

### 34 - THE BOOK OF SALES (BARGAINS)

And the Statement of Allāh تعالى :

“... And Allāh has permitted trading and forbidden *Ribā* (usury)...” (V.2:275)

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

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

“Then when the (*Jumu'ah*) *Ṣalāt* is ended, you may disperse through the land, and seek of the Bounty of Allāh.... And Allah is the Best of Providers.” (V.62:10,11)

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

2047. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ :

You people say that Abū Hurairah tells many narrations from Allāh's Messenger ﷺ and you also wonder why the emigrants and *Anṣār* do not narrate from Allāh's Messenger ﷺ as Abū Hurairah does. My emigrant brothers were busy in the market, while I used to stick to Allāh's Messenger ﷺ content with what fills my stomach; so I used to be present when they were absent and I used to remember when they used to forget, and my *Anṣārī* brothers used to be busy with their properties and I was one of the poor men of *Ṣuffa*. I used to remember the narrations when they used to forget. No doubt, Allāh's Messenger ﷺ once said, “Whoever spreads his garment till I have finished my present speech and then gathers it to himself, will remember whatever I will say.” So, I spread my coloured garment which I was wearing till Allāh's Messenger ﷺ had finished his saying, and then I gathered it to my chest. So, I did not forget any of that narration.

### ٣٤ - كتاب البيوع

وقول الله تعالى: ﴿وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾ [البقرة: 275] وقوله: ﴿إِلَّا أَنْ تَكُونُوا تِجَارَةً حَاضِرَةً تُدِيرُونَهَا بَيْنَكُمْ﴾ [البقرة: 282].

(١) **بَابُ** مَا جَاءَ فِي قَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿فَإِذَا قُضِيَتِ الصَّلَاةُ فَانْتَشِرُوا فِي الْأَرْضِ وَابْتَغُوا مِنْ فَضْلِ اللَّهِ﴾ إِلَى آخِرِ السُّورَةِ [الجمعة: ١٠ - ١١]. وقوله: ﴿لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبُطْلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ رَاضٍ مِّنْكُمْ﴾ [النساء: 29].

٢٠٤٧ - حَدَّثَنَا أَبُو الْيَمَانِ قَالَ: حَدَّثَنَا شُعَيْبٌ عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيَّبِ وَأَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمَنِ: أَنَّ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: إِنَّكُمْ تَقُولُونَ: إِنَّ أَبَا هُرَيْرَةَ يُكْثِرُ الْحَدِيثَ عَنِ رَسُولِ اللَّهِ ﷺ، وَتَقُولُونَ: مَا بَالُ الْمُهَاجِرِينَ وَالْأَنْصَارِ لَا يُحَدِّثُونَ عَنِ رَسُولِ اللَّهِ ﷺ بِمِثْلِ حَدِيثِ أَبِي هُرَيْرَةَ؟ وَإِنْ إِخْوَتِي مِنَ الْمُهَاجِرِينَ كَانُوا يَسْأَلُهُمُ الصَّفْقُ بِالْأَسْوَاقِ، وَكُنْتُ أَلْزِمُ رَسُولَ اللَّهِ ﷺ عَلَى مِلاءِ بَطْنِي، فَأَشْهَدُ إِذَا غَابُوا، وَأَحْفَظُ إِذَا نَسُوا. وَكَانَ يَسْأَلُ إِخْوَتِي مِنَ الْأَنْصَارِ عَمَلُ أَمْوَالِهِمْ وَكُنْتُ امْرَأً مَسْكِينًا مِنْ

مساكين الصَّفَّة، أَعْيَى حِينَ يَنْسُونَ. وَقَدْ قَالَ رَسُولُ اللَّهِ ﷺ فِي حَدِيثٍ يُحَدِّثُهُ: «إِنَّهُ لَنْ يَبْسُطَ أَحَدٌ ثَوْبَهُ حَتَّى أَقْضِيَ مَقَالَتِي هَذِهِ ثُمَّ يَجْمَعُ إِلَيْهِ ثَوْبَهُ إِلَّا وَعَى مَا أَقُولُ» فَبَسَطْتُ نَمْرَةً عَلَيَّ حَتَّى إِذَا قَضَى رَسُولُ اللَّهِ ﷺ مَقَالَتَهُ جَمَعْتُهَا إِلَى صَدْرِي فَمَا نَسِيتُ مِنْ مَقَالَةِ رَسُولِ اللَّهِ ﷺ تِلْكَ مِنْ شَيْءٍ.

[راجع: ١١٨]

2048. Narrated ‘Abdur-Raḥmān bin ‘Auf ḥ: When we came to Al-Madina as emigrants, Allāh’s Messenger ﷺ established a bond of brotherhood between me and Sa’d bin Ar-Rabī’. Sa’d bin Ar-Rabī’ said to me, “I am the richest among the *Anṣār*, so I will give you half of my wealth and you may look at my two wives and whichever of the two you may choose I will divorce her, and when she has completed the prescribed period (before marriage) you may marry her.” ‘Abdur-Raḥmān replied, “I am not in need of all that. Is there any market-place where trade is practised?” He replied, “The market of Qainuqā’.” ‘Abdur-Raḥmān went to that market the following day and brought some dried butter-milk (yoghurt) and butter, and then he continued going there regularly. Few days later, ‘Abdur-Raḥmān came having traces of yellow (scent) on his body. Allāh’s Messenger ﷺ asked him whether he had got married. He replied in the affirmative. The Prophet ﷺ said, “Whom have you married?” He replied, “A woman from the *Anṣār*.” Then the Prophet ﷺ asked, “How much did you pay her?” He replied, “(I gave her) a gold piece equal in weight to a date stone (or a date stone of gold!)” The Prophet ﷺ said, “Give a *Walīma* (wedding banquet)

٢٠٤٨ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ أَبِيهِ عَنْ جَدِّهِ، قَالَ: قَالَ عَبْدُ الرَّحْمَنِ بْنُ عَوْفٍ رَضِيَ اللَّهُ عَنْهُ: لَمَّا قَدِمْنَا الْمَدِينَةَ أَخَى رَسُولُ اللَّهِ ﷺ بَيْنِي وَبَيْنَ سَعْدِ بْنِ الرَّبِيعِ، فَقَالَ سَعْدُ بْنُ الرَّبِيعِ: إِنِّي أَكْثَرُ الْأَنْصَارِ مَالًا فَأَقْسِمُ لَكَ نِصْفَ مَالِي، وَأَنْظُرَ أَيَّ زَوْجَتِي هَوَيْتَ نَزَلْتُ لَكَ عَنْهَا، فَإِذَا حَلَّتْ تَزَوَّجْتَهَا. قَالَ: فَقَالَ لَهُ عَبْدُ الرَّحْمَنِ: لَا حَاجَةَ لِي فِي ذَلِكَ، هَلْ مِنْ سُوقٍ فِيهِ تِجَارَةٌ؟ قَالَ: سُوقٌ قَيْنِقَاعٍ. قَالَ: فَغَدَا إِلَيْهِ عَبْدُ الرَّحْمَنِ فَأَتَى بِأَوْطِ وَسْمِنٍ، قَالَ: ثُمَّ تَابَعَ الْغُدُوَّ فَمَا لَبِثَ أَنْ جَاءَ عَبْدُ الرَّحْمَنِ عَلَيْهِ أَثَرُ صُفْرَةٍ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «تَزَوَّجْتَ؟» قَالَ: نَعَمْ، قَالَ: «وَمَنْ؟» قَالَ: امْرَأَةٌ مِنَ الْأَنْصَارِ. قَالَ: «كَمْ سَفَّتْ؟» قَالَ: زَنَةَ نَوَاةٍ مِنْ

even if with one sheep.”

**2049.** Narrated Anas رَضِيَ اللهُ عَنْهُ: When ‘Abdur-Raḥmān bin ‘Aūf came to Al-Madīna, the Prophet ﷺ established a bond of brotherhood between him and Sa’d bin Ar-Rabī’ Al-Anṣārī. Sa’d was a rich man, so he said to ‘Abdur-Raḥmān, “I will give you half of my property and will make you to marry.” ‘Abdur-Raḥmān said (to him), “May Allāh bless you in your family and property. Show me the market.” So ‘Abdur-Raḥmān did not return (from the market) till he gained some dried buttermilk (yoghurt) and butter (through trading). He brought that to his household. We stayed for sometime (or as long as Allāh wished), and then ‘Abdur-Raḥmān came, scented with yellowish perfume. The Prophet ﷺ said (to him), “What is this?” He replied, “I got married to an Anṣārī woman.” The Prophet ﷺ asked, “What did you pay her?” He replied, “A gold stone or gold equal to the weight of a date stone.” The Prophet ﷺ said (to him), “Give a *Walīma* (wedding banquet) even if with one sheep.”

**2050.** Narrated Ibn ‘Abbās رَضِيَ اللهُ عَنْهُمَا: ‘Ukāz, Majanna and Dhul-Majāz were market-places in the Pre-Islāmic Period of Ignorance. When Islām came, Muslims felt that in trading there might be a sin. So, the Divine Revelation came:

“There is no sin on you if you seek the Bounty of your Lord (during pilgrimage by

ذَهَبٍ أَوْ نَوَاةٍ مِنْ ذَهَبٍ. فَقَالَ لَهُ النَّبِيُّ ﷺ: «أَوْلِمُمْ وَلَوْ بِشَاةٍ».

[انظر: ٣٧٨٠]

٢٠٤٩ - حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا زُهَيْرٌ: حَدَّثَنَا حَمِيدٌ، عَنْ أَنَسِ رَضِيَ اللهُ عَنْهُ قَالَ: قَدِمَ عَبْدُ الرَّحْمَنِ بْنُ عَوْفِ الْمَدِينَةِ فَآخَى النَّبِيُّ ﷺ بَيْنَهُ وَبَيْنَ سَعْدِ بْنِ الرَّبِيعِ الْأَنْصَارِيِّ، وَكَانَ سَعْدٌ ذَا غِنَى فَقَالَ لِعَبْدِ الرَّحْمَنِ: أَقَاسِمُكَ مَالِي نِضْفَيْنِ، وَأَرْوَجُكَ. قَالَ: بَارَكَ اللهُ لَكَ فِي أَهْلِكَ وَمَالِكَ، ذُلُونِي عَلَى السُّوقِ. فَمَا رَجَعَ حَتَّى اسْتَفْضَلَ أَقِطًا وَسَمْنًا فَأَتَى بِهِ أَهْلًا مَنزِلَهُ فَمَكَّنَّا يَسِيرًا أَوْ مَا شَاءَ اللهُ فَجَاءَ وَعَلَيْهِ وَضْرٌ مِنْ صُفْرَةٍ، فَقَالَ لَهُ النَّبِيُّ ﷺ: «مَهْمِيمٌ؟»، قَالَ: يَا رَسُولَ اللهِ، تَزَوَّجْتُ امْرَأَةً مِنَ الْأَنْصَارِ. قَالَ: «مَا سَقَّتْ إِلَيْهَا؟» قَالَ: نَوَاةٌ مِنْ ذَهَبٍ أَوْ وَرَنَ نَوَاةٍ مِنْ ذَهَبٍ، قَالَ: «أَوْلِمُمْ وَلَوْ بِشَاةٍ».

[انظر: ٢٢٩٣، ٣٧٨١، ٣٩٣٧، ٥٠٧٢،

٥١٤٨، ٥١٥٣، ٥١٥٥، ٥١٦٧، ٦٠٨٢،

[٦٣٨٦]

٢٠٥٠ - حَدَّثَنِي عَبْدُ اللهِ بْنُ مُحَمَّدٍ، حَدَّثَنَا سُفْيَانُ، عَنْ عَمْرِو، عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا قَالَ: كَانَتْ عُكَاظٌ وَمَجَنَّةٌ وَذُو الْمَجَازِ أَسْوَاقًا فِي الْجَاهِلِيَّةِ، فَلَمَّا كَانَ

trading)...” (V.2:198)

Ibn ‘Abbās recited the Verse in this way.

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

2051. Narrated An-Nu‘mān bin Bashīr: The Prophet ﷺ said: “Both legal and illegal things are obvious, and in between them are (unclear) doubtful matters (things). So whoever forsakes those doubtful (unclear) things lest he may commit a sin, will definitely avoid what is clearly illegal; and whoever indulges in these (unclear) doubtful things bravely, is likely to commit what is clearly illegal. Sins are Allāh’s *Hima* (i.e., private pasture) and whoever pastures (his sheep) near it, is likely to get in it at any moment.”<sup>(1)</sup>

الإسلامُ فكأنهم تأتموا فيه فنزلت: ﴿لَيْسَ عَلَيْكُمْ جُنَاحٌ أَنْ تَبْتَغُوا فَضْلاً مِّن رَّبِّكُمْ﴾ في مواسم الحج. قرأها ابن عباس.

[راجع: ١٧٧٠]

(٢) بَابُ: الْحَلَالُ بَيْنَ، وَالْحَرَامُ بَيْنَ، وَبَيْنَهُمَا مُشْتَبِهَاتٌ

٢٠٥١ - حَدَّثَنِي مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنِ ابْنِ عَوْنٍ، عَنِ الشَّعْبِيِّ قَالَ: سَمِعْتُ التُّعْمَانَ بْنَ بَشِيرٍ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: سَمِعْتُ النَّبِيَّ ﷺ ح.

وَحَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا ابْنُ عُيَيْنَةَ، حَدَّثَنَا أَبُو فَرَوَةَ، عَنِ الشَّعْبِيِّ قَالَ: سَمِعْتُ التُّعْمَانَ بْنَ بَشِيرٍ عَنِ النَّبِيِّ ﷺ ح.

وَحَدَّثَنِي عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ أَبِي فَرَوَةَ قَالَ: سَمِعْتُ الشَّعْبِيَّ: سَمِعْتُ التُّعْمَانَ بْنَ بَشِيرٍ رَضِيَ اللَّهُ عَنْهُمَا عَنِ النَّبِيِّ ﷺ ح.

حَدَّثَنَا مُحَمَّدُ بْنُ كَثِيرٍ: أَخْبَرَنَا سُفْيَانُ، عَنِ أَبِي فَرَوَةَ، عَنِ الشَّعْبِيِّ، عَنِ التُّعْمَانَ بْنِ بَشِيرٍ رَضِيَ اللَّهُ عَنْهُ

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

قَالَ: قَالَ النَّبِيُّ ﷺ: «الْحَلَالُ بَيْنَ،  
وَالْحَرَامُ بَيْنَ، وَبَيْنَهُمَا أُمُورٌ مُشْتَبِهَةٌ.  
فَمَنْ تَرَكَ مَا شُبَّهَ عَلَيْهِ مِنَ الْإِثْمِ كَانَ  
لِمَا اسْتَبَانَ أَتْرَكَ، وَمَنْ اجْتَرَأَ عَلَى مَا  
يَشُكُّ فِيهِ مِنَ الْإِثْمِ أَوْشَكَ أَنْ يُوَاقِعَ  
مَا اسْتَبَانَ. وَالْمَعَاصِي حِمَى اللَّهِ،  
مَنْ يَرْتَعِ حَوْلَ الْحِمَى يُوشِكُ أَنْ  
يُوَاقِعَهُ». [راجع: ٥٢]

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

Hassān bin Abū Sinān said, "I found nothing easier than to be pious and Allāh-fearing; (to achieve this aim) leave all doubtful (unclear) things and do what is completely clear of doubt."

2052. Narrated 'Abdullāh bin Abū Mulaika: 'Uqba bin Al-Hārith عنه رضي الله عنه said that a black woman came and claimed that she had suckled both of them (i.e., 'Uqba and his wife). So, he mentioned that to the Prophet ﷺ who turned his face from him and smiled and said, "How (can you keep your wife), and it was said (that both of you were suckled by the same woman)?" His wife was the daughter of Abū Ihāb At-Tamīmī.

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

### (٣) بَابُ تَفْسِيرِ الْمُشْتَبِهَاتِ،

وقال حسن بن أبي سنان: ما رأيت شيئاً أهون من الورع، دغ ما يريبك إلى ما لا يريبك.

٢٠٥٢ - حَدَّثَنَا مُحَمَّدُ بْنُ كَثِيرٍ:  
أَخْبَرَنَا سُفْيَانُ: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ  
عَبْدِ الرَّحْمَنِ بْنِ أَبِي حُسَيْنٍ: حَدَّثَنَا  
عَبْدُ اللَّهِ بْنُ أَبِي مُلَيْكَةَ، عَنْ عُقْبَةَ بْنِ  
الْحَارِثِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ امْرَأَةً  
سَوْدَاءَ جَاءَتْ فَزَعَمَتْ أَنَّهَا  
أَرْضَعَتْهُمَا، فَذَكَرَ لِلنَّبِيِّ ﷺ فَأَعْرَضَ  
عَنْهُ وَتَسَمَّ النَّبِيُّ ﷺ، قَالَ: «كَيْفَ  
وَقَدْ قِيلَ؟» وَقَدْ كَانَتْ تَحْتَهُ ابْنَةُ أَبِي  
إِهَابِ التَّمِيمِيِّ. [راجع: ٨٨]

٢٠٥٣ - حَدَّثَنَا يَحْيَى بْنُ قَزَعَةَ:  
حَدَّثَنَا مَالِكٌ، عَنْ ابْنِ شِهَابٍ، عَنْ  
عُرْوَةَ ابْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ رَضِيَ  
اللَّهُ عَنْهَا قَالَتْ: كَانَ عُنْبَةُ بْنُ أَبِي  
وَقَّاصٍ عَهْدَ إِلَى أَخِيهِ سَعْدِ ابْنِ أَبِي

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

وَقَاصٍ أَنَّ ابْنَ وَليدَةَ رَمَعَةَ مِنِّي فَأَقْبَضُهُ، قَالَتْ: فَلَمَّا كَانَ عَامُ الْفَتْحِ أَخَذَهُ سَعْدُ بْنُ أَبِي وَقَاصٍ وَقَالَ: ابْنُ أَخِي قَدْ عَهَدَ إِلَيَّ فِيهِ، فَقَامَ عَبْدُ بْنُ رَمَعَةَ فَقَالَ: أَخِي وَابْنُ وَليدَةَ أَبِي وُلِدَ عَلَي فِرَاشِهِ، فَتَسَاوَقَا إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ سَعْدٌ: يَا رَسُولَ اللَّهِ، ابْنُ أَخِي كَانَ قَدْ عَهَدَ إِلَيَّ فِيهِ، فَقَالَ عَبْدُ بْنُ رَمَعَةَ: أَخِي وَابْنُ وَليدَةَ أَبِي وُلِدَ عَلَي فِرَاشِهِ، فَقَالَ النَّبِيُّ ﷺ: «هُوَ لَكَ يَا عَبْدُ بْنُ رَمَعَةَ»، ثُمَّ قَالَ النَّبِيُّ ﷺ: «الْوَلَدُ لِلْفِرَاشِ وَلِلْعَاهِرِ الْحَجَرِ». ثُمَّ قَالَ لِسُودَةَ بِنْتِ رَمَعَةَ زَوْجَ النَّبِيِّ ﷺ: «اِخْتَجِبِي مِنْهُ» يَا سُودَةَ، لِمَا رَأَى مِنْ شَبْهِهِ بِعُتْبَةَ، فَمَا رَأَاهَا حَتَّى لَقِيَ اللَّهَ. [انظر: ٢٢١٨، ٢٤٢١، ٢٥٣٣، ٢٧٤٥، ٤٣٠٣، ٦٧٤٩،

[٧١٨٢، ٦٨١٧، ٦٧٦٥

2054. Narrated ‘Adī bin Hātim رَضِيَ اللَّهُ عَنْهُ:

I asked Allāh’s Messenger ﷺ about *Al-Mi’rād* (i.e., sharp-edged piece of wood or a piece of wood provided with a sharp piece of iron used for hunting). He replied, “If the game is hit by its sharp edge, eat it, and if it is hit by its broad side, do not eat it, for it has been beaten to death.” I asked, “O Allāh’s Messenger! I release my hound by the Name of Allāh and find with it at the game, another hound on which I have not mentioned the Name of Allāh, and I do not

٢٠٥٤ - حَدَّثَنَا أَبُو الْوَلِيدِ:

حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عَبْدُ اللَّهِ بْنُ أَبِي السَّفَرِ، عَنِ الشَّعْبِيِّ، عَنْ عَدِيِّ بْنِ حَاتِمٍ رَضِيَ اللَّهُ عَنْهُ، قَالَ: سَأَلْتُ رَسُولَ اللَّهِ ﷺ عَنِ الْمِعْرَاضِ، فَقَالَ: «إِذَا أَصَابَ بِحَدِّهِ فَكُلْ، وَإِذَا أَصَابَ بِعَرْضِهِ فَتَتَلَّ فَلَا تَأْكُلْ فَإِنَّهُ وَقِيدٌ». قُلْتُ: يَا رَسُولَ اللَّهِ، أُرْسِلُ كَلْبِي

(1) (H. 2053) ‘Utba committed adultery in the Pre-Islamic Period of Ignorance and before his death he declared that secret and confessed that the son of the slave-girl was his son, and most probably he died as a disbeliever.

know which one of them caught the game.” Allāh’s Messenger ﷺ said (to him), “Don’t eat it as you have mentioned the Name of Allāh on your hound and not on the other.”

وَأُسْمِي فَأَجِدُ مَعَهُ عَلَى الصَّيْدِ كَلْبًا  
أَخْرَ لَمْ أُسَمِّ عَلَيْهِ، وَلَا أَدْرِي أَيُّهُمَا  
أَخَذَ؟ قَالَ: «لَا تَأْكُلْ، إِنَّمَا سَمَّيْتُ  
عَلَى كَلْبِكَ وَلَمْ تُسَمِّ عَلَى الْآخَرِ».

[راجع: ١٧٥]

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

**(٤) بَابُ مَا يُتَنَزَّهُ مِنَ الشُّبُهَاتِ**

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

٢٠٥٥ - حَدَّثَنَا قَبِيصَةُ: حَدَّثَنَا  
سُفْيَانُ، عَنْ مَنْصُورٍ، عَنْ طَلْحَةَ، عَنْ  
أَنْسِ رَضِيَ اللَّهُ عَنْهُ قَالَ: مَرَّ النَّبِيُّ  
ﷺ بِتَمْرَةٍ مَسْقُوطَةٍ، فَقَالَ: «لَوْلَا أَنْ  
تُكُونَ صَدَقَةً لَأَكَلْتُهَا».

وَقَالَ هَمَّامٌ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ  
اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «أَجِدُ تَمْرَةً  
سَاقِطَةً عَلَى فِرَاشِي». [انظر: ٢٤٣١]

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

**(٥) بَابُ مَنْ لَمْ يَرِ الْوَسَاوِسَ  
وَنَحْوَهَا مِنَ الشُّبُهَاتِ**

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

٢٠٥٦ - حَدَّثَنَا أَبُو نُعَيْمٍ: حَدَّثَنَا  
ابْنُ عُيَيْنَةَ، عَنِ الرَّهْرِيِّ، عَنْ عَبَّادِ بْنِ  
تَمِيمٍ عَنْ عَمِّهِ قَالَ: سُكِّيَ إِلَى النَّبِيِّ  
ﷺ الرَّجُلُ يَجِدُ فِي الصَّلَاةِ شَيْئًا،  
أَيَقْطَعُ الصَّلَاةَ؟ قَالَ: «لَا حَتَّى يَسْمَعَ  
صَوْتًا أَوْ يَجِدَ رِيحًا». [راجع: ٣٧]

وَقَالَ ابْنُ أَبِي حَفْصَةَ، عَنِ  
الرُّهْرِيِّ: لَا وُضُوءَ إِلَّا فِيمَا وَجَدْتَ  
الرَّيْحَ أَوْ سَمِعْتَ الصَّوْتِ.

2057. Narrated ‘Āishah رضي الله عنها: Some people said, “O Allāh’s Messenger! Meat is brought to us by some people and we are not

٢٠٥٧ - حَدَّثَنَا أَحْمَدُ بْنُ الْمُقَدَّامِ  
الْعِجْلِيُّ: حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ

sure whether the Name of Allāh has been mentioned on it or not (at the time of slaughtering the animals).” Allāh’s Messenger ﷺ said (to them), “Mention the Name of Allāh and eat it.”

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

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

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

2059. Narrated Abū Hurairah عنهُ اللهُ رضي اللهُ عنه: The Prophet ﷺ said, “A time will come upon the people when one will not care how one gains one’s money, legally or illegally.”

الرَّحْمَنِ الطُّفَاوِي: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّ قَوْمًا قَالُوا: يَا رَسُولَ اللَّهِ، إِنَّ قَوْمًا يَأْتُونَنَا بِاللَّحْمِ لَا نَدْرِي أَذَكَرُوا اسْمَ اللَّهِ عَلَيْهِ، أَمْ لَا؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: «سَمُّوا اللَّهَ عَلَيْهِ وَكُلُّوهُ». [انظر: ٥٥٠٧، ٧٣٩٨]

(٦) بَابُ قَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿وَإِذَا رَأَوْا تِجَارَةً أَوْ لَهْوًا انفَضُوا إِلَيْهَا﴾ [الجمعة: ١١]

٢٠٥٨ - حَدَّثَنَا طَلْقُ بْنُ عَنَمٍ: حَدَّثَنَا زَائِدَةُ، عَنْ حُصَيْنٍ، عَنْ سَالِمٍ قَالَ: حَدَّثَنِي جَابِرٌ رَضِيَ اللَّهُ عَنْهُ قَالَ: بَيْنَمَا نَحْنُ نُصَلِّي مَعَ النَّبِيِّ ﷺ إِذْ أَقْبَلَتْ مِنَ الشَّامِ عِيرٌ تَحْمِلُ طَعَامًا فَالْتَمَعُوا إِلَيْهَا حَتَّى مَا بَقِيَ مَعَ النَّبِيِّ ﷺ إِلَّا اثْنَا عَشَرَ رَجُلًا، فَنَزَلَتْ ﴿وَإِذَا رَأَوْا تِجَارَةً أَوْ لَهْوًا انفَضُوا إِلَيْهَا﴾ [الجمعة: ١١]. [راجع: ٩٣٦]

(٧) بَابُ مَنْ لَمْ يُبَالِ مِنْ حَيْثُ كَسَبَ الْمَالَ

٢٠٥٩ - حَدَّثَنَا آدَمُ: حَدَّثَنَا ابْنُ أَبِي ذَيْبٍ: حَدَّثَنَا سَعِيدُ الْمُقْبِرِيُّ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «يَأْتِي عَلَى النَّاسِ زَمَانٌ لَا يُبَالِي الْمَرْءُ مَا أَخَذَ مِنْهُ، أَمِنَ الْحَلَالَ أَمْ مِنَ الْحَرَامِ؟». [انظر: ٢٠٨٣]



## (8) CHAPTER. Trade of cloth and other things.

عَزَّ وَجَلَّ : And the Statement of Allāh

“Men whom neither trade nor sale (business) diverts them from the Remembrance of Allāh (with heart and tongue)...” (V.24 :37)

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

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

[See H.No. 2178, 2180, Ch. 79, 80].

## (٨) بَابُ التِّجَارَةِ فِي الْبُرِّ وَغَيْرِهِ

وَقَوْلِهِ - عَزَّ وَجَلَّ - : ﴿يَجَالُ لَا تُلْهِمُهُمْ مِخْرَةً وَلَا بَيْعٌ عَن ذِكْرِ اللَّهِ﴾ [النور: ٣٧] وَقَالَ قَتَادَةُ: كَانَ الْقَوْمُ يَتَّبَاعُونَ وَيَتَّجِرُونَ وَلَكِنَّهُمْ إِذَا نَابَهُمْ حَقٌّ مِنْ حُقُوقِ اللَّهِ لَمْ تُلْهِمُهُمْ تِجَارَةً وَلَا بَيْعٌ عَن ذِكْرِ اللَّهِ حَتَّى يُؤَدُّوهُ إِلَى اللَّهِ .

٢٠٦٠ ، ٢٠٦١ - حَدَّثَنَا أَبُو عَاصِمٍ، عَنِ ابْنِ جُرَيْجٍ، قَالَ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ، عَنِ أَبِي الْمِنْهَالِ قَالَ: كُنْتُ أَتَّجِرُ فِي الصَّرْفِ، فَسَأَلْتُ زَيْدَ بْنَ أَرْقَمَ رَضِيَ اللَّهُ عَنْهُ فَقَالَ: قَالَ النَّبِيُّ ﷺ ح .

وَحَدَّثَنِي الْفَضْلُ بْنُ يَعْقُوبَ: حَدَّثَنَا الْحَجَّاجُ بْنُ مُحَمَّدٍ: قَالَ ابْنُ جُرَيْجٍ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ وَعَاصِمُ بْنُ مُضَعَبٍ أَنَّهُمَا سَمِعَا أَبَا الْمِنْهَالِ يَقُولُ: سَأَلْتُ الْبَرَاءَ بْنَ عَازِبٍ وَزَيْدَ بْنَ أَرْقَمَ عَنِ الصَّرْفِ فَقَالَا: كُنَّا تَاجِرِينَ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ فَسَأَلْنَا رَسُولَ اللَّهِ ﷺ عَنِ الصَّرْفِ، فَقَالَ: «إِنْ كَانَ يَدًا بِيَدٍ فَلَا بَأْسَ، وَإِنْ كَانَ نَسِيئًا فَلَا يَضِلُّحُ» .

[الحديث: ٢٠٦٠، انظر: ٢١٨، ٢٤٩٧،

٣٩٣٩؛ الحديث: ٢١٦١، انظر: ٢١٨١،

[٢٤٩٨، ٣٩٤٠]

## (9) CHAPTER. Going out for trading.

عَزَّ وَجَلَّ وَجَلَّ اللهُ :  
 "You may disperse through the land and seek of the Bounty of Allāh (by working)..."

(V.62:10)

2062. Narrated 'Ubaid bin 'Umair: Abū Mūsā asked 'Umar رَضِيَ اللهُ عَنْهُ to admit him but he was not admitted as 'Umar was busy, so Abū Mūsā went back. When 'Umar finished his job he said, "Didn't I hear the voice of 'Abdullāh bin Qais? Let him come in." 'Umar was told that he had left. So, he sent for him and on his arrival, he (Abū Mūsā) said, "We were ordered to do so (i.e., to leave if not admitted after asking permission thrice). 'Umar told him, "Bring witness in proof of your statement." Abu Mūsā went to the *Anṣār's* meeting places and asked them. They said, "None amongst us will give this witness except the youngest of us, Abū Sa'īd Al-Khudrī. Abū Mūsā then took Abū Sa'īd Al-Khudrī (to 'Umar) and 'Umar said surprisingly, "Has this order of Allāh's Messenger ﷺ been hidden from me?" (Then he added), "I used to be busy trading in markets, i.e., going out for trading."

## (10) CHAPTER. Trading in sea.

And Maṭar said, "There is no harm in it, and whatever Allāh has mentioned about it in the Qur'ān, is but the truth." Then he (Maṭar) recited:

"...And you see the ships ploughing through it, that you may seek (thus) of His Bounty (by transporting the goods from place to place)..." (V.16:14)

## (٩) بَابُ الْخُرُوجِ فِي التِّجَارَةِ.

وَقَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿فَاَنْتَشِرُوا فِي الْأَرْضِ وَابْتَغُوا مِن فَضْلِ اللَّهِ﴾ [الجمعة: ١٠].

٢٠٦٢ - حَدَّثَنِي مُحَمَّدٌ: أَخْبَرَنَا مُحَمَّدُ بْنُ يَزِيدَ: أَخْبَرَنَا ابْنُ جُرَيْجٍ، قَالَ: أَخْبَرْتَنِي عَطَاءٌ، عَنْ عُبَيْدِ بْنِ عُمَيْرٍ: أَنَّ أَبَا مُوسَى الْأَشْعَرِيَّ اسْتَأْذَنَ عَلَى عُمَرَ رَضِيَ اللَّهُ عَنْهُ فَلَمْ يُؤْذَنَ لَهُ، - وَكَأَنَّهُ كَانَ مَشْغُولًا - فَرَجَعَ أَبُو مُوسَى فَفَرَعَ عُمَرَ فَقَالَ: أَلَمْ أَسْمَعْ صَوْتَ عَبْدِ اللَّهِ بْنِ قَيْسٍ؟ ائْتَدُوا لَهُ. قِيلَ: قَدْ رَجَعَ، فَدَعَاهُ فَقَالَ: كُنَّا نُوَمِّرُ بِذَلِكَ، فَقَالَ: تَأْتِينِي عَلَى ذَلِكَ بِالْبَيْتَةِ. فَاَنْطَلَقَ إِلَى مَجَالِسِ الْأَنْصَارِ فَسَأَلَهُمْ فَقَالُوا: لَا يَشْهَدُ لَكَ عَلَى هَذَا إِلَّا أَضْعَرْنَا أَبُو سَعِيدِ الْخُدْرِيُّ. فَذَهَبَ بِأَبِي سَعِيدِ الْخُدْرِيِّ، فَقَالَ عُمَرُ: أَخْفَيْ عَلَيَّ هَذَا مِنْ أَمْرِ رَسُولِ اللَّهِ ﷺ؟ أَلْهَانِي الصَّفْقُ بِالْأَسْوَاقِ. يَعْنِي الْخُرُوجَ إِلَى التِّجَارَةِ. [انظر: ٦٢٤٥، ٧٣٥٣]

## (١٠) بَابُ التِّجَارَةِ فِي الْبَحْرِ،

وَقَالَ مَطَرٌ: لَا بَأْسَ بِهِ، وَمَا ذَكَرَهُ اللَّهُ فِي الْقُرْآنِ إِلَّا بِحَقِّ ثُمَّ تَلَا ﴿وَتَرَى الْفُلْكَ مَوَاجِرَ فِيهِ وَلَيْسْتَبْتَعُوا مِنْ فَضْلِهِ﴾ [فاطر: ١٢] وَالْفُلْكَ: السَّفِينُ الْوَاحِدُ وَالْجَمْعُ

سَوَاءٌ. وَقَالَ مُجَاهِدٌ: تَمَحَّرُ السُّنْفُنُ  
الرَّيْحَ وَلَا تَمَحَّرُ الرَّيْحَ شَيْئًا مِنَ  
السُّنْفِنِ إِلَّا الْفُلْكَ الْعِظَامُ.

2063. Abū Hurairah رَضِيَ اللهُ عَنْهُ said,  
“Allāh’s Messenger ﷺ mentioned a person  
from Banī Isrāel who travelled by sea and  
carried out his needs.” Then he narrated the  
whole story.

[See *Ḥadīth*. No. 2291].

٢٠٦٣ - وَقَالَ اللَّيْثُ حَدَّثَنِي  
جَعْفَرُ ابْنُ رَيْبَعَةَ، عَنْ عَبْدِ الرَّحْمَنِ  
بِنِ هُرْمُزٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ  
عَنْهُ عَنْ رَسُولِ اللهِ ﷺ: أَنَّهُ ذَكَرَ  
رَجُلًا مِنْ بَنِي إِسْرَائِيلَ خَرَجَ فِي  
الْبَحْرِ فَقَضَى حَاجَتَهُ. وَسَاقَ  
الْحَدِيثَ.

حَدَّثَنِي عَبْدُ اللهِ بْنُ صَالِحٍ:  
حَدَّثَنِي اللَّيْثُ بِهِ. [راجع: ١٤٩٨]

#### (11) CHAPTER.

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

And Allāh’s Statement :

“Men whom neither trade nor sale divert  
them from the Remembrance of Allāh...”  
(V.24:37)

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

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

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

(١١) بَابٌ ﴿وَإِذَا رَأَوْا تِجَارَةً أَوْ لَهْوًا  
أَنْفَضُوا إِلَيْهَا﴾ [الجمعة: ١١] وَقَوْلُهُ  
﴿رِجَالٌ لَا لُئْلِهِمْ تِجَارَةٌ وَلَا بَيْعٌ عَنْ ذِكْرِ  
اللَّهِ﴾ [النور: ٣٧]

وَقَالَ قَتَادَةُ: كَانَ الْقَوْمُ يَتَّجِرُونَ  
وَلَكِنَّهُمْ كَانُوا إِذَا نَابَهُمْ حَقٌّ مِنْ  
حُقُوقِ اللهِ لَمْ تُلْهِهِمْ تِجَارَةٌ وَلَا بَيْعٌ  
عَنْ ذِكْرِ اللهِ حَتَّى يُؤَدُّوهُ إِلَى اللهِ.

٢٠٦٤ - حَدَّثَنِي مُحَمَّدٌ قَالَ:  
حَدَّثَنِي مُحَمَّدُ بْنُ فَضِيلٍ، عَنْ  
حُصَيْنٍ، عَنْ سَالِمِ ابْنِ أَبِي الْجَعْدِ،  
عَنْ جَابِرِ رَضِيَ اللهُ عَنْهُ قَالَ: أَقْبَلَتْ  
عِيرٌ وَنَحْنُ نُصَلِّي مَعَ النَّبِيِّ ﷺ  
الْجُمُعَةَ فَانْفَضَ النَّاسُ إِلَّا اثْنَيْ عَشَرَ

you standing...” (V.62:11)

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

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

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

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

2067. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: I heard Allāh’s Messenger ﷺ saying, “Whoever desires an expansion in his sustenance and age, should keep good relations with his kith and kin.”

رَجُلًا، فَزَلَّتْ هَذِهِ الْآيَةُ ﴿وَإِذَا رَأَوْا  
يَجْتَرَهُ أَوْ لَمَوْا أَنْفَضُوا إِلَيْهَا وَتَرَكُوكَ قَائِمًا﴾

[الجمعة ١١] [راجع: ٩٣٦]

(١٢) بَابُ قَوْلِهِ: ﴿أَنْفَقُوا مِنْ طَلَبَتِ  
مَا كَسَبْتُمْ﴾ [البقرة: ٢٦٧].

٢٠٦٥ - حَدَّثَنَا عُثْمَانُ بْنُ أَبِي  
شَيْبَةَ قَالَ: حَدَّثَنَا جَرِيرٌ عَنْ مُصَوِّرٍ،  
عَنْ أَبِي وَاثِلٍ، عَنْ مَسْرُوقٍ عَنْ  
عَائِشَةَ رَضِيَ اللهُ عَنْهَا قَالَتْ: قَالَ  
النَّبِيُّ ﷺ: «إِذَا أَنْفَقَتِ الْمَرْأَةُ مِنْ  
طَعَامِ بَيْتِهَا غَيْرَ مُفْسِدَةٍ كَانَ لَهَا أَجْرُهَا  
بِمَا أَنْفَقَتْ، وَلِزَوْجِهَا بِمَا كَسَبَ،  
وَلِلْخَازِنِ مِثْلُ ذَلِكَ، لَا يَنْقُصُ  
بَعْضُهُمْ أَجْرَ بَعْضٍ شَيْئًا».

٢٠٦٦ - حَدَّثَنِي يَحْيَى بْنُ  
جَعْفَرٍ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ، عَنْ  
مَعْمَرٍ، عَنْ هَمَّامٍ قَالَ: سَمِعْتُ أَبَا  
هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ  
قَالَ: «إِذَا أَنْفَقَتِ الْمَرْأَةُ مِنْ كَسْبِ  
زَوْجِهَا عَنْ غَيْرِ أَمْرِهِ فَلَهَا نِصْفُ  
أَجْرِهِ». [انظر: ٥١٩٢، ٥١٩٥، ٥٣٦٠]

(١٣) بَابُ مَنْ أَحَبَّ الْبَسْطَ فِي  
الرِّزْقِ.

٢٠٦٧ - حَدَّثَنَا مُحَمَّدُ بْنُ أَبِي  
يَعْقُوبَ الْكِرْمَانِي: حَدَّثَنَا حَسَّانُ:  
حَدَّثَنَا يُونُسُ: قَالَ مُحَمَّدٌ هُوَ الزُّهْرِيُّ  
عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللهُ عَنْهُ  
قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ:

«مَنْ سَرَّهُ أَنْ يُبَسِّطَ لَهُ فِي رِزْقِهِ أَوْ يُنْسَأَ لَهُ فِي أَثَرِهِ فَلْيَصِلْ رَحِمَهُ».

[انظر: ٥٩٨٦]

(14) CHAPTER. The Prophet ﷺ purchased (foodgrains) on credit.

(١٤) بَابُ شِرَاءِ النَّبِيِّ ﷺ بِالنَّسِيئَةِ

2068. Narrated 'Aishah رَضِيَ اللهُ عَنْهَا: The Prophet ﷺ purchased food grains from a Jew on credit and mortgaged his iron armour to him.

٢٠٦٨ - حَدَّثَنَا مُعَلَّى بْنُ أَسَدٍ: حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا الْأَعْمَشُ قَالَ: ذَكَرْنَا عِنْدَ إِبْرَاهِيمَ: الرَّهْنُ فِي السَّلَامِ، فَقَالَ: حَدَّثَنِي الْأَسْوَدُ، عَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا: أَنَّ النَّبِيَّ ﷺ اشْتَرَى طَعَاماً مِنْ يَهُودِيٍّ إِلَى أَجَلٍ وَرَهْنَهُ دِرْعاً مِنْ حَدِيدٍ. [انظر: ٢٠٩٦، ٢٢٠٠، ٢٢٥١، ٢٢٥٢، ٢٣٨٦، ٢٥٠٩،

[٤٤٦٧، ٢٩١٦، ٢٥١٣]

2069. Narrated Qatāda: Anas رَضِيَ اللهُ عَنْهُ went to the Prophet ﷺ with barley bread having some dissolved fat on it. The Prophet ﷺ had mortgaged his armour to a Jew in Al-Madīna and took from him some barley for his family. Anas heard him saying, "The household of Muḥammad ﷺ did not possess even a single *Ṣā'* of wheat or food grains for their evening meal, although he has nine wives (to look after)".

[See *Hadīth* No. 2508]

٢٠٦٩ - حَدَّثَنَا مُسْلِمٌ: حَدَّثَنَا هِشَامٌ: حَدَّثَنَا قَتَادَةُ، عَنْ أَنَسِ بْنِ حَوْشَبٍ: حَدَّثَنَا أُسْبَاطُ أَبُو السَّيِّحِ الْبَصْرِيُّ: حَدَّثَنَا هِشَامُ الدَّسْتَوَائِيُّ عَنْ قَتَادَةَ، عَنْ أَنَسِ رَضِيَ اللهُ عَنْهُ: أَنَّهُ مَسَى إِلَى النَّبِيِّ ﷺ بِخَبْزِ شَعِيرٍ وَإِهَالَةٍ سَنَخِيَةٍ، وَلَقَدْ رَهَنَ النَّبِيُّ ﷺ دِرْعاً لَهُ بِالْمَدِينَةِ عِنْدَ يَهُودِيٍّ وَأَخَذَ مِنْهُ شَعِيرًا لِأَهْلِهِ. وَلَقَدْ سَمِعْتُهُ يَقُولُ: «مَا أَمْسَى عِنْدَ آلِ مُحَمَّدٍ ﷺ صَاعٌ بُرٌّ وَلَا صَاعٌ حَبٌّ، وَإِنَّ عِنْدَهُ لَتَسْعَ نِسْوَةٌ».

[انظر: ٢٥٠٨]

## (15) CHAPTER. The earnings of a person and his manual labour.

2070. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: When Abū Bakr Aṣ-Ṣiddīq was chosen Caliph, he said, "My people know that my profession was not incapable of providing sustenance to my family. And as I will be busy serving the Muslim nation, my family will eat from the National Treasury of Muslims, and I will practise the profession of serving the Muslims."

2071. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: The companions of Allāh's Messenger ﷺ used to practise manual labour, so their sweat used to smell, and they were advised to take a bath.

2072. Narrated Al-Miqdām رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Nobody has ever eaten a better meal than that which one has earned by working with one's own hands. The Prophet of Allāh, Dāwūd (David) عليه السلام used to eat from the earnings of his manual labour."

## (١٥) بَابُ كَسْبِ الرَّجُلِ وَعَمَلِهِ بِيَدِهِ

٢٠٧٠ - حَدَّثَنِي إِسْمَاعِيلُ بْنُ عَبْدِ اللَّهِ حَدَّثَنِي عَلِيُّ بْنُ وَهَبٍ، عَنْ يُونُسَ، عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: لَمَّا اسْتُخْلِفَ أَبُو بَكْرٍ الصَّدِيقُ قَالَ: لَقَدْ عَلِمَ قَوْمِي أَنَّ حِرْفَتِي لَمْ تَكُنْ تَعْجِزُ عَنْ مَوْوَنَةِ أَهْلِي وَشَغَلْتُ بِأَمْرِ الْمُسْلِمِينَ، فَسَبَأْتُ كُلَّ أُلَى أَبِي بَكْرٍ مِنْ هَذَا الْمَالِ وَأَحْتَرِفَ لِلْمُسْلِمِينَ فِيهِ.

٢٠٧١ - حَدَّثَنَا مُحَمَّدٌ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يَزِيدَ: حَدَّثَنَا سَعِيدٌ قَالَ: حَدَّثَنِي أَبُو الْأَسْوَدِ، عَنْ عُرْوَةَ قَالَ: قَالَتْ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا: كَانَ أَصْحَابُ رَسُولِ اللَّهِ ﷺ عَمَالَ أَنْفُسِهِمْ، فَكَانَ يَكُونُ لَهُمْ أَرْوَاحٌ، فَقِيلَ لَهُمْ: لَوْ اغْتَسَلْتُمْ. رَوَاهُ هَمَّامٌ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ. [راجع: ٩٠٣]

٢٠٧٢ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ مُوسَى: أَخْبَرَنِي [عَيْسَى بْنُ يُونُسَ]، عَنْ ثَوْرٍ، عَنْ خَالِدِ بْنِ مَعْدَانَ، عَنِ الْمِقْدَامِ رَضِيَ اللَّهُ عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «مَا أَكَلَ أَحَدٌ طَعَامًا فَقَطَّ خَيْرًا مِنْ أَنْ يَأْكُلَ مِنْ عَمَلِ يَدِهِ، وَإِنَّ نَبِيَّ اللَّهِ دَاوُدَ عَلَيْهِ السَّلَامُ كَانَ يَأْكُلُ مِنْ عَمَلِ يَدِهِ».

2073. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "The Prophet Dāwūd (David) عَلَيْهِ السَّلَام used not to eat except from the earnings of his manual labour."

2074. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "No doubt, it is better for anyone of you to cut a bundle of wood and carry it over his back rather than to ask somebody who may or may not give him."

[See H.2374].

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

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

2076. Narrated Jābir bin 'Abdullāh رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "May Allāh's Mercy be on him who is lenient in his buying, selling, and in demanding back his money."

٢٠٧٣ - حَدَّثَنَا يَحْيَى بْنُ مُوسَى: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ، عَنْ هَمَّامِ بْنِ مُنَبِّهٍ: حَدَّثَنَا أَبُو هُرَيْرَةَ عَنْ رَسُولِ اللَّهِ ﷺ: «أَنَّ دَاوُدَ النَّبِيَّ عَلَيْهِ السَّلَامُ كَانَ لَا يَأْكُلُ إِلَّا مِنْ عَمَلِ يَدِهِ». [انظر: ٣٤١٧، ٤٧١٣]

٢٠٧٤ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ عَقِيلِ بْنِ أَبِي شِهَابٍ، عَنْ أَبِي عُبَيْدٍ مَوْلَى عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ: أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللهِ ﷺ: «لَأَنْ يَخْتَطِبَ أَحَدُكُمْ حُزْمَةً عَلَى ظَهْرِهِ خَيْرٌ مِنْ أَنْ يَسْأَلَ أَحَدًا فَيُعْطِيَهُ أَوْ يَمْنَعَهُ».

[راجع: ١٤٧٠]

٢٠٧٥ - حَدَّثَنَا يَحْيَى بْنُ مُوسَى: حَدَّثَنَا وَكَيْعٌ: حَدَّثَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنِ الزُّبَيْرِ بْنِ الْعَوَّامِ رَضِيَ اللهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ - ﷺ -: «لَأَنْ يَأْخُذَ أَحَدُكُمْ أَحْبَلَهُ». [راجع: ١٤٧١]

(١٦) بَابُ الشُّهُولَةِ وَالسَّمَاخَةِ فِي الشَّرَاءِ وَالْبَيْعِ، وَمَنْ طَلَبَ حَقًّا فَلْيَطْلُبْهُ فِي عَفَافٍ

٢٠٧٦ - حَدَّثَنَا عَلِيُّ بْنُ عِيَّاشٍ: حَدَّثَنَا أَبُو عَسَانَ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ الْمُنْكَدِرِ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ

رَضِيَ اللهُ عَنْهُمَا: أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «رَحِمَ اللهُ رَجُلًا سَمَحًا إِذَا بَاعَ، وَإِذَا اشْتَرَى، وَإِذَا افْتَضَى».

(١٧) **بَابٌ مِّنْ أَنْظَرَ مُوسِرًا**

(17) CHAPTER. Whoever gave time to a rich person to pay at his convenience.

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

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

٢٠٧٧ - حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا زُهَيْرٌ: حَدَّثَنَا مَنصُورٌ: أَنَّ رِبْعِيَّ ابْنَ جِرَاشٍ، حَدَّثَهُ: أَنَّ حُدَيْفَةَ رَضِيَ اللهُ عَنْهُ حَدَّثَهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «تَلَقَّتِ الْمَلَائِكَةُ رُوحَ رَجُلٍ مِمَّنْ كَانَ قَبْلَكُمْ، فَقَالُوا: أَعْمَلْتَ مِنَ الْخَيْرِ شَيْئًا؟ قَالَ: كُنْتُ أَمُرُ فِتْيَانِي أَنْ يُنظِرُوا وَيَتَجَاوَزُوا عَنِ الْمُوسِرِ، قَالَ: فَتَجَاوَزُوا عَنْهُ».

قَالَ أَبُو عَبْدِ اللهِ: وَقَالَ أَبُو مَالِكٍ عَنْ رِبْعِيٍّ: «كُنْتُ أَيْسُرُ عَلَى الْمُوسِرِ وَأُنظِرُ الْمُعْسِرَ». وَتَابَعَهُ شُعْبَةُ عَنْ عَبْدِ الْمَلِكِ، عَنْ رِبْعِيٍّ. وَقَالَ أَبُو عَوَانَةَ، عَنْ عَبْدِ الْمَلِكِ، عَنْ رِبْعِيٍّ: «أُنظِرُ الْمُوسِرَ وَأَتَجَاوَزُ عَنِ الْمُعْسِرِ». وَقَالَ نَعِيمُ بْنُ أَبِي هِنْدٍ، عَنْ رِبْعِيٍّ: «فَأَقْبَلُ مِنَ الْمُوسِرِ وَأَتَجَاوَزُ عَنِ الْمُعْسِرِ». [انظر: ٢٣٩١، ٣٤٥١]

(١٨) **بَابٌ مِّنْ أَنْظَرَ مُوسِرًا**

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

2078. Narrated Abū Hurairah عنه رضي الله عنه: The Prophet ﷺ said, "There was a merchant who used to lend the people, and whenever his debtor was in straitened circumstances, he would say to his employees, 'Forgive him

٢٠٧٨ - حَدَّثَنَا هِشَامُ بْنُ عَمَّارٍ: حَدَّثَنَا يَحْيَى بْنُ حَمْرَةَ: حَدَّثَنَا الزُّبَيْدِيُّ، عَنِ الزُّهْرِيِّ، عَنْ عُبَيْدِ اللهِ



so that Allāh may forgive us.' So, Allāh forgave him."

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

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

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

It was said to Ibrāhīm, "Some brokers name their stables and the stables of K̄hūrāsān and Sigstān and say, 'It (i.e., the animal) arrived from K̄hūrāsān only yesterday (or) it came from Sigstān today.'" Ibrāhīm hated that very much.

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

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

بن عبد الله: أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - عَنِ النَّبِيِّ ﷺ قَالَ: «كَانَ تَاجِرٌ يُدَايِنُ النَّاسَ فَإِذَا رَأَى مُعْسِرًا قَالَ لِفِتْيَانِهِ: تَجَاوَزُوا عَنْهُ لَعَلَّ اللَّهُ أَنْ يَتَجَاوَزَ عَنَّا. فَتَجَاوَزَ اللَّهُ عَنْهُ». [انظر: ٣٤٨٠]

(١٩) بَابُ: إِذَا بَيَّنَّ الْبَيْعَانَ وَلَمْ يَكْتُمَا وَنَصَحَا.

وَيَذْكَرُ عَنِ الْعَدَاءِ بْنِ خَالِدٍ، قَالَ: كَتَبَ لِي النَّبِيُّ ﷺ: «هَذَا مَا اشْتَرَى مُحَمَّدٌ رَسُولُ اللَّهِ ﷺ مِنَ الْعَدَاءِ بْنِ خَالِدٍ، بَيْعَ الْمُسْلِمِ مِنَ الْمُسْلِمِ، لَا دَاءَ وَلَا خَبْثَةَ، وَلَا غَائِلَةً». وَقَالَ قَتَادَةُ: الْغَائِلَةُ: الرِّزَا وَالسَّرْفَةُ وَالْإِبَاقُ. وَقِيلَ لِإِبْرَاهِيمَ: إِنَّ بَعْضَ النَّخَّاسِينَ يُسَمِّي آرِيَّ خُرَّاسَانَ وَسِجِسْتَانَ، فَيَقُولُ: جَاءَ أُمْسٍ مِنْ خُرَّاسَانَ، جَاءَ الْيَوْمَ مِنْ سِجِسْتَانَ، فَكَرِهَهُ كَرَاهَةً شَدِيدَةً. وَقَالَ عُقْبَةُ بْنُ عَامِرٍ: لَا يَحِلُّ لِأَمْرِي بَيْعَ سِلْعَةٍ يَعْلَمُ أَنَّ بِهَا دَاءً إِلَّا أَخْبَرَهُ.

٢٠٧٩ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا شُعْبَةُ، عَنْ قَتَادَةَ، عَنْ صَالِحِ أَبِي الْخَلِيلِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ رَفَعَهُ إِلَى حَكِيمِ بْنِ حِرَامٍ - رَضِيَ اللَّهُ عَنْهُمْ - قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ

transaction would be lost.”

يَتَمَرَّفا، أَوْ قَالَ: حَتَّى يَتَمَرَّفا، فَإِنْ  
صَدَقَا وَيَبِينَا بُورِكَ لَهُمَا فِي بَيْعِهِمَا،  
وَإِنْ كَتَمَا وَكَذَبَا مُحِجَّتْ بَرَكَتُهُ  
بَيْعِهِمَا». [انظر: ٢٠٨٢، ٢١٠٨،

[٢١١٠، ٢١١٤]

#### (20) CHAPTER. Selling of mixed dates.

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

[See *Hadīth* No.2201, 2202].

#### (٢٠) بَابُ بَيْعِ الْخِلْطِ مِنَ التَّمْرِ

٢٠٨٠ - حَدَّثَنَا أَبُو نُعَيْمٍ: حَدَّثَنَا  
شَيْبَانُ، عَنْ يَحْيَى، عَنْ أَبِي سَلَمَةَ،  
عَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ عَنْهُ قَالَ:  
كُنَّا نُرْزَقُ تَمَرَ الْجَمْعِ وَهُوَ الْخِلْطُ مِنَ  
التَّمْرِ. وَكُنَّا نَبِيعُ صَاعَيْنِ بِصَاعٍ، فَقَالَ  
النَّبِيُّ ﷺ: «لَا صَاعَيْنِ بِصَاعٍ، وَلَا  
دِرْهَمَيْنِ بِدِرْهَمٍ».

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

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

#### (٢١) بَابُ مَا قِيلَ فِي اللَّحَامِ وَالجَزَارِ

٢٠٨١ - حَدَّثَنَا عُمَرُ بْنُ حَفْصٍ:  
حَدَّثَنَا أَبِي: حَدَّثَنَا الْأَعْمَشُ قَالَ:  
حَدَّثَنِي شَقِيقٌ، عَنْ أَبِي مَسْعُودٍ، قَالَ:  
جَاءَ رَجُلٌ مِنَ الْأَنْصَارِ يُكْنَى أَبُو شُعَيْبٍ  
فَقَالَ لِغُلَامٍ لَهُ قَصَابٍ: اجْعَلْ لِي  
طَعَامًا يَكْفِي خَمْسَةَ مِنَ النَّاسِ فَإِنِّي  
أُرِيدُ أَنْ أَدْعُو النَّبِيَّ ﷺ خَامِسَ  
خَمْسَةٍ، فَإِنِّي قَدْ عَرَفْتُ فِي وَجْهِهِ  
الْجُوعَ. فَدَعَاهُمْ فَجَاءَ مَعَهُمْ رَجُلٌ  
فَقَالَ النَّبِيُّ ﷺ: «إِنَّ هَذَا قَدْ تَبِعَنَا فَإِنْ  
شِئْتَ أَنْ تَأْذَنَ لَهُ فَأَذَنْ لَهُ وَإِنْ شِئْتَ أَنْ  
يَرْجِعَ رَجِعْ. فَقَالَ: لَا، بَلْ قَدْ أُذِنْتُ

لَهُ». [انظر: ٢٤٥٦، ٥٤٣٤، ٥٤٦١]

(22) CHAPTER. What is said regarding the loss (of blessing) if one tells lies or hides the facts in a deal.

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

(23) CHAPTER. The Statement of Allāh تعالى: "O you who believe! Eat not *Ribā* (usury) (1) doubled and multiplied." (V.3:130)

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

[See H.2059].

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

And the Statement of Allāh تعالى:

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

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

(٢٢) بَابُ مَا يَمْحَقُ الْكَذِبُ  
وَالْكِتْمَانُ فِي الْبَيْعِ

٢٠٨٢ - حَدَّثَنَا بَدَلُ بْنُ الْمُحَجَّرِ:  
حَدَّثَنَا شُعْبَةُ عَنْ قَتَادَةَ، قَالَ: سَمِعْتُ  
أَبَا الْعَلِيلِ يُحَدِّثُ عَنْ عَبْدِ اللَّهِ بْنِ  
الْحَارِثِ عَنْ حَكِيمِ بْنِ حِزَامٍ رَضِيَ  
اللَّهُ عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «الْبَيْعَانِ  
بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا - أَوْ قَالَ: حَتَّى  
يَتَفَرَّقَا - فَإِنْ صَدَقَا وَبَيَّنَّا بُرُوكَ لُهُمَا  
فِي بَيْعِهِمَا، وَإِنْ كَتَمَا وَكَذَبَا مُحِقَّتْ  
بَرَكَتُهُ بَيْعِهِمَا». [راجع: ٢٠٧٩]

(٢٣) بَابُ قَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿يَا أَيُّهَا  
الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَرْبَابًا أَصْحَابًا  
مُضْمَعَةً﴾ الآية [آل عمران: ١٣٠].

٢٠٨٣ - حَدَّثَنَا أَدَمُ: حَدَّثَنَا ابْنُ  
أَبِي ذُئْبٍ: حَدَّثَنَا سَعِيدُ الْمَقْبُرِيُّ عَنْ  
أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لَيَأْتِيَنَّ  
عَلَى النَّاسِ زَمَانٌ لَا يُبَالِي الْمَرْءُ بِمَا  
أَخَذَ الْمَالَ مِنْ حَلَالٍ أَمْ مِنْ حَرَامٍ».

[راجع: ٢٠٥٩]

(٢٤) بَابُ أَكْلِ الرِّبَا وَشَاهِدِهِ  
وَكَاتِبِهِ،

وقول الله تعالى: ﴿الَّذِينَ  
يَأْكُلُونَ أَرْبَابًا لَا يُعْمُونَ إِلَّا كَمَا يُعْمُونَ  
الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ  
يَأْتِيهِمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ  
اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ

(1) (Chap.23) "*Ribā*": See the glossary.

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

2084. Narrated ‘Aishah رضي الله عنها: When the last Verses of *Sūrat Al-Baqarah* were revealed, the Prophet ﷺ recited them in the mosque and proclaimed the trade of alcohol i.e., liquors as illegal.<sup>(1)</sup>

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

مِنْ رَبِّهِ فَأَنْهَىٰ فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَىٰ  
 اللَّهِ وَمَنْ عَادَ فَأُولَٰئِكَ أَصْحَابُ النَّارِ  
 هُمْ فِيهَا خَالِدُونَ ﴿٢٧٥﴾ [البقرة:  
 ٢٧٥].

٢٠٨٤ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ:  
 عَنْ عُثْرَةَ: عَنْ شُعْبَةَ، عَنْ مَنْصُورٍ،  
 عَنْ أَبِي الضُّحَى عَنْ مَسْرُوقٍ، عَنْ  
 عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: لَمَّا  
 نَزَلَتْ آخِرُ الْبَقَرَةِ قَرَأَهُنَّ النَّبِيُّ ﷺ  
 عَلَيْهِمْ فِي الْمَسْجِدِ ثُمَّ حَرَّمَ التِّجَارَةَ  
 فِي الْخَمْرِ. [راجع: ٤٥٩]

٢٠٨٥ - حَدَّثَنَا مُوسَى بْنُ  
 إِسْمَاعِيلَ: حَدَّثَنَا جَرِيرٌ بْنُ حَارِثٍ:  
 حَدَّثَنَا أَبُو رَجَاءٍ، عَنْ سَمُرَةَ بْنِ  
 جُنْدُبٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ النَّبِيُّ  
 ﷺ: «رَأَيْتُ اللَّيْلَةَ رَجُلَيْنِ أَتْيَانِي  
 فَأَخْرَجَانِي إِلَىٰ أَرْضٍ مُقَدَّسَةٍ فَاَنْطَلَقْنَا  
 حَتَّىٰ أَتَيْنَا عَلَىٰ نَهْرٍ مِنْ دَمٍ فِيهِ رَجُلٌ  
 قَائِمٌ، وَعَلَىٰ وَسْطِ النَّهْرِ رَجُلٌ بَيْنَ  
 يَدَيْهِ حِجَارَةٌ، فَأَقْبَلَ الرَّجُلُ الَّذِي فِي  
 النَّهْرِ فَإِذَا أَرَادَ أَنْ يَخْرُجَ رَمَى الرَّجُلُ  
 بِحَجَرٍ مِنَ الْحِجَارَةِ فِيهِ فَرْدَةٌ حَيْثُ  
 كَانَ، فَجَعَلَ كُلُّمَا جَاءَ لِيَخْرُجَ رَمَى  
 فِي فِيهِ بِحَجَرٍ فَيَرْجِعُ كَمَا كَانَ. فَقُلْتُ  
 مَا هَذَا؟ فَقَالَ: الَّذِي رَأَيْتَهُ فِي النَّهْرِ:  
 أَكَلُ الرِّبَا». [راجع: ٨٤٥]

(1) (H. 2084) Imām Al-Bukhārī includes this *Hadīth* here because the last Verses of *Sūrat Al-Baqarah* deal with the topic of *Ribā*, too.

**(25) CHAPTER. (The sin of) the Ribā-giver.**

As is referred to in the Statement of Allāh تعالى:

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

Ibn Abbās said, “This was the last Verse revealed to the Prophet ﷺ.”

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

[See *Ḥadīth* No. 2238]

**(26) CHAPTER.:** “Allāh will destroy Ribā (usury) and will give increase for *Sadaqat* (deeds of charity, alms). And Allāh likes not the disbelievers, sinners!” (V.2:276)

**2087.** Narrated Abū Hurairah عنه رضي الله عنه: I heard Allāh’s Messenger ﷺ saying, “The

**(٢٥) بَابُ مُوَكَّلِ الرِّبَا لِقَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿يَأْتِيهَا الَّذِينَ ءَامَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ﴾ [٢٧٨] فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ [٢٧٩] وَإِن كَانَتْ ذُو عُسْرَةٍ فَنَظِرَةٌ إِلَىٰ مَسَرَفٍ وَإِن نَصَدَّقُوا خَيْرٌ لَّكُمْ إِن كُنْتُمْ تَعْلَمُونَ [٢٨٠] وَاتَّقُوا يَوْمًا تُرْجَعُونَ فِيهِ إِلَى اللَّهِ ثُمَّ تُوَفَّىٰ كُلُّ نَفْسٍ مَّا كَسَبَتْ وَهُمْ لَا يُظْلَمُونَ [٢٨١]﴾ [البقرة: ٢٧٨ -**

[٢٨١]

وقال ابن عباس: هذه آخرة نزلت على النبي ﷺ.

**٢٠٨٦ - حَدَّثَنَا أَبُو الْوَلِيدِ:**  
حَدَّثَنَا شُعْبَةُ، عَنْ عَوْنِ بْنِ أَبِي جُحَيْفَةَ، قَالَ: رَأَيْتُ أَبِي اشْتَرَى عَبْدًا حَبْجَامًا، فَسَأَلْتُهُ فَقَالَ: نَهَى النَّبِيُّ ﷺ عَنْ ثَمَنِ الْكَلْبِ وَثَمَنِ الدَّمِّ. وَنَهَى عَنِ الْوَاشِمَةِ وَالْمُوشِمَةِ، وَآكِلِ الرِّبَا وَمُوكِلِهِ، وَلَعَنَ الْمُصَوِّرَ. [انظر:

[٢٢٣٨، ٥٣٤٧، ٥٩٤٥، ٥٩٦٢]

**(٢٦) بَابُ: ﴿يَمْحُو اللَّهُ الرِّبَا وَيُرِي الضَّالِّينَ أَنَّهُمْ لَا يُجِبُّ كُلَّ كَفَّارٍ أَثِيمٍ﴾ [البقرة: ٢٧٦].**

**٢٠٨٧ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ:**

swearing (by the seller) may persuade the buyer to purchase the goods but that will be deprived of Allāh's Blessing.”<sup>(1)</sup>

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

2088. Narrated ‘Abdullāh bin Abū Aūfa رَضِيَ اللهُ عَنْهُ: A man displayed some goods in the market and swore by Allāh that he had been offered so much for that, that which was not offered, and he said that, so as to cheat a Muslim. On that occasion the following Verse was revealed:

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

حَدَّثَنَا اللَّيْثُ، عَنْ يُونُسَ، عَنْ ابْنِ شِهَابٍ، قَالَ ابْنُ الْمُسَيَّبِ: إِنَّ أَبَا هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «الْحَلْفُ مَنْفَقَةٌ لِلسَّلْعَةِ مَنْحَقَةٌ لِلْبِرْكََةِ».

(٢٧) بَابُ مَا يُكْرَهُ مِنَ الْحَلْفِ فِي الْبَيْعِ

٢٠٨٨ - حَدَّثَنَا عَمْرُو بْنُ مُحَمَّدٍ: حَدَّثَنَا هُشَيْمٌ: أَخْبَرَنَا الْعَوَّامُ، عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ عَبْدِ اللهِ بْنِ أَبِي أَوْفَى رَضِيَ اللهُ عَنْهُ: أَنَّ رَجُلًا أَقَامَ سِلْعَةً وَهُوَ فِي السُّوقِ فَحَلَفَ بِاللَّهِ لَقَدْ أَعْطَى بِهَا مَا لَمْ يُعْطَ لِيُوقِعَ فِيهَا رَجُلًا مِنَ الْمُسْلِمِينَ، فَتَنَزَّلَتْ: ﴿إِنَّ الَّذِينَ يَشْرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا﴾ [آل عمران: ٧٧].

[انظر: ٢٦٧٥، ٤٥٥١]

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

Narrated Ibn رَضِيَ اللهُ عَنْهُمَا: The Prophet ﷺ said, “Do not cut the shrubs of Makkah.” Al-‘Abbās said, “Except *Al-Idhkhir* (a kind of grass). It is used by their blacksmith and for their houses.” The Prophet ﷺ said, “Except *Al-Idhkhir*.”

(٢٨) بَابُ مَا قِيلَ فِي الصَّوَاغِ  
وقال طاووس عن ابن عباس رضي الله عنهما: قال النبي ﷺ: «لا يُخْتَلَى خَلَاهَا». وقال العباس: إلا الإذخر، فإنه لفيئتهم وبيوتهم. فقال: «إلا الإذخر».

2089. Narrated ‘Alī رَضِيَ اللهُ عَنْهُ: I got an old she-camel as my share from the booty, and the Prophet ﷺ had given me another

٢٠٨٩ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا عَبْدُ اللهِ: أَخْبَرَنَا يُونُسُ، عَنْ ابْنِ

(1) (H. 2087) *Ḥadīth* No. 2087 confirms the fact that what you earn illegally, decreases ultimately, for it will be deprived of Allāh's Blessing and it will result in bringing about punishment in the Hereafter; while what you give in charity will be compensated for by the Blessing of Allāh many times, and you will be rewarded for it in the Hereafter as well.

from *Al-Khumus*. And when I intended to marry Fāṭima رضي الله عنها (daughter of the Prophet ﷺ), I arranged that a goldsmith from the tribe of Banī Qainuqā' would accompany me in order to bring *Idhkhir* and then sell it to the goldsmiths and use its price for my marriage banquet.

شِهَابٍ قَالَ: أَخْبَرَنِي عَلِيُّ بْنُ حُسَيْنٍ: أَنَّ حُسَيْنَ بْنَ عَلِيٍّ رَضِيَ اللَّهُ عَنْهُمَا أَخْبَرَهُ: أَنَّ عَلِيًّا قَالَ: كَانَتْ لِي شَارِفٌ مِنْ نَصِيبِي مِنَ الْمَعْنَمِ، وَكَانَ النَّبِيُّ ﷺ أَعْطَانِي شَارِفًا مِنَ الْخُمْسِ، فَلَمَّا أَرَدْتُ أَنْ أُبْتَنِي بِفَاطِمَةَ بِنْتِ رَسُولِ اللَّهِ ﷺ وَأَعَدْتُ رَجُلًا صَوَاغًا مِنْ بَنِي قَيْنُقَاعَ أَنْ يَرْتَحَلَ مَعِيَ فَنَاتِي بِإِدْخِرٍ أَرَدْتُ أَنْ أُبَيْعَهُ مِنَ الصَّوَاغِينَ وَأَسْتَعِينَ بِهِ فِي وَلِيمَةِ عُرْسِي. [انظر: ٢٣٧٥، ٣٠٩١، ٤٠٠٣، ٥٧٩٣]

2090. Narrated Ibn 'Abbās رضي الله عنهما: Allāh's Messenger ﷺ said, "Allāh made Makkah a sanctuary and it was neither permitted for anyone before, nor will it be permitted for anyone after me (to fight in it). And fighting in it was made legal for me for a few hours of a day only. None is allowed to uproot its thorny shrubs or to cut down its trees or to chase its game or to pick up its *Luqaṭa* (fallen things) except by a person who would announce it publicly." 'Abbās bin 'Abdul-Muṭṭlib requested the Prophet ﷺ, "Except *Al-Idhkhir*, for our goldsmiths and for the roofs of our houses." The Prophet ﷺ said, "Except *Al-Idhkhir*." 'Ikrima said, "Do you know what is meant by chasing its game? It is to drive it out of the shade and to sit in its place." Khālid said, "(Abbās said: *Al-Idhkhir*) for our goldsmiths and our graves."

٢٠٩٠ - حَدَّثَنَا إِسْحَاقُ: حَدَّثَنَا خَالِدُ بْنُ عَبْدِ اللَّهِ، عَنْ خَالِدِ، عَنْ عِكْرِمَةَ، عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِنَّ اللَّهَ حَرَّمَ مَكَّةَ وَلَمْ تَحِلَّ لِأَحَدٍ قَبْلِي وَلَا لِأَحَدٍ بَعْدِي، وَإِنَّمَا أُحِلَّتْ لِي سَاعَةٌ مِنْ نَهَارٍ لَا يُحْتَلَى خِلَاهَا، وَلَا يُعْصَدُ شَجَرُهَا، وَلَا يُنْفَرُ صَيْدُهَا، وَلَا يُلْتَفِظُ لِقَطْعَتِهَا إِلَّا لِمُعْرِفٍ». وَقَالَ عَبَّاسُ بْنُ عَبْدِ الْمُطَّلِبِ: «إِلَّا الْإِدْخِرَ لِصَاغَتِنَا وَلِسُفْفِ بِيوتِنَا، فَقَالَ: «إِلَّا الْإِدْخِرَ». فَقَالَ عِكْرِمَةُ: هَلْ تَدْرِي مَا «يُنْفَرُ صَيْدُهَا؟» هُوَ أَنْ تُنْحِيَهُ مِنَ الظِّلِّ وَتَنْزِلَ مَكَانَهُ. قَالَ عَبْدُ الْوَهَّابِ، عَنْ خَالِدٍ: لِصَاغَتِنَا وَقُبُورِنَا. [راجع: ١٣٤٩]

## (29) CHAPTER. The mentioning of blacksmiths.

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

## (٢٩) بَابُ ذِكْرِ الْقَيْنِ وَالْحَدَّادِ

٢٠٩١ - حَدَّثَنِي مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ شُعْبَةَ، عَنْ سُلَيْمَانَ، عَنْ أَبِي الضُّحَى عَنْ مَسْرُوقٍ، عَنْ خَبَّابٍ قَالَ: كُنْتُ قَيْنًا فِي الْجَاهِلِيَّةِ وَكَانَ لِي عَلَى الْعَاصِيِ ابْنِ وَاثِلِ دَيْنٌ فَأَتَيْتُهُ أَتَقَاضَاهُ، قَالَ: لَا أُعْطِيكَ حَتَّى تَكْفُرَ بِمُحَمَّدٍ ﷺ، فَقُلْتُ: لَا أَكْفُرُ حَتَّى يُمَيِّتَكَ اللَّهُ ثُمَّ تُبْعَثَ. قَالَ: دَعْنِي حَتَّى أَمُوتَ وَأُبْعَثَ فَسَأُوتِي مَالًا وَوَلَدًا فَأَقْضِيكَ فَنَزَلَتْ: ﴿أَفَرَأَيْتَ الَّذِي كَفَرَ بِآيَاتِنَا وَقَالَ لَأُوتِيَنَّكَ مَالًا وَوَلَدًا﴾ ﴿٧٨﴾ أَطَّلَعَ الْغَيْبَ أَمْ أَخَذَ عِنْدَ الرَّحْمَنِ عَهْدًا ﴿٧٩﴾ [مریم: ٧٧ - ٧٨]. [انظر: ٢٢٧٥، ٢٤٢٥، ٤٧٣٢، ٤٧٣٣، ٤٧٣٤، ٤٧٣٥]

## (30) CHAPTER. The mentioning of the tailor.

2092. Narrated Ishāq bin 'Abdullāh bin Abū Ṭalhā: I heard Anas bin Mālik رَضِيَ اللهُ عَنْهُ saying, "A tailor invited Allāh's Messenger ﷺ to a meal which he had prepared." Anas bin Mālik رَضِيَ اللهُ عَنْهُ said, "I accompanied Allāh's Messenger ﷺ to that meal. He served the Prophet ﷺ with bread and soup made with gourd and dried meat. I saw the Prophet ﷺ taking the pieces of gourd from the dish." Anas added, "Since that day I have continued to like gourd."

## (٣٠) بَابُ الْحَيَّاطِ

٢٠٩٢ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ: أَنَّهُ سَمِعَ أَنَسَ بْنَ مَالِكٍ رَضِيَ اللهُ عَنْهُ يَقُولُ: إِنَّ حَيَّاطًا دَعَا رَسُولَ اللَّهِ ﷺ لِطَعَامٍ صَنَعَهُ، قَالَ أَنَسُ ابْنُ مَالِكٍ رَضِيَ اللهُ عَنْهُ: فَذَهَبْتُ مَعَ رَسُولِ اللَّهِ ﷺ إِلَى ذَلِكَ الطَّعَامِ، فَتَقَرَّبَ إِلَى رَسُولِ اللَّهِ



ﷺ خُبْرًا وَمَرَقًا فِيهِ دُبَاءٌ وَقَدِيدٌ،  
فَرَأَيْتُ النَّبِيَّ ﷺ يَتَّبِعُ الدُّبَاءَ مِنْ  
حَوَالِي الْقَضَعَةِ. قَالَ: فَلَمْ أَرَلْ أَحَبُّ  
الدُّبَاءَ مِنْ يَوْمِيذٍ. [انظر: ٥٣٧٩،  
٥٤٢٠، ٥٤٣٣، ٥٤٣٥، ٥٤٣٧، ٥٤٣٩]

### (31) CHAPTER. The weaver.

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

### (٣١) بَابُ النَّسَاجِ

٢٠٩٣ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ:  
حَدَّثَنَا يَعْقُوبُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ  
أَبِي حَازِمٍ قَالَ: سَمِعْتُ سَهْلَ بْنَ  
سَعْدٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: جَاءَتْ  
امْرَأَةٌ بِبُرْدَةٍ، قَالَ: أَتَدْرُونَ مَا الْبُرْدَةُ؟  
فَقِيلَ لَهُ: نَعَمْ، هِيَ الشَّمْلَةُ مَنْسُوجَةٌ  
فِي حَاشِيَتِهَا، قَالَتْ: يَا رَسُولَ اللَّهِ،  
إِنِّي نَسَجْتُ هَذِهِ بِيَدِي أَكْسُوكَهَا.  
فَأَخَذَهَا النَّبِيُّ ﷺ مُحْتَاجًا إِلَيْهَا  
فَخَرَجَ إِلَيْنَا وَإِنهَا إِزَارُهُ. فَقَالَ رَجُلٌ  
مِنَ الْقَوْمِ: يَا رَسُولَ اللَّهِ، اكْسُنِيهَا.  
فَقَالَ: «نَعَمْ»، فَجَلَسَ النَّبِيُّ ﷺ فِي  
الْمَجْلِسِ ثُمَّ رَجَعَ فَطَوَّأَهَا، ثُمَّ أَرْسَلَ  
بِهَا إِلَيْهِ. فَقَالَ لَهُ الْقَوْمُ: مَا أَحْسَنْتَ  
سَأَلْتَهَا إِيَّاهُ، لَقَدْ عَرَفْتَ أَنَّهُ لَا يَرُدُّ  
سَائِلًا. فَقَالَ الرَّجُلُ: وَاللَّهِ مَا سَأَلْتُهُ  
إِلَّا لِتَكُونَ كَفَنِي يَوْمَ أَمُوتُ، قَالَ  
سَهْلٌ: فَكَانَتْ كَفَنَهُ. [راجع: ١٢٧٧]

### (32) CHAPTER. The carpenter.

2094. Narrated Abū Ḥāzim: Some men came to Sahl bin Sa'd to ask him about the pulpit. He replied, "Allāh's Messenger ﷺ sent for a woman (Sahl named her) (this message): 'Order your slave carpenter to

### (٣٢) بَابُ النَّجَّارِ

٢٠٩٤ - حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ:  
حَدَّثَنَا عَبْدُ الْعَزِيزِ، عَنْ أَبِي حَازِمٍ  
قَالَ: أَتَى رِجَالٌ سَهْلَ بْنَ سَعْدٍ

make pieces of wood (i.e., a pulpit) for me so that I may sit on it while addressing the people.' So, she ordered him to make it from the tamarisk of the forest. He brought it to her and she sent it to Allāh's Messenger ﷺ. Allāh's Messenger ﷺ ordered it to be placed in the mosque. So, it was put and he sat on it.

يَسْأَلُونَهُ عَنِ الْمِنْبَرِ، فَقَالَ: بَعَثَ رَسُولُ اللَّهِ ﷺ إِلَى فُلَانَةٍ - امْرَأَةٍ قَدْ سَمَّاهَا سَهْلٌ - أَنْ «مُرِي غُلَامًا مِنَ التَّجَارِ يَعْمَلُ لِي أَعْوَادًا أَجْلِسُ عَلَيْهِنَّ إِذَا كَلَّمْتُ النَّاسَ»، فَأَمَرْتَهُ يَعْمَلُهَا مِنْ طَرْفَاءِ الْغَابِيَةِ. ثُمَّ جَاءَ بِهَا فَأَرْسَلْتُ إِلَى رَسُولِ اللَّهِ ﷺ بِهَا فَأَمَرَ بِهَا فَوَضَعَتْ فَجَلَسَ عَلَيْهِ. [راجع: ٣٧٧]

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

(See Vol. 4, *Hadith* No. 3583).

٢٠٩٥ - حَدَّثَنَا خَلَادُ بْنُ يَحْيَى: حَدَّثَنَا عَبْدُ الْوَاحِدِ بْنُ أَبِي عَمْرِو، عَنْ أَبِيهِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ امْرَأَةً مِنَ الْأَنْصَارِ قَالَتْ لِرَسُولِ اللَّهِ ﷺ: يَا رَسُولَ اللَّهِ، أَلَا أَجْعَلُ لَكَ شَيْئًا تَقْعُدُ عَلَيْهِ؟ فَإِنِّي لِي غُلَامًا نَجَارًا، قَالَ: «إِن شِئْتَ»، فَعَمَلْتُ لَهُ الْمِنْبَرَ. فَلَمَّا كَانَ يَوْمَ الْجُمُعَةِ قَعَدَ النَّبِيُّ ﷺ عَلَى الْمِنْبَرِ الَّذِي صُنِعَ فَصَاحَتِ النَّخْلَةُ الَّتِي كَانَ يَخْطُبُ عِنْدَهَا حَتَّى كَادَتْ أَنْ تَنْشَقَّ، فَتَرَلَ النَّبِيُّ ﷺ حَتَّى أَخَذَهَا فَصَمَّمَهَا إِلَيْهِ، فَجَعَلَتْ تَبِينُ أَيْنِينَ الصَّبِيِّ الَّذِي يُسَكُّ حَتَّى اسْتَفْرَّتْ. قَالَ: «بَكَتْ عَلَى مَا كَانَتْ تَسْمَعُ مِنَ الذِّكْرِ».

[راجع: ٤٤٩]

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

(٣٣) بَابُ شِرَاءِ الْإِمَامِ الْحَوَائِجِ بِنَفْسِهِ

Ibn 'Umar رضي الله عنهما said, "The Prophet ﷺ bought a camel from 'Umar." Ibn 'Umar رضي الله عنهما purchased (goods) by himself.

وقال ابن عمر رضي الله عنهما: اشتري النبي ﷺ جملًا من عمر،

رَضِيَ اللهُ عَنْهُمَا said: "A *Mushrik* came with sheep and the Prophet ﷺ bought a sheep from him and (the Prophet ﷺ also bought) a camel from Jābir."

2096. Narrated 'Aishah رَضِيَ اللهُ عَنْهَا: Allah's Messenger ﷺ bought food grains from a Jew on credit and mortgaged his armour to him.

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

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

Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا said, "The Prophet ﷺ told 'Umar to sell that unmanageable (untamed) camel to him."

2097. Narrated Jābir bin 'Abdullāh رَضِيَ اللهُ عَنْهُمَا: I was with the Prophet ﷺ in a *Ghazwa* (military expedition) and my camel was slow and exhausted. The Prophet ﷺ came up to me and said, "O Jābir." I replied, "Yes?" He said, "What is the matter with you?" I replied, "My camel is slow and tired, so I am left behind." So, he got down and poked the camel with his stick and then ordered me to ride. I rode the camel and it became so fast that I had to hold it from going ahead of Allāh's Messenger ﷺ. He then asked me, "Have you got married?" I replied in the affirmative. He asked, "A virgin or a

واشترى ابنُ عُمَرَ بِنَفْسِهِ. وَقَالَ عَبْدُ الرَّحْمَنِ بْنُ أَبِي بَكْرٍ رَضِيَ اللهُ عَنْهُمَا: جَاءَ مُشْرِكٌ بَعَنَمٍ فَاشْتَرَى النَّبِيُّ ﷺ مِنْهُ شَاةً، وَاشْتَرَى مِنْ جَابِرٍ بَعِيرًا.

٢٠٩٦ - حَدَّثَنَا يُوسُفُ بْنُ عَيْسَى: حَدَّثَنَا أَبُو مُعَاوِيَةَ: حَدَّثَنَا الْأَعْمَشُ، عَنْ إِبْرَاهِيمَ، عَنِ الْأَسْوَدِ، عَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا قَالَتْ: اشْتَرَى رَسُولُ اللهِ ﷺ مِنْ يَهُودِيٍّ طَعَامًا بِنَسِيئَةٍ وَرَهْنَهُ دِرْعَهُ.

[راجع: ٢٠٦٨]

#### (٣٤) بَابُ شِرَاءِ الدَّوَابِّ وَالْحَمِيرِ

وَإِذَا اشْتَرَى دَابَّةً أَوْ جَمَلًا وَهُوَ عَلَيْهِ، هَلْ يَكُونُ ذَلِكَ قَبْضًا قَبْلَ أَنْ يَنْزِلَ؟

وَقَالَ ابْنُ عُمَرَ رَضِيَ اللهُ عَنْهُمَا، قَالَ النَّبِيُّ ﷺ لِعُمَرَ: «بِعَيْنِهِ»، يَعْنِي جَمَلًا صَعْبًا.

٢٠٩٧ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عَبْدُ الْوَهَّابِ: حَدَّثَنَا عُيَيْدُ اللهِ، عَنْ وَهْبِ بْنِ كَيْسَانَ عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللهُ عَنْهُمَا قَالَ: كُنْتُ مَعَ النَّبِيِّ ﷺ فِي غَزَاةٍ فَأَبْطَأَ بِي جَمَلِي وَأَعْيَا، فَأَتَى عَلَيَّ النَّبِيُّ ﷺ فَقَالَ: «جَابِرُ؟» فَقُلْتُ: نَعَمْ. قَالَ: «مَا شَأْنُكَ؟» قُلْتُ: أَبْطَأَ عَلَيَّ جَمَلِي وَأَعْيَا فَتَحَلَّفْتُ، فَنَزَلَ يَحُجُّنُهُ

matron?" I replied, "I married a matron." The Prophet ﷺ said, "Why have you not married a virgin, so that you may play with her and she may play with you?" Jābir replied, "I have sisters (young in age) so I liked to marry a matron who could collect them all and comb their hair and look after them." The Prophet ﷺ said, "You will reach (home), so when you have arrived (at home), I advise you to associate with your wife (that you may have an intelligent son)." Then he asked me, "Would you like to sell your camel?" I replied in the affirmative and the Prophet ﷺ purchased it for one *Uqīya* of gold. Allāh's Messenger ﷺ reached (Al-Madina) before me and I reached in the morning, and when I went to the mosque, I found him at the door of the mosque. He asked me, "Have you arrived just now?" I replied in the affirmative. He said, "Leave your camel and come into (the mosque) and offer a two *Rak'ā* (prayer)." I entered and offered the *Ṣalāt* (prayer). He told Bilāl to weigh and give me one *Uqīya* of gold. So, Bilāl weighed for me fairly and I went away. The Prophet ﷺ sent for me and I thought that he would return to me my camel which I hated more than anything else. But the Prophet ﷺ said to me, "Take your camel as well as its price."

بِمَحَجَّتِهِ، ثُمَّ قَالَ: «ارْكَبْ» فَرَكِبْتُ فَلَقَدْ رَأَيْتُهُ أَكْفُهُ عَنِ رَسُولِ اللَّهِ ﷺ، قَالَ: «تَزَوَّجْتَ؟» قُلْتُ: نَعَمْ، قَالَ: «بِكْرًا أَمْ نَيْبًا؟» قُلْتُ: بَلْ نَيْبًا. قَالَ: «أَفَلَا جَارِيَةً تُتْلَعُهَا وَتُلَاعِبُكَ؟» قُلْتُ: إِنَّ لِي أَخَوَاتٍ فَأَحْبَبْتُ أَنْ أَتَزَوَّجَ امْرَأَةً تَجْمَعُهُنَّ وَتَمَشُطُهُنَّ وَتَقْوُمُ عَلَيْهِنَّ. قَالَ: «أَمَا إِنَّكَ قَادِمٌ، فَإِذَا قَدِمْتَ فَالْكَيْسَ الْكَيْسِ»، ثُمَّ قَالَ: «أَتَبِيعُ جَمَلَكَ؟» قُلْتُ: نَعَمْ، فَاشْتَرَاهُ مِنِّي بِأُوقِيَّةٍ. ثُمَّ قَدِمَ رَسُولُ اللَّهِ ﷺ قَبْلِي وَقَدِمْتُ بِالْغَدَاةِ فَجِئْنَا إِلَى الْمَسْجِدِ فَوَجَدْتُهُ عَلَى بَابِ الْمَسْجِدِ. قَالَ: «الآنَ قَدِمْتَ؟» قُلْتُ: نَعَمْ، قَالَ: «فَدَعُ جَمَلَكَ فَادْخُلْ فَصَلِّ رَكَعَتَيْنِ». فَدَخَلْتُ فَصَلَّيْتُ فَأَمَرَ بِلَالًا أَنْ يَزِنَ لَهُ أُوقِيَّةً. فَوَزَنَ لِي بِلَالٌ فَأَرْجَحَ فِي الْمِيزَانِ، فَانْطَلَقْتُ حَتَّى وُلَّيْتُ فَقَالَ: «ادْعُوا لِي جَابِرًا»، قُلْتُ: الْآنَ يَرُدُّ عَلَيَّ الْجَمَلَ وَلَمْ يَكُنْ شَيْءٌ أَبْعَضَ إِلَيَّ مِنْهُ، قَالَ: «خُذْ جَمَلَكَ وَلِكَ ثَمَنُهُ». [راجع: ٤٤٣]

(35) CHAPTER. The markets of the Pre-Islāmic Period of Ignorance where the people continued to trade after embracing Islām.

(٣٥) بَابُ الْأَسْوَاقِ الَّتِي كَانَتْ فِي الْجَاهِلِيَّةِ فَتَبَاعَ بِهَا النَّاسُ فِي الْإِسْلَامِ.

2098. Narrated Ibn 'Abbās رَضِيَ اللَّهُ عَنْهُمَا: 'Ukāz, Majanna and Dhul-Majāz were markets in the Pre-Islāmic Period of Ignorance. When the people embraced Islām, they considered it a sin to trade

٢٠٩٨ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانٌ، عَنْ عَمْرِو بْنِ دِينَارٍ عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا

there. So, the following Verse came :

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

Ibn ‘Abbās recited it like this.

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

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

**(37) CHAPTER. Selling of arms during the period of *Al-Fitnah* (trial, affliction) and otherwise.**

قَالَ: «كَانَتْ عُكَاظٌ وَمَجَنَّةٌ وَذُو الْمَجَازِ أَسْوَاقًا فِي الْجَاهِلِيَّةِ، فَلَمَّا كَانَ الْإِسْلَامُ تَأْتَمُّوا مِنَ التَّجَارَةِ فِيهَا. فَأَنْزَلَ اللَّهُ: ﴿لَيْسَ عَلَيْكُمْ جُنَاحٌ﴾ فِي مَوَاسِمِ الْحَجِّ. قَرَأَ ابْنُ عَبَّاسٍ كَذَا. [راجع: ١٧٧٠]

**(٣٦) بَابُ شِرَاءِ الْإِبِلِ الْهِيمِ أَوْ الْأَجْرَبِ.**

الهائم: المخاليف للفضد في كل شيء.

٢٠٩٩ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ قَالَ: قَالَ عُمَرُو: كَانَ هُنَا رَجُلٌ اسْمُهُ نَوَّاسٌ وَكَانَتْ عِنْدَهُ إِبِلٌ هِيمٌ، فَذَهَبَ ابْنُ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا فَاشْتَرَى تِلْكَ الْإِبِلَ مِنْ شَرِيكِ لَهُ فَجَاءَ إِلَيْهِ شَرِيكُهُ فَقَالَ: بَعْنَا تِلْكَ الْإِبِلَ، فَقَالَ: وَمِمَّنْ بَعْتَهَا؟ فَقَالَ: مِنْ شَيْخٍ كَذَا وَكَذَا، فَقَالَ: وَيْحَكَ ذَاكَ وَاللَّهِ ابْنُ عُمَرَ فَجَاءَهُ فَقَالَ: إِنَّ شَرِيكِي بَاعَكَ إِبِلًا هِيمًا وَلَمْ يَعْرِفْكَ، قَالَ: فَاسْتَفْهَمَا، قَالَ: فَلَمَّا ذَهَبَ يَسْتَأْفِئُهَا: فَقَالَ: دَعَهَا، رَضِينَا بِقَضَاءِ رَسُولِ اللَّهِ ﷺ: لَا عُدْوَى، سَمِعَ سُفْيَانُ عُمَرَا. [انظر: ٢٨٥٨، ٥٠٩٣، ٥٠٩٤، ٥٧٥٣،

[٥٧٧٢]

**(٣٧) بَابُ بَيْعِ السَّلَاحِ فِي الْفِتْنَةِ وَغَيْرِهَا.**

'Imrān bin Ḥuṣayn hated the selling (of arms) during *Al-Fitnah* (trial, affliction).

2100. Narrated Abū Qatāda رَضِيَ اللهُ عَنْهُ: We set out with Allāh's Messenger ﷺ in the year of (the battle of) Ḥunain, (the Prophet ﷺ gave me an armour). I sold that armour and bought a garden in the region of the tribe of Banī Salama and that was the first property I got after embracing Islām.

وَكْرَهُ عِمْرَانُ بْنُ حُصَيْنٍ بَيْعَهُ فِي الْفِتْنَةِ.

٢١٠٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ عُمَرَ بْنِ كَثِيرٍ، عَنْ أَبِي مُحَمَّدٍ مَوْلَى أَبِي قَتَادَةَ، عَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: خَرَجْنَا مَعَ رَسُولِ اللَّهِ ﷺ عَامَ حُنَيْنٍ فَبِعْتُ الدَّرْعَ فَاثْبَعْتُ بِهِ مَخْرَفًا فِي بَنِي سَلِيمَةَ فَإِنَّهُ لِأَوَّلِ مَالٍ تَأَثَّلْتُهُ فِي الْإِسْلَامِ. [انظر: ٣١٤٢، ٤٣٢١، ٤٣٢٢، ٧١٧٠]

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

2101. Narrated Abū Mūsa رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "The example of a good companion (who sits with you) in comparison with a bad one, is like that of the owner of musk (perfume seller) and the owner of bellows (or furnace) (blacksmith); from the first you would either buy musk or enjoy its good smell, while the owner of bellows (blacksmith) would either burn your clothes or your house, or you get a bad nasty smell thereof."

(٣٨) بَابٌ: فِي الْعَطَّارِ وَبَيْعِ الْمِسْكِ

٢١٠١ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا أَبُو بُرْدَةَ بْنُ عَبْدِ اللَّهِ قَالَ: سَمِعْتُ أَبَا بُرْدَةَ بْنَ أَبِي مُوسَى، عَنْ أَبِيهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَثَلُ الْجَلِيسِ الصَّالِحِ وَالْجَلِيسِ السُّوءِ كَمَثَلِ صَاحِبِ الْمِسْكِ وَكَبِيرِ الْحَدَّادِ، لَا يَعْذَمُكَ مِنْ صَاحِبِ الْمِسْكِ إِذَا تَشْتَرِيهِ أَوْ تَجِدُ رِيحَهُ، وَكَبِيرِ الْحَدَّادِ يُحْرِقُ بَيْتَكَ أَوْ تَوْبَكَ، أَوْ تَجِدُ مِنْهُ رِيحًا خَبِيثَةً».

[انظر: ٥٥٣٤]

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

2102. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: Abu Ṭaiba cupped Allāh's Messenger ﷺ. So

(٣٩) بَابٌ ذَكَرَ الْحَجَّامِ

٢١٠٢ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ

he (ﷺ) ordered that he be paid one *Ṣā'* of dates and ordered his masters to reduce his tax (as he was a slave and had to pay a tax to them).

يُؤَسَفُ: أَخْبَرَنَا مَالِكٌ، عَنْ حُمَيْدٍ،  
عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ  
قَالَ: حَجَمَ أَبُو طَيْبَةَ رَسُولَ اللَّهِ ﷺ  
فَأَمَرَ لَهُ بِصَاعٍ مِنْ تَمْرٍ، وَأَمَرَ أَهْلَهُ أَنْ  
يُخَفِّفُوا مِنْ حَرَاجِهِ. [انظر: ٢٢١٠،  
٢٢٢٧٧، ٢٢٨٠، ٢٢٨١، ٥٦٩٦]

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

٢١٠٣ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا  
خَالِدٌ - هُوَ ابْنُ عَبْدِ اللَّهِ - حَدَّثَنَا  
خَالِدٌ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ  
رَضِيَ اللَّهُ عَنْهُمَا قَالَ: احْتَجَمَ النَّبِيُّ  
ﷺ وَأَعْطَى الَّذِي حَجَمَهُ، وَلَوْ كَانَ  
حَرَامًا لَمْ يُعْطِهِ. [راجع: ١٨٣٥]

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

(٤٠) بَابُ التَّجَارَةِ فِيمَا يُكْرَهُ لِبَسُّهُ  
لِلرِّجَالِ وَالنِّسَاءِ.

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

٢١٠٤ - حَدَّثَنَا آدَمُ: حَدَّثَنَا  
شُعْبَةُ: حَدَّثَنَا أَبُو بَكْرِ بْنُ حَفْصٍ،  
عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ ابْنِ عُمَرَ، عَنْ  
أَبِيهِ قَالَ: أُرْسِلَ النَّبِيُّ ﷺ إِلَى عُمَرَ  
رَضِيَ اللَّهُ عَنْهُ بِحُلَّةٍ حَرِيرٍ أَوْ سَبْرَاءَ  
فَرَأَاهَا عَلَيْهِ فَقَالَ: «إِنِّي لَمْ أُرْسِلْ بِهَا  
إِلَيْكَ لِتَلْبَسَهَا، إِنَّمَا يَلْبَسُهَا مَنْ لَا  
خَلَاقَ لَهُ. إِنَّمَا بَعَثْتُ إِلَيْكَ لِتَسْتَمْتِعَ  
بِهَا» يَعْنِي تَبِعَهَا. [راجع: ٨٨٦]

2105. Narrated 'Āishah رضي الله عنها, Mother of the Believers: I bought a cushion with pictures on it. When Allāh's Messenger ﷺ saw it, he kept standing at the door and did not enter the house. I noticed the sign of disgust on his face, so I said, "O Allāh's Messenger! I repent to Allāh and His Messenger ﷺ. (Please let me know) what

٢١٠٥ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ  
يُؤَسَفُ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ،  
عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ، عَنْ عَائِشَةَ أُمِّ  
الْمُؤْمِنِينَ رَضِيَ اللَّهُ عَنْهَا: أَنَّهَا أَخْبَرَتْهُ  
أَنَّهَا اشْتَرَتْ نُمْرَقَةً فِيهَا تَصَاوِيرٌ. فَلَمَّا

sin I have done.” Allāh’s Messenger ﷺ said, “What about this cushion?” I replied, “I bought it for you to sit and recline on.” Allāh’s Messenger ﷺ said, “The painters (i.e., owners) of these pictures will be punished on the Day of Resurrection. It will be said to them, ‘Put life in what you have created (i.e., painted).’” The Prophet ﷺ added, “The angels do not enter a house in which there are pictures.”

رَأَاهَا رَسُولُ اللَّهِ ﷺ قَامَ عَلَى الْبَابِ فَلَمْ يَدْخُلْهُ، فَعَرَفْتُ فِي وَجْهِهِ الْكِرَاهَةَ فَقُلْتُ: يَا رَسُولَ اللَّهِ، أَتُوبُ إِلَى اللَّهِ وَإِلَى رَسُولِهِ ﷺ، مَاذَا أَذْنَبْتُ؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: «مَا بَالُ هَذِهِ التَّمْرِقَةِ؟» قُلْتُ: اشْتَرَيْتُهَا لَكَ لَتَتَّعَدَ عَلَيْهَا وَتَوَسَّدَهَا. فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ أَصْحَابَ هَذِهِ الصُّورِ يَوْمَ الْقِيَامَةِ يُعَذَّبُونَ فَيَقَالُ لَهُمْ: أَحْيُوا مَا خَلَقْتُمْ». وَقَالَ: «إِنَّ الْبَيْتَ الَّذِي فِيهِ الصُّورُ لَا تَدْخُلُهُ الْمَلَائِكَةُ».

[انظر: ٣٢٢٤، ٥١٨١، ٥٩٥٧، ٥٩٦١،

[٧٥٥٧

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

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

(٤١) بَابُ صَاحِبِ السَّلْعَةِ أَحَقُّ بِالسُّؤْمِ.

٢١٠٦ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا عَبْدُ الْوَارِثِ، عَنْ أَبِي التَّيَّاحِ، عَنْ أَنَسِ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «يَا بَنِي النَّجَّارِ، تَأْمِنُونِي بِحَائِطِكُمْ». وَفِيهِ خَرَبٌ وَنَخْلٌ. [راجع: ٢٣٤]

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

2107. Narrated Ibn ‘Umar رَضِيَ اللَّهُ عَنْهُمَا: The Prophet ﷺ said, “The buyer and the seller have the option to cancel or confirm the bargain before they separate from each other, or if the sale is optional.”<sup>(1)</sup>

(٤٢) بَابُ كَيْفَ يَجُوزُ الْخِيَارُ؟

٢١٠٧ - حَدَّثَنَا صَدَقَةُ: أَخْبَرَنَا عَبْدُ الْوَهَّابِ قَالَ: سَمِعْتُ يَحْيَى بْنَ سَعِيدٍ قَالَ: سَمِعْتُ نَافِعًا عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا، عَنِ النَّبِيِّ ﷺ

(1) (H. 2107) If the bargain is concluded but the buyer and seller are still at the place where the bargain has taken place, they have the right to cancel or confirm the bargain. If=



Nāfi' said, "Ibn 'Umar used to separate quickly from the seller if he had bought a thing which he liked."

قَالَ: «إِنَّ الْمُتَبَايِعِينَ بِالْخِيَارِ فِي بَيْعِهِمَا مَا لَمْ يَتَفَرَّقَا، أَوْ يَكُونُ الْبَيْعُ خِيَارًا». وَقَالَ نَافِعٌ: وَكَانَ ابْنُ عُمَرَ إِذَا اشْتَرَى شَيْئًا يُعْجِبُهُ فَارَقَ صَاحِبَهُ.

[انظر: ٢١٠٩، ٢١١١، ٢١١٣، ٢١١٦]

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

٢١٠٨ - حَدَّثَنَا حَفْصُ بْنُ عُمَرَ: حَدَّثَنَا هَمَّامٌ، عَنْ قَتَادَةَ، عَنْ أَبِي الْخَلِيلِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ حَكِيمِ بْنِ حِزَامٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا».

وَرَادَ أَحْمَدُ: حَدَّثَنَا بِهِزُّ قَالَ: قَالَ هَمَّامٌ: فَذَكَرْتُ ذَلِكَ لِأَبِي التَّيَّاحِ فَقَالَ: كُنْتُ مَعَ أَبِي الْخَلِيلِ لَمَّا حَدَّثَهُ عَبْدُ اللَّهِ ابْنُ الْحَارِثِ هَذَا الْحَدِيثِ.

[راجع: ٢٠٧٩]

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

(٤٣) بَابُ إِذَا لَمْ يُوقَّتْ فِي الْخِيَارِ، هَلْ يَجُوزُ الْبَيْعُ؟

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

٢١٠٩ - حَدَّثَنَا أَبُو التُّعْمَانِ: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ: حَدَّثَنَا أَيُّوبُ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ النَّبِيُّ ﷺ: «الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا، أَوْ يَقُولَ أَحَدُهُمَا لِصَاحِبِهِ: اخْتَرْ». وَرُبَّمَا

=they separate, they no longer have such an option. If, while they are still together, one of them gives the other the option of cancelling or confirming the bargain and they agree upon a decision, the bargain is regarded as final even though they have not separated. On the other hand, if the buyer and the seller agree upon having the option of cancelling or confirming the bargain after they separate, the bargain is not regarded as final unless the period of the option has elapsed. (*Al-Qaṣṭalānī*, Vol. 4).

قَالَ: «أَوْ يَكُونُ بَيْعَ خِيَارٍ».

[راجع: ٢١٠٧]

(44) CHAPTER. Both the buyer and the seller have the option to cancel or confirm the bargain, unless they separate.

Ibn 'Umar, Shuraih, Ash-Sha'bī, Tāwūs, 'Aṭā', and Ibn Abū Mulaika agree upon this judgement.

(٤٤) بَابُ الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا

وَبِهِ قَالَ ابْنُ عُمَرَ وَشُرَيْحٌ وَالشَّعْبِيُّ وَطَاوُسٌ وَعَطَاءٌ وَابْنُ أَبِي مُلَيْكَةَ.

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

٢١١٠ - حَدَّثَنَا إِسْحَاقُ: أَخْبَرَنَا حَبَّانُ بْنُ هَلَالٍ قَالَ: حَدَّثَنَا شُعْبَةُ قَالَ: قَتَادَةُ أَخْبَرَنِي عَنْ صَالِحِ أَبِي الْخَلِيلِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ قَالَ: سَمِعْتُ حَكِيمَ بْنَ حِزَامٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «الْبَيْعَانِ بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا، فَإِنْ صَدَقَا وَبَيَّنَّا بُورِكَ لَهُمَا فِي بَيْعِهِمَا، وَإِنْ كَذَبَا وَكَتَمَا مُحِقَّتْ بَرَكَتُهُ بَيْنَهُمَا».

[راجع: ٢٠٧٩]

2111. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: Allāh's Messenger ﷺ said, "Both the buyer and the seller have the option of cancelling or confirming a bargain unless they separate, or the sale is optional." (See *Hadīth* No. 2107).

٢١١١ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «الْمُبْتَاعَانِ كُلُّ وَاحِدٍ مِنْهُمَا بِالْخِيَارِ عَلَى صَاحِبِهِ مَا لَمْ يَتَفَرَّقَا إِلَّا بَيْعَ الْخِيَارِ».

[راجع: ٢١٠٧]

(45) CHAPTER. If the buyer and the seller give each other the option of cancelling the bargain immediately after the bargain is made (while they are still together), the bargain is rendered final (even if they did not separate).

(٤٥) بَابُ إِذَا خَيَّرَ أَحَدُهُمَا صَاحِبَهُ بَعْدَ الْبَيْعِ فَقَدْ وَجَبَ الْبَيْعُ

2112. Narrated Ibn 'Umar رضي الله عنهما: Allāh's Messenger ﷺ said, "Both the buyer and the seller have the option of cancelling or confirming the bargain as long as they are still together; and unless they separate or one of them gives the other the option of keeping or returning the things and a decision is concluded then, in which case the bargain is considered as final. If they separate after the bargain and none of them has rejected it, then the bargain is rendered final."

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

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

2114. Narrated Ḥakīm bin Ḥizām رضي الله عنه: The Prophet ﷺ said, "Both the buyer and the seller have the option of cancelling or confirming the bargain unless they separate."

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

٢١١٢ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ قَالَ: «إِذَا تَبَايَعَ الرَّجُلَانِ فَكُلُّ وَاحِدٍ مِنْهُمَا بِالْخِيَارِ مَا لَمْ يَتَفَرَّقَا وَكَانَا جَمِيعًا، أَوْ يُخَيَّرَ أَحَدُهُمَا الْآخَرَ فِتْبَايَعًا عَلَى ذَلِكَ فَقَدْ وَجِبَ الْبَيْعُ، وَإِنْ تَفَرَّقَا بَعْدَ أَنْ يَتَبَايَعَا وَلَمْ يَتْرُكْ وَاحِدٌ مِنْهُمَا الْبَيْعَ فَقَدْ وَجِبَ الْبَيْعُ». [راجع: ٢١٠٧]

(٤٦) بَابُ إِذَا كَانَ الْبَائِعُ بِالْخِيَارِ هَلْ يَجُوزُ الْبَيْعُ؟

٢١١٣ - حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ: حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ: «كُلُّ بَيْعٍ لَا يَبِيعُ بَيْنَهُمَا حَتَّى يَتَفَرَّقَا إِلَّا بَيْعَ الْخِيَارِ». [راجع: ٢١٠٧]

٢١١٤ - حَدَّثَنِي إِسْحَاقُ: أَخْبَرَنَا جَبَّانُ: حَدَّثَنَا هَمَّامٌ، حَدَّثَنَا قَنَادَةُ، عَنْ أَبِي الْخَلِيلِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ حَكِيمِ بْنِ حِرَامٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ قَالَ: «الْبَيْعَانِ بِالْخِيَارِ حَتَّى يَتَفَرَّقَا». قَالَ هَمَّامٌ: وَجَدْتُ فِي كِتَابِي: «يُخْتَارُ - ثَلَاثَ مَرَارٍ - فَإِنْ صَدَقَا وَبَيَّنَّا بُورِكَ لَهُمَا فِي بَيْعِهِمَا، وَإِنْ كَذَبَا وَكَتَمَا فَعَسَى أَنْ يَرْبِحَا رِبْحًا وَيُفْسِدَا بَيْعَهُمَا».

قَالَ: وَحَدَّثَنَا هَمَّامٌ: حَدَّثَنَا أَبُو  
التَّيَّاحِ: أَنَّهُ سَمِعَ عَبْدَ اللَّهِ بْنَ الْحَارِثِ  
يُحَدِّثُ بِهَذَا الْحَدِيثِ عَنْ حَكِيمِ بْنِ  
حِزَامٍ عَنِ النَّبِيِّ ﷺ. [راجع: ٢٠٧٩]

(٤٧) **بَابُ إِذَا اشْتَرَى شَيْئًا فَوَهَبَ  
مِنْ سَاعَتِهِ قَبْلَ أَنْ يَتَفَرَّقَا وَلَمْ يُنْكِرِ  
الْبَائِعُ عَلَى الْمُشْتَرِي أَوْ اشْتَرَى عَبْدًا  
فَأَعْتَقَهُ.**

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

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

وَقَالَ طَاوُؤُسٌ فِيمَنْ يَشْتَرِي السَّلْعَةَ  
عَلَى الرُّضَا ثُمَّ بَاعَهَا: وَجِبَتْ لَهُ  
وَالرَّيْحُ لَهُ.

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

٢١١٥ - وَقَالَ الْحُمَيْدِيُّ: حَدَّثَنَا  
سُفْيَانُ: حَدَّثَنَا عَمْرُو، عَنِ ابْنِ عُمَرَ  
رَضِيَ اللَّهُ عَنْهُمَا قَالَ: سَأَلْنَا مَعَ النَّبِيِّ  
ﷺ فِي سَفَرٍ فَكُنْتُ عَلَى بَكْرِ صَعِبٍ  
لِعُمَرَ فَكَانَ يَغْلِبُنِي فَيَتَقَدَّمُ أَمَامَ الْقَوْمِ  
فَيَزْجُرُهُ عُمَرُ وَيُرُدُّهُ، ثُمَّ يَتَقَدَّمُ فَيَزْجُرُهُ  
عُمَرُ وَيُرُدُّهُ، فَقَالَ النَّبِيُّ ﷺ لِعُمَرَ:  
«بِعِينِهِ»، قَالَ: هُوَ لَكَ يَا رَسُولَ اللَّهِ.  
قَالَ رَسُولُ اللَّهِ ﷺ: «بِعِينِهِ»، فَبَاعَهُ  
مِنْ رَسُولِ اللَّهِ ﷺ. فَقَالَ النَّبِيُّ ﷺ:  
«هُوَ لَكَ يَا عَبْدَ اللَّهِ بْنِ عُمَرَ تَصْنَعُ بِهِ  
مَا شِئْتَ». [انظر: ٢٦١٠، ٢٦١١]

2116. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: I bartered my property in Khaibar<sup>(1)</sup> to 'Uthmān (chief of the faithful believers) for his property in Al-Wādī<sup>(2)</sup>. When we

٢١١٦ - قَالَ أَبُو عَبْدِ اللَّهِ: وَقَالَ  
اللَّيْثُ: حَدَّثَنِي عَبْدُ الرَّحْمَنِ بْنُ  
خَالِدٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمِ بْنِ

(1) (H.2116) Khaibar is six stages to the north-west of Al-Madīna.

(2) (H.2116) Al-Wādī is a district near Al-Madīna.

finished the deal, I left immediately and got out of his house lest he should cancel the deal, for the tradition was that the buyer and the seller had the option of cancelling the bargain unless they separated. When our deal was completed, I came to know that I had been unfair to 'Uthmān, for by selling him my land I caused him to be in the land of Thamūd, at a distance of three days' journey from Al-Madīna, while he made me nearer to Al-Madīna, at a distance of three days' journey from my former land.

عَبْدُ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: بَعْتُ مِنْ أَمِيرِ الْمُؤْمِنِينَ عُثْمَانَ بْنِ عَفَّانَ رَضِيَ اللَّهُ عَنْهُ مَالاً بِالوَادِي بِمَالٍ لَهُ بِحَبِيرٍ، فَلَمَّا تَبَايَعْنَا رَجَعْتُ عَلَى عَقْبِي حَتَّى خَرَجْتُ مِنْ بَيْتِهِ خَشِيَةً أَنْ يُرَادَنِي الْبَيْعُ، وَكَانَتْ السُّنَّةُ أَنَّ الْمُتَبَايِعِينَ بِالْخِيَارِ حَتَّى يَتَفَرَّقَا، قَالَ عَبْدُ اللَّهِ: فَلَمَّا وَجِبَ بَيْعِي وَبِيعَهُ رَأَيْتُ أَنِّي قَدْ عَبَسْتُهُ بِأَنِّي سَفَّتُهُ إِلَى أَرْضِ تَمُودَ بِثَلَاثِ لَيَالٍ وَسَافَنِي إِلَى الْمَدِينَةِ بِثَلَاثِ لَيَالٍ. [راجع: ٢١٠٧]

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

(٤٨) بَابُ مَا يُكْرَهُ مِنَ الْخِدَاعِ فِي الْبَيْعِ.

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

٢١١٧ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَجُلًا ذَكَرَ لِلنَّبِيِّ ﷺ أَنَّهُ يُخَدَعُ فِي الْبَيْعِ، فَقَالَ: «إِذَا بَايَعْتَ فَقُلْ: لَا خِلَابَةَ». [انظر: ٢٤٠٧، ٢٤١٤، ٦٩٦٤]

(49) CHAPTER. What is said about markets.

And narrated 'Abdur-Raḥmān bin 'Aūf: On our arrival in Al-Madīna, I asked whether there was a market of trading. Somebody said, "There is the market of Qainuqā'."

Narrated Anas: 'Abdur-Raḥmān said, "Show me the market." And 'Umar said, "Trading in the market diverted my attention (from better things)."

(٤٩) بَابُ مَا ذُكِرَ فِي الْأَسْوَاقِ، وَقَالَ عَبْدُ الرَّحْمَنِ بْنُ عَوْفٍ: لَمَّا قَدِمْنَا الْمَدِينَةَ، [قُلْتُ]: هَلْ مِنْ سُوقٍ فِيهِ تِجَارَةٌ؟ فَقَالَ: سُوقُ قَيْنُقَاعٍ. وَقَالَ أَنَسٌ: قَالَ عَبْدُ الرَّحْمَنِ: ذُلُونِي عَلَى السُّوقِ. وَقَالَ عُمَرُ: أَلْهَانِي الصَّفْقُ بِالْأَسْوَاقِ.

2118. Narrated 'Āishah رضي الله عنها: Allāh's Messenger ﷺ said, "An army will invade the Ka'bah and when the invaders reach Al-Baidā', all the ground will sink and swallow the whole army." I said, "O Allāh's Messenger! How will they sink into the ground while amongst them will be their markets (the people who worked in business and not invaders)<sup>(1)</sup> and the people not belonging to them?" The Prophet ﷺ replied, "All of those people will sink but they will be resurrected and judged according to their intentions."

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

The Prophet ﷺ further said, "One is

٢١١٨ - حَدَّثَنِي مُحَمَّدُ بْنُ الصَّبَّاحِ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ زَكَرِيَّاءَ، عَنْ مُحَمَّدِ ابْنِ سُوْفَةَ، عَنْ نَافِعِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ قَالَ: حَدَّثَنِي عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «يَعْرُو جَيْشُ الْكَعْبَةِ، فَإِذَا كَانُوا بَيْدَاءَ مِنَ الْأَرْضِ يُخَسَفُ بِأَوْلِهِمْ وَأَجْرِهِمْ». قَالَتْ: قُلْتُ: يَا رَسُولَ اللَّهِ، كَيْفَ يُخَسَفُ بِأَوْلِهِمْ وَأَجْرِهِمْ وَفِيهِمْ أَسْوَأُهُمْ وَمَنْ لَيْسَ مِنْهُمْ؟ قَالَ: «يُخَسَفُ بِأَوْلِهِمْ وَأَجْرِهِمْ، ثُمَّ يُعْتُونَ عَلَى نِيَّاتِهِمْ».

٢١١٩ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا جَرِيرٌ، عَنِ الْأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «صَلَاةُ أَحَدِكُمْ فِي جَمَاعَةٍ تَزِيدُ عَلَى صَلَاتِهِ فِي سُوقِهِ وَبَيْتِهِ بِضْعًا وَعِشْرِينَ دَرَجَةً، وَذَلِكَ بِأَنَّهُ إِذَا تَوَضَّأَ فَأَحْسَنَ الْوُضُوءَ، ثُمَّ أَتَى الْمَسْجِدَ لَا يُرِيدُ إِلَّا الصَّلَاةَ لَا يَنْهَزُهُ إِلَّا الصَّلَاةَ لَمْ يَخْطُ خَطْوَةً إِلَّا رُفِعَ بِهَا دَرَجَةً، أَوْ حُطَّتْ عَنْهُ بِهَا خَطِيئَةٌ. وَالْمَلَائِكَةُ تَصَلِّيُ عَلَى أَحَدِكُمْ مَا دَامَ فِي مُصَلَّاهُ الَّذِي يُصَلِّي فِيهِ، اللَّهُمَّ صَلِّ عَلَيْهِ، اللَّهُمَّ ارْحَمْهُ مَا لَمْ يُحَدِّثْ فِيهِ، مَا لَمْ يُؤْذِ

(1) (H. 2118) The Arabic word for 'markets' occurs in some narrations in the form of other words which are also probable. Those probable words stand for such words as 'nobles' or 'other people.'

regarded in *Ṣalāt* (prayer) so long as one is waiting for the *Ṣalāt* (prayer).”

**2120.** Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: While the Prophet ﷺ was in the market, somebody called, “O Abul-Qāsim.” The Prophet ﷺ turned to him. The man said, “I have called to this (i.e., another man).” The Prophet ﷺ said, “Name yourselves by my name but not by my *Kunya* (surname).”<sup>(1)</sup> (In Arab world it is the custom to call the man as the father of his eldest son, e.g., Abul-Qāsim.)

[See Vol. 4, *Ḥadīth* No.3537].

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

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

فِيهِ. وَقَالَ: «أَحَدُكُمْ فِي صَلَاةٍ مَا كَانَتْ الصَّلَاةُ تَحْسِبُهُ». [راجع: ١٧٦]

٢١٢٠ - حَدَّثَنَا آدَمُ بْنُ أَبِي إِيَاسٍ: حَدَّثَنَا شُعْبَةُ، عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللهُ عَنْهُ قَالَ: كَانَ النَّبِيُّ ﷺ فِي السُّوقِ فَقَالَ رَجُلٌ: يَا أَبَا الْقَاسِمِ، فَالْتَمَتَ إِلَيْهِ النَّبِيُّ ﷺ فَقَالَ: إِنَّمَا دَعَوْتُ هَذَا، فَقَالَ النَّبِيُّ ﷺ: «سَمُّوا بِاسْمِي وَلَا تَكُونُوا بِكُنْيَتِي». [انظر: ٣٥٣٧، ٢١٢١]

٢١٢١ - حَدَّثَنَا مَالِكُ بْنُ إِسْمَاعِيلَ: حَدَّثَنَا زُهَيْرٌ، عَنْ حُمَيْدٍ، عَنْ أَنَسِ رَضِيَ اللهُ عَنْهُ قَالَ: دَعَا رَجُلٌ بِالْقَاسِمِ: يَا أَبَا الْقَاسِمِ، فَالْتَمَتَ إِلَيْهِ النَّبِيُّ ﷺ فَقَالَ: لَمْ أَغْنِكُ، قَالَ: «سَمُّوا بِاسْمِي وَلَا تَكُونُوا بِكُنْيَتِي». [راجع: ٢١٢٠]

٢١٢٢ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللهِ: حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ اللهِ بْنِ أَبِي يَزِيدَ، عَنْ نَافِعِ بْنِ جُبَيْرِ بْنِ مُطْعِمٍ، عَنْ أَبِي هُرَيْرَةَ الدَّوْسِيِّ رَضِيَ اللهُ عَنْهُ قَالَ: خَرَجَ النَّبِيُّ ﷺ فِي طَائِفَةِ النَّهَارِ لَا يُكَلِّمُنِي وَلَا أَكَلِمُهُ حَتَّى أَتَى سُوقَ بَنِي قَيْنِقَاعٍ فَجَلَسَ بِفِنَاءِ بَيْتِ فَاطِمَةَ فَقَالَ: أَأَنْتُمْ لَكُمْ؟ أَمْ لَكُمْ؟ «فَحَبَسَهُ شَيْئًا فَظَنَنْتُ أَنَّهَا تَلْبَسُهُ

(1) (H. 2120) *Kunya* means calling a man: O father of so-and-so! Or calling a woman: O mother of so-and-so! And this is a custom of the 'Arabs.

سَخَابًا أَوْ تُعَسِّلُهُ، فَجَاءَ يَشْتَدُّ حَتَّى  
عَانَقَهُ وَقَبَّلَهُ فَقَالَ: «اللَّهُمَّ أَجِبْهُ  
وَأَجِبْ مَنْ يُجِبُّهُ». قَالَ سُفْيَانُ: قَالَ  
عُبَيْدُ اللَّهِ: أَخْبَرَنِي أَنَّهُ رَأَى نَافِعَ بْنَ  
جُبَيْرٍ أَوْ تَرَ بِرُكْعَةٍ. [انظر: ٥٨٨٤]

2123. Narrated Nāfi': Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا told us that the people used to buy food from the caravans in the lifetime of the Prophet ﷺ. The Prophet ﷺ used to forbid them to sell it at the very place where they had purchased it (but they were to wait) till they carried it to the market where foodstuff was sold.

٢١٢٣ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ  
الْمُنْدَرِيِّ: حَدَّثَنَا أَبُو ضَمْرَةَ: حَدَّثَنَا  
مُوسَى بْنُ عُقْبَةَ، عَنْ نَافِعٍ: حَدَّثَنَا  
ابْنُ عَمْرٍو: أَنَّهُمْ كَانُوا يَشْتَرُونَ الطَّعَامَ  
مِنَ الرُّكْبَانِ عَلَى عَهْدِ النَّبِيِّ ﷺ  
فَيَبِعُهُ عَلَيْهِمْ مَنْ يَمْنَعُهُمْ أَنْ يَبِيعُوهُ  
حَيْثُ اشْتَرَوْهُ حَتَّى يَنْقُلُوهُ حَيْثُ يَبِاعُ  
الطَّعَامُ. [انظر: ٢١٣١، ٢١٣٧، ٢١٦٦،  
٢١٦٧، ٦٨٥٢]

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

٢١٢٤ - قَالَ: وَحَدَّثَنَا ابْنُ عَمْرٍو  
رَضِيَ اللهُ عَنْهُمَا قَالَ: نَهَى النَّبِيُّ ﷺ  
أَنْ يَبِيعَ الطَّعَامَ إِذَا اشْتَرَاهُ حَتَّى  
يَسْتَوْفِيَهُ. [انظر: ٢١٢٦، ٢١٣٣، ٢١٣٦]  
(٥٠) بَابُ كَرَاهِيَةِ السَّخَبِ فِي  
السُّوقِ

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

2125. Narrated 'Atā' bin Yasār: I met 'Abdullāh bin 'Amr bin Al-'Ās and asked him, "Tell me about the description of Allāh's Messenger ﷺ which is mentioned in the Torah." He replied, "Yes. By Allāh, he is described in the Torah with some of the qualities attributed to him in the Qur'ān as follows:

٢١٢٥ - حَدَّثَنَا مُحَمَّدُ بْنُ سِنَانٍ:  
حَدَّثَنَا فُلَيْحٌ: حَدَّثَنَا هِلَالٌ، عَنْ عَطَاءِ  
بِنِ يَسَارٍ قَالَ: لَقِيتُ عَبْدَ اللَّهِ بْنَ  
عَمْرٍو بِنِ الْعَاصِي رَضِيَ اللهُ عَنْهُمَا،  
فَلْتُ: أَخْبَرَنِي عَنْ صِفَةِ رَسُولِ اللَّهِ  
ﷺ فِي التَّوْرَةِ. قَالَ: أَجَلٌ، وَاللَّهُ إِنَّهُ  
لَمَوْصُوفٌ فِي التَّوْرَةِ بِبَعْضِ صِفَتِهِ فِي  
الْقُرْآنِ: ﴿يَأْتِيهَا النَّبِيُّ إِنَّا أَرْسَلْنَاكَ

'O Prophet! We have sent you as a witness (for Allāh's True Religion) and a giver of glad tidings (to the faithful believers), and a warner (to the disbelievers), and guardian of



the illiterates. You are My slave and My Messenger. I have named you *Al-Mutawakkil* (who depends upon Allāh). You are neither discourteous, harsh, nor a noise-maker in the markets, and you do not do evil to those who do evil to you, but you deal with them with forgiveness and kindness. Allāh will not let him (the Prophet ﷺ) die till he makes straight the crooked people by making them say: *Lā ilāha illallāh* (none has the right to be worshipped but Allāh) with which will be opened blind eyes, deaf ears, and enveloped hearts.’ ”

شَهْدًا وَمُبَشِّرًا وَنَذِيرًا ﴿٤٩﴾ وَحِرْزًا لِلْأُمِّيِّينَ، أَنْتَ عَبْدِي وَرَسُولِي، سَمِيَّتْكَ الْمُتَوَكَّلَ. لَيْسَ بِفِظٍّ وَلَا غَلِيظٍ، وَلَا سَخَابٍ فِي الْأَسْوَاقِ، وَلَا يَدْفَعُ بِالسَّيِّئَةِ السَّيِّئَةَ، وَلَكِنْ يَغْفُو وَيَغْفِرُ. وَلَنْ يَقْبِضَهُ اللَّهُ حَتَّى يُقِيمَ بِهِ الْمِلَّةَ الْعَوْجَاءَ بَأَنْ يَقُولُوا: لَا إِلَهَ إِلَّا اللَّهُ، وَيُقْتَحَّ بِهَا أَعْيُنٌ عُمَى، وَأَذَانٌ صُمٌّ، وَقُلُوبٌ غُلْفٌ.

تَابَعَهُ عَبْدُ الْعَزِيزِ ابْنُ أَبِي سَلَمَةَ عَنِ هِلَالٍ. وَقَالَ سَعِيدٌ، عَنِ هِلَالٍ، عَنِ عَطَاءٍ، عَنِ ابْنِ سَلَامٍ.

[انظر: ٤٨٣٨]

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

(٥١) بَابُ الْكَيْلِ عَلَى الْبَائِعِ وَالْمُعْطِي،

And the Statement of Allāh عزَّ وجلَّ:

“And when they have to give by measure or weight to (other) men, give less than due.” (V.83:3)

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

Narrated ‘Uthmān رَضِيَ اللَّهُ عَنْهُ that the Prophet ﷺ told him, “If you are the seller, you have to measure, and if you are the buyer, then let the seller measure for you.”

وَقَوْلُ اللَّهِ عَزَّ وَجَلَّ: ﴿وَإِذَا كَالُوهُمْ أَوْ وَزَنُوهُمْ يُخْسِرُونَ﴾ [المطففين: ٣] يَعْنِي كَالُوا لَهُمْ أَوْ وَزَنُوا لَهُمْ. كَقَوْلِهِ: ﴿يَسْمَعُونَكَ﴾ [الشعراء: ٧٣] يَسْمَعُونَ لَكُمْ. وَقَالَ النَّبِيُّ ﷺ: «اِكْتَالُوا حَتَّى تَسْتَوْفُوا». وَيُذَكَّرُ عَنْ عُثْمَانَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا بَعْتَ فَاكْتَلْ، وَإِذَا ابْتَعْتَ فَاكْتَلْ».

2126. Narrated ‘Abdullāh bin ‘Umar رَضِيَ اللَّهُ عَنْهُمَا: Allāh’s Messenger ﷺ said, “He who buys foodstuff should not sell it till he takes all the measure which he has bought in full.”

٢١٢٦ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنِ نَافِعٍ، عَنِ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ

إِبْتَاعَ طَعَامًا فَلَا يَبْعُهُ حَتَّى يَسْتَوْفِيَهُ».

[راجع: ٢١٢٦]

2127. Narrated Jābir رَضِيَ اللهُ عَنْهُ: 'Abdullāh bin 'Amr bin Ḥarām died and was in debt to others. I asked the Prophet ﷺ to intercede with his creditors for some reduction in the debts. The Prophet ﷺ requested them (to reduce the debts), but they refused. The Prophet ﷺ said to me, "Go and put your dates (in heaps) according to their different kinds, the 'Ajwa on one side, the cluster of Zaid on another side, etc., then call me." I did that and called the Prophet ﷺ. He came and sat at the head or in the middle of the heaps and ordered me, "Measure (the dates) for the people (creditors)." I measured for them till I paid all the debts. My dates remained as if nothing had been taken from them.

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

٢١٢٧ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، عَنْ جَابِرِ رَضِيَ اللهُ عَنْهُ قَالَ: تَوَفَّى عَبْدُ اللهِ ابْنُ عَمْرٍو بْنِ حَرَامٍ وَعَلَيْهِ دَيْنٌ، فَاسْتَعْنَتُ النَّبِيَّ ﷺ عَلَى غُرْمَاتِهِ أَنْ يَضَعُوا مِنْ دَيْنِهِ، فَطَلَبَ النَّبِيُّ ﷺ إِلَيْهِمْ فَلَمْ يَقْعُلُوا. فَقَالَ لِي النَّبِيُّ ﷺ: «أَذْهَبْ فَصَنِّفْ تَمْرَكَ أَصْنَافًا: الْعَجْوَةَ عَلَى حِدَةٍ، وَعَدْقَ ابْنِ زَيْدٍ عَلَى حِدَةٍ، ثُمَّ أَرْسِلْ إِلَيَّ». فَفَعَلْتُ ثُمَّ أَرْسَلْتُ إِلَى النَّبِيِّ ﷺ فَجَاءَ فَجَلَسَ عَلَى أَعْلَاهُ أَوْ فِي وَسْطِهِ، ثُمَّ قَالَ: «كَيْلٌ لِلْقَوْمِ». فَكَيْلْتُهُمْ حَتَّى أَوْفَيْتُهُمُ الَّذِي لَهُمْ وَبَقِيَ تَمْرِي كَأَنَّهُ لَمْ يَنْقُصْ مِنْهُ شَيْءٌ.

وقال فراس، عن الشعبي: حَدَّثَنِي جَابِرٌ عَنِ النَّبِيِّ ﷺ: فَمَا زَالَ يَكِيلُ لَهُمْ حَتَّى أَدَاهُ. وَقَالَ هِشَامٌ، عَنْ وَهْبٍ، عَنْ جَابِرٍ قَالَ النَّبِيُّ ﷺ: «جَدُّ لَهُ فَأَوْفٍ لَهُ». [انظر: ٢٣٩٥، ٢٣٩٦، ٢٤٠٥، ٢٦٠١، ٢٧٠٩، ٢٧٨١،

[٦٢٥٠، ٤٠٥٣، ٣٥٨٠

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

(٥٢) بَابُ مَا يُسْتَحَبُّ مِنَ الْكَيْلِ

2128. Narrated Al-Miqdām bin Ma'dikarib رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Measure your foodstuff and you will be blessed."

٢١٢٨ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ مُوسَى: حَدَّثَنَا الْوَلِيدُ، عَنْ ثَوْرٍ، عَنْ

خَالِدِ بْنِ مَعْدَانَ، عَنِ الْمُقَدَّمِ بْنِ مَعْدِيكَرِبٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «كَيْلُوا طَعَامَكُمْ يُبَارِكْ لَكُمْ».

(53) CHAPTER. Allāh's Blessing in the Ṣā' and Mudd of the Prophet ﷺ.

(٥٣) بَابُ بَرَكَتِ صَاعِ النَّبِيِّ ﷺ وَمُدُّهُ

This has been narrated by 'Āishah رَضِيَ اللَّهُ عَنْهَا on the authority of the Prophet ﷺ.

فِيهِ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا عَنِ النَّبِيِّ ﷺ.

2129. Narrated 'Abdullāh bin Zaid رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "The Prophet Ibrahim (Abraham) made Makkah a sanctuary, and asked for Allāh's Blessing in it. I made Al-Madīna a sanctuary as Ibrahim made Makkah a sanctuary and I asked for Allāh's Blessing in its measures – the Mudd and the Ṣā' as Ibrahim did for Makkah."

٢١٢٩ - حَدَّثَنَا مُوسَى: حَدَّثَنَا وَهْبٌ: حَدَّثَنَا عَمْرُو بْنُ يَحْيَى، عَنْ عَبَّادِ بْنِ تَمِيمٍ الْأَنْصَارِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ زَيْدٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ: «أَنَّ إِبْرَاهِيمَ حَرَّمَ مَكَّةَ وَدَعَا لَهَا، وَحَرَّمْتُ الْمَدِينَةَ كَمَا حَرَّمَ إِبْرَاهِيمَ مَكَّةَ وَدَعَوْتُ لَهَا فِي مُدَّهَا وَصَاعِهَا مِثْلَ مَا دَعَا إِبْرَاهِيمَ [عَلَيْهِ السَّلَام] لِمَكَّةَ».

2130. Narrated Anas bin Malik رَضِيَ اللَّهُ عَنْهُ: Allāh's Messenger ﷺ said, "O Allāh bestow Your Blessings on their measures, bless their Mudd and Ṣā'." The Prophet ﷺ meant the people of Al-Madīna.

٢١٣٠ - حَدَّثَنِي عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «اللَّهُمَّ بَارِكْ لَهُمْ فِي مَكْيَالِهِمْ، وَبَارِكْ لَهُمْ فِي صَاعِهِمْ، وَمُدَّهُمْ» يَعْنِي: أَهْلَ الْمَدِينَةِ. [انظر:

[٧٣٣١، ٦٧١٤]

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

(٥٤) بَابُ مَا يُذَكَّرُ فِي بَيْعِ الطَّعَامِ وَالْحُكْرَةِ.

2131. Narrated Sālim that his father said, "I saw those who used to buy foodstuff without measuring or weighing in the lifetime

٢١٣١ - حَدَّثَنِي إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا الْوَلِيدُ بْنُ مُسْلِمٍ،

of the Prophet ﷺ being punished if they sold it before carrying it to their own houses.”

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

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

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

Narrated ‘Umar bin Al-Khaṭṭāb رضي الله عنه: Allāh’s Messenger ﷺ said, “The bartering of gold for gold<sup>(1)</sup>, is *Ribā*,

عَنِ الْأَوْزَاعِيِّ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: رَأَيْتُ الَّذِينَ يَشْتَرُونَ الطَّعَامَ مُجَارَفَةً يُضْرَبُونَ عَلَى عَهْدِ رَسُولِ اللَّهِ ﷺ أَنْ يَبِيعُوهُ حَتَّى يُؤْوُوهُ إِلَى رِحَالِهِمْ.

[انظر: ٢١٢٣]

**٢١٣٢ -** حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا وَهَيْبٌ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: «أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى أَنْ يَبِيعَ الرَّجُلُ طَعَامًا حَتَّى يَسْتَوْفِيَهُ. قُلْتُ لَابْنِ عَبَّاسٍ: كَيْفَ ذَاكَ؟ قَالَ: ذَاكَ دَرَاهِمٌ بِدَرَاهِمٍ، وَالطَّعَامُ مُرْجَأٌ. [قَالَ أَبُو عَبْدِ اللَّهِ: ﴿مُرْجُونَ﴾: التوبة ١٠٦ مَوْخَرُونَ].»

[انظر: ٢١٣٥]

**٢١٣٣ -** حَدَّثَنِي أَبُو الْوَلِيدِ: حَدَّثَنَا شُعْبَةُ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ دِينَارٍ قَالَ: سَمِعْتُ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا يَقُولُ: قَالَ النَّبِيُّ ﷺ: «مَنْ ابْتَاعَ طَعَامًا فَلَا يَبِعُهُ حَتَّى يَقْبِضَهُ.»

[راجع: ٢١٢٤]

**٢١٣٤ -** حَدَّثَنَا عَلِيُّ: حَدَّثَنَا سُفْيَانُ: كَانَ عَمْرُو بْنُ دِينَارٍ يُحَدِّثُ عَنِ الزُّهْرِيِّ، عَنْ مَالِكِ بْنِ أَوْسٍ أَنَّهُ قَالَ: مَنْ عِنْدَهُ صَرْفٌ؟ فَقَالَ طَلْحَةُ: أَنَا، حَتَّى يَجِيءَ خَازِنُنَا مِنَ الْعَابَةِ.

(1) (H. 2134) Some said, “Gold for gold.”

(usury), except if it is from hand to hand and equal in amount, and wheat grain for wheat grain is *Ribā* except if it is from hand to hand and equal in amount, and dates for dates is *Ribā*, except if it is from hand to hand and equal in amount; and barley for barley is *Ribā*, except if it is from hand to hand and equal in amount.”

[See *Ribā Al-Faḍl* in the glossary].

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

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

2136. Narrated Ibn 'Umar رضي الله عنهما: The Prophet ﷺ said, “The buyer of foodstuff should not sell it before it has been measured for him.” Ismā'il narrated instead, “He should not sell it before receiving it.”

قَالَ سُفْيَانُ: هُوَ الَّذِي حَفِظْنَاهُ مِنْ الزُّهْرِيِّ لَيْسَ فِيهِ زِيَادَةٌ. فَقَالَ: أَخْبَرَنِي مَالِكُ بْنُ أَوْسٍ: أَنَّهُ سَمِعَ عُمَرَ بْنَ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ يُخْبِرُ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «الذَّهَبُ بِالْوَرِقِ رِبَاً إِلَّا هَاءَ وَهَاءَ، وَالْبُرُّ بِالْبُرِّ رِبَاً إِلَّا هَاءَ وَهَاءَ، وَالتَّمْرُ بِالتَّمْرِ رِبَاً إِلَّا هَاءَ وَهَاءَ، وَالشَّعِيرُ بِالشَّعِيرِ رِبَاً إِلَّا هَاءَ وَهَاءَ». [انظر: ٢١٧٠، ٢١٧٤]

(٥٥) بَابُ بَيْعِ الطَّعَامِ قَبْلَ أَنْ يُقْبَضَ، وَيَبِعَ مَا لَيْسَ عِنْدَكَ.

٢١٣٥ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ قَالَ: الَّذِي حَفِظْنَاهُ مِنْ عَمْرِو بْنِ دِينَارٍ سَمِعَ طَاوُسًا يَقُولُ: سَمِعْتُ ابْنَ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا يَقُولُ: أَمَّا الَّذِي نَهَى عَنْهُ النَّبِيُّ ﷺ فَهُوَ الطَّعَامُ أَنْ يُبَاعَ حَتَّى يُقْبَضَ. قَالَ ابْنُ عَبَّاسٍ: وَلَا أَحْسِبُ كُلَّ شَيْءٍ إِلَّا مِثْلَهُ.

[راجع: ٢١٣٢]

٢١٣٦ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ: حَدَّثَنَا مَالِكُ، عَنْ نَافِعٍ، عَنِ ابْنِ عَمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ ابْتَاعَ طَعَامًا فَلَا يَبِعُهُ حَتَّى يَسْتَوْفِيَهُ». زَادَ إِسْمَاعِيلُ: فَلَا يَبِعُهُ حَتَّى يُقْبَضَهُ». [راجع: ٢١٢٤]

(1) (Ch. 55) If one buys foodstuff for one pound and sells it for two pounds before receiving it from the first seller, the transaction is illegal for it is usurious, for it is as if one bartered gold for gold, one pound for two pound. It is also the sale of something absent for something present which is also illegal. (*Al-Qastalāni* Vol. 4).

(56) CHAPTER. Whoever had the opinion that whoever bought foodstuff without measuring or weighing (blindly) should not sell it before bringing it into his house; and the punishment for whoever disobeys this order.

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

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

Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا said, "If at the time of the transaction the sold animal is living and then it dies while still in the custody of the seller, then the buyer is the loser."

2138. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: Rarely did the Prophet ﷺ fail to visit Abū Bakr's house everyday, either in the morning or in the evening. When the permission for emigration to Al-Madina was granted, all of a sudden the Prophet ﷺ came to us at noon and Abū Bakr was informed, who said, "Certainly the Prophet ﷺ has come for some urgent matter." The Prophet ﷺ said to Abū Bakr, when the latter entered, "Let nobody stay in your home." Abū Bakr said, "O Allāh's Messenger! There are only my two daughters (namely 'Āishah and Asmā) present." The Prophet ﷺ said, "I feel (am

(٥٦) بَابٌ مَنْ رَأَى إِذَا اشْتَرَى طَعَامًا جِزَافًا أَنْ لَا يَبِيعَهُ حَتَّى يُؤْوِيَهُ إِلَى رَحْلِهِ، وَالْأَدَبِ فِي ذَلِكَ.

٢١٣٧ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ:

حَدَّثَنَا اللَّيْثُ، عَنْ يُونُسَ، عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ: أَنَّ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: لَقَدْ رَأَيْتُ النَّاسَ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ يَبْتَاعُونَ جِزَافًا - يَعْنِي الطَّعَامَ - يُضْرَبُونَ أَنْ يَبِيعُوهُ فِي مَكَانِهِمْ حَتَّى يُؤْوُوهُ إِلَى رِحَالِهِمْ.

[راجع: ٢١٢٣]

(٥٧) بَابٌ إِذَا اشْتَرَى مَتَاعًا أَوْ دَابَّةً فَوَضَعَهُ عِنْدَ الْبَائِعِ أَوْ مَاتَ قَبْلَ أَنْ يُقْبِضَ.

وقال ابن عمر رضي الله عنهما: ما أدركت الصفقة حيا مجموعا فهو من المتاع.

٢١٣٨ - حَدَّثَنَا قُرُوبٌ بْنُ أَبِي

المَعْرَاءِ: أَخْبَرَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: لَقَلَّ يَوْمٌ كَانَ يَأْتِي عَلَى النَّبِيِّ ﷺ إِلَّا يَأْتِي فِيهِ بَيْتَ أَبِي بَكْرٍ أَحَدَ طَرَفِي النَّهَارِ، فَلَمَّا أُذِنَ لَهُ فِي الْخُرُوجِ إِلَى الْمَدِينَةِ لَمْ يَرْعْنَا إِلَّا وَقَدْ أَنَا نَاظِرًا فَخَبَّرَ بِهِ أَبُو بَكْرٍ، فَقَالَ: مَا جَاءَنَا النَّبِيُّ ﷺ فِي هَذِهِ

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

السَّاعَةَ إِلَّا لِأَمْرِ حَدَثَ. فَلَمَّا دَخَلَ عَلَيْهِ قَالَ لِأَبِي بَكْرٍ: «أَخْرِجْ مِنْ عِنْدِكَ». قَالَ: يَا رَسُولَ اللَّهِ، إِنَّمَا هُمَا ابْتَتَايَ - يَعْنِي عَائِشَةَ وَأَسْمَاءَ - قَالَ: «أَشْعَرْتَ أَنَّهُ قَدْ أُذِنَ لِي فِي الْخُرُوجِ؟» قَالَ: الصُّحْبَةَ يَا رَسُولَ اللَّهِ، قَالَ: «الصُّحْبَةَ»، قَالَ: يَا رَسُولَ اللَّهِ، إِنَّ عِنْدِي نَاقَتَيْنِ أَغَدَّدْتُهُمَا لِلْخُرُوجِ فَخُذْ إِحْدَاهُمَا، قَالَ: «قَدْ أَخَذْتُهَا بِالثَّمَنِ».

[راجع: ٤٧٦]

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

(٥٨) بَابٌ لَا يَبِيعُ عَلَى بَيْعِ أَحِيهِ، وَلَا يَسُومُ عَلَى سَوْمِ أَحِيهِ حَتَّى يَأْذَنَ لَهُ أَوْ يَتَرَكَ.

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

٢١٣٩ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنِي مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يَبِيعُ بَعْضُكُمْ عَلَى بَيْعِ أَحِيهِ». [انظر: ٢١٦٥، ٥١٤٢]

2140. Narrated Abū Hurairah رضي الله عنه said, “Allāh’s Messenger ﷺ forbade the selling of things by a town dweller on behalf of a desert dweller; and similarly *Najsh*<sup>(1)</sup> was

٢١٤٠ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا الزُّهْرِيُّ، عَنْ سَعِيدِ ابْنِ الْمُسَيَّبِ، عَنْ أَبِي هُرَيْرَةَ

(1) (H. 2140) *Najsh* means to offer a high price for something without having the intention to buy it but just to cheat somebody else who really wants to buy it. Such a person may agree with the seller to offer high prices before the buyers to cheat them, in which=

forbidden. And one should not urge somebody to return the goods to the seller so as to sell him his own goods; nor should one demand the hand of a girl who has already been engaged to someone else; and a woman should not try to cause some other woman to be divorced in order to take her place.

رَضِيَ اللهُ عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ ﷺ أَنْ يَبِيعَ حَاضِرٌ لِبَايَةٍ وَلَا تَنَاجَشُوا، وَلَا يَبِيعَ الرَّجُلُ عَلَى بَيْعِ أَخِيهِ، وَلَا يَحْطُبُ عَلَى خِطْبَةِ أَخِيهِ، وَلَا تَسْأَلُ الْمَرْأَةُ طَلَاقَ أُخْتِهَا لِتَكْفَأَ مَا فِي إِنْثَاهَا». [انظر: ٢١٤٨، ٢١٥٠، ٢١٥١، ٢١٦٠، ٢١٦٢، ٢٧٢٣، ٢٧٢٧، ٥١٤٤، ٥١٥٢، ٦٦٠١]

(59) CHAPTER. Selling by auction.

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

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

(٥٩) بَابُ بَيْعِ الْمَرْأِيَةِ وَقَالَ عَطَاءٌ: أَدْرَكْتُ النَّاسَ لَا يَرَوْنَ بِأَسَا بَيْعِ الْمَعَانِمِ فِيمَنْ يَزِيدُ. ٢١٤١ - حَدَّثَنَا بَشْرُ بْنُ مُحَمَّدٍ: أَخْبَرَنَا عَبْدُ اللهِ: أَخْبَرَنَا الْحُسَيْنُ الْمُكْتَبُ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللهُ عَنْهُمَا: أَنَّ رَجُلًا أَعْتَقَ غُلَامًا لَهُ عَنْ ذُبُرٍ. فَاحْتَاجَ فَأَخَذَهُ النَّبِيُّ ﷺ فَقَالَ: «مَنْ يَشْتَرِيهِ مِنِّي؟» فَاشْتَرَاهُ نَعِيمُ بْنُ عَبْدِ اللهِ بِكَذَا وَكَذَا، فَدَفَعَهُ إِلَيْهِ. [انظر: ٢٢٣٠، ٢٢٣١، ٢٤٠٣، ٢٤١٥، ٢٥٣٤، ٦٧١٦، ٦٩٤٧، ٧١٨٦]

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

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

(٦٠) بَابُ النَّجْشِ، وَمَنْ قَالَ: لَا يَجُوزُ ذَلِكَ الْبَيْعُ وَقَالَ ابْنُ أَبِي أَوْفَى: النَّاجِشُ كِلْ رِبَا حَائِنٌ. وَهُوَ خِدَاعٌ بَاطِلٌ لَا يَحِلُّ. قَالَ النَّبِيُّ ﷺ: «الْحَدِيثَةُ فِي

=case both this man and the seller are sinful. The seller may falsely tell the buyer that he (i.e. the seller) has previously bought the goods at a certain price which is in reality higher than the actual price.

(1) (Chap. 60) *An-Najash*: See the glossary.



lead to the Fire (Hell) and whoever does a deed which we have not ordered (anyone) to do (or is not in accord with our religion of Islāmic Monotheism) then that deed will not be accepted.” [See *Ḥadīth* No.2697. Also see *Fath Al-Bārī*]

2142. Narrated Ibn ‘Umar رضي الله عنهما: Allāh’s Messenger ﷺ forbade *Najsh*.

(61) CHAPTER. *Al-Gharar* (the sale of what is not present)<sup>(1)</sup> and *Habal-il-Habala* (i.e., the sale of what is in the womb of an animal).

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

(62) CHAPTER. *Al-Limās* or *Mulāmasa* sale<sup>(2)</sup>, i.e., by touching the thing only and not looking at it.

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

2144. Narrated Abū Sa‘īd رضي الله عنه: Allāh’s Messenger ﷺ forbade the selling by

النَّارِ، وَمَنْ عَمِلَ عَمَلًا لَيْسَ عَلَيْهِ أَمْرُنَا فَهُوَ رَدٌّ.

٢١٤٢ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ: حَدَّثَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: نَهَى النَّبِيُّ ﷺ عَنِ النَّجْشِ. [انظر: ٦٩٦٣]

(٦١) بَابُ بَيْعِ الْغَرَرِ وَحَبْلِ الْحَبَلَةِ

٢١٤٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ بَيْعِ حَبْلِ الْحَبَلَةِ، وَكَانَ بَيْعًا يَتَّبِعُهُ أَهْلُ الْجَاهِلِيَّةِ كَانَ الرَّجُلُ يَبْتَاعُ الْجَزُورَ إِلَى أَنْ تُنْتِجَ النَّاقَةُ ثُمَّ تُنْتِجَ الَّتِي فِي بَطْنِهَا. [انظر: ٢٢٥٦، ٣٨٤٣]

(٦٢) بَابُ بَيْعِ الْمُلَامَسَةِ

قَالَ أَنَسٌ: نَهَى النَّبِيُّ ﷺ عَنْهُ.

٢١٤٤ - حَدَّثَنَا سَعِيدُ بْنُ عُمَيْرٍ قَالَ: حَدَّثَنِي اللَّيْثُ قَالَ: حَدَّثَنِي

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

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

*Munābadha*,<sup>(1)</sup> i.e., to sell one's garment by casting it to the buyer not allowing him to examine or see it.

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

عُقِيلٌ، عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي  
عَامِرُ بْنُ سَعْدٍ أَنَّ أَبَا سَعِيدٍ رَضِيَ اللَّهُ  
عَنْهُ: أَخْبَرَهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى  
عَنِ الْمُنَابَذَةِ، وَهِيَ طَرْحُ الرَّجُلِ ثَوْبَهُ  
بِالْبَيْعِ إِلَى رَجُلٍ قَبْلَ أَنْ يُقْلَبَهُ أَوْ يُنْظَرَ  
إِلَيْهِ. وَنَهَى عَنِ الْمُلَامَسَةِ،  
وَالْمُلَامَسَةُ لَمَسُ الثَّوْبِ لَا يُنْظَرُ إِلَيْهِ.

[راجع: ٣٦٧]

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

٢١٤٥ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا عَبْدُ  
الْوَهَّابِ: حَدَّثَنَا أَيُّوبُ، عَنْ مُحَمَّدٍ،  
عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ:  
نَهَى عَنْ لِيْسَتَيْنِ، أَنْ يَخْتَبِيَ الرَّجُلُ  
فِي الثَّوْبِ الْوَاحِدِ ثُمَّ يَرْفَعُهُ عَلَى  
مَنْكِبِهِ. وَعَنْ بَيْعَتَيْنِ: اللَّمَّاسِ  
وَالنَّبَاذِ. [راجع: ٣٦٨]

(٦٣) بَابُ بَيْعِ الْمُنَابَذَةِ.

(63) CHAPTER. Selling by *Munābadha*.

And Anas said, "The Prophet ﷺ forbade  
such sale."

2146. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ:  
Allāh's Messenger ﷺ forbade selling by  
*Mulāmasa* and *Munābadha*.

وَقَالَ أَنَسٌ: نَهَى عَنْهُ النَّبِيُّ ﷺ.  
٢١٤٦ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ:  
حَدَّثَنِي مَالِكٌ، عَنْ مُحَمَّدِ بْنِ يَحْيَى  
بِإِسْنَانٍ، عَنْ أَبِي الزُّنَادِ، عَنِ  
الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ  
عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ  
الْمُلَامَسَةِ وَالْمُنَابَذَةِ. [راجع: ٣٦٨]

2147. Narrated Abū Sa'īd رَضِيَ اللَّهُ عَنْهُ: The  
Prophet ﷺ forbade two kinds of dresses and

٢١٤٧ - حَدَّثَنَا عَيَّاشُ بْنُ الْوَلِيدِ:

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

two kinds of sale, i.e., *Mulāmasa* and *Munābadha*.

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

2148. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ : The Prophet ﷺ said, "Don't keep camels and sheep un milked for a long time, for whoever buys such an animal has the option to milk it, and then either to keep it or return it to the owner along with one *Ṣā'* of dates."

Some narrated from Ibn Sīrīn (that the Prophet ﷺ had said), "One *Ṣā'* of wheat, and he has the option for three days."

And some narrated from Ibn Sīrīn, "...a *Ṣā'* of dates," not mentioning the option for three days. But a *Ṣā'* of dates' is mentioned in most of the narrations.

2149. Narrated 'Abdullāh bin Mas'ūd رَضِيَ اللهُ عَنْهُ : Whoever buys a sheep which has not been milked for a long time, has the option of

حَدَّثَنَا عَبْدُ الْأَعْلَى : حَدَّثَنَا مَعْمَرٌ، عَنِ الزُّهْرِيِّ، عَنْ عَطَاءِ بْنِ يَزِيدَ، عَنْ أَبِي سَعِيدٍ رَضِيَ اللهُ عَنْهُ قَالَ: نَهَى النَّبِيُّ ﷺ عَنْ لَيْسَتَيْنِ وَعَنْ بَيْعَتَيْنِ، الْمُلَامَسَةِ وَالْمُنَابَذَةِ. [راجع: ٣٦٧]

(٦٤) بَابُ النَّهْيِ لِلْبَائِعِ أَنْ لَا يُحْفَلَ الْإِبِلَ وَالْبَقَرَ وَالغَنَمَ وَكُلَّ مُحْفَلَةٍ، وَالْمُصْرَاةَ الَّتِي صُرِّيَ لَبْنُهَا وَحُقِنَ فِيهِ وَجُمِعَ فَلَمْ يُحْلَبْ أَيَّامًا. وَأَصْلُ التَّصْرِيَةِ: حَبَسَ الْمَاءَ، يُقَالُ مِنْهُ: صَرَيْتُ الْمَاءَ: إِذَا حَبَسْتَهُ.

٢١٤٨ - حَدَّثَنَا ابْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ جَعْفَرِ بْنِ رَبِيعَةَ، عَنِ الْأَعْرَجِ، قَالَ أَبُو هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ: «لَا تُصْرُوا الْإِبِلَ وَالغَنَمَ، فَمَنْ ابْتَاعَهَا بَعْدَ فَإِنَّهُ بِخَيْرِ الظَّنِّ بَعْدَ أَنْ يَحْتَلِبَهَا، إِنْ شَاءَ أَمْسَكَ وَإِنْ شَاءَ رَدَّهَا وَصَاعَ تَمْرٍ». وَيَذْكُرُ عَنْ أَبِي صَالِحٍ وَمُجَاهِدٍ وَالْوَلِيدِ بْنِ رَبَاحٍ وَمُوسَى بْنِ يَسَارٍ عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ: «صَاعَ تَمْرٍ». وَقَالَ بَعْضُهُمْ عَنْ ابْنِ سِيرِينَ صَاعًا مِنْ طَعَامٍ وَهُوَ بِالْخِيَارِ ثَلَاثًا. وَقَالَ بَعْضُهُمْ عَنْ ابْنِ سِيرِينَ: «صَاعًا مِنْ تَمْرٍ»، وَلَمْ يَذْكُرْ: ثَلَاثًا. وَالتَّمْرُ أَكْثَرُ. [راجع: ٢١٤٠]

٢١٤٩ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا مُعْتَمِرٌ قَالَ: سَمِعْتُ أَبِي يَقُولُ:

returning it along with one *Ṣā'* of dates; and the Prophet ﷺ forbade going to meet the seller on the way (as he has no knowledge of the market price and he may sell his goods at a low price).

2150. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "Do not go forward to meet the caravan (to buy from it on the way before it reaches the town). And do not urge buyers to cancel their purchases to sell them (your own goods) yourselves, and do not practise *Najsh*. A town dweller should not sell the goods for the desert dweller. Do not leave sheep un milked for a long time when they are on sale, and whoever buys such an animal has the option of returning it, after milking it, along with a *Ṣā'* of dates or keeping it."

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

2151. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "Whoever buys a sheep which has been kept un milked for a long period, and milks it, can keep it if he is satisfied, and if he is not satisfied, he can return it, but he should pay one *Ṣā'* of dates for the milk."

حَدَّثَنَا أَبُو عُمَانَ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: مَنْ اشْتَرَى شَاةً مُحْفَلَةً فَرَدَّهَا فَلْيُرِدَّ مَعَهَا صَاعًا مِنْ تَمْرٍ وَنَهَى النَّبِيُّ ﷺ أَنْ تُلْقَى الْبَيْعُ. [انظر: ٢١٦٤]

٢١٥٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ أَبِي الزُّنَادِ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَلْقُوا الرُّكْبَانَ، وَلَا يَبِعْ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ وَلَا تَنَاجَشُوا، وَلَا يَبِعْ حَاضِرٌ لِبَادٍ، وَلَا تُصَرُّوا الْعَنَمَ. وَمَنْ ابْتَاعَهَا فَهُوَ بِخَيْرِ النَّظَرَيْنِ بَعْدَ أَنْ يَحْلِبُهَا، إِنْ رَضِيَهَا أَمْسَكَهَا، وَإِنْ سَخِطَهَا رَدَّهَا وَصَاعًا مِنْ تَمْرٍ». [راجع: ٢١٤٠]

(٦٥) بَابُ إِنْ شَاءَ رَدُّ الْمُصْرَاةِ وَفِي حَلْبَتِهَا صَاعٌ مِنْ تَمْرٍ.

٢١٥١ - حَدَّثَنَا مُحَمَّدُ بْنُ عَمْرٍو: حَدَّثَنَا الْمَكِّيُّ: أَخْبَرَنَا ابْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي زِيَادٌ: أَنَّ ثَابِتًا مَوْلَى عَبْدِ الرَّحْمَنِ بْنِ زَيْدٍ أَخْبَرَهُ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ اشْتَرَى عَنَمًا مُصْرَاةً فَاحْتَلَبَهَا فَإِنْ رَضِيَهَا أَمْسَكَهَا، وَإِنْ سَخِطَهَا فَفِي حَلْبَتِهَا صَاعٌ مِنْ تَمْرٍ». [راجع: ٢١٤٠]

(66) CHAPTER. The selling of an adulterer slave.

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

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

2153, 2154. Narrated Abū Hurairah and Zaid bin Khalid رَضِيَ اللهُ عَنْهُمَا: Allāh's Messenger ﷺ was asked about the slave-girl, if she was a virgin and committed illegal sexual intercourse. The Prophet ﷺ said, "If she committed sexual intercourse, lash her, and if she did it a second time, then lash her again, and if she repeated the third time, then sell her even for a hair rope." Ibn Shihāb said, "I don't know whether to sell her after the third or fourth offense."

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

2155. Narrated 'Aishah رَضِيَ اللهُ عَنْهَا: Allāh's Messenger ﷺ came to me and I told

(٦٦) بَابُ بَيْعِ الْعَبْدِ الرَّانِي .

وقال شُرَيْحٌ: إِنْ شَاءَ رَدَّ مِنَ الرَّانَا .

٢١٥٢ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: حَدَّثَنَا اللَّيْثُ قَالَ: حَدَّثَنِي سَعِيدُ الْمَقْبُرِيُّ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّهُ سَمِعَهُ يَقُولُ: قَالَ النَّبِيُّ ﷺ: «إِذَا زَنَتِ الْأَمَةُ فَتَبَيَّنَ زَنَاهَا فَلْيَجْلِدْهَا وَلَا يَتْرُبْ. ثُمَّ إِنْ زَنَتِ فَلْيَجْلِدْهَا وَلَا يَتْرُبْ. ثُمَّ إِنْ زَنَتِ الثَّلَاثَةَ فَلْيَبِعْهَا وَلَوْ بِحَبْلِ مِنْ شَعْرٍ». [انظر: ٢١٥٣، ٢٢٣٣، ٢٢٣٤، ٢٥٥٥، ٦٨٣٧، ٦٨٣٩]

٢١٥٣، ٢١٥٤ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنِي مَالِكٌ، عَنْ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي هُرَيْرَةَ وَزَيْدِ بْنِ خَالِدٍ رَضِيَ اللهُ عَنْهُمَا: أَنَّ رَسُولَ اللهِ ﷺ سُئِلَ عَنِ الْأَمَةِ إِذَا زَنَتِ وَلَمْ تُحْصَنْ قَالَ: «إِنْ زَنَتِ فَاجْلِدُوهَا، ثُمَّ إِنْ زَنَتِ فَاجْلِدُوهَا، ثُمَّ إِنْ زَنَتِ فَبِيعُوهَا وَلَوْ بِصَفِيرٍ». قَالَ ابْنُ شِهَابٍ: لَا أَذْرِي أْبَعْدَ الثَّلَاثَةِ أَوْ الرَّابِعَةِ. [راجع: ٢١٥٢، ٢٢٣٢، ٢٥٥٦، ٦٨٣٨]

(٦٧) بَابُ الشَّرَاءِ وَالْبَيْعِ مَعَ النِّسَاءِ

٢١٥٥ - حَدَّثَنَا أَبُو الْيَمَانِ:

him about the slave-girl (Barira) Allāh's Messenger ﷺ said, "Buy and manumit her, for the *Walā'*<sup>(1)</sup> is for the one who manumits." In the evening the Prophet ﷺ got up and glorified Allāh as He deserved and then said, "Why do some people impose conditions which are not present in Allāh's Book (laws)? Whoever imposes such a condition as is not in Allāh's Laws, then that condition is invalid even if he imposes one hundred conditions, for Allāh's Conditions are the Truth and the most reliable."

2156. Narrated 'Abdullāh bin 'Umar رضي الله عنهما wanted to buy Barira and he (the Prophet ﷺ) went out for the *Salāt* (prayer). When he returned, she told him that they (her masters) refused to sell her except on the condition that her *Walā'* would go to them. The Prophet ﷺ replied, "The *Walā'* would go to him who manumits." Hammām asked Nāfi' whether Barira's husband was a free man or a slave. He replied that he did not know.

أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ، قَالَ عُرْوَةُ بْنُ الزُّبَيْرِ: قَالَتْ عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا: دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ فَذَكَرْتُ لَهُ فَقَالَ رَسُولُ اللَّهِ ﷺ: «اشْتَرِي وَأَعْتَقِي فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ»، ثُمَّ قَامَ النَّبِيُّ ﷺ مِنَ الْعَشِيِّ فَأَنْتَى عَلَى اللَّهِ بِمَا هُوَ أَهْلُهُ، ثُمَّ قَالَ: «مَا بَالُ النَّاسِ يَشْتَرِطُونَ شُرُوطًا لَيْسَ فِي كِتَابِ اللَّهِ مِنْ اشْتَرَطَ شَرْطًا لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ وَإِنْ اشْتَرَطَ مِائَةَ شَرْطٍ، شَرْطُ اللَّهِ أَحَقُّ وَأَوْثَقُ». [راجع: ٤٥٦]

٢١٥٦ - حَدَّثَنَا حَسَّانُ بْنُ أَبِي عَبَّادٍ: حَدَّثَنَا هَمَّامٌ قَالَ: سَمِعْتُ نَافِعًا: عَنِ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا سَاوَمَتْ بَرِيرَةَ فَخَرَجَ إِلَى الصَّلَاةِ. فَلَمَّا جَاءَ قَالَتْ: إِنَّهُمْ أَبَوَا أَنْ يَبِيعُوهَا إِلَّا أَنْ يَشْتَرِطُوا الْوَلَاءَ فَقَالَ النَّبِيُّ ﷺ: «إِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». قُلْتُ لِنَافِعٍ: حُرًّا كَانَ زَوْجَهَا أَوْ عَبْدًا؟ فَقَالَ: مَا يُدْرِينِي؟ [انظر: ٢١٦٩، ٢٥٦٢، ٦٧٥٢، ٦٧٥٧، ٦٧٥٩]

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

The Prophet ﷺ said, "If somebody asked

(٦٨) بَابُ هَلْ يَبِيعُ حَاضِرٌ لِبَادٍ بِغَيْرِ أَجْرٍ؟ وَهَلْ يُعِينُهُ أَوْ يَنْصَحُهُ؟ وَقَالَ النَّبِيُّ ﷺ: «إِذَا اسْتَنْصَحَ

(1) (H. 2155) *Walā'*: See glossary.

the advice of someone else, then the latter should advise him." Aṭā allowed it (selling the goods of a desert dweller by a town dweller).

2157. Narrated Jarīr رَضِيَ اللهُ عَنْهُ: I gave the *Bai'a* (pledge) to Allāh's Messenger ﷺ for the following: (1) To testify that *Lā ilāha illallāh wā anna Muḥammad-ar-Rasūl Allāh* (none has the right to be worshipped but Allāh, and Muḥammad is Allāh's Messenger), (2) *Iqāmat-aṣ-Ṣalāt*, (3) To pay the *Zakāt*, (4) To listen to and obey (Allāh's and His Prophet's Orders), (5) To be sincere and true to every Muslim [i.e. order them for *Al-Ma'rūf* (Islamic Monotheism and all that Islam orders one to do) and forbid them from *Al-Munkar* (disbelief and polytheism and all that Islam has forbidden) and to help them, and to be merciful and kind to them].

[See H.57 & its chapter].

2158. Narrated Ibn 'Abbās رَضِيَ اللهُ عَنْهُمَا: Allāh's Messenger ﷺ said, "Do not go to meet the caravans on the way (for buying their goods without letting them know the market price); a town dweller should not sell the goods of a desert dweller on behalf of the latter." Ibn 'Abbās was asked, "What does he mean by not selling the goods of a desert dweller by a town dweller?" He said, "He should not become his broker."

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

2159. Narrated 'Abdullāh bin 'Umar رَضِيَ اللهُ عَنْهُمَا: Allāh's Messenger ﷺ forbade the selling of the goods of a desert dweller by a town person.

أَحَدُكُمْ أَخَاهُ فَلْيَنْصَحْ لَهُ»، وَرَحَّصَ فِيهِ عَطَاءً.

٢١٥٧ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ، عَنْ إِسْمَاعِيلَ، عَنْ قَيْسٍ: سَمِعْتُ جَرِيرًا رَضِيَ اللَّهُ عَنْهُ يَقُولُ: بَايَعْتُ رَسُولَ اللَّهِ ﷺ عَلَى شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَإِقَامِ الصَّلَاةِ، وَإِيتَاءِ الزَّكَاةِ، وَالسَّمْعِ وَالطَّاعَةِ، وَالنُّصْحِ لِكُلِّ مُسْلِمٍ». [راجع: ٥٧]

٢١٥٨ - حَدَّثَنَا الصَّلْتُ بْنُ مُحَمَّدٍ: حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا مَعْمَرٌ، عَنْ عَبْدِ اللَّهِ بْنِ طَاوُسٍ عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَلْقُوا الرُّكْبَانَ وَلَا يَبِيعَ حَاضِرٌ لِبَادٍ». قَالَ: قُلْتُ لَابْنِ عَبَّاسٍ: مَا قَوْلُهُ: «لَا يَبِيعُ حَاضِرٌ لِبَادٍ»؟ قَالَ: لَا يَكُونُ لَهُ سِمْسَارًا. [انظر: ٢١٦٣، ٢٢٧٤]

(٦٩) بَابُ مَنْ كَرِهَ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ بِأَجْرِ

٢١٥٩ - حَدَّثَنِي عَبْدُ اللَّهِ بْنُ صَبَّاحٍ: حَدَّثَنَا أَبُو عَلِيٍّ الْحَنْفِيُّ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ عَبْدِ اللَّهِ بْنِ دِينَارٍ

قَالَ: حَدَّثَنِي أَبِي عَنْ عَبْدِ اللَّهِ بْنِ  
عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: نَهَى  
رَسُولُ اللَّهِ ﷺ أَنْ يَبِيعَ حَاضِرٌ لِبَادٍ.  
وَبِهِ قَالَ ابْنُ عَبَّاسٍ.

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

Ibn Sirīn and Ibrāhīm disliked (working as a broker for a desert dweller) whether as a seller or a buyer. Ibrāhīm said, "Arabs use the word 'to buy' in the meaning of 'to sell'."

(٧٠) بَابُ يَشْتَرِي حَاضِرٌ لِبَادٍ  
بِالسَّمَرَةِ

وَكَرِهَهُ ابْنُ سِيرِينَ وَإِبْرَاهِيمُ لِلْبَايِعِ  
وَالْمَشْتَرِي. قَالَ إِبْرَاهِيمُ: إِنَّ الْعَرَبَ  
تَقُولُ: بَع لِي ثَوْبًا، وَهِيَ تَعْنِي  
الشَّرَاءَ.

2160. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: Allāh's Messenger ﷺ said, "A buyer should not urge a seller to restore a purchase so as to buy it himself, and do not practise *Najsh*; and a town dweller should not sell goods of a desert dweller."

٢١٦٠ - حَدَّثَنَا الْمَكِّي بْنُ  
إِبْرَاهِيمَ قَالَ: أَخْبَرَنِي ابْنُ جُرَيْجٍ،  
عَنْ ابْنِ شِهَابٍ، عَنْ سَعِيدِ بْنِ  
الْمُسَيَّبِ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ  
عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا  
يَبْتَاعُ الْمَرْءُ عَلَى بَيْعِ أَخِيهِ، وَلَا  
تَنَاجَشُوا، وَلَا يَبِيعُ حَاضِرٌ لِبَادٍ».  
[راجع: ٢١٤٠]

2161. Narrated Anas bin Mālik رَضِيَ اللَّهُ عَنْهُ: We were forbidden that a town dweller should sell goods of a desert dweller.

٢١٦١ - حَدَّثَنِي مُحَمَّدُ بْنُ  
الْمَثْنَى: حَدَّثَنَا مُعَاذٌ: حَدَّثَنَا ابْنُ  
عَوْنٍ، عَنْ مُحَمَّدٍ: قَالَ أَنَسُ بْنُ  
مَالِكٍ رَضِيَ اللَّهُ عَنْهُ: نُهِنَا أَنْ يَبِيعَ  
حَاضِرٌ لِبَادٍ.

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

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

(٧١) بَابُ النَّهْيِ عَنْ تَلْقَى الرُّكْبَانَ،  
وَأَنْ يَبْعَهُ مَرْدُودٌ لِأَنَّ صَاحِبَهُ عَاصٍ آتِمٌ  
إِذَا كَانَ بِهِ عَالِمًا وَهُوَ خِدَاعٌ فِي الْبَيْعِ  
وَالْخِدَاعُ لَا يَجُوزُ.

2162. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ forbade the meeting (of

٢١٦٢ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ:



caravans) on the way and the selling of goods by an inhabitant of the town on behalf of a desert dweller.

2163. Narrated Ṭāwūs: I asked Ibn 'Abbās, "What is the meaning of: 'No town dweller should sell (or buy) on behalf of a desert dweller?'"

Ibn 'Abbās رضي الله عنهما said, "It means he should not become his broker."

2164. Narrated 'Abdullāh عنه الله رضي: Whoever buys an animal which has been kept un milked for a long time, could return it, but has to pay a ṣā' of dates along with it. And the Prophet ﷺ forbade meeting the owners of goods on the way, away from the market.

2165. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: Allāh's Messenger ﷺ said, "You should not try to cancel the purchases of one another (to get a benefit thereof), and do not go ahead to meet the caravan (for buying the goods) (but wait) till it reaches the market."

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

2166. Narrated 'Abdullāh عنه الله رضي: We used to go ahead to meet the caravan and used to buy foodstuff from them. The

حَدَّثَنَا عَبْدُ الْوَهَّابِ: حَدَّثَنَا عَبْدُ اللَّهِ الْعُمَرِيُّ عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى النَّبِيُّ ﷺ عَنِ التَّلْقِي وَأَنْ يَبِيعَ حَاضِرٌ لِيَادٍ. [راجع: ٢١٤٠]

٢١٦٣ - حَدَّثَنَا عِيَّاشُ بْنُ الْوَلِيدِ: حَدَّثَنَا عَبْدُ الْأَعْلَى، حَدَّثَنَا مَعْمَرٌ، عَنْ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ قَالَ: سَأَلْتُ ابْنَ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: مَا مَعْنَى قَوْلِهِ: «لَا يَبِيعَنَّ حَاضِرٌ لِيَادٍ»؟ فَقَالَ: يَكُونُ لَهُ سِمْسَارًا. [راجع: ٢١٥٨]

٢١٦٤ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَزِيدُ بْنُ زُرْعَةَ قَالَ: حَدَّثَنِي التَّمِيمِيُّ، عَنْ أَبِي عُمَانَ عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: مَنْ اشْتَرَى مُحْفَلَةً فَلْيُرِدْ مَعَهَا صَاعًا. قَالَ: وَنَهَى النَّبِيُّ ﷺ عَنِ تَلْقَى الْبُيُوعِ. [راجع: ٢١٤٩]

٢١٦٥ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يَبِيعُ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ، وَلَا تَلْفَقُوا السَّلْعَ حَتَّى يُهَيِّطَ بِهَا إِلَى السُّوقِ». [راجع: ٢١٣٩]

(٧٢) بَابُ مَتْنَى التَّلْقَى

٢١٦٦ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ قَالَ: حَدَّثَنَا جُوَيْرِيَةُ، عَنْ

Prophet ﷺ forbade us to sell it till the foodstuff has reached the market.

نَافِعٌ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: كُنَّا نَتَلَقَى الرُّكْبَانَ فَنَشْتَرِي مِنْهُمْ الطَّعَامَ فَهَنَانَا النَّبِيُّ ﷺ أَنْ نَبِيعَهُ حَتَّى يَبْلُغَ بِهِ سَوْقُ الطَّعَامِ. [راجع: ٢١٢٣]

قَالَ أَبُو عَبْدِ اللَّهِ: هَذَا فِي أَعْلَى السُّوقِ وَيَبِينُهُ حَدِيثُ عُبَيْدِ اللَّهِ.

2167. Narrated 'Abdullāh رَضِيَ اللَّهُ عَنْهُ:

Some people used to buy foodstuff at the head of the market and used to sell it on the spot. Allāh's Messenger ﷺ forbade them to sell it till they brought it to (their) places.

٢١٦٧ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَحْيَى، عَنْ عُبَيْدِ اللَّهِ قَالَ: حَدَّثَنِي نَافِعٌ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: كَانُوا يَتَّاعُونَ الطَّعَامَ فِي أَعْلَى السُّوقِ فَيَبِيعُونَهُ فِي مَكَانِهِ، فَهَنَاهُمْ رَسُولُ اللَّهِ ﷺ أَنْ يَبِيعُوهُ فِي مَكَانِهِ حَتَّى يَنْقُלוهُ. [راجع: ٢١٢٣]

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

2168. Narrated 'Urwa رَضِيَ اللَّهُ عَنْهَا: 'Aishah said, "Barira came to me and said, 'I have agreed with my masters to pay them nine *Uqīya* (of gold) (in instalments) one *Uqīya* per year; please help me.' I said, 'I am ready to pay the whole amount now provided your masters agree that your *Walā'* will be for me.' So, Barira went to her masters and told them about that offer but they refused to accept it. She returned, and at that time, Allāh's Messenger ﷺ was sitting (present). Barira said, 'I told them of the offer but they did not accept it and insisted on having the *Walā'*. The Prophet ﷺ heard that." 'Aishah narrated the whole story to the Prophet ﷺ. He said to her, "Buy her and stipulate that her *Walā'* would be yours as the *Walā'* is for the manumitter." 'Aishah did so. Then Allāh's Messenger ﷺ stood up in front of the people, and after glorifying Allāh, he

(٧٣) بَابُ إِذَا اشْتَرَطَ فِي الْبَيْعِ شَرْطًا لَا تَحِلُّ

٢١٦٨ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُونُسَ: أَخْبَرَنَا مَالِكٌ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: جَاءَتْنِي بَرِيرَةُ فَقَالَتْ: كَاتِبْتُ أَهْلِي عَلَى تِسْعِ أَوْاقٍ، فِي كُلِّ عَامٍ أَوْقِيَةً، فَأَعِينِينِي. فَقُلْتُ: إِنْ أَحَبَّ أَهْلُكَ أَنْ أَعِدَّهَا لَهُمْ وَيَكُونُوا لِأَوْلَادِكَ لِي فَعَلْتُ. فَذَهَبَتْ بَرِيرَةُ إِلَى أَهْلِهَا، فَقَالَتْ لَهُمْ فَأَبَوْا ذَلِكَ عَلَيْهَا. فَجَاءَتْ مِنْ عِنْدِهِمْ وَرَسُولُ اللَّهِ ﷺ جَالِسٌ، فَقَالَتْ: إِنِّي عَرَضْتُ ذَلِكَ عَلَيْهِمْ فَأَبَوْا إِلَّا أَنْ يَكُونَ الْوَلَاءُ لَهُمْ. فَسَمِعَ النَّبِيُّ ﷺ، فَأَخْبَرَتْ عَائِشَةُ

said, 'Ammā Ba'du (i.e., then after)! What about the people who impose conditions which are not in Allāh's Book (laws)? Any condition that is not in Allāh's Book (Laws) is invalid even if they were one hundred conditions, for Allāh's Decisions are the right ones and His Conditions are the strong ones (firmer) and the *Walā'* will be for the manumitter."

رضي الله عنها النبي ﷺ قَالَ: «حُذِيهَا وَاشْتَرِطِي لَهُمُ الْوَلَاءَ فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ»، فَفَعَلْتَ عَائِشَةُ. ثُمَّ قَامَ رَسُولُ اللَّهِ ﷺ فِي النَّاسِ فَحَمِدَ اللَّهُ وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: «أَمَّا بَعْدُ، مَا بَالُ رِجَالٍ يَشْتَرِطُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ؟ مَا كَانَ مِنْ شَرْطٍ لَيْسَ فِي كِتَابِ اللَّهِ فَهُوَ بَاطِلٌ وَإِنْ كَانَ مِائَةَ شَرْطٍ، فَضَاءَ اللَّهُ أَحَقُّ، وَشَرْطُ اللَّهِ أَوْثَقُ، وَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». [راجع: ٤٥٦]

2169. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: 'Āishah, (Mother of the Believers) wanted to buy a slave-girl and manumit her, but her masters said that they would sell her only on the condition that her *Walā'* would be for them. 'Āishah told Allāh's Messenger ﷺ of that. He said, "What they stipulate should not hinder you from buying her, as the *Walā'* is for the manumitter."

٢١٦٩ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ عَائِشَةَ أُمَّ الْمُؤْمِنِينَ أَرَادَتْ أَنْ تَشْتَرِيَ جَارِيَةً فَتُعْتِقَهَا فَقَالَ أَهْلُهَا: نَبِيعُكَهَا عَلَى أَنْ وَلَايَهَا لَنَا. فَذَكَرَتْ ذَلِكَ لِرَسُولِ اللَّهِ ﷺ فَقَالَ: «لَا يَمْنَعُكَ ذَلِكَ، فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». [راجع: ٢١٥٦]

#### (74) CHAPTER. Selling of dates for dates.

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

[See *Ribā Al-Faql* in the glossary].

(٧٤) بَابُ بَيْعِ التَّمْرِ بِالتَّمْرِ. ٢١٧٠ - حَدَّثَنَا أَبُو الْوَلِيدِ: حَدَّثَنَا لَيْثٌ، عَنِ ابْنِ شِهَابٍ، عَنْ مَالِكِ بْنِ أَوْسٍ: سَمِعَ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ: «الْبُرُّ بِالْبُرِّ رِبَاٌ إِلَّا هَاءَ وَهَاءَ، وَالشَّعِيرُ بِالشَّعِيرِ رِبَاٌ إِلَّا هَاءَ وَهَاءَ، وَالتَّمْرُ بِالتَّمْرِ رِبَاٌ إِلَّا هَاءَ وَهَاءَ». [راجع: ٢١٣٤]

## (75) CHAPTER. The selling of dried grapes for dried grapes and meals for meals.

2171. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا: Allāh's Messenger ﷺ forbade *Muzābana*; and *Muzābana* is the selling of fresh dates for dried old dates by measure, and the selling of fresh grapes for dried grapes by measure.

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

2173. Narrated Ibn 'Umar from Zaid bin Thābit رَضِيَ اللهُ عَنْهُمَا that the Prophet ﷺ allowed the selling of the fruits on the trees after estimation (when they are ripe).

## (76) CHAPTER. Selling of barley for barley.

2174. Narrated Ibn Shihāb that Malīk bin 'Aūs said, "I was in need of change for one-hundred Dīnār. Ṭalḥa bin 'Ubaidullāh called me and we discussed the matter, and he agreed to change (my Dīnār). He took the gold pieces and turned and toppled them with his hands, and then said, "Wait till my storekeeper comes from the forest." 'Umar was listening to that and said, "By Allāh! You should not separate from Ṭalḥa till you get the money from him, for Allāh's Messenger ﷺ said, 'The selling of gold for

## (٧٥) بَابُ بَيْعِ الزَّيْبِ بِالزَّيْبِ، وَالطَّعَامِ بِالطَّعَامِ

٢١٧١ - حَدَّثَنَا إِسْمَاعِيلُ: حَدَّثَنِي مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا: أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنِ الْمُرَابَنَةِ. وَالْمُرَابَنَةُ: بَيْعُ الثَّمَرِ بِالثَّمَرِ كَيْلًا، وَبَيْعُ الزَّيْبِ بِالكَرْمِ كَيْلًا. [انظر: ٢١٧٢، ٢١٨٥، ٢٢٠٥]

٢١٧٢ - حَدَّثَنَا أَبُو الثُّعْمَانِ: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ نَهَى عَنِ الْمُرَابَنَةِ. قَالَ: وَالْمُرَابَنَةُ: أَنْ يَبِيعَ الثَّمَرُ بِكَيْلٍ إِنْ زَادَ فَلِي وَإِنْ نَقَصَ فَعَلَيَّ. [راجع: ٢١٧١]

٢١٧٣ - قَالَ: وَحَدَّثَنِي زَيْدُ بْنُ ثَابِتٍ: أَنَّ النَّبِيَّ ﷺ رَخَّصَ فِي الْعَرَايَا بِحَرْصِهَا. [انظر: ٢١٨٤، ٢١٨٨، ٢١٩٢، ٢٣٨٠]

## (٧٦) بَابُ بَيْعِ الشَّعِيرِ بِالشَّعِيرِ

٢١٧٤ - حَدَّثَنَا عَبْدُ اللهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنِ ابْنِ شِهَابٍ، عَنْ مَالِكِ بْنِ أَوْسٍ: أَخْبَرَهُ أَنَّهُ التَّمَسَّ صَرْفًا بِمِائَةِ دِينَارٍ، فَدَعَانِي طَلْحَةُ بْنُ عُيَيْدٍ اللهُ فَرَأَوْضَنَا حَتَّى اضْطَرَفَ مِنِّي فَأَخَذَ الذَّهَبَ يُقَلِّبُهَا فِي يَدِهِ ثُمَّ قَالَ: حَتَّى يَأْتِيَ خَازِنِي مِنَ الْعَابَةِ، وَعُمَرُ يَسْمَعُ ذَلِكَ. فَقَالَ:

gold is *Ribā* (usury), except if the exchange is from hand to hand and equal in amount, and similarly, the selling of wheat for wheat is *Ribā*, unless it is from hand to hand and equal in amount, and the selling of barley for barley is usury unless it is from hand to hand and equal in amount, and dates for dates is usury unless it is from hand to hand and equal in amount.”

(77) CHAPTER. Selling of gold for gold.

2175. Narrated Abū Bakra رضي الله عنه: رضي الله عنه said, “Don’t sell gold for gold unless equal in weight, nor silver for silver unless equal in weight, but you could sell gold for silver or silver for gold as you like.”

والله لا تُفَارِقُهُ حَتَّى تَأْخُذَ مِنْهُ. قَالَ رَسُولُ اللَّهِ ﷺ: «الذَّهَبُ بِالذَّهَبِ رَبًّا إِلَّا هَاءَ وَهَاءَ، وَالْبُرُّ بِالْبُرِّ رَبًّا إِلَّا هَاءَ وَهَاءَ، وَالشَّعِيرُ بِالوَرِقِ رَبًّا إِلَّا هَاءَ وَهَاءَ، وَالتَّمْرُ بِالتَّمْرِ رَبًّا إِلَّا هَاءَ وَهَاءَ». [راجع: ٢١٣٤]

(٧٧) بَابُ بَيْعِ الذَّهَبِ بِالذَّهَبِ

٢١٧٥ - حَدَّثَنَا صَدَقَةٌ بْنُ الْفَضْلِ: أَخْبَرَنَا إِسْمَاعِيلُ بْنُ عَلِيَّةَ قَالَ: حَدَّثَنِي يَحْيَى بْنُ أَبِي إِسْحَاقَ: قَالَ حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ أَبِي بَكْرَةَ، قَالَ [قَالَ] أَبُو بَكْرَةَ رَضِيَ اللَّهُ عَنْهُ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلَّا سَوَاءً بِسَوَاءٍ، وَالْفِضَّةَ بِالْفِضَّةِ إِلَّا سَوَاءً بِسَوَاءٍ. وَيَبِيعُوا الذَّهَبَ بِالْفِضَّةِ وَالْفِضَّةَ بِالذَّهَبِ كَيْفَ شِئْتُمْ». [انظر: ٢١٨٢]

(78) CHAPTER. Selling of silver for silver.

2176. Narrated Abū Sa‘īd (concerning exchange) that he heard Allāh’s Messenger ﷺ saying, “Do not sell gold for gold unless equal in weight, and do not sell silver for silver unless equal in weight.”

(٧٨) بَابُ بَيْعِ الْفِضَّةِ بِالْفِضَّةِ

٢١٧٦ - حَدَّثَنِي عُبَيْدُ اللَّهِ بْنُ سَعْدٍ: حَدَّثَنَا عَمِّي: حَدَّثَنَا ابْنُ أَخِي الزُّهْرِيِّ، عَنْ عَمِّهِ قَالَ: حَدَّثَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ أَبَا سَعِيدٍ الْحُدْرِيَّ حَدَّثَهُ مِثْلَ ذَلِكَ حَدِيثًا عَنْ رَسُولِ اللَّهِ ﷺ. فَلَقِيَهُ عَبْدُ اللَّهِ بْنُ عُمَرَ، فَقَالَ: يَا أَبَا سَعِيدٍ! مَا هَذَا الَّذِي تُحَدِّثُ عَنْ رَسُولِ اللَّهِ ﷺ؟ فَقَالَ أَبُو سَعِيدٍ فِي الصَّرْفِ: سَمِعْتُ

رَسُولُ اللَّهِ ﷺ يَقُولُ: «الذَّهَبُ بِالذَّهَبِ مِثْلٌ بِمِثْلِ، وَالوَرِقُ بِالوَرِقِ مِثْلٌ بِمِثْلِ». [انظر: ٢١٧٧، ٢١٧٨]

2177. Narrated Abū Sa‘īd Al-Kh̄udrī رضي الله عنه: Allāh’s Messenger ﷺ said, “Do not sell gold for gold unless equivalent in weight (and from hand to hand), and do not sell less amount for greater amount or vice versa; and do not sell silver for silver unless equivalent in weight (from hand to hand), and do not sell less amount for greater amount or vice versa, and do not sell gold or silver that is not present at the moment of exchange for gold or silver that is present.

٢١٧٧ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنِ نَافِعٍ، عَنِ أَبِي سَعِيدِ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَبِيعُوا الذَّهَبَ بِالذَّهَبِ إِلَّا مِثْلًا بِمِثْلِ، وَلَا تُشِيفُوا بَعْضَهَا عَلَى بَعْضٍ. وَلَا تَبِيعُوا الْوَرِقَ بِالوَرِقِ إِلَّا مِثْلًا بِمِثْلِ، وَلَا تُشِيفُوا بَعْضَهَا عَلَى بَعْضٍ، وَلَا تَبِيعُوا مِنْهَا غَايِبًا بِنَاجِزٍ». [راجع: ٢١٧٦]

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

(٧٩) بَابُ بَيْعِ الدِّينَارِ بِالدِّينَارِ نَسَاءً.

2178, 2179. Narrated Abū Sālih Az-Zaiyāt: I heard Abū Sa‘īd Al-Kh̄udrī رضي الله عنه saying, “The selling of a Dinār for a Dinār, and a Dirham for a Dirham (is permissible).” I said to him, “Ibn ‘Abbās does not say the same.” Abū Sa‘īd replied, “I asked Ibn ‘Abbās whether he had heard it from the Prophet ﷺ or seen it in the Holy Book. Ibn ‘Abbās replied, ‘I do not claim that, and you know Allāh’s Messenger ﷺ better than I, but Usāma informed me that the Prophet ﷺ had said: There is no Ribā (usury) (in money exchange) except when it is not done from hand to hand (i.e., when there is delay in payment).”

٢١٧٨، ٢١٧٩ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا الصَّحَّاحُ بْنُ مَخْلَدٍ: حَدَّثَنَا ابْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ: أَنَّ أَبَا صَالِحِ الزُّبَيَّاتِ أَخْبَرَهُ أَنَّهُ سَمِعَ أَبَا سَعِيدِ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: الدِّينَارُ بِالدِّينَارِ، وَالذَّرْهَمُ بِالذَّرْهَمِ، فَقُلْتُ لَهُ: إِنَّ ابْنَ عَبَّاسٍ لَا يَقُولُهُ، فَقَالَ أَبُو سَعِيدٍ: سَأَلْتُهُ، فَقُلْتُ: سَمِعْتَهُ مِنَ النَّبِيِّ ﷺ أَوْ وَجَدْتَهُ فِي كِتَابِ اللَّهِ تَعَالَى؟ فَقَالَ: كُلُّ ذَلِكَ لَا أَقُولُ وَأَنْتُمْ أَعْلَمُ بِرَسُولِ اللَّهِ ﷺ مِنِّي وَلِكِنِّي أَخْبَرَنِي أُسَامَةُ أَنَّ النَّبِيَّ ﷺ قَالَ: «لَا رَبَا إِلَّا فِي النَّسِيئَةِ». [راجع: ٢١٧٦]

(80) CHAPTER. Selling of silver for gold on delayed payment.

2180, 2181. Narrated Abū Al-Minhāl: I asked Al-Barā' bin 'Azib and Zaid bin Arqam رَضِيَ اللهُ عَنْهُم about money exchanges. Each of them said, "He is better than I," and both of them said, "Allāh's Messenger ﷺ forbade the selling of silver for gold on credit."

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

2182. Narrated Abdur-Rahmān bin Abū Bakra that his father رَضِيَ اللهُ عَنْهُ said,

"The Prophet ﷺ forbade the selling of gold for gold and silver for silver except if they are equivalent in weight (and from hand to hand), and allowed us to sell gold for silver and vice versa as we wished."

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

Anas said, "The Prophet ﷺ forbade the

(٨٠) بَابُ بَيْعِ الْوَرِقِ بِالذَّهَبِ نَسِيئَةً.

٢١٨٠، ٢١٨١ - حَدَّثَنَا حَفْصُ بْنُ عُمَرَ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي حَبِيبُ بْنُ أَبِي ثَابِتٍ قَالَ: سَمِعْتُ أَبَا الْمُنْهَالِ قَالَ: سَأَلْتُ الْبَرَاءَ بْنَ عَازِبٍ وَزَيْدَ بْنَ أَرْقَمَ رَضِيَ اللهُ عَنْهُمْ عَنِ الصَّرْفِ فَكُلُّ وَاحِدٍ مِنْهُمَا يَقُولُ: هَذَا خَيْرٌ مِنِّي، فَكِلَاهُمَا يَقُولُ: نَهَى رَسُولُ اللهِ ﷺ عَنِ بَيْعِ الذَّهَبِ بِالْوَرِقِ دَيْنًا. [راجع: ٢٠٦٠، ٢٠٦١]

(٨١) بَابُ بَيْعِ الذَّهَبِ بِالْوَرِقِ يَدًا بِيَدٍ.

٢١٨٢ - حَدَّثَنَا عِمْرَانُ بْنُ مَيْسَرَةَ: حَدَّثَنَا عَبَادُ بْنُ الْعَوَّامِ: أَخْبَرَنَا يَحْيَى بْنُ أَبِي إِسْحَاقَ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ أَبِي بَكْرَةَ، عَنْ أَبِيهِ رَضِيَ اللهُ عَنْهُ قَالَ: نَهَى النَّبِيُّ ﷺ عَنِ الْفِضَّةِ بِالْفِضَّةِ، وَالذَّهَبِ بِالذَّهَبِ إِلَّا سَوَاءً بِسَوَاءٍ، وَأَمَرَنَا أَنْ نَبْتَاعَ الذَّهَبَ بِالْفِضَّةِ كَيْفَ شِئْنَا، وَالْفِضَّةَ فِي الذَّهَبِ بِالذَّهَبِ كَيْفَ شِئْنَا. [راجع: ٢١٧٥]

(٨٢) بَابُ بَيْعِ الْمُرَابَنَةِ، وَهِيَ بَيْعُ التَّمْرِ بِالتَّمْرِ وَبَيْعِ الرَّبِيبِ بِالكَرْمِ، وَبَيْعِ الْعَرَابَا.

قَالَ أَنَسٌ: نَهَى النَّبِيُّ ﷺ عَنِ الْمُرَابَنَةِ وَالْمُحَاقَلَةِ.

sales called *Muzābana* and *Muḥāqala* (i.e., to sell wheat in ears for pure wheat).

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

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

**2185.** Narrated ‘Abdullāh bin ‘Umar رَضِيَ اللهُ عَنْهُمَا: Allāh’s Messenger ﷺ forbade *Muzābana*; and *Muzābana* means the selling of fresh dates (on the trees) for dried dates by measure and also the selling of fresh grapes for dried grapes by measure.

**2186.** Narrated Abū Sa‘id Al-Khudrī رَضِيَ اللهُ عَنْهُ: Allāh’s Messenger ﷺ forbade *Muzābana* and *Muḥāqala*; and *Muzābana* [i.e., the selling of fresh dates still on the trees for dried plucked dates (by measure)].

٢١٨٣ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ عَقِيلٍ، عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَبِيعُوا التَّمَرَ حَتَّى يَبْدُو صَلَاحَهُ، وَلَا تَبِيعُوا التَّمَرَ بِالتَّمْرِ». [راجع: ١٤٨٦]

٢١٨٤ - قَالَ سَالِمٌ: وَأَخْبَرَنِي عَبْدُ اللَّهِ، عَنْ زَيْدِ بْنِ ثَابِتٍ: أَنَّ رَسُولَ اللَّهِ ﷺ رَخَّصَ بَعْدَ ذَلِكَ فِي بَيْعِ الْعَرَايَا بِالرُّطْبِ أَوْ بِالتَّمْرِ، وَلَمْ يُرَخَّصْ فِي غَيْرِهِ. [راجع: ٢١٧٣]

٢١٨٥ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ الْمُرَابَنَةِ وَالْمُرَابَنَةُ: بَيْعُ التَّمْرِ بِالتَّمْرِ كَيْلًا، وَبَيْعُ الْكَرَمِ بِالزَّيْبِ كَيْلًا. [راجع: ٢١٧١]

٢١٨٦ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ دَاوُدَ بْنِ الْحُصَيْنِ، عَنْ أَبِي سُوَيْبَانَ مَوْلَى ابْنِ أَبِي أَحْمَدَ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ الْمُرَابَنَةِ وَالْمُحَاقَلَةِ وَالْمُرَابَنَةُ اشْتِرَاءُ التَّمْرِ بِالتَّمْرِ عَلَى رُوُوسِ النَّخْلِ.



2187. Narrated Ibn 'Abbās رضي الله عنهما: The Prophet ﷺ forbade *Muzābana* and *Muḥāqala*.

2188. Narrated Zaid bin Thābit رضي الله عنه: Allāh's Messenger ﷺ allowed the owner of 'Arāya<sup>(1)</sup> to sell the fruits on the trees by means of estimation.

(83) CHAPTER. The selling of dates still on trees for gold or silver.

2189. Narrated Jābir رضي الله عنه: The Prophet ﷺ forbade the selling of fruits unless they get ripe, and none of them should be sold except for Dīnār or Dirham (i.e., money), except the 'Arāya trees (the dates of which could be sold for dates).

2190. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ allowed the sale of the dates of 'Arāya provided they were about five *Awsūq* (i.e., approx 675 kgs) (singular: *Wasq* which means sixty *ṣā'*) or less (in amount).

٢١٨٧ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الشَّيْبَانِيِّ، عَنِ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: نَهَى النَّبِيُّ ﷺ عَنِ الْمُحَاقَلَةِ وَالْمُزَابَنَةِ.

٢١٨٨ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ: حَدَّثَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ عَنْهُمْ: أَنَّ رَسُولَ اللَّهِ ﷺ أَرَخَصَ لِصَاحِبِ الْعَرِيَّةِ أَنْ يَبِيعَهَا بِخَرْصِهَا.

[راجع: ٢١٧٣]

(٨٣) بَابُ بَيْعِ الثَّمَرِ عَلَى رُؤُوسِ النَّخْلِ بِالذَّهَبِ أَوْ الْفِضَّةِ

٢١٨٩ - حَدَّثَنَا يَحْيَى بْنُ سُلَيْمَانَ: حَدَّثَنَا ابْنُ وَهَبٍ: أَخْبَرَنَا ابْنُ جُرَيْجٍ، عَنْ عَطَاءٍ وَأَبِي الزُّبَيْرِ، عَنْ جَابِرِ رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى النَّبِيُّ ﷺ عَنِ بَيْعِ الثَّمَرِ حَتَّى يَطِيبَ، وَلَا يُبَاعُ شَيْءٌ مِنْهُ إِلَّا بِالذِّينَارِ وَالذَّرْهَمِ إِلَّا الْعَرَايَا. [راجع: ١٤٨٧]

٢١٩٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَبْدِ الْوَهَّابِ قَالَ: سَمِعْتُ مَالِكًا، وَسَأَلَهُ عُبَيْدُ اللَّهِ بْنُ الرَّبِيعِ: أَحَدَثَكَ دَاوُدُ عَنْ أَبِي سَفْيَانَ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ رَخَّصَ فِي بَيْعِ الْعَرَايَا فِي خَمْسَةِ أَوْسُقٍ أَوْ دُونَ

(1) (H. 2188) 'Arāya: The selling of fresh dates still over the palm-tree by means of estimation for dry plucked dates and it is an exception. Also see the glossary and H. 2192 and its chapter 84.

حَمْسَةَ أَوْسُقِي؟ قَالَ: نَعَمْ.

[انظر: ٢٣٨٢]

2191. Narrated Sahl bin Abū Ḥathma: Allāh's Messenger ﷺ forbade the selling of fruits (fresh dates) for dried dates, but allowed the sale of fruits on the *'Arāyā* by estimation and their new owners might eat their dates fresh. Sufyān (in another narration) said, "I told Yahyā (a subnarrator) when I was a mere boy, 'Makkahns say that the Prophet ﷺ allowed them the sale of the fruits on *'Arāyā* by estimation.' Yahyā asked, 'How do the Makkahns know about it?' I replied, 'They narrated it (from the Prophet ﷺ) through Jābir.' On that, Yahyā kept quiet." Sufyān said, "I meant that Jābir belonged to Al-Madīna." Sufyān was asked whether in Jābir's narration there was any prohibition of selling fruits before their benefit is evident (i.e., no dangers of being spoilt or blighted). He replied that there was none.

٢١٩١ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ قَالَ: قَالَ يَحْيَى بْنُ سَعِيدٍ: سَمِعْتُ بُشَيْرًا قَالَ: سَمِعْتُ سَهْلَ بْنَ أَبِي حَتْمَةَ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ التَّمْرِ بِالتَّمْرِ، وَرَخَّصَ فِي الْعَرِيَّةِ أَنْ تُبَاعَ بِخَرَصِهَا، يَأْكُلُهَا أَهْلُهَا رُطْبًا. وَقَالَ سُفْيَانُ مَرَّةً أُخْرَى: إِلَّا أَنَّهُ رَخَّصَ فِي الْعَرِيَّةِ بِبَيْعِهَا أَهْلُهَا بِخَرَصِهَا، يَأْكُلُونَهَا رُطْبًا. قَالَ: هُوَ سَوَاءٌ، قَالَ سُفْيَانُ: فَقُلْتُ لِيَحْيَى وَأَنَا غَلَامٌ: إِنَّ أَهْلَ مَكَّةَ يَقُولُونَ: إِنَّ النَّبِيَّ ﷺ رَخَّصَ لَهُمْ فِي بَيْعِ الْعَرَايَا، فَقَالَ: وَمَا يُدْرِي أَهْلَ مَكَّةَ؟ قُلْتُ: إِنَّهُمْ يَرَوُونَهُ عَنْ جَابِرٍ، فَسَكَتَ قَالَ سُفْيَانُ: إِنَّمَا أَرَدْتُ أَنَّ جَابِرًا مِنْ أَهْلِ الْمَدِينَةِ. قِيلَ لِسُفْيَانَ: أَلَيْسَ فِيهِ: نَهَى عَنْ بَيْعِ التَّمْرِ حَتَّى يَبْدُوَ صَلاَحُهُ؟ قَالَ: لَا. [انظر: ٢٣٨٤]

#### (84) CHAPTER. The explanation of *'Arāyā*.

Mālik said, "*'Arāya* (plural *'Arāyā*) means that a person gives a date-palm (i.e., its product of dates) as a gift to another person, and then the giver is troubled by the latter's coming to the giver's private garden (to cut the dates), so the giver is allowed to purchase those date fruits with dried dates."

Ibn Idrīs said, "The sale of the dates of an *'Arāya* should be for measured dates delivered

(٨٤) **بَابُ تَفْسِيرِ الْعَرَايَا**  
وَقَالَ مَالِكٌ: الْعَرِيَّةُ أَنْ يُعْرِيَ الرَّجُلُ الرَّجُلَ الرَّجُلَ النَّخْلَةَ، ثُمَّ يَتَأَذَى بِدُخُولِهِ عَلَيْهِ. فَرُخَّصَ لَهُ أَنْ يَشْتَرِيهَا مِنْهُ بِتَمْرٍ. وَقَالَ ابْنُ إِدْرِيسَ: الْعَرِيَّةُ لَا تَكُونُ إِلَّا بِالْكَيْلِ مِنَ التَّمْرِ يَدًا يَبِيدُ، وَلَا تَكُونُ بِالْحِزَافِ. وَمِمَّا يَقْوَى

from hand to hand and not to be done at random.” The saying of Sahl bin Ḥathma confirms this verdict, i.e., that the exchange of dates should not be at random but by measure of *Awsūq*. Ibn ‘Umar رضي الله عنهما said, “*Al-‘Arāyā* meant to give one or two date palms to someone.”

Sufyān bin Ḥusain said, “*Al-‘Arāyā* were date-palms given as a gift to the poor who could not wait till the fruits were ripe, so they were allowed to sell them for dates as they wished.”

2192. Narrated Ibn ‘Umar from Zaid bin Thābit رضي الله عنه: Allāh’s Messenger ﷺ allowed the sale of *‘Arāyā* by estimating the dates on them for measured amounts of dried dates.

Mūsa bin ‘Uqba said, “*Al-‘Arāyā* were distinguished date-palms; one could come and buy them (i.e., their fruits).”

(85) CHAPTER. The sale of fruits before their benefit is evident (i.e., they are free from all the dangers of being spoilt or blighted).

2193. Zaid bin Thābit رضي الله عنه said, “In the lifetime of Allāh’s Messenger ﷺ, the people used to trade with fruits. When they cut their date-fruits and the purchasers came to receive their rights, the sellers would say, ‘My dates have got rotten; they are blighted with disease, they are afflicted with *Qushām* (a disease which causes the fruit to fall before ripening).’ They would go on complaining of defects in their purchases. Allāh’s Messenger ﷺ said, “Do not sell the fruits before their

قَوْلُ سَهْلِ بْنِ أَبِي حَتْمَةَ: بِالْأَوْسُقِ الْمَوْسَقَةِ. وَقَالَ ابْنُ إِسْحَاقَ فِي حَدِيثِهِ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: كَانَتِ الْعَرَايَا أَنْ يُعْرِيَ الرَّجُلُ الرَّجُلَ فِي مَالِهِ النَّخْلَةَ وَالتَّخْلَتَيْنِ. وَقَالَ يَزِيدُ عَنْ سُفْيَانَ بْنِ حُسَيْنٍ: الْعَرَايَا نَخْلٌ كَانَتْ تُوَهَّبُ لِلْمَسَاكِينِ فَلَا يَسْتَطِيعُونَ أَنْ يَنْتَظِرُوا بِهَا، فَرُخِّصَ لَهُمْ أَنْ يَبِيعُوهَا بِمَا شَاءُوا مِنَ التَّمْرِ.

٢١٩٢ - حَدَّثَنَا مُحَمَّدٌ أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا مُوسَى بْنُ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، عَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ عَنْهُمْ: أَنَّ رَسُولَ اللَّهِ ﷺ رَخِّصَ فِي الْعَرَايَا أَنْ تَبَاعَ بِحَرْصِهَا كَثِيلًا. قَالَ مُوسَى بْنُ عُقْبَةَ: وَالْعَرَايَا نَخْلَاتٌ مَعْلُومَاتٌ تَأْتِيهَا فَتَشْتَرِيهَا. [راجع: ٢١٧٣]

(٨٥) بَابُ بَيْعِ الثَّمَارِ قَبْلَ أَنْ يَبْدُو صِلَاحُهَا

٢١٩٣ - وَقَالَ اللَّيْثُ، عَنْ أَبِي الزُّنَادِ: كَانَ عُرُوءَةُ بِنِ الزُّبَيْرِ يُحَدِّثُ عَنْ سَهْلِ بْنِ أَبِي حَتْمَةَ الْأَنْصَارِيِّ مِنْ بَنِي حَارِثَةَ أَنَّهُ: حَدَّثَهُ عَنْ زَيْدِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: كَانَ النَّاسُ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ يَتَنَاعُونَ الثَّمَارَ، فَإِذَا جَدَّ النَّاسُ وَحَضَرَ

benefit is evident (i.e., free from all the dangers of being spoiled or blighted), by way of advice for they quarrelled too much.” Khārija bin Zaid bin Thābit said that Zaid bin Thābit رَضِيَ اللهُ عَنْهُ used not to sell the fruits of his land till Pleiades<sup>(1)</sup> appeared and one could distinguish the yellow fruits from the red (ripe) ones.

تَقَاضِيهِمْ، قَالَ الْمُتَبَاعُ: إِنَّهُ أَصَابَ التَّمْرَ الدُّمَانَ، أَصَابَهُ مَرَضٌ، أَصَابَهُ قُشَامٌ، عَاهَاتٌ يَحْتَجُونَ بِهَا. فَقَالَ رَسُولُ اللَّهِ ﷺ لَمَّا كَثُرَتْ عِنْدَهُ الْخُصُومَةُ فِي ذَلِكَ: «فِيمَا لَا، فَلَا تَتْبَاعُوا حَتَّى يَبْدُوَ صِلَاحُ التَّمْرِ»، كَالْمَسُورَةِ يُشِيرُ بِهَا لِكَثْرَةِ خُصُومَتِهِمْ. وَأَخْبَرَنِي خَارِجَةُ بِنُ زَيْدِ بْنِ ثَابِتٍ: أَنَّ زَيْدَ بْنَ ثَابِتٍ لَمْ يَكُنْ يَبِيعُ ثَمَارَ أَرْضِهِ حَتَّى تَطْلُعَ الثَّرِيَا، فَيَبَيِّنَ الْأَضْفَرَ مِنَ الْأَحْمَرِ. قَالَ أَبُو عَبْدِ اللَّهِ: رَوَاهُ عَلِيُّ بْنُ بَحْرٍ: حَدَّثَنَا حَكَّامٌ: حَدَّثَنَا عَبْسَةُ، عَنْ زَكَرِيَّا، عَنْ أَبِي الزَّنَادِ، عَنْ عُرْوَةَ، عَنْ سَهْلِ، عَنْ زَيْدٍ.

2194. Narrated ‘Abdullāh bin ‘Umar رَضِيَ اللهُ عَنْهُمَا: Allāh’s Messenger ﷺ forbade the sale of fruits till their benefit is evident. He forbade both the seller and the buyer (of such a sale).

٢١٩٤ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ بَيْعِ الثَّمَارِ حَتَّى يَبْدُوَ صِلَاحُهَا. نَهَى الْبَائِعَ وَالْمُتَبَاعَ. [راجع: ١٤٨٦]

2195. Narrated Anas رَضِيَ اللهُ عَنْهُ: Allāh’s Messenger ﷺ forbade the sale of date-fruits till they were ripe.

Abū ‘Abdullāh (Al-Bukhārī) said, “That means till they were red (can be eaten).”

٢١٩٥ - حَدَّثَنَا ابْنُ مُقَاتِلٍ: أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا حُمَيْدُ الطَّوِيلِ، عَنْ أَنَسِ رَضِيَ اللهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى أَنْ تُبَاعَ ثَمْرَةُ النَّخْلِ حَتَّى تَزْهُوَ.

(1) (Ch. 2193) Pleiades is the collection of stars which start to appear at dawn in the early summer when it gets very hot in Hijāz at the early season of the ripening of fruits. The appearance of these stars is a sign of the ripening of dates.

قَالَ أَبُو عَبْدِ اللَّهِ: يَغْنِي حَتَّى  
تَحْمَرَ. [راجع: ١٤٨٨]

2196. Narrated Jābir bin ‘Abdullāh رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ forbade the sale of (date) fruits till they were red or yellow and fit for eating.

٢١٩٦ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَحْيَى ابْنُ سَعِيدٍ، عَنْ سَلِيمِ بْنِ حَيَّانَ: حَدَّثَنَا سَعِيدُ بْنُ مِينَاءَ قَالَ: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: نَهَى النَّبِيُّ ﷺ أَنْ تُبَاعَ الثَّمَرَةُ حَتَّى تُشْفِحَ. فَقِيلَ: وَمَا تُشْفِحُ؟ قَالَ: تَحْمَارٌ وَتَصْفَارٌ وَيُؤْكَلُ مِنْهَا. [راجع: ١٤٨٧]

(86) CHAPTER. The sale of date-palms (date trees) before their benefit is evident. (i.e., their dates are ripe).

(٨٦) بَابُ بَيْعِ النَّخْلِ قَبْلَ أَنْ يَبْدُو صَلَاحُهَا.

2197. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ forbade the sale of fruits till their benefit is evident; and the sale of date-palms till the dates are almost ripe. He was asked what ‘are almost ripe’ meant. He replied, “Got red and yellow.”

٢١٩٧ - حَدَّثَنِي عَلِيُّ بْنُ الْهَيْثَمِ: حَدَّثَنَا مُعَلَّى: حَدَّثَنَا هُشَيْمٌ: أَخْبَرَنَا حُمَيْدٌ: حَدَّثَنَا أَنَسُ بْنُ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ، عَنِ النَّبِيِّ ﷺ أَنَّهُ نَهَى عَنِ بَيْعِ الثَّمَرَةِ حَتَّى يَبْدُو صَلَاحُهَا، وَعَنِ النَّخْلِ حَتَّى يَزْهُو. قِيلَ: وَمَا يَزْهُو؟ قَالَ: يَحْمَارٌ أَوْ يَصْفَارٌ.

[راجع: ١٤٨٨]

(87) CHAPTER. If somebody sells fruits before their benefit is evident and free from blights and then they get afflicted with some defects, they will be given back to the seller.

(٨٧) بَابُ إِذَا بَاعَ الثَّمَارَ قَبْلَ أَنْ يَبْدُو صَلَاحُهَا ثُمَّ أَصَابَتْهُ عَاهَةٌ فَهُوَ مِنَ الْبَائِعِ.

2198. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: Allāh’s Messenger ﷺ forbade the sale of fruits till they are almost ripe. He was asked what is meant by ‘are almost ripe.’ He replied, “Till they become red.” Allāh’s Messenger ﷺ further said, “If Allāh spoiled the fruits, what right would one have to take the money of one’s brother.”

٢١٩٨ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُونُسَ: أَخْبَرَنَا مَالِكٌ، عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ بَيْعِ الثَّمَارِ حَتَّى تَزْهِيَ، فَقِيلَ لَهُ: وَمَا تَزْهِي؟ قَالَ:

حَتَّى تَحْمَرَ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «أَرَأَيْتَ إِذَا مَنَّعَ اللَّهُ الثَّمْرَةَ، بِمَ يَأْخُذُ أَحَدُكُمْ مَالَ أَخِيهِ؟». [راجع: ١٤٨٨]

2199. Narrated Ibn Shihāb: If somebody bought fruits before their benefit is evident and then the fruits were spoiled with blights, the loss would be suffered by the owner (not the buyer).

Narrated Ibn ‘Umar رَضِيَ اللهُ عَنْهُمَا: Allāh’s Messenger ﷺ said, “Do not sell or buy fruits before their benefit was evident and do not sell fresh fruits (dates) for dried dates.”

٢١٩٩ - وَقَالَ اللَّيْثُ: حَدَّثَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ قَالَ: لَوْ أَنَّ رَجُلًا ابْتَاعَ ثَمْرًا قَبْلَ أَنْ يَبْدُوَ صَلَاحُهُ ثُمَّ أَصَابَتْهُ غَاةٌ كَانَ مَا أَصَابَهُ عَلَى رَبِّهِ.

أُخْبِرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تَتْبَاعُوا الثَّمْرَةَ حَتَّى يَبْدُوَ صَلَاحُهَا، وَلَا تَبِيعُوا الثَّمْرَ بِالثَّمْرِ». [راجع: ١٤٨٦]

(88) CHAPTER. To buy foodstuff on credit.

2200. Narrated ‘Aishah رَضِيَ اللهُ عَنْهَا: The Prophet ﷺ bought some foodstuff from a Jew on credit and mortgaged his armour to him.

(٨٨) بَابُ شِرَاءِ الطَّعَامِ إِلَى أَجَلٍ  
٢٢٠٠ - حَدَّثَنَا عُمَرُ بْنُ حَفْصِ بْنِ غِيَاثٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا الْأَعْمَشُ، قَالَ: ذَكَرْنَا عِنْدَ إِبْرَاهِيمَ الرَّهْنِ فِي السَّلَفِ فَقَالَ: لَا بَأْسَ بِهِ. ثُمَّ حَدَّثَنَا عَنِ الْأَسْوَدِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّ النَّبِيَّ ﷺ اشْتَرَى طَعَامًا مِنْ يَهُودِيٍّ إِلَى أَجَلٍ فَوَهَنَهُ دِرْعُهُ. [راجع: ٢٠٦٨]

(89) CHAPTER. If one wishes to buy (a better quality of) dates for (a low quality of) dates [that is a kind of *Ribā* (usury) and is called *Ribā-Al-Faḍl*].

2201, 2202. Narrated Abū Sa’īd Al-Khudrī and Abū Hurairah رَضِيَ اللهُ عَنْهُمَا: Allāh’s Messenger ﷺ appointed somebody as a governor of Khāibar. That governor brought to him an excellent kind of dates

(٨٩) بَابُ إِذَا أَرَادَ بَيْعَ ثَمْرٍ بِثَمْرٍ خَيْرٍ مِنْهُ

٢٢٠١، ٢٢٠٢ - حَدَّثَنَا قُتَيْبَةُ، عَنْ مَالِكٍ، عَنْ عَبْدِ الْمَجِيدِ بْنِ سَهْلٍ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ سَعِيدِ بْنِ

(from Khaibar). The Prophet ﷺ asked, "Are all the dates of Khaibar like this?" He replied, "By Allāh, no, O Allāh's Messenger! But we barter one Ṣā' of this (type of dates) for two Ṣā' of dates of ours and two Ṣā' of it for three of ours." Allāh's Messenger ﷺ said, "Do not do so [as that is a kind of Ribā (usury)] but sell the mixed dates (of inferior quality) for money, and then buy good dates with money."

المُسَيَّبِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ، وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ اسْتَعْمَلَ رَجُلًا عَلَى خَيْبَرَ فَجَاءَهُ بِتَمْرٍ جَنِيْبٍ فَقَالَ رَسُولُ اللَّهِ ﷺ: «أَكُلْ تَمْرٍ خَيْبَرَ هَكَذَا؟» قَالَ: لَا، وَاللَّهِ يَا رَسُولَ اللَّهِ إِنَّا لَنَأْخُذُ الصَّاعَ مِنْ هَذَا بِالصَّاعَيْنِ وَالصَّاعَيْنِ بِالثَّلَاثِ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَفْعَلْ، بَعِ الْجَمْعَ بِالذَّرَاهِمِ ثُمَّ ابْتَغِ بِالذَّرَاهِمِ جَنِيْبًا». [الحديث: ٢٢٠١، ٢٣٠٢، ٤٢٤٤، ٤٢٤٦،

٧٣٥٠؛] [الحديث: ٢٢٠٢، انظر:

٢٣٠٣، ٤٢٤٥، ٤٢٤٧، ٧٣٥١]

(90) CHAPTER. Whoever sold or rented date-palms which were pollinated, or land which was sown (with wheat or barley).

2203. Narrated Nāfi', the freed-slave of Ibn 'Umar: If pollinated date-palms are sold and nothing is mentioned (in the contract) about their fruits, the fruits will go to the person who has pollinated them, and so will be the case with the slave and the cultivator. Nāfi' mentioned those three things.

(٩٠) بَابُ مَنْ بَاعَ نَخْلًا قَدْ أُبْرِثَ، أَوْ أَرْضًا مَزْرُوعَةً، أَوْ بِإِجَارَةٍ

٢٢٠٣ - قَالَ أَبُو عَبْدِ اللَّهِ: وَقَالَ لِي إِبْرَاهِيمُ: أَخْبَرَنَا هِشَامٌ: أَخْبَرَنَا ابْنُ جُرَيْجٍ قَالَ: سَمِعْتُ ابْنَ أَبِي مُلَيْكَةَ: يُخْبِرُ عَنْ نَافِعِ مَوْلَى ابْنِ عُمَرَ: أَيُّمَا نَخْلٍ بَعِثَ قَدْ أُبْرِثَ لَمْ يُذْكَرِ الثَّمَرُ، فَالْثَّمَرُ لِلَّذِي أَبْرَاهَا. وَكَذَلِكَ الْعَبْدُ وَالْحَرْثُ، سَمَى لَهُ نَافِعٌ هُوَ لَاءِ الثَّلَاثَةِ. [انظر: ٢٢٠٤،

٢٢٠٦، ٢٣٧٩، ٢٧١٦]

2204. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: Allāh's Messenger ﷺ said, "If somebody sells pollinated date-palms, the fruits will be for the seller unless the buyer stipulates that they will be for himself (and the seller agrees)."

٢٢٠٤ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «مَنْ

بَاعَ نَحْلًا قَدْ أُبْرِثَ فَنَمَرْتُهَا لِلْبَائِعِ  
إِلَّا أَنْ يَشْتَرِطَ الْمُبْتَاعُ». [راجع:

[٢٢٠٣

(91) CHAPTER. The sale of unharvested crops for a measured quantity of foodstuff.

2205. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا :  
Allāh's Messenger ﷺ forbade *Al-Muzābana*,  
i.e., to sell ungathered dates of one's garden  
for measured dried dates or fresh ungathered  
grapes for measured dried grapes; or  
standing crops for measured quantity of  
foodstuff. He forbade all such bargains.

(92) CHAPTER. The sale of date-palms completely (with roots and stems).

2206. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا :  
The Prophet ﷺ said, "Whoever pollinates  
date-palms and then sells them, the fruits will  
belong to him unless the buyer stipulates that  
the fruits should belong to him (and the seller  
agrees)."

(93) CHAPTER. *Bai' Al-Mukhāḍara* (the sale of grains or vegetables before their benefit is evident).

2207. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ :  
Allāh's Messenger ﷺ forbade *Muhāqala*,  
*Mukhāḍara*, *Mulamasa*, *Munābadha* and  
*Muzābana*. (See glossary and previous  
*Aḥādīth* for the meanings of these terms.)

(٩١) بَابُ بَيْعِ الرَّزْعِ بِالطَّعَامِ كَيْلًا

٢٢٠٥ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا  
اللَّيْثُ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ  
اللهُ عَنْهُمَا قَالَ: نَهَى رَسُولُ اللهِ ﷺ  
عَنِ الْمَزَابِنَةِ، أَنْ يَبِيعَ ثَمَرَ حَائِطِهِ إِنْ  
كَانَ نَحْلًا يَتَمَرُ كَيْلًا. وَإِنْ كَانَ كَرْمًا  
أَنْ يَبِيعَهُ بِرَيْبٍ كَيْلًا، وَإِنْ كَانَ زَرْعًا  
أَنْ يَبِيعَهُ بِكَيْلِ طَعَامٍ. وَنَهَى عَنْ ذَلِكَ  
كُلَّهُ. [راجع: ٢١٧١]

(٩٢) بَابُ بَيْعِ النَّخْلِ بِأَصْلِهِ

٢٢٠٦ - حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ:  
حَدَّثَنَا اللَّيْثُ، عَنِ نَافِعٍ، عَنِ ابْنِ  
عُمَرَ رَضِيَ اللهُ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ  
قَالَ: «أَيُّمَا امْرِئٍ أُبْرِثَ نَحْلًا ثُمَّ بَاعَ  
أَصْلَهَا فَلِلَّذِي أُبْرِثَ ثَمَرُ النَّخْلِ إِلَّا أَنْ  
يَشْتَرِطَهُ الْمُبْتَاعُ». [راجع: ٢٢٠٣]

(٩٣) بَابُ بَيْعِ الْمُحَاضَرَةِ

٢٢٠٧ - حَدَّثَنَا إِسْحَاقُ بْنُ  
وَهْبٍ: حَدَّثَنَا عُمَرُ بْنُ يُونُسَ حَدَّثَنَا  
أَبِي قَالَ: حَدَّثَنِي إِسْحَاقُ بْنُ أَبِي  
طَلْحَةَ الْأَنْصَارِيِّ، عَنْ أَنَسِ بْنِ مَالِكٍ  
رَضِيَ اللهُ عَنْهُ قَالَ: نَهَى رَسُولُ اللهِ



عَنِ الْمُحَاقَلَةِ وَالْمُحَاضِرَةِ  
وَالْمُلَامَسَةِ وَالْمُنَابَذَةِ وَالْمُرَابِنَةِ.

2208. Narrated Ḥumaid: Anas رضي الله عنه said, “The Prophet ﷺ forbade the selling of dates till they were almost ripe.” We asked Anas, “What does ‘almost ripe’ mean?” He replied, “They get red and yellow. The Prophet ﷺ added, ‘If Allāh destroyed the fruits present on the trees, what right would the seller have to take the money of his brother (somebody else)?’”

٢٢٠٨ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا  
إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ حُمَيْدٍ، عَنْ  
أَنْسِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ  
نَهَى عَنْ بَيْعِ ثَمَرِ التَّمْرِ حَتَّى يَرْهُو،  
فَقُلْنَا لِأَنْسٍ: مَا يَرْهُوهَا؟ قَالَ: تَحْمَرُ  
وَتَصْفَرُ. أَرَأَيْتَ إِنْ مَنَّ اللَّهُ التَّمَرَ بِمِ  
تَسْتَحِلُّ مَالَ أَخِيكَ؟. [راجع: ١٤٨٨]

(٩٤) بَابُ بَيْعِ الْجُمَارِ وَأَكْلِهِ.

(94) CHAPTER. The sale and eating of spadix (edible pith growing at the upper part of the trunk of a palm tree).

2209. Narrated Ibn ‘Umar رضي الله عنهما: I was with the Prophet ﷺ while he was eating spadix. He said, “From the trees there is a tree which resembles a faithful believer.” I wanted to say that it was the date palm, but I was the youngest among them (so I kept quiet). He added, “It is the date-palm.”

٢٢٠٩ - حَدَّثَنَا أَبُو الْوَلِيدِ هِشَامُ  
بْنُ عَبْدِ الْمَلِكِ: حَدَّثَنَا أَبُو عَوَانَةَ،  
عَنْ أَبِي بَشِيرٍ، عَنْ مُجَاهِدٍ، عَنْ ابْنِ  
عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا، قَالَ: كُنْتُ  
عِنْدَ النَّبِيِّ ﷺ وَهُوَ يَأْكُلُ جُمَارًا،  
فَقَالَ: «مِنَ الشَّجَرِ شَجَرَةٌ كَالرَّجُلِ  
الْمُؤْمِنِ»، فَأَرَدْتُ أَنْ أَقُولَ: هِيَ  
النَّخْلَةُ، فَإِذَا أَنَا أَحَدُهُمْ، قَالَ: «هِيَ  
النَّخْلَةُ». [راجع: ٦١]

(95) CHAPTER. In cases where there is no fixed judgement, the traditions and conventions of each community are to be referred to, to deduce a judgement in such matters as sales, renting, measuring and weighing.

Shuraih told the weavers, “You are permitted to follow your own conventions to solve your problems (it is legal for you to stick to your traditions in bargain).”

Narrated ‘Abdul Wahāb: Ayyūb said he heard from Muḥammad who said, “There is

(٩٥) بَابُ مَنْ أَجْرَى أَمْرَ الْأَمْصَارِ  
عَلَى مَا يَتَعَارَفُونَ بَيْنَهُمْ فِي الْبَيْعِ  
وَالِإِجَارَةِ، وَالْكَيْلِ وَالْوَزْنِ، وَسُنَنِهِمْ  
عَلَى نِيَّاتِهِمْ وَمَدَاهِبِهِمُ الْمَشْهُورَةِ.  
وقال شُرَيْحٌ لِلْعَرَّالِينَ: سُنَّتُكُمْ  
بَيْنَكُمْ وَقَالَ عَبْدُ الْوَهَّابِ، عَنْ  
أَيُّوبَ، عَنْ مُحَمَّدٍ: لَا بَأْسَ الْعَشْرَةَ  
بِأَحَدِ عَشَرَ، وَيَأْخُذُ لِلتَّفَقُّهِ رِبْحًا.

no harm in selling for eleven what you buy for ten, and you are allowed to take a profit for expenses.”

The Prophet ﷺ told Hind, “Take what is reasonable and sufficient for you and your sons.” Allāh تعالى says: “Whoever is poor, can eat (from the orphan’s property) what is just and reasonable (according to his labours).” (V.4:6).

Al-Ḥasan hired a donkey from ‘Abdullāh bin Mirdās and asked him about the hire. The latter replied that it was for two *Danīq* (a *Danīq* equals 1/6th Dirham). So Al-Ḥasan rode away. Another time, Al-Ḥasan came to ‘Abdullāh bin Mirdās and asked him to hire the donkey to him and rode away without asking him about the hire, but he sent him half a Dirham.<sup>(1)</sup>

2210. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: Abū Ṭaiba cupped Allāh’s Messenger ﷺ and so Allāh’s Messenger ﷺ ordered that a *Ṣā’* of dates be paid to him and ordered his masters (for he was a slave) to reduce his tax.<sup>(2)</sup>

2211. Narrated ‘Āishah رَضِيَ اللهُ عَنْهَا: Hind, the mother of Mu‘āwiyā said to Allāh’s Messenger ﷺ, “Abū Sufyān (her husband) is a miser. Am I allowed to take from his money secretly?” The Prophet ﷺ said to her, “You and your sons may take what is sufficient, just and reasonable.”

وَقَالَ النَّبِيُّ ﷺ لِهِنْدٍ: «خُذِي مَا يَكْفِيكَ وَوَلَدَكَ بِالْمَعْرُوفِ». وَقَالَ تَعَالَى: ﴿وَمَنْ كَانَ فَعِيْرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ﴾ [النساء: ٦] وَاکْتَرَى الْحَسَنُ مِنْ عَبْدِ اللَّهِ بْنِ مِرْدَاسٍ حِمَارًا فَقَالَ: بِكَمْ؟ قَالَ: بِدَانِيْقَيْنِ، فَرَكِبَهُ ثُمَّ جَاءَ مَرَّةً أُخْرَى فَقَالَ: الْحِمَارَ الْجِمَارَ، فَرَكِبَهُ وَلَمْ يُشَارِطْهُ. فَبَعَثَ إِلَيْهِ بِنِصْفِ دِرْهَمٍ.

٢٢١٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: حَجَّمَ رَسُولُ اللَّهِ ﷺ أَبُو طَيْبَةَ فَأَمَرَ لَهُ رَسُولُ اللَّهِ ﷺ بِصَاعٍ مِنْ تَمْرٍ، وَأَمَرَ أَهْلَهُ أَنْ يُخَفِّفُوا عَنْهُ مِنْ خَرَاجِهِ. [راجع: ٢١٠٢]

٢٢١١ - حَدَّثَنَا أَبُو نُعَيْمٍ: حَدَّثَنَا سُفْيَانُ. عَنْ هِشَامٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: قَالَتْ هِنْدُ أُمُّ مُعَاوِيَةَ لِرَسُولِ اللَّهِ ﷺ: إِنَّ أَبَا سُفْيَانَ رَجُلٌ شَحِيحٌ، فَهَلْ عَلَيَّ جُنَاحٌ أَنْ أَخَذَ مِنْ مَالِهِ سِرًّا؟ قَالَ: «خُذِي أَنْتِ

(1) (Ch. 95) Al-Ḥasan did not ask about the hire the second time depending on what they had agreed upon the first time. He sent ‘Abdullāh more than what was due out of generosity.

(2) (H. 2210) Slaves had to pay their masters certain taxes.

وَبُئِكَ مَا يَكْفِيكَ بِالْمَعْرُوفِ». [انظر: ٢٤٦٠، ٣٨٢٥، ٥٣٥٩، ٥٣٦٤، ٥٣٧٠،

[٦٦٤١، ٧١٦١، ٧١٨٠]

2212. Narrated 'Urwa: I heard 'Āishah saying, "The Holy Verse: '...Whoever amongst guardians is rich, he should take no wages but if he is poor, let him have for himself what is just and reasonable (according to his labour)' (V.4 : 6), was revealed concerning the guardian of the orphans who looks after them and manages favourably their financial affairs; if the guardian is poor, he could have from it what is just and reasonable (according to his labour)."

٢٢١٢ - حَدَّثَنِي إِسْحَاقُ: حَدَّثَنَا ابْنُ نُمَيْرٍ: أَخْبَرَنَا هِشَامُ ح.

وَحَدَّثَنِي مُحَمَّدُ بْنُ سَلَامٍ قَالَ: سَمِعْتُ عُثْمَانَ بْنَ فَرْقَدٍ قَالَ: سَمِعْتُ هِشَامَ بْنَ عُرْوَةَ يُحَدِّثُ عَنْ أَبِيهِ: أَنَّهُ سَمِعَ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا تَقُولُ ﴿وَمَنْ كَانَ غَنِيًّا فَلْيَسْعِفْ وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ﴾ [النساء: ٦]: أَنْزَلَتْ فِي وَالِي الْيَتِيمِ الَّذِي يُقِيمُ عَلَيْهِ وَيُضْلِحُ فِي مَالِهِ، إِنْ كَانَ فَقِيرًا أَكَلَ مِنْهُ بِالْمَعْرُوفِ». [انظر: ٢٧٦٥، ٤٥٧٥]

(٩٦) بَابُ بَيْعِ الشَّرِيكَ مِنْ شَرِيكِهِ.

(96) CHAPTER. Selling of a joint property by one partner to the other.

2213. Narrated Jābir عنہ رضي الله عنه: Allāh's Messenger ﷺ gave pre-emption (to the partner) in every joint property, but if the boundaries of the property were demarcated or the ways and streets were fixed, then there was no pre-emption.

٢٢١٣ - حَدَّثَنِي مَحْمُودٌ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ، عَنْ الزُّهْرِيِّ، عَنْ أَبِي سَلَمَةَ، عَنْ جَابِرِ رَضِيَ اللَّهُ عَنْهُ قَالَ: جَعَلَ رَسُولُ اللَّهِ ﷺ الشُّفْعَةَ فِي كُلِّ مَالٍ لَمْ يُقَسِّمَ، فَإِذَا وَقَعَتِ الْحُدُودُ وَضُرِّقَتِ الطَّرِيقُ فَلَا شُفْعَةَ. [انظر: ٢٢١٤، ٢٢٥٧،

[٢٤٩٦، ٢٤٩٦، ٦٩٧٦]

(97) CHAPTER. The sale of undivided common land, buildings and belongings.

(٩٧) بَابُ بَيْعِ الْأَرْضِ وَالذُّورِ وَالْمَعْرُوضِ مُشَاعًا غَيْرَ مَقْسُومٍ.

2214. Narrated Jābir bin 'Abullāh رضي الله عنه: Allāh's Messenger ﷺ decided the validity of pre-emption in every joint

٢٢١٤ - حَدَّثَنَا مُحَمَّدُ بْنُ مَحْبُوبٍ: حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا

undivided property, but if the boundaries were well marked or the ways and streets were fixed, then there was no pre-emption.

Narrated 'Abdul Wāhid the same as above but said, "...in every joint undivided thing..."

Narrated Hishām from Ma'mar the same as above but said, "...in every property..."

مَعْمَرٌ، عَنِ الرَّهْرِيِّ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَضَى النَّبِيُّ ﷺ بِالشُّفْعَةِ فِي كُلِّ مَالٍ لَمْ يُقَسِّمْ. فَإِذَا وَقَعَتِ الْحُدُودُ، وَصُرِّفَتِ الطَّرِيقُ فَلَا شُفْعَةَ.

حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا عَبْدُ الْوَاحِدِ بِهَذَا. وَقَالَ: فِي كُلِّ مَا لَمْ يُقَسِّمْ. تَابَعَهُ هِشَامٌ، عَنْ مَعْمَرٍ. قَالَ عَبْدُ الرَّزَّاقِ: فِي كُلِّ مَالٍ، رَوَاهُ عَبْدُ الرَّحْمَنِ بْنُ إِسْحَاقَ عَنِ الرَّهْرِيِّ.

[راجع: ٢٢١٣]

(98) CHAPTER. If somebody buys something for another without his permission and the latter accepts it.

2215. Narrated Ibn 'Umar رضي الله عنهما : رضي الله عنهما said, "While three persons were walking, rain began to fall and they had to enter a cave in a mountain. A big rock rolled over and blocked the mouth of the cave. They said to each other, 'Invoke Allāh with the best deed you have performed (so that Allāh might remove the rock)'. One of them said, 'O Allāh! My parents were old and I used to go out for to graze (my animals). On my return I would milk (the animals) and take the milk in a vessel to my parents to drink. After they had drunk from it, I would give it to my children, family and wife. One day I was delayed and on my return I found my parents sleeping, and I disliked to wake them up. The children were crying at my feet (because of hunger). That state of affairs continued till it was dawn. O Allāh! If You regard that I did it only for Your sake, then please remove this rock so that we may

(٩٨) بَابُ إِذَا اشْتَرَى شَيْئًا لِغَيْرِهِ بِغَيْرِ إِذْنِهِ فَرَضِي.

٢٢١٥ - حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا أَبُو عَاصِمٍ: أَخْبَرَنَا ابْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي مُوسَى بْنُ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عَمَرَ رَضِيَ اللَّهُ عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «اُخْرَجَ ثَلَاثَةٌ نَفَرٍ يَمْشُونَ فَأَصَابَهُمُ الْمَطَرُ فَدَخَلُوا فِي غَارٍ فِي جَبَلٍ فَانْحَطَّتْ عَلَيْهِمْ صَخْرَةٌ. قَالَ: فَقَالَ بَعْضُهُمْ لِبَعْضٍ: ادْعُوا اللَّهَ بِأَفْضَلِ عَمَلٍ عَمِلْتُمُوهُ. فَقَالَ أَحَدُهُمْ: اللَّهُمَّ إِنِّي كَانَ لِي أَبُوَانِ شَيْخَانِ كَبِيرَانِ فَكُنْتُ أَخْرُجُ فَأَرْعَى، ثُمَّ أَجِيءُ فَأَحْلُبُ فَأَجِيءُ بِالْحِلَابِ فَآتِي بِهِ أَبُوِّي فَيَسْرَبَانِ. ثُمَّ أَسْقِي الصَّبِيَّةَ

see the sky.' So, the rock was moved a bit. The second said, 'O Allāh! You know that I was in love with a cousin of mine, like the deepest love a man may have for a woman, and she told me that I would not get my desire fulfilled unless I paid her one hundred Dīnār (gold pieces). So, I struggled for it till I gathered the desired amount, and when I sat in between her legs, she told me to be afraid of Allāh, and asked me not to deflower her except rightfully (by marriage). So, I got up and left her. O Allāh! If You regard that I did it only for Your sake, kindly remove this rock.' So, two-thirds of the rock was removed. Then the third man said, 'O Allāh! No doubt You know that once I employed a worker for one *Faraq* (three *Sā'*) of millet, and when I wanted to pay him, he refused to take it, so I sowed it and from its yield I bought cows and a shepherd. After a time that man came and demanded his money. I said to him: Go to those cows and the shepherd and take them for they are for you. He asked me whether I was joking with him. I told him that I was not joking with him, and all that belonged to him. O Allāh! If You regard that I did it only for Your sake, then please remove the rock.' So, the rock was removed completely from the mouth of the cave." [See Vol 4. *Ḥadīth* No.3465.]

وأهلي وامرأتي. فاحتبست ليلة فحجث فإذا هما نائمان، قال: فكبرهت أن أوقفهما، والصبيته يتضاغون عند رجلي. فلم يزل ذلك دأبي ودأبهما حتى طلع الفجر. اللهم إن كنت تعلم أنني فعلت ذلك ابتغاء وجهك فأفرج عني فأفرج عني من السماء. قال: ففرج عنهم. وقال الآخر: اللهم إن كنت تعلم أنني كنت أحب امرأة من بنات عمي كأشد ما يحب الرجل النساء. فقالت: لا تنال ذلك منها حتى تُعطيها مائة دينار، فسعيت فيها حتى جمعتها فلما فعدت بين رجليها قالت: اتق الله ولا تفض الخاتم إلا بحقه. فممت وتركتها. فإن كنت تعلم أنني فعلت ذلك ابتغاء وجهك فأفرج عني فأفرج عني، قال: ففرج عنهم الثلثين. وقال الآخر: اللهم إن كنت تعلم أنني استأجرت أجيراً بفرق من ذرة فأعطيته وأبي ذلك أن يأخذ، فعمدت إلى ذلك الفرق فرزعه حتى اشتريت منه بقرًا وراعيها. ثم جاء فقال: يا عبد الله، أعطني حقي. فقلت: انطلق إلى تلك البقر راعيها فإنها لك. فقال: استهزي بي؟ قال: فقلت: ما استهزي بك ولكنها لك، اللهم إن كنت تعلم أنني فعلت

ذَلِكَ ابْتِغَاءً وَجْهَكَ فَافْرُجْ عَنَّا،  
فَكُشِفَ عَنْهُمْ». [انظر: ٢٢٧٢، ٢٣٣٣،  
٥٩٧٤، ٣٤٦٥]

(99) CHAPTER. Buying and selling with *Mushrikun* (pagans) and with the enemy at war.

2216. Narrated 'Abdur-Rahmān bin Abū Bakr رضي الله عنهما: We were with the Prophet ﷺ when a tall *Mushrik* with long matted unkempt hair came driving his sheep. The Prophet ﷺ asked him, "Are those sheep for sale or for gifts?" The *Mushrik* replied, "They are for sale." The Prophet ﷺ bought one sheep from him.

(٩٩) بَابُ الشَّرَاءِ وَالْبَيْعِ مَعَ الْمُشْرِكِينَ وَأَهْلِ الْحَرْبِ

٢٢١٦ - حَدَّثَنَا أَبُو التَّعْمَانِ:  
حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ أَبِيهِ،  
عَنْ أَبِي عَثْمَانَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ  
أَبِي بَكْرٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: كُنَّا  
مَعَ النَّبِيِّ ﷺ ثُمَّ جَاءَ رَجُلٌ مُشْرِكٌ  
مُسْعَانٌ طَوِيلٌ بَعْنَمٍ يَسُوقُهَا. فَقَالَ  
النَّبِيُّ ﷺ: «أَبِيعَا أَمْ عَطِيَّةٌ؟» أَوْ قَالَ:  
«أَمْ هَبَّةٌ؟» قَالَ: لَا، بَلْ بَيْعٌ، فَاشْتَرَى  
مِنْهُ شَاةً. [انظر: ٢٦١٨، ٥٣٨٢]

(100) CHAPTER. The purchase of a slave from the enemy at war and giving him (to somebody) as a gift and manumitting him.

The Prophet ﷺ asked Salmān to make a contract of his manumission with his masters. In reality Salmān was a free man but the *Mushrikun* oppressed him and sold him.

'Ammār, Şuhaib and Bilāl were taken as captives in (war) booty.

Allāh تعالى said:  
"And Allāh has preferred some of you above others in wealth and properties. Then, those who are preferred will by no means hand over their wealth and properties to those (slaves) whom their right hand possess, so that they may be equal with them in respect thereof.<sup>(1)</sup> Do they then deny the Favour of Allāh?" (V.16:71)

(١٠٠) بَابُ شُرَاءِ الْمَمْلُوكِ مِنَ الْحَرْبِيِّ وَهَبَتِهِ وَعِتْمِهِ

وقَالَ النَّبِيُّ ﷺ لِسَلْمَانَ: كَاتِبٌ،  
وَكَانَ حُرًّا فَظَلَمُوهُ وَبَاعُوهُ. وَسَيِّئَ  
عَمَارًا وَصُهَيْبَ وَبِلَالَ. وَقَالَ اللَّهُ  
تَعَالَى: ﴿وَاللَّهُ فَضَّلَ بَعْضَكُمْ عَلَى بَعْضٍ  
فِي الرِّزْقِ فَمَا الَّذِينَ فُضِّلُوا بِرَادِي رِزْقِهِمْ  
عَلَى مَا مَلَكَتْ أَيْمَانُهُمْ فَهُمْ فِيهِ سَوَاءٌ  
أَفْبِنِعْمَةِ اللَّهِ يَجْحَدُونَ﴾ (٧١) [النحل:

[٧١]

(1) (Ch. 100) This example Allāh has set forth for the (pagans, etc.) who associate false deities with Allāh that they would not agree to share their wealth with their slaves, then how they agree to share false deities with Allāh in His worship.

2217. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "The Prophet Ibrahim (Abraham) عليه السلام emigrated with Sārah and entered a village where there was a king from amongst the kings, or a tyrant from amongst the tyrants. (The king) was told that Ibrāhīm (Abraham) had entered (the village) accompanied by a woman who was one of the most charming woman. So, the king sent for Ibrāhīm and asked, 'O Ibrāhīm (Abraham)! Who is this lady accompanying you?' Ibrāhīm replied, 'She is my sister (i.e., in religion).' Then Ibrāhīm (Abraham) returned to her and said, 'Do not contradict my statement, for I have informed them that you are my sister. By Allāh, there are no true believers on the earth except you and I.' Then Ibrāhīm (Abraham) sent her to the king. When the king got to her, she got up and performed ablution, offered *Ṣalāt* (prayer) and said, 'O Allāh! If I have believed in You and Your Messenger, and have saved my private parts from everybody except my husband, then please do not let this disbeliever overpower me.' On that the king fell in a state of unconsciousness (or had an epileptic fit) and started moving his legs. On seeing the condition of the king, Sārah said, 'O Allāh! If he should die, the people will say that I have killed him.' The king regained his power, and proceeded towards her but she got up again and performed ablution, offered *Ṣalāt* (prayer) and said, 'O Allāh! If I have believed in You and Your Messenger and have kept my private parts safe from all except my husband, then please do not let this disbeliever overpower me.' The king again fell in a state of unconsciousness (or had an epileptic fit) and started moving his legs. On seeing that state of the king, Sārah said, 'O Allāh! If he should die, the people will say that I have killed him.' The king got

٢٢١٧ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ: حَدَّثَنَا أَبُو الزِّنَادِ، عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «هَاجَرَ إِبْرَاهِيمُ عَلَيْهِ السَّلَامُ بِسَارَةَ فَدَخَلَ بِهَا قَرْيَةً فِيهَا مَلِكٌ مِنَ الْمُلُوكِ، أَوْ جَبَّارٌ مِنَ الْجَبَابِرَةِ. فَقِيلَ: دَخَلَ إِبْرَاهِيمُ بِامْرَأَةٍ هِيَ مِنْ أَحْسَنِ النِّسَاءِ. فَأَرْسَلَ إِلَيْهِ: أَنْ يَا إِبْرَاهِيمُ، مَنْ هَذِهِ الَّتِي مَعَكَ؟ قَالَ: أُخْتِي، ثُمَّ رَجَعَ إِلَيْهَا فَقَالَ: لَا تُكْذِبِي حَدِيثِي، فَإِنِّي أَخْبَرْتُهُمْ أَنَّكَ أُخْتِي، وَاللَّهِ إِنْ عَلَى الْأَرْضِ مِنْ مُؤْمِنٍ غَيْرِي وَغَيْرِكَ. فَأَرْسَلَ بِهَا إِلَيْهِ فَقَامَ إِلَيْهَا فَقَامَتْ تَوَضُّأً وَتُصَلِّيَ، فَقَالَتْ: اللَّهُمَّ إِنْ كُنْتُ آمَنْتُ بِكَ وَبِرَسُولِكَ وَأَحْصَنْتُ فَرْجِي إِلَّا عَلَى زَوْجِي فَلَا تُسَلِّطْ عَلَيَّ الْكَافِرَ. فَعُظَّ حَتَّى رَكَضَ بِرِجْلِهِ»، قَالَ الْأَعْرَجُ قَالَ: أَبُو سَلَمَةَ بْنُ عَبْدِ الرَّحْمَنِ: إِنَّ أَبَا هُرَيْرَةَ قَالَ: «قَالَتْ: اللَّهُمَّ إِنْ يَمُتْ يُقَالُ: هِيَ فَتَنَتْهُ. فَأَرْسَلَ ثُمَّ قَامَ إِلَيْهَا فَقَامَتْ تَوَضُّأً وَتُصَلِّيَ وَقَوْلُ: اللَّهُمَّ إِنْ كُنْتُ آمَنْتُ بِكَ وَبِرَسُولِكَ وَأَحْصَنْتُ فَرْجِي إِلَّا عَلَى زَوْجِي فَلَا تُسَلِّطْ عَلَيَّ هَذَا الْكَافِرَ. فَعُظَّ حَتَّى رَكَضَ بِرِجْلِهِ». قَالَ عَبْدُ الرَّحْمَنِ: قَالَ أَبُو سَلَمَةَ قَالَ أَبُو هُرَيْرَةَ: «قَالَتْ: اللَّهُمَّ إِنْ يَمُتْ

either two or three attacks, and after recovering from the last attack he said, 'By Allāh! You have sent a Satan to me. Take her to Ibrāhīm (Abraham) عليه السلام and give her to Ibrāhīm (Abraham) and said, 'Allāh humiliated the disbeliever and gave us a slave-girl for service'.<sup>(1)</sup>

فَيَقُولُ: هِيَ قَتَلْتَهُ. فَأُرْسِلَ فِي الثَّانِيَةِ  
أَوْ فِي الثَّلَاثَةِ، فَقَالَ: وَاللَّهِ مَا أُرْسَلْتُ  
إِلَيَّْ إِلَّا شَيْطَانًا، أَرْجِعُوهَا إِلَى  
إِبْرَاهِيمَ عَلَيْهِ السَّلَامُ وَأَعْطُوهَا آجَرَ.  
فَرَجَعْتُ إِلَى إِبْرَاهِيمَ عَلَيْهِ السَّلَامُ،  
فَقَالَتْ: أَشَعْرْتُ أَنْ اللَّهُ كَبَتَ الْكَافِرَ  
وَأَخَذَمَ وَلِيدَةَ؟». [انظر: ٢٦٣٥،

٣٣٥٧، ٣٣٥٨، ٥٠٨٤، ٦٩٥٠]

**2218.** Narrated 'Āishah رضي الله عنها Sa'd bin Abī Waqqāṣ and 'Abd bin Zam'a quarrelled over a boy. Sa'd said, "O Allāh's Messenger! This boy is the son of my brother ('Utba bin Abī Waqqāṣ) who took a promise from me that I would take him as he was his (illegal) son. Look at him and see whom he resembles." 'Abd bin Zam'a said, "O Allāh's Messenger! This is my brother and was born on my father's bed from his slave-girl." Allāh's Messenger ﷺ cast a look at the boy and found definite resemblance to 'Utba and then said, "The boy is for you, O'Abd bin Zam'a. The child goes to the owner of the bed (on which he was born), and the adulterer gets nothing but the stones (despair, i.e., to be stoned to death). Then the Prophet ﷺ said, "O Sauda bint Zam'a! Screen yourself from this boy." So, Sauda never saw him again.

١٢٢١٨ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا  
اللَّيْثُ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ،  
عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا أَنَّهَا  
قَالَتْ: اخْتَصَمَ سَعْدُ بْنُ أَبِي وَقَّاصٍ  
وَعَبْدُ بْنُ زَمْعَةَ فِي غُلَامٍ، فَقَالَ سَعْدُ:  
هَذَا يَا رَسُولَ اللَّهِ ابْنُ أُخِي عْتَبَةَ بْنِ  
أَبِي وَقَّاصٍ عَهْدَ إِلَيَّ أَنَّهُ ابْنُهُ، أَنْظِرْ  
إِلَى شَبِيهِ. وَقَالَ عَبْدُ بْنُ زَمْعَةَ: هَذَا  
أُخِي يَا رَسُولَ اللَّهِ، وُلِدَ عَلَيَّ فِرَاشِ  
أَبِي مِنْ وَلِيدَتِهِ. فَتَنَظَّرَ رَسُولُ اللَّهِ ﷺ  
إِلَى شَبِيهِ فَرَأَى شَبَهَا بَيْنًا بَعْتَبَةَ فَقَالَ:  
«هُوَ لَكَ يَا عَبْدُ، الْوَلَدُ لِلْفِرَاشِ  
وَلِلْعَاهِرِ الْحَجَرِ. وَاخْتَجِبِي مِنْهُ يَا  
سَوْدَةَ بِنْتُ زَمْعَةَ»، فَلَمْ تَرَهُ سَوْدَةُ  
قَطُّ.

**2219.** Narrated Sa'd that his father said: 'Abdur-Raḥmān bin 'Aūf said to Ṣuḥaib, "Fear Allāh and do not ascribe yourself to somebody other than your father." Ṣuḥaib replied, "I would not like to say it even if I were given large amounts of money, but I say

٢٢١٩ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ:  
حَدَّثَنَا عُندَرٌ: حَدَّثَنَا شُعْبَةُ، عَنْ سَعْدِ  
عَنْ أَبِيهِ: قَالَ عَبْدُ الرَّحْمَنِ بْنُ عَوْفٍ  
رَضِيَ اللَّهُ عَنْهُ لِيُصْهَبَ: اتَّقِ اللَّهَ وَلَا

(1) (H. 2217) Ibrāhīm (Abraham) عليه السلام accepted the gift from the infidel.



I was kidnapped in my childhood.”

2220. Narrated ‘Urwa bin Az-Zubair: Ḥakīm bin Ḥizām said, “O Allāh’s Messenger! I used to do good deeds in the Pre-Islāmic Period of Ignorance, such as keeping good relations with my kith and kin, manumitting slaves and giving alms. Shall I receive a reward for all that?” Allāh’s Messenger ﷺ replied, “You embraced Islām with all the good deeds which you did in the past.”

**(101) CHAPTER. The hides of dead animals before tanning.**

2221. Narrated ‘Abdullāh bin ‘Abbās رضي الله عنهما:

Once Allāh’s Messenger ﷺ passed by a dead sheep and said to the people, “Wouldn’t you benefit by its skin?”

The people replied that it was dead.

The Prophet ﷺ said, “But its eating only is illegal.”

**(102) CHAPTER. The killing of pigs.**

And Jābir said, “The Prophet ﷺ made the sale of pigs illegal.”

2222. Narrated Abū Hurairah رضي الله عنه: Allāh’s Messenger ﷺ said, “By Him (Allāh)

تَدَعَ إِلَى غَيْرِ أَيْكَ. فَقَالَ صُهَيْبٌ: مَا يُسْرُنِي أَنْ لِي كَذَا وَكَذَا وَأَنِّي قُلْتُ ذَلِكَ. وَلِكِنِّي سُرِفْتُ وَأَنَا صَبِيٌّ.

٢٢٢٠ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي عُرْوَةُ ابْنُ الزُّبَيْرِ: أَنَّ حَكِيمَ بْنَ حِزَامٍ أَخْبَرَهُ أَنَّهُ قَالَ: يَا رَسُولَ اللَّهِ، أَرَأَيْتَ أُمُورًا كُنْتُ أَتَحَنَّتُ أَوْ أَتَحَنَّتْ بِهَا فِي الْجَاهِلِيَّةِ مِنْ صَلَاةٍ وَعَتَاqَةٍ وَصَدَقَةٍ، هَلْ لِي فِيهَا أَجْرٌ؟ قَالَ حَكِيمٌ رَضِيَ اللَّهُ عَنْهُ: قَالَ رَسُولُ اللَّهِ ﷺ: «أَسَلِمْتَ عَلَى مَا سَلَفَ لَكَ مِنْ خَيْرٍ». [راجع: ١٤٣٦]

**(١٠١) بَابُ جُلُودِ الْمَيِّتَةِ قَبْلَ أَنْ تُدْبَعَ.**

٢٢٢١ - حَدَّثَنَا زُهَيْرُ بْنُ حَرْبٍ: حَدَّثَنَا يَعْقُوبُ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا أَبِي، عَنْ صَالِحٍ قَالَ: حَدَّثَنِي ابْنُ شِهَابٍ أَنَّ عُيَيْدَ اللَّهِ بْنَ عَبْدِ اللَّهِ أَخْبَرَهُ أَنَّ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا أَخْبَرَهُ: أَنَّ رَسُولَ اللَّهِ ﷺ مَرَّ بِشَاةٍ مَيِّتَةٍ فَقَالَ: «هَلَّا اسْتَمْتَعْتُمْ بِهَا بِهَا؟» قَالُوا: إِنَّهَا مَيِّتَةٌ، قَالَ: «إِنَّمَا حَرَّمَ أَكْلَهَا». [راجع: ١٤٩٢]

**(١٠٢) بَابُ قَتْلِ الْخِنْزِيرِ.**

وقال جابر: حَرَّمَ النَّبِيُّ ﷺ بَيْعَ الْخِنْزِيرِ.

٢٢٢٢ - حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ:

in Whose Hands my soul is, surely the son of Maryam (Mary) 'Iesa (Jesus)<sup>(1)</sup> will shortly descend amongst you people (Muslims) and will judge mankind justly by the Law of the Qur'an (as a just ruler) and will break the cross and kill the pigs and abolish the *Jizya* (a tax taken from the non-Muslims, who are under the protection of the Muslim government. This *Jizya* tax will not be accepted by 'Iesa [(Jesus) عليه السلام]. Then there will be abundance of money and nobody will accept charitable gifts. [See *Fath Al-Bāri*, for details].

(103) CHAPTER. The fat of the dead animal should not be melted, nor should it be sold.

Jābir narrated this from the Prophet ﷺ.

2223. Narrated Ibn 'Abbās رضي الله عنهما: Once 'Umar was informed that a certain man has sold an alcoholic drink. 'Umar said, "May Allāh curse him! Doesn't he know that Allāh's Messenger ﷺ said, 'May Allāh curse the Jews, for Allāh had forbidden them to eat the fat of animals but they melted it and sold it.'"<sup>(2)</sup>

2224. Narrated Abū Hurairah رضي الله عنه: Allāh's Messenger ﷺ said, "May Allāh curse the jews, because Allāh made fat illegal for

حَدَّثَنَا اللَّيْثُ، عَنِ ابْنِ شِهَابٍ، عَنِ ابْنِ الْمُسَيَّبِ: أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «وَالَّذِي نَفْسِي بِيَدِهِ لَيُوشِكَنَّ أَنْ يَنْزَلَ فِيكُمْ ابْنُ مَرْيَمَ حَكَمًا مُفْسِطًا، فَيَكْسِرَ الصَّلِيبَ، وَيَقْتُلَ الْخَنزِيرَ، وَيَضَعَ الْجِزْيَةَ، وَيَقْبِضَ الْمَالَ حَتَّى لَا يَقْبَلَهُ أَحَدٌ». [انظر: ٢٤٧٦، ٣٤٤٨، ٣٤٤٩]

(١٠٣) بَابٌ لَا يُذَابُ شَحْمُ الْمَيِّتَةِ وَلَا يُبَاعُ وَدَكَّهُ.

رَوَاهُ جَابِرٌ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ.

٢٢٢٣ - حَدَّثَنَا الْحُمَيْدِيُّ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا عَمْرُو بْنُ دِينَارٍ، قَالَ: أَخْبَرَنِي طَاوُسٌ: أَنَّهُ سَمِعَ ابْنَ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا يَقُولُ: بَلَغَ عُمَرَ أَنَّ فُلَانًا بَاعَ خَمْرًا، فَقَالَ: قَاتَلَ اللَّهُ فُلَانًا، أَلَمْ يَعْلَمْ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «قَاتَلَ اللَّهُ الْيَهُودَ. حُرِّمَتْ عَلَيْهِمُ الشُّحُومُ فَجَمَلُوهَا فَبَاعُوهَا». [انظر: ٣٤٦٠]

٢٢٢٤ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا يُونُسُ، عَنِ ابْنِ

(1) (H. 2222) 'Iesa (Jesus), the son of Maryam (Mary) عليه السلام will descend as a leader of the Muslims, and it is a severe warning to the Christians who claim to be the followers of 'Iesa (Jesus) and he will break the cross and kill the pigs, and he (عليه السلام) will abolish the *Jizya* tax and all mankind will be required to embrace Islam with no other alternative.

(2) (H. 2223) This indicates that it is not permissible to sell a thing which is illegal to eat.

them but they sold it and ate its price.”

شِهَاب: سَمِعْتُ سَعِيدَ بْنَ الْمُسَيَّبِ،  
عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ  
رَسُولَ اللَّهِ ﷺ قَالَ: «قَاتَلَ اللَّهُ  
يَهُودًا. حُرِّمَتْ عَلَيْهِمُ الشُّحُومُ  
فَبَاعُوهَا وَأَكَلُوا أَثْمَانَهَا».

قَالَ أَبُو عَبْدِ اللَّهِ: قَاتَلَهُمُ اللَّهُ:  
لَعَنَهُمْ. ﴿قِيلَ﴾: لُعِنَ ﴿الْمُحْرَصُونَ﴾:  
الكَذَّابُونَ.

(104) CHAPTER. The selling of the pictures of inanimated objects having no souls and what is hated from that.

2225. Narrated Sa'īd bin Abū Al-Ḥasan: While I was with Ibn 'Abbās رَضِيَ اللَّهُ عَنْهُمَا, a man came and said, "O father of 'Abbās! I am a human being and my sustenance is from my manual profession and I make these pictures." Ibn 'Abbās said, "I will tell you only what I heard from Allāh's Messenger ﷺ. I heard him saying, 'Whoever makes a picture will be punished by Allāh till he puts soul (life) in it, and he will never be able to put soul (life) in it.'" Hearing this, that man heaved a sigh and his face turned pale. Ibn 'Abbās said to him, "What a pity! If you insist on making pictures I advise you to make pictures of trees and any other inanimated objects having no souls."

[See *Faṭḥ Al-Bārī*, for details]

(١٠٤) بَابُ بَيْعِ التَّصَاوِيرِ الَّتِي لَيْسَ فِيهَا رُوحٌ، وَمَا يُكْرَهُ مِنْ ذَلِكَ.

٢٢٢٥ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَبْدِ  
الْوَهَّابِ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ:  
أَخْبَرَنَا عَوْفٌ عَنْ سَعِيدِ بْنِ أَبِي  
الْحَسَنِ قَالَ: كُنْتُ عِنْدَ ابْنِ عَبَّاسٍ  
رَضِيَ اللَّهُ عَنْهُمَا إِذْ آتَاهُ رَجُلٌ فَقَالَ:  
يَا أَبَا عَبَّاسٍ، إِنِّي إِنْسَانٌ إِنَّمَا مَعِيشَتِي  
مِنْ صَنْعَةٍ بِيَدِي، وَإِنِّي أَصْنَعُ هَذِهِ  
التَّصَاوِيرَ، فَقَالَ ابْنُ عَبَّاسٍ: لَا  
أُحَدِّثُكَ إِلَّا مَا سَمِعْتُ مِنْ رَسُولِ اللَّهِ  
ﷺ، سَمِعْتُهُ يَقُولُ: «مَنْ صَوَّرَ صُورَةَ  
فِي اللَّهِ مُعَذِّبَةً حَتَّى يَنْفُخَ فِيهَا الرُّوحَ  
وَلَيْسَ بِنَافِخٍ فِيهَا أَبَدًا». فَرَبَّنَا الرَّجُلُ  
رَبْوَةٌ شَدِيدَةٌ وَاصْفَرَّ وَجْهُهُ فَقَالَ:  
وَيْحَكَ إِنْ أَبَيْتَ إِلَّا أَنْ تَضَعَنَّ فَعَلَيْكَ  
بِهَذَا الشَّجَرِ، كُلُّ شَيْءٍ لَيْسَ فِيهِ  
رُوحٌ. قَالَ أَبُو عَبْدِ اللَّهِ: سَمِعَ سَعِيدُ  
بْنَ أَبِي عَرُوبَةَ مِنَ النَّضْرِ بْنِ أَنَسٍ هَذَا  
الْوَاحِدَ. [انظر: ٥٩٦٣، ٧٠٤٢]

(105) CHAPTER. Trade of alcoholic drinks is illegal.

Jābir رضي الله عنه said, "The Prophet ﷺ made the trade of alcoholic drinks illegal."

2226. Narrated 'Āishah رضي الله عنها: When the last verses of *Sūrat Al-Baqarah* were revealed, the Prophet ﷺ went out (of his house to the mosque) and said, "The trade of alcoholic drinks has been made illegal."

(106) CHAPTER. The sin of a person who sells a free man (knowingly and intentionally).

2227. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ said, "Allāh says, 'I will be against three persons on the Day of Resurrection:

1. One who makes a covenant in My Name, but he proves treacherous.
2. One who sells a free person (as a slave) and eats the price.
3. And one who employs a labourer and gets the full work done by him but does not pay him his wages'."

(107) CHAPTER. The Prophet ﷺ ordered the Jews to sell their land when he exiled them (drove them out of Al-Madina).

(108) CHAPTER. The sale of a slave (for a slave) and an animal for an animal on credit.

And Ibn 'Umar bought a mount (riding camel) for four camels which he promised to

(١٠٥) بَابُ تَحْرِيمِ التَّجَارَةِ فِي الْخَمْرِ.

وَقَالَ جَابِرٌ رَضِيَ اللَّهُ عَنْهُ: حَرَّمَ النَّبِيُّ ﷺ بَيْعَ الْخَمْرِ.

٢٢٢٦ - حَدَّثَنَا مُسْلِمٌ: حَدَّثَنَا شُعْبَةُ، عَنِ الْأَعْمَشِ، عَنْ أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: لَمَّا نَزَلَتْ آيَاتُ سُورَةِ الْبَقَرَةِ عَنْ آخِرِهَا خَرَجَ النَّبِيُّ ﷺ فَقَالَ: حُرِّمَتِ التَّجَارَةُ فِي الْخَمْرِ.

(١٠٦) بَابُ إِثْمٍ مَنْ بَاعَ حُرًّا.

٢٢٢٧ - حَدَّثَنِي بِشْرُ بْنُ مَرْحُومٍ: حَدَّثَنَا يَحْيَى بْنُ سُلَيْمٍ، عَنْ إِسْمَاعِيلَ بْنِ أُمَيَّةَ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ، عَنِ النَّبِيِّ ﷺ قَالَ: «قَالَ اللَّهُ: ثَلَاثَةٌ أَنَا خَصْمُهُمْ يَوْمَ الْقِيَامَةِ: رَجُلٌ أَعْطَى بِي ثُمَّ عَدَرَ. وَرَجُلٌ بَاعَ حُرًّا فَأَكَلَ ثَمَنَهُ. وَرَجُلٌ اسْتَأْجَرَ أَجِيرًا فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِهِ أَجْرَهُ».

(١٠٧) بَابُ أَمْرِ النَّبِيِّ ﷺ الْيَهُودَ بِبَيْعِ أَرْضِيهِمْ حِينَ أُجْلَاهُمْ. فِيهِ الْمُقْبِرِيُّ، عَنْ أَبِي هُرَيْرَةَ.

(١٠٨) بَابُ بَيْعِ الْعَبْدِ وَالْحَيَوَانَ بِالْحَيَوَانَ نَسِيئَةً.

وَأَشْتَرَى ابْنُ عُمَرَ رَاحِلَةً بِأَرْبَعَةِ

deliver at Ar-Rabadha. Ibn 'Abbās said, "One camel may be better than two." Rāfi' bin Khadīj once bought a camel for two camels and he delivered one instantly and said, "If Allāh will, I will bring you the other tomorrow without delay." And said Ibn Al-Musaiyab. "There is no *Ribā* (in animals) i.e., in selling one camel for two, or one sheep for two sheep on credit."

Ibn Sīrīn said, "There is no harm in selling one camel for two on credit."

2228. Narrated Anas رَضِيَ اللهُ عَنْهُ: Amongst the captives was Şafīyya. First she was given to Dihya Al-Kalbi and then to the Prophet ﷺ.<sup>(1)</sup>

#### (109) CHAPTER. The sale of slaves.

2229. Narrated Abū Sa'īd Al-Khudrī رَضِيَ اللهُ عَنْهُ that while he was sitting with Allāh's Messenger ﷺ (an *Anṣārī* man came) and said, "O Allāh's Messenger! We get female captives as our share of booty, and we are interested in their prices, what is your opinion about coitus interruptus?" The Prophet ﷺ said, "Do you really do that? It is better for you not to do it. No soul that which Allāh has destined to exist, but will surely come into existence."

[See *Fath Al-Bārī*]

أَبْعَرَةَ مَضْمُونَةٍ عَلَيْهِ يُوقِيهَا صَاحِبَهَا بِالرَبْدَةِ. وَقَالَ ابْنُ عَبَّاسٍ: قَدْ يَكُونُ الْبَعِيرُ خَيْرًا مِنَ الْبَعِيرَيْنِ. وَاشْتَرَى رَافِعُ بْنُ خَدِيجٍ بَعِيرًا بِبَعِيرَيْنِ فَأَعْطَاهُ أَحَدَهُمَا، وَقَالَ: آتِيكَ بِالْآخَرِ غَدًا رَهْوًا إِنْ شَاءَ اللَّهُ. وَقَالَ ابْنُ الْمُسَيْبِ: لَا رَبًّا فِي الْحَيَوَانِ، الْبَعِيرُ بِالْبَعِيرَيْنِ. وَالشَّاءُ بِالشَّاتَيْنِ إِلَى أَجَلٍ. وَقَالَ ابْنُ سِيرِينَ: لَا بِأَسْ بَعِيرٍ بِبَعِيرَيْنِ وَدِرْهَمٌ بِدِرْهَمٍ نَسِيئَةً.

٢٢٢٨ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ، عَنْ ثَابِتٍ، عَنْ أَنَسِ رَضِيَ اللهُ عَنْهُ قَالَ: كَانَ فِي السَّبْيِ صَفِيَّةٌ، فَصَارَتْ إِلَى دِحْيَةَ الْكَلْبِيِّ. ثُمَّ صَارَتْ إِلَى النَّبِيِّ ﷺ. [راجع: ٣٧١]

#### (١٠٩) بَابُ بَيْعِ الرَّقِيقِ

٢٢٢٩ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي ابْنُ مُحَرَّرٍ أَنَّ أَبَا سَعِيدٍ الْخُدْرِيَّ رَضِيَ اللهُ عَنْهُ أَخْبَرَهُ: أَنَّهُ بَيْنَمَا هُوَ جَالِسٌ عِنْدَ النَّبِيِّ ﷺ قَالَ: يَا رَسُولَ اللَّهِ، إِنَّا نَصِيبُ سَبْيًا. فَنُحِبُّ الْأَثْمَانَ فَكَيْفَ تَرَى فِي الْعَزْلِ؟ فَقَالَ: «أَوْ إِنَّكُمْ تَفْعَلُونَ ذَلِكَ؟ لَا عَلَيْكُمْ أَنْ لَا تَفْعَلُوا ذَلِكَ،

(1) (H. 431) When the Prophet ﷺ took Şafīyya for himself, he told Dihya to choose another slave-girl from among the captives. So, this case is a kind of buying a slave on credit. [See *Fath Al-Bārī*].

فَإِنَّمَا لَيْسَتْ نَسَمَةٌ كَتَبَ اللَّهُ أَنْ تَخْرُجَ  
إِلَّا هِيَ خَارِجَةٌ». (١١٠) **بَابُ بَيْعِ الْمُدَبَّرِ.**

(110) CHAPTER. The sale of *Mudabbar* (i.e., a slave who is promised by his master to be manumitted after the latter's death).

2230. Narrated Jābir عنه الله رضي الله عنه: The Prophet ﷺ sold a *Mudabbar* (on behalf of his master who was still living and was in need of money).

٢٢٣٠ - حَدَّثَنَا ابْنُ نُمَيْرٍ: حَدَّثَنَا  
وَكَيْعٌ: حَدَّثَنَا إِسْمَاعِيلُ عَنْ سَلَمَةَ بْنِ  
كُهَيْلٍ، عَنْ عَطَاءٍ عَنْ جَابِرِ رَضِيَ اللَّهُ  
عَنْهُ قَالَ: بَاعَ النَّبِيُّ ﷺ الْمُدَبَّرَ.  
[راجع: ٢١٤١]

2231. Narrated Jābir bin 'Abdullāh رضي الله عنه: Allāh's Messenger ﷺ sold (a *Mudabbar*). [See *Fath Al-Bārī*]

٢٢٣١ - حَدَّثَنَا فُتَيْبَةُ: حَدَّثَنَا  
سُفْيَانُ عَنْ عَمْرِو: سَمِعَ جَابِرَ بْنَ عَبْدِ  
اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا يَقُولُ: بَاعَهُ  
رَسُولُ اللَّهِ ﷺ. [راجع: ٢١٤١]

2232, 2233. Narrated Zaid bin Khālid and Abū Hurairah رضي الله عنهما that Allāh's Messenger ﷺ was asked about an unmarried slave-girl who committed illegal sexual intercourse. They heard him saying, "Flog<sup>(1)</sup> her, and if she commits illegal sexual intercourse again after that, flog her again, and on the third (or the fourth) offense, sell her."<sup>(2)</sup>

٢٢٣٢، ٢٢٣٣ - حَدَّثَنِي زُهَيْرٌ  
بُنُ حَرَبٍ: حَدَّثَنَا يَعْقُوبُ: حَدَّثَنَا  
أَبِي، عَنْ صَالِحٍ قَالَ: حَدَّثَ ابْنُ  
شَهَابٍ أَنَّ عُبَيْدَ اللَّهِ أَخْبَرَهُ أَنَّ زَيْدَ بْنَ  
خَالِدٍ وَأَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُمَا  
أَخْبَرَاهُ أَنَّهُمَا سَمِعَا رَسُولَ اللَّهِ ﷺ  
يُسْأَلُ عَنِ الْأَمَةِ تَزَوَّجَهَا وَلَمْ تُحْصَنَ.  
قَالَ: «اجْلِدُوهَا، ثُمَّ إِنْ زَنَتْ  
فَاجْلِدُوهَا ثُمَّ يَبِعُوهَا بَعْدَ الثَّلَاثَةِ أَوْ  
الرَّابِعَةِ». [راجع: ٢١٥٢]

2234. Narrated Abū Hurairah رضي الله عنه: I heard the Prophet ﷺ saying, "If a slave-girl of yours commits illegal sexual intercourse

٢٢٣٤ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ  
عَبْدِ اللَّهِ قَالَ: أَخْبَرَنِي اللَّيْثُ، عَنْ

(1) (H. 2232) A slave-girl committing illegal sexual intercourse is punished with 50 lashes, which are half the lashes given to a free unmarried person. Stoning is not prescribed for slaves committing illegal sexual intercourse.

(2) (H. 2232) The narrator is not sure whether the Prophet ﷺ said, "...the third or the fourth offense..."

and her illegal sexual intercourse is proved, she should be lashed, and after that nobody should blame her, and if she commits illegal sexual intercourse the second time, she should be lashed and nobody should blame her after that, and if she does the offense for the third time and her illegal sexual intercourse is proved, she should be sold, even for a hair rope.”

**(111) CHAPTER. One can travel with a slave-girl without knowing whether she is pregnant or not?**

Al-Ḥasan found no harm in her master's kissing or fondling with her.

Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا said, “If a slave-girl who is suitable to have sexual relations is given to somebody as a gift, or sold or manumitted, her master should not have sexual intercourse with her before she gets one menstruation so as to be sure of absence of pregnancy, and there is no such necessity for a virgin.”

‘Atā said, “There is no harm in fondling with one's pregnant<sup>(1)</sup> slave-girl without having sexual intercourse with her. Allāh said:

“Except with their wives and the (woman slaves) whom their right hands possess...” (V.70:30)

**2235.** Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: the Prophet ﷺ came to Khaibar and when Allāh made him victorious and he conquered the town by breaking the enemy's defense, the beauty of Ṣafīyya bint Ḥuyai bin Akḥṭab was mentioned to him. Her husband had been killed while she was a bride. Allāh's

سَعِيدٍ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «إِذَا زَنَتْ أُمَةٌ أَحَدِكُمْ فَتَبَيَّنَ زَنَاهَا فَلْيَجْلِدْهَا الْحَدَّ وَلَا يُثْرَبْ عَلَيْهَا، ثُمَّ إِنْ زَنَتْ فَلْيَجْلِدْهَا الْحَدَّ وَلَا يُثْرَبْ، ثُمَّ إِنْ زَنَتْ الثَّلَاثَةَ فَتَبَيَّنَ زَنَاهَا فَلْيَبِعْهَا وَلَوْ بِحَبْلِ مِنْ شَعْرٍ.»

[راجع: ٢١٥٢]

**(١١١) بَابُ هَلْ يُسَافِرُ بِالْجَارِيَةِ قَبْلَ أَنْ يَسْتَبْرَأَهَا؟**

وَلَمْ يَرَ الْحَسَنُ بَأْسًا أَنْ يُقَبِّلَهَا أَوْ يُبَاشِرَهَا. وَقَالَ ابْنُ عُمَرَ رَضِيَ اللهُ عَنْهُمَا: إِذَا وَهَبْتَ الْوَالِدَةَ الَّتِي تُوطَأُ أَوْ بِيَعْتَ أَوْ عَتَقْتَ فَلْيَسْتَبْرَأْ رَحْمَهَا بِحَيْضَةٍ، وَلَا تُسْتَبْرَأَ الْعَذْرَاءُ. وَقَالَ عَطَاءٌ: لَا بَأْسَ أَنْ يُصِيبَ مِنْ جَارِيَتِهِ الْحَامِلَ مَا دُونَ الْفَرْجِ. وَقَالَ اللهُ تَعَالَى: ﴿لَا عَلَيَّ أَرْوَاحُهُمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ﴾ [المؤمنون: ٦].

**٢٢٣٥ - حَدَّثَنَا عَبْدُ الْعَقَّارِ بْنُ دَاوُدَ: حَدَّثَنَا يَعْقُوبُ بْنُ عَبْدِ الرَّحْمَنِ عَنْ عَمْرِو بْنِ أَبِي عَمْرٍو عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللهُ عَنْهُ قَالَ: قَدِمَ النَّبِيُّ ﷺ خَيْبَرَ فَلَمَّا فَتَحَ اللهُ عَلَيْهِ الْحِصْنَ**

(1) (Ch. 111) Pregnant from another man, not her master.

Messenger ﷺ selected her for himself and he set out in her company till he reached Sadder-Rawḥā' where her menses were over and he married her. Then *Hais* (a kind of meal) was prepared and served on a small leather sheet (used for serving meals). Allāh's Messenger ﷺ then said to me, "Inform those who are around you (about the wedding banquet)." So that was the marriage banquet given by Allāh's Messenger for (his marriage with) Ṣāfiyya. After that we proceeded to Al-Madīna and I saw that Allāh's Messenger ﷺ was covering her with a cloak while she was behind him. Then he would sit beside his camel and let Ṣāfiyya put her feet on his knees to ride (the camel).

ذَكَرَ لَهُ جَمَالٌ صَفِيَّةَ بِنْتِ حُيَيِّ بْنِ أَحْطَبٍ، وَقَدْ قُتِلَ زَوْجُهَا وَكَانَتْ عَرُوسًا، فَاصْطَفَاهَا رَسُولُ اللَّهِ ﷺ لِنَفْسِهِ، فَخَرَجَ بِهَا حَتَّى بَلَّغْنَا سَدَّ الرَّوْحَاءِ حَلَّتْ قَبَتِي بِهَا ثُمَّ صَنَعَ حَيْسًا فِي نِطْعٍ صَغِيرٍ. ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ: «أَذِنَ مَنْ حَوْلَكَ»، فَكَانَتْ تِلْكَ وَوَلِيمَةَ رَسُولِ اللَّهِ ﷺ عَلَى صَفِيَّةَ. ثُمَّ خَرَجْنَا إِلَى الْمَدِينَةِ، قَالَ: فَرَأَيْتُ رَسُولَ اللَّهِ ﷺ يُحَوِّي لَهَا وَرَاءَهُ بَعَاءَةً. ثُمَّ يَجْلِسُ عِنْدَ بَعِيرِهِ فَيَضَعُ رُكْبَتَهُ فَتَضَعُ صَفِيَّةُ رِجْلَهَا عَلَى رُكْبَتِهِ حَتَّى تَرْتَكِبَ. [راجع: ٣٧١]

#### (112) CHAPTER. The sale of dead animals and idols.

#### (١١٢) بَابُ بَيْعِ الْمَيْتَةِ وَالْأَصْنَامِ.

2236. Narrated Jābir bin 'Abdullāh رضي الله عنه: In the year of the conquest of Makkah, I heard Allāh's Messenger ﷺ saying, "Allāh and His Messenger made illegal the trade of alcoholic liquors, dead animals, pigs and idols." The people asked, "O Allāh's Messenger! What about the fat of dead animals, for it was used for greasing the boats and the hides; and people use it for lights?" He said, "No, it is illegal." Allāh's Messenger ﷺ further said, "May Allāh curse the Jews, for Allāh made the fat (of animals) illegal for them, yet they melted the fat and sold it and ate its price."

٢٢٣٦ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ وَهُوَ بِمَكَّةَ عَامَ الْفَتْحِ: «إِنَّ اللَّهَ وَرَسُولَهُ حَرَّمَ بَيْعَ الْحَمْرِ وَالْمَيْتَةِ وَالْخِنْزِيرِ وَالْأَصْنَامِ». فَقِيلَ: يَا رَسُولَ اللَّهِ، أَرَأَيْتَ شُحُومَ الْمَيْتَةِ فَإِنَّهَا يُطْلَى بِهَا السُّفُنُ وَيُدْهَنُ بِهَا الْجُلُودُ. وَيَسْتَضْبِحُ بِهَا النَّاسُ. فَقَالَ: «لَا، هُوَ حَرَامٌ» ثُمَّ قَالَ رَسُولُ اللَّهِ ﷺ: «قَاتَلَ اللَّهُ الْيَهُودَ، إِنَّ اللَّهَ لَمَّا حَرَّمَ شُحُومَهَا جَمَلُوهَا ثُمَّ



بَاعُوهُ فَأَكَلُوا ثَمَنَهُ»، وَقَالَ أَبُو عَاصِمٍ: حَدَّثَنَا عَبْدُ الْحَمِيدِ: حَدَّثَنَا يَزِيدُ: كَتَبَ إِلَيَّ عَطَاءٌ: سَمِعْتُ جَابِرًا رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ. [انظر:

[٤٦٣٣، ٤٢٩٦]

(113) CHAPTER. The price of a dog.

2237. Narrated Abū Mas'ūd Al-Anṣārī: Allāh's Messenger ﷺ forbade taking the price of a dog, money earned by prostitution and the earnings of a soothsayer.

(١١٣) بَابُ ثَمَنِ الْكَلْبِ.

٢٢٣٧ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنِ ابْنِ شِهَابٍ. عَنْ أَبِي بَكْرٍ بْنِ عَبْدِ الرَّحْمَنِ عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ ثَمَنِ الْكَلْبِ، وَمَهْرِ الْبَغِيِّ، وَحُلُوانِ الْكَاهِنِ. [انظر: ٢٢٨٢،

[٥٧٦١، ٥٣٤٦]

2238. Narrated Aun bin Abū Juhaifa: I saw my father buying a slave whose profession was cupping, and ordered that his instruments (of cupping) be broken. I asked him the reason for doing so. He replied, "Allāh's Messenger ﷺ prohibited taking money for blood, the price of a dog, and the earnings of a slave-girl by prostitution; he ﷺ cursed her who tattoos and her who gets tattooed, the eater of *Ribā* (usury) and also the one who gives it and the maker of pictures."

٢٢٣٨ - حَدَّثَنَا حَجَّاجُ بْنُ مِنْهَالٍ: حَدَّثَنَا شُعْبَةُ قَالَ: أَخْبَرَنِي عَوْنُ بْنُ أَبِي جُحَيْفَةَ قَالَ: رَأَيْتُ أَبِي اشْتَرَى حَجَامًا فَأَمَرَ بِمَحَاجِمِهِ فَكَسِرَتْ فَسَأَلْتُهُ عَنْ ذَلِكَ، فَقَالَ: إِنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ ثَمَنِ الدَّمِ، وَثَمَنِ الْكَلْبِ، وَكَسْبِ الْأَمَةِ، وَلَعْنِ الْوَأَشِيمَةَ وَالْمُسْتَوْشِمَةَ، وَأَكِلِ الرَّبَا وَمُوكِلِهِ وَلَعْنِ الْمُصَوِّرِ. [راجع: ٢٠٨٦]