

2735. Narrated 'Amra : 'Āishah رَضِيَ اللهُ عَنْهَا said that Barira came to seek her help in the writing of her emancipation. 'Āishah said to her, "If you wish, I will pay your masters (your price) and the *Walā'* will be for me." When Allāh's Messenger ﷺ came, she told him about it. The Prophet ﷺ said to her, "Buy her (i.e., Barira) and manumit her, for the *Walā'* is for the one who manumits." Then Allāh's Messenger ﷺ ascended the pulpit and said, "What about those people who stipulate conditions which are not present in Allāh's Laws? Whoever stipulates such conditions as are not present in Allāh's Laws, then those conditions are invalid even if he stipulated a hundred such conditions."

(18) CHAPTER. What kinds of conditions are permissible; and what is exempted from the decision; and the conditions which are well-known amongst the people, and if somebody says, "One hundred minus one or two."

Narrated Ibn Sīrīn : A man said to a hirer of animals, "Prepare your travelling animals, and if I should not go with you on such and such day, I shall pay you one hundred Dirhams," but he did not go on that day. Shuraih said, "If anyone puts a condition on himself of his own free will without being under duress, he has to abide by it."

Narrated Ayyūb from Ibn Sīrīn : A man sold foodstuff and the buyer told the seller that if he did not come to him on Wednesday, then the deal would be cancelled (i.e., invalid) and he did not turn up on that day." Shuraih said to the buyer, "You have broken your promise," and gave the verdict against him.

٢٧٣٥ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ : حَدَّثَنَا سُفْيَانُ، عَنْ يَحْيَى، عَنْ عَمْرَةَ، عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ: أَتَتْهَا بَرِيرَةُ تَسْأَلُهَا فِي كِتَابَتِهَا فَقَالَتْ: إِنْ شِئْتَ أَعْطَيْتُ أَهْلِكَ وَيَكُونُ الْوَلَاءُ لِي. فَلَمَّا جَاءَ رَسُولُ اللَّهِ ﷺ ذَكَرْتُهُ ذَلِكَ. قَالَ النَّبِيُّ ﷺ: «ابْتِاعِيهَا فَأَعْتِقِيهَا فَإِنَّمَا الْوَلَاءُ لِمَنْ أَعْتَقَ». ثُمَّ قَامَ رَسُولُ اللَّهِ ﷺ عَلَى الْمِنْبَرِ فَقَالَ: «مَا بَالُ أَقْوَامٍ يَشْتَرُونَ شُرُوطًا لَيْسَتْ فِي كِتَابِ اللَّهِ؟ مَنْ اشْتَرَطَ شَرْطًا لَيْسَ فِي كِتَابِ اللَّهِ. فَلَيْسَ لَهُ وَإِنْ اشْتَرَطَ مِائَةَ شَرْطٍ». [راجع: ٤٥٦]

(١٨) بَابُ مَا يَجُوزُ مِنَ الْأَشْتِرَاطِ، وَالشُّبْهِ فِي الْإِفْرَارِ، وَالشُّرُوطِ الَّتِي يَتَعَارَفُ النَّاسُ بَيْنَهُمْ. وَإِذَا قَالَ: مِائَةٌ إِلَّا وَاحِدَةً أَوْ ثِنْتَيْنِ

وَقَالَ ابْنُ عَوْنٍ، عَنِ ابْنِ سِيرِينَ، قَالَ الرَّجُلُ لِكُرَيْبِهِ: أَدْخِلْ رِكَابَكَ، فَإِنْ لَمْ أَرْحَلْ مَعَكَ يَوْمَ كَذَا وَكَذَا فَالِكَ مِائَةٌ دَرْهَمٍ فَلَمْ يَخْرُجْ، فَقَالَ شُرَيْحٌ: مَنْ شَرَطَ عَلَى نَفْسِهِ طَائِعًا غَيْرَ مُكْرَهٍ فَهُوَ عَلَيْهِ. وَقَالَ أَيُّوبُ؛ عَنِ ابْنِ سِيرِينَ: إِنَّ رَجُلًا بَاعَ طَعَامًا وَقَالَ: إِنْ لَمْ آتِكَ الْأَرْبِعَاءُ فَلَيْسَ بَيْنِي وَبَيْنَكَ بَيْعٌ، فَلَمْ يَجِئْ فَقَالَ شُرَيْحٌ لِلْمُسْتَرِي: أَنْتَ أَخْلَفْتَ فَقَضَى عَلَيْهِ.

We do not know any of the women emigrants who deserted Islam after embracing it. We have also been told that Abū Basir bin Asīd Ath-Thaqafi came to the Prophet ﷺ as a Muslim emigrant during the truce. Al-Akhnas bin Sharīq wrote to the Prophet ﷺ requesting him to return Abū Basir.

الْكُفَّارِ، فَأَمَرَ أَنْ يُعْطَى مَنْ ذَهَبَ لَهُ
رَوْحٌ مِنَ الْمُسْلِمِينَ مَا أَنْفَقَ مِنْ
صَدَاقِ نِسَاءِ الْكُفَّارِ اللَّاتِي هَاجَرْنَ،
وَمَا نَعْلَمُ أَحَدًا مِنَ الْمُهَاجِرَاتِ
ارْتَدَّتْ بَعْدَ إِيْمَانِهَا. وَبَلَّغْنَا أَنَّ أَبَا
بَصِيرٍ بَنَ أَسِيدِ الثَّقَفِيِّ قَدِمَ عَلَى النَّبِيِّ
ﷺ مُؤْمِنًا مُهَاجِرًا فِي الْمُدَّةِ، فَكَتَبَ
الْأَخْنَسُ بْنُ شَرِيقٍ إِلَى النَّبِيِّ ﷺ
يَسْأَلُهُ أَبَا بَصِيرٍ، فَذَكَرَ الْحَدِيثَ.

[راجع: ٢٧١٣]

(16) CHAPTER. Conditions in loans.

Ibn 'Umar رضي الله عنهما and 'Aṭā' said, "If one lends something for a certain period, the debt is valid."

2734. Narrated Abū Hurairah رضي الله عنه: Allāh's Messenger ﷺ mentioned a person who asked an Isrā'ēlī man to lend him one thousand Dinārs, and the Isrā'ēlī lent him the sum for a certain fixed period.

(١٦) بَابُ الشَّرُوطِ فِي الْقَرْضِ

وَقَالَ ابْنُ عَمْرٍو وَعَطَاءُ رَضِيَ اللَّهُ
عَنْهُمَا: إِذَا أَجَلَهُ فِي الْقَرْضِ جَارًا.

٢٧٣٤ - وَقَالَ اللَّيْثُ: حَدَّثَنِي
جَعْفَرُ بْنُ رَبِيعَةَ، عَنْ عَبْدِ الرَّحْمَنِ
بْنِ هُرْمَزٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ
عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ ذَكَرَ
رَجُلًا سَأَلَ بَعْضَ بَنِي إِسْرَائِيلَ أَنْ
يُسَلِّفَهُ أَلْفَ دِينَارٍ، فَدَفَعَهَا إِلَيْهِ إِلَى
أَجَلٍ مُسَمًّى. [راجع: ١٤٩٨]

(17) CHAPTER. Al-Mukātab (i.e., the slave who is given the writing of emancipation for a certain sum) and about the invalidity of those conditions which contradict Allāh's Laws.

Jābir bin 'Abdullāh رضي الله عنهما said regarding Al-Mukātab, "Their conditions are those which are mutually agreed upon by them." Ibn 'Umar or 'Umar said, "Any condition which is against Allāh's Laws, is invalid, even if one stipulates a hundred such conditions."

(١٧) بَابُ الْمُكَاتَبِ، وَمَا لَا يَحِلُّ

مِنَ الشَّرُوطِ الَّتِي تُخَالِفُ كِتَابَ اللَّهِ
وَقَالَ جَابِرُ بْنُ عَبْدِ اللَّهِ رَضِيَ اللَّهُ
عَنْهُمَا فِي الْمُكَاتَبِ: شُرُوطُهُمْ
بَيْنَهُمْ. وَقَالَ ابْنُ عَمْرٍو أَوْ عُمَرُ رَضِيَ
اللَّهُ عَنْهُمَا: كُلُّ شَرْطٍ خَالَفَ كِتَابَ
اللَّهِ فَهُوَ بَاطِلٌ، وَإِنْ اشْتَرَطَ مِائَةً
شَرْطًا.

كَفَّ أَيْدِيَهُمْ عَنْكُمْ وَأَيْدِيَكُمْ عَنْهُمْ بِبَطْنِ مَكَّةَ مِنْ بَعْدِ أَنْ أَظْفَرَكُمْ عَلَيْهِمْ ﴿٢٤﴾ حَتَّىٰ بَلَغَ ﴿الْمِيْمَةَ حِيَةَ الْبَنِيَّةِ﴾ [الفتح: ٢٤-٢٦] كَانَتْ حِمِيَّتُهُمْ أَنَّهُمْ لَمْ يُقِرُّوا أَنَّهُ نَبِيُّ اللَّهِ وَلَمْ يُقِرُّوا بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ. وَحَالُوا بَيْنَهُمْ وَبَيْنَ الْبَيْتِ. [راجع: ١٦٩٤، ١٦٩٥]

قال أبو عبد الله: ﴿مَعْرَةٌ﴾: العُرُ: الجَرْبُ، ﴿تَزَلُّوا﴾: تَمَيَّرُوا، وَحَمِيَّتُ الْقَوْمِ: منعتهم حماية، وأحميت الحمى.

2733. Narrated Az-Zuhri: 'Urwa said, "A'ishah told me that Allāh's Messenger ﷺ used to examine the women emigrants. We have been told also that when Allāh تعالى revealed the order that the Muslims should return to the *Mushrikūn* (polytheists, idolaters, pagans) what they had spent on their wives who emigrated (after embracing Islām) and that the Muslims should not keep disbelieving women as their wives, 'Umar divorced two of his wives, Qarība, the daughter of Abū Umaiyya and the daughter of Jarwal Al-Khuzā'i. Later on Mu'awīya married Qarība and Abū Jahm married the other."

When the *Mushrikūn* refused to pay what the Muslims had spent on their wives, Allāh تعالى revealed:

"And if any of your wives had gone from you to the disbelievers" (V.60:11)

So, Allāh ordered that the Muslim whose wife has gone, should be given, as a compensation of the *Mahr* he had given to his wife, from the *Mahr* of the wives of the *Mushrikūn* who had emigrated deserting their husbands.

٢٧٣٣ - وَقَالَ عُقَيْلٌ عَنِ الرَّهْرِيِّ: قَالَ عُرْوَةُ: فَأَخْبَرْتَنِي عَائِشَةُ أَنَّ رَسُولَ اللَّهِ ﷺ كَانَ يَمْتَحِنُهُنَّ. وَبَلَّغْنَا أَنَّهُ لَمَّا أَنْزَلَ اللَّهُ تَعَالَى أَنْ يَرُدُّوا إِلَى الْمُشْرِكِينَ مَا أَنْفَقُوا عَلَى مَنْ هَاجَرَ مِنْ أَزْوَاجِهِمْ وَحَكَمَ عَلَى الْمُسْلِمِينَ أَنْ لَا يُمَسِّكُوا بَعْضَ الْكُوفِرِ، أَنَّ عُمَرَ طَلَّقَ امْرَأَتَيْنِ قَرِيْبَةَ بِنْتِ أَبِي أُمَيَّةَ. وَابْنَةَ جَرْوَلِ الْخَزَاعِيِّ، فَتَزَوَّجَ قَرِيْبَةَ مُعَاوِيَةَ ابْنَ أَبِي سُفْيَانَ، وَتَزَوَّجَ الْأُخْرَى أَبُو جَهْمٍ. فَلَمَّا أَبِي الْكُفَّارُ أَنْ يُقِرُّوا بِأَدَاءِ مَا أَنْفَقَ الْمُسْلِمُونَ عَلَى أَزْوَاجِهِمْ أَنْزَلَ اللَّهُ تَعَالَى: ﴿وَإِنْ فَاتَكُمْ سَوْءٌ مِنْ أَزْوَاجِكُمْ إِلَى الْكُفَّارِ فَعَاقَبْتُمْ﴾ [الممتحنة: ١١] وَالْعَقَبُ مَا يُؤَدِي الْمُسْلِمُونَ إِلَى مَنْ هَاجَرَتْ امْرَأَتُهُ مِنْ

supporters." When Abū Baṣīr heard that he understood that the Prophet ﷺ would return him to them again, so he set out and left till he reached the seashore. Abū Jandal bin Suhail got himself released from them (i.e., infidels) and joined Abū Baṣīr. So, whenever a man from Quraysh embraced Islam he would follow Abu Baṣīr till they formed a strong group. By Allāh, whenever they heard about a caravan of Quraysh heading towards Sham, they stopped it and attacked and killed them (i.e., infidels) and took their properties. The people of Quraysh sent a message to the Prophet ﷺ requesting him for the sake of Allāh and kith and kin to send for (i.e., Abū Baṣīr and his companions) promising that whoever (amongst them) came to the Prophet ﷺ would be secure. So the Prophet ﷺ sent for them (i.e., Abū Baṣīr's companions) and Allāh تعالى revealed the following Divine Verses:

"And it is He Who has withheld their hands from you and your hands from them in the midst of Makkah, after He made you victors over them.. (up to).. pride and haughtiness, the pride and haughtiness of the time of ignorance." (V.48:24-26)

And their pride and haughtiness was that they did not confess (write in the treaty) that he (i.e., Muḥammad ﷺ) is the Prophet of Allāh and refused to write: "In the Name of Allāh, the Most Gracious, the Most Merciful," and prevented the Muslims from visiting the Ka'bah.

فَتَرَلُوا يَأْكُلُونَ مِنْ ثَمَرِ لَهُمْ، فَقَالَ أَبُو بَصِيرٍ لِأَحَدِ الرَّجُلَيْنِ: وَاللَّهِ إِنِّي لَأَرَى سَيْفَكَ هَذَا يَا فُلَانُ جَيْدًا، فَاسْتَلَّهُ الْآخَرُ فَقَالَ: أَجَلٌ وَاللَّهِ، إِنَّهُ لَجَيْدٌ، لَقَدْ جَرَّبْتُ بِهِ ثُمَّ جَرَّبْتُ. فَقَالَ أَبُو بَصِيرٍ: أَرِنِي أَنْظُرَ إِلَيْهِ، فَأَمَكَّنَهُ مِنْهُ، فَصَرَبَهُ حَتَّى بَرَدَ وَفَرَ الْآخَرُ حَتَّى أَتَى الْمَدِينَةَ، فَدَخَلَ الْمَسْجِدَ يَعْدُو، فَقَالَ رَسُولُ اللَّهِ ﷺ جِبِينَ رَأَاهُ: «لَقَدْ رَأَى هَذَا دُعْرًا»، فَلَمَّا أَنْتَهَى إِلَى النَّبِيِّ ﷺ قَالَ: قُتِلَ صَاحِبِي وَإِنِّي لَمَقْتُولٌ. فَجَاءَ أَبُو بَصِيرٍ فَقَالَ: يَا نَبِيَّ اللَّهِ قَدْ وَاللَّهِ أَوْفَى اللَّهِ ذِمَّتَكَ، قَدْ رَدَدْتَنِي إِلَيْهِمْ ثُمَّ أَنْجَانِي اللَّهُ مِنْهُمْ. قَالَ النَّبِيُّ ﷺ: «وَيْلُ أُمَّةٍ مِسْعَرَ حَرْبٍ لَوْ كَانَ لَهُ أَحَدٌ». فَلَمَّا سَمِعَ ذَلِكَ عَرَفَ أَنَّهُ سِيرُهُ إِلَيْهِمْ، فَخَرَجَ حَتَّى أَتَى سَيْفَ الْبَحْرِ، قَالَ: وَيَقْتُلْتُ مِنْهُمْ أَبُو جَنْدَلِ بْنِ سَهْلٍ فَلَحِقَ بِأَبِي بَصِيرٍ، فَجَعَلَ لَا يَخْرُجُ مِنْ قُرَيْشٍ رَجُلٌ قَدْ أَسْلَمَ إِلَّا لَحِقَ بِأَبِي بَصِيرٍ حَتَّى اجْتَمَعَتْ مِنْهُمْ عِصَابَةٌ، فَوَاللَّهِ مَا يَسْمَعُونَ بِعِيرٍ خَرَجَتْ لِقُرَيْشٍ إِلَى الشَّامِ إِلَّا اغْتَرَضُوا لَهَا فَقَتَلُوهُمْ وَأَخَذُوا أَمْوَالَهُمْ. فَأَرْسَلْتُ قُرَيْشَ إِلَى النَّبِيِّ ﷺ تَنَاشِدُهُ اللَّهُ وَالرَّحْمَ لَمَّا أَرْسَلَ: فَمَنْ أَنَا فَهُوَ آمِنٌ، فَأَرْسَلَ النَّبِيُّ ﷺ إِلَيْهِمْ فَأَنْزَلَ اللَّهُ تَعَالَى ﴿وَهُوَ الَّذِي﴾

there was a danger of killing each other. Then some believing women came (to the Prophet ﷺ); and Allāh تعالى revealed the following Divine Verses:

“O you who believe, when the believing women come to you as emigrants examine them... (up to).. the disbelieving women as wives.” (V.60:10)

‘Umar then divorced two wives of his who were infidels. Later on Mu‘āwīya bin Abū Sufyān married one of them, and Şafwān bin Umaiyya married the other.

When the Prophet ﷺ returned to Al-Madīna, Abū Başīr, a new Muslim convert from Quraysh came to him. The infidels sent in his pursuit two men who said (to the Prophet ﷺ, “Abide by the promise you gave us.” So, the Prophet ﷺ handed him over to them. They took him out (of the city) till they reached Dhul-Hulaifa where they dismounted to eat some dates they had with them. Abū Başīr said to one of them, “By Allāh, O so-and-so, I see you have a fine sword.” The other drew it out (of the scabbard) and said, “By Allāh, it is very fine and I have tried it many times.” Abū Başīr said, “Let me have a look at it.” When the other gave it to him, he hit him with it till he died, and his companion ran away till he came to Al-Madīna and entered the mosque running. When Allāh’s Messenger ﷺ saw him he said, “This man appears to have been frightened.” When he reached the Prophet ﷺ he said, “My companion has been murdered and I would have been murdered too.” Abū Başīr came and said, “O Allāh’s Messenger, by Allāh, Allāh has made you fulfil your obligations by your returning me to them (i.e., the infidels), but Allāh has saved me from them.” The Prophet ﷺ said, “Woe to his mother! what an excellent war kindler he would be, should he only have

عَمُرُ: فَعَمِلْتُ لِيَذَلِكَ أَعْمَالًا. قَالَ: فَلَمَّا فَرَعَ مِنْ قَضِيَةِ الْكِتَابِ قَالَ رَسُولُ اللَّهِ ﷺ لِأَصْحَابِهِ: «قَوْمُوا فَأَنْحَرُوا ثُمَّ اخْلِقُوا»، قَالَ: فَوَاللَّهِ مَا قَامَ مِنْهُمْ رَجُلٌ حَتَّى قَالَ ذَلِكَ ثَلَاثَ مَرَّاتٍ، فَلَمَّا لَمْ يَقُمْ مِنْهُمْ أَحَدٌ دَخَلَ عَلَى أُمِّ سَلَمَةَ فَذَكَرَ لَهَا مَا لَقِيَ مِنَ النَّاسِ فَقَالَتْ أُمُّ سَلَمَةَ: يَا نَبِيَّ اللَّهِ، أَتُحِبُّ ذَلِكَ؟ أَخْرَجَ ثُمَّ لَا تُكَلِّمُ أَحَدًا مِنْهُمْ كَلِمَةً، حَتَّى تَنْحَرَ بِذُنُوكَ، وَتَدْعُو حَالِقَكَ فَيَحْلِقَكَ. فَخَرَجَ فَلَمْ يُكَلِّمُ أَحَدًا مِنْهُمْ حَتَّى فَعَلَ ذَلِكَ. نَحَرَ بِذُنُوكَ، وَدَعَا حَالِقَهُ فَحَلَقَهُ. فَلَمَّا رَأَوْا ذَلِكَ قَامُوا فَتَنَحَرُوا وَجَعَلَ بَعْضُهُمْ يَحْلِقُ بَعْضًا حَتَّى كَادَ بَعْضُهُمْ يَقْتُلُ بَعْضًا عَمًا. ثُمَّ جَاءَهُ نِسْوَةٌ مُؤْمِنَاتٌ، فَأَنْزَلَ اللَّهُ تَعَالَى ﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِذَا جَاءَكُمْ الْمُؤْمِنَاتُ مُهَاجِرَاتٍ فَامْتَحِنُوهُنَّ﴾ [الممتحنة: ١٠] حَتَّى بَلَغَ: ﴿بِعَصِمِ الْكَوْافِرِ﴾ فَطَلَّقَ عَمْرُ يَوْمَئِذٍ امْرَأَتَيْنِ كَانَتَا لَهُ فِي الشَّرْكِ. فَتَزَوَّجَ إِحْدَاهُمَا مُعَاوِيَةَ بْنَ أَبِي سُفْيَانَ، وَالْأُخْرَى صَفْوَانَ بْنَ أُمِيَّةَ. ثُمَّ رَجَعَ النَّبِيُّ ﷺ إِلَى الْمَدِينَةِ فَجَاءَهُ أَبُو بَصِيرٍ رَجُلٌ مِنْ قُرَيْشٍ وَهُوَ مُسْلِمٌ، فَأَرْسَلُوا فِي طَلَبِهِ رَجُلَيْنِ، فَقَالُوا: الْعَهْدُ الَّذِي جَعَلْتُمْ لَنَا. فَدَفَعَهُ إِلَى الرَّجُلَيْنِ، فَخَرَجَا بِهِ حَتَّى بَلَغَا ذَا الْحُلَيْفَةِ،

Tawāf around it?' He said, 'Yes, but did I tell you that we would visit the Ka'bah this year?' I said, 'No.' He said, 'So you will visit it and perform *Tawāf* around it' "Umar further said, "I went to Abū Bakr and said, 'O Abū Bakr! Isn't he truly Allāh's Prophet?' He replied, 'Yes.' I said, 'Isn't our cause just and the cause of our enemy unjust?' He replied, 'Yes.' I said, 'Then why should we be humble in our religion?' He said, 'Indeed, he is Allāh's Messenger and he does not disobey his Lord, and He will make him victorious. Adhere to him as, by Allāh, he is on the right.' I said, 'Was he not telling us that we would go to the Ka'bah and perform *Tawāf* around it?' He said, 'Yes, but did he tell you that you would go to the Ka'bah this year?' I said, 'No.' He said, 'You will go to Ka'bah and perform *Tawāf* around it'." (Az-Zuhrī said, "Umar said, 'I performed many good deeds as expiation for the improper questions I asked them'.") When the writing of the peace treaty was concluded, Allāh's Messenger ﷺ said to his companions, "Get up and slaughter your sacrifices and get your head shaved." By Allāh none of them got up, and the Prophet ﷺ repeated his order thrice. When none of them got up, he left them and went to Umm Salama and told her of the people's attitudes towards him. Umm Salama said, "O the Prophet of Allāh! Do you want your order to be carried out? Go out and don't say a word to anybody till you have slaughtered your sacrifice and call your barber to shave your head." So, the Prophet ﷺ went out and did not talk to anyone of them till he did that, i.e., slaughtered the sacrifice and called his barber who shaved his head. Seeing that, the companions of the Prophet ﷺ got up, slaughtered their sacrifices, and started shaving the heads of one another, and there was so much rush that

أَجْرَانَهُ لَكَ. قَالَ أَبُو جَنْدَلٍ: أَيُّ مَعْشَرَ الْمُسْلِمِينَ، أُرِدُّ إِلَى الْمُشْرِكِينَ وَقَدْ جِئْتُ مُسْلِمًا؟ أَلَا تَرَوْنَ مَا قَدْ لَقِيتُ؟ وَكَانَ قَدْ عَذَّبَ عَذَابًا شَدِيدًا فِي اللَّهِ، قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: فَأَتَيْتُ نَبِيَّ اللَّهِ ﷺ فَقُلْتُ: أَلَسْتَ نَبِيَّ اللَّهِ حَقًّا؟ قَالَ: «بَلَى»، قُلْتُ: أَلَسْنَا عَلَى الْحَقِّ وَعَدُّنَا عَلَى الْبَاطِلِ؟ قَالَ: «بَلَى»، قُلْتُ: فَلِمَ نُعْطِي الدِّيْنَةَ فِي دِينِنَا إِذْنَ؟ قَالَ: «إِنِّي رَسُولُ اللَّهِ وَلَسْتُ أَغْصِيهِ، وَهُوَ نَاصِرِي». قُلْتُ: أَوْ لَيْسَ كُنْتَ تَحَدِّثُنَا أَنَا سَنَاتِي الْبَيْتِ فَطَوَّفَ بِهِ؟ قَالَ: «بَلَى، فَأَخْبَرْتُكَ أَنَا نَاتِيهِ الْعَامَ؟» قَالَ: قُلْتُ: لَا، قَالَ: «فَأَنَّكَ آتِيهِ وَمُطَوَّفٌ بِهِ». قَالَ: فَأَتَيْتُ أَبَا بَكْرٍ، فَقُلْتُ: يَا أَبَا بَكْرٍ، أَلَيْسَ هَذَا نَبِيَّ اللَّهِ حَقًّا، قَالَ: بَلَى، قُلْتُ: أَلَسْنَا عَلَى الْحَقِّ وَعَدُّنَا عَلَى الْبَاطِلِ؟ قَالَ: بَلَى، قُلْتُ: فَلِمَ نُعْطِي الدِّيْنَةَ فِي دِينِنَا إِذْنَ؟ قَالَ: أَيُّهَا الرَّجُلُ، إِنَّهُ لَرَسُولُ اللَّهِ ﷺ وَلَيْسَ يَغْصِي رَبَّهُ وَهُوَ نَاصِرُهُ، فَاسْتَمْسِكْ بِعَرْزِهِ فَوَاللَّهِ إِنَّهُ عَلَى الْحَقِّ، قُلْتُ: أَلَيْسَ كَانَ يُحَدِّثُنَا أَنَا سَنَاتِي الْبَيْتِ فَطَوَّفَ بِهِ؟ قَالَ: بَلَى، فَأَخْبَرْتُكَ أَنَّكَ تَأْتِيهِ الْعَامَ؟ قُلْتُ: لَا. قَالَ: فَأَنَّكَ آتِيهِ وَمُطَوَّفٌ بِهِ. قَالَ الرَّهْرِيُّ: قَالَ

Prophet ﷺ said to Suhail, “On the condition that you allow us to visit the House (i.e., Ka’bah) so that we may perform *Tawāf* around it.” Suhail said, “By Allāh, we will not (allow you this year) so as not to give chance to the ‘Arabs to say that we have yielded to you, but we will allow you next year.” So, the Prophet ﷺ got that written. Then Suhail said, “We also stipulate that you should return to us whoever comes to you from us, even if he embraced your religion.” The Muslims said, “Glorified be Allāh! How will such a person be returned to the *Mushrikūn* (polytheists, idolaters, pagans) after he has become a Muslim?” While they were in this state Abū Jandal bin Suhail bin ‘Amr came from the valley of Makkah staggering with his fetters and fell down amongst the Muslims. Suhail said, “O Muḥammad! This is the very first term with which we make peace with you, i.e., you shall return Abū Jandal to me.” The Prophet ﷺ said, “The peace treaty has not been written yet.” Suhail said, “I will never allow you to keep him.” The Prophet ﷺ said, “Yes, do.” He said, “I won’t do.” Mikrāz said, “We allow you (to keep him).” Abū Jandal said, “O Muslims! Will I be returned to the pagans though I have come as a Muslim? Don’t you see how much I have suffered?” Abū Jandal had been tortured severely for the Cause of Allāh. ‘Umar bin Al-Khaṭṭāb said, “I went to the Prophet ﷺ and said, ‘Aren’t you truly the Messenger of Allāh?’ The Prophet ﷺ said, ‘Yes, indeed.’ I said, ‘Isn’t our cause just and the cause of the enemy unjust?’ He said, ‘Yes.’ I said, ‘Then why should we be humble in our religion?’ He said, ‘I am Allāh’s Messenger and I do not disobey Him, and He will make me victorious.’ I said, ‘Didn’t you tell us that we would go to the Ka’bah and perform

الله ما صدَدْنَاكَ عَنِ الْبَيْتِ وَلَا قَاتَلْنَاكَ. وَلَكِنْ أَكْتُبُ: مُحَمَّدُ بْنُ عَبْدِ اللَّهِ، فَقَالَ النَّبِيُّ ﷺ: «وَاللَّهِ إِنِّي لَرَسُولُ اللَّهِ وَإِنْ كَذَّبْتُمُونِي، أَكْتُبُ: مُحَمَّدُ بْنُ عَبْدِ اللَّهِ». قَالَ الزُّهْرِيُّ: وَذَلِكَ لِقَوْلِهِ: «لَا يَسْأَلُونَنِي حُطَّةً يُعْظَمُونَ فِيهَا حُرْمَاتِ اللَّهِ إِلَّا أَعْطَيْتُهُمْ إِيَّاهَا». فَقَالَ لَهُ النَّبِيُّ ﷺ: «عَلَى أَنْ تُحْلَوْا بَيْنَنَا وَبَيْنَ الْبَيْتِ فَتَطْوَفَ بِهِ». فَقَالَ سُهَيْلٌ: وَاللَّهِ لَا تَتَحَدَّثُ الْعَرَبُ أَنَا أُخِذْنَا ضِعْطَةً، وَلَكِنْ ذَلِكَ مِنَ الْعَامِ الْمَقْبَلِ، فَكَتَبَ. فَقَالَ سُهَيْلٌ: وَعَلَى أَنَّهُ لَا يَأْتِيكَ مِنَّا رَجُلٌ وَإِنْ كَانَ عَلَى دِينِكَ إِلَّا رَدَدْتُهُ إِلَيْنَا قَالَ الْمُسْلِمُونَ: سُبْحَانَ اللَّهِ، كَيْفَ يُرَدُّ إِلَى الْمُشْرِكِينَ وَقَدْ جَاءَ مُسْلِمًا؟ فَبَيْنَمَا هُمْ كَذَلِكَ إِذْ دَخَلَ أَبُو جَنْدَلِ بْنِ سُهَيْلِ بْنِ عَمْرِو يَرْسُفُ فِي قُبُودِهِ. وَقَدْ خَرَجَ مِنْ أَسْفَلِ مَكَّةَ حَتَّى رَمَى بِنَفْسِهِ بَيْنَ أَظْهُرِ الْمُسْلِمِينَ فَقَالَ سُهَيْلٌ: هَذَا يَا مُحَمَّدُ أَوَّلُ مَنْ أَقْضَيْكَ عَلَيْهِ أَنْ تُرَدَّهُ إِلَيَّ. فَقَالَ النَّبِيُّ ﷺ: «إِنَّا لَمْ نَقْضِ الْكِتَابَ بَعْدُ». قَالَ: فَوَاللَّهِ إِذَا لَمْ أَصَالِحْكَ عَلَى شَيْءٍ أَبَدًا. قَالَ النَّبِيُّ ﷺ: «فَأَجِزْهُ لِي»، قَالَ: مَا أَنَا بِمُجِيزٍ ذَلِكَ لَكَ. قَالَ: «بَلَى فَافْعَلْ». قَالَ: مَا أَنَا بِفَاعِلٍ. قَالَ مِكْرَزٌ: بَلْ قَدْ

Ka'bah." When he returned to his people, he said, "I saw the *Budn* garlanded (with coloured knotted ropes) and marked (with stabs on their backs). I do not think it is advisable to prevent them from visiting the Ka'bah." Another person called Mikraz bin Hafṣ got up and sought their permission to go to Muḥammad ﷺ, and they allowed him, too. When he approached the Muslims, the Prophet ﷺ said, "Here is Mikraz and he is a vicious man." Mikrāz started talking to the Prophet ﷺ and as he was talking, Suhail bin 'Amr came. When Suhail bin 'Amr came, the Prophet ﷺ said, "Now the matter has become easy." Suhail said to the Prophet ﷺ, "Please conclude a peace treaty with us." So, the Prophet ﷺ called the clerk and said to him, "Write: By the Name of Allāh, the Most Gracious, the Most Merciful." Suhail said, "As for 'Gracious,' by Allāh, I do not know what it means. So write: By Your Name O Allāh, as you used to write previously." The Muslims said, "By Allāh, we will not write except: By the Name of Allāh, the Most Gracious, the Most Merciful." The Prophet ﷺ said, "Write: By Your Name O Allāh." Then he dictated, "This is the peace treaty which Muḥammad, the Messenger of Allāh has concluded." Suhail said, "By Allāh, if we knew that you are Allāh's Messenger we would not prevent you from visiting the Ka'bah, and would not fight with you. So, write: "Muḥammad bin 'Abdullāh." The Prophet ﷺ said, "By Allāh! I am Messenger of Allāh even if you people do not believe me. Write: Muḥammad bin 'Abdullāh." (Az-Zuhrī said, "The Prophet ﷺ accepted all those things, as he had already said that he would accept everything they would demand if it respects the Ordinance of Allāh, (i.e., by letting him and his companions perform 'Umra.)" The

فُعِنْتُ لَهُ، وَاسْتَقْبَلَهُ النَّاسُ يَلْبُونَ. فَلَمَّا رَأَى ذَلِكَ قَالَ: سُبْحَانَ اللَّهِ، مَا يَنْبَغِي لَهُؤُلَاءِ أَنْ يُصَدُّوا عَنِ الْبَيْتِ. فَلَمَّا رَجَعَ إِلَى أَصْحَابِهِ قَالَ: رَأَيْتُ الْبِدْنَ قَدْ قُلِدَتْ وَأُشْعِرَتْ، فَمَا أَرَى أَنْ يُصَدُّوا عَنِ الْبَيْتِ. فَقَامَ رَجُلٌ مِنْهُمْ يُقَالُ لَهُ: مِكْرَزُ بْنُ حَفْصٍ، فَقَالَ: دَعُونِي آتِيهِ، فَقَالُوا: آتِيهِ. فَلَمَّا أَشْرَفَ عَلَيْهِمْ قَالَ النَّبِيُّ ﷺ: «هَذَا مِكْرَزٌ وَهُوَ رَجُلٌ فَاجِرٌ»، فَجَعَلَ يُكَلِّمُ النَّبِيَّ ﷺ فَيَنْمُو هُوَ يُكَلِّمُهُ إِذْ جَاءَ سُهَيْلُ بْنُ عَمْرٍو، قَالَ مَعْمَرٌ: فَأَخْبَرَنِي أَيُّوبُ، عَنْ عِكْرِمَةَ: أَنَّهُ لَمَّا جَاءَ سُهَيْلُ بْنُ عَمْرٍو قَالَ النَّبِيُّ ﷺ: «قَدْ سَهَّلَ لَكُمْ مِنْ أَمْرِكُمْ». قَالَ مَعْمَرٌ: قَالَ الرَّهْرِيُّ فِي حَدِيثِهِ: فَجَاءَ سُهَيْلُ بْنُ عَمْرٍو فَقَالَ: هَاتِ اكِتُبْ بَيْنَنَا وَبَيْنَكُمْ كِتَابًا، فَدَعَا النَّبِيُّ ﷺ الْكَاتِبَ فَقَالَ النَّبِيُّ ﷺ اكِتُبْ: «بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ»: فَقَالَ سُهَيْلٌ: أَمَّا الرَّحْمَنُ فَوَاللَّهِ مَا أَذْرِي مَا هِيَ، وَلَكِنْ اكِتُبْ: بِاسْمِكَ اللَّهُمَّ، كَمَا كُنْتُ تَكْتُبُ. فَقَالَ الْمُسْلِمُونَ: وَاللَّهِ لَا نَكْتُبُهَا إِلَّا بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ. فَقَالَ النَّبِيُّ ﷺ: «اكِتُبْ بِاسْمِكَ اللَّهُمَّ». ثُمَّ قَالَ: «هَذَا مَا قَاضَى عَلَيْهِ مُحَمَّدٌ رَسُولُ اللَّهِ»، فَقَالَ سُهَيْلٌ: وَاللَّهِ لَوْ كُنَّا نَعْلَمُ أَنَّكَ رَسُولُ

anything of it. (As it was taken through treason).” ‘Urwa then started looking at the companions of the Prophet ﷺ. By Allāh, whenever Allāh’s Messenger ﷺ spitted, the spittle would fall in the hand of one of them (i.e., the Prophet’s companions) who would rub it on his face and skin; if he ordered them they would carry his orders immediately; if he performed ablution, they would struggle to take the remaining water; and when they spoke to him, they would lower their voices and would not look at his face constantly out of respect. ‘Urwa returned to his people and said, “O people! By Allāh, I have been to the kings and to Caesar, Khosrau and An-Najāshi, yet I have never seen any of them respected by his courtiers as much as Muḥammad (ﷺ) is respected by his companions. By Allāh, if he spitted, the spittle would fall in the hand of one of them (i.e., the Prophet’s companions) who would rub it on his face and skin; if he ordered them, they would carry out his order immediately; if he performed ablution, they would struggle to take the remaining water; and when they spoke, they would lower their voices and would not look at his face constantly out of respect.” ‘Urwa added, “No doubt, he has presented to you a good reasonable offer, so please accept it.” A man from the tribe of Banī Kināna said, “Allow me to go to him,” and they allowed him, and when he approached the Prophet ﷺ and his companions, Allāh’s Messenger ﷺ said, “He is so-and-so who belongs to the tribe that respects the *Budn* (i.e., camels of the sacrifice). So, bring the *Budn* in front of him.” So, the *Budn* were brought before him and the people received him while they were reciting *Talbīya*. When he saw that scene, he said, “Glorified be Allāh! It is not fair to prevent these people from visiting the

أموالهم ثم جاء فأسلم. فقال النبي ﷺ: «أما الإسلام فأقبل، وأما المال فلست منه في شيء». ثم إن عروة جعل يرمق أصحاب النبي ﷺ بعينيه، قال: فوالله ما تتخّم رسول الله ﷺ نخامةً إلا وقعت في كف رجل منهم فذلك بها وجهه وجلده. وإذا أمرهم ابترروا أمره. وإذا توصّأ كأدوا يقتتلون على وضوئه. وإذا تكلموا خفّضوا أصواتهم عنده، وما يحدثون إليه النظر تعظيماً له. فرجع عروة إلى أصحابه فقال: أي قوم، والله لقد وفدت على الملوك ووفدت على قيصر وكسرى والنجاشي. والله إن رأيت ملكاً قط يعظّمه أصحابه ما يعظّم أصحاب محمد ﷺ محمداً. والله إن يتخّم نخامةً إلا وقعت في كف رجل منهم فذلك بها وجهه وجلده. وإذا أمرهم ابترروا أمره، وإذا توصّأ كأدوا يقتتلون على وضوئه، وإذا تكلموا خفّضوا أصواتهم عنده، وما يحدثون إليه تعظيماً له. وإنه قد عرض عليكم حطة رشيد فأقبلوها، فقال رجل من بني كنانة: دعوني آتيه، فقالوا: آتیه. فلما أشرف على النبي ﷺ وأصحابه قال رسول الله ﷺ: «هذا فلان وهو من قوم يعظّمون البدن فابعثوها له»،

proposal, you'd better accept it and allow me to meet him." They said, "You may meet him." So, he went to the Prophet ﷺ and started talking to him. The Prophet ﷺ told him almost the same as he had told Budail. Then 'Urwa said, "O Muḥammad! Won't you feel any scruple in extirpating your relations? Have you ever heard of anyone amongst the Arabs extirpating his relatives before you? On the other hand, if the reverse should happen, (nobody will aid you, for) by Allāh, I do not see (with you) dignified people, but people from various tribes who would run away leaving you alone." Hearing that, Abū Bakr abused him and said, "Do you say we would run and leave the Prophet ﷺ alone?" 'Urwa said, "Who is that man?" They said, "He is Abū Bakr." 'Urwa said to Abū Bakr, "By Him in Whose Hands my soul is, were it not for the favour which you did to me and which I did not compensate, I would retort on you." 'Urwa kept on talking to the Prophet ﷺ and seizing the Prophet's beard as he was talking while Al-Mughīra bin Shu'ba was standing near the head of the Prophet ﷺ, holding a sword and wearing a helmet. Whenever 'Urwa stretched his hand towards the beard of the Prophet ﷺ, Al-Mughīra would hit his hand with the handle of the sword and say (to 'Urwa), "Remove your hand from the beard of Allāh's Messenger ﷺ." 'Urwa raised his head and asked, "Who is that?" The people said, "He is Al-Mughīra bin Shu'ba." 'Urwa said, "O treacherous! Am I not doing my best to prevent evil consequences of your treachery?" Before embracing Islām Al-Mughīra was in the company of some people. He killed them and took their property and came (to Al-Madīna) to embrace Islām. The Prophet ﷺ said (to him), "As regards your Islām, I accept it, but as for the property I do not take

وَوَلَدِي وَمَنْ أَطَاعَنِي؟ قَالُوا: بلى، قَالَ: فَإِنَّ هَذَا قَدْ عَرَضَ لَكُمْ حُطَّةَ رُشْدٍ، أَقْبَلُوهَا وَدَعُونِي آتِيهِ. قَالُوا: آتِيهِ، فَأَتَاهُ فَجَعَلَ يُكَلِّمُ النَّبِيَّ ﷺ فَقَالَ النَّبِيُّ ﷺ نَحْوًا مِنْ قَوْلِهِ لِبُدَيْلٍ. فَقَالَ عُرْوَةُ عِنْدَ ذَلِكَ: أَيُّ مُحَمَّدٌ، أَرَأَيْتَ إِنْ اسْتَأْصَلْتَ أُمَّرَ قَوْمِكَ، هَلْ سَمِعْتَ بِأَحَدٍ مِنَ الْعَرَبِ اجْتَاكَ أَهْلَهُ قَبْلَكَ؟ وَإِنْ تَكُنْ الْأُخْرَى، فَإِنِّي وَاللَّهِ لَا أَرَى وَجُوهًا، وَإِنِّي لَأَرَى أَشْوَابًا مِنَ النَّاسِ خَلِيقًا أَنْ يَقْرُؤُوا وَيَدْعُوكَ. فَقَالَ لَهُ أَبُو بَكْرٍ رَضِيَ اللَّهُ عَنْهُ: امْصُصْ بَطْرَ اللَّاتِ، أَنْحُنُ نَفْرَ عَنْهُ وَنَدْعُهُ؟ فَقَالَ: مَنْ ذَا؟ قَالُوا: أَبُو بَكْرٍ، قَالَ: أَمَا وَالَّذِي نَفْسِي بِيَدِهِ لَوْلَا يَدٌ كَانَتْ لَكَ عِنْدِي لَمْ أَجْزِكَ بِهَا لِأَجْبُتْكَ. قَالَ: وَجَعَلَ يُكَلِّمُ النَّبِيَّ ﷺ فَكُلَّمَا تَكَلَّمَ كَلِمَةً أَخَذَ بِلِحْيَتِهِ وَالْمُعِيرَةُ بِنُ شُعْبَةَ قَائِمٌ عَلَى رَأْسِ النَّبِيِّ ﷺ وَمَعَهُ السِّيفُ وَعَلَيْهِ الْمِعْفَرُ. فَكُلَّمَا أَهْوَى عُرْوَةُ بِيَدِهِ إِلَى لِحْيَةِ النَّبِيِّ ﷺ ضَرَبَ يَدَهُ بِنَعْلِ السِّيفِ وَقَالَ لَهُ: أَخْرَجْ يَدَكَ عَنْ لِحْيَةِ رَسُولِ اللَّهِ ﷺ، فَرَفَعَ عُرْوَةُ رَأْسَهُ فَقَالَ: مَنْ هَذَا؟ قَالَ: الْمُعِيرَةُ بِنُ شُعْبَةَ، فَقَالَ: أَيُّ عُدْرٍ، أَلَسْتُ أَسْعَى فِي عُدْرَتِكَ؟ وَكَانَ الْمُعِيرَةُ صَحْبًا قَوْمًا فِي الْجَاهِلِيَّةِ فَقَتَلَهُمْ وَأَخَذَ