

In the Name of Allāh,
the Merciful, the Beneficent

[بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ]

The Chapters On *Zakāt*^[1]
From The Messenger of
Allāh ﷺ

(المعجم ٥) أَبْوَابُ الزَّكَاةِ
عن رسول الله ﷺ (التحفة ٣)

Chapter 1. What Has Been
Related From The Messenger
of Allāh ﷺ About The Severe
Warning Against Withholding
Zakāt

(المعجم ١) - بَابُ مَا جَاءَ عَنْ رَسُولِ
اللَّهِ ﷺ فِي مَنَعِ الزَّكَاةِ مِنَ التَّشْدِيدِ
(التحفة ١)

617. Abū Dharr narrated: "I came to the Messenger of Allāh ﷺ while he was sitting in the shade of the Ka'bah." He said: "He saw me approaching and he said: 'They are lost on the Day of Judgement! By the Lord of the Ka'bah!'" He said: "I said to myself: Woe is me! Perhaps something has been revealed about me!" He said: "So I said: 'Who are they, and may my father and mother be ransomed for you.' So the Messenger of Allāh ﷺ said: 'They are those who have much,^[2] except for who says like this, and this, and this and motioned with his hand to his front, and to his right, and to his left.' Then he said: 'By the One in Whose Hand is my soul! No man will die, leaving a camel or a cow that he did not pay *Zakāt* on, except that it will come on the Day

٦١٧ - حَدَّثَنَا هَذَا بِنُ السَّرِيِّ [التَّمِيمِيُّ
الْكُوفِيُّ]: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الْأَعْمَشِ،
عَنِ [الْمَعْرُورِ بْنِ سُوَيْدٍ، عَنْ أَبِي ذَرٍّ قَالَ:
جِئْتُ إِلَى رَسُولِ اللَّهِ ﷺ وَهُوَ جَالِسٌ فِي ظِلِّ
الْكَعْبَةِ، قَالَ: فَرَأَيْتِي مُقْبِلًا فَقَالَ: «هُمُ
الْأَخْسَرُونَ وَرَبِّ الْكَعْبَةِ يَوْمَ الْقِيَامَةِ»، قَالَ:
فَقُلْتُ: مَا لِي لَعَلَّهُ أَنْزَلَ فِيَّ شَيْءٌ، قَالَ: قُلْتُ:
مَنْ هُمْ فِذَاكَ أَبِي وَأُمِّي؟ فَقَالَ رَسُولُ اللَّهِ ﷺ:
«هُمْ الْأَكْثَرُونَ إِلَّا مَنْ قَالَ هَكَذَا وَهَكَذَا
وَهَكَذَا، فَحَتَّى بَيْنَ يَدَيْهِ وَعَنْ يَمِينِهِ وَعَنْ
شِمَالِهِ، ثُمَّ قَالَ: «وَالَّذِي نَفْسِي بِيَدِهِ! لَا يَمُوتُ
رَجُلٌ قَدِيعٌ إِلَّا أَوْ يَقْرَأَ لَمْ يُؤَدِّ زَكَاتَهَا إِلَّا جَاءَتْهُ
يَوْمَ الْقِيَامَةِ أَعْظَمَ مَا كَانَتْ وَأَسْمَنَهُ تَطَوُّهُ
بِأَخْفَافِهَا وَتَطَطُّعُهُ بِقُرُونِهَا كُلَّمَا نَفِدَتْ أُخْرَاهَا
عَادَتْ عَلَيْهِ أَوْ لَهَا حَتَّى يُفْضَى بَيْنَ النَّاسِ».

[1] *Zakāt* literally means augmentations and increase it also means purification, praise and righteousness. The due amount paid on wealth is called "*Zakāt*" because it increases the wealth in blessing and purifies the giver. It is an obligation due on particular types of properties and given to specific categories of Muslims at a specific time.

[2] "Those who have much wealth" according to *Al-Bukhārī* and *Muslim*.

of Judgement larger and fatter than it was, they will tread him under their hooves and butt him with their horns, all of them; such that when the last of them has had a turn, the first returns to him, until he is judged before the people.” (*Ṣaḥīḥ*)

There is something on this topic from Abū Hurairah that is similar. And from ‘Alī bin Abī Ṭālib, may Allāh be pleased with him: “Cursed is the one who withholds *Ṣadaqah*”^[1] and (from) Qabīṣah bin Hulb from his father, and from Jābir bin ‘Abdullāh, and ‘Abdullāh bin Mas‘ūd.

Abū ‘Eisā said: The *Ḥadīth* of Abū Dharr is a *Ḥasan Ṣaḥīḥ Ḥadīth*.

Abū Dharr’s name is Jundab bin As-Sakan, and they say it is Ibn Junādah.

(Another chain) that Aḍ-Ḍaḥḥāk bin Al-Muzāḥim said: “Those who have much’ refers to those who have tens of thousands.”

[He said: ‘Abdullāh bin Munīr is Marwazī^[2] and he is a righteous man.]

تخریج: متفق علیه، وأخرجه مسلم، باب تغليظ عقوبة من لا يؤدي الزكاة، ح: ٩٩٠ من حديث أبي معاوية الضرير والبخاري، ح: ١٤٦٠ من حديث الأعمش به * وفي الباب عن أبي هريرة [البخاري، ح: ١٤٠٢، ومسلم، ح: ٩٨٧] وعلي بن أبي طالب [الخطيب في تاريخ بغداد: ٣٠٨/٥، ٣٠٩، وسنده موضوع] وقبيصة بن هلب عن أبيه [أحمد: ٢٢٧/٥] وجابر بن عبدالله [مسلم، ح: ٩٨٨] وعبدالله بن مسعود [يأتي: ٣٠١٢] * أثر الضحاک بن مزاحم، سنده ضعيف، الثوري عنعن.

Comments:

One meaning of *Zakāt* is purifying and cleansing and the other meaning is refinement, increase and growth. This applies to the obligatory and voluntary charity, household and other living expenses, and fulfillment of financial obligations. It also applies to the things that are more than what is needed.

[1] The meaning of *Ṣadaqah* here, and in subsequent chapters, is *Zakāt*.

[2] A narrator for the statement of Aḍ-Ḍaḥḥāk.

وفي الباب عن أبي هريرة مثله. وعن علي بن أبي طالب رضي الله عنه: لعن مانع الصدقة [وعن] قبيصة بن هلب، عن أبيه، وجابر بن عبد الله وعبد الله بن مسعود.

قال أبو عيسى: حديث أبي ذر حديث حسن صحيح.

واسم أبي ذر جندب بن السكين، ويقال ابن جنادة.

حدثنا عبد الله بن منيّر عن عبيد الله بن موسى، عن شفيان الثوري، عن حكيم بن الذئلم، عن الضحاک بن مزاحم قال: الأكترون أصحاب عشرة آلاف.

قال: وعبد الله بن منيّر مروزي رجل صالح.

Chapter 2. What Has Been Related About: When You Pay The *Zakāt* You Have Fulfilled What Is Required Of You

(المعجم ٢) - بَابُ مَا جَاءَ إِذَا أَدَيْتَ
الزَّكَاةَ فَقَدْ قَضَيْتَ مَا عَلَيْكَ (التحفة ٢)

618. Abū Hurairah narrated that the Prophet ﷺ said: “When you pay the *Zakāt* you have fulfilled what is required of you.” (*Hasan*)

٦١٨ - حَدَّثَنَا عُمَرُ بْنُ حَفْصِ السَّيْبَانِيُّ [البَصْرِيُّ]: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ وَهَبٍ: أَخْبَرَنَا عُمَرُو بْنُ الْحَارِثِ عَنْ دَرَّاجٍ، عَنِ ابْنِ حُجَيْرَةَ، عَنْ أَبِي هُرَيْرَةَ أَنَّ النَّبِيَّ ﷺ قَالَ: «إِذَا أَدَيْتَ زَكَاةَ مَا لَكَ فَقَدْ قَضَيْتَ مَا عَلَيْكَ». قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ، وَقَدْ رُوِيَ عَنِ النَّبِيِّ ﷺ مِنْ غَيْرِ وَجْهٍ أَنَّهُ ذَكَرَ الزَّكَاةَ، فَقَالَ رَجُلٌ: يَا رَسُولَ اللَّهِ هَلْ عَلَيَّ غَيْرُهَا؟ فَقَالَ: «لَا، إِلَّا أَنْ تَطْوَعَ».

Abū ‘Eisā said: This *Hadīth* is *Hasan Gharīb*. It has been reported from more than one route that the Prophet ﷺ mentioned the *Zakāt*, and a man said: “O Messenger of Allāh! Is there anything else required from me?” So he said: “No. Except for what is voluntary.”

Ibn Hujairah (one of the narrators) is ‘Abdur-Rahmān bin Hujairah Al-Baṣrī.

وَابْنُ حُجَيْرَةَ هُوَ عَبْدُ الرَّحْمَنِ بْنُ حُجَيْرَةَ الْبَصْرِيُّ.

تخريج: [إسناده حسن] وأخرجه ابن ماجه، الزكاة، باب ما أدي زكاته ليس بكنز، ح: ١٧٨٨ من حديث عمرو بن الحارث به ودراج حسن الحديث عن غير أبي الهيثم، والحديث صححه ابن خزيمة، ح: ٢٤٧١ وابن حبان، ح: ٧٩٧ والمحاكم: ٣٩٠/١ والذهبي وزاد ابن حبان: "ومن جمع مالا حراما ثم تصدق به لم يكن له فيه أجر، وكان إصره عليه".

Comments:

It is proven from this *Hadīth* that the obligation of wealth due from a person is only *Zakāt*; no other compulsory duty is due on the wealth except *Zakāt*. Financial obligations and responsibilities other than *Zakāt* are not because of wealth, instead they are due because of other reasons; like due because of family and other close relations, because of marriage, or the payment of *Zakātul-Fiṭr* at the end of the month of Ramaḍan. (*Tuḥfat Al-Aḥwadhī*: 2/2)

619. Anas narrated: “We used to hope that an intelligent Beduoin would show up to question the Prophet ﷺ while we were with him. So once while we were with him, a Beduoin came, kneeling in

٦١٩ - حَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ: حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ الْحَمِيدِ الْكُوفِيُّ: حَدَّثَنَا سَلِيمَانُ ابْنُ الْمُغِيرَةَ عَنْ ثَابِتٍ، عَنْ أَنَسٍ قَالَ: كُنَّا نَتَمَنَّى أَنْ يَتَدَيَّ الْأَعْرَابِيُّ الْعَاقِلُ فَيَسْأَلَ النَّبِيَّ

front of the Prophet ﷺ, and he said: 'O Muḥammad, your messenger came to us and told us that you say that Allāh sent you.' So the Prophet ﷺ said: 'Yes.' He said, 'So, (swear) by the One who raised the heavens, and spread out the earth, and erected the mountains; has Allāh sent you?' The Prophet ﷺ said, 'Yes.' He said: 'Your messenger told us that you say that there are five prayers required from us in a day and a night.' The Prophet ﷺ said, 'Yes.' He said, 'By the One Who sent you, has Allāh ordered that for you?' He said, 'Yes.' He said, 'Your messenger told us that you say that we are required to fast for a month out of the year.' He said, 'He told the truth.' He said, 'By the One Who sent you, has Allāh ordered that for you?' The Prophet ﷺ said, 'Yes.' He said, 'Your messenger told us that *Zakāt* is obligatory from our wealth.' The Prophet ﷺ said, 'He told the truth.' He said, 'By the One Who sent you, has Allāh ordered you that?' The Prophet ﷺ said, 'Yes.' He said, 'Your messenger told us that you say that we are required to perform *Hajj* to Allāh's House if able to undertake the journey.' The Prophet ﷺ said, 'Yes.' He said, 'By the One Who sent you, has Allāh Commanded you that?' (The Prophet ﷺ said:) 'Yes.' So he said: 'By the One Who sent you with the Truth, I will not leave any of them, nor surpass them.' Then he got up quickly (leaving). The Prophet ﷺ

ﷺ وَنَحْنُ عِنْدَهُ، فَبَيْنَا نَحْنُ كَذَلِكَ إِذْ أَتَاهُ
أَعْرَابِيٌّ فَجَنَّا بَيْنَ يَدَيْ النَّبِيِّ ﷺ فَقَالَ: يَا
مُحَمَّدُ إِنَّ رَسُولَكَ أَتَانَا فَرَعَمَ لَنَا أَنَّكَ تَزْعُمُ أَنَّ
اللَّهَ أَرْسَلَكَ، فَقَالَ النَّبِيُّ ﷺ: «نَعَمْ» قَالَ:
فَبِالَّذِي رَفَعَ السَّمَاءَ، وَبَسَطَ الْأَرْضَ، وَنَصَبَ
الْجِبَالَ اللَّهُ أَرْسَلَكَ؟ فَقَالَ النَّبِيُّ ﷺ: «نَعَمْ»
قَالَ: فَإِنَّ رَسُولَكَ زَعَمَ لَنَا أَنَّكَ تَزْعُمُ أَنَّ عَلَيْنَا
خَمْسَ صَلَوَاتٍ فِي الْيَوْمِ وَاللَّيْلَةِ، فَقَالَ النَّبِيُّ
ﷺ: «نَعَمْ» قَالَ: فَبِالَّذِي أَرْسَلَكَ اللَّهُ أَمَرَكَ
بِهَذَا؟ قَالَ: «نَعَمْ» قَالَ: فَإِنَّ رَسُولَكَ زَعَمَ لَنَا
أَنَّكَ تَزْعُمُ أَنَّ عَلَيْنَا صَوْمَ شَهْرٍ فِي السَّنَةِ فَقَالَ
النَّبِيُّ ﷺ: «صَدَقَ» قَالَ: فَبِالَّذِي أَرْسَلَكَ اللَّهُ
أَمَرَكَ بِهَذَا؟ قَالَ النَّبِيُّ ﷺ: «نَعَمْ» قَالَ: فَإِنَّ
رَسُولَكَ زَعَمَ لَنَا أَنَّكَ تَزْعُمُ أَنَّ عَلَيْنَا فِي أَمْوَالِنَا
الزَّكَاةَ فَقَالَ النَّبِيُّ ﷺ: «صَدَقَ» قَالَ: فَبِالَّذِي
أَرْسَلَكَ اللَّهُ أَمَرَكَ بِهَذَا؟ قَالَ النَّبِيُّ ﷺ: «نَعَمْ»
قَالَ: إِنَّ رَسُولَكَ زَعَمَ لَنَا أَنَّكَ تَزْعُمُ أَنَّ عَلَيْنَا
الْحَجَّ إِلَى بَيْتِ اللَّهِ مِنْ اسْتِطَاعَ إِلَيْهِ سَبِيلًا،
فَقَالَ النَّبِيُّ ﷺ: «نَعَمْ»، قَالَ: فَبِالَّذِي أَرْسَلَكَ
اللَّهُ أَمَرَكَ بِهَذَا؟ فَقَالَ [النَّبِيُّ ﷺ]: «نَعَمْ»،
فَقَالَ: وَالَّذِي بَعَثَكَ بِالْحَقِّ لَا أَدْعُ مِنْهُنَّ شَيْئًا
وَلَا أُجَاوِزُهُنَّ، ثُمَّ وَتَبَ، فَقَالَ النَّبِيُّ ﷺ: «إِنَّ
صَدَقَ الْأَعْرَابِيُّ دَخَلَ الْجَنَّةَ».

قَالَ أَبُو عِيسَى: هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ
مِنْ هَذَا الْوَجْهِ، وَقَدْ رُوِيَ مِنْ غَيْرِ هَذَا
الْوَجْهِ عَنْ أَنَسٍ عَنِ النَّبِيِّ ﷺ.

said: 'If the Beduoin told the truth, then he will enter Paradise.'"

(*Ṣaḥīḥ*)

Abū 'Eīsā said: This *Ḥadīth* is *Ḥasan Gharīb* from this route. It has been reported from Anas, from the Prophet ﷺ from routes other than this.

I heard Muḥammad bin Ismā'il saying, "Some of the people of knowledge said: 'It is understood from this *Ḥadīth* that reading before the scholar or reciting before him is allowed just like listening.' And the proof is that the Beduoin recited before the Prophet ﷺ, and the Prophet ﷺ approved of it."

تخریج: متفق علیه، وأخرجه البخاري، العلم، باب القراءة والعرض على المحدث، ح: ٦٣ من حديث علي بن عبد الحميد تعليقاً ومسلم، ح: ١٢ من حديث سليمان بن المغيرة به.

Comments:

It is proven from this *Ḥadīth* that this Bedouin came when the four practical pillars of Islam (*Ṣalāt, Zakāt, Ṣaum and Ḥajj*) had been divinely legislated.

Chapter 3. What Has Been Related About The *Zakāt* On Gold And Silver

(المعجم ٣) - بَابُ مَا جَاءَ فِي زَكَاةِ
الذَّهَبِ وَالْوَرِقِ (التحفة ٣)

620. 'Alī narrated that the Messenger of Allāh ﷺ said: "I have exempted charity on horses and slaves. So bring charity for silver,^[1] one Dirham for every forty Dirham. There is nothing for me (to collect) on one hundred and ninety Dirham, so when it reaches two hundred, then five Dirham of it (are due)." (*Da'if*)

٦٢٠ - حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي الشَّوَارِبِ: حَدَّثَنَا أَبُو عَوَانَةَ عَنْ أَبِي إِسْحَاقَ، عَنْ عَاصِمِ بْنِ ضَمْرَةَ، عَنْ عَلِيِّ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «قَدْ عَفَوْتُ، عَنْ صَدَقَةِ الْخَيْلِ وَالرَّقِيقِ فَهَاتُوا صَدَقَةَ الرَّقَةِ مِنْ كُلِّ أَرْبَعِينَ دِرْهَمًا دِرْهَمًا، وَلَيْسَ لِي فِي تِسْعِينَ وَمِائَةَ شَيْءٍ فَإِذَا بَلَغَتْ مِائَتَيْنِ فِيهَا خَمْسَةُ دَرَاهِمٍ».

[1] *Ar-Riqah* is coined silver Dirham, and it may also refer to pure silver even uncoined. See *Tuhfat Al-Ahwadhī*.

There are narrations on this topic from Abū Bakr Aṣ-Ṣiddīq, and ‘Umar bin Ḥazm.

Abū ‘Eisā said: This *Ḥadīth* was reported by Al-A‘mash, Abū ‘Awānah and others, from Abū Ishāq, from ‘Āsim bin Ḍamrah, from ‘Alī. Sufyān Ath-Thawrī, Ibn ‘Uyainah and others reported it from Abū Ishāq from Al-Ḥārith, from ‘Alī.

He said: I asked Muḥammad bin Ismā‘īl about this *Ḥadīth*, he said: “To me, both of the two chains from Abū Ishāq are authentic.” This (saying of Muḥammad bin Ismā‘īl Al-Bukhārī) implies that Abū Ishāq had narrated the *Ḥadīth* from both (‘Āsim ibn Ḍamrah and Al-Ḥārith).

تخريج: [إسناده ضعيف] وأخرجه أبو داود، الزكاة، باب: في زكاة السائمة، ح: ١٥٧٤ من حديث أبي عوانة الوضاح بن عبدالله به وصححه البخاري وابن خزيمة، ح: ٢٢٨٤ وغيرهما، أبو إسحاق عنن، ورواه شعبة عن أبي إسحاق كما قال أبو داود به موقوفاً * حديث أبي بكر (لعله يشير إلى حديث البخاري: ١٤٥٤) عمرو بن حزم (النسائي: ٤٨٥٧).

Comments:

In these days, the paper currency is in vogue in place of the Dirham and Dīnār. Generally in the *Marfū’ Ahādīth*, the silver is used as the minimum amount (*Nisāb*) on which *Zakāt* is levied, therein is also the benefit of the poor. So most people of knowledge think that *Zakāt* becomes due on the value of two hundred Dirham. But some people view that a person who owns two hundred Dirham is not regarded a rich or wealthy person, rather he is still a destitute; therefore the minimum amount (*Nisāb*) should be equal to the value of gold (85 grams) on which *Zakāt* is levied. Regarding horses and slaves, see no. 628. See also nos. 626 and 627.

Chapter 4. What Has Been Related About Zakāt On Camels and Sheep

621. Az-Zuhrī narrated from Sālim from his father: “The Messenger of Allāh ﷺ had a letter written about charity, but he had not dispatched it to his governors until he died; he

وفي الباب عن أبي بكر الصديق وعمرو ابن حزم.

قَالَ أَبُو عِيسَى: رَوَى هَذَا الْحَدِيثَ الْأَعْمَشُ وَأَبُو عَوَانَةَ وَغَيْرُهُمَا عَنْ أَبِي إِسْحَاقَ، عَنْ عَاصِمِ بْنِ ضَمْرَةَ، عَنْ عَلِيٍّ. وَرَوَى سُفْيَانُ الثَّوْرِيُّ وَابْنُ عُيَيْنَةَ وَغَيْرُ وَاحِدٍ، عَنْ أَبِي إِسْحَاقَ، عَنِ الْحَارِثِ، عَنْ عَلِيٍّ قَالَ: وَسَأَلْتُ مُحَمَّدَ بْنَ إِسْمَاعِيلَ، عَنْ هَذَا الْحَدِيثِ فَقَالَ: كِلَاهُمَا عِنْدِي صَحِيحٌ، عَنْ أَبِي إِسْحَاقَ، يُحْتَمَلُ أَنْ يَكُونَ [رَوَى] عَنْهُمَا جَمِيعًا.

(المعجم ٤) - بَابُ مَا جَاءَ فِي زَكَاةِ الْإِبِلِ وَالْغَنَمِ (التحفة ٤)

٦٢١ - حَدَّثَنَا زِيَادُ بْنُ أَيُّوبَ الْبَغْدَادِيُّ وَإِبْرَاهِيمُ بْنُ عَبْدِ اللَّهِ الْهَرَوِيُّ وَمُحَمَّدُ بْنُ كَامِلٍ الْمَرْوَرِيُّ - الْمَعْنَى وَاحِدٌ - قَالُوا:

kept it with him along with his sword. When he died, Abū Bakr implemented it until he died, as did ‘Umar until he died. In it was: ‘A sheep (is due) on five camels, two sheep on ten, three sheep on fifteen, four sheep for twenty, a *Bint Makhād*^[1] on twenty-five to thirty-five. When it is more than that, then a *Bint Labūn*,^[2] (is due, till the number of the camels reaches) forty-five. When it is more than that, then a *Hiqqah*^[3] until sixty. When it is more than that, then a *Jadhah*^[4] until seventy-five. When it is more than that, then two *Bint Labūn* until ninety. When it is more than that, then two *Hiqqah* until one hundred and twenty. When it is more than one hundred and twenty, then a *Hiqqah* on every fifty, and a *Bint Labūn* on every forty. For sheep; one sheep (is due) for every forty sheep until one hundred and twenty. When it is more than that, then two sheep until two hundred. When it is more than that, then three sheep until three hundred sheep. When it is more than three hundred sheep, then a sheep on every hundred sheep. Then there is nothing until it reaches four hundred. There is no combining the (property of) individuals nor separating the collective (property) fearing *Sadaqah*. And for whatever is mixed together that two own, then they

حَدَّثَنَا عَبَادُ بْنُ الْعَوَامِ عَنْ سُفْيَانَ بْنِ حُسَيْنٍ،
عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ أَنَّ رَسُولَ
اللَّهِ ﷺ كَتَبَ كِتَابَ الصَّدَقَةِ فَلَمْ يُخْرِجْهُ إِلَى
عَمَالِهِ حَتَّى قُبِضَ فَفَرَّقَهُ بِسَيِّئِهِ، فَلَمَّا قُبِضَ
عَمِلَ بِهِ أَبُو بَكْرٍ حَتَّى قُبِضَ، وَعُمَرَ حَتَّى
قُبِضَ، وَكَانَ فِيهِ «فِي خَمْسٍ مِنَ الْإِبِلِ شَاةٌ،
وَفِي عَشْرِ شَاتَانِ، وَفِي خَمْسِ عَشْرَةَ ثَلَاثُ
شِيَاءٍ، وَفِي عَشْرِينَ أَرْبَعُ شِيَاءٍ، وَفِي خَمْسِ
وَعِشْرِينَ بِنْتُ مَخَاضٍ إِلَى خَمْسِ وَثَلَاثِينَ،
فَإِذَا زَادَتْ فِيهَا بِنْتُ لَبُونٍ إِلَى خَمْسِ
وَأَرْبَعِينَ، فَإِذَا زَادَتْ فِيهَا حِقَّةٌ إِلَى سِتِّينَ،
فَإِذَا زَادَتْ فِيهَا جَذَعَةٌ إِلَى خَمْسِ وَسَبْعِينَ،
فَإِذَا زَادَتْ فِيهَا ابْنَتَا لَبُونٍ إِلَى تِسْعِينَ، فَإِذَا
زَادَتْ فِيهَا حِقَّتَانِ إِلَى عِشْرِينَ وَمِائَةٍ، فَإِذَا
زَادَتْ عَلَى عِشْرِينَ وَمِائَةٍ فَفِي كُلِّ خَمْسِينَ
حِقَّةٌ، وَفِي كُلِّ أَرْبَعِينَ شَاةٌ شَاةٌ إِلَى عِشْرِينَ وَمِائَةٍ،
فَإِذَا زَادَتْ فَشَاتَانِ إِلَى مِائَتَيْنِ، فَإِذَا زَادَتْ
فَثَلَاثُ شِيَاءٍ إِلَى ثَلَاثِمِائَةٍ شَاةٌ، فَإِذَا زَادَتْ
عَلَى ثَلَاثِمِائَةٍ شَاةٌ فَفِي كُلِّ مِائَةٍ شَاةٌ شَاةٌ، ثُمَّ
لَيْسَ فِيهَا شَيْءٌ حَتَّى تَبْلُغَ أَرْبَعِمِائَةٍ وَلَا يُجْمَعُ
بَيْنَ مُتَفَرِّقٍ وَلَا يَفْرَقُ بَيْنَ مُجْتَمِعٍ مَخَافَةَ
الصَّدَقَةِ.

وَمَا كَانَ مِنْ خَلِيطَيْنِ فَإِنَّهُمَا يَتَرَاجَعَانِ

[1] A female camel of one year.

[2] A two year old female camel.

[3] A three year old female camel.

[4] A four year old female camel.

are to refer to the total. Neither an old or defective (animal) may be taken for charity.”^[1] (*Hasan*)

Az-Zuhrī said: “When the charity collector comes, he divides the sheep into three: The choicest in one-third, the average in one third, and the worst in one third. Then the charity collector takes from the average.” And Az-Zuhrī did not mention cows.

There are narrations on this topic from Abū Bakr Aṣ-Ṣiddīq, Bahz bin Ḥakīm from his father, from his grandfather; and, from Abū Dharr and Anas.

Abū ‘Eisā said: The *Ḥadīth* of Ibn ‘Umar is a *Hasan Ḥadīth*. This *Ḥadīth* is acted upon according to the *Fuqahā’* in general. Yunus bin Yazīd and others reported this *Ḥadīth* from Az-Zuhrī, from Sālim, and they did not narrate it in *Marfū’* form. It was only narrated as *Marfū’* by Sufyān bin Ḥusain.

بِالسَّوِيَّةِ، وَلَا يُؤْخَذُ فِي الصَّدَقَةِ هَرَمَةٌ وَلَا دَاتٌ عَيْبٍ.»

وَقَالَ الزُّهْرِيُّ: إِذَا جَاءَ الْمُصَدِّقُ فَسَمَّ الشَّاءَ أَثْلَاثًا: ثُلُثَ خِيَارٍ، وَثُلُثَ أَوْسَاطٍ وَثُلُثَ شِرَارٍ، وَأَخَذَ الْمُصَدِّقُ مِنَ الْوَسْطِ. وَلَمْ يَذْكُرِ الزُّهْرِيُّ الْبَقَرَ.

وَفِي الْبَابِ عَنْ أَبِي بَكْرٍ الصِّدِّيقِ وَبَهْزِ بْنِ حَكِيمٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ وَأَبِي ذَرٍّ وَأَنْسٍ. قَالَ أَبُو عِيَسَى: حَدِيثُ ابْنِ عُمَرَ حَدِيثٌ حَسَنٌ، وَالْعَمَلُ عَلَى هَذَا الْحَدِيثِ عِنْدَ عَامَّةِ الْفُقَهَاءِ، وَقَدْ رَوَى يُونُسُ بْنُ يَزِيدَ وَغَيْرُ وَاحِدٍ عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ بِهَذَا الْحَدِيثِ وَلَمْ يَرْفَعُوهُ، وَإِنَّمَا رَفَعَهُ سُفْيَانُ بْنُ حُسَيْنٍ.

تخريج: [حسن] وأخرجه أبو داود، الزكاة، باب: في زكاة السائمة، ح: ١٥٦٨ من حديث عباد بن العوام به وصححه ابن خزيمة، ح: ٢٢٦٧ * سفیان بن حسین تابعه سليمان بن كثير (البیهقي: ٨٥/٤) والزهري سمعه من سالم كما في معرفة السنن والآثار للبيهقي: ٣/٢٢٠ * وفي الباب عن أبي بكر الصديق [البخاري، ح: ١٤٥٤] وبهز بن حكيم عن أبيه عن جده [أبو داود، ح: ١٥٧٥] وأبي ذر [أحمد: ١٧٩/٥] وأنس [المستدرک للحاکم: ١/٣٩٠-٣٩٢].

Comments:

‘Separate herds will not be combined and neither the combined herd will be separated fearing *Sadaqah / Zakāt*.’ Imām Shāfi‘ī said: ‘Fearing *Sadaqah*’ is related to both the owner and the *Zakāt* collector, because the *Zakāt* collector might fear a decrease in the amount due on the property, while the owner fears lest the due amount of *Zakāt* should increase.

[1] See *Al-Bukhārī* nos. 1450-1.

Chapter 5. What Has Been Related About *Zakāt* On Cows

(المعجم ٥) - بَابُ مَا جَاءَ فِي زَكَاةِ

الْبَقَرِ (التحفة ٥)

622. ‘Abdullāh bin Mas‘ūd narrated that the Prophet ﷺ said: “A *Tabī*^[1] or a *Tabī’ah* (is due) on thirty cows, and a *Musinnah*^[2] (is due) on every forty.” (*Da‘īf*)

There is a narration on this topic from Mu‘ādh bin Jabal.

This is how it was reported by ‘Abdus-Salām bin Ḥarb from *Khuṣaif*, and ‘Abdus-Salām is trustworthy and has a good memory.

Sharīk reported this *Hadīth* from *Khuṣaif*, from Abū ‘Ubaidah, from his father, from ‘Abdullāh, but Abū ‘Ubaidah did not hear (narrations) from his father.

تخریج: [إسناده ضعيف] وأخرجه ابن ماجه، الزكاة، باب صدقة البقر، ح: ١٨٠٤ من حديث عبدالسلام بن حرب به خفيف ضعيف والسند منقطع وللحديث شواهد ضعيفة عند ابن ماجه، ح: ١٨٠٣ وأبي داود، ح: ١٥٧٨ وغيرهما * وفي الباب عن معاذ بن جبل [بأني: ٦٢٣].

Comments:

Hāfiẓ Ibn Al-Mundhir said, the people of knowledge are agreed that the buffalos come under the rule of cows because a buffalo is a kind of cow as a Bactrian camel is a kind of camels.

623. Mu‘ādh bin Jabal narrated: “The Prophet ﷺ sent me to Yemen and ordered me to collect a *Tabī*’ or a *Tabī’ah* on every thirty cows, a *Musinnah* on every forty, a *Dinār* for every *Hālim*,^[3] or its equivalent of *Ma‘āfir*.^[4]”

٦٢٣ - حَدَّثَنَا مُحَمَّدُ بْنُ غِيْلَانَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: حَدَّثَنَا سُفْيَانُ عَنِ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ مَسْرُوقٍ، عَنْ مُعَاذِ بْنِ جَبَلٍ قَالَ: بَعَثَنِي النَّبِيُّ ﷺ إِلَى الْيَمَنِ،

[1] A male cow of one year, and a *Tabī’ah* is the female of one year.

[2] A two year old female cow.

[3] “Whoever reached (the age of) discernment such that he would be judged as man, whether he had attained puberty or not, and it means taking the *Jizyah* from those who are not Muslim.” (*Tuhfat Al-Ahwadhī*).

[4] *Ma‘āfir* is the name of a tribe, and here he is referring to a garment that is named after

Abū ‘Eīsā said: This *Hadīth* is *Hasan*. Some of them reported this *Hadīth* from Sufyān, from Al-A‘mash, from Abū Wā’il, from Masrūq: “The Prophet ﷺ sent Mu‘ādh to Yemen and ordered him to take...” and this is more authentic. (*Da‘if*)

فَأَمَرَنِي أَنْ أَخَذَ مِنْ كُلِّ ثَلَاثِينَ بَقْرَةً تَيْعًا أَوْ تَيْعَةً، وَمِنْ كُلِّ أَرْبَعِينَ مُسِنَّةً، وَمِنْ كُلِّ حَالِمٍ دِينَارًا أَوْ عِدْلَهُ مَعَاوِرَ.

قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ.

وَرَوَى بَعْضُهُمْ هَذَا الْحَدِيثَ عَنْ سُفْيَانَ، عَنِ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ مَسْرُوقٍ أَنَّ النَّبِيَّ ﷺ بَعَثَ مُعَاذًا إِلَى الْيَمَنِ فَأَمَرَهُ أَنْ يَأْخُذَ وَهَذَا أَصَحُّ.

تخريج: [إسناده ضعيف] وأخرجه أبو داود، الزكاة، باب: في زكاة السائمة، ح: ١٥٧٦ من حديث الأعمش به ولم أجد تصريح سماعه وقال أبو داود: رواه شعبة عن الأعمش به (ولم أجد) وللحديث شواهد ضعيفة وصححه ابن خزيمة، ح: ٢٢٦٧ وابن حبان، ح: ٧٩٤ والحاكم: ٣٩٨/١ والذهبي وغيرهم.

624. Muḥammad bin Bash-shār (Al-‘Abdī) narrated to us, Muḥammad bin Ja‘far narrated to us, from Shu‘bah, from ‘Amr bin Murrah who said: “I asked Abū ‘Ubaidah bin ‘Abdullāh: ‘Did you remember anything from ‘Abdullāh?’ He said, ‘No.’”^[1] (*Ṣaḥīḥ*)

٦٢٤ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرِو بْنِ مُرَّةٍ قَالَ: سَأَلْتُ أَبَا عُبَيْدَةَ هَلْ تَذَكَّرُ مِنْ عَبْدِ اللَّهِ شَيْئًا؟ قَالَ: لَا.

تخريج: [إسناده صحيح] .

Comments:

Some of the scholars divided *Jizyah* into two categories: A): *Jizyah* which is levied on the non-Muslims with their consent. It has no fixed amount. The ruler will decide the appropriate and affordable amount according to the circumstances. B): The second category of *Jizyah* is levied on non-Muslims after gaining victory and authority over them; its due amount is fixed. Four Dirham monthly which will make forty-eight Dirham annually are due from a well off person, two Dirham monthly which will make twenty-four Dirham annually are due from a middle class, and one Dirham monthly which will make twelve Dirham annually are due from the poor.

that tribe. See *An-Nihāyah* and *Tuḥfat Al-Aḥwadhī*.

[1] He is narrating in no. 622. The author mentioned this previously, under *Hadīth* no. 17.

Chapter 6. What Has Been Related About It Being Disliked To Take The Choicest Wealth For Charity

(المعجم ٦) - بَابُ مَا جَاءَ فِي كَرَاهِيَةِ أَخْذِ خِيَارِ الْمَالِ فِي الصَّدَقَةِ (التحفة ٦)

625. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ sent Mu‘ādh to Yemen and said to him: “You are going to a people from the People of the Book, so invite them to testify that none has right to be worshipped but Allāh, and that I am the Messenger of Allāh. If they comply with that, then inform them that Allāh has made five prayers obligatory upon them in a day and a night. If they comply with that, then inform them that Allāh has ordained a charity upon their wealth, which is to be taken from the rich among them and given to the poor among them. If they comply with that, then beware of their most precious wealth, and protect yourself from the supplication of the oppressed, for there is no barrier between it and Allāh.” (*Ṣaḥīḥ*)

There is a similar narration on this from Aṣ-Ṣunābiḥī.

Abū ‘Eisā said: The *Ḥadīth* of Ibn ‘Abbās is a *Ḥasan Ṣaḥīḥ Ḥadīth*. Abū Ma‘bad’s (one of the narrators) name, the freed slave of Ibn ‘Abbās, is *Nāfidh*.

٦٢٥ - حَدَّثَنَا أَبُو كُرَيْبٍ: حَدَّثَنَا وَكِيعٌ: حَدَّثَنَا زَكَرِيَّا بْنُ إِسْحَاقَ الْمَكِّيُّ: حَدَّثَنَا يَحْيَى ابْنُ عَبْدِ اللَّهِ بْنِ صَفِيٍّ عَنْ أَبِي مَعْبُدٍ، عَنِ ابْنِ عَبَّاسٍ أَنَّ رَسُولَ اللَّهِ ﷺ بَعَثَ مُعَاذًا إِلَى الْيَمَنِ فَقَالَ لَهُ: «إِنَّكَ تَأْتِي قَوْمًا أَهْلَ كِتَابٍ فَادْعُهُمْ إِلَى شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنِّي رَسُولُ اللَّهِ، فَإِنْ هُمْ أَطَاعُوا لِدَلِّكَ فَأَعْلِمُهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ خَمْسَ صَلَوَاتٍ فِي الْيَوْمِ وَاللَّيْلَةِ، فَإِنْ هُمْ أَطَاعُوا لِدَلِّكَ فَأَعْلِمُهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةَ أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَعْيَانِهِمْ وَتُرَدُّ عَلَى فُقَرَائِهِمْ، فَإِنْ هُمْ أَطَاعُوا لِدَلِّكَ فَإِيَّاكَ وَكَرَائِمَ أَمْوَالِهِمْ، وَاتَّقِ دَعْوَةَ الْمَظْلُومِ فَإِنَّهَا لَيْسَ بَيْنَهَا وَبَيْنَ اللَّهِ حِجَابٌ».

وفي البابِ عَنِ الصَّنَابِيحِيِّ.

قَالَ أَبُو عِيْسَى: حَدِيثُ ابْنِ عَبَّاسٍ حَدِيثٌ حَسَنٌ صَحِيحٌ. وَأَبُو مَعْبُدٍ مَوْلَى ابْنِ عَبَّاسٍ اسْمُهُ نَافِذٌ.

تخريج: متفق عليه، وأخرجه مسلم، الإيمان، باب الدعاء إلى الشهادتين وشرائع الإسلام، ح: ١٩ عن أبي كريب والبخاري، ح: ١٣٩٥ من حديث زكريا بن إسحاق به * وفي الباب عن الصنابحي (الصنابح بن الأعسر) [أحمد: ٤/٣٤٩].

Comments:

According to the majority biographers, Mu‘ādh bin Jabal was appointed a judge and governor of Yemen in 9th year of Hijrah/Emigration. Imām Al-

Bukhāri and some other people of knowledge hold that he was sent in the 10th year of Hijrah. Nevertheless, sending him to Yemen, the Prophet ﷺ told him this wise manner of calling and inviting to Islam.

Chapter 7. What Has Been Related About Charity Due On Plants, Fruits And Grains

(المعجم ٧) - بَابُ مَا جَاءَ فِي صَدَقَةِ الزَّرْعِ وَالشَّمْرِ وَالْحُبُوبِ (التحفة ٧)

626. Abū Sa‘eed Al-Khudrī narrated that the Prophet ﷺ said: “There is no charity due on less than five camels, and there is no charity due on what is less than five *Uqiyah* (of silver), and there is no charity due on what is less than five *Wasaq*.” (*Ṣaḥīḥ*)

There are narrations on this topic from Abū Hurairah, Ibn ‘Umar, Jābir, and ‘Abdullāh bin ‘Amr.

٦٢٦ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ مُحَمَّدٍ عَنْ عَمْرِو بْنِ يَحْيَى الْمَازِنِيِّ، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ: إِنَّ النَّبِيَّ ﷺ قَالَ: «لَيْسَ فِيمَا دُونَ خَمْسَةِ دَوْدٍ صَدَقَةٌ وَلَيْسَ فِيمَا دُونَ خَمْسِ أَوْاقٍ صَدَقَةٌ، وَلَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ صَدَقَةٌ». وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ وَابْنِ عُمَرَ وَجَابِرٍ وَعَبْدِ اللَّهِ بْنِ عَمْرٍو.

تخريج: متفق عليه، وأخرجه البخاري، الزكاة، باب زكاة الورق، ح: ١٤٤٧ ومسلم، الزكاة، ح: ٩٧٩ من حديث عمرو بن يحيى به * وفي الباب عن أبي هريرة [أحمد: ٤٠٢/٢] وابن عمر [أحمد: ٩٢/٢] وجابر [مسلم، ح: ٩٨٠] عبدالله بن عمرو [الدارقطني: ٩٣/٢].

627. (Another chain of narration that) Abū Sa‘eed Al-Khudrī narrated that the Prophet ﷺ said (similar to *Hadīth* no. 626). (*Ṣaḥīḥ*)

Abū ‘Eisā said: The *Hadīth* of Abū Sa‘eed is a *Ḥasan Ṣaḥīḥ Hadīth*. It has been reported from him through other routes also. This is acted upon according to the people of knowledge, (they say) that there is no charity due on what is less than five *Wasaq* and a *Wasaq* is sixty *Ṣā’s*, so five *Wasaq* is three hundred *Ṣā’*. The *Ṣā’* of the Prophet ﷺ was five and one-third

٦٢٧ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ: حَدَّثَنَا سُفْيَانُ وَشُعْبَةُ وَمَالِكُ بْنُ أَنَسٍ عَنْ عَمْرِو بْنِ يَحْيَى، عَنْ أَبِيهِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ عَنِ النَّبِيِّ ﷺ نَحْوَ حَدِيثِ عَبْدِ الْعَزِيزِ، عَنْ عَمْرِو بْنِ يَحْيَى.

قَالَ أَبُو عِيسَى: حَدِيثُ أَبِي سَعِيدٍ حَدِيثٌ حَسَنٌ صَحِيحٌ، وَقَدْ رَوَى مِنْ غَيْرِ وَجْهٌ عَنْهُ، وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَهْلِ الْعِلْمِ أَنْ لَيْسَ فِيمَا دُونَ خَمْسَةِ أَوْسُقٍ صَدَقَةٌ. وَالْوَسْقُ

Raṭl, and the *Ṣā'* of the people of Al-Kūfah is eight *Raṭl*. There is no charity due on what is less than five *Uqiyah* and an *Uqiyah* is forty Dirham, so five *Uqiyah* is two hundred Dirham. There is no charity due on what is less than five camels, so when the amount reaches twenty-five, then one *Bint Makhād* is due, and when it is less than twenty-five camels, then for every five camels a sheep is due.

سِتُونَ صَاعًا، وَخَمْسَةُ أَوْسُقٍ ثَلَاثُمِائَةَ صَاعٍ، وَصَاعُ النَّبِيِّ ﷺ خَمْسَةُ أَرْطَالٍ وَثَلَاثُ، وَصَاعُ أَهْلِ الْكُوفَةِ ثَمَانِيَةُ أَرْطَالٍ، وَلَيْسَ فِيمَا دُونَ خَمْسِ أَوْاقٍ صَدَقَةٌ، وَالْأَوْقِيَّةُ أَرْبَعُونَ دِرْهَمًا وَخَمْسُ أَوْاقٍ مِائَتَا دِرْهَمٍ. وَلَيْسَ فِيمَا دُونَ خَمْسِ ذَوْدٍ يَعْنِي لَيْسَ فِيمَا دُونَ خَمْسِ مِنَ الْإِبِلِ صَدَقَةٌ، فَإِذَا بَلَغَتْ خَمْسًا وَعِشْرِينَ مِنَ الْإِبِلِ فَفِيهَا ابْنَةُ مَخَاضٍ، وَفِيمَا دُونَ خَمْسِ وَعِشْرِينَ مِنَ الْإِبِلِ فِي كُلِّ خَمْسٍ مِنَ الْإِبِلِ شَاةٌ.

تخریج: وأخرجه البخاري من حديث مالك به، انظر الحديث السابق.

Comments:

Dhauḍ means camels and *Uqiyah* is used for Dirham; the detail of their *Zakāt* has already been mentioned. Here the objective of this *Hadīth* is to explain the issue of *Zakāt* levied on agricultural produce, like: grains and fruits.

Chapter 8. What Has Been Related About: There Is No Charity Due On Horses And Slaves

(المعجم ٨) - بَابُ مَا جَاءَ لَيْسَ فِي الْخَيْلِ وَالرَّقِيقِ صَدَقَةٌ (التحفة ٨)

628. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: "There is no charity due on a Muslim for his horse nor his slave." (*Ṣaḥīh*)

٦٢٨ - حَدَّثَنَا مُحَمَّدُ بْنُ الْعَلَاءِ أَبُو كُرَيْبٍ وَمَحْمُودُ بْنُ غِيْلَانَ قَالَا: حَدَّثَنَا وَكَيْعٌ عَنْ سُفْيَانَ وَشُعْبَةَ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ عِرَاكِ بْنِ مَالِكٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَيْسَ عَلَى الْمُسْلِمِ، فِي فَرَسِهِ وَلَا فِي عَبْدِهِ صَدَقَةٌ». وَفِي الْبَابِ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو وَعَلِيٍّ. قَالَ أَبُو عِيْسَى: حَدِيثُ أَبِي هُرَيْرَةَ حَدِيثٌ حَسَنٌ صَحِيحٌ.

There are narrations on this topic from ‘Abdullāh bin ‘Amr and ‘Alī.

Abū ‘Eīsā said: The *Hadīth* of Abū Hurairah is a *Ḥasan Ṣaḥīḥ Hadīth*.

This is acted upon according to the people of knowledge, there is no charity due on a grazing horse, nor is charity due on a slave which they use as a servant, unless they

are for trade, if they are for trade then *Zakāt* is due on their price when the *Hawl*^[1] is fulfilled for them.

وَالْعَمَلُ عَلَيْهِ عِنْدَ أَهْلِ الْعِلْمِ أَنَّهُ لَيْسَ فِي
الْخَيْلِ السَّائِمَةِ صَدَقَةٌ، وَلَا فِي الرَّيْقِيِّ إِذَا
كَانُوا لِلْخِدْمَةِ صَدَقَةٌ، إِلَّا أَنْ يَكُونُوا
لِلتَّجَارَةِ، فَإِذَا كَانُوا لِلتَّجَارَةِ فَفِي أَثْمَانِهِمْ
الزَّكَاةُ إِذَا حَالَ عَلَيْهَا الْحَوْلُ.

تخریج: متفق عليه، وأخرجه البخاري، الزكاة، باب: ليس على المسلم في فرسه صدقة، ح: ١٤٦٣ من حديث شعبة ومسلم، الزكاة، باب: لا زكاة على المسلم في عبده وفرسه، ح: ٩٨٢ من حديث عبدالله بن دينار به * وفي الباب عن عبدالله بن عمرو [أبو عبيد في كتاب الأموال، ص: ٥٦٣، ح: ١٣٥٧] وعلي [تقدم: ٦٢٠].

Comments:

Three *A'immah* hold the opinion in the light of this *Hadīth* that the horses are not subject to *Zakāt* if they are not for trade, and if they are for trade, then according to the four *A'immah*, they are subject to *Zakāt*; Imām Abū Yūsuf and Imām Muḥammad are also agreed with the majority. Imām Abū Ḥanīfah says, the horses for breeding purposes are subject to *Zakāt*, but the opinion of the majority is more accurate. (*Mir'āt*: 2/44)

Chapter 9. What Has Been Related About *Zakāt* On Honey

(المعجم ٩) - بَابُ مَا جَاءَ فِي زَكَاةِ
الْعَسَلِ (التحفة ٩)

629. Ibn 'Umar narrated that the Messenger of Allāh ﷺ said: "A *Ziqq*^[2] is due for every ten *Ziqq* of honey." (*Ḥasan*)

There are narrations on this topic from Abū Hurairah, Abū Sayyārah Al-Muta'ī, and 'Abdullāh bin 'Amr.

Abū 'Eisā said: The chain for the *Hadīth* of Ibn 'Umar has one person in it who has been criticized, and there is not much from the Prophet ﷺ on this topic that is correct.

٦٢٩ - حَدَّثَنَا مُحَمَّدُ بْنُ يَحْيَى
الْيَسَابُورِيُّ: حَدَّثَنَا عَمْرُو بْنُ أَبِي سَلَمَةَ التَّنِيسِيُّ
عَنْ صَدَقَةَ بْنِ عَبْدِ اللَّهِ، عَنْ مُوسَى بْنِ يَسَارٍ،
عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ: قَالَ رَسُولُ اللَّهِ
ﷺ: «فِي الْعَسَلِ فِي كُلِّ عَشْرَةِ أَرْقُ، زَقٌّ».
وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ وَأَبِي سَيَّارَةَ
الْمُنَعِيِّ وَعَبْدِ اللَّهِ بْنِ عَمْرٍو.
قَالَ أَبُو عِيسَى: حَدِيثُ ابْنِ عُمَرَ فِي إِسْنَادِهِ
مَقَالٌ. وَلَا يَصِحُّ عَنِ النَّبِيِّ ﷺ فِي هَذَا الْبَابِ

[1] One lunar year.

[2] "It is a vessel made of (animal) skin in which fat and honey are stored." *Tuhfat Al-Aḥwadhī*.

However, this *Ḥadīth* is acted upon according to most of the people of knowledge. It is the view of Aḥmad and Ishāq. Some of the people of knowledge say that there is nothing due on honey.

[And Ṣadaqah bin ‘Abdullāh (one of the narrators) does not have a good memory, and Ṣadaqah bin ‘Abdullāh has been contradicted in narrating this *Ḥadīth* from Nāfi’].

كَبِيرُ شَيْءٍ. وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَكْثَرِ أَهْلِ الْعِلْمِ. وَيهِ يَقُولُ أَحْمَدُ وَإِسْحَاقُ. وَقَالَ بَعْضُ أَهْلِ الْعِلْمِ لَيْسَ فِي الْعَسَلِ شَيْءٌ.
[وَصَدَقَهُ بِنُ عَبْدِ اللَّهِ لَيْسَ بِحَافِظٍ، وَقَدْ حُوْلِفَ صَدَقَةَ بِنُ عَبْدِ اللَّهِ فِي رِوَايَةِ هَذَا الْحَدِيثِ عَنْ نَافِعٍ].

تخریج: [حسن] وأخرجه البيهقي: ١٢٦/٤ من حديث محمد بن يحيى به وقال: "تفرد به هكذا صدقة بن عبدالله السمين وهو ضعيف، قد ضعفه أحمد بن حنبل ويحيى بن معين وغيرهما" وللحديث شواهد عند ابن ماجه، ح: ١٨٢٤ وأبي داود، ح: ١٦٠٠ وغيرهما * وفي الباب عن أبي هريرة [البيهقي: ١٢٦/٤] وأبي سياره المتعي [ابن ماجه، ح: ١٨٢٣] وعبدالله بن عمرو [ابن ماجه، ح: ١٨٢٤ وأبو داود، ح: ١٦٠٢].

630. ‘Ubaidullāh bin ‘Umar narrated that Nāfi’ said: “‘Umar bin ‘Abdul-‘Azīz asked me about charity due on honey, so I said to him: ‘We do not have honey that we could give charity from, but Al-Mughirah bin Ḥakīm informed us that he (ﷺ) said: ‘There is no charity due on honey.’ So ‘Umar said: ‘That is fair enough for me.’ So he wrote to the people that it be lifted, meaning (the duty of paying it) from them.” (*Ṣaḥīḥ*)

٦٣٠ - [حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ: حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ عُمَرَ عَنْ نَافِعٍ قَالَ: سَأَلَنِي عُمَرُ بْنُ عَبْدِ الْعَزِيزِ، عَنْ صَدَقَةِ الْعَسَلِ قَالَ: قُلْتُ: مَا عِنْدَنَا عَسَلٌ تَتَصَدَّقُ مِنْهُ وَلَكِنْ أَخْبَرَنَا الْمُغِيرَةُ بْنُ حَكِيمٍ أَنَّهُ قَالَ: لَيْسَ فِي الْعَسَلِ صَدَقَةٌ، فَقَالَ عُمَرُ: عَدَلٌ مَرَضِيٌّ فَكَتَبَ إِلَى النَّاسِ أَنْ تُوَضَعَ. يَعْنِي عَنْهُمْ].

تخریج: [إسناده صحيح] وأخرجه ابن أبي شيبة: ١٤٢/٣، ح: ١٠٠٥٦ وعبدالرزاق، ح: ٦٩٦٥، ٦٩٦٦ من حديث عبيدالله بن عمر به.

Comments:

Imām Ibn Al-Mundhir stated that according to the majority the *Zakāt* is not levied on honey, Imām Mālik, Ash-Shāfi’i and Ath-Thawri also hold the same opinion. In the view of Imām Aḥmad and Ishāq one tenth is due on honey as *Zakāt*. (*Tuḥfat Al-Aḥwadhī*: 3/8)

Chapter 10. What Has Been Related About: There Is No *Zakāt* On Acquired Wealth Until The *Hawl* Has Passed

631. Ibn ‘Umar narrated that the Messenger of Allāh ﷺ said: “Whoever acquires wealth, then there is no *Zakāt* on it until the *Hawl* has passed (while it is in his possession).” (*Da‘īf*)

(المعجم ١٠) - بَابُ مَا جَاءَ لَا زَكَاةَ عَلَى الْمَالِ الْمُسْتَفَادِ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ (التحفة ١٠)

٦٣١ - حَدَّثَنَا يَحْيَى بْنُ مُوسَى: حَدَّثَنَا هَارُونَ بْنُ صَالِحِ الطَّلْحِيِّ [الْمَدَنِيِّ].

حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ زَيْدِ بْنِ أَسْلَمَ عَنْ أَبِيهِ، عَنْ ابْنِ عُمَرَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ اسْتَفَادَ مَالًا فَلَا زَكَاةَ عَلَيْهِ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ [عِنْدَ رَبِّهِ]».

وَفِي الْبَابِ عَنْ سَرَاءَ بِنْتِ نَبْهَانَ [الْعَنَوِيَّةِ].

تخريج: [إسناده ضعيف] وأخرجه البغوي في شرح السنة، ح: ١٥٧٦ من حديث الترمذي به وللحديث شواهد ضعيفة عند أبي داود، ح: ١٥٧٣ وابن ماجه، ح: ١٧٩٢ وغيرهما * وفي الباب عن سراء بنت نبهان [لعله يشير إلى حديث الطبراني في الكبير: ٣٠٨/٢٤، ح: ٧٧٨].

632. Ibn ‘Umar said: “Whoever acquires wealth, then there is no *Zakāt* on it until the *Hawl* has passed while it is in his possession.” (Abū ‘Eīsā said:) This is more correct than the (previous) *Hadīth* of ‘Abdur-Raḥmān bin Zaid bin Aslam.

Abū ‘Eīsā said: It was reported by Ayyūb, ‘Ubaidullāh [bin ‘Umar] and others, from Nāfi‘, from Ibn ‘Umar in *Mawqūf* form. ‘Abdur-Raḥmān bin Zaid bin Aslam is weak in *Hadīth*, Aḥmad bin Ḥanbal, ‘Alī bin Al-Madīnī and others among the scholars of *Hadīth* graded him weak. (And he) has many mistakes.

٦٣٢ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ: حَدَّثَنَا أَيُّوبُ عَنْ نَافِعٍ، عَنْ ابْنِ عُمَرَ قَالَ: مَنْ اسْتَفَادَ مَالًا فَلَا زَكَاةَ فِيهِ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ عِنْدَ رَبِّهِ.

[قَالَ أَبُو عِيْسَى]: وَهَذَا أَصَحُّ مِنْ حَدِيثِ عَبْدِ الرَّحْمَنِ بْنِ زَيْدِ بْنِ أَسْلَمَ.

قَالَ أَبُو عِيْسَى: وَرَوَاهُ أَيُّوبُ وَعُبَيْدُ اللَّهِ [ابْنُ عُمَرَ] وَغَيْرُ وَاحِدٍ عَنْ نَافِعٍ، عَنْ ابْنِ عُمَرَ مَوْقُوفًا. وَعَبْدُ الرَّحْمَنِ بْنُ زَيْدِ بْنِ أَسْلَمَ ضَعِيفٌ فِي الْحَدِيثِ، ضَعَّفَهُ أَحْمَدُ بْنُ حَنْبَلٍ وَعَلِيُّ بْنُ الْمَدِينِيِّ وَغَيْرُهُمَا مِنْ أَهْلِ الْحَدِيثِ، وَهُوَ كَثِيرُ الْعَلَطِ.

It has been reported from more than one of the Companions of the Prophet ﷺ that there is no *Zakāt* on acquired wealth until the *Hawl* passes on it. This is the saying of Mālik bin Anas, Ash-Shāfi'ī, Aḥmad bin Ḥanbal, and Ishāq.

Some of the people of knowledge said that when one has wealth upon which *Zakāt* is due, then the *Zakāt* is required, but if he does not have any wealth besides what was acquired – and it is of the type that *Zakāt* is paid on – then he is not required to pay *Zakāt* on the acquired wealth until the *Hawl* has passed on it. But if he acquired wealth before the *Hawl* passed, then he is to pay *Zakāt* on the acquired wealth, along with the wealth that *Zakāt* is required on that he already has. This is the saying of Sufyān Ath-Thawrī and the people of Al-Kūfah.

وَقَدْ رُوِيَ عَنْ غَيْرِ وَاحِدٍ مِنْ أَصْحَابِ النَّبِيِّ ﷺ أَنَّ لَا زَكَاةَ فِي الْمَالِ الْمُسْتَقَادِ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ. وَبِهِ يَقُولُ مَالِكُ بْنُ أَنَسٍ وَالشَّافِعِيُّ وَأَحْمَدُ بْنُ حَنْبَلٍ وَإِسْحَاقُ. وَقَالَ بَعْضُ أَهْلِ الْعِلْمِ: إِذَا كَانَ عِنْدَهُ مَالٌ تَجِبُ فِيهِ الزَّكَاةُ فَفِيهِ الزَّكَاةُ وَإِنْ لَمْ يَكُنْ عِنْدَهُ سِوَى الْمَالِ الْمُسْتَقَادِ - مَالٌ تَجِبُ فِيهِ الزَّكَاةُ - لَمْ يَجِبْ عَلَيْهِ فِي الْمَالِ الْمُسْتَقَادِ زَكَاةٌ حَتَّى يَحُولَ عَلَيْهِ الْحَوْلُ، فَإِنْ اسْتَقَادَ مَا لَا قَبْلَ أَنْ يَحُولَ عَلَيْهِ الْحَوْلُ فَإِنَّهُ يُرَكَّبُ الْمَالُ الْمُسْتَقَادَ مَعَ مَالِهِ الَّذِي وَجِبَتْ فِيهِ الزَّكَاةُ. وَبِهِ يَقُولُ سُفْيَانُ الثَّوْرِيُّ وَأَهْلُ الْكُوفَةِ.

تخريج: [إسناده صحيح] وأخرجه عبدالرزاق، ح: ٧٠٣١ من حديث أيوب به وهو في الموطأ: ٢٤٦/١ بلفظ: "لا تجب في مال زكاة حتى يحول عليه الحول" وإسناده صحيح جليل وصححه الدارقطني والبيهقي.

Comments:

Wealth gained during the year (like: gifts, inheritance etc.) is called 'Gained Wealth'. According to Imām Abū Ḥanifah, this type of wealth will be calculated along with the person's own previous wealth, and both together will be subject to *Zakāt*. It looks true that if the previous wealth does not reach the amount subject to *Zakāt* (*Nisāb*) while the gained wealth reaches the *Nisāb*, or the gained wealth reaches the *Nisāb* by adding it to the pre-owned wealth, thus both will be combined and will be subject to *Zakāt*. If both, individually, reach the *Nisāb*, then they will have separate years. See for details *Mir'āt*: 2/21-22.

Chapter 11. What Has Been Related About: There Is No *Jizyah* Required From The Muslims

633. Ibn ‘Abbās narrated that the Messenger of Allāh ﷺ said: “Two *Qiblahs* in one land are of no benefit, and there is no *Jizyah* upon the Muslims.” (*Da‘if*)

تخریج: [إسناده ضعيف] وأخرجه أبو داود، الخراج والفيء والإمارة، باب: في الذمي الذي يسلم في بعض السنة هل عليه جزية؟، ح: ٣٠٥٣ من حديث جرير ابن عبد الحميد مختصراً، قابوس ضعيف وضعفه الجمهور.

Comments:

‘Allāmah Taur Bishtī said, two religions cannot function together equally in the same land. No Muslim should be disgraced and humiliated in the country of disbelievers, and a disbeliever cannot live in an Islamic country without paying the *Jizyah* and neither is he allowed to preach and propagate his religion openly.

634. (A similar narration as no. 633). (*Da‘if*)

There are narrations on this topic from Sa‘eed bin Zaid and the grandfather of Ḥarb bin ‘Ubaidullāh Ath-Thaqafi.

Abū ‘Eisā said: The *Hadīth* of Ibn ‘Abbās was reported from Qābūs bin Abī Zibyan, from his father, from the Prophet ﷺ in *Mursal* form.

This is acted upon according to the people of knowledge in general, that the Christian, when he accepts Islām, then the *Jizyah* is removed from his neck.^[1] As for the saying of the Prophet ﷺ:

(المعجم ١١) - بَابُ مَا جَاءَ لَيْسَ عَلَى الْمُسْلِمِينَ جِزْيَةٌ (التحفة ١١)

٦٣٣ - حَدَّثَنَا يَحْيَى بْنُ أَكْثَمَ: حَدَّثَنَا جَرِيرٌ عَنْ قَابُوسِ بْنِ أَبِي ظَبْيَانَ، عَنْ أَبِيهِ، عَنْ ابْنِ عَبَّاسٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا تَصْلُحُ فِئْتَانِ فِي أَرْضٍ وَاحِدَةٍ، وَلَيْسَ عَلَى الْمُسْلِمِينَ جِزْيَةٌ».

٦٣٤ - حَدَّثَنَا أَبُو كُرَيْبٍ: حَدَّثَنَا جَرِيرٌ عَنْ قَابُوسٍ بِهَذَا الْإِسْنَادِ نَحْوَهُ.

وَفِي الْبَابِ عَنْ سَعِيدِ بْنِ زَيْدٍ وَجَدَّ حَرْبِ ابْنِ عُبَيْدِ اللَّهِ الثَّقَفِيِّ.

قَالَ أَبُو عِيْسَى: حَدِيثُ ابْنِ عَبَّاسٍ قَدْ رَوَاهُ عَنْ قَابُوسِ بْنِ أَبِي ظَبْيَانَ، عَنْ أَبِيهِ عَنِ النَّبِيِّ ﷺ مُرْسَلًا.

وَالْعَمَلُ عَلَى هَذَا عِنْدَ عَامَّةِ أَهْلِ الْعِلْمِ أَنَّ النَّصْرَانِيَّ إِذَا أَسْلَمَ وَضِعَتْ عَنْهُ جِزْيَةُ رَقَبَتِهِ. وَقَوْلُ النَّبِيِّ ﷺ: «لَيْسَ عَلَى الْمُسْلِمِينَ جِزْيَةٌ عُشُورٌ» إِنَّمَا يَعْنِي بِهِ جِزْيَةَ الرَّقَبَةِ. وَفِي

[1] Meaning the individual does not have to pay the *Jizyah*, but that does not necessarily refer to taxes on his land.

“There is no ‘*Ushūr Jizyah* taken from the Muslims,” it only refers to the individual *Jizyah*, and there is a *Hadīth* that explains this, where he (ﷺ) said: “The ‘*Ushūr* is only required from the Jews and Christians, there is no ‘*Ushūr* required from the Muslims.”

الْحَدِيثِ مَا يُفَسَّرُ هَذَا حَيْثُ قَالَ: «إِنَّمَا الْعُشُورُ عَلَى الْيَهُودِ وَالنَّصَارَى، وَلَيْسَ عَلَى الْمُسْلِمِينَ عُشُورٌ».

تخریج: [إسناده ضعيف] انظر الحديث السابق * وفي الباب عن سعيد بن زيد [أحمد: ١/ ١٩٠] وجد حرب بن عبيدالله الثقفي [أبو داود، ح: ٣٠٤٦] وللحديث "ليس على المسلمين جزية عشور" شواهد.

Comments:

Some people of knowledge meant by ‘*Ushūr*’ ten percent of the trading merchandise; meaning that the trading commodities of the Jews and Christians are subject to ten percent levy; as for the Muslims, because they pay *Zakāt* on the trading commodities, so their trading merchandise are not subject to ten percent levy. [*Tuhfat Al-Ahwadhī*: 3/10]

Chapter 12. What Has Been Related About *Zakāt* On Jewelry

635. ‘Amr bin Al-*Hārith* bin Al-Muṣṭaliq narrated from the nephew of Zainab, the wife of ‘Abdullāh (Ibn Mas‘ūd) who said: “The Messenger of Allāh ﷺ delivered a sermon to us, and said: ‘O you women! Give charity, even if it is from your jewelry, for indeed you will make up most of the people of Hell on the Day of Judgement.’” (*Ṣaḥīḥ*)

(المعجم ١٢) - بَابُ مَا جَاءَ فِي زَكَاةِ الْحُلِيِّ (التحفة ١٢)

٦٣٥ - حَدَّثَنَا هَنَّادٌ: حَدَّثَنَا أَبُو مُعَاوِيَةَ عَنِ الْأَعْمَشِ، عَنْ أَبِي وَائِلٍ، عَنْ عَمْرِو بْنِ الْحَارِثِ بْنِ الْمُصْطَلِقِ، عَنِ ابْنِ أَخِي زَيْنَبِ امْرَأَةِ عَبْدِ اللَّهِ، عَنْ زَيْنَبِ امْرَأَةِ عَبْدِ اللَّهِ [ابْنِ مَسْعُودٍ] قَالَتْ: خَطَبَنَا رَسُولُ اللَّهِ ﷺ فَقَالَ: «يَا مَعْشَرَ النِّسَاءِ تَصَدَّقْنَ وَلَوْ مِنْ حُلِيِّكُنَّ فَإِنَّكُنَّ أَكْثَرُ أَهْلِ جَهَنَّمَ يَوْمَ الْقِيَامَةِ».

تخریج: [صحیح] وأخرجه النسائي في الكبرى، ح: ٩٢٠٠ عن هناد بن السري وغيره به مطولاً وصححه ابن حبان (الإحسان): ٤٢٣٤ * أبو معاوية صرح بالسماع وانظر الحديث الآتي.

636. ‘Amr bin Al-*Hārith*, the nephew of Zainab, the wife of ‘Abdullāh, narrated that Zainab, the wife of ‘Abdullāh narrated similarly from the Prophet ﷺ. (*Ṣaḥīḥ*)

٦٣٦ - حَدَّثَنَا مُحَمَّدُ بْنُ عِيْلَانَ: حَدَّثَنَا أَبُو دَاوُدَ عَنْ شُعْبَةَ، عَنِ الْأَعْمَشِ قَالَ: سَمِعْتُ أَبَا وَائِلٍ يُحَدِّثُ عَنْ عَمْرِو بْنِ الْحَارِثِ ابْنِ أَخِي زَيْنَبِ امْرَأَةِ عَبْدِ اللَّهِ، عَنْ

(Abū ‘Eisā said:) This is more correct than the (previous) narration of Abū Mu‘āwiyah. Abū Mu‘āwiyah was confused in his narration, he said: “(From) ‘Amr bin Al-Hārith, from the nephew of Zainab” but what is correct is that it is from ‘Amr bin Al-Hārith, the nephew of Zainab. It has also been reported from ‘Amr bin Shu‘aib, from his father, from his grandfather, from the Prophet ﷺ that he accepted jewelry for *Zakāt*, but there is some disparagement related to the chain.

The people of knowledge differ over that, some of the people of knowledge among the Companions of the Prophet ﷺ, and the *Tābi‘īn* thought that *Zakāt* was due on jewelry that was gold or silver.

This is the view of Sufyān Ath-Thawrī and ‘Abdullāh bin Al-Mubārak. Some of the Companions of the Prophet ﷺ, among them Ibn ‘Umar, ‘Āishah, Jābir bin ‘Abdullāh and Anas bin Mālik said: “There is no *Zakāt* due on jewelry.” That was reported from some of the *Fuqahā’* among the *Tābi‘īn*. This is the view of Mālik bin Anas, Ash-Shāfi‘ī, Aḥmad, and Ishāq.

زَيْنَبُ امْرَأَةَ عَبْدِ اللَّهِ عَنِ النَّبِيِّ ﷺ نَحْوَهُ.
[قَالَ أَبُو عَيْسَى:] وَهَذَا أَصَحُّ مِنْ حَدِيثِ
أَبِي مُعَاوِيَةَ.

وَأَبُو مُعَاوِيَةَ وَهَمَّ فِي حَدِيثِهِ فَقَالَ: [عَنْ] عَمْرٍو بْنِ الْحَارِثِ، عَنِ ابْنِ أَخِي زَيْنَبَ. وَالصَّحِيحُ إِنَّمَا هُوَ [عَنْ] عَمْرٍو بْنِ الْحَارِثِ ابْنِ أَخِي زَيْنَبَ. وَقَدْ رُوِيَ عَنْ عَمْرٍو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ عَنِ النَّبِيِّ ﷺ أَنَّهُ رَأَى فِي الْحُلِيِّ زَكَاةً. وَفِي إِسْنَادِهِ مَقَالٌ.

وَاخْتَلَفَ أَهْلُ الْعِلْمِ فِي ذَلِكَ، فَرَأَى بَعْضُ أَهْلِ الْعِلْمِ مِنْ أَصْحَابِ النَّبِيِّ ﷺ وَالتَّابِعِينَ فِي الْحُلِيِّ زَكَاةً مَا كَانَ مِنْهُ ذَهَبٌ وَفِضَّةٌ.

وَبِهِ يَقُولُ سُفْيَانُ الثَّوْرِيُّ وَعَبْدُ اللَّهِ بْنُ الْمُبَارَكِ. وَقَالَ بَعْضُ أَصْحَابِ النَّبِيِّ ﷺ مِنْهُمْ ابْنُ عُمَرَ وَعَائِشَةُ وَجَابِرُ بْنُ عَبْدِ اللَّهِ وَأَنْسُ بْنُ مَالِكٍ: لَيْسَ فِي الْحُلِيِّ زَكَاةٌ. وَهَكَذَا رُوِيَ عَنْ بَعْضِ فُقَهَاءِ التَّابِعِينَ. وَبِهِ يَقُولُ مَالِكُ بْنُ أَنَسٍ وَالشَّافِعِيُّ وَأَحْمَدُ وَإِسْحَاقُ.

تخريج: متفق عليه، وأخرجه البخاري، الزكاة، باب الزكاة على الزوج والأيتام في الحجر، ح: ١٤٦٦ ومسلم، الزكاة، باب فضل النفقة والصدقة على الأقرين... إلخ، ح: ١٠٠٠ من حديث الأعمش به * حديث عمرو بن شعيب عن أبيه عن جده، ولعله الحديث الآتي: ٦٣٧ وهو حديث حسن.

Comments:

In the light of evidence, the opinion of those who are in favor of *Zakāt* on jewelry is correct, provided the jewelry is equal or more than the *Nisāb*.
(*Subulus-Salām*: 2/192, *Mir‘āt*: 3/81)

637. ‘Amr bin Shu‘aib narrated from his father, from his grandfather, that two women came to the Messenger of Allāh ﷺ, and they each had a bracelet of gold on their forearms. So he said to them: “Have you paid their *Zakāt*?” They said, “No.” The Messenger of Allāh ﷺ said to them: “Would you like for Allāh to fashion them into two bracelets of Fire?” They said, “No.” He said: “Then pay its *Zakāt*.” (*Hasan*)

Abū ‘Eisā said: This *Hadīth* was also reported like this by Al-Muthanna bin Aṣ-Ṣabbāḥ from ‘Amr bin Shu‘aib. Al-Muthanna bin Aṣ-Ṣabbāḥ and Ibn Lahī‘ah (narrators in the chain of this *Hadīth* are weak in *Hadīth*, and there is nothing correct on this chapter from the Prophet ﷺ).

٦٣٧ - حَدَّثَنَا فُتَيْبَةُ: حَدَّثَنَا ابْنُ لَهَيْعَةَ عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ امْرَأَتَيْنِ أَتَتَا رَسُولَ اللَّهِ ﷺ وَفِي أَيْدِيهِمَا سِوَارَانِ مِنْ ذَهَبٍ، فَقَالَ لَهُمَا: «أَتُودَيَانِ زَكَاتَهُ؟» قَالَتَا: لَا، قَالَ: فَقَالَ لَهُمَا رَسُولُ اللَّهِ ﷺ: «أَتُحِبَّانِ أَنْ يُسَوِّرَكُمَا اللَّهُ بِسِوَارَيْنِ مِنْ نَارٍ؟» قَالَتَا: لَا، قَالَ: «فَأَدَيَا زَكَاتَهُ».

قَالَ أَبُو عِيسَى: وَهَذَا حَدِيثٌ قَدْ رَوَاهُ الْمُثَنَّى بْنُ الصَّبَّاحِ عَنْ عَمْرِو بْنِ شُعَيْبٍ نَحْوَ هَذَا. وَالْمُثَنَّى بْنُ الصَّبَّاحِ وَابْنُ لَهَيْعَةَ يُضَعَّفَانِ فِي الْحَدِيثِ وَلَا يَصِحُّ فِي هَذَا الْبَابِ، عَنِ النَّبِيِّ ﷺ شَيْءٌ.

تخريج: [حسن] وأخرجه أبو داود، الزكاة، باب الكنز ما هو؟ وزكاة الحلبي، ح: ١٥٦٣ من طريق آخر عن عمرو بن شعيب به وصححه ابن القطان الفاسي * ابن لهيعة تابعه حسين المعلم.

Comments:

The scholars did not accept this view of Imām At-Tirmidhī that there is no authentic *Hadīth* regarding this issue; as there are some authentic *Aḥādīth*.

Chapter 13. What Has Been Related About *Zakāt* On Greens (Produce)

638. ‘Eisā bin Ṭalḥah narrated that Mu‘ādh had written to the Prophet ﷺ to ask him about greens – which is “herbs” – so he (ﷺ) said, “There is nothing due on them.” (*Da‘īf*)

Abū ‘Eisā said: The chain for this *Hadīth* is not *Ṣaḥīḥ*, Nothing

(المعجم ١٣) - مَا جَاءَ فِي زَكَاةِ
الْخَضْرَاوَاتِ (التحفة ١٣)

٦٣٨ - حَدَّثَنَا عَلِيُّ بْنُ حَشْرَمٍ: حَدَّثَنَا عِيسَى بْنُ يُونُسَ عَنِ الْحَسَنِ [بْنِ عُمَارَةَ]، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ عُبَيْدٍ، عَنْ عِيسَى بْنِ طَلْحَةَ، عَنْ مُعَاذٍ أَنَّهُ كَتَبَ إِلَى النَّبِيِّ ﷺ يَسْأَلُهُ، عَنِ الْخَضْرَاوَاتِ وَهِيَ الْبُقُولُ، فَقَالَ: «لَيْسَ فِيهَا شَيْءٌ».

authentic is reported from the Prophet ﷺ on this topic. This was only reported from Mūsā bin Ṭalḥah, from the Prophet ﷺ in *Mursal* form. This is acted upon according to the people of knowledge, in that there is no charity due on greens.

Abū 'Eisā said: Al-Ḥasan (one of the narrators) is Ibn 'Ummārah, and he is weak according to the people of *Ḥadīth*. Shu'bah and others considered him weak, and he was abandoned by 'Abdullāh bin Al-Mubārak.

تخريج: [إسناده ضعيف] وللحديث شواهد ضعيفة عند الدارقطني: ٩٧/٢ وغيره.

Comments:

Three *A'imma* and two disciples of Imām Abū Ḥanīfah hold the opinion that *Zakāt* is not levied on vegetables and this is the authentic view, because they cannot be preserved by storing.

Chapter 14. What Has Been Related About Charity On What Is Watered By Rivers Or Otherwise

639. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: "For what is watered by the heavens and streams, the *'Ushr* is due, and for what is watered by irrigation,^[1] half of the *'Ushr*." (*Ḥasan*)

(He said:) There are narrations on this topic from Anas bin Mālik, Ibn 'Umar, and Jābir.

Abū 'Eisā said: This *Ḥadīth* was narrated in *Mursal* form by Bukair

قَالَ أَبُو عِيْسَى: إِسْنَادُ هَذَا الْحَدِيثِ لَيْسَ بِصَحِيحٍ، وَلَيْسَ يَصِحُّ فِي هَذَا الْبَابِ عَنِ النَّبِيِّ ﷺ شَيْءٌ، وَإِنَّمَا يُرَوَى هَذَا عَنْ مُوسَى ابْنَ طَلْحَةَ، عَنِ النَّبِيِّ ﷺ مُرْسَلًا. وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَهْلِ الْعِلْمِ أَنَّهُ لَيْسَ فِي الْخَضْرَاءِ صَدَقَةٌ.

قَالَ أَبُو عِيْسَى: وَالْحَسَنُ هُوَ ابْنُ عُمَارَةَ وَهُوَ ضَعِيفٌ عِنْدَ أَهْلِ الْحَدِيثِ، ضَعَّفَهُ شُعْبَةُ وَغَيْرُهُ وَتَرَكَهُ عَبْدُ اللَّهِ بْنُ الْمُبَارَكِ.

(المعجم ١٤) - بَابُ مَا جَاءَ فِي الصَّدَقَةِ
فِيَمَا يُسْقَى بِالْأَنْهَارِ وَغَيْرِهِ (التحفة ١٤)

٦٣٩ - حَدَّثَنَا أَبُو مُوسَى الْأَنْصَارِيُّ: حَدَّثَنَا عَاصِمُ بْنُ عَبْدِ الْعَزِيزِ [مَدَنِيٌّ]: حَدَّثَنَا الْحَارِثُ بْنُ عَبْدِ الرَّحْمَنِ بْنِ أَبِي ذُبَابٍ عَنْ سُلَيْمَانَ بْنِ يَسَارٍ وَبُسَيْرِ بْنِ سَعِيدٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «فِيَمَا سَقَّتِ السَّمَاءُ وَالْعِيُونُ الْعُشْرُ، وَفِيَمَا سَقَّتِ بِالنَّضْحِ نِصْفُ الْعُشْرِ».

[1] This refers to whatever people provide water for by their own labor, or use of camels and the like, linguistically, it is not restricted to land or crops as some have mistakenly interpreted it. See *Tuhfat Al-Ahwadhī* and *Fath Al-Bārī* (no. 1483)

bin ‘Abdullāh Al-Ashajj, from Sulaimān bin Yasār and Busr bin Sa‘eed from the Prophet ﷺ, and it is as if this narration is more correct. The *Hadīth* of Ibn ‘Umar on this topic from the Prophet ﷺ is authentic, and it is acted upon according to the *Fuqahā’* in general.

[قَالَ:] وَفِي الْبَابِ عَنْ أَنَسِ بْنِ مَالِكٍ
وَابْنِ عُمَرَ وَجَابِرٍ.

قَالَ أَبُو عِيْسَى: وَقَدْ رُوِيَ هَذَا الْحَدِيثُ
عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الْأَشَجِّ، وَعَنْ
سُلَيْمَانَ بْنِ يَسَارٍ وَبُسْرِ بْنِ سَعِيدٍ عَنِ النَّبِيِّ
ﷺ مُرْسَلًا. وَكَأَنَّ هَذَا الْحَدِيثَ أَصَحُّ. وَقَدْ
صَحَّ حَدِيثُ ابْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ فِي هَذَا
الْبَابِ وَعَلَيْهِ الْعَمَلُ عِنْدَ عَامَّةِ الْمُفْقِهَاءِ.

تخريج: [إسناده حسن] وأخرجه ابن ماجه، الزكاة، باب صدقة الزروع والثمار، ح: ١٨١٦
من حديث أبي موسى إسحاق بن موسى الأنصاري به * وفي الباب عن أنس بن مالك [ابن النجار
كما في تحفة الأحوذى: ١٣/٢] وابن عمر [يأتي: ٦٤٠] وجابر [مسلم، ح: ٩٨١].

Comments:

It is proven with *Hadīth* that a produce irrigated by natural water (i.e. rain, under ground moisture, etc.) is subject to ten percent levy, because it is less expensive and does not require much hard work and labour. Canal irrigation system for which the government charges revenue is an artificial irrigation system, twenty percent *Zakāt* is levied on the produce by this system.

640. Sālim narrated from his father that the Messenger of Allāh ﷺ instituted the *‘Ushr* for what was watered by the heavens and streams, or through natural channels, and half of the *‘Ushr* for what is watered by irrigation. (*Ṣaḥīḥ*)

Abū ‘Eisā said: This *Hadīth* is *Ḥasan Ṣaḥīḥ*.

٦٤٠ - حَدَّثَنَا أَحْمَدُ بْنُ الْحَسَنِ: حَدَّثَنَا
سَعِيدُ بْنُ أَبِي مَرْيَمَ: حَدَّثَنَا ابْنُ وَهَبٍ:
حَدَّثَنِي يُونُسُ، عَنِ ابْنِ شِهَابٍ، عَنِ
سَالِمٍ، عَنِ أَبِيهِ عَنِ رَسُولِ اللَّهِ ﷺ أَنَّهُ سَنَّ
فِيمَا سَقَّتِ السَّمَاءُ وَالْعُيُونُ أَوْ كَانَ عَثْرِيًّا
الْعُشْرُ، وَفِيمَا سَقَّتِ بِالنَّضْحِ نِصْفَ الْعُشْرِ.
قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ
صَحِيحٌ.

تخريج: وأخرجه البخاري، الزكاة، باب العشر فيما يسقى من ماء السماء والماء الجاري،
ح: ١٤٨٣ من حديث سعيد بن أبي مریم به.

Comments:

‘Atharī is a land watered by underground moisture, the crops cultivated in such lands are not required to be watered as it gets the underground water-moisture and flourishes for harvest.

Chapter 15. What Has Been Related About *Zakāt* On The Orphan's Wealth

641. ‘Amr bin Shu‘aib narrated from his father, from his grandfather that the Prophet ﷺ addressed the people and said: “As for one who is the guardian of an orphan who has wealth, then let him do business with it and not leave it until it becomes consumed by charity.” (*Da‘if*)

Abū ‘Eisā said: This *Hadīth* was only reported through this route, and there is some criticism of its chain because Al-Muthanna bin Aṣ-Ṣabbāh was considered weak in *Hadīth*. Some of them reported this *Hadīth* from ‘Amr bin Shu‘aib that ‘Umar bin Al-Khattāb, mentioned this *Hadīth*.

The people of knowledge differ over this topic. More than one of the Companions of the Prophet ﷺ held the view that there was *Zakāt* due on the wealth of the orphan. Among them are ‘Umar, ‘Alī, ‘Āishah, and Ibn ‘Umar. This is the saying of Mālik, Ash-Shāfi‘ī, Aḥmad and Ishāq.

A group of the people of knowledge said that there is no *Zakāt* on the orphan's wealth. This is the view of Sufyān Ath-Thawrī and ‘Abdullāh bin Al-Mubārak.

‘Amr bin Shu‘aib is Ibn Muḥammad bin ‘Abdullāh bin ‘Amr bin Al-‘Āṣ. Shu‘aib heard from his grandfather ‘Abdullāh bin ‘Amr. Yaḥya bin Sa‘eed criticized the narrations of ‘Amr bin Shu‘aib

(المعجم ١٥) - بَابُ مَا جَاءَ فِي زَكَاةِ
مَالِ الْيَتِيمِ (التحفة ١٥)

٦٤١ - حَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ:
حَدَّثَنَا إِبْرَاهِيمُ بْنُ مُوسَى: حَدَّثَنَا الْوَلِيدُ بْنُ
مُسْلِمٍ عَنِ الْمُتَمِّى بْنِ الصَّبَّاحِ، عَنْ عَمْرِو بْنِ
شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ
خَطَبَ النَّاسَ فَقَالَ: «أَلَا مَنْ وَلِيَ يَتِيمًا لَهُ
مَالٌ فَلْيَتَّجِرْ فِيهِ وَلَا يَتْرُكْهُ حَتَّى تَأْكُلَهُ
الصَّدَقَةُ».

قَالَ أَبُو عِيسَى: وَإِنَّمَا رُوِيَ هَذَا الْحَدِيثُ
مِنْ هَذَا الْوَجْهِ وَفِي إِسْنَادِهِ مَقَالٌ لِأَنَّ الْمُتَمِّى
ابْنَ الصَّبَّاحِ يُضَعَّفُ فِي الْحَدِيثِ. وَرَوَى
بَعْضُهُمْ هَذَا الْحَدِيثَ، عَنْ عَمْرِو بْنِ شُعَيْبٍ
أَنَّ عَمَرَ بْنَ الْخَطَّابِ فَذَكَرَ هَذَا الْحَدِيثَ.

وَقَدْ اخْتَلَفَ أَهْلُ الْعِلْمِ فِي هَذَا الْبَابِ،
فَرَأَى غَيْرٌ وَاحِدٌ مِنْ أَصْحَابِ النَّبِيِّ ﷺ فِي
مَالِ الْيَتِيمِ زَكَاةً مِنْهُمْ عُمَرُ وَعَلِيٌّ وَعَائِشَةُ
وَابْنُ عُمَرَ. وَبِهِ يَقُولُ مَالِكٌ وَالشَّافِعِيُّ
وَأَحْمَدُ وَإِسْحَاقُ.

وَقَالَتْ طَائِفَةٌ مِنْ أَهْلِ الْعِلْمِ: لَيْسَ فِي
مَالِ الْيَتِيمِ زَكَاةٌ، وَبِهِ يَقُولُ سُفْيَانُ الثَّوْرِيُّ
وَعَبْدُ اللَّهِ بْنُ الْمُبَارَكِ.

وَعَمْرُو بْنُ شُعَيْبٍ هُوَ ابْنُ مُحَمَّدِ بْنِ عَبْدِ
اللَّهِ بْنِ عَمْرِو بْنِ الْعَاصِ. وَشُعَيْبٌ قَدْ سَمِعَ
مِنْ جَدِّهِ عَبْدِ اللَّهِ بْنِ عَمْرٍو. وَقَدْ تَكَلَّمَ يَحْيَى
ابْنُ سَعِيدٍ فِي حَدِيثِ عَمْرِو بْنِ شُعَيْبٍ وَقَالَ:

and said: "He is feeble." Those who considered him weak only said that because he narrated from the scroll of his grandfather 'Abdullāh bin 'Amr.

As for the majority of the people of *Hadūth*, they use the narrations of 'Amr bin *Shu'aib* for proof and considered him trustworthy, among them are Ahmad, Ishāq and others.

هُوَ عِنْدَنَا وَآو. وَمَنْ ضَعَفَهُ فَإِنَّمَا ضَعَفَهُ مِنْ قَبْلِ أَنَّهُ يُحَدِّثُ مِنْ صَحِيفَةِ جَدِّهِ عَبْدِ اللَّهِ بْنِ عَمْرٍو.

وَأَمَّا أَكْثَرُ أَهْلِ الْحَدِيثِ فَيَحْتَجُّونَ بِحَدِيثِ عَمْرٍو بْنِ شُعَيْبٍ وَبِثَبُوتِهِ، مِنْهُمْ أَحْمَدُ وَإِسْحَاقُ وَغَيْرُهُمَا.

تخریج: [إسناده ضعيف] وأخرجه البيهقي: ١٠٧/٤ من حديث الوليد بن مسلم وصرح بالسماع * المثنى ضعيف ورواه مندل وهو ضعيف عن أبي إسحاق الشيباني عن عمرو بن شعيب به وللحديث طرق ضعيفة، وأخرج البيهقي عن عمر قال: "ابتغوا في أموال التيامي لا تأكلها الصدقة" وقال: هذا إسناده صحيح.

Comments:

Although this narration, regarding the *Zakāt* due from the property of an orphan child is weak, yet its view is supported by the verdicts of various Companions. The order of paying the *Zakāt* is given to the guardian, not the child.

Chapter 16. What Has Been Related That The Injuries Caused By The Animal Are Without Liability And The *Khumus* Is Due On *Rikāz*

642. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: "The injuries caused by the animal are without liability,^[1] and mines are without liability, and wells are without liability, and the *Khumus* is due on *Rikāz*."^[2] (*Sahīh*)

(He said:) There are narrations on this topic from Anas bin Mālik, 'Abdullāh bin 'Amr, 'Ubādah bin Aṣ-Ṣāmit, 'Amr bin 'Awf Al-Muzanī, and Jābir.

(المعجم ١٦) - بَابُ مَا جَاءَ أَنَّ الْعَجَمَاءَ جُرْحَهَا جُبَارٌ وَفِي الرِّكَازِ الْخُمْسُ (التحفة ١٦)

٦٤٢ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ بْنُ سَعْدٍ عَنِ ابْنِ شَهَابٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ وَأَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ عَنْ رَسُولِ اللَّهِ ﷺ قَالَ: «الْعَجَمَاءُ جُرْحَهَا جُبَارٌ، وَالْمَعْدِنُ جُبَارٌ، وَالْبُرُ جُبَارٌ، وَفِي الرِّكَازِ الْخُمْسُ».

[قَالَ:] وَفِي الْبَابِ عَنْ أَنَسِ بْنِ مَالِكٍ وَعَبْدِ اللَّهِ بْنِ عَمْرٍو وَعُبَادَةَ بْنِ الصَّامِتِ وَعَمْرٍو بْنِ عَوْفِ الْمُزَنِيِّ وَجَابِرٍ.

[1] Meaning the owner of these is not liable for damages to others who suffer from them.

[2] Buried treasure. Further details related to this *Hadūth* occur when it appears again; no. 1377.

Abū 'Eisā said: This *Ḥadīth* is *Ḥasan Ṣaḥīḥ*.

قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ.

تخريج: متفق عليه، وأخرجه مسلم، الحدود، باب جرح العجماء والمعدن والبيتر جبار، ح: ١٧١٠ عن قتيبة والبخاري، ح: ٦٩١٢ من حديث الليث بن سعد به * وفي الباب عن أنس بن مالك [أحمد: ١٢٨/٣] وعبدالله بن عمرو [البيهقي: ٤/١٥٥] وعبادة بن الصامت [ابن ماجه، ح: ٢٦٧٥] وعمرو بن عوف المزني [ابن ماجه، ح: ٢٦٧٤] وجابر [أحمد: ٣/٣٣٥، ٣٥٣].

Comments:

An animal goes out during the day, and it is only the day time when it is taken out, and if the master is not with the animal, he is perhaps busy controlling other animals. If the animal runs away and harms or injures someone or destroys some crops; and it did not involve carelessness and negligence on the part of the master, in this situation the master of the animal is not responsible for loss and injury. But if it was through the fault and negligence of the master that he let the animal go and ignored the matter, or became busy doing something else and did not care about the animals, in this case if the animal injures someone or destroys someone's crops, the master will then be held responsible for it.

Chapter 17. What Has Been Related About *Al-Kharṣ* (Assessment)

(المعجم ١٧) - بَابُ مَا جَاءَ فِي
الْخَرْصِ (التحفة ١٧)

643. 'Abdur-Raḥmān bin Mas'ūd bin Niyār said: "Sahl bin Abī Ḥathmah came to a gathering of ours, and he narrated that the Messenger of Allāh ﷺ would say: "When you make an assessment, then take it and leave a third, if you do not leave a third, then leave a quarter." (*Ḥasan*)

He said: There are narrations on this topic from 'Āishah, 'Attāb bin Asīd, and Ibn 'Abbās.

Abū 'Eisā said: The *Ḥadīth* of Sahl bin Abī *Khathmah* is acted upon for *Al-Kharṣ* (assessment) according to most of the people of knowledge. The view of Aḥmad and Ishāq was in accordance with

٦٤٣ - حَدَّثَنَا مُحَمَّدُ بْنُ غَيْلَانَ: حَدَّثَنَا أَبُو دَاوُدَ الطَّلَيْسِيُّ: حَدَّثَنَا شُعْبَةُ: أَخْبَرَنِي خَبِيبُ بْنُ عَبْدِ الرَّحْمَنِ قَالَ: سَمِعْتُ عَبْدَ الرَّحْمَنِ بْنَ مَسْعُودِ بْنِ نِيَارٍ يَقُولُ: جَاءَ سَهْلُ ابْنِ أَبِي حَتْمَةَ إِلَى مَجْلِسِنَا فَحَدَّثَنَا أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَقُولُ: «إِذَا خَرَصْتُمْ فَخَذُوا وَدَعُوا الثُّلْثَ، فَإِنْ لَمْ تَدْعُوا الثُّلْثَ فَدَعُوا الرَّبْعَ».

قَالَ: وَفِي الْبَابِ عَنْ عَائِشَةَ وَعَتَّابِ بْنِ أَبِي سَيْدٍ وَابْنِ عَبَّاسٍ.

قَالَ أَبُو عِيْسَى: وَالْعَمَلُ عَلَى حَدِيثِ سَهْلِ بْنِ أَبِي حَتْمَةَ عِنْدَ أَكْثَرِ أَهْلِ الْعِلْمِ فِي

the *Hadīth* of Sahl bin Abī *Khathmah*.^[1]

Al-Kharṣ occurs with the appearance of the fruits of dates and grapes upon which *Zakāt* is due, then the Sulṭān sends the appraiser to make an assessment for them.

And *Al-Kharṣ* is when the one looking at it considers (the amount) and says: "This amount of raisins should be taken out for this, and this amount of dried dates should be taken out for this." So he estimates it for them, and he reckons the amount that makes up the *Ushr* which is due from them. Then he leaves them with the fruit to do as they like. When they harvest the fruit then the *Ushr* is taken from it. This is how it was interpreted by some of the people of knowledge, and it is the view of Mālik, Ash-Shāfi'i, Aḥmad, and Ishāq.

الْخَرْصُ، وَبِحَدِيثِ سَهْلِ بْنِ أَبِي حَتْمَةَ يَقُولُ أَحْمَدُ وَإِسْحَاقُ وَالْخَرْصُ، إِذَا أَدْرَكَتِ التَّمَارُ مِنَ الرُّطْبِ وَالْعِنَبِ مِمَّا فِيهِ الزَّكَاةُ، بَعَثَ السُّلْطَانُ خَارِصًا فَخَرَصَ عَلَيْهِمْ. وَالْخَرْصُ أَنْ يَنْظُرَ مَنْ يُصِرُّ ذَلِكَ يَقُولُ: يَخْرُجُ مِنْ هَذَا الزَّرْبِ كَذَا وَكَذَا وَمِنَ التَّمْرِ كَذَا وَكَذَا فَيَحْصِي عَلَيْهِمْ، وَيَنْظُرُ مَبْلَغَ الْعُشْرِ مِنْ ذَلِكَ فَيَبْتِئُ عَلَيْهِمْ ثُمَّ يَخْلِي بَيْنَهُمْ وَبَيْنَ التَّمَارِ فَيُضْنَعُونَ مَا أَحْبَبُوا، فَإِذَا أَدْرَكَتِ التَّمَارُ أُجِدَّ مِنْهُمْ الْعُشْرُ. هَكَذَا فَسَّرَهُ بَعْضُ أَهْلِ الْعِلْمِ. وَبِهَذَا يَقُولُ مَالِكٌ وَالشَّافِعِيُّ وَأَحْمَدُ وَإِسْحَاقُ.

تخریج: [إسناده حسن] وأخرجه أبو داود، الزكاة، باب: في الخرص، ح: ١٦٠٥ من حديث شعبة به وصححه ابن خزيمة، ح: ٢٣١٩، ٢٣٢٠ وابن حبان (الإحسان): ٣٢٦٩ والحاكم على شرط البخاري: ٤٠٩/١ ووافقه الذهبي والحديث في مسند أبي داود الطيالسي، ح: ١٢٣٤ * وفي الباب عن عائشة [أبو داود، ح: ١٦٠٦] وعتاب بن أسيد [يأتي: ٦٤٤] وابن عباس [أبو داود، ح: ٣٤١٠ وابن ماجه، ح: ١٨٢٠].

644. 'Attāb bin Asīd narrated that the Prophet ﷺ said about *Zakāt* on grape-vines: "They are to be assessed just as the date-palm is assessed. Then its *Zakāt* is paid in raisins just as the *Zakāt* for the date-palm is paid in dried dates." (*Da'if*)

٦٤٤ - حَدَّثَنَا أَبُو عَمْرٍو مُسْلِمٌ بْنُ عَمْرٍو الْحَدَّاءُ الْمَدَنِيُّ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نَافِعٍ [الصَّائِعُ] عَنْ مُحَمَّدِ بْنِ صَالِحِ التَّمَّارِ، عَنِ ابْنِ شَهَابٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، عَنْ عَتَّابِ بْنِ أُسَيْدٍ أَنَّ النَّبِيَّ ﷺ كَانَ يَبْعَثُ عَلَى النَّاسِ مِنْ

[1] This statement was interpreted here as it was interpreted in *Tuhfat Al-Aḥwadhī*.

Abū 'Eisā said: This *Hadīth* is *Hasan Gharīb*. Ibn Juraij reported this *Hadīth* from Ibn *Shihāb*, from 'Urwah, from 'Aishah. I asked Muḥammad about this (*Hadīth*) and he said: "The *Hadīth* of Ibn Juraij is not preserved. And the *Hadīth* of Sa'eed bin Al-Musayyab from 'Attāb bin Asīd (is more confirmed) and more correct.

يُخْرَصُ عَلَيْهِمْ كُرُومُهُمْ وَيَمَارُهُمْ وَيَهَذَا الْإِسْنَادُ أَنَّ النَّبِيَّ ﷺ قَالَ فِي زَكَاةِ الْكُرُومِ: «إِنَّهَا تُخْرَصُ كَمَا يُخْرَصُ النَّخْلُ ثُمَّ تُؤَدَّى زَكَاتُهُ زَبِيًّا كَمَا تُؤَدَّى زَكَاةُ النَّخْلِ تَمْرًا».

قَالَ أَبُو عِيسَى: هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ. وَقَدْ رَوَى ابْنُ جُرَيْجٍ هَذَا الْحَدِيثَ عَنِ ابْنِ شِهَابٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ. وَسَأَلْتُ مُحَمَّدًا، عَنْ هَذَا [الْحَدِيثِ] فَقَالَ: حَدِيثُ ابْنِ جُرَيْجٍ غَيْرٌ مَحْفُوظٌ، وَحَدِيثُ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ عَتَّابِ بْنِ أُسَيْدٍ [أَثْبَتٌ] وَأَصْحٌ.

تخريج: [إسناده ضعيف] وأخرجه ابن ماجه، الزكاة، باب خرص النخل والعنب، ح: ١٨١٩ من حديث عبدالله بن نافع به وقال أبو داود، ح: ١٦٠٣ "وسعيد لم يسمع من عتاب شيئاً" * حديث: "إنها تخرص كما يخرص النخل... إلخ" وصححه ابن خزيمة، ح: ٢٣١٦ وابن حبان (الإحسان): ٣٢٦٨ وقال المنذري: "انقطاعه ظاهر"، وحديث ابن جريج عند أبي عبيد في الأموال، ح: ١٤٣٨.

Comments:

It is a known statement that the *Ahñāf* deny the estimating to determine the amount of fruits, and it looks as if they state the *Ahādīth* about the estimation are contrary to the *Ahādīth* of *Muzābanah*, while these *Ahādīth* are about selling and buying. Three *Ā'immah* are agreed principally on the issue of estimation, as Imām At-Tirmidhī has mentioned. For further detail see: (*Mir'at*: 3/74-80)

Chapter 18. What Has Been Related About The One Who Works In Collecting *Sadaqah* In Truth

645. Rāfi' bin *Khadij* narrated: "I heard the Messenger of Allāh ﷺ saying: 'The one who works in collecting charity in truth is like the one who fights in the cause of Allāh until he returns.'" (*Hasan*)

Abū 'Eisā said: The *Hadīth* of Rāfi' bin *Khadij* is a *Hasan (Ṣaḥīḥ)*

(المعجم ١٨) - بَابُ مَا جَاءَ فِي الْعَامِلِ عَلَى الصَّدَقَةِ بِالْحَقِّ (التحفة ١٨)

٦٤٥ - حَدَّثَنَا أَحْمَدُ بْنُ مَنِيعٍ: حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ: حَدَّثَنَا يَزِيدُ بْنُ عِيَاضٍ عَنْ عَاصِمِ بْنِ عُمَرَ بْنِ قَتَادَةَ؛ ح: وَحَدَّثَنَا مُحَمَّدُ ابْنُ إِسْمَاعِيلَ: حَدَّثَنَا أَحْمَدُ بْنُ خَالِدٍ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ عَاصِمِ بْنِ عُمَرَ بْنِ

Hadīth. Yazīd bin ‘Īyyād is weak according to the people of *Hadīth*, and the *Hadīth* of Muḥammad bin Ishāq is more correct.^[1]

قَتَادَةَ، عَنْ مُحَمَّدِ بْنِ لَبِيدٍ، عَنْ رَافِعِ بْنِ خَدِيجٍ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «الْعَامِلُ عَلَى الصَّدَقَةِ بِالْحَقِّ كَالْعَارِي فِي سَبِيلِ اللَّهِ حَتَّى يَرْجِعَ إِلَى بَيْتِهِ».

قَالَ أَبُو عِيْسَى: حَدِيثُ رَافِعِ بْنِ خَدِيجٍ حَدِيثٌ حَسَنٌ [صَحِيحٌ]. وَيَزِيدُ بْنُ عِيَاضٍ ضَعِيفٌ عِنْدَ أَهْلِ الْحَدِيثِ، وَحَدِيثُ مُحَمَّدِ ابْنِ إِسْحَاقَ أَصَحُّ.

تخريج: [إسناده حسن] وأخرجه أبو داود، الخراج والفيء، السعاية على الصدقة، ح: ٢٩٣٦ من حديث ابن إسحاق به وصرح بالسمع عند أحمد: ١٤٣/٤ وصححه ابن خزيمة، ح: ٢٣٣٤ والحاكم: ٤٠٦/١ والذهبي وغيرهم.

Comments:

Offering service for public causes in the Islamic religious government is a matter of great significance and virtue; particularly, collecting the wealth for the Islamic treasury, because the Islamic treasury also spends for the welfare of men serving in the military and their families.

Chapter 19. (What Has Been Related) About The One Who Commits Transgression With Charity

(المعجم ١٩) - بَابُ [مَا جَاءَ] فِي الْمُعْتَدِي فِي الصَّدَقَةِ (التحفة ١٩)

646. Anas bin Mālik narrated that the Messenger of Allāh ﷺ said: “The one who commits transgression with charity is like the one who does not pay it.” (*Hasan*)

٦٤٦ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ [سَعْدِ] بْنِ سِنَانٍ، عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «الْمُعْتَدِي فِي الصَّدَقَةِ كَمَا نِعِمَهَا».

He said: There are narrations on this topic from Ibn ‘Umar, Umm Salamah, and Abū Hurairah.

قَالَ: وَفِي الْبَابِ عَنِ ابْنِ عُمَرَ وَأُمِّ سَلَمَةَ وَأَبِي هُرَيْرَةَ.

Abū ‘Eīsā said: The *Hadīth* of Anas is a *Gharib Hadīth* from this route.

قَالَ أَبُو عِيْسَى: حَدِيثُ أَنَسِ حَدِيثٌ غَرِيبٌ مِنْ هَذَا الْوَجْهِ.

Aḥmad bin Ḥanbal has criticized

[1] At-Tirmidhī narrated this *Hadīth* with two different chains.

Sa'd bin Sinān. This is how it was narrated by Al-Laith bin Sa'd, from Yazīd bin Abī Ḥabīb, from Sa'd bin Sinān, from Anas bin Mālik. [‘Amr bin Al-Ḥārith and Ibn Lahī’ah said: “From Yazīd bin Abī Ḥabīb, from Sinān bin Sa’d, from Anas.”]. Abū ‘Eīsā said: I heard Muḥammad saying: “Sinān bin Sa’d is what is correct.” And regarding his saying: “The one who commits transgression with charity is like the one who does not pay it” it is as if he is saying: “For the one who commits transgression is the sin just like the one who does not pay it.”

وَقَدْ تَكَلَّمَ أَحْمَدُ بْنُ حَنْبَلٍ فِي سَعْدِ بْنِ سِنَانَ. وَهَكَذَا يَقُولُ اللَّيْثُ بْنُ سَعْدٍ عَنْ يَزِيدَ ابْنِ أَبِي حَبِيبٍ، عَنْ سَعْدِ بْنِ سِنَانَ، عَنْ أَنَسِ بْنِ مَالِكٍ. [وَيَقُولُ عَمْرُو بْنُ الْحَارِثِ وَابْنُ لَهَيْعَةَ عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ سِنَانَ بْنِ سَعْدٍ، عَنْ أَنَسٍ]. قَالَ أَبُو عِيْسَى: سَمِعْتُ مُحَمَّدًا يَقُولُ: وَالصَّحِيحُ سِنَانُ بْنُ سَعْدٍ. وَقَوْلُهُ: «الْمُعْتَدِي فِي الصَّدَقَةِ كَمَا نَعِيهَا» يَقُولُ: عَلَى الْمُعْتَدِي مِنَ الْإِثْمِ كَمَا عَلَى الْمَانِعِ إِذَا مَنَعَ.

تخريج: [إسناده حسن] وأخرجه أبو داود، الزكاة، باب: في زكاة السائمة، ح: ١٥٨٥ عن قتيبة به وصححه ابن خزيمة، ح: ٢٣٣٥ * وفي الباب عن ابن عمر [الحاكم في المستدرک: ١/ ٣٩٩] وأم سلمة [الحاكم: ١/ ٤٠٥] والبيهقي: ٤/ ١٣٧] وأبي هريرة [البيهقي: ٤/ ١١٥].

Comments:

This is the apparent and true meaning of the *Ḥadīth*, that as it is a crime and sin not to pay the *Zakāt*, likewise it is also a crime and sin that a *Zakāt* collector takes from the people more than what is due, or he takes the best quality and the fine one; because if a *Zakāt* collector deals unjustly and unfairly the people will avoid the payment of *Zakāt* and they will conceal their wealth.

Chapter 20. What Has Been Related About Pleasing the Collector of Charity

647. Jarīr narrated that the Prophet ﷺ said: “When the charity collector comes to you, then he should not depart from you except while pleased.” (*Saḥīḥ*)

(المعجم ٢٠) - بَابُ مَا جَاءَ فِي رِضَا الْمُصَدِّقِ (التحفة ٢٠)

٦٤٧ - حَدَّثَنَا عَلِيُّ بْنُ حُجْرٍ: حَدَّثَنَا مُحَمَّدُ بْنُ يَزِيدَ عَنْ مُجَالِدٍ، عَنِ الشَّعْبِيِّ، عَنْ جَرِيرٍ قَالَ: قَالَ النَّبِيُّ ﷺ: «إِذَا أَتَاكُمُ الْمُصَدِّقُ فَلَا يُفَارِقُكُمْ إِلَّا عَنْ رِضَا».

تخريج: [صحيح] وأخرجه أحمد: ٤/ ٣٦٤ عن محمد بن يزيد الواسطي به ورواه مسلم، انظر الحديث الآتي.

Comments:

It is necessary that what a *Zakāt* collector tells about the *Zakāt* to be paid in the light of true reckoning, it should be paid happily; this is how the blessings of the Divine system can be gained.

648. Jarīr narrated similar (narration to no. 647 with a different chain) from the Prophet (ﷺ). (*Ṣaḥīh*)

Abū 'Eisā said: The narration of Dāwūd (this narration) from Ash-Sha'bi is more correct than the (previous) narration of Mujālid. Some of the people of knowledge considered Mujālid weak, and he was often mistaken.

تخریج: وأخرجه مسلم، الزكاة، باب إرضاء الساعي ما لم يطلب حراماً، ح: ١٠١٧ من حديث داود بن أبي هند به.

Chapter 21. What Has Been Related About: Charity Is Taken from The Rich To Be Distributed To The Poor

649. 'Awn bin Abī Juḥaifah narrated from his father: "The charity collector of the Prophet (ﷺ) came to us. So he took the charity from our rich to give it to our poor. I was a orphan boy, so he came to me and gave me a young she-camel from it." (*Ḍa'īf*)

(He said:) There is a narration on this topic from Ibn 'Abbās.

Abū 'Eisā said: The *Hadīth* of Abī Juḥaifah is a *Ḥasan Gharīb Hadīth*.

تخریج: [إسناده ضعيف] وأخرجه ابن خزيمة، ح: ٢٣٦٢ عن علي بن سعيد به * حفص تابعه يحيى بن زكريا بن أبي زائدة وعباد بن العوام وإسماعيل بن زكريا وغيرهم، أشعث بن سوار ضعيف كما في التقريب وغيره * وفي الباب عن ابن عباس [البخاري، ح: ١٣٩٥ ومسلم، ح: ١٩].

Comments:

This *Hadīth* although it is Weak, yet this issue is mentioned in other authentic narrations that prove that the *Zakāt* will be distributed among the poor and needy people of the same city, village and area where it has been collected from the rich people of a city, village and area.

٦٤٨ - حَدَّثَنَا أَبُو عَمَّارٍ [الْحُسَيْنُ بْنُ حُرَيْثٍ]: حَدَّثَنَا سُفْيَانُ [بْنُ عُيَيْنَةَ] عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ، عَنْ جَرِيرٍ عَنِ النَّبِيِّ ﷺ بِنَحْوِهِ. قَالَ أَبُو عَيْسَى: حَدِيثُ دَاوُدَ عَنِ الشَّعْبِيِّ أَصَحُّ مِنْ حَدِيثِ مُجَالِيدٍ. وَقَدْ ضَعَّفَ مُجَالِيدًا بَعْضُ أَهْلِ الْعِلْمِ وَهُوَ كَثِيرُ الْعَلَطِ.

(المعجم ٢١) - بَابُ مَا جَاءَ أَنَّ الصَّدَقَةَ تُؤْخَذُ مِنَ الْأَغْنِيَاءِ فَتُرَدُّ عَلَى الْفُقَرَاءِ (التحفة ٢١)

٦٤٩ - حَدَّثَنَا عَلِيُّ بْنُ سَعِيدٍ الْكِنْدِيُّ [الْكُوفِيُّ]: حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ عَنْ أَشْعَثَ، عَنْ عَوْنِ بْنِ أَبِي جُحَيْفَةَ، عَنْ أَبِيهِ قَالَ: قَدِمَ عَلَيْنَا مُصَدِّقُ النَّبِيِّ ﷺ فَأَخَذَ الصَّدَقَةَ مِنْ أَعْيَانِنَا فَجَعَلَهَا فِي فُقَرَائِنَا، وَكُنْتُ غَلَامًا يَتِيمًا فَأَعْطَانِي مِنْهَا قَلُوصًا. [قَالَ:] وَفِي الْبَابِ عَنِ ابْنِ عَبَّاسٍ. قَالَ أَبُو عَيْسَى: حَدِيثُ أَبِي جُحَيْفَةَ حَدِيثٌ حَسَنٌ غَرِيبٌ.

Chapter 22. (What Has Been Reported About) For Whom The *Zakāt* Is Lawful

650. ‘Abdullāh bin Mas‘ūd narrated that the Messenger of Allāh ﷺ said: “Whoever begs from the people while he has what he needs, he will come on the Day of Judgement and his begging will be scratches, or lacerations, or bite marks on his face.” They said: “O Messenger of Allāh! ‘How much is it that one needs?’ He said: ‘Fifty Dirham, or their value in gold.’” (*Da‘īf*)

He said: There is something on this topic from ‘Abdullāh bin ‘Amr.

Abū ‘Eisā said: The *Hadīth* of Ibn Mas‘ūd is a *Hasan Hadīth*, and *Shu‘bah* has criticized *Hakīm bin Jubair* due to this *Hadīth*.

(المعجم ٢٢) - بَابُ [مَا جَاءَ] مَنْ تَحِلُّ لَهُ الزَّكَاةُ (التحفة ٢٢)

٦٥٠ - حَدَّثَنَا قُتَيْبَةُ وَعَلِيُّ بْنُ حُجْرٍ، - قَالَ قُتَيْبَةُ: حَدَّثَنَا شَرِيكٌ وَقَالَ عَلِيُّ: أَخْبَرَنَا شَرِيكٌ وَالْمَعْنَى وَاحِدٌ عَنْ حَكِيمِ بْنِ جَبْرِ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ سَأَلَ النَّاسَ وَلَهُ مَا يُغْنِيهِ جَاءَ يَوْمَ الْقِيَامَةِ وَمَسْأَلَتُهُ فِي وَجْهِهِ خُمُوشٌ أَوْ خُدُوشٌ أَوْ كُدُوحٌ» قِيلَ: يَا رَسُولَ اللَّهِ! وَمَا يُغْنِيهِ؟ قَالَ: «خَمْسُونَ دِرْهَمًا أَوْ قِيمَتُهَا مِنَ الذَّهَبِ».

قَالَ: وَفِي الْبَابِ عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو. قَالَ أَبُو عِيْسَى: حَدِيثُ ابْنِ مَسْعُودٍ حَدِيثٌ حَسَنٌ، وَقَدْ تَكَلَّمَ شُعْبَةُ فِي حَكِيمِ بْنِ جَبْرِ مِنْ أَجْلِ هَذَا الْحَدِيثِ.

تخريج: [إسناده ضعيف] وأخرجه أبو داود، الزكاة، باب من يعطى من الصدقة وحد الغنى، ح: ١٦٢٦ من حديث حكيم بن جبير به وقال النسائي: "حكيم ضعيف" وللثوري تدليس عجيب لأنه حدث به عن زبيد عن محمد بن عبد الرحمن بن يزيد - مقطوعاً أو مرسلأ، والله أعلم.

Comments:

Khumūsh is plural of *Khamsh*, *Khudūsh* is plural of *Khadsh*, *Kudūh* is plural of *Kad-h*, these three words mean ‘injury’, they are synonymous in meaning with a slight difference.

651. Maḥmūd bin Ghaylān narrated to us: Yahya bin Ādam narrated to us, Sufyān narrated this *Hadīth* to us from Ḥakīm bin Jubair. So ‘Abdullāh bin ‘Uthmān, the companion of *Shu‘bah* said to him (Sufyān): “If only someone besides Ḥakīm had narrated this (*Hadīth*).” Sufyān said to him, “So what is with Ḥakīm; *Shu‘bah* would not narrate from

٦٥١ - حَدَّثَنَا مَحْمُودُ بْنُ غَيْلَانَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ: حَدَّثَنَا سُفْيَانُ عَنْ حَكِيمِ بْنِ جَبْرِ بِهَذَا الْحَدِيثِ، فَقَالَ لَهُ عَبْدُ اللَّهِ بْنُ عُثْمَانَ صَاحِبُ شُعْبَةَ: لَوْ غَيْرَ حَكِيمٍ حَدَّثَ بِهَذَا [الْحَدِيثِ]، فَقَالَ لَهُ سُفْيَانُ: وَمَا لِحَكِيمٍ لَا يُحَدِّثُ عَنْهُ شُعْبَةُ؟ قَالَ: نَعَمْ، قَالَ

him?" He said: "Yes." So Sufyān said: "I heard Zubaid narrating this from Muḥammad bin 'Abdur-Raḥmān bin Yazīd." (*Da'īf*)^[1]

This is acted upon according to some of our companions, it is the view of Ath-Thawrī, 'Abdullāh bin Al-Mubārak, Aḥmad and Ishāq. They said that when a man has fifty Dirham, then charity is not lawful for him.

(He said:) Some of the people of knowledge did not follow the *Hadīth* of Ḥakīm bin Jubair, they were more liberal than this, saying that when he has fifty Dirham or more and he has some need, then he can accept *Zakāt*. This is the saying of Ash-Shāfi'ī, and more than one of the people of *Fiqh* and knowledge.

Comments:

A person who works hard and tries his best to earn a livelihood but despite that he is unable to provide his household expenses i.e., essential life necessities, food, clothes, treatment and medicine and rent of the house etc.; he is allowed to accept charity and alms.

Chapter 23. What Has Been Related About: For Whom Charity Is Not Lawful

652. 'Abdullāh bin 'Amr narrated that the Prophet ﷺ said: "Charity is not lawful for the rich nor for the physically fit." (*Ḥasan*)

(He said:) There are narrations on this topic from Abū Hurairah, Ḥubshī bin Junādah, and Qabīshah bin Al-Mukhāriq.

Abū 'Eīsā said: The *Hadīth* of 'Abdullāh bin 'Amr is a *Ḥasan*

سُفْيَانُ: سَمِعْتُ زُبَيْدًا يُحَدِّثُ بِهَذَا عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ. وَالْعَمَلُ عَلَى هَذَا عِنْدَ بَعْضِ أَصْحَابِنَا. وَبِهِ يَقُولُ الثَّوْرِيُّ وَعَبْدُ اللَّهِ بْنُ الْمُبَارَكِ وَأَحْمَدُ وَإِسْحَاقُ، قَالُوا: إِذَا كَانَ عِنْدَ الرَّجُلِ خَمْسُونَ دِرْهَمًا لَمْ تَحِلَّ لَهُ الصَّدَقَةُ.

[قَالَ:] وَلَمْ يَذْهَبْ بَعْضُ أَهْلِ الْعِلْمِ إِلَى حَدِيثِ حَكِيمِ بْنِ جُبَيْرٍ وَوَسَّعُوا فِي هَذَا وَقَالُوا: إِذَا كَانَ عِنْدَهُ خَمْسُونَ دِرْهَمًا أَوْ أَكْثَرَ، وَهُوَ مُحْتَاجٌ فَلَهُ أَنْ يَأْخُذَ مِنَ الزَّكَاةِ. وَهُوَ قَوْلُ الشَّافِعِيِّ وَغَيْرِهِ مِنْ أَهْلِ الْفِقْهِ وَالْعِلْمِ.

تخريج: [ضعيف] انظر الحديث السابق لعلته.

(المعجم ٢٣) - بَابُ مَا جَاءَ مِنْ لَا

تَحِلُّ لَهُ الصَّدَقَةُ (التحفة ٢٣)

٦٥٢ - حَدَّثَنَا [أَبُو بَكْرِ] مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ: حَدَّثَنَا سُفْيَانُ [بْنُ سَعِيدٍ]؛ ح: وَحَدَّثَنَا مُحَمَّدُ بْنُ غَيْلَانَ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ: حَدَّثَنَا سُفْيَانُ عَنْ سَعِيدِ ابْنِ إِبْرَاهِيمَ، عَنْ رَيْحَانَ بْنِ يَزِيدَ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تَحِلُّ الصَّدَقَةُ لِعَنِيٍّ وَلَا لِذِي مِرَّةٍ سَوِيٍّ».

[1] That is the narration of Ḥakīm, not the discussion between Sufyān and 'Abdullāh.

Hadīth. This *Hadīth* has been reported with this chain from *Shu'bah*, from Sa'd bin Ibrāhīm, but he did not narrate it in *Marfū'* form.

It has been related in other than this *Hadīth* from the Prophet ﷺ that: "Begging in not lawful for the rich nor for the physically fit."

When there is a strong man who has needs and he does not have anything, then it is allowed for the charity collector to give him charity according to the people of knowledge. According to some of the people of knowledge, this *Hadīth* is dealing with begging.

[قَالَ:] وَفِي الْبَابِ عَنْ أَبِي هُرَيْرَةَ وَحُبْشِيِّ بْنِ جُنَادَةَ وَقَبِيصَةَ بْنِ الْمُخَارِقِ.

قَالَ أَبُو عِيْسَى: حَدِيثُ عَبْدِ اللَّهِ بْنِ عَمْرٍو حَدِيثٌ حَسَنٌ. وَقَدْ رَوَى شُعْبَةُ، عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ هَذَا الْحَدِيثَ بِهَذَا الْإِسْنَادِ وَلَمْ يَرْفَعَهُ.

وَقَدْ رَوَى فِي غَيْرِ هَذَا الْحَدِيثِ، عَنْ النَّبِيِّ ﷺ: «لَا تَحُلْ الْمَسْأَلَةَ لِغَنِيِّ وَلَا لِذِي مِرَّةٍ سَوِيٍّ».

وَإِذَا كَانَ الرَّجُلُ قَوِيًّا مُحْتَاجًا وَلَمْ يَكُنْ عِنْدَهُ شَيْءٌ فَتُصَدَّقَ عَلَيْهِ أَجْزَأُ عَنِ الْمُتَصَدِّقِ عِنْدَ أَهْلِ الْعِلْمِ وَوَجْهُ هَذَا الْحَدِيثِ عِنْدَ بَعْضِ أَهْلِ الْعِلْمِ [عَلَى] الْمَسْأَلَةِ.

تخريج: [حسن] وأخرجه أبو داود، الزكاة، باب من يعطى من الصدقة وحد الغنى، ح: ١٦٣٤ من حديث سعد بن إبراهيم به وسنده حسن، وهو في مسند أبي داود الطيالسي، ح: ٢٢٧١ ومصنف عبدالرزاق، ح: ٧١٥٥ * وفي الباب عن أبي هريرة [ابن ماجه، ح: ١٨٣٩ وغيره] وحبشي ابن جنادة [يأتي: ٦٥٣] وقبيصة بن المخارق [مسلم، ح: ١٠٤٤].

Comments:

He who is healthy, strong and physically fit and sound or he is wealthy; begging is not allowed for a person having such qualities. Because a wealthy person is not in need of it and other individuals can work and earn a livelihood.

653. Ḥubshī bin Junādah As-Salūlī narrated: "During the Farewell *Hajj*, while the Messenger of Allāh ﷺ was standing at 'Arafat, a Beduoin came to him begging while pulling on the edge of his *Ridā'*. He gave him something and he left. With that, begging was made unlawful, so the Messenger of Allāh ﷺ said: 'Begging is not lawful for the rich nor for the physically fit, except for

٦٥٣ - حَدَّثَنَا عَلِيُّ بْنُ سَعِيدٍ الْكِنْدِيُّ: حَدَّثَنَا عَبْدُ الرَّحِيمِ بْنُ سُلَيْمَانَ عَنْ مُجَالِيدٍ، عَنْ عَامِرِ الشَّعْبِيِّ، عَنْ حُبْشِيِّ بْنِ جُنَادَةَ السَّلُولِيِّ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ [يَقُولُ] فِي حَجَّةِ الْوَدَاعِ وَهُوَ وَاقِفٌ بِعَرَفَةَ أَنَّهُ أَغْرَابِيٌّ فَأَحَدَ بَطْرَفِ رِدَائِهِ فَسَأَلَهُ إِيَّاهُ فَأَعْطَاهُ وَذَهَبَ فَعِنْدَ ذَلِكَ حَرَمَتِ الْمَسْأَلَةُ فَقَالَ

the one who is severely poor or in perilous debt. And whoever begs the people (merely) to increase his wealth, then on the Day of Judgement (the wealth he begged for) will be lacerations on his face and heated coals from Hell will be provided for him to eat. Whoever wishes, let him take a little, and whoever wishes, then let him take a lot.” (*Ḍaʿīf*)

رَسُولُ اللَّهِ ﷺ: «إِنَّ الْمَسْأَلَةَ لَا تَحِلُّ لِعَنِي وَلَا لِيذِي مِرَّةٍ سَوِيٍّ، إِلَّا لِيذِي فَقْرٍ مُدْفِعٍ أَوْ غُرْمٍ مُنْفِطِحٍ، وَمَنْ سَأَلَ النَّاسَ لِيُثْرِي بِهِ مَالَهُ كَانَ خُمُوشًا فِي وَجْهِهِ يَوْمَ الْقِيَامَةِ وَرَضْفًا يَأْكُلُهُ مِنْ جَهَنَّمَ، وَمَنْ شَاءَ فَلْيُقِلِّ وَمَنْ شَاءَ فَلْيُكْثِرْ».

تخريج: [إسناده ضعيف] وأخرجه الطبراني في الكبير: ١٤/٤، ح: ٣٥٠٤ من حديث عبدالرحيم بن سليمان به، مجالد بن سعيد ضعيف من جهة سوء حفظه.

Comments:

This *Ḥadīth* also proves that a person should work hard to earn according to his best ability, and he should not stretch a begging hand before others.

654. There is another chain with a similar narration. (*Ḍaʿīf*)

Abū ‘Eisā said: This *Ḥadīth* is *Gharīb* from this route.

٦٥٤ - حَدَّثَنَا مُحَمَّدُ بْنُ غَيْلَانَ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ عَنْ عَبْدِ الرَّحِيمِ بْنِ سُلَيْمَانَ نَحْوَهُ.

قَالَ أَبُو عِيسَى: هَذَا حَدِيثٌ غَرِيبٌ مِنْ هَذَا الْوَجْهِ.

تخريج: [ضعيف] انظر الحديث السابق.

Chapter 24. (What Has Been Related About) The Indebted And Others For Whom Charity Is Lawful

(المعجم ٢٤) - بَابُ [مَا جَاءَ] مَنْ تَحَلُّ لَهُ الصَّدَقَةُ مِنَ الْغَارِمِينَ وَغَيْرِهِمْ (التحفة ٢٤)

255. Abū Sa‘eed Al-Khudrī narrated: “During the time of the Messenger of Allāh ﷺ, a man suffered a loss on fruits that he had sold, resulting in more debt. The Messenger of Allāh ﷺ said: ‘Give him charity.’ So the people gave him charity but it did not cover his debt.

٦٥٥ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ عَنْ بَكْرِ بْنِ عَبْدِ اللَّهِ بْنِ الْأَسْحَجِ، عَنْ عِيَّاصِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ: أَصِيبَ رَجُلٌ فِي عَهْدِ رَسُولِ اللَّهِ ﷺ فِي ثِمَارٍ ابْتَاعَهَا فَكَثُرَ دَيْنُهُ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «تَصَدَّقُوا عَلَيْهِ»، فَتَصَدَّقَ النَّاسُ عَلَيْهِ فَلَمْ يَبْلُغْ ذَلِكَ وَفَاءَ دَيْنِهِ،

So the Messenger of Allāh ﷺ said to his debtors: "Take what you have and there is nothing for you but that." (*Ṣaḥīḥ*)

(He said:) There are narrations on this topic from 'Āishah, Juwairiyah, and Anas.

Abū 'Eisā said: The *Ḥadīth* of Abū Sa'eed is a *Ḥasan Ṣaḥīḥ Ḥadīth*.

فَقَالَ رَسُولُ اللَّهِ ﷺ لِعُرْمَائِهِ: «خُذُوا مَا وَجَدْتُمْ وَلَيْسَ لَكُمْ إِلَّا ذَلِكَ».

[قَالَ:] وَفِي الْبَابِ عَنْ عَائِشَةَ وَجُوَيْرِيَةَ وَأَنْسٍ.

قَالَ أَبُو عِيسَى: حَدِيثُ أَبِي سَعِيدٍ حَدِيثٌ حَسَنٌ صَحِيحٌ.

تخریج: وأخرجه مسلم، المساقاة، باب استحباب الوضع من الدين، ح: ١٥٥٦ عن قتيبة به * وفي الباب عن عائشة [البيهقي: ٧/٢٢] وجويرية [لعله يشير إلى حديث المستدرک: ٤/٢٨] وأنس [أبو داود، ح: ١٦٤١].

Comments:

If a person made an enormous, unbearable and unrecoverable loss in business and making up this loss is out of his control and ability; such a person should be aided with charity and alms.

Chapter 25. What Has Been Related About It Being Disliked For The Prophet ﷺ, His Household, And His *Mawālī*^[1] To Accept Charity

(المعجم ٢٥) - بَابُ مَا جَاءَ فِي كَرَاهِيَةِ الصَّدَقَةِ لِلنَّبِيِّ ﷺ وَأَهْلِ بَيْتِهِ وَمَوَالِيهِ (التحفة ٢٥)

656. Bahz bin Ḥakīm narrated from his father, from his grandfather who said: "When something was brought to him, the Messenger of Allāh ﷺ would ask: 'Is this charity or a gift?' If they said: 'Charity.' He would not eat it, and if they said, 'A gift' he would eat it." (*Ḥasan*)

(He said:) There are narrations on this topic from Salmān, Abū Hurairah, Anas, Al-Ḥasan bin 'Alī, Abū 'Amīrah the grandfather of Mu'arrāf bin Wāsil, and his name is Rushaid bin Mālik, and Maimūn (bin) Mihrān, Ibn 'Abbās, 'Abdullāh bin 'Amr, and Abū Rāfi'.

٦٥٦ - حَدَّثَنَا بُنْدَارٌ: حَدَّثَنَا مَكِّيُّ بْنُ إِبْرَاهِيمَ وَيُوسُفُ بْنُ يَعْقُوبَ الصُّبُعِيُّ قَالَا: حَدَّثَنَا بَهْزُ بْنُ حَكِيمٍ عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: كَانَ رَسُولُ اللَّهِ ﷺ إِذَا أُتِيَ بِشَيْءٍ سَأَلَ: «أَصَدَقَةٌ هِيَ أَمْ هَدِيَّةٌ؟» فَإِنْ قَالُوا: صَدَقَةٌ، لَمْ يَأْكُلْ، وَإِنْ قَالُوا: هَدِيَّةٌ، أَكَلَ.

[قَالَ:] وَفِي الْبَابِ عَنْ سَلْمَانَ وَأَبِي هُرَيْرَةَ وَأَنْسٍ وَالْحَسَنِ بْنِ عَلِيٍّ وَأَبِي عَمِيرَةَ جَدِّ مُعَرِّفِ بْنِ وَاصِلٍ - وَاسْمُهُ رُشَيْدُ بْنُ مَالِكٍ - وَمَيْمُونِ [بْنِ] مِهْرَانَ وَابْنِ عَبَّاسٍ

[1] *Mawālī* plural of *Mawlā*. When a slave is freed he is considered similar to a family member of the one who freed him, and called a *Mawlā*, or, one who has allegiance.

and ‘Abdur-Rahmān bin ‘Alqamah.

This *Hadīth* has also been reported from ‘Abdur-Rahmān bin ‘Alqamah, from ‘Abdur-Rahmān bin Abī ‘Aqil, from the Prophet ﷺ. The name of Bahz bin Ḥakīm’s grandfather was Mu‘āwiyah bin Ḥaidah Al-Qushairī.

Abū ‘Eīsā said: The *Hadīth* of Bahz bin Ḥakīm is a *Ḥasan Gharīb Hadīth*.

وَعَبْدُ اللَّهِ بْنِ عَمْرٍو وَأَبِي رَافِعٍ وَعَبْدُ الرَّحْمَنِ
ابْنِ عَلْقَمَةَ.

وَقَدْ رُوِيَ هَذَا الْحَدِيثُ أَيْضًا عَنْ عَبْدِ
الرَّحْمَنِ بْنِ عَلْقَمَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي
عَقِيلٍ عَنِ النَّبِيِّ ﷺ. وَجَدُّ بَهْزِ بْنِ حَكِيمٍ
اسْمُهُ مُعَاوِيَةُ بْنُ حَيْدَةَ الْقُشَيْرِيُّ.

قَالَ أَبُو عِيسَى: حَدِيثُ بَهْزِ بْنِ حَكِيمٍ
حَدِيثٌ حَسَنٌ غَرِيبٌ.

تخریج: [إسناده حسن] وأخرجه النسائي، الزكاة، باب الصدقة لا تحل للنبي ﷺ: ١٠٧/٥، ح: ٢٦١٤ من حديث بهز بن حكيم به وله شواهد عند البخاري، ح: ٢٥٧٦ وغيره * وفي الباب عن سلمان [أحمد: ٤٣٧/٥] وأبي هريرة [البخاري، ح: ٢٥٧٦، ومسلم، ح: ١٠٧٧] وأنس [البخاري، ح: ٢٥٧٧، ومسلم، ح: ١٠٧٤] والحسن بن علي [أحمد: ٢٠٠/١] وابن خزيمة، ح: ٢٣٤٧] وأبي عميرة رُشيد بن مالك [أحمد: ٤٨٩/٣، ٤٩٠] وميمون بن مهران [أحمد: ٣٤٤/٤] وعبدالرزاق: ٥١/٤، ح: ٦٩٤٢] وابن عباس [الطبراني في الكبير: ٣٧٩/١١، ح: ١٢٠٥٩] وعبدالله بن عمرو [أحمد: ١٨٣/٢، ١٩٣] وأبي رافع [يأتي: ٦٥٧] وعبدالرحمن بن علقمة [النسائي، ح: ٣٧٨٩] * حديث عبدالرحمن بن أبي عقيل، لعله يشير إلى حديثه عند أبي نعيم في معرفة الصحابة: ١٨٤٣/٤، ح: ٤٦٤٩] وابن أبي عاصم في الأحاد والمثاني: ٢٣٩/٣، ح: ١٦٠٠. وليس فيه ذكر الصدقة، ويريد الإمام الترمذي رحمه الله بيان اختلاف السند، والله أعلم.

Comments:

The Prophet ﷺ would accept gifts, and normally he would give gifts in return, but as for charity he would give it to those individuals who deserved and he ﷺ never accepted it for himself.

657. Abū Rāfi‘ (may Allāh be pleased with him) narrated that the Messenger of Allāh ﷺ sent a man from Banū Makhẓūm to collect charity, so he said to Abū Rāfi‘: “Accompany me so that perhaps you may have some of it.” So he said: “Not until I ask the Messenger of Allāh ﷺ.” So he went to the Prophet ﷺ to ask him, and he said: “Charity is not lawful for us, and to be the *Mawla* of a people is to be the same as them.” (*Ṣaḥīḥ*)

٦٥٧ - حَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى قَالَ:
حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ
الْحَكَمِ، عَنِ ابْنِ أَبِي رَافِعٍ، عَنْ أَبِي رَافِعٍ
[رَضِيَ اللَّهُ عَنْهُ] أَنَّ رَسُولَ اللَّهِ ﷺ بَعَثَ رَجُلًا
مِنْ بَنِي مَخْزُومٍ عَلَى الصَّدَقَةِ، فَقَالَ لِأَبِي
رَافِعٍ: اصْحَبْنِي كَيْمَا نُصِيبَ مِنْهَا، قَالَ: لَا،
حَتَّى آتِيَ رَسُولَ اللَّهِ ﷺ فَأَسْأَلَهُ، فَانْطَلَقَ إِلَى
النَّبِيِّ ﷺ فَسَأَلَهُ فَقَالَ: «إِنَّ الصَّدَقَةَ لَا تَحِلُّ لَنَا

(Abū ‘Eīsā) said: This *Ḥadīth* is *Ḥasan Ṣaḥīḥ*. The name of Abū Rāfi‘, the *Mawlā* of the Prophet ﷺ, is Aslam, and the son of Abū Rāfi‘ is ‘Ubaidullāh bin Abī Rāfi‘, the scribe of ‘Alī bin Abī Ṭālib (may Allāh be pleased with him).

وَأَنَّ مَوَالِي الْقَوْمِ مِنْ أَنْفُسِهِمْ». قَالَ [أَبُو عَيْسَى]: وَهَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ. وَأَبُو رَافِعٍ مَوْلَى النَّبِيِّ ﷺ اسْمُهُ أَسْلَمٌ وَابْنُ أَبِي رَافِعٍ هُوَ عَبِيدُ اللَّهِ بْنُ أَبِي رَافِعٍ كَاتِبٌ عَلِيِّ بْنِ أَبِي طَالِبٍ [رَضِيَ اللَّهُ عَنْهُ].

تخریج: [صحیح] وأخرجه أبو داود، الزكاة، باب الصدقة على بني هاشم، ح: ١٦٥٠ من حديث شعبة به وصححه ابن خزيمة، ح: ٢٣٤٤ وابن حبان (الإحسان): ٣٢٨٢، والحاكم على شرط الشيخين: ٤٠٤١، ووافقه الذهبي وله شواهد كثيرة عند البخاري مسلم وغيرهما.

Comments:

It is unanimously agreed that the Prophet ﷺ was not allowed to accept for himself any type of charity whether obligatory or voluntary. According to Imām *Ash-Shāfi‘ī*, ‘for us’ means the offspring of *Hāshim* and *Abdul-Muṭṭalib*; *Amīr Yamāni* also supported this opinion in ‘*Subulus-Salām*: 2/214.

Chapter 26. What Has Been Related About Charity For Near Relatives

(المعجم ٢٦) - بَابُ مَا جَاءَ فِي الصَّدَقَةِ عَلَى ذِي الْقَرَابَةِ (التحفة ٢٦)

658. *Ḥaḥṣah* bint *Sirīn* narrated from *Ar-Rabāb*, from her uncle *Salmān bin ‘Amīr* that he related that the Prophet ﷺ said: “When one of you breaks his fast, then let him do so with dried dates, for they are blessed. Whoever does not find dates, then water, for it is purifying.” And he said: “Charity given to the needy is (counted as) charity, and if it is given to relatives it is (counted as) two: charity and nurturing (the ties of kinship).” (*Ṣaḥīḥ*)

٦٥٨ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ عَنْ عَاصِمٍ [الْأَحْوَلِ]، عَنْ حَفْصَةَ بِنْتِ سِيرِينَ، عَنِ الرَّبَابِ، عَنْ عَمِّهَا سَلْمَانَ بْنِ عَامِرٍ يُبْلَغُ بِهِ النَّبِيُّ ﷺ قَالَ: «إِذَا أَفْطَرَ أَحَدُكُمْ فَلْيُفْطِرْ عَلَى تَمْرٍ فَإِنَّهُ بَرَكَةٌ، فَإِنْ لَمْ يَجِدْ تَمْرًا فَالْمَاءُ فَإِنَّهُ طَهُورٌ» وَقَالَ: «الصَّدَقَةُ عَلَى الْمَسْكِينِ صَدَقَةٌ، وَهِيَ عَلَى ذِي الرَّجْمِ ثِنْتَانِ صَدَقَةٌ وَصِلَةٌ».

(He said:) There are narrations on this topic from *Zainab* the wife of ‘*Abdullāh bin Mas‘ūd*, *Jābir*, and *Abū Hurairah*.

[قَالَ:] وَفِي الْبَابِ عَنْ زَيْنَبِ امْرَأَةِ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ وَجَابِرِ وَأَبِي هُرَيْرَةَ.

Abū ‘Eīsā said: The *Ḥadīth* of *Salmān bin ‘Amīr* is a *Ḥasan Ḥadīth*. *Ar-Rabāb* is *Umm Ar-*

قَالَ أَبُو عَيْسَى: حَدِيثُ سَلْمَانَ بْنِ عَامِرٍ حَدِيثٌ حَسَنٌ. وَالرَّبَابُ هِيَ أُمُّ الرَّائِحِ ابْنَةُ صُلَيْعٍ. وَهَكَذَا رَوَى سُفْيَانُ الثَّوْرِيُّ عَنْ

Rā'ih bint Ṣulā'ī. This is how a similar *Hadīth* was reported by Sufyān Ath-Thawrī, from 'Āṣim, from Ḥaḥṣah bint Sīrīn, from Ar-Rabāb, from Salmān bin 'Āmir, from the Prophet ﷺ. And Shu'bah reported it from 'Āṣim, from Ḥaḥṣah bint Sīrīn, from Salmān bin 'Āmir, and he did not mention "From Ar-Rabāb" in it. The narrations of Sufyān Ath-Thawrī and Ibn 'Uyainah (narrators in the chain of this *Hadīth*) are more correct. Similarly, it was reported by Ibn 'Awn and Hishām bin Ḥassān from Ḥaḥṣah bint Sīrīn, from Ar-Rabāb, from Salmān bin 'Āmir.

عَاصِمٍ، عَنِ حَفْصَةَ بِنْتِ سِيرِينَ، عَنِ الرَّبَّابِ، عَنِ سَلْمَانَ بْنِ عَامِرٍ عَنِ النَّبِيِّ ﷺ نَحْوَ هَذَا الْحَدِيثِ. وَرَوَى شُعْبَةُ عَنْ عَاصِمٍ، عَنِ حَفْصَةَ بِنْتِ سِيرِينَ، عَنِ سَلْمَانَ بْنِ عَامِرٍ وَلَمْ يَذْكُرْ فِيهِ، عَنِ الرَّبَّابِ. وَحَدِيثُ سُفْيَانَ الثَّوْرِيِّ وَابْنِ عُيَيْنَةَ أَصَحُّ. وَهَكَذَا رَوَى ابْنُ عُيَيْنَةَ وَهَشَامُ بْنُ حَسَّانَ عَنْ حَفْصَةَ بِنْتِ سِيرِينَ، عَنِ الرَّبَّابِ، عَنِ سَلْمَانَ بْنِ عَامِرٍ.

تخریج: [صحيح] وأخرجه أبو داود، الصيام، باب ما يفطر عليه، ح: ٢٣٥٥ من حديث عاصم الأحول به وصححه ابن خزيمة، ح: ٢٠٦٧ وابن حبان، ح: ٨٩٢، ٨٩٣ وأبو حاتم الرازي والحاكم: ٤٣١/١ والذهبي ولم أر لمضعفه حجة * وفي الباب عن زينب امرأة عبدالله بن مسعود [البخاري، ح: ١٤٦٦ ومسلم، ح: ١٠٠٠ وجابر [أحمد: ٣/٣٢٩، ٣٤٦] وأبي هريرة [البخاري، ح: ١٤٢٦ ومسلم، ح: ١٠٤٢].

Comments:

A person has two types of relatives: a): The origin i.e. parents, children and spouse; b): and other than the origin like: paternal and maternal uncles etc. A person is responsible for the expenses and maintenance of the first type of relatives, therefore they are not entitled to take *Zakāt*, yet the voluntary charity may be given to them. Other type of relatives for whom a person is not responsible for expenses and maintenance, any type of charity, obligatory or voluntary, may be given to them and doing so on the basis of keeping the tie of relations will have the reward two-fold.

Chapter 27. What Has Been Related About: There Is A Duty On Wealth Aside From *Zakāt*

(المعجم ٢٧) - بَابُ مَا جَاءَ أَنْ فِي الْمَالِ حَقًّا سِوَى الزَّكَاةِ (التحفة ٢٧)

659. Fāṭimah bint Qais narrated that she asked – or, the Prophet ﷺ was asked – about *Zakāt*, and he

٦٥٩ - حَدَّثَنَا مُحَمَّدُ [بْنُ أَحْمَدَ] بِنِ مَدُونَةَ: حَدَّثَنَا الْأَسْوَدُ بْنُ عَامِرٍ عَنْ شَرِيكَ،

said: "Indeed there is a duty on wealth aside from *Zakāt*." Then he recited this *Āyah* which is in *Al-Baqarah*: 'It is not *Al-Birr* (piety, righteousness) that you turn your faces.' (*Al-Baqarah* 2:177) (*Da'īf*)

عَنْ أَبِي حَمْزَةَ، عَنِ الشَّعْبِيِّ، عَنِ فَاطِمَةَ ابْنَةِ قَيْسٍ قَالَتْ: سَأَلْتُ أَوْ سئِلْتُ النَّبِيَّ ﷺ عَنِ الزَّكَاةِ فَقَالَ: «إِنَّ فِي الْمَالِ لِحَقًّا سِوَى الزَّكَاةِ» ثُمَّ تَلَا هَذِهِ الْآيَةَ الَّتِي فِي الْبَقَرَةِ: ﴿لَيْسَ الْبِرُّ أَنْ تُوَلُّوا وُجُوهَكُمْ﴾ الْآيَةَ. [البقرة: 177].

تخریج: [إسناده ضعيف] وأخرجه ابن ماجه، الزكاة، باب ما أدى زكاته فليس بكنز، ح: 1789 من حديث شريك القاضي به، أبو حمزة ميمون الأعرور ضعيف، انظر الحديث الآتي.

Comments:

It is said in this Verse 'he paid the *Zakāt*' in addition to that it is also said 'he spent the wealth in spite of love for it' he spent on close relatives, poor, wayfarers, those who ask for it and to set the slaves free. It is known from this Verse that besides the *Zakāt* which is a compulsory and a specified duty, there are other various rights due from the wealth which are provisional and temporary and they are related to the catastrophic incidents and needs.

660. Fāṭimah bint Qais narrated that the Prophet ﷺ said: "Indeed there is a duty on wealth aside from *Zakāt*." (*Da'īf*)

Abū 'Eisā said: The chain for this *Hadīth* is not that strong. Abū Ḥamzah Maimūn Al-A'war was graded weak, and Bayān as well as Ismā'il bin Sālim reported this *Hadīth* from Ash-Sha'bī as his own saying, and this is more correct.

٦٦٠ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَبْدِ الرَّحْمَنِ: حَدَّثَنَا مُحَمَّدُ بْنُ الطُّفَيْلِ عَنْ شَرِيكٍ، عَنْ أَبِي حَمْزَةَ، عَنْ عَامِرِ [الشَّعْبِيِّ]، عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ عَنِ النَّبِيِّ ﷺ قَالَ: «إِنَّ فِي الْمَالِ حَقًّا سِوَى الزَّكَاةِ».

قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ إِسْنَادُهُ لَيْسَ بِذَلِكَ. وَأَبُو حَمْزَةَ مَيْمُونُ الْأَعْوَرُ يُضَعَّفُ وَرَوَى بَيَّانٌ وَإِسْمَاعِيلُ بْنُ سَالِمٍ عَنِ الشَّعْبِيِّ هَذَا الْحَدِيثَ. قَوْلُهُ وَهَذَا أَصَحُّ.

تخریج: [ضعيف] انظر الحديث السابق.

Comments:

Although this *Hadīth* and the previous one are weak yet the subject is correct in meaning.

Chapter 28. What Has Been Related About The Virtue Of Charity

661. Abū Hurairah narrated that the Messenger of Allāh ﷺ said:

(المعجم ٢٨) - بَابُ مَا جَاءَ فِي فَضْلِ

الصَّدَقَةِ (التحفة ٢٨)

٦٦١ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ بْنُ

“None gives charity from *Ṭayyib*^[1] – and Allāh does not accept but *Ṭayyib* – but that Ar-Raḥmān accepts it with His Right (Hand). Even if it is a date, it is nurtured in the Hand of Ar-Raḥmān until it is greater than a mountain, just as one of you nurtures his foal or young camel.” (*Ṣaḥīḥ*)

(He said:) There are narrations on this topic from ‘Āishah, ‘Adī bin Ḥātim, Anas, ‘Abdullāh bin Abī ‘Awfa, (Ḥārithah bin Wahb), ‘Abdur-Raḥmān bin ‘Awf, and Buraidah. Abū ‘Eīsā said: The *Ḥadīth* of Abū Hurairah is a *Ḥasan Ṣaḥīḥ Ḥadīth*.

سَعِدٌ عَنْ سَعِيدِ [بْنِ أَبِي سَعِيدٍ] الْمَقْبَرِيِّ، عَنْ سَعِيدِ بْنِ يَسَارٍ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَا تَصَدَّقَ أَحَدٌ بِصَدَقَةٍ مِنْ طَيِّبٍ وَلَا يَقْبَلُ اللَّهُ إِلَّا الطَّيِّبَ إِلَّا أَخَذَهَا الرَّحْمَنُ بِيَمِينِهِ وَإِنْ كَانَتْ تَمْرَةً تَزُبُو فِي كَفِّ الرَّحْمَنِ حَتَّى تَكُونَ أَعْظَمَ مِنَ الْجَبَلِ، كَمَا يُرَبِّي أَحَدَكُمْ فَلَوْهُ أَوْ فَصِيلَهُ».

[قَالَ:] وَفِي الْبَابِ عَنْ عَائِشَةَ وَعَدِيِّ بْنِ حَاتِمٍ وَأَنْسِ وَعَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى [وَحَارِثَةَ ابْنِ وَهْبٍ] وَعَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ وَبُرَيْدَةَ. قَالَ أَبُو عِيْسَى: حَدِيثُ أَبِي هُرَيْرَةَ حَدِيثٌ حَسَنٌ صَحِيحٌ.

تخریج: متفق عليه، وأخرجه مسلم، الزكاة، باب قبول الصدقة من الكسب الطيب وتربيتها، ح: ١٠١٤ عن قتيبة والبخاري، ح: ٧٤٣٠ من حديث سعيد بن يسار به * وفي الباب عن عائشة [مسلم، ح: ١٠٠٧، ١٠٢٤] وعدي ابن حاتم [البخاري، ح: ١٤١٣، ومسلم: ١٠١٦] وأنس [يأتي: ٦٦٣] وعبدالله بن أبي أوفى [البخاري، ح: ١٤٩٧، ومسلم، ح: ١٠٧٨] وحرثة بن وهب [البخاري، ح: ١٤١١، ومسلم، ح: ١٠١١] وعبدالرحمن بن عوف [أحمد: ١/١٩٣ وعبد بن حميد، ح: ١٥٩] وبريدة [أحمد: ٥/٣٥٠ وابن خزيمة، ح: ٢٤٥٧].

Comments:

This *Ḥadīth* tells that pure and fine things should be donated for the sake of Allāh and Allāh ﷻ accepts such things with great kindness and love.

662. Abū Hurairah narrated that the Messenger of Allāh ﷺ said: “Indeed Allāh accepts charity, and He accepts it with His Right (Hand) to nurture it for one of you, just like one of you would nurture his foal, until the bite (of food) becomes as large as Uḥūd.” The Book of Allāh, the Mighty and Sublime testifies to that: ‘He accepts repentance from

٦٦٢ - حَدَّثَنَا أَبُو كُرَيْبٍ مُحَمَّدُ بْنُ الْعَلَاءِ: حَدَّثَنَا وَكَيْعٌ: حَدَّثَنَا عَبَّادُ بْنُ مَنْصُورٍ: حَدَّثَنَا الْقَاسِمُ بْنُ مُحَمَّدٍ قَالَ: سَمِعْتُ أَبَا هُرَيْرَةَ يَقُولُ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ اللَّهَ يَقْبَلُ الصَّدَقَةَ وَيَأْخُذُهَا بِيَمِينِهِ فَيُرَبِّيهَا لِأَحَدِكُمْ كَمَا يُرَبِّي أَحَدَكُمْ مَهْرَةً، حَتَّى إِنَّ اللَّفْمَةَ لَتَصِيرُ مِثْلَ

[1] Good and lawful.

His worshippers, and accepts charity.^[1]

And: ‘Allāh will destroy Ribā and will give increase for charity.’^[2] (Abū ‘Eisā) said: This *Ḥadīth* is (*Ḥasan*) *Ṣaḥīḥ*. It has been reported from ‘Aishah from the Prophet ﷺ similarly. More than one of the people of knowledge have spoken about this *Ḥadīth*, and the narrations that resemble it about the Attributes and the Descent of the Lord, Blessed and Most High, every night to the lowest Heaven. They said: “The narrations about these are affirmed and should be believed in without misinterpreting them nor saying ‘how’.” It has been reported like this from Mālik (bin Anas), Sufyān bin ‘Uyainah, ‘Abdullāh bin Al-Mubārak; they would say about these *Aḥādīth*: They are conveyed without saying how. This is the view of the people of knowledge among *Ahl As-Sunnah wal-Jamā’ah*. As for the Jahmiyyah, they reject these narrations and they say that this is *Tashbīh*.^[3] And in other places in His Book, Allāh, Blessed and Most High is He, has mentioned the Hand, the Hearing, the Seeing, so the Jahmiyyah misinterpret these *Āyāt* and give them interpretations other than the interpretations of the people of knowledge. They say that Allāh did not create Ādam with His Hand, and they say the meaning of Hand is merely power. Iṣḥāq bin

أَحَدٍ»، وَتَصَدِّيقُ ذَلِكَ فِي كِتَابِ اللَّهِ عَزَّ وَجَلَّ وَهُوَ يَقْبَلُ التَّوْبَةَ عَنْ عِبَادِهِ وَيَأْخُذُ الصَّدَقَاتِ ﴿[التوبة: ١٠٤] وَ﴿يَمْسُحُ اللَّهُ أَلْيَافًا وَيُرِي الصَّدَقَاتِ﴾ [البقرة: ٢٧٦].

قَالَ [أَبُو عَيْسَى]: هَذَا حَدِيثٌ [حَسَنٌ] صَحِيحٌ. وَقَدْ رُوِيَ عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ نَحْوُ هَذَا.

وَقَدْ قَالَ غَيْرُ وَاحِدٍ مِنْ أَهْلِ الْعِلْمِ فِي هَذَا الْحَدِيثِ وَمَا يُشْبِهُ هَذَا مِنَ الرِّوَايَاتِ مِنَ الصِّفَاتِ وَنُزُولِ الرَّبِّ تَبَارَكَ وَتَعَالَى كُلُّ لَيْلَةٍ إِلَى السَّمَاءِ الدُّنْيَا، قَالُوا: قَدْ تَبَيَّنَتِ الرِّوَايَاتُ فِي هَذَا وَيُؤْمَنُ بِهَا وَلَا يُتَوَهَّمُ وَلَا يُقَالُ كَيْفَ؟ هَكَذَا رُوِيَ، عَنْ مَالِكِ [بْنِ أَنَسٍ] وَسُفْيَانَ بْنِ عُيَيْنَةَ وَعَبْدَ اللَّهِ بْنِ الْمُبَارَكِ أَنَّهُمْ قَالُوا فِي هَذِهِ الْأَحَادِيثِ: أَمْرُهَا بِلَا كَيْفٍ، وَهَكَذَا قَوْلُ أَهْلِ الْعِلْمِ مِنْ أَهْلِ السُّنَّةِ وَالْجَمَاعَةِ. وَأَمَّا الْجَهْمِيَّةُ فَانْكَرَتْ هَذِهِ الرِّوَايَاتِ وَقَالُوا هَذَا تَشْبِيهُ. وَقَدْ ذَكَرَ اللَّهُ تَبَارَكَ وَتَعَالَى فِي غَيْرِ مَوْضِعٍ مِنْ كِتَابِهِ الْيَدَ وَالسَّمْعَ وَالْبَصَرَ فَتَأَوَّلَتِ الْجَهْمِيَّةُ هَذِهِ الْآيَاتِ وَفَسَّرُوهَا عَلَى غَيْرِ مَا فَسَّرَ أَهْلُ الْعِلْمِ، وَقَالُوا: إِنَّ اللَّهَ لَمْ يَخْلُقْ آدَمَ بِيَدِهِ، وَقَالُوا: إِنَّمَا مَعْنَى الْيَدِ الْقُوَّةُ.

[1] *At-Tawbah* 9:104.

[2] *Al-Baqarah* 2:276.

[3] Anthropomorphism, resembling Allāh to creatures.

Ibrāhīm said: *At-Tashbīh* is only when one says ‘Hand; like a hand or similar to a hand’ or ‘Hearing; like hearing or similar to hearing.’ So when one says ‘Hearing; like hearing or similar to hearing’ then this is the *Tashbīh*. As for when one says as Allāh (Most High) said, Hand, Hearing, Seeing, and he does not say ‘how’ nor say ‘similar to hearing’ nor ‘like hearing’ then this is not *Tashbīh*. It is merely as Allāh, Blessed and Most High is He said: ‘There is nothing like Him, and He is the All-Hearing, the All-Seeing.’ (*Ash-Shūra* 42:11).

وَقَالَ إِسْحَاقُ بْنُ إِبْرَاهِيمَ: إِنَّمَا يَكُونُ التَّشْبِيهُ إِذَا قَالَ يَدٌ كَيْدٌ أَوْ مِثْلُ يَدٍ، أَوْ سَمْعٌ كَسَمْعٍ أَوْ مِثْلُ سَمْعٍ، فَإِذَا قَالَ سَمْعٌ كَسَمْعٍ أَوْ مِثْلُ سَمْعٍ فَهَذَا التَّشْبِيهُ. وَأَمَّا إِذَا قَالَ كَمَا قَالَ اللَّهُ [تَعَالَى] يَدٌ وَسَمْعٌ وَبَصَرٌ وَلَا يَقُولُ كَيْفَ وَلَا يَقُولُ مِثْلُ سَمْعٍ وَلَا كَسَمْعٍ فَهَذَا لَا يَكُونُ تَشْبِيْهًا وَهُوَ كَمَا قَالَ اللَّهُ تَبَارَكَ وَتَعَالَى فِي كِتَابِهِ: ﴿لَيْسَ كَمِثْلِهِ شَيْءٌ وَهُوَ السَّمِيعُ الْبَصِيرُ﴾ [الشورى: ١١].

تخريج: [إسناده ضعيف] وأخرجه أحمد: ٤٧١/٢ عن وكيع به وصححه ابن خزيمة، ح: ٢٤٢٧ عباد بن منصور ضعيف، والحديث السابق يعني عنه.

Comments:

As the reality and condition of Allāh’s Self is beyond our imagination, thinking, intellect and wisdom likewise the reality, condition and position of His Attributes is beyond our imagination, thinking, intellect, understanding and wisdom. Therefore to deny the Attributes, to misinterpret, to distort, to refuse, to explain resemblance and condition is just to lose the right path.

663. Anas narrated that the Prophet ﷺ was asked which fast was most virtuous after Ramaḍān? He said: “Sha‘bān in honor of Ramaḍān” He said: “Which charity is best?” He (ﷺ) said: “Charity in Ramaḍān.” (*Da‘īf*)

Abū ‘Eīsā said: This *Hadīth* is *Gharīb*, and (the narrator) Ṣaḍāqah bin Mūsā is not that strong according to them.

٦٦٣ - حَدَّثَنَا مُحَمَّدُ بْنُ إِسْمَاعِيلَ: حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا صَدَقَةُ بْنُ مُوسَى عَنْ ثَابِتٍ، عَنْ أَنَسٍ قَالَ: سُئِلَ النَّبِيُّ ﷺ: أَيُّ الصَّوْمِ أَفْضَلُ بَعْدَ رَمَضَانَ؟ فَقَالَ: «شَعْبَانَ لِتَعْظِيمِ رَمَضَانَ»، قَالَ: فَأَيُّ الصَّدَقَةِ أَفْضَلُ؟ قَالَ: «الصَّدَقَةُ فِي رَمَضَانَ». قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ غَرِيبٌ. وَصَدَقَةُ بْنُ مُوسَى لَيْسَ عِنْدَهُمْ بِذَاكَ الْقَوِيُّ.

تخريج: [إسناده ضعيف] وأخرجه ابن أبي شيبة: ١٠٣/٣، ح: ٩٧٦٣ من حديث صدقة بن موسى به مختصراً جداً وهو في شرح السنة للبخاري: ٣٢٩/٦، ح: ١٧٧٨ من حديث الترمذي به * صدقة بن موسى ضعيف، ضعفه الجمهور.

Comments:

It is a narration of *Ṣaḥīḥ Muslim* that after Ramaḍān the fasting of Muḥarram is more virtuous. (*Ṣaḥīḥ Muslim, Ḥadīth: 1163*). So the narration of *Ṣaḥīḥ Muslim* gets preference over this Weak narration.

664. Anas bin Mālik narrated that the Messenger of Allāh ﷺ said: “Indeed charity extinguishes the Lord’s anger and it protects against the evil death.”^[1] (*Daʿīf*)

(Abū ‘Eisā said:) This *Ḥadīth* is *Ḥasan Gharīb* from this route.

٦٦٤ - حَدَّثَنَا عُقْبَةُ بْنُ مُكْرَمٍ [الْعَمِّيُّ] الْبَصْرِيُّ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَيْسَى الْخَزَّازُ [الْبَصْرِيُّ] عَنْ يُونُسَ بْنِ عُبَيْدٍ، عَنِ الْحَسَنِ، عَنْ أَنَسِ بْنِ مَالِكٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ الصَّدَقَةَ لَتُطْفِئُ غَضَبَ الرَّبِّ وَتَدْفَعُ مِيتَةَ السُّوءِ».

قَالَ [أَبُو عَيْسَى]: هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ مِنْ هَذَا الْوَجْهِ.

تخريج: [إسناده ضعيف] صححه ابن حبان، ح: ٨١٦ وهو في شرح السنة للبغوي: ٦/١٣٣، ١٣٤، ح: ١٦٣٤ من حديث الترمذي به * عبدالله بن عيسى ضعيف (تقريب) وللحديث شواهد ضعيفة في مجمع الزوائد: ١١٥/٣ وغيره.

Comments:

As Allāh bestowed qualities and special effects to the material things of this world even to the plants and herbs, similarly He ﷻ granted qualities and special effects to good or bad deeds and to the manners of humans.

Chapter 29. What Has Been Related About The Right Of The One Asking

665. ‘Abdur-Raḥmān bin Bujaid narrated from his grandmother; Umm Bujaid – and she was one of those who gave the pledge to the Prophet ﷺ – she said to the Messenger of Allāh ﷺ: “There is a needy person who stands outside my door, but I cannot find anything to give to him.” So the Messenger of Allāh ﷺ said to her: “If you do not find anything to give him

(المعجم ٢٩) - بَابُ مَا جَاءَ فِي حَقِّ

السَّائِلِ (التحفة ٢٩)

٦٦٥ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا اللَّيْثُ [بُنُ سَعْدٍ] عَنْ سَعِيدِ بْنِ أَبِي [سَعِيدٍ]، عَنْ عَبْدِ الرَّحْمَنِ بْنِ بُجَيْدٍ، عَنْ جَدَّتِهِ أُمِّ بُجَيْدٍ وَكَانَتْ مِمَّنْ بَايَعَ النَّبِيَّ ﷺ أَنَّهَا قَالَتْ لِرَسُولِ اللَّهِ ﷺ: «إِنَّ الْمِسْكِينَ لَيَقُومُ عَلَيَّ بَابِي فَمَا أَجِدُ لَهُ شَيْئًا أُعْطِيهِ إِيَّاهُ، فَقَالَ لَهَا رَسُولُ اللَّهِ ﷺ: «إِنَّ لَمْ تَجِدِي شَيْئًا تُعْطِيهِ إِيَّاهُ إِلَّا ظَلَمْنَا مُحْرَقًا فَادْفَعِيهِ إِلَيْهِ فِي يَدِهِ».

[1] Dying in a horrible way or horrible trials at the time of death. See *Tuḥfat Al-Aḥwadhī*.

except a burnt trotter then hand it over to him.” (*Ṣaḥīḥ*)

(He said:) There are narrations on this topic from ‘Alī, Ḥusain bin ‘Alī, Abū Hurairah, and Abū Umāmah. Abū ‘Eīsā said: The *Hadīth* of Umm Bujaid is a *Ḥasan Hadīth*.

تخریج: [إسناده صحيح] وأخرجه أبو داود، الزكاة، باب حق السائل، ح: ١٦٦٧ عن قتيبة به وصححه ابن خزيمة، ح: ٢٤٧٣ وابن حبان، ح: ٨٢٤ والحاكم: ٤١٧/١ والذهبي * وفي الباب عن علي [أبو داود، ح: ١٦٦٦] وحسين بن علي [أبو داود، ح: ١٦٦٥] وأبي هريرة [البخاري، ح: ٢٥٦٦ ومسلم، ح: ١٠٣٠] وأبي أمامة [الطبراني في الكبير: ٨/٢٩٥، ح: ٧٩٦٨].

Comments:

It is known from this *Hadīth* that a needy and deprived person should not be returned empty handed, but the matter of professional beggars is different; they should be given nothing, in order to discourage beggary.

Chapter 30. What Has Been Related About Giving To Those Whose Hearts Are Inclined (Toward Islām).

666. Sa‘eed bin Al-Musayyab narrated from Ṣafwān bin Umayyah who said: “The Messenger of Allāh ﷺ gave to me on the Day of Ḥunain, and he was the most hated creature to me. But he did not stop giving to me until he was the most loved creature to me.” (*Ṣaḥīḥ*)

Abū ‘Eīsā said: Al-Ḥasan bin ‘Alī narrated this to me, or what resembles it in the course of a discussion. He said: There is something on this topic from Abū Sa‘eed. Abū ‘Eīsā said: The *Hadīth* of Ṣafwān was reported by Ma‘mar and others from Az-Zuhri, from Sa‘eed bin Al-Musayyab “that Ṣafwān bin Umayyah said: ‘The

[قَالَ:] وفي البابِ عَنْ عَلِيٍّ وَحُسَيْنِ بْنِ عَلِيٍّ وَأَبِي هُرَيْرَةَ وَأَبِي أُمَامَةَ.
قَالَ أَبُو عِيْسَى: حَدِيثٌ أَمْ يُجَيِّدُ حَدِيثُ حَسَنٍ صَحِيحٌ.

(المعجم ٣٠) - بَابُ مَا جَاءَ فِي إِعْطَاءِ الْمُؤَلَّفَةِ قُلُوبُهُمْ (التحفة ٣٠)

٦٦٦ - حَدَّثَنَا الْحَسَنُ بْنُ عَلِيٍّ الْخَلَّالُ: حَدَّثَنَا يَحْيَى بْنُ آدَمَ عَنِ ابْنِ الْمُبَارَكِ، عَنْ يُونُسَ [بْنِ يَزِيدَ]، عَنِ الرَّهْرِيِّ، عَنْ سَعِيدِ ابْنِ الْمُسَيَّبِ، عَنْ صَفْوَانَ بْنِ أُمَيَّةَ قَالَ: أَعْطَانِي رَسُولُ اللَّهِ ﷺ يَوْمَ حُنَيْنٍ وَإِنَّهُ لَأَبْغَضُ الْخَلْقِ إِلَيَّ فَمَا زَالَ يُعْطِينِي حَتَّى إِنَّهُ لَأَحَبُّ الْخَلْقِ إِلَيَّ.

قَالَ أَبُو عِيْسَى: حَدَّثَنِي الْحَسَنُ بْنُ عَلِيٍّ بِهَذَا أَوْ شَبَّهِهُ [فِي الْمَذَاكِرَةِ قَالَ:] وَفِي الْبَابِ عَنْ أَبِي سَعِيدٍ.

قَالَ أَبُو عِيْسَى: حَدِيثُ صَفْوَانَ رَوَاهُ مَعْمَرٌ وَعَبْدُ اللَّهِ بْنُ الرَّهْرِيِّ، عَنْ سَعِيدِ بْنِ

Messenger of Allāh ﷺ gave to me...^[1] So it is as if this narration is more correct and that it is more likely that it is (from) “Sa’eed bin Al-Musayyab, that Ṣafwān bin Umayyah”. The people of knowledge differ over giving to those whose hearts are inclined (towards Islām). Most of the people of knowledge held the view that they are not to be given to, and they say that they were only those people during the time of the Messenger of Allāh ﷺ whom he would encourage to accept Islām until they accepted it. And they did not think that such people should be given from the *Zakāt* today. This is the saying of Sufyān Ath-Thawrī, the people of Al-Kūfah and others. And it is the view of Aḥmad and Ishāq. Some of them said: If there is someone today like those people, and the *Imām* sees that they are inclined toward Islām, then giving to them is allowed. This is the view of *Ash-Shāfi’i*.

المُسَيَّبِ أَنَّ صَفْوَانَ بْنَ أُمَيَّةَ قَالَ: أَعْطَانِي رَسُولُ اللَّهِ ﷺ وَكَأَنَّ هَذَا الْحَدِيثُ أَصْحَحُ وَأَشْبَهُهُ إِنَّمَا هُوَ سَعِيدُ بْنُ الْمُسَيَّبِ أَنَّ صَفْوَانَ بْنَ أُمَيَّةَ.

وقد اختلف أهل العلم في إعطاء المؤلفة قلوبهم، فرأى أكثر أهل العلم أن لا يعطوا وقالوا: إنما كانوا قوماً على عهد رسول الله ﷺ، كان يتألفهم على الإسلام حتى أسلموا، ولم يروا أن يعطوا اليوم من الزكاة على مثل هذا المعنى، وهو قول سفيان الثوري وأهل الكوفة وغيرهم، وبه يقول أحمد وإسحاق.

وقال بعضهم: من كان اليوم على مثل حال هؤلاء ورأى الإمام أن يتألفهم على الإسلام فأعطاهم جاز ذلك، وهو قول الشافعي.

تخریج: وأخرجه مسلم، الفضائل، باب: في سخائه ﷺ، ح: ۲۳۱۳ من حديث يونس بن يزيد الأيلي به * وفي الباب عن أبي سعيد [مسلم، ح: ۱۰۶۴].

Comments:

According to Imām Al-Qurtubī and Qādi *Thanā-Ullāh* Panipati, those whose hearts were to be attracted having been inclined towards Islam were people of two types: a disbeliever or a financially weak Muslim. Those who were given, in their state of disbelief, for the purpose of attracting their hearts towards Islam, then they were given from the spoils of war, but the weak Muslims were given financial support from the wealth of *Zakāt* due to their poverty and need for the purpose of winning their hearts, these people may be given in these days too.

[1] That is, with wording that is not as clear indicating that he heard it from him.

Chapter 31. What Has Been Related About The One Who Gives Charity (Then) Inheriting His Charity

(المعجم ٣١) - بَابُ مَا جَاءَ فِي
الْمُتَّصِدِّقِ يَرِثُ صَدَقَتَهُ (التحفة ٣١)

667. ‘Abdullāh bin Buraidah narrated from his father: “I was sitting with the Prophet ﷺ when a woman came to him and said: ‘O Messenger of Allāh! I gave a slave girl to my mother in charity and she died.’ He said: ‘Your reward is already established, and your right to inherit her has returned it (that *Sadaqah*) to you.’ She said: ‘O Messenger of Allāh! There was a month of fasting due on her, shall I perform the fast for her?’ He said: ‘Fast on her behalf.’ She said: ‘O Messenger of Allāh! She never performed *Hajj*, shall I perform *Hajj* for her?’ He said: ‘Yes, perform *Hajj* on her behalf.’” (*Ṣaḥīḥ*)

Abū ‘Eisā said: This *Hadīth* is *Ḥasan Ṣaḥīḥ*. This is not known as a narration of Buraidah except from this route. ‘Abdullāh bin ‘Aṭā’ (one of the narrators) is trustworthy according to the people of *Hadīth*. This is acted upon according to most of the people of knowledge, when a person gives some charity and then he inherits it, it is lawful for him. Some of them said that charity is something that is given for Allāh, so when he inherits it, then it is obligatory for him to do the same with it (i.e. give it in charity). Sufyān Ath-Thawrī and Zuhair bin Mu‘āwiyah reported this *Hadīth* from ‘Abdullāh bin ‘Aṭā’.

٦٦٧ - حَدَّثَنَا عَلِيُّ بْنُ حُجْرٍ: حَدَّثَنَا عَلِيُّ
ابْنُ مُسْهِرٍ عَنْ عَبْدِ اللَّهِ بْنِ عَطَاءٍ، عَنْ عَبْدِ
اللَّهِ بْنِ بُرَيْدَةَ، عَنْ أَبِيهِ قَالَ: كُنْتُ جَالِسًا
عِنْدَ النَّبِيِّ ﷺ إِذْ آتَتْهُ امْرَأَةٌ فَقَالَتْ: يَا رَسُولَ
اللَّهِ إِنِّي كُنْتُ تَصَدَّقْتُ عَلَى أُمِّي بِجَارِيَةٍ وَإِنِّهَا
مَاتَتْ، قَالَ: «وَجَبَ أَجْرُكَ، وَرَدَّهَا عَلَيْكَ
الْمِيرَاثُ»، قَالَتْ: يَا رَسُولَ اللَّهِ [إِنِّهَا] كَانَ
عَلَيْهَا صَوْمٌ شَهْرٍ أَقْصَوْمٌ عَنْهَا؟ قَالَ:
«صُومِي عَنْهَا» قَالَتْ: يَا رَسُولَ اللَّهِ إِنِّهَا لَمْ
تَحُجَّ قَطُّ أَفَأَحُجُّ عَنْهَا؟ قَالَ: «نَعَمْ حُجِّي
عَنْهَا».

قَالَ أَبُو عَيْسَى: هَذَا حَدِيثٌ حَسَنٌ
صَحِيحٌ لَا يُعْرَفُ [هَذَا] مِنْ حَدِيثِ بُرَيْدَةَ إِلَّا
مِنْ هَذَا الْوَجْهِ. وَعَبْدُ اللَّهِ بْنُ عَطَاءٍ ثِقَةٌ عِنْدَ
أَهْلِ الْحَدِيثِ. وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَكْثَرِ
أَهْلِ الْعِلْمِ أَنَّ الرَّجُلَ إِذَا تَصَدَّقَ بِصَدَقَةٍ ثُمَّ
وَرِثَهَا حَلَّتْ لَهُ.

وَقَالَ بَعْضُهُمْ: إِنَّمَا الصَّدَقَةُ شَيْءٌ جَعَلَهَا
اللَّهُ، فَإِذَا وَرِثَهَا فَيَجِبُ أَنْ يَصْرِفَهَا فِي مِثْلِهِ.
وَرَوَى سُفْيَانُ الثَّوْرِيُّ وَزُهَيْرُ بْنُ مُعَاوِيَةَ هَذَا
الْحَدِيثَ، عَنْ عَبْدِ اللَّهِ بْنِ عَطَاءٍ.

تخریج: وأخرجه مسلم، الصيام، باب قضاء الصوم عن الميت، ح: ١١٤٩ عن علي بن حجر به.

Comments:

This *Hadīth* proves two points:

1. If a person gives something in charity and then it comes back to him in the form of his share in inheritance, it is not regarded as taking a charity back; because this return did not occur because of any activity of his choice. Therefore this is allowed according to the majority of the *Ummah* and the four *A'imma*h.
2. If a person could not observe fast owing to an excuse and he died, an heir of the deceased may make up the missed fast.

Chapter 32. What Has Been Related About It Being Disliked To Take Back Charity

(المعجم ٣٢) - بَابُ مَا جَاءَ فِي كِرَاهِيَةِ الْعَوْدِ فِي الصَّدَقَةِ (التحفة ٣٢)

668. Ibn 'Umar narrated that 'Umar gave a horse to be used in the cause of Allāh. Then he saw it being sold, so he wanted to buy it, but the Prophet ﷺ said: "Do not take back what you have given in charity." (*Ṣaḥīh*)

Abū 'Eisā said: This *Hadīth* is *Ḥasan Ṣaḥīh*, and this is acted upon according to most of the people of knowledge.

٦٦٨ - حَدَّثَنَا هَارُونُ بْنُ إِسْحَاقَ الْهَمْدَانِيُّ: حَدَّثَنَا عَبْدُ الرَّزَّاقِ عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ، عَنْ عُمَرَ أَنَّهُ حَمَلَ عَلَى فَرَسٍ فِي سَبِيلِ اللَّهِ ثُمَّ رَأَاهَا تَبَاعُ فَأَرَادَ أَنْ يَشْتَرِيهَا فَقَالَ النَّبِيُّ ﷺ: «لَا تُعُدْ فِي صَدَقَتِكَ».

قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ، وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَكْثَرِ أَهْلِ الْعِلْمِ.

تخریج: متفق عليه، وأخرجه مسلم، الهبات، باب كراهة شراء الإنسان ما تصدق به ... إلخ، ح: ١٦٢١ من حديث عبدالرزاق والبخاري، الزكاة، باب: هل يشتري صدقته؟ ... إلخ، ح: ١٤٨٩ من حديث الزهري به.

Comments:

If a person gives something in charity to someone and the recipient wants to sell it, generally if the giver wants to buy it he will get it cheaper, therefore the Prophet ﷺ interpreted as if the giver is taking the charity back.

Chapter 33. What Has Been Related About (Giving) Charity On Behalf Of The Dead

(المعجم ٣٣) - بَابُ مَا جَاءَ فِي الصَّدَقَةِ عَنِ الْمَيِّتِ (التحفة ٣٣)

669. 'Ikrimah narrated from Ibn 'Abbās that a man said: "O

٦٦٩ - حَدَّثَنَا أَحْمَدُ بْنُ مَنِيعٍ: حَدَّثَنَا رَوْحُ بْنُ عُبَادَةَ: حَدَّثَنَا زَكْرِيَّا بْنُ إِسْحَاقَ

Messenger of Allāh! My mother died, will it benefit her if I give charity on her behalf?’ He said: ‘Yes.’ He said: ‘I have a *Makhrāf*, so bear witness that I have given it in charity on her behalf.’” (*Ṣaḥīḥ*)

Abū ‘Eisā said: This *Ḥadīth* is *Ḥasan*, and this is the view of the people of knowledge. They say that nothing benefits the dead except charity and supplications. Some of them reported this *Ḥadīth* from ‘Amr bin Dīnār from ‘Ikrimah, from the Prophet ﷺ in *Mursal* form. (He said:) And his saying: “I have a *Makhrāf*” means a garden.

قَالَ: حَدَّثَنِي عَمْرُو بْنُ دِينَارٍ عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ أَنَّ رَجُلًا قَالَ: يَا رَسُولَ اللَّهِ؛ إِنَّ أُمَّي تُوَفِّيْتُ أَفْتِنَعُهَا إِنْ تَصَدَّقْتُ عَنْهَا؟، قَالَ: «نَعَمْ»، قَالَ: فَإِنَّ لِي مَخْرَفًا فَأَشْهَدُكَ أَنِّي قَدْ تَصَدَّقْتُ بِهِ عَنْهَا.

قَالَ أَبُو عَمِيْسَى: هَذَا حَدِيثٌ حَسَنٌ، وَبِهِ يَقُولُ أَهْلُ الْعِلْمِ. يَقُولُونَ: لَيْسَ شَيْءٌ يَصِلُ إِلَى الْمَيِّتِ إِلَّا الصَّدَقَةُ وَالِدُعَاءُ.

وَقَدْ رَوَى بَعْضُهُمْ هَذَا الْحَدِيثَ عَنْ عَمْرُو ابْنِ دِينَارٍ، عَنْ عِكْرِمَةَ عَنِ النَّبِيِّ ﷺ مُرْسَلًا [قَالَ:] وَمَعْنَى قَوْلِهِ: إِنَّ لِي مَخْرَفًا يَعْنِي بُشْتَانًا.

تخريج: وأخرجه البخاري، الوصايا، باب: إذا وقف أرضاً ولم يبين الحدود فهو جائز، وكذلك الصدقة، ح: ٢٧٧٠ من حديث روح بن عبادة به.

Comments:

The *Ummah* and the four *A’immah* are agreed that a deceased person benefits from the reward of charity, also what the *Shari’ah* allows to be performed on behalf of someone may be performed, like: *Hajj*, fasting and charity etc. (See: *Tuhfat Al-Aḥwadhī*: 2/26)

Chapter 34. What Has Been Related About A Woman Spending From Her Husband’s House

670. Abū Umāmah Al-Bāhilī said: “During a sermon of his in the year of the Farewell *Hajj*, I heard the Messenger of Allāh ﷺ say: ‘A woman is not to spend anything from her husband’s house without her husband’s permission.’ They said: ‘O Messenger of Allāh! What about food?’ He said: ‘That is our most virtuous wealth.’” (*Ḥasan*)

(المعجم ٣٤) - بَابُ مَا جَاءَ فِي نَفَقَةِ الْمَرْأَةِ مِنْ بَيْتِ زَوْجِهَا (التحفة ٣٤)

٦٧٠ - حَدَّثَنَا هَنَادٌ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ عِيَّاشٍ: حَدَّثَنَا شُرْحَبِيلُ بْنُ مُسْلِمٍ الْحَوْلَانِيُّ عَنْ أَبِي أَمَامَةَ الْبَاهِلِيِّ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ فِي خُطْبَتِهِ عَامَ حَجَّةِ الْوَدَاعِ يَقُولُ: «لَا تُنْفِقِ امْرَأَةٌ شَيْئًا مِنْ بَيْتِ زَوْجِهَا إِلَّا بِإِذْنِ زَوْجِهَا»، قِيلَ: يَا رَسُولَ اللَّهِ وَلَا الطَّعَامُ؟ قَالَ: «ذَاكَ أَفْضَلُ أَمْوَالِنَا».

There are narrations on this topic from Sa'd bin Abī Waqqāṣ, Asmā' bint Abī Bakr, Abū Hurairah, 'Abdullāh bin 'Amr, and 'Āishah (may Allāh be pleased with her).

Abū 'Eisā said: The *Ḥadīth* of Abū Umāmah is a *Ḥasan Ḥadīth*.

وَفِي الْبَابِ عَنْ سَعْدِ بْنِ أَبِي وَقَّاصٍ وَأَسْمَاءِ ابْنَةِ أَبِي بَكْرٍ وَأَبِي هُرَيْرَةَ وَعَبْدِ اللَّهِ ابْنِ عَمْرٍو وَعَائِشَةَ رَضِيَ اللَّهُ عَنْهَا].
قَالَ أَبُو عَيْسَى: حَدِيثُ أَبِي أُمَامَةَ حَدِيثٌ حَسَنٌ.

تخریج: [إسناده حسن] وأخرجه أبو داود، البيوع، باب: في تضمين العارية، ح: ٣٥٦٥ من حديث إسماعيل بن عياش به * وفي الباب عن سعد بن أبي وقاص [أبو داود، ح: ١٦٨٦] وأسماء بنت أبي بكر [يأتي: ١٩٦٠] وأبي هريرة [البخاري، ح: ٥٣٦٠] ومسلم، ح: ١٠٢٦] وعبدالله بن عمرو [أبو داود، ح: ٣٥٤٧] وعائشة [يأتي: ٦٧١، ٦٧٢].

Comments:

It is proven from this *Ḥadīth* that if the wealth earned for a household is by the husband, then the wife is not allowed to spend it without the permission of her husband, or without any indication from him to do so; because she bears the responsibility to look after the household things.

671. 'Āishah narrated that the Prophet ﷺ said: "When a woman gives in charity from her husband's house, she will get the reward for it, and for her husband is the same as that, and for the trustee^[1] is the same as that. The reward of each of them will not be decreased at all by the reward of the other, for him is what he earned, and for her is what she spent." (*Ṣaḥīḥ*)

Abū 'Eisā said: This *Ḥadīth* is *Ḥasan*.

٦٧١ - حَدَّثَنَا مُحَمَّدُ بْنُ الْمُثَنَّى: حَدَّثَنَا مُحَمَّدُ بْنُ جَعْفَرٍ: حَدَّثَنَا شُعْبَةُ عَنْ عَمْرٍو بْنِ مَرْةَ قَالَ: سَمِعْتُ أَبَا وَائِلٍ يُحَدِّثُ عَنْ عَائِشَةَ عَنِ النَّبِيِّ ﷺ أَنَّهُ قَالَ: «إِذَا تَصَدَّقَتِ الْمَرْأَةُ مِنْ بَيْتِ زَوْجِهَا كَانَ لَهَا بِهِ أَجْرٌ، وَلِلزَّوْجِ مِثْلُ ذَلِكَ وَلِلخَازِنِ مِثْلُ ذَلِكَ، وَلَا يَنْقُصُ كُلُّ وَاحِدٍ مِنْهُمْ مِنْ أَجْرِ صَاحِبِهِ شَيْئًا لَهُ بِمَا كَسَبَ وَلَهَا بِمَا أَنْفَقَتْ».
قَالَ أَبُو عَيْسَى: هَذَا حَدِيثٌ حَسَنٌ.

تخریج: [إسناده صحيح] وأخرجه النسائي في الكبرى، ح: ٩١٩٦ عن محمد بن المثنى به وأخرجه البخاري، ح: ١٤٢٥] ومسلم، ح: ١٠٢٤ من حديث أبي وائل شقيق بن سلمة به، انظر الحديث الآتي.

672. 'Āishah narrated that the Messenger of Allāh ﷺ said: "When a woman gives from her husband's

٦٧٢ - حَدَّثَنَا مَحْمُودُ بْنُ غِيْلَانَ: حَدَّثَنَا الْمُؤَمَّلُ عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ أَبِي

[1] Who distributes or stores it.

home, with a good heart, not to spoil it, then she will get a reward similar to his, for her is the good she intended – and the same is for the trustee.” (*Ṣaḥīḥ*)

Abū ‘Eīsā said: This *Hadīth* is *Ḥasan Ṣaḥīḥ*. It is more correct than that narration of ‘Amr bin Murrah from Wā’il (a narrator in no. 671). ‘Amr bin Murrah did not mention “from Masrūq” in his narration.

وَإِئْتِ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِذَا أَعْطَتِ الْمَرْأَةُ مِنْ بَيْتِ زَوْجِهَا بِطَيْبِ نَفْسٍ غَيْرِ مُفْسِدَةٍ، فَإِنَّ لَهَا مِثْلَ أَجْرِهِ، لَهَا مَا نَوَتْ حَسَنًا، وَلِلْخَازِنِ مِثْلُ ذَلِكَ».

قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ، وَهُوَ أَصَحُّ مِنْ حَدِيثِ عَمْرٍو بْنِ مُرَّةَ عَنْ أَبِي وَائِلٍ. وَعَمْرٍو بْنُ مُرَّةَ لَا يَذْكَرُ فِي حَدِيثِهِ، عَنْ مَسْرُوقٍ.

تخریج: متفق عليه، وأخرجه البخاري، الزكاة، باب من أمر خادمه بالصدقة ولم يناول نفسه، ح: ١٤٢٥، ومسلم، الزكاة، باب أجر الخازن الأمين والمرأة إذا تصدقت من بيت زوجها... إلخ، ح: ١٠٢٤ من حديث منصور به.

Comments:

‘Not to spoil it’ means she spends reasonably according to what is generally accepted. She does not give away the belongings of the household members to others due to which they would later face difficulty.

Chapter 35. What Has Been Related About *Ṣadaqat Al-Fitr*.

(المعجم ٣٥) - بَابُ مَا جَاءَ فِي صَدَقَةِ الْفِطْرِ (التحفة ٣٥)

673. Abū Sa‘eed Al-Khudrī narrated: “We would give *Zakāt Al-Fitr* – when the Messenger of Allāh ﷺ was among us – as a *Ṣā’* of food, or a *Ṣā’* of barley, or a *Ṣā’* of dried dates, or a *Ṣā’* of raisins, or a *Ṣā’* of cheese. So we did not stop paying it (like that) until Mu‘āwiyah arrived in Al-Madīnah and talked (about it). Among the things he addressed the people with, he said: ‘I see that two *Mudd* of the wheat of *Ash-Shām* are equal to a *Ṣā’* of dried dates.’ So the people followed that.” Abū Sa‘eed said: “I will not stop giving it in the manner that I had been giving it.” (*Ṣaḥīḥ*)

٦٧٣ - حَدَّثَنَا مُحَمَّدُ بْنُ عَيْنَانَ: حَدَّثَنَا وَكَيْعٌ عَنْ سُفْيَانَ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ قَالَ: كُنَّا نُخْرِجُ زَكَاةَ الْفِطْرِ - إِذْ كَانَ فِيْنَا رَسُولُ اللَّهِ ﷺ - صَاعًا مِنْ طَعَامٍ أَوْ صَاعًا مِنْ شَعِيرٍ أَوْ صَاعًا مِنْ تَمْرٍ، أَوْ صَاعًا مِنْ زَبِيبٍ أَوْ صَاعًا مِنْ أَقِطٍ، فَلَمْ نَزَلْ نُخْرِجْهُ حَتَّى قَدِمَ مُعَاوِيَةُ الْمَدِينَةَ فَتَكَلَّمَ فَكَانَ فِيْمَا كَلَّمَ بِهِ النَّاسَ: إِنِّي لَأَرَى مُدَّيْنِ مِنْ سَمَرَاءِ الشَّامِ تُعْدِلُ صَاعًا مِنْ تَمْرٍ.

Abū 'Eisā said: This *Hadīth* is *Hasan Ṣaḥīh*. This is acted upon according to some of the people of knowledge, they hold the view that it is a *Ṣā'* in all cases. This is the saying of Ash-Shāfi'i, Aḥmad, and Ishāq. Some of the people of knowledge among the Companions of the Prophet ﷺ and others said that it is a *Ṣā'* for everything except for wheat, in which case half of a *Ṣā'* is allowed. This is the saying of Sufyān Ath-Thawrī, Ibn Al-Mubārak and the people of Al-Kūfah, they hold the view that it is half of a *Ṣā'* for wheat.

قَالَ: فَأَخَذَ النَّاسُ بِذَلِكَ. قَالَ أَبُو سَعِيدٍ: فَلَا أزالُ أُخْرِجُهُ كَمَا كُنْتُ أُخْرِجُهُ.
قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ. وَالْعَمَلُ عَلَى هَذَا عِنْدَ بَعْضِ أَهْلِ الْعِلْمِ يَرَوْنَ مِنْ كُلِّ شَيْءٍ صَاعًا. وَهُوَ قَوْلُ الشَّافِعِيِّ وَأَحْمَدَ وَإِسْحَاقَ.
وَقَالَ بَعْضُ أَهْلِ الْعِلْمِ مِنْ أَصْحَابِ النَّبِيِّ ﷺ وَغَيْرِهِمْ مِنْ كُلِّ شَيْءٍ صَاعٌ إِلَّا مِنَ الْبُرِّ فَإِنَّهُ يُجْزَى نِصْفَ صَاعٍ. وَهُوَ قَوْلُ سُفْيَانَ الثَّوْرِيِّ وَابْنِ الْمُبَارَكِ وَأَهْلِ الْكُوفَةِ يَرَوْنَ نِصْفَ صَاعٍ مِنْ بُرٍّ.

تخريج: متفق عليه، وأخرجه البخاري، الزكاة، باب صاع من زبيب، ح: ١٥٠٨، ١٥٠٥، ١٥٠٦ من حديث سفیان الثوري ومسلم، الزكاة، باب زكاة الفطر على المسلمين من التمر والشعير، ح: ٩٨٥ من حديث زيد بن أسلم به.

Comments:

Three *A'immah*, Mālik, Shāfi'i and Aḥmad said, *Ṣadaqatul-Fiṭr* is due from any person who has at home the food of the morning and evening, but in the view of Imām Abū Ḥanīfah *Ṣadaqatul-Fiṭr* is due from a person who owns enough on which *Zakāt* is due, if he does not own property or wealth on which *Zakāt* is due, then *Ṣadaqatul-Fiṭr* is not due from him.

674. 'Amr bin Shu'aib narrated from his father, from his grandfather that the Prophet ﷺ sent a caller in the roads of Makkah proclaiming: "*Ṣadaqatul-Fiṭr* is required upon every Muslim, male or female, free or slave, young or old; it is two *Mudd* of wheat or its equivalent as a *Ṣā'* of food." (*Da'if*)

Abū 'Eisā said: This *Hadīth* is *Hasan Gharīb*. ('Umar bin Hārūn reported this *Hadīth* from Ibn Juraij, from Al-'Abbās bin Mīnā',

٦٧٤ - حَدَّثَنَا عُقْبَةُ بْنُ مُكْرَمِ الْبَصْرِيِّ: حَدَّثَنَا سَالِمُ بْنُ نُوحٍ عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ أَنَّ النَّبِيَّ ﷺ بَعَثَ مُنَادِيًا فِي فِجَاجِ مَكَّةَ: أَلَا إِنَّ صَدَقَةَ الْفِطْرِ وَاجِبَةٌ عَلَى كُلِّ مُسْلِمٍ ذَكَرٍ أَوْ أَنْثَى حُرًّا أَوْ عَبْدًا صَغِيرًا أَوْ كَبِيرًا، مُدَّانٍ مِنْ قَمْحٍ أَوْ سِوَاهُ صَاعٍ مِنْ طَعَامٍ.
قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ غَرِيبٌ حَسَنٌ.

from the Prophet ﷺ. So he mentioned some of this *Hadīth*. Jārūd narrated it to us, (he said) ‘Umar bin Hārūn narrated it to us.)

[وَرَوَى عُمَرُ بْنُ هَارُونَ هَذَا الْحَدِيثَ عَنْ ابْنِ جُرَيْجٍ وَقَالَ: عَنِ الْعَبَّاسِ بْنِ مِينَاءَ عَنِ النَّبِيِّ ﷺ فَذَكَرَ بَعْضُ هَذَا الْحَدِيثِ: حَدَّثَنَا جَارُودٌ: حَدَّثَنَا عُمَرُ بْنُ هَارُونَ هَذَا الْحَدِيثَ].

تخريج: [إسناده ضعيف] وأخرجه الدارقطني، ح: ١٤٠/٢، ح: ٢٠٦١ من حديث سالم بن نوح به وتابعه علي بن صالح، ابن جريج عنن.

675. Ibn ‘Umar narrated: “The Messenger of Allāh ﷺ made *Ṣadaqatul-Fiṭr* an obligation upon the male and the female, the free and the bondsmen, as a *Ṣā’* of dried dates or a *Ṣā’* of barley.” He said: “So the people equated that to half a *Ṣā’* of wheat.” (*Ṣaḥīḥ*)

Abū ‘Eisā said: This *Hadīth* is *Ḥasan Ṣaḥīḥ*. There are narrations on this topic from Abū Sa‘eed, Ibn ‘Abbās, and the grandfather of Al-Ḥārith bin ‘Abdur-Raḥmān bin Abī Dhubāb, and, Tha‘labah bin Abī Ṣu‘air, and ‘Abdullāh bin ‘Amr.

٦٧٥ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ عَنِ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ: فَرَضَ رَسُولُ اللَّهِ ﷺ صَدَقَةَ الْفِطْرِ عَلَى الذَّكَرِ وَالْأُنثَى وَالْحُرِّ وَالْمَمْلُوكِ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ، قَالَ: فَعَدَلَ النَّاسُ إِلَى نِصْفِ صَاعٍ مِنْ بُرٍّ. قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ.

وفي البابِ عَنْ أَبِي سَعِيدٍ وَابْنِ عَبَّاسٍ وَجَدَّ الْحَارِثِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ أَبِي ذُبَابٍ وَتَعَلَّبَةُ ابْنِ أَبِي صَعِيرٍ وَعَبْدُ اللَّهِ بْنُ عَمْرٍو.

تخريج: متفق عليه، وأخرجه البخاري، الزكاة، باب صدقة الفطر على الحر والمملوك، ح: ١٥١١ من حديث حماد بن زيد ومسلم، الزكاة، باب زكاة الفطر على المسلمين من التمر والشعير، ح: ٩٨٤ من حديث نافع به * وفي الباب عن أبي سعيد [تقدم: ٦٧٣] وابن عباس [أبو داود، ح: ١٦٠٩] وجد الحارث بن عبد الرحمن بن أبي ذباب [أحمد: ٧٩/٤ حديثه في الصدقة بغير هذا الباب] وتعلبة بن أبي صعير [أبو داود، ح: ١٦١٩-١٦٢١] وعبدالله بن عمرو [تقدم: ٦٧٤].

Comments:

In the lifetime of the Messenger of Allāh ﷺ, the customary food of the people used to be dates and barley, so the people would pay *Ṣadaqatul-Fiṭr* as one *Ṣā’*. Later when the use of wheat became usual food grain, and it was costly compared to the dates, they considered (that) half a *Ṣā’* of wheat was equal to one *Ṣā’* of dates.

676. Ibn ‘Umar narrated: “The Messenger of Allāh ﷺ made *Ṣadaqatul-Fiṭr* of Ramaḍān an obligation – a *Ṣā’* of dried dates or a *Ṣā’* of barley – required upon every free person and slave, male and female among the Muslims.” (*Ṣaḥīh*)

Abū ‘Eisā said: The *Ḥadīth* of Ibn ‘Umar is a *Ḥasan Ṣaḥīḥ Ḥadīth*. Mālik reported the *Ḥadīth* on this topic from Nāfi‘, from Ibn ‘Umar, from the Prophet ﷺ, and he added in it: “among the Muslims” while others reported it from Nāfi‘ and they did not mention “among the Muslims” in it. The people of knowledge differ over this, some of them say that when a man has some non-Muslim slaves then he does not pay *Ṣadaqatul-Fiṭr* on their behalf. This is the opinion of Mālik, Ash-Shāfi‘ī, and Aḥmad. Some of them said that he pays it on their behalf even if they are not Muslims, and this is the saying of Sufyān Ath-Thawrī, Ibn Al-Mubārak and Ishāq.

تخريج: متفق عليه، وأخرجه البخاري، الزكاة، باب صدقة الفطر على العبد وغيره من المسلمين، ح: ١٥٠٤ ومسلم، ح: ٩٨٤ (انظر الحديث السابق) من حديث مالك به وهو في الموطأ: ٢٨٤/١ (يحيى).

Comments:

In the opinion of the majority of scholars, Islam is a condition for paying *Ṣadaqatul-Fiṭr*, Therefore, it is due only from a Muslim. It is not necessary to pay *Ṣadaqatul-Fiṭr* on behalf of a non-Muslim slave, but it is compulsory according to ‘Aṭā, An-Nakha‘ī, Ath-Thawrī and the Aḥnaf. (*Faṭḥ Al-Bārī*: 3/467)

٦٧٦ - حَدَّثَنَا إِسْحَاقُ بْنُ مُوسَى الْأَنْصَارِيُّ: حَدَّثَنَا مَعْنُ: حَدَّثَنَا مَالِكٌ عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ أَنَّ رَسُولَ اللَّهِ ﷺ فَرَضَ زَكَاةَ الْفِطْرِ مِنْ رَمَضَانَ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ عَلَى كُلِّ حُرٍّ أَوْ عَبْدٍ ذَكَرٍ أَوْ أَنْثَى مِنَ الْمُسْلِمِينَ.

قَالَ أَبُو عِيْسَى: حَدِيثُ ابْنِ عُمَرَ حَدِيثٌ حَسَنٌ صَحِيحٌ.

رَوَاهُ مَالِكٌ عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ عَنِ النَّبِيِّ ﷺ نَحْوَ حَدِيثِ أُبَيْبٍ. وَزَادَ فِيهِ مِنَ الْمُسْلِمِينَ وَرَوَاهُ غَيْرٌ وَاحِدٌ، عَنْ نَافِعٍ وَلَمْ يَذْكُرُوا فِيهِ مِنَ الْمُسْلِمِينَ.

وَاخْتَلَفَ أَهْلُ الْعِلْمِ فِي هَذَا، فَقَالَ بَعْضُهُمْ: إِذَا كَانَ لِلرَّجُلِ عَبْدٌ غَيْرَ مُسْلِمٍ لَمْ يُؤَدَّ عَنْهُمْ صَدَقَةَ الْفِطْرِ وَهُوَ قَوْلُ مَالِكٍ وَالشَّافِعِيِّ وَأَحْمَدَ. وَقَالَ بَعْضُهُمْ يُؤَدِّي عَنْهُمْ وَإِنْ كَانُوا غَيْرَ مُسْلِمِينَ وَهُوَ قَوْلُ الثَّوْرِيِّ وَابْنِ الْمُبَارَكِ وَإِسْحَاقَ.

Chapter 36. What Has Been Related About: It Is To Be Paid Before The *Ṣalāt*

677. Ibn ‘Umar narrated that the Messenger of Allāh ﷺ would order paying the *Zakāt* before going to the *Ṣalāt* on the day of *Fiṭr*. (*Ṣaḥīḥ*)
 Abū ‘Eīsā said: This *Hadīth* is *Ḥasan Gharīb Ṣaḥīḥ*. And this is what is recommended according to the people of knowledge; a man is to give *Ṣadaqatul-Fiṭr* before going to the *Ṣalāt*.

(المعجم ٣٦) - بَابُ مَا جَاءَ فِي تَقْدِيمِهَا قَبْلَ الصَّلَاةِ (التحفة ٣٦)

٦٧٧ - حَدَّثَنَا مُسْلِمٌ بْنُ عَمْرٍو بْنِ مُسْلِمٍ أَبُو عَمْرٍو الْحَدَّاءُ الْمَدِينِيُّ: حَدَّثَنِي عَبْدُ اللَّهِ ابْنُ نَافِعٍ [الصَّائِغُ] عَنِ ابْنِ أَبِي الزَّنَادِ، عَنْ مُوسَى بْنِ عُقْبَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عَمْرٍو أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَأْمُرُ بِإِخْرَاجِ الزَّكَاةِ قَبْلَ الْغَدْوِ لِلصَّلَاةِ يَوْمَ الْفِطْرِ.

قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ غَرِيبٌ صَحِيحٌ، وَهُوَ الَّذِي يَسْتَجِبُهُ أَهْلُ الْعِلْمِ أَنْ يُخْرِجَ الرَّجُلُ صَدَقَةَ الْفِطْرِ قَبْلَ الْغَدْوِ إِلَى الصَّلَاةِ.

تخريج: متفق عليه، وأخرجه البخاري، الزكاة، باب الصدقة قبل العيد، ح: ١٥٠٩ ومسلم، الزكاة، باب الأمر بإخراج زكاة الفطر قبل الصلاة، ح: ٩٨٦ من حديث موسى بن عقبة به.

Comments:

The narration of Abū Dāwūd and some other narrations prove that paying *Ṣadaqatul-Fiṭr* before the prayer of *‘Eid* is necessary; if it is paid after the prayer it will be not regarded as *Ṣadaqatul-Fiṭr*. Instead it will be regarded as a normal charity. (*Ḥadīth*: 1609-1610, *Tuḥfat Al-Aḥwadhī*: 3/300)

Chapter 37. What Has Been Related About Paying *Zakāt* In Advance

678. ‘Alī narrated: “Al-‘Abbās asked the Messenger of Allāh ﷺ about paying his charity (*Zakāt*) in advance before its time is due (by being in possession for a whole year), he permitted him to do that.” (*Da‘īf*)

(المعجم ٣٧) - بَابُ مَا جَاءَ فِي تَعْمِيلِ الزَّكَاةِ (التحفة ٣٧)

٦٧٨ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ عَبْدِ الرَّحْمَنِ: حَدَّثَنَا سَعِيدُ بْنُ مَنْصُورٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ زَكَرِيَّا عَنِ الْحَجَّاجِ بْنِ دِينَارٍ، عَنِ الْحَكَمِ بْنِ عُثَيْبَةَ، عَنْ حُجَيْبَةَ بْنِ عَدِيٍّ، عَنْ عَلِيٍّ أَنَّ الْعَبَّاسَ سَأَلَ رَسُولَ اللَّهِ ﷺ فِي تَعْمِيلِ صَدَقَتِهِ قَبْلَ أَنْ تَحِلَّ، فَرَخَّصَ لَهُ فِي ذَلِكَ.

تخريج: [إسناده ضعيف] وأخرجه أبو داود، الزكاة، باب: في تعجيل الزكاة، ح: ١٦٢٤ وابن ماجه، ح: ١٧٩٥ من حديث سعيد بن منصور به وصححه ابن خزيمة، ح: ٢٣٣١

والحاكم: ٣/٣٣٢ والذهبي، وللحديث شواهد كثيرة منها الحديث الآتي، الحاكم بن عيينة مدلس وعنن.

Comments:

If the property reaches the amount on which *Zakāt* is due but the period of one year has not yet passed, in this case paying the *Zakāt* early (before passing the whole year) is disputed.

1. Imām Abū Ḥanifah, Ash-Shāfi‘ī, Aḥmad and Ishāq are of the view that if a property reaches the amount, subject to *Zakāt*, paying *Zakāt* on it before passing the whole year is correct and this view is the authentic one.
2. It is not right according to Imām Mālik and Sufyān Ath-Thaurī. (*Tuḥfat Al-Ahwadhī*: 2/30)

679. ‘Alī narrated that the Prophet ﷺ said to ‘Umar: “We have taken this year’s *Zakāt* from Al-‘Abbās in the previous year.” (*Da‘if*)

He said: There is something on this topic from Ibn ‘Abbās.

(Abū ‘Eisā said:) We do not know of the *Ḥadīth* about paying the *Zakāt* in advance as a narration from Isrā‘il from Al-Ḥajjāj bin Dīnār, except from this route. And the narration of Ismā‘il bin Zakariyyā from Al-Ḥajjāj is more correct to me than the narration of Isrā‘il from Al-Ḥajjāj bin Dīnār. This *Ḥadīth* was also reported in *Mursal* form by Al-Ḥakam bin ‘Utaibah from the Prophet ﷺ. The people of knowledge have differed over paying the *Zakāt* in advance before the *Hawl* passes on it. A group of the people of knowledge held the view that it is not to be paid in advance. This was the view of Sufyān Ath-Thawrī, he said: “I would prefer that it not be paid in advance.” Most of the people of knowledge said that if one pays it in advance, before the *Hawl* passes, then it is acceptable. This is the

٦٧٩ - حَدَّثَنَا الْقَاسِمُ بْنُ دِينَارٍ الْكُوفِيُّ: حَدَّثَنَا إِسْحَاقُ بْنُ مَنْصُورٍ عَنْ إِسْرَائِيلَ، عَنِ الْحَجَّاجِ بْنِ دِينَارٍ، عَنِ الْحَكَمِ بْنِ جَحْلٍ، عَنْ حُجْرِ الْعَدَوِيِّ، عَنْ عَلِيِّ أَنَّ النَّبِيَّ ﷺ قَالَ لِعُمَرَ: إِنَّا قَدْ أَخَذْنَا زَكَاةَ الْعَبَّاسِ عَامَ الْأَوَّلِ لِلْعَامِ.

قَالَ: وَفِي الْبَابِ عَنِ ابْنِ عَبَّاسٍ. [قَالَ أَبُو عِيسَى:] لَا أَعْرِفُ حَدِيثَ تَعْجِيلِ الزَّكَاةِ مِنْ حَدِيثِ إِسْرَائِيلَ عَنِ الْحَجَّاجِ بْنِ دِينَارٍ إِلَّا مِنْ هَذَا الْوَجْهِ. وَحَدِيثُ إِسْمَاعِيلَ بْنِ زَكَرِيَّا عَنِ الْحَجَّاجِ عِنْدِي أَصَحُّ مِنْ حَدِيثِ إِسْرَائِيلَ عَنِ الْحَجَّاجِ ابْنِ دِينَارٍ. وَقَدْ رَوَى هَذَا الْحَدِيثَ عَنِ الْحَكَمِ بْنِ عُثَيْبَةَ عَنِ النَّبِيِّ ﷺ مُرْسَلٌ. وَقَدْ اخْتَلَفَ أَهْلُ الْعِلْمِ فِي تَعْجِيلِ الزَّكَاةِ قَبْلَ مَحَلِّهَا، فَرَأَى طَائِفَةٌ مِنْ أَهْلِ الْعِلْمِ أَنْ لَا يُعَجَّلَهَا. وَبِهِ يَقُولُ سُفْيَانُ الثَّوْرِيُّ. قَالَ: أَحَبُّ إِلَيَّ أَنْ لَا يُعَجَّلَهَا. وَقَالَ أَكْثَرُ أَهْلِ الْعِلْمِ إِنَّ عَجَلَهَا قَبْلَ مَحَلِّهَا أَجْزَأَتْ عَنْهُ. وَبِهِ يَقُولُ الشَّافِعِيُّ وَأَحْمَدُ وَإِسْحَاقُ.

view of Ash-Shāfi'ī, Aḥmad and Ishāq.

تخريج: [إسناده ضعيف] وأخرجه الدارقطني: ح: ١٢٣/٢، ح: ١٩٩١ من حديث إسحاق بن منصور به، حجر العدوي لم يبين بي من هو؟ * وفي الباب عن ابن عباس، [الدارقطني: ١٢٤/٢، ح: ١٩٩٣، ١٩٩٥].

Chapter 38. What Has Been Related About The Prohibition Of Begging.

(المعجم ٣٨) - بَابُ مَا جَاءَ فِي النَّهْيِ
عَنِ الْمَسْأَلَةِ (التحفة ٣٨)

680. Abū Hurairah narrated that he heard the Messenger of Allāh ﷺ saying: “For one of you to go out early to gather firewood and carry it on his back so that he can give charity from it and be free of need from the people, is better for him than to ask a man who may give that to him or refuse. Indeed the upper hand (giving) is more virtuous than the lower hand (receiving), and begin with (those who are) your dependants.” (*Saḥīḥ*)

(He said:) There are narrations on this topic from Ḥakīm bin Ḥizām, Abū Sa'eed Al-Khudrī, Az-Zubair bin Al-'Awwām. 'Aṭīyyah As-Sa'dī, 'Abdullāh bin Mas'ūd, Mas'ūd bin 'Amr, Ibn 'Abbās, Thawbān, Ziyād bin Al-Ḥārith Aṣ-Ṣudā'ī, Anas, Ḥubshī bin Junādah, Qabiṣah bin Mukhāriq, Samurah, and Ibn 'Umar.

Abū 'Eīsā said: The *Ḥadīth* of Abū Hurairah is a *Ḥasan Ṣaḥīḥ Gharīb Ḥadīth*, it is *Gharīb* as a narration of Bayān from Qais.

٦٨٠ - حَدَّثَنَا هَنَادٌ: حَدَّثَنَا أَبُو الْأَحْوَصِ عَنْ بَيَانَ بْنِ بَشِيرٍ، عَنْ قَيْسِ بْنِ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ قَالَ: سَمِعْتُ رَسُولَ اللَّهِ ﷺ يَقُولُ: «لَأَنْ يَغْدُوَ أَحَدُكُمْ فَيَحْتَطِبَ عَلَى ظَهْرِهِ فَيَتَصَدَّقَ مِنْهُ وَيَسْتَغْنِيَ بِهِ عَنِ النَّاسِ خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ رَجُلًا أَعْطَاهُ أَوْ مَنَعَهُ ذَلِكَ فَإِنَّ يَدَ الْعُلْيَا أَفْضَلُ مِنْ يَدِ السُّفْلَى وَابْدَأْ بِمَنْ تَعُولُ».

[قَالَ:] وفي الباب عن حكيم بن حزام وأبي سعيد الخدري والزبير بن العوام وعطية السعدي وعبد الله بن مسعود ومسعود بن عمرو وابن عباس وثوبان وزبيد بن الحارث الصدائي وأنس وحبيبي بن جنادة وقبيصة بن معاريق وسمره وابن عمرو.

قَالَ أَبُو عَيْسَى: حَدِيثُ أَبِي هُرَيْرَةَ حَدِيثٌ حَسَنٌ صَحِيحٌ غَرِيبٌ يُسْتَعْرَبُ مِنْ حَدِيثِ بَيَانَ عَنْ قَيْسٍ.

تخريج: وأخرجه مسلم، الزكاة، باب كراهة المسألة للناس، ح: ١٠٤٢ عن هناد بن السري به * وفي الباب عن حكيم بن حزام [البخاري، ح: ١٤٢٧ ومسلم، ح: ١٠٣٤] وأبي سعيد الخدري [البخاري، ح: ١٤٦٥ ومسلم، ح: ١٠٥٢] والزبير بن العوام [البخاري، ح: ١٤٧١] وعطية السعدي [أحمد: ٤/٢٢٦ وعبد بن حميد، ح: ٤٨٥] وعبد الله بن مسعود [تقدم: ٦٥٠، ٦٥١] ومسعود بن عمرو [أبو نعيم في معرفة الصحابة: ٥/٢٥٣٥، ح: ٦١٣٤] وابن عباس [لم أجده]

وثوبان [أبو داود، ح: ١٦٤٣ وابن ماجه، ح: ١٨٣٧] وزياد بن الحارث الصدائي [أبو داود، ح: ١٦٣٠ والبيهقي: ٤/١٧٤] وأنس [أبو داود، ح: ١٦٤١] وحيشي بن جنادة [تقدم: ٦٥٣، ٦٥٤] وقيصة بن مخارق [مسلم، ح: ١٠٤٤] وسمرة [يأتي: ٦٨١] وابن عمر [البخاري، ح: ١٤٢٩] ومسلم، ح: ١٠٣٣.

Comments:

Begging without a genuine and valid cause is unanimously impermissible. Working hard to earn a livelihood, a person should fulfill one’s own needs as well as adopting a habit of giving to others.

681. Samurah bin Jundub narrated that the Messenger of Allāh ﷺ said: “Asking is a labor that toils on a man’s face, except if a man asks for something from the *Sultān* (ruler), or he asks for something that he cannot do without.” (*Ṣaḥīḥ*)
Abū ‘Eīsā said: This *Ḥadīth* is *Ḥasan Ṣaḥīḥ*.

٦٨١ - حَدَّثَنَا مُحَمَّدُ بْنُ غَيْلَانَ: حَدَّثَنَا وَكَيْعٌ: حَدَّثَنَا سُفْيَانٌ عَنْ عَبْدِ الْمَلِكِ بْنِ عَمِيرٍ، عَنْ زَيْدِ بْنِ عُقَبَةَ، عَنْ سَمْرَةَ بْنِ جُنْدَبٍ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّ الْمَسْأَلَةَ كَدٌّ يَكْدُ بِهَا الرَّجُلُ وَجْهَهُ إِلَّا أَنْ يَسْأَلَ الرَّجُلُ سُلْطَانًا أَوْ فِي أَمْرٍ لَا بُدَّ مِنْهُ».
قَالَ أَبُو عِيْسَى: هَذَا حَدِيثٌ حَسَنٌ صَحِيحٌ.

تخريج: [صحيح] وأخرجه أبو داود، الزكاة، باب: كم يعطى الرجل الواحد من الزكاة؟ ح: ١٦٣٩ والنسائي: ٥/١٠٠، ح: ٢٦٠٠ من حديث عبد الملك بن عمير به، وصرح بالسماع عند أحمد (٢٣/٥) ٢٠٥٢٩) وصححه ابن حبان (الإحسان): ٣٣٧٧.

Comments:

Begging eliminates a person’s honor and self-esteem and his face gets deprived of charm, delight and gleam due to the curse of disgrace and humiliation. Some narrations show that a habitual beggar will appear with no flesh on his face on the Last Day.