

suckled both of you.' But I think she is a liar." The Prophet ﷺ turned his face away from me and I moved to face his face, and said, "She is a liar." The Prophet ﷺ said, "How (can you keep her as your wife) when that lady has said that she has suckled both of you? So abandon (i.e., divorce) her (your wife)."

عُقْبَةَ بْنِ الْحَارِثِ قَالَ: وَقَدْ سَمِعْتُهُ مِنْ عُقْبَةَ لِكُنِّي لِحَدِيثِ عُبَيْدِ أَحْفَظُ، قَالَ: تَزَوَّجْتُ امْرَأَةً فَجَاءَتْنَا امْرَأَةٌ سَوْدَاءُ، فَقَالَتْ: أَرْضَعْتُكُمَا، فَأْتَيْتُ النَّبِيَّ ﷺ فَقُلْتُ: تَزَوَّجْتُ فَلَانَةَ بِنْتَ فُلَانٍ فَجَاءَتْنَا امْرَأَةٌ سَوْدَاءُ فَقَالَتْ لِي: إِنِّي قَدْ أَرْضَعْتُكُمَا، وَهِيَ كاذِبَةٌ. فَأَعْرَضَ عَنِّي فَأْتَيْتُهُ مِنْ قِبَلِ وَجْهِهِ، قُلْتُ: إِنَّهَا كاذِبَةٌ، قَالَ: «كَيْفَ بِهَا وَقَدْ زَعَمْتَ أَنَّهَا قَدْ أَرْضَعْتُكُمَا؟ دَعَهَا عَنْكَ»، وَأَشَارَ إِسْمَاعِيلُ بِإِصْبَعَيْهِ السَّبَابَةِ وَالْوُسْطَى، يَحْكِي أُيُوبَ.

[راجع: ٨٨]

(25) CHAPTER. What women are lawful for one to marry and what are unlawful. And the Statement of Allāh تعالى:

“Forbidden to you (for marriage) are: your mothers, your daughters.. (up to).. Ever All-Knowing, All-Wise.” (V.4:23,24)

And Anas said, “‘Also (prohibited are) the women already married,’ means those free ladies who have their own husbands, are also unlawful for you to marry, except those whom your right hands possess.” So, he (Anas) considers that there is no harm if a man gets his slave girl divorced by his slave. And Allāh said:

“Do not marry *Al-Mushrikūn* (idolatress etc.) till they believe (i.e., worship Allāh Alone).” (V.2:221)

And Ibn ‘Abbās said, “It is prohibited to marry more than four wives as it is prohibited to marry one’s own mother, daughter or sister.”

5105. Ibn ‘Abbās further said, “Seven types of marriages are unlawful because of

(٢٥) **بَابُ مَا يَحِلُّ مِنَ النِّسَاءِ وَمَا يَحْرُمُ وَقَوْلُهُ تَعَالَى: ﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ وَبَنَاتُكُمْ﴾ إِلَى ﴿عَلِيًّا حَكِيمًا﴾** [النساء: ٢٣ - ٢٤]

وَقَالَ أَنَسٌ: ﴿وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ﴾ ذَوَاتُ الْأَزْوَاجِ الْحَرَائِرُ حَرَامٌ ﴿إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ﴾ لَا يَرَى بَأْسًا أَنْ يَنْزِعَ الرَّجُلُ جَارِيَتَهُ مِنْ عَبْدِهِ. وَقَالَ: ﴿وَلَا تَنْكِحُوا الْمُشْرِكَاتِ حَتَّى يُؤْمِنَنَّ﴾ [البقرة: ٢٢١] وَقَالَ ابْنُ عَبَّاسٍ: مَا زَادَ عَلَى أَرْبَعٍ فَهُوَ حَرَامٌ كَأُمِّهِ وَابْنَتِهِ وَأُخْتِهِ.

٥١٠٥ - وَقَالَ لَنَا أَحْمَدُ بْنُ

blood relations, and seven because of marriage relations.” Then Ibn ‘Abbās recited the Verse :

“Forbidden to you (for marriage) are your mothers...” (V.4:23)

‘Abdullāh bin Ja’far married the daughter and wife of ‘Alī at the same time (they were step-daughter and mother). Ibn Sirīn said, “There is no harm in that.” But Al-Ḥasan Al-Baṣrī disapproved of it at first, but then said that there was no harm in it. Al-Ḥasan bin Al-Ḥasan bin ‘Alī married two of his cousins in one night. Ja’far bin Zaid disapproved of that because it would bring about hatred (between the two cousins), but it is not unlawful, as Allāh said,

“Lawful to you are all others [beyond those (mentioned)].” (V.4:24)

Ibn ‘Abbās said, “If somebody commits illegal sexual intercourse with his wife’s sister, his wife does not become unlawful for him”.

And narrated Abū Ja’far, “If a person commits homosexuality with a boy, then the mother of that boy is unlawful for him to marry.”

Narrated Ibn ‘Abbās, “If one commits illegal sexual intercourse with his mother-in-law, then his married relation to his wife does not become unlawful.” Abū Naṣr is reported to have said that Ibn ‘Abbās in the above case, regarded his marital relation to his wife unlawful, but Abū Naṣr is not known well for hearing *Ḥādīth* from Ibn Abbās.

Imrān bin Ḥusain, Jābir bin Zaid, Al-Ḥasan and some other Irāqīs, are reported to have judged that his marital relations to his wife would be unlawful. In the above case Abū Hurairah said, “The marital relation to one’s wife does not become unlawful except if one has had sexual intercourse (with her mother).” Ibn Al-Musaiyab, ‘Urwa, and Az-

حَبْلٍ: حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُفْيَانَ: حَدَّثَنِي حَبِيبٌ، عَنْ سَعِيدٍ عَنِ ابْنِ عَبَّاسٍ: حَرَّمَ مِنَ النَّسَبِ سَبْعَ، وَمِنَ الصُّهْرِ سَبْعَ. ثُمَّ قَرَأَ ﴿حُرِّمَتْ عَلَيْكُمْ أُمَّهَاتُكُمْ﴾ الْآيَةَ وَجَمَعَ عَبْدُ اللَّهِ بْنُ جَعْفَرٍ بَيْنَ ابْنَتِهِ عَلِيٍّ وَامْرَأَةِ عَلِيٍّ. وَقَالَ ابْنُ سِيرِينَ: لَا بَأْسَ بِهِ، وَكَرِهَهُ الْحَسَنُ مَرَّةً، ثُمَّ قَالَ: لَا بَأْسَ بِهِ. وَجَمَعَ الْحَسَنُ بْنُ الْحَسَنِ بْنِ عَلِيٍّ بَيْنَ ابْنَتِي عَمِّ فِي لَيْلَةٍ، وَكَرِهَهُ جَابِرُ بْنُ زَيْدٍ لِلْقَطِيعَةِ، وَلَيْسَ فِيهِ تَحْرِيمٌ، لِقَوْلِهِ تَعَالَى: ﴿وَإِحْلَ لَكُمْ مَا وَرَاءَهُ ذَلِكَ﴾ [النساء: ٢٤] وَقَالَ عِكْرِمَةُ، عَنْ ابْنِ عَبَّاسٍ: إِذَا زَنَى بِأَخْتِ امْرَأَتِهِ لَمْ تَحْرُمَ عَلَيْهِ امْرَأَتُهُ. وَيُرْوَى عَنْ يَحْيَى الْكِنْدِيِّ، عَنْ الشَّعْبِيِّ وَأَبِي جَعْفَرٍ فِيمَنْ يَلْعَبُ بِالصَّبِيِّ: إِنْ أَدْخَلَهُ فِيهِ فَلَا يَتَزَوَّجَنَّ أُمَّهُ. وَيَحْتَى هَذَا غَيْرُ مَعْرُوفٍ لَمْ يُتَابَعِ عَلَيْهِ. وَقَالَ عِكْرِمَةُ، عَنْ ابْنِ عَبَّاسٍ: إِذَا زَنَى بِهَا لَا تَحْرُمَ عَلَيْهِ امْرَأَتُهُ. وَيُذَكَّرُ عَنْ أَبِي نَضْرٍ أَنَّ ابْنَ عَبَّاسٍ حَرَّمَهُ، وَأَبُو نَضْرٍ هَذَا لَمْ يُعْرَفْ بِسَمَاعِهِ مِنْ ابْنِ عَبَّاسٍ وَيُرْوَى عَنْ عِمْرَانَ بْنِ حُصَيْنٍ وَجَابِرِ بْنِ زَيْدٍ وَالْحَسَنِ وَبَعْضِ أَهْلِ الْعِرَاقِ قَالَ: يَحْرُمُ عَلَيْهِ. وَقَالَ أَبُو هُرَيْرَةَ: لَا تَحْرُمُ عَلَيْهِ حَتَّى يُلْزَقَ بِالْأَرْضِ، يَغْنِي

Zuhri allow such a person to keep his wife. 'Ali said, "His marital relations to his wife does not become unlawful."

(26) CHAPTER. (The Statement of Allāh :)
'...your step-daughters under your guardianship, born of your wives, to whom you have gone in (consummated your marriage)...' (V.4:23)

And Ibn 'Abbās said (regarding the Verse) that the words '*Dukhūl*', '*Māsīs*', and '*Limās*' all means the sexual intercourse. And whoever says that the grand-daughters (born of one's wife) are also unlawful to marry like her daughters, as indicates the statement of the Prophet ﷺ to Umm Ḥabība, "Do not present to me your sisters," Similarly, the wife of a grandson and the wife of a son are equally unlawful to marry. Will a step-daughter of a man be called a step-daughter if she is not under his guardianship? The Prophet ﷺ gave a step-daughter of his to some people to take care of. The Prophet ﷺ called his grandson (Al-Ḥasan bin 'Ali) his son.

5106. Narrated Umm Ḥabība : I said, "O Allāh's Messenger! Do you like to marry (my sister) the daughter of Abū Sufyān?" The Prophet ﷺ said, "What shall I do (with her)?" I said, "Marry her." He said, "Do you like that?" I said, "(Yes), for even now I am not your only wife, so I like that my sister should share you with me." He said, "She is not lawful for me (to marry)."⁽¹⁾ I said, "We have heard that you want to marry." He said, "The daughter of Umm Salama?" I said, "Yes." He said, "Even if she were not my step-daughter, she should be unlawful for me to marry, for Thuwaiba suckled me and her

يُجَامِعُ. وَجَوَزَهُ ابْنُ الْمُسَيَّبِ وَعُرْوَةُ وَالزُّهْرِيُّ، وَقَالَ الزُّهْرِيُّ: قَالَ عَلِيٌّ: لَا يَحْرُمُ، وَهَذَا مُرْسَلٌ.

(٢٦) بَابُ: ﴿وَرَبِّبْتُكُمْ الَّتِي فِي حُجُورِكُمْ مِنْ إِسَاءِكُمْ الَّتِي دَخَلْتُمْ بِهِنَّ﴾ [النساء: ٢٣]

وَقَالَ ابْنُ عَبَّاسٍ: الدُّخُولُ وَالْمَسِيسُ وَاللَّمَّاسُ هُوَ الْجِمَاعُ، وَمَنْ قَالَ: بَنَاتٌ وَلَدَهَا هُنَّ مِنْ بَنَاتِهَا فِي التَّحْرِيمِ لِقَوْلِ النَّبِيِّ ﷺ لَأُمَّ حَبِيبَةَ: «لَا تَعْرِضَنَّ عَلَيَّ بَنَاتِكُنَّ وَلَا أَخَوَاتِكُنَّ» وَكَذَلِكَ حَلَائِلُ وَلَدِ الْأَبْنَاءِ هُنَّ حَلَائِلُ الْأَبْنَاءِ. وَهَلْ تُسَمَّى الرَّبِيبَةَ وَإِنْ لَمْ تَكُنْ فِي حَجْرِهِ؟ وَدَفَعَ النَّبِيُّ ﷺ رَبِيبَةً لَهُ إِلَى مَنْ يَكْفُلُهَا. وَسَمَّى النَّبِيُّ ﷺ ابْنَ ابْنَتِهِ ابْنًا.

٥١٠٦ - حَدَّثَنَا الْحَمِيدِيُّ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا هِشَامٌ عَنْ أَبِيهِ، عَنْ زَيْنَبَ، عَنْ أُمِّ حَبِيبَةَ قَالَتْ: قُلْتُ: يَا رَسُولَ اللَّهِ، هَلْ لَكَ فِي بِنْتِ أَبِي سُفْيَانَ؟ قَالَ: «فَأَفْعَلُ مَاذَا؟» قُلْتُ: تَتَكَبَّحُ، قَالَ: «أَتَحْبِبِينَ؟» قُلْتُ: لَسْتُ لَكَ بِمُخْلِيةٍ وَأَحَبُّ مِنْ سَرَكَنِي فِيكَ أُخْتِي، قَالَ: «إِنَّهَا لَا تَحِلُّ لِي». قُلْتُ: بَلَّغْنِي أَنَّكَ تَحْطُبُ، قَالَ: «ابْنَةُ أُمَّ سَلَمَةَ؟» قُلْتُ: نَعَمْ، قَالَ:

(1) (H. 5106) Because it is prohibited to marry the sister of one's wife if that wife is still alive.

father (Abū Salama).⁽¹⁾ So you should neither present your daughters nor your sisters to me.”

«لَوْ لَمْ تَكُنْ رَبِيبَتِي مَا حَلَّتْ لِي،
أَرْضَعْتَنِي وَأَبَاهَا تُؤَيَّبُهُ، فَلَا تَعْرِضَنَّ
عَلَيَّ بَنَاتِكُنَّ وَلَا أَخَوَاتِكُنَّ».

وَقَالَ اللَّيْثُ: حَدَّثَنَا هِشَامٌ: دُرَّةٌ

بِنْتُ أُمِّ سَلَمَةَ. [راجع: ٥١٠١]

(27) CHAPTER: “(It is prohibited to have) two sisters in wedlock (as wives) at the same time, except for what has already passed.” (V.4:23)

(٢٧) بَابُ: «وَأَنْ تَجْمَعُوا بَيْنَ
الْأَخْتَيْنِ إِلَّا مَا قَدْ سَلَفَ»

[النساء: ٢٣]

5107. Narrated Umm Ḥabība: I said, “O Allāh’s Messenger! Marry my sister, the daughter of Abū Sufyān.” He said, “Do you like that?” I said, “Yes, for even now I am not your only wife; and the most beloved person to share the good with me is my sister.” The Prophet ﷺ said, “But that is not lawful for me (i.e., to be married to two sisters at a time.)” I said, “O Allāh’s Messenger! By Allāh, we have heard that you want to marry Durra, the daughter of Abū Salama.” He said, “You mean the daughter of Umm Salama?” I said, “Yes.” He said, “By Allāh! Even if she were not my step-daughter, she would not be lawful for me to marry, for she is my foster niece, for Thuwaiba has suckled me and Abū Salama; so you should neither present your daughters nor your sisters to me.”

٥١٠٧ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ

يُوسُفَ: حَدَّثَنَا اللَّيْثُ، عَنْ عُقَيْلٍ،

عَنِ ابْنِ شِهَابٍ: أَنَّ عُرْوَةَ بِنَ الرَّبِيعِ

أَخْبَرَتْ: أَنَّ زَيْنَبَ ابْنَةَ أَبِي سَلَمَةَ

أَخْبَرَتْ: أَنَّ أُمَّ حَبِيبَةَ قَالَتْ: قُلْتُ: يَا

رَسُولَ اللَّهِ، انكح أختي بنت أبي

سُفْيَانَ؟ قَالَ: «وَتُحِبِّينَ؟» قُلْتُ:

نَعَمْ، لَسْتُ لَكَ بِمُخْلِيةٍ وَأَحَبُّ مَنْ

شَارَكَنِي فِي خَيْرِ أُخْتِي، فَقَالَ النَّبِيُّ

ﷺ: «إِنَّ ذَلِكَ لَا يَجِلُّ لِي»، قُلْتُ:

يَا رَسُولَ اللَّهِ، فَوَاللَّهِ إِنَّا لَنَتَحَدَّثُ أَنَّكَ

تُرِيدُ أَنْ تَنْكِحَ دُرَّةَ بِنْتِ أَبِي سَلَمَةَ،

قَالَ: «بِنْتُ أُمِّ سَلَمَةَ؟» قُلْتُ: نَعَمْ،

قَالَ: «فَوَاللَّهِ لَوْ لَمْ تَكُنْ فِي حَجْرِي

مَا حَلَّتْ لِي، إِنَّهَا لِابْنَةُ أُخِي مِنْ

الرِّضَاعَةِ، أَرْضَعْتَنِي وَأَبَا سَلَمَةَ تُؤَيَّبُهُ،

فَلَا تَعْرِضَنَّ عَلَيَّ بَنَاتِكُنَّ وَلَا

أَخَوَاتِكُنَّ». [راجع: ٥١٠١]

(1) (H. 5106) This means that the daughter of Umm Salama was the foster suckling niece of the Prophet ﷺ.

(28) CHAPTER. A woman should not marry a man who is already married to her paternal aunt (her father's sister).

5108. Narrated Jābir: Allāh's Messenger ﷺ forbade that a woman should be married to a man along with her paternal aunt (her father's sister) or maternal aunt (her mother's sister).

5109. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "A woman and her paternal aunt (her father's sister) should not be married to the same man; and similarly, a woman and her maternal aunt (her mother's sister) should not be married to the same man."

5110. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ forbade that a woman should be married to a man along with her paternal aunt or with her maternal aunt (at the same time). Az-Zuhri (the sub-narrator) said: There is a similar order for the paternal aunt of the father of one's wife.

5111. For 'Urwa told me that 'Āishah said, "What is unlawful because of blood relations, is also unlawful because of the corresponding foster suckling relations."

(29) CHAPTER. *Ash-Shighār* [a type of marriage in which persons exchange their daughters (or sisters) in marriage without paying *Mahr*].

(٢٨) بَاب لَا تُنكَحُ الْمَرْأَةُ عَلَى عَمَّتِهَا

٥١٠٨ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا عَبْدُ اللَّهِ: أَخْبَرَنَا عَاصِمٌ، عَنِ الشَّعْبِيِّ: سَمِعَ جَابِرًا رَضِيَ اللَّهُ عَنْهُ قَالَ: نَهَى رَسُولُ اللَّهِ ﷺ أَنْ تُنكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا أَوْ خَالَتِهَا. وَقَالَ دَاوُدُ وَابْنُ عَوْنٍ، عَنِ الشَّعْبِيِّ، عَنِ أَبِي هُرَيْرَةَ.

٥١٠٩ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنِ أَبِي الزُّنَادِ، عَنِ الْأَعْرَجِ، عَنِ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ: أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا يُجْمَعُ بَيْنَ الْمَرْأَةِ وَعَمَّتِهَا، وَلَا بَيْنَ الْمَرْأَةِ وَخَالَتِهَا». [انظر: ٥١١٠]

٥١١٠ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا عَبْدُ اللَّهِ قَالَ: أَخْبَرَنِي يُونُسُ، عَنِ الزُّهْرِيِّ قَالَ: حَدَّثَنِي قَبِيصَةُ بِنْتُ دُوَيْبٍ: أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ يَقُولُ: نَهَى النَّبِيُّ ﷺ أَنْ تُنكَحَ الْمَرْأَةُ عَلَى عَمَّتِهَا، وَالْمَرْأَةِ وَخَالَتِهَا. فَتَرَى خَالَهَ أَبِيهَا بِتِلْكَ الْمَنْزِلَةِ. [راجع: ٥١٠٩]

٥١١١ - لِأَنَّ عُرْوَةَ حَدَّثَنِي عَنْ عَائِشَةَ قَالَتْ: حَرَّمُوا مِنَ الرِّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ. [راجع: ٢٦٤٤]

(٢٩) بَابُ الشُّغَارِ

5112. Narrated Ibn 'Umar رَضِيَ اللهُ عَنْهُمَا : Allāh's Messenger ﷺ forbade *Ash-Shighār*, which means that somebody marries his daughter to somebody else, and the latter marries his daughter to the former without paying *Mahr*.

٥١١٢ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا: أَنَّ رَسُولَ اللَّهِ ﷺ نَهَى عَنِ الشُّغَارِ وَالشُّغَارُ: أَنْ يُزَوِّجَ الرَّجُلُ ابْنَتَهُ عَلَى أَنْ يُزَوِّجَهُ الْآخَرُ ابْنَتَهُ، لَيْسَ بَيْنَهُمَا صَدَاقٌ. [انظر: ٦٩٦٠]

(30) CHAPTER. Is it permissible for a woman to present herself for marriage to somebody?

5113. Narrated Hishām's father : *Khaula* bint Ḥakīm was one of those ladies who presented themselves to the Prophet ﷺ for marriage. 'Āishah said, "Doesn't a lady feel ashamed for presenting herself to a man?" But when the Verse :

"(O Muḥammad) You can postpone (the turn of) whom you will of them (your wives)," (V.33:51)

was revealed, 'Āishah said, "O Allāh's Messenger! I do not see, but, that your Lord hurries in pleasing you."

(٣٠) بَابٌ: هَلْ لِلْمَرْأَةِ أَنْ تَهَبَ نَفْسَهَا لِأَحَدٍ؟

٥١١٣ - حَدَّثَنَا مُحَمَّدُ بْنُ سَلَامٍ: حَدَّثَنَا ابْنُ فَضِيلٍ: حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ قَالَ: كَانَتْ حَوْلَهُ بِنْتُ حَكِيمٍ مِنَ اللَّاتِيَةِ وَهَبْنَ أَنْفُسَهُنَّ لِلنَّبِيِّ ﷺ فَقَالَتْ عَائِشَةُ: أَمَا تَسْتَحِي الْمَرْأَةُ أَنْ تَهَبَ نَفْسَهَا لِلرَّجُلِ؟ فَلَمَّا تَزَلَتْ ﴿تُرْجَى مِنْ نَشَاءِ مِنْهٖ﴾ قُلْتُ: يَا رَسُولَ اللَّهِ، مَا أَرَى رَبَّكَ إِلَّا يُسَارِعُ فِي هَوَاكَ. رَوَاهُ أَبُو سَعِيدٍ الْمُؤَدَّبُ، وَمُحَمَّدُ بْنُ بَشِيرٍ، وَعَبْدُهُ عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، يَزِيدُ بَعْضُهُمْ عَلَى بَعْضٍ. [راجع: ٤٧٨٨]

(31) CHAPTER. The marriage of a *Muḥrim*.

5114. Narrated Ibn 'Abbās رَضِيَ اللهُ عَنْهُمَا : The Prophet ﷺ got married while he was in the state of *Ihrām*.

(٣١) بَابُ نِكَاحِ الْمُحْرِمِ

٥١١٤ - حَدَّثَنَا مَالِكٌ بْنُ إِسْمَاعِيلَ: أَخْبَرَنَا ابْنُ عُيَيْنَةَ: أَخْبَرَنَا عَمْرُو: حَدَّثَنَا جَابِرُ بْنُ زَيْدٍ قَالَ: أَنْبَأَنَا ابْنُ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا: تَزَوَّجَ النَّبِيُّ ﷺ وَهُوَ مُحْرِمٌ. [راجع: ١٨٣٧]

(32) CHAPTER. Allāh's Messenger ﷺ prohibited *Nikāh-al-Mut'a*⁽¹⁾ lately.

5115. Narrated 'Alī رضي الله عنه: I said to Ibn 'Abbās, "During the battle of Khaibar the Prophet ﷺ forbade (*Nikāh*) *Al-Mut'a* and the eating of donkey's meat."

5116. Narrated Abū Jamra: I heard Ibn 'Abbās (giving a verdict) when he was asked about the *Mut'a* with the women, and he permitted it (*Nikāh-al-Mut'a*). On that a freed slave of his said to him, "That is only, when it is very badly needed and women are scarce." On that, Ibn 'Abbās said, "Yes."

5117, 5118. Narrated Jābir bin 'Abdullāh and Salama bin Al-Akwa': While we were in an army, Allāh's Messenger ﷺ came to us and said, "You have been allowed to do the *Mut'a* (marriage), so do it."

5119. Salama bin Al-Akwa' said: Allāh's Messenger ﷺ said, "If a man and a woman agree (to marry temporarily), their marriage

(٣٢) بَابُ نَهْيِ النَّبِيِّ ﷺ عَنِ نِكَاحِ الْمُتَعَةِ آخِرًا

٥١١٥ - حَدَّثَنَا مَالِكُ بْنُ إِسْمَاعِيلَ: حَدَّثَنَا ابْنُ عُيَيْنَةَ: أَنَّهُ سَمِعَ الزُّهْرِيَّ يَقُولُ: أَخْبَرَنِي الْحَسَنُ بْنُ مُحَمَّدِ بْنِ عَلِيٍّ وَأَخُوهُ عَبْدُ اللَّهِ عَنْ أَبِيهِمَا أَنَّ عَلِيًّا رَضِيَ اللَّهُ عَنْهُ قَالَ لِابْنِ عَبَّاسٍ: إِنَّ النَّبِيَّ ﷺ نَهَى عَنِ الْمُتَعَةِ وَعَنْ لُحُومِ الْحُمُرِ الْأَهْلِيَّةِ زَمَنَ خَيْرٍ. [راجع: ٤٢١٦]

٥١١٦ - حَدَّثَنَا مُحَمَّدُ بْنُ بَشَّارٍ: حَدَّثَنَا عُندَرٌ: حَدَّثَنَا شُعْبَةُ، عَنْ أَبِي جَمْرَةَ قَالَ: سَمِعْتُ ابْنَ عَبَّاسٍ يُسْأَلُ عَنْ مُتَعَةِ النِّسَاءِ فَرَحَّصَ، فَقَالَ لَهُ مَوْلَى لَهُ: إِنَّمَا ذَلِكَ فِي الْحَالِ الشَّدِيدِ، وَفِي النِّسَاءِ قَلَّةٌ أَوْ نَحْوَهُ. فَقَالَ ابْنُ عَبَّاسٍ: نَعَمْ.

٥١١٧، ٥١١٨ - حَدَّثَنَا عَلِيُّ بْنُ حَدَّثَنَا سُفْيَانُ: قَالَ عَمْرُو، عَنْ الْحَسَنِ ابْنَ مُحَمَّدٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ وَسَلَمَةَ ابْنِ الْأَكْوَعِ قَالَا: كُنَّا فِي جَيْشٍ فَأَتَانَا رَسُولُ رَسُولِ اللَّهِ ﷺ فَقَالَ: إِنَّهُ قَدْ أُذِنَ لَكُمْ أَنْ تَسْتَمْتِعُوا فَاسْتَمْتِعُوا.

٥١١٩ - وَقَالَ ابْنُ أَبِي ذَيْبٍ: حَدَّثَنِي يَاسُ بْنُ سَلَمَةَ بْنِ الْأَكْوَعِ،

(1) (Chap. 32) *Nikāh-al-Mut'a* means temporary marriage for a limited period of time. This type of marriage was allowed in the early days of Islām in cases of necessity, but the Prophet ﷺ finally prohibited it forever. (See H. 5115 and 4216)

should last for three nights, and if they like to continue, they can do so; and if they want to separate, they can do so." I do not know whether that was only for us or for all the people in general. Abū 'Abdullāh (Al-Bukhārī) said: 'Alī made it clear that the Prophet ﷺ said, "The *Mu'a* marriage has been cancelled (made unlawful)."

(33) CHAPTER. A woman can present herself to a righteous man (for marriage).

5120. Narrated Thābit Al-Bunānī: I was with Anas while his daughter was present with him. Anas said, "A woman came to Allāh's Messenger ﷺ and presented herself to him, saying, 'O Allāh's Messenger, have you any need for me (i.e. would you like to marry me)?' " Thereupon Anas' daughter said, "What a shameless lady she was! Shame! Shame!" Anas said, "She was better than you; she had a liking for the Prophet ﷺ so she presented herself for marriage to him."

5121. Narrated Sahl bin Sa'd: A woman presented herself to the Prophet ﷺ (for marriage). A man said to him, "O Allāh's Messenger! (If you are not in need of her) marry her to me." The Prophet ﷺ said, "What have you got?" The man said, "I have nothing." The Prophet ﷺ said (to him), "Go and search (for something) even if it were an iron ring." The man went and returned saying, "No, I have not found anything, not even an iron ring; but this is my (*Izār*) waistsheet, and half of it is for her." He had no *Ridā'* (upper garment). The Prophet ﷺ said, "What will she do with your waistsheet?"

عَنْ أَبِيهِ عَنْ رَسُولِ اللَّهِ ﷺ: «أَيُّمَا رَجُلٍ وَامْرَأَةٍ تَوَافَقَا فَعِشْرَةٌ مَا بَيْنَهُمَا ثَلَاثُ لَيَالٍ، فَإِنْ أَحَبَّا أَنْ يَتَزَايِدَا أَوْ يَتَنَارَكَا تَنَارَكَا»، فَمَا أُدْرِي أَشْيَءٌ كَانَ لَنَا خَاصَّةً، أَمْ لِلنَّاسِ عَامَّةً. قَالَ أَبُو عَبْدِ اللَّهِ: وَقَدْ بَيَّنَّهُ عَلِيٌّ عَنِ النَّبِيِّ ﷺ: أَنَّهُ مَنسُوخٌ.

(٣٣) بَابُ عَرْضِ الْمَرْأَةِ نَفْسَهَا عَلَى الرَّجُلِ الصَّالِحِ

٥١٢٠ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا مَرْحُومٌ قَالَ: سَمِعْتُ ثَابِتًا الْبُنَانِيَّ قَالَ: كُنْتُ عِنْدَ أَنَسِ وَعِنْدَهُ ابْنَتُهُ لَهُ. قَالَ أَنَسُ: جَاءَتْ امْرَأَةٌ إِلَى رَسُولِ اللَّهِ ﷺ تَعْرِضُ عَلَيْهِ نَفْسَهَا، قَالَتْ: يَا رَسُولَ اللَّهِ، أَلَيْكَ بِي حَاجَةٌ؟ فَقَالَتْ بِنْتُ أَنَسِ: مَا أَقَلَّ حَيَاءَهَا، وَاسْوَأَاتَاهُ وَاسْوَأَاتَاهُ، قَالَ: هِيَ خَيْرٌ مِنْكَ، رَغِبْتُ فِي النَّبِيِّ ﷺ فَعَرَضَتْ عَلَيْهِ نَفْسَهَا. [انظر: ٦١٢٣]

٥١٢١ - حَدَّثَنَا سَعِيدُ بْنُ أَبِي مَرْيَمَ: حَدَّثَنَا أَبُو عَسَّانَ قَالَ: حَدَّثَنِي أَبُو حَازِمٍ، عَنْ سَهْلِ بْنِ سَعْدٍ: أَنَّ امْرَأَةً عَرَضَتْ نَفْسَهَا عَلَى النَّبِيِّ ﷺ فَقَالَ لَهُ رَجُلٌ: يَا رَسُولَ اللَّهِ رَوِّجْنِيهَا، فَقَالَ: «مَا عِنْدَكَ؟» قَالَ: مَا عِنْدِي شَيْءٌ، قَالَ: «اذْهَبْ فَالْتَمِسْ وَلَوْ خَاتَمًا مِنْ حَدِيدٍ»، فَذَهَبَ ثُمَّ رَجَعَ فَقَالَ: لَا، وَاللَّهِ مَا

If you wear it, she will have nothing over her; and if she wears it, you will have nothing over you." So the man sat down and when he had sat a long time, he got up (to leave). When the Prophet ﷺ saw him (leaving), he called back, or the man was called (for him), and he said to the man, "How much of the Qur'an do you know (by heart)?" The man replied "I know such *Sūrah* and such *Sūrah* (by heart)," naming the *Sūrah*. The Prophet ﷺ said, "I have married her to you for what you know of the Qur'an (by heart)."

وَحَدَّثَ شَيْئًا وَلَا خَاتَمًا مِنْ حَدِيدٍ، وَلَكِنْ هَذَا إِزَارِي وَلَهَا نِصْفُهُ - قَالَ سَهْلٌ: وَمَا لَهُ رِذَاءٌ - فَقَالَ النَّبِيُّ ﷺ: «وَمَا تَصْنَعُ بِإِزَارِكَ؟ إِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْهَا مِنْهُ شَيْءٌ، وَإِنْ لَبِسْتَهُ لَمْ يَكُنْ عَلَيْكَ مِنْهُ شَيْءٌ»، فَجَلَسَ الرَّجُلُ حَتَّى إِذَا طَالَ مَجْلِسُهُ قَامَ فَرَأَهُ النَّبِيُّ ﷺ فَدَعَاهُ أَوْ دُعِيَ لَهُ، فَقَالَ لَهُ: «مَاذَا مَعَكَ مِنَ الْقُرْآنِ؟» فَقَالَ لَهُ: «مَعِيَ سُورَةٌ كَذَا وَسُورَةٌ كَذَا، لِسُورٍ يُعَدُّهَا. فَقَالَ النَّبِيُّ ﷺ: «أَمَلَكْنَاكُمَا بِمَا مَعَكُمْ مِنَ الْقُرْآنِ».

[راجع: ٢٣١٠]

(34) CHAPTER. The presentation of one's own daughter or sister (for marriage) to a religious man.

5122. Narrated 'Abdullāh bin 'Umar رضي الله عنهما: Umar bin Al-Khattāb said, "When Hafsa bint 'Umar became a widow after the death of (her husband) Khunais bin Hudhāfa as-Sahmī who had been one of the companions of the Prophet ﷺ - and he died at Al-Madina - I went to 'Uthmān bin 'Affān and presented Hafsa (for marriage) to him. He said, 'I will think it over.' I waited for a few days, then he met me and said, 'It seems that it is not possible for me to marry at present'." 'Umar further said, "I met Abū Bakr Aṣ-Ṣiddīq and said to him, 'If you wish, I will marry my daughter Hafsa to you.' Abū Bakr kept quiet and did not say anything to me in reply. I became more angry with him than with 'Uthmān. I waited for a few days and then Allāh's Messenger ﷺ asked for her hand, and I gave her in marriage to him. Afterwards I met Abū Bakr who said,

(٣٤) بَابُ عَرَضِ الْإِنْسَانِ ابْنَتَهُ أَوْ أُخْتَهُ عَلَى أَهْلِ الْخَيْرِ

٥١٢٢ - حَدَّثَنَا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ سَعْدٍ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنِ ابْنِ شِهَابٍ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ: أَنَّهُ سَمِعَ عَبْدَ اللَّهِ بْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا يُحَدِّثُ: أَنَّ عُمَرَ بْنَ الْخَطَّابِ حِينَ تَأَيَّمَتْ حَفْصَةُ بِنْتُ عُمَرَ مِنْ خُنَيْسِ بْنِ حُدَافَةَ السَّهْمِيِّ، وَكَانَ مِنْ أَصْحَابِ النَّبِيِّ ﷺ فَتَوَقَّيَ بِالْمَدِينَةِ، فَقَالَ عُمَرُ بْنُ الْخَطَّابِ: أَتَيْتُ عُثْمَانَ فَعَرَضْتُ عَلَيْهِ حَفْصَةَ فَقَالَ: سَأَنْظُرُ فِي أَمْرِي، فَلَبِثْتُ لَيْالِي ثُمَّ لَقِيَنِي فَقَالَ: قَدْ بَدَأَ لِي أَنْ لَا

'Perhaps you became angry with me when you presented Ḥafṣa to me and I did not give you a reply?' I said, 'Yes.' Abū Bakr said, 'Nothing stopped me to respond to your offer except that I knew that Allāh's Messenger ﷺ had mentioned her, and I never wanted to let out the secret of Allāh's Messenger ﷺ. And if Allāh's Messenger ﷺ had refused her, I would have accepted her.'

أَتَزَوَّجَ يَوْمِي هَذَا. قَالَ عُمَرُ: فَلَقَيْتُ
أَبَا بَكْرٍ الصَّدِيقَ فَقُلْتُ: إِنْ شِئْتَ
زَوَّجْتُكَ حَفْصَةَ بِنْتَ عُمَرَ، فَصَمَتَ
أَبُو بَكْرٍ فَلَمْ يَرْجِعْ إِلَيَّ شَيْئاً، وَكُنْتُ
أَوْجَدُ عَلَيْهِ مِنِّي عَلَى عُثْمَانَ. فَلِشَيْءٍ
لِيَالِي ثُمَّ حَاطَبَهَا رَسُولُ اللَّهِ ﷺ
فَأَنْكَحْتُهَا إِيَّاهُ، فَلَقَيْتَنِي أَبُو بَكْرٍ فَقَالَ:
لَقَدْ وَجَدْتُ عَلَيَّ حِينَ عَرَضْتَ عَلَيَّ
حَفْصَةَ فَلَمْ أَرْجِعْ إِلَيْكَ شَيْئاً. قَالَ
عُمَرُ: قُلْتُ: نَعَمْ، قَالَ أَبُو بَكْرٍ: فَإِنَّهُ
لَمْ يَمْنَعْنِي أَنْ أَرْجِعْ إِلَيْكَ فِيمَا
عَرَضْتَ عَلَيَّ إِلَّا أَنِّي كُنْتُ عَلِمْتُ أَنَّ
رَسُولَ اللَّهِ ﷺ قَدْ ذَكَرَهَا، فَلَمْ أَكُنْ
لَأُفْشِيَ سِرَّ رَسُولِ اللَّهِ ﷺ، وَلَوْ
تَرَكَهَا رَسُولُ اللَّهِ ﷺ قَبَلْتُهَا. [راجع:

[٤٠٠٥

5123. Narrated Zainab bint Salama: Umm Ḥabība said to Allāh's Messenger ﷺ, "We have heard that you want to marry Durra bint Abū Salama." Allāh's Messenger ﷺ said, "Can she be married along with Umm Salama (her mother)? Even if I have not married Umm Salama, she would not be lawful for me to marry, for her father is my foster suckling brother."

٥١٢٣ - حَدَّثَنَا قُتَيْبَةُ: حَدَّثَنَا
اللَّيْثُ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ
عِرَاكِ بْنِ مَالِكٍ: أَنَّ زَيْنَبَ بِنْتَ أَبِي
سَلَمَةَ أَخْبَرَتْهُ: أَنَّ أُمَّ حَبِيبَةَ قَالَتْ
لِرَسُولِ اللَّهِ ﷺ: إِنَّا قَدْ تَحَدَّثْنَا أَنَّكَ
نَاكِحٌ دُرَّةَ بِنْتَ أَبِي سَلَمَةَ، فَقَالَ
رَسُولُ اللَّهِ ﷺ: «أَعْلَى أُمَّ سَلَمَةَ؟ لَوْ
لَمْ أَنْكِحْ أُمَّ سَلَمَةَ مَا حَلَّتْ لِي، إِنْ
أَبَاهَا أَخِي مِنَ الرِّضَاعَةِ». [راجع:

[٥١٠١

(35) CHAPTER. The Statement of Allāh: "And there is no sin on you if you make a hint of betrothal or conceal it in yourself, Allāh

(٣٥) بَابُ قَوْلِ اللَّهِ عَزَّ وَجَلَّ: ﴿وَلَا
جُنَاحَ عَلَيْكُمْ فِيمَا عَرَّضْتُمْ بِهِ مِنْ خِطَابَةٍ