people of knowledge followed this Hadīth. 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.

Comment:
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 Ḥâtit Al-Jumahi who said that the Messenger of Allah 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 'Āishah, Jâbir, Ar-Rubâ'i bint Mu'awwîd.

(Abû 'Eisâ said:) The Hadith of Muhammad bin Ḥâtit is a Hasan Hadith.

Abû Balj's name is Yahya bin Abî Sulaim, and they say it is Ibn Sulaim as well.

Muḥammad bin Ḥâtit saw the Prophet when he was a young boy.
Comments:

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 Allah ﷺ said: “Publicize this marriage, and hold it in the Masjid, and beat the Duff for it.” (Daʿif)

(Abū ‘Eisā said:) This Ḥadīth, about this topic, is Hasan Gharīb. ‘Eisā bin Maimūn Al-Anṣārī was graded weak in Ḥadīth.

‘Eisā bin Maimūn, the one that reports At-Tafsīr from Ibn Abī Najīḥ is trustworthy.

Though this narration is weak, it supports the idea of publicizing the marriage when it is held in a Masjid.

1090. Ar-Rubaiʿ bint Muʿawwidh 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.
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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: (Bārak Allāhu laka wa bāraka ‘alaik, wa jama‘a bainakumā fī khār.) “May Allāh bless you and send blessings upon you, and bring goodness between you.” (Ṣahīh)

(He said:) There is something about this from ‘Aqīl bin Abī Ta‘līb.

(Abū ‘Eisā said:) The Hadīth of Abū Hurairah is a Ḥasan Ṣahīh Hadīth.

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 Allah said: “If anyone of you, when having sexual intercourse with his wife, says: (Bismillah, Allahumma jannibnash-Shaitãn wa jannibish-Shaitãn ma 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.” (Saḥīḥ)

(Abū 'Eisā said:) This Hadīth is Hasan Saḥīḥ.

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 Allah married me in Shawwāl, and he took up residence with me in Shawwāl.” (Saḥīḥ)
And 'Aishah used to recommend her women folk to take up residence (with their husbands) during Shawwāl.[1]

[1] They say that this was to contradict the pre-Islamic belief that it should not be done during Shawwāl. See Tuhfat Al-Ahwadhi.
(Abū 'Eisā said:) This Hadīth is Ḥasan Ṣahīḥ, we do not know of it except from the narration of Ath-Thawri from Ismā‘īl (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 did it purposely in the month of Shawwāl to disapprove the prevailing idea.

Chapter 10. What Has Been Related About (Al-Walīmah)

The Banquet

1094. Anas bin Mālik narrated: “The Messenger of Allāh(saw) 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 Allāh bless you. Have a banquet, even if with only one sheep.’” (Ṣahīḥ)

(He said:) There are narrations on this topic from Ibn Mas‘ūd, ‘Aīshah, Jābir, and Zuhair bin Uthmān.

(Abū 'Eisā said:) The Hadīth of Anas is a Hasan Ṣahīḥ Hadīth.

Ahmad bin Ḥanbal said: “The amount of gold equal to a date stone is the weight of three and one third Dirham.” Ḣishāq 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 Mâlik narrated:

"The Prophet ﷺ had a banquet for Sâfiyyah bint Hûyayy with Sâwiq and dates.”

(Abû 'Eisâ said:) This Hadîth is Hasan Gharib.

Comments:

There is a narration in Sahîh Al-Bukhârî that the Prophet ﷺ, in the Walimah banquet of Sâfiyyah, 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 Wâ'il, from his son Nawf' in it. (Hasan)

(Abû 'Eisâ said:) Sufyân bin 'Uyainah committed some Tadlîs in

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[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 Wâ'il, from his son Nawf” in it, and sometimes he did.

[قال أبو عيسى:] وكان مُعَبَّس بن عَتِيْبَة
يُذْكَرُ في هذا الحديث. فربما لم يذكر فيه
عن وَلَیْلٍ، عن النبي وَرَضِيَ الله عَنْهُ.

نتخب: [حسن] انظر الحديث السابق وهو في مسند الحمدي، ح: 1194 (بتقيقه).

1097. Ibn Mas'ûd narrated that the Messenger of Allâh 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, Allâh will make him heard of.” (Da'îf)

Abû ’Eisâ said: We do not know of the Hadith of Ibn Mas'ûd to be Marfu’ except from the narration of Ziyâd bin ‘Abdullâh, and Ziyâd bin ‘Abdullâh narrates many strange and objectionable things.

(He said:) I heard Muḥammad bin Ismâ’il mentioning that Muḥammad bin 'Uqbah said: “Wâki” said: ‘Ziyâd bin ‘Abdullâh, in spite of his nobility, lies in his narrations.’”

Comments:

Having the banquet on the third day is supported by narrations recorded by Al-Bukhârî, Muslim, and others.
Chapter 11. What Has Been Related About Accepting The Invitation

1098. Ibn ‘Umar narrated that the Messenger of Allah ﷺ said: “Accept the invitation when you are offered.” (Sahih)

He said: There are narrations on this topic from ‘Ali, Abū Hurairah, Al-Barā’, Anas, and Abū Ayyūb.

Comments:

In Sahih Al-Bukhari and Sahih Muslim, the banquet has been explained and made clear. If someone marries a woman of his choice, it is a matter of pleasure and delight. For this reason one should be thankful to Allah and for the sake of expressing one’s happiness, one should invite the relatives and friends to eat food.

Chapter 12. What Has Been Related About One Who Comes To A Banquet Without An Invitation

1099. Abū Maṣ’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 Allah ﷺ.’ So he prepared some food. Then he
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 Allah 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 Hadith 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...”
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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 `Eīsā said:) The Hadīth of Jābīr (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 Wālī

1101. Abū Mūsā narrated that the Messenger of Allāh ṣṣ said: “There is no marriage except with a Wālī.” (Sahih)

(He said:) There are narrations on this topic from 'Āishah, Ibn 'Abbas, Abū Hurairah, 'Imrān bin Ḥuṣain, and Anas.
1102. ‘Aishah narrated that the Messenger of Allah 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)

(ʻAbū ʻEisā said:) This is a Hasan Hadith. Yahyā bin Sa’eed Al-Ansārī, Yahyā bin Ayyūb, Sufyān Ath-Thawrī and others among the Huffāz had reported similar from Ibn Jurayj.

(ʻAbū ʻEisā said:) There is some disagreement with regard to the (previous) Ḥadīth of ʻAbū Mūsā. It was reported by Isrā‘il, Sharīk bin ‘Abdullāh, ʻAbū ‘Awānah, Zuhair bin Mu‘āwiyah, and Qais bin Ar-Rabī’ (all of them) from ʻAbū Ishāq, from ʻAbū Burdah, from ʻAbū Mūsā, from the Prophet ﷺ.

Asbāṭ bin Muḥammad and Zaid bin Ḥubāb reported it from Yūnus bin Abī Ishāq, from ʻAbū Ishāq, from Abū Buradah, from Abū Mūsā, from the Prophet ﷺ.

ʻAbū ‘Ubaidah Al-Ḥaddād reported it from Yūnus bin Abī Ishāq, from Abū Burdah, from ʻAbū
Mūsā, from the Prophet 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. Shu'bah and Ath-Thawrī reported from Abū Ishāq, (from Abū Mūsā), from the Prophet: "There is no marriage except with a Wāli."

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: "There is no marriage except with a Wāli" – they heard from Abū Ishāq during different times, even though Shu'bah 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'bah 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'bah informed us, he said: 'I heard Sufyān Ath-Thawrī ask Abū Ishāq: 'Did you hear Abū Burdah saying: 'The Messenger of Allah said: 'There is no marriage except with a Wāli'? He said: ‘Yes.'
So this narration proves that Shu‘bah and Ath-Thawri heard this Hadith (from Makhül) at the same time, while Isrā’il is (trustworthy and) reliable in the case of Abū Ishāq.

I heard Abū Mūsā Muhammad bin Al-Muthanna saying: “I heard ‘Abdūr-Raḥmān bin Mahdī saying; ‘I only left the Hadith of Sufyān Ath-Thawri from Abu Isaq because I relied on Isrā’il for it, since he narrated it in a more complete fashion.’”

The Hadith on this topic from ‘Āishah, from the Prophetﷺ: “There is no marriage except with a Wāli” is a Hasan Hadith to me, it was reported by Ibn Juraij from Sulaimān bin Mūsā, from Az-Zuhri, from ‘Urwah, from ‘Āishah, from the Prophetﷺ.

It was reported by Al-Hajjāj bin Artāh and Ja’far bin Rabī‘ah from Az-Zuhri, from ‘Urwah, from ‘Āishah, from the Prophetﷺ. And it was reported from Hishām bin ‘Urwah from his father, from ‘Āishah, from the Prophetﷺ, similarly.

Some of the people of Hadith have criticized the narration of Az-Zuhri from ‘Urwah, from ‘Āishah, from the Prophetﷺ. Ibn Juraij said: “Then I met Az-Zuhri and asked him about it, and he rejected it.” So they considered this Hadith weak because of this. It has been mentioned that Yahya bin Ma‘īn said: “This statement from Ibn
Juraj has not been mentioned by anyone but Isma'îl bin Ibrâhîm.” Yahya bin Ma’in said: “The case of Isma’îl bin Ibrâhîm hearing from Ibn Juraj is not well established; he only corrected his books according to the books of ‘Abdul-Majîd bin ‘Abdul-'Azîz bin Abî Rawwâd, but he (Isma’îl) did not hear from Ibn Juraj.”

So Yahya graded the narrations of Isma’îl from Ibn Juraj weak.

On this topic, the Ḥadîth of the Prophet ﷺ: “There is no marriage except with a Wâli” is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ. Among them are ‘Umar bin Al-Khâṭîb, ‘Alî bin Abî Tâlib, ‘Abdullâh bin ‘Abbâs, Abû Hurairah, and others.

Similarly, it has been reported from some of the Fuqaha’ among the Tabî‘în saying: “There is no marriage except with a Wâli.” Among them were Sa’eed bin Al-Musayyab, Al-Hasan Al-Bâsîrî, Shurâib, Ibrahim An-Nakha’î, ‘Umar bin ‘Abdul-'Azîz, and others.

This is the view of Sufyân Ath-Thawrî, Al-Awzâ’î, Mâlik, ‘Abdullâh bin Al-Mubârak, Ash-Shâfi’î, Alî and Ishaq.

[Exegesis: [Iṣnâdah Ḥasan] And another, Abdullah Al-Daud, the marriage, Father: in theولي، ح: 82 من حديث سفیان بن عیسی بن وتحاکم ابن حبیب، ح: ١٤٨٨/٢ على شرط الشیخین وقیاه ابن عدی في الكامل: ٣ ١١٥٥/٦ ابن جریج سمعه من سلیمان وسلیمان من الزهري من عروة وطولت تخریجه في تحقیق مسند الحمیدی، ح: ٣٣٠ وکلمات شواهد كثيرة.]
Chapter 15. What Has Been Related About: There Is No Marriage Except With Proof (Bayyinah) [1]

1103. Ibn ‘Abbās narrated that the Prophet ﷺ said: “The adulteresses are the ones who marry themselves without Bayyinah (proof).” (Da’if)

Yūsuf bin Ḥammād (one of the narrators) said: “‘Abdul-A‘lā (one of the narrators) reported this Ḥadīth in Marfū’ form in At-Tafsīr, and in Kitāb At-Talāq he reported it in Mawqūf not Marfū’ form.”

1104. (Another chain) from Sa‘eed bin Abī ‘Arūbah, with similar (narration), and he did not narrate it in Marfū’ form, and this is more correct. (Da’if)

(ʿAbū ‘Eisā said:) This Ḥadīth is not preserved. We do not know of anyone who narrated it in Marfū’ form except for what has been reported from ‘Abdul-A‘lā, from Sa‘eed, from Qatādah which is Marfū’.

This Ḥadīth has also been reported from ‘Abdul-A‘lā, from Sa‘eed in Mawqūf form.

What is Sahīh is what is reported from Ibn ‘Abbās, as his saying: “There is no marriage except with Bayyinah.”

This is how it has been reported

[1] The Bayyinah referred to here is witnesses as the author explains below.
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by more than one (narrator) from Sa‘eed bin Abi ‘Arubah, and it is similar, in Mawqif form.

There are narrations on this topic from ‘Imran bin Husain, Anas, and Abu Hurairah.

This is acted upon according to the people of knowledge among the Companions of the Prophet ﷺ and those after them from the Tābi’in 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-Kufah 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 Malik bin Anas [and others]. This is what was said by Ishaq bin Ibrahim 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 Ahmad and Ishaq.
Chapter 17. What Has Been Related About The Marriage
Khutbah

1105. 'Abdullãh bin Mas'ûd narrated: “The Messenger of Allah ﷺ taught us the Tashah-hud for Salât and the Tashah-hud for Al-Ḥajjah.”[1] He said: “The Tashah-hud for Salât is: (At-Tahiyyatulillah, was-walawatu wa-ayyibãtu. As-Salâmú ‘alaika ayyuhan-Nabîyyu wa rahmatullahi wa barakähu, As-Salâmú ‘alainá wa ‘alá ‘ibádilláhis-sâlihin. Ashhadu an lâ ilâha illallâh, wa asshadu 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-Ḥajjah 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 Allāh from the evils of our souls and the mischief of our deeds. (Innal-Hamdalillāhi nasta'īnuhu, wa nastaghfiruhu, wa na'ādhū billāhi min shurārī anfusinā, wa sayyī'īti a'mālinā, man yahdihi, fālā muḍilla lahu, wa manyuḍīlīl, fālā hādiya lahu, wa ashhadu an lā Ilāha illallāh wa ashhadu anna Muḥammadan 'abdūhu wa Rasūluh) 'Whomever He guides – meaning Allāh – 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 Allāh, and I testify that Muhammad is His worshipper and Messenger.”

He said: “And he recited three Ayāt.” (Da'if)[1]

‘Abthar (one of the narrators) said: “Sufyān Ath-Thawri explained that to us: Have Taqwa of Allāh, with the Taqwa that He is due, and do not die except while you are Muslims.[2] And have Taqwa of Allāh from whom you demand your mutual rights and revere the ties of kinship. Indeed Allāh is Ever Watching over you.[3] Have Taqwa of Allāh, and speak (always) the truth.”[4]

(He said:) There is something on this topic from ‘Adī bin Ḥātim.

(Abū ‘Eisā said:) The Hadith of

[1] The Hadith is authentic via other chains.
‘Abdullāh is a Hasan Hadīth. It was reported by Al-A'mash, from Abū Ishāq, from Abū Al-Alwās, from ‘Abdullāh, from the Prophet ﷺ.

Shu'bah also reported it from Abū Ishāq, from Abū ‘Ubaidah, from ‘Abdullāh from the Prophet ﷺ.

Both of the narrations are Sahih because Isrā'il combined them both saying: “From Abū Ishāq, from Abū Al-Alwās, and Abū ‘Ubaidah, from ‘Abdullāh bin Mas'ūd from the Prophet ﷺ.”

The people of knowledge have said that a marriage without a Khuṭbah is acceptable. This is the view of Sufyān Ath-Thawrī and others among the people of knowledge.

Comments:

In the oration of the marriage sermon all three Verses of the Qur'ān carry the subject of being ‘fearful of Allāh’. And the wholesome and agreeable relationship between husband and wife depend on the fear of Allāh 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. (Tuhfat Al-Ahwadhi)

1106. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Every Khutbah that does not have the Tashah-hud in it, then it is like a severed hand.” (Sahīh)

(Abū ‘Eisā said:) this Hadīth is Hasan (Sahīh) Gharīb.
This narration is a proof that reciting the formula of testimony is essential in every sermon.

Chapter 18. What Has Been Related About Seeking The Permission Of The Virgin And The Matron

1107. Abu 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 ‘Eisā said:) The Hadith of Abu 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
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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 Mālik bin Anas, Ash-Shāfi‘ī, Ahmad and Ishāq.

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 Wall, and the virgin is to give permission for herself, and her silence is her permission.” (Sahih)

This Hadith is Hasan Šahîh. Shu’bah and Sufyân Ath-Thawrî have reported this Hadith from Mālik bin Anas.

Some people argued for the validity of marriages without the Wall’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 ‘Abbâs, that the Prophet ﷺ said: “There is no marriage except
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with a *Wali*.” And Ibn ‘Abbās gave a verdict accordingly, after the Prophet ﷺ; he said: “There is no marriage except with a *Wali*.” So the saying of the Prophet ﷺ: “The matron has more right to herself than her *Wali*” only means – according to most of the people of knowledge – that her *Wali* 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-Ajīm*” means a woman who has no husband. Allâh’s command is to marry those women who have no husbands but this *Al-Ajīm* stands for women who are divorced or widowed. In a narration of Sahîh Muslim the word *‘Iyib*’ has occurred which is used for the opposite of married.

**Chapter 19. What Has Been Related About Coercing A Female Orphan To Marry**

1109. Ābû Hurairâh 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 'Aīshah).

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‘in 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-Shafi‘ī, and others among the people of knowledge.

Ahmad and Iṣhāq 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 'Aīshah that the Prophet ﷺ consummated his marriage with her when she was nine years of age,[1] and 'Aīshah has said: “When a girl reaches nine years of age then she is a woman.”[2]

[1] “’Aīshah 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).
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 Wallī 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 Wallī, 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 Hadīth is Hasan, 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 Wallī 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.
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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 Ṣallallāhu ‘alaihi wa sallam said: “Whichever slave gets married without the permission of his owner, then he is a fornicator.” (Da‘if)

(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 ‘Aqīl, from Ibn ‘Umar, from the Prophet Ṣallallāhu ‘alaihi wa sallam but it is not correct. What is Sahīḥ is from ‘Abdullāh bin Muhammad bin ‘Aqīl, from Jābir bin ‘Abdullāh.

This is acted upon according to the people of knowledge among the Companions of the Prophet Ṣallallāhu ‘alaihi wa sallam 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).
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1112. (Another chain) Jābir bin 'Abdullāh narrated that the Prophet said: “Whichever slave gets married without the permission of his owner, then he is a fornicator.”

(Đa‘if)

This Hadith is Hasan Sahih.

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.

Chapter 22. What Has Been Related About Women’s Dowries

1113. ‘Abdullāh bin ‘Amr bin Rabī’ah narrated from his father: “A woman from Banū Fazārah was married for (the dowry of) two sandals. So the Messenger of Allāh said to her: ‘Do you approve of (exchanging) yourself and your wealth for two sandals?’ She said: ‘Yes.’ He said: “So he permitted it.” (Đa‘if)

(He said:) There are narrations on this topic from ‘Umar, Abū Hurairah, Suhail bin Sa’d, Abū Sa’eed, Anas, ‘Āishah, Jābir, and Abū Hadrad Al-Aslami.

(Abū ‘Eisā said:) The Hadith of ‘Amir bin Rabī’ah is a Hasan Sahih Hadith.
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 Dirham.

Comments:
The Prophet ﷺ has not prescribed the amount of dowry, but for most of his wives the amount of dowry was five hundred Dirham. People fixed varied amounts as a dowry and the Prophet ﷺ did not stop them by fixing less or higher amounts. An-Najâshi paid four thousand Dinar on behalf of the Prophet ﷺ as the dowry of Umm Ilâhibah. 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 Allāh said: “Do you have any Qur’ān (memorized)?” He said: “Yes. This Sūrat and that Sūrat” and he named the Sūrat. So the Messenger of Allāh said: “I marry her to you for what you have (memorized) of the Qur’ān.”

(Ṣaḥīḥ)

(Abū ‘Eisā said:) This Hadith is Ṣaḥīḥ. Ash-Shafī‘ī followed this Hadith, he said: “If he does not have anything to give to her, and he marries her for a Sūrat of the Qur’ān, then the marriage is acceptable and he is to teach her the Sūrat of the Qur’ān.”

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-Ｋūfah, Ahmad, and Ishaq.

**1114.** B. Abū Al-‘Ajfā (As-Sulamī) said: “Umar bin Al-Khaṭṭāb said: ‘Do not exaggerate in the dowries of women. If doing so was honorable in the world or Taqwā before Allāh then Allāh’s Prophet would have been the first of you to do it. I do not know of the Messenger of Allāh marrying any of his women, nor giving any of his daughters in marriage, for more than twelve Uqiyah.’” (Hasan)
(أبو إيسا所说的): هذا الحديث حسن.

(قل: أبو عميس): هذا الحديث حسن.

وأبو العجفاء السلمي، اسمه: هرمو.
والوقت: عهد أهل العلم: أن يكون درهمًا.
وبينما عطش: وثمناته: عطش والدمع.


تعليقات:

وفقًا لسأج، التفسير النقطة المبدئية من في الرجل

يُعَطِّل الأمة: ثم يحتزها (التحفة: 23)

1115 - حديث: حديث: أبو عوانة

عن قادة، وابن الحارث بن صليب، عن ابن مالك: أن رسول الله ﷺ أعطى صفيحة، وجعل عنده صداقها.

(قال): وفي الباب عن صفحة.

(قل: أبو عميس): حديث أنس حديث

حسن صحيح. والعمل على هذا عند بعض أهل العلم من أصحاب النبي ﷺ وغيرهم، وهو قول الشافعي وأحمد وإشكاق. وكره بعض أهل العلم أن يجعل عندها صداقًا، حتى يجعل لها مهرًا سوء العمل. والقول الأول أصح.
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
Comments:

For a slave to fulfill the rights of the master and rights of Allâh 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
the Messenger of Allâh 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
Maries 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)

Abû 'Eisâ said: This Hadith is not
correct considering of its chain. It
has only been reported by Ibn
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Lahi'ah and Al-Muthannã bin Aṣ-Ṣabbãh from 'Amr bin Shu'aib, and Al-Muthanã bin Aṣ-Ṣabbãh and Ibn Lahi'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. And this is the view of Ash-Shafi'i, Aḥmad and Isḥāq.

Comments:

Allah 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 Rifā'ah Al-Qurzi came to the Messenger of Allah ﷺ and said: ‘I was with Rifā'ah and he divorced

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me irrevocably. Then I married 'Abdur-Rahmân bin Az-Zubair, but he only has the likes of the fringe of a garment.\footnote{Meaning that he was impotent. See Tuhfat Al-Ahwadhi and Fath Al-Bari no. 5317.} So he said: 'Perhaps you want to return to Rifâ'ah? No, not until you taste his sweetness and he tastes your sweetness.'\footnote{Meaning intercourse.} (Sahîh)

(He said:) There are narrations on this topic from Ibn 'Umar, Anas, Ar-Rumaisã' or Al-Ghumaisã', and Abû Hurairah.

(Âbû 'Eisã said:) The Hadîth of 'Aishah is a Hasan Sahîh Hadîth. 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 Hadîth. He might not have heard this narration.
Chapter 28. What Has Been Related About The Muhill And The One Who The Muhallal Was Done For[1]

1119. Jābir bin ‘Abdullāh and ‘Ālī narrated: “The Messenger of Allah cursed the Muhill and the one the Muhallal was done for.” (Da‘īf)[2]

(He said:) There are narrations on this topic from Ibn Mas‘ūd, Abū Hurairah, ‘Uqbah bin ‘Āmir, and Ibn ‘Abbās.

Abū ‘Eisā said: The Hadīth of ‘Ālī and Jābir is defective. This is how Ash‘ath bin ‘Abdur-Rahmān reported it from Mūjalīd from ‘Āmir (Ash-Sha‘bī), from Al-Ḥārith, from ‘Ālī. And, from ‘Āmir, from Jābir bin ‘Abdullāh, from the Prophet. The chain for this Hadīth is not supported because Mūjalīd bin Sa‘eed was graded weak by some of the people of knowledge, among them Ahmad bin Ḥanbal. And ‘Abdullāh bin Numair reported this Hadīth from Mūjalīd, from ‘Āmir, from Jābir bin ‘Abdullāh, from ‘Ālī. In this Ibn Numair was confused, the first narration is more correct. Mughirah and Ibn Abī Ḥālīd and others, reported it from Ash-Sha‘bī, from Al-Ḥārith, from ‘Ālī.

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).

[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.”

[2] There are authentic versions which support this and the following narration.
1120. ‘Abdullah bin Mas‘ūd narrated: “The Messenger of Allâh ﷺ cursed the Muhill and the one the Muhallal was done for.” (Da'if)

(‘Abū ‘Eisâ said:) This Hadîth is Hasan Sahîh. ‘Abû Qais Al-Awdî’s name is ‘Abdur-Rahmân bin Tharwân, and this Hadîth has been reported from the Prophet ﷺ through other routes.

This (Hadîth) is acted upon according to the scholars among the Companions of the Prophet ﷺ, among them are ‘Umar bin Al-Khaṭṭâb, ‘Uthmân bin ‘Affân, ‘Abdullâh bin ‘Amr, and others. This is the view of the Fuqahâ‘ among the Tâbi‘în and it is the view of Sufyân Ath-Thawrî, Ibn Al-Mubârak, Ash-Shâﬁ‘î, Ahmad, and Ishâq.

(He said:) I heard Al-Jârud (bin Mu‘âdh) mentioning that Wakî‘ held this view, and he said: “The view of the people of opinion on this topic must be cast aside.”[1] (Al-Jârud said:) “Wakî‘ 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.”

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أبواب التكافح


[1] 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. ‘Ali bin Abī Ṭālib 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-Juhni and Abū Hurairah.

(Abū ‘Eisā 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 ‘Abbās 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-Thawrī, Ibn Al-Mubārak, Ash-Shāfi‘ī, Ahmad, and Ishāq.

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. 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 Zakât. 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 Zakât is when the Zakât 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)

(Ābu ‘Eisā said:) This Hadīth is Ḥasan Sahīh. (He said:) There are narrations on this topic from Anas, Ābū Raiḥānāh, Ibn ‘Umar, Jābir, Mu‘āwiyyah, Ābū Hurairah, and Wā’il bin Ḥuqr.

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.” (Sahīh)

(Ābu ‘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 Shighâr 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 ‘Atâ’ bin Abî Rabâh said: “They marry them simultaneously, and they set the same dowry.” This is the view of the people of Al-Kûfah.

Chapter 31. What Has Been Related About: A Woman Should Not Be Married Along With Her Paternal Aunt Nor Her Maternal Aunt

1125. Ibn ‘Abbâs 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 Hadith) name is ‘Abdullâh bin Ḥusain.

(Another chain) from Abû Hurairah, and it is similar.

(He said:) There are narrations on this topic from ‘Alî, Ibn ‘Umar, ‘Abdullâh bin ‘Amr, Abû Sa‘eed, Abû Umâmah, Jâbir, ‘Aishah, Abû Mûsâ, and Samurah bin Jundab.


تخريج: منطبق عليه، وأخرجه البخاري، النكاح، باب الشغّار، ح: 512 ومسلم، ح: 1415.

المعجم (31) - باب ما جاء لا نتكحّل
المراة على عمّها ولا على خالّيّها

(التحفة) 30

1125 - حكثنا نصر بن عليّ.

الجيلسي: حكثنا عبدّ الأعلى [بن عبد العزيز الأعلى]: حكثنا سعيد بن أبي عروبة عن أبي حربة، عن عكرمة، عن ابن عباس: أن النبي تزوج المرأة على عمّها أو على خالّيّها.

وأبو حربة اشتهى عبد الله بن حسین.

حكثنا نصر بن عليّ: حكثنا عبدّ الأعلى عن هشام بن حسان، عن ابن سيرين، عن أبي عروبة عن النبي ﷺ بعثه. [قال:] وفي النبأ عن عليّ وأبي عمرة وعبد الله بن عمر، وأبي سعيد وأبي أمامة وجايب وعائشة وأبي موسى وسمرة بن جندب.
Abu ‘Abd Allah. 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 [i.e., the niece] is not to be married with the older, nor the older with the younger.” (Sahih)

Abū ‘Eisā 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: 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 ʿĀmir Al-Juhānī narrated that the Messenger of Allāh said: “Indeed the conditions most deserving to be fulfilled are those that make the private parts lawful among you.” (Sahih)

(Another chain with similar narration)
(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. Among them is ʿUmar 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 ofAsh-Shāfi‘i, Ahmad, and Ishaq.
It has been related that ‘Ali bin Abi Talib said: “Allah’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 Sufyan Ath-Thawri and some of the people of Al-Kufah.

Chapter 33. What Has Been Related About A Man Who Accepted Islām While Having Ten Wives

1128. Ibn ‘Umar narrated: “Ghilān 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’if)

(ʻAbū ‘Īsā said:) This is how Ma‘mar reported this Hadith from Az-Zuhri: “From Sālim, from his father.” (He said:) I heard Muhammad bin Ismā’īl saying: “This Hadith is not preserved. What is correct is what Shu‘aib bin Abi Ḥamzah and others reported from Az-Zuhri (and Ḥamzah), he said: “He narrated to me from Muhammad bin Suwaid Ath-
Thaqafi that Ghilân bin Salamah accepted Islam and he had ten wives.” Muhammad said: “The Hadith of Az-Zuhri from Sâlim, from his father, was only: “A man from Thaqif divorced his wives. So ‘Umar said to him: ‘Return to your wives or they will stone your grave just as the grave of Abû Righâl is stoned.’

(‘Abû ‘Eisâ said:) The Hadith of Ghilân bin Salamah is acted upon according to our companions, among them Ash-Shâfi‘î, Âhmad, and Ishâq.

Comments:
In the reign of ‘Umar, Ghilan Ath-Thaiqî divorced his wife with the intention to deprive her from inheritance, and distribute it among his sons. ‘Umar asked him to return to his wife and remarry her otherwise he will face severe consequences. It means divorcing with such bad intentions is not lawful.

Chapter 34. What Has Been Related About A Man Who Accepts Islam While He Is Married To Two Sisters

1129. Abû Wahb Al-Jaishâni narrated that he heard Ibn Fairûz Ad-Dailami narrating from his father: “I went to the Prophet ð and said: ‘O Messenger of Allâh! I accepted Islam and I had two sisters (as wives).’ So the Messenger of Allâh ð said: ‘Chose whichever of them you will.’” (Hasan)
1130. [Abū Wahb Al-Jaishānī narrated from Ad-Ḍahhāk bin Fairūz Ad-Dailāmī from his father: “I said: ‘O Messenger of Allāh! I accepted Islam and I had two sisters (as wives).’ So Messenger of Allāh ﷺ said: ‘Chose whichever of them you will.’”] (Hasan)

This Hadith is Hasan Gharīb. Abū Wahb Al-Jaishānī’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. Ruwaidī bin Thābit narrated that the Prophet ﷺ said: “Whoever believes in Allāh and the Last Day, then he does not levy his water on someone else’s child.”[1] (Hasan)

(Abū ‘Eisā said:) This Hadith is Hasan. It has been reported through more than one route from Ruwaidī 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

[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-Darda’, Al-‘Irbaḍ 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 ﷺ, so the following was revealed: And women who are already married, except those whom your right hands posses.[1] (Hasan) (Abū ‘Eisā said:) This Hadīth is Ḥasan.

This is how Ath-Thawrī reported it: “From ‘Uthmān Al-Batti, from Abū Al-Khalil, from Abū Sa‘eed.” Abū Al-Khalil’s name is Šāliḥ bin An-Nisa’ 4:24.

Abī Maryam. And Hammām reported this Hadith from Qatādah, from Sāliḥ Abū Al-Khalīl, from Abū ‘Alqamah Al-Hāshimi, from Abū Sa‘eed, from the Prophet ﷺ. That was narrated to us by ‘Abd bin Humaid (he said): “Ḥabbān bin Hilāl narrated to us (he said): Hammām narrated to us.”


Comments:
This issue is agreed upon by all Four A‘imah; 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.

Chapter 37. What Has Been Related About The Dowry Of The Baghi[1]

Abū Mas‘ūd Al-Anṣārī narrated: “The Messenger of Allah ﷺ prohibited the price of a dog, the dowry of a fornicator, and the payment made to the fortuneteller.” (Sahih)

He said: There are narrations on this topic from Raﬁ’ bin Khadij, Abū Juḥaifah, Abū Hurairah, and Ibn ‘Abbās.

(Abū ‘Eisā said:) The Hadith of Abū Mas‘ūd is a Hasan Sahih Hadith.

Transliteration:

<table>
<thead>
<tr>
<th>Arabic Text</th>
<th>English Translation</th>
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<tbody>
<tr>
<td>آبی ماریم. و حمّام رَتَبَّه این حادیث را از قطاد، از سالم ابن الهلال، از ابوالقدس الهاشمی، از ابو سعید از نبی ﷺ. این حادیث را به ما از ابو حمید الهلی داشتند: حمّام از حبان ابن هللی، حمّام نوشت.</td>
<td></td>
</tr>
<tr>
<td>This issue is agreed upon by all Four A‘imah; 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.</td>
<td></td>
</tr>
</tbody>
</table>

[1] Here it means the fornicator. See Tuhfat Al-Ahwadhi.
Comments:
In the view of most of the scholars, buying and selling of dog is unlawful, but in the view of Imām Abū Ḥanīfah it is allowed. Imām 'Atā and Nakha‘ī allow the buying and selling of a hunting dog. It is agreed upon by all, that money paid for illegal sexual intercourse (Zinā) 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 Allāh 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 Hadīth of Abū Hurairah is a Hasan Sahih Hadīth.
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-Shāfi‘ī said: “This Hadīth: ‘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 Hadīth of Fātimah bint Qais,
in which she came to the Prophet ﷺ 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 Allah 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 ‘Abdūr-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 Aqīẓah[1] for me with the son of his uncle: five were of barely, and five of wheat.’ She said: ‘I went to the Messenger of Allah ﷺ and

[1] Aqīẓah 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 Sharik. But then the Messenger of Allah ﷺ said to me: “Umm Sharik’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 Allah 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 Usāmah bin Zaid proposed to me, and he married me. So Allāh blessed me with Usāmah.”’ (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 Allah ﷺ said to me: ‘Marry Usāmah.’” (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-Barā’, Abū Hurairah, and Abū Sa’eed.

1137. Jābir bin ‘Abdullah narrated: “We practiced ‘Azl while the Qur’ān was being revealed.” (Sahih)

(Abū ‘Eisā said:) The Hadīth of Jābir is a Hasan Sahih Hadīth. 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. Malīk bin Anās 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.
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 Allah wants some human being to come into this world nothing will prevent it.

Chapter 40. What Has Been Related About ‘Azl Being Disliked

Abū Sa'eed narrated: “‘Azl was mentioned before the Messenger of Allah and he said: ‘Why would one of you do that?’”

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

(Abu ‘Eisā said:) The Hadith of Abū Sa'eed is a Hasan 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 ‘Azl.

[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 Mālik, he (Abū Qilābah) said: "If I wish, I could say: 'The Messenger of Allāh ﷺ 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)."

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

(Abū ‘Eisā 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 Mālik, Ash-Shāfi‘ī, Āhmād, and Ishāq.)

[Some of the people of knowledge among the Tābi‘in said: "When he marries a virgin along with his wife, then he stays with her for three (nights). And when he marries a
matron he stays with her for two nights.” But the first view is more correct].

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. ‘Āishah narrated that the Prophet would divide (his time) equally between his wives and say: “O Allāh! 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)

(Ābu ‘Eisā said:) This Hadith of ‘Āishah has been reported by more than one, from Ḥammād bin Salamah, from Ayūb, from Abū Qilābāh, from ʿAbdullāh bin Yazid, from ʿĀishah: “The Prophet would divide” while Ḥammād bin Zaid and others reported it from Ayūb, from Abū Qilābāh in Mursal form: “The Prophet would divide” and this is more correct than the narration of Ḥammād 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” –
he meant love and affection, this is how it was explained by some of the people of knowledge.

Comments:

This narration makes it clear that the Prophet ﷺ, 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 Prophet ﷺ did justice at all times with his wives.

1141. Abū Hurairah narrated that the Messenger of Allāh 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‘īf)

(Abū ‘Eisā said:) This Hadith was only narrated (like this) by Hammām bin Yahya from Qatādah. Hishām Ad-Dastawā‘ī narrated it from Qatādah who said: “It was said.” And we do not know of this Hadith to be Marfu‘ except from the narration of Hammām, and Hammām is a trustworthy Hāfiz.

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 Hadīth (and there is some criticism regarding the other Hadīth as well). And this is acted upon according to the people of knowledge; when the woman accepts Islām before her husband, then if her husband accepts Islām 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‘ī, Ash-Shāfi‘ī, Ahmad, and Ishaq.

Comments:
Maulāna Saflur-Rahman, in his book Tajalliyāt-i-Nubbuwat, 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.

1143. Ibn ‘Abbās narrated: “The Prophet returned his daughter Zainab to Abul-‘As bin Ar-Rabi‘
after six years in the first marriage without renewing the marriage.”

(Даф)

(Абу ’Елса 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 Dāwūd bin Ḫusayn (one of the narrators); due to his (bad) memory.

ТАХРИБ: [新西德 صفيف] وأخرجه أبو داود في الطلاق، باب إلى منى ترد عليه أمرأنه إذا أسلم بعدها: 240 وابن ماجه، ح: 200 من حديث محمد بن إسحاق بن يسار به صححت

الحادي: 239 على شرف مسلم فقالذهبي: "لا" داود عن عكرمة، منكر كم قال ابن المديني وغيره وقال في التكرير: "ثقة إلا في عكرمة ورمي برأي الخوارج.

1144. Ibn ‘Abbās 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.” (Даф)

This Hadith is Sahih. I heard ‘Abd bin Humaid saying: "I heard Yazid bin Hārūn mentioning this Hadith from Muḥammad bin Iṣḥāq.”

As for the narration of Al-Ḥajjāj, from ‘Amr bin Shu‘aib, from his father, from his grandfather: “The Prophet ﷺ returned his daughter Zainab to Abūl-‘Āṣ with a new dowry and a new wedding”–Yazid bin Hārūn said: “The Hadith of Ibn ‘Abbās has a better chain.” While the Hadith of ‘Amr bin Shu‘aib is acted upon.

١١٤٤ - حَدَّثَنَا يُوْضُفُ بْنُ عَيْسِيْ: حَدَّثَنَا
وَكَبْعُ (قَالَ): حَدَّثَنَا إِسْرَائِيلَ عَنِ السَّمَّاكِ بْنُ حَرْبٍ، عَنْ عُكْرَمَةَ، عَنْ أَبِي عَيْسَى: أَنَّ رَجُلًا جَاءَ مُسَلِّمًا عَلَى عَهَدِ النَّبِيِّ ﷺ، ثُمَّ جَاءَهُ الْمَهْدَاءُ مُسْلِمًا، فَقَالَ: بَيِّنَ رَسُولُ اللَّهِ ﷺ أَنَّهَا كَانَتْ أَسْلَمَتْ مَعِي، فَرَدَّهَا عَلَيْهِ. هَذَا حَدِيثٌ صَحِيحٌ. سَمَعْتُ عَبْدُ بْنَ حُمَيْدٍ بْنَ يُوْضُفٍ: سَمَعْتُ يُوْضُفُ بْنَ هَارُونَ يَذَكَّرُ، عَنْ مُحَمَّدٍ بْنِ إِسْحَاقٍ، هَذَا الْحَدِيثُ.

وَحَدِيثُ الْحَجِّاجِ، عَنْ عَمْرَوَ بْنَ شُعْبَى، عَنْ أَبِيهِ، عَنْ حَاجَةٍ أَنَّ الْمَيِّزَانَ رَجُلًا أَنَّ النَّبِيِّ ﷺ رَأَى أَبَنَهُ رُسُلُ اللَّهِ ﷺ عَلَى أَبِي العَاصِمَ بْنِ غَرْبٍ جَدِيدًا وَيَكَاحِ جَدِيدًا. فَقَالَ: يُوْضُفُ بْنُ هَارُونَ: حَدِيثٌ أَبِي عَيْسَيْ بْنِ غَرْبٍ أَجْرَأَ إِسْتِنادًا. وَالْمَعْلُوْلُ عَلَى حَدِيثِ عَمْرَوَ بْنِ شُعْبَى.
The Chapters On 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'ūd 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'ūd 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 Sinān 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'ūd was happy about that. (Sahih)

(He said:) There is something on this topic from Al-Jarrāḥ.

(Another chain for the same)

(Abū 'Eisā said:) The Ḥadīth of Ibn Mas'ūd is a Hasan Sahih Ḥadīth, 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-Thawrī, Ahmad, and Ishāq.
من بعض أهل العلم من أصحاب النبي ﷺ، منهم علي بن أبي طالب وزيد بن ثابت وابن عباس، وأبي عنبر إذا تزوج الرجل المرأة ولم يدخلها ولم يفرض لها صداقًا حتى مات، قالوا: لها الجزء ولا صداق لها، وعليها العدة، وهو قول الشافعي، وقال: لو تزوج حديث يروي بن أبي شويثي، لكان تتلخص فيما روي عن النبي ﷺ، وروي عن الشافعي أنه رفع يمضى بعد عن هذا القول، وقال يهديت يروي بن أبي شويثي.

Comments:

This narration of Birwa' bint Wāshiq is a Sahih 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.
10. The Chapters On Suckling

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.” (Ṣaḥīḥ)

He said: There are narrations on this topic from ‘Āishah, Ibn ‘Abbās, and Umm Ḥabībah.

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

Comments:

Kinship by suckling develops only among the child who sucked and the woman and her relatives who suckled. 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.” (Ṣaḥīḥ)
The Chapters On Suckling

(‘Abū ‘Eīsā said:) This Hadīth is Ḥasan Sahīh, and the Hadīth of ‘Ali is Sahīh.

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 the Messenger of Allāh ﷺ 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.’” (Sahīh)

(‘Abū ‘Eīsā said:) This Hadīth is Ḥasan Sahīh. 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 ‘Aishah. 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 sister is paternal aunt of the suckling. These are foster relations.

1149. ‘Amr bin Ash-Sharid narrated that Ibn ‘Abbás 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’f)

(‘Abū ‘Eisā said:) This is the explanation of the man’s milk, and this is the basis of this topic. This is the view of Ahmed and Ishāq.

Chapter 3. What Has Been Related About: One Sip Or Two Sips Will Not Make A Prohibition

1150. ‘Abdullāh bin Az-Zubair
narrated from 'Aishah from the Prophet ☪ 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, Abū Hurairah, Az-Zubair [bin Al-Awwâm], and Ibn Az-Zubair, from 'Aishah, from the Prophet ☪, that he said: “One sip or two sips do not make a prohibition.”

Muhammad bin Dinar reported it from Hishâm bin ‘Urwa, from his father, from ‘Abdullâh bin Az-Zubair, from Az-Zubair, from the Prophet ☪. So Muhammad bin Dinar [Al-Basrî] added: “from Az-Zubair, from the Prophet ☪” and this is not preserved. What is correct according to the people of Hadîth is the narration of Ibn Abî Mulâ‘îkah, from ‘Abdullâh bin Az-Zubair, from ‘Aishah, from the Prophet ☪.

(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 Dinar, he added in it: ‘From Az-Zubair’ while it should be ‘Hishâm bin ‘Urwa, from his father, from Az-Zubair.’”)

This is acted upon according to some of the people of knowledge among the Companions of the Prophet ☪ 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, Mâlik bin Anas, Al-Awzâ‘î, ‘Abdullâh bin Al-Mubârâk, Wâqî, and the people of Al-Kûfah.

(‘Abdullâh bin Abî Mulaikah is ‘Abdullâh bin ‘Ubaidullâh bin Abî Mulaikah, and his Kûnyah 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.”)
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-Hârith” and, he (‘Abdullâh bin Abî Mulaikah) said: “And I heard it from ‘Uqbah bin Al-Hârith, but to me, the narration of ‘Ubaid is better preserved; he said: (‘Uqbah bin Al-Hârith narrated:) “I married a woman, then a black woman came to us and she said: ‘I suckled both of you.’ So I went to the Prophet and said: ‘I married so-and-so’s daughter and a black woman came to us and said: ‘I suckled both of you’ but she is a liar.’” He said: “Then he 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.’” (Sahîh)

(He said: There is something on this topic from Ibn ‘Umar).

(Abû ‘Eisâ said:) The Hadîth of ‘Uqbah bin Al-Hârith is a Hasan Sahîh Hadîth. This Hadîth has been reported by others, from Ibn Abî Mulaikah, from ‘Uqbah bin Al-Hârith, 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 ﷺ 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 Ishaq. 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-Shâfî’ī. I heard Al-Jârûd bin Mu’âdh 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, Ishaq, Awzâ’î 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 Allah ﷺ said: “No prohibition results from suckling except for what penetrates the intestines while on the breast before weaning.” (Sahih)
The Chapters On Suckling

(Abū `Eisā said:) This Ḥadīth is Ḥasan Şāhi. This is acted upon according to most of the people of knowledge among the Companions of the Prophet 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: “O Messenger of Allah! 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 Ḥadīth is Ḥasan Şāhi.

As for his saying: “What will remove the responsibility of the

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 Abü At-Tufail said: “I was sitting with the Prophet when a woman entered’ so he spread out his Rida’ for her to sit on. When she left it was said: ‘She was the one who suckled the Prophet."

This is how Yahya bin Sa’eed and Hätim bin Ismā‘il and others reported it (no. 1153): From Hishām bin ‘Urwa, from his father, from Hajjaj bin Hajjāj, from his father, from the Prophet. Sufyān bin ‘Uyainah reported it from Hishām bin ‘Urwa, from his father, from Hajjāj bin Abī Hajjāj, from his father, from the Prophet. But the narration of Ibn ‘Uyainah is not preserved.

What is correct is what these people reported from Hishām bin ‘Urwa, from his father. Hishām bin ‘Urwa’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 ‘Urwa’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

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 Hishām bin ‘Urwah, from his father, from ‘Aishah that she said: “Barirah’s husband was a slave.” ‘Ikrimah reported it from Ibn ‘Abbās 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 Ishq.

More than one narrator reported the story of Barirah from Al-A‘mash, from Ibrāhim, from Al-Aswad, from ‘A‘ishah. 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 Sufyān Ath-Thawri and the people of Al-Kufah.

1156. Ibn ‘Abbās narrated: “Barirah’s husband was a black slave belonging to Banū Al-Mughīrah. On the day that Barirah was freed. By Allah! It is as if I can see him in the streets of Al-Madinah 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.” (Sahih)

(abū ‘Eisā said:) This Ḥadīth is Hasan Sahih. Sa‘eēd bin Abī `Arūbah (one of the narrators) is Sa‘eēd bin Mihrān, and his Kunyah is Abū An-Nadr.
Comments:
If the husband of a slave woman is a slave at the time of her freedom, she gets the right to stay with her husband or to leave him. If the husband is a free person at the time of her freedom, she looses this privilege.

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)

He said: There are narrations on this topic from ʿUmar, ʿUthmān, ʿĀishah, Abū Umāmah, ʿAmr bin Khārijah, ʿAbdullāh bin ʿAmr, Al-Barāʾ bin ʿĀzib, and Zaid bin Arqam.

(ʿAbū ʿEisā 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-Zuhri reported it from Saʿeed 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).

[1] "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 ‘Abdullāh) narrated: “The Prophet ﷺ 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 Shaitān. 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.” (Ṣahih)

(He said:) There is something on this topic from Ibn Mas‘ūd.

(‘Abū ‘Eisā said:) The Ḥadīth of Jābir is a Ḥasan Ṣahīh Gharib Ḥadīth. Hishām bin Abī ‘Abdullāh (a narrator), the (merchant), Ad-Dastawā‘ī, is Hishām 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 ﷺ 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 ‘Abbas, ‘Abdullāh bin Abī Awfa, Ṭalq bin ‘Ali, Umm Salamah, Anas, and Ibn ‘Umar.

(Abū ‘Eisā 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 Shari‘ah – prostration to anything other than Allāh is prohibited, and similarly prostration of respect is also prohibited. Prostration is due only to Allāh and strictly prohibited to everything other than Allāh. Had the prostration of respect been lawful, the Prophet would have ordered the wife to prostrate to her husband.

1160. Talq bin ‘Ali narrated that the Messenger of Allāh said: “When a man calls his wife to fulfill his need, then let her come, even if she is at the oven.” (Sahih)

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

This narration makes it clear that the wife should take care of the needs of her husband and that includes sexual needs.

1161. Umm Salamah narrated that the Messenger of Allah ﷺ said: “Whichever woman dies while her husband is pleased with her, then she enters Paradise.” (Hasan)

(ʻAbū ʻĪsā said:) This Ḥadīth is Hasan Gharīb.

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. ʻAbū 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 ‘Abbás.

(‘Abū ‘Eisā said:) This *Hadith* of Abū Hurairah is a *Hasan Šahir Hadith*.

**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 Allāh.

1163. Sulaimān bin ‘Amr bin Al-Ahwas said: “My father narrated to me that he witnessed the farewell *Hajj* with the Messenger of Allāh ﷺ. So he thanked and praised Allāh 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 *Fāihishah* (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.
(furniture),[1] 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.” (Sahîh)

(‘Abû ‘Eisâ said:) This (Hadîth) is Hasân Sahîh. And the meaning of his saying: “they are but captives with you” means they are captives under your care.

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.

Chapter 12. What Has Been Mentioned About It Being Disliked To Enter Women In Their Behinds

1164. ‘Alî bin Țalq narrated that a Bedouin came to the Prophet ﷺ and said: “O Messenger of Allah! 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 Allah ﷺ said: “When one of you breaks wind then let him perform Wuḍū’, and do not go into your women in theirbehinds, for indeed Allah is not shy of the truth.” (Hasan)

(He said:) There are narrations on this topic from ‘Umar, Khuzaimah bin Thâbit, Ibn ‘Abbâs, and Abû Hurairah.

[1] Meaning, that they are not to let anyone you dislike in your home, as mentioned in the following statement. See Tuhfat Al-Ahwâdî.
(Abū ‘Eisā said:) The Hadīth of ‘Alī bin Ṭaql is a Hasan Hadīth.

I heard Muhammad saying: “I do not know a Hadīth for ‘Alī bin Ṭaql from the Prophet other than this one, and I do not know that this is a Hadīth of Ṭaql bin ‘Alī As-Suhaimi.” [1]

It is as if he thought that this man was another Companion of the Prophet. Wāki‘ also reported this Hadīth.


1165. Ibn ‘Abbas narrated that the Messenger of Allah said: “Allah will not look at a man who enters a man or a woman in the behind.” (Hasan)

Abū ‘Eisā said: This Hadīth is Hasan Gharib.

خِلاَصٌ: حسن وأخرجه أبو سعيد الأشعث: حسنًا. أبو خالد الأحمر عن الصحابة بني عميان، عن معاًمة بني عميان، عن كربه، عن ابن عباس قال: قال رسول الله ﷺ: لا ينظر الله إلى رجلٍ أتى رجلًا أو امرأة في الذئب. قال أبو عيسى: هذا حدث حسن جريب.

Comments:

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.

[1] Perhaps it should be “Alī bin Talq As-Suhaimi” as Al-Mubârakpûrî said. See Tuhfat Al-Ahwadhi, and Tahdhib Al-Tahdhib by Ibn Ḥajar.
1166. ‘Alī narrated that the Messenger of Allāh ﷺ said: “When one of you breaks wind then let him perform Wudū’, and do not go into your women through their behinds.” (Hasan)

(‘Abū ‘Eisā said:) This ‘Alī is ‘Alī bin ‘Uthmān.

Comments:

Breaking wind which makes sound or without sound invalidates the Wudū’ (ablution). In this narration, the Prophet ﷺ deemed it necessary to explain the other issue which is also related to the anus ‘Ajāz’ means anus.

Chapter 13. What Has Been Related About It Being Disliked For Women To Go Out While Wearing Their Adornments

1167. Maimūnah bint Sa‘d who was a servant for the Prophet ﷺ, narrated that the Messenger of Allāh 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‘f)

(‘Abū ‘Eisā said:) We do not know of this Hadith except from Mūsā bin ‘Ubaydah, and Mūsā bin ‘Ubaydah is weak in Hadith due to his poor memory, although he is truthful. He reported from Shu‘bah, and some of them reported it from Mūsā bin ‘Ubaydah without it being Marfu‘.

تخريج: [ح: 6/148 من حديث موسى بن عبيد وابن عبيدة وهو ضعيف.}
Comments:
The word ‘Ar-Râfîlah’ 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. Abû Hurairah narrated that the Messenger of Allâh ﷺ said:

“Allâh becomes jealous and the believer becomes jealous. Allâh’s jealousy occurs when a believer does what He has made unlawful for him.” (Sâhih)

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

(Abû ‘Eisâ said:) The Hadîth of Abû Hurairah is a Hasan Gharîb Hadîth.

This Hadîth has been reported from Yahya bin Abî Kathîr, from Abû Salamah, from ‘Urwh, from Asmâ bint Abî Bakr, from the Prophet ﷺ. Both of these Ahâdîth are Sahih.

(Regarding the narrators) Al-Ḥajjâj Aṣ-Ṣawwâf is Al-Ḥajjâj bin Abî ‘Uthmân, and Abû ‘Uthmân’s name is Maisarah. Al-Ḥajjâj’s Kunyah is Abû ‘Aṣ-Sâlî, and Yahyâ bin Sa’eed Al-Qattân said he was trustworthy. Abû ‘Eisâ narrated to us: “Abû Bakr Al-‘Aţîr narrated to us from ‘Alî bin ‘Abdullâh (Al-Madini) who said: ’I asked Yahyâ bin Sa’eed Al-Qattân about Ḥajjâj Aṣ-Ṣawwâf and he said: “He is (trustworthy) intelligent, (and) clever.”
Comments:

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 Allah, and Allah’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-Khudrī narrated that the Messenger of Allah ﷺ said: “It is not lawful for a woman who believes in Allah 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 Hadith is Hasan Sahīh.

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 Hajj?
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 Allâh, 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 Sufyân Ath-Thawrî and the people of Al-Kûfah.

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 Mâlik and Ash-Shâfi‘î.

**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. Abû Hurairah narrated that the Messenger of Allâh 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*. (Sahîh)

(‘Abû ‘Eisâ said:) This Hadîth is Hasan Sahîh.
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 Allâh ﷺ said: “Beware of entering upon women.” So a man from the Ansâr said: “O Messenger of Allâh! What do you think about the Ham¿ú? So he said: “The Ham¿ú is death.” (Sahîh)

He said: There are narrations on this topic from `Umar, Jãbir, and `Amr bin Al-`Âs.

(Abû `Eisã said:) The Hadîth of `Uqbah bin `Amir is a Hasan Sahîh Hadîth. 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 Shaitãn.” And as for the meaning of his saying: “Al-Hamwu,” the Al-Hamwu 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-Hamwu’ 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 Shaitān Flowing (Through The Body) Like The Flow Of Blood

1172. Jābir narrated that the Prophet ﷺ said: “Do not enter upon Al-Mughībat (the women whose husbands are absent), for indeed the Shaitān 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.”[1] (Hasan)

(ʿAbū ʿEisā said:) This Hadith is Gharīb from this route. Some of them have criticized Mujālīd bin Saʿeēd due to his memory. I heard ‘Alī bin Khashram saying: “Explaning the saying of the Prophet ﷺ: ‘but Allāh helped me over him, so I am safe’ Sufyān bin ʿUyainah said: ‘It means ‘So I am safe from him.’’ Sufyān said: ‘The Shaitān does not submit.’”

And as for: ‘do not enter upon Al-Mughībat,’ Al-Mughībah is the woman whose husband is absent, and Al-Mughībat is plural of Al-Mughībah.

Comments:

In this narration Satan means his influence on human nature, compelling the human being to act according to his desires. Allāh ﷺ has helped the Prophet ﷺ to get control over Satan. Satan cannot harm the Prophet ﷺ.

[1] See the comments of Sufyān bin ʿUyainah below, for the Hadith can be interpreted to mean: “So he submitted” meaning the Shaitān, or “So I am safe from him.”
Chapter 18. The Shaitân Seeks to Tempt the Woman When She Goes Out

1173. ‘Abdullah narrated that the Prophet said: “The woman is ‘Awrah, so when she goes out, the Shaitân seeks to tempt her.” (Da’if)

(Abū ‘Eisā said:) This Hadith is Ḥasan Ṣaḥīḥ Gharīb.

**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. Mu‘ādh bin Jabal narrated that the Prophet 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, soon he will part from you for us.’” (Hasan)

(Abū ‘Eisā said:) This Hadith is (Hasan) Gharīb, we do not know of it except from this route. Ismā‘īl bin ‘Ayyāsh’s (a narrator in the chian of this Hadith) 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-Ahwādhi.
from the people of Ash-Shâm are better, while he reports what is objectionable from the people of Al-Hijāz and Al-‘Irāq.

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-Hűrul-‘Ein 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.
11. The Chapters On Divorce And Li‘ân From The Messenger of Allah ﷺ

Chapter 1. What Has Been Related About The Sunnah Divorce

1175. Yūnus 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 ‘Abdullāh bin ‘Umar?’ Indeed he divorced his wife while she was menstruating, so ‘Umar asked the Prophet ﷺ 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?’” (Ṣaḥīḥ)

1176. Sālim narrated that his father divorced his wife during her menses, so ’Umar asked the Prophet ﷺ about that and he said: “Tell him to take her back, then let him divorce her while she is pure or pregnant.” (Ṣaḥīḥ)

(‘Abū ‘Eisā said:) The Ḥadīth of Yūnus bin Jubair from Ibn ‘Umar is a Ḥasan Ṣaḥīḥ Ḥadīth, and so is the Ḥadīth of Sālim from Ibn
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‘Umar. This Hadith has been reported through other routes from Ibn ‘Umar from the Prophet ﷺ.

This is acted upon according to the people of knowledge among Companions of the Prophet ﷺ and others. The Sunnah divorce is to divorce her while she is pure without having intercourse. Some of them said if he divorces her thrice (at one time) while she is pure, then it will also be according to the Sunnah. This is the view of Ash-Shafi’i and Ahmad (bin Hanbal). Some of them said that three (at one time) is not from the Sunnah, unless he divorces her once (and then once). This is the view of (Sufyan) Ath-‘Thawri and Ishâq.

Regarding divorcing a pregnant woman they said: He divorces her whenever he wants to. This is the view of Ash-Shafi’i, Ahmad and Ishâq. 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.
Chapter 2. What Has Been Related About A Man Who Divorces His Wife Irrevocably

1177. ‘Abdullah bin Yazid bin Rukānah 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 Allah?’ I said: ‘By Allah.’ He said: ‘Then it is as you intended.’”

(Abū ‘Eisā 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 (Idtirāb) in it; and it has been reported from ‘Ikrimah, from Ibn ‘Abbas that Rukānah 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-Khattāb 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 Sufyān Ath-Thawrī and the people of Al-Kūfah.

Mālik bin Anas said about the irrevocable divorce: If he had gone
into her, then it is three divorces. Shafi'i 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

1178. Hammâd bin Yazîd said: “I said to Abû Ayyûb: ‘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 Allâh forgive me – except for what has been narrated to me by Qatâdah, from Kathîr the freed slave of Banû Samurah, from Abû Salamah, from Abû Hurairah, that the Prophet ﷺ said: “Three.”’ Abû Ayyûb said: ‘So I met Kathîr the freed slave of Banû Samurah and asked him about it, but he was not aware of it. So I returned to Qatâdah and informed him about that and he said: “He forgot.” (Dâ‘if)

(Abû ‘Eisâ said:) This Hadîth is Gharib, we do not know of it except as a narration of Sulaimân bin Harb, from Hammâd bin Yazîd. I asked Mu‘hammad about this Hadîth and he said: “Sulaimân bin Harb narrated this from Hammâd bin Yazîd to us, but it was only Mawqûf from Abû Hurairah.”
The Hadith of Abu Hurairah is not known to be Marfu', and Ali bin Nasr (one of the narrators) is a Hafiz, a person of Hadith.

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-Khattab and Abdullah bin Mas'ud — said: “It is one.” This is the view of more than one of the people of knowledge among the Tabi'in and those after them.

Uthman bin Affan and Zaid bin Thabit 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.”

Sufyan and the people of Al-Kufah followed the view of Umar and Abdullah. As for Malik bin Anas he said: “The decision is as she decides,” and this is the view of Ahmad. As for Isbaq, he followed the view of Ibn Umar.

Comments:

Imam Muhammad has reported this point of view of the Ahnaf; 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 Thabit, if the husband intends one divorce it is revocable.
Chapter 4. What Has Been Related About The Choice

1179. 'Aishah 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)

(Abū 'Eisā said:) This Hadith is Hasan Sahih. The people of knowledge differ over the choice. It has been related from 'Umar and 'Abdullāh bin Masʿūd 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 Thābit 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 ‘Abdullāh, and it is the view of Sufyān Ath-Thawrī and the people of Al-Kūfah. As for Ahmad bin Ḥanbal, he followed the view of ‘Ali, may Allāh be pleased with him.
Comments:
Most of the Companions of the Prophet and the followers of the Companions and scholars of Islamic jurisprudence say; if the woman chooses her husband then it is counted as nothing. She can go back to her husband. This is an accepted and correct point of view. If she chooses herself to be divorced, then there is difference of opinion among the scholars and the people of knowledge. Imam At-Tirmidhi has discussed the details of this issue.

Chapter 5. What Has Been Related About: The Woman With Three Divorces Gets No Housing Nor Maintenance (From The Husband)

1180. Fatimah bint Qais said: “My husband divorced me three times during the time of the Prophet. So the Messenger of Allah said: ‘There is no housing for you nor maintenance.’” Al-Mughirah (one of the narrators) said: “I mentioned that to Ibrâhîm and he said: Umar said: “We do not leave the Book of Allah 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.” (Sahih)

This was narrated to us from Ahmad bin Mani’ (who said): “Hushaim narrated to us: ‘Huṣain, Ismâ‘îl and Mujâlíd informed us.’”

Hushaim said: “Dâwûd narrated it to us as well, from Ash-Sha’bi who said: ‘I entered upon Fatimah bint Qais and asked her about the judgement of the Messenger of Allah to her, and she said: ‘There is no housing for me nor maintenance.”
Allāh ™ 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 Dāwūd she said: “And he ordered me to stay at the home of Ibn Umm Maktūm during my ‘Iddah.”

(‘Aḥū ‘Eisā said:) This Ḥadīth is Ḥasan Sahīh.

This is the view of some of the people of knowledge, among them Al-Ḥasan Al-Baṣrī, ‘Aṭā’ bin Abī Rabāḥ, and Ash-Sha’bī, and it is the view of Aḥmad and Iṣḥāq. 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 ‘Abdullāh – said that the woman divorced three times gets housing and maintenance. This is the view of Sufyān Ath-Thawrī and the people of Al-Kūfah.

Some of the people of knowledge said that she gets housing but there is no maintenance for her. This is the view of Mālik bin Anas, Al-Laith bin Sa’d, and Ash-Shāfi‘ī. Ash-Shāfi‘ī said: “We only give her housing based upon the Book of Allāh, Allāh Most High said: And turn them not out of their homes, nor shall they (themselves) leave, except in the case they are guilty of..."
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some open Fāhishah. And they say it (Fāhishah) is to behave in a foul manner, that she misbehaves with her family, and they explain that the reason that Fāţīmah 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 Fāţīmah 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 Allâh said: “There is no vow for the son of Adam 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‘âdh bin Jabal, Jâbir, Ibn ‘Abbâs, and ‘Aishah.

(Abū ‘Eisā said:) The Hadith of ‘Abdullāh bin ‘Amr is a Hasan Sahīh Hadith, 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 and others. This has been related from ‘Alī bin Abī Tālib, Ibn ‘Abbās, Jābir bin ‘Abdullāh, Sa‘eed bin Al-Musayyab, Al-Ḥasan, Sa‘eed bin Jubair, ‘Alī bin Al-Ḥasan, Shurayh, Jābir bin Zaid, and more than one of the Fuqahā’ among the Tābi‘īn, and it is the view of Ash-Shafi‘ī.

It has been related that Ibn Mas‘ūd said about the Mansūbah: [1] “She is divorced.” It has been related from Ibrāhim 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 Hadith 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. Muẓāhir 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’if)
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 ‘Aimmah, 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

1183. Abü 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.” (Saḥih)
(Abū 'Eisā said:) This Hadith is Hasan Ṣaḥīh. 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 except 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 Hadith is Hasan Gharīb.

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 Ḥabīb bin (Ardak Al-Madani). And Ibn Māhak; to me (it seems that) he is Yūsuf bin Māhak.
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 . So the Prophet 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 'Abbas.

Abu 'Eisa said: In the Hadith of Ar-Rubai' what is correct is: “she was ordered that she observe an ‘Iddah of one menstruation.”

1185B. Ibn 'Abbas narrated that the wife of Thãbit bin Qais was granted a Khul' from her husband during the time of the Prophet . So the Prophet ordered her to observe an 'Iddah of a menstruation. (Hasan)

(Abu 'Eisa 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 menstrations]. This is the view of (Sufyān) Ath-Thawrī and the people of Al-Kūfah, and it is the view of Ahmad and Ishaq.

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 menstration. Ishaq 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'ān, 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.

Chapter 11. What Has Been Related About The Women Who Seek A Khul'

1186. Thawbān narrated that the Prophet said: “The women who seek a Khul' are hypocrites.” (Sahih)

(Abū ‘Eisā said:) This Hadith is Gharīb from this route, and its chain is not strong. It has been related that the Prophet said: “Whichever woman seeks a Khul from her husband without harm (cause), then she will never smell the scent of Paradise.”
Chapter 12. What Has Been Related About Treating Women Kindly

1187. Thawbân narrated that the Messenger of Allâh ﷺ said: “Whichever woman seeks a Khul’ from her husband without harm (cause), then the scent of Paradise will be unlawful for her.” (Sâhih)

(As Abú ‘Elsa said:) This Hadith is Hasan. This Hadith has been reported from Ayyúb, from Abú Qilâbah, from Abú Asmâ’, from Thawbân. Some of them reported it from Ayyúb with this chain, but without mentioning it to be Marfu‘. 

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. Abú Hurairah narrated that the Messenger of Allâh 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.” (Sâhih)
(He said:) There are narrations on this topic from Abū Dharr, Samurah, and ‘Āishah.

(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 ‘Abdullâh bin ‘Umar! Divorce your wife.’” (Hasan)

(Abū ‘Eisā said:) This Hadith is Hasan Sahīh, we only know of it as a narration of Ibn Abī Dhi’b.
Comments:

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

1190. Abū Hurairah narrated that the Prophet ﷺ said: “No woman should ask for the divorce of her sister (in religion) in order to spill what is in her container.”[1]

(Sahih)

(He said:) There is something about this from Umm Salamah.

(Abū 'Eīsā said:) The Hadīth of Abū Hurairah is a Hasan 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’tūh 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 ‘Ata’ bin ‘Ajlān, and ‘Ata’ 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.

[1] It is explained in the Hadith. See Tuḥfat Al-Ahwadhi. This Hadith is mentioned by Al-Bukhārī as a statement of ‘Ali which appears directly before Hadith no. 5269 in his Sahih.
Chapter 16. The Revelation Of Allâh’s Saying: Divorce Is Two Times

1192. Hishãm bin ‘Urwah narrated from his father, from ‘Áishah 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 Allâh! 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 ‘Áishah to inform her about that, and ‘Áishah was silent until the Prophet ã¢â‚¬Å“ came. So she told him and the Prophet ã¢â‚¬Å“ was silent, until the Qur’ãn was revealed: Divorce is two times, after that, retain her on reasonable terms or release her with kindness.”[1] So ‘Áishah said: “So the people could carry on with divorce in the future, (knowing) who was divorced, and who was not divorced.” (Hã¢â‚¬Å“asan)

(Another chain) from Hishãm bin ‘Urwah from his father and it is similar to this Hadith in meaning, but he did not mention in it: “From ‘Áishah.”

(Abû ‘Eisã said:) This is more

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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 Waliullâh 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 ‘Eisâ 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 Abû As-Sanâbîl 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 Sufyân Ath-Thawrî,Ash-Shâfî'i, 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.


1194. Sulaimân bin Yasâr narrated that Abû Hurairah, Ibn ‘Abbâs, and Abu Salamah bin ‘Abdur-Rahmân mentioned the pregnant woman whose husband died and she gave birth after the death of her husband. So Ibn ‘Abbâs said: "She observes 'Iddah until the end of the two terms." Abû Salamah said: "Rather, she is allowed when she gives birth." Abû Hurairah said: "I am with my nephew," meaning Abû 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.’”

(Sahih)

(ʿAbū ʿEisā said:) This Hadith is Hasan Sahih.

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.”

Chapter 18. What Has Been Related About The ‘Iddah Of A Woman Whose Husband Dies

Ḥumaid bin Nāfi’ narrated that Zainab bint Abi Salamah informed him of these three Ahādīth:

1195. Zainab said: “I entered upon Umm Habibah, the wife of the Prophet ﷺ when her father Sufyān bin Ḥarb 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
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

[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.
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 Ḥijra one of you would throw a clump of camel dung when one year passed.”[1]

(He said:) There are narrations on this topic from Furai’ah bint Malik bin Sinān who is the sister of Abū Sa‘eed Al-Khudrī, and Hafṣah bint ‘Umar.

(‘Abū ʿEisā said:) The Ḥadīth of Zainab is a Ḥasan Sahih Hadīth. 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 Sufyān Ath-Thawrī, Malik (bin Anas), Ash-Shāfi‘ī, Aḥmad, and Ishaq.

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 Zihâr And Has Intercourse (With His Wife) Before Atoning

1198. Salamah bin Šakhir Al-Bayâdi narrated that the Prophet ﷺ said, about the one who uttered Zihâr and had intercourse before the atonement: “One atonement.” (Da’îf)

(Âbu ‘Elsa said:) This Hadîth is Hasan Gharib.

This is acted upon according to most of the people of knowledge. This is the view of Sufyân Ath-Thawrî, Mâlik, Ash-Shâﬁ’î, Aḥmad and Iṣâq.

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-Raḥmân bin Mahdî.

1199. Ibn ‘Abbâs narrated that a man came to the Prophet ﷺ, and he had uttered Zihâr upon his wife then he had intercourse with her. So he said: ‘O Messenger of Allâh! I uttered Zihâr 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 Hadith 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 Ẓihār

1200. Abū Salamah and Muḥammad bin ‘Abdur-Rahmān (bin Thawbān) narrated that Salmān bin Ẓakhr Al-Anṣārī – from Banū Bayḍah – said that his wife was like the back of his mother to him until Ramaḍān passed. After half of Ramaḍān had passed he had intercourse with his wife during the night. So he went to the Messenger of Allāh ﷺ to mention that to him. The Messenger of Allāh ﷺ 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 ﷺ said to Farwah 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 Ḥadīth is Ḥasan. They say: “Salmān bin Ṣakhir” and they say: “Salāmah bin Ṣakhir Al-Bayāḍī.

The people of knowledge act according to this Ḥadīth regarding the atonement for Zihār.

Comments:

According to Imaām Ahmad, 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 Ṣā‘. In view of Imaām Shafi‘ī, Imaām Awzā‘ī and ‘Atā there is only one Mudd to be paid from any kind of grain as atonement. In the view of Imaām Mālik the amount of atonement is two Mudd from any kind of grain, and according to Imaām Ath-Thawrī and Imaām Abū Ḥanīfah, for wheat one Mudd, dates two Mudd and barley one Ṣā‘ is prescribed as the atonement.

Chapter 21. What Has Been Related About Ilā[1]

1201. ‘Āishah narrated: “The Messenger of Allāh ﷺ 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‘īf)

(He said:) There are narrations on this topic from Anas and Abū Mūsā.

(Abū ‘Eisā said:) The narration of Maslamah bin ‘Alqamah from Dāwūd was reported by ‘Alī bin Mushir and others from Dāwūd: “From Ash-Sha‘bī, that the Prophet ﷺ” which is Mursal, and it does not

[1] When a man vows to abandon intercourse with his wife.
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contain: “From Masrūq, from ‘Āishah.” 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 Prophet 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, Aḥ-Shāfi‘ī, Aḥmad, and Iṣḥāq.

Some of the people of knowledge among the Companions of the Prophet and others said that when the four months pass she is irrevocably divorced. This is the view of (Sufyān) Aḥ-Thawrī and the people of Al-Kūfah.

Comments:

Why the Messenger of Allāh ἡ 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’ân

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 Muṣʿab bin Az-Zubair. I did not know what to say.
So I went to the house of ‘Abdullāh bin ‘Umar 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 Abū ‘Abdur-Rahmān! Are those involved in Li‘ān 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 ﷺ 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 ﷺ remained silent and did not answer him. Afterwards he came to the Prophet ﷺ 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:

“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 Allāh that he is one of the truthful, and the fifth time that the curse of Allāh be upon him if he was one of the liars. Then the same with the woman: She testified four times by Allāh, that he was one of the liars, and the fifth time that the wrath of Allāh be upon her if he was one of the truthful. Then he separated the two of them.” (Ṣahīh)

(He said:) There are narrations on this topic from Sahl bin Sa’d, Ibn ‘Abbās, Ḥudhaifah, and Ibn Mas‘ūd.

(ʿAbū ʿEisā said:) The Ḥadīth of Ibn ʿUmar is a Hasan Ṣaḥīḥ Ḥadīth. This Ḥadīth is acted upon according to the people of knowledge.

Comments: According to Imām Shafiʿi only on the occasion of a man’s Liʿan will there be separation, but in the view of the Ahnāf, 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 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).

1204. Zainab bint Ka‘b bin ‘Ujrah narrated that Al-Furay’ah bint Malik bin Sinãn – the sister of Abū Sa‘eed Al-Khudri – informed her that she went to the Messenger of Allah to ask him if she could return to her family in Banū Khudrah. Her husband had gone out searching for his runaway slaves, and when he was in Ţaraf Al-Qadūm he caught up with them and they killed him. She said: “So I asked the Messenger of Allah 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 Allah said: ‘Yes.’ Then I left. When I was in the courtyard,” or, “in the Masjid, the

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Messenger of Allâh 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 I'Idah 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.

(Âbû ‘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 I'Idah could move from the home of her husband until her I'Idah transpired.

This is the view of Sufyân Ath-Thawrî, Ash-Shâfî‘î, Ahmad, and Ishaq.

Some of the people of knowledge among the Companions of the Prophet ﷺ and others, said that the woman is to spend her I'Idah wherever she wishes, even if she does not observe the I'Idah in the home of her husband.

(Âbû ‘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 'Alī, Ibn 'Abbās, 'Āishah, Jābir bin Zaid, Hasan Al- Başrī, 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-Mughnī v. 11. p. 297.)