

37 – THE BOOK OF HIRING (Concerning Hiring)

٣٧ - كتاب الإجارة

(1) CHAPTER. To hire a pious man.

The Statement of Allāh تعالى :

“... Verily, the best of men for you to hire is the strong, the trustworthy.” (V.28:26)

(And what is said about) the honest treasurer, and the person who does not employ the one who is in an earnest pursuit of a job (position).

2260. Narrated Abu Mūsa Al-Ash'arī رضي الله عنه : The Prophet ﷺ said, “The honest treasurer who gives willingly what he is ordered to give, is one of the two charitable persons (the second being the owner).”

2261. Narrated Abū Mūsa رضي الله عنه : I went to the Prophet ﷺ with two men from Ash'arī tribe. I said (to the Prophet ﷺ), “I do not know that they want employment.” The Prophet ﷺ said, “No, we do not appoint for our jobs anybody who demands it earnestly.”

(١) بَابُ اسْتِئْجَارِ الرَّجُلِ

الصَّالِحِ وَقَوْلِ اللَّهِ تَعَالَى: ﴿إِنَّ خَيْرَ مَنِ اسْتَأْجَرْتَ الْقَوِيُّ الْأَمِينُ﴾ [القصص: ٢٦] وَالْحَازِنُ الْأَمِينُ وَمَنْ لَمْ يَسْتَعْمِلْ مَنْ أَرَادَهُ.

٢٢٦٠ - حَدَّثَنَا مُحَمَّدُ بْنُ يُونُسَ: حَدَّثَنَا سُفْيَانُ، عَنْ أَبِي بُرْدَةَ قَالَ: أَخْبَرَنِي جَدِّي أَبُو بُرْدَةَ، عَنْ أَبِيهِ أَبِي مُوسَى الْأَشْعَرِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «الْحَازِنُ الْأَمِينُ الَّذِي يُؤَدِّي مَا أُمِرَ بِهِ طَيِّبٌ نَفْسُهُ أَحَدُ الْمُتَصَدِّقِينَ». [راجع: ١٤٣٨]

٢٢٦١ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَحْيَى، عَنْ قُرَّةَ بْنِ خَالِدٍ قَالَ: حَدَّثَنِي حُمَيْدُ بْنُ هَلَالٍ: حَدَّثَنَا أَبُو بُرْدَةَ، عَنْ أَبِي مُوسَى قَالَ: أَقْبَلْتُ إِلَى النَّبِيِّ ﷺ وَمَعِيَ رَجُلَانِ مِنَ الْأَشْعَرِيِّينَ فَقُلْتُ: مَا عَلِمْتُ أَنَّهُمَا يَطْلُبَانِ الْعَمَلَ، قَالَ: «لَنْ، أَوْ لَا نَسْتَعْمِلُ عَلَى عَمَلِنَا مَنْ أَرَادَهُ». [انظر: ٣٠٣٨، ٤٣٤١، ٤٣٤٣، ٤٣٤٤، ٦١٢٤، ٦٩٢٣، ٧١٤٩، ٧١٥٦، ٧١٧٢، ٧١٥٧]

(2) CHAPTER. To shepherd sheep for Qirāt.⁽¹⁾

(٢) بَابُ رَعِيِ الْعَمَمِ عَلَى قَرَارِيطٍ

(1) (Ch. 2) One Qirāt equals one-half Daniq and one Daniq equals: one-sixth of Dirham. Sometimes it may very big as Uhud mountain (at Al-Madīna).

2262. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Allāh did not send any Prophet but he shepherded sheep." His Companions asked him. "Did you do the same?" The Prophet ﷺ replied, "Yes, I used to shepherd the sheep of the people of Makkah for some *Qirāt*."

(3) CHAPTER. The employment of *Mushrikun* (by Muslims) if necessary, or if no Muslim is available for that purpose.

And the Prophet ﷺ employed the Jews of *Khaibar* (for the purpose of irrigating the land).

2263. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: The Prophet ﷺ and Abū Bakr employed a (*Mushrik*) man from the tribe of Banī Ad-Dail and the tribe of Banī 'Abd bin 'Adī as a guide. He was an expert guide and he broke the oath contract which he had to abide by with the tribe of Al-'Āsī bin Wā'il, and he was on the religion of Quraish pagans (*Mushrikun*). The Prophet ﷺ and Abū Bakr had confidence in him and gave him their riding camels and told him to bring them to the cave of *Thaur* after three days. So he brought them their two riding camels after three days, and both of them (the Prophet ﷺ and Abū Bakr) set out accompanied by 'Āmir bin Fuhaira and the Daili guide who guided them below Makkah along the road leading to the sea-shore.

٢٢٦٢ - حَدَّثَنَا أَحْمَدُ بْنُ مُحَمَّدٍ الْمَكِّيُّ: حَدَّثَنَا عَمْرُو بْنُ يَحْيَى، عَنْ جَدِّهِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَا بَعَثَ اللهُ نَبِيًّا إِلَّا رَعَى الْغَنَمَ». فَقَالَ أَصْحَابُهُ: وَأَنْتَ؟ فَقَالَ: «نَعَمْ، كُنْتُ أَرْعَاهَا عَلَى قَرَارِيطٍ لِأَهْلِ مَكَّةَ».

(٣) بَابُ اسْتِئْجَارِ الْمُشْرِكِينَ عِنْدَ الضَّرُورَةِ، أَوْ إِذَا لَمْ يُوجَدِ أَهْلُ الْإِسْلَامِ

وَعَامَلَ النَّبِيُّ ﷺ يَهُودَ خَيْبَرَ.

٢٢٦٣ - حَدَّثَنِي إِبْرَاهِيمُ بْنُ مُوسَى: أَخْبَرَنَا هِشَامٌ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ عَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا: وَاسْتَأْجَرَ النَّبِيُّ ﷺ وَأَبُو بَكْرٍ رَجُلًا مِنْ بَنِي الدَّيْلِ، ثُمَّ مِنْ بَنِي عَبْدِ بْنِ عَدِيِّ هَادِيًا: الْمَاهِرُ بِالْهَدَايَةِ، قَدْ غَمَسَ يَمِينَ حَلْفٍ فِي آلِ الْعَاصِي بْنِ وائِلٍ، وَهُوَ عَلَى دِينِ كُفَّارِ قُرَيْشٍ، فَأَمَانُهُ. فَدَفَعَا إِلَيْهِ رَاجِلَتَيْهِمَا وَوَاعَدَاهُ غَارَ ثَوْرٍ بَعْدَ ثَلَاثِ لَيَالٍ. فَأَتَاهُمَا بِرَاجِلَتَيْهِمَا صَبِيحَةَ لَيَالٍ ثَلَاثٍ فَارْتَحَلَا وَأَنْطَلَقَ مَعَهُمَا عَامِرُ بْنُ مُهَيَّرَةَ وَالِدَيْهِ الدَّيْلِيُّ، فَأَخَذَ بِهِمْ أَسْفَلَ مَكَّةَ وَهُوَ طَرِيقُ السَّاحِلِ.

[راجع: ٤٧٦]

(4) CHAPTER. It is legal if somebody hires someone to work for him after three days, or after one month or after a year. When that period elapses they should carry out their contract.

2264. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا, the wife of the Prophet ﷺ : Allāh's Messenger ﷺ and Abū Bakr hired a man from the tribe of Banī Ad-Dail as an expert guide who was a pagans (*Mushrik*) follower of the religion of the pagans (*Mushrikun*) of Quraish. The Prophet ﷺ and Abū Bakr gave him their two riding camels and took a promise from him to bring their riding camels in the morning of the third day to the cave of Thaur.

(5) CHAPTER. Employing labourers for services in holy battles.

2265. Narrated Ya'la bin Umaiyya رَضِيَ اللهُ عَنْهُ : I fought in *Jaish-al-'Usra* (*Ghazwa* of Tabūk) along with the Prophet ﷺ and in my opinion that was the best of my deeds. At that time I had an employee who quarrelled with someone, and one of them bit and cut the other's finger and caused his own tooth to fall out. He, then, went to the Prophet ﷺ (with a complaint) but the Prophet ﷺ cancelled the suit and said to the complainant, "Did you expect him to let his finger in your mouth so that you might snap and cut it as does a stallion camel?"

(٤) بَابُ إِذَا اسْتَأْجَرَ أَجِيرًا لِيَعْمَلَ لَهُ بَعْدَ ثَلَاثَةِ أَيَّامٍ، أَوْ بَعْدَ شَهْرٍ، أَوْ بَعْدَ سَنَةٍ جَارًا، وَهُمَا عَلَى شَرْطِهِمَا الَّذِي اسْتَرَطَاهُ إِذَا جَاءَ الْأَجَلُ

٢٢٦٤ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ عَنْ عُقَيْلٍ: قَالَ ابْنُ شِهَابٍ: فَأَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا زَوْجَ النَّبِيِّ ﷺ قَالَتْ: وَاسْتَأْجَرَ رَسُولُ اللَّهِ ﷺ وَأَبُو بَكْرٍ رَجُلًا مِنْ بَنِي الدَّيْلِ هَادِيًا خَرِينًا وَهُوَ عَلَى دِينِ كُفَّارِ قُرَيْشٍ، فَدَفَعَا إِلَيْهِ رَاجِلَيْهِمَا وَوَاعَدَاهُ غَارَ ثَوْرٍ بَعْدَ ثَلَاثِ لَيَالٍ فَأَتَاهُمَا بِرَاجِلَيْهِمَا صُبْحَ ثَلَاثٍ. [راجع: ٤٧٦]

(٥) بَابُ الْأَجِيرِ فِي الْعَزْوِ

٢٢٦٥ - حَدَّثَنِي يَعْقُوبُ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَلِيَّةَ: أَخْبَرَنَا ابْنُ جُرَيْجٍ قَالَ: أَخْبَرَنِي عَطَاءٌ، عَنْ صَفْوَانَ بْنِ يَعْلَى، عَنْ يَعْلَى بْنِ أُمَيَّةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: غَزَوْتُ مَعَ النَّبِيِّ ﷺ جَيْشَ الْعُسْرَةِ فَكَانَ مِنْ أَوْثَقِ أَعْمَالِي فِي نَفْسِي. فَكَانَ لِي أَجِيرٌ فَقَاتَلَ إِنْسَانًا. فَعَضَّ أَحَدَهُمَا إضْبَعًا صَاحِبِهِ. فَانْتَرَعَ إضْبَعُهُ فَأَنْدَرَ ثَنِيَّتَهُ فَسَقَطَتْ. فَانْطَلَقَ إِلَى النَّبِيِّ ﷺ فَأَهْدَرَ ثَنِيَّتَهُ، وَقَالَ: «أَفِيدَعُ إضْبَعُهُ فِي فَيْكِ تَقْضُمُهَا؟» قَالَ:

أَحْسِبُهُ قَالَ: «كَمَا يَقْضُمُ الْفَحْلُ».

[راجع: ١٨٤٧]

2266. Narrated Ibn Juraij from ‘Abdullāh bin Abū Mulaika from his grandfather a similar story: A man bit the hand of another man and caused his own tooth to fall out, but Abū Bakr رضي الله عنه judged that he had no right for compensation (for the broken tooth).

٢٢٦٦ - قَالَ ابْنُ جُرَيْجٍ: وَحَدَّثَنِي عَبْدُ اللَّهِ بْنُ أَبِي مُلَيْكَةَ، عَنْ جَدِّهِ بِمِثْلِ هَذِهِ الصَّفَةِ: أَنَّ رَجُلًا عَضَّ يَدَ رَجُلٍ فَأَنْدَرَتْ نَيْبَتَهُ فَأَهْدَرَهَا أَبُو بَكْرٍ رَضِيَ اللَّهُ عَنْهُ.

(6) CHAPTER. If somebody employs someone and tells him the period for which he is employed, is it permissible for him not to tell him the nature of the work?

(It is permissible, if he takes into consideration Allāh’s Statement): He said: “I intend to wed one of these two daughters of mine to you... (till the end of the Verse) ‘...Allāh is a Surety over what we say...” (V.28 : 27, 28)

(٦) بَابُ إِذَا اسْتَأْجَرَ أَجِيرًا فَبَيَّنَّ لَهُ الْأَجَلَ وَلَمْ يَبَيِّنِ الْعَمَلَ لِقَوْلِهِ: ﴿إِنِّي أُرِيدُ أَنْ أُنكِحَكَ إِحْدَى ابْنَتَيَّ هَاتَيْنِ﴾ إِلَى قَوْلِهِ: ﴿وَاللَّهُ عَلَىٰ مَا نَقُولُ وَكِيلٌ﴾ [الفصص: ٢٧-٢٨] يَأْجُرُ فَلَانًا: يُعْطِيهِ أَجْرًا، وَمِنْهُ فِي التَّعْرِيَةِ: آجَرَكَ اللَّهُ.

(7) CHAPTER. It is permissible for one to employ someone to repair a wall which is about to collapse.

2267. Narrated Ubaī bin Ka‘b رضي الله عنه: Allāh’s Messenger ﷺ said, “Both of them [Mūsa (Moses) and Al-Khidr] proceeded on till they reached a wall which was about to fall.” Sa‘īd said, “(Al-Khidr pointed) with his hands (towards the wall) and then raised his hands and the wall became straightened up.” Ya‘lā said, “I think Sa‘īd said, ‘He (Khidr) passed his hand over it and it was straightened up.’ (Mūsa said to him), “If you had wanted you could have taken wages for it.” Sa‘īd said, “Wages with which to buy food.”

(٧) بَابُ إِذَا اسْتَأْجَرَ أَجِيرًا عَلَىٰ أَنْ يُقِيمَ حَائِطًا يُرِيدُ أَنْ يَنْقُضَ جَارَ ٢٢٦٧ - حَدَّثَنِي إِبرَاهِيمُ بْنُ مُوسَى: أَخْبَرَنَا هِشَامُ بْنُ يُوسُفَ: أَنَّ ابْنَ جُرَيْجٍ أَخْبَرَهُمْ قَالَ: أَخْبَرَنِي يَعْلَى بْنُ مُسْلِمٍ وَعَمْرُو بْنُ دِينَارٍ: عَنْ سَعِيدِ بْنِ جُبَيْرٍ، يَزِيدُ أَحَدَهُمَا عَلَىٰ صَاحِبِهِ، وَغَيْرَهُمَا قَالَ: قَدْ سَمِعْتُهُ يُحَدِّثُهُ عَنْ سَعِيدٍ، قَالَ: قَالَ لِي ابْنُ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: حَدَّثَنِي أَبِي بْنُ كَعْبٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «فَانْطَلِقَا حَتَّىٰ إِذَا أَنَا أَوَّلُ أَهْلِ قَرْيَةٍ اسْتَطَعَمَا أَهْلَهَا فَأَبُوا أَنْ يُضَيَّفُوهُمَا فَوَجَدَا فِيهَا جِدَارًا يُرِيدُ أَنْ يَنْقُضَ»

[الكهف: ٧٧] - قَالَ سَعِيدٌ: بِيَدِهِ هَكَذَا، وَرَفَعَ يَدَهُ - فَاسْتَقَامَ. قَالَ يَعْلَى: حَسِبْتُ أَنَّ سَعِيداً قَالَ: «فَمَسَحَهُ بِيَدِهِ فَاسْتَقَامَ» ﴿لَوْ شِئْتَ لَتَخَذْتَ عَلَيْهِ أَجْرًا﴾ [الكهف: ٧٧] قَالَ سَعِيدٌ: أَجْرٌ نَأْكُلُهُ. [راجع: ٧٤]

(8) CHAPTER. Employment up to midday.

2268. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا: The Prophet ﷺ said, "Your example and the example of the people of the two Scriptures (i.e., Jews and Christians) is like the example of a man who employed some labourers and asked them, 'Who will work for me from morning till midday for one *Qirāt*?' The Jews accepted and carried out the work. He then asked, 'Who will work for me from midday up to the *Salāt-ul-Asr* for one *Qirāt*?' The Christians accepted and fulfilled the work. He then said, 'Who will work for me from the *Asr* till sunset for two *Qirāt*?' You, Muslims have accepted the offer. The Jews and the Christians got angry and said, 'Why should we work more and get lesser wages?' (Allāh) said, 'Have I withheld part of your right?' They replied in the negative. He said, 'It is My Blessing, I bestow upon whomever I wish.'

(٨) بَابُ الإِجَارَةِ إِلَى نِصْفِ النَّهَارِ
٢٢٦٨ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا حَمَّادٌ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنْ ابْنِ عُمَرَ رَضِيَ اللهُ عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ: «مَثَلُكُمْ وَمَثَلُ أَهْلِ الْكِتَابَيْنِ كَمَثَلِ رَجُلٍ اسْتَأْجَرَ أُجْرَاءً. فَقَالَ: مَنْ يَعْمَلُ لِي مِنْ غُدُوَّةٍ إِلَى نِصْفِ النَّهَارِ عَلَى قِيرَاطٍ؟ فَعَمِلَتِ الْيَهُودُ، ثُمَّ قَالَ: مَنْ يَعْمَلُ لِي مِنْ نِصْفِ النَّهَارِ إِلَى صَلَاةِ الْعَصْرِ عَلَى قِيرَاطٍ؟ فَعَمِلَتِ النَّصَارَى. ثُمَّ قَالَ: مَنْ يَعْمَلُ لِي مِنَ الْعَصْرِ إِلَى أَنْ تَغِيبَ الشَّمْسُ عَلَى قِيرَاطَيْنِ؟ فَأَنْتُمْ هُمْ، فَغَضِبَتِ الْيَهُودُ وَالنَّصَارَى فَقَالُوا: مَا لَنَا أَكْثَرَ عَمَلًا وَأَقَلَّ عَطَاءً؟ قَالَ: هَلْ نَقَصْتُمْ مِنْ حَقِّكُمْ؟ قَالُوا: لَا، قَالَ: فَذَلِكَ فَضْلِي أُوتِيهِ مَنْ أَشَاءَ». [راجع: ٥٥٧]

(9) CHAPTER. Employment up to the *Asr*.

2269. Narrated 'Abdullah bin 'Umar bin Al-Khattāb رَضِيَ اللهُ عَنْهُمَا: Allāh's Messenger ﷺ said, "Your example and the example of Jews and Christians is like the example of a man who employed some labourers to whom

(٩) بَابُ الإِجَارَةِ إِلَى صَلَاةِ الْعَصْرِ
٢٢٦٩ - حَدَّثَنَا إِسْمَاعِيلُ بْنُ أَبِي أُوَيْسٍ قَالَ: حَدَّثَنِي مَالِكٌ، عَنْ عَبْدِ اللهِ بْنِ دِينَارٍ مَوْلَى عَبْدِ اللهِ بْنِ عُمَرَ،

he said, 'Who will work for me up to midday for one *Qirāṭ* each?' The Jews carried out the work for one *Qirāṭ* each; and then the Christians carried out the work up to the *Aṣr* for one *Qirāṭ* each; and now you Muslims are working from the *Aṣr* up to sunset for two *Qirāṭ* each. The Jews and Christians got angry and said, 'We work more and are paid less.' The employer (Allāh) asked them, 'Have I usurped some of your right?' They replied in the negative. He (Allah) said, 'That is My Blessing, I bestow upon whomever I wish.'

عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ بْنِ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِنَّمَا مَتْلُكُمْ وَالْيَهُودِ وَالنَّصَارَى كَرَجُلٍ اسْتَعْمَلَ عَمَالًا، فَقَالَ: مَنْ يَعْمَلُ لِي إِلَى نِصْفِ النَّهَارِ عَلَى قِيرَاطٍ قِيرَاطٍ؟ فَعَمِلَتِ الْيَهُودُ عَلَى قِيرَاطٍ قِيرَاطٍ. ثُمَّ عَمِلَتِ النَّصَارَى عَلَى قِيرَاطٍ قِيرَاطٍ. ثُمَّ أَنْتُمْ الَّذِينَ تَعْمَلُونَ مِنْ صَلَاةِ الْعَصْرِ إِلَى مَغَارِبِ الشَّمْسِ عَلَى قِيرَاطَيْنِ قِيرَاطَيْنِ. فَغَضِبَتِ الْيَهُودُ وَالنَّصَارَى وَقَالُوا: نَحْنُ أَكْثَرُ عَمَلًا وَأَقْلُ عَطَاءً، قَالَ: هَلْ ظَلَمْتُمْ مَنْ حَقَّكُمْ شَيْئًا؟ قَالُوا: لَا، قَالَ: فَذَلِكَ فَضْلِي أُوتِيهِ مَنْ أَشَاءُ». [راجع: ٥٥٧]

(10) CHAPTER. The sin of him who withholds the wages of the employee.

2270. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "Allāh said, 'I will be an opponent to three types of people on the Day of Resurrection:

1. One who makes a covenant in My Name, but proves treacherous;
2. One who sells a free person (as a slave) and eats his price; and
3. One who employs a labourer and takes full work from him but does not pay him for his labour.'

(١٠) بَابُ إِنْ مَنَعَ مِنْ أَجْرِ الْأَجِيرِ

٢٢٧٠ - حَدَّثَنَا يُوسُفُ بْنُ مُحَمَّدٍ: حَدَّثَنِي يَحْيَى بْنُ سُلَيْمٍ، عَنْ إِسْمَاعِيلَ بْنِ أُمَيَّةَ، عَنْ سَعِيدِ بْنِ أَبِي سَعِيدٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «قَالَ اللَّهُ تَعَالَى: ثَلَاثَةٌ أَنَا خَصْمُهُمْ يَوْمَ الْقِيَامَةِ: رَجُلٌ أَعْطَى بِي ثُمَّ عَدَرَ، وَرَجُلٌ بَاعَ حُرًّا فَأَكَلَ ثَمَنَهُ، وَرَجُلٌ اسْتَأْجَرَ أَجِيرًا فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِهِ أَجْرَهُ».

[راجع: ٢٢٢٧]

(11) CHAPTER. Employment from 'Asr till night.

2271. Narrated Abū Mūsa رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "The example of Muslims, Jews and Christians is like the example of a man who employed labourers to work for him from morning till night for specific wages. They worked till midday and then said, 'We do not need your money which you have fixed for us and let whatever we have done be annulled.' The man said to them, 'Don't quit the work, but complete the rest of it and take your full wages.' But they refused and went away (like the Jews who refused to believe in the Message of Jesus عليه السلام). The man employed another batch after them and said to them, 'Complete the rest of the day and yours will be the wages I had fixed for the first batch.' So, they worked till the time of 'Asr. Then they said, Let what we have done be annulled and keep the wages you have promised us for yourself. The man said to them 'Complete the rest of the work, as only a little of the day remains.' But they refused (like the Christians who refused to believe in the Message of Muhammad ﷺ). Thereafter he employed another batch to work for the rest of the day and they worked for the rest of the day till sunset, and they received the wages of the two former batches (like the Muslims). So, that was the example of this light [Islāmic Monotheism, the Qur'ān, the Sunna (legal ways of the Prophet ﷺ) and the (guidance) which Prophet Muhammad ﷺ brought] which they (Muslims) have accepted willingly".⁽¹⁾

(١١) بَابُ الإِجَارَةِ مِنَ الْعَصْرِ إِلَى اللَّيْلِ

٢٢٧١ - حَدَّثَنَا مُحَمَّدُ بْنُ الْعَلَاءِ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ بُرَيْدٍ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَى رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «مِثْلُ الْمُسْلِمِينَ وَالْيَهُودِ وَالنَّصَارَى كَمِثْلِ رَجُلٍ اسْتَأْجَرَ قَوْمًا يَعْمَلُونَ لَهُ عَمَلًا يَوْمًا إِلَى اللَّيْلِ عَلَى أَجْرٍ مَعْلُومٍ، فَعَمِلُوا لَهُ إِلَى نِصْفِ النَّهَارِ، فَقَالُوا: لَا حَاجَةَ لَنَا إِلَى أَجْرِكَ الَّذِي شَرَطْتَ لَنَا وَمَا عَمَلْنَا بِإِطْلٍ. فَقَالَ لَهُمْ: لَا تَفْعَلُوا، أَكْمِلُوا بَقِيَّةَ عَمَلِكُمْ وَخُذُوا أَجْرَكُمْ كَامِلًا، فَأَبَوْا وَتَرَكُوا. وَاسْتَأْجَرَ آخَرِينَ بَعْدَهُمْ، فَقَالَ: أَكْمِلُوا بَقِيَّةَ يَوْمِكُمْ هَذَا، وَلَكُمْ الَّذِي شَرَطْتُ لَهُمْ مِنَ الْأَجْرِ، فَعَمِلُوا حَتَّى إِذَا كَانَ جِئْنَ صَلَاةِ الْعَصْرِ قَالُوا: لَكَ مَا عَمَلْنَا بِإِطْلٍ وَلَكَ الْأَجْرُ الَّذِي جَعَلْتَ لَنَا فِيهِ. فَقَالَ لَهُمْ: أَكْمِلُوا بَقِيَّةَ عَمَلِكُمْ فَإِنَّ مَا بَقِيَ مِنَ النَّهَارِ شَيْءٌ يَسِيرٌ، فَأَبَوْا، فَاسْتَأْجَرَ قَوْمًا أَنْ يَعْمَلُوا لَهُ بَقِيَّةَ يَوْمِهِمْ فَعَمِلُوا بَقِيَّةَ يَوْمِهِمْ حَتَّى غَابَتِ الشَّمْسُ وَاسْتَكْمَلُوا أَجْرَ الْقَرِيقَيْنِ كِلَيْهِمَا،

(1) (H. 2271) The Jews refused to believe in the Message of 'Iesa (Jesus), so all their work was annulled; similarly, the Christians refused to accept the Message of Muḥammad ﷺ and thus their work was annulled too. Such people were not rewarded, because they refused to have true Faith for the rest of their lives and died as disbelievers. They should have believed in the latest Message; for their insistence on keeping their old=

فَذَلِكَ مَثَلُهُمْ وَمِثْلُ مَا قِيلُوا مِنْ هَذَا
النُّورِ. [راجع: ٥٥٨]

(12) CHAPTER. Whosoever employed a labourer (and after completing the work) the labourer left the wages and went away. The employer invested that money in some way and increased it thereby, or whoever invested somebody else's money in business and increased it thereby.

2272. Narrated 'Abdullāh bin 'Umar رَضِيَ اللهُ عَنْهُمَا: I heard Allāh's Messenger ﷺ saying, "Three men from among those who were before you, set out together till they reached a cave at night and entered it. A big rock rolled down the mountain and closed the mouth of the cave. They said (to each other), 'Nothing could save you from this rock but to invoke Allāh by giving reference to the righteous deed which you have done (for Allāh's sake only).' So, one of them said, 'O Allāh! I had old parents (whom I used to provide milk first) and I never provided my family (wife, children etc.) with milk before them. One day, by chance I was delayed, and I came late (at night) while they had slept. I milked the sheep for them and took the milk to them, but I found them sleeping. I disliked to provide my family with the milk before them. I waited for them and the bowl of milk was in my hand and I kept on waiting for them to get up till the day dawned. Then they got up and drank the milk. O Allāh! If I did that for Your sake only, please relieve us from our critical situation caused by this rock.' So, the rock shifted a little, but they could not get out."

٢٢٧٢ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ: حَدَّثَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ: أَنَّ عَبْدَ اللَّهِ بْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «انْطَلَقَ ثَلَاثَةٌ رَهْطٍ مِمَّنْ كَانَ قَبْلَكُمْ حَتَّى أَوْوَأَ الْمَيْتَ إِلَى غَارٍ فَدَخَلُوهُ، فَانْحَدَرَتْ صَخْرَةٌ مِنَ الْجَبَلِ فَسَدَّتْ عَلَيْهَا الْعَارَ. فَقَالُوا: إِنَّهُ لَا يُنَجِّيكُمْ مِنْ هَذِهِ الصَّخْرَةِ إِلَّا أَنْ تَدْعُوا اللَّهَ بِصَالِحِ أَعْمَالِكُمْ. فَقَالَ رَجُلٌ مِنْهُمْ: اللَّهُمَّ كَانَتْ لِي أَبْوَانٌ شَيْخَانِ كَبِيرَانِ، وَكُنْتُ لَا أَعْقِبُ قَبْلَهُمَا أَهْلًا وَلَا مَالًا، فَتَأَى بِي فِي طَلَبِ شَيْءٍ يَوْمًا فَلَمْ أُرْخَ عَلَيْهِمَا حَتَّى تَامَا فَحَلَبْتُ لَهُمَا غُبُوقَهُمَا فَوَجَدْتُهُمَا نَائِمِينَ. فَكَرِهْتُ أَنْ أَعْقِبَ قَبْلَهُمَا أَهْلًا أَوْ مَالًا، فَلَبِثْتُ وَالْقَدْحُ عَلَى يَدَيَّ أَنْتَظِرُ اسْتِيقَاظَهُمَا

=religion deprived them of the reward which they would have got for their previous good deeds achieved before the advent of the new religion. On the other hand, Muslims accepted and believed in all the three Messages and deserved a full reward for their complete surrender to Allāh. (Al-Qasṭālanī, Vol. 4)

The Prophet ﷺ further said, "The second man said, 'O Allāh! I had a cousin who was the dearest of all people to me and I wanted to have sexual intercourse with her but she refused. Later, she had a hard time in a year from amongst the famine years and she came to me and I gave her one hundred and twenty Dinārs on the condition that she would not resist my desire, and she agreed. When I was about to fulfil my desire, she said: It is illegal for you to outrage my chastity except by legitimate marriage. So, I thought it a sin to have sexual intercourse with her and left her, though she was the dearest of all the people to me, and also I left the gold I had given her. O Allāh! If I did that for Your sake only, please relieve us from the present calamity.' So, the rock shifted a little more, but still they could not get out from there."

The Prophet ﷺ added, "Then the third man said, 'O Allāh! I employed few labourers and I paid them their wages with the exception of one man who did not take his wages and went away. I invested his wages and I got much property thereby. (Then after some time) he came and said to me: O Allāh's slave! Pay me my wages. I said to him: All the camels, cows, sheep and slaves you see, are yours. He said: O Allāh's slave! Don't mock at me. I said: I am not mocking at you. So, he took all the herd and drove them away and left nothing. O Allāh! If I did that for Your sake only, please relieve us from the present suffering.' So, that rock shifted completely and they got out walking."

حَتَّى بَرَقَ الْفَجْرُ فَاسْتَيْقَظَ فَشَرِبَا
عَبْوَهُمَا. اللَّهُمَّ إِنْ كُنْتَ فَعَلْتَ ذَلِكَ
اِبْتِغَاءَ وَجْهِكَ فَفَرِّجْ عَنَّا مَا نَحْنُ فِيهِ
مِنْ هَذِهِ الصَّحْرَةِ، فَاَنْفَرَجَتْ شَيْئًا لَا
يَسْتَطِيعُونَ الْخُرُوجَ». قَالَ النَّبِيُّ ﷺ:
«وَقَالَ الْآخَرُ: اللَّهُمَّ كَانَتْ لِي بِنْتُ
عَمِّ كَانَتْ أَحَبَّ النَّاسِ إِلَيَّ فَأَرَدْتُهَا
عَنْ نَفْسِهَا، فَاْمْتَنَعَتْ مِنِّي حَتَّى أَلَمَّتْ
بِهَا سَنَةٌ مِنَ السَّنِينَ فَجَاءَتْنِي فَأَعْطَيْتُهَا
عِشْرِينَ وَمِائَةَ دِينَارٍ عَلَى أَنْ تُحَلِّيَ
بَيْنِي وَبَيْنَ نَفْسِهَا فَفَعَلَتْ، حَتَّى إِذَا
قَدَرْتُ عَلَيْهَا قَالَتْ: لَا أَحِلُّ لَكَ أَنْ
تُقْضَى الْخَاتَمَ إِلَّا بِحَقِّي، فَتَحَرَّجْتُ مِنْ
الْوُقُوعِ عَلَيْهَا فَاَنْصَرَفْتُ عَنْهَا وَهِيَ
أَحَبُّ النَّاسِ إِلَيَّ وَتَرَكْتُ الذَّهَبَ
الَّذِي أَعْطَيْتُهَا. اللَّهُمَّ إِنْ كُنْتَ فَعَلْتَ
ذَلِكَ اِبْتِغَاءَ وَجْهِكَ فَافْرِجْ عَنَّا مَا
نَحْنُ فِيهِ، فَاَنْفَرَجَتْ الصَّحْرَةُ غَيْرَ
أَنَّهُمْ لَا يَسْتَطِيعُونَ الْخُرُوجَ مِنْهَا».
قَالَ النَّبِيُّ ﷺ: «وَقَالَ الثَّلَاثُ: اللَّهُمَّ
إِنِّي اسْتَأْجَرْتُ أَجْرَاءَ فَأَعْطَيْتُهُمْ
أَجْرَهُمْ غَيْرَ رَجُلٍ وَاحِدٍ تَرَكَ الَّذِي لَهُ
وَذَهَبَ فَتَمَرَّتْ أَجْرُهُ حَتَّى كَثُرَتْ مِنْهُ
الْأَمْوَالُ فَجَاءَنِي بَعْدَ جِيبٍ فَقَالَ: يَا
عَبْدَ اللَّهِ، أَدِّي إِلَيَّ أَجْرِي، فَقُلْتُ لَهُ:
كُلُّ مَا تَرَى مِنْ أَجْلِكَ مِنَ الْإِبِلِ
وَالْبَقَرِ وَالغَنَمِ وَالرَّقِيقِ. فَقَالَ: يَا عَبْدَ
اللَّهِ، لَا تَسْتَهْزِئْ بِي، فَقُلْتُ: إِنِّي لَا

أَسْتَهْزِئُ بِكَ، فَأَخَذَهُ كُفْلُهُ فَاسْتَأْفَهُ فَلَمْ يَتْرُكْ مِنْهُ شَيْئاً. اللَّهُمَّ فَإِنْ كُنْتُ فَعَلْتُ ذَلِكَ ابْتِغَاءً وَجْهِكَ فَافْرُجْ عَنَّا مَا نَحْنُ فِيهِ. فَاَنْفَرَجَتِ الصَّخْرَةُ فَخَرَجُوا يَمْسُونُ». [راجع: ٢٢١٥]

(13) CHAPTER. One who employs himself to carry loads on his back and then gives in charity from his wages, and (what is said about) the wages of porters.

2273. Narrated Abū Mas‘ūd Al-Ansārī رضي الله عنه: Whenever Allāh’s Messenger ﷺ ordered us to give in charity we would go to the market and work as porters to earn a *Mudd* (two hand-fulls) (of foodstuff), but now some of us have one hundred thousand Dirham or Dīnār. (The sub-narrator) *Shaqīq* said, “I think Abū Mas‘ūd meant himself by saying (some of us).”

(١٣) بَابٌ مَنْ آجَرَ نَفْسَهُ لِيَحْمِلَ عَلَى ظَهْرِهِ، ثُمَّ تَصَدَّقَ بِهِ، وَأَبْرَ الْحَمَالِ

٢٢٧٣ - حَدَّثَنِي سَعِيدُ بْنُ يَحْيَى بْنِ سَعِيدٍ الْقُرَشِيُّ: حَدَّثَنَا أَبِي: حَدَّثَنَا الْأَعْمَشُ، عَنْ شَقِيقِ، عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا أَمَرَنَا بِالصَّدَقَةِ انْطَلَقَ أَحَدُنَا إِلَى السُّوقِ فَيَحْمِلُ فَيُصِيبُ الْمُدَّ وَإِنَّ لِبَعْضِهِمْ لِمِائَةٌ أَلْفٍ. قَالَ: مَا نَرَاهُ إِلَّا نَفْسَهُ.

(14) CHAPTER. Wages of a broker.

Ibn Sīrīn, ‘Aṭā’, Ibrāhīm and Al-Ḥasan did not see any harm in them. Ibn ‘Abbās said, “There is no harm if one says (to a broker), ‘Sell this garment for such a price and whatever more you get, is for you.’”

Ibn Sīrīn said, “If one says to a broker, ‘Sell it for such a price and if you get more, the profit will be for you or divided between us,’ there is no harm in it.”

The Prophet ﷺ said, “Muslims should abide by their conditions.”

(١٤) بَابُ أَجْرِ السَّمْسَرَةِ

وَلَمْ يَرَ ابْنَ سَيْرِينَ وَعَطَاءَ وَإِبْرَاهِيمَ وَالْحَسَنَ بِأَجْرِ السَّمْسَارِ بِأَسَأ. وَقَالَ ابْنُ عَبَّاسٍ: لَا بَأْسَ أَنْ يَقُولَ: بَعِ هَذَا الثَّوبَ، فَمَا زَادَ عَلَيَّ كَذَا وَكَذَا فَهُوَ لَكَ. وَقَالَ ابْنُ سَيْرِينَ: إِذَا قَالَ: بَعِ بِكَذَا فَمَا كَانَ مِنْ رِبْحٍ فَلَكَ أَوْ بَيْنِي وَبَيْنَكَ؛ فَلَا بَأْسَ بِهِ. وَقَالَ النَّبِيُّ ﷺ: «الْمُسْلِمُونَ عِنْدَ شُرُوطِهِمْ».

2274. Narrated Ṭawūs: Ibn ‘Abbās رضي الله عنه said, “The Prophet ﷺ forbade the meeting of caravans (on the way) and

٢٢٧٤ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا مَعْمَرٌ، عَنِ ابْنِ

ordained that no townsman is permitted to sell things on behalf of a bedouin.” I asked Ibn ‘Abbās, “What is the meaning of his saying, ‘No townsman is permitted to sell things on behalf of a bedouin.’” He replied, “He should not work as a broker for him.”

(15) CHAPTER. Is it permissible for a Muslim to work as an employee for *Mushrikun* in a land of infidelity?

2275. Narrated *Khabbāb* رَضِيَ اللهُ عَنْهُ: I was a blacksmith and did some work for Al-‘Āṣ bin Wā’il. When he owed me some money for my work, I went to him to ask for that amount. He said, “I will not pay you unless you disbelieve in Muḥammad (ﷺ).” I said, “By Allāh! I will never do that till you die and be resurrected.” He said, “Will I be dead and then resurrected after my death?” I said, “Yes.” He said, “There I will have property and offspring and then I will pay you your due.” Then Allāh تَعَالَى revealed: “Have you seen him who disbelieved in Our *‘Ayat*” (this Qur’ān and Muḥammad ﷺ) and said: I shall certainly be given wealth and children?” (V.19: 77)

(16) CHAPTER. What is paid for *Ruqya* (i.e., Divine Speech recited as a means of curing diseases) with *Sūrat Al-Fātiḥa*, when practised over an Arab tribe.

طَاوُسٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا: نَهَى النَّبِيُّ ﷺ أَنْ يَتَلَقَى الرَّكْبَانُ وَلَا يَبِيعُ حَاضِرٌ لِيَادٍ، قُلْتُ: يَا ابْنَ عَبَّاسٍ، مَا قَوْلُهُ: «لَا يَبِيعُ حَاضِرٌ لِيَادٍ»؟ قَالَ: لَا يَكُونُ لَهُ سِمْسَارًا. [راجع: ٢١٥٨]

(١٥) بَابٌ هَلْ يُؤَاغِرُ الرَّجُلُ نَفْسَهُ مِنْ مُشْرِكٍ فِي أَرْضِ الْحَرْبِ!

٢٢٧٥ - حَدَّثَنَا عُمَرُ بْنُ حَفْصٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا الْأَعْمَشُ، عَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ: حَدَّثَنَا حَبَّابٌ رَضِيَ اللهُ عَنْهُ قَالَ: كُنْتُ رَجُلًا قَيْنًا فَعَمِلْتُ لِلْعَاصِ بْنِ وَاثِلٍ فَاجْتَمَعَ لِي عِنْدَهُ فَأَتَيْتُهُ أَتَقَاضَاهُ فَقَالَ: لَا، وَاللَّهِ لَا أَفْضِيكَ حَتَّى تَكْفُرَ بِمُحَمَّدٍ، فَقُلْتُ: أَمَا وَاللَّهِ حَتَّى تَمُوتَ ثُمَّ تُبْعَثَ، فَلَا، قَالَ: وَإِنِّي لَمَيِّتٌ ثُمَّ مَبْعُوثٌ؟ قُلْتُ: نَعَمْ، قَالَ: فَإِنَّهُ سَيَكُونُ لِي نَمٌّ مَالٌ وَوَلَدٌ فَأَفْضِيكَ، فَأَنْزَلَ اللهُ تَعَالَى: ﴿أَفْرَأَيْتَ الَّذِي كَفَرَ بِآيَاتِنَا وَقَالَ لَأُوتِيَنَّكَ مَالًا وَوَلَدًا﴾ [مریم: ٧٧]. [راجع: ٢٠٩١]

(١٦) بَابٌ مَا يُعْطَى فِي الرُّقْيَةِ عَلَى أَحْيَاءِ الْعَرَبِ بِفَاتِحَةِ الْكِتَابِ

وقال ابن عَبَّاسٍ عَنِ النَّبِيِّ ﷺ: «أَحَقُّ مَا أَخَذْتُمْ عَلَيْهِ أَجْرًا كِتَابُ اللهِ». وقال الشَّعْبِيُّ: لَا يَسْتَرْطِ الْمَعْلَمُ إِلَّا أَنْ يُعْطَى شَيْئًا فَلْيَقْبَلْهُ.

وَقَالَ الْحَكْمُ: لَمْ أَسْمَعْ أَحَدًا كَرِهَ
أَجْرَ الْمُعَلِّمِ. وَأَعْطَى الْحَسَنُ ذَرَاهِمَ
عَشْرَةَ. وَلَمْ يَرِ ابْنُ سَيِّرِينَ بِأَجْرِ
الْقَسَامِ بِأَسَا، وَقَالَ: كَانَ يُقَالُ:
السُّحْتُ: الرُّشُوءُ فِي الْحُكْمِ وَكَانُوا
يُعْطُونَ عَلَى الْحَرْصِ.

٢٢٧٦ - حَدَّثَنَا أَبُو التُّعْمَانِ:

2276. Narrated Abū Sa'īd رَضِيَ اللهُ عَنْهُ: Some of the Companions of the Prophet ﷺ went on a journey till they reached some of the Arab tribes (at night). They asked the latter to treat them as their guests but they refused. The chief of that tribe was then bitten by a snake (or stung by a scorpion) and they tried their best to cure him but in vain. Some of them said (to the others), "Nothing has benefited him, will you go to the people who resided here at night, it may be that some of them might possess something (as treatment)." They went to the group of the Companions (of the Prophet ﷺ) and said, "Our chief has been bitten by a snake (or stung by a scorpion) and we have tried everything but he has not benefited. Have you got anything (useful)?" One of them replied, "Yes, by Allāh! I can recite a *Ruqya*, but as you have refused to accept us as your guests, I will not recite the *Ruqya* for you unless you fix for us some wages for it." They agreed to pay them a flock of sheep. One of them then went and recited (*Sūrat Al-Fātiḥa*): All the praises and thanks be to Allāh, the Lord of the 'Alamīn (mankind, jinn and all that exists). And puffed over the chief who became all right as if he was released from a chain, and got up and started walking, showing no signs of sickness. They paid them what they agreed to pay. Some of them (i.e., the Companions) then suggested to divide their earnings among themselves,

حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ أَبِي بَشِيرٍ، عَنْ أَبِي الْمُتَوَكِّلِ، عَنْ أَبِي سَعِيدٍ رَضِيَ اللهُ عَنْهُ قَالَ: انْطَلَقَ نَفَرٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ فِي سَفَرَةٍ سَافَرُوهَا حَتَّى نَزَلُوا عَلَى حَيٍّ مِنْ أَحْيَاءِ الْعَرَبِ فَاسْتَصَفَّوهُمْ فَأَبَوْا أَنْ يُضَيِّفُوهُمْ، فَلَدِغَ سَيِّدُ ذَلِكَ الْحَيِّ فَسَعَوْا لَهُ بِكُلِّ شَيْءٍ لَا يَنْفَعُهُ شَيْءٌ فَقَالَ بَعْضُهُمْ: لَوْ أَتَيْتُمْ هَؤُلَاءِ الرَّهْطَ الَّذِينَ نَزَلُوا لَعَلَّهُ أَنْ يَكُونَ عِنْدَ بَعْضِهِمْ شَيْءٌ. فَأَتَوْهُمْ فَقَالُوا: يَا أَيُّهَا الرَّهْطُ إِنَّ سَيِّدَنَا لُدِغَ وَسَعَيْنَا لَهُ بِكُلِّ شَيْءٍ لَا يَنْفَعُهُ، فَهَلْ عِنْدَ أَحَدٍ مِنْكُمْ مِنْ شَيْءٍ؟ فَقَالَ بَعْضُهُمْ: نَعَمْ، وَاللَّهِ إِنِّي لَأَرْقِيهِ وَلَكِنْ وَاللَّهِ لَقَدْ اسْتَضَفَّنَاكُمْ فَلَمْ تُضَيِّفُونَا، فَمَا أَنَا بِرَاقٍ لَكُمْ حَتَّى تَجْعَلُوا لَنَا جُعْلًا. فَصَالَحُوهُمْ عَلَى قِطْعٍ مِنَ الْغَنَمِ. فَانْطَلَقَ يَنْفِلُ عَلَيْهِ وَيَقْرَأُ: ﴿الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ﴾ ﴿٢﴾ فَكَأَنَّمَا نُشِطَ مِنْ عِقَالٍ فَانْطَلَقَ يَمْشِي وَمَا بِهِ قَلْبَةٌ. قَالَ: فَأَوْفُوهُمْ جُعْلَهُمْ

but the one who performed the recitation said, "Do not divide them till we go to the Prophet ﷺ and narrate the whole story to him, and wait for his order." So, they went to Allāh's Messenger ﷺ and narrated the story. Allāh's Messenger ﷺ asked, "How did you come to know that *Sūrat Al-Fātiḥa* was recited as *Ruqya*?" Then he added, "You have done the right thing. Divide (what you have earned) and assign a share for me as well." The Prophet ﷺ smiled thereupon.

الَّذِي صَالِحُوهُمْ عَلَيْهِ. فَقَالَ بَعْضُهُمْ: افْسِمُوا، فَقَالَ الَّذِي رَقِيَ: لَا تَفْعَلُوا حَتَّى نَأْتِيَ النَّبِيَّ ﷺ فَذَكَرْ لَهُ الَّذِي كَانَ فَتَنْظَرْ مَا يَأْمُرْنَا. فَقَدِمُوا عَلَى رَسُولِ اللَّهِ ﷺ فَذَكَرُوا لَهُ فَقَالَ: «وَمَا يَذْرُوكَ أَنَّهَا رُقِيَّةٌ؟» ثُمَّ قَالَ: «قَدْ أَصَبْتُمْ، افْسِمُوا وَاضْرِبُوا لِي مَعَكُمْ سَهْمًا». فَضَحِكَ النَّبِيُّ ﷺ. قَالَ أَبُو عَبْدِ اللَّهِ: وَقَالَ شُعْبَةُ: حَدَّثَنَا أَبُو يَسْرٍ: سَمِعْتُ أَبَا الْمُتَوَكَّلِ بِهَذَا.

[انظر: ٥٠٠٧، ٥٧٣٦، ٥٧٤٩]

(17) CHAPTER. The taxes imposed on the slaves by their masters; and the leniency in imposing taxes on female slaves.

(١٧) بَابُ ضَرِيْبَةِ الْعَبْدِ وَتَعَاهِدِ ضَرَائِبِ الْإِمَاءِ

2277. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: When Abū Ṭaiba cupped the Prophet ﷺ and the Prophet ﷺ ordered that he be paid one or two *Ṣā'* of foodstuff and he interceded with his masters to reduce his taxes.

٢٢٧٧ - حَدَّثَنَا مُحَمَّدُ بْنُ يُوسُفَ: حَدَّثَنَا سُفْيَانُ، عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: حَجَمَ أَبُو طَيْبَةَ النَّبِيَّ ﷺ فَأَمَرَ لَهُ بِصَاعٍ أَوْ صَاعَيْنِ مِنْ طَعَامٍ، وَكَلَّمَ مَوَالِيَهُ فَخَفَّفَ عَنْ غَلْتِهِ أَوْ ضَرِيْبَتِهِ. [راجع: ٢١٠٢]

(18) CHAPTER. The wages of one who has the profession of cupping.

(١٨) بَابُ خَرَاكِ الْحَجَّامِ

2278. Narrated Ibn 'Abbās رَضِيَ اللهُ عَنْهُمَا: When the Prophet ﷺ was cupped, he paid the man who cupped him his wages.

٢٢٧٨ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا وَهَيْبٌ: حَدَّثَنَا ابْنُ طَاوُسٍ: عَنْ أَبِيهِ، عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: احْتَجَمَ النَّبِيُّ ﷺ وَأَعْطَى الْحَجَّامَ أَجْرَهُ.

[راجع: ١٨٣٥]

2279. Narrated Ibn 'Abbās رضي الله عنهما: When the Prophet ﷺ was cupped, he paid the man who cupped him his wages. If it had been undesirable he would not have paid him.

2280. Narrated Anas رضي الله عنه: The Prophet ﷺ used to get cupped and would never withhold the wages of any person.

(19) CHAPTER. Whoever appealed to the masters of a slave to reduce his taxes.

2281. Narrated Anas bin Mālik رضي الله عنه: The Prophet ﷺ sent for a slave who had the profession of cupping, and he cupped him. The Prophet ﷺ ordered that he be paid one or two *Ṣā'*, or one or two *Mudd* of foodstuff, and appealed to his masters to reduce his taxes.

(20) CHAPTER. The earnings of prostitutes and female-slaves.

Ibrāhīm hated the earnings of female waiters and female singers.

The Statement of Allāh تعالى: "...And force not your maids to prostitution, if they desire chastity, in order that you may make a gain in the (perishable) goods of this worldly life. But if anyone compels them (to prostitution) then after such compulsion, Allāh is Oft-Forgiving, Most Merciful (to those women i.e., He will forgive them

٢٢٧٩ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَزِيدُ ابْنُ زُرَيْعٍ، عَنْ خَالِدٍ، عَنْ عِكْرَمَةَ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: اخْتَجَمَ النَّبِيُّ ﷺ وَأَعْطَى الْحَجَّامَ أَجْرَهُ وَلَوْ عَلِمَ كَرَاهِيَةَ لَمْ يُعْطِهِ. [راجع: ١٨٣٥]

٢٢٨٠ - حَدَّثَنَا أَبُو نُعَيْمٍ: حَدَّثَنَا مِسْعَرٌ، عَنْ عَمْرِو بْنِ عَامِرٍ قَالَ: سَمِعْتُ أَنَسًا رَضِيَ اللَّهُ عَنْهُ يَقُولُ: كَانَ النَّبِيُّ ﷺ يَخْتَجِمُ وَلَمْ يَكُنْ يَظْلِمُ أَحَدًا أَجْرَهُ. [راجع: ٢١٠٢]

(١٩) بَابٌ مَنْ كَلَّمَ مَوْلَى الْعَبْدِ أَنْ يُخَفِّقُوا عَنْهُ مِنْ خَرَجِهِ

٢٢٨١ - حَدَّثَنَا آدَمُ: حَدَّثَنَا شُعْبَةُ، عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: دَعَا النَّبِيُّ ﷺ غُلَامًا حَجَّامًا فَحَجَّمَهُ وَأَمَرَ لَهُ بِصَاعٍ أَوْ صَاعَيْنِ، أَوْ مُدًّا أَوْ مُدَيْنِ، وَكَلَّمَ فِيهِ فَخَفَّفَ مِنْ ضَرِيْبِيهِ. [راجع: ٢١٠٢]

(٢٠) بَابٌ كَسْبِ الْبَغِيِّ وَالْإِمَاءِ وَكَرِهَ إِبْرَاهِيمُ أَجْرَ النَّائِحَةِ وَالْمُعْتَبَةِ. وَقَوْلُ اللَّهِ تَعَالَى: ﴿وَلَا تُكْرِهُوا فَتِيْنَكُمْ عَلَى الْإِغْيَاءِ إِنْ أَرَدْنَ تَحَصُّنًا لِيَبْتَلِيَوهُنَّ عَرَضَ الْخَيْرِةِ الدُّنْيَا وَمَنْ يُكْرِهِنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَحِيمٌ﴾ [النور: ٣٣]، وَقَالَ مُجَاهِدٌ: فَتِيَاتِكُمْ: إِمَاءُكُمْ.

because they have been forced to do this evil action unwillingly” (V.24:33).

2282. Narrated Abū Mas‘ūd Al-Anṣārī رضي الله عنه: Allāh’s Messenger ﷺ prohibited (from taking) the price of a dog, the earnings of a prostitute, and the charges taken by a sooth-sayer.

2283. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ prohibited the earnings of slave-girls (through prostitution).

(21) CHAPTER. (Charging for) the semen of a male animal, (i.e., copulation of animals).

2284. Narrated Ibn ‘Umar رضي الله عنهما: The Prophet ﷺ forbade taking a price for animal copulation.

(22) CHAPTER. If somebody rents land and he or the owner of the land dies (will the contract be cancelled)?

According to Ibn Sirīn the inheritors have no right to expel the tenant before the term of the contract has elapsed.

Al-Ḥakam, Al-Ḥasan and Ayās bin Mu‘āwīya said, “The contract remains valid till the end of the term.”

Ibn ‘Umar said, “The Prophet ﷺ rented the land of Khaibar on the terms that half the

٢٢٨٢ - حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ، عَنْ مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي بَكْرٍ بْنِ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ، عَنْ أَبِي مَسْعُودٍ الْأَنْصَارِيِّ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنْ تَمَنِ الْكَلْبِ، وَمَهْرِ الْبَغِيِّ، وَحُلْوَانِ الْكَاهِنِ. [راجع: ٢٢٣٧]

٢٢٨٣ - حَدَّثَنَا مُسْلِمٌ بْنُ إِبْرَاهِيمَ: حَدَّثَنَا شُعْبَةُ، عَنْ مُحَمَّدِ بْنِ جُحَادَةَ، عَنْ أَبِي حازِمٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى النَّبِيُّ ﷺ عَنْ كَسْبِ الْإِمَاءِ. [انظر: ٥٣٤٨]

(٢١) بَابُ عَسْبِ الْفَحْلِ

٢٢٨٤ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا عَبْدُ الْوَارِثِ وَإِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، عَنْ عَلِيِّ بْنِ الْحَكَمِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: نَهَى النَّبِيُّ ﷺ عَنْ عَسْبِ الْفَحْلِ.

(٢٢) بَابُ إِذَا اسْتَأْجَرَ أَرْضًا فَمَاتَ أَحَدُهُمَا

وقال ابن سيرين: ليس لأهله أن يُخرجهُ إلى تمام الأجل. وقال الحكم والحسن وإياس بن معاوية: تمضى الإجارة إلى أجلها. وقال ابن عمر: أعطى النبي ﷺ خيبر بالسطر،

yield would be his share. That contract continued during the lifetime of the Prophet ﷺ, Abū Bakr, and the early part of ‘Umar’s caliphate.” It was not mentioned that Abū Bakr renewed the contract after the death of the Prophet ﷺ.

2285. Narrated Abdullāh bin Umar رضي الله عنهما: “Allāh’s Messenger ﷺ gave the land of Khaibar to the Jews to work on it and cultivate it and take half of its yield.” Ibn Umar added, “The land used to be rented for a certain portion (of its yield).” Nāfi’ mentioned the amount of the portion but I forgot it.

2286. Rāfi’ bin Khadij said, “The Prophet ﷺ forbade renting farms.”

Narrated ‘Ubaidullāh, Nāfi’ said: Ibn ‘Umar said: (The contract of Khaibar continued) till ‘Umar evacuated the Jews (from Khaibar).

فَكَانَ ذَلِكَ عَلَى عَهْدِ النَّبِيِّ ﷺ وَأَبِي بَكْرٍ وَصَدْرًا مِنْ خِلَافَةِ عُمَرَ. وَلَمْ يُذَكَّرْ أَنَّ أَبَا بَكْرٍ جَدَّدَ الْإِجَارَةَ بَعْدَ مَا قُبِضَ النَّبِيُّ ﷺ.

٢٢٨٥ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا جُوَيْرِيَةُ بْنُ أَسْمَاءَ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: أُعْطِيَ رَسُولُ اللَّهِ ﷺ خَيْبَرَ الْيَهُودَ أَنْ يَعْمَلُوهَا وَيَزْرَعُوهَا وَلَهُمْ شَطْرُ مَا يَخْرُجُ مِنْهَا. وَأَنَّ ابْنَ عُمَرَ حَدَّثَهُ أَنَّ الْمَزَارِعَ كَانَتْ تُكْرَى عَلَى شَيْءٍ سَمَاهُ نَافِعٌ لَا أَحْفَظُهُ. [انظر: ٢٣٢٨، ٢٣٢٩، ٢٣٣١، ٢٣٣٨، ٢٤٩٩،

[٢٧٢٠، ٣١٥٢، ٤٢٤٨]

٢٢٨٦ - وَأَنَّ رَافِعَ بْنَ خَدِيجٍ حَدَّثَ: أَنَّ النَّبِيَّ ﷺ نَهَى عَنْ كِرَاءِ الْمَزَارِعِ.

وقال عبيد الله عن نافع، عن ابن عمر: حتى أجلاهم عمر. [انظر: ٢٣٣٢، ٢٣٤٤، ٢٧٢٢]