

52 - THE BOOK OF WITNESSES

٥٢ - كتاب الشهادات

(1) CHAPTER. What is said regarding the rule that the plaintiff has to produce a proof. The Statement of Allāh تعالى:

“O you who believe! When you contract a debt for a fixed period, write it down...” (V.2:282)

And the Statement of Allāh جل جلاله:

“O you who believe! Stand out firmly for justice, as witnesses to Allāh... (to the end of the verse) Ever Well-Acquainted with what you do.” (V.4:135)

(2) CHAPTER. If a person attests the honourable record of a witness by saying, “I do not know except good about him.”

In the narration of the forged story (i.e., the accusation of ‘Āishah رَضِيَ اللهُ عَنْهَا when the Prophet ﷺ consulted Usāma (regarding ‘Āishah), Usāma said, “Keep your wife, as we know nothing about her except good.”

2637. Narrated ‘Urwa bin Al-Musaiyab, ‘Alqama bin Waqqāsh and ‘Ubaidullāh bin ‘Abdullāh رَضِيَ اللهُ عَنْهُمْ about the story of ‘Āishah رَضِيَ اللهُ عَنْهَا and their narrations were similar attesting each other, when the liars said what they invented about ‘Āishah, and the Divine Revelation was delayed, Allāh’s Messenger ﷺ sent for ‘Alī and Usāma to consult them in divorcing his wife (i.e., ‘Āishah). Usāma said, “Keep your wife, as we know nothing about her except good.” Barira said, “I cannot accuse her of any defect except that she is still a young girl who sleeps, neglecting her family’s dough which the domestic goats come to eat (i.e., she was too simple-minded to deceive her husband).” Allāh’s Messenger ﷺ said, “Who can help me to take revenge over the man who has

(١) بَابٌ مَا جَاءَ فِي الْبَيِّنَةِ عَلَى الْمُدَّعِي، لِقَوْلِهِ تَعَالَى: ﴿يَتَأَيُّهَا الَّذِينَ آمَنُوا إِذَا تَدَايَنْتُمْ بِدَيْنٍ إِلَىٰ أَجَلٍ مُّسَمًّى فَاكْتُبُوهُ﴾ [البقرة: ٢٨٢].

وَقَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿يَتَأَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوِّمِينَ بِالْقِسْطِ شُهَدَاءَ لِلَّهِ إِلَىٰ قَوْلِهِ ﴿بِمَا تَعْمَلُونَ خَيْرًا﴾ [النساء: ١٣٥].

(٢) بَابٌ إِذَا عَدَلَ رَجُلٌ رَجُلًا فَقَالَ: لَا نَعْلَمُ إِلَّا خَيْرًا، أَوْ: مَا عَلِمْتُ إِلَّا خَيْرًا.

وساق حديث الإفك فقال النبي ﷺ لأسامة حين استشاره فقال: أَهْلَكَ وَلَا نَعْلَمُ إِلَّا خَيْرًا.

٢٦٣٧ - حَدَّثَنَا حَجَّاجٌ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عُمَرَ النَّمِيرِيُّ: حَدَّثَنَا ثوبان. وقال الليث: حدثني يونس، عن ابن شهاب قال: أخبرني عروة بن الزبير وابن المسيب وعلقمة بن وقاص وعبيد الله بن عبد الله عن حديث عائشة رضي الله عنها، وبعض حديثهم يصدق بعضاً حين قال لها أهل الإفك ما قالوا، فدعا رسول الله ﷺ علياً وأسامة حين استلبت الوحي يستأمرهما في فراق أهله، فأما أسامة فقال: أَهْلَكَ وَلَا

harmed me by defaming the reputation of my family? By Allāh, I have not known about my family anything except good, and they mentioned (i.e., accused) a man about whom I did not know anything except good.”

نَعْلَمُ إِلَّا خَيْرًا، وَقَالَتْ بَرِيرَةُ: إِنَّ رَأَيْتُ عَلَيْهَا أَمْرًا أَعْمِصُهُ أَكْثَرَ مِنْ أَنَّهَا جَارِيَةٌ حَدِيثُهُ السَّنَّ تَنَامُ عَنْ عَجِينِ أَهْلِهَا، فَتَأْتِي الدَّاجِنُ فَتَأْكُلُهُ. فَقَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ يَغْدِرْنَا فِي رَجُلٍ بَلَّغْنِي أَذَاهُ فِي أَهْلِ بَيْتِي؟ فَوَاللَّهِ مَا عَلِمْتُ مِنْ أَهْلِي إِلَّا خَيْرًا، وَلَقَدْ ذَكَرُوا رَجُلًا مَا عَلِمْتُ عَلَيْهِ إِلَّا خَيْرًا». [راجع: ٢٥٩٣]

(3) CHAPTER. The witness of an eavesdropper.

‘Amr bin Huraith allowed such a witness and said, “This is the way to be followed to discover the reality of an evil person.” Ibn Sirin, ‘Aṭā and Qatāda said, “A witness can be based on hearing only (i.e., even if the hearer does not see the speaker.)” Al-Ḥasan used to say at the time of giving evidence, “They did not make me a witness but I heard such and such.”

(٣) بَابُ شَهَادَةِ الْمُخْتَبِي

وَأَجَازَهُ عَمْرُو بْنُ حُرَيْثٍ قَالَ: وَكَذَلِكَ يُفَعَلُ بِالكَاذِبِ الْفَاجِرِ، وَقَالَ الشَّعْبِيُّ وَابْنُ سِيرِينَ وَعَطَاءٌ وَقَتَادَةُ: السَّمْعُ شَهَادَةٌ. وَكَانَ الْحَسَنُ يَقُولُ: لَمْ يُشْهَدُونِي عَلَى شَيْءٍ وَلَكِنْ سَمِعْتُ كَذَا وَكَذَا.

2638. Narrated ‘Abdullāh bin ‘Umar رضي الله عنهما: Allāh’s Messenger ﷺ and Ubai bin Ka’b Al-Anṣārī went to the garden where Ibn Ṣaiyyād used to live. When Allāh’s Messenger ﷺ entered (the garden), he (i.e., Allāh’s Messenger ﷺ) started hiding himself behind the date-palms as he wanted to hear secretly the talk of Ibn Ṣaiyyād before the latter saw him. Ibn Ṣaiyyād wrapped with a soft decorated sheet was lying on his bed murmuring. Ibn Ṣaiyyād’s mother saw the Prophet ﷺ hiding behind the stems of the date-palms. She addressed Ibn Ṣaiyyād saying, “O Ṣāf, this is Muḥammad.” Hearing that Ibn Ṣaiyyād stopped murmuring (or got cautious), the Prophet ﷺ said, “If she had left him undisturbed, he

٢٦٣٨ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ: قَالَ سَالِمٌ: سَمِعْتُ عَبْدَ اللَّهِ بْنَ عَمَرَ رَضِيَ اللَّهُ عَنْهُمَا يَقُولُ: انْطَلَقَ رَسُولُ اللَّهِ ﷺ وَأَبِي ابْنُ كَعْبِ الْأَنْصَارِيِّ يُؤْمَانِ النَّخْلَ الَّتِي فِيهَا ابْنُ صَيَّادٍ حَتَّى إِذَا دَخَلَ رَسُولُ اللَّهِ ﷺ طَفِقَ رَسُولُ اللَّهِ ﷺ يَتَّقِي بِجُذُوعِ النَّخْلِ وَهُوَ يَخْتَلِ أَنْ يَسْمَعَ مِنْ ابْنِ صَيَّادٍ شَيْئًا قَبْلَ أَنْ يَرَاهُ، وَابْنُ صَيَّادٍ مُضْطَجِعٌ عَلَى فِرَاشِهِ فِي قَطِيفَةٍ لَهُ فِيهَا زَمْرَمَةٌ، أَوْ

would have revealed his reality.”

[See Vol. 4, *Hadith* No.3055, 3056, for details]

2639. Narrated 'Aishah رَضِيَ اللهُ عَنْهَا: The wife of Rifā'a Al-Qurazī came to the Prophet ﷺ and said, "I was Rifā'a's wife, but he divorced me and it was a final irrevocable divorce. Then I married 'Abdur-Rahmān bin Az-Zubair but he is impotent." The Prophet ﷺ asked her, "Do you want to re-marry Rifā'a? You cannot, unless you enjoy a complete sexual relation with your present husband and he enjoys a complete sexual relation with you." Abū Bakr was sitting with Allāh's Messenger ﷺ and Khālīd bin Sa'īd bin Al-Āṣ was at the door waiting to admitted. He said, "O Abū Bakr! Do you hear what this (woman) is revealing frankly before the Prophet ﷺ?"

(4) CHAPTER. When a witness or witnesses give an evidence.

And some people say that they do not know such an evidence, then the case will be decided according to the statement of the witnesses. A-Hūmaidī said, "This (judgement) was adopted when Bilāl said that the Prophet ﷺ had offered *Ṣalāt*

رَمَزَمَةً. فَرَأَتْ أُمَّ ابْنِ صَيَّادِ النَّبِيِّ ﷺ وَهُوَ يَتَّقِي بِجُدُوعِ النَّخْلِ، فَقَالَتْ لِابْنِ صَيَّادٍ: أَيُّ صَافٍ، هَذَا مُحَمَّدٌ، فَتَنَاهَى ابْنَ صَيَّادٍ. قَالَ النَّبِيُّ ﷺ: «لَوْ تَرَكَتُهُ بَيْنَ» . [راجع: ١٣٥٥]

٢٦٣٩ - حَدَّثَنِي عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا سُفْيَانُ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: جَاءَتِ امْرَأَةُ رِفَاعَةَ الْفَرُطِيِّ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: كُنْتُ عِنْدَ رِفَاعَةَ فَطَلَّقَنِي فَأَبَتْ طَلَاقِي، فَتَزَوَّجْتُ عَبْدَ الرَّحْمَنِ بْنِ الرَّبِيرِ، إِنَّمَا مَعَهُ مِثْلُ هُدْبَةِ الثَّوْبِ. فَقَالَ: «أَتُرِيدِينَ أَنْ تَرْجِعِي إِلَى رِفَاعَةَ؟ لَا، حَتَّى تَذُوقِي عُسَيْلَتَهُ وَيَذُوقِ عُسَيْلَتِكَ»، وَأَبُو بَكْرٍ جَالِسٌ عِنْدَهُ وَخَالِدُ بْنُ سَعِيدِ بْنِ الْعَاصِ بِالْبَابِ يَنْتَظِرُ أَنْ يُؤَدَّنَ لَهُ. فَقَالَ: يَا أَبَا بَكْرٍ، أَلَا تَسْمَعُ إِلَى هَذِهِ مَا تَجْهَرُ بِهِ عِنْدَ النَّبِيِّ ﷺ؟. [انظر: ٥٢٦٠، ٥٢٦١، ٥٢٦٥، ٥٣١٧، ٥٧٩٢، ٥٨٢٥، ٦٠٨٤]

(٤) بَابُ إِذَا شَهِدَ شَاهِدٌ، أَوْ شُهُودٌ بِشَيْءٍ. وَقَالَ آخَرُونَ: مَا عَلِمْنَا بِذَلِكَ؛ يُحْكَمُ بِقَوْلِ مَنْ شَهِدَ.

قَالَ الْحُمَيْدِيُّ. هَذَا كَمَا أَخْبَرَ بِلَالٌ أَنَّ النَّبِيَّ ﷺ صَلَّى فِي الْكَعْبَةِ. وَقَالَ الْفَضْلُ: لَمْ يُصَلِّ، فَأَخَذَ النَّاسُ بِشَهَادَةِ بِلَالٍ. كَذَلِكَ إِنْ شَهِدَ

(prayer) inside the Ka'bah while Al-Faḍl said that he had not offered *Ṣalāt*, so the people accepted Bilāl's assertion. Similarly, if two persons give witness that such a person owes another one thousand Dirham, but two other witnesses state that he owes him one thousand and five hundred Dirham then the judgement will be based on the higher amount.

2640. Narrated 'Abdullāh bin Abū Mulaika from 'Uqba bin Al-Ḥārith: 'Uqba married the daughter of Abū Ihāb bin 'Azīz, and then a woman came and said, "I suckled 'Uqba and his wife." 'Uqba said to her, "I do not know that you have suckled me, and you did not inform me." He then sent someone to the house of Abū Ihāb to enquire about that but they did not know that she had suckled their daughter. Then 'Uqba went to the Prophet ﷺ in Al-Madīna and asked him about it. The Prophet ﷺ said to him, "How (can you keep your wife) after it has been said (that both of you were suckled by the same woman)?" So, he divorced her and she was married to another man.

شَاهِدَانِ أَنَّ لِفُلَانٍ عَلَى فُلَانٍ أَلْفَ
دِرْهَمٍ وَشَهِدَ آخَرَانِ بِأَلْفٍ وَخَمْسِمِائَةٍ
يُقْضَى بِالزِّيَادَةِ.

٢٦٤٠ - حَدَّثَنَا جِبَانٌ: أَخْبَرَنَا
عَبْدُ اللَّهِ: أَخْبَرَنَا عَمْرُو بْنُ سَعِيدٍ
بْنِ أَبِي حُسَيْنٍ قَالَ: أَخْبَرَنِي عَبْدُ اللَّهِ بْنُ
أَبِي مُلَيْكَةَ، عَنْ عُقْبَةَ بْنِ الْحَارِثِ:
أَنَّهُ تَزَوَّجَ ابْنَةَ لَأْبِي إِهَابِ بْنِ عَزِيزٍ
فَاتَتْهُ امْرَأَةٌ فَقَالَتْ: قَدْ أَرْضَعْتُ عُقْبَةَ
وَالَّتِي تَزَوَّجَ، فَقَالَ لَهَا عُقْبَةُ: مَا
أَعْلَمُ أَنَّكَ أَرْضَعْتِي وَلَا أَخْبَرْتِي،
فَأَرْسَلْتُ إِلَى آلِ أَبِي إِهَابٍ يَسْأَلُهُمْ،
فَقَالُوا: مَا عَلِمْنَا أَرْضَعْتَ صَاحِبَتِنَا،
فَرَكِبْتُ إِلَى النَّبِيِّ ﷺ بِالْمَدِينَةِ فَسَأَلَهُ،
فَقَالَ رَسُولُ اللَّهِ ﷺ: «كَيْفَ وَقَدْ
قِيلَ؟» فَفَارَقَهَا وَنَكَحَتْ زَوْجًا غَيْرَهُ.

[راجع: ٨٨]

(5) CHAPTER. The just witnesses. And the Statement of Allāh تعالى:

"And take as witness two just persons from among you (Muslims)..." (V.65:2)
"... such as you agree for witnesses..." (V.2:282)

2641. Narrated 'Umar bin Al-Khattāb رضي الله عنه: People were (sometimes) judged by the revealing of a Divine Revelation during the lifetime of Allāh's Messenger ﷺ, but now there is no longer any more (new revelation). Now, we judge you by the deeds

(٥) بَابُ الشُّهَدَاءِ الْعُدُولِ،
وَقَوْلِ اللَّهِ تَعَالَى: ﴿وَأَشْهِدُوا ذَوَى
عَدْلٍ مِّنْكُمْ﴾ [الطلاق: ٢] و﴿مَنْ
رَضَوْنَ مِنَ الشُّهَدَاءِ﴾ [البقرة: ٢٨٢].

٢٦٤١ - حَدَّثَنَا الْحَكَمُ بْنُ نَافِعٍ،
أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ:
حَدَّثَنِي حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ بْنِ
عَوْفٍ: أَنَّ عَبْدَ اللَّهِ بْنَ عُقْبَةَ قَالَ:

you practise publicly, so we will trust and favour the one who does good deeds in front of us, and we will not call him to account about what he is really doing in secret, for Allāh will judge him for that; but we will not trust or believe the one who presents to us with an evil deed even if he claims that his intentions were good.

سَمِعْتُ عُمَرَ بْنَ الْخَطَّابِ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: إِنَّ أَنَسًا كَانُوا يُؤَخِّدُونَ بِالْوَحْيِ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ وَإِنَّ الْوَحْيَ قَدْ انْقَطَعَ، وَإِنَّمَا نَأْخِذُكُمُ الْآنَ بِمَا ظَهَرَ لَنَا مِنْ أَعْمَالِكُمْ، فَمَنْ أَظْهَرَ لَنَا خَيْرًا أَمِنَاهُ وَقَرَّبْنَاهُ، وَلَيْسَ إِلَيْنَا مِنْ سَرِيرَتِهِ شَيْءٌ، اللَّهُ يُحَاسِبُ فِي سَرِيرَتِهِ، وَمَنْ أَظْهَرَ لَنَا سُوءًا لَمْ نَأْمَنَّهُ وَلَمْ نُصَدِّقْهُ، وَإِنْ قَالَ: إِنَّ سَرِيرَتَهُ حَسَنَةٌ.

(6) CHAPTER. How many witnesses are sufficient to attest one's good or bad record?

(٦) بَابُ تَعْدِيلِ كَمَّ يَجُوزُ؟

2642. Narrated Anas رَضِيَ اللَّهُ عَنْهُ: A funeral procession passed in front of the Prophet ﷺ and the people praised the deceased. The Prophet ﷺ said, "It has been affirmed (Paradise)." Then another funeral procession passed by and the people talked badly of the deceased. The Prophet ﷺ said, "It has been affirmed (Hell)." Allāh's Messenger ﷺ was asked, "O Allāh's Messenger! You said it has been affirmed for both?" The Prophet ﷺ said, "The testimony of the people (is accepted), (for) the believers are Allāh's witnesses on the earth."

٢٦٤٢ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ، عَنْ ثَابِتٍ، عَنْ أَنَسِ رَضِيَ اللَّهُ عَنْهُ قَالَ: مَرَّ عَلَى النَّبِيِّ ﷺ بِجَنَازَةٍ فَأُتِنُوا عَلَيْهَا خَيْرًا، فَقَالَ: «وَجِبَتْ». ثُمَّ مَرَّ بِأُخْرَى فَأُتِنُوا عَلَيْهَا شَرًّا، أَوْ قَالَ: غَيْرَ ذَلِكَ. فَقَالَ: «وَجِبَتْ». فَقِيلَ: يَا رَسُولَ اللَّهِ، قُلْتَ لِهَذَا: «وَجِبَتْ» وَلِهَذَا: «وَجِبَتْ» قَالَ: «شَهَادَةُ الْقَوْمِ، الْمُؤْمِنُونَ شُهَدَاءُ اللَّهِ فِي الْأَرْضِ». [راجع: ١٣٦٧]

2643. Narrated Abū Al-Aswad: Once I went to Al-Madīna and at that time there was an outbreak of disease and the people were dying rapidly. I was sitting with 'Umar رَضِيَ اللَّهُ عَنْهُ and a funeral procession passed by. The people praised the deceased. 'Umar said, "It has been affirmed (Paradise)." Then another funeral procession passed by. The people

٢٦٤٣ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا دَاوُدُ بْنُ أَبِي الْفَرَاتِ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ بُرَيْدَةَ عَنْ أَبِي الْأَسْوَدِ قَالَ: أَتَيْتُ الْمَدِينَةَ وَقَدْ وَقَعَ بِهَا مَرَضٌ وَهُمْ يَمُوتُونَ مَوْتًا

praised the deceased. 'Umar said, "It has been affirmed (Paradise)." Then a third funeral procession passed by and the people talked badly of the deceased. 'Umar said, "It has been affirmed (Hell)." I asked 'Umar, "O chief of the believers! What has been affirmed?" He said, "I have said what the Prophet ﷺ said. He ﷺ said, 'Allāh will admit into Paradise any Muslim whose good character is attested by four persons.' We asked the Prophet ﷺ, 'If there were three witnesses only?' He said, 'Even three.' We asked, 'If there were two only?' He said, 'Even two.' But we did not ask him about one witness."

دَرَبِعَا فَجَلَسْتُ إِلَى عُمَرَ رَضِيَ اللَّهُ عَنْهُ فَمَرَّتْ جَنَازَةٌ فَأُتِنِي خَيْرًا، فَقَالَ عُمَرُ: وَجِبَتْ. ثُمَّ مَرَّ بِأُخْرَى فَأُتِنِي خَيْرًا فَقَالَ: وَجِبَتْ. ثُمَّ مَرَّ بِالثَّالِثِ فَأُتِنِي شَرًّا فَقَالَ: وَجِبَتْ، فَقُلْتُ: مَا (وَجِبَتْ) يَا أَمِيرَ الْمُؤْمِنِينَ؟ قَالَ: قُلْتُ كَمَا قَالَ النَّبِيُّ ﷺ: «أَيُّمَا مُسْلِمٍ شَهِدَ لَهُ أَرْبَعَةٌ بِخَيْرٍ أَدْخَلَهُ اللَّهُ الْجَنَّةَ». قُلْنَا: وَثَلَاثَةٌ؟ قَالَ: «وِثَلَاثَةٌ»، قُلْنَا: وَاثْنَانِ؟ قَالَ: «وَاثْنَانِ»، ثُمَّ لَمْ نَسْأَلْهُ عَنِ الْوَاحِدِ.

[راجع: ١٣٦٨]

(7) CHAPTER. To give witness concerning lineage, foster suckling relations and dead persons, who died long before.

The Prophet ﷺ said, "I and Abū Salama were suckled by Thuwaiba."

The necessity of being sure of the witness in such cases.

(٧) بَابُ الشَّهَادَةِ عَلَى الْأَنْسَابِ وَالرِّضَاعِ الْمُسْتَقْبِضِ وَالْمَوْتِ الْقَدِيمِ وَقَالَ النَّبِيُّ ﷺ: «أَرْضَعْتَنِي وَأَبَا سَلَمَةَ تُوَيْبَةَ»، وَالثَّبْتُ فِيهِ.

2644. Narrated 'Āishah رضي الله عنها Aflah asked the permission to visit me but I did not allow him. He said, "Do you veil yourself before me although I am your uncle?" 'Āishah said, "How is that?" Aflah replied, "You were suckled by my brother's wife with my brother's milk." I asked Allāh's Messenger ﷺ about it, and he said, "Aflah is right, so permit him to visit you."

٢٦٤٤ - حَدَّثَنَا آدَمُ: حَدَّثَنَا شُعْبَةُ: أَخْبَرَنَا الْحَكَمُ، عَنْ عِرَاكِ بْنِ مَالِكٍ، عَنْ عُرْوَةَ ابْنِ الزُّبَيْرِ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: اسْتَأْذَنَ عَلِيٌّ أَفْلَحَ فَلَمْ أَذْنِ لَهُ. فَقَالَ: أَنْتَ حَجِيبٌ مِنِّي وَأَنَا عَمٌّكَ؟ فَقُلْتُ: وَكَيْفَ ذَلِكَ؟ فَقَالَ: أَرْضَعْتِكِ امْرَأَةً أُخِي بِلَبَنِ أُخِي. فَقَالَتْ: سَأَلْتُ عَنْ ذَلِكَ رَسُولَ اللَّهِ ﷺ فَقَالَ: «صَدَقَ أَفْلَحُ، ائْذِنِي لَهُ». [انظر: ٤٧٩٦،

٥١٠٣، ٥١١١، ٥٢٣٩، ٦١٥٦]

2645. Narrated Ibn ‘Abbās رضي الله عنهما: The Prophet ﷺ said about Ḥamza’s daughter, “I am not legally permitted to marry her, as foster suckling relations are treated like blood relations (in marital affairs). She is the daughter of my foster brother.”

٢٦٤٥ - حَدَّثَنَا مُسْلِمٌ بْنُ
إِبْرَاهِيمَ: حَدَّثَنَا هَمَّامٌ: حَدَّثَنَا قَتَادَةُ،
عَنْ جَابِرِ بْنِ زَيْدٍ، عَنْ ابْنِ عَبَّاسٍ
رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ النَّبِيُّ ﷺ
فِي بِنْتِ حَمْرَةَ: «لَا تَحِلُّ لِي، يَحْرُمُ
مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ،
هِيَ ابْنَةُ أُخِي مِنَ الرَّضَاعَةِ».
[انظر: ٥١٠٠]

2646. Narrated ‘Āishah رضي الله عنها، the wife of the Prophet ﷺ: While the Prophet ﷺ was with me (in my house), I heard a man asking Ḥafṣa’s permission to enter her house. ‘Āishah رضي الله عنها further said, “I said, ‘O Allāh’s Messenger! I think the man is Ḥafṣa’s foster uncle.’” ‘Āishah added, “O Allāh’s Messenger! There is a man asking the permission to enter your house.” Allāh’s Messenger ﷺ replied, “I think the man is Ḥafṣa’s foster uncle.” ‘Āishah said, “If so-and-so were living (i.e., her foster uncle) would he be allowed to visit me?” Allāh’s Messenger ﷺ said, “Yes, he would, as the foster suckling relations are treated like blood relations (in marital affairs).” [i.e., those things which are illegal because of blood relations are to be considered as illegal because of the corresponding foster suckling relations].

٢٦٤٦ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ
يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ عَبْدِ اللَّهِ
بْنِ أَبِي بَكْرٍ، عَنْ عَمْرَةَ بِنْتِ عَبْدِ
الرَّحْمَنِ: أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا
رَوَّجَ النَّبِيُّ ﷺ أَخْبَرْتَهَا: أَنَّ النَّبِيَّ
ﷺ كَانَ عِنْدَهَا وَأَنَّهَا سَمِعَتْ صَوْتَ
رَجُلٍ يَسْتَأْذِنُ فِي بَيْتِ حَفْصَةَ، قَالَتْ
عَائِشَةُ رَضِيَ اللَّهُ عَنْهَا: فَقُلْتُ: يَا
رَسُولَ اللَّهِ، أَرَاهُ فُلَانًا، لِعَمِّ حَفْصَةَ
مِنَ الرَّضَاعَةِ. فَقَالَتْ عَائِشَةُ: يَا
رَسُولَ اللَّهِ، هَذَا رَجُلٌ يَسْتَأْذِنُ فِي
بَيْتِكَ. قَالَتْ: فَقَالَ رَسُولُ اللَّهِ ﷺ:
«أَرَاهُ فُلَانًا لِعَمِّ حَفْصَةَ مِنَ الرَّضَاعِ،
فَقَالَتْ عَائِشَةُ: لَوْ كَانَ فُلَانٌ - حَيًّا
لِعَمِّهَا مِنَ الرَّضَاعَةِ - دَخَلَ عَلَيَّ؟
فَقَالَ رَسُولُ اللَّهِ ﷺ: «نَعَمْ إِنَّ
الرَّضَاعَةَ يَحْرُمُ مِنْهَا مَا يَحْرُمُ مِنَ
الْوِلَادَةِ». [انظر: ٣١٠٥، ٥٠٩٩]

2647. Narrated ‘Āishah رضي الله عنها: Once the Prophet ﷺ came to me while a man was in my house. He said, “O ‘Āishah! Who is

٢٦٤٧ - حَدَّثَنَا مُحَمَّدُ بْنُ كَثِيرٍ:
أَخْبَرَنَا سُفْيَانٌ، عَنْ أَشْعَثَ بْنِ أَبِي

this (man)?" I replied, "My foster brother." He said, "O 'Āishah! Be sure about your foster brothers, as fostership is only valid if it takes place in the suckling period (before two years of age as the child sucks with hunger)."

الشَّعْنَاءِ، عَنْ أَبِيهِ، عَنْ مَسْرُوقٍ: أَنَّ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: دَخَلَ عَلَيَّ النَّبِيُّ ﷺ وَعِنْدِي رَجُلٌ فَقَالَ: «يَا عَائِشَةُ، مَنْ هَذَا؟» قُلْتُ: أَحِي مِنْ الرِّضَاعَةِ، قَالَ: «يَا عَائِشَةُ انظُرْنَ مَنْ إِخْوَانُكُنَّ فَإِنَّمَا الرِّضَاعَةُ مِنْ المَجَاعَةِ». تَابَعَهُ ابْنُ مَهْدِيٍّ عَنْ سُفْيَانَ. [٥١٠٢]

(8) CHAPTER. The witness of a person falsely accusing somebody of illegal sexual intercourse and the witness of a thief or an adulterer.

The Statement of Allāh عزَّ وجلَّ: "...And reject their testimony forever, they indeed are the *Fāsiqūn* (liars, rebellious, disobedient to Allāh). Except those who repent thereafter and do righteous deeds..." (V.24:4,5)

(٨) بَابُ شَهَادَةِ القَاذِفِ والسَّارِقِ وَالزَّانِي،

وقَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿وَالَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ ثُمَّ لَمْ يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ فَاجْلِدُوهُنَّ ثَمَانِينَ جَلْدَةً وَلَا تَقْبَلُوا لَهُنَّ شَهَادَةً أَبَدًا وَأُولَئِكَ هُمُ الْفَاسِقُونَ﴾ [النور: ٤ - ٥] وجلدَ عُمَرُ أبا بَكْرَةَ وَشَيْبَلَ بْنَ مَعْبِدٍ وَنَافِعًا بِقَذْفِ المَغْيِرَةِ، ثُمَّ اسْتَتَابَهُمْ. وَقَالَ: مَنْ تَابَ قَبِلْتُ شَهَادَتَهُ. وَأَجَارَهُ عَبْدُ اللَّهِ ابْنُ عَبَّاسٍ، وَعُمَرُ بْنُ عَبْدِ العَزِيزِ، وَسَعِيدُ بْنُ جُبَيْرٍ، وَطَاوُسٌ وَمُجَاهِدٌ وَالشَّعْبِيُّ وَعِكْرِمَةُ وَالزُّهْرِيُّ وَمُحَارِبُ بْنُ دِنَارٍ وَشَرِيحٌ وَمُعَاوِيَةُ بْنُ قُرَّةَ، وَقَالَ أَبُو الزُّنَادِ: الأَمْرُ عِنْدَنَا بِالمَدِينَةِ إِذَا رَجَعَ القَاذِفُ عَنْ قَوْلِهِ فَاسْتَعْفَرَ رَبَّهُ قُبِلَتْ شَهَادَتُهُ. وَقَالَ الشَّعْبِيُّ وَقَتَادَةُ: إِذَا أَكْذَبَ نَفْسَهُ جُلِدَ وَقُبِلَتْ شَهَادَتُهُ. وَقَالَ الثَّوْرِيُّ: إِذَا جُلِدَ

'Umar gave legal punishment of scourging to Abū Bakra, Shibl bin Ma'bad and Nāfi' for accusing Al-Mughīra for illegal sexual intercourse falsely, and then they were made to repent and he said that whoever repented, his witness would be accepted (in the future). 'Abdullāh bin 'Utba,' 'Umar bin 'Abdul Aziz, Sa'īd bin Jubair, Ṭawūs, Mujāhid, Ash-Sha'bī, 'Ikrima, Az-Zuhrī, Muhārib bin Dithār, Shuraiḥ and Mu'āwiya bin Qurra considered it permissible (i.e., the witness of the false accusers after being punished). Abū Az-Zinād said, "Our verdict in Al-Madīna is that, if the false accuser (of others of illegal sexual intercourse) withdraws the accusation and repents, then his (future) witness is acceptable." Ash-Sha'bī and Qatāda said, "If he tells that he has told a lie, the legal punishment will be instituted against him,

but his (future) witness will be accepted.”

Ath-Thaurī said, “If a slave is scourged (for falsely accusing others of illegal sexual intercourse) and later on he is manumitted, then his (future) witness is to be accepted. If somebody who has received such punishment is made a judge, his decisions will be valid.”

Some people said, “The witness of a false-accuser is not to be accepted even if he repented.” They added: “The marriage is not legal unless it is witnessed by two witnesses; it is permissible that the two witnesses can be those who have received such punishments, but the slaves are not to be accepted as witnesses to marriage.” He accepts the witness of the person who has received the punishment (for falsely accusing others of illegal sexual intercourse) and the witness of a male slave and a female slave concerning the appearance of the new moon (i.e., crescent) (of the month of fasting etc.). How to know the repentance of a person who has received the punishment of false accusation and no doubt, the Prophet ﷺ kept an adulterer in exile for one year. The Prophet ﷺ did not allow anybody to talk to Ka'b bin Mālik and his two companions for fifty days.

2648. Narrated 'Urwa bin Az-Zubair: A woman committed theft in the *Ghazwa* of the Conquest (of Makkah) and she was taken to the Prophet ﷺ who ordered her hand to be cut off. 'Āishah said, “Her repentance was perfect and she was married (later) and used to come to me (after that) and I would present her needs to Allāh's Messenger ﷺ.”

العَبْدُ ثُمَّ أُعْتِقَ جَارَتْ شَهَادَتُهُ، وَإِنْ اسْتَفْضِيَ الْمَحْدُودُ فَفَضَايَاهُ جَائِزَةٌ، وَقَالَ بَعْضُ النَّاسِ: لَا تَجُوزُ شَهَادَةُ الْقَازِفِ وَإِنْ تَابَ، ثُمَّ قَالَ: لَا يَجُوزُ نِكَاحُ بَعِيرِ شَاهِدَيْنِ فَإِنْ تَزَوَّجَ بِشَهَادَةِ مَحْدُودَيْنِ جَارًا، وَإِنْ تَزَوَّجَ بِشَهَادَةِ عَبْدَيْنِ لَمْ يَجُزْ. وَأَجَارَ شَهَادَةَ الْعَبْدِ وَالْمَحْدُودِ وَالْأَمَةَ لِرُؤْيَةِ هِلَالِ رَمَضَانَ وَكَيْفَ تُعْرَفُ تَوْبَتُهُ. وَنَهَى النَّبِيُّ ﷺ عَنِ الرِّانِيِّ سَنَةً، وَنَهَى النَّبِيُّ ﷺ عَنِ كَلَامِ كَعْبِ بْنِ مَالِكٍ وَصَاحِبِيهِ حَتَّى مَضَى خَمْسُونَ لَيْلَةً.

٢٦٤٨ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ:

حَدَّثَنِي ابْنُ وَهْبٍ عَنْ يُونُسَ. وَقَالَ اللَّيْثُ: حَدَّثَنِي يُونُسُ عَنِ ابْنِ شِهَابٍ: أَخْبَرَنِي عُرْوَةُ بْنُ الرُّبَيْرِ: أَنَّ امْرَأَةً سَرَقَتْ فِي غَزْوَةِ الْفَتْحِ فَأَتَى بِهَا رَسُولُ اللَّهِ ﷺ ثُمَّ أَمَرَ بِهَا ففُطِعَتْ يَدُهَا، قَالَتْ عَائِشَةُ: فَحَسَنْتُ تَوْبَتَهَا وَتَزَوَّجَتْ وَكَانَتْ تَأْتِي بَعْدَ ذَلِكَ فَأَرْفَعُ حَاجَتَهَا إِلَى رَسُولِ اللَّهِ ﷺ.

[انظر: ٣٤٧٥، ٣٧٣٢، ٣٧٣٣، ٤٣٠٤،

٦٧٨٨، ٦٨٠٠]

2649. Narrated Zaid bin Khalid رضي الله عنه: Allāh's Messenger ﷺ ordered that an unmarried man who committed illegal sexual intercourse be scourged one hundred lashes and sent into exile for one year.

٢٦٤٩ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ عُقَيْلٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنْ زَيْدِ بْنِ خَالِدٍ رَضِيَ اللَّهُ عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ أَمَرَ فِيمَنْ زَنَى وَلَمْ يُحْصِنِ بِجَلْدِ مِائَةٍ وَتَغْرِيبِ عَامٍ.

[راجع: ٢٣١٤]

(9) CHAPTER. Do not be a witness for injustice, if asked for that.

(٩) بَابٌ: لَا يَشْهَدُ عَلَى شَهَادَةِ جَوْرٍ إِذَا أُشْهِدَ

2650. Narrated An-Nu'mān bin Bashīr رضي الله عنهما: My mother asked my father to present me a gift from his property; and he gave it to me after some hesitation. My mother said that she would not be satisfied unless the Prophet ﷺ is made a witness to it. I being a young boy, my father held me by the hand and took me to the Prophet ﷺ. He said to the Prophet ﷺ, "His mother, bint Rawāḥa, requested me to give this boy a gift." The Prophet ﷺ said, "Do you have other sons besides him?" He said, "Yes." The Prophet ﷺ said, "Do not make me a witness for injustice."

٢٦٥٠ - حَدَّثَنَا عَبْدَانُ: حَدَّثَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا أَبُو حَيَّانَ النَّيِّبِيُّ، عَنِ الشَّعْبِيِّ، عَنِ النُّعْمَانِ بْنِ بَشِيرٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: سَأَلْتُ أُمَّي أَبِي بَعْضَ الْمَوْهَبَةِ لِي مِنْ مَالِهِ، ثُمَّ بَدَأَ لَهُ فَوَهَبَهَا لِي فَقَالَتْ: لَا أَرْضَى حَتَّى تُشْهَدَ النَّبِيُّ ﷺ، فَأَخَذَ بِيَدِي وَأَنَا غُلَامٌ فَأَتَى بِي النَّبِيُّ ﷺ فَقَالَ: إِنَّ أُمَّهُ بِنْتُ رَوَاحَةَ سَأَلْتَنِي بَعْضَ الْمَوْهَبَةِ لِهَذَا. قَالَ: «أَلَيْكَ وَلَدٌ سِوَاهُ؟» قَالَ: نَعَمْ، قَالَ: فَأَرَاهُ قَالَ: «لَا تُشْهِدُنِي عَلَى جَوْرٍ». وَقَالَ أَبُو حَرِيرٍ، عَنِ الشَّعْبِيِّ: «لَا أُشْهَدُ عَلَى جَوْرٍ». [راجع: ٢٥٨٦]

Narrated Ash-Sha'bi that the Prophet ﷺ said, "I will not become a witness for injustice."

2651. Narrated Zahdam bin Mudarrib: I heard 'Imran bin Huṣayn رضي الله عنهما saying, "The Prophet ﷺ said, 'The best amongst you people are those living in my century (generation), then those coming after them,

٢٦٥١ - حَدَّثَنَا آدَمُ: حَدَّثَنَا شُعْبَةُ: حَدَّثَنَا أَبُو جَرْمَةَ: قَالَ سَمِعْتُ زَهْدَمَ بْنَ مُضَرَّبٍ: قَالَ سَمِعْتُ

and then those coming after [the second century (generation)].” ‘Imran said, “I do not know whether the Prophet ﷺ mentioned two or three centuries (generations) after your present century (generation). The Prophet ﷺ added, ‘There will be some people after you, who will be dishonest and will not be trustworthy and will give witness (evidences) without being asked to give witness, and will vow but will not fulfil their vows, and fatness will appear among them.’”

عِمْرَانَ بْنِ حُصَيْنٍ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ النَّبِيُّ ﷺ: «حَيْرَكُمْ قَرْنِي، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ الَّذِينَ يَلُونَهُمْ». قَالَ عِمْرَانُ: لَا أُدْرِي أَذَكَرَ النَّبِيُّ ﷺ بَعْدَ قَرْنَيْنِ أَوْ ثَلَاثَةِ. قَالَ النَّبِيُّ ﷺ: «إِنَّ بَعْدَكُمْ قَوْمًا يَخُونُونَ وَلَا يُؤْتَمِنُونَ وَيَشْهَدُونَ وَلَا يُسْتَشْهَدُونَ وَيَنْدُرُونَ وَلَا يَقُونَ، وَيَظْهَرُ فِيهِمُ السَّمَنُ».

[انظر: ٣٦٥٠، ٦٤٢٨، ٦٦٩٥]

2652. Narrated ‘Abdullāh عنهُ اللهُ رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said: “The best people are the people of my century (generation), then those coming after them, and then those coming after the latter. After that there will come some people whose witness will precede their oaths, and their oaths will precede their witness.” Ibrāhīm (a sub-narrator) said, “We used to be beaten for taking oaths by saying, ‘I bear witness by the Name of Allāh or by the Covenant of Allāh’.”⁽¹⁾ (See H. 3651, 6429, 6658)

٢٦٥٢ - حَدَّثَنَا مُحَمَّدُ بْنُ كَثِيرٍ: أَخْبَرَنَا سُفْيَانُ عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنْ عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «خَيْرَ النَّاسِ قَرْنِي ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ الَّذِينَ يَلُونَهُمْ، ثُمَّ يَجِيءُ أَقْوَامٌ تَسْبِقُ شَهَادَةُ أَحَدِهِمْ يَمِينَهُ وَيَمِينُهُ شَهَادَتَهُ». قَالَ إِبْرَاهِيمُ: وَكَانُوا يَضْرِبُونَنَا عَلَى الشَّهَادَةِ وَالْعَهْدِ.

[انظر: ٣٦٥١، ٦٤٢٩، ٦٦٥٨]

(10) CHAPTER. What has been said about false witness.

(١٠) بَابُ مَا قِيلَ فِي شَهَادَةِ الزُّورِ

In respect of the Saying of Allāh تعالى: “And those who do not bear witness to falsehood...” (V.25:72)

لِقَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿وَالَّذِينَ لَا يَشْهَدُونَ الزُّورَ﴾ [الفرقان: ٧٢] وَكَيْتْمَانَ الشَّهَادَةِ لِقَوْلِهِ تَعَالَى: ﴿وَلَا تَكْتُمُوا الشَّهَادَةَ وَمَنْ يَكْتُمْهَا فَإِنَّهُ آثِمٌ قَلْبُهُ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ﴾ [البقرة:

What is said about hiding or concealing evidences, as Allāh تعالى says:

“... And conceal not the evidence for he, who hides it, surely his heart is sinful. And

(1) (H. 2652) Ibrāhīm means that when they were still boys, their elders would beat them if they took oaths, so that they would not get accustomed to taking oaths on all occasions even needlessly. (Fath Al-Bārī)

Allah is All-Knower of what you do.”
(V.2:283)

“... And if you distort your witness
(V.4:135) means ‘distort your witness with
your tongues...’

2653. Narrated Anas عنه رضي الله عنه: The
Prophet ﷺ was asked about the great sins,
He said, “They are:

- (1) To join others in worship with Allāh,
- (2) To be undutiful to one’s parents,
- (3) To kill a person (which Allāh has
forbidden to kill) (i.e., to commit the crime
of murdering).
- (4) And to give a false witness.”

2654. Narrated Abū Bakra عنه رضي الله عنه: The
Prophet ﷺ said thrice, “Should I inform you
about the greatest of the great sins?” They
said, “Yes, O Allāh’s Messenger!” He said,

- “(1) To join others in worship with Allāh
 - (2) and to be undutiful to one’s parents.”
- The Prophet ﷺ then sat up after he had been
reclining (on a pillow) and said,

“(3) And I warn you against giving a lying
speech (false statement),” and he kept on
saying that warning till we thought he would
not stop.

[See Vol. 8, *Hadīth* No.5976]

[٢٨٣] ﴿تَلَوُوا﴾ [النساء: ١٣٥] أَلَيْسَتْكُمْ
بِالشَّهَادَةِ.

٢٦٥٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُنِيرٍ:
سَمِعَ وَهَبَ بْنَ جَرِيرٍ وَعَبْدَ الْمَلِكِ بْنَ
إِبْرَاهِيمَ قَالَا: حَدَّثَنَا شُعْبَةُ عَنْ عَبْدِ
اللَّهِ بْنِ أَبِي بَكْرٍ بْنِ أَنَسٍ، عَنْ أَنَسٍ
رَضِيَ اللَّهُ عَنْهُ قَالَ: سَأَلَ النَّبِيُّ ﷺ
عَنِ الْكِبَائِرِ قَالَ: «الإِشْرَاكُ بِاللَّهِ،
وَعُقُوقُ الْوَالِدَيْنِ، وَقَتْلُ النَّفْسِ،
وَشَهَادَةُ الزُّورِ».

تَابَعَهُ غُنْدَرٌ وَأَبُو عَامِرٍ وَبَهْزٌ وَعَبْدُ
الصَّمَدِ عَنْ شُعْبَةَ. [انظر: ٥٩٧٧،
٦٨٧١]

٢٦٥٤ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا
يَسْرُ بْنُ الْمُفَضَّلِ: حَدَّثَنَا الْجَرِيرِيُّ،
عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي بَكْرَةَ، عَنْ
أَبِيهِ رَضِيَ اللَّهُ عَنْهُ: قَالَ النَّبِيُّ ﷺ:
«أَلَا أُنبئُكُمْ بِأكْبَرِ الْكِبَائِرِ؟» ثَلَاثًا
قَالُوا: بَلَى يَا رَسُولَ اللَّهِ، قَالَ:
«الإِشْرَاكُ بِاللَّهِ، وَعُقُوقُ الْوَالِدَيْنِ.»
وَجَلَسَ وَكَانَ مُتَكِنًا «أَلَا وَقَوْلُ
الزُّورِ». قَالَ: فَمَا زَالَ يُكْرَرُهَا حَتَّى
قُلْنَا: لَيْتَهُ سَكَتَ.

وقال إسماعيل بن إبراهيم: حَدَّثَنَا
الجريري: حَدَّثَنَا عَبْدُ الرَّحْمَنِ.
[انظر: ٥٩٧٦، ٦٢٧٣، ٦٢٧٤، ٦٩١٩]

(11) CHAPTER. The witness of a blind man, his marriage, his affairs, the marriage conducted by him, and his buying and selling; and accepting his call for the *Ṣalāt* (prayer), etc., and what can be known by sound or voice.

Al-Qāsim, Al-Ḥasan, Ibn Sīrīn, Az-Zuhrī and ‘Aṭā’ permitted the witness of the blind. *Ash-Sha’bī* said, “The witness of a blind man is valid if he is intelligent and witty.” Al-Ḥakam said, “The witness of a blind man in certain things is to be accepted.” Az-Zuhrī said, “Suppose Ibn ‘Abbās gave a witness against me, would you reject his witness?” Ibn ‘Abbās used to send a man to watch the sunset so that he might break his fast. He would ask about the dawn, and if he was informed that it was dawn, he would offer two *Rak’ā* prayer. Sulaiman bin Yasar said, “I asked ‘Āishah to admit me into her house, and she recognized my voice and said, “Sulaiman! Come in, as you are still a slave so long as you still owe part of the price of your manumission.” Samura bin Jundab accepted the evidence of a veiled woman.

2655. Narrated ‘Āishah رَضِيَ اللهُ عَنْهَا: The Prophet ﷺ heard a man (reciting the Qur’ān) in the mosque, and he said, “May Allāh bestow His Mercy upon him. No doubt, he made me remember such and such Verses of such and such *Sūrah* which I dropped (from my memory).”

Narrated ‘Āishah رَضِيَ اللهُ عَنْهَا: The Prophet ﷺ performed the *Tahajjud* prayer in my house, and then he heard the voice of ‘Abbād who was offering *Ṣalāt* (prayer) in the mosque, and said, “O ‘Āishah! Is this ‘Abbād’s voice?” I said, “Yes.” He said, “O Allāh! Be Merciful to ‘Abbād!”

(١١) بَابُ شَهَادَةِ الْأَعْمَى وَنِكَاحِهِ، وَأَمْرِهِ، وَإِنِكَاحِهِ، وَمُبَايَعَتِهِ، وَقَبُولِهِ فِي التَّأْدِينِ وَعَيْرِهِ، وَمَا يُعْرَفُ بِالْأَصْوَاتِ

وَأَجَازَ شَهَادَتَهُ الْقَاسِمُ وَالْحَسَنُ وَابْنُ سِيرِينَ وَالزُّهْرِيُّ وَعَطَاءٌ. وَقَالَ الشَّعْبِيُّ: تَجُوزُ شَهَادَتُهُ إِذَا كَانَ عَاقِلًا. وَقَالَ الْحَكَمُ: رَبُّ شَيْءٍ تَجُوزُ فِيهِ. وَقَالَ الزُّهْرِيُّ: أَرَأَيْتَ ابْنَ عَبَّاسٍ لَوْ شَهِدَ عَلَيَّ شَهَادَةً، أَكُنْتُ تَرَدُّهُ؟ وَكَانَ ابْنُ عَبَّاسٍ يَبْعَثُ رَجُلًا إِذَا غَابَتِ الشَّمْسُ أَفْطَرَ وَيَسْأَلُ عَنِ الْفَجْرِ، فَإِذَا قِيلَ: طَلَعَ، صَلَّى رَكَعَتَيْنِ. وَقَالَ سُلَيْمَانُ ابْنُ يَسَارٍ: اسْتَأْذَنْتُ عَلَى عَائِشَةَ رَضِيَ اللهُ عَنْهَا فَعَرَفْتُ صَوْتِي، فَقَالَتْ: سُلَيْمَانُ ادْخُلْ فَإِنَّكَ مَمْلُوكٌ مَا بَقِيَ عَلَيْكَ شَيْءٌ. وَأَجَازَ سَمُرَةُ بْنُ جُنْدَبٍ شَهَادَةَ امْرَأَةٍ مُنْتَقِيَةٍ.

٢٦٥٥ - حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ بِن مَيْمُونٍ: أَخْبَرَنَا عَيْسَى بْنُ يُونُسَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا قَالَتْ: سَمِعَ النَّبِيَّ ﷺ رَجُلًا يَقْرَأُ فِي الْمَسْجِدِ، فَقَالَ: «رَحِمَهُ اللهُ، لَقَدْ أذْكَرَنِي كَذَا آيَةً أَسْقَطْتُهُنَّ مِنْ سُورَةٍ كَذَا وَكَذَا».

وَرَادَ عَبَّادُ بْنُ عَبْدِ اللهِ عَنْ عَائِشَةَ: تَهَجَّدَ النَّبِيُّ ﷺ فِي بَيْتِي

فَسَمِعَ صَوْتَ عَبَادٍ يُصَلِّي فِي الْمَسْجِدِ
فَقَالَ: «يَا عَائِشَةُ، أَصَوْتُ عَبَادٍ
هَذَا؟» قُلْتُ: نَعَمْ، قَالَ: «اللَّهُمَّ
ارْحَمْ عَبَادًا». [انظر: ٥٠٣٧، ٥٠٣٨،
٥٠٤٢، ٦٣٣٥]

2656. Narrated 'Abdullah bin 'Umar رضي الله عنهما: The Prophet ﷺ said, "Bilāl pronounces the *Adhān* when it is still night (before dawn), so eat and drink till the next *Adhān* is pronounced (or till you hear Ibn Umm Maktūm's *Adhān*)." Ibn Umm Maktūm was a blind man who would not pronounce the *Adhān* till he was told that it was dawn.

٢٦٥٦ - حَدَّثَنَا مَالِكُ بْنُ
إِسْمَاعِيلَ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ أَبِي
سَلَمَةَ: أَخْبَرَنَا ابْنُ شِهَابٍ، عَنْ سَالِمِ
بْنِ عَبْدِ اللَّهِ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو
رَضِيَ اللَّهُ عَنْهُمَا قَالَ: قَالَ النَّبِيُّ
ﷺ: «إِنَّ بِلَالَ يُؤَدِّنُ بِلَيْلٍ فَكُلُوا
وَاشْرَبُوا حَتَّى يُؤَدِّنَ»، أَوْ قَالَ: «حَتَّى
تَسْمَعُوا أَذَانَ ابْنِ أُمِّ مَكْتُومٍ»: وَكَانَ
ابْنُ أُمِّ مَكْتُومٍ رَجُلًا أَعْمَى لَا يُؤَدِّنُ
حَتَّى يَقُولَ لَهُ النَّاسُ: أَضْبَحْتَ.
[راجع: ٦١٧]

2657. Narrated Al-Miswar bin Makhrama رضي الله عنهما: Some outer garments were presented to (or received by) the Prophet ﷺ and my father (Makhrama) said to me, "Let us go to the Prophet ﷺ so that he may give us something from the garments." So, my father stood at the door and spoke. The Prophet ﷺ recognized his voice and came out carrying a garment and telling Makhrama the good qualities of that garment, adding, "I have kept this for you, I have kept this for you."

٢٦٥٧ - حَدَّثَنَا زِيَادُ بْنُ يَحْيَى:
حَدَّثَنَا حَاتِمُ بْنُ وَرْدَانَ: حَدَّثَنَا
أَيُّوبُ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي مُلَيْكَةَ،
عَنِ الْمِسْوَرِ ابْنِ مَحْرَمَةَ رَضِيَ اللَّهُ
عَنْهُمَا قَالَ: قَدِمْتُ عَلَى النَّبِيِّ ﷺ
أَقْبِيَّةً فَقَالَ لِي أَبِي مَحْرَمَةُ: انْطَلِقْ بِنَا
إِلَيْهِ عَسَى أَنْ يُعْطِيَنَا مِنْهَا شَيْئًا، فَقَامَ
أَبِي عَلَى الْبَابِ فَتَكَلَّمَ فَعَرَفَ النَّبِيُّ
ﷺ صَوْتَهُ خَرَجَ النَّبِيُّ ﷺ وَمَعَهُ قَبَاءٌ
وَهُوَ يُرِيهِ مَحَاسِنَهُ وَهُوَ يَقُولُ: «حَبَّأْتُ
هَذَا لَكَ، حَبَّأْتُ هَذَا لَكَ». [راجع:

(12) CHAPTER. The witness of women .

And the Statement of Allāh تعالى :

“... And if there are not two men (available), then a man and two women...” (V.2:282)

2658. Narrated Abū Saʿīd Al-Khudrī رضي الله عنه : The Prophet ﷺ said, “Isn’t the witness of a woman equal to half of that of a man?” The women said, “Yes.” He said, “This is because of the deficiency of a woman’s mind.”

(13) CHAPTER. The witness of male and female slaves.

Anas said, “The witness of a slave is to be trusted, provided he is a just, well-reputed man.” Shuraih and Zurara bin Aūfa considered it permissible. Ibn Sirin considered the witness of a slave permissible except when in favour of his master. A. Ḥasan and Ibrāhīm considered it permissible in minor matters. Shuraih said, “You are all the sons of slaves and slave-girls.”

2659. Narrated ‘Uqba bin Al-Hārith that he had married Umm Yaḥyā bint Abū Ihāb. He said. “A black slave-lady came and said, ‘I suckled you both.’ I then mentioned that to the Prophet ﷺ who turned his face aside.” Uqba further said, “I went to the other side and told the Prophet ﷺ about it. He said, ‘How can you (keep her as your wife) when the lady has said that she suckled both of you (i.e., you and your wife)?’” So, the Prophet ﷺ ordered him to divorce her.

(١٢) بَابُ شَهَادَةِ النِّسَاءِ ،

وقَوْلِ اللَّهِ تَعَالَى: ﴿فَإِنْ لَمْ يَكُونَا رَجُلَيْنِ فَرَجُلٌ وَأَمْرَأَتَانِ﴾ [البقرة: ٢٨٢].

٢٦٥٨ - حَدَّثَنَا ابْنُ أَبِي مَرْيَمَ : أَخْبَرَنَا مُحَمَّدُ بْنُ جَعْفَرٍ قَالَ : أَخْبَرَنِي زَيْدٌ ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ عَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ : «الْأَيْسَ شَهَادَةُ الْمَرْأَةِ مِثْلَ نَضْفِ شَهَادَةِ الرَّجُلِ؟» قُلْنَا : بَلَى ، قَالَ : «فَذَلِكَ مِنْ نُفْصَانِ عَقْلِهَا» .

[راجع: ٣٠٤]

(١٣) بَابُ شَهَادَةِ الْإِمَاءِ وَالْعَبِيدِ

وقَالَ أَنَسٌ : شَهَادَةُ الْعَبْدِ جَائِزَةٌ إِذَا كَانَ عَدْلًا . وَأَجَازُهُ شُرَيْحٌ وَزُرَّارَةٌ بْنُ أَوْفَى . وَقَالَ ابْنُ سِيرِينَ : شَهَادَتُهُ جَائِزَةٌ إِلَّا الْعَبْدَ لِسَيِّدِهِ ، وَأَجَازُهُ الْحَسَنُ وَإِبْرَاهِيمُ فِي الشَّيْءِ التَّافِهِ . وَقَالَ شُرَيْحٌ : كُلُّكُمْ بَنُو عَبِيدٍ وَإِمَاءٍ .

٢٦٥٩ - حَدَّثَنَا أَبُو عَاصِمٍ ، عَنْ ابْنِ جُرَيْجٍ ، عَنْ ابْنِ أَبِي مُلَيْكَةَ ، عَنْ عُقْبَةَ بْنِ الْحَارِثِ . ح وَحَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ : حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ ، عَنْ ابْنِ جُرَيْجٍ قَالَ : سَمِعْتُ ابْنَ أَبِي مُلَيْكَةَ قَالَ : حَدَّثَنِي عُقْبَةُ بْنُ الْحَارِثِ أَوْ سَمِعْتُهُ مِنْهُ : أَنَّهُ تَزَوَّجَ أُمَّ يَحْيَى بِنْتِ أَبِي إِيَّاهِبٍ ، قَالَ : فَجَاءَتْ أُمَّهُ

سَوْدَاءُ فَقَالَتْ: قَدْ أَرْضَعْتُكُمْ،
فَذَكَرْتُ ذَلِكَ لِلنَّبِيِّ ﷺ فَأَعْرَضَ عَنِّي.
قَالَ: فَتَنَحَّيْتُ فَذَكَرْتُ ذَلِكَ لَهُ، قَالَ:
«وَكَيْفَ وَقَدْ زَعَمْتَ أَنَّهَا قَدْ
أَرْضَعَتْكُمْ؟» فَنَهَاهُ عَنْهَا. [راجع: ٨٨]

(14) CHAPTER. The witness of a wet nurse.

2660. Narrated 'Uqba bin Al-Hārith رَضِيَ اللهُ عَنْهُ: I married a woman and later on a woman came and said, "I suckled you both." So, I went to the Prophet ﷺ (to ask him about it). He said, "How can you (keep her as a wife) when it has been said (that you were foster brother and sister)? Leave (divorce) her."

(١٤) بَابُ شَهَادَةِ الْمُرْضِعَةِ

٢٦٦٠ - حَدَّثَنَا أَبُو عَاصِمٍ، عَنْ
عُمَرَ بْنِ سَعِيدٍ، عَنِ ابْنِ أَبِي مُلَيْكَةَ،
عَنْ عُبَيْتَةَ بْنِ الْحَارِثِ قَالَ: تَزَوَّجْتُ
امْرَأَةً فَجَاءَتِ امْرَأَةٌ فَقَالَتْ: إِنِّي قَدْ
أَرْضَعْتُكُمْ، فَاتَيْتُ النَّبِيَّ ﷺ فَقَالَ:
«وَكَيْفَ وَقَدْ قِيلَ؟ دَعَهَا عَنْكَ» أَوْ
نَحْوَهُ. [راجع: ٨٨]

(15) CHAPTER. The women's attesting the honourable record of each other.

2661. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا (the wife of the Prophet ﷺ): "Whenever Allāh's Messenger ﷺ intended to go on a journey, he would draw lots amongst his wives and would take with him the one upon whom the lot fell. During a *Ghazwa* of his, he drew lots amongst us and the lot fell upon me, and I proceeded with him after Allāh had decreed the use of the veil by women. I was carried in a *Hawdaj* (on the camel) and dismounted while still in it. When Allāh's Messenger ﷺ had finished his *Ghazwa* and returned home, and we approached the city of Al-Madīna, Allāh's Messenger ﷺ ordered us to proceed at night. When the order of setting off was given, I walked till I left the army (camp) behind to answer the call of nature. After finishing I returned (to the camp) to depart (with the others) and suddenly realized that my necklace over my chest was missing. So, I

(١٥) بَابُ تَعْدِيلِ النِّسَاءِ بَعْضُهُنَّ بَعْضًا

٢٦٦١ - حَدَّثَنَا أَبُو الرَّبِيعِ
سُلَيْمَانُ بْنُ دَاوُدَ وَأَفْهَمِي بَعْضُهُ
أَحْمَدُ قَالَ: حَدَّثَنَا فُلَيْحُ بْنُ سُلَيْمَانَ،
عَنِ ابْنِ شِهَابِ الزُّهْرِيِّ، عَنْ عُرْوَةَ
بِنِ الرَّبِيعِ، وَسَعِيدِ بْنِ الْمُسَبِّبِ،
وَعَلْقَمَةَ بِنِ وَقَّاصِ اللَّيْثِيِّ، وَعُبَيْدِ اللَّهِ
بِنِ عَبْدِ اللَّهِ بْنِ عُتْبَةَ، عَنْ عَائِشَةَ
رَضِيَ اللهُ عَنْهَا زَوْجِ النَّبِيِّ ﷺ حِينَ
قَالَ لَهَا أَهْلُ الْإِفْكِ مَا قَالُوا فَبِرَأَا
اللَّهُ مِنْهُ، قَالَ الزُّهْرِيُّ: وَكُلُّهُمْ حَدَّثَنِي
طَائِفَةً مِنْ حَدِيثِهَا، وَبَعْضُهُمْ أَوْعَى
مِنْ بَعْضٍ، وَأُثْبِتُ لَهُ إِفْتِصَاصًا، وَقَدْ
وَعَيْتُ عَنْ كُلِّ وَاحِدٍ مِنْهُمْ الْحَدِيثَ

returned to look for it and was delayed because of that. The people who used to carry me on the camel, came to my *Hawdaj* and put it on the back of the camel, thinking that I was in it, as, at that time, women were light in weight, and thin and lean, and did not use to eat much. So, those people did not feel the difference in the heaviness of the *Hawdaj* while lifting it, and they put it over the camel. At that time I was a young lady (less than 15 years old). They set the camel moving and proceeded on. I found my necklace after the army had gone, and came to their camp to find nobody. So, I went to the place where I used to stay, thinking that they would discover my absence and come back in my search. While in that state, I felt sleepy and slept. Safwān bin Mu'aṭṭal As-Sulamī Adh-Dhākawāni was behind the army and reached my abode in the morning. When he saw a sleeping person, he came to me, and he had seen me before veiling. So, I got up when I heard him saying, 'Inna lillāhi wa inna ilaihi rāji'un (Truly to Allāh we belong and truly to Him we shall return)... (2:156).' He made his camel kneel down. He got down from his camel, and put his leg on the front legs of the camel and then I rode and sat over it. Safwān set out walking, leading the camel by the rope till we reached the army who had halted to take rest at midday. Then whoever was meant for destruction, fell into destruction, (some people accused me falsely) and the leader of the false accusers was 'Abdullāh bin Ubai bin Salūl. After that we returned to Al-Madīna, and I became ill for one month while the people were spreading the forged statements of the false accusers. I was feeling during my ailment as if I were not receiving the usual kindness from the Prophet ﷺ which I used to receive from him when I got sick.

الَّذِي حَدَّثَنِي عَنْ عَائِشَةَ وَبَعْضُ حَدِيثِهِمْ يُصَدِّقُ بَعْضًا. رَزَعُوا أَنَّنِ عَائِشَةَ قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا أَرَادَ أَنْ يَخْرُجَ سَفَرًا أَفْرَعَ بَيْنَ أَزْوَاجِهِ. فَأَيَّتُهُنَّ خَرَجَ سَهْمُهَا أَخْرَجَ بِهَا مَعَهُ. فَأَفْرَعَ بَيْنَنَا فِي غَزَاةٍ غَزَاهَا فَخَرَجَ سَهْمِي فَخَرَجْتُ مَعَهُ بَعْدَ مَا أَنْزَلَ الْحِجَابُ، فَأَنَا أُحْمَلُ فِي هَوْدَجٍ وَأَنْزَلَ فِيهِ فَيْسِرُنَا حَتَّى إِذَا فَرَعَ رَسُولُ اللَّهِ ﷺ مِنْ غَزْوَتِهِ تِلْكَ وَقَفَلَ وَدَتْنَا مِنَ الْمَدِينَةِ، أَدْنُ لَيْلَةً بِالرَّحِيلِ. فَقُمْتُ حِينَ آدَتُوا بِالرَّحِيلِ فَسَمِئْتُ حَتَّى جَاوَزْتُ الْجَيْشَ فَلَمَّا قَضَيْتُ شَأَنِي أَقْبَلْتُ إِلَى الرَّحْلِ، فَلَمَسْتُ صَدْرِي، فَإِذَا عَقْدٌ لِي مِنْ جِزْعِ أَظْفَارِ قَدِ انْقَطَعَ، فَرَجَعْتُ فَالْتَمَسْتُ عَقْدِي فَحَبَسَنِي ابْتِغَاؤُهُ. فَأَقْبَلَ الدِّينَ يَرْحَلُونَ لِي فَاحْتَمَلُوا هَوْدَجِي فَرَحَلُوهُ عَلَى بَعِيرِي الَّذِي كُنْتُ أَرْكَبُ، وَهُمْ يَحْسِبُونَ أَنِّي فِيهِ، وَكَانَ النِّسَاءُ إِذْ ذَاكَ خِيفَا لَمْ يَقْلُنَّ، وَلَمْ يَعْمَهُنَّ اللَّحْمُ، وَإِنَّمَا يَأْكُلْنَ، الْعُلْفَةَ مِنَ الطَّعَامِ، فَلَمْ يَسْتَنْكِرِ الْقَوْمُ، حِينَ رَفَعُوهُ، ثَقُلَ الْهَوْدَجُ فَاحْتَمَلُوهُ. وَكُنْتُ جَارِيَةً حَدِيثَةَ السِّنِّ فَبَعَثُوا الْجَمَلَ وَسَارُوا فَوَجَدْتُ عَقْدِي بَعْدَمَا اسْتَمَرَ الْجَيْشُ فَجِئْتُ مِنْزِلَهُمْ وَلَيْسَ فِيهِ أَحَدٌ، فَأَمَمْتُ مَنَزِلِي الَّذِي كُنْتُ

But he would come, greet and say, 'How is that (girl)?' I did not know anything of what was going on till I recovered from my ailment and went out with Umm Mistah to the Manāsi' where we used to answer the call of nature, and we used not to go to answer the call of nature except from night to night and that was before we had lavatories near to our houses. And this habit of ours was similar to the habit of the old Arabs in the open country (or away from houses). So, I and Umm Mistah bin Ruhm went out walking. Umm Mistah stumbled because of her long dress and on what she said, 'Let Mistah be ruined.' I said, 'You are saying a bad word. Why are you abusing a man who took part in (the battle of) Badr?' She said, 'O Hantā (you there), didn't you know what they said?' Then she told me the rumours of the false accusers. My sickness was aggravated, and when I returned home, Allāh's Messenger ﷺ came to me, and after greeting he said, 'How is that (girl)?' I requested him to allow me to go to my parents. I wanted then to be sure of the news through them. Allāh's Messenger ﷺ allowed me, and I went to my parents and asked my mother, 'What are the people talking about?' She said, 'O my daughter! Don't worry much about this matter. By Allāh, never is there a charming woman loved by her husband who has other wives, but the women would forge false news about her.' I said, 'Glorified is Allāh! Are the people really talking of this matter?' That night I kept on weeping and could not sleep till morning. (The subnarrator added:) In the morning Allāh's Messenger ﷺ called 'Alī bin Abī Ṭālib and Usāma bin Zaid, when he saw the Divine Revelation delayed, to consult them about divorcing his wife (i.e., 'Aishah). Usāma bin Zaid said what he knew of the good reputation of his wives and

فِيهِ فَظَنَنْتُ أَنَّهُمْ سَيَقْدُونِي فَيَرْجِعُونَ إِلَيَّ. فَبَيْنَا أَنَا جَالِسَةٌ عَلَيَّ عَيْنَايَ فَنِمْتُ، وَكَانَ صَفْوَانُ بْنُ الْمُعْطَلِ السُّلَمِيِّ، ثُمَّ الذُّكْوَانِيُّ مِنْ وَرَاءِ الْجَيْشِ، فَأَصْبَحَ عِنْدَ مَنزِلِي، فَرَأَى سَوَادَ إِنْسَانٍ نَائِمٍ فَأَتَانِي، وَكَانَ يَرَانِي قَبْلَ الْحِجَابِ، فَاسْتَقْطَطْتُ بِاسْتِرْجَاعِهِ حِينَ أَنَا حَ رَاجِلَتُهُ فَوَطِئَ يَدَهَا فَوَكَّبَتْهَا فَاظْلَمَ يَقُودُ بِي الرَّاحِلَةَ حَتَّى أَتَيْنَا الْجَيْشَ بَعْدَ مَا نَزَلُوا مُعَرَّسِينَ فِي نَحْرِ الظَّهِيرَةِ فَهَلَكَ مَنْ هَلَكَ، وَكَانَ الَّذِي تَوَلَّى الْإِفْكَ عَبْدُ اللَّهِ بْنُ أَبِي بِنُ سَلُولٍ، فَقَدِمْنَا الْمَدِينَةَ فَاسْتَكْبَتْ بِهَا شَهْرًا وَالنَّاسُ يُفِيضُونَ مِنْ قَوْلِ أَصْحَابِ الْإِفْكَ، وَيَرِينِي فِي وَجْعِي أَنِّي لَا أَرَى مِنَ النَّبِيِّ ﷺ اللَّطْفَ الَّذِي كُنْتُ أَرَى مِنْهُ حِينَ أَمْرَضُ، إِنَّمَا يَدْخُلُ فَيَسْلَمُ، ثُمَّ يَقُولُ: «كَيْفَ تَيْكُمُ؟» لَا أَشْعُرُ بِشَيْءٍ مِنْ ذَلِكَ حَتَّى نَقَهْتُ فَخَرَجْتُ أَنَا وَأُمُّ مِسْطَحٍ قِبَلَ الْمَنَاصِعِ مُتَبَرِّزَنَا، لَا نَخْرُجُ إِلَّا لَيْلًا إِلَى لَيْلٍ، وَذَلِكَ قَبْلَ أَنْ تَتَّخِذَ الْكُفْفَ قَرِيبًا مِنْ بَيْوتِنَا، وَأَمْرُنَا أَمْرَ الْعَرَبِ الْأَوَّلِ فِي الْبَرِّيَّةِ أَوْ فِي التَّنْرَةِ، فَأَقْبَلْتُ أَنَا وَأُمُّ مِسْطَحٍ بِنْتُ أَبِي رُحْمٍ نَمْشِي فَعَثَرْتُ فِي مِرْطَهَا فَقَالَتْ: تَعَسَ مِسْطَحٌ، فَقُلْتُ لَهَا: بَيْسَ مَا قُلْتَ أَتَسْبِيَنَّ رَجُلًا شَهِدَ

added, 'O Allāh's Messenger! Keep your wife, for, by Allāh, we know nothing about her but good.' 'Alī bin Abī Ṭālib said, 'O Allāh's Messenger! Allāh has not imposed restrictions on you, and there are many women other than she, yet you may ask the woman-servant who will tell you the truth.' On that Allāh's Messenger ﷺ called Barīra and said, 'O Barīra! Did you ever see anything which roused your suspicions about her?' Barira said, 'No, by Allāh Who has sent you with the Truth, I have never seen in her anything faulty except that she is a girl of immature age, who sometimes sleeps and leaves the dough for the goats to eat.' On that day Allāh's Messenger ﷺ ascended the pulpit and requested that somebody support him in punishing 'Abdullāh bin Ubai bin Salūl. Allāh's Messenger ﷺ said, 'Who will support me to punish that person ('Abdullāh bin Ubai bin Salūl) who has hurt me by slandering the reputation of my family? By Allāh, I know nothing about my family but good, and they have accused a person about whom I know nothing except good, and he never entered my house except in my company.'

Sa'd bin Mu'adh got up and said, 'O Allāh's Messenger! By Allāh, I will relieve you from him. If that man is from the tribe of the 'Aūs, then we will chop his head off, and if he is from our brothers, the Khazraj, then order us, and we will fulfill your order.' On that Sa'd bin 'Ubada, chief of the Khazraj and before this incident, he had been a pious man, got up, motivated by his zeal for his tribe and said, 'By Allāh, you have told a lie; you cannot kill him, and you will never be able to kill him.' On that Usaid bin Al-Hudair got up and said (to Sa'd bin 'Ubada), 'By Allāh! you are a liar. By Allāh, we will kill him; and you are a hypocrite, defending the

بَدْرًا؟ فَقَالَتْ: يَا هَتَاهُ، أَلَمْ تَسْمَعِي مَا قَالُوا؟ فَأَحْبَرْتَنِي بِقَوْلِ الْإِفْكِ فَازْدَدْتُ مَرَضًا عَلَى مَرَضِي. فَلَمَّا رَجَعْتُ إِلَى بَيْتِي، دَخَلَ عَلَيَّ رَسُولُ اللَّهِ ﷺ فَسَلَّمَ فَقَالَ: «كَيْفَ نَيْكُمُ؟» فَقُلْتُ: ائْتَدُنْ لِي إِلَى أَبِي، قَالَتْ: وَأَنَا حَيْثُ أُرِيدُ أَنْ أَسْتَيْعِنَ الْخَبَرَ مِنْ قَبْلِهَا. فَأَذِنَ لِي رَسُولُ اللَّهِ ﷺ فَاتَيْتُ أَبِي، فَقُلْتُ لِأُمِّي: مَا يَتَحَدَّثُ بِهِ النَّاسُ؟ فَقَالَتْ: يَا بِنْتِ، هُوَ نِي عَلَى نَفْسِكَ الشَّانَ، فَوَاللَّهِ لَقَلَّمَا كَانَتْ امْرَأَةً فَطُ وَضِيئَةً عِنْدَ رَجُلٍ يُحِبُّهَا وَلَهَا ضَرَائِرُ إِلَّا أَكْثَرْنَ عَلَيْهَا. فَقُلْتُ: سُبْحَانَ اللَّهِ وَلَقَدْ يَتَحَدَّثُ النَّاسُ بِهَذَا؟ قَالَتْ: فَبِتْ تِلْكَ اللَّيْلَةَ حَتَّى أَصْبَحْتُ لَا يَرِقًا لِي دَمْعٌ وَلَا أَكْتَجِلُ بِنَوْمٍ. ثُمَّ أَصْبَحْتُ فَدَعَا رَسُولُ اللَّهِ ﷺ عَلِيَّ بْنَ أَبِي طَالِبٍ وَأَسَامَةَ بْنَ زَيْدٍ حِينَ اسْتَلَبْتَ الْوَحْيَ يَسْتَشِيرُهُمَا فِي فِرَاقِ أَهْلِهِ. فَأَمَّا أُسَامَةُ فَأَشَارَ عَلَيْهِ بِالَّذِي يَعْلَمُ فِي نَفْسِهِ مِنَ الْوُدِّ لَهُمْ. فَقَالَ أُسَامَةُ: أَهْلَكَ يَا رَسُولَ اللَّهِ، وَلَا نَعْلَمُ وَاللَّهِ إِلَّا خَيْرًا. وَأَمَّا عَلِيُّ بْنُ أَبِي طَالِبٍ فَقَالَ: يَا رَسُولَ اللَّهِ، لَمْ يُضَيِّقِ اللَّهُ عَلَيْكَ وَالنِّسَاءَ سِوَاهَا كَثِيرٌ، وَسَلِ الْجَارِيَةَ تَصَدَّقْ. فَدَعَا رَسُولُ اللَّهِ ﷺ بَرِيرَةَ فَقَالَ: «يَا بَرِيرَةُ، هَلْ رَأَيْتِ

hypocrites.' On this, the two tribes of 'Aūs and Khazraj got excited and were about to fight each other, while Allāh's Messenger ﷺ was standing on the pulpit. He got down and quietened them till they became silent and he kept quiet. ('Āishah رضي الله عنهما continued:) On that day I kept on weeping so much so that neither did my tears stop, nor could I sleep.

In the morning my parents were with me and I had wept for two nights and a day, till I thought my liver would burst from weeping. While they were sitting with me and I was weeping, an *Anṣārī* woman asked my permission to enter, and I allowed her to come in. She sat down and started weeping with me. While we were in this state, Allāh's Messenger ﷺ came and sat down and he had never sat with me since the day they forged the accusation. No revelation regarding my case came to him for a month. He recited *Shahādah* (i.e., *Lā ilāha illallāh wa anna Muḥammad-ar-Rasul Allāh*—none has the right to be worshipped but Allāh, and Muḥammad is Allāh's Messenger) and then said, 'O 'Āishah! I have been informed such and such about you; if you are innocent, then Allāh will soon reveal your innocence, and if you have committed a sin, then repent to Allāh and ask Him to forgive you, for when a person confesses his sin and asks Allāh for forgiveness, Allāh accepts his repentance.' When Allāh's Messenger ﷺ finished his speech, my tears ceased completely and there remained not even a single drop of it. I requested my father to reply to Allāh's Messenger ﷺ on my behalf. My father said, 'By Allāh, I do not know what to say to Allāh's Messenger ﷺ.' I said to my mother, 'Talk to Allāh's Messenger ﷺ on my behalf.' She said, 'By Allāh, I do not know what to say to Allāh's Messenger ﷺ.' I was a young

فيها شيئاً يريبك؟» فقالت بريرة: لا، والذي بعتك بالحق، إن رأيت منها أمراً أعصبه عليها قط أكثر من أنها جارية حديثه السن تنام عن العجيين فتأتي الداجن فتأكله. فقام رسول الله ﷺ من يومه فاستعذر من عبد الله بن أبي ابن سلول، فقال رسول الله ﷺ: «من يعذرني من رجل بلعني أذاه في أهلي؟ فوالله ما علمت على أهلي إلا خيراً. وقد ذكروا رجلاً ما علمت عليه إلا خيراً، وما كان يدخل على أهلي إلا معي». فقام سعد بن معاذ فقال: يا رسول الله! والله أنا أعذرک منه، إن كان من الأوس ضربنا عنقه، وإن كان من إخواننا من الخزرج أمرتنا ففعلنا فيه أمرک. فقام سعد بن عبادة وهو سيد الخزرج، وكان قبل ذلك رجلاً صالحاً، كان احتملته الحمية، فقال: كذبت لعمر الله، والله لا تقبله ولا تقدر على ذلك. فقام أسيد بن الحضير فقال: كذبت لعمر الله، والله لنقتلته، فإنك منافق تجادل عن المنافقين. فنار الحیان الأوس والخزرج حتى هموا ورسول الله ﷺ على المنبر فنزل فحفصهم حتى سكتوا وسكت. وبكى يومي لا يرفأ لي دمع ولا أكتحل بنوم فأصبح

girl and did not have much knowledge of the Qur'an. I said, 'I know, by Allāh, that you have listened to what people are saying and that has been planted in your minds and you have taken it as a truth. Now, if I told you that I am innocent, and Allāh knows that I am innocent, you would not believe me, and if I confessed to you falsely that I am guilty, and Allāh knows that I am innocent, you would believe me. By Allāh, I cannot find for you and I, an example, except that of Yūsuf's (Joseph's) father [i.e., Yaqûb (Jacob) عليه السلام] who said, "... So, (for me) patience is most fitting. And it is Allāh (Alone) Whose help can be sought against that (lie) which you describe.' (V.12:18). Then I turned to the other side of my bed hoping that Allāh would prove my innocence. By Allāh, I never thought that Allāh would reveal Divine Revelation in my case, as I considered myself too inferior to be talked of in the Qur'an. I had hoped that Allāh's Messenger ﷺ might have a dream in which Allāh would prove my innocence. By Allāh, Allāh's Messenger ﷺ had not got up and nobody had left the house before the Divine Revelation came to Allāh's Messenger ﷺ. So, there overtook him (i.e., the Prophet ﷺ) the same state which used to overtake him, (when he used to have, on being inspired Divinely). He was sweating so much so that the drops of the sweat were dropping like pearls though it was a (cold) wintry day. When that state of Allāh's Messenger ﷺ was over, he was smiling and the first word he said, 'Aishah! Thank Allāh, for Allāh has declared your innocence.' My mother told me to go to Allāh's Messenger ﷺ. I replied, 'By Allāh I will not go to him and will not thank but Allāh.'

So Allāh revealed:

'Verily! Those who brought forth the

عِنْدِي أَبَوَايَ وَقَدْ بَكَيْتُ لَيْلَتِي وَيَوْمًا حَتَّى أَظُنُّ أَنَّ الْبُكَاءَ فَالِقُ كَبِدِي. قَالَتْ: فَبَيْنَا هُمَا جَالِسَانِ عِنْدِي وَأَنَا أَبْكِي إِذِ اسْتَأْذَنَتِ امْرَأَةٌ مِنَ الْأَنْصَارِ فَأَذْنْتُ لَهَا فَجَلَسَتْ تَبْكِي مَعِي. فَبَيْنَا نَحْنُ كَذَلِكَ إِذْ دَخَلَ رَسُولُ اللَّهِ ﷺ فَجَلَسَ وَلَمْ يَجْلِسْ عِنْدِي مِنْ يَوْمٍ قِيلَ فِيَّ مَا قِيلَ قَبْلَهَا، وَقَدْ مَكَتَ شَهْرًا لَا يُوحَى إِلَيْهِ فِي شَأْنِي شَيْءٌ. قَالَتْ: فَتَشَهَّدَ ثُمَّ قَالَ: «يَا عَائِشَةُ فَإِنَّهُ بَلَغَنِي عَنْكَ كَذَا وَكَذَا، فَإِنْ كُنْتِ بَرِيئَةً فَسَيِّرْنِي اللَّهُ، وَإِنْ كُنْتِ أَلَمْمَةً بِذَنْبٍ فَاسْتَعْفِرِي اللَّهَ وَتُوبِي إِلَيْهِ، فَإِنَّ الْعَبْدَ إِذَا اعْتَرَفَ بِذَنْبِهِ ثُمَّ تَابَ تَابَ اللَّهُ عَلَيْهِ». فَلَمَّا قَضَى رَسُولُ اللَّهِ ﷺ مَقَالَتَهُ قَلَصَ دَمْعِي حَتَّى مَا أُحِسُّ مِنْهُ قَطْرَةً. وَقُلْتُ لِأَبِي: أَحِبَّ عَنِّي رَسُولَ اللَّهِ ﷺ. قَالَ: وَاللَّهِ مَا أُدْرِي مَا أَقُولُ لِرَسُولِ اللَّهِ ﷺ، فَقُلْتُ لِأُمِّي: أَحِبِّي عَنِّي رَسُولَ اللَّهِ ﷺ. فِيمَا قَالَ. قَالَتْ: وَاللَّهِ مَا أُدْرِي مَا أَقُولُ لِرَسُولِ اللَّهِ ﷺ. قَالَتْ: وَأَنَا جَارِيَةٌ حَدِيثَةُ السِّنِّ لَا أَقْرَأُ كَثِيرًا مِنَ الْقُرْآنِ، فَقُلْتُ: إِنِّي وَاللَّهِ لَقَدْ عَلِمْتُ أَنَّكُمْ سَمِعْتُمْ مَا يَتَحَدَّثُ بِهِ النَّاسُ وَوَقَرَ فِي أَنْفُسِكُمْ وَصَدَّقْتُمْ بِهِ، لَكِن قُلْتُ لَكُمْ: إِنِّي بَرِيئَةٌ، وَاللَّهُ يَعْلَمُ أَنِّي لَبْرِيئَةٌ، لَا تُصَدِّقُونَنِي بِذَلِكَ، وَلَكِن

slander (against ‘Āishah رَضِيَ اللهُ عَنْهَا -- the wife of the Prophet ﷺ) are a group among you...’ (V.24:11)

“When Allāh gave the declaration of my innocence, Abū Bakr, who used to provide for Mistah bin Athatha, for he was his relative, said, ‘By Allāh, I will never provide Mistah with anything because of what he said about ‘Āishah.’ But Allāh later revealed:

‘And let not those among you who are blessed with graces and wealth swear not to give (any sort of help).. up to.. Oft-forgiving, Most-Merciful.’ (V.24:22)

“After that Abu Bakr said, ‘Yes! By Allāh! I like that Allāh should forgive me,’ and resumed helping Mistah whom he used to help before.”

‘Āishah added: “Allāh’s Messenger ﷺ also asked Zainab bint Jaḥsh (i.e., the Prophet’s wife) about me saying, ‘What do you know and what did you see?’ She replied, ‘O Allāh’s Messenger! I refrain to claim hearing or seeing what I have not heard or seen. By Allāh, I know nothing except goodness about ‘Āishah.’” ‘Āishah further added, “Zainab was competing with me (in her beauty and the Prophet’s love), yet Allāh protected her (from being malicious), for she had piety.”

اعْتَرَفْتُ لَكُمْ بِأَمْرِ وَاللَّهِ يَعْلَمُ أَنِّي بَرِيئَةٌ
لنَصْدَقْتِي. وَاللَّهِ مَا أَجِدُ لِي وَلَكُمْ
مَثَلًا إِلَّا أبا يُوسُفَ إِذْ قَالَ: ﴿فَصَبِّرْ
جَمِيلًا وَاللَّهِ الْمُسْتَعَانُ عَلَى مَا نَصَمُونَ﴾
[يوسف: ١٨] ثُمَّ تَحَوَّلْتُ عَلَى فِرَاشِي
وَأَنَا أَرْجُو أَنْ يُبْرِئَنِي اللَّهُ. وَلَكِنْ وَاللَّهِ
مَا ظَنَنْتُ أَنْ يُنَزَلَ فِي شَأْنِي وَحَيًّا
وَلَأَنَا أَحَقُّرُ فِي نَفْسِي مِنْ أَنْ يُتَكَلَّمَ
بِالْقُرْآنِ فِي أَمْرِي، وَلَكِنِّي كُنْتُ أَرْجُو
أَنْ يَرَى رَسُولُ اللَّهِ ﷺ فِي النَّوْمِ رُؤْيَا
تُبْرِئُنِي، فَوَاللَّهِ مَا رَأَمَ مَجْلِسَهُ وَلَا
خَرَجَ أَحَدٌ مِنْ أَهْلِ الْبَيْتِ حَتَّى أَنْزَلَ
عَلَيْهِ الْوَحْيَ فَأَخَذَهُ مَا كَانَ يَأْخُذُهُ مِنَ
الْبُرْحَاءِ حَتَّى إِنَّهُ لَيَتَحَدَّرُ مِنْهُ مِثْلُ
الْجِمَانِ مِنَ الْعَرَقِ فِي يَوْمِ شَاتٍ،
فَلَمَّا سُرِّيَ عَنِ رَسُولِ اللَّهِ ﷺ وَهُوَ
يَضْحَكُ فَكَانَ أَوَّلَ كَلِمَةٍ تَكَلَّمَ بِهَا أَنْ
قَالَ لِي: «يَا عَائِشَةُ، أَحْمَدِي اللَّهُ فَقَدْ
بَرَأَكَ اللَّهُ». قَالَتْ لِي أُمِّي: قُومِي إِلَى
رَسُولِ اللَّهِ ﷺ، فَقُلْتُ: لَا وَاللَّهِ، لَا
أَقُومُ إِلَيْهِ وَلَا أَحْمَدُ إِلَّا اللَّهَ، فَأَنْزَلَ
اللَّهُ تَعَالَى: ﴿إِنَّ الَّذِينَ جَاءُوا بِالْإِفْكِ
عُصْبَةٌ مِّنْكُمْ﴾ الْآيَاتِ. فَلَمَّا أَنْزَلَ اللَّهُ
هَذَا فِي بَرَاءَتِي قَالَ أَبُو بَكْرٍ الصِّدِّيقُ
رَضِيَ اللَّهُ عَنْهُ وَكَانَ يُنْفِقُ عَلَى مِسْطَحَ
بِنِ أُنَائَةَ لِقَرَاتِيهِ مِنْهُ: وَاللَّهِ لَا أَنْفِقُ
عَلَى مِسْطَحَ بِشَيْءٍ أَبَدًا بَعْدَ مَا قَالَ
لِعَائِشَةَ. فَأَنْزَلَ اللَّهُ تَعَالَى ﴿وَلَا يَأْتَلِ

أُولَ الْأَفْضَلِ يَنْكَرُ وَالسَّعَةَ أَنْ يُؤْتُوا﴾ إِلَى قَوْلِهِ: ﴿عَفْوَرٌ رَجِيمٌ﴾ فَقَالَ أَبُو بَكْرٍ الصَّدِيقُ: بَلَى وَاللَّهِ، إِنِّي لِأَجِبُ أَنْ يَغْفِرَ اللَّهُ لِي. فَرَجَعَ إِلَى مِسْطَحِ الَّذِي كَانَ يُجْرِي عَلَيْهِ. وَكَانَ رَسُولُ اللَّهِ ﷺ سَأَلَ زَيْنَبَ بِنْتَ جَحْشٍ عَنْ أَمْرِي، فَقَالَ: «يَا زَيْنَبُ، مَا عَلِمْتِ، مَا رَأَيْتِ؟» فَقَالَتْ: يَا رَسُولَ اللَّهِ، أَحْمِي سَمْعِي وَبَصْرِي، وَاللَّهِ مَا عَلِمْتُ عَلَيْهَا إِلَّا خَيْرًا. قَالَتْ: وَهِيَ الَّتِي كَانَتْ تُسَامِنِي فَعَصَمَهَا اللَّهُ بِالْوَرَعِ.

قَالَ: وَحَدَّثَنَا فُلَيْحٌ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ وَعَبْدِ اللَّهِ ابْنِ الزُّبَيْرِ مِثْلَهُ. قَالَ: وَحَدَّثَنَا فُلَيْحٌ عَنْ رَبِيعَةَ بْنِ أَبِي عَبْدِ الرَّحْمَنِ وَيَحْيَى بْنِ سَعِيدٍ، عَنْ الْقَاسِمِ بْنِ مُحَمَّدٍ بْنِ أَبِي بَكْرٍ مِثْلَهُ. [راجع: ٢٥٩٣]

(16) CHAPTER. If only one man attests the (good) conduct of another, then it is sufficient.

Abū Jamīla said, "I found a foundling, and when 'Umar saw me he said (what may mean), 'Perhaps what you intend to do will cause you trouble,' as if he was accusing me (of denying my paternity of the child and claiming falsely that he was a foundling). My monitor said, 'He is really a pious man.' 'Umar said to me, 'If it is so, then go (and be the child's guardian) and we will provide for it (from the Muslim's treasury)."

(١٦) بَابُ إِذَا رَكَى رَجُلٌ رَجُلًا كَفَاهُ

وَقَالَ أَبُو جَمِيلَةَ: وَحَدَّثَ مَبُودًا فَلَمَّا رَأَى عُمَرَ قَالَ: عَسَى الْغُورِيُّ أَبُو سَأْ، كَأَنَّهُ يَنْهَمُنِي. قَالَ عَرِيفِي: إِنَّهُ رَجُلٌ صَالِحٌ، قَالَ: كَذَاكَ، أَذْهَبُ وَعَلَيْنَا نَفَقَتُهُ.

2662. Narrated Abū Bakra رَضِيَ اللهُ عَنْهُ: A man praised another man in front of the Prophet ﷺ. The Prophet ﷺ said to him, "Woe to you, you have cut off your companion's neck, you have cut off your companion's neck," repeating it several times and then added, "Whoever amongst you has to praise his brother should say, 'I think that he is so-and-so, and Allāh knows exactly the truth, and I do not confirm anybody's good conduct before Allāh, but I think him so-and-so,' if he really knows what he says about him."

٢٦٦٢ - حَدَّثَنِي مُحَمَّدُ بْنُ سَلَامٍ: حَدَّثَنَا عَبْدُ الْوَهَّابِ: حَدَّثَنَا خَالِدُ الْحَدَّاءِ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي بَكْرَةَ، عَنْ أَبِيهِ قَالَ: أَتَى رَجُلٌ عَلَى رَجُلٍ عِنْدَ النَّبِيِّ ﷺ فَقَالَ: «وَيْلَكَ، قَطَعْتَ عُنُقَ صَاحِبِكَ»، قَطَعْتَ عُنُقَ صَاحِبِكَ، مَرَارًا. ثُمَّ قَالَ: «مَنْ كَانَ مِنْكُمْ مَادِحًا أَحَاهُ لَا مَحَالَةَ فَلْيَقُلْ: أَحْسِبُ فَلَانًا وَاللَّهِ حَسِيبُهُ، وَلَا أَرْكِي عَلَى اللَّهِ أَحَدًا، أَحْسِبُهُ كَذَا وَكَذَا؛ إِنْ كَانَ يَعْلَمُ ذَلِكَ مِنْهُ». [انظر: ٦٠٦١، ٦١٦٢]

(17) CHAPTER. What is hated of exaggeration in praising, and one should say only what he knows.

2663. Narrated Abū Mūsa Al-Ash'arī رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ heard someone praising another and exaggerating in his praise. The Prophet ﷺ said, "You have ruined or cut the man's back (by praising him much)."

(١٧) بَابُ مَا يُكْرَهُ مِنَ الْإِطْنَابِ فِي الْمَدْحِ، وَلِيَقُلَ مَا يَعْلَمُ

٢٦٦٣ - حَدَّثَنَا مُحَمَّدُ بْنُ الصَّبَّاحِ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ زَكَرِيَّا: حَدَّثَنِي بُرَيْدُ بْنُ عَبْدِ اللَّهِ، عَنْ أَبِي بُرَيْدَةَ، عَنْ أَبِي مُوسَى رَضِيَ اللهُ عَنْهُ قَالَ: سَمِعَ النَّبِيَّ ﷺ رَجُلًا يُنْبِي عَلَى رَجُلٍ وَيُطْرِبُهُ فِي مَدْحِهِ فَقَالَ: «أَهْلَكْتُمْ، أَوْ قَطَعْتُمْ ظَهَرَ الرَّجُلِ».

[انظر: ٦٠٦٠]

(18) CHAPTER. The boys attaining the age of puberty and the validity of their witness.

And the Statement of Allāh تعالى:

"And when the children among you come to puberty, then let them (also) ask for permission." (V.24:59)

Al-Mughira said, "I attained puberty at the age of twelve." The attaining of puberty by women is with the start of menses, as is

(١٨) بَابُ بُلُوغِ الصَّبْيَانِ وَشَهَادَتِهِمْ

وَقَوْلِ اللَّهِ تَعَالَى: ﴿وَإِذَا بَلَغَ الْأَطْفَالُ مِنْكُمْ الْحُلُمَ فَلْيَسْتَأْذِنُوا﴾ [النور: ٥٩] وَقَالَ مُغِيرَةُ: اخْتَلَمْتُ وَأَنَا ابْنُ ثِنْتَيْ عَشْرَةَ سَنَةً. وَبُلُوغُ النِّسَاءِ إِلَى الْحَيْضِ لِقَوْلِهِ عَزَّ وَجَلَّ: ﴿وَالَّتِي يَبْسُنُ

referred to by the Statement of Allāh عز وجل: "And those of your women as have passed the age of monthly courses, (up to) until they deliver (their burdens)..." (V.65 :4)

Al-Ḥasan bin Ṣāliḥ said, "I saw a neighbouress of mine who became a grandmother at the age of twenty-one."⁽¹⁾

2664. Narrated Ibn 'Umar رضي الله عنهما: Allāh's Messenger ﷺ called me to present myself in front of him on the eve of the battle of Uhud, while I was fourteen years of age at that time, and he did not allow me to take part in that battle, but he called me in front of him on the eve of the battle of the Trench when I was fifteen years old, and he allowed me (to join the battle)." Nafi' said, "I went to 'Umar bin 'Abdul Azīz who was caliph at that time and related the above narration to him. He said, "This age (fifteen) is the limit between childhood and manhood," and wrote to his governors to give salaries to those who reached the age of fifteen"⁽²⁾.

2665. Narrated Abū Sa'īd Al-Khudrī رضي الله عنه. The Prophet ﷺ said, "Taking a bath on Friday is compulsory for those who have attained the age of puberty."

مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِلَى قَوْلِهِ: ﴿أَنْ يَصْعَنَ حَمَلَهُنَّ﴾ [الطلاق: ٤] وَقَالَ الْحَسَنُ بْنُ صَالِحٍ: أَذْرَكْتُ جَارَةَ لَنَا جَدَّةً بِنْتُ إِحْدَى وَعَشْرِينَ.

٢٦٦٤ - حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ سَعِيدٍ: حَدَّثَنَا أَبُو أُسَامَةَ قَالَ: حَدَّثَنِي عُبَيْدُ اللَّهِ قَالَ: حَدَّثَنِي نَافِعٌ قَالَ: حَدَّثَنِي ابْنُ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ عَرَضَهُ يَوْمَ أُحُدٍ وَهُوَ ابْنُ أَرْبَعِ عَشْرَةَ سَنَةً فَلَمْ يُجْزَنِي، ثُمَّ عَرَضَنِي يَوْمَ الْخَنْدَقِ وَأَنَا ابْنُ خَمْسِ عَشْرَةَ فَأَجَازَنِي. قَالَ نَافِعٌ: فَقَدِمْتُ عَلَى عُمَرَ بْنِ عَبْدِ الْعَزِيزِ وَهُوَ خَلِيفَةٌ فَحَدَّثْتُهُ هَذَا الْحَدِيثَ فَقَالَ: إِنَّ هَذَا لِحَدِّ بَيْنَ الصَّغِيرِ وَالْكَبِيرِ، وَكَتَبَ إِلَى عَمَالِهِ أَنْ يَفْرَضُوا لِمَنْ بَلَغَ خَمْسَ عَشْرَةَ. [انظر: ٤٠٩٧]

٢٦٦٥ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانٌ: حَدَّثَنَا صَفْوَانُ بْنُ سَلِيمٍ، عَنْ عَطَاءِ ابْنِ يَسَارٍ عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ رَضِيَ اللَّهُ عَنْهُ، يَبْلُغُ بِهِ النَّبِيُّ ﷺ قَالَ: «غُسْلُ يَوْمِ الْجُمُعَةِ وَاجِبٌ عَلَى كُلِّ مُحْتَلِمٍ».

[راجع: ٨٥٨]

(1) (Ch. 18) This woman attained puberty at the age of nine and married to give birth to a daughter at ten; the daughter had the same experience.

(2) (H. 2664) When a Muslim reached the age of fifteen, he was regarded as a soldier ready to carry arms when required; on this basis he was given a salary.

(19) CHAPTER. The question of the judge to the plaintiff, "Have you a proof?" before asking the defendant to take an oath.

2666, 2667. Narrated رضي الله عنه: Allāh's Messenger ﷺ said, "If somebody takes a false oath in order to grab the property of a Muslim (unjustly) by that oath, then Allāh will be angry with him when he will meet Him." Al-Ash'ath informed me, "By Allāh! This was said regarding me. There was a dispute about a piece of land between me and a man from the Jews who denied my right. I took him to the Prophet ﷺ. Allāh's Messenger ﷺ asked me, 'Do you have an evidence?' I replied in the negative. He said to the Jew, 'Take an oath.' I said, 'O Allāh's Messenger! He will surely take an oath and take my property unjustly.'" So, Allāh revealed:

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

(20) CHAPTER. The defendant must take an oath in matters concerning property or legal punishments.

The Prophet ﷺ said, (that the plaintiff must have) "Two witnesses, otherwise (the defendant) should take the oath."

Ibn Shubruma said, "When Abū Az-Zinād asked me my opinion about the verdict that one witness and the oath of the plaintiff are sufficient, I said, "Allāh تعالى stated:

'... And get two witnesses out of your own

(١٩) بَابُ سُؤْلِ الْحَاكِمِ الْمُدْعِي:

هَلْ لَكَ بَيِّنَةٌ؟ قَبْلَ الْيَمِينِ

٢٦٦٦، ٢٦٦٧ - حَدَّثَنَا مُحَمَّدٌ:

أَخْبَرَنَا أَبُو مُعَاوِيَةَ، عَنِ الْأَعْمَشِ، عَنْ شُعْبَةَ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ حَلَفَ عَلَى يَمِينٍ وَهُوَ فِيهَا فَاجِرٌ لِيَنْتَضِعَ بِهَا مَالُ امْرِئٍ مُسْلِمٍ لِقِيَّ اللَّهِ وَهُوَ عَلَيْهِ غَضَبَانُ. قَالَ: فَقَالَ الْأَشْعَثُ بْنُ قَيْسٍ: فِيَّ وَاللَّهِ كَانَ ذَلِكَ. كَانَ بَيْنِي وَبَيْنَ رَجُلٍ مِنَ الْيَهُودِ أَرْضٌ فَجَحَدَنِي فَقَدَّمْتُهُ إِلَى النَّبِيِّ ﷺ فَقَالَ لِي رَسُولُ اللَّهِ ﷺ: «الْكَ بَيِّنَةٌ؟» قَالَ: قُلْتُ: لَا، قَالَ: فَقَالَ لِيَهُودِيٍّ: «الْحَلْفُ»، قَالَ: قُلْتُ: يَا رَسُولَ اللَّهِ، إِذَا يَحْلِفُ وَيَذْهَبُ بِمَالِي. قَالَ: فَأَنْزَلَ اللَّهُ تَعَالَى: ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمًّا قَلِيلًا﴾ إِلَى آخِرِ الْآيَةِ [آن عمران: ٧٧].

[راجع: ٢٣٥٦، ٢٣٥٧]

(٢٠) بَابُ الْيَمِينِ عَلَى الْمُدْعَى عَلَيْهِ

فِي الْأَمْوَالِ وَالْحُدُودِ

وَقَالَ النَّبِيُّ ﷺ: «شَاهِدَاكَ أَوْ يَمِينُهُ». وَقَالَ قُتَيْبَةُ، حَدَّثَنَا سُفْيَانُ، عَنْ ابْنِ شُبْرَمَةَ: كَلَّمَنِي أَبُو الزِّنَادِ فِي شَهَادَةِ الشَّاهِدِ، وَيَمِينِ الْمُدْعَى فَقُلْتُ: قَالَ اللَّهُ تَعَالَى: ﴿وَاسْتَشْهِدُوا شَمَيْدَيْنِ مِنْ رِجَالِكُمْ فَإِنْ لَمْ يَكُونَا

men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her..." (V.2:282)

I added, "If one witness and the oath of the plaintiff were sufficient, there would be no need for one of the two women to remind the other."

2668. Narrated Ibn Abū Mulaika: Ibn 'Abbās wrote that the Prophet ﷺ gave his verdict on the basis of the defendant's oath.

رَجُلَيْنِ فَرَجُلٌ وَأَمْرَاتَانِ وَمَنْ تَرَضَوْنَ مِنَ الشَّهَدَاءِ أَنْ تَضِلَّ إِحْدَاهُمَا فَتُذَكَّرَ إِحْدَاهُمَا الْأُخْرَى ﴿البقرة: ٢٨٢﴾ قُلْتُ: إِذَا كَانَ يُكْتَفَى بِشَهَادَةِ شَاهِدٍ وَبَيِّنِ الْمُدَّعِيِ فَمَا يَحْتَاجُ أَنْ تُذَكَّرَ إِحْدَاهُمَا الْأُخْرَى، مَا كَانَ يَصْنَعُ بِذِكْرِ هَذِهِ الْأُخْرَى؟

٢٦٦٨ - حَدَّثَنَا أَبُو نَعِيمٍ: حَدَّثَنَا نَافِعُ بْنُ عُمَرَ، عَنِ ابْنِ أَبِي مُلَيْكَةَ قَالَ: كَتَبَ ابْنُ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا إِلَيَّ: أَنَّ النَّبِيَّ ﷺ قَضَى بِالْيَمِينِ عَلَى الْمُدَّعَى عَلَيْهِ. [راجع: ٢٥١٤]

2669, 2670. Narrated Abū Wā'il: 'Abdullāh (bin Mas'ūd الله عنه رضي) said, "Whoever takes a (false) oath in order to grab some property (unjustly), Allāh will be angry with him when he will meet Him. Allāh confirmed that through His Divine Revelation:

'Verily, those who purchase a small gain at the cost of Allāh's Covenant and their oaths.. (up to).. a painful torment.'" (V.3:77)

Al-Ash'ath bin Qais came to us and asked, "What is Abū 'Abdur-Raḥmān (i.e., 'Abdullāh) telling you?" We told him what he was narrating to us. He said, "He was telling the truth; this Divine Verse was revealed in connection with me. There was a dispute between me and another man about something and the case was presented before Allāh's Messenger ﷺ who said, 'Produce your two witnesses or else the defendant is to take an oath.' I said, The defendant will surely take a (false) oath without heed.' The

٢٦٦٩، ٢٦٧٠ - حَدَّثَنَا عُثْمَانُ بْنُ أَبِي شَيْبَةَ: حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ أَبِي وائِلٍ قَالَ: قَالَ عَبْدُ اللَّهِ: مَنْ حَلَفَ عَلَى يَمِينٍ يَسْتَحِقُّ بِهَا مَا لَا لِقَى اللَّهَ وَهُوَ عَلَيْهِ غَضَبَانٌ. ثُمَّ أَنْزَلَ اللَّهُ عَزَّ وَجَلَّ تَضْدِيقَ ذَلِكَ: ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ إِلَى ﴿عَذَابٍ أَلِيمٍ﴾﴾ [آل عمران: ٧٧] ثُمَّ إِنَّ الْأَشْعَثَ بْنَ قَيْسٍ خَرَجَ إِلَيْنَا، فَقَالَ: مَا يُحَدِّثُكُمْ أَبُو عَبْدِ الرَّحْمَنِ؟ فَحَدَّثَنَا بِمَا قَالَ، فَقَالَ: صَدَقَ، لَقِيَّ أَنْزَلَتْ: كَانَ بَيْنِي وَبَيْنَ رَجُلٍ خُصُومَةٌ فِي شَيْءٍ فَاحْتَضَمْنَا إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَ: «شَاهِدَاكَ أَوْ يَمِينُهُ»، فَقُلْتُ لَهُ: إِنَّهُ إِذَا يَحْلِفُ وَلَا يُبَالِي.

Prophet ﷺ said, 'Whoever takes a false oath in order to grab (other's) property, then Allāh will be angry with him when he will meet Him. Then Allāh revealed its confirmation. Al-Ash'ath then recited the above Divine Verse.' (V.3:77)

فَقَالَ النَّبِيُّ ﷺ: «مَنْ حَلَفَ عَلَى يَمِينٍ يَسْتَحِقُّ بِهَا مَالًا وَهُوَ فِيهَا فَاجِرٌ لِقِيَّ اللَّهِ وَهُوَ عَلَيْهِ غَضَبَانُ». فَأَنْزَلَ اللَّهُ تَصْدِيقَ ذَلِكَ ثُمَّ افْتَرَأَ هَذِهِ الْآيَةَ.

[راجع: ٢٣٥٦، ٢٣٥٧]

(21) CHAPTER. If someone claims something or accuses somebody of illegal sexual intercourse, he should search for the proof and he is to be given a respite to get an evidence.

(٢١) بَابُ إِذَا ادَّعَى أَوْ قَدَفَ فَلَهُ أَنْ يَلْتَمِسَ الْبَيِّنَةَ وَيَنْطَلِقَ لِطَلَبِ الْبَيِّنَةِ

2671. Narrated Ibn 'Abbās رضي الله عنهما: Hilāl bin Umaiyya accused his wife before the Prophet ﷺ of committing illegal sexual intercourse with Sharik bin Saḥma'. The Prophet ﷺ said, "Produce a proof, or else you would get the legal punishment (by being lashed) on your back." Hilāl said, "O Allāh's Messenger! If anyone of us saw another man over his wife, would he go to search for a proof?" The Prophet ﷺ went on saying, "Produce a proof or else you would get the legal punishment (by being lashed) on your back." The Prophet ﷺ then mentioned the narration of *Li'an*⁽¹⁾ (as in the Holy Book). (Surat An-Nūr: No.24)

٢٦٧١ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا ابْنُ أَبِي عَدِيٍّ، عَنْ هِشَامٍ، عَنْ عِكْرَمَةَ، عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ هِلَالَ بْنَ أُمَيَّةَ قَدَفَ امْرَأَتَهُ عِنْدَ النَّبِيِّ ﷺ بِشَرِيكَ بْنِ سَحْمَاءَ، فَقَالَ النَّبِيُّ ﷺ: «الْبَيِّنَةُ أَوْ حَدًّا فِي ظَهْرِكَ». فَقَالَ: يَا رَسُولَ اللَّهِ، إِذَا رَأَى أَحَدُنَا عَلَى امْرَأَتِهِ رَجُلًا يَنْطَلِقُ يَلْتَمِسُ الْبَيِّنَةَ؟ فَمَجَعَلْ يَقُولُ: «الْبَيِّنَةُ وَإِلَّا حَدًّا فِي ظَهْرِكَ»، فَذَكَرَ حَدِيثَ اللَّعَانِ. [انظر: ٤٧٤٧، ٥٣٠٧]

(22) CHAPTER. The taking of an oath after the 'Aṣr prayer.

(٢٢) بَابُ الْيَمِينِ بَعْدَ الْعَصْرِ

2672. Narrated Abū Hurairah رضي الله عنه: Allāh's Messenger ﷺ said, "There are three types of people whom Allāh will neither speak to them nor look at them nor purify

٢٦٧٢ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا جَرِيرٌ بْنُ عَبْدِ الْحَمِيدِ، عَنْ الْأَعْمَشِ، عَنْ أَبِي صَالِحٍ، عَنْ

(1) (H. 2671) Literally, *Li'an* means cursing, legally it means an oath by which a husband claims that his wife has committed illegal sexual intercourse. The wife in her turn denies the accusation and takes a similar oath. In both oaths Allāh is invoked to curse the liar. The case ends with divorce but no punishment is imposed on any of the two because there are no witnesses to confirm the accusation.

them (from the sins), and they shall have a painful torment. (They are):

(1) A man possessed superfluous water on a way and he withheld it from the travellers,

(2) A man who gives a *Bai'a* (pledge) to a Muslim ruler and gives it only for worldly gains. If the ruler gives him what he wants, he remains obedient to it, otherwise he does not abide by it, and

(3) A man bargains with another man after the 'Asr prayer and the latter takes a false oath in the Name of Allāh claiming that he has been offered so much for the thing and the former (believes him and) buys it."

(23) CHAPTER. The defendant has to take an oath wherever it becomes legally compulsory, and it is not imperative to take him from his place to another place (i.e., a sacred place like a mosque) for this purpose.

Marwān ordered Zaid bin Thābit to take an oath on the pulpit, but the latter said, "I will take an oath at my place," and started taking the oath and refused to take it on pulpit. Marwān was surprised at his refusal. The Prophet ﷺ said to the plaintiff, "Produce your two witnesses, or else the defendant has to take an oath." But he did not specify (where the oath was to be taken).

2673. Narrated Ibn Mas'ūd عَنْهُ اللهُ رَضِيَ: The Prophet ﷺ said, "Whoever takes a (false) oath in order to grab (others) property, then Allāh will be angry with him when he will meet Him."

أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللهِ ﷺ: «ثَلَاثَةٌ لَا يُكَلِّمُهُمُ اللهُ وَلَا يَنْظُرُ إِلَيْهِمْ وَلَا يُزَكِّيهِمْ وَلَهُمْ عَذَابٌ أَلِيمٌ: رَجُلٌ عَلَى فَضْلِ مَاءٍ يَطْرُقُ يَمْنَعُ مِنْهُ ابْنَ السَّبِيلِ. وَرَجُلٌ بَايَعَ رَجُلًا لَا يُبَايِعُهُ إِلَّا لِلدُّنْيَا؛ فَإِنْ أَعْطَاهُ مَا يُرِيدُ وَفَى لَهُ وَإِلَّا لَمْ يَفِ لَهُ. وَرَجُلٌ سَاوَمَ رَجُلًا بَسَلْعَةٍ بَعْدَ الْعَصْرِ فَحَلَفَ بِاللَّهِ لَقَدْ أُعْطِيَ بِهَا كَذَا وَكَذَا، فَأَخَذَهَا». [راجع: ٢٣٥٨]

(٢٣) بَابٌ يَحْلِفُ الْمُدَّعَى عَلَيْهِ حَيْثُمَا وَجِبَتْ عَلَيْهِ الْيَمِينُ، وَلَا يُضْرَفُ مِنْ مَوْضِعٍ إِلَى غَيْرِهِ.

قَضَى مَرْوَانُ بِالْيَمِينِ عَلَى زَيْدِ بْنِ ثَابِتٍ عَلَى الْمِنْبَرِ فَقَالَ: أَحْلِفْ لَهُ مَكَانِي، فَجَعَلَ زَيْدٌ يَحْلِفُ وَأَبَى أَنْ يَحْلِفَ عَلَى الْمِنْبَرِ، فَجَعَلَ مَرْوَانُ يَعْجَبُ مِنْهُ. وَقَالَ النَّبِيُّ ﷺ: «شَاهِدَاكَ أَوْ يَمِينُهُ» وَلَمْ يُحْصَ مَكَانًا دُونَ مَكَانٍ.

٢٦٧٣ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا عَبْدُ الْوَاحِدِ، عَنِ الْأَعْمَشِ، عَنِ أَبِي وَائِلٍ، عَنِ ابْنِ مَسْعُودٍ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «مَنْ حَلَفَ عَلَى يَمِينٍ لِيَقْتَطِعَ بِهَا مَالًا لِقَوِي اللهُ وَهُوَ عَلَيْهِ غَضْبَانٌ».

[راجع: ٢٣٥٦]

(24) CHAPTER. If (some people have to take an oath) and each of them wants to take it first.

2674. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ asked some people to take an oath, and they hurried for it. The Prophet ﷺ ordered that lots should be drawn amongst them as to who would take the oath first.

(25) CHAPTER. The Statement of Allāh تعالى:

“Verily, those who purchase a small gain at the cost of Allāh’s Covenant and their oaths, they shall have no portion in the Hereafter (Paradise). Neither will Allāh speak to them, nor look at them on the Day of Resurrection nor will He purify them, and they shall have a painful torment.” (V.3:77)

2675. Narrated ‘Abdullāh bin Abū Aufā رَضِيَ اللهُ عَنْهُ: A man displayed some goods in the market and took a false oath that he had been offered so much for them, though he was not offered that amount. Then the following Divine Verse was revealed:

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

Ibn Abū Aūfa added, “Such person as described above is a treacherous *Ribā*-eater (i.e., eater of usury).”

2676, 2677. Narrated Abū Wā’il from ‘Abdullāh رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, “Whoever takes a false oath in order to grab another man’s (or his brother’s) property, then Allāh will be angry with him when he will meet Him.” Then Allāh confirmed this

(٢٤) بَابٌ إِذَا تَسَارَعَ قَوْمٌ فِي الِیْمِیْنِ

٢٦٧٤ - حَدَّثَنِي إِسْحَاقُ بْنُ نَصْرٍ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: أَخْبَرَنَا مَعْمَرٌ، عَنْ هَمَّامٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ عَرَضَ عَلَى قَوْمٍ الِیْمِیْنِ فَاسْرَعُوا فَأَمَرَ أَنْ يُسْهَمَ بَيْنَهُمْ فِي الِیْمِیْنِ أَيُّهُمْ يَحْلِفُ.

(٢٥) بَابٌ: قَوْلُ اللهِ تَعَالَى:

﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا أُولَئِكَ لَا خَلَاقَ لَهُمْ فِي الْآخِرَةِ وَلَا يُكَلِّمُهُمُ اللَّهُ وَلَا يَنْظُرُ إِلَيْهِمْ يَوْمَ الْقِيَامَةِ وَلَا يُزَكِّيهِمْ وَلَهُمْ عَذَابٌ أَلِيمٌ ﴿٧٧﴾﴾ [آل عمران: ٧٧].

٢٦٧٥ - حَدَّثَنِي إِسْحَاقُ: أَخْبَرَنَا يَزِيدُ بْنُ هَارُونَ: أَخْبَرَنَا الْعَوَّامُ: حَدَّثَنِي إِبْرَاهِيمُ أَبُو إِسْمَاعِيلَ السُّكْسَكِيُّ: سَمِعَ عَبْدَ اللَّهِ بْنَ أَبِي أَوْفَى رَضِيَ اللهُ عَنْهُمَا يَقُولُ: أَقَامَ رَجُلٌ سِلْعَتَهُ فَحَلَفَ بِاللَّهِ لَقَدْ أُعْطِيَ بِهَا مَا لَمْ يُعْطِهَا. فَزَلْتُ ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا﴾ وَقَالَ ابْنُ أَبِي أَوْفَى: النَّاجِشُ أَكَلُ رَبَا خَائِنٌ. [راجع: ٢٠٨٨]

٢٦٧٦، ٢٦٧٧ - حَدَّثَنَا بِشْرُ بْنُ خَالِدٍ: أَخْبَرَنَا مُحَمَّدُ بْنُ جَعْفَرٍ، عَنْ شُعْبَةَ، عَنْ سُلَيْمَانَ، عَنْ أَبِي وَإِلِيلٍ عَنْ عَبْدِ اللهِ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ

by revealing the Divine Verse :

“Verily, those who purchase a small gain at the cost of Allāh’s Covenant and their oaths.. (up to).. a painful torment” (V.3:77)

Al-Ash‘ath met me and asked, “What did ‘Abdullāh tell you today?” I said, “Such and such.” He said, “The Verse was revealed regarding my case.”

يَسْبِيحُ قَالَ: «مَنْ حَلَفَ عَلَى يَمِينٍ كاذِباً لِيَقْطَعَ مَالَ الرَّجُلِ، أَوْ قَالَ: أَخِيهِ، لَقِيَ اللَّهَ وَهُوَ عَلَيْهِ غَضَبَانُ، وَأَنْزَلَ اللَّهُ تَصْدِيقَ ذَلِكَ فِي الْقُرْآنِ ﴿إِنَّ الَّذِينَ يَشْتَرُونَ بِعَهْدِ اللَّهِ وَأَيْمَانِهِمْ ثَمَنًا قَلِيلًا﴾ إِلَى قَوْلِهِ ﴿عَذَابٌ أَلِيمٌ﴾ الْآيَةَ [آل عمران: 77] فَلَقَيْتَنِي الْأَشْعَثُ فَقَالَ: مَا حَدَّثَكُمْ عَبْدُ اللَّهِ الْيَوْمَ؟ قُلْتُ: كَذَا وَكَذَا، قَالَ: فِي أَنْزَلْتُ. [راجع:

[٢٣٥٦، ٢٣٥٧]

(26) CHAPTER. How (and with what) to swear?

Allāh تعالى said:

“They swear by Allāh...” (V.9:56, 62, 74, 95).

And Allāh عزَّ وجلَّ said:

“...They come to you swearing by Allāh: ‘We meant no more than goodwill and conciliation’.” (V.4:62)

The expressions used in Arabic for ‘By Allāh’ are: *Bil-lāhi, Tal-lāhi, Wal-lāhi*.

The Prophet ﷺ said, “And a man who takes a false oath in the Name of Allāh after the ‘Aṣr prayer. The Prophet ﷺ said, “One should not swear except by Allāh.”

2678. Narrated Ṭalḥa bin ‘Ubaidullāh رضي الله عنه: A man came to Allāh’s Messenger ﷺ asking him about Islām, Allāh’s Messenger ﷺ said,

(1) “You have to offer five compulsory congregational *Ṣalāt* (prayers) in a day and a night (24 hours).” The man asked, “Are there any more compulsory *Ṣalāt* (prayers) for me?” Allāh’s Messenger ﷺ said, “No, unless you like to offer *Nawāfil* (i.e., optional *Ṣalāt*).” Allāh’s Messenger ﷺ then added,

(2) “You have to observe *Ṣaum* (fasts)

(٢٦) بَابُ: كَيْفَ يُسْتَحْلَفُ؟

قَالَ تَعَالَى: ﴿يَحْلِفُونَ بِاللَّهِ﴾ [النوبة: 62] وقول الله عزَّ وجلَّ: ﴿ثُمَّ جَاءَوكَ يَحْلِفُونَ بِاللَّهِ إِنْ أَرَدْنَا إِلَّا إِحْسَانًا وَتَوْفِيقًا﴾ [النساء: 62] يُقَالُ: بالله، وتالله، وتالله. وقال النبي ﷺ: «وَرَجُلٌ حَلَفَ بِاللَّهِ كاذِبًا بَعْدَ الْعَصْرِ». ولا يُحْلَفُ بِعَيْرِ اللَّهِ.

٢٦٧٨ - حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَبْدِ

اللَّهِ قَالَ: حَدَّثَنِي مَالِكٌ، عَنْ عَمِّ أَبِي سُهَيْلِ بْنِ مَالِكٍ، عَنْ أَبِيهِ: أَنَّهُ سَمِعَ طَلْحَةَ بْنَ عُبَيْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: جَاءَ رَجُلٌ إِلَى رَسُولِ اللَّهِ ﷺ فَإِذَا هُوَ يَسْأَلُهُ عَنِ الْإِسْلَامِ؟ فَقَالَ رَسُولُ اللَّهِ ﷺ: «خَمْسُ صَلَوَاتٍ فِي الْيَوْمِ وَاللَّيْلَةِ». فَقَالَ: هَلْ عَلَيَّ غَيْرُهُ؟

during the month of Ramadan." The man said, "Am I to fast any other days?" Allāh's Messenger ﷺ said, "No, unless you wish to observe the optional fast voluntarily." Then Allāh's Messenger ﷺ told him about the compulsory *Zakāt*. The man asked, "Do I have to give anything besides?" Allāh's Messenger ﷺ said, "No, unless you wish to give in charity voluntarily." So, the man departed saying, "By Allāh I will neither do more nor less than that." Allāh's Messenger ﷺ said, "If he has said the truth he will be successful." (See H. 46)

2679. Narrated 'Abdullāh رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Whoever has to take an oath should swear by Allāh or keep quiet." (i.e., He should not swear by other than Allāh.)

(27) CHAPTER. Whoever produces the proof after (the defendant) has taken the oath.

The Prophet ﷺ said, "Perhaps some of you are more eloquent and persuasive in presenting their arguments than their opponents." Tāwūs, Ibrahim and Shuraih said, "A clear, just evidence (produced by the plaintiff) is more valid than a false oath (taken by the defendant)."

2680. Narrated Umm Salama رَضِيَ اللهُ عَنْهَا: Once Allāh's Messenger ﷺ said, "You people present your cases to me and some of you may be more eloquent and persuasive in presenting their arguments. So, if I give some one's right to another (wrongly) because of the latter's (tricky) presentation of the case, I am really giving him a piece of fire; so he should not take it."

قَالَ: «لَا إِلَّا أَنْ تَطَّوَعَ». فَقَالَ رَسُولُ اللَّهِ ﷺ: «وَصِيَامُ شَهْرِ رَمَضَانَ»، فَقَالَ: هَلْ عَلَيَّ غَيْرُهَا؟ قَالَ: «لَا إِلَّا أَنْ تَطَّوَعَ». قَالَ: وَذَكَرَ لَهُ رَسُولُ اللَّهِ ﷺ الزَّكَاةَ، قَالَ: هَلْ عَلَيَّ غَيْرُهَا؟ قَالَ: «لَا إِلَّا أَنْ تَطَّوَعَ». قَالَ: فَأَذْبَرَ الرَّجُلُ وَهُوَ يَقُولُ: وَاللَّهِ لَا أَرِيدُ عَلَى هَذَا وَلَا أَنْقُصُ. قَالَ رَسُولُ اللَّهِ ﷺ: «أَفْلَحَ إِنْ صَدَقَ». [راجع: ٤٦]

٢٦٧٩ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا جُوَيْرِيَةُ قَالَ: ذَكَرَ نَافِعٌ، عَنْ عَبْدِ اللَّهِ رَضِيَ اللهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ قَالَ: «مَنْ كَانَ حَالِفًا فَلْيُحْلِفْ بِاللَّهِ أَوْ لِيَصْمُتْ». [انظر:

[٣٨٣٦، ٦١٠٨، ٦٦٤٦، ٦٦٤٨]

(٢٧) بَابٌ مَنَ أَقَامَ الْبَيِّنَةَ بَعْدَ الْيَمِينِ

وقَالَ النَّبِيُّ ﷺ: «لَعَلَّ بَعْضُكُمْ أَلْحَنُ بِحُجَّتِهِ مِنْ بَعْضٍ». وَقَالَ طَاوُسٌ وَإِبْرَاهِيمُ وَشُرَيْحٌ: الْبَيِّنَةُ الْعَادِلَةُ أَحَقُّ مِنَ الْيَمِينِ الْفَاجِرَةِ.

٢٦٨٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ، عَنْ مَالِكٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ زَيْنَبَ عَنْ أُمِّ سَلَمَةَ رَضِيَ اللهُ عَنْهَا: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «إِنَّكُمْ تَخْتَصِمُونَ إِلَيَّ وَلَعَلَّ بَعْضُكُمْ أَلْحَنُ بِحُجَّتِهِ مِنْ بَعْضٍ، فَمَنْ

قَضَيْتُ لَهُ بِحَقِّ أَخِيهِ شَيْئًا بِقَوْلِهِ فَإِنَّمَا أَقْطَعُ لَهُ قِطْعَةً مِنَ النَّارِ فَلَا يَأْخُذْهَا» .

[راجع: ٢٤٥٨]

(28) CHAPTER. Whoever sees that promises should be fulfilled.

Al-Ḥasan supported this judgement. (Allāh says :)

“And mention in the Book (the Qur’ān) Isma’īl (Ishmael): Verily! He was true to what he promised.” (V.19:54)

Ibn Al-Ashwa’ judged that promises should be fulfilled, and he mentioned that Samura adopted the same opinion.

Narrated Al-Miswar bin Makhrama رَضِيَ اللهُ عَنْهُمَا: I heard the Prophet ﷺ saying: (about one of his sons-in-law), “He promised me and fulfilled his promise.” Narrated Abū ‘Abdullāh (Al-Bukhārī): I saw Ishāq bin Ibrāhīm depending on Ibn Ashwa’s narration in giving verdicts.

(٢٨) بَابٌ مِّنْ أَمْرِ بِإِنجَازِ الْوَعْدِ،

وَفَعَلَهُ الْحَسَنُ ﴿وَأَذْكَرٌ فِي الْكِتَابِ

إِسْمَاعِيلُ إِنَّهُ كَانَ صَادِقَ الْوَعْدِ﴾ [مریم:

٥٤] وَقَصَّى ابْنُ الْأَسْوَعِ بِالْوَعْدِ وَذَكَرَ

ذَلِكَ عَنْ سَمُرَةَ بْنِ جُنْدَبٍ، وَقَالَ

الْمِسْوَرُ بْنُ مَخْرَمَةَ: سَمِعْتُ النَّبِيَّ ﷺ

وَذَكَرَ صِهْرًا لَهُ فَقَالَ: وَعَدَنِي

فَوْفَانِي. قَالَ أَبُو عَبْدِ اللَّهِ: رَأَيْتُ

إِسْحَاقَ بْنَ إِبْرَاهِيمَ يَحْتَجُّ بِحَدِيثِ ابْنِ

أَسْوَعٍ.

2681. Narrated ‘Abdullāh bin ‘Abbās رَضِيَ اللهُ عَنْهُمَا: Abū Sufyān told me that Heraclius said to him, “When I enquired you what he (i.e., Muḥammad ﷺ) ordered you, you replied that he ordered you to establish the Ṣalāt (prayer), to speak the truth, to be chaste, to keep promises and to pay back trusts.” Then Heraclius added, “These are really the qualities of a Prophet.” (See H. 7)

٢٦٨١ - حَدَّثَنِي إِبْرَاهِيمُ بْنُ

حَمْرَةَ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ

صَالِحٍ، عَنْ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ

اللَّهِ بْنِ عَبْدِ اللَّهِ: أَنَّ عَبْدَ اللَّهِ بْنَ

عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا أَخْبَرَهُ قَالَ:

أَخْبَرَنِي أَبُو سُفْيَانَ أَنَّ هِرَقْلَ قَالَ لَهُ:

سَأَلْتُكَ مَاذَا يَأْمُرُكُمْ؟ فَرَعَمْتَ أَنَّهُ يَأْمُرُ

بِالصَّلَاةِ وَالصَّدَقِ وَالْعَفَافِ وَالْوَفَاءِ

بِالْعَهْدِ وَأَدَاءِ الْأَمَانَةِ، قَالَ: وَهَذِهِ

صِفَةُ نَبِيِّ. [راجع: ٧]

2682. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh’s Messenger ﷺ said, “The signs of a hypocrite are three:

٢٦٨٢ - حَدَّثَنَا قُتَيْبَةُ بْنُ سَعِيدٍ:

حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ أَبِي

سَهْلٍ نَافِعِ بْنِ مَالِكِ بْنِ أَبِي عَامِرٍ،

(1) Whenever he speaks, he tells a lie,

(2) Whenever he is entrusted, he proves

to be dishonest,

(3) Whenever he promises, he breaks his promise." (See H. 33)

2683. Narrated Muḥammad bin 'Alī: Jābir bin 'Abdullāh رَضِيَ اللهُ عَنْهُمَا said, "When the Prophet ﷺ died, Abū Bakr received some property from Al-'Alā bin Al-Haḍramī. Abū Bakr said to the people, 'Whoever has a money claim on the Prophet ﷺ, or was promised something by him, should come to us (so that we may pay him his right).'" Jābir added, "I said (to Abū Bakr), 'Allāh's Messenger ﷺ promised me that he would give me this much, and this much, and this much (spreading his hands three times).'" Jābir added, "Abū Bakr counted for me and handed me five hundred (gold pieces), and then five hundred, and then five hundred."

2684. Narrated Sa'īd bin Jubair: A Jew from Hira asked me which one of the two periods Mūsa (i.e., Prophet Moses عليه السلام) completed. I said, "I don't know, (but wait) till I see the most learned Arab and enquire him about it." So, I went to Ibn 'Abbās and asked him. He replied, "Mūsa completed the longer and better period." Ibn 'Abbās added, "No doubt, a Messenger of Allāh always does what he says."

عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ قَالَ: «آيَةُ الْمُنَافِقِ ثَلَاثٌ: إِذَا حَدَّثَ كَذَبَ، وَإِذَا أَوْثَمِنَ خَانَ، وَإِذَا وَعَدَ أَخْلَفَ». [راجع: ٢٣٣]

٢٦٨٣ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ مُوسَى: أَخْبَرَنَا هِشَامٌ، عَنِ ابْنِ جُرَيْجٍ قَالَ: أَخْبَرَنِي عَمْرُو بْنُ دِينَارٍ، عَنْ مُحَمَّدِ بْنِ عَلِيٍّ، عَنْ جَابِرِ بْنِ عَبْدِ اللهِ رَضِيَ اللهُ عَنْهُمْ قَالَ: لَمَّا مَاتَ النَّبِيُّ ﷺ جَاءَ أَبَا بَكْرٍ مَالٌ مِنْ قِبَلِ الْعَلَاءِ بْنِ الْحَضْرَمِيِّ فَقَالَ أَبُو بَكْرٍ: مَنْ كَانَ لَهُ عَلَى النَّبِيِّ ﷺ دَيْنٌ أَوْ كَانَتْ لَهُ قَيْلُهُ عِدَّةً فَلْيَأْتِنَا، قَالَ جَابِرٌ: فَقُلْتُ: وَعَدَنِي رَسُولُ اللهِ ﷺ أَنْ يُعْطِيَنِي هَكَذَا وَهَكَذَا وَهَكَذَا، فَبَسَطَ يَدَيْهِ ثَلَاثَ مَرَّاتٍ. قَالَ جَابِرٌ: فَعَدَّ فِي يَدَيَّ خَمْسِمِائَةَ، ثُمَّ خَمْسِمِائَةَ.

[راجع: ٢٢٩٦]

٢٦٨٤ - حَدَّثَنِي مُحَمَّدُ بْنُ عَبْدِ الرَّحِيمِ: أَخْبَرَنَا سَعِيدُ بْنُ سُلَيْمَانَ: حَدَّثَنَا مَرْوَانُ بْنُ شُجَاعٍ، عَنْ سَالِمِ الْأَفْطَسِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: سَأَلَنِي يَهُودِيٌّ مِنْ أَهْلِ الْحَبْرَةِ: أَيُّ الْأَجْلِينَ قَضَى مُوسَى؟ قُلْتُ: لَا أَذْرِي حَتَّى أَقْدِمَ عَلَى حَبْرِ الْعَرَبِ فَأَسْأَلَهُ. فَقَدِمْتُ فَسَأَلْتُ ابْنَ عَبَّاسٍ

(29) CHAPTER. ‘*Al-Mushrikūn* (idolaters, polytheists, and pagans) should not be asked to give witness or the like (i.e., their witnesses are not acceptable).

Ash-Sha’bī said, “The witnesses of the people of the different religions against one another is not valid,⁽¹⁾ as Allāh عزَّ وجلَّ says :

‘So, We planted amongst them enmity and hatred...’ (V.5:14)

Abū Hurairah رَضِيَ اللهُ عَنْهُ said, “The Prophet ﷺ said, ‘Neither believe the people of the Scriptures, nor disbelieve them, but say: We believe in Allāh and whatever was revealed by Him.’”

2685. Narrated ‘Ubaidullah bin ‘Abdullāh bin ‘Utba: Ibn ‘Abbās رَضِيَ اللهُ عَنْهُمَا said, “O assembly of Muslims! How do you ask the people of the Scriptures, though your Book (i.e., the Qur’ān) which was revealed to His Prophet ﷺ is the most recent information from Allāh and you recite it, (the Qur’ān) that has not been distorted? Allāh has informed you that the people of the Scriptures distorted and changed what was revealed to them, with their own hands and they said (as regards their changed Scriptures): ‘This is from Allāh,’ in order to get some worldly benefit thereby.” Ibn Abbās added, “Isn’t the knowledge revealed to you sufficient to prevent you from asking them? By Allāh, I have never seen any one of them asking you (Muslims) about what has been revealed to you.”

فَقَالَ: قَضَى أَكْثَرَهُمَا وَأَطْيَبُهُمَا، إِنَّ رَسُولَ اللَّهِ ﷺ إِذَا قَالَ فَعَلَ.

(٢٩) بَابُ: لَا يُسْأَلُ أَهْلُ الشَّرِكِ

عَنِ الشَّهَادَةِ وَغَيْرِهَا

وَقَالَ الشَّعْبِيُّ: لَا تَجُوزُ شَهَادَةُ

أَهْلِ الْمِلَلِ بَعْضِهِمْ عَلَى بَعْضٍ، لِقَوْلِهِ عَزَّ وَجَلَّ: ﴿فَأَعزَّبْنَا بَيْنَهُمُ الْعَدَاوَةَ

وَالْبَغْضَاءَ﴾ [المائدة: ١٤]. وَقَالَ أَبُو

هُرَيْرَةَ عَنِ النَّبِيِّ ﷺ: «لَا تُصَدِّقُوا أَهْلَ الْكِتَابِ وَلَا تُكذِّبُوهُمْ. وَقُولُوا:

«إِذَا مَكَأَ اللَّهُ وَمَا أَنْزَلَ﴾ [البقرة: ١٣٦].

٢٦٨٥ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ:

حَدَّثَنَا اللَّيْثُ، عَنْ يُونُسَ، عَنِ ابْنِ

شِهَابٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ

عُتْبَةَ، عَنْ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ رَضِيَ

اللَّهُ عَنْهُمَا قَالَ: يَا مَعْشَرَ الْمُسْلِمِينَ،

كَيْفَ تَسْأَلُونَ أَهْلَ الْكِتَابِ؟ وَكِتَابُكُمْ

الَّذِي أَنْزَلَ عَلَى نَبِيِّهِ ﷺ أَحَدْتُ

الْأَخْبَارِ بِاللَّهِ تَقْرُؤُهُ لَمْ يُسَبِّ. وَقَدْ

حَدَّثَكُمْ اللَّهُ أَنَّ أَهْلَ الْكِتَابِ بَدَّلُوا مَا

كَتَبَ اللَّهُ وَعَيَّرُوا بِأَيْدِيهِمُ الْكِتَابَ

فَقَالُوا: ﴿هَذَا مِنْ عِنْدِ اللَّهِ لِيَسْتَوُوا

بِهِ تَمَنَّا قَلِيلًا﴾ [البقرة: ٧٩]. أَفَلَا

يُنْهَأُكُمْ مَا جَاءَكُمْ مِنَ الْعِلْمِ عَنْ

مُسْأَلَتِهِمْ؟ وَلَا وَاللَّهِ مَا رَأَيْنَا رَجُلًا

(1) (Ch. 29) Al-Ḥasan and some other scholars say that the witness of somebody against someone belonging to another religion, is not valid, but it is valid if the two persons belong to the same religion. Ash-Sha’bī permits the witness of Muslims in cases involving non-Muslims.

مِنْهُمْ قَطَّ يَسْأَلُكُمْ عَنِ الَّذِي أَنْزَلَ
عَلَيْكُمْ. [انظر: ٧٣٦٣، ٧٥٢٢، ٧٥٢٣]

(٣٠) بَابُ الْقَرْعَةِ فِي الْمَشْكَلَاتِ،

(30) CHAPTER. Drawing lots to solve problems.

And the Statement of Allāh جَلَّالَهُ :
 “...When they cast lots with their pens as
 to which of them should be charged with the
 care of Maryam (Mary)...” (V.3:44)

Ibn ‘Abbās (explaining the Verse) said,
 “They drew lots (by throwing their pens in
 the river); the pens went along the stream
 except Zakariyā’s pen which stood stationary
 against the flow of the stream, and so
 Zakariyā was charged with the care of
 Maryam.”

Allāh also said, “*Fasāhama!* He (Prophet
 Jonah عليه السلام) (agreed to) cast lots, and he
 was among the losers,” means, “the lot fell
 on him”. (V.37:141)

Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ, “The
 Prophet ﷺ ordered some people to take an
 oath, and all of them hurried to take it, but
 he ordered that lots be cast as to which of
 them should take the oath (first).”

2686. Narrated An-Nu‘mān bin Baṣhīr
 رَضِيَ اللهُ عَنْهُمَا: The Prophet ﷺ said, “The
 example of the person abiding by Allāh’s
 Orders and Limits (or the one who abides by
 the limits and regulations prescribed by
 Allāh) in comparison to the one who do
 wrong and violate Allāh’s Limits and orders
 is like the example of people drawing lots for
 seats in a boat. Some of them got seats in the
 upper part while the others in the lower part ;
 those in the lower part have to pass by those
 in the upper one to get water, and that
 troubled the latter. One of them (i.e., the
 people in the lower part) took an axe and
 started making a hole in the bottom of the

وَقَوْلِهِ عَزَّ وَجَلَّ: ﴿إِذْ يُلْقُونَ
أَقْلَامَهُمْ أَيُّهُمْ يَكْفُلُ مَرْيَمَ﴾ [آل عمران:
٤٤] وَقَالَ ابْنُ عَبَّاسٍ: اقْتَرَعُوا فَجَرَّتِ
الْأَقْلَامُ مَعَ الْجَرِيَةِ وَعَالَ قَلَمُ زَكَرِيَّا
الْجَرِيَةَ فَكَفَلَهَا زَكَرِيَّا. وَقَوْلِهِ:
﴿سَاهَمَ﴾: اقْرَعْ ﴿فَكَانَ مِنَ الْمُدْحَضِينَ﴾
[الصفات: ١٤١]: مِنَ الْمَسْهُومِينَ.
وَقَالَ أَبُو هُرَيْرَةَ: عَرَضَ النَّبِيُّ ﷺ
عَلَى قَوْمِ الْيَمِينِ فَأَسْرَعُوا. فَأَمَرَ أَنْ
يُسْهِمَ بَيْنَهُمْ أَيُّهُمْ يَحْلِفُ.

٢٦٨٦ - حَدَّثَنَا عُمَرُ بْنُ حَفْصِ
بْنِ غِيَاثٍ: حَدَّثَنَا أَبِي: حَدَّثَنَا
الْأَعْمَشُ قَالَ: حَدَّثَنِي الشَّعْبِيُّ أَنَّهُ
سَمِعَ التُّعْمَانَ بْنَ بَشِيرٍ رَضِيَ اللهُ
عَنْهُمَا يَقُولُ: قَالَ النَّبِيُّ ﷺ: «مَثَلُ
الْمُدْهِنِ فِي حُدُودِ اللهِ وَالْوَاقِعِ فِيهَا
مَثَلُ قَوْمٍ اسْتَهَمُوا سَفِينَةً فَصَارَ بَعْضُهُمْ
فِي أَسْفَلِهَا وَصَارَ بَعْضُهُمْ فِي
أَعْلَاهَا، فَكَانَ الَّذِينَ فِي أَسْفَلِهَا
يَمْرُونَ بِالْمَاءِ عَلَى الَّذِينَ فِي أَعْلَاهَا

boat. The people of the upper part came and asked him, (saying), 'What is wrong with you?' He replied, 'You have been troubled much by me (coming up to you), and I have to get water.' Now, if they prevent him from doing that they will save him and themselves, but if they leave him (to do what he wants), they will destroy him and themselves."⁽¹⁾

(See H. 2493)

2687. Narrated Umm Al-'Alā that when the *Anṣār* drew lots as to which of the emigrants should dwell with which of the *Anṣār*, the name of 'Uthmān bin Maz'un came out (to be in their lot). Umm Al-'Alā further said, "'Uthmān stayed with us, and we nursed him when he got sick, but he died. We shrouded him in his clothes, and Allāh's Messenger ﷺ came to our house and I said, (addressing the dead 'Uthmān), 'O Abū As-Sā'ib! May Allāh be Merciful to you. I testify that Allāh has blessed you.' The Prophet ﷺ said to me, 'How do you know that Allāh has blessed him?' I replied, 'I do not know O Allāh's Messenger! May my parents be sacrificed for you.' Allāh's Messenger ﷺ said, 'As regards 'Uthmān, by Allāh he has died and I really wish him every good, yet, by Allāh, although I am Allāh's Messenger, I do not know what will be done to him.'" Umm Al-'Alā added, "By Allāh, I shall never attest the piety of anybody after him. And what Allāh's Messenger ﷺ said made me sad." Umm Al-'Alā further said, "Once I slept and saw in a dream, a flowing stream for 'Uthmān. So, I went to Allāh's Messenger ﷺ and told him about it, he said, 'That is (the symbol of) his (good) deeds.'"

فَتَأَدُّوْا بِهِ فَاخَذَ بِهٖ فَاخَذَ فَاَسَا فَجَعَلَ يَنْفُرُ
اَسْفَلَ السَّقِيَّةِ فَاتَوَّهُ فَقَالُوْا: مَا لَكَ؟
قَالَ: تَأَذَّبْتُمْ بِي وَلَا بُدَّ لِي مِنَ الْمَاءِ،
فَاِنْ اَخَذُوْا عَلٰى يَدَيْهِ اُنْجُوْهُ وَنَجَّوْا
اَنْفُسَهُمْ، وَاِنْ تَرَكُوْهُ اَهْلَكُوْهُ وَاَهْلَكُوْا
اَنْفُسَهُمْ».

٢٦٨٧ - حَدَّثَنَا أَبُو الْيَمَانِ:

أَخْبَرَنَا شُعَيْبٌ: عَنِ الرَّهْرِيِّ قَالَ:
حَدَّثَنِي خَارِجَةُ بِنُ زَيْدِ الْأَنْصَارِيِّ:
أَنَّ أُمَّ الْعَلَاءِ، امْرَأَةً مِنْ نِسَائِهِمْ قَدْ
بَايَعَتِ النَّبِيَّ ﷺ أَخْبَرْتُهُ أَنَّ عُمَانَ بْنَ
مَطْعُونٍ طَارَ لَهُ سَهْمُهُ فِي السُّكْنَى
حِينَ افْتَرَعَتِ الْأَنْصَارُ سُكْنَى
الْمُهَاجِرِينَ، قَالَتْ أُمُّ الْعَلَاءِ: فَسَكَنَ
عِنْدَنَا عُمَانُ بْنُ مَطْعُونٍ فَاشْتَكَى
فَمَرَضَنَاهُ، حَتَّى إِذَا تُوفِّيَ وَجَعَلْنَاهُ فِي
ثِيَابِهِ دَخَلَ عَلَيْنَا رَسُولُ اللَّهِ ﷺ
فَقُلْتُ: رَحِمَهُ اللَّهُ عَلَيْكَ أَبَا السَّائِبِ،
فَشَهَادَتِي عَلَيْكَ لَقَدْ أَكْرَمَكَ اللَّهُ.
فَقَالَ لِي النَّبِيُّ ﷺ: «وَمَا يُدْرِيكَ أَنَّ
اللَّهَ أَكْرَمُ؟» فَقُلْتُ: لَا أَذْرِي بِأَبِي
أَنْتَ وَأُمِّي يَا رَسُولَ اللَّهِ. فَقَالَ رَسُولُ
اللَّهِ ﷺ: «أَمَّا عُمَانٌ فَقَدْ جَاءَهُ وَاللَّهِ
الْبَقِيْنَ، وَإِنِّي لِأَرْجُو لَهُ الْخَيْرَ، وَاللَّهِ
مَا أَذْرِي وَأَنَا رَسُولُ اللَّهِ مَا يَفْعَلُ
بِهِ». قَالَتْ: فَوَاللَّهِ لَا أُرْكَئِي أَحَدًا

(1) (H. 2686) This means that one should not only avoid violating Allāh's limits but should prevent others from doing so; otherwise the whole society gets corrupted and the good and the evil people are destroyed without discrimination.

بَعْدَهُ أَوَّلًا، فَأَحْزَنَنِي ذَلِكَ، قَالَتْ:
فَنِمْتُ فَأَرَيْتُ لِعُثْمَانَ عَيْنًا تَجْرِي
فَجِئْتُ إِلَى رَسُولِ اللَّهِ ﷺ فَأَخْبَرْتُهُ
فَقَالَ: «ذَلِكَ عَمَلُهُ». [راجع: ١٢٤٣]

2688. Narrated 'Āishah رَضِيَ اللَّهُ عَنْهَا: Whenever Allāh's Messenger ﷺ intended to go on a journey, he used to draw lots among his wives and would take with him the one on whom the lot fell. He also used to fix for everyone of his wives a day and a night, but Sauda bint Zam'a gave her day and night to 'Āishah, the wife of the Prophet ﷺ intending thereby to please Allāh's Messenger ﷺ.

٢٦٨٨ - حَدَّثَنَا مُحَمَّدُ بْنُ
مُقَاتِلٍ: أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا
يُونُسُ، عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي
عُرْوَةُ عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا
قَالَتْ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا أَرَادَ
سَفْرًا أَقْرَعَ بَيْنَ نِسَائِهِ فَأَيُّهُنَّ خَرَجَ
سَهْمُهَا خَرَجَ بِهَا مَعَهُ، وَكَانَ يَقْسِمُ
لِكُلِّ امْرَأَةٍ مِنْهُنَّ يَوْمَهَا وَلَيْلَتَهَا. غَيْرَ
أَنَّ سَوْدَةَ بِنْتَ زَمْعَةَ وَهَبَتْ يَوْمَهَا
وَلَيْلَتَهَا لِعَائِشَةَ زَوْجِ النَّبِيِّ ﷺ تَتَّبِعِي
بِذَلِكَ رِضًا رَسُولِ اللَّهِ ﷺ.
[راجع: ٢٥٩٣]

2689. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: Allāh's Messenger ﷺ said, "If the people knew what is (the reward of) pronouncing the *Adhān* [call for the *Ṣalāt* (prayers)] and (of being in) the first row (in the Congregational prayer), and if they found no other way to get this privilege except by casting lots, they would certainly cast lots for it. If they knew (the reward of) the noon prayer, they would race for it, and if they knew (the reward of) the morning (i.e., *Fajr*) and '*Ishā*' (late evening) *Ṣalāt* (prayers), they would present themselves for the *Ṣalāt* (prayers) even if they had to crawl to reach there." (See H. 615)

٢٦٨٩ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ:
حَدَّثَنِي مَالِكٌ، عَنْ سُمَيِّ مَوْلَى أَبِي
بَكْرٍ، عَنْ أَبِي صَالِحٍ، عَنْ أَبِي هُرَيْرَةَ
رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ
قَالَ: «لَوْ يَعْلَمُ النَّاسُ مَا فِي النَّدَاءِ
وَالصَّفِّ الْأَوَّلِ ثُمَّ لَمْ يَجِدُوا إِلَّا أَنْ
يَسْتَهْمُوا عَلَيْهِ لَاسْتَهْمُوا، وَلَوْ يَعْلَمُونَ
مَا فِي التَّهْجِيرِ لَاسْتَبَقُوا إِلَيْهِ، وَلَوْ
يَعْلَمُونَ مَا فِي الْعَتَمَةِ وَالصُّبْحِ
لَأَتَوْهُمَا وَلَوْ حَبْوًا». [راجع: ٦١٥]