

43 - THE BOOK OF LOANS, PAYMENT OF LOANS, FREEZING OF PROPERTY, AND BANKRUPTCY.

٤٣ - كتاب الاستقراض وأداء الديون والحجر والتفليس

(1) CHAPTER. Whoever buys a thing on credit and does not have its price or has it, but not at the place of the transaction.

2385. Narrated Jābir bin 'Abdullāh رضي الله عنه: While I was in the company of the Prophet ﷺ in one of his *Ghazawāt*, he asked, "What is wrong with your camel? Will you sell it?" I replied in the affirmative and sold it to him. When he reached Al-Madīna, I took the camel to him in the morning and he paid me its price.

2386. Narrated Al-A'mash: When we were with Ibrāhīm, we talked about mortgaging in deals of *Salam*. Ibrāhīm narrated from Aswad that 'Aishah رضي الله عنها had said, "The Prophet ﷺ bought some foodstuff on credit from a Jew and mortgaged an iron armour to him."

(2) CHAPTER. Whoever takes the money of the people intending to repay it or to destroy it or to spoil it.

2387. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ said, "Whoever takes the money of the people with the intention of repaying it, Allāh will repay it on his behalf, and whoever takes it in order to destroy it, then Allāh will destroy him."

(١) بَابُ مَنْ اشْتَرَى بِالذَّيْنِ وَلَيْسَ عِنْدَهُ ثَمَنُهُ أَوْ لَيْسَ بِحَضْرَتِهِ

٢٣٨٥ - حَدَّثَنَا مُحَمَّدُ بْنُ يُونُسَ

هُوَ الْبَيْهَاقِيُّ: أَخْبَرَنَا جَرِيرٌ، عَنِ الْمُغِيرَةِ، عَنِ الشَّعْبِيِّ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: عَزَوْتُ مَعَ النَّبِيِّ ﷺ فَقَالَ: «كَيْفَ تَرَى بَعِيرَكَ؟ أَتَبِيعُهُ؟ قُلْتُ: نَعَمْ، فَبِيعْتُهُ إِيَّاهُ فَلَمَّا قَدِمَ الْمَدِينَةَ عَدَوْتُ إِلَيْهِ بِالْبَعِيرِ فَأَعْطَانِي ثَمَنَهُ.

[راجع: ٤٤٣]

٢٣٨٦ - حَدَّثَنَا مُعَلَّى بْنُ أَسَدٍ:

حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا الْأَعْمَشُ قَالَ: تَدَاكَّرْنَا عِنْدَ إِبْرَاهِيمَ الرَّهْنِ فِي السَّلَمِ فَقَالَ: حَدَّثَنِي الْأَسْوَدُ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّ النَّبِيَّ ﷺ اشْتَرَى طَعَامًا مِنْ يَهُودِيٍّ إِلَى أَجَلٍ وَرَهْنَهُ دِرْعًا مِنْ حَدِيدٍ. [راجع: ٢٠٨٦]

(٢) بَابُ مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا، أَوْ إِتْلَافَهَا

٢٣٨٧ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ

عَبْدِ اللَّهِ الْأَوْسِيُّ: حَدَّثَنَا سُلَيْمَانُ بْنُ بِلَالٍ، عَنْ ثَوْرِ بْنِ زَيْدٍ، عَنْ أَبِي الْعَيْثِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ

عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ إِدَاءَهَا أَدَّى اللَّهُ عَنْهُ، وَمَنْ أَخَذَ يُرِيدُ إِتْلَافَهَا أَتْلَفَهُ اللَّهُ».

(3) CHAPTER. Repayment of debts.

And the Statement of Allāh تعالى:

“Verily! Allāh commands that you should render back the trusts to those, to whom they are due; and that when you judge between men, you judge with justice. Verily, how excellent is the teaching which He (Allāh) gives you! Truly, Allāh is Ever All-Hearer, All-Seer.” (V.4:58)

(٣) بَابُ إِدَاءِ الدَّيُونِ

وَقَوْلُ اللَّهِ تَعَالَى: ﴿إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمْتِنَاتِ إِلَىٰ أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا﴾ [النساء: ٥٨].

2388. Narrated Abū D̤har رضي الله عنه: Once, while I was in the company of the Prophet ﷺ, he saw the mountain of Uḥud and said, “I would not like to have this mountain turned into gold for me unless nothing of it, not even a single Dinār remains of it with me for more than three days (i.e., I will spend all of it in Allāh’s Cause), except that Dinār which I will keep for repaying debts.” Then he said, “Those who are rich in this world would have little reward in the Hereafter, except those who spend their money here and there (in Allāh’s Cause), and they are few in number.” Then he ordered me to stay at my place and went not far away. I heard a voice and intended to go to him but I remembered his order, “Stay at your place till I return.” On his return I asked, “O Allāh’s Messenger! (What was that noise which I heard?” He said, “Did you hear anything?” I said, “Yes.” He said, “Jibrīl [Gabriel (عليه السلام)] came to me and said, ‘Whoever amongst your followers dies, worshipping none along with Allāh, will enter Paradise.’” I said, “Even if he did such and such things (i.e., even if he stole or committed illegal sexual intercourse)”

٢٣٨٨ - حَدَّثَنِي أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا أَبُو شِهَابٍ، عَنِ الْأَعْمَشِ، عَنْ زَيْدِ بْنِ وَهَبٍ، عَنْ أَبِي دَرٍّ رَضِيَ اللَّهُ عَنْهُ قَالَ: كُنْتُ مَعَ النَّبِيِّ ﷺ، فَلَمَّا أَبْصَرَ - يَعْنِي أَحَدًا - قَالَ: «مَا أُحِبُّ أَنْهُ يُحَوَّلَ لِي ذَهَبًا يَمُكُّ عِنْدِي مِنْهُ دِينَارٌ فَوْقَ ثَلَاثِ إِلَّا دِينَارًا أُرْصِدُهُ لِدَيْنٍ»، ثُمَّ قَالَ: «إِنَّ الْأَكْثَرِينَ هُمْ الْأَقْلَوْنَ، إِلَّا مَنْ قَالَ بِالْمَالِ هَكَذَا وَهَكَذَا، وَأَشَارَ أَبُو شِهَابٍ بَيْنَ يَدَيْهِ وَعَنْ يَمِينِهِ وَعَنْ شِمَالِهِ «وَقَلِيلٌ مَا هُمْ. وَقَالَ: «مَكَانَكَ» وَتَقَدَّمَ غَيْرَ بَعِيدٍ فَسَمِعْتُ صَوْتًا فَارَدْتُ أَنْ آتِيَهُ. ثُمَّ ذَكَرْتُ قَوْلَهُ: «مَكَانَكَ حَتَّى آتَيْكَ». فَلَمَّا جَاءَ قُلْتُ: يَا رَسُولَ اللَّهِ، الَّذِي سَمِعْتُ - أَوْ قَالَ: الصَّوْتُ الَّذِي سَمِعْتُ -؟ قَالَ: «وَهَلْ سَمِعْتُ؟»

He (ﷺ) said, "Yes."

2389. Narrated Abū Hurairah عنه رضي الله عنه: Allāh's Messenger ﷺ said, "If I had gold equal to the mountain of Uḥūd, it would not please me that it should remain with me for more than three days, except an amount which I would keep for repaying debts."

قُلْتُ: نَعَمْ، قَالَ: «أَتَانِي جَبْرِيلُ عَلَيَّ الصَّلَاةَ السَّلَامُ فَقَالَ: مَنْ مَاتَ مِنْ أُمَّتِكَ لَا يُشْرِكُ بِاللَّهِ شَيْئًا دَخَلَ الْجَنَّةَ»، قُلْتُ: وَمَنْ فَعَلَ كَذَا وَكَذَا؟ قَالَ: «نَعَمْ». [راجع: ١٢٣٧]

٢٣٨٩ - حَدَّثَنِي أَحْمَدُ بْنُ شَيْبَةَ بْنِ سَعِيدٍ: حَدَّثَنَا أَبِي، عَنْ يُونُسَ، قَالَ ابْنُ شِهَابٍ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ بْنِ عُتْبَةَ قَالَ: قَالَ أَبُو هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَوْ كَانَ لِي مِثْلُ أُحُدٍ ذَهَبًا مَا يَسُرُّنِي أَنْ لَا يَمُرَّ عَلَيَّ ثَلَاثٌ وَعِنْدِي مِنْهُ شَيْءٌ إِلَّا شَيْءٌ أَرْصِدُهُ لِدَيْنٍ». رَوَاهُ صَالِحٌ وَعُقَيْلٌ عَنِ الرَّهْرِيِّ. [انظر: ٧٢٢٨، ٦٤٤٥]

(4) CHAPTER. To buy camels on credit.

2390. Narrated Abū Hurairah عنه رضي الله عنه: A man demanded his debts from Allāh's Messenger ﷺ in such a rude manner that the companions of the Prophet ﷺ intended to harm him, but the Prophet ﷺ said, "Leave him, no doubt, for he (the creditor) has a right to demand it (harshly). Buy a camel and give it to him." They said, "The camel that is available is older and better than the camel he demands." The Prophet ﷺ said, "Buy it and give it to him, for the best among you are those who repay their debts handsomely."

(٤) بَابُ اسْتِقْرَاضِ الْإِبِلِ
٢٣٩٠ - حَدَّثَنَا أَبُو الْوَلِيدِ: حَدَّثَنَا شُعْبَةُ: أَخْبَرَنَا سَلَمَةُ بْنُ كُهَيْلٍ قَالَ: سَمِعْتُ أَبَا سَلَمَةَ يَمْنَى يُحَدِّثُ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَجُلًا تَقَاضَى رَسُولَ اللَّهِ ﷺ فَأَغْلَظَ لَهُ بِهِ فَهَمَّ أَصْحَابُهُ فَقَالَ: «دَعُوهُ فَإِنَّ لِصَاحِبِ الْحَقِّ مَقَالًا وَاشْتَرَوْا لَهُ بَعِيرًا فَأَعْطُوهُ إِيَّاهُ»، وَقَالُوا: لَا نَجِدُ إِلَّا أَفْضَلَ مِنْ سِنِّهِ قَالَ: «اشْتَرَوْهُ فَأَعْطُوهُ إِيَّاهُ فَإِنَّ خَيْرَكُمْ أَحْسَنُكُمْ قَضَاءً». [راجع: ٢٣٠٥]

(5) CHAPTER. Demanding debts handsomely.

(٥) بَابُ حُسْنِ التَّقَاضِي

2391. Narrated Hudhaifa رَضِيَ اللهُ عَنْهُ: I heard the Prophet ﷺ saying, "Once a man died and was asked, 'What did you use to say (or do) (in your lifetime)?' He replied, 'I was a businessman and used to give time to the rich to repay his debt and (used to) deduct part of the debt of the poor.' So he was forgiven (his sins)."

Abū Mas'ūd said, "I heard the same (Hadīth) from the Prophet ﷺ."

٢٣٩١ - حَدَّثَنَا مُسْلِمٌ: حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الْمَلِكِ، عَنْ رَبِيعِي، عَنْ حُذَيْفَةَ رَضِيَ اللهُ عَنْهُ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «مَاتَ رَجُلٌ فَقِيلَ لَهُ: مَا كُنْتَ تَقُولُ؟ قَالَ: كُنْتُ أَبَايِعُ النَّاسَ فَأَتَجَوَّزُ عَنِ الْمُوسِرِ، وَأُخَفِّفُ عَنِ الْمُعْسِرِ، فَعُفِّرَ لَهُ». قَالَ أَبُو مَسْعُودٍ: سَمِعْتُهُ عَنِ النَّبِيِّ ﷺ.

[راجع: ٢٠٧٧]

(6) CHAPTER. Can one give an older (camel) than that he owes?

(٦) بَابُ هَلْ يُعْطَى أَكْبَرَ مِنْ سِنِّهِ؟

2392. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: A man came to the Prophet ﷺ and demanded a camel (the Prophet ﷺ owed him). Allāh's Messenger ﷺ told his companions to give him (a camel). They said, "We do not find except an older and better camel (than what he demands)."

(The Prophet ﷺ ordered them to give him that camel).

The man said, "You have paid me in full and may Allāh also pay you in full." Allāh's Messenger ﷺ said, "Give him, for the best amongst the people is he who repays his debts in the most handsome manner."

٢٣٩٢ - حَدَّثَنَا مُسَدَّدٌ؛ عَنْ يَحْيَى، عَنْ سُفْيَانَ: حَدَّثَنِي سَلَمَةُ بْنُ كَهَيْلٍ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّ رَجُلًا أَتَى النَّبِيَّ ﷺ يَتَقَضَاهُ بَعِيرًا، قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «أَعْطُوهُ». فَقَالُوا: لَا نَجِدُ إِلَّا سِنًا أَفْضَلَ مِنْ سِنِّهِ، فَقَالَ الرَّجُلُ: أَوْفَيْتَنِي أَوْفَاكَ اللهُ، فَقَالَ رَسُولُ اللهِ ﷺ: «أَعْطُوهُ فَإِنَّ مِنْ خِيَارِ الثَّامِنِ أَحْسَنَهُمْ قَضَاءً».

[راجع: ٢٣٠٥]

(7) CHAPTER. Repaying debts handsomely.

(٧) بَابُ حُسْنِ الْقَضَاءِ

2393. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ owed a camel of a certain age to a man who came to demand it back. The Prophet ﷺ ordered his companions to give him. They looked for a camel of the same age

٢٣٩٣ - حَدَّثَنَا أَبُو نَعِيمٍ: حَدَّثَنَا سُفْيَانُ، عَنْ سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ:

but found nothing but a camel one year older. The Prophet ﷺ told them to give it to him. The man said, "You have paid me in full, and may Allāh pay you in full." The Prophet ﷺ said, "The best amongst you is he who pays his debts in the most handsome manner."

2394. Narrated Jābir bin 'Abdullāh رضي الله عنه: I went to the Prophet ﷺ while he was in the mosque. (Mis'ar thinks, that Jābir went in the forenoon.) The Prophet ﷺ told me to offer two *Rak'āt* prayer, and then he repayed me the debt he owed me and gave me an extra amount.

(8) CHAPTER. If somebody repays less than what he owes, (and the creditor accepts it) or if the creditor exempts the debtor from paying (there is no objection).

2395. Narrated Jābir bin 'Abdullāh رضي الله عنه: My father was martyred on the day (of the battle) of Uḥud, and he was in debt. His creditors demanded their rights persistently. I went to the Prophet ﷺ (and informed him about it). He told them to take the fruits of my garden and exempt my father from the debts, but they refused to do so. So, the Prophet ﷺ did not give them my garden and told me that he would come to me the next morning. He came to us early in the morning and wandered among the date-palms and invoked Allāh to bless their fruits. I then plucked the dates and paid the creditors, and there remained some of the dates for us.

كَانَ لِرَجُلٍ عَلَى النَّبِيِّ ﷺ سِنٌَّ مِنَ الْإِبِلِ فَجَاءَهُ يَتَفَاضَاهُ فَقَالَ ﷺ: «أَعْطُوهُ»، فَطَلَبُوا سِنَّهُ فَلَمْ يَجِدُوا لَهُ إِلَّا سِنًَّا قَوْفَهَا، فَقَالَ: «أَعْطُوهُ»، فَقَالَ: أَوْفَيْتَنِي أَوْفَى اللَّهِ بِكَ. قَالَ النَّبِيُّ ﷺ: «إِنَّ خِيَارَكُمْ أَحْسَنُكُمْ فَضَاءً». [راجع: ٢٣٠٥]

٢٣٩٤ - حَدَّثَنَا خَلَادٌ: حَدَّثَنَا مِسْعَرٌ: حَدَّثَنَا مُحَارِبُ بْنُ دِنَارٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: أَتَيْتُ النَّبِيَّ ﷺ وَهُوَ فِي الْمَسْجِدِ - قَالَ مِسْعَرٌ: أَرَاهُ قَالَ: ضُحَى - فَقَالَ: «صَلِّ رَكَعَتَيْنِ» وَكَانَ لِي عَلَيْهِ دَيْنٌ فَقَضَانِي وَزَادَنِي. [راجع: ٤٤٣]

(٨) بَابُ إِذَا قَضَى دُونَ حَقِّهِ أَوْ حَلَّلَهُ فَهُوَ جَائِزٌ

٢٣٩٥ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا يُونُسُ، عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي ابْنُ كَعْبٍ بِنِ مَالِكٍ أَنَّ جَابِرَ بْنَ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا أَخْبَرَهُ أَنَّ أَبَاهُ قُتِلَ يَوْمَ أُحُدٍ شَهِيداً وَعَلَيْهِ دَيْنٌ فَاشْتَدَّ الْغُرَمَاءُ. فِي حُقُوقِهِمْ، فَاتَيْتُ النَّبِيَّ ﷺ فَسَأَلْتُهُمْ أَنْ يَقْبَلُوا تَمْرَ حَائِطِي وَيَحْلُلُوا أَبِي فَأَبَوْا، فَلَمْ يُعْطِهِمُ النَّبِيُّ ﷺ حَائِطِي وَقَالَ: «سَتَعُدُّو عَلَيَّكَ»، فَعَدَّا عَلَيْنَا

حِينَ أَصْبَحَ فَطَافَ فِي النَّخْلِ وَدَعَا فِي تَمْرِهَا بِالْبَرَكَهَةِ فَجَدَدْتُهَا فَقَضَيْتُهُمْ وَيَقِي لَنَا مِنْ تَمْرِهَا. [راجع: ٢١٢٧]

(٩) بَابُ إِذَا قَاصَرَ أَوْ جَاوَزَهُ فِي اللَّذِينَ تَمَرًا يَتَمَرُ أَوْ غَيْرِهِ

(9) CHAPTER. It is permissible for one to settle one's accounts by repaying for the dates one owes, dates or other things, and one can repay them without weighing or measuring them (if the creditor agrees).

2396. Narrated Jābir bin 'Abdullāh رضي الله عنه: When my father died he owed a Jew thirty *Awsuq* (of dates). I requested him to give me respite for repaying but he refused. I requested Allāh's Messenger ﷺ to intercede with the Jew. Allāh's Messenger ﷺ went to the Jew and asked him to accept the fruits of my trees in place of the debt but the Jew refused. Allāh's Messenger ﷺ entered the garden of the date-palms, wandering among the trees and ordered me (saying), "Pluck (the fruits) and give him his due." So, I plucked the fruits for him after the departure of Allāh's Messenger ﷺ and gave his thirty *Awsuq*, and still had seventeen *Awsuq* extra for myself. Jābir said: I went to Allāh's Messenger ﷺ to inform of what had happened, but found him offering the *Aṣr* prayer. After the *Ṣalāt* (prayer) I told him about the extra fruits which remained. Allāh's Messenger ﷺ told me to inform ('Umar) Ibn Al-Khaṭṭāb about it. When I went to 'Umar and told him about it, 'Umar said, "When Allāh's Messenger ﷺ walked in your garden, I was sure that Allāh would definitely bless it."

٢٣٩٦ - حَدَّثَنِي إِبْرَاهِيمُ بْنُ الْمُنْدَرِيِّ: حَدَّثَنَا أَنَسٌ، عَنْ هِشَامٍ، عَنْ وَهَبِ بْنِ كَيْسَانَ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا أَنَّهُ أَخْبَرَهُ أَنَّ أَبَاهُ تُوْفِيَ وَتَرَكَ عَلَيْهِ ثَلَاثِينَ وَسَقًا لِرَجُلٍ مِنَ الْيَهُودِ، فَاسْتَنْظَرَهُ جَابِرٌ فَأَبَى أَنْ يُنْظَرَهُ، فَكَلَّمَ جَابِرٌ رَسُولَ اللَّهِ ﷺ لِيَشْفَعَ لَهُ إِلَيْهِ فَجَاءَ رَسُولُ اللَّهِ ﷺ وَكَلَّمَ الْيَهُودِيَّ لِيَأْخُذَ تَمْرَ نَخْلِهِ بِأَتِي لَهُ فَأَبَى فَدَخَلَ رَسُولُ اللَّهِ ﷺ النَّخْلَ فَمَشَى فِيهَا ثُمَّ قَالَ لِجَابِرٍ: «جِدْ لَهُ فَأَوْفِ لَهُ الَّذِي لَهُ»، فَجَدَّهُ بَعْدَ مَا رَجَعَ رَسُولُ اللَّهِ ﷺ فَأَوْفَاهُ ثَلَاثِينَ وَسَقًا وَفَضَّلَتْ لَهُ سَبْعَةَ عَشَرَ وَسَقًا، فَجَاءَ جَابِرٌ رَسُولَ اللَّهِ ﷺ لِيُخْبِرَهُ بِالَّذِي كَانَ فَوَجَدَهُ يُصَلِّي الْعَصْرَ، فَلَمَّا انْصَرَفَ أَخْبَرَهُ بِالْفَضْلِ فَقَالَ: «أَخْبِرْ ذَلِكَ ابْنَ الْخَطَّابِ»، فَذَهَبَ جَابِرٌ إِلَى عُمَرَ فَأَخْبَرَهُ، فَقَالَ لَهُ عُمَرُ: لَقَدْ عَلِمْتُ حِينَ مَشَى فِيهَا رَسُولُ اللَّهِ ﷺ لِيُبَارِكَنَّ فِيهَا. [راجع: ٢١٢٧]

(١٠) بَابٌ مِّنْ اسْتِعَاذٍ مِّنَ الدَّيْنِ

(10) CHAPTER. Whoever seeks refuge with Allāh from being in debt.

2397. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: Allāh's Messenger ﷺ used to invoke Allāh in the *Ṣalāt* (prayer) saying, "O Allāh, I seek refuge with you from all sins, and from being in debt." Someone said, "O Allāh's Messenger! (I see) very often you seek refuge with Allāh from being in debt." He replied, "If a person is in debt, he tells lies when he speaks, and breaks his promises when he promises."

٢٣٩٧ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ ح وَحَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنِي أَحْيَى، عَنْ سُلَيْمَانَ، عَنْ مُحَمَّدِ بْنِ أَبِي عَتِيبٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ أَنَّ عَائِشَةَ رَضِيَ اللهُ عَنْهَا أَخْبَرَتْهُ: أَنَّ رَسُولَ اللهِ ﷺ كَانَ يَدْعُو فِي الصَّلَاةِ وَيَقُولُ: «اللَّهُمَّ إِنِّي أَعُوذُ بِكَ مِنْ الْمَأْتَمِ وَالْمَعْرَمِ». فَقَالَ قَائِلٌ: مَا أَكْثَرَ مَا تَسْتَعِينُ يَا رَسُولَ اللهِ مِنَ الْمَعْرَمِ! قَالَ: إِنَّ الرَّجُلَ إِذَا عَرِمَ حَدَّثَ فَكَذَبَ وَوَعَدَ فَأَخْلَفَ.

[راجع: ٨٣٢]

(11) CHAPTER. The funeral *Ṣalāt* (prayer) for a dead person in debt.

2398. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "If someone leaves some property, it will be for the inheritors, and if he leaves some weak offspring, it will be for us to support them."

(١١) بَابُ الصَّلَاةِ عَلَى مَنْ تَرَكَ دَيْنًا

٢٣٩٨ - حَدَّثَنَا أَبُو الْوَلِيدِ: حَدَّثَنَا شُعْبَةُ، عَنْ عَدِيِّ بْنِ ثَابِتٍ، عَنْ أَبِي حازِمٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ تَرَكَ مَالًا فَلِوَرَثَتِهِ، وَمَنْ تَرَكَ كَلًّا فَلِإِنَّا».

[راجع: ٢٢٩٨]

2399. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "I am closer to the believers than their own selves in this world and in the Hereafter, and if you like, you can read Allāh's Statement:

"The Prophet is closer to the believers than their own selves..." (V.33:6)

So, if a true believer dies and leaves

٢٣٩٩ - حَدَّثَنِي عَبْدُ اللهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا أَبُو عَامِرٍ: حَدَّثَنَا فُلَيْحٌ، عَنْ هِلَالِ بْنِ عَلِيٍّ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي عَمْرَةَ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ

behind some property, it will be for his inheritors (from the father's side), and if he leaves behind some debt to be paid or needy offspring, then they should come to me as I am the guardian of the deceased."

(12) CHAPTER. Procrastination (delay) in repaying debts by a wealthy person is injustice.

2400. Narrated Abū Hurairah عنه رضي الله عنه: Allāh's Messenger ﷺ said, "Procrastination (delay) in repaying debts by a wealthy person is injustice."

(13) CHAPTER. The owner of the right has the permission to demand his right.

The Prophet ﷺ said, "The delay in the payment of debt by one who can afford to pay, justifies his defamation and torture by the lender." Defamation means that the lender tells him in public that he has delayed the payment. Torture means legal imprisonment.

2401. Narrated Abū Hurairah عنه رضي الله عنه: A man came to the Prophet ﷺ and demanded his debts and used harsh words. The companions of the Prophet ﷺ wanted to harm him, but the Prophet ﷺ said, "Leave him, as the (creditor) (one who has a right) has the full right to demand it (or to speak harshly)."

قال: «ما مِنْ مُؤْمِنٍ إِلَّا وأنا أُولَى بِهِ فِي الدُّنْيَا وَالْآخِرَةِ، أَفْرُواوا إِنْ شِئْتُمْ: ﴿الَّتِي أَوْلَى بِالْمُؤْمِنِينَ مِنْ أَنْفُسِهِمْ﴾ [الأحزاب: ٦] فَأَيُّما مُؤْمِنٍ ماتَ وَتَرَكَ مالاَ فَلْيَرْتُهُ عَصَبَتُهُ مَنْ كانوا، وَمَنْ تَرَكَ دِيناً أو ضَماعاً فَلْيَأْتِنِي فَأَنَا مَوْلَاهُ». [راجع: ٢٢٩٨]

(١٢) باب مَظَلِ الغَني ظَلَمَ

٢٤٠٠ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا عَبْدُ الْأَعْلَى، عَنْ مَعْمَرٍ، عَنْ هَمَّامِ بْنِ مُنَبِّهٍ أَخِي وَهَبِ بْنِ مُنَبِّهٍ: أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَظَلُ الْغَنِيِّ ظُلْمٌ». [إراجع: ٢٢٨٧]

(١٣) بابُ لِصاحِبِ الحَقِّ مَقالٌ،

وَيُذَكَّرُ عَنِ النَّبِيِّ ﷺ: «لِيَ الْوَاجِدِ يُجِلُّ عِرْضَهُ وَعُقُوبَتَهُ». قَالَ سُفْيَانُ: «عِرْضُهُ» يَقُولُ: مَظَلْتَنِي، «وَعُقُوبَتُهُ»: الحَبْسُ.

٢٤٠١ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَحْيَى، عَنْ شُعْبَةَ، عَنْ سَلَمَةَ، عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: أَتَى النَّبِيَّ ﷺ رَجُلٌ يَتَقاضاهُ فَأَغْلَظَ لَهُ فَهَمَّ بِهِ أَصْحابُهُ فَقَالَ: «دَعُوهُ فَإِنَّ لِصاحِبِ الحَقِّ مَقالاً». [راجع: ٢٣٠٥]

(14) CHAPTER. If somebody lends something or sells it on credit or deposits it as a trust, and the new possessor gets bankrupt, the former owner has more right than the other creditors to restore that thing if he finds it with the bankrupt.

Al-Hasan said, "If somebody becomes bankrupt and he is judged to be so, he is not permitted to free his slave or sell or buy things."

Sa'īd bin Al-Musaiyab said " 'Uthmān gave a verdict that if a creditor took something from the debtor before the latter was declared bankrupt, it would belong to him (i.e., the other creditors would have no right to take it), and if the creditor recognized his things, he had more right to restore them (than any other creditor)."

2402. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "If a man finds his very things with a bankrupt, he has more right to take them back than anyone else."

(15) CHAPTER. Whoever delayed the repayment of debts for a day or so and did not regard it as procrastination.

Jābir said, "When the creditors of my father demanded their rights persistently, the Prophet ﷺ requested them to take the fruits of my garden instead of the debt, but they refused. So, the Prophet ﷺ neither gave

(١٤) بَابُ إِذَا وَجَدَ مَالَهُ عِنْدَ مُفْلِسٍ فِي الْبَيْعِ وَالْقَرْضِ وَالْوَدِيْعَةِ فَهُوَ أَحَقُّ بِهِ،

وَقَالَ الْحَسَنُ: إِذَا أَفْلَسَ وَتَبَيَّنَ لَمْ يَجْزُ عِتْقُهُ وَلَا بَيْعُهُ وَلَا شِرَاؤُهُ. وَقَالَ سَعِيدُ بْنُ الْمُسَيَّبِ: فَضَى عُثْمَانُ: مَنْ أَفْتَضَى مِنْ حَقِّهِ قَبْلَ أَنْ يُفْلِسَ فَهُوَ لَهُ، وَمَنْ عَرَفَ مَتَاعَهُ بِعَيْنِهِ فَهُوَ أَحَقُّ بِهِ.

٢٤٠٢ - حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا زُهَيْرٌ حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ قَالَ: أَخْبَرَنِي أَبُو بَكْرٍ بْنُ مُحَمَّدِ بْنِ عَمْرٍو بْنِ حَزْمٍ: أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ أَخْبَرَهُ أَنَّ أَبَا بَكْرٍ بْنَ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ ابْنَ هِشَامٍ أَخْبَرَهُ: أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ يَقُولُ: قَالَ رَسُولُ اللهِ ﷺ - أَوْ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَنْ أَدْرَكَ مَالَهُ بِعَيْنِهِ عِنْدَ رَجُلٍ أَوْ إِنْسَانٍ قَدْ أَفْلَسَ فَهُوَ أَحَقُّ بِهِ مِنْ غَيْرِهِ».

(١٥) بَابُ مَنْ أَخَّرَ الْغَرِيمَ إِلَيَّ الْعَدِيٍّ أَوْ نَحْوِهِ وَلَمْ يَرَ ذَلِكَ مَظْلَمًا

١٥ وَقَالَ جَابِرٌ: اشْتَدَّ الْغَرَمَاءُ فِي حُقُوقِهِمْ فِي ذَيْنِ أَبِي فَسَأَلَهُمُ النَّبِيُّ ﷺ أَنْ يَقْبَلُوا ثَمَرَ حَائِطِي فَأَبَوْا فَلَمْ

them the fruits nor had the fruits plucked for them, but said, 'I will come to you tomorrow.' He came to us early in the morning and invoked Allāh to bless the garden's fruits, and so I paid the creditors their rights."

(16) CHAPTER. Whoever sold the property of a bankrupt or a poor man and divided the money amongst the creditors or gave it (piecemeal) to the man to spend it on his affairs.

2403. Narrated Jābir bin 'Abdullāh رضي الله عنه: A man pledged that his slave would be manumitted after his death. The Prophet ﷺ asked, "Who will buy the slave from me?"⁽¹⁾ Nu'a'im bin 'Abdullāh bought the slave and the Prophet ﷺ took its price and gave it to the owner.

(17) CHAPTER. It is permissible to lend money for a fixed time or sell on credit for a fixed time.

Ibn 'Umar said concerning loans for a fixed time, "There is no objection to it, even if the debtor gives more than he owes if the creditor has not stipulated it."

'Aṭā' and 'Amr bin Dīnār said, "The lender has no right to demand his money before the due time of payment."

2404. Narrated Abū Hurairah رضي الله عنه: Allāh's Messenger ﷺ mentioned an Israeli man who asked another Israeli to lend him money, and the latter gave it to him for a fixed period. (Abū Hurairah mentioned the rest of the narration.)

[See chapter: *Kafāla* in loans and

يُعْطِيهِمُ الْحَائِظُ وَلَمْ يَكْسِرْهُ لَهُمْ، وَقَالَ: «سَاعِدُوا عَلَيْكُمْ غَدًا»، فَعَدَا عَلَيْنَا حِينَ أَصْبَحَ فَدَعَا فِي ثَمَرِهَا بِالْبَرَكَةِ فَقَضَيْتُهُمْ.

(١٦) بَابٌ مِّنْ بَاعِ مَالِ الْمُفْلِسِ أَوْ الْمُعْدِمِ فَقَسَمَهُ بَيْنَ الْغُرَمَاءِ أَوْ أَعْطَاهُ حَتَّى يُنْفِقَ عَلَى نَفْسِهِ

٢٤٠٣ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ: حَدَّثَنَا حُسَيْنُ الْمُعَلَّمُ: حَدَّثَنَا عَطَاءُ بْنُ أَبِي رِبَاحٍ عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: أَعْتَقَ رَجُلٌ غُلَامًا لَهُ عَنْ دُبُرٍ، فَقَالَ النَّبِيُّ ﷺ: «مَنْ يَشْتَرِيهِ مِنِّي؟» فَاشْتَرَاهُ نُعَيْمُ بْنُ عَبْدِ اللَّهِ فَأَخَذَ ثَمَنَهُ فَدَفَعَهُ إِلَيْهِ». [راجع: ٢١٤١]

(١٧) بَابٌ إِذَا أَقْرَضَهُ إِلَى أَجَلٍ مُّسَمًّى أَوْ أَجَلُهُ فِي الْبَيْعِ

وقال ابن عمر في القرض إلى أجل: لا بأس به، وإن أُعطي أفضل من ذراهيمه ما لم يشتراط. وقال عطاء وعمرو بن دينار: هو إلى أجله في القرض.

٢٤٠٤ - وَقَالَ اللَّيْثُ: حَدَّثَنِي جَعْفَرُ بْنُ رَبِيعَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ هُرْمَزٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ ذَكَرَ رَجُلًا مِنْ بَنِي إِسْرَائِيلَ سَأَلَ بَعْضَ بَنِي إِسْرَائِيلَ

(1) (H. 2403) The man became in need or in debt, so the Prophet ﷺ sold the slave for him although he had promised that he would be manumitted after his death.

debts. *Hadīth* 2291].

(18) CHAPTER. Intercession for the reduction of debts.

2405. Narrated Jābir رَضِيَ اللهُ عَنْهُ: When ‘Abdullāh (my father) died, he left behind children and debts. I asked the lenders to put down some of his debt, but they refused, so I went to the Prophet ﷺ to intercede with them, yet they refused. The Prophet ﷺ said (to me), “Classify your dates into their different kinds: *I’dhāq Ibn Zaid*, *Lean* and *‘Ajwa*, each kind separately and call all the creditors and wait till I come to you.” I did so, and the Prophet ﷺ came and sat beside the dates and started measuring to each his due till he paid them fully, and the amount of dates remained as it was before, as if he had not touched them.

2406. (On another occasion) I took part in one of *Ghazawāt* along with the Prophet ﷺ and I was riding one of our camels. The camel got tired and was lagging behind the others. The Prophet ﷺ hit it on its back. He said, “Sell it to me, and you have the right to ride it till Al-Madīna.” When we approached Al-Madīna, I took the permission from the Prophet ﷺ to go to my house, saying, “O Allāh’s Messenger! I am married recently.” The Prophet ﷺ asked, “Have you married a virgin or a matron (a widow or divorcee)?” I said, “I have married a matron, as ‘Abdullāh (my father) died and left behind daughters small in their ages, so I married a matron

أَنْ يُسَلِّفَهُ فَدَفَعَهَا إِلَيْهِ إِلَى أَجَلٍ مُّسَمًّى، فَذَكَرَ الْحَدِيثَ. [راجع: ١٤٩٨]

(١٨) بَابُ الشَّفَاعَةِ فِي وَضْعِ الدَّيْنِ

٢٤٠٥ - حَدَّثَنَا مُوسَى: حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ مُغِيرَةَ، عَنْ عَامِرٍ، عَنْ جَابِرِ رَضِيَ اللهُ عَنْهُ قَالَ: أُصِيبَ عَبْدُ اللهِ وَتَرَكَ عِيَالاً وَدَيْنًا، فَطَلَبْتُ إِلَى أَصْحَابِ الدَّيْنِ أَنْ يَضَعُوا بَعْضًا فَأَبَوْا، فَأَتَيْتُ النَّبِيَّ ﷺ فَاسْتَشْفَعْتُ بِهِ عَلَيْهِمْ فَأَبَوْا، فَقَالَ: «صَنَّفَ تَمْرَكَ كُلَّ شَيْءٍ مِنْهُ عَلَى حِدَةٍ، عِذْقُ ابْنِ زَيْدٍ عَلَى حِدَةٍ، وَاللِّينَ عَلَى حِدَةٍ، وَالْعَجْوَةَ عَلَى حِدَةٍ ثُمَّ أَحْضَرَهُمْ حَتَّى آتَيْتُكَ»، فَفَعَلْتُ. ثُمَّ جَاءَ عَلَيْهِ السَّلَامُ فَفَعَدَ عَلَيَّ وَكَانَ لِكُلِّ رَجُلٍ حَتَّى اسْتَوْفَى وَبَقِيَ التَّمْرُ كَمَا هُوَ كَأَنَّهُ لَمْ يَمَسَّ. [راجع: ٢١٢٧]

٢٤٠٦ - وَعَزَوْتُ مَعَ النَّبِيِّ ﷺ عَلَى نَاضِحٍ لَنَا فَأَزْحَفَ الْجَمَلُ فَخَلَّفَ عَلَيَّ فَوَكَزَهُ النَّبِيُّ ﷺ مِنْ خَلْفِهِ، قَالَ: «بِعَيْنِهِ وَلَكَ ظَهْرُهُ إِلَى الْمَدِينَةِ»، فَلَمَّا دَنَوْنَا اسْتَأْذَنْتُ فَقُلْتُ: يَا رَسُولَ اللهِ، إِنِّي حَدِيثٌ عَهْدٍ بِعُرْسٍ. قَالَ ﷺ: «فَمَا تَزَوَّجْتَ؟ بِكْرًا أَمْ نَيْبًا؟» قُلْتُ: نَيْبًا. أُصِيبَ عَبْدُ اللهِ وَتَرَكَ جَوَارِيَ صِغَارًا، فَتَزَوَّجْتُ نَيْبًا تَعَلَّمَهُنَّ وَتَوَدَّهِنَّ، ثُمَّ

who may teach them and bring them up with good manners.” The Prophet ﷺ then said (to me), “Go to your family.” When I went there and told my maternal uncle about the selling of the camel, he admonished me for it. On that I told him about its slowness and exhaustion and about what the Prophet ﷺ had done to the camel and his hitting it. When the Prophet ﷺ arrived, I went to him with the camel in the morning and he gave me the price of the camel and the camel itself, and also my share from the war booty as he gave the other people.

(19) CHAPTER. What is forbidden as regards wasting money.

And the Statement of Allāh تعالى:

“... And Allāh likes not mischief...” (V.2:205).

“... Verily Allāh does not set right the work of *Al-Mufsidūn* (the evil-doers, corrupters)...” (V.10:81)

And the Statement of Allāh تعالى:

“Does your *Ṣalāt* (prayer) command that we give up what our fathers used to worship, or that we give up doing what we like with our property?...” (V.11:87)

Allāh تعالى also said:

“And give not unto the foolish your property...” (V.4:5)

And to keep away from all these (things), and (also) what is forbidden as regards deceit.

2407. Narrated Ibn ‘Umar رضي الله عنهما: A man came to the Prophet ﷺ and said, “I am often betrayed in bargaining.” The Prophet ﷺ advised him, “When you buy something, say (to the seller), ‘No deception.’” The man used to say so afterwards.

قَالَ: «إِنَّ أَهْلَكَ»، فَقَدِمْتُ فَأَخْبَرْتُ خَالِي بِبَيْعِ الْجَمَلِ فَلَامَنِي. فَأَخْبَرْتُهُ بِإِعْيَاءِ الْجَمَلِ، وَبِالَّذِي كَانَ مِنَ النَّبِيِّ ﷺ وَوَكْرَهُ إِيَّاهُ، فَلَمَّا قَدِمَ النَّبِيُّ ﷺ عَدَوْتُ إِلَيْهِ بِالْجَمَلِ فَأَعْطَانِي ثَمَنَ الْجَمَلِ وَالْجَمَلَ وَسَهْمِي مَعَ الْقَوْمِ.

[راجع: ٤٤٣]

(١٩) بَابُ مَا يُنْهَى عَنْ إِضَاعَةِ الْمَالِ

وَقَوْلِ اللَّهِ تَبَارَكَ وَتَعَالَى: ﴿وَاللَّهُ لَا يُحِبُّ الْفُسَادَ﴾ [البقرة: ٢٠٥] وَلَا يُصْلِحُ عَمَلَ الْمُفْسِدِينَ﴾ [يونس: ٨١] وَقَالَ فِي قَوْلِهِ تَعَالَى: ﴿أَصْلَوْا تَأْمُرَكُمْ أَنْ تَتْرُكُوا مَا يَعْبُدُ آبَاؤُنَا أَوْ أَنْ نَفْعَلَ فِي أَمْوَالِنَا مَا نَشَاءُ﴾ [هود: ٨٧] وَقَالَ تَعَالَى: ﴿وَلَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ﴾ [النساء: ٥] وَالْحَجْرِ فِي ذَلِكَ وَمَا يُنْهَى عَنِ الْخِدَاعِ.

٢٤٠٧ - حَدَّثَنَا أَبُو نَعِيمٍ: حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ: سَمِعْتُ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ رَجُلٌ لِلنَّبِيِّ ﷺ: إِنِّي أُخْدَعُ فِي الْبَيْعِ، فَقَالَ: «إِذَا بَايَعْتَ فَقُلْ: لَا خِلَابَةَ»، فَكَانَ الرَّجُلُ يَقُولُهُ. [راجع: ٢١١٧]

2408. Narrated Al-Mughīra bin Shu'ba رضي الله عنه: The Prophet ﷺ said, "Allāh has forbidden for you (1) to be undutiful to your mothers, (2) to bury your daughters alive, (3) to not to pay the rights of the poor and others (e.g. charity) and (4) to beg of men (i.e., begging). And Allāh hates for you (1) *Qīl* and *Qāl* (sinful and useless talk like backbiting or that you talk too much about others), (2) to ask too many questions, (in disputed religious matters), and (3) to waste the wealth (by extravagance with lack of wisdom and thinking)."

(20) CHAPTER. A slave is a guardian of the property of his master and he should not use it except with the master's permission.

2409. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: I heard Allāh's Messenger ﷺ saying, "Everyone of you is a guardian and responsible for what is in his custody. The ruler is a guardian of his subjects and responsible for them; a husband is a guardian of his family and is responsible for it; a lady is a guardian of her husband's house and is responsible for it, and a servant is a guardian of his master's property and is responsible for it." I heard that from Allāh's Messenger ﷺ and I think that the Prophet ﷺ also said, "A man is a guardian of his father's property and is responsible for it; so all of you are guardians and responsible for your wards and things under your care."

٢٤٠٨ - حَدَّثَنِي عُثْمَانُ: حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنِ الشَّعْبِيِّ، عَنْ وَرَادِ مَوْلَى الْمُغِيرَةِ بْنِ شُعْبَةَ، عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ قَالَ: قَالَ النَّبِيُّ ﷺ: «إِنَّ اللَّهَ حَرَّمَ عَلَيْكُمْ عُقُوقَ الْأُمّهَاتِ، وَوَادَ الْبَنَاتِ، وَمَنْعَ وَهَاتِ. وَكَرِهَ لَكُمْ قِيلَ وَقَالَ، وَكَثْرَةَ السُّؤَالِ، وَإِضَاعَةَ الْمَالِ».

[راجع: ٨٤٤]

(٢٠) بَابُ الْعَبْدِ رَاعٍ فِي مَالِ سَيِّدِهِ وَلَا يَعْمَلُ إِلَّا بِإِذْنِهِ

٢٤٠٩ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ: كُلُّكُمْ رَاعٍ وَمَسْئُولٌ عَنْ رَعِيَّتِهِ، فَالْإِمَامُ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالرَّجُلُ فِي أَهْلِهِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، وَالْمَرْأَةُ فِي بَيْتِ زَوْجِهَا رَاعِيَةٌ وَهِيَ مَسْئُولَةٌ عَنْ رَعِيَّتِهَا، وَالْخَادِمُ فِي مَالِ سَيِّدِهِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ. قَالَ: فَسَمِعْتُ هَؤُلَاءِ مِنْ رَسُولِ اللَّهِ ﷺ وَأَخْسِبُ النَّبِيَّ ﷺ قَالَ: «وَالرَّجُلُ فِي مَالِ أَبِيهِ رَاعٍ وَهُوَ مَسْئُولٌ عَنْ رَعِيَّتِهِ، فَكُلُّكُمْ رَاعٍ وَكُلُّكُمْ مَسْئُولٌ عَنْ رَعِيَّتِهِ».

[راجع: ٨٩٣]