

(4) CHAPTER. Whoever said that the *Muḥṣar* is not supposed to perform ‘*Umra* or *Hajj* in lieu of the prevented one.

Ibn ‘Abbās رَضِيَ اللهُ عَنْهُمَا said, “The performing of *Hajj* is only obligatory in lieu of that *Hajj* which is abandoned because of personal pleasure (having sexual intercourse with his wife), and not for that which is abandoned because some genuine excuse or a similar thing (e.g., disease or lack of money), then he should finish his *Ihrām* and there is no need for him to make up for it. And if he has a *Hady* with him and is prevented from performing *Hajj*, and he is unable to send it to its place of slaughtering, then he should slaughter it. But if he can send it, then he should not finish his *Ihrām* till the *Hady* has reached its place (i.e., has been slaughtered).” Mālik and others said, “He should slaughter his *Hady* and have his head shaved wherever he is and does not have to make up for it, because the Prophet ﷺ and his companions slaughtered the sacrifice and had their heads shaved in Al-Ḥudaibīya and finished their *Ihrām* before performing the *Tawāf* and before the *Hady* reached the Ka’bah. It is not mentioned that the Prophet ﷺ ordered anybody to make up for any of the missed ceremonies or to repeat anything. And Al-Ḥudaibīya is outside the boundaries of the sanctuary of Makkah.”

1813. Narrated Nāfi’: When ‘Abdullāh bin ‘Umar رَضِيَ اللهُ عَنْهُمَا set out for Makkah with the intention of performing ‘*Umra* in the period of *Al-Fitnah* (trial and affliction), he said, “If I should be prevented from reaching the Ka’bah, then I would do the same as we did while in the company of Allāh’s Messenger ﷺ.” So, he assumed the *Ihrām* for ‘*Umra* since the Prophet ﷺ had assumed the *Ihrām* for ‘*Umra* in the year of *Al-Ḥudaibīya*. Then ‘Abdullāh bin ‘Umar

(٤) بَابٌ مِّنْ قَالَ: لَيْسَ عَلَى الْمُحْصَرِّ بَدَلٌ

وَقَالَ رَوْحٌ، عَنِ شَيْبَلٍ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنِ مُجَاهِدٍ، عَنِ ابْنِ عَبَّاسٍ رَضِيَ اللهُ عَنْهُمَا: إِنَّمَا الْبَدَلُ عَلَى مَنْ تَقَضَّ حَجَّهُ بِالتَّلْذُّذِ. فَأَمَّا مَنْ حَبَسَهُ عَذْرٌ أَوْ غَيْرُ ذَلِكَ فَإِنَّهُ يَجِلُّ وَلَا يَرْجِعُ. وَإِذَا كَانَ مَعَهُ هَدْيٌ وَهُوَ مُحْصَرٌ نَحَرَهُ إِنْ كَانَ لَا يَسْتَطِيعُ أَنْ يَبْعَثَ وَإِنْ اسْتَطَاعَ أَنْ يَبْعَثَ بِهِ لَمْ يَجِلَّ حَتَّى يَبْلُغَ الْهَدْيُ مَجَلَّهُ. وَقَالَ مَالِكٌ وَغَيْرُهُ: يَنْحَرُ هَدْيَهُ وَيَحْلِقُ فِي أَيِّ مَوْضِعٍ كَانَ وَلَا قَضَاءَ عَلَيْهِ لِأَنَّ النَّبِيَّ ﷺ وَأَصْحَابَهُ بِالْحُدَيْبِيَّةِ نَحَرُوا وَحَلَقُوا وَحَلُّوا مِنْ كُلِّ شَيْءٍ قَبْلَ الطَّوَافِ وَقَبْلَ أَنْ يَصِلَ الْهَدْيُ إِلَى الْبَيْتِ. ثُمَّ لَمْ يَذْكَرْ أَنَّ النَّبِيَّ ﷺ أَمَرَ أَحَدًا أَنْ يَقْضُوا شَيْئًا وَلَا يَعُودُوا لَهُ. وَالْحُدَيْبِيَّةُ خَارِجٌ مِنَ الْحَرَمِ.

١٨١٣ - حَدَّثَنَا إِسْمَاعِيلُ:

حَدَّثَنِي مَالِكٌ، عَنِ نَافِعٍ: أَنَّ عَبْدَ اللَّهِ بْنَ عُمَرَ رَضِيَ اللهُ عَنْهُمَا قَالَ حِينَ خَرَجَ إِلَى مَكَّةَ مُعْتَمِرًا فِي الْفِتْنَةِ: إِنْ صَدِدْتُ عَنِ الْبَيْتِ صَنَعْنَا كَمَا صَنَعْنَا مَعَ رَسُولِ اللَّهِ ﷺ. فَأَهْلًا بِعُمْرَةٍ مِنْ أَجْلِ أَنَّ النَّبِيَّ ﷺ كَانَ أَهْلًا بِعُمْرَةٍ

thought about it and said, "The conditions for both *Hajj* and '*Umra* are similar." He then turned towards his companions and said, "The conditions of both *Hajj* and '*Umra* are similar and I make you witness that I have made the performance of *Hajj* obligatory for myself along with '*Umra*." He then performed one *Tawāf* [*Ṣā'y* (going) between *Aṣ-Ṣafā* and *Al-Marwa*] for both of them (i.e., *Hajj* and '*Umra*) and considered that to be sufficient for him and offered a *Hady*.

(5) CHAPTER. The Statement of Allāh تعالى: "...And whosoever of you is ill or has an ailment in his scalp, (necessitating shaving), he must pay a *Fidya* (ransom), of either observing *Ṣaum* (fasts) (three days), or giving *Ṣadaqa* (charity - feeding six poor persons), or offer sacrifice (one sheep)..." (V.2:196)

He has the option. As for fasting, it should be for three days.

1814. Narrated 'Abdur-Rahmān bin Abū Lailā: Ka'b bin 'Ujra رَضِيَ اللهُ عَنْهُ said that Allāh's Messenger ﷺ said to him (Ka'b), "Perhaps your lice have troubled you?" Ka'b replied, "Yes! O Allāh's Messenger." Allāh's Messenger ﷺ said, "Have your head shaved and then either fast three days, or feed six poor persons or slaughter one sheep as a sacrifice."

عَامَ الْحُدَيْبِيَّةِ. ثُمَّ إِنَّ عَبْدَ اللَّهِ بْنَ عَمَرَ نَظَرَ فِي أَمْرِهِ فَقَالَ: مَا أَمْرَهُمَا إِلَّا وَاحِدٌ. فَالْتَمَتَ إِلَى أَصْحَابِهِ فَقَالَ: مَا أَمْرَهُمَا إِلَّا وَاحِدٌ، أَشْهَدُكُمْ أَنِّي قَدْ أَوْجَبْتُ الْحَجَّ مَعَ الْعُمْرَةِ. ثُمَّ طَافَ لَهُمَا طَوَافًا وَاحِدًا وَرَأَى أَنَّ ذَلِكَ مُجْزِيٌّ عَنْهُ وَأَهْدَى. [راجع: ١٦٣٩]

(٥) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أذى مِّن رَّأْسِهِ فَعَدِيَةٌ مِنْ صِيَابٍ أَوْ صَدَقَةٍ أَوْ نُسُكٍ﴾ [البقرة: ١٩٦] وَهُوَ مُخَيَّرٌ، فَأَمَّا الصَّوْمُ فَثَلَاثَةَ أَيَّامٍ

١٨١٤ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ حُمَيْدِ بْنِ قَيْسٍ، عَنْ مُجَاهِدٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، عَنْ كَعْبِ بْنِ عُجْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ أَنَّهُ قَالَ: «لَعَلَّكَ إِذَاكَ هَوَامُكَ؟». قَالَ: نَعَمْ يَا رَسُولَ اللَّهِ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «اخْلِقْ رَأْسَكَ وَصُمْ ثَلَاثَةَ أَيَّامٍ، أَوْ أَطْعِمِ سِتَّةَ مَسَاكِينَ، أَوْ انْسُكْ بَشَاةً». [انظر: ١٨١٥، ١٨١٦، ١٨١٧، ١٨١٨، ٤١٥٩، ٤١٩٠، ٤١٩١، ٤٥١٧]

٥٦٦٥، ٥٧٠٣، ٦٧٠٨

(6) CHAPTER. The Saying of Allāh تعالى: "... Or giving *Ṣadaqa*..." (V.2:196)

(٦) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿أَوْ

Here *Ṣadaqa* is in the form of feeding six poor persons.

1815. Narrated Ka'b bin 'Ujra رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ stood beside me at Al-Ḥudaibiya and the lice were falling from my head in great number. He asked me, "Have your lice troubled you?" I replied in the affirmative. He ordered me to get my head shaved. Ka'b added, "This Verse: '...And whosoever of you is ill, or has ailment in his scalp...' (V.2:196) was revealed regarding me." The Prophet ﷺ then ordered me either to observe *Ṣaum* (fast) for three days, or to feed six poor persons with one *Faraq* (three *Ṣā'*) (of dates), or to slaughter a sheep, (as sacrifice) whatever was available."

(7) CHAPTER. The *Fidya* (compensation for a missed or wrongly practised religious ceremony) in the form of feeding (six persons) each with one-half a *Ṣā'* (of food).

1816. Narrated 'Abdullāh bin Ma'qal: I sat with Ka'b bin 'Ujra رَضِيَ اللهُ عَنْهُ and asked him about the *Fidya*. He replied, "This revelation was revealed concerning my case especially, but it is also for you in general. I was brought before Allāh's Messenger ﷺ and the lice were falling in great numbers on my face. The Prophet ﷺ said, "I have never thought that your ailment (or struggle) has reached to such an extent as I see. Can you afford a sheep?" I replied in the negative. He then said, "Observe *Ṣaum* (fasts) for three days, or feed six poor persons each with one-half a *Ṣā'* of food (1 *Ṣā'* = 3 kilograms approx.) [and get your head shaved]"

صَدَقَةٌ ﴿البقرة: ١٩٦﴾ وهي: إطعام سِتَّةَ مَسَاكِينَ

١٨١٥ - حَدَّثَنَا أَبُو نُعَيْمٍ: حَدَّثَنَا سَيْفٌ قَالَ: حَدَّثَنِي مُجَاهِدٌ قَالَ: سَمِعْتُ عَبْدَ الرَّحْمَنِ بْنَ أَبِي لَيْلَى أَنَّ كَعْبَ بْنَ عُجْرَةَ حَدَّثَهُ قَالَ: وَقَفَ عَلَيَّ رَسُولُ اللَّهِ ﷺ بِالْحَدَيْبِيَّةِ وَرَأْسِي يَتَهافتُ قَملاً فَقَالَ: «يُؤذِيكَ هَوَامُّكَ؟» قُلْتُ: نَعَمْ، قَالَ: «فاحْلِقْ رَأْسَكَ»، أَوْ: «احْلِقْ»، قَالَ: فِيَّ نَزَلَتْ هَذِهِ الْآيَةُ: ﴿فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ بِهِ أذى مِنَ رَأْسِهِ﴾ [البقرة: ١٩٦] إِلَى آخِرِهَا فَقَالَ النَّبِيُّ ﷺ: «صُمْ ثَلَاثَةَ أَيَّامٍ، أَوْ تَصَدَّقْ بِفَرَقٍ بَيْنَ سِتَّةِ، أَوْ نُسْكَ وَمَا تَيْسَّرَ». [راجع: ١٨١٤]

(٧) بَابُ: الإِطْعَامُ فِي الْفِدْيَةِ نِصْفُ صَاعٍ

١٨١٦ - حَدَّثَنَا أَبُو الْوَلِيدِ: حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْأَصْبَهَانِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ مَعْقِلٍ قَالَ: جَلَسْتُ إِلَى كَعْبِ بْنِ عُجْرَةَ رَضِيَ اللهُ عَنْهُ فَسَأَلْتُهُ عَنِ الْفِدْيَةِ، فَقَالَ: نَزَلَتْ فِيَّ خَاصَّةً وَهِيَ لَكُمْ عَامَّةٌ. حُمِلْتُ إِلَى رَسُولِ اللَّهِ ﷺ وَالْقَمْلُ يَتَنَاطَرُ عَلَيَّ وَجْهِي فَقَالَ: «مَا كُنْتُ أَرَى الْوَجَعَ بَلَغَ بِكَ مَا أَرَى، أَوْ: مَا كُنْتُ أَرَى الْجَهْدَ بَلَغَ بِكَ مَا

أَرَى، تَجِدُ شَاةً؟» فَقُلْتُ: لَا، قَالَ:
«فَضُمُّ ثَلَاثَةَ أَيَّامٍ، أَوْ أَطْعِمُ سِتَّةَ
مَسَاكِينٍ لِكُلِّ مَسْكِينٍ يَضْفُ صَاعٍ».
[راجع: ١٨١٤]

(٨) بَابُ: الشُّكُّ شَاةً

(8) CHAPTER. The *Nusuk* (offering) is one sheep.

1817. Narrated 'Abdur-Raḥmān bin Abū Lailā reporting the speech of Ka'b bin 'Ujra Ḍarī Allāh's Messenger ﷺ saw him (i.e., Ka'b) while the lice were falling on his face. He asked (him), "Have your lice troubled you?" He replied in the affirmative. So, he ﷺ ordered him to get his head shaved while he was at Al-Ḥudaibiya. At that time they were not permitted to finish their *Ihrām*, and were still hoping to enter Makkah.⁽¹⁾ So, Allāh revealed the Verses of *Al-Fidya*. Allāh's Messenger ﷺ ordered him to feed six poor persons with one *Faraq* of food or to slaughter one sheep (as a sacrifice) or to observe *Ṣaum* (fast) for three days.

١٨١٧ - حَدَّثَنَا إِسْحَاقُ: حَدَّثَنَا
رَوْحٌ: حَدَّثَنَا شَيْبُلٌ: عَنِ ابْنِ أَبِي
نَجِيحٍ، عَنِ مُجَاهِدٍ قَالَ: حَدَّثَنِي عَبْدُ
الرَّحْمَنِ ابْنُ أَبِي لَيْلَى، عَنِ كَعْبِ بْنِ
عُجْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ
ﷺ رَأَاهُ وَأَنَّهُ يَسْقُطُ عَلَى وَجْهِهِ فَقَالَ:
«أَلَيْؤُذِيكَ هَوَامُّكَ؟» قَالَ: نَعَمْ، فَأَمَرَهُ
أَنْ يَحْلِقَ وَهُوَ بِالْحُدَيْبِيَّةِ، وَلَمْ يَبَيِّنْ
لَهُمْ أَنَّهُمْ يَحْلِقُونَ بِهَا وَهُمْ عَلَى طَمَعٍ
أَنْ يَدْخُلُوا مَكَّةَ فَأَنْزَلَ اللَّهُ الْفُدْيَةَ
فَأَمَرَهُ رَسُولُ اللَّهِ ﷺ أَنْ يُطْعِمَ فَرَقًا
بَيْنَ سِتَّةٍ أَوْ يُهْدِيَ شَاةً أَوْ يَصُومَ ثَلَاثَةَ
أَيَّامٍ. [راجع: ١٨١٤]

1818. Narrated Ka'b bin 'Ujra Ḍarī Allāh's Messenger ﷺ saw him (i.e. Ka'b) while the lice were falling on his face.

١٨١٨ - وَعَنْ مُحَمَّدِ بْنِ
يُوسُفَ: حَدَّثَنَا وَرْقَاءُ، عَنِ ابْنِ أَبِي
نَجِيحٍ عَنِ مُجَاهِدٍ: قَالَ حَدَّثَنِي عَبْدُ
الرَّحْمَنِ بْنُ أَبِي لَيْلَى، عَنِ كَعْبِ بْنِ
عُجْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ
ﷺ رَأَاهُ وَقَمَلُهُ يَسْقُطُ عَلَى وَجْهِهِ،
مِثْلَهُ. [راجع: ١٨١٤]

(1) (H.1817) Ka'b was permitted to finish his *Ihrām* because of ailment in his head and had to pay *Fidya*, although later on, all his Companions finished *Ihrām* because they were prevented from reaching the Ka'bah.

(9) CHAPTER. The Statement of Allāh تعالى: "...Then he should not have sexual relations (with his wife) ..." (V.2:197)

1819. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "Whoever performs *Hajj* to this House (Ka'bah) and does not approach his wife for sexual relations nor commits sins (while performing *Hajj*), he will come out as sinless as a newborn child (just delivered by his mother)."

(10) CHAPTER. The Statement of Allāh تعالى: "...nor commit sin nor dispute unjustly during *Hajj*..." (V.2:197)

1820. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "Whoever performs *Hajj* to this House (Ka'bah) and does not approach his wife for sexual relations nor commit sins (while performing *Hajj*), he will come out as sinless as a newborn child (just delivered by his mother)."

(٩) بَابُ قَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿وَلَا رَفَثٌ﴾ [البقرة: ١٩٧].

١٨١٩ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا شُعْبَةُ، عَنْ مَنْصُورٍ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «مَنْ حَجَّ هَذَا الْبَيْتَ فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ رَجَعَ كَمَا وَلَدَتْهُ أُمُّهُ».

[راجع: ١٥٢١]

(١٠) بَابُ قَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿وَلَا فُسُوقٌ وَلَا جِدَالَ فِي الْحَجِّ﴾ [البقرة: ١٩٧].

١٨٢٠ - حَدَّثَنَا مُحَمَّدُ بْنُ يُونُسَ: حَدَّثَنَا سُفْيَانُ، عَنْ مَنْصُورٍ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ: قَالَ النَّبِيُّ ﷺ: «مَنْ حَجَّ هَذَا الْبَيْتَ فَلَمْ يَرْفُثْ وَلَمْ يَفْسُقْ رَجَعَ كَيَوْمَ وَلَدَتْهُ أُمُّهُ».

[راجع: ١٥٢١]

28 - THE BOOK OF PENALTY FOR
HUNTING [(BY A MUHRIM)
AND SIMILAR THINGS].

٢٨ - كتاب جزاء الصيد

(1) CHAPTER. The penalty for hunting (by a *Muḥrim*) and similar things. And the Statement of Allāh تعالى:

“...Kill not game while you are in the state of *Iḥrām* for *Hajj* or *Umra* (pilgrimage), and whosoever of you kills it intentionally, the penalty is an offering, brought to the *Ka’bah*, of an eatable animal (i.e., sheep, goat, cow, etc.) brought to the *Ka’bah*, equivalent to the one he killed... to the end of the Verse... And fear Allāh to Whom you shall be gathered back.” (V.5:95-96)

(2) CHAPTER. If a non-*Muḥrim* hunts (an animal) and gives it as a present to a *Muḥrim*, (it is permissible for) the latter to eat it.

Ibn ‘Abbās and Anas considered that there was no harm for a *Muḥrim* to slaughter animals which were not game, like camels, sheep, cows, hens, or horses.

1821. Narrated ‘Abdullāh bin Abū Qatāda: My father set out (for Makkah) in the year of Al-Ḥudaibiya, and his companions assumed *Iḥrām*, but he did not. At that time the Prophet ﷺ was informed that an enemy wanted to attack him, so the Prophet ﷺ proceeded onwards. While my father was among his companions, some of them laughed among themselves. (My father said), “I looked up and saw an onager⁽¹⁾. I attacked, stabbed and caught it.

(١) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿لَا تَقْتُلُوا الصَّيْدَ وَأَنْتُمْ حُرْمٌ وَمَنْ قَتَلَهُ مِنْكُمْ مُتَعَمِّدًا فَجَزَاءٌ مِثْلُ مَا قَتَلَ مِنَ النَّعَمِ﴾ إِلَى قَوْلِهِ ﴿وَأَتَّقُوا اللَّهَ الَّذِي تَخْشَوْنَ﴾ [المائدة: ٩٥-٩٦].

(٢) بَابٌ: إِذَا صَادَ الْحَلَالُ فَأَهْدَى لِلْمُحْرِمِ الصَّيْدَ أَكَلَهُ
وَلَمْ يَرَ ابْنَ عَبَّاسٍ وَأَنْسَ بِالذَّبْحِ
بِأَسَا وَهُوَ فِي غَيْرِ الصَّيْدِ نَحْوَ الْإِبِلِ
وَالْعَنَمِ وَالْبَقَرِ وَالذَّجَاجِ وَالْحَيْلِ،
يُقَالُ: عَدَلُ مِثْلُ، فَإِذَا كُسِرَتْ «عِدْلٌ»
فَهُوَ زِنَةٌ ذَلِكَ. ﴿فَيْنَمَا﴾ [المائدة:
٩٧]: قَوْمًا، ﴿يَعْدِلُونَ﴾ [الأنعام: ١]:
يَجْعَلُونَ لَهُ عَدْلًا.

١٨٢١ - حَدَّثَنَا مُعَاذُ بْنُ فَصَالَةَ:
حَدَّثَنَا هِشَامٌ، عَنْ يَحْيَى، عَنْ عَبْدِ
اللَّهِ بْنِ أَبِي قَتَادَةَ، قَالَ: انْطَلَقَ أَبِي
عَامَ الْحُدَيْبِيَّةِ فَأَحْرَمَ أَصْحَابُهُ وَلَمْ
يُحْرِمْ، وَحَدَّثَ النَّبِيُّ ﷺ أَنْ عَدَوْا
يَعْرُوهُ بِعَيْفَةٍ فَاَنْطَلَقَ النَّبِيُّ ﷺ فَبَيْنَا
أَبِي مَعَ أَصْحَابِهِ يَضْحَكُ بَعْضُهُمْ إِلَى

(1) (H.1821) They were laughing because they saw an onager and could not hunt it=

I then sought my companions' help but they refused to help me. (Later) we all ate its meat. We were afraid that we might be left behind (separated) from the Prophet ﷺ. So, I went in search of the Prophet ﷺ and made my horse to run at a galloping speed at times and let it go slow at an ordinary speed at other times till I met a man from the tribe of Banī Ghifār at midnight. I asked him, "Where did you leave the Prophet ﷺ?" He replied, "I left him at Ta'hun and he had the intention of having the midday rest at As-Suqyā. I followed the traces and joined the Prophet ﷺ and said, 'O Allāh's Messenger! Your people (Companions) send you their compliments, and (ask for) Allāh's Blessings upon you. They are afraid lest they may be left behind; so please wait for them.' I added, 'O Allāh's Messenger I hunted an onager and some of its meat is with me.'⁽¹⁾ The Prophet ﷺ told the people to eat it, though all of them were in the state of *Ihrām*."

(3) CHAPTER. If the *Muḥrimūn* saw game and then laughed and a non-*Muḥrim* understood (why they laughed) (then their laughing is not to be considered as an intentional sign to draw the non-*Muḥrim*'s attention. Therefore they are allowed to eat the game).

1822. Narrated 'Abdullāh bin Abū Qatāda that his father said, "We proceeded with the Prophet ﷺ in the year of *Al-Hudaibīya* and his companions assumed *Ihrām* but I did not.

بَعْضُ، فَظَنَرْتُ فَإِذَا أَنَا بِحِمَارٍ وَحَشٍ
فَحَمَلْتُ عَلَيْهِ فَطَعْتُهُ فَأَثْبَتُهُ وَاسْتَعْنَتُ
بِهِمْ فَأَبَوْا أَنْ يُعِينُونِي، فَأَكَلْنَا مِنْ
لَحْمِهِ وَحَشِينَا أَنْ نُقْتَطَعَ فَطَلَبْتُ النَّبِيَّ
ﷺ أَرْزَعُ فَرَسِي شَاوَأَ وَأَسِيرُ شَاوَأَ،
فَلَقَيْتُ رَجُلًا مِنْ بَنِي غِفَارٍ فِي جَوْفِ
الَّيْلِ، قُلْتُ: أَيْنَ تَرَكْتَ النَّبِيَّ ﷺ؟
قَالَ: تَرَكْتُهُ بِتَعْمِينَ، وَهُوَ قَائِلٌ
السُّمَيَّا. قُلْتُ: يَا رَسُولَ اللَّهِ، إِنَّ
أَهْلَكَ يَقْرُونَ عَلَيْكَ السَّلَامَ وَرَحْمَةَ
اللَّهِ، إِنَّهُمْ قَدْ خَشُوا أَنْ يُقْتَطَعُوا
دُونَكَ فَانْتَظِرْهُمْ. قُلْتُ: يَا رَسُولَ
اللَّهِ، أَصَبْتُ حِمَارًا وَحَشًا وَعِنْدِي مِنْهُ
فَاصِلَةٌ، فَقَالَ لِلْقَوْمِ: «كُلُوا»، وَهُمْ
مُحْرِمُونَ. [انظر: ١٨٢٢، ١٨٢٣،
١٨٢٤، ٢٥٧٠، ٢٨٥٤، ٢٩١٤، ٤١٤٩،

[٥٤٩٢، ٥٤٩١، ٥٤٩٠، ٥٤٠٧، ٥٤٠٦

(٣) بَابٌ: إِذَا رَأَى الْمُحْرِمُونَ صَيْدًا
فَضَحِكُوا فَفِطَنَ الْحَلَالَ

١٨٢٢ - حَدَّثَنَا سَعِيدُ بْنُ الرَّبِيعِ:
حَدَّثَنَا عَلِيُّ بْنُ الْمُبَارَكِ، عَنْ يَحْيَى،
عَنْ عَبْدِ اللَّهِ بْنِ أَبِي قَتَادَةَ: أَنَّ أَبَاهُ

=because they were in a state of *Ihrām*; neither were they allowed to draw the attention of Abū Qatāda who was not a *Muḥrim* then.

(1) (H.1821) Perhaps Abū Qatāda hurried to reach the Prophet ﷺ so that he might ask him whether it was legal for the *Muḥrimūn*s to eat from that game, since some of his companions had refused to eat.

We were informed that some enemies were at Ghaiqa and so we went on towards them. My companions saw an onager and some of them started laughing among themselves. I looked and saw it. I chased it on my horse and stabbed and caught it. I wanted some help from my companions but they refused. (I slaughtered it all alone). We all ate from it (i.e., its meat). Then I followed Allāh's Messenger ﷺ lest we should be left behind. At times I urged my horse to run at a galloping speed and at other times at an ordinary slow speed. On the way I met a man from the tribe of Banī Ghifār at midnight. I asked him where he had left Allāh's Messenger ﷺ. The man replied that he had left the Prophet ﷺ at a place called Ta'hun and he had the intention of having the midday rest at As-Suqyā. So, I followed Allāh's Messenger ﷺ till I reached him and said, "O Allāh's Messenger I have been sent by my companions who send you their greetings and compliments and ask for Allāh's Mercy and Blessings upon you. They were afraid lest the enemy might intervene between you and them; so please wait for them." So he did. Then I said, "O Allāh's Messenger! We have hunted an onager and have some of it (i.e., its meat) left over." Allāh's Messenger ﷺ told his companions to eat the meat, although all of them were in a state of *Ihrām*.

(4) CHAPTER. A *Muḥrim* should not help a non-*Muḥrim* in the hunting of a game.

1823. Narrated Abū Qatāda رضي الله عنه: We were in the company of the Prophet ﷺ at a place called Al-Qāḥa (which is at a distance of three stages of journey from Al-Madina). Abū Qatāda رضي الله عنه narrated through another group of narrators: We were in the

حَدَّثَنَا قَالَ: انْطَلَقْنَا مَعَ النَّبِيِّ ﷺ عَامَ الْحُدَيْبِيَّةِ فَأَحْرَمَ أَصْحَابُهُ وَلَمْ أَحْرَمِ، فَأَنْبَسْنَا بَعْدَهُ بِعَيْقَةٍ فَتَوَجَّهْنَا نَحْوَهُمْ، فَبَصُرَ أَصْحَابِي بِحِمَارٍ وَحَشٍ فَجَعَلَ بَعْضُهُمْ يَضْحَكُ إِلَى بَعْضٍ. فَنَظَرْتُ فَرَأَيْتُهُ فَحَمَلْتُ عَلَيْهِ الْفَرَسَ فَطَعَنَتْهُ فَأَثْبَتَهُ، فَاسْتَعْتَبْتُهُمْ فَأَبَوْا أَنْ يُعِينُونِي. فَأَكَلْنَا مِنْهُ، ثُمَّ لِحِفْتُ بِرَسُولِ اللَّهِ ﷺ وَحَشِينَا أَنْ نَقْتَطِعَ أَرْفَعُ فَرَسِي شَاوَأَ وَأَسِيرُ عَلَيْهِ شَاوَأَ، فَلَقَيْتُ رَجُلًا مِنْ بَنِي غِفَارٍ فِي جَوْفِ اللَّيْلِ فَقُلْتُ: أَيْنَ تَرَكْتَ رَسُولَ اللَّهِ ﷺ فَقَالَ: تَرَكْتُهُ يَتَعَهَّنَ وَهُوَ قَائِلُ السُّقْيَا. فَلِحِفْتُ بِرَسُولِ اللَّهِ ﷺ حَتَّى أَتَيْتُهُ. فَقُلْتُ: يَا رَسُولَ اللَّهِ، إِنَّ أَصْحَابَكَ أَرْسَلُوا يَقْرُونَ عَلَيْكَ السَّلَامَ وَرَحْمَةَ اللَّهِ، وَإِنَّهُمْ قَدْ خَشَوْا أَنْ يَقْطِعَهُمُ الْعَدُوُّ دُونَكَ فَاَنْظُرْهُمْ فَفَعَلْ. فَقُلْتُ: يَا رَسُولَ اللَّهِ، إِنَّا أَصَدْنَا حِمَارًا وَحَشٍ وَإِنَّ عِنْدَنَا مِنْهُ فَاضِلَةٌ فَقَالَ رَسُولُ اللَّهِ ﷺ لِأَصْحَابِهِ: «كُلُوا»، وَهُمْ مُحْرِمُونَ. [راجع: ١٨٢٢]

(٤) بَابٌ: لَا يُعِينُ الْمُحْرِمُ الْحَلَالَ

فِي قَتْلِ الصَّيْدِ

١٨٢٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مُحَمَّدٍ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا صَالِحُ بْنُ كَيْسَانَ، عَنْ أَبِي مُحَمَّدٍ: سَمِعَ أَبَا قَتَادَةَ قَالَ: كُنَّا مَعَ رَسُولِ اللَّهِ ﷺ

company of the Prophet ﷺ at a place called Al-Qāḥa and some of us had assumed *Ihrām* while the others had not. I noticed that some of my companions were watching something, so I looked up and saw an onager. (I rode my horse and took the spear and whip) but my whip fell down (and I asked them to pick it up for me) but they said, "We will not help you by any means as we are in a state of *Ihrām*." So, I picked up the whip myself and attacked the onager from behind a hillock and slaughtered it and brought it to my companions. Some of them said, "Eat it." While some others said, "Do not eat it." So, I went to the Prophet ﷺ who was ahead of us and asked him about it. He replied, "Eat it, as it is *Halāl* (i.e., it is legal to eat it)."

(5) CHAPTER. A *Muḥrim* should not point at a game with the intention that a non-*Muḥrim* may hunt it.

1824. Narrated 'Abdullāh bin Abū Qatāda that his father had told him that Allāh's Messenger ﷺ set out for *Hajj* and so did his Companions. He sent a batch of his Companions by another route and Abū Qatāda was one of them. The Prophet ﷺ said to them, "Proceed along the sea-shore till we meet all together." So, they took the route of the sea-shore, and when they started all of them assumed *Ihrām* except Abū Qatāda. While they were proceeding on, his companions saw a group of onagers. Abū

بالقاحَةِ مِنَ الْمَدِينَةِ عَلَى ثَلَاثِ ح .
وَحَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا
سُفْيَانُ: حَدَّثَنَا صَالِحُ بْنُ كَيْسَانَ، عَنْ
أَبِي مُحَمَّدٍ، عَنْ أَبِي قَتَادَةَ رَضِيَ اللَّهُ
عَنْهُ قَالَ: كُنَّا مَعَ النَّبِيِّ ﷺ بِالْقَاحَةِ
وَمِنَّا الْمُحْرِمُ وَمِنَّا غَيْرُ الْمُحْرِمِ،
فَرَأَيْتُ أَصْحَابِي يَتَرَاءُونَ شَيْئًا،
فَنَظَرْتُ فَإِذَا جِمَارٌ وَخَشٍ يَغْنِي وَفَعَّ
سَوْطُهُ فَقَالُوا: لَا نُعِينُكَ عَلَيْهِ بِشَيْءٍ،
إِنَّا مُحْرِمُونَ. فَتَنَاوَلْتُهُ فَأَخَذْتُهُ ثُمَّ
أَتَيْتُ الْجِمَارَ مِنْ وَرَاءِ أَكْمَةِ فَعَقَرْتُهُ
فَأْتَيْتُ بِهِ أَصْحَابِي فَقَالَ بَعْضُهُمْ:
كُلُوا، وَقَالَ بَعْضُهُمْ: لَا تَأْكُلُوا.
فَأْتَيْتُ النَّبِيَّ ﷺ وَهُوَ أَمَامَنَا فَسَأَلْتُهُ
فَقَالَ: «كُلُوهُ حَلَالٌ»، قَالَ لَنَا عَمْرُو:
اذْهَبُوا إِلَى صَالِحٍ فَسَلُّوهُ عَنْ هَذَا
وغيره. وَقَدِمَ عَلَيْنَا هَاهُنَا.
[راجع: ١٨٢١]

(٥) بَابُ: لَا يُشِيرُ الْمُحْرِمُ إِلَى
الصَّيْدِ لِكَيْ يَصْطَادَهُ الْحَلَالُ

١٨٢٤ - حَدَّثَنَا مُوسَى بْنُ
إِسْمَاعِيلَ: حَدَّثَنَا أَبُو عَوَانَةَ: حَدَّثَنَا
عُثْمَانُ هُوَ ابْنُ مَوْهَبٍ، قَالَ: أَخْبَرَنِي
عَبْدُ اللَّهِ بْنُ أَبِي قَتَادَةَ، أَنَّ أَبَاهُ
أَخْبَرَهُ: أَنَّ رَسُولَ اللَّهِ ﷺ خَرَجَ
حَاجًّا، فَخَرَجُوا مَعَهُ فَصَرَفَ طَائِفَةً
مِنْهُمْ فِيهِمْ أَبُو قَتَادَةَ فَقَالَ: «خُذُوا
سَاحِلَ الْبَحْرِ حَتَّى نَلْتَقِيَ»، فَأَخَذُوا

Qatāda chased the onagers and attacked and wounded a she-onager. They got down and ate some of its meat and said to each other: "How do we eat the meat of the game while we are in a state of *Ihrām*?" So, we (they) carried the rest of the she-onager's meat, and when they met Allāh's Messenger ﷺ they asked saying, "O Allāh's Messenger! We assumed *Ihrām* with the exception of Abū Qatāda and we saw (a group) of onagers. Abū Qatāda attacked them and wounded a she-onager from them. Then we got down and ate from its meat. Later, we said, (to each other), 'How do we eat the meat of the game and we are in a state of *Ihrām*?' So, we carried the rest of its meat." The Prophet ﷺ asked, "Did anyone of you order Abū Qatāda to attack it or point at it?" They (we) replied in the negative. He said, "Then eat what is left of its meat."

سَاحِلَ الْبَحْرِ. فَلَمَّا انصَرَفُوا أَحْرَمُوا كُلَّهُمْ إِلَّا أَبَا قَتَادَةَ لَمْ يُحْرِمَ، فَبَيْنَمَا هُمْ يَسِيرُونَ إِذْ رَأَوْا حُمُرَ وَحْشٍ فَحَمَلَ أَبُو قَتَادَةَ عَلَى الْحُمُرِ فَعَقَرَ مِنْهَا أَتَانًا، فَتَرَلُّوا فَأَكَلُوا مِنْ لَحْمِهَا وَقَالُوا: أَنَاكُلُ لَحْمَ صَيْدٍ وَنَحْنُ مُحْرِمُونَ؟ فَحَمَلْنَا مَا بَقِيَ مِنْ لَحْمِ الْأَتَانِ فَلَمَّا أَتَوْا رَسُولَ اللَّهِ ﷺ قَالُوا: يَا رَسُولَ اللَّهِ، إِنَّا كُنَّا أَحْرَمْنَا وَقَدْ كَانَ أَبُو قَتَادَةَ لَمْ يُحْرِمَ فَرَأَيْنَا حُمُرَ وَحْشٍ فَحَمَلَ عَلَيْهَا أَبُو قَتَادَةَ فَعَقَرَ مِنْهَا أَتَانًا فَتَرَلْنَا فَأَكَلْنَا مِنْ لَحْمِهَا ثُمَّ قُلْنَا: أَنَاكُلُ لَحْمَ صَيْدٍ وَنَحْنُ مُحْرِمُونَ؟ فَحَمَلْنَا مَا بَقِيَ مِنْ لَحْمِهَا. قَالَ: «أَمِنَكُمْ أَحَدٌ أَمْرَهُ أَنْ يَحْمِلَ عَلَيْهَا أَوْ أَشَارَ إِلَيْهَا؟» قَالُوا: لَا، قَالَ: «فَكَلُّوا مَا بَقِيَ مِنْ لَحْمِهَا». [راجع: ١٨٢١]

(6) CHAPTER. If any person gave a living onager as a present to a *Muḥrim* then he should not accept it.

1825. Narrated 'Abdullāh bin 'Abbās رضي الله عنهما on the authority of Aṣ-Ṣa'b bin Jaṭh-thāma Al-Laiṭhi that the latter presented an onager to Allāh's Messenger ﷺ while he was at Al-Abwā' or at Waddān, and he refused to accept it. On noticing the signs of some unpleasant feeling of disappointment on his (Aṣ-Ṣa'b's) face, the Prophet ﷺ said to him, "I have only returned it because I am *Muḥrim*."

(٦) بَابُ إِذَا أَهْدَى لِلْمُحْرِمِ جِمَارًا وَحْشِيًّا حَيًّا لَمْ يَقْبَلْ
١٨٢٥ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنِ ابْنِ شِهَابٍ، عَنِ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ بْنِ عُتْبَةَ بْنِ مَسْعُودٍ عَنِ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ، عَنِ الصَّغْبِ بْنِ جَثَامَةَ اللَّيْثِيِّ: أَنَّهُ أَهْدَى لِرَسُولِ اللَّهِ ﷺ جِمَارًا وَحْشِيًّا وَهُوَ بِالْأَبْوَاءِ أَوْ بِوَدَّانَ فَرَدَّهُ عَلَيْهِ. فَلَمَّا رَأَى مَا فِي وَجْهِهِ