

46 - THE BOOK OF AL-MAZĀLIM (THE OPPRESSIONS)

Concerning oppressions and unlawful taking (of something) by violence.

في المظالم والغصب،

And the Statement of Allāh تعالى :

“Consider not that Allāh is unaware of that which the *Zālimūn* (polytheists, wrong-doers) do, but He gives them respite up to a Day when the eyes will stare in horror. (They will be) hastening forward with necks outstretched, their heads raised up (towards the sky), their gaze returning not towards them and their hearts empty (from thinking because of extreme fear). And warn (O Muḥammad ﷺ) mankind of the Day when the torment will come unto them; then the wrong-doers will say: ‘Our Lord! Respite us for a little while, we will answer Your Call and follow the Messengers!’ (It will be said): ‘Had you not sworn aforetime that you would not leave (the world for the Hereafter). And you dwelt in dwellings of men who wronged themselves, and it was clear to you how We had dealt with them. And We put forth (many) parables for you.’ Indeed they planned their plot, and their plot was with Allāh, though their plot was not such as to remove the mountains (real mountains or the Islāmic laws) from their places (as it is of no importance)⁽¹⁾. So think not that Allāh will fail to keep His Promise to His Messengers. Certainly Allāh is All-Mighty, All-Able of Retribution.” (V.14:42-47)

وَقَوْلِ اللَّهِ تَعَالَى: ﴿وَلَا تَحْسَبَنَّ اللَّهُ غَفْلًا عَمَّا يَعْمَلُ الظَّالِمُونَ إِنَّمَا يُؤَخِّرُهُمْ لِيَوْمٍ تَشْخَصُ فِيهِ الْأَبْصَارُ ﴿٤٢﴾ مُهْطِعِينَ مُقْنِعِي رُءُوسِهِمْ لَا يَرْتَدُّ إِلَيْهِمْ طَرْفُهُمْ وَأَفْئِدَتُهُمْ هَوَاءٌ ﴿٤٣﴾﴾ رَافِعِي رُءُوسِهِمْ. الْمُقْنِعُ وَالْمُقْنِعُ وَاجِدٌ.

قَالَ مُجَاهِدٌ: مُهْطِعِينَ: مُدْيِمِي النَّظَرِ. وَقَالَ غَيْرُهُ: مُسْرِعِينَ ﴿لَا يَرْتَدُّ إِلَيْهِمْ طَرْفُهُمْ وَأَفْئِدَتُهُمْ هَوَاءٌ﴾ يَعْنِي جُوفًا لَا عَقُولَ لَهُمْ ﴿وَأَنْذِرِ النَّاسَ يَوْمَ يَأْتِيهِمُ الْعَذَابُ فَيَقُولُ الَّذِينَ الَّذِينَ ظَلَمُوا رَبَّنَا آخِرْنَا إِلَيْكَ أَجَلٌ قَرِيبٌ نُجِثْ دَعْوَتَكَ وَنَتَّجِجِ الرُّسُلَ أَوْلَمْ نَكُونُوا أَقْسَمْتُمْ مِنْ قَبْلِ مَا لَكُمْ مِنْ زَوَالٍ ﴿٤٣﴾﴾ وَسَكَنْتُمْ فِي مَسْكِينَ الَّذِينَ ظَلَمُوا أَنْفُسَهُمْ وَتَبَيَّنَ لَكُمْ كَيْفَ فَعَلْنَا بِهِمْ وَضَرَبْنَا لَكُمْ الْأَمْثَالَ ﴿٤٤﴾﴾ وَقَدْ مَكَرُوا مَكْرَهُمْ وَعِنْدَ اللَّهِ مَكْرُهُمْ وَإِنْ كَانَ مَكْرُهُمْ لِتَزُولَ مِنْهُ الْجِبَالُ ﴿٤٥﴾﴾ فَلَا تَحْسَبَنَّ اللَّهَ تَخَلِّفَ وَعْدَهُ رُسُلَهُ إِنَّ اللَّهَ عَزِيزٌ ذُو انْتِقَامٍ ﴿٤٦﴾﴾ [إبراهيم: ٤٢ - ٤٧].

(1) CHAPTER. Retaliation (on the Day of Judgement) in cases of oppressions.

(١) بَابُ قِصَاصِ الْمَظَالِمِ.

(1) (Ch. 1) It is said in *Tafsir Ibn Kathir* as regarding this Verse that the Quraish pagans plotted against Prophet Muḥammad ﷺ to kill him but they failed and were unable to carry out their plot which they plotted.

2440. Narrated Abū Sa'īd Al-Kh̄udrī رضي الله عنه said, "When the believers pass safely over (the bridge across) Hell, they will be stopped at an arched bridge in between Hell and Paradise, where they will retaliate upon each other for the injustices done among them in the world, and when they get purified of all their sins, they will be admitted into Paradise. By Him in Whose Hands the soul of Muḥammad (ﷺ) is, everybody will (recognize) his dwelling in Paradise better than he recognizes his dwelling in this world."

٢٤٤٠ - حَدَّثَنَا إِسْحَاقُ بْنُ إِبْرَاهِيمَ: أَخْبَرَنَا مُعَاذُ بْنُ هِشَامٍ: حَدَّثَنِي أَبِي، عَنْ قَتَادَةَ، عَنْ أَبِي الْمُتَوَكِّلِ النَّاجِي، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «إِذَا خَلَصَ الْمُؤْمِنُونَ مِنَ النَّارِ حُسِبُوا بِمَنْظَرَةِ بَيْنَ الْجَنَّةِ وَالنَّارِ فَيَتَفَاصُونَ مَظَالِمَ كَانَتْ بَيْنَهُمْ فِي الدُّنْيَا حَتَّى إِذَا نُفُوا وَهُدَّبُوا أُذِنَ لَهُمْ بِدُخُولِ الْجَنَّةِ. فَوَالَّذِي نَفْسُ مُحَمَّدٍ ﷺ بِيَدِهِ، لَأَحَدُهُمْ بِمَسْكَنِهِ فِي الْجَنَّةِ أَدْلُ بِمَنْزِلِهِ كَانَ فِي الدُّنْيَا».

وقال يونس بن محمد: حدثنا شيبان، عن قتادة: حدثنا أبو المتوكل. [انظر: ٦٥٣٥]

(2) CHAPTER. The Statement of Allāh تعالى: "... No doubt! The curse of Allāh is on the *Zālimūn* (polytheists, oppressors, and the wrong-doers) (V.11:18)

(٢) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿أَلَا لَعْنَةُ اللَّهِ عَلَى الظَّالِمِينَ﴾ [هود: ١٨]

2441. Narrated Ṣafwān bin Muḥrīz Al-Māzinī: While I was walking with Ibn 'Umar رضي الله عنهما holding his hand, a man came in front of us and asked, "What have you heard from Allāh's Messenger ﷺ about *An-Najwa*?"⁽¹⁾ Ibn 'Umar رضي الله عنهما said, "I heard Allāh's Messenger ﷺ saying, 'Allāh will bring a believer near Him and shelter him with His Screen and ask him: Did you commit such and such sins? He will say: Yes, my Lord. Allāh will keep on asking him till he will confess all his sins and will think

٢٤٤١ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا هَمَامٌ قَالَ: حَدَّثَنِي قَتَادَةُ، عَنْ صَفْوَانَ بْنِ مُحَرَّرِ الْمَازِنِيِّ قَالَ: بَيْنَمَا أَنَا أَمْشِي مَعَ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَخَذَ بِيَدِهِ، إِذْ عَرَضَ رَجُلٌ فَقَالَ: كَيْفَ سَمِعْتَ رَسُولَ اللَّهِ ﷺ فِي النَّجْوَى؟ فَقَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «إِنَّ اللَّهَ يُدْنِي

(1) (Ch. 2441) *An-Najwa* is confidential talk between Allāh and his devotee on the Day of judgement. It is a favour from Allāh upon His devotee. The *Hadīth* explains the word clearly.

that he is ruined. Allāh will say: I did screen your sins in the world and I forgive them for you today. And then he will be given the book (record) of his good deeds. Regarding disbelievers and hypocrites (their evil acts will be exposed publicly) and the witnesses will say: These are the ones who lied against their Lord. No doubt! The curse of Allāh is on the *Zālimūn* (polytheists, oppressors and the wrong-doers).” (V.11:18)

المؤمنَ فَيَضَعُ عَلَيْهِ كَفَّهُ وَيَسْتَرُّهُ
فَيَقُولُ: أَتَعْرِفُ ذَنْبَ كَذَا؟ أَتَعْرِفُ
ذَنْبَ كَذَا؟ فَيَقُولُ: نَعَمْ أَيُّ رَبِّ،
حَتَّى قَرَّرَهُ بِذُنُوبِهِ وَرَأَى فِي نَفْسِهِ أَنَّهُ
هَلَكَ قَالَ: سَتَرْتَهَا عَلَيْكَ فِي الدُّنْيَا،
وَأَنَا أَغْفِرُهَا لَكَ الْيَوْمَ. فَيُعْطَى كِتَابَ
حَسَنَاتِهِ. وَأَمَّا الْكَافِرُ وَالْمُنَافِقُونَ
فَيَقُولُ الْأَشْهَادُ: ﴿هَؤُلَاءِ الَّذِينَ
كَذَبُوا عَلَىٰ رَبِّهِمْ ۚ آلَا لَعْنَةُ اللَّهِ عَلَى
الظَّالِمِينَ﴾ [هود: ١٨]. [انظر: ٤٦٨٥،

[٧٥١٤، ٦٠٧٠]

(3) CHAPTER. A Muslim should not oppress another Muslim, nor should he hand him over to an oppressor.

2442. Narrated ‘Abdullāh bin ‘Umar رَضِيَ اللهُ عَنْهُمَا: Allāh’s Messenger ﷺ said, “A Muslim is a brother of another Muslim, so he should not oppress him, nor should he hand him over to an oppressor. Whoever fulfilled the needs of his brother, Allāh will fulfill his needs; whoever brought his (Muslim) brother out of a discomfort, Allāh will bring him out of the discomforts of the Day of Resurrection, and whoever screened a Muslim, Allāh will screen him on the Day of Resurrection.”

(٣) بَابٌ لَا يَظْلِمُ الْمُسْلِمَ الْمُسْلِمَ
وَلَا يُسْلِمُهُ

٢٤٤٢ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ:
حَدَّثَنَا اللَّيْثُ، عَنْ عُقَيْلٍ، عَنِ ابْنِ
شِهَابٍ أَنَّ سَالِمًا أَخْبَرَهُ: أَنَّ عَبْدَ اللَّهِ
بْنَ عَمَرَ رَضِيَ اللَّهُ عَنْهُمَا أَخْبَرَهُ: أَنَّ
رَسُولَ اللَّهِ ﷺ قَالَ: «الْمُسْلِمُ أَخُو
الْمُسْلِمِ، لَا يَظْلِمُهُ وَلَا يُسْلِمُهُ، وَمَنْ
كَانَ فِي حَاجَةٍ أَخِيهِ، كَانَ اللَّهُ فِي
حَاجَتِهِ. وَمَنْ فَرَّجَ عَنْ مُسْلِمٍ كُرْبَةً
فَرَّجَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرْبَاتِ يَوْمِ
الْقِيَامَةِ، وَمَنْ سَتَرَ مُسْلِمًا سَتَرَهُ اللَّهُ
يَوْمَ الْقِيَامَةِ». [انظر: ٦٩٥١]

(4) CHAPTER. Help your brother whether he is an oppressor or he is an oppressed one. (See *Hadīth* 2444 below).

2443. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: Allāh’s Messenger ﷺ said, “Help your brother, whether he is an oppressor or he is

(٤) بَابٌ عَنِ أَخَاكَ ظَالِمًا أَوْ
مَظْلُومًا

٢٤٤٣ - حَدَّثَنَا عُثْمَانُ بْنُ أَبِي
شَيْبَةَ: حَدَّثَنَا هُثَيْمٌ: أَخْبَرَنَا عُبَيْدُ اللَّهِ

an oppressed one.”

2444. Narrated Anas رضي الله عنه: Allāh's Messenger ﷺ said, “Help your brother, whether he is an oppressor or he is an oppressed one. People asked, “O Allāh's Messenger! It is all right to help him if he is oppressed, but how should we help him if he is an oppressor?” The Prophet ﷺ said, “By preventing him from oppressing others.”

(5) CHAPTER. To help the oppressed.

2445. Narrated Mu'āwīya bin Suwaid: I heard Al-Barā' bin 'Āzib رضي الله عنهما saying, “The Prophet ﷺ ordered us to do seven things and prohibited us from doing seven other things.” Then Al-Barā' mentioned: (He ﷺ ordered us the following):

1. To pay a visit to the sick (enquiring about his health),
2. to follow funeral procession,
3. to say to a sneezer, “May Allāh be Merciful to you” (if he says, ‘Praise be to Allāh!’),
4. to return greetings,
5. to help the oppressed,
6. to accept invitations,
7. to help others to fulfill their oaths.

[See *Hadīth* 5863 and H. 1239]

2446. Narrated Abū Mūsa رضي الله عنه: The Prophet ﷺ said, “A believer to another believer is like a building whose different parts reinforce each other.” The Prophet ﷺ then clasped his hands, with the fingers interlaced (while saying that).

بُن أَبِي بَكْرٍ بْنِ أَنَسٍ، وَحُمَيْدٌ سَمِعَا
أَنَسَ بْنَ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ يَقُولُ:
قَالَ النَّبِيُّ ﷺ: «أَنْصُرْ أَخَاكَ ظَالِمًا
أَوْ مَظْلُومًا». [انظر: ٢٤٤٤، ٦٩٥٢]

٢٤٤٤ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا
مُعْتَمِرٌ، عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ رَضِيَ
اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ:
«أَنْصُرْ أَخَاكَ ظَالِمًا أَوْ مَظْلُومًا».
قَالُوا: يَا رَسُولَ اللَّهِ، هَذَا نَنْصُرُهُ
مَظْلُومًا، فَكَيْفَ نَنْصُرُهُ ظَالِمًا؟ فَقَالَ:
«تَأْخُذُ فَوْقَ يَدَيْهِ». [راجع: ٢٤٤٣]

(٥) بَابُ نَصْرِ الْمَظْلُومِ

٢٤٤٥ - حَدَّثَنَا سَعِيدُ بْنُ الرَّبِيعِ:
حَدَّثَنَا شُعْبَةُ، عَنِ الْأَشْعَثِ بْنِ سُلَيْمٍ
قَالَ: سَمِعْتُ مُعَاوِيَةَ بْنَ سُؤَيْدٍ:
سَمِعْتُ الْبِرَاءَ بْنَ عَازِبٍ رَضِيَ اللَّهُ
عَنْهُمَا قَالَ: «أَمَرَنَا النَّبِيُّ ﷺ بِسَبْعِ
وَنَهَانَا عَنْ سَبْعِ: فَذَكَرَ عِيَادَةَ
الْمَرِيضِ، وَاتِّبَاعَ الْجَنَائِزِ، وَتَشْمِيتَ
الْعَاطِسِ، وَرَدَّ السَّلَامِ، وَنَصْرَ
الْمَظْلُومِ، وَإِجَابَةَ الدَّاعِي، وَإِبْرَارَ
الْمُقْسِمِ». [راجع: ١٢٣٩]

٢٤٤٦ - حَدَّثَنَا مُحَمَّدُ بْنُ
الْعَلَاءِ: حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ بُرَيْدٍ،
عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَى رَضِيَ
اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «الْمُؤْمِنُ

(6) CHAPTER. To retaliate upon an oppressor (by invoking Allāh to punish him).

As is referred to in this Statement of Allāh :

“Allāh does not like that the evil should be uttered in public except by him who has been wronged. And Allāh is Ever All-Hearer, All-Knower.” (V.4:148)

“And those who, when an oppressive wrong is done to them, take revenge.” (V.42:39)

Ibrāhīm said, “They disliked to be humiliated, and when they were powerful, they would forgive (their oppressors).”

(7) CHAPTER. Forgiveness granted by the oppressed person.

As is referred to by the Statement of Allāh تعالى :

“Whether you (mankind) disclose (by good words of thanks) a good deed (done to you in the form of a favour by someone), or conceal it, or pardon an evil... verily, Allāh is Ever Oft-Pardoning, All-Powerful.” (V.4:149)

“The recompense for an evil is an evil like thereof, but whoever forgives and makes reconciliation, his reward is with Allāh; Verily, He likes not the *Zālimūn* (polytheists, oppressors and wrong-doers). And indeed whosoever takes revenge after he has suffered wrong, for such there is no way (of blame) against them.

The way (of blame) is only against those who oppress men and wrongly rebel in the earth without justification; for such there will be a painful torment.

And verily, whosoever shows patience and forgives, that would truly be from the things

لِلْمُؤْمِنِ كَالْبُنْيَانِ يَشُدُّ بَعْضُهُ بَعْضًا،
وَشَبَّكَ بَيْنَ أَصَابِعِهِ. [راجع: ٤٨١]

(٦) بَابُ الْإِنْتِصَارِ مِنَ الظَّالِمِ،

لِقَوْلِهِ جَلَّ ذِكْرُهُ: ﴿لَا يُحِبُّ اللَّهُ
الْجَهْرَ بِالسُّوَى مِنَ الْقَوْلِ إِلَّا مَنْ ظَلَمَ،
وَكَانَ اللَّهُ سَمِيعًا عَلِيمًا﴾ [النساء: ١٤٨]
﴿وَالَّذِينَ إِذَا أَصَابَهُمُ الْبَغْيُ هُمْ يَنْتَصِرُونَ﴾ [٣٩]
[الشورى: ٣٩] قَالَ إِبْرَاهِيمُ: كَانُوا
يَكْرَهُونَ أَنْ يُسْتَدْلُوا، فَإِذَا قَدَرُوا
عَفَوْا.

(٧) بَابُ عَفْوِ الْمَظْلُومِ،

لِقَوْلِهِ تَعَالَى: ﴿إِنْ تَدُؤْا خَيْرًا أَوْ
تُخْفُوهُ أَوْ تَعْفُوا عَنْ سُوءِ فَإِنَّ اللَّهَ كَانَ
عَفْوًا قَدِيرًا﴾ [النساء: ١٤٩] ﴿وَجَزَّوًا
سَيَتَوَّ سَيَتَهُ مَنَّا فَمَنْ عَفَا وَأَصْلَحَ فَأَجْرُهُ
عَلَى اللَّهِ إِنَّهُ لَا يُحِبُّ الظَّالِمِينَ﴾ [٤٤] وَلَمَنْ
أَنْتَصَرَ بَعْدَ ظُلْمِهِ فَأُولَئِكَ مَا عَلَيْهِمْ مِنْ
سَبِيلٍ﴾ [٤٤] إِنَّمَا السَّبِيلُ عَلَى الَّذِينَ يَظْلِمُونَ
النَّاسَ وَيَبْغُونَ فِي الْأَرْضِ بِغَيْرِ الْحَقِّ
أُولَئِكَ لَهُمْ عَذَابٌ أَلِيمٌ﴾ [٤٤] وَلَمَنْ صَبَرَ
وَعَفَرَ إِنَّ ذَلِكَ لَمِنْ عَزْمِ الْأُمُورِ﴾ [٤٣] وَمَنْ
يُضْلِلِ اللَّهُ فَمَا لَهُ مِنْ وَلِيٍّ مِنْ بَعْدِهِ وَتَرَى
الظَّالِمِينَ لَمَّا رَأَوْا الْعَذَابَ يَقُولُوكَ هَلْ
إِلَى مَرَدٍّ مِنْ سَبِيلٍ﴾ [الشورى: ٤٠]

recommended by Allāh.

And whomsoever Allāh sends astray, for him there is no *Walī* (protector, helper, guardian) after Him. And you will see the *Zālimūn* (polytheists, wrong-doers, oppressors) when they behold the torment, they will say: Is there any way of return (to the world).” (V.42:40-44)

(8) CHAPTER. *Az-Zulm* (oppression) will be a darkness on the Day of Resurrection.

2447. Narrated Ibn ‘Umar رَضِيَ اللهُ عَنْهُمَا: The Prophet ﷺ said, “*Az-Zulm* (oppression) will be a darkness on the Day of Resurrection.”

(9) CHAPTER. One should save oneself from the curse of the oppressed.

2448. Narrated Ibn ‘Abbās رَضِيَ اللهُ عَنْهُمَا: The Prophet ﷺ sent Mu‘ādh to Yemen and said, “Be afraid, from the curse of the oppressed as there is no screen between his invocation and Allāh.”⁽¹⁾

(10) CHAPTER. If the oppressed one forgives the oppressor, is it necessary to describe his oppression?

2449. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ:

(٨) بَابُ الظُّلْمِ ظُلَمَاتٌ يَوْمَ الْقِيَامَةِ

٢٤٤٧ - حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ:

حَدَّثَنَا عَبْدُ الْعَزِيزِ الْمَاجِشُونُ: أَخْبَرَنَا عَبْدُ اللَّهِ بْنُ دِينَارٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو رَضِيَ اللهُ عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «الظُّلْمُ ظُلَمَاتٌ يَوْمَ الْقِيَامَةِ».

(٩) بَابُ الْإِتْقَاءِ وَالْحَذَرِ مِنْ دَعْوَةِ

الْمَظْلُومِ

٢٤٤٨ - حَدَّثَنَا يَحْيَى بْنُ

مُوسَى: حَدَّثَنَا وَكَيْعٌ: حَدَّثَنَا زَكَرِيَّا بْنُ إِسْحَاقَ الْمَكِّيُّ، عَنْ يَحْيَى بْنِ عَبْدِ اللَّهِ بْنِ صَيْفِيٍّ، عَنْ أَبِي مَعْبُدٍ مَوْلَى ابْنِ عَبَّاسٍ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا: أَنَّ النَّبِيَّ ﷺ بَعَثَ مُعَاذًا إِلَى الْيَمَنِ، فَقَالَ: «اتَّقِ دَعْوَةَ الْمَظْلُومِ فَإِنَّهَا لَيْسَ بَيْنَهَا وَبَيْنَ اللَّهِ حِجَابٌ». [راجع: ١٣٩٥]

(١٠) بَابُ مَنْ كَانَتْ لَهُ مَظْلَمَةٌ عِنْدَ

الرَّجُلِ فَحَلَّلَهَا لَهُ، هَلْ يُبَيِّنُ مَظْلَمَتَهُ؟

٢٤٤٩ - حَدَّثَنَا آدَمُ بْنُ أَبِي

(1) (H. 2448) Allāh will respond to his invocation and punish the oppressor sooner or later. (*Qasṭalānī*).

Allāh's Messenger ﷺ said, "Whoever has oppressed another person concerning his reputation or anything else, he should beg him to forgive him before the Day of Resurrection when there will be no money (to compensate for wrong deeds), but if he has good deeds, those good deeds will be taken from him according to his oppression which he has done, and if he has no good deeds, the sins of the oppressed person will be loaded on him."

إياس: حَدَّثَنَا ابْنُ أَبِي ذُئْبٍ: حَدَّثَنَا سَعِيدُ الْمَقْبُرِيُّ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ كَانَتْ لَهُ مَظْلَمَةٌ لِأَخِيهِ مِنْ عَرَضِهِ أَوْ شَيْءٍ فَلْيَتَحَلَّلْهُ مِنْهُ الْيَوْمَ قَبْلَ أَنْ لَا يَكُونَ دِينَارٌ وَلَا دِرْهَمٌ، إِنْ كَانَ لَهُ عَمَلٌ صَالِحٌ أُخِذَ مِنْهُ بِقَدَرٍ مَظْلَمَتِهِ. وَإِنْ لَمْ يَكُنْ لَهُ حَسَنَاتٌ أُخِذَ مِنْ سَيِّئَاتٍ صَاحِبِهِ فَحُمِلَ عَلَيْهِ».

قال أبو عبد الله: قال إسماعيل بن أبي أويس: إنما سُمِّيَ الْمَقْبُرِيُّ لِأَنَّهُ كَانَ يَنْزِلُ نَاحِيَةَ الْمَقَابِرِ. قَالَ أَبُو عَبْدِ اللَّهِ: وَسَعِيدُ الْمَقْبُرِيُّ هُوَ مَوْلَى بَنِي لَيْثٍ، وَهُوَ سَعِيدُ بْنُ أَبِي سَعِيدٍ، وَاسْمُ أَبِي سَعِيدٍ كَيْسَانٌ.

[انظر: ٦٥٣٤]

(11) CHAPTER. If the oppressed person forgives the oppressor, he has no right to back out (of his forgiveness).

2450. Narrated 'Aishah رَضِيَ اللَّهُ عَنْهَا regarding the explanation of the following Verse:

"And if a woman fears cruelty or desertion on her husband's part..." (V.4:128)

A man may dislike his wife and intend to divorce her, so she says to him, "I give up my rights, so do not divorce me." The above Verse was revealed concerning such a case.

(١١) بَابُ إِذَا حَلَّلَهُ مِنْ ظُلْمِهِ فَلَا رَجُوعَ فِيهِ

٢٤٥٠ - حَدَّثَنَا مُحَمَّدٌ: أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: ﴿وَإِنْ امْرَأَةٌ خَافَتْ مِنْ بَعْلِهَا نُشُورًا أَوْ إِعْرَاصًا﴾ [النساء: ١٢٨] قَالَتْ: الرَّجُلُ تَكُونُ عِنْدَهُ الْمَرْأَةُ لَيْسَ بِمُسْتَكْبِرٍ مِنْهَا يُرِيدُ أَنْ يُفَارِقَهَا فَتَقُولُ: أَجْعَلُكَ مِنْ شَأْنِي فِي جِلٍّ، فَنَزَلَتْ هَذِهِ الْآيَةُ فِي ذَلِكَ. [انظر: ٢٦٩٤، ٤٦٠١، ٥٢٠٦]

(12) CHAPTER. If a person allows another or permits him (the latter) to have

(١٢) بَابُ إِذَا أَدِنَ لَهُ أَوْ أَحَلَّهُ وَلَمْ

something of his right and does not clarify as to how much is that?

2451. Narrated Saḥl bin Sa'd As-Sā'idi رَضِيَ اللهُ عَنْهُ: A drink (milk mixed with water) was brought to Allāh's Messenger ﷺ who drank some of it. A boy was sitting to his right, and some old men to his left. Allāh's Messenger ﷺ said to the boy, "Do you allow me to give the rest of the drink to these people?" The boy said, "O Allāh's Messenger! I will not give preference to anyone over me to have my share from you (i.e., to drink the rest of it from which you have drunk)." So Allāh's Messenger ﷺ handed the bowl (of drink) to the boy.

[See *Ḥadīth* No.2351].

(13) CHAPTER. The sin of him who usurps the land of others.

2452. Narrated Sa'īd bin Zaid رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "Whoever usurps the land of somebody unjustly, his neck will be encircled with seven earths (on the Day of Resurrection)."

2453. Abū Salama narrated that there was a dispute between him and some people (about a piece of land). When he told 'Aīshah رَضِيَ اللهُ عَنْهَا about it, she said, "O Abū Salama! Avoid taking the land unjustly, for the Prophet ﷺ said, 'Whoever usurps even one span of the land of somebody, his neck will be encircled with seven earths (on the Day of Resurrection).'"

بَيْنَ كَمْ هُوَ؟

٢٤٥١ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ أَبِي حَازِمٍ بْنِ دِينَارٍ، عَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ رَضِيَ اللهُ عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ أَتَى بِشَرَابٍ فَشَرِبَ مِنْهُ وَعَنْ يَمِينِهِ غُلامٌ وَعَنْ يسَارِهِ الْأَشْيَاحُ فَقَالَ لِلْغُلامِ: «أَتَأْذُنُ لِي أَنْ أُعْطِيَ هُوَ لَا؟» فَقَالَ الْغُلامُ: لَا وَاللهِ يَا رَسُولَ اللهِ، لَا أُؤْثِرُ بِنَيْبِي مِنْكَ أَحَدًا، قَالَ: فَتَلَّهُ رَسُولُ اللهِ ﷺ فِي يَدِهِ. [راجع: ٢٣٥١]

(١٣) بَابُ إِنْهُمْ مَنْ ظَلَمَ شَيْئًا مِنَ الْأَرْضِ

٢٤٥٢ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي طَلْحَةُ بْنُ عَبْدِ اللهِ: أَنَّ عَبْدَ الرَّحْمَنِ بْنَ عَمْرٍو ابْنَ سَهْلِ: أَخْبَرَهُ أَنَّ سَعِيدَ بْنَ زَيْدٍ رَضِيَ اللهُ عَنْهُ قَالَ: سَمِعْتُ رَسُولَ اللهِ ﷺ يَقُولُ: «مَنْ ظَلَمَ مِنَ الْأَرْضِ شَيْئًا، طَوَّقَهُ مِنْ سَبْعِ أَرْضِينَ». [انظر: ٣١٩٨]

٢٤٥٣ - حَدَّثَنَا أَبُو مَعْمَرٍ: حَدَّثَنَا عَبْدُ الْوَارِثِ: حَدَّثَنَا حُسَيْنٌ، عَنْ يَحْيَى ابْنِ أَبِي كَثِيرٍ قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ إِبْرَاهِيمَ: أَنَّ أَبَا سَلَمَةَ حَدَّثَهُ: أَنَّهُ كَانَتْ بَيْنَهُ وَبَيْنَ أَنْاسٍ حُصُومَةٌ فَذَكَرَ لِعَائِشَةَ رَضِيَ اللهُ عَنْهَا

فَقَالَتْ لَهُ: يَا أَبَا سَلَمَةَ اجْتَنِبِ
الْأَرْضَ فَإِنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ ظَلَمَ
قَيْدَ شِبْرٍ مِنَ الْأَرْضِ طُوقَهُ مِنْ سَبْعِ
أَرْضِينَ». [انظر: ٣١٩٥]

2454. Narrated Sālim's father (i.e.,
'Abdullāh رضي الله عنه): The Prophet ﷺ said,
"Whoever takes a piece of the land of others
unjustly, he will sink down the seven earths
on the Day of Resurrection."

٢٤٥٤ - حَدَّثَنَا مُسْلِمٌ بِنُ
إِبْرَاهِيمَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ:
حَدَّثَنَا مُوسَى بْنُ عُقْبَةَ، عَنْ سَالِمِ،
عَنْ أَبِيهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ
النَّبِيُّ ﷺ: «مَنْ أَخَذَ مِنَ الْأَرْضِ
شَيْئًا بِغَيْرِ حَقِّهِ حُسِفَ بِهِ يَوْمَ الْقِيَامَةِ
إِلَى سَبْعِ أَرْضِينَ». قَالَ الْفِرْبَرِيُّ:
قَالَ أَبُو جَعْفَرٍ بْنُ أَبِي حَاتِمٍ: قَالَ أَبُو
عَبْدِ اللَّهِ: هَذَا الْحَدِيثُ لَيْسَ بِخُرَاسَانَ
فِي كُتُبِ ابْنِ الْمُبَارَكِ، أَمَلَى عَلَيْهِمْ
بِالْبَصْرَةِ. [انظر: ٣١٩٦]

(14) CHAPTER. If somebody allows another
to do something, the permission is valid.

(١٤) بَابُ إِذَا أُذِنَ لِإِنْسَانٍ لِأَخْرَ شَيْئًا
جَارَ

2455. Narrated Jabala: "We were in Al-
Madina with some of the Iraqi people, and
we were struck with drought (famine) and
Ibn Az-Zubair used to give us dates. Ibn
'Umar رضي الله عنهما used to pass by us and say,
"The Prophet ﷺ forbade us to eat two dates
at a time, unless one takes the permission of
one's companions."

٢٤٥٥ - حَدَّثَنَا حَفْصُ بْنُ عُمَرَ:
حَدَّثَنَا شُعْبَةُ، عَنْ جَبَلَةَ: كُنَّا بِالْمَدِينَةِ
فِي بَعْضِ أَهْلِ الْعِرَاقِ فَأَصَابَنَا سَنَةٌ،
فَكَانَ ابْنُ الزُّبَيْرِ يَرْزُقُنَا التَّمْرَ، فَكَانَ
ابْنُ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا يَمُرُّ بِنَا
فَيَقُولُ: إِنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ
الْإِقْرَانِ إِلَّا أَنْ يَسْتَأْذِنَ الرَّجُلُ مِنْكُمْ
أَحَاهُ. [انظر: ٢٤٨٩، ٢٤٩٠، ٥٤٤٦]

2456. Narrated Abū Mas'ūd رضي الله عنه:
There was an Anṣārī man called Abū Shu'aib
who had a slave butcher. Abū Shu'aib said to
him, "Prepare a meal sufficient for five
persons so that I might invite the Prophet

٢٤٥٦ - حَدَّثَنَا أَبُو التُّعْمَانِ:
حَدَّثَنَا أَبُو عَوَانَةَ عَنِ الْأَعْمَشِ، عَنْ
أَبِي وَائِلٍ، عَنْ أَبِي مَسْعُودٍ: أَنَّ

ﷺ besides other four persons.” Abū Shu‘aib had seen the signs of hunger on the face of the Prophet ﷺ and so he invited him. Another man who was not invited followed the Prophet ﷺ. The Prophet ﷺ said to Abū Shu‘aib, “This man has followed us. Do you want him to share the meal?” Abū Shu‘aib said, “Yes.”

رَجُلًا مِّنَ الْأَنْصَارِ يُقَالُ لَهُ: أَبُو شُعَيْبٍ، كَانَ لَهُ غُلَامٌ لَحَامٌ فَقَالَ لَهُ أَبُو شُعَيْبٍ: اصْنَعْ لِي طَعَامَ خَمْسَةِ لَعَلِّي أَذْعُو النَّبِيَّ ﷺ خَامِسَ خَمْسَةٍ، وَأَبْصَرَ فِي وَجْهِ النَّبِيِّ ﷺ الْجُوعَ فَدَعَاهُ فَتَبِعَهُمْ رَجُلٌ لَمْ يُدْعَ فَقَالَ النَّبِيُّ ﷺ: «إِنَّ هَذَا قَدْ اتَّبَعَنَا، أَتَأْذَنُ لَهُ؟»

قال: نعم. [راجع: ٢٠٨١]

(15) CHAPTER. The Statement of Allāh تعالى: “Yet he is the most quarrelsome of the opponents...” (V.2:204)

(١٥) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿وَهُوَ أَلَدُّ الْخِصَامِ﴾ [البقرة: ٢٠٤].

2457. Narrated ‘Aishah رَضِيَ اللَّهُ عَنْهَا: The Prophet ﷺ said, “The most hated person to Allāh is the most quarrelsome person of the opponents.”

٢٤٥٧ - حَدَّثَنَا أَبُو عَاصِمٍ، عَنِ ابْنِ جُرَيْجٍ، عَنِ ابْنِ أَبِي مُلَيْكَةَ، عَنِ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا، عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ أَبْغَضَ الرَّجَالِ إِلَى اللَّهِ الْأَلْدُ الْخِصْمُ». [انظر: ٤٥٢٣،

[٧١٨٨

(16) CHAPTER. The sin of a man who quarrels unjustly over something while he knows that he is wrong.

(١٦) بَابُ إِنْكُمْ مَن خَاصَمَ فِي بَاطِلٍ وَهُوَ يَعْلَمُهُ

2458. Narrated Umm Salama رَضِيَ اللَّهُ عَنْهَا, the wife of the Prophet ﷺ: “Allāh’s Messenger ﷺ heard some people quarrelling at the door of his dwelling. He came out and said, “I am only a human being, and opponents come to me (to settle their problems); may be someone amongst you can present his case more eloquently than the other, whereby I may consider him true and give a verdict in his favour. So, if I give the right of a Muslim to another by mistake, then it is only a portion of (Hell) Fire, he has the option to take or give up (before the Day of Resurrection).”

٢٤٥٨ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ قَالَ: حَدَّثَنِي إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنِ صَالِحٍ، عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ: أَنَّ زَيْنَبَ بِنْتَ أُمِّ سَلَمَةَ أَخْبَرَتْهُ أَنَّ أُمَّهَا أُمُّ سَلَمَةَ رَضِيَ اللَّهُ عَنْهَا زَوْجَ النَّبِيِّ ﷺ أَخْبَرَتْهَا عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ سَمِعَ خُصُومَةَ بِيَابِ حُجْرَتِهِ فَخَرَجَ إِلَيْهِمْ فَقَالَ: «إِنَّمَا أَنَا بَشَرٌ، وَإِنَّهُ يَأْتِينِي الْخِصْمُ فَلَعَلَّ بَعْضَكُمْ أَنْ يَكُونَ

أُبْلَغَ مِنْ بَعْضٍ فَأَحْسِبُ أَنَّهُ صَدَقَ
فَأَقْضِي لَهُ بِذَلِكَ، فَمَنْ قَضَيْتُ لَهُ
بِحَقِّ مُسْلِمٍ فَإِنَّمَا هِيَ قِطْعَةٌ مِنَ النَّارِ
فَلْيَأْخُذْهَا أَوْ لِيَتْرُكْهَا». [انظر: ٢٦٨٠،

٦٩٦٧، ٧١٦٩، ٧١٨١، ٧١٨٥]

(17) CHAPTER. (The sin of) the person who, when quarrelling, behaves impudently (i.e., by using bad words or false accusation).

2459. Narrated 'Abdullah bin 'Amr رَضِيَ اللهُ عَنْهُ said, "Whoever has (the following) four (characteristics) will be a hypocrite, and whoever has one of the following four characteristics will have one characteristic of hypocrisy until he gives it up. These are:

- (1) Whenever he speaks, he tells a lie;
- (2) whenever he makes a promise, he breaks it;
- (3) whenever he makes a covenant, he proves treacherous;
- (4) and whenever he quarrels, he behaves impudently in an evil, insulting manner."

[See Vo. 1, *Hadīth* No.33, 34).

(18) CHAPTER. The retaliation of the oppressed person if he finds the property of his oppressor.

Ibn Sīrīn said, "The oppressed person can take what is equal to the amount taken by the oppressor." He then recited:

"And if you punish (your enemy, O you believers in the Oneness of Allāh), then punish them with the like of that with which you were afflicted..." (V.16:126)

2460. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا said, Hind bint 'Utba (Abū Sufyān's wife) came and said, "O Allāh's Messenger! Abū Sufyān is a

(١٧) بَابُ إِذَا خَاصَمَ فَجَرَ

٢٤٥٩ - حَدَّثَنَا بِشْرُ بْنُ خَالِدٍ:
أَخْبَرَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، عَنْ شُعْبَةَ،
عَنْ سُلَيْمَانَ، عَنْ عَبْدِ اللَّهِ بْنِ مُرَّةَ،
عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو
رَضِيَ اللهُ عَنْهُمَا عَنِ النَّبِيِّ ﷺ قَالَ:
«أَرْبَعٌ مَنْ كُنَّ فِيهِ كَانَ مُنَافِقًا، أَوْ
كَانَتْ فِيهِ خَصْلَةٌ مِنْ أَرْبَعٍ كَانَتْ فِيهِ
خَصْلَةٌ مِنَ التَّفَاقِقِ حَتَّى يَدَعَهَا: إِذَا
حَدَّثَ كَذَبًا، وَإِذَا وَعَدَ أَخْلَفَ، وَإِذَا
عَاهَدَ عَدَرَ، وَإِذَا خَاصَمَ فَجَرَ».

[راجع: ٣٤]

(١٨) بَابُ تَقْصَاصِ الْمَظْلُومِ إِذَا وَجَدَ
مَالَ ظَالِمِهِ

وقال ابن سيرين: يُقَاصُهُ، وَقَرَأَ:
﴿وَإِنْ عَاقَبْتُمْ فَعَاقِبُوا بِمِثْلِ مَا عُوقِبْتُمْ
بِهِ﴾ [النحل: ١٢٦].

٢٤٦٠ - حَدَّثَنَا أَبُو الْيَمَانِ:
أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ:

miser. Is there any harm if I spend something from his property for our children?" He said, "There is no harm for you if you feed them from it justly and reasonably (with no extravagance)."

حَدَّثَنِي عُرْوَةُ أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: جَاءَتْ هِنْدُ بِنْتُ عُثْمَانَ بْنِ رَبِيعَةَ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّ أَبَا سُفْيَانَ رَجُلٌ مَسِيكٌ فَهَلْ عَلَيَّ حَرَجٌ أَنْ أُطْعِمَ مِنَ الَّذِي لَهُ عِيَالُنَا؟ فَقَالَ: «لَا حَرَجَ عَلَيْكَ أَنْ تُطْعِمِيهِمْ بِالْمَعْرُوفِ». [راجع: ٢٢١١]

2461. Narrated 'Uqba bin 'Āmir رَضِيَ اللَّهُ عَنْهُ: We said to the Prophet ﷺ, "You send us out and it happens that we have to stay with such people who do not entertain us. What do you think about it?" He said to us, "If you stay with some people and they entertain you as they should for a guest, accept their hospitality, but if they don't do, take the right of the guest from them."

٢٤٦١ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: حَدَّثَنَا اللَّيْثُ قَالَ: حَدَّثَنِي يَزِيدُ، عَنْ أَبِي الْخَيْرِ، عَنْ عُثْمَانَ بْنِ عَامِرٍ قَالَ: قُلْنَا لِلنَّبِيِّ ﷺ: إِنَّكَ تَبْعُنَا فَتَنْزِلُ بِقَوْمٍ لَا يَفْرَوْنَا، فَمَا تَرَى فِيهِ؟ فَقَالَ لَنَا: «إِنْ نَزَلْتُمْ بِقَوْمٍ فَأَمِيرَ لَكُمْ بِمَا يَنْبَغِي لِلضَّيْفِ فَأَقْبِلُوا، فَإِنْ لَمْ يَفْعَلُوا فَخُذُوا مِنْهُمْ حَقَّ الضَّيْفِ».

[انظر: ٦١٣٧]

(19) CHAPTER. What is said about sheds.

And the Prophet ﷺ along with his companions, sat in the shed of Banī Sā'ida.

(١٩) بَابُ مَا جَاءَ فِي السَّقَائِفِ، وَجَلَسَ النَّبِيُّ ﷺ وَأَصْحَابُهُ، فِي سَقِيفَةِ بَنِي سَاعِدَةَ.

2462. Narrated 'Umar رَضِيَ اللَّهُ عَنْهُ: When Allāh took away the soul of His Prophet ﷺ at his death, the *Anṣār* assembled in the shed of Banī Sā'ida. I said to Abū Bakr, "Let us go." So, we came to them (i.e., to *Anṣār*) at the shed of Banī Sā'ida.

٢٤٦٢ - حَدَّثَنَا يَحْيَى بْنُ سُلَيْمَانَ قَالَ: حَدَّثَنِي ابْنُ وَهْبٍ قَالَ: حَدَّثَنِي مَالِكُ ح. وَأَخْبَرَنِي يُونُسُ عَنْ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي عُبَيْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ بْنِ عُثْمَانَ: أَنَّ ابْنَ عَبَّاسٍ أَخْبَرَهُ عَنْ عُمَرَ رَضِيَ اللَّهُ عَنْهُمْ قَالَ: حِينَ تَوَفَّى اللَّهُ نَبِيَّهُ ﷺ، إِنَّ الْأَنْصَارَ اجْتَمَعُوا فِي سَقِيفَةِ بَنِي سَاعِدَةَ فَقُلْتُ لِأَبِي بَكْرٍ: انْطَلِقْ بِنَا، فَجِئْنَاهُمْ فِي

[See Vol 5, *Hadīth* No.3667, for details].

(20) CHAPTER. No one should prevent his neighbour from fixing a wooden peg in his wall.

2463. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "No one should prevent his neighbour from fixing a wooden peg in his wall." Abū Hurairah رَضِيَ اللهُ عَنْهُ then said (to his companions), "Why do I find you averse to it? By Allāh, I certainly will narrate it to you."

سَقِيفَةَ بَنِي سَاعِدَةَ. [انظر: ٣٤٤٥،

[٣٩٢٨، ٤٠٢١، ٦٨٢٩، ٦٨٣٠، ٧٣٢٣]

(٢٠) بَابٌ لَا يَمْنَعُ جَارٌ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ

٢٤٦٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عَنِ ابْنِ شِهَابٍ عَنِ الْأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يَمْنَعُ جَارٌ جَارَهُ أَنْ يَغْرِزَ خَشَبَةً فِي جِدَارِهِ»، ثُمَّ يَقُولُ أَبُو هُرَيْرَةَ: مَا لِي أَرَأَيْكُمْ عَنْهَا مُعْرِضِينَ؟ وَاللَّهِ لَأَرْمِيَنَّهَا بِهَا بَيْنَ أَكْتافِكُمْ. [انظر: ٥٦٢٧،

[٥٦٢٨]

(21) CHAPTER. Spilling wine on the way.

2464. Narrated Anas رَضِيَ اللهُ عَنْهُ: I was the butler of the people in the house of Abū Ṭalḥa, and in those days drinks were prepared from dates. Allāh's Messenger ﷺ ordered somebody to announce that alcoholic drinks had been prohibited. Abū Ṭalḥa ordered me to go out and spill the wine. I went out and spilled it, and it flowed in the streets of Al-Madīna. Some people said, "Some people were killed and wine was still in their stomachs." On that the Divine revelation came:

"Those who believe and do righteous good deeds, there is no sin on them for what they ate (in the past)..." (V.5:93)

(٢١) بَابُ صَبِّ الْخَمْرِ فِي الطَّرِيقِ

٢٤٦٤ - حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الرَّحِيمِ أَبُو يَحْيَى: أَخْبَرَنَا عَفَّانُ: حَدَّثَنَا حَمَّادُ بْنُ زَيْدٍ: حَدَّثَنَا ثَابِتٌ، عَنْ أَنَسِ رَضِيَ اللَّهُ عَنْهُ: كُنْتُ سَاقِي الْقَوْمِ فِي مَنْزِلِ أَبِي طَلْحَةَ، وَكَانَ خَمْرُهُمْ يَوْمَئِذٍ الْفَضِيخَ، فَأَمَرَ رَسُولُ اللَّهِ ﷺ مُنَادِيًا يُنَادِي: «أَلَا إِنَّ الْخَمَرَ قَدْ حُرِّمَتْ»، قَالَ: فَقَالَ لِي أَبُو طَلْحَةَ: اخْرُجْ فَأَهْرِقْهَا، فَخَرَجْتُ فَهَرَقْتُهَا فَجَرَّتْ فِي سَبَكِكِ الْمَدِينَةِ. فَقَالَ بَعْضُ الْقَوْمِ: قَدْ قُتِلَ قَوْمٌ وَهِيَ فِي بُطُونِهِمْ، فَأَنْزَلَ اللَّهُ: ﴿لَيْسَ عَلَى الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ جُنَاحٌ فِيمَا طَعَمُوا﴾ الآية [المائدة: ٩٣]. [انظر:

٤٦١٧ ، ٤٦٢٠ ، ٥٥٨٠ ، ٥٥٨٢ ، ٥٥٨٣

٥٥٨٤ ، ٥٦٠٠ ، ٥٦٢٢ ، ٧٢٥٣]

(22) CHAPTER. What is said about the open courtyards of houses and sitting in them, and sitting on the ways.

Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: Abū Bakr got a mosque constructed in front of his house and used to offer *Ṣalāt* (prayer) and recite the Qur'ān there. The women and children of the *Mushrikun* used to encircle him and were astonished at his behaviour. The Prophet ﷺ was staying at Makkah during those days.

(٢٢) بَابُ أَفْنِيَةِ الدُّورِ وَالْجُلُوسِ فِيهَا، وَالْجُلُوسِ عَلَى الصُّعَدَاتِ

وَقَالَتْ عَائِشَةُ: فَابْتَنَى أَبُو بَكْرٍ مَسْجِدًا بِفِنَاءِ دَارِهِ يُصَلِّي فِيهِ وَيَقْرَأُ الْقُرْآنَ فَيَتَمَصَّفُ عَلَيْهِ نِسَاءَ الْمُشْرِكِينَ وَأَبْنَاؤُهُمْ، يَعْجَبُونَ مِنْهُ وَالنَّبِيُّ ﷺ يَوْمَئِذٍ بِمَكَّةَ.

2465. Narrated Abū Sa'īd Al-Khudrī رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Beware! Avoid sitting on the roads (ways)." The people said, "There is no way out of it as these are our sitting places where we have talks." The Prophet ﷺ said, "If you must sit there, then observe the rights of the way." They asked, "What are the rights of the way?" He said, "They are the lowering of your gazes (on seeing what is illegal to look at), refraining from harming people, returning greetings, enjoining *Al-Ma'rūf* (i.e., Islāmic Monotheism and all that Islām orders one to do) and forbidding *Al-Munkar* (i.e., polytheism, disbelief, and all that Islām has forbidden)."

٢٤٦٥ - حَدَّثَنَا مُعَاذُ بْنُ فَصَالَةَ: حَدَّثَنَا أَبُو عُمَرَ حَفْصُ بْنُ مَيْسَرَةَ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ. عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «إِيَّاكُمْ وَالْجُلُوسَ عَلَى الطَّرِيقَاتِ»، فَقَالُوا: مَا لَنَا بُدٌّ، إِنَّمَا هِيَ مَجَالِسُنَا نَتَحَدَّثُ فِيهَا. قَالَ: «فَإِذَا أَتَيْتُمْ إِلَى الْمَجَالِسِ فَأَعْطُوا الطَّرِيقَ حَقَّهَا». قَالُوا: وَمَا حَقُّ الطَّرِيقِ؟ قَالَ: «غَضُّ الْبَصَرِ، وَكَفُّ الْأَذَى، وَرُدُّ السَّلَامِ، وَأَمْرٌ بِالْمَعْرُوفِ، وَنَهْيٌ عَنِ الْمُنْكَرِ».

[انظر: ٦٢٢٩]

(23) CHAPTER. The digging of wells on the ways (is permissible) if they do not cause trouble to the people.

2466. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "A man felt very thirsty while he was on the way, there he came across a well. He went down the well, quenched his thirst and came out.

(٢٣) بَابُ الْأَبَارِ عَلَى الطَّرِيقِ إِذَا لَمْ يُتَأَذَّ بِهَا

٢٤٦٦ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عَنْ سُمَيِّ مَوْلَى أَبِي بَكْرٍ، عَنْ أَبِي صَالِحِ السَّمَّانِ،

Meanwhile he saw a dog panting and licking mud because of excessive thirst. He said to himself, 'This dog is suffering from thirst as I did.' So, he went down the well again and filled his shoe with water and watered the dog. Allāh thanked him for that deed and forgave him. The people said, "O Allāh's Messenger! Is there a reward for us in serving the animals?" He replied: "Yes, there is a reward for serving any animate (living being)."

[See *Ḥadīth* No.2363].

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «بَيْنَمَا رَجُلٌ يَطْرِيقُ فَاشْتَدَّ عَلَيْهِ الْعَطَشُ فَوَجَدَ بِرَأْسِ الْوَجْدِ فِيهَا فَشَرِبَ ثُمَّ خَرَجَ، فَإِذَا كَلْبٌ يَلْهَثُ يَأْكُلُ الثَّرَى مِنَ الْعَطَشِ. فَقَالَ الرَّجُلُ: لَقَدْ بَلَغَ هَذَا الْكَلْبُ مِنَ الْعَطَشِ مِثْلُ الَّذِي كَانَ بَلَغَ مِنِّي، فَتَزَلَّ الْبِئْرُ فَمَلَأَ خُفَّهُ مَاءً، فَسَقَى الْكَلْبَ، فَشَكَرَ اللَّهُ لَهُ فَغَفَرَ لَهُ». قَالُوا: يَا رَسُولَ اللَّهِ، وَإِنَّ لَنَا فِي الْبَهَائِمِ لِأَجْرًا؟ فَقَالَ: «فِي كُلِّ ذَاتِ كَبِدٍ رَطْبِيَّةٍ أَجْرٌ». [راجع: ١٧٣]

(24) CHAPTER. To remove harmful things from the roads.

Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "To remove harmful things from the roads is *Ṣadaqa* (a charitable act)."

(٢٤) بَابُ إِمَاطَةِ الْأَذَى

وَقَالَ هَمَّامٌ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ: «يُمِيطُ الْأَذَى عَنِ الطَّرِيقِ صَدَقَةٌ».

(25) CHAPTER. (The permissibility of living on) higher places of a house, looking upon other houses or not looking upon other houses, whether these places are on roofs or not.

(٢٥) بَابُ الْعُرْفَةِ وَالْعُلْيَةِ الْمُشْرِفَةِ وَغَيْرِ الْمُشْرِفَةِ فِي السُّطُوحِ وَغَيْرِهَا

2467. Narrated Usāma bin Zaid رَضِيَ اللَّهُ عَنْهُ: Once the Prophet ﷺ stood at the top of one of the castles (or higher buildings) of Al-Madīna and said, "Do you see what I see? No doubt I see the places or spots of *Al-Fitan* (trials and afflictions) amongst your houses as numerous as the spots where rain-drops fall (during a heavy rain).

[See *Ḥadīth* No.1878]

٢٤٦٧ - حَدَّثَنِي عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ أُسَامَةَ بْنِ زَيْدٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: أَشْرَفَ النَّبِيُّ ﷺ عَلَى أُطَمٍ مِنْ أَطَامِ الْمَدِينَةِ ثُمَّ قَالَ: «هَلْ تَرَوْنَ مَا أَرَى؟ إِنِّي أَرَى مَوَاقِعَ الْفِتَنِ خِلَالَ بُيُوتِكُمْ كَمَوَاقِعِ الْقَطْرِ». [راجع: ١٨٧٨]

2468. Narrated ‘Abdullāh bin ‘Abbās رَضِيَ اللهُ عَنْهُمَا: I had been eager to ask ‘Umar رَضِيَ اللهُ عَنْهُمَا about the two ladies from among the wives of the Prophet ﷺ regarding whom Allāh said (in the Qur’ān saying): “If you two (wives of the Prophet ﷺ namely ‘Āishah hand Ḥaḥṣa رَضِيَ اللهُ عَنْهُمَا turn in repentance to Allāh (it will be better for you), your hearts are indeed so inclined (to oppose what the Prophet ﷺ likes)...” (V.66:4), till I performed the *Hajj* along with ‘Umar. (And on our way back from *Hajj*) he went aside (to answer the call of nature) and I also went aside along with him: carrying a tumbler of water. When he had answered the call of nature and returned, I poured water on his hands from the tumbler and he performed ablution. I said, “O chief of the believers!” Who were the two ladies from among the wives of the Prophet ﷺ to whom Allāh عزَّ وجلَّ said:

‘If you two (wives of the Prophet ﷺ namely ‘Āishah and Ḥaḥṣa رَضِيَ اللهُ عَنْهُمَا) turn in repentance to Allāh, (it will be better for you), your hearts are indeed so inclined (to oppose what the Prophet ﷺ likes) ...’” (V.66:4) He said, “I am astonished at your question, O Ibn ‘Abbās. They were ‘Āishah and Ḥaḥṣa رَضِيَ اللهُ عَنْهُمَا.” Then ‘Umar went on relating the narration and said, “I and an *Anṣārī* neighbour of mine from Bani Umaiyya bin Zaid who used to live in *‘Awālī Al-Mādīna*, used to visit the Prophet ﷺ in turns. He used to go one day, and I another day. When I went, I would bring him the news of what had happened that day regarding the instructions and orders, and when he went, he used to do the same for me. We, the people of *Quraish*, used to have authority over women, but when we came to live with the *Anṣār*, we noticed that the *Anṣārī* women had the upperhand over their men, so our women started acquiring the habits of the

٢٤٦٨ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ:
 حَدَّثَنَا اللَّيْثُ، عَنْ عَقِيلٍ، عَنِ ابْنِ
 شِهَابٍ قَالَ: أَخْبَرَنِي عُبَيْدُ اللَّهِ بْنُ عَبْدِ
 اللَّهِ بْنِ أَبِي ثَوْرٍ، عَنْ عَبْدِ اللَّهِ بْنِ
 عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: لَمْ أَزَلْ
 حَرِيصًا عَلَى أَنْ أَسْأَلَ عُمَرَ رَضِيَ اللَّهُ
 عَنْهُ عَنِ الْمَرَاتَيْنِ مِنْ أَزْوَاجِ النَّبِيِّ ﷺ
 اللَّتَيْنِ قَالَ اللَّهُ لَهُمَا: ﴿إِنْ نُوَبَّا إِلَى
 اللَّهِ فَقَدْ صَغَتْ قُلُوبُكُمَا﴾ [التحریم: ٤]
 فَحَجَجْتُ مَعَهُ فَعَدَلَّ وَعَدَلَّتْ مَعَهُ
 بِالْإِدَاوَةِ فَتَبَرَّرَ حَتَّى جَاءَ فَسَكَبْتُ عَلَى
 يَدَيْهِ مِنَ الْإِدَاوَةِ فَتَوَضَّأَ فَقُلْتُ: يَا
 أَمِيرَ الْمُؤْمِنِينَ، مَنْ الْمَرَاتَانِ مِنَ
 أَزْوَاجِ النَّبِيِّ ﷺ اللَّتَانِ قَالَ اللَّهُ عَزَّ
 وَجَلَّ لَهُمَا: ﴿إِنْ نُوَبَّا إِلَى اللَّهِ فَقَدْ
 صَغَتْ قُلُوبُكُمَا﴾؟ فَقَالَ: وَأَعَجَبًا لَكَ يَا
 ابْنَ عَبَّاسٍ، عَائِشَةُ وَحَفْصَةُ. ثُمَّ
 اسْتَقْبَلَ عُمَرَ الْحَدِيثَ يَسُوقُهُ. فَقَالَ:
 إِنِّي كُنْتُ وَجَارًا لِي مِنَ الْأَنْصَارِ فِي
 بَنِي أُمَيَّةَ بْنِ زَيْدٍ، وَهِيَ مِنْ عَوَالِي
 الْمَدِينَةِ، وَكُنَّا نَتَنَاقَبُ التَّرْوَلَ عَلَى
 النَّبِيِّ ﷺ، فَيَنْزِلُ هُوَ يَوْمًا وَأَنْزِلُ
 يَوْمًا. فَإِذَا نَزَلْتُ جِئْتُهُ مِنْ خَبَرِ ذَلِكَ
 الْيَوْمِ مِنَ الْأَمْرِ وَعَیْرِهِ وَإِذَا نَزَلَ فَعَلَ
 مِثْلَهُ، وَكُنَّا مَعَشَرَ قُرَيْشٍ نَعْلَبُ
 النِّسَاءَ، فَلَمَّا قَدِمْنَا عَلَى الْأَنْصَارِ إِذْ
 هُمْ قَوْمٌ تَعْلِبُهُمْ نِسَاؤُهُمْ فَطَفِقَ نِسَاؤُنَا
 يَأْخُذُونَ مِنْ أَدَبِ نِسَاءِ الْأَنْصَارِ،

Anṣārī women. Once I shouted at my wife and she shouted back at me in return and I disliked that she should answer me back. She said, 'Why do you take it ill that I retort upon you? By Allāh, the wives of the Prophet ﷺ retort upon him, and some of them may not speak with him for the whole day till night.' What she said scared me and I said to her, 'Whoever amongst them does so, will be a great loser.' Then I dressed myself and went to Ḥafṣa and asked her, 'Does any of you keep Allāh's Messenger angry all the day long till night?' She replied in the affirmative. I said, 'She is a ruined losing person (and will never have success)! Doesn't she fear that Allāh may get angry for the anger of Allāh's Messenger ﷺ and thus she will be ruined? Don't ask Allāh's Messenger ﷺ too many things, and don't retort upon him in any case, and don't desert him. Demand from me whatever you like, and don't be tempted to imitate your neighbour (i.e., 'Āishah) in her behavior towards the Prophet (ﷺ), for she (i.e., 'Āishah) is more beautiful than you, and more beloved to Allāh's Messenger ﷺ'. In those days it was rumoured that Ḡhassān, (a tribe living in Shām) was getting prepared their horses to invade us. My companion went (to the Prophet ﷺ) on the day of his turn, went and returned to us at night and knocked at my door violently, asking whether I was sleeping. I was scared (by the hard knocking) and came out to him. He said that a great thing had happened. I asked him: 'What is it? Have Ḡhassān come?' He replied that it was worse and more serious than that, and added that Allāh's Messenger ﷺ had divorced all his wives. I said, 'Ḥafṣa is a ruined loser! I expected that it would happen some day.' So I dressed myself and offered the *Fajr* (prayer) with the Prophet ﷺ. Then the Prophet ﷺ entered an upper room and

فَصَحْتُ عَلَى امْرَأَتِي فَرَاغَتْنِي فَأَنْكَرْتُ أَنْ تُرَاجِعَنِي فَقَالَتْ: وَلِمَ تُنْكِرُ أَنْ أُرَاجِعَكَ؟ فَوَاللَّهِ إِنَّ أَزْوَاجَ النَّبِيِّ ﷺ لَيُرَاجِعُنَّهُ، وَإِنَّ إِحْدَاهُنَّ لَتَهْجُرُهُ الْيَوْمَ حَتَّى اللَّيْلِ، فَأَفْرَعَتْنِي فَقُلْتُ: خَابَتْ مَنْ فَعَلَتْ مِنْهُنَّ بِعَظِيمٍ، ثُمَّ جَمَعْتُ عَلَيَّ ثِيَابِي فَدَخَلْتُ عَلَى حَفْصَةَ، فَقُلْتُ: أَيُّ حَفْصَةَ، أَتُعَاضِبُ إِحْدَاكُنَّ رَسُولَ اللَّهِ ﷺ الْيَوْمَ حَتَّى اللَّيْلِ؟ فَقَالَتْ: نَعَمْ، فَقُلْتُ: خَابَتْ وَخَسِرَتْ، أَفَتَأْمَنُ أَنْ يَعْضَبَ اللَّهُ لِعَضَبِ رَسُولِهِ ﷺ فَتَهْلِكِينَ؟ لَا تَسْتَكْبِرِي عَلَى رَسُولِ اللَّهِ ﷺ وَلَا تُرَاجِعِيهِ فِي شَيْءٍ وَلَا تَهْجُرِيهِ، وَسَلِينِي مَا بَدَأَ لِكَ وَلَا يَعْزَتُكَ أَنْ كَانَتْ جَارَتُكَ هِيَ أَوْصَأَ مِنْكَ وَأَحَبَّ إِلَى رَسُولِ اللَّهِ ﷺ - يَرِيدُ عَائِشَةَ - وَكُنَّا تَحَدِّثُنَا أَنَّ عَسَانَ تُنْعَلُ النَّعَالُ لِعَزُونَا فَتَزَلُ صَاحِبِي يَوْمَ نَوْبَتِهِ فَرَجَعَ عِشَاءً فَضْرَبَ بَابِي ضَرْبًا شَدِيدًا، وَقَالَ: أَنْتُمْ هُوَ؟ فَفَرَعْتُ فَخَرَجْتُ إِلَيْهِ وَقَالَ: حَدَثَكَ أَمْرٌ عَظِيمٌ، قُلْتُ: مَا هُوَ؟ أَجَاءَتْ عَسَانُ؟ قَالَ: لَا، بَلْ أَعْظَمُ مِنْهُ وَأَطْوَلُ، طَلَّقَ رَسُولُ اللَّهِ ﷺ نِسَاءَهُ. قَالَ: قَدْ خَابَتْ حَفْصَةُ وَخَسِرَتْ، كُنْتُ أَظُنُّ أَنْ هَذَا يُوشِكُ أَنْ يَكُونَ فَجَمَعْتُ عَلَيَّ ثِيَابِي فَصَلَّيْتُ صَلَاةَ

stayed there alone. I went to Ḥafṣa and found her weeping. I asked her, 'Why are you weeping? Didn't I warn you? Have Allāh's Messenger ﷺ divorced you all?' She replied, 'I don't know. He is there in the upper room.' I then went out and came to the pulpit and found a group of people around it and some of them were weeping. Then I sat with them for some time, but could not endure the situation. So, I went to the upper room where the Prophet ﷺ was and requested to a black slave of his: 'Will you get the permission of (Allāh's Messenger) for 'Umar (to enter)?' The slave went in, talked to the Prophet ﷺ about it and came out saying, 'I mentioned you to him but he did not reply.' So, I went and sat with the people who were sitting by the pulpit, but I could not bear the situation, so I went to the slave again and said: 'Will you get the permission for 'Umar?' He went in and brought the same reply as before. When I was leaving, behold, the slave called me saying, 'Allāh's Messenger ﷺ has granted you permission.' So, I entered upon the Prophet ﷺ and saw him lying on a mat without bedding on it, and the mat had left its mark on the body of the Prophet ﷺ, and he was leaning on a leather pillow stuffed with palm fibres. I greeted him and while still standing, I said: 'Have you divorced your wives?' He raised his eyes to me and replied in the negative. And then while still standing, I said chatingly: 'Will you heed what I say, O Allāh's Messenger! We, the people of Quraish used to have the upper hand over our women (wives), and when we came to the people whose women had the upper hand over them,....' "Umar told the whole story (about his wife). "On that the Prophet ﷺ smiled." 'Umar further said, "I then said, 'I went to Ḥafṣa and said to her: Do not be tempted to imitate your

الْفَجْرِ مَعَ النَّبِيِّ ﷺ فَدَخَلَ مَشْرِبَةً لَهُ فَاعْتَزَلَ فِيهَا، فَدَخَلْتُ عَلَى حَفْصَةَ، فَإِذَا هِيَ تَبْكِي، قُلْتُ: مَا يُبْكِيكِ؟ أَوْ لَمْ أَكُنْ حَذَرْتُكَ؟ أَطَلَقَكَ رَسُولُ اللَّهِ ﷺ؟ قَالَتْ: لَا أَذْرِي، هُوَ ذَا فِي الْمَشْرِبَةِ. فَخَرَجْتُ فَجِئْتُ الْمَنِيرَ فَإِذَا حَوْلَهُ رَهْطٌ يَبْكِي بَعْضُهُمْ فَجَلَسْتُ مَعَهُمْ قَلِيلًا، ثُمَّ غَلَبَنِي مَا أَحَدٌ فَجِئْتُ الْمَشْرِبَةَ الَّتِي هُوَ فِيهَا فَقُلْتُ لِغُلَامٍ أَسْوَدٍ: اسْتَأْذِنْ لِعُمَرَ. فَدَخَلَ فَكَلَّمَ النَّبِيَّ ﷺ ثُمَّ خَرَجَ فَقَالَ: ذَكَرْتُكَ لَهُ فَصَمَّتْ. فَاَنْصَرَفْتُ حَتَّى جَلَسْتُ مَعَ الرَّهْطِ الَّذِينَ عِنْدَ الْمَنِيرِ. ثُمَّ غَلَبَنِي مَا أَحَدٌ، فَجِئْتُ فَقُلْتُ لِلْغُلَامِ - فَذَكَرَ مِثْلَهُ - فَجَلَسْتُ مَعَ الرَّهْطِ الَّذِينَ عِنْدَ الْمَنِيرِ. ثُمَّ غَلَبَنِي مَا أَحَدٌ، فَجِئْتُ الْغُلَامَ فَقُلْتُ: اسْتَأْذِنْ لِعُمَرَ - فَذَكَرَ مِثْلَهُ - فَلَمَّا وَثَيْتُ مُنْصَرِفًا فَإِذَا الْغُلَامُ يَدْعُونِي قَالَ: أَذِنَ لَكَ رَسُولُ اللَّهِ ﷺ، فَدَخَلْتُ عَلَيْهِ، فَإِذَا هُوَ مُضْطَجِعٌ عَلَى رِمَالٍ حَصِيرٍ لَيْسَ بَيْنَهُ وَبَيْنَهُ فِرَاشٌ، قَدْ أَثَرَ الرِّمَالُ بِجَنْبِهِ. مُتَكِيٌّ عَلَى وِسَادَةٍ مِنْ أَدَمٍ حَشَوْهَا لَيْفٌ فَسَلَّمْتُ عَلَيْهِ، ثُمَّ قُلْتُ وَأَنَا قَائِمٌ: طَلَّقْتَ نِسَاءَكَ؟ فَرَفَعَ بَصَرَهُ إِلَيَّ، فَقَالَ: لَا، ثُمَّ قُلْتُ وَأَنَا قَائِمٌ اسْتَأْذِنُ: يَا رَسُولَ اللَّهِ، لَوْ رَأَيْتَنِي وَكُنَّا مَعَسَرَ قُرَيْشٍ نَغْلِبُ النِّسَاءَ، فَلَمَّا

companion (‘Āishah) for she is more beautiful than you and more beloved to the Prophet ﷺ. The Prophet ﷺ smiled again. When I saw him smiling, I sat down and cast a glance at the room, and by Allāh, I couldn’t see anything of importance but three hides. I said (to Allāh’s Messenger ﷺ) ‘Invoke Allāh to make your followers prosperous for the Persians and the Byzantines have been made prosperous and given worldly luxuries, though they do not worship Allāh?’ The Prophet ﷺ was leaning then (and on hearing my speech he sat straight) and said, ‘O Ibn Al-Khaṭṭāb! Do you have any doubt (that the Hereafter is better than this world)? These people have been given rewards of their good deeds in this world only.’ I asked the Prophet ﷺ, ‘Please ask Allāh’s Forgiveness for me.’ The Prophet ﷺ did not go to his wives because of the secret which Ḥafṣa had disclosed to ‘Āishah,⁽¹⁾ and he said that he would not go to his wives for one month as he was angry with them when Allāh admonished him (for his oath that he would not approach Māria). When twenty-nine days had passed, the Prophet ﷺ went to ‘Āishah first of all. She said to him, ‘You took an oath that you would not come to us for one month, and today only twenty-nine days have passed, as I have been counting them day by day.’ The Prophet ﷺ said, ‘The month is also of twenty-nine days.’ That month consisted of twenty-nine days. ‘Āishah said, ‘When the Divine Revelation of “choice” was revealed, the Prophet ﷺ started with me, saying to me, ‘I am telling you something, but you needn’t hurry to give the reply till you consult your

قَدِمْنَا عَلَى قَوْمٍ تَعْلِبُهُمْ نِسَاؤُهُمْ... فَذَكَرَهُ فَتَبَسَّمَ النَّبِيُّ ﷺ. ثُمَّ قُلْتُ: لَوْ رَأَيْتَنِي وَدَخَلْتُ عَلَى حَفْصَةَ فَقُلْتُ: لَا يَغْرَتُكَ أَنْ كَانَتْ جَارَتِكَ هِيَ أَوْضَأَ مِنْكَ وَأَحَبَّ إِلَى النَّبِيِّ ﷺ - يُرِيدُ عَائِشَةَ - فَتَبَسَّمَ أُخْرَى. فَجَلَسْتُ حِينَ رَأَيْتُهُ تَبَسَّمَ ثُمَّ رَفَعْتُ بَصْرِي فِي بَيْتِهِ فَوَاللَّهِ مَا رَأَيْتُ فِيهِ شَيْئًا يَرُدُّ الْبَصَرَ غَيْرَ أَهْبَةِ ثَلَاثٍ، فَقُلْتُ: ادْعُ اللَّهَ فَلْيُوسِّعْ عَلَيَّ أُمَّتِكَ، فَإِنَّ فَارِسَ وَالرُّومَ وَسَّعَ عَلَيْهِمْ وَأَعْطُوا الدُّنْيَا وَهُمْ لَا يَتَعْبُدُونَ اللَّهَ. وَكَانَ مَتَكِنًا فَقَالَ: «أَوْ فِي شَكِّ أَنْتَ يَا ابْنَ الْخَطَّابِ؟ أَوْلَيْكَ قَوْمٌ عَجَلَتْ لَهُمْ طَيِّبَاتُهُمْ فِي الْحَيَاةِ الدُّنْيَا». فَقُلْتُ: يَا رَسُولَ اللَّهِ، اسْتَغْفِرْ لِي، فَاعْتَزَلَ النَّبِيُّ ﷺ مِنْ أَجْلِ ذَلِكَ الْحَدِيثِ حِينَ أَفْشَتْهُ حَفْصَةُ إِلَى عَائِشَةَ وَكَانَ قَدْ قَالَ: «مَا أَنَا بِدَاخِلٍ عَلَيْهِنَّ شَهْرًا» مِنْ شِدَّةِ مَوْجِدَتِهِ عَلَيْهِنَّ حِينَ عَاتَبَهُ اللَّهُ، فَلَمَّا مَضَتْ تِسْعٌ وَعِشْرُونَ دَخَلَ عَلَى عَائِشَةَ فَبَدَأَ بِهَا فَقَالَتْ لَهُ عَائِشَةُ: إِنَّكَ أَفْسَمْتَ أَنْ لَا تَدْخُلَ عَلَيْنَا شَهْرًا وَإِنَّا أَضْبَحْنَا بِتِسْعٍ وَعِشْرِينَ لَيْلَةً أَعْدَدْنَا عَدَاً. فَقَالَ النَّبِيُّ

(1) (H. 2468) The Prophet ﷺ was alone with Māria on the day that was devoted to ‘Āishah. When Ḥafṣa learned that, the Prophet ﷺ told her to keep that as a secret and promised that he would not come near Māria. But Ḥafṣa disclosed the secret to ‘Āishah who got angry and then provoked the Prophet ﷺ who took an oath that he would desert her for one month.

parents.' 'Āishah knew that her parents would not advise her to part with the Prophet ﷺ. The Prophet ﷺ said that Allāh had said: 'O Prophet (Muḥammad ﷺ)! Say to your wives.. (up to).. an enormous reward.' (V.33:28) 'Āishah said, 'Am I to consult my parents about this? I indeed prefer Allāh, His Messenger ﷺ, and the home of the Hereafter.' After that the Prophet ﷺ gave the choice to his other wives and they also gave the same reply as 'Āishah did.'

رَضِيَ اللهُ عَنْهُ: «الشَّهْرُ تِسْعَ وَعِشْرُونَ»، وَكَانَ ذَلِكَ الشَّهْرُ تِسْعَ وَعِشْرُونَ. قَالَتْ عَائِشَةُ: فَأَنْزَلَتْ آيَةَ التَّخْيِيرِ قَبْدًا بِي أَوَّلِ امْرَأَةٍ فَقَالَ: «إِنِّي ذَاكِرٌ لِكَ أَمْرًا وَلَا عَلَيْكَ أَنْ لَا تَعْجَلِي حَتَّى تَسْتَأْمِرِي أَبِيكَ». قَالَتْ: قَدْ أَعْلَمْتُ أَنَّ أَبِي لَمْ يَكُونَا يَأْمُرَانِي بِفِرَاقِكَ. ثُمَّ قَالَ: «إِنَّ اللَّهَ قَالَ: ﴿يَتَأْتِيهَا النَّبِيُّ قُلْ لِأَزْوَاجِكَ﴾ إِلَى قَوْلِهِ: ﴿عَظِيمًا﴾ [الأحزاب: ٢٨-٢٩]. قُلْتُ: أَفِي هَذَا أَسْتَأْمِرُ أَبِي؟ فَإِنِّي أُرِيدُ اللَّهَ وَرَسُولَهُ وَالذَّارَ الْآخِرَةَ. ثُمَّ خَيَّرَ نِسَاءَهُ فَقُلْنَ مِثْلَ مَا قَالَتْ عَائِشَةُ. [راجع: ٨٩]

2469. Narrated Anas رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ took an oath that he would not go to his wives for one month as his foot had been sprained. He stayed in an upper room when 'Umar went to him and said, "Have you divorced your wives?" He said, "No, but I have taken an oath that I would not go to them for one month." The Prophet ﷺ stayed there for twenty-nine days, and then came down and went to his wives.

٢٤٦٩ - حَدَّثَنِي ابْنُ سَلَامٍ: أَخْبَرَنَا الْفَرَارِيُّ، عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ رَضِيَ اللهُ عَنْهُ قَالَ: أَلَى رَسُولِ اللهِ ﷺ مِنْ نِسَائِهِ شَهْرًا وَكَانَتْ أَنْفَكَتْ قَدَمَهُ، فَجَلَسَ فِي عُلْيَةِ لَهُ، فَجَاءَ عُمَرُ فَقَالَ: أَطَلَّقْتَ نِسَاءَكَ؟ فَقَالَ: «لا، وَلَكِنِّي أَلَيْتُ مِنْهُنَّ شَهْرًا». فَمَكَتْ تِسْعًا وَعِشْرِينَ ثُمَّ نَزَلَ فَدَخَلَ عَلَيَّ نِسَائِهِ. [راجع: ٣٧٨]

(26) CHAPTER. Whoever tied his camel at the pavement (of the mosque) or at the gate of the mosque.

(٢٦) بَابُ مَنْ عَقَلَ بَعِيرَهُ عَلَى الْبَلَاطِ أَوْ بَابِ الْمَسْجِدِ

2470. Narrated Jābir رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ entered the mosque, and I, too, went there after tying the camel at the pavement of the mosque. I said (to the Prophet ﷺ), "This is your camel." He came out and started examining the camel and

٢٤٧٠ - حَدَّثَنَا مُسْلِمٌ: حَدَّثَنَا أَبُو الْمُتَوَكِّلِ النَّاجِيُّ قَالَ: أَتَيْتُ جَابِرَ ابْنَ عَبْدِ اللهِ رَضِيَ اللهُ عَنْهُمَا قَالَ: دَخَلَ النَّبِيُّ ﷺ

said, "Both the camel and its price are for you."

المَسْجِدَ فَدَخَلْتُ إِلَيْهِ وَعَقَلْتُ الْجَمَلَ فِي نَاحِيَةِ الْبَلَاطِ فَقُلْتُ: هَذَا جَمَلُكَ، فَخَرَجَ فَجَعَلَ يُطَيِّفُ بِالْجَمَلِ، قَالَ: «الْتَمَنَّ وَالْجَمَلَ لَكَ». [راجع: ٤٤٣]

(27) CHAPTER. Standing and urinating at the dumps of some people.

(٢٧) بَابُ الْوُقُوفِ وَالْبَوْلِ عِنْدَ سُبَاطَةِ قَوْمٍ.

2471. Narrated Ḥudhaifa رَضِيَ اللهُ عَنْهُ: I saw Allāh's Messenger ﷺ coming (or the Prophet ﷺ came) to the dumps of some people and urinated there while standing.

٢٤٧١ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ، عَنْ شُعْبَةَ، عَنْ مُنْصُورٍ، عَنْ أَبِي وَائِلٍ، عَنْ حُدَيْفَةَ رَضِيَ اللهُ عَنْهُ قَالَ: لَقَدْ رَأَيْتُ رَسُولَ اللهِ ﷺ أَوْ قَالَ: لَقَدْ أَتَى النَّبِيَّ ﷺ سُبَاطَةَ قَوْمٍ فَبَالَ قَائِمًا. [راجع: ٢٢٤]

(28) CHAPTER. (The reward of him) who removes a branch of a tree or any other thing which harms the people from the way.

(٢٨) بَابُ مَنْ أَخَذَ الْغُضْنَ وَمَا يُؤْذِي النَّاسَ فِي الطَّرِيقِ فَرَمَى بِهِ

2472. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "While a man was on the way, he found a thorny branch of a tree there on the way and removed it. Allāh thanked him for that deed and forgave him."

٢٤٧٢ - حَدَّثَنَا عَبْدُ اللهِ بْنُ يُوسُفَ، أَخْبَرَنَا مَالِكٌ، عَنْ سُمَيِّ، عَنْ أَبِي صَالِحٍ عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «بَيْنَمَا رَجُلٌ يَمْشِي بِطَرِيقٍ وَجَدَ غُضْنَ شَوْكٍ فَأَخَذَهُ فَشَكَرَ اللهُ لَهُ فَعَفَرَ لَهُ».

[راجع: ٦٥٢]

(29) CHAPTER. When there is a dispute about a public way and the owner of the land wishes to build (something), he should leave seven cubits for the people to pass through.

(٢٩) بَابُ إِذَا اخْتَلَفُوا فِي الطَّرِيقِ الْمِيْتَاءِ - وَهِيَ الرَّحْبَةُ تَكُونُ بَيْنَ الطَّرِيقِ - ثُمَّ يُرِيدُ أَهْلُهَا الْبِنْيَانَ فَتَرِكَ مِنْهَا لِلطَّرِيقِ سَبْعَةَ أذْرُعٍ

2473. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ judged that seven cubits should be left as a public way when there was

٢٤٧٣ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا جَرِيرٌ بْنُ حَارِثٍ،

a dispute about the land.

(30) CHAPTER. Robbing (taking away somebody's property publicly by force without his permission).

'Ubada said, "We gave the *Bai'a* (pledge) to the Prophet ﷺ that we would not commit robbery."

2474. Narrated 'Abdullāh bin Yazīd Al-Anṣārī: The Prophet ﷺ forbade robbery (taking away what belongs to others by force without their permission), and also forbade mutilation (or maiming) of bodies.

2475. Narrated Abū Hurairah رضي الله عنه: The Prophet ﷺ said, "When an adulterer commits illegal sexual intercourse, then he is not a believer at the time he is committing it, and when a drinker of an alcoholic liquor drinks it, then he is not a believer at the time of drinking it, and when a thief steals, then he is not a believer at the time of stealing, and when a robber robs, and the people look at him, then he is not a believer at the time of committing robbery."

عَنِ الرَّبِيرِ بْنِ خَرِيبٍ، عَنْ عِكْرِمَةَ، سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: فَصَى النَّبِيُّ ﷺ إِذَا تَسَاجَرُوا فِي الطَّرِيقِ الْمَيْتَاءِ بِسَبْعَةِ أذْرَعٍ.

(٣٠) بَابُ النَّهْيِ بِغَيْرِ إِذْنِ صَاحِبِهِ

وَقَالَ عُبَادَةُ: بَايَعْنَا النَّبِيَّ ﷺ أَنْ لَا نَنْتَهَبَ.

٢٤٧٤ - حَدَّثَنَا آدَمُ بْنُ أَبِي إِيَاسٍ: حَدَّثَنَا شُعْبَةُ: حَدَّثَنَا عَدِيُّ بْنُ ثَابِتٍ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ يَزِيدَ الْأَنْصَارِيَّ وَهُوَ جَدُّهُ أَبُو أُمِّهِ قَالَ: نَهَى النَّبِيُّ ﷺ عَنِ النَّهْبِ وَالْمُتْلَةِ.

[راجع: ٥٥١٦]

٢٤٧٥ - حَدَّثَنَا سَعِيدُ بْنُ عُفَيْرٍ قَالَ: حَدَّثَنِي اللَّيْثُ: حَدَّثَنَا عَقِيلٌ، عَنْ ابْنِ شِهَابٍ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يَزْنِي الزَّانِي حِينَ يَزْنِي وَهُوَ مُؤْمِنٌ، وَلَا يَشْرِبُ الْخَمْرَ حِينَ يَشْرَبُ وَهُوَ مُؤْمِنٌ، وَلَا يَسْرِقُ حِينَ يَسْرِقُ وَهُوَ مُؤْمِنٌ وَلَا يَنْتَهَبُ نَهْبَةً يَرْفَعُ النَّاسُ إِلَيْهِ فِيهَا أَبْصَارَهُمْ حِينَ يَنْتَهَبُهَا وَهُوَ مُؤْمِنٌ».

وَعَنْ سَعِيدِ وَأَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ مِثْلَهُ إِلَّا النَّهْبَةَ. قَالَ الْفَرَزْدِيُّ: وَجَدْتُ بِحَظِّ أَبِي

جَعْفَرٍ: قَالَ أَبُو عَبْدِ اللَّهِ: تَفْسِيرُهُ أَنْ يُنْزَعَ مِنْهُ، يُرِيدُ الْإِيمَانَ. [انظر: ٥٥٧٨، ٦٧٧٢، ٦٨١٠]

(31) CHAPTER. The breaking of the cross and the killing of the pigs.

(٣١) بَابُ كَسْرِ الصَّلِيبِ وَقَتْلِ الْخَنزِيرِ

2476. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "The Hour will not be established until the son of Mary [i.e., 'Iesa (Jesus) عليه السلام] descends amongst you and will judge mankind justly by the Law of the Qur'ān (as a just ruler); he will break the cross, kill the pigs, and abolish the *Jizya* tax⁽¹⁾. Money will be in abundance so that nobody will accept it (as charitable gifts)." (See H. 2222)

[See *Fath Al-Bārī*]

٢٤٧٦ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا الرَّهْرِيُّ قَالَ: أَخْبَرَنِي سَعِيدُ بْنُ الْمُسَيْبِ سَمَعَ أَبَا هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنْ رَسُولِ اللهِ ﷺ قَالَ: «لَا تَقُومُ السَّاعَةُ حَتَّى يَنْزِلَ فِيكُمْ ابْنُ مَرْيَمَ حَكَمًا مُقْسِطًا فَيَكْسِرَ الصَّلِيبَ وَيَقْتُلَ الْخَنزِيرَ وَيَضَعَ الْحِزْيَةَ وَيَقْبِضَ الْمَالَ حَتَّى لَا يَقْبَلَهُ أَحَدٌ». [راجع: ٢٢٢٢]

(32) CHAPTER. (Is it permissible) to break the pots containing wine, or tear the leather containers holding wine? If one breaks an idol, a cross, or a drum (for amusement), or any other thing, the wood of which is useless (should one give a compensation)?

(٣٢) بَابُ هَلْ تُكْسَرُ الدَّنَانُ الَّتِي فِيهَا الْخَمْرُ أَوْ تُحْرَقُ الرِّقَاقُ؟ فَإِنْ كَسَرَ صَمًا أَوْ صَلِيبًا أَوْ طُبُورًا أَوْ مَا لَا يَنْتَفَعُ بِحَشَبِهِ وَأَتَى شَرِيحَ فِي طُبُورٍ كَسِرَ فَلَمْ يَقْبَضْ فِيهِ شَيْءٌ.

A case of a drum broken by somebody was presented to Shuraih who did not impose a compensation on the person who had broken it.

2477. Narrated Salama bin Al-Akwa رَضِيَ اللهُ عَنْهُ: On the day (the battle) of Khaibar the Prophet ﷺ saw fires being lighted. He asked, "Why are these fires being lighted?" The people replied that they were cooking the meat of donkeys. He ﷺ said, "Break the pots and throw away their contents." The people

٢٤٧٧ - حَدَّثَنَا أَبُو عَاصِمٍ الصَّحَّاحُ بْنُ مَخْلَدٍ، عَنْ بَرِيدِ بْنِ أَبِي عُبَيْدٍ، عَنْ سَلَمَةَ بْنِ الْأَكْوَعِ رَضِيَ اللهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ رَأَى نِيرَانًا تُوْقَدُ يَوْمَ خَيْبَرَ. قَالَ: «عَلَامَ تُوْقَدُ هَذِهِ

(1) (H. 2476) The *Jizya* is a tax imposed on non-Muslims who would keep their own religion rather than embrace Islām, this will not be accepted by 'Iesa (Jesus) عليه السلام, but all people will be required to embrace Islām and there will be no other alternative.

said, "Shall we throw away their contents and wash the pots (rather than break them)?" He said, "Wash them."

النَّيرَانُ؟» قَالُوا: عَلَى الْحُمْرِ الْإِنْسِيَّةِ، قَالَ: «أَكْسِرُوهَا وَهَرِيْقُوهَا»، قَالُوا: أَلَا نَهْرِيْقُهَا وَنَعْسِلُهَا؟ قَالَ: «اعْسِلُوا». قَالَ أَبُو عَبْدِ اللَّهِ: كَانَ ابْنُ أَبِي أُوَيْسٍ يَقُولُ: الْحَمْرُ الْأَنْسِيَّةُ. [انظر: ٤١٩٦، ٥٤٩٧، ٦١٤٨، ٦٣٣١، ٦٨٩١]

2478. Narrated 'Abdullāh bin Mas'ūd رضي الله عنه: The Prophet ﷺ entered Makkah and (at that time) there were three hundred and sixty idols around the Ka'bah. He started stabbing the idols with a stick he had in his hand and reciting:

"And say Truth (i.e., Islamic Monotheism or this Qur'an or Jihad against polytheists) has come and Bātil (falsehood, i.e., Satan or polytheism) has vanished." (V.17:81)

٢٤٧٨ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا ابْنُ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ، عَنْ أَبِي مَعْمَرٍ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: دَخَلَ النَّبِيُّ ﷺ مَكَّةَ وَحَوْلَ الْبَيْتِ ثَلَاثِمِائَةٍ وَسِتُّونَ نَصْبًا، فَجَعَلَ يَطْعُنُهَا بِعُودٍ فِي يَدِهِ، وَجَعَلَ يَقُولُ: ﴿جَاءَ الْحَقُّ وَزَهَقَ الْبَاطِلُ﴾ الْآيَةَ [الإسراء: ٨١]. [انظر: ٤٢٨٧، ٤٧٢٠]

2479. Narrated Al-Qāsim : 'Āishah رضي الله عنها said that she hung a curtain decorated with pictures on a cupboard. The Prophet ﷺ tore that curtain and she turned it into two cushions which remained in the house for the Prophet ﷺ to sit on.

٢٤٧٩ - حَدَّثَنِي إِبْرَاهِيمُ بْنُ الْمُنْدِرِ: حَدَّثَنَا أَنَسُ بْنُ عِيَاضٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ الْقَاسِمِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّهَا كَانَتْ اتَّخَذَتْ عَلَى سَهْوَةٍ لَهَا سِتْرًا فِيهِ تَمَاثِيلُ فَهَتَكَهُ النَّبِيُّ ﷺ فَاتَّخَذَتْ مِنْهُ نَمْرُقَتَيْنِ فَكَانَتَا فِي الْبَيْتِ يَجْلِسُ عَلَيْهِمَا. [انظر: ٥٩٥٤، ٥٩٥٥، ٦١٠٩]

(33) CHAPTER. (What is said about) one who fights to protect his property?

2480. Narrated 'Abdullāh bin 'Amr رضي الله عنهما: I heard the Prophet ﷺ saying,

٢٤٨٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ

“Whoever is killed while protecting his property, then he is a martyr.”

يَزِيدُ: حَدَّثَنَا سَعِيدٌ - هُوَ ابْنُ أَبِي
أَيُّوبَ - قَالَ: حَدَّثَنِي أَبُو الْأَسْوَدِ،
عَنْ عِكْرِمَةَ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو
رَضِيَ اللَّهُ عَنْهُمَا قَالَ: سَمِعْتُ النَّبِيَّ
ﷺ يَقُولُ: «مَنْ قُتِلَ دُونَ مَالِهِ فَهُوَ
شَهِيدٌ».

(34) CHAPTER. If a person breaks a wooden bowl or something else belonging to somebody, (should he give a compensation)?

(٣٤) بَابُ إِذَا كَسَرَ قَصْعَةً أَوْ شَيْئًا
لِغَيْرِهِ

2481. Narrated Anas رَضِيَ اللَّهُ عَنْهُ: While the Prophet ﷺ was with one of his wives, one of the Mothers of the believers (i.e., one of his wives) sent a wooden bowl containing food with a servant. The wife (in whose house he was sitting) stroke the bowl with her hand and broke it. The Prophet ﷺ collected the shattered pieces and put the food back in it and said, “(Help yourselves and) eat.” He kept the servant and the bowl till he had eaten the food. Then the Prophet ﷺ gave another unbroken bowl to the servant and kept the broken one.

٢٤٨١ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا
يَحْيَى ابْنُ سَعِيدٍ، عَنْ حُمَيْدٍ، عَنْ
أَنْسِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ
كَانَ عِنْدَ بَعْضِ نِسَائِهِ، فَأَرْسَلَتْ
إِخْدَى أُمَّهَاتِ الْمُؤْمِنِينَ مَعَ خَادِمٍ
بِقَصْعَةٍ فِيهَا طَعَامٌ فَضَرَبَتْ بِيَدِهَا
فَكَسَرَتْ الْقَصْعَةَ فَصَمَّهَا وَجَعَلَ فِيهَا
الطَّعَامَ. وَقَالَ: «كُلُوا»، وَحَبَسَ
الرَّسُولَ وَالْقَصْعَةَ حَتَّى فَرَعُوا فَدَفَعَ
الْقَصْعَةَ الصَّحِيحَةَ وَحَبَسَ الْمَكْسُورَةَ.

وَقَالَ ابْنُ أَبِي مَرْيَمَ: أَخْبَرَنَا يَحْيَى بْنُ
أَيُّوبَ: حَدَّثَنَا حُمَيْدٌ: حَدَّثَنَا أَنْسُ عَنِ
النَّبِيِّ ﷺ. [انظر: ٥٢٢٥]

(35) CHAPTER. If one pulls down a wall, one should build a similar one in its place.

(٣٥) بَابُ إِذَا هَدَمَ حَائِطًا فَلْيَبْنِ مِثْلَهُ

2482. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: Allāh's Messenger ﷺ said, “There was an Israeli man called Juraij, while he was offering prayer, his mother came and called him, but he did not respond to her call. He said (to himself) whether he should continue the prayer or reply to his mother. She came to him the second time and called him and

٢٤٨٢ - حَدَّثَنَا مُسْلِمٌ بِنُ
إِبْرَاهِيمَ: حَدَّثَنَا جَرِيرٌ هُوَ ابْنُ حَارِثٍ،
عَنْ مُحَمَّدِ بْنِ سَبْرِينَ، عَنْ أَبِي
هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ
اللَّهِ ﷺ: «كَانَ رَجُلٌ فِي بَنِي إِسْرَائِيلَ

said, 'O Allāh! Do not let him die until he sees the faces of prostitutes.' Juraij used to live in a hermitage. A woman said that she would entice Juraij, so she went to him and presented herself (for an evil act) but he refused. She then went to a shepherd and allowed him to commit an illegal sexual intercourse with her and later she gave birth to a boy. She alleged that the baby was from Juraij. The people went to Juraij and broke down his hermitage, pulled him out of it and abused him. He performed ablution and offered the prayer, then he went to the male (baby) and asked him: 'O boy! Who is your father?' The baby replied that his father was the shepherd. The people said that they would build for him a hermitage of gold but Juraij asked them to make it of mud only." (See H. 3436)

يُقَالُ لَهُ: جُرَيْجٌ، يُصَلِّي فَجَاءَتْهُ أُمُّهُ
فَدَعَتْهُ فَأَبَى أَنْ يُجِيبَهَا فَقَالَ: أُجِيبُهَا
أَوْ أَصَلِّي؟ ثُمَّ أَتَتْهُ فَقَالَتْ: اللَّهُمَّ لَا
تُؤْتِهِ حَتَّى تَرِيَهُ وَجُوهَ الْمُؤْمِسَاتِ.
وَكَانَ جُرَيْجٌ فِي صَوْمَعَتِهِ فَقَالَتْ
امْرَأَةٌ: لِأَقْتِنَنَّ جُرَيْجًا، فَتَعَرَّضَتْ لَهُ
فَكَلَّمَتْهُ، فَأَبَى. فَأَتَتْ رَاعِيًا فَأَمَكَّتَهُ
مِنْ نَفْسِهَا فَوَلَدَتْ غُلَامًا فَقَالَتْ: هُوَ
مِنْ جُرَيْجٍ. فَأَتَتْهُ وَكَسَرُوا صَوْمَعَتَهُ
فَأَنْزَلُوهُ وَسَبُّوهُ، فَتَوَضَّأَ وَصَلَّى ثُمَّ أَتَى
الْغُلَامَ فَقَالَ: مَنْ أَبُوكَ يَا غُلَامُ؟
قَالَ: الرَّاعِي، قَالُوا: نَبِيِّ صَوْمَعَتِكَ
مِنْ ذَهَبٍ. قَالَ: لَا، إِلَّا مِنْ طِينٍ.

[راجع: ١٢٠٦]