

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

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

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

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

(١٤) بَابُ شَهَادَةِ الْمُرْضِعَةِ

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

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

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

(١٥) بَابُ تَعْدِيلِ النِّسَاءِ بَعْضُهُنَّ
بَعْضًا

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

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

(12) CHAPTER. The witness of women .

And the Statement of Allāh تعالى :

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

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

(١٢) بَابُ شَهَادَةِ النِّسَاءِ ،

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

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

[راجع: ٣٠٤]

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

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

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

(١٣) بَابُ شَهَادَةِ الْإِمَاءِ وَالْعَبِيدِ

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

[See Vol. 8, *Hadīth* No.5976]

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

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

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

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

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

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

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

[انظر: ٣٦٥٠، ٦٤٢٨، ٦٦٩٥]

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

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

[انظر: ٣٦٥١، ٦٤٢٩، ٦٦٥٨]

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

(١٠) بَابُ مَا قِيلَ فِي شَهَادَةِ الزُّورِ

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

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

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

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

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

[انظر: ٣٤٧٥، ٣٧٣٢، ٣٧٣٣، ٤٣٠٤،

٦٧٨٨، ٦٨٠٠]

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

٢٦٤٩ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ عُقَيْلٍ، عَنِ ابْنِ شِهَابٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنْ زَيْدِ بْنِ خَالِدٍ رَضِيَ اللَّهُ عَنْهُ عَنْ رَسُولِ اللَّهِ ﷺ: أَنَّهُ أَمَرَ فِيمَنْ زَنَى وَلَمْ يُحْصِنِ بِجَلْدِ مِائَةٍ وَتَغْرِيبِ عَامٍ. [راجع: ٢٣١٤]

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

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

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

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

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

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

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

but his (future) witness will be accepted.”

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

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

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

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

٢٦٤٨ - حَدَّثَنَا إِسْمَاعِيلُ قَالَ: حَدَّثَنِي ابْنُ وَهْبٍ عَنْ يُونُسَ. وَقَالَ اللَّيْثُ: حَدَّثَنِي يُونُسُ عَنِ ابْنِ شِهَابٍ: أَخْبَرَنِي عُرْوَةُ بْنُ الرُّبَيْرِ: أَنَّ امْرَأَةً سَرَقَتْ فِي غَزْوَةِ الْفَتْحِ فَأَتَى بِهَا رَسُولُ اللَّهِ ﷺ ثُمَّ أَمَرَ بِهَا ففُطِعَتْ يَدُهَا، قَالَتْ عَائِشَةُ: فَحَسَنْتُ تَوْبَتَهَا وَتَزَوَّجَتْ وَكَانَتْ تَأْتِي بَعْدَ ذَلِكَ فَأَرْفَعُ حَاجَتَهَا إِلَى رَسُولِ اللَّهِ ﷺ.

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

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

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

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

(٨) بَابُ شَهَادَةِ القَاذِفِ والسَّارِقِ وَالزَّانِي،

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

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