

same way as Allāh's Messenger ﷺ used to do, and you were present then." Then he turned to 'Alī and 'Abbās and said, "You both claim that Abū Bakr did so-and-so in managing the property, but Allāh knows that Abū Bakr was honest, righteous, intelligent, and a follower of what is right in managing it. Then Allāh took Abū Bakr unto Him. (After his death) I said, 'I am the successor of Allāh's Messenger ﷺ and Abū Bakr.' So I took over the property for two years and managed it in the same way as Allāh's Messenger ﷺ and Abū Bakr used to do. Then you both ('Alī and 'Abbās) came to me and asked for the same thing! (O 'Abbās!) You came to me to ask me for your share from nephew's property; and this ('Alī) came to me asking for his wife's share from her father's property, and I said to you both, 'If you wish, I will place it in your custody on condition that you both will manage it in the same way as Allāh's Messenger ﷺ and Abū Bakr did and as I have been doing since I took charge of managing it; otherwise, do not speak to me anymore about it.' Then you both said, 'Give it to us on that (condition).' So I gave it to you on that condition. Now I beseech you by Allāh, did I not give it to them on that condition?" The group (whom he had been addressing) replied, "Yes." 'Umar then addressed 'Abbās and 'Alī saying, "I beseech you both by Allāh, didn't I give you all that property on that condition?" They said, "Yes." 'Umar then said, "Are you now seeking a verdict from me other than that? By Him with Whose Permission the heaven and the earth exist, I will not give any verdict other than that till the Hour is established; and if you both are unable to manage this property, then you can hand it back to me, and I will be sufficient for it on your behalf." [See

بِذَلِكَ حَيَاتِهِ. أَنْشَدَكُمْ بِاللَّهِ، هَلْ تَعْلَمُونَ ذَلِكَ؟ فَقَالُوا: نَعَمْ. ثُمَّ قَالَ لِعَلِيٍّ وَعَبَّاسٍ: أَنْشَدَكُمَا اللَّهَ، هَلْ تَعْلَمَانِ ذَلِكَ؟ قَالَا: نَعَمْ. ثُمَّ تَوَفَّى اللَّهُ نَبِيَّهُ ﷺ فَقَالَ أَبُو بَكْرٍ: أَنَا وَلِيُّ رَسُولِ اللَّهِ ﷺ، فَقَبَضَهَا أَبُو بَكْرٍ فَعَمِلَ فِيهَا بِمَا عَمِلَ فِيهَا رَسُولُ اللَّهِ ﷺ، وَأَنْتُمَا حَيِّتَيْدُ - وَأَقْبَلَ عَلِيٌّ عَلِيٌّ وَعَبَّاسٌ فَقَالَ: - تَزْعُمَانِ أَنَّ أَبَا بَكْرٍ فِيهَا كَذَا، وَاللَّهُ يَعْلَمُ أَنَّهُ فِيهَا صَادِقٌ بَارٌّ رَاشِدٌ تَابِعٌ لِلْحَقِّ. ثُمَّ تَوَفَّى اللَّهُ أَبَا بَكْرٍ فَقُلْتُ: أَنَا وَلِيُّ رَسُولِ اللَّهِ ﷺ وَأَبِي بَكْرٍ، فَقَبَضْتُهَا سَتَيْنِ أَعْمَلُ فِيهَا بِمَا عَمِلَ بِهِ رَسُولُ اللَّهِ ﷺ وَأَبُو بَكْرٍ، ثُمَّ جِئْتُمَانِي وَكَلِمَتُكُمَا عَلَى كَلِمَةٍ وَاحِدَةٍ، وَأَمْرُكُمَا جَمِيعٌ، جِئْتَنِي تَسْأَلْنِي نَصِيبَكَ مِنَ ابْنِ أَخِيكَ، وَأَتَانِي هَذَا يَسْأَلُنِي نَصِيبَ أَمْرَاتِهِ مِنْ أَبِيهَا فَقُلْتُ: إِنْ شِئْتُمَا دَفَعْتُهَا إِلَيْكُمَا عَلَنَ أَنْ عَلَيْنِكُمَا عَهْدُ اللَّهِ وَمِيثَاقُهُ تَعْمَلَانِ فِيهَا بِمَا عَمِلَ بِهِ رَسُولُ اللَّهِ ﷺ وَبِمَا عَمِلَ فِيهَا أَبُو بَكْرٍ، وَبِمَا عَمِلْتُ فِيهَا مِنْذُ وَلِيْتُهَا، وَإِلَّا فَلَا تُكَلِّمَانِي فِيهَا فَقُلْتُمَا: اذْفَعْهَا إِلَيْنَا بِذَلِكَ، فَدَفَعْتُهَا إِلَيْكُمَا بِذَلِكَ. أَنْشَدَكُمْ بِاللَّهِ، هَلْ دَفَعْتُهَا إِلَيْهِمَا بِذَلِكَ؟ قَالَ الرَّهْطُ: نَعَمْ. فَأَقْبَلَ عَلِيٌّ عَلِيٌّ وَعَبَّاسٌ فَقَالَ: أَنْشَدَكُمَا بِاللَّهِ،

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هَلْ دَفَعْتَهَا إِلَيْكَ بِذَلِكَ؟ قَالَ: نَعَمْ.  
قَالَ: أَفَلْتَمَسَانِ مِنِّي قَضَاءَ غَيْرِ ذَلِكَ؟  
فَوَالَّذِي بِأُذُنِهِ تَقُومُ السَّمَاءُ وَالْأَرْضُ  
لَا أَقْضِي فِيهَا قَضَاءَ غَيْرِ ذَلِكَ حَتَّى  
تَقُومَ السَّاعَةُ، فَإِنْ عَجَزْتُمَا عَنْهَا  
فَادْفَعَاهَا إِلَيَّ فَأَنَا أَكْفِيكُمَاهَا.

[راجع: ٢٩٠٤]

(6) CHAPTER. The sin of the person who gives refuge or helps a person who innovates an heresy (in the religion) or commits sin.

This has been narrated by 'Alī رضي الله عنه ﷺ on the authority of the Prophet ﷺ.

7306. Narrated 'Āṣim: I asked Anas, "Did Allāh's Messenger ﷺ made Al-Madīna a sanctuary?" He replied, "Yes, (Al-Madīna is a sanctuary) from such and such place to such and such place. It is forbidden to cut its trees, and whosoever innovates an heresy in it or commits a sin therein, will incur the Curse of Allāh, the angels, and all the people." Then Mūsa bin Anas told me that Anas added, "... or gives refuge to such an heretic or a sinner..." (See H. 1867 and 1870)

(7) CHAPTER. What is said against judging (in religion) made on the basis of one's own opinion or by *Qiyās*<sup>(1)</sup> (without referring to the Qur'ān or the *Sunna*).

(And the Statement of Allāh تعالى:)

(٦) بَابُ إِثْمِ مَنْ آوَى مُحَدِّثًا، رَوَاهُ عَلِيٌّ عَنِ النَّبِيِّ ﷺ

٧٣٠٦ - حَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ: حَدَّثَنَا عَبْدُ الْوَاحِدِ: حَدَّثَنَا عَاصِمٌ قَالَ: قُلْتُ لِأَنَسٍ: أَحْرَمَ رَسُولُ اللَّهِ ﷺ الْمَدِينَةَ؟ قَالَ: نَعَمْ: «مَا بَيْنَ كَذَا إِلَى كَذَا، لَا يُقَطَّعُ شَجَرُهَا. مَنْ أَحْدَثَ فِيهَا حَدِّثًا فَعَلَيْهِ لَعْنَةُ اللَّهِ وَالْمَلَائِكَةِ وَالنَّاسِ أَجْمَعِينَ». [راجع: ١٨٦٧]

قَالَ عَاصِمٌ: فَأَخْبَرَنِي مُوسَى بْنُ أَنَسٍ أَنَّهُ قَالَ: أَوْ آوَى مُحَدِّثًا.

(٧) بَابُ مَا يُذَكَّرُ مِنْ دَمِ الرَّأْيِ وَتَكْلُفِ الْقِيَاسِ،

﴿وَلَا تَقْفُ﴾: لَا تَقُلْ ﴿مَا لَيْسَ

(1) (Ch.7) Verdicts and judgements given by Islāmic religious scholars. These are given on the following proofs respectively: (a) From the Holy Book (the Qur'ān). (b) From the Prophet's *Sunna*. (c) From the unanimously accepted verdict of the *Mujtahidīn* (independent religious scholars who do not follow anybody blindly but with proof from all over the Muslim world). (d) *Qiyās*, i.e., the verdict given by a *Mujtahid* who considered the case similar in comparison to a case judged by the Prophet ﷺ. *Qiyās*=

“And follow not (O man, i.e., say not, or do not, or witness not) that of which you have no knowledge (e.g. one’s saying: I have seen,” while in fact he has not seen, or “I have heard”, while he has not heard)...” (V.17:36)

7307. Narrated ‘Abdullāh bin ‘Amr: I heard the Prophet ﷺ saying, “Allāh will not deprive you of knowledge after he has given it to you, but it will be taken away through the death of the religious learned men with their knowledge. Then there will remain ignorant people who, when consulted, will give verdicts according to their opinions whereby they will mislead others and will go astray.”

لَكَ بِهِ عِلْمٌ ﴿٣٦﴾ [الإسراء: ٣٦].

٧٣٠٧ - حَدَّثَنَا سَعِيدُ بْنُ تَلِيدٍ: حَدَّثَنِي ابْنُ وَهَبٍ: حَدَّثَنِي عَبْدُ الرَّحْمَنِ بْنُ شُرَيْحٍ وَغَيْرُهُ، عَنْ أَبِي الْأَسْوَدِ، عَنْ عُرْوَةَ قَالَ: «حَجَّ عَلَيْنَا عَبْدُ اللَّهِ بْنُ عَمْرٍو فَسَمِعْتُهُ يَقُولُ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: إِنَّ اللَّهَ لَا يَنْزِعُ الْعِلْمَ بَعْدَ أَنْ أَعْطَاكُمْوَهُ انْتِزَاعًا وَلَكِنْ يَنْزِعُهُ مِنْهُمْ مَعَ قَبْضِ الْعُلَمَاءِ بِعِلْمِهِمْ فَيَبْقَى نَاسٌ جُهَالٌ يَسْتَمْتُونَ فَيُقْتُونَ بِرَأْيِهِمْ، فَيُضِلُّونَ وَيَضِلُّونَ». فَحَدَّثْتُ بِهِ عَائِشَةَ زَوْجَ النَّبِيِّ ﷺ، ثُمَّ إِنَّ عَبْدَ اللَّهِ بْنَ عَمْرٍو حَجَّ بَعْدُ فَقَالَتْ: يَا ابْنَ أُخْتِي، أَنْطَلِقُ إِلَى عَبْدِ اللَّهِ فَاسْتَنْبِثْ لِي مِنْهُ الَّذِي حَدَّثْتَنِي عَنْهُ، فَجِئْتُهُ فَسَأَلْتُهُ فَحَدَّثَنِي بِهِ كَنَحْوِ مَا حَدَّثْتَنِي، فَأَتَيْتُ عَائِشَةَ فَأَخْبَرْتُهَا فَعَجِبَتْ. فَقَالَتْ: وَاللَّهِ لَقَدْ حَفِظَ عَبْدُ

اللَّهُ بْنُ عَمْرٍو». [راجع: ١٠٠]

7308. Narrated Al-A‘maṣh: I asked Abū Wā’il, “Did you witness the battle of Siffin between ‘Alī and Mu‘āwiyah?” He said, “Yes,” and added, “Then I heard Sahl bin Hunayf saying, ‘O people! Blame your personal opinions in your religion; No doubt, I remember myself on the day of

٧٣٠٨ - حَدَّثَنَا عَبْدَانُ: أَخْبَرَنَا أَبُو حَمْرَةَ: سَمِعْتُ الْأَعْمَشَ قَالَ: سَأَلْتُ أَبَا وَائِلٍ: هَلْ شَهِدْتَ صُفَيْنَ؟ قَالَ: نَعَمْ، فَسَمِعْتُ سَهْلَ بْنَ حُنَيْفٍ يَقُولُ ح.

=is not to be practised except if the judgement of the case is not found in the first three proofs, (a), (b) and (c).

Abī Jandal ; if I had had the power to refuse the order of Allāh's Messenger ﷺ, I would have refused it.<sup>(1)</sup> We have never put our swords on our shoulders to get involved in a situation that might have been horrible for us, but those swords brought us to victory and peace, except this present situation.' ” Abū Wā'il said, "I witnessed the battle of Şifīn, and how nasty Şifīn was!" (See H. 3181)

وَحَدَّثَنَا مُوسَى بْنُ إِسْمَاعِيلَ : حَدَّثَنَا أَبُو عَوَانَةَ ، عَنِ الْأَعْمَشِ ، عَنْ أَبِي وَائِلٍ قَالَ : قَالَ سَهْلُ بْنُ حَنَفِيَّةٍ : يَا أَيُّهَا النَّاسُ ، اتَّبِعُوا رَأْيَكُمْ عَلَى دِينِكُمْ ، لَقَدْ رَأَيْتِي يَوْمَ أَبِي جَنْدَلٍ وَلَوْ اسْتَطَعْتُ أَنْ أُرَدَّ أَمْرَ رَسُولِ اللَّهِ ﷺ لَرَدَدْتُهُ ، وَمَا وَضَعْنَا سِوْفَنَا عَلَى عَوَاتِقِنَا إِلَى أَمْرٍ يُفْطِنُنَا إِلَّا أَسْهَلَنَّا بِنَا إِلَى أَمْرٍ نَعْرِفُهُ غَيْرَ هَذَا الْأَمْرِ ، قَالَ : وَقَالَ أَبُو وَائِلٍ : شَهِدْتُ صِفِّينَ ، وَبُنِسْتُ صِفِّينَ . [راجع : ٣١٨١]

(8) CHAPTER. Whenever the Prophet ﷺ was asked about something regarding which no Verse was revealed, he would either say, "I do not know," or give no reply, but he never gave a verdict based on opinion or on *Qiyās*, and that was because of the Statement of Allāh تعالى :

"... (Judge between men) by that which Allāh has shown you..." (V.4:105)

And Ibn Mas'ūd said, "The Prophet ﷺ was asked about *Ar-Rūh* (the spirit) and he kept quiet till the Divine Revelation was revealed."

(٨) بَابٌ مَا كَانَ النَّبِيُّ ﷺ يُسْأَلُ مِمَّا لَمْ يَنْزَلْ عَلَيْهِ الْوَحْيُ فَيَقُولُ : « لَا أَدْرِي » ، أَوْ لَمْ يَجِبْ حَتَّى يَنْزَلَ عَلَيْهِ الْوَحْيُ ، وَلَمْ يَقُلْ بِرَأْيٍ وَلَا بِقِيَاسٍ لِقَوْلِهِ تَعَالَى : ﴿ إِنَّمَا أَرْكَبُ اللَّهَ ﴾ [النساء: ١٠٥]

وقال ابن مسعود: سئل النبي ﷺ عن الروح فسكت حتى نزلت الآية.

7309. Narrated Jābir bin 'Abdullāh رضي الله عنه: I fell ill, Allāh's Messenger ﷺ and Abū Bakr came to visit me on foot. The Prophet ﷺ came to me while I was unconscious. Allāh's Messenger ﷺ performed ablution and poured the remaining water of his ablution over me whereupon I became conscious and said, "O Allāh's Messenger!

٧٣٠٩ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ : حَدَّثَنَا سُفْيَانُ قَالَ : سَمِعْتُ ابْنَ الْمُنْكَدِرِ يَقُولُ : سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ يَقُولُ : مَرَضْتُ فَجَاءَنِي رَسُولُ اللَّهِ ﷺ يَعُودُنِي وَأَبُو بَكْرٍ ، وَهُمَا

(1) (H.7308) Sahl and the other Companions of the Prophet ﷺ obeyed the Prophet ﷺ regarding the conclusion of the Hudaibiya Treaty with *Al-ʿAshrikūn*, although some of them thought that it was not in the favour of the Muslims. Thus, one should not follow one's own opinion if it disagrees with that of the Prophet ﷺ.

How should I spend my wealth?" Or he asked, "how should I deal with my wealth?" But the Prophet ﷺ did not give me any reply till the Verse of the laws of inheritance was revealed.

مَا شَيْئَانِ، فَأَتَانِي وَقَدْ أُغْمِي عَلَيَّ فَتَوَضَّأَ رَسُولُ اللَّهِ ﷺ ثُمَّ صَبَّ وَضُوءَهُ عَلَيَّ فَأَقَفْتُ فَقُلْتُ: يَا رَسُولَ اللَّهِ - وَرُبَّمَا قَالَ سُفْيَانُ: فَقُلْتُ: أَيُّ رَسُولِ اللَّهِ - كَيْفَ أَقْضِي فِي مَالِي؟ كَيْفَ أَصْنَعُ فِي مَالِي؟ قَالَ: فَمَا أَجَابَنِي بِشَيْءٍ حَتَّى نَزَلَتْ آيَةُ الْمِيرَاثِ. [راجع: ١٩٤]

(9) CHAPTER. The way the Prophet ﷺ taught his followers, whether men or women, of what Allāh taught him. He did not impart his own opinions, nor did he give a verdict based on *Qiyās*.<sup>(1)</sup>

(٩) بَابُ تَعْلِيمِ النَّبِيِّ ﷺ أُمَّتَهُ مِنَ الرِّجَالِ وَالنِّسَاءِ مِمَّا عَلَّمَهُ اللَّهُ، لَيْسَ بِرَأْيٍ وَلَا تَمْثِيلٍ

7310. Narrated Abū Sa'īd (Al-Khudrī): A woman came to Allāh's Messenger ﷺ and said, "O Allāh's Messenger! Men (only) benefit by your teachings, so please devote to us from (some of) your time, a day on which we may come to you so that you may teach us of what Allāh has taught you." Allāh's Messenger ﷺ said, "Gather on such and such a day at such and such a place." They gathered (on the appointed day and place) and Allāh's Messenger ﷺ came to them and taught them of what Allāh had taught him. He then said, "No woman among you who has lost her three children (whose three children died before attaining the age of puberty) but that they will screen her from the (Hell) Fire." A woman among them said, "O Allāh's Messenger! If she lost two children?" She repeated her question twice, whereupon the Prophet ﷺ said, "Even two, even two, even two!" [See Vol.2, *Hadith* No. 1249 and 1250]

٧٣١٠ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْأَصْهَانِيِّ، عَنْ أَبِي صَالِحٍ دَكْوَانَ، عَنْ أَبِي سَعِيدٍ: جَاءَتْ امْرَأَةٌ إِلَى رَسُولِ اللَّهِ ﷺ فَقَالَتْ: يَا رَسُولَ اللَّهِ، ذَهَبَ الرَّجُلُ بِحَدِيثِكَ، فَاجْعَلْ لَنَا مِنْ نَفْسِكَ يَوْمًا نَأْتِيكَ فِيهِ نَعْلَمُنَا مِمَّا عَلَّمَكَ اللَّهُ. فَقَالَ: «اجْتَمِعْنَ فِي يَوْمٍ كَذَا وَكَذَا، فِي مَكَانٍ كَذَا وَكَذَا». فَاجْتَمَعْنَ. فَأَتَاهُنَّ رَسُولُ اللَّهِ ﷺ فَعَلِمَهُنَّ مِمَّا عَلَّمَهُ اللَّهُ ثُمَّ قَالَ: «مَا مِنْكُمْ امْرَأَةٌ تَقْدُمُ بَيْنَ يَدَيْهَا مِنْ وَلَدِهَا ثَلَاثَةً إِلَّا كَانَ لَهَا حِجَابًا مِنَ النَّارِ»، فَقَالَتْ امْرَأَةٌ مِنْهُنَّ: يَا رَسُولَ اللَّهِ، اثْنَيْنِ؟ قَالَ: فَأَعَادَتْهَا مَرَّتَيْنِ،

(1) (Ch.9) *Qiyās*: See the glossary.

ثُمَّ قَالَ: «وَأَتَيْنِ وَأَتَيْنِ وَأَتَيْنِ».

[راجع: ١٠١]

(10) CHAPTER. The statement of the Prophet ﷺ, “A group of my followers will remain victorious in their struggle in the cause of the Truth.” Those are the religious learned men (i.e., *Mujtahidūn*).<sup>(1)</sup>

(١٠) **بَابُ قَوْلِ النَّبِيِّ ﷺ: «لَا تَزَالُ طَائِفَةٌ مِنْ أُمَّتِي ظَاهِرِينَ عَلَى الْحَقِّ يُقَاتِلُونَ». وَهُمْ أَهْلُ الْعِلْمِ**

7311. Narrated Al-Mughīra bin Shu'ba: The Prophet ﷺ said, “A group of my followers will remain victorious (and on the Right Path) till Allāh's Order (the Hour) comes upon them while they will still be victorious.” [See *Ḥadīth* 3640, 3641, 7459]

٧٣١١ - حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، عَنْ إِسْمَاعِيلَ، عَنْ قَيْسِ، عَنِ الْمُغِيرَةَ بْنِ شُعْبَةَ عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تَزَالُ طَائِفَةٌ مِنْ أُمَّتِي ظَاهِرِينَ حَتَّى يَأْتِيَهُمْ أَمْرُ اللَّهِ وَهُمْ ظَاهِرُونَ». [راجع: ٣٦٤٠]

7312. Narrated Ḥumaid: I heard Mu'āwiya bin Abī Sufyān delivering a *Khutba* (religious talk). He said, “I heard the Prophet ﷺ saying, ‘If Allāh wants to do a favour to a person, He makes him comprehend the religion [the understanding of the meanings of the Qur'ān and the *Sunna* (legal ways) of the Prophet ﷺ]. I am only a distributor, but the grant is from Allāh.’<sup>(2)</sup> The state of this nation (i.e., true Muslims, real followers of Islāmic Monotheism) will remain good till the Hour is established, or till Allāh's Order comes.’<sup>(3)</sup>

٧٣١٢ - حَدَّثَنَا إِسْمَاعِيلُ: حَدَّثَنَا ابْنُ وَهَبٍ، عَنْ يُونُسَ، عَنِ ابْنِ شِهَابٍ: أَخْبَرَنِي حُمَيْدٌ قَالَ: سَمِعْتُ مُعَاوِيَةَ بْنَ أَبِي سُفْيَانَ يَخْطُبُ قَالَ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «مَنْ يُرِدِ اللَّهُ بِهِ خَيْرًا يُفَقِّهُهُ فِي الدِّينِ، وَإِنَّمَا أَنَا قَاسِمٌ وَيُعْطِي اللَّهُ، وَلَنْ يَزَالَ أَمْرٌ هَذِهِ الْأُمَّةُ مُسْتَقِيمًا حَتَّى تَقُومَ السَّاعَةُ أَوْ حَتَّى يَأْتِيَ أَمْرُ اللَّهِ». [راجع: ٧١]

(11) CHAPTER. The Statement of Allāh تعالى: “... or to cover you with confusion in party strife...” (V.6:65)

(١١) **بَابُ: فِي قَوْلِ اللَّهِ تَعَالَى: ﴿أَوْ يَلْبِسَكُمْ شِعَابًا﴾ [الأنعام: ٦٥]**

- (1) (Ch.10) *Mujtahidūn*, i.e., independent religious scholars who do not follow anybody blindly but with a proof from the Qur'ān or the Prophet's *Sunna* or both.
- (2) (H.7312) The Prophet ﷺ taught his followers whatever he received from Allāh without partiality, while it is Allāh who gives whomever He will the gift of understanding.
- (3) (H.7312) This means that, till the Hour, there will be good Muslims protecting Islām against its enemies.

7313. Narrated Jābir bin 'Abdullāh رضي الله عنه: When it was revealed to Allāh's Messenger ﷺ:

“Say: He has power to send torment on you from above...” (V.6:65) He ﷺ said, “O Allāh! I seek refuge with Your Face (from that punishment).” And when it was revealed:

“... or from under your feet...” (V.6:65) He ﷺ said, “O Allāh! I seek refuge with Your Face (from that).” And when it was revealed:

“... or to cover you with confusion in party strife, and make you to taste the violence of one another...” (V.6:65) he ﷺ said: “These two warnings are easier (than the previous ones).”

(12) CHAPTER. Whoever compares an ambiguous situation to a clear well-defined one, both of which have already been explained by the Prophet ﷺ to make the questioner understand.

7314. Narrated Abū Hurairah رضي الله عنه: A bedouin came to Allāh's Messenger ﷺ and said, “My wife has given birth to a black boy, and I suspect that he is not my child.” Allāh's Messenger ﷺ said to him, “Have you got camels?” The bedouin said, “Yes.” The Prophet ﷺ said, “What colour are they?” The bedouin said, “They are red.” The Prophet ﷺ said, “Are any of them grey (in color)?” He said, “There are grey ones among them.” The Prophet ﷺ said, “Whence do you think this colour came to them?” The bedouin said, “O Allāh's Messenger! It resulted from hereditary disposition.” The Prophet ﷺ said, “And this (i.e., your child) has inherited his colour from his ancestors.” The Prophet ﷺ did not allow the bedouin to deny his paternity of

٧٣١٣ - حَدَّثَنَا عَلِيُّ بْنُ عَبْدِ اللَّهِ: حَدَّثَنَا سُفْيَانٌ: قَالَ عَمْرُو: سَمِعْتُ جَابِرَ بْنَ عَبْدِ اللَّهِ رَضِيَ اللَّهُ عَنْهُمَا يَقُولُ: لَمَّا نَزَلَ عَلَى رَسُولِ اللَّهِ ﷺ «قُلْ هُوَ الْقَائِدُ عَلَيَّ أَنْ يَبْعَكَ عَلَيْكُمْ عَذَابًا مِنْ فَوْقِكُمْ» قَالَ: «أَعُوذُ بِوَجْهِكَ»، «أَوْ مِنْ تَحْتِ أَرْجُلِكُمْ» قَالَ: «أَعُوذُ بِوَجْهِكَ» فَلَمَّا نَزَلَتْ «أَوْ يَلِيْسَكُمْ شَيْمًا وَذِيْقُ بَعْضُكُمْ بِأَسْبَعِيْنَ» قَالَ: «هَاتَانِ أَهْوَنُ، أَوْ أَيْسَرُ». [راجع: ٤٦٢٨]

(١٢) بَابٌ مَنْ شَبَّهَ أَضْلاً مَعْلُومًا بِأَضَلِّ مَبِينٍ، وَقَدْ بَيَّنَّ النَّبِيُّ ﷺ حُكْمَهُمَا لِيُفْهِمَ السَّائِلَ

٧٣١٤ - حَدَّثَنَا أَصْبَغُ بْنُ الْفَرَجِ: حَدَّثَنِي ابْنُ وَهْبٍ، عَنْ يُونُسَ، عَنِ ابْنِ شَهَابٍ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ أَبِي هُرَيْرَةَ: أَنَّ أَعْرَابِيًّا أَتَى رَسُولَ اللَّهِ ﷺ فَقَالَ: إِنَّ امْرَأَتِي وَوَلَدَتُ غُلَامًا أَسْوَدَ، وَإِنِّي أَنْكَرْتُهُ، فَقَالَ لَهُ رَسُولُ اللَّهِ ﷺ: «هَلْ لَكَ مِنْ إِبِلٍ؟» قَالَ: نَعَمْ، قَالَ: «فَمَا أَلْوَأْنُهَا؟» قَالَ: حُمْرٌ قَالَ: «هَلْ فِيهَا مِنْ أَوْرَقٍ؟» قَالَ: إِنَّ فِيهَا لَوُرْقًا، قَالَ: «فَأَتَى تُرَى ذَلِكَ جَاءَهَا؟» قَالَ: يَا رَسُولَ اللَّهِ، عِرْقُ نَزَعَهَا،

the child. (See H. 5305)

7315. Narrated Ibn 'Abbās رَضِيَ اللهُ عَنْهُمَا: A woman came to the Prophet ﷺ and said, "My mother vowed to perform the *Hajj* but she died before performing it. Should I perform the *Hajj* on her behalf?" He said, "Yes! Perform the *Hajj* on her behalf. See, if your mother had been in debt, would you have paid her debt?" She said, "Yes." He said, "So you should pay what is for Him as Allāh has more right that one should fulfil one's obligations to Him."

(13) CHAPTER. What has been said regarding exerting oneself to find out the proper legal verdict which is in harmony with what Allāh has revealed, as Allāh says: "... And whosoever does not judge by that which Allāh has revealed, such are *Zalimūn* (polytheists and wrongdoers) (of a lesser degree)..." (V.5:45)

The Prophet ﷺ praised the man of religious wisdom who judges by it and teaches it and does not give verdicts that are personal (opinions). And what is said about the caliphs' consulting and asking the religious learned men.

7316. Narrated 'Abdullāh رَضِيَ اللهُ عَنْهُ: Allāh's Messenger ﷺ said, "Do not wish to be like somebody else (in character) except in two cases: (1) The case of a man whom Allāh has given wealth and he spends it in the right way, (2) and that of a man whom Allāh has given religious wisdom (i.e., the understanding of the meanings of the Qur'ān and the *Sunna*) and he gives his

وَلَمْ يُرَخِّصْ لَهُ فِي الْإِنْتِفَاءِ مِنْهُ.

[راجع: ٥٣٠٥]

٧٣١٥ - حَدَّثَنَا مُسَدَّدٌ: حَدَّثَنَا أَبُو عَوَانَةَ، عَنْ أَبِي بَشِيرٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنْ ابْنِ عَبَّاسٍ: أَنَّ امْرَأَةً جَاءَتْ إِلَى النَّبِيِّ ﷺ فَقَالَتْ: إِنَّ أُمَّيْ نَذَرَتْ أَنْ تَحُجَّ فَمَاتَتْ قَبْلَ أَنْ تَحُجَّ، أَفَأَحُجَّ عَنْهَا؟ قَالَ: «نَعَمْ، حُجِّي عَنْهَا، أَرَأَيْتَ لَوْ كَانَ عَلَى أُمِّكَ دَيْنٌ، أَكُنْتُ قَاضِيَتَهُ؟» قَالَتْ: نَعَمْ، قَالَ: «فَأَقْضُوا اللَّهَ الَّذِي لَهُ فَإِنَّ اللَّهَ أَحَقُّ بِالْوَفَاءِ». [راجع: ١٨٥٢]

(١٣) بَابُ مَا جَاءَ فِي اجْتِهَادِ الْقَضَاءِ بِمَا أَنْزَلَ اللَّهُ تَعَالَى لِقَوْلِهِ: ﴿وَمَنْ لَّمْ يَحْكَمْ بِمَا أَنْزَلَ اللَّهُ فَأُولَئِكَ هُمُ الظَّالِمُونَ﴾ [المائدة: ٤٥].

وَمَدَحَ النَّبِيِّ ﷺ صَاحِبَ الْحِكْمَةِ حِينَ يَقْضِي بِهَا وَيُعَلِّمُهَا، وَلَا يَتَكَلَّفُ مِنْ قَبْلِهِ، وَمُسَاوَرَةَ الْخُلَفَاءِ وَسُؤَالِهِمْ أَهْلَ الْعِلْمِ.

٧٣١٦ - حَدَّثَنَا شِهَابُ بْنُ عَبَّادٍ: حَدَّثَنَا إِبْرَاهِيمُ بْنُ حُمَيْدٍ، عَنْ إِسْمَاعِيلَ، عَنْ قَيْسٍ، عَنْ عَبْدِ اللَّهِ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا حَسَدَ إِلَّا فِي اثْنَتَيْنِ: رَجُلٌ آتَاهُ اللَّهُ مَالًا فَسَلَّطَ عَلَى هَلَكْتِهِ فِي الْحَقِّ، وَآخَرُ

verdicts according to it and teaches it<sup>(1)</sup> [to others, i.e., religious knowledge of the Qur'an and the Sunna (Prophet's legal ways)].”

7317. Narrated Al-Mughīra bin Shu'ba : 'Umar bin Al-Khaṭṭāb asked (the people) about the *Imlāsh* of a woman, (i.e., a woman who has an abortion because of having been beaten on her abdomen), saying, “Who among you has heard anything about it from the Prophet ﷺ?” I said, “I did.” He said, “What is that?” I said, “I heard the Prophet ﷺ saying, ‘Its *Diya* (blood-money) is either a male or a female slave’.” ‘Umar said, “Do not leave till you present witness in support of your statement.”

7318. [H. 7317 contd.] So I went out, and found Muḥammad bin Maslama. I brought him, and he gave witness with me that he had heard the Prophet ﷺ saying, “Its *Diya* is either a male slave or a female slave.”

(14) CHAPTER. The statement of the Prophet ﷺ, “Certainly you (Muslims!) will follow the ways of those who were before you (i.e., Jews and Christians).”

7319. Narrated Abū Hurairah رَضِيَ اللهُ عَنْهُ: The Prophet ﷺ said, “The Hour will not be established till my followers copy the deeds of the previous nations and follow them very closely, span by span, and cubit by cubit (i.e., inch by inch).” It was said, “O Allāh's

آتاه اللهُ حِكْمَةً فَهَرُ يَفْضِي بِهَا وَيُعَلِّمُهَا». [راجع: ٧٣]

٧٣١٧ - حَدَّثَنَا مُحَمَّدٌ: أَخْبَرَنَا أَبُو مُعَاوِيَةَ: حَدَّثَنَا هِشَامٌ، عَنْ أَبِيهِ، عَنِ الْمُغِيرَةَ بْنِ شُعْبَةَ قَالَ: سَأَلَ عُمَرُ بْنُ الْخَطَّابِ عَنْ إِمْلَاصِ الْمَرْأَةِ - وَهِيَ الَّتِي يُضْرَبُ بَطْنُهَا فَتُلْقَى جَنِينًا - فَقَالَ: أَيُّكُمْ سَمِعَ مِنَ النَّبِيِّ ﷺ فِيهِ شَيْئًا؟ فَقُلْتُ: أَنَا، فَقَالَ: مَا هُوَ؟ قُلْتُ: سَمِعْتُ النَّبِيَّ ﷺ يَقُولُ: «فِيهِ عُرَّةٌ: عَبْدٌ أَوْ أَمَةٌ»، فَقَالَ: لَا تَبْرَحْ حَتَّى تَجِيئَنِي بِالْمَخْرَجِ فِيمَا قُلْتَ.

[راجع: ٦٩٠٥]

٧٣١٨ - فَخَرَجْتُ فَوَجَدْتُ مُحَمَّدَ بْنَ مَسْلَمَةَ فَجِئْتُ بِهِ فَشَهِدَ مَعِيَ أَنَّهُ سَمِعَ النَّبِيَّ ﷺ يَقُولُ: «فِيهِ عُرَّةٌ: عَبْدٌ أَوْ أَمَةٌ». تَابَعَهُ ابْنُ أَبِي الزُّنَادِ، عَنْ أَبِيهِ، عَنْ عُرْوَةَ، عَنِ الْمُغِيرَةَ. [راجع: ٦٩٠٦]

(١٤) بَابُ قَوْلِ النَّبِيِّ ﷺ: «لَتَتَّبِعَنَّ سُنَنَ مَنْ كَانَ قَبْلَكُمْ»

٧٣١٩ - حَدَّثَنَا أَحْمَدُ بْنُ يُونُسَ: حَدَّثَنَا ابْنُ أَبِي ذُئْبٍ، عَنِ الْمُقْبَرِيِّ، عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللهُ عَنْهُ عَنِ النَّبِيِّ ﷺ قَالَ: «لَا تَقَوْمُ السَّاعَةَ حَتَّى

(1) (H.7316) One should wish to be one of these two men.

Messenger! Do you mean by those (nations) the Persians and the Byzantines?" The Prophet ﷺ said, "Who can it be other than they?"

7320. Narrated Abū Sa'īd Al-Khudrī رضي الله عنه: The Prophet ﷺ said, "You will follow the ways of those nations who were before you, span by span and cubit by cubit (i.e., inch by inch) so much so that even if they entered a hole of a mastigure, you would follow them." We said, "O Allāh's Messenger! (Do you mean) the Jews and the Christians?" He said, "Whom else?" (See H. 3456)

(15) CHAPTER. The sin of the person who invites others to an evil deed or establishes a bad tradition, for Allāh تعالى says: "...and also of the burdens of those whom they misled without knowledge..." (V.16:25)

7321. Narrated 'Abdullāh رضي الله عنه: The Prophet ﷺ said, "None is killed unjustly, but the first son of Ādam will have a part of its burden." Sufyān said, "A part of its blood because he was the first to establish the tradition of murdering."

(16) CHAPTER. The Prophet ﷺ mentioned and recommended that the religious learned men should not differ. What common

تَأْخُذَ أُمَّتِي بِأَخْذِ الْقُرُونِ قَبْلَهَا شِبْرًا بِشِبْرٍ، وَذِرَاعًا بِذِرَاعٍ»، فَقِيلَ: يَا رَسُولَ اللَّهِ، كَفَارِسَ وَالرُّومِ؟ فَقَالَ: «وَمِنَ النَّاسِ إِلَّا أَوْلَئِكَ؟».

٧٣٢٠ - حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ الْعَزِيزِ: حَدَّثَنَا أَبُو عُمَرَ الصَّنَعَائِيُّ مِنَ الْيَمَنِ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، عَنْ أَبِي سَعِيدِ الْخُدْرِيِّ عَنِ النَّبِيِّ ﷺ قَالَ: «لَتَتَّبِعُنَّ سَنَنَ مَنْ كَانَ قَبْلَكُمْ شِبْرًا شِبْرًا، وَذِرَاعًا ذِرَاعًا، حَتَّىٰ لَوْ دَخَلُوا جُحْرًا ضَبًّا تَبِعْتُمُوهُمْ». قُلْنَا: يَا رَسُولَ اللَّهِ، الْيَهُودُ وَالنَّصَارَى؟ قَالَ: «فَمَنْ؟» [راجع: ٣٤٥٦].

(١٥) بَابُ إِثْمٍ مَنْ دَعَا إِلَى ضَلَالَةٍ، أَوْ سَنَّ سُنَّةً سَيِّئَةً لِقَوْلِ اللَّهِ تَعَالَى: ﴿وَمِنَ أَوْزَارِ الَّذِينَ يُضَلُّونَهُم بِغَيْرِ عِلْمٍ﴾ الْآيَةَ [النحل: ٢٥]

٧٣٢١ - حَدَّثَنَا الْحَمِيدِيُّ: حَدَّثَنَا سُفْيَانُ: حَدَّثَنَا الْأَعْمَشُ، عَنْ عَبْدِ اللَّهِ بْنِ مُرَّةَ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ قَالَ: قَالَ النَّبِيُّ ﷺ: «لَيْسَ مِنْ نَفْسٍ تُقْتَلُ ظُلْمًا إِلَّا كَانَ عَلَى ابْنِ آدَمَ الْأَوَّلِ كِفْلٌ مِنْهَا - وَرُبَّمَا قَالَ سُفْيَانُ: مِنْ دَمِهَا - سَنَّ الْقَتْلَ أَوْلًا». [راجع: ٣٣٣٥]

(١٦) بَابُ مَا ذَكَرَ النَّبِيُّ ﷺ وَحَضَّ عَلَى اتِّفَاقِ أَهْلِ الْعِلْمِ. وَمَا اجْتَمَعَ