

(58) CHAPTER. Whoever sold his fruits, his date-palm trees, his land or his crops and the *Uṣṣhr* or *Zakāt* was due on them, and gave *Zakāt* from some other property, or sold his fruits when *Zakāt* was due.

And the statement of the Prophet ﷺ: "Don't sell the fruits till they are ripe (free from blight)." So, the Prophet ﷺ did not stop anyone from selling the fruits after they are ripe (free from blight), and he did not differentiate between those on whom the *Zakāt* was due and those on whom it was not due (in this respect.).

1486. Narrated Ibn 'Umar رضي الله عنهما: The Prophet ﷺ had forbidden the sale of dates till they were good (ripe), and when it was asked what is meant by that; the Prophet said, "Till there is no danger of blight."

1487. Narrated Jābir bin 'Abdullāh رضي الله عنه: The Prophet ﷺ had forbidden the sale of fruits till they were ripe (free from blight).

1488. Narrated Anas bin Mālik رضي الله عنه: Allāh's Messenger ﷺ forbade the selling of fruits until they were ripe. The Prophet ﷺ

(٥٨) بَابُ: مَنْ بَاعَ ثِمَارَهُ أَوْ نَخْلَهُ أَوْ أَرْضَهُ أَوْ زَرْعَهُ، وَقَدْ وَجَبَ فِيهِ الْعُشْرُ أَوْ الصَّدَقَةُ فَأَدَّى الزَّكَاةَ مِنْ غَيْرِهِ، أَوْ بَاعَ ثِمَارَهُ وَلَمْ تَجِبْ فِيهِ الصَّدَقَةُ

وَقَوْلُ النَّبِيِّ ﷺ: «لَا تَبِيعُوا الثَّمَرَ حَتَّى يَبْدُو صَلَاحُهَا». فَلَمْ يَحْظُرِ الْبَيْعَ بَعْدَ الصَّلَاحِ عَلَى أَحَدٍ، وَلَمْ يُحْصَ مَنْ وَجِبَتْ عَلَيْهِ الزَّكَاةُ مِمَّنْ لَمْ تَجِبْ.

١٤٨٦ - حَدَّثَنَا حَجَّاجٌ: حَدَّثَنَا شُعْبَةُ: أَخْبَرَنِي عَبْدُ اللَّهِ بْنُ دِينَارٍ قَالَ: سَمِعْتُ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: نَهَى النَّبِيُّ ﷺ عَنْ بَيْعِ الثَّمَرَةِ حَتَّى يَبْدُو صَلَاحُهَا. وَكَانَ إِذَا سُئِلَ عَنْ صَلَاحِهَا قَالَ: «حَتَّى تَذَهَبَ عَاهَتُهُ». [انظر: ٢١٨٣، ٢١٩٤، ٢١٩٩، ٢٢٤٧، ٢٢٤٩]

١٤٨٧ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: حَدَّثَنِي اللَّيْثُ: حَدَّثَنِي خَالِدُ بْنُ يَزِيدَ، عَنْ عَطَاءِ بْنِ أَبِي رَبَاحٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا: نَهَى النَّبِيُّ ﷺ عَنْ بَيْعِ الثَّمَارِ حَتَّى يَبْدُو صَلَاحُهَا. [انظر: ٢١٨٩، ٢١٩٦، ٢٣٨١]

١٤٨٨ - حَدَّثَنَا قُتَيْبَةُ، عَنْ مَالِكٍ، عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ

added, "It means that they become red."

مالك رَضِيَ اللهُ عَنْهُ: أَنَّ رَسُولَ اللهِ ﷺ نَهَى عَنْ بَيْعِ الثَّمَارِ حَتَّى تُرْهَى قَالَ: حَتَّى تُحْمَرَّ. [انظر: ٢١٩٥،

٢١٩٧، ٢١٩٨، ٢٢٠٨]

(59) CHAPTER. Can one buy the thing which he has given in charity? There is no harm in buying what was given as *Zakāt* by someone else, for the Prophet ﷺ forbade the alms-giver (particularly) to buy what he himself had given in charity, but he did not forbid others to buy it.

(٥٩) بَابٌ: هَلْ يَشْتَرِي صَدَقَتَهُ؟ وَلَا بَأْسَ أَنْ يَشْتَرِيَ صَدَقَةَ غَيْرِهِ لِأَنَّ النَّبِيَّ ﷺ إِنَّمَا نَهَى الْمُتَصَدِّقَ خَاصَّةً عَنِ الشِّرَاءِ، وَلَمْ يَنْهَ غَيْرَهُ

1489. Narrated 'Abdullāh bin 'Umar رَضِيَ اللهُ عَنْهُمَا: 'Umar bin Al-Khattāb رضي الله عنهما gave a horse in charity in Allāh's Cause, and later he saw it being sold in the market and intended to purchase it. Then he went to the Prophet ﷺ and asked his permission. The Prophet ﷺ said, "Do not take back what you have given in charity." (The subnarrator added,) "For this reason, Ibn 'Umar never purchased the things which he had given in charity, and in case he had purchased something (unknowingly) he would give it in charity again.

١٤٨٩ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ عُقَيْلٍ، عَنِ ابْنِ شِهَابٍ، عَنْ سَالِمٍ، أَنَّ عَبْدَ اللهِ بْنَ عُمَرَ رَضِيَ اللهُ عَنْهُمَا كَانَ يُحَدِّثُ: أَنَّ عُمَرَ بْنَ الْخَطَّابِ تَصَدَّقَ بِفَرَسٍ فِي سَبِيلِ اللهِ، فَوَجَدَهُ يُبَاعُ، فَأَرَادَ أَنْ يَشْتَرِيَهُ، ثُمَّ أَتَى النَّبِيَّ ﷺ فَاسْتَأْمَرَهُ فَقَالَ: «لَا تَعُدْ فِي صَدَقَتِكَ». فَبِذَلِكَ كَانَ ابْنُ عُمَرَ رَضِيَ اللهُ عَنْهُمَا لَا يَتْرُكُ أَنْ يَتَنَاعَ شَيْئًا تَصَدَّقَ بِهِ إِلَّا جَعَلَهُ صَدَقَةً. [انظر: ٢٧٧٥، ٢٩٧١، ٣٠٠٢]

1490. Narrated 'Umar رَضِيَ اللهُ عَنْهُ: Once I gave a horse in Allāh's Cause (in charity) but that person did not take care of it. I intended to buy it, as I thought he would sell it at a low price. So, I asked the Prophet ﷺ about it. He said, "Neither buy, nor take back your alms which you have given, even if it is given to you (or the seller were willing to sell it) for one Dirham; for he who takes back his alms is like the one who swallows his own vomit."

١٤٩٠ - حَدَّثَنَا عَبْدُ اللهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكُ بْنُ أَنَسٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ أَبِيهِ قَالَ: سَمِعْتُ عُمَرَ بْنَ الْخَطَّابِ رَضِيَ اللهُ عَنْهُ يَقُولُ: حَمَلْتُ عَلَى فَرَسٍ فِي سَبِيلِ اللهِ فَأُضَاعَهُ الَّذِي كَانَ عِنْدَهُ، فَأَرَدْتُ أَنْ أَشْتَرِيَهُ فَظَنَنْتُ أَنَّهُ يُبِيعُهُ بِرُخْصٍ. فَسَأَلْتُ النَّبِيَّ ﷺ فَقَالَ: «لَا تَشْتَرِ

وَلَا تَعُدُّ فِي صَدَقَتِكَ، وَإِنْ أَعْطَاكَهُ  
بِدِرْهِمٍ، فَإِنَّ الْعَائِدَ فِي صَدَقَتِهِ  
كَالْعَائِدِ فِي قَيْئِهِ». [انظر: ٢٦٢٣،  
٢٦٣٦، ٢٩٧٠، ٣٠٠٣]

(60) CHAPTER. What is said regarding what is given to the Prophet ﷺ and his offspring in charity.

1491. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Al-Ḥaṣan bin ‘Alī رضي الله عنهما took a date from the dates given in charity and put it in his mouth. The Prophet ﷺ said, “Expel it from your mouth. Don’t you know that we do not eat a thing which is given in charity?”

(٦٠) بَابُ مَا يُذَكَّرُ فِي الصَّدَقَةِ لِلنَّبِيِّ  
ﷺ وَآلِهِ

١٤٩١ - حَدَّثَنَا آدَمُ: حَدَّثَنَا  
شُعْبَةُ: حَدَّثَنَا مُحَمَّدُ بْنُ زَيْدٍ قَالَ:  
سَمِعْتُ أَبَا هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ قَالَ:  
أَخَذَ الْحَسَنُ بْنُ عَلِيٍّ رَضِيَ اللهُ عَنْهُمَا  
تَمْرَةً مِنْ تَمْرِ الصَّدَقَةِ فَجَعَلَهَا فِي فِيهِ،  
فَقَالَ النَّبِيُّ ﷺ: «يَخُحُّ» لِيَطْرَحَهَا،  
ثُمَّ قَالَ: «أَمَا شَعَرْتُ أَنَا لَا نَأْكُلُ  
الصَّدَقَةَ؟». [راجع: ١٤٧٥]

(61) CHAPTER. *Aṣ-Ṣadaqa* (alms) for the freed slave-girls of the wives of the Prophet ﷺ (do they accept things given in charity)?

1492. Narrated Ibn ‘Abbās رضي الله عنهما: The Prophet ﷺ saw a dead sheep which had been given in charity to a freed slave-girl of Maimūna, the wife of the Prophet ﷺ. The Prophet ﷺ said, “Why don’t you get the benefit of its hide?” They said, “It is dead.” He replied, “Only to eat (its meat) is illegal.”

(٦١) بَابُ الصَّدَقَةِ عَلَى مَوَالِي  
أَزْوَاجِ النَّبِيِّ ﷺ

١٤٩٢ - حَدَّثَنَا سَعِيدُ بْنُ عَفِيرٍ:  
حَدَّثَنَا ابْنُ وَهْبٍ، عَنْ يُونُسَ، عَنِ  
ابْنِ شِهَابٍ: حَدَّثَنِي عُبَيْدُ اللهِ بْنُ عَبْدِ  
اللهِ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا  
قَالَ: وَجَدَ النَّبِيُّ ﷺ شَاةً مَيِّتَةً  
أَعْطَيْتَهَا مَوْلَاةً لِمَيْمُونَةَ مِنَ الصَّدَقَةِ،  
قَالَ النَّبِيُّ ﷺ: «هَلَّا انْتَفَعْتُمْ  
بِحِلْدِهَا؟» قَالُوا: إِنَّهَا مَيِّتَةٌ. قَالَ:  
«إِنَّمَا حَرَمَ أَكْلُهَا». [انظر: ٢٢٢١،  
٥٥٣٢، ٥٥٣١]

1493. Narrated Al-Aswad: ‘Aishah رضي الله عنها intended to buy Barira (a slave-girl) in order to manumit her, and her masters

١٤٩٣ - حَدَّثَنَا آدَمُ: حَدَّثَنَا  
شُعْبَةُ: حَدَّثَنَا الْحَكَمُ، عَنْ إِبْرَاهِيمَ،

intended to put the condition that her *Al-walā* would be for them. 'Aishah mentioned that to the Prophet ﷺ who said to her, "Buy her, as the *Walā* is for the manumitter." Once some meat was presented to the Prophet ﷺ and 'Aishah said to him, "This (meat) was given in charity to Barīra." He said, "It is an object of charity for Barīra but a gift for us."

عَنِ الْأَسْوَدِ، عَنِ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا: أَنَّهَا أَرَادَتْ أَنْ تَشْتَرِيَ بَرِيرَةَ لِلْعَتِيقِ، وَأَرَادَ مَوَالِيهَا أَنْ يَشْتَرِطُوا وَلَاءَهَا، فَذَكَرَتْ عَائِشَةُ لِلنَّبِيِّ ﷺ، فَقَالَ لَهَا النَّبِيُّ ﷺ: «اشْتَرِيهَا فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». قَالَتْ: وَأَتَى النَّبِيُّ ﷺ بِلَحْمٍ فَقُلْتُ: هَذَا مَا تُصَدِّقُ بِهِ عَلَى بَرِيرَةَ. فَقَالَ: «هُوَ لَهَا صَدَقَةٌ وَلَنَا هَدِيَّةٌ». [راجع: ٤٥٦]

(62) CHAPTER. When alms is transferred. (It will be legal for the Prophet's folk to accept it as a gift.)

1494. Narrated Umm 'Afiyya Al-Anṣāriyya رضي الله عنها: The Prophet ﷺ went to 'Aishah رضي الله عنها and asked her whether she had something (to eat). She replied that she had nothing except the mutton (piece) which Nusaiba (Umm 'Afiyya) had sent to us (Barīra) in charity." The Prophet ﷺ said, "It has reached its place (and now it is not a thing of charity but a gift for us)."

(٦٢) بَابُ: إِذَا تَحَوَّلَتِ الصَّدَقَةُ

١٤٩٤ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ: حَدَّثَنَا خَالِدٌ، عَنْ حَفْصَةَ بِنْتِ سِيرِينَ، عَنْ أُمِّ عَطِيَّةِ الْأَنْصَارِيَّةِ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: دَخَلَ النَّبِيُّ ﷺ عَلَى عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا فَقَالَ: «هَلْ عِنْدَكُمْ شَيْءٌ؟» فَقَالَتْ: لَا، إِلَّا شَيْءٌ بَعَثْتُ بِهِ إِلَيْنَا نُسَبِّهُ مِنَ الشَّاةِ الَّتِي بَعَثْتُ بِهَا مِنَ الصَّدَقَةِ. فَقَالَ: «إِنَّهَا قَدْ بَلَغَتْ مَجْلَهَا». [راجع: ١٤٤٦]

1495. Narrated Anas رضي الله عنه: Some meat was presented to the Prophet ﷺ and it had been given to Barīra (the freed slave-girl of 'Aishah) in charity. He ﷺ said, "This meat is a thing of charity for Barīra but it is a gift for us."

١٤٩٥ - حَدَّثَنَا يَحْيَى بْنُ مُوسَى: حَدَّثَنَا وَكَيْعٌ: حَدَّثَنَا شُعْبَةُ، عَنْ قَتَادَةَ، عَنْ أَنَسِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ أُتِيَ بِلَحْمٍ تُصَدِّقُ بِهِ عَلَى بَرِيرَةَ فَقَالَ: «هُوَ عَلَيْهَا صَدَقَةٌ وَهُوَ لَنَا هَدِيَّةٌ». وَقَالَ أَبُو دَاوُدَ: أُنْبَأَنَا شُعْبَةُ، عَنْ قَتَادَةَ: سَمِعَ أَنَسًا

رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ .  
[انظر: ٢٥٧٧]

(63) CHAPTER. *Zakāt* should be taken from the rich (Muslims) and given to the poor (Muslims) wherever they are.

1496. Narrated Abū Ma'bad, the slave of Ibn 'Abbās رضي الله عنهما: Allāh's Messenger ﷺ said to Mu'adh when he sent him to Yemen, "You will go to the people of the Scripture (Jews and Christians). So, when you reach there, invite them to testify that *Lā ilāha illallāh* (none has the right to be worshipped but Allāh), and that Muḥammad is Allāh's Messenger (Islāmic Monotheism). And if they obey you in that, tell them that Allāh has enjoined on them five *Ṣalāt* (prayer) in each day and night (24 hours). And if they obey you in that, tell them that Allāh has made it obligatory on them to pay the *Ṣadaqā* (*Zakāt*) which will be taken from the rich among them and given to the poor among them. If they obey you in that, then avoid taking the best of their possessions, and be afraid of the curse of an oppressed person because there is no screen between his invocation and Allāh." (See H. No. 1395).

(٦٣) بَابُ أَخْذِ الصَّدَقَةِ مِنَ الْأَغْنِيَاءِ . وَتُرْدُ فِي الْفُقَرَاءِ حَيْثُ كَانُوا  
١٤٩٦ - حَدَّثَنَا مُحَمَّدٌ أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا زَكَرِيَّا بْنُ إِسْحَاقَ، عَنْ يَحْيَى بْنِ عَبْدِ اللَّهِ بْنِ صَيْفِيٍّ، عَنْ أَبِي مُعَبَّدٍ مَوْلَى ابْنِ عَبَّاسٍ عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا قَالَ: قَالَ رَسُولُ اللهِ ﷺ لِمُعَاذِ بْنِ جَبَلٍ حِينَ بَعَثَهُ إِلَى الْيَمَنِ: «إِنَّكَ سَتَأْتِي قَوْمًا أَهْلَ كِتَابٍ، فَإِذَا جِئْتَهُمْ فَادْعُهُمْ إِلَى أَنْ يَشْهَدُوا أَنْ لَا إِلَهَ إِلَّا اللهُ، وَأَنَّ مُحَمَّدًا رَسُولُ اللهِ. فَإِنْ هُمْ أَطَاعُوا لَكَ بِذَلِكَ فَأَخْبِرْهُمْ أَنَّ اللهُ قَدْ فَرَضَ عَلَيْهِمْ خَمْسَ صَلَوَاتٍ فِي كُلِّ يَوْمٍ وَلَيْلَةٍ. فَإِنْ هُمْ أَطَاعُوا لَكَ بِذَلِكَ فَأَخْبِرْهُمْ أَنَّ اللهُ قَدْ فَرَضَ عَلَيْهِمْ صَدَقَةً تُوْخَذُ مِنْ أَعْيَانِهِمْ. فَتُرْدُ عَلَى فُقَرَائِهِمْ. فَإِنْ هُمْ أَطَاعُوا لَكَ بِذَلِكَ فَإِيَّاكَ وَكَرَائِمَ أَمْوَالِهِمْ. وَآتِقْ دَعْوَةَ الْمَظْلُومِ، فَإِنَّهُ لَيْسَ بَيْنَهَا وَبَيْنَ اللهِ حِجَابٌ». [راجع: ١٣٩٥]

(64) CHAPTER. The invoking and supplicating Allāh of the *Imām* for the one who gives in charity. And the Statement of Allāh تعالى: "Take *Sadaqa* (alms) from their wealth in order to purify them and sanctify them with it, and invoke Allāh for them. Verily, your invocations are a source of security for them..." (V.9:103)

(٦٤) بَابُ صَلَاةِ الْإِمَامِ . وَدُعَائِهِ لِصَاحِبِ الصَّدَقَةِ، وَقَوْلِهِ تَعَالَى: ﴿خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ﴾  
[التوبة: ١٠٣]

1497. Narrated 'Abdullāh bin Abū Aūfa رَضِيَ اللهُ عَنْهُ: Whenever a person brought his alms to the Prophet ﷺ, the Prophet ﷺ would say, "O Allāh! Send Your Blessings upon so-and-so." My father went to the Prophet ﷺ with his alms and the Prophet ﷺ said, "O Allāh! Send Your Blessings upon the offspring of Abū Aūfā."

(65) CHAPTER. (Is Zakāt imposed on) what is taken out of the sea (or not)?

And Ibn 'Abbās رَضِيَ اللهُ عَنْهُ said, "Ambergris (a special kind of perfume), is not Rikāz<sup>(1)</sup>, but a thing which is thrown out by the sea." And Al-Ḥasan said, "Kḥumus (i.e. one-fifth) is imposed on Ambergris and pearls." The Prophet ﷺ fixed Kḥumus<sup>(2)</sup> on Rikāz but not on the things taken out of the water.

1498. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "A man from Banī Isrāel asked someone from Banī Isrāel to give him a loan of one thousand Dinar, and the latter gave it to him. The debtor went on a voyage but (when the time for the payment of the debt became due) he did not find a boat, so he took a piece of wood and bored it and put 1000 Dinar in it and threw it into the sea. The creditor went out and took the piece of wood to his family to be used as fire-wood." (See *Hadīth* No. 2291, Vol. 3)

And the Prophet ﷺ mentioned the narration (and said), "When he sawed the wood, he found his money."

١٤٩٧ - حَدَّثَنَا حَفْصُ بْنُ عُمَرَ: حَدَّثَنَا شُعْبَةُ، عَنْ عَمْرٍو، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي أَوْفَى قَالَ: كَانَ النَّبِيُّ ﷺ إِذَا أَنَاهُ قَوْمٌ بِصَدَقَتِهِمْ قَالَ: «اللَّهُمَّ صَلِّ عَلَى فُلَانٍ». فَأَتَاهُ أَبِي بِصَدَقَتِهِ، فَقَالَ: «اللَّهُمَّ صَلِّ عَلَى آلِ أَبِي أَوْفَى». [انظر: ٤١٦٦، ٦٣٣٢، ٦٣٥٩]

(٦٥) بَابُ مَا يُسْتَخْرَجُ مِنَ الْبَحْرِ،

وَقَالَ ابْنُ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا: لَيْسَ الْعَنْبَرُ بِرِكَازٍ إِنَّمَا هُوَ شَيْءٌ دَسَرَهُ الْبَحْرُ. وَقَالَ الْحَسَنُ: فِي الْعَنْبَرِ وَاللُّؤْلُؤِ الْخُمْسُ، فَإِنَّمَا جَعَلَ النَّبِيُّ ﷺ فِي الرِّكَازِ الْخُمْسَ لَيْسَ فِي الَّذِي يُصَابُ فِي الْمَاءِ.

١٤٩٨ - وَقَالَ اللَّيْثُ: حَدَّثَنِي جَعْفَرُ بْنُ رَبِيعَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ هُرْمَزٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنْ رَسُولِ اللهِ ﷺ: «أَنَّ رَجُلًا مِنْ بَنِي إِسْرَائِيلَ سَأَلَ بَعْضَ بَنِي إِسْرَائِيلَ أَنْ يُسَلِّفَهُ أَلْفَ دِينَارٍ، فَدَفَعَهَا إِلَيْهِ، فَخَرَجَ فِي الْبَحْرِ فَلَمْ يَجِدْ مَرَكَبًا، فَأَخَذَ خَشَبَةً فَنَقَرَهَا فَأَدَخَلَ فِيهَا أَلْفَ دِينَارٍ فَرَمَى بِهَا فِي الْبَحْرِ فَخَرَجَ الرَّجُلُ الَّذِي كَانَ أَسْلَفَهُ إِذَا بِالْخَشَبَةِ فَأَخَذَهَا لِأَهْلِهِ حَطْبًا - فَذَكَرَ الْحَدِيثَ - فَلَمَّا نَشَرَهَا وَجَدَ الْمَالَ».

(1) (Ch. 65) Rikāz: Burried treasure or wealth.

(2) (Ch. 65) 1/5th of the Rikāz is to be paid to the Muslim treasury.

[انظر: ٢٠٦٣، ٢٢٩١، ٢٤٠٤، ٢٤٣٠،

٢٧٣٤، ٦٢٦١]

(66) CHAPTER. There is *Khumus* on *Rikāz*.

And Mālik and Ibn Idrīs said, “*Rikāz* is the buried treasures in the Pre-Islāmic Period and *Khumus* is compulsory on it whether the treasure is small or large, but the mines are not considered as *Rikāz*.” No doubt, the Prophet ﷺ had said, “There is no *Zakāt* on minerals. And *Khumus* is compulsory on minerals. And Al-Ḥasan said, “*Khumus* is compulsory on *Rikāz* found in the land owned by non-Muslims, but if found in the Muslim territory there is only *Zakāt* on it. If one finds a *Luqaṭa* (fallen property) in the territory of the enemy, he must announce it publicly. And if it belongs to the enemy, then *Khumus* is compulsory on it. Some people considered minerals as *Rikāz* similar to the buried treasures of pre-Islāmic period.

(٦٦) بَابُ: فِي الرَّكَازِ الْخُمْسُ،

وَقَالَ مَالِكٌ وَابْنُ إِدْرِيسَ: الرَّكَازُ دَفْنُ الْجَاهِلِيَّةِ، فِي قَلِيلِهِ وَكَثِيرِهِ: الْخُمْسُ. وَلَيْسَ الْمَعْدِنُ بِرَكَازٍ. وَقَدْ قَالَ النَّبِيُّ ﷺ: «فِي الْمَعْدِنِ جُبَارٌ». وَفِي الرَّكَازِ الْخُمْسُ». وَأَخَذَ عُمَرُ بْنُ عَبْدِ الْعَزِيزِ مِنَ الْمَعَادِنِ مِنْ كُلِّ مِائَتَيْنِ خُمْسَةً. وَقَالَ الْحَسَنُ: مَا كَانَ مِنْ رَكَازٍ فِي أَرْضِ الْحَرْبِ فَفِيهِ الْخُمْسُ وَمَا كَانَ مِنْ أَرْضِ السَّلْمِ فَفِيهِ الزَّكَاةُ. وَإِنْ وَجَدْتَ اللَّقْطَةَ فِي أَرْضِ الْعَدُوِّ فَعَرِّفْهَا. وَإِنْ كَانَتْ مِنَ الْعَدُوِّ فَفِيهَا الْخُمْسُ. وَقَالَ بَعْضُ النَّاسِ: الْمَعْدِنُ رَكَازٌ مِثْلُ دَفْنِ الْجَاهِلِيَّةِ لِأَنَّهُ يُقَالُ: أَرْكَزَ الْمَعْدِنُ إِذَا أُخْرِجَ مِنْهُ شَيْءٌ، قِيلَ لَهُ: قَدْ يُقَالُ لِمَنْ وَهَبَ لَهُ شَيْءٌ أَوْ رِبْحٌ رِبْحًا كَثِيرًا أَوْ كَثُرَ ثَمَرُهُ: أَرْكَزَتْ. ثُمَّ نَاقَصَ. وَقَالَ: لَا بَأْسَ أَنْ يَكْتُمَهُ فَلَا يُؤَدِّي الْخُمْسَ.

١٤٩٩ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ

رَضِيَ اللَّهُ عَنْهُ أَبُو هُرَيْرَةَ: رَضِيَ اللَّهُ عَنْهُ أَبُو هُرَيْرَةَ قَالَ: «عَلَّمَ اللَّهُ رَسُولَهُ ﷺ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «الْعَجْمَاءُ جُبَارٌ، وَالْبِئْرُ جُبَارٌ، وَالْمَعْدِنُ جُبَارٌ وَفِي الرَّكَازِ

يُوسُفُ: أَخْبَرَنَا مَالِكٌ، عَنِ ابْنِ شِهَابٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ وَعَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «الْعَجْمَاءُ جُبَارٌ، وَالْبِئْرُ جُبَارٌ، وَالْمَعْدِنُ جُبَارٌ وَفِي الرَّكَازِ

1499. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: رَضِيَ اللَّهُ عَنْهُ أَبُو هُرَيْرَةَ: رَضِيَ اللَّهُ عَنْهُ أَبُو هُرَيْرَةَ قَالَ: «عَلَّمَ اللَّهُ رَسُولَهُ ﷺ أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «الْعَجْمَاءُ جُبَارٌ، وَالْبِئْرُ جُبَارٌ، وَالْمَعْدِنُ جُبَارٌ وَفِي الرَّكَازِ

Allāh's Messenger ﷺ said, “There is no compensation for one killed or wounded by an animal or by falling in a well, or because of working in mines; but *Khumus* is compulsory on *Rikāz* (i.e. buried treasure or wealth). [*Khumas*] i.e. 1/5th of *Rikāz* wealth is to be paid to the Muslim treasury]

الْحُمْسُ». [انظر: ٢٣٥٥، ٦٩١٢،

[٦٩١٣

(67) CHAPTER. The Statement of Allāh (ﷻ): "...And those employed to collect (the funds)... (V.9:60) (Those employees working for the collection of Zakāt, compulsory funds, etc., are to be paid officially.) And the Imām is to supervise and check the work of the collectors.

1500. Narrated Abū Ḥumaid As-Sā'idī رضي الله عنه: Allāh's Messenger ﷺ appointed a man called Ibn Al-Lutabiyya, from the tribe of Al-Asd to collect Zakāt from Banī Sulaim. When he returned, (after collecting the Zakāt) the Prophet ﷺ checked the account with him.

(٦٧) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿وَالْعَمَلِينَ عَلَيْهِمْ﴾ [التوبة: ٦٠] وَمُحَاسَبَةِ الْمُصَدِّقِينَ مَعَ الْإِمَامِ

١٥٠٠ - حَدَّثَنَا يُوسُفُ بْنُ مُوسَى: حَدَّثَنَا أَبُو أُسَامَةَ: أَخْبَرَنَا هِشَامُ بْنُ عُرْوَةَ عَنْ أَبِيهِ، عَنْ أَبِي حُمَيْدٍ السَّاعِدِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ: اسْتَعْمَلَ رَسُولُ اللَّهِ ﷺ رَجُلًا مِنَ الْأَسَدِ عَلَى صَدَقَاتِ بَنِي سُلَيْمٍ يُدْعَى ابْنَ اللَّثَبِيِّ. فَلَمَّا جَاءَ حَاسِبَهُ. [راجع: ٩٢٥]

(68) CHAPTER. The use of the camels given as Zakāt and their milk for travellers.

1501. Narrated Anas رضي الله عنه: Some people from 'Uraina tribe came to Al-Madīna and its climate did not suit them. So Allāh's Messenger ﷺ allowed them to go to the herd of camels (given as Zakāt); and they drank their milk and urine (as medicine), but they killed the shepherd and drove away all the camels. So, Allāh's Messenger ﷺ sent (men) in their pursuit to catch them, and they were brought, and he had their hands and feet cut, and their eyes were branded with heated pieces of iron and they were left in the Ḥarra (a stony place at Al-Madīna) biting the stones. (See Ḥadīth No. 233, Vol. 1)

(٦٨) بَابُ اسْتِعْمَالِ إِبِلِ الصَّدَقَةِ وَأَبْنَاهَا لِأَبْنَاءِ السَّبِيلِ

١٥٠١ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنِي يَحْيَى، عَنْ شُعْبَةَ: حَدَّثَنَا قَتَادَةُ، عَنْ أَنَسٍ رَضِيَ اللَّهُ عَنْهُ: أَنَّ نَاسًا مِنْ عُرَيْنَةَ اجْتَوُوا الْمَدِينَةَ، فَرَحَّصَ لَهُمْ رَسُولُ اللَّهِ ﷺ أَنْ يَأْتُوا إِبِلَ الصَّدَقَةِ فَشَرِبُوا مِنْ أَلْبَانِهَا وَأَبْوَالِهَا فَقَتَلُوا الرَّاعِيَ وَاسْتَأْفَوْا الذَّوْدَ. فَأَرْسَلَ رَسُولُ اللَّهِ ﷺ فَأَتَى بِهِمْ فَفَقَعَ أَيْدِيَهُمْ وَأَرْجُلَهُمْ وَسَمَرَ أَعْيُنَهُمْ وَتَرَكَهُمْ بِالْحَرَّةِ يَعْضُونَ الْحِجَارَةَ. تَابِعَهُ أَبُو قِلَابَةَ وَحُمَيْدٌ وَثَابِتٌ عَنْ أَنَسٍ.

[راجع: ٢٣٣]

(69) CHAPTER. Branding the camels given in *Aṣ-Ṣadaqa (Zakāt)* by the *Imām* with his own hands.

1502. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: I took 'Abdullāh bin Abū Ṭalḥa to Allāh's Messenger ﷺ to perform *Tahnik* for him. (*Tahnik* was a custom among the Muslims that whenever a child was born they used to take it to the Prophet ﷺ who would chew a piece of date and put a part of its juice in the child's mouth). I saw the Prophet ﷺ, and he had an instrument for branding in his hands and was branding the camels of *Zakāt*.

(70) CHAPTER. Obligation of *Ṣadaqat-ul-Fiṭr*. [It is also called *Zakāt-ul-Fiṭr*, and is obligatory. It should be paid by the Muslims at the end of the month of Ramaḍān (Fasting) before the prayer of 'Eid-ul-Fiṭr].

And Abū Al-'Āliya, 'Aṭā and Ibn Sīrīn considered *Ṣadaqāt-ul-Fiṭr* as obligatory.

1503. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ made it the payment of one *Ṣā'* of dates or one *Ṣā'* of barley as *Zakāt-ul-Fiṭr* on every Muslim slave or free, male or female, young or old; and he ordered that it be paid before the people went out to offer 'Eid. (One *Ṣā'* = 3 kilograms approx.)

(٦٩) بَابٌ وَسَمِ الْإِمَامِ إِبِلَ الصَّدَقَةِ بِيَدِهِ

١٥٠٢ - حَدَّثَنَا إِبْرَاهِيمُ بْنُ الْمُثَنَّرِ: حَدَّثَنَا الْوَلِيدُ: حَدَّثَنَا أَبُو عَمْرٍو الْأَوْزَاعِيُّ: حَدَّثَنِي إِسْحَاقُ بْنُ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ: حَدَّثَنِي أَنَسُ بْنُ مَالِكٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: عَدَوْتُ إِلَى رَسُولِ اللَّهِ ﷺ بَعْدَ اللَّهِ بْنِ أَبِي طَلْحَةَ لِيَحْتَكَهُ فَوَافِقْتُهُ وَفِي يَدِهِ الْيَسْمُ يَسْمُ إِبِلِ الصَّدَقَةِ. [انظر: ٥٥٤٢، ٥٨٢٤]

(٧٠) بَابٌ فَرَضِ صَدَقَةِ الْفِطْرِ،

ورأى أبو العالِيَّةَ وَعَطَاءٌ وَابْنُ سِيرِينَ صَدَقَةَ الْفِطْرِ فَرِيضَةً.

١٥٠٣ - حَدَّثَنَا يَحْيَى بْنُ مُحَمَّدِ بْنِ السَّكَنِ: حَدَّثَنَا مُحَمَّدُ بْنُ جَهْضَمٍ: حَدَّثَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ عُمَرَ بْنِ نَافِعٍ، عَنْ أَبِيهِ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا قَالَ: فَرَضَ رَسُولُ اللَّهِ ﷺ زَكَاةَ الْفِطْرِ صَاعًا مِنْ تَمْرٍ أَوْ صَاعًا مِنْ شَعِيرٍ عَلَى الْعَبْدِ وَالْحُرِّ، وَالذَّكَرِ وَالْأُنْثَى وَالصَّغِيرِ وَالْكَبِيرِ مِنَ الْمُسْلِمِينَ. وَأَمَرَ بِهَا أَنْ تُؤَدَّى قَبْلَ خُرُوجِ النَّاسِ إِلَى الصَّلَاةِ. [انظر: ١٥٠٤، ١٥٠٧، ١٥٠٩، ١٥١١،

(71) CHAPTER. *Ṣadaqat-ul-Fiṭr* is compulsory on the free or the slave Muslims.

1504. Narrated Ibn ‘Umar رَضِيَ اللهُ عَنْهُمَا : Allāh’s Messenger ﷺ made it obligatory on all the slave or free Muslims, male or female, to pay one *Ṣā’* of dates or barley as *Zakāt-ul-Fiṭr*.

(72) CHAPTER. *Ṣadaqat-ul-Fiṭr* is one *Ṣā’* of barley. (1 *Ṣā’* = 3 kilograms approx.)

1505. Narrated Abū Sa‘īd رَضِيَ اللهُ عَنْهُ : We used to give one *Ṣā’* of barley as *Ṣadaqat-ul-Fiṭr* (per head).

(73) CHAPTER. *Ṣadaqat-ul-Fiṭr* is one *Ṣā’* of meal (per head).

1506. Narrated Abū Sa‘īd Al-Khudrī رَضِيَ اللهُ عَنْهُ : We used to give one *Ṣā’* of meal, or one *Ṣā’* of barley or one *Ṣā’* of dates, or one *Ṣā’* of *Iqṭ* (dried yoghurt or cottage cheese), or one *Ṣā’* of raisins (dried grapes) (per head) as *Zakāt-ul-Fiṭr*.

(٧١) بَابُ صَدَقَةِ الْفِطْرِ عَلَى الْعَبْدِ وَغَيْرِهِ مِنَ الْمُسْلِمِينَ

١٥٠٤ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ فَرَضَ زَكَاةَ الْفِطْرِ صَاعًا مِنْ تَمْرٍ، أَوْ صَاعًا مِنْ شَعِيرٍ عَلَى كُلِّ حُرٍّ أَوْ عَبْدٍ، ذَكَرٍ أَوْ أُنْثَى مِنَ الْمُسْلِمِينَ. [راجع: ١٥٠٤]

(٧٢) بَابُ صَدَقَةِ الْفِطْرِ صَاعٌ مِنْ شَعِيرٍ

١٥٠٥ - حَدَّثَنَا قَبِيصَةُ: حَدَّثَنَا سُفْيَانٌ عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ عَنْهُ قَالَ: كُنَّا نُطْعِمُ الصَّدَقَةَ صَاعًا مِنْ شَعِيرٍ. [انظر: ١٥٠٦، ١٥٠٨، ١٥١٠]

(٧٣) بَابُ صَدَقَةِ الْفِطْرِ صَاعٌ مِنْ طَعَامٍ

١٥٠٦ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عِيَاضِ بْنِ عَبْدِ اللَّهِ بْنِ سَعْدِ بْنِ أَبِي سَرْحٍ الْعَامِرِيِّ: أَنَّهُ سَمِعَ أَبَا سَعِيدٍ الْخُدْرِيَّ رَضِيَ اللَّهُ عَنْهُ يَقُولُ: كُنَّا نُخْرِجُ زَكَاةَ الْفِطْرِ صَاعًا مِنْ طَعَامٍ، أَوْ صَاعًا مِنْ شَعِيرٍ، أَوْ صَاعًا مِنْ تَمْرٍ، أَوْ صَاعًا مِنْ أَقِطٍ، أَوْ صَاعًا مِنْ زَبِيبٍ.

[راجع: ١٥٠٥]