

According to the Statement of Allāh تعالى :
 “If you fear that you shall not be able to deal justly with the orphan girls, then marry (other)...” (V.4:3)

And if somebody says to the guardian (of a woman), “Marry me to so-and-so,” and the guardian remained silent or said to him, “What have you got?” And the other said, “I have so much and so much (*Mahr*),” or kept quiet, and then the guardian said, “I have married her to you,” then the marriage is valid (legal). This narration was told by Sahl on the authority of the Prophet ﷺ.

5140. Narrated ‘Urwa bin Az-Zubair that he asked ‘Āishah رَضِيَ اللهُ عَنْهَا, saying to her, “O Mother! (in what connection was this Verse revealed):

‘If you fear that you shall not be able to deal justly with orphan girls (to the end of the verse)... that your right hands possess?’” (V.4:3)

‘Āishah رَضِيَ اللهُ عَنْهَا said, “O my nephew! It was about the female orphan under the protection of her guardian who was interested in her beauty and wealth and wanted to marry her with a little or reduced *Mahr*. So such guardians were forbidden to marry female orphans unless they deal with them justly and give their full *Mahr*; and they were ordered to marry women other than them.” ‘Āishah رَضِيَ اللهُ عَنْهَا added, “(Later) the people asked Allāh’s Messenger ﷺ for instructions, and then Allāh revealed:

‘They ask your legal instruction concerning the women... And yet whom you desire to marry.’ (V.4:127)

So Allāh revealed to them in this Verse that if a female orphan had wealth and beauty, they desired to marry her and were interested in her noble descent and the reduction of her *Mahr*; but if she was not desired by them because of her lack in

لِقَوْلِ اللَّهِ تَعَالَى: ﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا﴾ [النساء: ٤]
 وَإِذَا قَالَ لِلوَلِيِّ: زَوْجِي فُلَانَةٌ فَمَكَتْ سَاعَةً أَوْ قَالَ: مَا مَعَكَ؟ فَقَالَ: مَعِيَ كَذَا وَكَذَا، أَوْ لَيْشَا ثُمَّ قَالَ: زَوَّجْتُكُمَا، فَهُوَ جَائِزٌ، فِيهِ سَهْلٌ عَنِ النَّبِيِّ ﷺ.

٥١٤٠ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ. وَقَالَ اللَّيْثُ: حَدَّثَنِي عُقَيْلٌ، عَنِ ابْنِ شِهَابٍ: أَخْبَرَنِي عُرْوَةُ بْنُ الزُّبَيْرِ: أَنَّهُ سَأَلَ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا قَالَتْ لَهَا: يَا أُمَّتَاهُ ﴿وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ﴾ إِلَى ﴿وَمَا مَلَكَتْ أَيْمَانُكُمْ﴾ قَالَتْ عَائِشَةُ: يَا ابْنَ أُخْتِي، هَذِهِ الْيَتِيمَةُ تَكُونُ فِي حَجْرٍ وَلِهَا فَيْرَعْبٌ فِي جَمَالِهَا وَمَالِهَا، وَيُرِيدُ أَنْ يَنْتَقِصَ مِنْ صَدَاقِهَا، فَتُهَوَّأُ عَنْ نِكَاحِهَا إِلَّا أَنْ يُقْسِطُوا لَهَا فِي إِكْمَالِ الصَّدَاقِ، وَأُمِرُوا بِنِكَاحِ مَنْ سِوَاهُنَّ مِنَ النِّسَاءِ. قَالَتْ عَائِشَةُ: اسْتَفْتَى النَّاسَ رَسُولَ اللَّهِ ﷺ بَعْدَ ذَلِكَ، فَأَنْزَلَ اللَّهُ ﴿وَسْتَفْتُونَكَ فِي النِّسَاءِ﴾ إِلَى ﴿وَرَعَبُونَ أَنْ تَنْكِحُوهُنَّ﴾ فَأَنْزَلَ اللَّهُ لَهُمْ فِي هَذِهِ الْآيَةِ أَنَّ الْيَتِيمَةَ إِذَا كَانَتْ ذَاتَ مَالٍ وَجَمَالٍ رَعِبُوا فِي نِكَاحِهَا وَنَسَبَهَا

fortune and beauty they left her and married some other woman. So, as they used to leave her when they had no interest in her, they had no right to marry her if they had the desire to do so, unless they deal justly with her and gave her a full amount of *Mahr*.”

(45) CHAPTER. If the suitor says (to the guardian of a woman), “Marry me to so-and-so,” and the guardian says, “I have married her to you for such and such amount of *Mahr*,” then the marriage is valid even if he does not ask the husband, “Have you agreed or have you accepted (her)?”

5141. Narrated Sahl: A woman came to the Prophet ﷺ and presented herself to him (for marriage). He said, “I am not in need of women these days.” Then a man said, “O Allāh’s Messenger! Marry her to me.” The Prophet ﷺ asked him, “What have you got?” He said, “I have got nothing.” The Prophet ﷺ said, “Give her something, even an iron ring.” He said, “I have got nothing.” The Prophet ﷺ asked (him), “How much of the Qur’ān do you know (by heart)?” He said, “So much and so much. The Prophet ﷺ said, “I have married her to you for what you know of the Qur’ān (by heart).”

(46) CHAPTER. None should ask for the hand of a lady who is already engaged to his brother (Muslim), but one should wait till the first suitor marries her or leaves her.

5142. Narrated Ibn ‘Umar رضي الله عنهما: The Prophet ﷺ decreed that one should not

والصداق. وإذا كانت مرغوباً عنها في قلة المال والجمال تركوها وأخذوا غيرها من النساء. قالت: فكما يتركونها حين يرغبون عنها فليس لهم أن ينكحوها إذا رغبوا فيها إلا أن يفسطوا لها ويعطوها حَقَّها الأوفى من الصداق. [راجع: ٢٤٩٤]

(٤٥) بَابُ: إِذَا قَالَ الْخَاطِبُ: رَوَّجْنِي فُلَانَةً، فَقَالَ: قَدْ رَوَّجْتُكَ بَكْدًا وَكَدًّا، جَارَ النِّكَاحِ وَإِنْ لَمْ يَقُلْ لِلرَّوْجِ: أَرْضَيْتَ، أَوْ قَبِلْتَ؟

٥١٤١ - حَدَّثَنَا أَبُو التُّعْمَانِ: حَدَّثَنَا حَمَادُ بْنُ زَيْدٍ، عَنْ أَبِي حَازِمٍ، عَنْ سَهْلِ رَضِيَ اللَّهُ عَنْهُ: أَنَّ امْرَأَةً أَتَتْ النَّبِيَّ ﷺ فَعَرَضَتْ عَلَيْهِ نَفْسَهَا فَقَالَ: «مَا لِي الْيَوْمَ فِي النِّسَاءِ مِنْ حَاجَةٍ». فَقَالَ رَجُلٌ: يَا رَسُولَ اللَّهِ رَوَّجْنِيهَا. قَالَ: «مَا عِنْدَكَ؟». قَالَ: مَا عِنْدِي شَيْءٌ. قَالَ: «أَعْطِهَا وَلَوْ خَاتَمًا مِنْ حَدِيدٍ»، قَالَ: مَا عِنْدِي شَيْءٌ، قَالَ: «فَمَا عِنْدَكَ مِنَ الْقُرْآنِ؟» قَالَ: كَذَا وَكَذَا، قَالَ: «فَقَدْ مَلَكْتُكَهَا بِمَا مَعَكَ مِنَ الْقُرْآنِ». [راجع: ٢٣١٠]

(٤٦) بَابُ لَا يَخْطُبُ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَنْكِحَ أَوْ يَدَعَ

٥١٤٢ - حَدَّثَنَا مَكِّيُّ بْنُ

try to cancel a bargain already agreed upon between some persons (by offering a bigger price). And a man should not ask for the hand of a lady who is already engaged to his Muslim brother, unless the first suitor gives her up, or allows him to ask for her hand.

إِبْرَاهِيمَ: حَدَّثَنَا ابْنُ جُرَيْجٍ قَالَ: سَمِعْتُ نَافِعًا يُحَدِّثُ أَنَّ ابْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا كَانَ يَقُولُ: نَهَى النَّبِيُّ ﷺ أَنْ يَبِيعَ بَعْضُكُمْ عَلَى بَيْعِ بَعْضٍ، وَلَا يَخْطُبَ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَتْرُكَ الْخَاطِبُ قَبْلَهُ أَوْ يَأْذَنَ لَهُ الْخَاطِبُ. [راجع: ٢١٣٩]

5143. Narrated Abū Hurairah رَضِيَ اللَّهُ عَنْهُ: The Prophet ﷺ said, "Beware of suspicion, as suspicion is the worst of false talk, and do not do spying on one another, and do not look for others faults and listen to the evil talk of the people about others' affairs, and do not hate one another, but be brothers." (See H. 6064 and 6066)

٥١٤٣ - حَدَّثَنَا يَحْيَى بْنُ بُكَيْرٍ: حَدَّثَنَا اللَّيْثُ، عَنْ جَعْفَرِ بْنِ رَيْعَةَ، عَنِ الْأَعْرَجِ، قَالَ: قَالَ أَبُو هُرَيْرَةَ يَأْتُرُ عَنِ النَّبِيِّ ﷺ قَالَ: «إِيَّاكُمْ وَالظَّنَّ، فَإِنَّ الظَّنَّ أَكْذَبُ الْحَدِيثِ. وَلَا تَجَسَّسُوا، وَلَا تَحَسَّسُوا، وَلَا تَبَاغَضُوا، وَكُونُوا إِخْوَانًا»، [انظر: ٦٠٦٦، ٦٠٦٤، ٦٧٢٤]

5144. "And none should ask for the hand of a lady who is already engaged to his (Muslim) brother, but one should wait till the first suitor marries her or leaves her." [See. H. No. 2140, Vol 3.]

٥١٤٤ - «وَلَا يَخْطُبُ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ حَتَّى يَنْكِحَ أَوْ يَتْرُكَ». [راجع: ٢١٤٠]

(47) CHAPTER. (What is said regarding) the meaning of the cancelling of the engagement.

5145. Narrated 'Abdullāh bin 'Umar رَضِيَ اللَّهُ عَنْهُمَا: "When Ḥafṣa became a widow," 'Umar said, "I met Abū Bakr and said to him, 'If you wish I will marry Ḥafṣa bint 'Umar to you.' I waited for a few days then Allāh's Messenger ﷺ asked for her hand. Later Abū Bakr met me and said, 'Nothing stopped me from returning to you concerning your offer except that I knew that Allāh's Messenger ﷺ had mentioned (his wish to marry) her, and I could never let out the

(٤٧) بَابُ تَفْسِيرِ تَرْكِ الْخِطْبَةِ

٥١٤٥ - حَدَّثَنَا أَبُو الْيَمَانِ: أَخْبَرَنَا شُعَيْبٌ، عَنِ الزُّهْرِيِّ قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ: أَنَّهُ سَمِعَ عَبْدَ اللَّهِ بْنَ عُمَرَ رَضِيَ اللَّهُ عَنْهُمَا يُحَدِّثُ أَنَّ عُمَرَ بْنَ الْخَطَّابِ حِينَ تَأَيَّمَتْ حَفْصَةُ قَالَ عُمَرُ: لَقِيتُ أَبَا بَكْرٍ فَقُلْتُ: إِنْ شِئْتَ أَنْكَحْتُكَ حَفْصَةَ

secret of Allāh's Messenger ﷺ. If he had left her, I would have accepted her'.”

بِئْتِ عُمَرَ، فَلَبِثْتُ لِيَالِي ثُمَّ حَظَبَهَا رَسُولُ اللَّهِ ﷺ فَلَقِينِي أَبُو بَكْرٍ فَقَالَ: إِنَّهُ لَمْ يَمْتَنِعْنِي أَنْ أَرْجِعَ إِلَيْكَ فِيمَا عَرَضْتَ إِلَّا أَنِّي قَدْ عَلِمْتُ أَنَّ رَسُولَ اللَّهِ ﷺ قَدْ ذَكَرَهَا فَلَمْ أَكُنْ لِأَفْشِي سِرَّ رَسُولِ اللَّهِ ﷺ، وَلَوْ تَرَكَهَا لَقَبَلْتُهَا. تَابَعَهُ يُونُسُ وَمُوسَى بْنُ عُقَبَةَ وَابْنُ أَبِي عَتِيْقٍ عَنِ الرَّهْرِيِّ.

[راجع: ٤٠٠٥]

(48) CHAPTER. *Al-Khuṭba* (for *Nikāh*) (a speech delivered at the time of concluding the marriage contract).

(٤٨) بَابُ الْخُطْبَةِ

5146. Narrated Ibn 'Umar: Two men came from the east and delivered speeches, and the Prophet ﷺ said, "Some eloquent speech has the influence of magic (e.g., some people refuse to do something and then a good eloquent speaker addresses them and then they agree to do that very thing after his speech)."

٥١٤٦ - حَدَّثَنَا قَيْصَةُ: حَدَّثَنَا سُفْيَانُ، عَنْ زَيْدِ بْنِ أَسْلَمَ قَالَ: سَمِعْتُ ابْنَ عُمَرَ يَقُولُ: جَاءَ رَجُلَانِ مِنَ الْمَشْرِقِ فَحَظَبَا، فَقَالَ النَّبِيُّ ﷺ: «إِنَّ مِنَ الْبَيَانِ لَسِحْرًا». [انظر: ٥٧٦٧]

(49) CHAPTER. Beating the tambourine during the *Nikāh* (marriage ceremony) and the *Walīma* (wedding banquet).

(٤٩) بَابُ ضَرْبِ الدَّفِّ فِي النِّكَاحِ وَالْوَالِمَةِ

5147. Narrated Ar-Rabi', the daughter of Mua'wwidh bin 'Afrā': After the consummation of my marriage, the Prophet ﷺ came and sat on my bed as far from me as you are sitting now, and our little girls started beating the tambourines and reciting elegiac verses mourning my father⁽¹⁾ who had been killed in the battle of Badr. One of them said, "Among us is a Prophet who knows what will happen tomorrow." On that the

٥١٤٧ - حَدَّثَنَا مُسَدَّدٌ، حَدَّثَنَا يَشْرُ بْنُ الْمُفَضَّلِ: حَدَّثَنَا خَالِدُ بْنُ ذَكْوَانَ قَالَ: قَالَتِ الرَّبِيعُ بِنْتُ مَعُوذِ بْنِ عَفْرَاءَ: جَاءَ النَّبِيُّ ﷺ يَدْخُلُ حِينَ بُنِيَ عَلَيَّ، فَجَلَسَ عَلَيَّ فِرَاشِي كَمَا جَلَسْتَ مِنِّي، فَجَعَلَتْ جُؤَيْرِيَاتُ لَنَا يَضْرِبْنَ بِالْدَّفِّ وَيَنْدُبْنَ مَنْ قُتِلَ مِنْ

(1) (H. 5147) Her father and two uncles had been killed in the battle of Badr. By saying, "My fathers" she meant that her two uncles were as dear to her as her father was.

Prophet ﷺ said, "Leave this (saying)⁽¹⁾ and keep on saying the verses which you had been saying before."

(50) CHAPTER. The Statement of Allāh

تعالى:

"And give to the women (whom you marry) their *Mahr* (obligatory bridal money given by the husband to his wife at the time of marriage) with a good heart..." (V.4:4)

What are the maximum and minimum amounts of money to be paid as *Mahr*.

And the Statement of Allāh تعالى:

"If you have given one of them a cantar (of gold i.e. a great amount) as *Mahr* (bridal money given by the husband to his wife at the time of marriage) take not the least bit of it, back" (V.4:20)

And also the Statement of Allāh تعالى:

"Nor appointed to them their *Mahr*."

(V.2:236)

And Sahl said: The Prophet ﷺ said (to a man), "You should bring even an iron ring (as *Mahr*)."

5148. Narrated Anas عنده الله رضي الله عنه: 'Abdur Raḥmān bin 'Auf married a woman and gave her gold equal to the weight of a date stone (as *Mahr*). When the Prophet ﷺ noticed the signs of cheerfulness of the marriage (on his face) and asked him about it, he said, "I have married a woman and gave (her) gold equal to a date stone in weight (as *Mahr*)."

أَبَايَ يَوْمَ بَدْرٍ إِذْ قَالَتْ إِحْدَاهُنَّ: وَفِينَا نَبِيٌّ يَعْلَمُ مَا فِي غَدٍ، فَقَالَ: «دَعِي هَذِهِ وَقُولِي بِالَّذِي كُنْتِ تَقُولِينَ». [راجع: ٤٠٠١]

(٥٠) بَابُ قَوْلِ اللَّهِ تَعَالَى: ﴿وَأَتُوا نِسَاءَ صَدَقْتِهِنَّ نِحْلَةً﴾ [النساء: ٤]

وَكَثْرَةَ الْمَهْرِ وَأَذْنَى مَا يَجُوزُ مِنَ الصَّدَاقِ. وَقَوْلِهِ تَعَالَى: ﴿وَأَتَيْتَهُمْ إِحْدَيْهِنَّ فِئْطَارًا فَلَا تَأْخُذُوا مِنْهُ سَكِيًّا﴾ [النساء: ٢٠] وَقَوْلِهِ جَلَّ ذِكْرُهُ: ﴿أَوْ تَفْرِضُوا لَهُنَّ فَرِيضَةً﴾ [البقرة: ٢٣٦] وَقَالَ سَهْلٌ: قَالَ النَّبِيُّ ﷺ: «وَلَوْ خَاتَمًا مِنْ حَدِيدٍ».

٥١٤٨ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا شُعْبَةُ، عَنْ عَبْدِ الْعَزِيزِ بْنِ صُهَيْبٍ، عَنْ أَنَسٍ: أَنَّ عَبْدَ الرَّحْمَنِ بْنَ عَوْفٍ تَزَوَّجَ امْرَأَةً عَلَى وَزْنِ نَوَاةٍ، فَرَأَى النَّبِيُّ ﷺ بِشَاشَةَ الْعُرْسِ فَسَأَلَهُ فَقَالَ: إِنِّي تَزَوَّجْتُ امْرَأَةً عَلَى وَزْنِ نَوَاةٍ. [راجع: ٢٠٤٩]

وَعَنْ قَتَادَةَ، عَنْ أَنَسٍ: أَنَّ عَبْدَ

(1) (H. 5147) The Prophet ﷺ forbade the girl to say so, because none knows the future except Allāh.

الرَّحْمَنِ بِنِ عَوْفٍ تَزَوَّجَ امْرَأَةً عَلَى
وَزْنِ نَوَاقِ مِنْ ذَهَبٍ .

(٥١) بَابُ التَّزْوِيجِ عَلَى الْقُرْآنِ وَبِغَيْرِ
صَدَاقٍ

(51) CHAPTER. To marry (a lady to) a man for what he knows of the Qur'an (by heart) and without paying any *Mahr*.

5149. Narrated Sahl bin Sa'd As-Sa'idi: While I was (sitting) among the people in the company of Allāh's Messenger ﷺ a woman stood up and said, "O Allāh's Messenger! She has given herself (in marriage) to you; please give your opinion about her."⁽¹⁾ The Prophet ﷺ did not give her any reply. She again stood up and said, "O Allāh's Messenger! She has given herself (in marriage) to you; please give your opinion about her." The Prophet ﷺ did not give her any reply. She again stood up for the third time and said, "O Allāh's Messenger! She has given herself in marriage to you; so give your opinion about her." So a man stood up and said, "O Allāh's Messenger! Marry her to me." The Prophet ﷺ asked him, "Have you got anything?" He said, "No." The Prophet ﷺ said, "Go and search for something, even if it were an iron ring." The man went and searched and then returned saying, "I could not find anything, not even an iron ring." Then the Prophet ﷺ said, "Do you know some of the Qur'an (by heart)?" He replied, "I know (by heart) such *Sūrah* and such *Sūrah*." The Prophet ﷺ said, "Go! I have married her to you for what you know of the Qur'an (by heart)."

٥١٤٩ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ
اللَّهِ: حَدَّثَنَا سُفْيَانُ: سَمِعْتُ أَبَا حَازِمٍ
يَقُولُ: سَمِعْتُ سَهْلَ بْنَ سَعْدٍ
السَّاعِدِيِّ يَقُولُ: إِنِّي لَمِ الْقَوْمِ عِنْدَ
رَسُولِ اللَّهِ ﷺ إِذْ قَامَتِ امْرَأَةٌ
فَقَالَتْ: يَا رَسُولَ اللَّهِ، إِنَّهَا قَدْ وَهَبَتْ
نَفْسَهَا لَكَ فَرَفِيهَا رَأَيْكَ، فَلَمْ يُجِبْهَا
شَيْئًا. ثُمَّ قَامَتْ فَقَالَتْ: يَا رَسُولَ
اللَّهِ، إِنَّهَا قَدْ وَهَبَتْ نَفْسَهَا لَكَ فَرَفِيهَا
رَأَيْكَ، فَلَمْ يُجِبْهَا شَيْئًا. ثُمَّ
قَامَتِ الثَّلَاثَةَ فَقَالَتْ: إِنَّهَا قَدْ وَهَبَتْ
نَفْسَهَا لَكَ فَرَفِيهَا رَأَيْكَ. فَقَامَ رَجُلٌ
فَقَالَ: يَا رَسُولَ اللَّهِ، أَنْكِحْنِيهَا.
قَالَ: «هَلْ عِنْدَكَ مِنْ شَيْءٍ؟» قَالَ:
لَا، قَالَ: «أَذْهَبَ فَاظْلُبْ وَلَوْ خَاتَمًا
مِنْ حَدِيدٍ»، فَذَهَبَ وَظَلَبَ، ثُمَّ جَاءَ
فَقَالَ: مَا وَجَدْتُ شَيْئًا وَلَا خَاتَمًا مِنْ
حَدِيدٍ، قَالَ: «هَلْ مَعَكَ مِنَ الْقُرْآنِ
شَيْءٌ؟» قَالَ: مَعِيَ سُورَةٌ كَذَا وَسُورَةٌ
كَذَا، قَالَ: «أَذْهَبَ فَقَدْ أَنْكِحْتُكَهَا
بِمَا مَعَكَ مِنَ الْقُرْآنِ». [راجع: ٢٣١٠]

(52) CHAPTER. To give *Mahr* in the form of material things (other than money) and in the form of a ring made of iron.

(٥٢) بَابُ الْمَهْرِ بِالْعُرُوضِ، وَخَاتَمٍ
مِنْ حَدِيدٍ

(1) (H. 5149) The speaker uses the third person instead of the first person which she intends.

5150. Narrated Sahl bin Sa'd: The Prophet ﷺ said to a man, "Marry, even with (a *Mahr* equal to) an iron ring."

٥١٥٠ - حَدَّثَنَا يَحْيَى: حَدَّثَنَا وَكَيْعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي حَازِمٍ، عَنْ سَهْلِ بْنِ سَعْدٍ: أَنَّ النَّبِيَّ ﷺ قَالَ لِرَجُلٍ: «تَزَوَّجْ وَلَوْ بِخَاتَمٍ مِنْ حَدِيدٍ». [راجع: ٢٣١٠]

(53) CHAPTER. The conditions stipulated in the marriage (contract).

And 'Umar said: The rights are decided by the conditions (stipulated during the wedding). And Al-Miswar bin Makhrama said: The Prophet ﷺ mentioned his son-in-law. He said, "He told me the truth whenever he talked to me, and whenever he promised me, he kept his promise."

(٥٣) بَابُ الشَّرْطِ فِي النِّكَاحِ، وَقَالَ عُمَرُ: مَقَاطِعُ الْحُقُوقِ عِنْدَ الشَّرْطِ، وَقَالَ الْمِسْوَرُ بْنُ مَخْرَمَةَ: سَمِعْتُ النَّبِيَّ ﷺ ذَكَرَ صَهْرًا لَهُ فَأَتَى عَلَيْهِ فِي مَصَاهِرَتِهِ فَأَحْسَنَ، قَالَ: «حَدَّثَنِي فَصَدَّقَنِي، وَوَعَدَنِي فَوَفَى لِي».

5151. Narrated 'Uqba: The Prophet ﷺ said: "The conditions most entitled to be abided by are those (of wedding contract) with which you are given the right to enjoy the (women's) private parts (i.e. the stipulations of the marriage contract)."

٥١٥١ - حَدَّثَنَا أَبُو الْوَلِيدِ هِشَامُ بْنُ عَبْدِ الْمَلِكِ: حَدَّثَنَا اللَّيْثُ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ أَبِي الْخَيْرِ، عَنْ عُمَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «أَحَقُّ مَا أَوْفَيْتُمْ مِنَ الشَّرْطِ أَنْ تُؤْفُوا بِهِ مَا اسْتَحَلَلْتُمْ بِهِ الْفُرُوجَ». [راجع: ٢٧٢١]

(54) CHAPTER. The conditions that are not lawful in the marriage contract.

And Ibn Mas'ud said: A woman should not stipulate (at the time of the wedding) the divorce of her (Muslim) sister (the other wife of her would-be husband).

(٥٤) بَابُ الشَّرْطِ الَّتِي لَا تَحِلُّ فِي النِّكَاحِ، وَقَالَ ابْنُ مَسْعُودٍ: لَا تَشْتَرِطُ الْمَرْأَةُ طَلَاقَ أُخْتِهَا.

5152. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "It is not lawful for a woman (at the time of wedding) to ask for the divorce of her sister (i.e. the other wife of her would be husband) in order to have everything for herself for she will take only what has been foreordained (by Allāh) for her."

٥١٥٢ - حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، عَنْ زَكَرِيَّا هُوَ ابْنُ أَبِي زَائِدَةَ، عَنْ سَعْدِ بْنِ إِبْرَاهِيمَ عَنْ أَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَحِلُّ لِمَرْأَةٍ تَسْأَلُ طَلَاقَ أُخْتِهَا لِتَسْتَفْرِغَ

صَحَفْتَهَا، فَإِنَّمَا لَهَا مَا قُدِّرَ لَهَا».

[راجع: ٢١٤٠]

(55) CHAPTER. The *Şufra* (yellow coloured perfume) for a bridegroom.

This has been said by ‘Abdur-Raḥmān bin ‘Auf on the authority of the Prophet ﷺ.

5153. Narrated Anas bin Mālik رَضِيَ اللهُ عَنْهُ: ‘Abdur-Raḥmān bin ‘Auf came to Allāh’s Messenger ﷺ and he had marks of *Şufra* (yellow perfume). Allāh’s Messenger ﷺ asked him (about those marks). ‘Abdur-Raḥmān bin ‘Auf told him that he had married a woman from the *Anṣār*. The Prophet ﷺ asked, “How much *Mahr* did you pay her?” He said, “I paid gold equal to the weight of a date stone.” Allāh’s Messenger ﷺ said to him, “Give a wedding banquet, even with one sheep.”

(٥٥) بَابُ الصُّفْرَةِ لِلْمُتَزَوِّجِ،

رَوَاهُ عَبْدُ الرَّحْمَنِ بْنُ عَوْفٍ عَنِ

النَّبِيِّ ﷺ.

٥١٥٣ - حَدَّثَنَا عَبْدُ اللَّهِ بْنُ

يُوسُفَ: أَخْبَرَنَا مَالِكٌ، عَنْ حُمَيْدِ الطَّوِيلِ، عَنْ أَنَسِ بْنِ مَالِكٍ رَضِيَ اللهُ عَنْهُ: أَنَّ عَبْدَ الرَّحْمَنِ بْنَ عَوْفٍ جَاءَ إِلَى رَسُولِ اللهِ وَبِهِ أَثَرُ صُفْرَةٍ، فَسَأَلَهُ رَسُولُ اللهِ ﷺ فَأَخْبَرَهُ أَنَّهُ تَزَوَّجَ امْرَأَةً مِنَ الْأَنْصَارِ. قَالَ: «كَمْ سَقْتِ إِلَيْهَا؟» قَالَ: زِنَةَ نَوَاةٍ مِنْ ذَهَبٍ، قَالَ رَسُولُ اللهِ ﷺ: «أَوْلِمَ وَلَوْ بِشَاةٍ».

[راجع: ٢٠٤٩]

(56) CHAPTER.

5154. Narrated Anas رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ offered a wedding banquet on the occasion of his marriage to Zainab, and provided a good meal for the Muslims. Then he went out as was his custom on marrying, he came to the dwelling places of the Mothers of the believers (i.e. his wives) invoking good (on them), and they were invoking good (on him). Then he departed (and came back) and saw two men (still sitting there). So he left again. I do not remember whether I informed him or he was informed (by somebody else) of their departure.”

(٥٦) بَابُ:

٥١٥٤ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا

يَحْيَى، عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ عَوْفٍ: أَنَّ رَسُولَ اللهِ ﷺ إِذَا تَزَوَّجَ فَاتَى حُجَرَ امَّهَاتِ الْمُؤْمِنِينَ يَدْعُو وَيَدْعُونَ لَهُ، ثُمَّ انْصَرَفَ فَرَأَى رَجُلَيْنِ فَرَجَعَ لَا أَدْرِي أَخْبَرْتُهُ أَوْ أَخْبَرَ بِخُرُوجِهِمَا. [راجع: ٤٧٩١]

(57) CHAPTER. How to invoke good upon a person who has married recently?

(٥٧) بَابُ: كَيْفَ يُدْعَى لِلْمُتَزَوِّجِ؟

5155. Narrated Anas رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ saw the traces of *Sufra* (yellow perfume) on Abdur-Rahmān bin 'Auf and said, "What is this?" Abdur-Rahmān said, "I have married a woman and have paid gold equal to the weight of a date stone (as her *Mahr*). The Prophet ﷺ said to him, "May Allāh bless you. Offer a wedding banquet even with one sheep."

٥١٥٥ - حَدَّثَنَا سُلَيْمَانُ بْنُ حَرْبٍ: حَدَّثَنَا حَمَادُ هُوَ ابْنُ زَيْدٍ، عَنْ ثَابِتٍ، عَنْ أَنَسِ بْنِ رَضِيَ اللهُ عَنْهُ: أَنَّ النَّبِيَّ ﷺ رَأَى عَلَى عَبْدِ الرَّحْمَنِ بْنِ عَوْفٍ أَثَرَ صُفْرَةٍ، قَالَ: «مَا هَذَا؟» قَالَ: «إِنِّي تَزَوَّجْتُ امْرَأَةً عَلَى وَزْنِ نَوَاقِثٍ مِنْ ذَهَبٍ. قَالَ: «بَارَكَ اللهُ لَكَ، أَوْلِمَ وَلَوْ بِشَاةٍ». [راجع: ٢٠٤٩]

(58) CHAPTER. The invocation of those women who prepare the bride (for her and for the bridegroom).

5156. Narrated 'Āishah رَضِيَ اللهُ عَنْهَا: When the Prophet ﷺ married me, my mother came to me and made me enter the house where I saw some women from the *Anṣār* who said, "(Best wishes and Allāh's Blessings) may you prosper and have blessings and a good luck." (See H. 3894)

(٥٨) بَابُ الدُّعَاءِ لِلنِّسْوَةِ اللَّاتِي يَهْدِيْنَ الْعُرُوسَ وَالْمَعْرُوسَ

٥١٥٦ - حَدَّثَنَا فَرْوَةُ بْنُ أَبِي الْمَعْرَاءِ: حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ رَضِيَ اللهُ عَنْهَا: تَزَوَّجَنِي النَّبِيُّ ﷺ فَأَتَنِي أُمِّي فَأَدْخَلَتْنِي الدَّارَ. فَإِذَا نِسْوَةٌ مِنَ الْأَنْصَارِ فِي الْبَيْتِ فَقُلْنَ: عَلَى الْخَيْرِ وَالْبَرَكَاتِ، وَعَلَى خَيْرِ طَائِرٍ. [راجع: ٣٨٩٤]

(59) CHAPTER. Whoever preferred to consummate his marriage before going on a military campaign.

5157. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, "A Prophet among the Prophets went for a military expedition and said to his people: 'A man who has married a lady and wants to consummate his marriage with her and he has not done so yet, should not accompany me'." [See H. No. 3124. Vol. 4.]

(٥٩) بَابُ مَنْ أَحَبَّ الْبِنَاءَ قَبْلَ الْغَزْوِ

٥١٥٧ - حَدَّثَنَا مُحَمَّدُ بْنُ الْعَلَاءِ: حَدَّثَنَا عَبْدُ اللهِ بْنُ الْمُبَارَكِ، عَنْ مَعْمَرٍ، عَنْ هَمَّامٍ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «عَزَا نَبِيٌّ مِنَ الْأَنْبِيَاءِ فَقَالَ لِقَوْمِهِ: لَا يَتَّبِعْنِي رَجُلٌ مَلَكَ بُضْعَ امْرَأَةٍ وَهُوَ يُرِيدُ أَنْ يَنْبِيَّ بِهَا وَلَمْ يَنْبِ بِهَا». [راجع: ٣١٢٤]

(60) CHAPTER. Whoever consummated his marriage with a lady of nine years of age.

5158. Narrated 'Urwa: The Prophet ﷺ wrote the (marriage contract) with 'Ā'isha while she was six years old and consummated his marriage with her while she was nine years old and she remained with him for nine years (i.e. till his death).

(61) CHAPTER. The consummation of marriage during a journey.

5159. Narrated Anas رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ stayed for three days at a place between Khaibar and Al-Madīna, and there he consummated his marriage with Ṣāfiyya bint Ḥuyai. I invited the Muslims to a banquet which included neither meat nor bread. The Prophet ﷺ ordered for the leather dining sheets to be spread, and then dates, dried yoghurt and butter were provided over it, and that was the *Walima* (a wedding banquet) of the Prophet ﷺ. The Muslims asked whether Ṣāfiyya would be considered as his wife or as a slave girl of what his right hands possessed. Then they said, "If the Prophet ﷺ screens her from the people, then she is the Prophet's wife but if he does not screen her, then she is a slave girl." So when the Prophet ﷺ proceeded, he made a place for her (on the camel) behind him and screened her from people.

(62) CHAPTER. Consummation of marriage during the daytime without a marriage procession or lighting of fires.

5160. Narrated 'Ā'ishah رَضِيَ اللهُ عَنْهَا: When the Prophet ﷺ married me, my mother came

(٦٠) بَابُ مَنْ بَنَى بِامْرَأَةٍ وَهِيَ بِنْتُ

تِسْعِ سِنِينَ

٥١٥٨ - حَدَّثَنَا قَبِيصَةُ بِنْتُ عُقْبَةَ: حَدَّثَنَا سُفْيَانُ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ عُرْوَةَ: تَزَوَّجَ النَّبِيُّ ﷺ عَائِشَةَ وَهِيَ بِنْتُ سِتِّ سِنِينَ، وَبَنَى بِهَا وَهِيَ بِنْتُ تِسْعٍ، وَمَكَثَتْ عِنْدَهُ تِسْعًا. [راجع: ٣٨٩٤]

(٦١) بَابُ الْبِنَاءِ فِي السَّفَرِ

٥١٥٩ - حَدَّثَنَا مُحَمَّدُ بْنُ سَلَامٍ: أَخْبَرَنَا إِسْمَاعِيلُ بْنُ جَعْفَرٍ، عَنْ حُمَيْدٍ، عَنْ أَنَسٍ قَالَ: أَقَامَ النَّبِيُّ ﷺ بَيْنَ خَيْبَرَ وَالْمَدِينَةِ ثَلَاثًا يُنْتَى عَلَيْهِ بِصَفِيَّةِ بِنْتِ حُمَيٍّ، فَدَعَوْتُ الْمُسْلِمِينَ عَلَى وَلِيمَتِهِ. فَمَا كَانَ فِيهَا مِنْ خُبْزٍ وَلَا لَحْمٍ، أَمَرَ بِالْأَنْطَاعِ فَأُلْقِيَ فِيهَا مِنَ التَّمْرِ وَالْأَقِطِ وَالسَّمْنِ، فَكَانَتْ وَوَلِيمَتِهِ، فَقَالَ الْمُسْلِمُونَ: إِحْدَى أُمَّهَاتِ الْمُؤْمِنِينَ، أَوْ مِمَّا مَلَكَتْ يَمِينُهُ؟ فَقَالُوا: إِنْ حَجَبَهَا فَهِيَ مِنْ أُمَّهَاتِ الْمُؤْمِنِينَ، وَإِنْ لَمْ يَحْجُبْهَا فَهِيَ مِمَّا مَلَكَتْ يَمِينُهُ. فَلَمَّا أَرْحَلَ وَطَأَ لَهَا خَلْفَهُ وَمَدَّ الْحِجَابَ بَيْنَهَا وَبَيْنَ النَّاسِ. [راجع: ٣٧١]

(٦٢) بَابُ الْبِنَاءِ بِالنَّهَارِ بِغَيْرِ مَرْكَبٍ

وَلَا نَيْرَانٍ

٥١٦٠ - حَدَّثَنَا فَرْوَةُ بِنْتُ أَبِي