مصنف ابن أبي شيبة

Musannaf Ibn Abi Shaybah

VOLUME [18]

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Note

Muṣannaf Ibn Abī Shaybah—formally titled “al-Kitāb al-Muṣannaf fī al-Aḥādīth wa al-Āthār”—stands among the greatest monuments of early Islamic scholarship. Compiled by the eminent ḥadīth expert and great Imam Abū Bakr ʿAbdullāh ibn Muḥammad ibn Ibrāhīm ibn ʿUthmān al-ʿAbsī, widely known as Ibn Abī Shaybah (159–235 AH), this expansive work preserves the intellectual, legal, devotional, and spiritual heritage of the first centuries of Islam. A teacher of al-Bukhārī, Muslim, and the leading imams of his generation, Ibn Abī Shaybah authored a collection that has served for over a millennium as a foundational reference for jurists, muḥaddithūn, historians, and researchers.

This edition contains 37,943 narrations, spanning Prophetic ḥadīth, Companion reports (mawqūf), and Successor traditions (maqṭūʿ). The work is arranged topically, covering all major areas of Islamic practice—prayer, purification, ethics, commerce, society, governance, jihad, and thousands of detailed jurisprudential issues. Its scope reflects not only the Sunnah of the Prophet ﷺ but also the early legal culture of Kūfa, the opinions of leading Companions, and the interpretive frameworks of the first generations.

Many rare narrations preserved here do not appear in other major collections, making this Muṣannaf an indispensable source for reconstructing early Islamic thought. The edition most widely used today is the seven-volume Maktabat al-Rushd (Riyadh) publication, edited by Sheikh Kamāl Yūsuf al-Ḥūt, based on verified manuscripts and aligned with the printed arrangement. Digital access to the full text is also available at: https://ketabonline.com/ar/books/6996 For contemporary students and researchers, Muṣannaf Ibn Abī Shaybah offers far more than a repository of narrations.

It grants direct access to the living intellectual world of the 2nd and 3rd Islamic centuries—the debates of jurists, the devotional practices of the righteous, the understandings of the Companions, and the transmission networks that shaped Sunni orthodoxy. Its vast content provides context for the development of fiqh schools, sheds light on doctrinal issues, and helps preserve countless early traditions that might otherwise have been lost. This work before you has been carefully cleaned, structured, and standardized into a modern digital format, enabling readers to navigate all 37,943 reports with ease.

May it serve as a valuable tool for scholars, students, and seekers of sacred knowledge, continuing the legacy of one of Islam's earliest and most prolific hadith masters.

[17001] Ibn ‘Ulayyah told us, from Ibn Jurayj, from Al-Zuhrī regarding {Unless they forgo} [Al-Baqarah: 237]. He said: “The previously married women (Thayāyib). {Or he forgives in whose hand is the marriage contract} [Al-Baqarah: 237] is the guardian of the virgin.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنِ ابْنِ جُرَيْجٍ، عَنِ الزُّهْرِيِّ {إِلاَّ أَنْ يَعْفُونَ} [البقرة: 237] قَالَ: "الثَّيِّبَاتُ {أَوْ يَعْفُوَ الَّذِي بِيَدِهِ عُقْدَةُ النِّكَاحِ} [البقرة: 237] وَلِيُّ الْبِكْرِ

[17002] Ibn ‘Ulayyah told us, from Ibn Jurayj, from ‘Amr ibn Dīnār, from ‘Ikrimah, from Ibn ‘Abbās who said: “Allah was pleased with forgiveness and commanded it. If she forgives, she forgives; if she refuses and her guardian forgives, it is valid; and if she refuses [and he does not, it is her right].”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: رَضِيَ اللَّهُ بِالْعَفْوِ وَأَمَرَ بِهِ، فَإِنْ عَفَتْ عَفَتْ، وَإِنْ أَبَتْ وَعَفَا وَلِيُّهَا جَازَ، وَإِنْ أَبَتْ

[17003] Ziyād ibn al-Rabī‘ told us, from Ṣāliḥ al-Dahhān, from Jābir ibn Zayd, from Ibn ‘Abbās regarding {and not expose their adornment} [An-Nur: 31]. He said: “The hand and the area of the face.”

حَدَّثَنَا زِيَادُ بْنُ الرَّبِيعِ، عَنْ صَالِحٍ الدَّهَّانِ، عَنْ جَابِرِ بْنِ زَيْدٍ، عَنِ ابْنِ عَبَّاسٍ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ} [النور: 31] قَالَ: الْكَفُّ وَرُقْعَةُ الْوَجْهِ

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ إِلاَّ مَا ظَهَرَ مِنْهَا} [النور: 31] قَالَ: الثِّيَابُ

[17004] Wakī‘ told us, from Sufyān, from Abū Isḥāq, from Abū al-Aḥwaṣ, from ‘Abd Allāh regarding {and not expose their adornment except that which [necessarily] appears thereof} [An-Nur: 31]. He said: “The clothes.”

حَدَّثَنَا حَفْصٌ، عَنْ سُلَيْمَانَ، عَنْ أَبِي صَالِحٍ، وَعِكْرِمَةَ: قَالاَ: مَا فَوْقَ الدِّرْعِ، إِلاَّ مَا ظَهَرَ مِنْهَا {وَلاَ يُبْدِينَ زِينَتَهُنَّ} [النور: 31]

[17005] Ḥafṣ told us, from Sulaymān, from Abū Ṣāliḥ and ‘Ikrimah regarding {and not expose their adornment} [An-Nur: 31]. They said: “What is over the dir‘ (chemise), except what appears of it.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَلْقَمَةَ بْنِ مَرْثَدٍ، عَنْ إِبْرَاهِيمَ، قَالَ: الثِّيَابُ

[17006] Wakī‘ told us, from Sufyān, from ‘Alqamah ibn Marthad, from Ibrāhīm who said: “The clothes.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَاصِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: الْكُحْلُ، وَالثِّيَابُ

[17007] Wakī‘ told us, from Sufyān, from ‘Āṣim, from Al-Sha‘bī who said: “Kohl and clothes.”

حَدَّثَنَا وَكِيعٌ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ أُمِّ شَبِيبٍ، عَنْ عَائِشَةَ، قَالَتْ: الْقُلْبُ وَالْفَتْخَةُ

[17008] Wakī‘ told us, from Ḥammād ibn Salamah, from Umm Shabīb, from ‘Ā’ishah who said: “The bracelet and the ring.”

[17009] Abū Muʻāwiyah told us, from Ismāʻīl ibn Abī Khālid, from Māhān regarding {except that which [necessarily] appears} [An-Nur: 31]. He said: “The clothes.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ إِسْمَاعِيلَ بْنِ أَبِي خَالِدٍ، عَنْ مَاهَانَ: {إِلاَّ مَا ظَهَرَ} [النور: 31] قَالَ: الثِّيَابُ

[17010] Maʻmar told us, from Yūnus, from Ibn Shihāb, from Al-Ḥasan who said: “The face and the clothes.”

حَدَّثَنَا مَعْمَرٌ، عَنْ يُونُسَ، عَنِ ابْنِ شِهَابٍ، عَنِ الْحَسَنِ، قَالَ: الْوَجْهُ، وَالثِّيَابُ

[17011] Shabābah ibn Sawwār told us: Hishām ibn al-Ghāz told us: Nāfiʻ told us: Ibn ʻUmar said: “The apparent adornment is the face and the hands.”

حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ، قَالَ: نا هِشَامُ بْنُ الْغَازِ، قَالَ: نا نَافِعٌ، قَالَ ابْنُ عُمَرَ: "الزِّينَةُ الظَّاهِرَةُ: الْوَجْهُ، وَالْكَفَّانِ

[17012] Shabābah ibn Sawwār told us: Hishām ibn al-Ghāz told us: I heard ʻAṭā’ say: “The apparent adornment is dye (henna) and kohl.”

حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ، قَالَ: نا هِشَامُ بْنُ الْغَازِ، قَالَ: سَمِعْتُ عَطَاءً، يَقُولُ: "الزِّينَةُ الظَّاهِرَةُ: الْخِضَابُ، وَالْكُحْلُ

[17013] Shabābah told us, from Hishām who said: I heard Makḥūl say: “The apparent adornment is the face and the hands.”

حَدَّثَنَا شَبَابَةُ، عَنْ هِشَامٍ، قَالَ: سَمِعْتُ مَكْحُولاً، يَقُولُ: "الزِّينَةُ الظَّاهِرَةُ: الْوَجْهُ، وَالْكَفَّانِ

حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، قَالَ: الثِّيَابُ

[17014] Wakī‘ told us, from Mis‘ar, from Abū Isḥāq, from Abū al-Aḥwaṣ who said: “The clothes.”

حَدَّثَنَا عَفَّانُ، قَالَ: نا سَعِيدُ بْنُ زَيْدٍ، قَالَ: نا عَطَاءُ بْنُ السَّائِبِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ إِلاَّ مَا ظَهَرَ مِنْهَا} [النور: 31] الْخَاتَمُ، وَالْخِضَابُ، وَالْكُحْلُ ،

[17015] ‘Affān told us: Sa‘īd ibn Zayd told us: ‘Aṭā’ ibn al-Sā’ib told us, from Sa‘īd ibn Jubayr regarding {and not expose their adornment except that which [necessarily] appears thereof} [An-Nur: 31]. He said: “The ring, the dye (henna), and the kohl.”

حَدَّثَنَا عَفَّانُ، قَالَ: حَدَّثَنَا سَعِيدُ بْنُ زَيْدٍ، قَالَ: حَدَّثَنَا لَيْثٌ، عَنْ مُجَاهِدٍ، قَالَ: الْخِضَابُ، وَالْكُحْلُ

[17016] ‘Affān told us: Sa‘īd ibn Zayd told us: Layth told us, from Mujāhid who said: “The dye (henna) and the kohl.”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ حَجَّاجٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ، قَالَ: "الزِّينَةُ زِينَتَانِ: زِينَةٌ ظَاهِرَةٌ، وَزِينَةٌ بَاطِنَةٌ لاَ يَرَاهَا إِلاَّ الزَّوْجُ، وَأَمَّا الزِّينَةُ الظَّاهِرَةُ: فَالثِّيَابُ، وَأَمَّا الزِّينَةُ الْبَاطِنَةُ: فَالْكُحْلُ، وَالسِّوَارُ، وَالْخَاتَمُ

[17017] Abū Khālid al-Aḥmar told us, from Ḥajjāj, from Abū Isḥāq, from Abū al-Aḥwaṣ, from ‘Abd Allāh who said: “Adornment is of two types: apparent adornment and hidden adornment which no one sees except the husband. As for apparent adornment: it is the clothes. And as for hidden adornment: it is kohl, the bracelet, and the ring.”

[17018] Ḥafṣ told us, from ‘Abd Allāh ibn Muslim, from Sa‘īd ibn Jubayr, from Ibn ‘Abbās regarding {and not expose their adornment except that which [necessarily] appears thereof} [An-Nur: 31]. He said: “Her face and her hand.”

حَدَّثَنَا حَفْصٌ، عَنْ عَبْدِ اللَّهِ بْنِ مُسْلِمٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ إِلاَّ مَا ظَهَرَ مِنْهَا} [النور: 31] قَالَ: وَجْهُهَا، وَكَفُّهَا

[17019] Wakī‘ told us, from Sufyān, from ‘Abd Allāh ibn Maslamah, from Sa‘īd ibn Jubayr who said: “Her hand and her face.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَبْدِ اللَّهِ بْنِ مَسْلَمَةَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، قَالَ: كَفُّهَا، وَوَجْهُهَا

[17020] Al-Faḍl ibn Dukayn told us: Salamah ibn Sābūr told us, from ‘Abd al-Wārith regarding {and not expose their adornment except that which [necessarily] appears thereof} [An-Nur: 31]. He said: “The hand and the ring.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، قَالَ: نا سَلَمَةُ بْنُ سَابُورَ، عَنْ عَبْدِ الْوَارِثِ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ إِلاَّ مَا ظَهَرَ مِنْهَا} [النور: 31] قَالَ: الْكَفُّ، وَالْخَاتَمُ

[17021] Aḥmad ibn Bashīr told us, from Ibn Shubrumah, from ‘Ikrimah regarding {that which appears thereof} [An-Nur: 31]. He said: “The face and the pit of the neck.”

حَدَّثَنَا أَحْمَدُ بْنُ بَشِيرٍ، عَنِ ابْنِ شُبْرُمَةَ، عَنْ عِكْرِمَةَ، قَالَ: الْوَجْهُ، وَثُغْرَةُ النَّحْرِ قَالَ: {مَا ظَهَرَ مِنْهَا} [النور: 31]

[17022] ‘Abdah told us, from Ibn Abī ‘Arūbah, from Qatādah, from Abū al-Khalīl, from ‘Abd Allāh ibn al-Ḥārith, from Umm al-Faḍl who said: The Messenger of Allah ﷺ said: “One suckling or two sucklings, one suck or two sucks, do not prohibit [marriage].”

حَدَّثَنَا عَبْدَةُ، عَنِ ابْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ أَبِي الْخَلِيلِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، عَنْ أُمِّ الْفَضْلِ قَالَتْ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ تُحَرِّمُ الرَّضْعَةُ وَالرَّضْعَتَانِ، وَالْمَصَّةُ وَالْمَصَّتَانِ

[17023] ‘Abdah and Ibn Numayr told us, from Hishām, from his father, from Ibn al-Zubayr who said: The Messenger of Allah ﷺ said: “One suck or two sucks do not prohibit.”

حَدَّثَنَا عَبْدَةُ، وَابْنُ نُمَيْرٍ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنِ ابْنِ الزُّبَيْرِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ تُحَرِّمُ الْمَصَّةُ، وَلاَ الْمَصَّتَانِ

[17024] Wakī‘ told us, from Sufyān, from Ash‘ath ibn Abī al-Sha‘thā’, from his father, from Masrūq, from ‘Ā’ishah who said: The Messenger of Allah ﷺ said: “Breastfeeding is only valid if it is due to hunger.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَشْعَثَ بْنِ أَبِي الشَّعْثَاءِ، عَنْ أَبِيهِ، عَنْ مَسْرُوقٍ، عَنْ عَائِشَةَ، قَالَتْ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِنَّمَا الرَّضَاعَةُ مِنَ الْمَجَاعَةِ

[17025] Wakī‘ told us, from Ismā‘īl, from Qays, from Al-Mughīrah ibn Shu‘bah who said: “One gulp or two gulps (of milk) do not prohibit.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْمَاعِيلَ، عَنْ قَيْسٍ، عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ، قَالَ: لاَ تُحَرِّمُ الْغَبْقَةُ، وَلاَ الْغَبْقَتَانِ

[17026] Abū Khālid told us, from Ḥajjāj, from Abū al-Zubayr who said: I asked Ibn al-Zubayr about breastfeeding. He said: “One suckling, two sucklings, or three do not prohibit.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ حَجَّاجٍ، عَنْ أَبِي الزُّبَيْرِ، قَالَ: سَأَلْتُ ابْنَ الزُّبَيْرِ، عَنِ الرَّضَاعِ؟ فَقَالَ: لاَ تُحَرِّمُ الرَّضْعَةُ، وَلاَ الرَّضْعَتَانِ، وَلاَ الثَّلاَثُ

[17027] Isḥāq ibn Sulaymān told us, from Ḥanẓalah, from Abū Sālim, from Zayd who said: “One suckling or two sucklings do not prohibit.”

حَدَّثَنَا إِسْحَاقُ بْنُ سُلَيْمَانَ، عَنْ حَنْظَلَةَ، عَنْ أَبِي سَالِمٍ، عَنْ زَيْدٍ، قَالَ: لاَ تُحَرِّمُ الرَّضْعَةُ، وَلاَ الرَّضْعَتَانِ

[17028] Muḥammad ibn Bishr told us, from Sa‘īd, from Qatādah, from Sulaymān ibn Yasār who said: “What fills the intestines prohibits.”

حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، قَالَ: يُحَرِّمُ مِنْهُ مَا فَتَقَ الأَمْعَاءَ

[17029] Abū Mu‘āwiyah told us, from Ismā‘īl, from Abū ‘Amr al-Shaybānī, who said: ‘Abd Allāh said: “Breastfeeding only prohibits what grows flesh and strengthens bone.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ إِسْمَاعِيلَ، عَنْ أَبِي عَمْرٍو الشَّيْبَانِيِّ، قَالَ: قَالَ عَبْدُ اللَّهِ: إِنَّمَا يُحَرِّمُ مِنَ الرَّضَاعِ مَا أَنْبَتَ اللَّحْمَ، وَأَنْشَزَ الْعَظْمَ

[17030] Ibn Fuḍayl told us, from Layth, from Mujāhid, who said: Abū Mūsā said: “Breastfeeding does not prohibit unless it grows flesh and blood.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، قَالَ: قَالَ أَبُو مُوسَى: لاَ يُحَرِّمُ الرَّضَاعُ، إِلاَّ مَا أَنْبَتَ اللَّحْمَ، وَالدَّمَ

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، قَالَ: كَانَتْ عَائِشَةُ إِذَا أَرَادَتْ أَنْ يَدْخُلَ عَلَيْهَا أَحَدٌ أَمَرَتْ بِهِ فَأُرْضِعَ، فَأَمَرَتْ أُمَّ كُلْثُومٍ أَنْ تُرْضِعَ سَالِمًا عَشْرَ رَضَعَاتٍ فَأَرْضَعَتْهُ ثَلاَثًا، فَمَرِضَتْ فَكَانَ لاَ يَدْخُلُ عَلَيْهَا، وَأَمَرَتْ فَاطِمَةَ بِنْتَ عُمَرَ أَنْ تُرْضِعَ عَاصِمَ بْنَ سَعِيدٍ مَوْلًى لَهُمْ، فَأَرْضَعَتْهُ عَشْرَ رَضَعَاتٍ فَكَانَ يَدْخُلُ عَلَيْهَا

[17031] Ibn ‘Ulayyah told us, from Ayyūb, from Nāfi‘ who said: ‘Ā’ishah used to order someone to be breastfed if she wanted him to enter upon her. She ordered Umm Kulthūm to breastfeed Sālim ten times, but she breastfed him three times then fell ill, so he did not enter upon her. And she ordered Fāṭimah bint ‘Umar to breastfeed ‘Āṣim ibn Sa‘īd, a freed slave of theirs, and she breastfed him ten times, so he used to enter upon her.

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ حَجَّاجٍ، عَنْ قَتَادَةَ، قَالَ: كَتَبْتُ إِلَى إِبْرَاهِيمَ أَسْأَلُهُ عَنِ الرَّضَاعِ، فَكَتَبَ إِلَيَّ، أَنَّ عَلِيًّا، وَعَبْدَ اللَّهِ كَانَا يَقُولاَنِ: قَلِيلُهُ وَكَثِيرُهُ حَرَامٌ

[17032] Ibn Numayr told us, from Ḥajjāj, from Qatādah who said: I wrote to Ibrāhīm asking him about breastfeeding. He wrote to me that ‘Alī and ‘Abd Allāh used to say: “A little or a lot of it prohibits.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، قَالَ ابْنُ مَسْعُودٍ: يُحَرِّمُ قَلِيلُ الرَّضَاعِ، كَمَا يُحَرِّمُ كَثِيرُهُ. وَقَالَ مُجَاهِدٌ: قَوْلُ ابْنِ مَسْعُودٍ أَحَبُّ إِلَيَّ

[17033] Ibn Fuḍayl told us, from Layth, from Mujāhid who said: Ibn Mas‘ūd said: “A little breastfeeding prohibits just as a lot of it prohibits.” And Mujāhid said: “The saying of Ibn Mas‘ūd is more beloved to me.”

حَدَّثَنَا وَكِيعٌ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ عَابِسٍ، قَالَ: سَمِعْتُ ابْـنَ عَبَّاسٍ، سُـئِلَ عَـنِ الْـمُرْضِـعَةِ، تُـرْضِـعُ الصَّبِيَّ الرَّضْـعَةَ، فَـقَالَ: إِذَا عَـفَا الصَّبِيُّ حَـرُمَـتْ عَـلَيْهِ، وَمَـا وَلَدَتْ

[17034] Wakī‘ told us, from ‘Abd al-Raḥmān ibn ‘Abis who said: I heard Ibn ‘Abbās being asked about a wet nurse who suckles a boy once. He said: “If the boy suckles, she and her offspring become forbidden to him.”

حَدَّثَنَا إِسْـحَاقُ بْنُ سُلَيْمَانَ، عَنْ حَنْظَلَةَ، عَنْ طَـاوُسٍ، قَـالَ: "اشْـتَرَطَ عَشْـرَ رَضَـعَاتٍ ثُمَّ قِـيلَ: إِنَّ الرَّضْـعَةَ الْوَاحِدَةَ تُحَرِّمُ

[17035] Isḥāq ibn Sulaymān told us, from Ḥanẓalah, from Ṭāwūs who said: “Ten sucklings were stipulated, then it was said: Indeed, one suckling prohibits.”

حَدَّثَـنَا وَكِـيعٌ، عَـنْ شُـعْبَةَ، قَـالَ: الْـحَكَمُ، وَحَمَّادٌ، قَـالاَ: الْمَصَّةُ تُحَرِّمُ

[17036] Wakī‘ told us, from Shu‘bah who said: Al-Ḥakam and Ḥammād said: “One suck prohibits.”

حَدَّثَنَا أَبُو خَـالِدٍ، عَنْ حَجَّاجٍ، عَنْ حَبِيبٍ، عَنْ طَـاوُسٍ، قَالَ: سَأَلْتُ ابْنَ عَبَّاسٍ، فَقَالَ: الْمَرَّةُ الْوَاحِدَةُ تُحَرِّمُ

[17037] Abū Khālid told us, from Ḥajjāj, from Ḥabīb, from Ṭāwūs who said: I asked Ibn ‘Abbās, and he said: “One time prohibits.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ حَجَّاجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، وَحُمَيْدٌ الأَعْرَجُ، عَنْ مُجَاهِدٍ، عَمَّنْ سَمِعَ عَطَاءً، قَالَ زَمْعَةُ: وَسَمِعْتُ عَمْرَو بْنَ دِينَارٍ يَقُولُ: "قَالُوا: يُحَرِّمُ قَلِيلُ الرَّضَاعِ، وَكَثِيرُهُ

[17038] Abū Khālid told us, from Ḥajjāj, from Abū al-Zubayr, from Ibn Ṭāwūs, from his father; and Ḥumayd al-A‘raj, from Mujāhid, from someone who heard ‘Aṭā’. Zam‘ah said: And I heard ‘Amr ibn Dīnār saying: “They said: A little breastfeeding and a lot of it prohibits.”

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ جَابِرِ بْنِ زَيْدٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أُرِيدَ عَلَى ابْنَةِ حَمْزَةَ بْنِ عَبْدِ الْمُطَّلِبِ فَقَالَ: إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ، وَإِنَّهُ يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ

[17039] ‘Alī ibn Mushir told us, from Sa‘īd, from Qatādah, from Jābir ibn Zayd, from Ibn ‘Abbās: That the Messenger of Allah ﷺ was urged to marry the daughter of Ḥamzah ibn ‘Abd al-Muṭṭalib. He said: “She is the daughter of my brother through breastfeeding, and indeed, what is prohibited by breastfeeding is prohibited by lineage.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ سَعْدِ بْنِ عُبَيْدَةَ، عَنْ أَبِي عَبْدِ الرَّحْمَنِ، عَنْ عَلِيٍّ، قَالَ: قُلْتُ: يَا رَسُولَ اللَّهِ مَا لَكَ تَتُوقُ فِي قُرَيْشٍ وَتَدَعُنَا؟ قَالَ: عِنْدَكُمْ شَيْءٌ؟ قُلْتُ: نَعَمْ، بِنْتُ حَمْزَةَ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِنَّهَا لاَ تَحِلُّ لِي، إِنَّهَا بِنْتُ أَخِي مِنَ الرَّضَاعَةِ

[17040] Abū Muʻāwiyah told us, from Al-Aʻmash, from Saʻd ibn ʻUbaydah, from Abū ʻAbd al-Raḥmān, from ʻAlī who said: I said: “O Messenger of Allah, why do you seek marriage among Quraysh and leave us?” He said: “Do you have anyone?” I said: “Yes, the daughter of Ḥamzah.” The Messenger of Allah ﷺ said: “She is not lawful for me; she is the daughter of my brother through breastfeeding.”

حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، قَالَتْ: أَتَانِي عَمِّي مِنَ الرَّضَاعَةِ أَفْلَحُ أَخُو أَبِي الْقُعَيْسِ يَسْتَأْذِنُ عَلَيَّ بَعْدَ مَا ضُرِبَ الْحِجَابُ، فَأَبَيْتُ أَنْ آذَنَ لَهُ، حَتَّى دَخَلَ عَلَيَّ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: إِنَّهُ عَمُّكِ فَأْذَنِي لَهُ فَقُلْتُ: إِنَّمَا أَرْضَعَتْنِي الْمَرْأَةُ، وَلَمْ يُرْضِعْنِي الرَّجُلُ قَالَ: تَرِبَتْ يَدَاكِ، أَوْ يَمِينُكِ

[17041] Ibn ʻUyaynah told us, from Al-Zuhrī, from ʻUrwah, from ʻĀ’ishah who said: My paternal uncle through breastfeeding, Aflaḥ the brother of Abū al-Quʻays, came to ask permission to see me after the veil was ordained. I refused to give him permission until the Messenger of Allah ﷺ entered upon me. He said: “He is your uncle, so give him permission.” I said: “The woman breastfed me, not the man.” He said: “May your hands be dusty (an expression of scolding/urging).”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ زَيْنَبَ بِنْتِ أَبِي سَلَمَةَ، عَنْ أُمِّ حَبِيبَةَ قَالَتْ: يَا رَسُولَ اللَّهِ، هَلْ لَكَ فِي أُخْتِي ابْنَةِ أَبِي سُفْيَانَ؟ قَالَ: إِنَّهَا لاَ تَحِلُّ لِي قَالَتْ: فَإِنَّهُ قَدْ بَلَغَنِي أَنَّكَ تَخْطُبُ دُرَّةَ بِنْتَ أَبِي سَلَمَةَ، قَالَ: بِنْتُ أَبِي سَلَمَةَ؟ قَالَتْ: نَعَمْ، قَالَ: وَاللَّهِ إِنْ لَمْ تَكُنْ رَبِيبَتِي فِي حِجْرِي مَا حَلَّتْ لِي، إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ، أَرْضَعَتْنِي، وَأَبَاهَا ثُوَيْبَةُ، فَلاَ تَعْرِضْنَ عَلَيَّ بَنَاتِكُنَّ، وَلاَ أَخَوَاتِكُنَّ

[17042] Ibn Numayr told us, from Hishām ibn ‘Urwah, from his father, from Zaynab bint Abī Salamah, from Umm Ḥabībah who said: “O Messenger of Allah, do you have any interest in my sister, the daughter of Abū Sufyān?” He said: “She is not lawful for me.” She said: “It has reached me that you are proposing to Durrah bint Abī Salamah.” He said: “The daughter of Abū Salamah?” She said: “Yes.” He said: “By Allah, even if she were not my stepdaughter in my guardianship, she would not be lawful for me. She is the daughter of my brother through breastfeeding; Thuwaybah breastfed me and her father. So do not offer me your daughters or your sisters.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، قَالَ: كَانَتْ عَائِشَةُ تُحَرِّمُ مِنَ الرَّضَاعَةِ مَا تُحَرِّمُ مِنَ الْوِلاَدَةِ

[17043] Abū Mu‘āwiyah told us, from Hishām, from his father who said: ‘Ā’ishah used to “consider prohibited by breastfeeding whatever is prohibited by birth.”

[17044] Ibn Mubārak told us, from Mūsā ibn Ayyūb, who said: My uncle Iyās ibn ‘Āmir told me, saying: ‘Alī said: “You do not marry someone breastfed by your brother's wife, nor your father's wife, nor your son's wife.”

حَدَّثَنَا ابْنُ مُبَارَكٍ، عَنْ مُوسَى بْنِ أَيُّوبَ، قَالَ: حَدَّثَنِي عَمِّي إِيَاسُ بْنُ عَامِرٍ، قَالَ: قَالَ عَلِيٌّ: لاَ تَنْكِحُ مَنْ أَرْضَعَتْهُ امْرَأَةُ أَخِيكَ، وَلاَ امْرَأَةُ أَبِيكَ، وَلاَ امْرَأَةُ ابْنِكَ

[17045] Ḥumayd ibn ‘Abd al-Raḥmān told us, from Ḥasan, from ‘Abd al-A‘lā, from Sa‘īd ibn Jubayr, from Ibn ‘Abbās who said: “Breastfeeding prohibits what lineage prohibits.”

حَدَّثَنَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ حَسَنٍ، عَنْ عَبْدِ الأَعْلَى، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: يَحْرُمَ مِنَ الرَّضَاعَةِ، مَا يَحْرُمُ مِنَ النَّسَبِ

[17046] Abū Mu‘āwiyah told us, from Dāwūd, from Abū Ma‘shar, from Ibrāhīm who said: “Breastfeeding prohibits what lineage prohibits.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ دَاوُدَ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، قَالَ: يَحْرُمُ مِنَ الرَّضَاعَةِ، مَا يَحْرُمُ مِنَ النَّسَبِ

[17047] Ibn Idrīs told us, from Hishām, from Ibn Sīrīn, from ‘Abd Allāh (ibn ‘Utbah), from Ibn ‘Utbah - I think from ‘Abd Allāh - who said: “Breastfeeding prohibits what lineage prohibits.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ ابْنِ سِيرِينَ، عَنْ عَبْدِ اللَّهِ، عَنِ ابْنِ عُتْبَةَ، قَالَ: أُرَاهُ عَنْ عَبْدِ اللَّهِ، قَالَ: يَحْرُمُ مِنَ الرَّضَاعَةِ، مَا يَحْرُمُ مِنَ النَّسَبِ

[17048] Ibn Numayr told us, from Ḥajjāj, from Al-Ḥasan, from ‘Irāk ibn Mālik, from ‘Urwah, from ‘Ā’ishah who said: The Messenger of Allah ﷺ said: “Breastfeeding prohibits what lineage prohibits.”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ حَجَّاجٍ، عَنِ الْحَسَنِ، عَنْ عِرَاكِ بْنِ مَالِكٍ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، قَالَتْ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: يَحْرُمُ مِنَ الرَّضَاعَةِ، مَا يَحْرُمُ مِنَ النَّسَبِ

[17049] Al-Faḍl ibn Dukayn told us, from Isrā’īl, from Ibrāhīm ibn ‘Abd al-A‘lā who said: I heard Suwayd ibn Ghafalah say: “Breastfeeding prohibits what lineage prohibits.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ إِسْرَائِيلَ، عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الأَعْلَى، قَالَ: سَمِعْتُ سُوَيْدَ بْنَ غَفَلَةَ يَقُولُ: يَحْرُمُ مِنَ الرَّضَاعَةِ مَا يَحْرُمُ مِنَ النَّسَبِ

[17050] ‘Ubayd Allāh told us, from Isrā’īl, from Abū Isḥāq, from Al-Barā’: That it was said to the Prophet ﷺ: “Do you have any interest in the daughter of Ḥamzah?” He said: “She is not lawful for me; she is the daughter of my brother through breastfeeding.”

حَدَّثَنَا عُبَيْدُ اللَّهِ، عَنْ إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنِ الْبَرَاءِ، أَنَّهُ قِيلَ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: هَلْ لَكَ فِي بِنْتِ حَمْزَةَ؟ فَقَالَ: إِنَّهَا لاَ تَحِلُّ لِي، إِنَّهَا ابْنَةُ أَخِي مِنَ الرَّضَاعَةِ

[17051] Ḥafṣ told us, from Al-Shaybānī, from Abū al-Ḍuḥā, from Abū ‘Abd al-Raḥmān, from Ibn Mas‘ūd who said: “There is no breastfeeding (that prohibits) except what occurs within the two years.”

حَدَّثَنَا حَفْصٌ، عَنِ الشَّيْبَانِيِّ، عَنْ أَبِي الضُّحَى، عَنْ أَبِي عَبْدِ الرَّحْمَنِ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: لاَ رَضَاعَ، إِلاَّ مَا كَانَ فِي الْحَوْلَيْنِ

حَدَّثَنَا جَرِيرٌ، عَنْ لَيْثٍ، عَنْ زُبَيْدٍ، قَالَ: قَالَ عَلِيٌّ: لاَ يُحَرِّمُ مِنَ الرَّضَاعِ، إِلاَّ مَا كَانَ فِي الْحَوْلَيْنِ

[17052] Jarīr told us, from Layth, from Zubayd who said: ‘Alī said: “Breastfeeding does not prohibit except what occurs within the two years.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ عَاصِمٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لاَ رَضَاعَ، إِلاَّ مَا كَانَ فِي الصِّغَرِ

[17053] Ibn Fuḍayl told us, from ‘Āṣim, from ‘Ikrimah, from Ibn ‘Abbās who said: “There is no breastfeeding (that prohibits) except what occurs in infancy.”

حَدَّثَنَا وَكِيعٌ، عَنْ يَزِيدَ بْنِ إِبْرَاهِيمَ، عَنِ الْحَسَنِ، قَالَ: قَالَ عُمَرُ: لاَ رَضَاعَ بَعْدَ الْفِصَالِ

[17054] Wakī‘ told us, from Yazīd ibn Ibrāhīm, from Al-Ḥasan who said: ‘Umar said: “There is no breastfeeding (that prohibits) after weaning.”

حَدَّثَنَا وَكِيعٌ، عَنْ أَبِي جَنَابٍ، عَنْ إِسْمَاعِيلَ بْنِ رَجَاءٍ، عَنِ النَّزَّالِ بْنِ سَبْرَةَ، عَنْ عَلِيٍّ، قَالَ: لاَ رَضَاعَ بَعْدَ الْفِصَالِ

[17055] Wakī‘ told us, from Abū Janāb, from Ismā‘īl ibn Rajā’, from Al-Nazzāl ibn Sabrah, from ‘Alī who said: “There is no breastfeeding (that prohibits) after weaning.”

[17056] ‘Abdah told us, from Hishām ibn ‘Urwah, from Yaḥyā ibn ‘Abd al-Raḥmān ibn Ḥāṭib, from his grandfather: That he asked Umm Salamah about breastfeeding. She said: “There is no breastfeeding (that prohibits) except what occurs in the cradle before weaning.”

حَدَّثَنَا عَبْدَةُ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ يَحْيَى بْنِ عَبْدِ الرَّحْمَنِ بْنِ حَاطِبٍ، عَنْ جَدِّهِ، أَنَّهُ سَأَلَ أُمَّ سَلَمَةَ، عَنِ الرَّضَاعِ، فَقَالَتْ: لاَ رَضَاعَ، إِلاَّ مَا كَانَ فِي الْمَهْدِ قَبْلَ الْفِطَامِ

[17057] ‘Abdah told us, from Hishām, from his father: That Abū Hurayrah was asked about breastfeeding. He said: “Nothing prohibits from breastfeeding except what opens the intestines and was from the breast before weaning.”

حَدَّثَنَا عَبْدَةُ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، أَنَّ أَبَا هُرَيْرَةَ، سُئِلَ عَنِ الرَّضَاعِ؟ فَقَالَ: لاَ يُحَرِّمُ مِنَ الرَّضَاعِ، إِلاَّ مَا فَتَقَ الأَمْعَاءَ، وَكَانَ فِي الثَّدْيِ قَبْلَ الْفِطَامِ.

[17058] Abū Usāmah told us, from Hishām ibn ‘Urwah, from his father, from Ḥajjāj, from Abū Hurayrah with the like of it.

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ حَجَّاجٍ، عَنْ أَبِي هُرَيْرَةَ، بِمِثْلِهِ.

[17059] Ibn Numayr told us: Hishām ibn ‘Urwah told us, from his father, from Ḥajjāj, from Abū Hurayrah with the like of it.

حَدَّثَنَا ابْنُ نُمَيْرٍ، قَالَ: نا هِشَامُ بْنُ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ حَجَّاجٍ، عَنْ أَبِي هُرَيْرَةَ، بِمِثْلِهِ

حَدَّثَنَا ابْنُ مَهْدِيٍّ، وَأَبُو أُسَامَةَ، عَنْ سُفْيَانَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، أَنَّ عَلْقَمَةَ، مَرَّ بِامْرَأَةٍ وَهِيَ تُرْضِعُ صَبِيًّا لَهَا بَعْدَ الْحَوْلَيْنِ، فَقَالَ: لاَ تُرْضِعِيهِ بَعْدَ ذَلِكَ

[17060] Ibn Mahdī and Abū Usāmah told us, from Sufyān, from Al-A‘mash, from Ibrāhīm: That ‘Alqamah passed by a woman breastfeeding her child after two years. He said: “Do not breastfeed him after that.”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، قَالَ: إِذَا فُطِمَ الصَّبِيُّ فَلاَ رَضَاعَ بَعْدَ الْفِطَامِ

[17061] Ibn Numayr told us, from ‘Abd al-Malik, from ‘Aṭā’ who said: “If the child is weaned, there is no breastfeeding (that prohibits) after weaning.”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: لاَ يُحَرِّمُ مِنَ الرَّضَاعِ، إِلاَّ مَا كَانَ فِي الصِّغَرِ

[17062] Ibn Numayr told us, from ‘Abd Allāh ibn ‘Umar, from Nāfi‘, from Ibn ‘Umar who said: “There is no breastfeeding (that prohibits) except what occurs in infancy.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، قَالَ: لاَ رَضَاعَ، إِلاَّ مَا كَانَ فِي الْمَهْدِ، وَإِلاَّ مَا أَنْبَتَ اللَّحْمَ، وَالدَّمَ

[17063] Abū Khālid told us, from Yaḥyā ibn Sa‘īd, from Sa‘īd ibn al-Musayyib who said: “There is no breastfeeding (that prohibits) except what occurs in the cradle, and what grows flesh and blood.”

حَدَّثَنَا حَفْصٌ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، قَالَ: مَا كَانَ مِنْ وَجُورٍ أَوْ سَعُوطٍ فِي السَّنَتَيْنِ فَهُوَ رَضَاعٌ، وَمَا كَانَ بَعْدُ فَلَيْسَ بِرَضَاعٍ

[17064] Ḥafṣ told us, from Al-Shaybānī, from Al-Sha‘bī who said: “Whatever (milk) enters the mouth or nose within the two years is breastfeeding (that prohibits), and whatever is after that is not breastfeeding.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ اللَّهِ، وَحَسَنٍ، ابْنَيْ مُحَمَّدٍ، عَنْ أَبِيهِمَا، أَنَّ عَلِيًّا قَالَ لِابْنِ عَبَّاسٍ: أَمَا عَلِمْتَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الْمُتْعَةِ، وَعَنْ لُحُومِ الْحُمُرِ الأَهْلِيَّةِ؟

[17065] Abū Bakr said: Ibn ‘Uyaynah told us, from Al-Zuhrī, from ‘Abd Allāh and Ḥasan, the sons of Muḥammad, from their father: That ‘Alī said to Ibn ‘Abbās: “Did you not know that the Messenger of Allah ﷺ forbade Mut‘ah (temporary marriage) and the meat of domestic donkeys?”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنِ الرَّبِيعِ بْنِ سَبْرَةَ الْجُهَنِيِّ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى يَوْمَ الْفَتْحِ عَنْ مُتْعَةِ النِّسَاءِ

[17066] Ibn ‘Ulayyah told us, from Ma‘mar, from Al-Zuhrī, from Al-Rabī‘ ibn Sabrah al-Juhanī, from his father: That the Messenger of Allah ﷺ forbade Mut‘ah marriage on the Day of Conquest (Fatḥ).

حَدَّثَنَا عَبْدَةُ، عَنْ عَبْدِ الْعَزِيزِ بْنِ عُمَرَ، عَنِ الرَّبِيعِ بْنِ سَبْرَةَ، عَنْ أَبِيهِ، قَالَ: رَأَيْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَائِمًا بَيْنَ الرُّكْنِ وَالْبَابِ، وَهُوَ يَقُولُ: أَيُّهَا النَّاسُ، إِنِّي كُنْتُ أَذِنْتُ لَكُمْ فِي الِاسْتِمْتَاعِ، أَلاَ وَإِنَّ اللَّهَ حَرَّمَهَا إِلَى يَوْمِ الْقِيَامَةِ، فَمَنْ كَانَ عِنْدَهُ مِنْهُنَّ شَيْءٌ فَلْيُخَلِّ سَبِيلَهُ، وَلاَ تَأْخُذُوا مِمَّا آتَيْتُمُوهُنَّ شَيْئًا

[17067] ‘Abdah told us, from ‘Abd al-‘Azīz ibn ‘Umar, from Al-Rabī‘ ibn Sabrah, from his father who said: I saw the Messenger of Allah ﷺ standing between the Corner and the Door, saying: “O people, I had permitted you to practice Mut‘ah, but indeed Allah has forbidden it until the Day of Resurrection. So whoever has any of them, let him let her go, and do not take anything of what you have given them.”

حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ، عَنْ عَبْدِ الْوَاحِدِ بْنِ زِيَادٍ، قَالَ: أَبُو الْعُمَيْسِ، عَنْ إِيَاسِ بْنِ سَلَمَةَ، عَنْ أَبِيهِ، قَالَ: na رَخَّصَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَامَ أَوْطَاسٍ فِي الْمُتْعَةِ ثَلاَثًا، ثُمَّ نَهَى عَنْهَا

[17068] Yūnus ibn Muḥammad told us, from ‘Abd al-Wāḥid ibn Ziyād, who said: Abū al-‘Umayis told us, from Iyās ibn Salamah, from his father who said: “The Messenger of Allah ﷺ permitted Mut‘ah in the year of Awṭās for three [days], then he forbade it.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: قَالَ عُمَرُ: لَوْ تَقَدَّمْتُ فِيهَا لَرَجَمْتُ، يَعْنِي الْمُتْعَةَ

[17069] Ibn Idrīs told us, from Yaḥyā ibn Sa‘īd, from Nāfi‘, from Ibn ‘Umar who said: ‘Umar said: “If I had warned about it beforehand, I would have stoned [for it],” meaning Mut‘ah.

[17070] Ibn Idrīs told us, from Dāwūd, from Sa‘īd ibn al-Musayyib who said: “Inheritance abrogated Mut‘ah.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ دَاوُدَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، قَالَ: نَسَخَ الْمُتْعَةَ الْمِيرَاثُ

[17071] Ibn ‘Uyaynah told us, from Al-Zuhrī, from Sālim, from his father who said: He was asked about Mut‘ah marriage. He said: “We do not know it except as fornication.”

حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنْ أَبِيهِ، قَالَ: سُئِلَ عَنْ مُتْعَةِ النِّسَاءِ؟ فَقَالَ: لاَ نَعْلَمُهَا إِلاَّ السِّفَاحَ

[17072] ‘Ubaydah told us, from ‘Ubayd Allāh, from Nāfi‘, from Ibn ‘Umar, who was asked about Mut‘ah. He said: “It is forbidden.” It was said to him: “Ibn ‘Abbās gives Fatwa permitting it.” He said: “Why didn't he speak about it during the time of ‘Umar?”

حَدَّثَنَا عَبِيدَةُ عُبَيْدَةُ، عَنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، سُئِلَ عَنْ الْمُتْعَةِ؟ فَقَالَ: حَرَامٌ فَقِيلَ لَهُ: إِنَّ ابْنَ عَبَّاسٍ يُفْتِي بِهَا، فَقَالَ: فَهَلاَّ تَزَمْزَمَ بِهَا فِي زَمَانِ عُمَرَ

[17073] ‘Abdah told us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib who said: “May Allah have mercy on ‘Umar. If he had not forbidden Mut‘ah, adultery would have become public.”

حَدَّثَنَا عَبْدَةُ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، أَنَّهُ قَالَ: رَحِمَ اللَّهُ عُمَرَ، لَوْلاَ أَنَّهُ نَهَى عَنِ الْمُتْعَةِ، صَارَ الزِّنَا جِهَارًا

[17074] ‘Abdah told us, from Sa‘īd, from Qatādah, from Al-Ḥasan who said: “By Allah, it was only three days that the Messenger of Allah ﷺ permitted it for them; it was not [allowed] before that nor after.”

حَدَّثَنَا عَبْدَةُ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، قَالَ: وَاللَّهِ مَا كَانَتْ إِلاَّ ثَلاَثَةَ أَيَّامٍ أَذِنَ لَهُمْ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِيهَا، مَا كَانَتْ قَبْلَ ذَلِكَ وَلاَ بَعْدُ

[17075] Muḥammad ibn Bishr told us: ‘Abd Allāh ibn al-Walīd told me, saying: Ibn Abī Dhi’b said to me: I heard Ibn al-Zubayr delivering a sermon saying: “The wolf is nicknamed Abū Ja‘dah. Verily, Mut‘ah is adultery.”

حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، قَالَ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ الْوَلِيدِ، قَالَ: قَالَ لِي ابْنُ أَبِي ذِئْبٍ: سَمِعْتُ ابْنَ الزُّبَيْرِ، يَخْطُبُ وَهُوَ يَقُولُ: إِنَّ الذِّئْبَ يُكَنَّى أَبَا جَعْدَةَ، أَلاَ وَإِنَّ الْمُتْعَةَ هِيَ الزِّنَا

[17076] Muḥammad ibn Bishr told us, from ‘Abd al-‘Azīz ibn ‘Umar, from Al-Ḥasan ibn Muslim, from Ibn Ṭāwūs who said: “The Sunnah of Mut‘ah was the Sunnah of marriage, except that the term was in their (women's) hands.”

حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ عَبْدِ الْعَزِيزِ بْنِ عُمَرَ، عَنِ الْحَسَنِ بْنِ مُسْلِمٍ، عَنِ ابْنِ طَاوُسٍ، قَالَ: كَانَتْ سُنَّةُ الْمُتْعَةِ سُنَّةَ النِّكَاحِ، إِلاَّ أَنَّ الأَجَلَ كَانَ فِي أَيْدِيهِنَّ

حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنِ الْعَلاَءِ بْنِ الْمُسَيِّبِ، عَنْ أَبِيهِ، قَالَ: قَالَ عُمَرُ: لَوْ أُتِيتُ بِرَجُلٍ تَمَتَّعَ بِامْرَأَةٍ، لَرَجَمْتُهُ إِنْ كَانَ أَحْصَنَ، فَإِنْ لَمْ يَكُنْ أَحْصَنَ ضَرَبْتُهُ

[17077] Marwān ibn Mu‘āwiyah told us, from Al-‘Alā’ ibn al-Musayyib, from his father who said: ‘Umar said: “If a man were brought to me who practiced Mut‘ah with a woman, I would stone him if he was married (Muḥṣan), and if he was not married, I would flog him.”

حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ، عَنْ هِشَامِ بْنِ الْغَازِ، قَالَ: سَمِعْتُ مَكْحُولاً، يَقُولُ فِي الرَّجُلِ تَزَوَّجَ الْمَرْأَةَ إِلَى أَجَلٍ قَالَ: ذَلِكَ الزِّنَا

[17078] Shabābah ibn Sawwār told us, from Hishām ibn al-Ghāz who said: I heard Makḥūl say regarding a man who marries a woman for a specified term: “That is adultery.”

حَدَّثَنَا وَكِيعٌ، قَالَ: نا إِسْمَاعِيلُ، عَنْ قَيْسٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: كُنَّا مَعَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَنَحْنُ شَبَابٌ، قَالَ: فَقُلْنَا: يَا رَسُولَ اللَّهِ أَلاَ نَسْتَخْصِي؟ قَالَ: لاَ، ثُمَّ رَخَّصَ لَنَا أَنْ نَنْكِحَ الْمَرْأَةَ بِالثَّوْبِ إِلَى الأَجَلِ، ثُمَّ قَرَأَ عَبْدُ اللَّهِ: {يَا أَيُّهَا الَّذِينَ آمَنُوا لاَ تُحَرِّمُوا طَيِّبَاتِ مَا أَحَلَّ اللَّهُ لَكُمْ} [المائدة: 87]

[17079] Wakī‘ told us: Ismā‘īl told us, from Qays, from ‘Abd Allāh who said: We were with the Prophet ﷺ while we were young men. We said: “O Messenger of Allah, shall we not castrate ourselves?” He said: “No.” Then he permitted us to marry a woman temporarily for a garment. Then ‘Abd Allāh recited: {O you who have believed, do not prohibit the good things which Allah has made lawful to you} [Al-Ma'idah: 87].

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنِ الْمُسَيِّبِ بْنِ رَافِعٍ، عَنْ قَبِيصَةَ بْنِ جَابِرٍ، عَنْ عُمَرَ، قَالَ: لاَ أُوتَى بِمُحِلٍّ، وَلاَ مُحَلَّلٍ لَهُ إِلاَّ رَجَمْتُهُمَا

[17080] Abū Muʻāwiyah told us, from Al-Aʻmash, from Al-Musayyib ibn Rāfiʻ, from Qabīṣah ibn Jābir, from ʻUmar who said: "I will not have a Muhill (one who marries to make lawful) or a Muhallal lahu (one for whom it is made lawful) brought to me except that I will stone them."

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ خَالِدٍ الْحَذَّاءِ، عَنْ أَبِي مَعْشَرٍ، عَنْ رَجُلٍ، عَنِ ابْنِ عُمَرَ أَنَّهُ قَالَ: لَعَنَ اللَّهُ الْمُحِلَّ وَالْمُحَلَّلَ لَهُ، وَالْمُحَلَّلَةَ

[17081] Ibn ʻUlayyah told us, from Khālid al-Ḥadhdhā', from Abū Maʻshar, from a man, from Ibn ʻUmar that he said: "Allah cursed the Muhill, the Muhallal lahu, and the Muhallalah (the woman involved)."

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ عَبْدِ الْمَلِكِ بْنِ الْمُغِيرَةِ بْنِ نَوْفَلٍ، أَنَّ ابْنَ عُمَرَ، سُئِلَ عَنْ تَحْلِيلِ الْمَرْأَةِ لِزَوْجِهَا قَالَ: ذَلِكَ السِّفَاحُ، لَوْ أَدْرَكَكُمْ عُمَرُ لَنَكَّلَكُمْ

[17082] Yazīd ibn Hārūn told us, from Saʻīd ibn Abī ʻArūbah, from Maʻmar, from Al-Zuhrī, from ʻAbd al-Malik ibn al-Mughīrah ibn Nawfal: That Ibn ʻUmar was asked about making a woman lawful for her husband (Taḥlīl). He said: "That is fornication (Sifāḥ). If ʻUmar had caught you, he would have punished you severely."

حَدَّثَنَا وَكِيعٌ، عَنِ ابْنِ شِهَابٍ، عَنْ جَبَلَةَ بْنِ دَعْلَجٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، قَالَ: الْمُحَلِّلُ مَلْعُونٌ

[17083] Wakī‘ told us, from Ibn Shihāb, from Jabalah ibn Da‘laj, from Sa‘īd ibn Jubayr who said: “The Muhallil is cursed.”

حَدَّثَنَا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، وَعَنْ يُونُسَ، عَنِ الْحَسَنِ، قَالاَ: إِذَا هَمَّ أَحَدُ الثَّلاَثَةِ، فَسَدَ النِّكَاحُ

[17084] Hushaym told us, from Mughīrah, from Ibrāhīm; and from Yūnus, from Al-Ḥasan, who said: “If one of the three intends it (Taḥlīl), the marriage is invalid.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ وَحَمَّادًا، عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً لِيُحِلَّهَا لِزَوْجِهَا؟ فَقَالَ الْحَكَمُ: يُمْسِكُهَا وَقَالَ حَمَّادٌ: أَحَبُّ إِلَيَّ أَنْ يُفَارِقَهَا

[17085] Ghundar told us, from Shu‘bah who said: I asked Al-Ḥakam and Ḥammād about a man who married a woman to make her lawful for her [former] husband. Al-Ḥakam said: “He keeps her.” Ḥammād said: “It is more beloved to me that he separates from her.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ حَبِيبٍ، عَنْ عَمْرٍو، عَنْ جَابِرِ بْنِ زَيْدٍ، فِي رَجُلٍ تَزَوَّجَ امْرَأَةً لِيُحِلَّهَا لِزَوْجِهَا، وَهُوَ لاَ يَعْلَمُ، فَقَالَ الْحَكَمُ: يُمْسِكُهَا، وَقَالَ حَمَّادٌ: أَحَبُّ إِلَيَّ أَنْ يُفَارِقَهَا

[17086] Abū Dāwūd told us, from Ḥabīb, from ‘Amr, from Jābir ibn Zayd regarding a man who married a woman to make her lawful for her [former] husband, while he (the new husband) did not know. Al-Ḥakam said: “He keeps her.” Ḥammād said: “It is more beloved to me that he separates from her.”

[17087] Abū Dāwūd told us, from Ḥabīb, from ‘Amr, from Jābir ibn Zayd regarding a man who married a woman to make her lawful for her [former] husband, while he did not know. He said: “That is not proper if he married her to make her lawful.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ حَبِيبٍ، عَنْ عَمْرٍو، عَنْ جَابِرِ بْنِ زَيْدٍ، فِي رَجُلٍ تَزَوَّجَ امْرَأَةً لِيُحِلَّهَا لِزَوْجِهَا وَهُوَ لاَ يَعْلَمُ، قَالَ: لاَ يَصْلُحُ ذَلِكَ، إِذَا كَانَ تَزَوَّجَهَا لِيُحِلَّهَا

[17088] ‘Ā’idh ibn Ḥabīb told us, from Ash‘ath, from Ibn Sīrīn who said: “The Muhill and the Muhallal were cursed.”

حَدَّثَنَا عَائِذُ بْنُ حَبِيبٍ، عَنْ أَشْعَثَ، عَنِ ابْنِ سِيرِينَ، قَالَ: لُعِنَ الْمُحِلُّ وَالْمُحَلَّلُ

[17089] Al-Faḍl ibn Dukayn told us, from Sufyān, from Abū Qays, from Huzayl, from ‘Abd Allāh who said: “The Messenger of Allah ﷺ cursed the Muhill and the Muhallal lahu.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ سُفْيَانَ، عَنْ أَبِي قَيْسٍ، عَنْ هُزَيْلٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: لَعَنَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْمُحِلَّ، وَالْمُحَلَّلَ لَهُ

حَدَّثَنَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ مُوسَى بْنِ أَبِي الْفُرَاتِ، عَنْ عَمْرِو بْنِ دِينَارٍ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ، فَجَاءَ رَجُلٌ مِنْ أَهْلِ الْقَرْيَةِ بِغَيْرِ عِلْمِهِ، وَلاَ عِلْمِهَا فَأَخْرَجَ شَيْئًا مِنْ مَالِهِ فَتَزَوَّجَهَا لِيُحِلَّهَا لَهُ، فَقَالَ: لاَ، ثُمَّ ذَكَرَ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ سُئِلَ عَنْ مِثْلِ ذَلِكَ فَقَالَ: لاَ حَتَّى يَنْكِحَهَا مُرْتَقِبًا لِنَفْسِهِ، حَتَّى يَتَزَوَّجَهَا مُرْتَقِبًا لِنَفْسِهِ، فَإِذَا فَعَلَ ذَلِكَ لَمْ تَحِلَّ لَهُ حَتَّى تَذُوقَ الْعُسَيْلَةَ

[17090] Ḥumayd ibn ʻAbd al-Raḥmān told us, from Mūsā ibn Abī al-Furāt, from ʻAmr ibn Dīnār: That he was asked about a man who divorced his wife, and a man from the village came without his knowledge or hers, paid something from his money, and married her to make her lawful for him. He said: “No.” Then he mentioned that the Prophet ﷺ was asked about the like of that, and he said: “No, until he marries her desiring her for himself, until he marries her desiring her for himself. If he does that, she is not lawful for him until she tastes the sweetness (consummates the marriage).”

حَدَّثَنَا مُعَاذٌ، قَالَ: نا عَبَّادُ بْنُ مَنْصُورٍ، قَالَ: جَاءَ رَجُلٌ إِلَى الْحَسَنِ، فَقَالَ: إِنَّ رَجُلاً مِنْ قَوْمِي طَلَّقَ امْرَأَتَهُ ثَلاَثًا، فَنَدِمَ وَنَدِمَتْ فَأَرَدْتُ أَنْ أَنْطَلِقَ فَأَتَزَوَّجَهَا وَأَصْدُقَهَا صَدَاقًا، ثُمَّ أَدْخُلَ بِهَا كَمَا يَدْخُلُ الرَّجُلُ بِامْرَأَتِهِ، ثُمَّ أُطَلِّقَهَا حَتَّى تَحِلَّ لِزَوْجِهَا، قَالَ: فَقَالَ لَهُ الْحَسَنُ: اتَّقِ اللَّهَ يَا فَتَى، وَلاَ تَكُونَنَّ مِسْمَارَ نَارٍ لِحُدُودِ اللَّهِ

[17091] Muʻādh told us: ʻAbbād ibn Manṣūr told us, saying: A man came to Al-Ḥasan and said: “A man from my people divorced his wife three times, and he regretted it and she regretted it. So I wanted to go and marry her, give her a dowry, then consummate the marriage with her as a man does with his wife, then divorce her so she becomes lawful for her husband.” Al-Ḥasan said to him: “Fear Allah, O young man, and do not be a nail of fire against the limits of Allah.”

حَدَّثَنَا الْمُعَلَّى بْنُ مَنْصُورٍ، قَالَ: نا عَبْدِ اللَّهِ بْنُ جَعْفَرٍ، عَنْ عُثْمَانَ بْنِ مُحَمَّدٍ الأَخْنَسِيِّ، عَنِ الْمَقْبُرِيِّ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: لَعَنَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ الْمُحِلَّ، وَالْمُحَلَّلَ لَهُ

[17092] Al-Muʻallā ibn Manṣūr told us: ʻAbd Allāh ibn Jaʻfar told us, from ʻUthmān ibn Muḥammad al-Akhnasī, from Al-Maqburī, from Abū Hurayrah who said: “The Messenger of Allah ﷺ cursed the Muhill and the Muhallal lahu.”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ أَبِي السَّنَابِلِ، قَالَ: وَضَعَتْ سُبَيْعَةُ بِنْتُ الْحَارِثِ حَمْلَهَا بَعْدَ وَفَاةِ زَوْجِهَا بِبِضْعٍ وَعِشْرِينَ لَيْلَةً، فَلَمَّا تَعَلَّتْ مِنْ نِفَاسِهَا تَشَوَّفَتْ فَعِيبَ ذَلِكَ عَلَيْهَا وَذُكِرَ أَمْرُهَا لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: إِنْ تَفْعَلْ فَقَدْ مَضَى أَجَلُهَا

[17093] Abū al-Aḥwaṣ told us, from Manṣūr, from Ibrāhīm, from Al-Aswad, from Abū al-Sanābil who said: Subay‘ah bint al-Ḥārith gave birth some twenty nights after her husband's death. When she recovered from her postpartum bleeding, she beautified herself. This was criticized, and her matter was mentioned to the Prophet ﷺ. He said: “If she does so, her waiting period has indeed passed.”

[17094] Yazīd ibn Hārūn told us, from Ibn Sa‘īd, from Sulaymān ibn Yasār, from Abū Salamah who said: I, Ibn ‘Abbās, and Abū Hurayrah were discussing a man who dies leaving a wife, and she gives birth shortly after his death. I said: “When she gives birth, she becomes lawful.” Ibn ‘Abbās said: “Her waiting period is the later of the two terms.” They debated about that, and Abū Hurayrah said: “I am with my nephew,” meaning Abū Salamah. So they sent Kurayb, the freed slave of Ibn ‘Abbās, to Umm Salamah. She said: “Subay‘ah al-Aslamiyyah gave birth forty nights after her husband's death. A man from Banū ‘Abd al-Dār named Abū al-Sanābil proposed to her and told her she had become lawful. She wanted to marry someone else, but Abū al-Sanābil told her: ‘You have not become lawful.’ Subay‘ah mentioned that to the Messenger of Allah ﷺ, and he commanded her to marry.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنِ ابْنِ سَعِيدٍ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، عَنْ أَبِي سَلَمَةَ، قَالَ: كُنْتُ أَنَا، وَابْنُ عَبَّاسٍ، وَأَبُو هُرَيْرَةَ فَتَذَاكَرْنَا: الرَّجُلُ يَمُوتُ عَنِ الْمَرْأَةِ، فَتَضَعُ بَعْدَ وَفَاتِهِ بِيَسِيرٍ، فَقُلْتُ: إِذَا وَضَعَتْ فَقَدْ حَلَّتْ، وَقَالَ ابْنُ عَبَّاسٍ: أَجَلُهَا آخِرُ الأَجَلَيْنِ، فَتَرَاجَعَا بِذَلِكَ، فَقَالَ أَبُو هُرَيْرَةَ: أَنَا مَعَ ابْنِ أَخِي، يَعْنِي أَبَا سَلَمَةَ، فَبَعَثُوا كُرَيْبًا مَوْلَى ابْنِ عَبَّاسٍ إِلَى أُمِّ سَلَمَةَ فَقَالَتْ: إِنَّ سُبَيْعَةَ الأَسْلَمِيَّةَ وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَرْبَعِينَ لَيْلَةً، وَإِنَّ رَجُلاً مِنْ بَنِي عَبْدِ الدَّارِ يُكَنَّى أَبَا السَّنَابِلِ خَطَبَهَا، وَأَخْبَرَهَا أَنَّهَا قَدْ حَلَّتْ فَأَرَادَتْ أَنْ تَتَزَوَّجَ غَيْرَهُ، فَقَالَ لَهَا أَبُو السَّنَابِلِ: إِنَّكِ لَمْ تَحِلِّي فَذَكَرَتْ ذَلِكَ سُبَيْعَةُ لِرَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَأَمَرَهَا أَنْ تَتَزَوَّجَ

حَدَّثَنَا عَبْدَةُ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنِ الْمِسْوَرِ، أَنَّ سُبَيْعَةَ، وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِشَهْرٍ، فَأَتَتِ النَّبِيَّ "فَأَمَرَهَا النَّبِيُّ عَلَيْهِ السَّلاَمُ: أَنْ تَتَزَوَّجَ

[17095] ‘Abdah told us, from Hishām, from his father, from Al-Miswar: That Subay‘ah gave birth one month after her husband's death. She came to the Prophet ﷺ, and the Prophet ﷺ commanded her to marry.

حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، قَالَ: قَالَ: سَمِعْتُ رَجُلاً، مِنَ الأَنْصَارِ يُحَدِّثُ، عَنِ ابْنِ عُمَرَ، يَقُولُ: سَمِعْتُ أَبَاكَ، يَقُولُ: لَوْ وَضَعَتِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا ذَا بَطْنِهَا وَهُوَ عَلَى السَّرِيرِ، فَقَدْ حَلَّتْ

[17096] Ibn ‘Uyaynah told us, from Al-Zuhrī, from Sālim who said: I heard a man from the Ansar narrating from Ibn ‘Umar, saying: I heard your father say: “If a widow delivers her child while her husband is on the bier, she has become lawful.”

حَدَّثَنَا وَكِيعٌ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ مَوْهَبٍ، عَنْ صَالِحِ بْنِ كَيْسَانَ، عَنْ عُمَرَ، وَعُثْمَانَ قَالاَ: إِذَا وَضَعَتْ وَهُوَ فِي جَانِبِ الْبَيْتِ فِي أَكْفَانِهِ فَقَدْ حَلَّتْ

[17097] Wakī‘ told us, from ‘Ubayd Allāh ibn ‘Abd al-Raḥmān ibn Mawhab, from Ṣāliḥ ibn Kaysān, from ‘Umar and ‘Uthmān, who said: “If she gives birth while he is in the corner of the house in his shrouds, she has become lawful.”

حَدَّثَنَا عَنْ عَبْدِ الأَعْلَى، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، أَنَّ عُمَرَ، اسْتَشَارَ عَلِيَّ بْنَ أَبِي طَالِبٍ رَضِيَ اللَّهُ عَنْهُ، وَزَيْدَ بْنَ ثَابِتٍ، قَالَ زَيْدٌ: قَدْ حَلَّتْ، وَقَالَ عَلِيٌّ: أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا، قَالَ زَيْدٌ: أَرَأَيْتَ إِنْ كَانَتْ يَئِيسًا؟ قَالَ عَلِيٌّ: فَآخِرُ الأَجَلَيْنِ، قَالَ عُمَرُ: لَوْ وَضَعَتْ ذَا بَطْنِهَا وَزَوْجُهَا عَلَى نَعْشِهِ، لَمْ يَدْخُلْ حُفْرَتَهُ لَكَانَتْ قَدْ حَلَّتْ

[17098] ‘Abd al-A‘lā told us, from Muḥammad ibn Isḥāq, from Al-Zuhrī, from Sa‘īd ibn al-Musayyib: That ‘Umar consulted ‘Alī ibn Abī Ṭālib–may Allah be pleased with him–and Zayd ibn Thābit. Zayd said: “She has become lawful.” ‘Alī said: “Four months and ten days.” Zayd said: “What if she was despairing [of menstruation]?” ‘Alī said: “Then the later of the two terms.” ‘Umar said: “If she delivered her child while her husband was on his bier, not yet placed in his grave, she would have become lawful.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ، قَالَ: قَالَ عَبْدُ اللَّهِ: وَاللَّهِ لَمَنْ شَاءَ لَقَاسَمْتُهُ، لَنَزَلَتْ سُورَةُ النِّسَاءِ الْقُصْرَى بَعْدَ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا

[17099] Abū Mu‘āwiyah told us, from Al-A‘mash, from Muslim, from Masrūq who said: ‘Abd Allāh said: “By Allah, whoever wishes, I will swear to him that the shorter Surah An-Nisa was revealed after [the verse of] four months and ten

حَدَّثَنَا الثَّقَفِيُّ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، أَنَّهُ قَالَ فِي الْمُتَوَفَّى عَنْهَا زَوْجُهَا وَهِيَ حَامِلٌ: إِذَا وَضَعَتْ حَلَّتْ

[17100] Al-Thaqafī told us, from Ayyūb, from Abū Qilābah that he said regarding a widow who is pregnant: “When she gives birth, she becomes lawful.”

[17101] Ibn ‘Ulayyah told us, from Yūnus, from Al-Ḥasan that he used to say: “If a man divorces his wife while she is pregnant or dies leaving her, her term is until she delivers her child.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ أَنَّهُ كَانَ يَقُولُ: إِذَا طَلَّقَ الرَّجُلُ امْرَأَتَهُ وَهِيَ حَامِلٌ أَوْ تُوُفِّيَ عَنْهَا، فَإِنَّ أَجَلَهَا أَنْ تَضَعَ حَمْلَهَا

[17102] Wakī‘ told us, from Ismā‘īl, from Al-Sha‘bī who said: ‘Abd Allāh said: “The term of every pregnant woman is until she delivers her child.” He said: And ‘Alī used to say: “The later of the two terms.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، قَالَ: قَالَ عَبْدُ اللَّهِ: أَجَلُ كُلِّ حَامِلٍ أَنْ تَضَعَ حَمْلَهَا قَالَ: وَكَانَ عَلِيٌّ يَقُولُ: آخِرُ الأَجَلَيْنِ

[17103] Abū Mu‘āwiyah told us, from Al-A‘mash, from Muslim–and Masrūq was not mentioned in it–from ‘Alī: That he used to say: “The later of the two terms.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، وَلَمْ يُذْكَرْ فِيهِ مَسْرُوقٌ، عَنْ عَلِيٍّ، أَنَّهُ كَانَ يَقُولُ: آخِرُ الأَجَلَيْنِ

[17104] Ibn Idrīs told us, from Muṭarrif, from ‘Amr ibn Sālim who said: Ubayy ibn Ka‘b said: “O Messenger of Allah, a number of the waiting periods of women were not mentioned in the Book of Allah: the young ones, the old ones, and the pregnant ones. So Allah Almighty revealed: {And those who no longer expect menstruation among your women - if you doubt, then their period is three months, and [also for] those who have not menstruated. And for those who are pregnant, their term is until they give birth} [At-Talaq: 4].”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ مُطَرِّفٍ، عَنْ عَمْرِو بْنِ سَالِمٍ، قَالَ: قَالَ أُبَيُّ بْنُ كَعْبٍ: "يَا رَسُولَ اللَّهِ، إِنَّ عَدَدًا مِنْ عِدَدِ النِّسَاءِ، لَمْ يُذْكَرْ فِي كِتَابِ اللَّهِ، الصِّغَارُ وَالْكِبَارُ وَأُولاَتُ الأَحْمَالِ، فَأَنْزَلَ اللَّهُ تَعَالَى: وَاللاَّئِي يَئِسْنَ مِنَ الْمَحِيضِ مِنْ نِسَائِكُمْ إِنِ ارْتَبْتُمْ فَعِدَّتُهُنَّ ثَلاَثَةُ أَشْهُرٍ وَاللاَّئِي لَمْ يَحِضْنَ وَأُولاَتُ الأَحْمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ

[17105] Ibn Idrīs told us, from Ash‘ath, from Ibn Sīrīn who said: I was in a circle in which ‘Abd al-Raḥmān ibn Abī Laylā was present. He said: “The later of the two terms.” I mentioned the Hadith of ‘Abd Allāh ibn ‘Utbah about Subay‘ah. Some of his companions winked at me. I said: “I would be bold against ‘Abd Allāh ibn ‘Utbah if I lied about him while he is in the vicinity of Kufa.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ أَشْعَثَ، عَنِ ابْنِ سِيرِينَ، قَالَ: كُنْتُ فِي حَلْقَةٍ فِيهَا عَبْدُ الرَّحْمَنِ بْنُ أَبِي لَيْلَى، قَالَ: فَقَالَ: "آخِرُ الأَجَلَيْنِ قَالَ: فَذَكَرْتُ حَدِيثَ عَبْدِ اللَّهِ بْنِ عُتْبَةَ عَنْ سُبَيْعَةَ قَالَ: فَغَمَزَ إِلَيَّ بَعْضُ أَصْحَابِهِ قَالَ: فَقُلْتُ: إِنِّي لَجَرِيءٌ عَلَى عَبْدِ اللَّهِ بْنِ عُتْبَةَ إِنْ كَذَبْتُ عَلَيْهِ وَهُوَ فِي نَاحِيَةِ الْكُوفَةِ

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ، عَنِ ابْنِ عَبَّاسٍ، فِي الْحَامِلِ الْمُتَوَفَّى عَنْهَا زَوْجُهَا: عِدَّتُهَا آخِرُ الأَجَلَيْنِ

[17106] Ibn Fuḍayl told us, from Layth, from Ṭāwūs, from Ibn ‘Abbās regarding the pregnant widow: “Her waiting period is the later of the two terms.”

حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عَبْدِ اللَّهِ، عَنْ أَبِيهِ، قَالَ: وَضَعَتْ سُبَيْعَةُ بَعْدَ وَفَاةِ زَوْجِهَا بِعِشْرِينَ، أَوْ بِشَهْرٍ أَوْ نَحْوِ ذَلِكَ، فَمَرَّ بِهَا أَبُو السَّنَابِلِ بْنُ بِعَكَّكٍ فَقَالَ: قَدْ تَصَنَّعْتِ لِلأَزْوَاجِ لاَ، حَتَّى يَأْتِيَ عَلَيْكِ أَرْبَعَةُ أَشْهُرٍ وَعَشْرًا، فَأَتَتِ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَذَكَرَتْ ذَلِكَ لَهُ فَقَالَ: قَدْ حَلَلْتِ لِلأَزْوَاجِ

[17107] Ibn ‘Uyaynah told us, from Al-Zuhrī, from ‘Ubayd Allāh ibn ‘Abd Allāh, from his father who said: Subay‘ah gave birth twenty days or a month or so after her husband's death. Abū al-Sanābil ibn Ba‘kak passed by her and said: “You have beautified yourself for suitors? No, not until four months and ten days have passed over you.” She went to the Prophet ﷺ and mentioned that to him. He said: “You have become lawful for

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، وَعَمْرِو بْنِ عُتْبَةَ، أَنَّهُمَا كَتَبَا إِلَى سُبَيْعَةَ بِنْتِ الْحَارِثِ يَسْأَلَانِهَا عَنْ أَمْرِهَا؟ فَكَتَبَتْ إِلَيْهِمَا أَنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِخَمْسَةٍ وَعِشْرِينَ لَيْلَةً، فَتَهَيَّأَتْ تَطْلُبُ الْخَيْرَ، فَمَرَّ بِهَا أَبُو السَّنَابِلِ بْنُ بَعَكَّكٍ فَقَالَ: قَدْ أَسْرَعْتِ، اعْتَدِّي آخِرَ الأَجَلَيْنِ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا، فَأَتَيْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقُلْتُ: يَا رَسُولَ اللَّهِ، اسْتَغْفِرْ لِي فَقَالَ: وَمَا ذَلِكَ؟ فَأَخْبَرَتُهُ الْخَبَرَ، فَقَالَ: إِنْ وَجَدْتِ زَوْجًا صَالِحًا فَتَزَوَّجِي

[17108] ‘Alī ibn Mushir told us, from Dāwūd, from Al-Sha‘bī, from Masrūq and ‘Amr ibn ‘Utbah: That they wrote to Subay‘ah bint al-Ḥārith asking her about her affair. She wrote back to them that she gave birth twenty-five nights after her husband's death. She prepared herself seeking goodness (marriage). Abū al-Sanābil ibn Ba‘kak passed by her and said: “You have rushed. Observe the waiting period of the later of the two terms, four months and ten days.” She said: “I went to the Prophet ﷺ and said: ‘O Messenger of Allah, ask forgiveness for me.’ He said: ‘What for?’ I informed him of the news. He said: ‘If you find a righteous husband, then marry.’”

حَدَّثَنَا شَبَابَةُ، عَنْ شُعْبَةَ، عَنْ عُبَيْدِ بْنِ الْحَسَنِ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ مَعْقِلٍ، قَالَ: شَهِدْتُ عَلِيًّا وَسَأَلَهُ رَجُلٌ عَنْ امْرَأَةٍ تُوُفِّيَ عَنْهَا زَوْجُهَا وَهِيَ حَامِلٌ، قَالَ: تَتَرَبَّصُ أَبْعَدَ الأَجَلَيْنِ فَقَالَ ابْنُ مَسْعُودٍ: نَقُولُ: تَسْفِي نَفْسَهَا؟ فَقَالَ عَلِيٌّ: إِنَّ فَرُّوخَ لاَ يَعْلَمُ

[17109] Shabābah told us, from Shu‘bah, from ‘Ubayd ibn al-Ḥasan, from ‘Abd al-Raḥmān ibn Ma‘qil who said: I witnessed ‘Alī when a man asked him about a woman whose husband died while she was pregnant. He said: “She waits for the longer of the two terms.” Ibn Mas‘ūd said: “We say: She [buries?] herself?” ‘Alī said: “Farrukh does not know.”

حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ فِرَاسٍ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، عَنْ عَبْدِ اللَّهِ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً فَمَاتَ عَنْهَا، وَلَمْ يَدْخُلْ بِهَا، وَلَمْ يَفْرِضْ لَهَا صَدَاقًا، فَقَالَ عَبْدُ اللَّهِ: لَهَا الصَّدَاقُ، وَلَهَا الْمِيرَاثُ، وَعَلَيْهَا الْعِدَّةُ، فَقَالَ مَعْقِلُ بْنُ يَسَارٍ: شَهِدْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: قَضَى فِي بِرْوَعَ بِنْتِ وَاشِقٍ مِثْلَ ذَلِكَ

[17110] ‘Abd al-Raḥmān ibn Mahdī told us, from Sufyān, from Firās, from Al-Sha‘bī, from Masrūq, from ‘Abd Allāh: That he was asked about a man who married a woman and died before consummating the marriage with her, and he had not specified a dowry for her. ‘Abd Allāh said: “She gets the dowry, she inherits, and she must observe the waiting period.” Ma‘qil ibn Yasār said: “I witnessed the Messenger of Allah ﷺ judge regarding Birwa‘ bint Wāshiq with the like of that.”

حَدَّثَـنَا ابْـنُ مَهْـدِيٍّ، عَـنْ سُـفْيَانَ، عَـنْ مَـنْصُورٍ، عَـنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ، نَـحْوًا مِنْ حَدِيـثِ ابْنِ مَهْدِيٍّ، عَنْ فِرَاسٍ

[17111] Ibn Mahdī told us, from Sufyān, from Manṣūr, from Ibrāhīm, from ‘Alqamah, from ‘Abd Allāh, similar to the hadith of Ibn Mahdī from Firās.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، زَوَّجَ ابْنًا لَـهُ امْرَأَةً مِنْ أَهْلِهِ فَتُوُفِّيَ قَبْلَ أَنْ يَدْخُلَ بِـهَا، وَلَـمْ يُسَمِّ لَـهَا صَـدَاقًـا، فَطَلَبُوا إِلَـى ابْنِ عُمَرَ الصَّدَاقَ فَقَالَ: لَيْسَ لَـهَا صَدَاقٌ، فَأَبَوْا أَنْ يَرْضَوْا بِذَلِكَ فَجَعَلُوا بَيْنَهُمْ زَيْدَ بْنَ ثَابِتٍ فَأَتَوْهُ فَقَالَ: لَيْسَ لَـهَا صَدَاقٌ، تَرِثُ وَتَعْتَدُّ

[17112] Ibn ‘Ulayyah told us, from Ayyūb, from Nāfi‘, from Ibn ‘Umar: He married a son of his to a woman from his family, and he died before consummating the marriage with her, and he had not named a dowry for her. They asked Ibn ‘Umar for the dowry, and he said: “She has no dowry.” They refused to accept that, so they appointed Zayd ibn Thābit as an arbitrator between them. They came to him, and he said: “She has no dowry, she inherits, and she observes the waiting period.”

حَدَّثَـنَا ابْـنُ عُـيَيْنَةَ، عَـنْ عَـمْرٍو، عَـنْ أَبِـي الشَّعْـثَاءِ، وَعَطَاءٍ، فِـي الَّذِي يُفْرَضُ إِلَيْهِ فَيَمُوتُ قَبْلَ أَنْ يَفْرِضَ قَالاَ: لَهَا الْمِيرَاثُ، وَلَيْسَ لَهَا صَدَاقٌ

[17113] Ibn ‘Uyaynah told us, from ‘Amr, from Abū al-Sha‘thā’ and ‘Aṭā’ regarding one to whom [the dowry] is delegated and he dies before specifying. They said: “She inherits, and she has no dowry.”

حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، وَعَطَاءِ بْنِ السَّائِبِ، عَنْ عَبْدِ خَيْرٍ، يُرَى أَنَّهُ عَنْ عَلِيٍّ، قَالَ: لَهَا الْمِيرَاثُ، وَلاَ صَدَاقَ لَهَا

[17114] Ibn ‘Uyaynah told us, from ‘Amr and ‘Aṭā’ ibn al-Sā’ib, from ‘Abd Khayr—thought to be from ‘Alī—who said: “She inherits, and she has no dowry.”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ، أَنَّ رَجُلاً بِالْمَدِينَةِ تَزَوَّجَ امْرَأَةً فَلَمْ يَفْرِضْ لَهَا، وَلَمْ يَدْخُلْ بِهَا، قَالُوا: لَهَا الْمِيرَاثُ، وَلاَ مَهْرَ لَهَا. وَقَالَ مَسْرُوقٌ: لاَ يَكُونُ مِيرَاثٌ، حَتَّى يَكُونَ قَبْلَهُ مَهْرٌ

[17115] Abū Khālid al-Aḥmar told us, from Dāwūd, from Al-Sha‘bī: That a man in Medina married a woman and did not specify a dowry for her, and did not consummate the marriage with her. They said: “She inherits, and she has no dowry.” And Masrūq said: “There is no inheritance unless there is a dowry before it.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ مِقْسَمٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لَهَا نِصْفُ الصَّدَاقِ، أَوِ الصَّدَاقُ، وَشَكَّ أَبُو بَكْرٍ

[17116] Abū Khālid told us, from Miqsam, from Ibn Jurayj, from ‘Aṭā’, from Ibn ‘Abbās who said: “She gets half the dowry, or the dowry.” Abū Bakr doubted.

حَدَّثَنَا ابْنُ أَبِي زَائِدَةَ، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ، عَنْ عَلْقَمَةَ، قَالَ: جَاءَ رَجُلٌ إِلَى ابْنِ مَسْعُودٍ فَقَالَ: إِنَّ رَجُلاً مِنَّا تَزَوَّجَ امْرَأَةً، وَلَمْ يَفْرِضْ لَهَا، وَلَمْ يُجَامِعْهَا حَتَّى مَاتَ، فَقَالَ ابْنُ مَسْعُودٍ: مَا سُئِلْتُ عَنْ شَيْءٍ مُنْذُ فَارَقْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَشَدَّ عَلَيَّ مِنْ هَذَا، سَلُوا غَيْرِي فَتَرَدَّدُوا فِيهَا شَهْرًا، قَالَ: فَقَالَ: مَنْ أَسْأَلُ وَأَنْتُمْ أَجِلَّةُ أَصْحَابِ مُحَمَّدٍ بِهَذَا الْبَلَدِ، فَقَالَ: سَأَقُولُ فِيهَا بِرَأْيِي، فَإِنْ يَكُنْ صَوَابًا فَمِنَ اللَّهِ، وَإِنْ يَكُنْ خَطَأً فَمِنِّي وَمِنَ الشَّيْطَانِ، أَرَى أَنَّ لَهَا مَهْرَ نِسَائِهَا، لاَ وَكْسَ، وَلاَ شَطَطَ، وَلَهَا الْمِيرَاثُ وَعَلَيْهَا عِدَّةُ الْمُتَوَفَّى عَنْهَا زَوْجُهَا، فَقَالَ نَاسٌ مِنْ أَشْجَعَ: نَشْهَدُ أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: قَضَى مِثْلَ الَّذِي قَضَيْتَ فِي امْرَأَةٍ مِنَّا يُقَالَ لَهَا بِرْوَعُ ابْنَةُ وَاشِقٍ قَالَ: قَالَ: فَمَا رَأَيْتُ ابْنَ مَسْعُودٍ فَرِحَ بِشَيْءٍ مَا فَرِحَ يَوْمَئِذٍ بِهِ

[17117] Ibn Abī Zā’idah told us, from Dāwūd, from Al-Sha‘bī, from ‘Alqamah who said: A man came to Ibn Mas‘ūd and said: “A man among us married a woman and did not specify a dowry for her, nor did he consummate the marriage with her until he died.” Ibn Mas‘ūd said: “I have not been asked about anything since I left the Prophet ﷺ harder on me than this. Ask someone else.” They went back and forth to him for a month. He said: “Who should I ask when you are the prominent companions of Muḥammad in this land?” He said: “I will give my opinion on it. If it is correct, it is from Allah, and if it is wrong, it is from me and from Satan. I see that she gets the dowry of her peers, no less and no more, and she inherits, and she must observe the waiting period of a widow.” Some people from Ashja‘ said: “We bear witness that the Messenger of Allah ﷺ judged similarly regarding a woman among us called Birwa‘ bint Wāshiq.” He said: I never saw Ibn Mas‘ūd rejoice at anything as he rejoiced on that day.

[17118] Abū Usāmah told us, from ‘Abd Allāh, from Nāfi‘ who said: A son of ‘Abd Allāh ibn ‘Umar married a daughter of ‘Ubayd Allāh ibn ‘Umar, whose mother was Asmā’ bint Zayd ibn al-Khaṭṭāb. He died, and he had not specified a dowry for her. They asked him for the dowry and inheritance. Ibn ‘Umar said: “She inherits, and she has no dowry.” They refused to accept that from Ibn ‘Umar, so they appointed Zayd ibn Thābit as an arbitrator between them. Zayd said: “She inherits, and she has no dowry.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَبْدِ اللَّهِ، عَنْ نَافِعٍ، قَالَ: تَزَوَّجَ ابْنٌ لِعَبْدِ اللَّهِ بْنِ عُمَرَ بِنْتًا لِعُبَيْدِ اللَّهِ بْنِ عُمَرَ كَانَتْ أُمُّهَا أَسْمَاءَ بِنْتَ زَيْدِ بْنِ الْخَطَّابِ فَتُوُفِّيَ، وَلَمْ يَكُنْ فَرَضَ لَهَا صَدَاقًا، فَطَلَبُوا مِنْهُ الصَّدَاقَ وَالْمِيرَاثَ، فَقَالَ ابْنُ عُمَرَ: لَهَا الْمِيرَاثُ، وَلاَ صَدَاقَ لَهَا، فَأَبَوْا ذَلِكَ عَلَى ابْنِ عُمَرَ فَجَعَلُوا بَيْنَهُمْ زَيْدَ بْنَ ثَابِتٍ فَقَالَ زَيْدٌ: لَهَا الْمِيرَاثُ، وَلاَ صَدَاقَ لَهَا

[17119] Ibn ‘Ulayyah told us, from Yūnus, from Al-Ḥasan regarding the woman whose husband dies before specifying a dowry for her and before consummating the marriage. He said: “She gets the dowry of her peers.” And he narrates that from the Prophet ﷺ, and the waiting period of the deceased [husband], and she inherits.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، فِي الَّتِي يُتَوَفَّى عَنْهَا زَوْجُهَا قَبْلَ أَنْ يَفْرِضَ لَهَا، وَقَبْلَ أَنْ يَدْخُلَ بِهَا: إِنَّ لَهَا صَدَاقَ نِسَائِهَا وَيُحَدِّثُ بِذَلِكَ عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَعِدَّةَ الْمُتَوَفَّى، وَلَهَا الْمِيرَاثُ

[17120] Abū Mu‘āwiyah told us, from Al-Shaybānī, from ‘Amr ibn Murrah, from someone who informed him, from ‘Alī who said: “She inherits, and she has no dowry.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الشَّيْبَانِيِّ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَمَّنْ، أَخْبَرَهُ، عَنْ عَلِيٍّ، قَالَ: لَهَا الْمِيرَاثُ، وَلاَ صَدَاقَ لَهَا

[17121] ‘Abdah told us, from ‘Aṭā’ ibn al-Sā’ib, from ‘Abd Khayr, from ‘Alī who said: “She inherits, and she has no dowry.”

حَدَّثَنَا عَبْدَةُ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ عَبْدِ خَيْرٍ، عَنْ عَلِيٍّ، قَالَ: لَهَا الْمِيرَاثُ، وَلاَ صَدَاقَ لَهَا

حَدَّثَنَا جَعْفَرُ بْنُ عَوْنٍ، قَالَ: أَخْبَرَنَا رَبِيعَةُ بْنُ عُثْمَانَ، عَنْ مُحَمَّدِ بْنِ يَحْيَى بْنِ حِبَّانَ، عَنْ نَهَارٍ الْعَبْدِيِّ وَكَانَ مِنْ أَصْحَابِ أَبِي سَعِيدٍ الْخُدْرِيِّ، عَنْ أَبِي سَعِيدٍ، أَنَّ رَجُلاً أَتَى بِابْنَةٍ لَهُ إِلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: إِنَّ ابْنَتِي هَذِهِ أَبَتْ أَنْ تَتَزَوَّجَ، قَالَ: فَقَالَ لَهَا: أَطِيعِي أَبَاكِ قَالَ: فَقَالَتْ: لاَ، حَتَّى تُخْبِرَنِي مَا حَقُّ الزَّوْجِ عَلَى زَوْجَتِهِ؟ فَرَدَّدَتْ عَلَيْهِ مَقَالَتَهَا قَالَ: فَقَالَ: حَقُّ الزَّوْجِ عَلَى زَوْجَتِهِ أَنْ لَوْ كَانَ بِهِ قُرْحَةٌ فَلَحَسَتْهَا، أَوِ ابْتَدَرَ مَنْخِرَاهُ صَدِيدًا أَوْ دَمًا، ثُمَّ لَحَسَتْهُ مَا أَدَّتْ حَقَّهُ قَالَ: فَقَالَتْ: وَالَّذِي بَعَثَكَ بِالْحَقِّ لاَ أَتَزَوَّجُ أَبَدًا قَالَ: فَقَالَ: لاَ تُنْكِحُوهُنَّ إِلاَّ بِإِذْنِهِنَّ

[17122] Ja‘far ibn ‘Awn told us: Rabī‘ah ibn ‘Uthmān informed us, from Muḥammad ibn Yaḥyā ibn Ḥibbān, from Nahār al-‘Abdī—who was one of the companions of Abū Sa‘īd al-Khudrī—from Abū Sa‘īd: That a man brought a daughter of his to the Prophet ﷺ and said: “This daughter of mine refuses to marry.” He said to her: “Obey your father.” She said: “No, until you tell me what is the right of the husband over his wife?” She repeated her statement to him. He said: “The right of the husband over his wife is such that if he had an ulcer and she licked it, or pus or blood flowed from his nostrils and she licked it, she would not have fulfilled his right.” She said: “By the One who sent you with the truth, I will never marry.” He said: “Do not marry them off except with their permission.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ أَبِي نَصْرٍ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ مُسَاوِرٍ الْحِمْيَرِيِّ، عَنْ أَبِيهِ، قَالَ: سَمِعْتُ أُمَّ سَلَمَةَ تَقُولُ: سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: أَيُّمَا امْرَأَةٍ مَاتَتْ وَزَوْجُهَا عَنْهَا رَاضٍ دَخَلَتِ الْجَنَّةَ

[17123] Ibn Fuḍayl told us, from Abū Naṣr ʻAbd Allāh ibn ʻAbd al-Raḥmān, from Musāwir al-Ḥimyarī, from his father who said: I heard Umm Salamah saying: I heard the Messenger of Allah ﷺ say: “Any woman who dies while her husband is pleased with her will enter Paradise.”

حَدَّثَنَا عَبْدُ الرَّحِيمِ بْنُ سُلَيْمَانَ، عَنْ لَيْثٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، عَنِ ابْنِ عُمَرَ، قَالَ: أَتَتِ امْرَأَةٌ نَبِيَّ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَتْ: يَا رَسُولَ اللَّهِ، مَا حَقُّ الزَّوْجِ عَلَى امْرَأَتِهِ؟ قَالَ: لاَ تَمْنَعُهُ نَفْسَهَا، وَلَوْ كَانَتْ عَلَى ظَهْرِ قَتَبٍ قَالَتْ: يَا رَسُولَ اللَّهِ، مَا حَقُّ الزَّوْجِ عَلَى زَوْجَتِهِ؟ قَالَ: لاَ تَصَدَّقُ بِشَيْءٍ مِنْ بَيْتِهِ إِلاَّ بِإِذْنِهِ، فَإِنْ فَعَلَتْ لَعَنَتْهَا مَلاَئِكَةُ اللَّهِ، وَمَلاَئِكَةُ الرَّحْمَةِ، وَمَلاَئِكَةُ الْغَضَبِ حَتَّى تَتُوبَ أَوْ تَرْجِعَ قَالَتْ: يَا نَبِيَّ اللَّهِ: فَإِنْ كَانَ لَهَا ظَالِمًا؟ قَالَ: وَإِنْ كَانَ لَهَا ظَالِمًا قَالَتْ: وَالَّذِي بَعَثَكَ بِالْحَقِّ لاَ يَمْلِكُ عَلَيَّ أَحَدٌ أَمْرِي بَعْدَ هَذَا أَبَدًا مَا بَقِيتُ

[17124] ‘Abd al-Raḥīm ibn Sulaymān told us, from Layth, from ‘Abd al-Malik, from ‘Aṭā’, from Ibn ‘Umar who said: A woman came to the Prophet of Allah ﷺ and said: “O Messenger of Allah, what is the right of the husband over his wife?” He said: “She should not deny him herself, even if she were on the back of a camel saddle.” She said: “O Messenger of Allah, what is the right of the husband over his wife?” He said: “She should not give charity from his house without his permission. If she does, the angels of Allah, the angels of mercy, and the angels of wrath will curse her until she repents or returns.” She said: “O Prophet of Allah, even if he is unjust to her?” He said: “Even if he is unjust to her.” She said: “By the One who sent you with the truth, no one will ever have authority over me after this as long as I live.”

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ بَشِيرِ بْنِ يَسَارٍ، عَنْ حُصَيْنِ بْنِ مِحْصَنٍ، أَنَّ عَمَّةً لَهُ أَتَتِ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ تَطْلُبُ حَاجَةً، فَلَمَّا قَضَتْ حَاجَتَهَا قَالَ: أَلَكِ زَوْجٌ؟ قَالَتْ: نَعَمْ، قَالَ: فَأَيْنَ أَنْتِ مِنْهُ؟ قَالَتْ: مَا آلُوهُ خَيْرًا، إِلاَّ مَا عَجَزْتُ عَنْهُ قَالَ: انْظُرِي فَإِنَّهُ جَنَّتُكِ وَنَارُكِ

[17125] ‘Alī ibn Mushir told us, from Yaḥyā ibn Sa‘īd, from Bashīr ibn Yasār, from Ḥuṣayn ibn Miḥṣan: That a paternal aunt of his came to the Prophet ﷺ seeking a need. When she had finished her need, he said: “Do you have a husband?” She said: “Yes.” He said: “How are you with him?” She said: “I do not spare any effort in treating him well, except what I am unable to do.” He said: “Look to him, for he is your Paradise and your Hell.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي ظَبْيَانَ، قَالَ: لَمَّا قَدِمَ مُعَاذٌ مِنَ الْيَمَنِ قَالَ: يَا رَسُولَ اللَّهِ، رَأَيْنَا قَوْمًا يَسْجُدُ بَعْضُهُمْ لِبَعْضٍ أَفَلاَ نَسْجُدُ لَكَ؟ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ، إِنَّهُ لاَ يَسْجُدُ أَحَدٌ لِأَحَدٍ، وَلَوْ كُنْتُ آمِرًا أَحَدًا يَسْجُدُ لِأَحَدٍ لأَمَرْتُ النِّسَاءَ يَسْجُدْنَ لِأَزْوَاجِهِنَّ

[17126] Abū Mu‘āwiyah reported to us from Al-A‘mash from Abū Ẓabyān who said: When Mu‘ādh returned from Yemen, he said: "O Messenger of Allah, we saw people prostrating to one another; should we not prostrate to you?" The Messenger of Allah ﷺ said: "No, indeed, no one should prostrate to another. If I were to order anyone to prostrate to another, I would have ordered women to prostrate to their husbands."

حَدَّثَنَا ابْنُ نُمَيْرٍ، قَالَ: نا الأَعْمَشُ، عَنْ أَبِي ظَبْيَانَ، عَنْ رَجُلٍ، مِنَ الأَنْصَارِ، عَنْ مُعَاذِ بْنِ جَبَلٍ، بِمِثْلِ حَدِيثِ أَبِي مُعَاوِيَةَ

[17127] Ibn Numayr reported to us: Al-A‘mash reported to us from Abū Ẓabyān from a man of the Anṣār from Mu‘ādh ibn Jabal, similar to the hadith of Abū Mu‘āwiyah.

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنِ الأَعْمَشِ، عَنِ الْمِنْهَالِ، عَنْ عَبْدِ اللَّهِ بْنِ الْحَارِثِ، قَالَ: ثَلاَثَةٌ لاَ تُجَاوِزُ صَلاَةُ أَحَدِهِمْ رَأْسَهُ، إِمَامٌ أَمَّ قَوْمًا وَهُمْ لَهُ كَارِهُونَ، وَامْرَأَةٌ تَعْصِي زَوْجَهَا، وَعَبْدٌ آبِقٌ مِنْ سَيِّدِهِ

[17128] Ibn Idrīs reported to us from Al-A‘mash from Al-Minhāl from ‘Abd Allāh ibn al-Ḥārith who said: "There are three whose prayer does not rise above their heads: An Imam who leads a people while they dislike him, a woman who disobeys her husband, and a slave who has run away from his master."

حَدَّثَنَا وَكِيعٌ، عَنْ قُرَّةَ بْنِ خَالِدٍ، عَنِ امْرَأَةٍ مِنْ بَنِي عُطَارِدٍ يُقَالَ لَهَا رَبِيعَةُ، قَالَتْ: قَالَتْ عَائِشَةُ: يَا مَعْشَرَ النِّسَاءِ، لَوْ تَعْلَمْنَ حَقَّ أَزْوَاجِكُنَّ عَلَيْكُنَّ لَجَعَلَتِ الْمَرْأَةُ مِنْكُنَّ تَمْسَحُ الْغُبَارَ عَنْ وَجْهِ زَوْجِهَا بِنَحْرِ وَجْهِهَا

[17129] Wakī‘ reported to us from Qurrah ibn Khālid from a woman of Banū ‘Uṭārid named Rabī‘ah, who said: ‘Ā’ishah said: "O assembly of women, if you knew the rights your husbands have over you, a woman among you would wipe the dust from her husband's face with her own face."

حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ هِلاَلِ بْنِ يَسَافٍ، عَنْ زِيَادِ بْنِ أَبِي الْجَعْدِ، عَنْ عَمْرِو بْنِ الْحَارِثِ بْنِ الْمُصْطَلِقِ، قَالَ: كَانَ يُقَالَ: "أَشَدُّ النَّاسِ عَذَابًا اثْنَانِ: امْرَأَةٌ تَعْصِي زَوْجَهَا، وَإِمَامُ قَوْمٍ وَهُمْ لَهُ كَارِهُونَ

[17130] Jarīr reported to us from Manṣūr from Hilāl ibn Yasāf from Ziyād ibn Abī al-Ja‘d from ‘Amr ibn al-Ḥārith ibn al-Muṣṭaliq who said: It used to be said: "The two people who will receive the severest punishment are: a woman who disobeys her husband, and an Imam of a people while they dislike him."

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ حُمَيْدٍ، عَنْ أُمِّهِ قَالَتْ: كَانَ نِسَاءُ أَهْلِ الْمَدِينَةِ إِذَا أَرَدْنَ أَنْ يَبْنِينَ بِامْرَأَةٍ عَلَى زَوْجِهَا بَدَأْنَ بِعَائِشَةَ فَأَدْخَلْنَهَا عَلَيْهَا فَتَضَعُ يَدَهَا عَلَى رَأْسِهَا تَدْعُو لَهَا، وَتَأْمُرُهَا بِتَقْوَى اللَّهِ، وَحَقِّ الزَّوْجِ

[17131] ‘Alī ibn Mushir reported to us from Ḥumayd from his mother who said: When the women of Medina wanted to present a bride to her husband, they would begin with ‘Ā’ishah and bring the bride to her. She would place her hand on the bride's head, pray for her, and advise her to fear Allah and observe the rights of the husband.

حَدَّثَنَا عُبَيْدُ اللَّهِ، عَنْ إِسْمَاعِيلَ بْنِ عَبْدِ الْمَلِكِ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: لاَ يَنْبَغِي لِشَيْءٍ أَنْ يَسْجُدَ لِشَيْءٍ، وَلَوْ كَانَ ذَلِكَ لَكَانَ النِّسَاءُ يَسْجُدْنَ لِأَزْوَاجِهِنَّ

[17132] ‘Ubayd Allāh reported to us from Ismā‘īl ibn ‘Abd al-Malik from Abū al-Zubayr from Jābir from the Prophet ﷺ who said: "It is not appropriate for anything to prostrate to another thing. If that were permissible, women would prostrate to their husbands."

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي حَازِمٍ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِذَا دَعَا الرَّجُلُ امْرَأَتَهُ إِلَى فِرَاشِهِ، فَأَبَتْ فَبَاتَ غَضْبَانَ عَلَيْهَا لَعَنَتْهَا الْمَلاَئِكَةُ حَتَّى تُصْبِحَ

[17133] Abū Muʻāwiyah reported to us from Al-Aʻmash from Abū Ḥāzim from Abū Hurayrah who said: The Messenger of Allah ﷺ said: "If a man calls his wife to his bed and she refuses, and he spends the night angry with her, the angels curse her until morning."

حَدَّثَنَا عَفَّانُ، قَالَ: نا حَمَّادُ بْنُ سَلَمَةَ، قَالَ: أَخْبَرَنَا عَلِيُّ بْنُ زَيْدٍ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، عَنْ عَائِشَةَ قَالَتْ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لَوْ كُنْتُ آمِرًا أَحَدًا أَنْ يَسْجُدَ لِأَحَدٍ لأَمَرْتُ الْمَرْأَةَ أَنْ تَسْجُدَ لِزَوْجِهَا، وَلَوْ أَنَّ رَجُلاً أَمَرَ امْرَأَتَهُ أَنْ تَنْتَقِلَ مِنْ جَبَلٍ أَحْمَرَ إِلَى جَبَلٍ أَسْوَدَ، أَوْ مِنْ جَبَلٍ أَسْوَدَ إِلَى جَبَلٍ أَحْمَرَ كَانَ لَهَا أَنْ تَفْعَلَ

[17134] ʻAffān reported to us: Ḥammād ibn Salamah reported to us: ʻAlī ibn Zayd informed us from Saʻīd ibn al-Musayyib from ʻĀʼishah who said: The Messenger of Allah ﷺ said: "If I were to order anyone to prostrate to another, I would have ordered the woman to prostrate to her husband. And if a man ordered his wife to move from a red mountain to a black mountain, or from a black mountain to a red mountain, she

[17135] Mulāzim ibn ‘Umar reported to us from ‘Abd Allāh ibn Badr from Qays ibn Ṭalq from his father Ṭalq ibn ‘Alī, who said: I sat with the Prophet of Allah ﷺ, and I heard the Prophet of Allah ﷺ say: "If a man calls his wife for his need, let her come to him, even if she is at the oven."

حَدَّثَنَا مُلاَزِمُ بْنُ عُمَرَ، عَنْ عَبْدِ اللَّهِ بْنِ بَدْرٍ، عَنْ قَيْسِ بْنِ طَلْقٍ، عَنْ أَبِيهِ طَلْقِ بْنِ عَلِيٍّ، قَالَ: جَلَسْتُ عِنْدَ نَبِيِّ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَسَمِعْتُ نَبِيَّ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: إِذَا دَعَا الرَّجُلُ زَوْجَتَهُ لِحَاجَتِهِ فَلْتَأْتِهِ، وَإِنْ كَانَتْ عَلَى التَّنُّورِ

[17136] Ibn Numayr reported to us: Al-A‘mash reported to us from Ibrāhīm who said: They used to say: "If a woman were to suck the leprosy from her husband's nose until she died, she would not have fulfilled his rights."

حَدَّثَنَا ابْنُ نُمَيْرٍ، قَالَ: نا الأَعْمَشُ، عَنْ إِبْرَاهِيمَ، قَالَ: كَانُوا يَقُولُونَ: لَوْ أَنَّ امْرَأَةً مَصَّتْ أَنْفَ زَوْجِهَا مِنَ الْجُذَامِ، حَتَّى تَمُوتَ مَا أَدَّتْ حَقَّهُ

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ بْنِ جَابِرٍ، قَالَ: سَمِعْتُ الْقَاسِمَ بْنَ مُخَيْمِرَةَ، يَذْكُرُ أَنَّ سَلْمَانَ، قَدَّمَهُ قَوْمٌ لِيُصَلِّيَ بِهِمْ فَأَبَى عَلَيْهِمْ حَتَّى دَفَعُوهُ، فَلَمَّا صَلَّى بِهِمْ قَالَ: أَكَلَّكُمْ رَاضٍ؟ قَالُوا: نَعَمْ، قَالَ: الْحَمْدُ لِلَّهِ، إِنِّي سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: "ثَلاَثَةٌ لاَ تُقْبَلُ صَلاَتُهُمُ: الْمَرْأَةُ تَخْرُجُ مِنْ بَيْتِ زَوْجِهَا بِغَيْرِ إِذْنِهِ، وَالْعَبْدُ الأَبِقُ، وَالرَّجُلُ يَؤُمُّ قَوْمًا وَهُمْ لَهُ كَارِهُونَ

[17137] Abū Usāmah reported to us from ‘Abd al-Raḥmān ibn Yazīd ibn Jābir who said: I heard Al-Qāsim ibn Mukhaymirah mention that Salmān was put forward by people to lead them in prayer, but he refused until they pushed him forward. When he led them in prayer, he said: "Is everyone pleased?" They said: "Yes." He said: "Praise be to Allah. I heard the Messenger of Allah ﷺ say: 'There are three whose prayers are not accepted: A woman who leaves her husband's house without his permission, a runaway slave, and a man who leads people in prayer while they dislike him.'"

حَدَّثَنَا عَلِيُّ بْنُ حَسَنِ بْنِ شَقِيقٍ، قَالَ: حَدَّثَنِي حُسَيْنُ بْنُ وَاقِدٍ، قَالَ: نا أَبُو غَالِبٍ، عَنْ أَبِي أُمَامَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "ثَلاَثَةٌ لاَ تُجَاوِزُ صَلاَتُهُمْ آذَانَهُمْ حَتَّى يَرْجِعُوا: الْعَبْدُ الأَبِقُ، وَامْرَأَةٌ بَاتَتْ وَزَوْجُهَا عَلَيْهَا سَاخِطٌ، وَإِمَامُ قَوْمٍ وَهُمْ لَهُ كَارِهُونَ

[17138] ‘Alī ibn Ḥasan ibn Shaqīq reported to us saying: Ḥusayn ibn Wāqid reported to me saying: Abū Ghālib reported to us from Abū Umāmah who said: The Messenger of Allah ﷺ said: "There are three whose prayers do not go past their ears until they return: The runaway slave, a woman who spends the night while her husband is angry with her, and an Imam of a people while they dislike him."

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ يَزِيدَ، عَنْ زَيْدِ بْنِ وَهْبٍ، قَالَ: كَتَبَ إِلَيْنَا عُمَرُ: إِنَّ الْمَرْأَةَ لاَ تَصُومُ تَطَوُّعًا إِلاَّ بِإِذْنِهِ

[17139] Ibn Fuḍayl reported to us from Yazīd from Zayd ibn Wahb who said: ‘Umar wrote to us: "A woman should not observe voluntary fasting except with his [her husband's] permission."

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ يَزِيدَ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لاَ تَصُومُ تَطَوُّعًا وَهُوَ شَاهِدٌ، إِلاَّ بِإِذْنِهِ، يَعْنِي زَوْجَهَا

[17140] Ibn Fuḍayl reported to us from Yazīd from Miqsam from Ibn ‘Abbās who said: "She should not observe voluntary fasting while he is present, except with his permission," meaning her husband.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ يَحْيَى بْنِ جَعْدَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: خَيْرُ فَائِدَةٍ اسْتَفَادَهَا الْمُسْلِمُ بَعْدَ الإِسْلاَمِ امْرَأَةٌ جَمِيلَةٌ، تَسُرُّهُ إِذَا نَظَرَ إِلَيْهَا وَتُطِيعُهُ إِذَا أَمَرَهَا، وَتَحْفَظُهُ إِذَا غَابَ عَنْهَا فِي مَالِهِ وَنَفْسِهَا

[17141] Abu Bakr said: Ibn ‘Uyaynah reported to us from ‘Amr from Yaḥyā ibn Ja‘dah from the Prophet ﷺ who said: "The best benefit a Muslim gains after Islam is a beautiful woman who pleases him when he looks at her, obeys him when he commands her, and guards him in his wealth and herself when he is absent."

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنْ مُعَاوِيَةَ بْنِ قُرَّةَ، عَنْ أَبِيهِ، قَالَ: قَالَ عُمَرُ: "مَا اسْتَفَادَ رَجُلٌ، أَوْ قَالَ: عَبْدٌ بَعْدَ إِيمَانٍ بِاللَّهِ خَيْرًا، مِنِ امْرَأَةٍ حَسَنَةِ الْخُلُقِ، وَدُودٍ وَلُودٍ وَمَا اسْتَفَادَ رَجُلٌ بَعْدَ الْكُفْرِ بِاللَّهِ شَرًّا مِنِ امْرَأَةٍ سَيِّئَةِ الْخُلُقِ حَدِيدَةِ اللِّسَانِ"، ثُمَّ قَالَ: إِنَّ مِنْهُنَّ غُنْمًا لاَ يُحْذَى مِنْهُ، وَإِنَّ مِنْهُنَّ غُلاًّ لاَ يُفْدَى مِنْهُ

[17142] Ibn ‘Ulayyah reported to us from Yūnus from Mu‘āwiyah ibn Qurrah from his father who said: ‘Umar said: "A man (or he said: a servant) has not benefited after faith in Allah with anything better than a woman of good character, loving and fertile. And a man has not acquired anything worse after disbelief in Allah than a woman of bad character and sharp tongue." Then he said: "Indeed, some of them are a gain that cannot be matched, and some are a burden that cannot be ransomed."

[17143] Wakī‘ reported to us from Al-A‘mash from Abū Isḥāq from ‘Abd al-Raḥmān ibn Abzā who said: "The likeness of a righteous woman with a man is like a gold-studded crown on the head of a king, and the likeness of an evil woman with a righteous man is like a heavy load on an old man."

حَدَّثَنَا وَكِيعٌ، عَنِ الأَعْمَشِ، عَنْ أَبِي إِسْحَاقَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبْزَى، قَالَ: مَثَلُ الْمَرْأَةِ الصَّالِحَةِ عِنْدَ الرَّجُلِ كَمَثَلِ التَّاجِ الْمُتَخَوَّصِ بِالذَّهَبِ عَلَى رَأْسِ الْمَلِكِ، وَمَثَلُ الْمَرْأَةِ السُّوءِ عِنْدَ الرَّجُلِ الصَّالِحِ مَثَلُ الْحِمْلِ الثَّقِيلِ عَلَى الشَّيْخِ الْكَبِيرِ

[17144] Yaḥyā ibn Sa‘īd reported to us from Shu‘bah from Firās from Al-Sha‘bī from Abū Burdah from Abū Mūsā who said: "Three supplicate but are not answered: A man who gives his wealth to a fool" - and Allah the Blessed and Exalted said: {And do not give the weak-minded your property} [Al-Nisā’: 5] - "and a man who has a wife of bad character but does not divorce or separate from her, and a man who has a right over another man but did not take witnesses for it."

حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ شُعْبَةَ، عَنْ فِرَاسٍ، عَنِ الشَّعْبِيِّ، عَنْ أَبِي بُرْدَةَ، عَنْ أَبِي مُوسَى، قَالَ: "ثَلاَثَةٌ يَدْعُونَ فَلاَ يُسْتَجَابُ لَهُمْ: رَجُلٌ أَعْطَى سَفِيهًا مَالَهُ"، وَقَالَ اللَّهُ تَبَارَكَ وَتَعَالَى: {وَلاَ تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمْ} [النساء: 5]، وَرَجُلٌ كَانَتْ عِنْدَهُ امْرَأَةٌ سَيِّئَةُ الْخُلُقِ فَلَمْ يُطَلِّقْهَا أَوْ لَمْ يُفَارِقْهَا، وَرَجُلٌ كَانَ لَهُ عَلَى رَجُلٍ حَقٌّ فَلَمْ يُشْهِدْ عَلَيْهِ

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ أَبِي نَصْرٍ عَبْدِ اللَّهِ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ هِلاَلِ بْنِ يَسَافٍ، عَنْ عَبْدِ اللَّهِ بْنِ عَمْرٍو، قَالَ: أَلاَ أُخْبِرُكُمْ بِالثَّلاَثِ الْفَوَاقِرِ؟ قَالَ: وَمَا هُنَّ؟ قَالَ: إِمَامٌ جَائِرٌ، إِنْ أَحْسَنْتَ لَمْ يَشْكُرْ، وَإِنْ أَسَأْتَ لَمْ يَغْفِرْ، وَجَارُ سُوءٍ إِنْ رَأَى حَسَنَةً غَطَّاهَا، وَإِنْ رَأَى سَيِّئَةً أَفْشَاهَا، وَامْرَأَةُ السُّوءِ إِنْ شَهِدْتَهَا غَاضَبَتْكَ، وَإِنْ غِبْتَ عَنْهَا خَانَتْكَ

[17145] Ibn Fuḍayl reported to us from Abū Naṣr ‘Abd Allāh ibn ‘Abd al-Raḥmān from Hilāl ibn Yasāf from ‘Abd Allāh ibn ‘Amr who said: "Shall I not inform you of the three calamities?" He said: "What are they?" He said: "A tyrannical leader who, if you do good, does not thank, and if you do bad, does not forgive; a bad neighbor who, if he sees good, covers it up, and if he sees evil, spreads it; and a bad wife who, if you are present, angers you, and if you are absent, betrays you."

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ جَعْدَةَ بْنِ هُبَيْرَةَ، كَانَ إِذَا زَوَّجَ شَيْئًا مِنْ بَنَاتِهِ خَلاَ بِهَا فَيَنْهَاهَا عَنْ سَيِّئِ الأَخْلاَقِ، وَأَمَرَهَا بِأَحْسَنِهَا

[17146] Jarīr reported to us from Mughīrah from Ja‘dah ibn Hubayrah that when he married off any of his daughters, he would be alone with her and forbid her from bad character and command her to have the best character.

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: نا شَيْبَانُ، قَالَ: أَنَا عَبْدُ الْمَلِكِ بْنُ عُمَيْرٍ، عَنْ زَيْدِ بْنِ عُقْبَةَ، عَنْ سَمُرَةَ بْنِ جُنْدُبٍ، قَالَ: سَمِعْتُ عُمَرَ بْنَ الْخَطَّابِ يَقُولُ: "النِّسَاءُ ثَلاَثَةٌ: امْرَأَةٌ هَيِّنَةٌ، لَيِّنَةٌ، عَفِيفَةٌ، مُسْلِمَةٌ، وَدُودٌ، وَلُودٌ، تُعِينُ أَهْلَهَا عَلَى الدَّهْرِ، وَلاَ تُعِينُ الدَّهْرَ عَلَى أَهْلِهَا، وَقَلَّ مَا يَجِدُهَا، ثَانِيَةٌ: امْرَأَةٌ عَفِيفَةٌ مُسْلِمَةٌ، إِنَّمَا هِيَ وِعَاءٌ لِلْوَلَدِ لَيْسَ عِنْدَهَا غَيْرُ ذَلِكَ، ثَالِثَةٌ: غُلٌّ قَمِلٌ يَجْعَلُهَا اللَّهُ فِي عُنُقِ مَنْ يَشَاءُ وَلاَ يَنْزِعُهَا غَيْرُهُ، الرِّجَالُ ثَلاَثَةٌ: رَجُلٌ عَفِيفٌ، مُسْلِمٌ، عَاقِلٌ، يَأْتَمِرُ فِي الأُمُورِ إِذَا أَقْبَلَتْ، وَيُسْهِبُ فَإِذَا وَقَعَتْ يَخْرُجُ مِنْهَا بِرَأْيِهِ، وَرَجُلٌ عَفِيفٌ مُسْلِمٌ لَيْسَ لَهُ رَأْيٌ فَإِذَا وَقَعَ الأَمْرُ أَتَى ذَا الرَّأْيِ وَالْمَشُورَةِ فَشَاوَرَهُ وَاسْتَأْمَرَهُ، ثُمَّ نَزَلَ عِنْدَ أَمْرِهِ، وَرَجُلٌ جَائِرٌ، حَائِرٌ، لاَ يَأْتَمِرُ رُشْدًا، وَلاَ يُطِيعُ مُرْشِدًا

[17147] Yazīd ibn Hārūn reported to us: Shaybān reported to us: ‘Abd al-Malik ibn ‘Umayr reported to us from Zayd ibn ‘Uqbah from Samurah ibn Jundub who said: I heard ‘Umar ibn al-Khaṭṭāb say: "Women are of three types: An easy-going, gentle, chaste Muslim woman, loving and fertile, who helps her family against [the hardships of] time and does not help time against her family; and rarely does one find her. Second: A chaste Muslim woman who is merely a vessel for children and has nothing else. Third: A shackle full of lice that Allah places on the neck of whomever He wills, and no one removes it but Him. Men are of three types: A chaste, Muslim, intelligent man who deliberates on matters when they arise, and when they occur, he finds a way out with his own opinion. A chaste Muslim man who has no opinion, so when a matter occurs, he goes to someone with opinion and counsel, consults him, and then follows his advice. And a confused, bewildered man who neither deliberates wisely nor

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ، عَنْ عَطَاءٍ، عَنْ جَابِرٍ، عَنْ عَبْدِ اللَّهِ، عَنِ النَّبِيِّ عَلَيْهِ السَّلَامُ قَالَ: إِنَّ الْمَرْأَةَ تُنْكَحُ عَلَى دِينِهَا، وَمَالِهَا، وَجَمَالِهَا، فَاظْفَرْ بِذَاتِ دِينٍ تَرِبَتْ يَدَاكَ

[17148] Abu Bakr reported to us: ‘Abdah ibn Sulaymān reported to us from ‘Abd al-Malik ibn Abī Sulaymān from ‘Aṭā’ from Jābir from ‘Abd Allāh from the Prophet ﷺ who said: "A woman is married for her religion, her wealth, and her beauty. So choose the one with religion, may your hands be dusty (may you prosper)."

حَدَّثَنَا خَالِدُ بْنُ مَخْلَدٍ، قَالَ: حَدَّثَنِي مُحَمَّدُ بْنُ مُوسَى الْمَدَنِيُّ، قَالَ: أَخْبَرَنِي سَعْدُ بْنُ إِسْحَاقَ، عَنْ عَمَّتِهِ، عَنْ أَبِي سَعِيدٍ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "تُنْكَحُ الْمَرْأَةُ عَلَى إِحْدَى خِصَالٍ ثَلَاثٍ: تُنْكَحُ الْمَرْأَةُ عَلَى مَالِهَا، عَلَى جَمَالِهَا، تُنْكَحُ عَلَى دِينِهَا، عَلَيْكَ بِذَاتِ الدِّينِ وَالْخُلُقِ تَرِبَتْ يَمِينُكَ

[17149] Khālid ibn Makhlad reported to us saying: Muḥammad ibn Mūsā al-Madanī reported to me saying: Sa‘d ibn Isḥāq informed me from his aunt from Abū Sa‘īd who said: The Messenger of Allah ﷺ said: "A woman is married for one of three qualities: A woman is married for her wealth, for her beauty, or she is married for her religion. You must choose the one with religion and character, may your right hand be dusty."

حَدَّثَنَا ابْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ يَحْيَى بْنِ جَعْدَةَ، رَفَعَهُ قَالَ: تُنْكَحُ الْمَرْأَةُ عَلَى دِينِهَا، وَخُلُقِهَا، وَمَالِهَا، وَجَمَالِهَا، أَيْنَ بِكَ عَنْ ذَاتِ الْخُلُقِ وَالدِّينِ، تَرِبَتْ يَمِينُكَ

[17150] Ibn ‘Uyaynah reported to us from ‘Amr from Yaḥyā ibn Ja‘dah, raising it (to the Prophet ﷺ), who said: "A woman is married for her religion, her character, her wealth, and her beauty. Why don't you go for the one with character and religion, may your right hand be dusty."

حَدَّثَنَا وَكِيعٌ، عَنِ الأَعْمَشِ، عَنْ مُجَاهِدٍ، عَنْ يَحْيَى بْنِ جَعْدَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: تُنْكَحُ الْمَرْأَةُ عَلَى مَالِهَا، وَعَلَى حَسَبِهَا، وَعَلَى جَمَالِهَا، وَعَلَى دِينِهَا فَعَلَيْكَ بِذَاتِ الدِّينِ، تَرِبَتْ يَمِينُكَ

[17151] Wakī‘ reported to us from Al-A‘mash from Mujāhid from Yaḥyā ibn Ja‘dah who said: The Messenger of Allah ﷺ said: "A woman is married for her wealth, her lineage, her beauty, and her religion. So choose the one with religion, may your right hand be dusty."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ سَالِمٍ، عَنْ كُرَيْبٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "لَوْ أَنَّ أَحَدَكُمْ إِذَا أَرَادَ أَنْ يَأْتِيَ أَهْلَهُ قَالَ: بِسْمِ اللَّهِ اللَّهُمَّ جَنِّبْنَا الشَّيْطَانَ، وَجَنِّبْ الشَّيْطَانَ مَا رَزَقْتَنَا، فَإِنَّهُ إِنْ يُقْدَرْ بَيْنَهُمَا وَلَدٌ فِي ذَلِكَ لَمْ يَضُرَّهُ شَيْطَانٌ أَبَدًا

[17152] Abu Bakr reported to us: Jarīr reported to us from Manṣūr from Sālim from Kurayb from Ibn ‘Abbās who said: The Messenger of Allah ﷺ said: "If one of you, when he wants to come to his wife, says: 'In the name of Allah, O Allah, keep Satan away from us and keep Satan away from what You provide us,' then if a child is decreed between them in that, Satan will never harm him."

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ دَاوُدَ، عَنْ أَبِي نَضْرَةَ، عَنْ أَبِي سَعِيدٍ، مَوْلَى أَبِي أُسَيْدَ، قَالَ: تَزَوَّجْتُ وَأَنَا مَمْلُوكٌ، فَدَعَوْتُ نَفَرًا مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِيهِمْ ابْنُ مَسْعُودٍ وَأَبُو ذَرٍّ وَحُذَيْفَةُ، قَالَ: وَأُقِيمَتِ الصَّلَاةُ، قَالَ: فَذَهَبَ أَبُو ذَرٍّ لِيَتَقَدَّمَ، فَقَالُوا: إِلَيْكَ، قَالَ: أَوَ كَذَلِكَ؟ قَالُوا: نَعَمْ، قَالَ: فَتَقَدَّمْتُ إِلَيْهِمْ وَأَنَا عَبْدٌ مَمْلُوكٌ وَعَلَّمُونِي فَقَالُوا: إِذَا أُدْخِلَ عَلَيْكَ أَهْلُكَ فَصَلِّ عَلَيْكَ رَكْعَتَيْنِ، ثُمَّ سَلِ اللَّهَ تَعَالَى مِنْ خَيْرِ مَا دَخَلَ عَلَيْكَ، وَتَعَوَّذْ بِهِ مِنْ شَرِّهِ، ثُمَّ شَأْنَكَ وَشَأْنَ أَهْلِكَ

[17153] Ibn Idrīs reported to us from Dāwūd from Abū Naḍrah from Abū Sa‘īd, the freed slave of Abū Usayd, who said: I got married while I was a slave, so I invited a group of the Prophet's ﷺ Companions, including Ibn Mas‘ūd, Abū Dharr, and Ḥudhayfah. He said: The prayer was established. He said: Abū Dharr went to lead, but they said: "To you (step back)." He said: "Is that so?" They said: "Yes." He said: So I led them while I was a slave. They taught me and said: "When your wife enters upon you, pray two Rak‘ahs, then ask Allah the Almighty for the good of what has entered upon you and seek refuge in Him from its evil, then it is up to you and your wife."

حَدَّثَنَا الْحَسَنُ بْنُ مُوسَى، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنِ ابْنِ أَخِي عَلْقَمَةَ، أَنَّ ابْنَ مَسْعُودٍ، "كَانَ غَشِيَ أَهْلَهُ، فَأَنْزَلَ قَالَ: اللَّهُمَّ لاَ تَجْعَلْ لِلشَّيْطَانِ فِيمَا رَزَقْتَنَا نَصِيبًا

[17154] Al-Ḥasan ibn Mūsā reported to us from Ḥammād ibn Salamah from ‘Aṭā’ ibn al-Sā’ib from the nephew of ‘Alqamah that Ibn Mas‘ūd had intercourse with his wife and ejaculated, saying: "O Allah, do not give Satan a share in what You provide us."

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ أُمِّ سَلَمَةَ قَالَتْ: كَانَتْ لاَ تُزَفُّ بِالْمَدِينَةِ جَارِيَةٌ إِلَى زَوْجِهَا، حَتَّى يُمَرَّ بِهَا فِي الْمَسْجِدِ فَتُصَلِّيَ فِيهِ قَالَ أَبُو بَكْرٍ: قَالَ: أُرَاهُ قَالَ: رَكْعَتَيْنِ، وَحَتَّى يُمَرَّ بِهَا عَلَى أَزْوَاجِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَيَدْعُونَ لَهَا

[17155] Jarīr reported to us from Mughīrah from Umm Salamah who said: A bride in Medina was not presented to her husband until she was taken to the mosque and prayed there. Abu Bakr said: I think he said: "Two Rak‘ahs, and until she was taken to the wives of the Prophet ﷺ and they prayed for her."

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، قَالَ: جَاءَ رَجُلٌ إِلَى عَبْدِ اللَّهِ يُقَالُ لَهُ أَبُو جَرِيرٍ فَقَالَ: إِنِّي تَزَوَّجْتُ جَارِيَةً شَابَّةً، وَإِنِّي أَخَافُ أَنْ تَفْرَكَنِي قَالَ: فَقَالَ عَبْدُ اللَّهِ: إِنَّ الإِلْفَ مِنَ اللَّهِ، وَالْفَرْكَ مِنَ الشَّيْطَانِ، يُرِيدُ أَنْ يُكَرِّهَ إِلَيْكُمْ مَا أَحَلَّ اللَّهُ لَكُمْ، فَإِذَا أَتَتْكَ فَمُرْهَا أَنْ تُصَلِّيَ وَرَاءَكَ رَكْعَتَيْنِ

[17156] Abū Mu‘āwiyah reported to us from Al-A‘mash from Shaqīq who said: A man named Abū Jarīr came to ‘Abd Allāh and said: "I have married a young girl, and I fear that she might dislike me." ‘Abd Allāh said: "Affection is from Allah, and aversion is from Satan, who wants to make you dislike what Allah has made lawful for you. So when she comes to you, tell her to pray two Rak‘ahs behind you."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَحْيَى بْنُ آدَمَ، قَالَ: نا شَرِيكٌ، عَنْ خُصَيْفٍ، عَنْ مُجَاهِدٍ، فِي قَوْلِهِ: {وَلاَ تُمْسِكُوا بِعِصَمِ الْكَوَافِرِ} [الممتحنة: 10] قَالَ: إِذَا لَحِقَتِ امْرَأَةُ الْمُسْلِمِ بِالْمُشْرِكِينَ، لَمْ يَعْتَدَّ بِهَا مِنْ نِسَائِهِ

[17157] Abu Bakr reported to us: Yaḥyā ibn Ādam reported to us: Sharīk reported to us from Khuṣayf from Mujāhid regarding the verse: {And hold not to marriage bonds with disbelieving women} [Al-Mumtaḥanah: 10]. He said: "If a Muslim man's wife joins the polytheists, she is not counted among his wives."

حَدَّثَنَا يَحْيَى بْنُ آدَمَ، قَالَ: نا شَرِيكٌ، عَنْ سَالِمٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، مِثْلَهُ

[17158] Yaḥyā ibn Ādam reported to us: Sharīk reported to us from Sālim from Sa‘īd ibn Jubayr

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُعَاذُ بْنُ مُعَاذٍ، عَنْ حُمَيْدٍ، عَنْ أَنَسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ لِعَبْدِ الرَّحْمَنِ: أَوْلِمْ وَلَوْ بِشَاةٍ، يَعْنِي حِينَ تَزَوَّجَ،

[17159] Abu Bakr reported to us: Mu‘ādh ibn Mu‘ādh reported to us from Ḥumayd from Anas that the Prophet ﷺ said to ‘Abd al-Raḥmān: "Give a wedding feast, even if with a sheep," meaning when he got married.

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ زُهَيْرٍ، عَنْ بَيَانٍ، قَالَ: سَمِعْتُ أَنَسًا، يَقُولُ: بَنَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِامْرَأَةٍ، فَأَرْسَلَنِي فَدَعَوْتُ رِجَالاً إِلَى الطَّعَامِ

[17160] Al-Faḍl ibn Dukayn reported to us from Zuhayr from Bayān who said: I heard Anas say: "The Messenger of Allah ﷺ consummated his marriage with a woman, so he sent me and I invited men to the food."

حَدَّثَنَا جَرِيرٌ، عَنِ الشَّيْبَانِيِّ، عَنِ الْحَكَمِ، قَالَ: لَمَّا تَزَوَّجَ بِلاَلٌ، أَتَى النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِذَهَبٍ، قَالَ لِبِلاَلٍ: سُقْ هَذَا، ثُمَّ قَالَ: أَعِينُوا أَخَاكُمْ فِي وَلِيمَتِهِ

[17161] Jarīr reported to us from Al-Shaybānī from Al-Ḥakam who said: When Bilāl got married, the Prophet ﷺ brought gold and said to Bilāl: "Take this." Then he said: "Help your brother with his wedding

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ أُمِّهِ صَفِيَّةَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: أَوْلَمَ عَلَى بَعْضِ نِسَائِهِ بِمُدَّيْنِ مِنْ شَعِيرٍ

[17162] Wakī‘ reported to us from Sufyān from Manṣūr from his mother Ṣafiyyah that the Prophet ﷺ gave a wedding feast for one of his wives with two Mudds of barley.

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامٍ، عَنْ حَفْصَةَ، قَالَتْ: لَمَّا تَزَوَّجَ أَبِي سِيرِينَ دَعَا أَصْحَابَ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ سَبْعَةَ أَيَّامٍ، فَلَمَّا كَانَ يَوْمُ الأَنْصَارِ دَعَاهُمْ، وَدَعَا أُبَيَّ بْنَ كَعْبٍ وَزَيْدَ بْنَ ثَابِتٍ، قَالَ هِشَامٌ: وَأَظُنُّهُ قَالَ: مُعَاذٌ، قَالَتْ: فَكَانَ أَبِي صَائِمًا فَلَمَّا طَعِمُوا دَعَا أُبَيَّ بْنُ كَعْبٍ وَأَمَّنَ الْقَوْمُ

[17163] Abū Usāmah reported to us from Hishām from Ḥafṣah who said: "When my father Sīrīn got married, he invited the Companions of the Messenger of Allah ﷺ for seven days. When it was the day of the Anṣār, he invited them, and he invited Ubayy ibn Ka‘b and Zayd ibn Thābit." Hishām said: I think he said: "Mu‘ādh." She said: "My father was fasting, so when they ate, Ubayy ibn Ka‘b supplicated and the people said 'Amīn'."

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ حُمَيْدٍ، عَنْ أَنَسِ بْنِ مَالِكٍ، قَالَ: أَوْلَمَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِزَيْنَبَ فَأَشْبَعَ الْمُسْلِمِينَ خُبْزًا، وَلَحْمًا

[17164] Yazīd ibn Hārūn reported to us from Ḥumayd from Anas ibn Mālik who said: "The Prophet ﷺ gave a wedding feast for Zaynab and fed the Muslims bread and meat until they were full."

حَدَّثَنَا عَفَّانُ، قَالَ: نا جَعْفَرُ بْنُ سُلَيْمَانَ، قَالَ: حَدَّثَنِي مَالِكُ بْنُ دِينَارٍ، قَالَ: حَدَّثَتْنِي عَجُوزٌ مِنَ الْحَيِّ قَالَتْ: زَوَّجَ أَبُو مُوسَى الأَشْعَرِيُّ بَعْضَ بَنِيهِ قَالَتْ: فَأَوْلَمَ عَلَيْهِ، فَدَعَا نَاسًا

[17165] ‘Affān reported to us: Ja‘far ibn Sulaymān reported to us: Mālik ibn Dīnār narrated to me: An old woman from the tribe narrated to me, saying: Abū Mūsā al-Ash‘arī married off one of his sons. She said: "So he gave a wedding feast for him and invited people."

حَدَّثَنَا جَرِيرٌ، عَنْ لَيْثٍ، عَنْ نَافِعٍ، قَالَ: كَانَ ابْنُ عُمَرَ يُطْعِمُ عَلَى خِتَانِ الصِّبْيَانِ

[17166] Jarīr reported to us from Layth from Nāfi‘ who said: Ibn ‘Umar used to provide food for the circumcision of boys.

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ إِسْرَائِيلَ، عَنِ الأَعْمَشِ، عَنْ أَبِي وَائِلٍ: أَوْلَمَ بِرَأْسِ بَقَرَةٍ، وَأَرْبَعَةِ أَرْغِفَةٍ

[17167] Al-Faḍl ibn Dukayn reported to us from Isrā’īl from Al-A‘mash from Abū Wā’il: "He gave a feast with a cow's head and four loaves of bread."

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ إِسْحَاقَ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمِ بْنِ عَبْدِ اللَّهِ، قَالَ: أَعْرَسْتُ فِي عَهْدِ أَبِي، فَأَذِنَ أَبِي لِلنَّاسِ، وَكَانَ فِيمَنْ أُذِنَ أَبُو أَيُّوبَ

[17168] Ibn ‘Ulayyah reported to us from ‘Abd al-Raḥmān ibn Isḥāq from Al-Zuhrī from Sālim ibn ‘Abd Allāh who said: "I got married during the time of my father, and my father invited the people. Among those invited was Abū Ayyūb."

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ جَرِيرِ بْنِ حَازِمٍ، عَنْ يُونُسَ الأَيْلِيِّ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، أَنَّ حَمْزَةَ بْنَ عَبْدِ اللَّهِ بْنِ عُمَرَ، نَحَرَ جَزُورًا

[17169] Yazīd ibn Hārūn reported to us from Jarīr ibn Ḥāzim from Yūnus al-Aylī from Al-Zuhrī from Sālim that Ḥamzah ibn ‘Abd Allāh ibn ‘Umar slaughtered a camel.

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عُثْمَانَ بْنِ حَمْزَةَ، قَالَ: أَخْبَرَنِي سَالِمُ بْنُ عَبْدِ اللَّهِ، قَالَ: خَتَنَنِي أَبِي، إِيَّاي وَنُعَيْمَ بْنَ عَبْدِ اللَّهِ، فَذَبَحَ عَلَيْنَا كَبْشًا، وَلَقَدْ رَأَيْنَا يَجْدِلُ بِهِ عَلَى الْغِلْمَانِ

[17170] Abū Usāmah reported to us from ‘Uthmān ibn Ḥamzah who said: Sālim ibn ‘Abd Allāh informed me, saying: "My father circumcised me, along with Nu‘aym ibn ‘Abd Allāh, and slaughtered a ram for us. We saw him distributing it among the boys."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، قَالَ: كَانَ يَقُولُ: إِنَّ خَوْلَةَ بِنْتَ حَكِيمٍ مِنَ اللاَّتِي وَهَبْنَ أَنْفُسَهُنَّ لِلنَّبِيِّ عَلَيْهِ السَّلاَمُ

[17171] Abu Bakr reported to us: ‘Abdah ibn Sulaymān reported to us from Hishām ibn ‘Urwah from his father who used to say: "Khawlah bint Ḥakīm was one of those who offered themselves to the Prophet ﷺ."

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، عَنْ مُجَاهِدٍ: {وَامْرَأَةً مُؤْمِنَةً إِنْ وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ} [الأحزاب: 50] قَالَ: إِنْ تَهَبْ نَفْسَهَا

[17172] Ghundar reported to us from Shu‘bah from Al-Ḥakam from Mujāhid regarding the verse: {And a believing woman if she gives herself to the Prophet} [Al-Aḥzāb: 50]. He said: "If she gives herself."

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، قَالَ: كَتَبَ عَبْدُ الْمَلِكِ إِلَى أَهْلِ الْمَدِينَةِ يَسْأَلُهُمْ، قَالَ: فَكَتَبَ إِلَيْهِ عَلِيٌّ، قَالَ شُعْبَةَ: وَظَنِّي أَنَّهُ ابْنُ حُسَيْنٍ، قَالَ: وَأَخْبَرَنِي أَبَانُ بْنُ تَغْلِبَ، عَنِ الْحَكَمِ، أَنَّهُ عَلِيُّ بْنُ حُسَيْنٍ قَالَ: "هِيَ امْرَأَةٌ مِنَ الأَزْدِ يُقَالَ لَهَا: أُمُّ شَرِيكٍ، وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ عَلَيْهِ السَّلاَمُ

[17173] Ghundar reported to us from Shu‘bah from Al-Ḥakam who said: ‘Abd al-Malik wrote to the people of Medina asking them. ‘Alī wrote back to him - Shu‘bah said: I think it was Ibn Ḥusayn. He said: Abān ibn Taghlib informed me from Al-Ḥakam that ‘Alī ibn Ḥusayn said: "She is a woman from Al-Azd called Umm Sharīk, who offered herself to the Prophet ﷺ."

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، قَالَ: حَدَّثَنِي عَبْدُ اللَّهِ بْنُ أَبِي السَّفَرِ، عَنِ الشَّعْبِيِّ، أَنَّهَا امْرَأَةٌ مِنَ الأَنْصَارِ وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ، وَهِيَ مِمَّنْ أَرْجَأَ

[17174] Ghundar reported to us from Shu‘bah who said: ‘Abd Allāh ibn Abī al-Safar narrated to me from Al-Sha‘bī that she was a woman from the Anṣār who offered herself to the Prophet, and she was among those whom he postponed.

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، قَالَ: وَحَدَّثَنِي أَهْلُ الْمَدِينَةِ، "أَنَّهُمْ كَانُوا يَقُولُونَ لِلشَّيْءِ: لَهُوَ أَعْظَمُ نَجِيًّا مِنْ نَجِيِّ أُمِّ شَرِيكٍ

[17175] Ghundar reported to us from Shu‘bah who said: The people of Medina narrated to me that they used to say about something: "It is a greater secret than the secret of Umm Sharīk."

حَدَّثَنَا وَكِيعٌ، عَنْ مُوسَى بْنِ عُبَيْدَةَ، عَنْ مُحَمَّدِ بْنِ كَعْبٍ، وَعُثْمَانَ بْنِ الْحَكَمِ، وَعَبْدِ اللَّهِ بْنِ عُتْبَةَ، قَالُوا: الَّتِي وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَيْمُونَةُ

[17176] Wakī‘ reported to us from Mūsā ibn ‘Ubaydah from Muḥammad ibn Ka‘b, ‘Uthmān ibn al-Ḥakam, and ‘Abd Allāh ibn ‘Utbah, who said: "The one who offered herself to the Prophet ﷺ was Maymūnah."

حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ، عَنْ وَرْقَاءَ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ: {وَامْرَأَةً مُؤْمِنَةً إِنْ وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ} [الأحزاب: 50] قَالَ: بِغَيْرِ صَدَاقٍ

[17177] Shabābah ibn Sawwār reported to us from Warqā’ from Ibn Abī Najīḥ from Mujāhid regarding: {And a believing woman if she gives herself to the Prophet} [Al-Aḥzāb: 50]. He said: "Without a dowry."

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ: {وَامْرَأَةً مُؤْمِنَةً إِنْ وَهَبَتْ نَفْسَهَا لِلنَّبِيِّ} [الأحزاب: 50] قَالَ: فَعَلَتْ وَلَمْ يَفْعَلْ

[17178] Ibn Idrīs reported to us from Layth from Mujāhid regarding: {And a believing woman if she gives herself to the Prophet} [Al-Aḥzāb: 50]. He said: "She did so, but he did not accept."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُلَيَّةَ، عَنْ عَوْفٍ، قَالَ: نا أَشْيَاخٌ مِنْ بَكْرٍ مِنْ جُلَسَاءِ قَسَامَةَ بْنِ زُهَيْرٍ، أَنَّ هَمَّامَ بْنَ عُمَيْرٍ رَجُلاً مِنْ بَنِي تَيْمِ اللَّهِ كَانَ جَمَعَ بَيْنَ أُخْتَيْنِ فِي الْجَاهِلِيَّةِ، فَلَمْ يُفَرِّقْ بَيْنَ وَاحِدَةٍ مِنْهُمَا، حَتَّى كَانَ فِي خِلاَفَةِ عُمَرَ وَأَنَّهُ رُفِعَ شَأْنُهُ إِلَى عُمَرَ فَأَرْسَلَ إِلَيْهِ فَقَالَ: اخْتَرْ إِحْدَاهُمَا وَاللَّهِ لَئِنْ قَرَبْتَ الأُخْرَى لأَضْرِبَنَّ رَأْسَكَ

[17179] Abu Bakr reported to us: Ibn ‘Ulayyah reported to us from ‘Awf who said: Some shaykhs of Bakr from the companions of Qasāmah ibn Zuhayr reported to us that Hammām ibn ‘Umayr, a man from Banū Taym Allāh, had married two sisters together in the Pre-Islamic period. He did not separate from either of them until the caliphate of ‘Umar. His matter was raised to ‘Umar, who sent for him and said: "Choose one of them. By Allah, if you approach the other, I will strike your head."

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، قَالَ: إِذَا أَسْلَمَ وَعِنْدَهُ أُخْتَانِ حَبَسَ الأُولَى مِنْهُمَا إِنْ شَاءَ

[17180] Ibn ‘Ulayyah reported to us from Yūnus from Al-Ḥasan who said: "If he accepts Islam while having two sisters, he keeps the first of them if he wishes."

حَدَّثَنَا عَبْدُ السَّلَامِ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي فَرْوَةَ، عَنْ أَبِي وَهْبٍ الْجَيْشَانِيِّ، عَنْ أَبِي خِرَاشٍ الرُّعَيْنِيِّ، عَنِ الدَّيْلَمِيِّ، قَالَ: قَدِمْتُ عَلَى النَّبِيِّ عَلَيْهِ السَّلَامُ وَعِنْدِي أُخْتَانِ تَزَوَّجْتُهُمَا فِي الْجَاهِلِيَّةِ، فَقَالَ: إِذَا رَجَعْتُ فَطَلِّقْ إِحْدَاهُمَا

[17181] ‘Abd al-Salām reported to us from Isḥāq ibn ‘Abd Allāh ibn Abī Farwah from Abū Wahb al-Jayshānī from Abū Khirāsh al-Ru‘aynī from Al-Daylamī who said: I came to the Prophet ﷺ while I had two sisters whom I had married in the Pre-Islamic period. He said: "When you return, divorce one of them."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُلَيَّةَ، وَمَرْوَانُ بْنُ مُعَاوِيَةَ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ، قَالَ: أَسْلَمَ غَيْلَانُ بْنُ مُسْلِمٍ الثَّقَفِيُّ، وَتَحْتَهُ عَشْرُ نِسْوَةٍ فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: خُذْ مِنْهُنَّ أَرْبَعًا

[17182] Abū Bakr narrated to us, saying: Ibn ‘Ulayyah and Marwān ibn Mu‘āwiyah narrated to us, from Ma‘mar, from Al-Zuhrī, from Sālim, from Ibn ‘Umar, who said: Ghaylān ibn Muslim al-Thaqafī accepted Islam while he had ten wives. The Messenger of Allah ﷺ said: “Take four of them.”

حَدَّثَنَا غُنْدَرٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يُسْلِمُ وَعِنْدَهُ عَشْرُ نِسْوَةٍ، أَوْ سِتٌّ، قَالَ: يُمْسِكُ مِنْهُنَّ أَرْبَعًا

[17183] Ghundar narrated to us, from Ash‘ath, from Al-Ḥasan, regarding a man who accepts Islam while having ten or six wives, he said: “He keeps four of them.”

حَدَّثَنَا بَكْرِ بْنُ عَبْدِ الرَّحْمَنِ، قَالَ: نا عِيسَى بْنُ الْمُخْتَارِ، عَنِ ابْنِ أَبِي لَيْلَى، عَنْ حُمَيْضَةَ بْنِ الشَّمَرْدَلِ، عَنْ قَيْسِ بْنِ الْحَارِثِ الأَسَدِيِّ، أَنَّهُ أَسْلَمَ وَعِنْدَهُ ثَمَانِ نِسْوَةٍ فَأَمَرَهُ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يَخْتَارَ مِنْهُنَّ أَرْبَعًا

[17184] Bakr ibn ‘Abd al-Raḥmān narrated to us, saying: ‘Īsā ibn al-Mukhtār narrated to us, from Ibn Abī Laylā, from Ḥumayḍah ibn al-Shamaridhal, from Qays ibn al-Ḥārith al-Asadī, that he accepted Islam while having eight wives, so the Messenger of Allah ﷺ ordered him to choose four of them.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، فِي قَوْلِهِ: {غَيْرِ أُولِي الإِرْبَةِ} قَالَ: الَّذِي لَمْ يَبْلُغَ إِرْبُهُ أَنْ يَطَّلِعَ عَلَى عَوْرَةِ النِّسَاءِ

[17185] Abū Bakr narrated to us, saying: Jarīr narrated to us, from Mughīrah, from Al-Sha‘bī, regarding His saying: {having no physical desire}, he said: “The one whose desire has not reached the point of looking at the private parts of women.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، أَظُنُّهُ عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، قَالَ: فِي قَوْلِهِ: {غَيْرِ أُولِي الإِرْبَةِ} قَالَ: الأَبْلَهُ الَّذِي لاَ يَعْرِفُ أَمْرَ النِّسَاءِ

[17186] Ibn Idrīs narrated to us, I think from Layth, from Mujāhid, regarding His saying: {having no physical desire}, he said: “The simpleton who does not know about the matters of women.”

[17187] Ibn ‘Ulayyah narrated to us, from Ibn Abī Najīḥ, regarding His saying: {having no physical desire among men}, he said: “The one who has no desire for women.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنِ ابْنِ أَبِي نَجِيحٍ، فِي قَوْلِهِ: {غَيْرِ أُولِي الإِرْبَةِ مِنَ الرِّجَالِ} قَالَ: الَّذِي لَمْ يَبْلُغْ إِرْبَهُ مِنَ النِّسَاءِ

[17188] Ibn Mahdī narrated to us, from Ḥammād ibn Salamah, from ‘Aṭā’ ibn al-Sā’ib, from Sa‘īd ibn Jubayr, who said: “The imbecile (al-ma‘tūh).”

حَدَّثَنَا ابْنُ مَهْدِيٍّ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، قَالَ: الْمَعْتُوهُ

[17189] Abū Bakr narrated to us, saying: Asbāṭ ibn ‘Umar narrated to us, from Ash‘ath, from Al-Ḥasan, who said: “It is the one whom they call a fool (aḥmaq).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَسْبَاطُ بْنُ عُمَرَ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: هُوَ الَّذِي يَقُولُونَ: أَحْمَقُ

[17190] ‘Ubayd Allāh narrated to us, from Isrā’īl, from Abū Isḥāq, from a man, from Ibn ‘Abbās, who said: “It is the one from whom women do not feel shy.”

حَدَّثَنَا عُبَيْدُ اللَّهِ، عَنْ إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ رَجُلٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: هُوَ الَّذِي لاَ تَسْتَحِي مِنْهُ النِّسَاءُ

[17191] Wakī‘ narrated to us, from Mis‘ar, from ‘Awn, from ‘Ikrimah, who said: “It is the one whose penis does not become erect.”

حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ، عَنْ عَوْنٍ، عَنْ عِكْرِمَةَ، قَالَ: هُوَ الَّذِي لاَ يَقُومُ إِرْبُهُ

[17192] Abū Bakr narrated to us, saying: Mu‘tamir ibn Sulaymān narrated to us, from Burd, from Makḥūl, who said: “‘Umar ibn al-Khaṭṭāb separated them and placed her dower in the public treasury.” Al-Zuhrī said: “Her dower was not placed in the public treasury; it belongs to her for what he enjoyed of her private parts.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ بُرْدٍ، عَنْ مَكْحُولٍ، قَالَ: فَرَّقَ عُمَرُ بْنُ الْخَطَّابِ بَيْنَهُمَا، وَجَعَلَ صَدَاقَهَا فِي بَيْتِ الْمَالِ. وَقَالَ الزُّهْرِيُّ: لَمْ يَكُنْ صَدَاقُهَا فِي بَيْتِ الْمَالِ، هُوَ بِمَا أَصَابَ مِنْ فَرْجِهَا

[17193] Ibn ‘Ulayyah narrated to us, from Ṣāliḥ ibn Muslim, from Al-Sha‘bī, who said: ‘Umar said: “They are to be separated, and she gets the dower for what he made lawful of her private parts.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ صَالِحِ بْنِ مُسْلِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: قَالَ عُمَرُ: يُفَرَّقُ بَيْنَهُمَا، وَلَهَا الصَّدَاقُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا

[17194] ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, from Sa‘īd ibn al-Musayyib, who said: “They are to be separated, and she gets the dower for what he made lawful of her private parts.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، قَالَ: يُفَرَّقُ بَيْنَهُمَا، وَلَهَا الصَّدَاقُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا

[17195] ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, from Sulaymān ibn Yasār, who said: “They are to be separated, and the dower remains in the public treasury.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، قَالَ: يُفَرَّقُ بَيْنَهُمَا، وَيَبْقَى الصَّدَاقُ فِي بَيْتِ الْمَالِ

[17196] ‘Abdah narrated to us, from Ibn Abī ‘Arūbah, from Abū Ma‘shar, from Ibrāhīm, who said: “Every invalid marriage, like the one who marries during her waiting period (Iddah) and similar cases; this is of invalid marriage. If he has consummated the marriage with her, she is entitled to the dower, and they are to be separated.”

حَدَّثَنَا عَبْدَةُ، عَنِ ابْنِ أَبِي عَرُوبَةَ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، قَالَ: كُلُّ نِكَاحٍ فَاسِدٍ نَحْوَ الَّذِي تُزَوَّجُ فِي عِدَّتِهَا وَأَشْبَاهِهِ، هَذَا مِنَ النِّكَاحِ الْفَاسِدِ، إِذَا كَانَ قَدْ دَخَلَ بِهَا فَلَهَا الصَّدَاقُ، وَيُفَرَّقُ بَيْنَهُمَا

[17197] Yaḥyā ibn ‘Abd al-Malik ibn Abī Ghaniyyah narrated to us, from his father, from Al-Ḥakam, that he said: “She is to be separated from her husband, and she is entitled to the dower for what he made lawful of her private parts.”

حَدَّثَنَا يَحْيَى بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي غَنِيَّةَ، عَنْ أَبِيهِ، عَنِ الْحَكَمِ، أَنَّهُ قَالَ: يُفَرَّقُ بَيْنَهَا وَبَيْنَ زَوْجِهَا، وَيَكُونُ لَهَا الْمَهْرُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، عَنْ مَسْرُوقٍ، قَالَ: قَضَى عُمَرُ فِي امْرَأَةٍ تَزَوَّجَتْ فِي عِدَّتِهَا، أَنْ يُفَرَّقَ بَيْنَهُمَا مَا عَاشَا، وَيُجْعَلُ صَدَاقُهَا فِي بَيْتِ الْمَالِ، وَقَالَ: كَانَ نِكَاحُهَا حَرَامًا فَصَدَاقُهَا حَرَامٌ، وَقَضَى فِيهَا عَلِيٌّ أَنْ يُفَرَّقَ بَيْنَهُمَا، وَتُوَفِّيَ عِدَّةَ مَا بَقِيَ مِنَ الزَّوْجِ الأَوَّلِ، ثُمَّ تَعْتَدُّ ثَلاَثَةَ قُرُوءٍ، وَلَهَا الصَّدَاقُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا، ثُمَّ إِنْ شَاءَ خَطَبَهَا بَعْدَ ذَلِكَ

[17198] Ibn Numayr narrated to us, from Ismāʻīl, from Al-Shaʻbī, from Masrūq, who said: ʻUmar ruled regarding a woman who married during her waiting period (Iddah) that they be separated for as long as they live, and her dower be placed in the public treasury. He said: “Her marriage was unlawful, so her dower is unlawful.” ʻAlī ruled regarding her that they be separated, she completes the remaining waiting period from the first husband, then observes a waiting period of three menstrual cycles, and she is entitled to the dower for what he made lawful of her private parts. Then, if he wishes, he may propose to her after that.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي حُصَيْنٍ، عَنْ عَبْدِ اللَّهِ بْنِ حَبِيبٍ قَالَ: خَرَجَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَلَقِيَ امْرَأَةً فَأَعْجَبَتْهُ فَرَجَعَ إِلَى أُمِّ سَلَمَةَ وَعِنْدَهَا نِسْوَةٌ يَدُقُّنَّ طِيبًا قَالَ: فَعَرَفْنَ مَا فِي وَجْهِهِ، فَأَخْلَيْنَهُ فَقَضَى حَاجَتَهُ فَخَرَجَ فَقَالَ: مَنْ رَأَى مِنْكُمُ امْرَأَةً فَأَعْجَبَتْهُ، فَلْيَأْتِ أَهْلَهُ فَلْيُوَاقِعْهَا، فَإِنَّ مَا مَعَهَا مِثْلُ الَّذِي مَعَهَا

[17199] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Abū Ḥuṣayn, from ‘Abd Allāh ibn Ḥabīb, who said: The Messenger of Allah ﷺ went out and met a woman who pleased him. He returned to Umm Salamah, who had some women with her grinding perfume. He said: They recognized what was on his face, so they left him alone with her. He satisfied his desire, then went out and said: “Whoever among you sees a woman who pleases him, let him go to his wife and have intercourse with her, for what she has is like what she has.”

حَدَّثَنَا عَبْدُ الرَّحِيمِ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي عَبْدِ الرَّحْمَنِ عَبْدِ اللَّهِ بْنِ حَبِيبٍ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِمِثْلِ حَدِيثِ أَبِي حُصَيْنٍ إِلاَّ أَنَّهُ لَمْ يَذْكُرْ: يَدُقُّنَّ

[17200] ‘Abd al-Raḥīm told us, from Sufyān, from Abū Isḥāq, from Abū ‘Abd al-Raḥmān ‘Abd Allāh ibn Ḥabīb, from the Prophet ﷺ, similar to the ḥadīth of Abū Ḥuṣayn, except that he did not mention: 'They crush (or knock).'

حَدَّثَنَا وَكِيعٌ، وَابْنُ مَهْدِيٍّ عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ عَبْدِ اللَّهِ بْنِ حُلاَّمٍ، قَالَ: قَالَ عَبْدُ اللَّهِ: مَنْ رَأَى مِنْكُمُ امْرَأَةً فَأَعْجَبَتْهُ، فَلْيُوَاطِئْ أَهْلَهُ، فَإِنَّ مَعَهُنَّ مِثْلَ الَّذِي مَعَهُنَّ

[17201] Wakī‘ and Ibn Mahdī told us, from Sufyān, from Abū Isḥāq, from ‘Abd Allāh ibn Ḥullām, who said: ‘Abd Allāh (Ibn Mas‘ūd) said: “Whoever among you sees a woman and she pleases him, let him have intercourse with his wife, for they have the like of what they (the strange women) have.”

حَدَّثَنَا عَبْدَةُ، عَنْ مَنْصُورٍ، عَنْ سَالِمِ بْنِ أَبِي الْجَعْدِ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ رَأَى امْرَأَةً فَأَتَى أُمَّ سَلَمَةَ فَوَاقَعَهَا وَقَالَ: إِذَا رَأَى امْرَأَةً تُعْجِبُهُ، فَلْيَأْتِ أَهْلَهُ، فَإِنَّ مَعَهُنَّ مِثْلَ الَّذِي مَعَهُنَّ

[17202] ‘Abdah told us, from Manṣūr, from Sālim ibn Abī al-Ja‘d, that the Prophet ﷺ saw a woman, so he went to Umm Salamah and had intercourse with her, and said: “If one sees a woman who pleases him, let him go to his wife, for they have the like of what they have.”

حَدَّثَنَا عَبْدُ الرَّحِيمِ، عَنْ ي أَشْعَثَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، بِنَحْوِ حَدِيثِ عَبْدِ اللَّهِ

[17203] ‘Abd al-Raḥīm told us, from Ash‘ath, from Abū al-Zubayr, from Jābir, similar to the ḥadīth of ‘Abd Allāh.

[17204] Zayd ibn al-Ḥubāb told us, from Ḥammād ibn Salamah, from Thābit, from Muṭarrif, regarding a man who sees a woman and she pleases him, he said: “Let him remember the entrails of cows.”

حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ ثَابِتٍ، عَنْ مُطَرِّفٍ، فِي الرَّجُلِ يَرَى الْمَرْأَةَ تُعْجِبُهُ قَالَ: يَذْكُرُ أَحْشَاءَ الْبَقَرِ

[17205] Ibn Ḥubāb told us, from Ḥammād ibn Salamah, from ‘Aṭā’ ibn al-Sā’ib, from Ibrāhīm, regarding a man who sees a woman, he said: “Let him remember her origins (biological nature/where hair grows).”

حَدَّثَنَا ابْنُ حُبَابٍ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ إِبْرَاهِيمَ، فِي الرَّجُلِ يَرَى الْمَرْأَةَ قَالَ: يَذْكُرُ مَنَابِتَهَا

[17206] Abū Bakr told us, he said: Ghundar told us, from Shu‘bah, from ‘Alī ibn Mudrik, who said: I heard Al-Nakha‘ī say: Al-Ash‘ath married a woman based on her judgment (for the dowry). The matter was raised to ‘Umar ibn al-Khaṭṭāb, so he said: “Please her, please her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ عَلِيِّ بْنِ مُدْرِكٍ، قَالَ: سَمِعْتُ النَّخَعِي، قَالَ: تَزَوَّجَ الأَشْعَثُ امْرَأَةً عَلَى حُكْمِهَا فَرُفِعَ إِلَى عُمَرَ بْنِ الْخَطَّابِ فَقَالَ: أَرْضِهَا أَرْضِهَا

حَدَّثَنَا هُشَيْمٌ، عَنْ إِسْمَاعِيلَ بْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: تَزَوُّجُ الرَّجُلِ الْمَرْأَةَ عَلَى حُكْمِهَا أَوْ حُكْمِهِ فَجَارٍ فِي الصَّدَاقِ، إِنْ جَارُوا رُدَّ ذَاكَ إِلَى صَدَاقِ مِثْلِهَا لاَ وَكْسَ، وَلاَ شِطَاطَ، وَالنِّكَاحُ جَائِزٌ

[17207] Hushaym told us, from Ismāʻīl ibn Sālim, from Al-Shaʻbī, who said: "A man marrying a woman based on her judgment or his judgment is operative regarding the dowry. If they deviate (are unjust), it is returned to the dowry of women like her, without diminution or excess, and the marriage is valid."

حَدَّثَنَا وَكِيعٌ، عَنْ أَبِي هِلاَلٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، قَالَ: خَطَبَ عَمْرُو بْنُ حُرَيْثٍ إِلَى عَدِيِّ بْنِ حَاتِمٍ ابْنَتَهُ، فَأَبَى إِلاَّ عَلَى حُكْمِهِ، فَرَجَعَ عَمْرٌو، فَاسْتَشَارَ أَصْحَابَهُ فَقَالُوا: أَتُرِيدُ أَنْ تُحَكِّمَ رَجُلاً مِنْ طَيِّئٍ فِي عَقْدِكَ، فَأَبَتْ نَفْسُهُ، فَتَزَوَّجَهَا عَلَى حُكْمِهِ، ثُمَّ انْصَرَفَ، فَحَكَّمَ عَدِيٌّ سُنَّةَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ ثَمَانِينَ وَأَرْبَعِ مِائَةٍ، فَبَعَثَ إِلَيْهِ عَمْرٌو بِعَشَرَةِ آلاَفٍ، وَقَالَ: جَهِّزْهَا

[17208] Wakīʻ told us, from Abū Hilāl, from Muḥammad ibn Sīrīn, who said: ʻAmr ibn Ḥurayth proposed to ʻAdī ibn Ḥātim for his daughter. He (ʻAdī) refused unless it was based on his judgment. ʻAmr returned and consulted his companions, and they said: "Do you want to let a man from Ṭayyi' judge regarding your contract?" His soul refused that, but he married her based on his judgment. Then he left. ʻAdī judged according to the Sunnah of the Prophet ﷺ: four hundred and eighty (dirhams). So ʻAmr sent him ten thousand (dirhams) and said: "Prepare her (trousseau)."

حَدَّثَـنَا حَـفْصٌ، عَـنْ أَشْـعَثَ، عَـنِ ابْـنِ سِـيرِيـنَ، أَنَّ الأَشْـعَثَ تَـزَوَّجَ امْـرَأَةً عَـلَى حُـكْمِهَا فَسَأَلَـهُ عُمَرُ عَنْهَا فَقَالَ: بِتُّ لَيْلَةً لاَ يَعْلَمُهَا إِلاَّ اللَّهُ مَخَافَةَ أَنْ تَحْكُمَ عَلَيَّ فِي مَالِ قَيْسٍ فَقَالَ: لَيْسَ ذَلِكَ لَهَا إِنَّمَا لَهَا مَهْرُ نِسَائِهَا

[17209] Ḥafṣ told us, from Ash‘ath, from Ibn Sīrīn, that Al-Ash‘ath married a woman based on her judgment. ‘Umar asked him about her, and he said: “I spent a night that only Allah knows of, fearing that she would judge against me taking the wealth of (the tribe of) Qays.” He said: “That is not for her; she is only entitled to the dowry of women like her.”

حَدَّثَنَا يَعْلَى بْنُ عُبَيْدٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، فِي رَجُلٍ تَزَوَّجَ امْرَأَةً عَلَى حُكْمِهِ، فَمَاتَتِ الْمَرْأَةُ قَبْلَ أَنْ يَحْكُمَ الرَّجُلُ قَالَ: لَهَا صَدَاقُ نِسَائِهَا

[17210] Ya‘lā ibn ‘Ubayd narrated to us, from ‘Abd al-Malik, from ‘Aṭā’, regarding a man who married a woman based on his judgment, and the woman died before the man made a judgment. He said: “She is entitled to the dower of her peers.”

حَدَّثَنَا يَعْلَى، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، فِي رَجُلٍ تَزَوَّجَ امْرَأَةً عَلَى حُكْمِهِ، فَحَكَمَ عَشَرَةَ دَرَاهِمَ، قَالَ: يَجُوزُ، قَدْ كَانَ الْمُسْلِمُونَ يَتَزَوَّجُونَ عَلَى أَقَلَّ مِنْ ذَلِكَ وَأَكْثَرَ

[17211] Ya‘lā narrated to us, from ‘Abd al-Malik, from ‘Aṭā’, regarding a man who married a woman based on his judgment, then he judged (the dower to be) ten dirhams. He said: “It is valid; the Muslims used to marry for less than that and

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنِ السَّرِيِّ بْنِ يَحْيَى، عَنِ الْحَسَنِ قَالَ: قَالَ رَجُلٌ لِلْآخَرِ: بِالرِّفَاءِ وَالْبَنِينَ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "لاَ تَقُولُوا هَكَذَا، وَقُولُوا: بَارَكَ اللَّهُ فِيكَ، وَبَارَكَ عَلَيْكَ

[17212] Abū Bakr narrated to us, saying: Ḥumayd ibn ‘Abd al-Raḥmān narrated to us, from Al-Sarī ibn Yaḥyā, from Al-Ḥasan, who said: A man said to another: “With harmony and sons.” The Messenger of Allah ﷺ said: “Do not say this, but say: May Allah bless you, and may He send blessings upon you.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّ عَقِيلَ بْنَ أَبِي طَالِبٍ تَزَوَّجَ امْرَأَةً مِنْ بَنِي جُشَمٍ فَدَعَاهُمْ فَقَالُوا: بِالرِّفَاءِ وَالْبَنِينَ، فَقَالَ: لاَ تَقُولُوا ذَاكَ، قَالُوا: كَيْفَ نَقُولُ يَا أَبَا يَزِيدَ؟ قَالَ: "تَقُولُونَ: بَارَكَ اللَّهُ لَكَ، وَبَارَكَ عَلَيْكَ، فَإِنَّا كُنَّا نَقُولُ أَوْ نُؤْمَرُ بِذَلِكَ

[17213] ‘Abd al-A‘lā narrated to us, from Yūnus, from Al-Ḥasan, that ‘Aqīl ibn Abī Ṭālib married a woman from Banū Jusham. He invited them, and they said: “With harmony and sons.” He said: “Do not say that.” They asked: “What should we say, O Abū Yazīd?” He said: “Say: May Allah bless you, and may He send blessings upon you, for this is what we used to say or were commanded to do.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ بْنِ عُبَيْدٍ، عَنْ عَمْرِو بْنِ سَعِيدٍ، عَنْ أَبِي زُرْعَةَ بْنِ عَمْرٍو، عَنْ جَرِيرٍ، قَالَ: سَأَلْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ نَظْرَةِ الْفُجَاءَةِ فَأَمَرَنِي أَنْ أَصْرِفَ بَصَرِي

[17214] Abū Bakr narrated to us, saying: Ibn ‘Ulayyah narrated to us, from Yūnus ibn ‘Ubayd, from ‘Amr ibn Sa‘īd, from Abū Zur‘ah ibn ‘Amr, from Jarīr, who said: “I asked the Messenger of Allah ﷺ about the sudden glance, and he ordered me to avert my gaze.”

حَدَّثَنَا مُعْتَمِرٌ، عَنْ إِسْحَاقَ بْنِ سُوَيْدٍ، عَنِ الْعَلاَءِ بْنِ زِيَادٍ، قَالَ: "كَانَ يُقَالُ: لاَ تُتْبِعَنَّ نَظَرَكَ حُسْنَ رِدَاءِ امْرَأَةٍ، فَإِنَّ النَّظَرَ يَجْعَلُ شَهْوَةً فِي الْقَلْبِ

[17215] Mu‘tamir narrated to us, from Isḥāq ibn Suwayd, from Al-‘Alā’ ibn Ziyād, who said: “It used to be said: Do not follow your gaze at the beauty of a woman's garment, for the look creates desire in the heart.”

حَدَّثَنَا جَرِيرٌ، عَنْ عَاصِمٍ الأَحْوَلِ، عَنِ الشَّعْبِيِّ، قَالَ: {قُلْ لِلْمُؤْمِنِينَ يَغُضُّوا مِنْ أَبْصَارِهِمْ} قُلْتُ لِلشَّعْبِيِّ: الرَّجُلُ يَنْظُرُ الْمَرْأَةَ لاَ يَرَى مِنْهَا مُحَرَّمًا قَالَ: مَا لَكَ أَنْ تَتْبَعَهَا بِعَيْنِكَ

[17216] Jarīr narrated to us, from ‘Āṣim al-Aḥwal, from Al-Sha‘bī, who said regarding {Tell the believing men to reduce [some] of their vision}: I said to Al-Sha‘bī: “A man looks at a woman and sees nothing unlawful from her.” He said: “You have no right to follow her with your eyes.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ لَيْثٍ، عَنْ عَطَاءٍ، قَالَ: نَظْرَةٌ يَهْوَاهَا الْقَلْبُ فَلاَ خَيْرَ فِيهَا

[17217] Ibn ‘Ulayyah narrated to us, from Layth, from ‘Aṭā’, who said: “A look that the heart desires has no good in it.”

حَدَّثَنَا وَكِيعٌ، عَنْ شَرِيكٍ، عَنْ أَبِي رَبِيعَةَ الإِيَادِيِّ، عَنِ ابْنِ بُرَيْدَةَ، عَنْ أَبِيهِ، أَنَّ النَّبِيَّ عَلَيْهِ السَّلاَمُ قَالَ لِعَلِيٍّ: لاَ تُتْبِعِ النَّظْرَةَ، فَإِنَّمَا لَكَ الأُولَى، وَلَيْسَ لَكَ الأٰخِرَةُ

[17218] Wakī‘ narrated to us, from Sharīk, from Abū Rabī‘ah al-Iyādī, from Ibn Buraydah, from his father, that the Prophet ﷺ said to ‘Alī: “Do not follow a glance with another glance, for the first is for you, but the second is not for you.”

حَدَّثَنَا حُسَيْنُ بْنُ عَلِيٍّ، عَنْ مُوسَى الْجُهَنِيِّ، قَالَ: كُنْتُ مَعَ سَعِيدِ بْنِ جُبَيْرٍ فِي طَرِيقٍ، فَاسْتَقْبَلَتْنَا امْرَأَةٌ فَنَظَرْنَا إِلَيْهَا جَمِيعًا قَالَ: ثُمَّ إِنَّ سَعِيدًا غَضَّ بَصَرَهُ، فَنَظَرْتُ إِلَيْهَا قَالَ: فَقَالَ لِي سَعِيدٌ: الأُولَى لَكَ، وَالثَّانِيَةُ عَلَيْكَ

[17219] Ḥusayn ibn ‘Alī narrated to us, from Mūsā al-Juhanī, who said: I was with Sa‘īd ibn Jubayr on a road, and a woman came towards us, and we both looked at her. He said: Then Sa‘īd lowered his gaze, but I looked at her. He said: Sa‘īd said to me: “The first is for you, and the second is against you.”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ إِسْمَاعِيلَ، عَنْ قَيْسٍ، قَالَ: "كَانَ يُقَالُ: النَّظْرَةُ الأُولَى لاَ يَمْلِكُهَا أَحَدٌ، وَلَكِنِ الَّذِي يَدُسُّ النَّظَرَ دَسًّا

[17220] Ibn Numayr narrated to us, from Ismā‘īl, from Qays, who said: “It used to be said: The first glance is uncontrollable by anyone, but [blame lies on] the one who steals looks intentionally.”

حَدَّثَنَا مُعْتَمِرٌ، عَنْ دَاوُدَ بْنِ أَبِي هِنْدٍ، قَالَ: قَالَ رَجُلٌ لِابْنِ سِيرِينَ: أَسْتَقْبِلُ الْقِبْلَةَ فِي الطَّرِيقِ أَلَيْسَ لِي النَّظْرَةُ الأُولَى، ثُمَّ أَصْرِفُ عَنْهَا بَصَرِي؟ قَالَ: "أَمَا تَقْرَأُ الْقُرْآنَ {يَغُضُّوا مِنْ أَبْصَارِهِمْ} {يَعْلَمُ خَائِنَةَ الأَعْيُنِ وَمَا تُخْفِي الصُّدُورُ}

[17221] Mu‘tamir narrated to us, from Dāwūd ibn Abī Hind, who said: A man said to Ibn Sīrīn: “I face the Qiblah on the road; do I not have the first glance, and then I avert my gaze from her?” He said: “Do you not read the Quran? {reduce [some] of their vision} {He knows the traitor of the eyes and what the breasts conceal}.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ خَالِدِ بْنِ مَجْدُوحٍ، قَالَ: سَمِعْتُ أَنَسًا، يَقُولُ: إِذَا لَقِيتَ الْمَرْأَةَ، فَغُضَّ عَيْنَكَ حَتَّى تَمْضِيَ

[17222] Abū Usāmah narrated to us, from Khālid ibn Majdūḥ, who said: I heard Anas say: “If you meet a woman, lower your eyes until she passes.”

حَدَّثَنَا عَبْدُ الْوَهَّابِ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، قَالَ: لاَ يَضُرُّكَ حُسْنُ امْرَأَةٍ مَا لَمْ تَعْرِفْهَا

[17223] ‘Abd al-Wahhāb narrated to us, from Ayyūb, from Abū Qilābah, who said: “A woman's beauty does not harm you as long as you do not know her.”

[17224] Ibn ‘Ulayyah narrated to us, from Yūnus, from ‘Amr ibn Sa‘īd, who said: Sa‘d ibn Abī Waqqāṣ said: “While I was circumambulating the House (Kaaba), I saw a woman whose manner pleased me. I wanted to ask about her, but I found her busy. And a woman's beauty does not harm you as long as you do not know her.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنْ عَمْرِو بْنِ سَعِيدٍ، قَالَ: قَالَ سَعْدُ بْنُ أَبِي وَقَّاصٍ: بَيْنَمَا أَنَا أَطُوفُ، بِالْبَيْتِ إِذْ رَأَيْتُ امْرَأَةً فَأَعْجَبَنِي دَلُّهَا، فَأَرَدْتُ أَنْ أَسْأَلَ عَنْهَا، فَوَجَدْتُهَا مَشْغُولَةً، وَلاَ يَضُرُّكَ حُسْنُ امْرَأَةٍ مَا لَمْ تَعْرِفْهَا

[17225] Ismā‘īl ibn Shu‘ayb narrated to us, from his father, from Ṭāwūs, that he disliked for a man to look at a woman unless he was a husband or a Maḥram (relative prohibited in marriage).

حَدَّثَنَا إِسْمَاعِيلُ بْنُ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ طَاوُسٍ، أَنَّهُ كَرِهَ أَنْ يَنْظُرَ الرَّجُلُ إِلَى الْمَرْأَةِ، إِلاَّ أَنْ يَكُونَ زَوْجًا أَوْ ذَا مَحْرَمٍ

[17226] Abū Usāmah narrated to us, saying: Abū ‘Umayr informed me, from Ayyūb, who said: Ṭāwūs used not to accompany a traveling group that included a woman.

حَدَّثَنَا أَبُو أُسَامَةَ، قَالَ: أَخْبَرَنِي أَبُو عُمَيْرٍ، عَنْ أَيُّوبَ، قَالَ: كَانَ طَاوُسٌ لاَ يَصْحَبُ رُفْقَةً فِيهَا امْرَأَةٌ

حَدَّثَنَا عَفَّانُ، قَالَ: نَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ، عَنْ سَلَمَةَ بْنِ أَبِي طُفَيْلٍ، عَنْ عَلِيٍّ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: يَا عَلِيُّ، إِنَّ لَكَ كَنْزًا فِي الْجَنَّةِ، وَإِنَّكَ ذُو قَرْنَيْهَا، فَلاَ تُتْبِعَنَّ النَّظْرَةَ النَّظْرَةَ، فَإِنَّمَا لَكَ الأُولَى، وَلَيْسَتْ لَكَ الأٰخِرَةُ

[17227] ‘Affān narrated to us, saying: Ḥammād ibn Salamah narrated to us, from Muḥammad ibn Isḥāq, from Muḥammad ibn Ibrāhīm, from Salamah ibn Abī Ṭufayl, from ‘Alī, that the Prophet ﷺ said: “O ‘Alī, you have a treasure in Paradise, and you are its possessor. Do not follow a glance with another glance, for the first is for you, but the second is not for you.”

حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، قَالَ: قَالَ ابْنُ عَبَّاسٍ: {يَعْلَمُ خَائِنَةَ الأَعْيُنِ وَمَا تُخْفِي الصُّدُورُ} قَالَ: الرَّجُلُ يَكُونُ فِي الْقَوْمِ فَتَمُرُّ بِهِمِ الْمَرْأَةُ، فَيُرِيهِمْ أَنَّهُ يَغُضُّ بَصَرَهُ عَنْهَا، فَإِنْ رَأَى مِنْهُمْ غَفْلَةً نَظَرَ إِلَيْهَا، فَإِنْ خَافَ أَنْ يَفْطِنُوا بِهِ غَضَّ بَصَرَهُ عَنْهَا، وَقَدِ اطَّلَعَ اللَّهُ مِنْ قَلْبِهِ أَنَّهُ وَدَّ أَنَّهُ نَظَرَ إِلَى عَوْرَتِهَا

[17228] Jarīr narrated to us, from Manṣūr, who said: Ibn ‘Abbās said regarding {He knows the traitor of the eyes and what the breasts conceal}: “A man is among people and a woman passes by them. He shows them that he is lowering his gaze from her, but if he sees them inattentive, he looks at her. If he fears they might notice him, he lowers his gaze from her, while Allah has already seen from his heart that he wished to look at her nakedness.”

[17229] Jarīr narrated to us, from Manṣūr, from Abū ‘Amr al-Shaybānī, who said: Abū Mūsā said: “That my nostrils be filled with the smell of a carcass is dearer to me than that they be filled with the scent of a woman.”

حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ أَبِي عَمْرٍو الشَّيْبَانِيِّ، قَالَ: قَالَ أَبُو مُوسَى: لأَنْ تَمْتَلِئَ مَنْخِرَيَّ مِنْ رِيحِ جِيفَةٍ، أَحَبُّ إِلَيَّ مِنْ أَنْ تَمْتَلِئَا مِنْ رِيحِ امْرَأَةٍ

[17230] Jarīr narrated to us, from Manṣūr, from Ibrāhīm, who said: ‘Abd Allāh said: “That I crowd against a camel smeared with pitch is dearer to me than that I crowd against a woman.”

حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، قَالَ: قَالَ عَبْدُ اللَّهِ: لأَنْ أُزَاحِمَ بَعِيرًا مَطْلِيًّا بِقَطِرَانٍ، أَحَبُّ إِلَيَّ مِنْ أَنْ أُزَاحِمَ امْرَأَةً

[17231] Wakī‘ narrated to us, from Thābit ibn ‘Umārah, from Ghunaym ibn Qays, from Abū Mūsā, who said: “Every eye is a doer,” meaning an adulterer.

حَدَّثَنَا وَكِيعٌ، عَنْ ثَابِتِ بْنِ عُمَارَةَ، عَنْ غُنَيْمِ بْنِ قَيْسٍ، عَنْ أَبِي مُوسَى، قَالَ: كُلُّ عَيْنٍ فَاعِلَةٌ، يَعْنِي زَانِيَةً

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ عَدِيٍّ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ تَطْلِيقَةً، أَوْ تَطْلِيقَتَيْنِ قَبْلَ أَنْ يَدْخُلَ بِهَا، ثُمَّ غَشِيَهَا وَهُوَ يَرَى أَنَّ لَهُ عَلَيْهَا رَجْعَةً قَالَ: لَهَا الصَّدَاقُ، وَيُفَرَّقُ بَيْنَهُمَا

[17232] Abū Bakr narrated to us, saying: Muḥammad ibn ‘Adī narrated to us, from Yūnus, from Al-Ḥasan, regarding a man who divorces his wife once or twice before consummating the marriage with her, then he has intercourse with her thinking that he has the right to take her back. He said: “She is entitled to the dower, and they are to be separated.”

حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ، ثُمَّ غَشِيَهَا، وَهُوَ يَرَى أَنَّ لَهُ عَلَيْهَا رَجْعَةً قَالَ: لَهَا الصَّدَاقُ كَامِلاً لِغِشْيَانِهِ إِيَّاهَا

[17233] Muḥammad ibn Sawā’ narrated to us, from Sa‘īd, from Qatādah, regarding a man who divorced his wife, then had intercourse with her thinking that he had the right to take her back. He said: “She is entitled to the full dower because of his intercourse with her.”

حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ يُونُسَ، عَنِ الْحَكَمِ، قَالَ: لَهَا الصَّدَاقُ كَامِلاً

[17234] Muḥammad ibn Sawā’ narrated to us, from Sa‘īd, from Yūnus, from Al-Ḥakam, who said: “She is entitled to the full dower.”

حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، قَالَ: لَهَا صَدَاقٌ وَنِصْفُ

[17235] Muḥammad ibn Sawā' narrated to us, from Sa'īd, from Ḥammād, from Ibrāhīm, who said: "She is entitled to a dower and a half."

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ قَبْلَ أَنْ يَدْخُلَ بِهَا وَاحِدَةً، ثُمَّ غَشِيَهَا وَهُوَ يَرَى أَنَّ لَهُ عَلَيْهَا الرَّجْعَةَ قَالَ: يُفَرَّقُ بَيْنَهُمَا، وَلَهَا الصَّدَاقُ كَامِلاً

[17236] 'Abd al-A'lā narrated to us, from Ma'mar, from Al-Zuhrī, regarding a man who divorced his wife once before consummating the marriage with her, then he had intercourse with her thinking that he had the right to take her back. He said: "They are to be separated, and she is entitled to the full

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، قَالَ: لَهَا صَدَاقٌ وَنِصْفُ. وَقَالَ الْحَكَمُ: لَهَا الصَّدَاقُ

[17237] Ghundar narrated to us, from Shu'bah, from Ḥammād, from Ibrāhīm, who said: "She is entitled to a dower and a half." And Al-Ḥakam said: "She is entitled to the dower."

[17238] Al-Ḍaḥḥāk ibn Makhlad narrated to us, from Al-Muthannā, from ‘Aṭā’, regarding a man who divorced his wife three times, and out of ignorance, he had intercourse with her. He said: “She is entitled to the full dower.”

حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنِ الْمُثَنَّى، عَنْ عَطَاءٍ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلاَثًا، وَجَهِلَ فَأَصَابَهَا، قَالَ: لَهَا الصَّدَاقُ كَامِلاً

[17239] ‘Umar ibn Hārūn narrated to us, from Al-Awzā‘ī, from ‘Aṭā’, who said: “She is entitled to a dower and a half.”

حَدَّثَنَا عُمَرُ بْنُ هَارُونَ، عَنِ الأَوْزَاعِيِّ، عَنْ عَطَاءٍ، قَالَ: لَهَا صَدَاقٌ وَنِصْفُ

[17240] Ḥafṣ narrated to us, from Mis‘ar, from Ḥammād, who said: “A dower and a half.”

حَدَّثَنَا حَفْصٌ، عَنْ مِسْعَرٍ، عَنْ حَمَّادٍ، قَالَ: صَدَاقٌ وَنِصْفُ

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ حَبِيبٍ، عَنْ عَمْرٍو، عَنْ جَابِرِ بْنِ زَيْدٍ، قَالَ: سُئِلَ عَمَّنْ تَزَوَّجَ امْرَأَةً، ثُمَّ طَلَّقَهَا قَبْلَ أَنْ يَمَسَّهَا، ثُمَّ قِيلَ لَهُ: إِنَّهَا لَمْ تَحْرُمْ عَلَيْكَ، فَدَخَلَ بِهَا بِالنِّكَاحِ الأَوَّلِ، فَمَكَثَتْ عِنْدَهُ سَنَتَيْنِ فَوَلَدَتْ لَهُ أَوْلاَدًا، فَعَلِمَ بِذَلِكَ أَنَّهَا عَلَيْهِ حَرَامٌ قَالَ: يُفَرَّقُ بَيْنَهُمَا، وَيُعْطِي الْمَرْأَةَ بِنِكَاحِهَا الأَوَّلِ نِصْفَ مَهْرِهَا، وَبِدُخُولِهِ بِهَا، وَمُجَامَعَتِهِ إِيَّاهَا مَهْرًا كَامِلاً

[17241] Yazīd ibn Hārūn narrated to us, from Ḥabīb, from ʻAmr, from Jābir ibn Zayd, who said: He was asked about one who married a woman, then divorced her before touching her, then it was said to him: “She is not prohibited for you,” so he entered upon her based on the first marriage, and she stayed with him for two years and bore him children, then he learned that she was prohibited for him. He said: “They are to be separated, and he gives the woman half of her dower for her first marriage, and a full dower for his entry upon her and intercourse with her.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ ابْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: لَهَا الصَّدَاقُ

[17242] Wakīʻ narrated to us, from Sufyān, from Ibn Sālim, from Al-Shaʻbī, who said: “She is entitled to the dower.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، قَالَ: لَهَا صَدَاقٌ وَنِصْفُ

[17243] Wakīʻ narrated to us, from Sufyān, from Ḥammād, from Ibrāhīm, who said: “She is entitled to a dower and a half.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ عَبْدِ الْكَرِيمِ، عَنْ مُجَاهِدٍ، وَمِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ أَمَةً أُعْتِقَتْ فَاخْتَارَتْ نَفْسَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا، قَالَ: لاَ شَيْءَ لَهَا، لاَ يَجْتَمِعُ عَلَيْهِ أَنْ تَذْهَبَ بِنَفْسِهَا وَمَالِهِ

[17244] Abū Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from ‘Abd al-Karīm, from Mujāhid and Miqsam, from Ibn ‘Abbās, that a female slave was freed and chose herself before her husband consummated the marriage with her. He said: “She gets nothing; she cannot combine taking herself and his wealth.”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّهُ كَانَ يَقُولُ: إِذَا أُعْتِقَتْ الأَمَةُ وَهِيَ تَحْتَ الْعَبْدِ فَخُيِّرَتْ، فَاخْتَارَتْ نَفْسَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا، فَلاَ صَدَاقَ لَهَا، وَهِيَ تَطْلِيقَةٌ بَائِنَةٌ

[17245] Ibn ‘Ulayyah narrated to us, from Yūnus, from Al-Ḥasan, that he used to say: “If a female slave is freed while married to a slave and is given the choice, and she chooses herself before he consummates the marriage with her, then she has no dower, and it is a final divorce.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، فِي رَجُلٍ زَوَّجَ أَمَتَهُ عَلَى مَهْرٍ مُسَمًّى، ثُمَّ أَعْتَقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا زَوْجُهَا، فَتُخَيَّرُ، فَتَخْتَارُ نَفْسَهَا قَالَ: يَبْطُلُ النِّكَاحُ، وَيُرَدُّ عَلَى الزَّوْجِ مَهْرُهُ

[17246] Jarīr narrated to us, from Mughīrah, from Ibrāhīm, regarding a man who married off his female slave for a specified dower, then freed her before her husband consummated the marriage with her, and she is given the choice and chooses herself. He said: “The marriage becomes void, and the husband's dower is returned to him.”

حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا اخْتَارَتْ نَفْسَهَا، وَقَدْ أُعْتِقَتْ قَبْلَ أَنْ يَدْخُلَ بِهَا، فَلاَ صَدَاقَ لَهَا

[17247] Wakī‘ narrated to us, from Shu‘bah, from Mughīrah, from Ibrāhīm, who said: “If she chooses herself, having been freed before he consummated the marriage with her, she has no dower.”

حَدَّثَنَا عَبْدُ الصَّمَدِ بْنُ عَبْدِ الْوَارِثِ، عَنْ هِشَامٍ، عَنْ عَبْدِ الْكَرِيمِ، عَنْ مُجَاهِدٍ، قَالَ: لاَ شَيْءَ لَهَا

[17248] ‘Abd al-Ṣamad ibn ‘Abd al-Wārith narrated to us, from Hishām, from ‘Abd al-Karīm, from Mujāhid, who said: “She gets nothing.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنِ ابْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، قَالَ: لاَ يَسَعُهَا أَنْ تُفَارِقَهُ، حَتَّى تُرَافِعَهُ إِلَى السُّلْطَانِ، فَإِمَّا حَدٌّ، وَإِمَّا مُلاَعَنَةٌ

[17249] Abū Bakr narrated to us, saying: Muḥammad ibn Sawā' narrated to us, from Ibn Abī 'Arūbah, from Qatādah, from Al-Ḥasan, who said: "She is not permitted to stay with him until she takes the matter to the ruler, so it is either the prescribed punishment (Hadd) or Li'an (sworn allegation of adultery)."

حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا كَذَّبَ نَفْسَهُ عِنْدَ رَهْطٍ تَسَاكَنَا، وَاسْتَغْفَرَ رَبَّهُ، وَلاَ يَعُودُ لِذَلِكَ

[17250] Muḥammad ibn Sawā' narrated to us, from Sa'īd, from Abū Ma'shar, from Ibrāhīm, who said: "If he belies himself before a group of their community, seeks forgiveness from his Lord, and does not return to that."

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنِ ابْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: إِذَا قَذَفَهَا بِالزِّنَا إِنْ شَاءَ أَكْذَبَ نَفْسَهُ، وَجُلِدَ وَرُدَّتْ إِلَيْهِ امْرَأَتُهُ

[17251] Abū Khālid al-Aḥmar narrated to us, from Ibn Sālim, from Al-Sha'bī, who said: "If he accuses her of adultery, if he wishes, he may belie himself, be flogged, and his wife is returned to him."

[17252] Ismā‘īl ibn ‘Ayyāsh narrated to us, from ‘Abd al-‘Azīz ibn ‘Abd Allāh, from Al-Sha‘bī, regarding a man who accuses his wife of adultery, then she does not take him to court. He said: “He belies himself, and they remain in

حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عَبْدِ الْعَزِيزِ بْنِ عَبْدِ اللَّهِ، عَنِ الشَّعْبِيِّ، فِي الرَّجُلِ يَقْذِفُ امْرَأَتَهُ بِالزِّنَا، ثُمَّ لاَ تُرَافِعُهُ قَالَ: يُكَذِّبُ نَفْسَهُ، وَهُمَا عَلَى نِكَاحِهِمَا

[17253] Abū Bakr narrated to us, saying: Ismā‘īl ibn ‘Ayyāsh narrated to us, from ‘Aṭā’ al-Khurāsānī, from ‘Umar ibn ‘Abd al-‘Azīz, who said: “She is entitled to half the dower, has no inheritance, and there is no waiting period (Iddah) for her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عَطَاءٍ الْخُرَاسَانِيِّ، عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ، قَالَ: لَهَا نِصْفُ الصَّدَاقِ، وَلاَ مِيرَاثَ لَهَا، وَلاَ عِدَّةَ عَلَيْهَا

[17254] ‘Abd al-Wahhāb narrated to us, from Ibn Abī ‘Arūbah, from Qatādah, from ‘Umar ibn ‘Abd al-‘Azīz, with the same.

حَدَّثَنَا عَبْدُ الْوَهَّابِ، عَنِ ابْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ، بِمِثْلِهِ

[17255] ‘Abdah and Muḥammad ibn Sawā’ narrated to us, from Sa‘īd, from Abū Ma‘shar, from Ibrāhīm, who said: “She is entitled to half the dower, has no inheritance, and there is no waiting period (Iddah) for her.”

حَدَّثَنَا عَبْدَةُ، وَمُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، قَالَ: "لَهَا نِصْفُ الصَّدَاقِ، وَلاَ مِيرَاثَ لَهَا، وَلاَ عِدَّةَ عَلَيْهَا

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، أَنَّهُ كَانَ، يَقُولُ: إِذَا طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا وَهُوَ مَرِيضٌ، فَإِنَّهَا لاَ تَرِثُهُ، وَلاَ عِدَّةَ عَلَيْهَا، وَلَهَا نِصْفُ الصَّدَاقِ

[17256] ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, that he used to say: “If he divorces her before consummating the marriage with her while he is sick, she does not inherit from him, there is no waiting period (Iddah) for her, and she is entitled to half the dower.”

حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ جَابِرِ بْنِ زَيْدٍ، أَنَّهُ قَالَ: لَهَا الصَّدَاقُ كَامِلاً، وَلاَ مِيرَاثَ لَهَا، وَلاَ عِدَّةَ عَلَيْهَا

[17257] Muḥammad ibn Sawā’ told us, from Sa‘īd, from Qatādah, from Jābir ibn Zayd, that he said: “She is entitled to the full dowry, there is no inheritance for her, and there is no waiting period (‘Iddah) upon her.”

حَدَّثَنَا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، قَالَ: لَهَا الصَّدَاقُ كَامِلاً، وَلَهَا الْمِيرَاثُ، وَعَلَيْهَا الْعِدَّةُ

[17258] Muḥammad ibn Sawā’ told us, from Sa‘īd, from Qatādah, from Al-Ḥasan, who said: “She is entitled to the full dowry, she has the right to inheritance, and the waiting period (‘Iddah) is binding upon her.”

[17259] Jarīr told us, from Al-Mughīrah, from Al-Ḥārith, who said: “If he divorces his wife three times during his illness, or [pronounces] one divorce before he has consummated the marriage with her, there is no inheritance between them.”

حَدَّثَنَا جَرِيرٌ، عَنِ الْمُغِيرَةِ، عَنِ الْحَارِثِ، قَالَ: إِذَا طَلَّقَ امْرَأَتَهُ فِي مَرَضِهِ ثَلاَثًا، أَوْ تَطْلِيقَةً قَبْلَ أَنْ يَدْخُلَ بِهَا، فَلاَ مِيرَاثَ بَيْنَهُمَا

[17260] Abū Muʻāwiyah told us, from Ibn Abī Laylā, from Al-Shaʻbī, who said: “If he divorces her before he has consummated the marriage with her, there is no inheritance for her.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ ابْنِ أَبِي لَيْلَى، عَنِ الشَّعْبِيِّ، قَالَ: إِذَا طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا، فَلاَ مِيرَاثَ لَهَا

[17261] Abū Bakr told us, he said: Ibn Numayr told us, from Sayf, from Ibn Abī Najīḥ, from Mujāhid, that he disliked for a man to marry the wife of his mother's husband. He said: And Ṭāwūs and ‘Aṭā’ used to see no harm in it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ نُمَيْرٍ، عَنْ سَيْفٍ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ، أَنَّهُ كَرِهَ أَنْ يَتَزَوَّجَ الرَّجُلُ امْرَأَةَ زَوْجِ أُمِّهِ. قَالَ: وَكَانَ طَاوُسٌ، وَعَطَاءٌ لاَ يَرَيَانِ بِهِ بَأْسًا

[17262] Wakīʻ told us, from Ibrāhīm, from Isrā’īl, from Jābir, from ‘Āmir, who said: “There is no harm in a man marrying the wife of his mother's husband.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِبْرَاهِيمَ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، قَالَ: لاَ بَأْسَ أَنْ يَتَزَوَّجَ الرَّجُلُ امْرَأَةَ زَوْجِ أُمِّهِ

حَدَّثَنَا ابْنُ مَهْدِيٍّ، عَنْ حَبِيبِ بْنِ أَبِي حَبِيبٍ، عَنْ عَمْرِو بْنِ هَرِمٍ، عَنْ جَابِرِ بْنِ زَيْدٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لاَ تُزَاحِمْ مَنْ زَاحَمَ أَبُوكَ، زَوْجُ أُمِّكَ

[17263] Ibn Mahdī told us, from Ḥabīb ibn Abī Ḥabīb, from ‘Amr ibn Harim, from Jābir ibn Zayd, from Ibn ‘Abbās, who said: “Do not crowd (compete with) the one whom your father crowded: the husband of your mother.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، فِي الْمَرْأَةِ تُزَوَّجُ وَلَهَا زَوْجٌ، قَالَ: إِنْ جَاءَتْ بِهِ وَهُوَ يَشُكُّ فِيهِ فَهُوَ لِلأَوَّلِ، وَإِنْ جَاءَتْ بِهِ وَهُوَ لاَ يَشُكُّ فِيهِ فَهُوَ لِلآخَرِ

[17264] Abū Bakr told us, he said: Ḥafṣ told us, from Ash‘ath, from Al-Ḥasan, regarding a woman who marries while she [already] has a husband, he said: “If she gives birth to it (the child) and he is in doubt about it, it belongs to the first [husband]. If she gives birth to it and he does not doubt it, it belongs to the other [second husband].”

حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ، وَتَزَوَّجَهَا آخَرُ وَقَدْ حَاضَتْ حَيْضَةً: الْوَلَدُ لِلآخَرِ

[17265] Al-Ḍaḥḥāk ibn Makhlad told us, from Ibn Jurayj, from ‘Aṭā’, regarding a man who divorced his wife, and another married her after she had menstruated one cycle: “The child belongs to the other (the second husband).”

حَدَّثَنَا أَبُو بَكْرٍ نَا وَكِيعٌ، عَنْ جَرِيرٍ، عَنْ قَيْسِ بْنِ سَعْدٍ، عَنْ مُجَاهِدٍ، قَالَ: إِذَا قَبَّلَهَا أَوْ لَمَسَهَا أَوْ نَظَرَ إِلَى فَرْجِهَا حَرُمَتْ عَلَيْهِ ابْنَتُهَا

[17266] Abū Bakr told us, Wakī‘ told us, from Jarīr, from Qays ibn Sa‘d, from Mujāhid, who said: “If he kisses her, or touches her, or looks at her private part, her daughter becomes prohibited to him.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا قَبَّلَ الأَمَةَ لَمْ تَحِلَّ لَهُ ابْنَتُهَا، وَإِذَا قَبَّلَ ابْنَتَهَا لَمْ تَحِلَّ لَهُ أُمُّهَا

[17267] Ghundar told us, from Shu‘bah, from Mughīrah, from Ibrāhīm, who said: “If he kisses a female slave, her daughter is not lawful for him; and if he kisses her daughter, her mother is not lawful for him.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يُقَبِّلُ الْمَرْأَةَ، أَوْ يَلْمِسُهَا، أَوْ يَأْتِيهَا فِي غَيْرِ فَرْجِهَا، إِنْ شَاءَ تَزَوَّجَهَا، وَإِنْ شَاءَ تَزَوَّجَ ابْنَتَهَا، وَإِنْ كَانَتِ الْبِنْتَ، تَزَوَّجَ الأُمَّ إِنْ شَاءَ

[17268] ‘Abd al-A‘lā told us, from Hishām, from Al-Ḥasan, regarding a man who kisses a woman, or touches her, or comes to her (sexually) in other than her vagina: “If he wishes, he may marry her, and if he wishes, he may marry her daughter; and if it was the daughter (he touched), he may marry the mother if he wishes.”

حَدَّثَنَا مُحَمَّدُ بْنُ يَزِيدَ، عَنْ أَبِي الْعَلاَءِ، عَنْ قَتَادَةَ، وَأَبِي هَاشِمٍ، قَالاَ: فِي الرَّجُلِ يُقَبِّلُ امْرَأَةً أَوِ ابْنَتَهَا، قَالاَ: حَرُمَتْ عَلَيْهِ

[17269] Muḥammad ibn Yazīd told us, from Abū al-‘Alā’, from Qatādah and Abū Hāshim, who both said regarding a man who kisses a woman or her daughter: They said: “She (the other one) becomes prohibited to him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا شَرِيكٌ، عَنِ السُّدِّيِّ، عَنْ أَبِي مَالِكٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لاَ بَأْسَ أَنْ يَنْظُرَ الْمَمْلُوكُ إِلَى شَعْرِ مَوْلاَتِهِ

[17270] Abū Bakr told us, he said: Sharīk told us, from Al-Suddī, from Abū Mālik, from Ibn ‘Abbās, who said: “There is no harm in a male slave looking at the hair of his female owner.”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، أَنَّهُ كَانَ لاَ يَرَى بَأْسًا أَنْ تَضَعَ الْمَرْأَةُ ثَوْبَهَا عِنْدَ مَمْلُوكِهَا، وَإِنْ كَانَتْ تَكْرَهُ أَنْ يَرَى شَعْرَهَا

[17271] Abū al-Aḥwaṣ told us, from Mughīrah, from Al-Sha‘bī, that he used to see no harm in a woman laying aside her (outer) garment in the presence of her slave, even if she disliked him seeing her hair.

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، وَعَطَاءٍ أَنَّهُمَا كَرِهَا أَنْ يَرَى الْعَبْدُ شَعْرَ مَوْلاَتِهِ

[17272] Wakī‘ told us, from Sufyān, from Layth, from Mujāhid and ‘Aṭā’, that they both disliked for a slave to see the hair of his female owner.

[17273] Muḥammad ibn Yazīd told us, from ‘Ubaydah, from Ibrāhīm, who said: “A woman should veil herself from her slave boy.”

حَدَّثَنَا مُحَمَّدُ بْنُ يَزِيدَ، عَنْ عُبَيْدَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: تَسْتَتِرُ الْمَرْأَةُ عَنْ غُلاَمِهَا

[17274] Abū Usāmah told us, from Yūnus ibn Abī Isḥāq, from Ṭāriq, from Sa‘īd ibn al-Musayyib, who said: “Let not this verse deceive you: {except what your right hands possess} [An-Nisa: 24]. He only meant by it the female slaves, and He did not mean by it the male slaves.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ يُونُسَ بْنِ أَبِي إِسْحَاقَ، عَنْ طَارِقٍ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، قَالَ: "لاَ تَغُرَّنَّكُمْ هَذِهِ الْأَيَةُ: {إِلاَّ مَا مَلَكَتْ أَيْمَانُكُمْ} [النساء: 24] إِنَّمَا عَنَى بِهَا الإِمَاءَ، وَلَمْ يَعْنِ بِهَا الْعَبِيدَ

[17275] ‘Abd al-A‘lā told us, from Hishām, from Al-Ḥasan, that he disliked for a slave to enter upon his female owner without her permission.

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، أَنَّهُ كَرِهَ أَنْ يَدْخُلَ الْمَمْلُوكُ عَلَى مَوْلاَتِهِ بِغَيْرِ إِذْنِهَا

[17276] Ibn Yamān told us, from Sufyān, from Jarīr, from Al-Ḍaḥḥāk, that he disliked for a slave to look at the hair of his female owner.

حَدَّثَنَا ابْنُ يَمَانٍ، عَنْ سُفْيَانَ، عَنْ جَرِيرٍ، عَنِ الضَّحَّاكِ، أَنَّهُ كَرِهَ أَنْ يَنْظُرَ الْمَمْلُوكُ إِلَى شَعْرِ مَوْلاَتِهِ

[17277] Abū Bakr told us, he said: Jarīr told us, from Mughīrah, from Al-Sha‘bī, that he disliked for a man to stare sharply (scrutinize) at his sister or his daughter.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، أَنَّهُ كَرِهَ أَنْ يُسِفَّ الرَّجُلُ النَّظَرَ إِلَى أُخْتِهِ وَابْنَتِهِ

[17278] Wakī‘ told us, from Sufyān, from Layth, from Ṭāwūs, that he disliked for a man to look at the hair of his daughter or his sister.

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ أَنَّهُ كَرِهَ أَنْ يَنْظُرَ الرَّجُلُ إِلَى شَعْرِ ابْنَتِهِ أَوْ أُخْتِهِ

[17279] Ya‘lā ibn ‘Ubayd told us, from ‘Abd al-Malik, from ‘Aṭā’, regarding a man seeing [parts] of the women whose marriage is prohibited to him: “That their heads be covered is more beloved to me, but if he sees [it], there is no harm.”

حَدَّثَنَا يَعْلَى بْنُ عُبَيْدٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، فِي الرَّجُلِ يَرَى مِنَ النِّسَاءِ مَا يُحَرِّمُ عَلَيْهِ نِكَاحُهُ، رُءُوسُهُنَّ إِنْ سُتِرَتْ أَحَبُّ إِلَيَّ، وَإِنْ رَأَى فَلاَ بَأْسَ

[17280] Wakī‘ told us, from Sufyān, from Al-A‘mash, from ‘Amr ibn Murrah, from Abū al-Bakhtarī, from Abū Ṣāliḥ, that Al-Ḥasan and Al-Ḥusayn used to enter upon their sister Umm Kulthūm while she was combing [her hair].

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ الأَعْمَشِ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ أَبِي الْبَخْتَرِيِّ، عَنْ أَبِي صَالِحٍ، أَنَّ الْحَسَنَ، وَالْحُسَيْنَ كَانَا يَدْخُلاَنِ عَلَى أُخْتِهِمَا أُمِّ كُلْثُومٍ وَهِيَ تُمَشِّطُ

[17281] Yazīd ibn Hārūn told us, from Hishām, from Al-Ḥasan, regarding a woman removing her headcover in the presence of her brother, he said: “By Allah, she does not have [the right to do] that.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، فِي الْمَرْأَةِ تَضَعُ خِمَارَهَا عِنْدَ أَخِيهَا قَالَ: وَاللَّهِ مَا لَهَا ذَاكَ

[17282] Wakī‘ told us, from Sufyān, from Jābir, from ‘Āmir, that he disliked looking at the hair of any Mahram (close female relative prohibited for marriage).

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، أَنَّهُ كَرِهَ أَنْ يَنْظُرَ إِلَى شَعْرِ كُلِّ ذِي مَحْرَمٍ

[17283] Abū Bakr told us, he said: Mu‘tamir told us, from his father, from Muwarriq, that he used to remove lice from (the head of) his mother.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُعْتَمِرٌ، عَنْ أَبِيهِ، عَنْ مُوَرِّقٍ، أَنَّهُ كَانَ يُفَلِّي أُمَّهُ

[17284] Mu‘tamir told us, from his father, that Ṭalq used to oil (groom) his mother.

حَدَّثَنَا مُعْتَمِرٌ، عَنْ أَبِيهِ، أَنَّ طَلْقًا كَانَ يُذَوِّبُ أُمَّهُ

[17285] Waki' narrated to us from Sharik, from a man, from Al-Dahhak, that he used to comb his mother['s hair].

حَدَّثَنَا وكيع عن شريك عن رجل عن الضحاك أنه كان يمشط أمه .

[17286] Wakī‘ told us, from Isrā’īl, from Jābir, from ‘Āmir, that he said: “There is no harm in him looking at his mother's hair, but that she covers [it] is more beloved to me.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ أَنَّهُ قَالَ: لاَ بَأْسَ أَنْ يَنْظُرَ إِلَى شَعْرِ أُمِّهِ، وَأَنْ يَسْتَتِرَ أَحَبُّ إِلَيَّ

[17287] Ya‘lā told us, from Sufyān, from Muzāḥim ibn Zufar, from Al-Ḍaḥḥāk, who said: “If I were to enter upon my mother, I would say: ‘O old woman, cover your head.’”

حَدَّثَنَا يَعْلَى، عَنْ سُفْيَانَ، عَنْ مُزَاحِمِ بْنِ زُفَرَ، عَنِ الضَّحَّاكِ، قَالَ: "لَوْ دَخَلْتُ عَلَى أُمِّي لَقُلْتُ: أَيَّتُهَا الْعَجُوزُ، غَطِّي رَأْسَكِ

[17288] ‘Abd al-Raḥīm told us, from Sufyān, from Sālim ibn Abī Ḥafṣah, from Mundhir, from Ibn al-Ḥanafiyyah, that he used to oil (groom) his mother.

حَدَّثَنَا عَبْدُ الرَّحِيمِ، عَنْ سُفْيَانَ، عَنْ سَالِمِ بْنِ أَبِي حَفْصَةَ، عَنْ مُنْذِرٍ، عَنِ ابْنِ الْحَنَفِيَّةِ، أَنَّهُ كَانَ يُذَوِّبُ أُمَّهُ

[17289] Wakī‘ told us, from Sufyān, from Muzāḥim, from Al-Ḍaḥḥāk, who said: “If I entered upon my mother, I would say: ‘Cover your head.’”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُزَاحِمٍ، عَنِ الضَّحَّاكِ، قَالَ: "لَوْ دَخَلَتْ عَلَى أُمِّي لَقُلْتُ: غَطِّي رَأْسَكِ

[17290] Abū Bakr told us, he said: Wakī‘ and Ibn Mahdī told us, from Sufyān, from Abū al-Za‘rā’, from ‘Ikrimah, who said: “A man's physical contact (skin-to-skin) with his sister or his mother is a branch of fornication (Zina).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، وَابْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ أَبِي الزَّعْرَاءِ، عَنْ عِكْرِمَةَ، قَالَ: مُبَاشَرَةُ الرَّجُلِ أُخْتَهُ أَوْ أُمَّهُ شُعْبَةٌ مِنَ الزِّنَا

[17291] Abū Bakr told us, he said: Ibn ‘Uyaynah told us, from ‘Amr, from Muḥammad ibn ‘Alī, who said: Al-Ḥasan and Al-Ḥusayn would not see the Mothers of the Believers (the Prophet's wives). But Ibn ‘Abbās used to consider that seeing them was lawful for them.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ مُحَمَّدِ بْنِ عَلِيٍّ، قَالَ: كَانَ الْحَسَنُ، وَالْحُسَيْنُ لاَ يَرَيَانِ أُمَّهَاتِ الْمُؤْمِنِينَ وَكَانَ ابْنُ عَبَّاسٍ يَرَى أَنَّ رُؤْيَتَهُنَّ لَهُمَا حِلٌّ

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، قَالَ: قُلْتُ لِسَعِيدِ بْنِ جُبَيْرٍ: أَيَرَى الرَّجُلُ رَأْسَ جَدَّتِهِ؟ قَالَ: فَتَلاَ عَلَيَّ الأٰيَةَ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ إِلاَّ لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ أَوْ أَبْنَائِهِنَّ أَوْ أَبْنَاءِ بُعُولَتِهِنَّ أَوْ إِخْوَانِهِنَّ أَوْ بَنِي الأٰيَةَ قَالَ: [النور 31]: إِخْوَانِهِنَّ أَوْ بَنِي أَخَوَاتِهِنَّ} أَرَاهَا فِيهِنَّ

[17292] Ibn ‘Ulayyah told us, from Ayyūb, who said: I said to Sa‘īd ibn Jubayr: “May a man see the head of his grandmother?” He said: So he recited the verse to me: {And let them not display their adornment except to their husbands, or their fathers, or their husbands' fathers, or their sons, or their husbands' sons, or their brothers, or their brothers' sons, or their sisters' sons} [An-Nur: 31] - the verse. He said: “I consider her to be among them.”

حَدَّثَنَا عَفَّانُ، قَالَ: نَا حَمَّادُ بْنُ سَلَمَةَ، قَالَ: نَا دَاوُدُ، عَنِ الشَّعْبِيِّ، وَعِكْرِمَةَ، فِي هَذِهِ: {وَلاَ يُبْدِينَ زِينَتَهُنَّ إِلاَّ لِبُعُولَتِهِنَّ أَوْ آبَائِهِنَّ أَوْ آبَاءِ بُعُولَتِهِنَّ} [النور: 31] حَتَّى فَرَغَ مِنْهَا قَالاَ: لَمْ يُذْكَرِ الْعَمُّ وَالْخَالُ لِأَنَّهُمَا يَنْعَتَانِ لِأَبْنَائِهِمَا وَقَالاَ: لاَ تَضَعُ خِمَارَهَا عِنْدَ الْعَمِّ وَالْخَالِ

[17293] ‘Affān told us, he said: Ḥammād ibn Salamah told us, he said: Dāwūd told us, from Al-Sha‘bī and ‘Ikrimah, regarding this [verse]: {And let them not display their adornment except to their husbands, or their fathers, or their husbands' fathers} [An-Nur: 31] until he finished it. They both said: “The paternal uncle and the maternal uncle were not mentioned because they describe [the women] to their sons.” And they said: “She should not remove her headcover in the presence of the paternal uncle and the maternal uncle.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ صَخْرِ بْنِ جُوَيْرِيَةَ، عَنْ نَافِعٍ، أَنَّ ابْنَ عُمَرَ سُئِلَ عَنِ امْرَأَةٍ أَحَلَّتْ جَارِيَتَهَا لِزَوْجِهَا فَقَالَ ابْنُ عُمَرَ: لاَ أَدْرِي، لَعَلَّ هَذَا لَوْ كَانَ عَلَى عَهْدِ عُمَرَ لَرَجَمَهُ، إِنَّهَا لاَ تَحِلُّ لَكَ جَارِيَةٌ إِلاَّ جَارِيَةً، إِنْ شِئْتَ بِعْتَهَا، وَإِنْ شِئْتَ أَعْتَقْتَهَا، وَإِنْ شِئْتَ وَهَبْتَهَا، وَإِنْ شِئْتَ أَنْكَحْتَهَا مَنْ شِئْتَ

[17294] Abū Bakr told us, he said: ‘Abbād ibn al-‘Awwām told us, from Ṣakhr ibn Juwayriyah, from Nāfi‘, that Ibn ‘Umar was asked about a woman who made her female slave lawful for her husband. Ibn ‘Umar said: “I do not know; perhaps if this had been during the time of ‘Umar, he would have stoned him. Indeed, no slave girl is lawful for you except a slave girl [you own]. If you wish, you sell her; if you wish, you free her; if you wish, you gift her; and if you wish, you marry her to whom you wish.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: لاَ يَحِلُّ فَرْجٌ، إِلاَّ بِمِلْكٍ أَوْ نِكَاحٍ، وَإِنْ طَلَّقَ جَازَ، وَإِنْ أَعْتَقَ جَازَ، وَإِنْ وَهَبَ جَازَ

[17295] Ibn Idrīs told us, from Muḥammad ibn ‘Ajlān, from Nāfi‘, from Ibn ‘Umar, who said: “No private part (sexual intercourse) is lawful except through ownership or marriage. If he divorces, it is valid; if he frees, it is valid; and if he gifts, it is valid.”

[17296] Jarīr told us, from Mughīrah, from Ibrāhīm, who said: I asked him about a woman who makes her slave girl lawful for her son. He said: “She is not lawful for him except through marriage [to the slave], or a gift [of the slave to him], or by purchase.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: سَأَلْتُهُ عَنِ امْرَأَةٍ تُحِلُّ وَلِيدَتَهَا لِابْنِهَا، قَالَ: لاَ تَحِلُّ لَهُ إِلاَّ بِنِكَاحٍ أَوْ هِبَةٍ أَوْ بِشِرَاءٍ

[17297] Ibn Idrīs told us, from Ash‘ath, from Al-Ḥasan, who said: “The private part is not to be lent. If he has intercourse with her, she becomes his.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: لاَ يُعَارُ الْفَرْجُ، وَإِنْ وَقَعَ عَلَيْهَا فَهِيَ لَهُ

[17298] Ibn Fuḍayl told us, from ‘Abd al-Malik, from ‘Aṭā’, regarding a man who said to another: “My slave girl is for you to have intercourse with. If she becomes pregnant, she is yours; and if she does not become pregnant, you return her to me.” He said: “If he has intercourse with her, she becomes his.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، فِي الرَّجُلِ تَزَوَّجَ قَالَ لآخَرَ: جَارِيَتِي لَكَ تَطَؤُهَا، فَإِنْ حَمَلَتْ فَهِيَ لَكَ، وَإِنْ لَمْ تَحْمِلْ رَدَدْتَهَا عَلَيَّ، قَالَ: إِذَا وَطِئَهَا فَهِيَ لَهُ

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ ابْنِ أَبِي لَيْلَى، عَنِ الْحَكَمِ، وَعَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، قَالاَ: إِذَا أُحِلَّ لَهُ فَرْجُهَا فَهِيَ لَهُ

[17299] Wakī‘ told us, from Sufyān, from Ibn Abī Laylā, from Al-Ḥakam, and from Al-Shaybānī, from Al-Sha‘bī, who both said: “If her private part is made lawful to him, she belongs to him.”

حَدَّثَنَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ حَسَنٍ، عَنْ مُطَرِّفٍ، عَنْ رَجُلٍ، عَنْ إِبْرَاهِيمَ، فِي امْرَأَةٍ أَحَلَّتْ لِرَجُلٍ جَارِيَتَهَا فَوَلَدَتْ مِنْهُ فَقَالَ إِبْرَاهِيمُ: هَذَا فَرْجٌ أَتَاهُ بِجَهَالَةٍ، فَأَلْحِقْ بِهِ الْوَلَدَ، وَادْفَعْ إِلَى هَذِهِ وَلِيدَتَهَا

[17300] Ḥumayd ibn ‘Abd al-Raḥmān told us, from Ḥasan, from Muṭarrif, from a man, from Ibrāhīm, regarding a woman who made her slave girl lawful to a man and she gave birth from him. Ibrāhīm said: “This is a private part he approached out of ignorance. So attach the child to him, and return her slave girl to this woman.”

حَدَّثَنَا زَيْدُ بْنُ حُبَابٍ، عَنْ يَزِيدَ بْنِ إِبْرَاهِيمَ، عَنْ أَيُّوبَ، عَنِ ابْنِ سِيرِينَ، قَالَ: الْفَرْجُ لاَ يُعَارُ

[17301] Zayd ibn Ḥubāb told us, from Yazīd ibn Ibrāhīm, from Ayyūb, from Ibn Sīrīn, who said: “The private part is not to be lent.”

حَدَّثَنَا زَيْدُ بْنُ حُبَابٍ، قَالَ: حَدَّثَنِي مُوسَى بْنُ حَيْشُومٍ، قَالَ: سَأَلَ عِكْرِمَةَ، رَجُلٌ قَالَ: أَمَةٌ لِصَاحِبَتِي أَحَلَّتْهَا لِي قَالَ: لاَ تَحِلُّ لَكَ إِلاَّ أَنْ تَمْلِكَ رَقَبَتَهَا

[17302] Zayd ibn Ḥubāb told us, he said: Mūsā ibn Ḥayshūm told me, he said: A man asked ‘Ikrimah, saying: “A slave girl belonging to my wife, she made her lawful for me.” He said: “She is not lawful for you unless you own her neck (purchase her).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يَقَعُ عَلَى مُكَاتَبَتِهِ قَالَ: يَجِبُ لَهَا صَدَاقُ مِثْلِهَا

[17303] Abū Bakr told us, he said: Hushaym told us, from Yūnus, from Al-Ḥasan, regarding a man who has intercourse with his Mukātabah (slave with a contract for freedom), he said: “A dowry of her like is due to her.”

حَدَّثَنَا ابْنُ مَهْدِيٍّ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ مُطَرِّفٍ، عَنِ الْحَكَمِ، قَالَ: إِذَا غَشِيَ مُكَاتَبَتَهُ فَهِيَ أُمُّ وَلَدِهِ، إِنْ كَانَ اسْتَكْرَهَهَا فَعَلَيْهِ الْعُقْرُ وَالْحَدُّ، وَإِنْ كَانَتْ طَاوَعَتْهُ فَعَلَيْهِ الْحَدُّ، وَلَيْسَ عَلَيْهِ الْعُقْرُ

[17304] Ibn Mahdī told us, from Ḥammād ibn Salamah, from Muṭarrif, from Al-Ḥakam, who said: “If he covers (has intercourse with) his Mukātabah, she becomes the mother of his child (Umm Walad). If he forced her, then he owes the compensation (‘Uqr) and the Ḥadd (punishment). If she consented to him, then he owes the Ḥadd, but he does not owe the compensation.”

[17305] Ibn Idrīs told us, he said: Ibn Abī Laylā used to say: “The Mukātabah reverts to being an Umm Walad” - meaning if he has intercourse with her and she gives birth.

حَدَّثَنَا ابْنُ إِدْرِيسَ، قَالَ: كَانَ ابْنُ أَبِي لَيْلَى، يَقُولُ: تَعُودُ الْمُكَاتَبَةُ فَتَكُونُ أُمَّ وَلَدٍ، يَعْنِي إِذَا وَطِئَهَا فَوَلَدَتْ

[17306] Yaḥyā ibn Ādam told us, from Ḥammād ibn Salamah, from Yaḥyā ibn Sa‘īd, from Sa‘īd ibn al-Musayyib, regarding a man who enters a Kitābah contract with his female slave and stipulates in the contract that he may have intercourse with her. He said: “There is no harm in it; he has his condition, and he may have intercourse with her.”

حَدَّثَنَا يَحْيَى بْنُ آدَمَ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، فِي الرَّجُلِ يُكَاتِبُ امْرَأَتَهُ، وَيَشْتَرِطُ عَلَيْهَا فِي الْمُكَاتَبَةِ أَنْ يَطَأَهَا قَالَ: لاَ بَأْسَ بِهِ لَهُ شَرْطُهُ، وَلَهُ أَنْ يَطَأَهَا

[17307] Wakī‘ told us, from Ismā‘īl ibn Abī Khālid, from Al-Sha‘bī, regarding a man who had intercourse with his Mukātabah. He said: “What remains enslaved of her belongs to what has been freed of her.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْمَاعِيلَ بنِ أَبِي خَالِدٍ، عَنِ الشَّعْبِيِّ، فِي رَجُلٍ وَطِئَ مُكَاتَبَتَهُ فَقَالَ: مَا رَقَّ مِنْهَا فَهُوَ لِمَا أُعْتِقَ مِنْهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ جَابِرٍ، عَنِ الشَّعْبِيِّ، قَالَ: لَيْسَ عَلَى زَانٍ عُقْرٌ

[17308] Abū Bakr told us, he said: Wakī‘ told us, from Shu‘bah, from Jābir, from Al-Sha‘bī, who said: “There is no ‘Uqr (financial compensation) upon a fornicator.”

حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ، وَحَمَّادًا عَنْ عَبْدِ رَجُلٍ اسْتَكْرَهَ حُرَّةً قَالاَ: لاَ عُقْرَ عَلَيْهِ، لاَ يَضُرُّكَ حُرَّةً كَانَتْ أَوْ أَمَةً

[17309] Wakī‘ told us, from Shu‘bah, who said: I asked Al-Ḥakam and Ḥammād about a man's slave who forced a free woman. They said: “There is no ‘Uqr upon him; it does not matter whether she was free or a slave.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، وَعَنْ رَجُلٍ، عَنِ الزُّهْرِيِّ، قَالاَ: إِنْ كَانَتْ بِكْرًا فَالْعُقْرُ وَالْحَدُّ، وَإِنْ كَانَتْ ثَيِّبًا فَالْحَدُّ

[17310] Wakī‘ told us, from Sufyān, from Ibn Jurayj, from ‘Aṭā’ and from a man, from Al-Zuhrī, who both said: “If she was a virgin, then the ‘Uqr and the Ḥadd (are applied); and if she was a non-virgin (Thayyib), then (only) the Ḥadd.”

حَدَّثَنَا وَكِيعٌ، عَنْ أَبِي حَنِيفَةَ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، قَالاَ: لاَ يَجْتَمِعُ حَدٌّ، وَلاَ صَدَاقٌ عَلَى زَانٍ

[17311] Wakī‘ told us, from Abū Ḥanīfah, from Ḥammād, from Ibrāhīm, who said: “Punishment (Ḥadd) and dowry (Ṣadāq) do not combine upon a fornicator.”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ أَشْعَثَ، عَنِ الْحَكَمِ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا أَوْقَعْتُ عَلَيْهِ الْحَدَّ لَمْ آخُذْ مِنْهُ الْعُقْرَ

[17312] Abū Khālid al-Aḥmar told us, from Ash‘ath, from Al-Ḥakam, from Ibrāhīm, who said: “If I apply the Ḥadd upon him, I do not take the ‘Uqr from him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنْ زَيْدِ بْنِ مَعِينٍ قَالَ: قَالَ ابْنُ عُمَرَ: لأَنْ يَحِلَّ فِي رَأْسِي مِخْيَطٌ حَتَّى أَخْبُو أَحَبُّ إِلَيَّ مِنْ أَنْ تُقَبِّلَ رَأْسِي امْرَأَةٌ لَيْسَتْ بِمَحْرَمٍ

[17313] Abū Bakr told us, he said: Ibn ‘Ulayyah told us, from Ayyūb, from Zayd ibn Ma‘īn, who said: Ibn ‘Umar said: “For a needle to settle in my head until I disappear (or die) is more beloved to me than for a woman who is not a Maḥram to kiss my head.”

حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، قَالَ: لأَنْ يَقْمَلَ دِمَاغُ رَجُلٍ خَيْرٌ لَهُ مِنْ أَنْ تُقَبِّلَهُ امْرَأَةٌ يَحِلُّ لَهُ نِكَاحُهَا، وَذَكَرَ أَنَّ امْرَأَةً كَانَتْ تُفَلِّي رَجُلاً فَقَبَّلَتْهُ

[17314] Jarīr told us, from Manṣūr, from Ibrāhīm, who said: “For a man's brain to become infested with lice is better for him than for a woman lawful for him to marry to kiss him.” He mentioned that a woman was removing lice from a man, and she kissed him.

حَدَّثَنَا غُنْدَرٌ، عَنْ عُثْمَانَ بْنِ غِيَاثٍ، قَالَ: سَمِعْتُ الْحَسَنَ، يَقُولُ: لاَ يَحِلُّ لِامْرَأَةٍ تَغْسِلُ رَأْسَ رَجُلٍ لَيْسَ بَيْنَهَا وَبَيْنَهُ مَحْرَمٌ

[17315] Ghundar told us, from ‘Uthmān ibn Ghiyāth, who said: I heard Al-Ḥasan say: “It is not lawful for a woman to wash the head of a man when there is no Maḥram relationship between them.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ بَشِيرِ بْنِ عُقْبَةَ، قَالَ: حَدَّثَنِي يَزِيدُ بْنُ عَبْدِ اللَّهِ بْنِ الشِّخِّيرِ، عَنْ مَعْقِلِ بْنِ يَسَارٍ، قَالَ: لأَنْ يَعْمِدَ أَحَدُكُمْ إِلَى مِخْيَطٍ فَيَغْرِزُ بِهِ فِي رَأْسِي، أَحَبُّ إِلَيَّ مِنْ أَنْ تَغْسِلَ رَأْسِيَ امْرَأَةٌ لَيْسَتْ مِنِّي ذَاتَ مَحْرَمٍ

[17316] Abū Usāmah told us, from Bashīr ibn ‘Uqbah, he said: Yazīd ibn ‘Abd Allāh ibn al-Shikhkhīr told me, from Ma‘qil ibn Yasār, who said: “For one of you to take a needle and thrust it into my head is more beloved to me than for a woman who is not a Maḥram to me to wash my head.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ شُعْبَةَ، قَالَ: سَمِعْتُ قَتَادَةَ، يَقُولُ: سَافَرْتُ مَعَ امْرَأَةٍ إِلَى مَكَّةَ، وَإِنَّ فِيهَا لَبَقَّةً، فَكَانَتْ تَغْسِلُ رَأْسِي أَوْ تُفَلِّي رَأْسِي

[17317] Abū Dāwūd told us, from Shu‘bah, who said: I heard Qatādah say: “I traveled with a woman to Mecca, and there was some roughness (or residue) in it, and she used to wash my head or remove lice from my head.”

[17318] ‘Ubayd Allāh told us, from Sufyān, from Qays ibn Muslim, from Ṭāriq ibn Shihāb, from Abū Mūsā, who said: “I came to a woman from my people, and she washed my clothes and combed my head.”

حَدَّثَنَا عُبَيْدُ اللَّهِ، عَنْ سُفْيَانَ، عَنْ قَيْسِ بْنِ مُسْلِمٍ، عَنْ طَارِقِ بْنِ شِهَابٍ، عَنْ أَبِي مُوسَى، قَالَ: أَتَيْتُ امْرَأَةً مِنْ قَوْمِي فَغَسَلَتْ ثِيَابِي، وَمَشَطَتْ رَأْسِي

[17319] Abū Bakr told us, he said: Muḥammad ibn Abī ‘Adī told us, from Ash‘ath, from Al-Ḥasan, regarding a man who marries a slave girl, he said: “He does not have the right to take her out of the

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ أَبِي عَدِيٍّ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يَتَزَوَّجُ الأَمَةَ قَالَ: لَيْسَ لَهُ أَنْ يُخْرِجَهَا مِنَ الْمِصْرِ

[17320] Wakī‘ told us, from ‘Alī ibn Mubārak, from Yaḥyā ibn Abī Kathīr, from ‘Aṭā’ and Makhūl, who both said: “They (the owners) have no alternative but to use her for service.”

حَدَّثَنَا وَكِيعٌ، عَنْ عَلِيِّ بْنِ مُبَارَكٍ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ عَطَاءٍ، وَمَكْحُولٍ، قَالاَ: لَيْسَ لَهُمْ بُدٌّ أَنْ يَسْتَخْدِمُوهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُيَيْنَةَ، عَنْ أَيُّوبَ بْنِ مُوسَى، عَنِ ابْنِ قُسَيْطٍ، أَنَّ سَعِيدَ بْنَ الْمُسَيِّبِ، سُئِلَ عَنْ رَجُلٍ بُشِّرَ بِجَارِيَةٍ، فَقَالَ بَعْضُ الْقَوْمِ: هَبْهَا لِي، فَقَالَ سَعِيدُ بْنُ الْمُسَيِّبِ، لَمْ تَحِلَّ الْمَوْهُوبَةُ لِأَحَدٍ بَعْدَ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَلَوْ أَصْدَقَهَا سَوْطًا حَلَّتْ لَهُ

[17321] Abū Bakr told us, he said: Ibn ‘Uyaynah told us, from Ayyūb ibn Mūsā, from Ibn Qusayṭ, that Sa‘īd ibn al-Musayyib was asked about a man who was given glad tidings of a girl (slave), so some of the people said: “Gift her to me.” Sa‘īd ibn al-Musayyib said: “The ‘gifted woman’ (without dowry) is not lawful for anyone after the Messenger of Allah ﷺ. Even if he gave her a whip as a dowry, she would be lawful for him.”

حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ زَمْعَةَ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، قَالَ: لاَ يَحِلُّ لِأَحَدٍ أَنْ يَهَبَ ابْنَتَهُ بِغَيْرِ مَهْرٍ إِلاَّ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ

[17322] ‘Abd al-Raḥmān ibn Mahdī told us, from Zam‘ah, from Ibn Ṭāwūs, from his father, who said: “It is not lawful for anyone to gift his daughter without a dowry except to the Prophet ﷺ.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ، وَحَمَّادًا عَنْ رَجُلٍ وَهَبَ ابْنَتَهُ لِرَجُلٍ، فَقَالاَ: لاَ يَجُوزُ إِلاَّ بِصَدَاقٍ

[17323] Ghundar told us, from Shu‘bah, who said: I asked Al-Ḥakam and Ḥammād about a man who gifted his daughter to a man. They said: “It is not valid except with a dowry.”

حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُبَيْدٍ، قَالَ: سُئِلَ مَكْحُولٌ عَنِ الرَّجُلِ، يَهَبُ أُخْتَهُ أَوِ ابْنَتَهُ لِرَجُلٍ، وَلاَ يَفْرِضُ لَهَا صَدَاقًا فَقَالَ مَكْحُولٌ، وَالزُّهْرِيُّ: لَمْ تَحِلَّ الْمَوْهُوبَةُ لأَحَدٍ بَعْدَ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ

[17324] Ismāʻīl ibn ʻAyyāsh told us, from ʻAbd Allāh ibn ʻUbayd, who said: Makhūl was asked about a man who gifts his sister or daughter to a man and does not assign her a dowry. Makhūl and Al-Zuhrī said: "The 'gifted woman' is not lawful for anyone after the Messenger of Allah ﷺ."

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ مُحَمَّدِ بْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: أَيُّمَا امْرَأَةٍ وَهَبَهَا أَبُوهَا لِرَجُلٍ أَوْ وَهَبَتْ نَفْسَهَا لِرَجُلٍ فَلَهَا مِثْلُهَا إِنْ دَخَلَ بِهَا، وَإِلاَّ فَإِنَّمَا عَلَيْهِ الْمُتْعَةُ إِنْ طَلَّقَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا

[17325] Yazīd ibn Hārūn told us, from Muḥammad ibn Sālim, from Al-Shaʻbī, who said: "Any woman whose father gifts her to a man, or who gifts herself to a man, is entitled to the dowry of her like if he consummates the marriage with her. Otherwise, he only owes the consolatory gift (Mutʻah) if he divorces her before consummating with her."

حَدَّثَنَا عَبِيدَةُ بْنُ حُمَيْدٍ، عَنْ عَبْدِ الْمَلِكِ، قَالَ: سُئِلَ عَطَاءٌ عَنْ امْرَأَةٍ وَهَبَتْ نَفْسَهَا لِرَجُلٍ قَالَ: لاَ يَكُونُ إِلاَّ بِصَدَاقٍ

[17326] ʻUbaydah ibn Ḥumayd told us, from ʻAbd al-Malik, who said: 'Aṭā' was asked about a woman who gifted herself to a man. He said: "It cannot be except with a dowry."

[17327] Ibn Sulaymān told us, from Hishām ibn ‘Urwah, from his father, from ‘Ā’ishah, that she said: “Does a woman not feel ashamed to gift herself to a man?” Until Allah the Exalted revealed: {You may defer whom You will of them and take to Yourself whom You will} [Al-Ahzab: 51]. She said: So I said: “Indeed, your Lord hastens to fulfill your desire.”

حَدَّثَنَا ابْنُ سُلَيْمَانَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، أَنَّهَا قَالَتْ: "مَا تَسْتَحِي امْرَأَةٌ أَنْ تَهَبَ نَفْسَهَا لِرَجُلٍ حَتَّى أَنْزَلَ اللَّهُ تَعَالَى: {تُرْجِي مَنْ تَشَاءُ مِنْهُنَّ وَتُؤْوِي إِلَيْكَ مَنْ تَشَاءُ} [الأحزاب: 51] قَالَتْ: فَقُلْتُ: إِنَّ رَبَّكَ لَيُسَارِعُ لَكَ فِي هَوَاكَ

[17328] Ya‘lā ibn ‘Ubayd told us, from ‘Abd al-Malik, from ‘Aṭā’, regarding a woman who gifted herself to a man. He said: “It is not proper except with a dowry; that was only for the Prophet ﷺ.”

حَدَّثَنَا يَعْلَى بْنُ عُبَيْدٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، فِي امْرَأَةٍ وَهَبَتْ نَفْسَهَا لِلرَّجُلِ فَقَالَ: لاَ يَصْلُحُ إِلاَّ بِصَدَاقٍ، لَمْ يَكُنْ ذَلِكَ إِلاَّ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ

[17329] Abū Bakr told us, he said: Hushaym told us, from Mughīrah, from Ibrāhīm, regarding one who marries a close female relative (Maḥram) and consummates the marriage with her, he said: “She is entitled to the dowry.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، فِيمَنْ تَزَوَّجَ ذَاتَ مَحْرَمٍ مِنْهُ فَدَخَلَ بِهَا قَالَ: لَهَا الصَّدَاقُ

حَدَّثَنَا هُشَيْمٌ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، قَالَ: لَهَا مَا أَخَذَتْ

[17330] Hushaym told us, from Yūnus, from Al-Ḥasan, who said: “She keeps what she took.”

حَدَّثَنَا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ حَمَّادٍ، مِثْلَهُ

[17331] Hushaym told us, from Mughīrah, from Ḥammād, similar to it.

حَدَّثَنَا هُشَيْمٌ، عَنْ أَشْعَثَ، عَنِ الشَّعْبِيِّ، قَالَ: لاَ صَدَاقَ لَهَا دَخَلَ بِهَا أَوْ لَمْ يَدْخُلْ بِهَا، أَيَصْدُقُ الرَّجُلُ أُخْتَهُ أَوْ أُمَّهُ؟

[17332] Hushaym told us, from Ash‘ath, from Al-Sha‘bī, who said: “There is no dowry for her, whether he consummated the marriage with her or not. Does a man give a dowry to his sister or his mother?”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، فِي رَجُلٍ تَزَوَّجَ أُخْتَهُ فِي الرَّضَاعَةِ وَهُوَ لاَ يَعْلَمُ، ثُمَّ عَلِمَ بَعْدَ ذَلِكَ قَالَ: بَطَلَ النِّكَاحُ، فَإِنْ دَخَلَ بِهَا فَلَهَا الصَّدَاقُ بِمَا اسْتَحَلَّ مِنْ فَرْجِهَا، وَإِنْ لَمْ يَكُنْ دَخَلَ بِهَا فُرِّقَ بَيْنَهُمَا وَلاَ صَدَاقَ

[17333] Abū al-Aḥwaṣ told us, from Mughīrah, from Ibrāhīm, regarding a man who married his sister through breastfeeding while he did not know, then he found out after that. He said: “The marriage is void. If he consummated with her, then she is entitled to the dowry for what he made lawful of her private part. And if he had not consummated with her, they are separated and there is no dowry.”

[17334] ‘Abd al-A‘lā told us, from Sa‘īd, from Maṭar, from Al-Ḥakam, regarding a man who married his sister or his wife's sister through breastfeeding and consummated with her while unaware. He said: “She is entitled to the full dowry.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ مَطَرٍ، عَنِ الْحَكَمِ، فِي رَجُلٍ تَزَوَّجَ أُخْتَهُ، أَوْ أُخْتَ امْرَأَتِهِ مِنَ الرَّضَاعَةِ فَدَخَلَ بِهَا وَهُوَ لاَ يَشْعُرُ، قَالَ: لَهَا الصَّدَاقُ كَامِلاً

[17335] ‘Abd al-A‘lā told us, from Sa‘īd, from Maṭar, from Al-Ḥasan, who said: “She is entitled to the dowry she took.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ مَطَرٍ، عَنِ الْحَسَنِ، قَالَ: لَهَا الصَّدَاقُ مَا أَخَذَتْ

[17336] Jarīr told us, from Mughīrah, from Ḥammād, who said: “Every intercourse in which the Ḥadd (punishment) is averted entails the full dowry.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ حَمَّادٍ، قَالَ: كُلُّ جِمَاعٍ دُرِئَ فِيهِ الْحَدُّ فَفِيهِ الصَّدَاقُ كَامِلاً

[17337] ‘Umar ibn Hārūn told us, from Ibn Jurayj, from Ibn Ṭāwūs, from his father, regarding a man who married a woman, and she turned out to be his sister through breastfeeding, and he had intercourse with her without knowing. He said: “They are separated, and she does not get the whole dowry; she gets part of it.”

حَدَّثَنَا عُمَرُ بْنُ هَارُونَ، عَنِ ابْنِ جُرَيْجٍ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، فِي رَجُلٍ تَزَوَّجَ امْرَأَةً، فَإِذَا هِيَ أُخْتُهُ مِنَ الرَّضَاعَةِ فَأَصَابَهَا وَلَمْ يَشْعُرْ بِهَا قَالَ: يُفَرَّقُ بَيْنَهُمَا وَلَيْسَ لَهَا الصَّدَاقُ كُلُّهُ، لَهَا بَعْضُهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بَنَى بِهَا وَهِيَ ابْنَةُ تِسْعٍ، وَمَاتَ عَنْهَا وَهِيَ ابْنَةُ ثَمَانِ عَشْرَةَ

[17338] Abū Bakr told us, he said: Abū Muʻāwiyah told us, from Al-Aʻmash, from Ibrāhīm, from Al-Aswad, from ʻĀʾishah, that the Prophet ﷺ consummated the marriage with her when she was nine years old, and he died leaving her when she was eighteen years old.

حَدَّثَنَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، أَنَّ الزُّبَيْرَ زَوَّجَ ابْنَةً لَهُ صَغِيرَةً حِينَ نَفِسَتْ، يَعْنِي حِينَ وَلَدَتْ

[17339] ʻAbdah ibn Sulaymān told us, from Hishām, from his father, that Al-Zubayr married off a small daughter of his when she was just born (lit. in post-natal period).

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، أَنَّهُ زَوَّجَ ابْنَةً لِمُصْعَبٍ صَغِيرَةً

[17340] Abū Muʻāwiyah told us, from Hishām, from his father, that he married off a small daughter of Muṣʻab.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، عَنْ أَبِيهِ، "أَنَّ عُمَرَ خَطَبَ إِلَى عَلِيٍّ ابْنَتَهُ أُمَّ كُلْثُومٍ، فَقَالَ عَلِيٌّ: إِنَّهَا صَغِيرَةٌ، فَانْظُرْ إِلَيْهَا، فَأَرْسَلَهَا إِلَيْهِ بِرِسَالَةٍ فَمَازَحَهَا، فَقَالَتْ: لَوْلاَ أَنَّكَ شَيْخٌ، أَوْ لَوْلاَ أَنَّكَ أَمِيرُ الْمُؤْمِنِينَ، فَأَعْجَبَ عُمَرَ مُصَاهَرَتُهُ فَخَطَبَهَا فَأَنْكَحَهَا إِيَّاهُ

[17341] Ibn ‘Ulayyah told us, from Yūnus, from Al-Ḥasan, from his father, that ‘Umar proposed to ‘Alī for his daughter Umm Kulthūm. ‘Alī said: “She is small; look at her.” So he sent her to him with a message. He joked with her, and she said: “Were it not that you are an old man,” or “Were it not that you are the Commander of the Faithful...” ‘Umar was pleased with the marriage connection, so he proposed for her, and he (‘Alī) married her to him.

حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، أَنَّهُ كَانَ يَكْرَهُ نِكَاحَ الصَّغِيرَيْنِ

[17342] Al-Ḍaḥḥāk ibn Makhlad told us, from Ibn Jurayj, from Ibn Ṭāwūs, from his father, that he used to dislike the marriage of two small children.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، قَالَ: كَانَ لاَ يُعْجِبُهُ نِكَاحُ الصِّغَارِ

[17343] Ibn ‘Ulayyah told us, from Yūnus, he said: “He (Al-Ḥasan) did not like the marriage of small children.”

[17344] Abū Bakr told us, he said: Muḥammad ibn Fuḍayl told us, from Yazīd ibn Abī Ziyād, from Zayd ibn Wahb, who said: ‘Umar wrote to us that: “The Bedouin shall not marry the Emigrant woman (Muhājirah) to take her out of the Abode of Migration.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ يَزِيدَ بْنِ أَبِي زِيَادٍ، عَنْ زَيْدِ بْنِ وَهْبٍ، قَالَ: كَتَبَ إِلَيْنَا عُمَرُ أَنَّ الأَعْرَابِيَّ لاَ يَنْكِحُ الْمُهَاجِرَةَ حَتَّى يُخْرِجَهَا مِنْ دَارِ الْهِجْرَةِ

[17345] ‘Abbād ibn al-‘Awwām told us, from Hishām, from Al-Ḥasan, that he disliked for the Bedouin to marry the Emigrant woman.

حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، أَنَّهُ كَرِهَ أَنْ يَتَزَوَّجَ الأَعْرَابِيُّ الْمُهَاجِرَةَ

[17346] Abū Khālid told us, from Muḥammad ibn Sālim, from Al-Sha‘bī, that he disliked for the Bedouin to marry the Emigrant woman to take her out of the city.

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ مُحَمَّدِ بْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، أَنَّهُ كَرِهَ أَنْ يَتَزَوَّجَ الأَعْرَابِيُّ الْمُهَاجِرَةَ لِيُخْرِجَهَا مِنَ الْمِصْرِ

[17347] ‘Ubaydah ibn Ḥumayd told us, from Al-Rukayn, from his father, who said: Manẓūr ibn Sayyār proposed to Khālid [for his daughter] while they were performing Ḥajj or ‘Umrah. He said: “Yes, when you return, I will marry her to you.” Then her brother from her mother and father went out to her and married her to her maternal cousin. He arrived and said: “I have married [her off].” Her father became very angry and said: “I flee to Allah from this marriage. I heard ‘Umar say: ‘Bedouins shall not marry Emigrant women (Muhājirāt).’”

حَدَّثَنَا عَبِيدَةُ بْنُ حُمَيْدٍ، عَنِ الرُّكَيْنِ، عَنْ أَبِيهِ، قَالَ: خَطَبَ مَنْظُورُ بْنُ سَيَّارٍ إِلَى خَالِدٍ وَكَانَا حَاجَّيْنِ أَوْ مُعْتَمِرَيْنِ فَقَالَ: نَعَمْ، إِذَا رَجَعْتُمْ أَنْكَحْتُكَ، فَخَرَجَ إِلَيْهَا أَخُوهَا ابْنُ أُمِّهَا وَأَبِيهَا فَأَنْكَحَهَا ابْنَ خَالِهَا فَقَدِمَ، وَقَالَ: نَكَحْتُ، فَغَضِبَ أَبُوهَا غَضَبًا شَدِيدًا وَقَالَ: إِنِّي أَفِرُّ إِلَى اللَّهِ مِنْ هَذَا النِّكَاحِ، إِنِّي سَمِعْتُ عُمَرَ يَقُولُ: لاَ يَنْكِحُ الْمُهَاجِرَاتِ الأَعْرَابُ.

[17348] Abū Bakr told us, he said: Ibn Idrīs told us, from Ibn Jurayj, from ‘Amr ibn al-Sharīd, who said: Ibn ‘Abbās was asked about a man who has a wife and a concubine; one of them breastfed a boy, and the other breastfed a girl. Is it proper for the boy to marry the girl? He said: “No, the fertilization [source] is one.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ إِدْرِيسَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ الشَّرِيدِ، قَالَ: سُئِلَ ابْنُ عَبَّاسٍ عَنْ رَجُلٍ لَهُ امْرَأَةٌ وَسُرِّيَّةٌ، فَأَرْضَعَتْ إِحْدَاهُمَا غُلاَمًا، وَأَرْضَعَتْ إِحْدَاهُمَا جَارِيَةً، هَلْ يَصْلُحُ لِلْغُلاَمِ أَنْ يَتَزَوَّجَ الْجَارِيَةَ؟ قَالَ: لاَ، اللِّقَاحُ وَاحِدٌ

[17349] Hushaym told us, from Ḥajjāj, from Al-Ḥakam, from Mujāhid, that he disliked the “Milk of the Stallion” (breastfeeding via the male's fluid causing milk), and he disliked Ibrāhīm's opinion on it.

حَدَّثَنَا هُشَيْمٌ، عَنْ حَجَّاجٍ، عَنِ الْحَكَمِ، عَنْ مُجَاهِدٍ، أَنَّهُ كَرِهَ لَبَنَ الْفَحْلِ، وَكَرِهَ قَوْلَ إِبْرَاهِيمَ فِيهِ

[17350] Hushaym and Ibn ‘Ulayyah told us, from Yūnus, from Al-Ḥasan, that he disliked it - meaning the milk of the stallion.

حَدَّثَنَا هُشَيْمٌ، وَابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّهُ كَرِهَهُ "، يَعْنِي لَبَنَ الْفَحْلِ،

[17351] Hushaym told us, from ‘Abd Allāh ibn Sabrah, from Al-Sha‘bī, that he disliked it.

حَدَّثَنَا هُشَيْمٌ، عَنْ عَبْدِ اللَّهِ بْنِ سَبْرَةَ، عَنِ الشَّعْبِيِّ، أَنَّهُ كَرِهَهُ

[17352] Ḥafṣ told us, from Ibn Jurayj, from ‘Aṭā’, that he used to consider the milk of the stallion to be prohibiting.

حَدَّثَنَا حَفْصٌ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، قَالَ: كَانَ يَرَى لَبَنَ الْفَحْلِ تَحْرِيمًا

[17353] Wakī‘ told us, from Shaqīq, from Khuṣayf, from Sālim, that he disliked it.

حَدَّثَنَا وَكِيعٌ، عَنْ شَقِيقٍ، عَنْ خُصَيْفٍ، عَنْ سَالِمٍ، أَنَّهُ كَرِهَهُ

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ عَبَّادِ بْنِ مَنْصُورٍ، قَالَ: سَأَلْتُ الْقَاسِمَ بْنَ مُحَمَّدٍ: قَالَتْ: امْرَأَةٌ إِنَّهَا أَرْضَعَتْ جَارِيَةً مِنْ عَرَضِ النَّاسِ بِلِسَانِ إِخْوَتِي مِنْ أَبِي، تَحِلُّ لِي؟ قَالَ: لاَ، أَبُوكَ أَبُوهَا. وَسَأَلْتُ طَاوُسًا، فَقَالَ مِثْلَ ذَلِكَ. وَسَأَلْتُ الْحَسَنَ، فَقَالَ مِثْلَ ذَلِكَ. وَسَأَلْتُ مُجَاهِدًا، فَقَالَ: اخْتَلَفَ فِيهِ النَّاسُ، وَلاَ أَقُولُ فِيهَا شَيْئًا، وَسَأَلْتُ ابْنَ سِيرِينَ فَقَالَ مِثْلَ قَوْلِ مُجَاهِدٍ

[17354] Ibn ‘Ulayyah told us, from ‘Abbād ibn Manṣūr, who said: I asked Al-Qāsim ibn Muḥammad: A woman said that she breastfed a girl from the common people with the milk of my brothers from my father (i.e., due to my father's fluid), is she lawful for me? He said: “No, your father is her father.” And I asked Ṭāwūs, and he said the like of that. And I asked Al-Ḥasan, and he said the like of that. And I asked Mujāhid, and he said: “The people differed concerning it, and I do not say anything about it.” And I asked Ibn Sīrīn, and he said like the statement of Mujāhid.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، قَالَ: ذَكَرْتُ ذَلِكَ لِمُحَمَّدِ بْنِ سِيرِينَ، فَقَالَ: نُبِّئْتُ أَنَّ أُنَاسًا مِنْ أَهْلِ الْمَدِينَةِ اخْتَلَفُوا فِيهِ فَمِنْهُمْ مَنْ كَرِهَهُ، وَمِنْهُمْ مَنْ لَمْ يَكْرَهْهُ، وَمَنْ كَرِهَ أَفْضَلُ فِي أَنْفُسِنَا مِمَّنْ لَمْ يَكْرَهْهُ. وَكَانَ الْقَاسِمُ بْنُ مُحَمَّدٍ فِيمَنْ يَكْرَهُهُ

[17355] Ibn ‘Ulayyah told us, from Ayyūb, who said: I mentioned that to Muḥammad ibn Sīrīn, and he said: “I was informed that people from the people of Medina differed concerning it. Among them were those who disliked it, and among them were those who did not dislike it. Those who disliked it are better in our eyes than those who did not dislike it.” And Al-Qāsim ibn Muḥammad was among those who disliked it.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، قَالَ: قَدِمَ الزُّهْرِيُّ فِي أَوَّلِ خِلاَفَةِ هِشَامٍ، فَذَكَرَ أَنَّ عُرْوَةَ كَانَ يُحَدِّثُ، عَنْ عَائِشَةَ، أَنَّ أَبَا الْقُعَيْسِ جَاءَ يَسْتَأْذِنُ عَلَى عَائِشَةَ وَقَدْ أَرْضَعَتْهَا امْرَأَةُ أَخِيهِ، فَأَبَتْ أَنْ تَأْذَنَ لَهُ فَزَعَمَ عُرْوَةُ أَنَّ عَائِشَةَ ذَكَرَتْ ذَلِكَ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: فَهَلاَّ أَذِنْتِ لَهُ؟ فَإِنَّ الرَّضَاعَةَ تُحَرِّمُ مَا تُحَرِّمُ الْوِلاَدَةُ، فَفَزِعَ أَهْلُ الْمَدِينَةِ لِذَلِكَ فَطَلَّقَ عَبْدُ اللَّهِ بْنُ أَبِي حَبِيبَةَ مَوْلَى الزُّبَيْرِ امْرَأَتَهُ عِنْدَ ذَلِكَ

[17356] Ibn ‘Ulayyah told us, from Muḥammad ibn ‘Amr, who said: Al-Zuhrī arrived during the beginning of Hishām's caliphate. He mentioned that ‘Urwah used to narrate from ‘Ā’ishah that Abū al-Qu‘ays came seeking permission to enter upon ‘Ā’ishah, and the wife of his brother had breastfed her (‘Ā’ishah). She refused to permit him. ‘Urwah claimed that ‘Ā’ishah mentioned that to the Prophet ﷺ, and he said: “Why did you not permit him? For breastfeeding prohibits what birth prohibits.” The people of Medina were alarmed by that, so ‘Abd Allāh ibn Abī Ḥabībah, the client of Al-Zubayr, divorced his wife at that time.

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ ابْنِ سِيرِينَ، قَالَ: ذُكِرَ لَبَنُ الْفَحْلِ فَقَالَ: وَقَدْ كَرِهَهُ أُنَاسٌ، وَرَخَّصَ فِيهِ أُنَاسٌ، فَكَانَ مَنْ كَرِهَهُ عِنْدَ النَّاسِ أَفْضَلُ، وَكَانَ الْقَاسِمُ بْنُ مُحَمَّدٍ مِمَّنْ يَكْرَهُهُ

[17357] Ibn Idrīs told us, from Hishām, from Ibn Sīrīn, who said: The milk of the stallion was mentioned, so he said: “Some people disliked it, and some people permitted it. Those who disliked it were better in the eyes of the people. And Al-Qāsim ibn Muḥammad was among those who disliked it.”

حَدَّثَنَا مَالِكٌ، عَنْ حَمَّادِ بْنِ زَيْدٍ، عَنْ هِشَامٍ، أَنَّ أَبَاهُ، كَرِهَ لَبَنُ الْفَحْلِ

[17358] Mālik told us, from Ḥammād ibn Zayd, from Hishām, that his father disliked the milk of the stallion.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ إِدْرِيسَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ أَبِي عُبَيْدَةَ بْنِ عَبْدِ اللَّهِ بْنِ زَمْعَةَ، عَنْ أُمِّهِ زَيْنَبَ ابْنَةِ أَبِي سَلَمَةَ، قَالَتْ: "كَانَتْ أَسْمَاءُ أَرْضَعَتْنِي وَكَانَ ابْنُ الزُّبَيْرِ يَدْخُلُ عَلَيَّ وَأَنَا أَمْتَشِطُ وَيَأْخُذُ الْقَرْنَ مِنْ قُرُونِي، وَيَقُولُ: أَقْبِلِي عَلَى مُحَمَّدٍ بِحَدِيثِي تَرِي أَنَّهُ أَبِي، وَإِنَّمَا وَلَدَ إِخْوَتِي، فَلَمَّا كَانَ الْحَرَّةُ أَرْسَلَ عَبْدُ اللَّهِ بْنُ الزُّبَيْرِ يَخْطُبُ ابْنَتِي عَلَى حَمْزَةَ وَالزُّبَيْرُ وَحَمْزَةُ وَمُصْعَبٌ لِلْكَلْبِيَّةِ، فَأَرْسَلْتُ إِلَيْهِ: هَلْ تَصْلُحُ لَهُ؟ فَأَرْسَلَ إِلَيَّ: إِنَّمَا تُرِيدِينَ مَنْعِي بِنْتَكِ، وَأَنَا أَخُوكِ وَمَا وَلَدَتْ أَسْمَاءُ فَهُمْ إِخْوَتُكِ، وَمَا وَلَدَ الزُّبَيْرُ لِغَيْرِ أَسْمَاءَ فَلَيْسَ لَكِ بِإِخْوَةٍ، فَأَرْسِلِي، فَسَلِي فَأَرْسَلَتْ فَسَأَلَتْ وَأَصْحَابُ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مُتَوَافِرُونَ - - وَأُمَّهَاتُ الْمُؤْمِنِينَ فَقَالُوا: إِنَّ الرَّضَاعَةَ مِنْ قِبَلِ الرِّجَالِ لاَ تُحَرِّمُ شَيْئًا

[17359] Abū Bakr told us, he said: Ibn Idrīs told us, from Muḥammad ibn ‘Amr, from Abū ‘Ubaydah ibn ‘Abd Allāh ibn Zam‘ah, from his mother Zaynab bint Abī Salamah, who said: “Asmā’ had breastfed me, and Ibn al-Zubayr used to enter upon me while I was combing my hair, and he would take a lock of my locks and say: ‘Turn to Muḥammad with my talk, do you see that he is my father? He only fathered my brothers.’ Then when the [Battle of] Al-Ḥarrah occurred, ‘Abd Allāh ibn al-Zubayr sent proposing for my daughter on behalf of Ḥamzah - and Al-Zubayr, Ḥamzah, and Muṣ‘ab were from the Kalbite woman. I sent to him: ‘Is she lawful for him?’ He sent to me: ‘You only want to deny me your daughter. I am your brother, and whatever Asmā’ gave birth to are your siblings, and whatever Al-Zubayr fathered from other than Asmā’ are not your siblings. So send and ask.’ So I sent and asked, and the Companions of the Prophet ﷺ were abundant, and the Mothers of the Believers [were presentl, and they said:

[17360] Ibn Idrīs told us, from Muḥammad ibn ‘Amr, from Yazīd ibn ‘Abd Allāh ibn Qusayṭ, who said: I asked Abū Salamah ibn ‘Abd al-Raḥmān, Sa‘īd ibn al-Musayyib, ‘Aṭā’, and Sulaymān - the two sons of Yasār - about breastfeeding from the side of men. They said: “It does not prohibit anything.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، عَنْ يَزِيدَ بْنِ عَبْدِ اللَّهِ بْنِ قُسَيْطٍ، قَالَ: سَأَلْتُ أَبَا سَلَمَةَ بْنَ عَبْدِ الرَّحْمَنِ، وسَعِيدَ بْنَ الْمُسَيِّبِ، وَعَطَاءً، وَسُلَيْمَانَ ابْنَيْ يَسَارٍ عَنْ الرَّضَاعَةِ مِنْ قِبَلِ الرِّجَالِ فَقَالُوا: لاَ تُحَرِّمُ شَيْئًا

[17361] Ibn ‘Ulayyah told us, from Muḥammad ibn ‘Amr, who said: A son of Rāfi‘ ibn Khadīj told me that Rāfi‘ ibn Khadīj married his daughter to his brother's son, Rifā‘ah ibn Khadīj, while an Umm Walad of his [Rāfi‘'s] had breastfed her, other than the mother of the father whom he married her to.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ مُحَمَّدِ بْنِ عَمْرٍو، قَالَ: حَدَّثَنِي ابْنٌ لِرَافِعِ بْنِ خَدِيجٍ، أَنَّ رَافِعَ بْنَ خَدِيجٍ، زَوَّجَ ابْنَتَهُ ابْنَ أَخِيهِ رِفَاعَةَ بْنِ خَدِيجٍ وَقَدْ أَرْضَعَتْهَا أُمُّ وَلَدٍ لَهُ سِوَى أُمِّ أَبِيهِ الَّذِي أَنْكَحَهَا إِيَّاهُ

[17362] Sharīk told us, from Mughīrah, from Ibrāhīm, and from Jābir, from ‘Āmir, that both of them did not consider the milk of the stallion to be anything [prohibiting].

حَدَّثَنَا شَرِيكٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، وَعَنْ جَابِرٍ، عَنْ عَامِرٍ، أَنَّهُمَا كَانَا لاَ يَرَيَانِ لَبَنَ الْفَحْلِ شَيْئًا

[17363] Ibn ‘Ulayyah told us, from Khālid, from Abū Qilābah, that he saw no harm in the milk of the stallion.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ خَالِدٍ، عَنْ أَبِي قِلاَبَةَ، أَنَّهُ لَمْ يَرَ بِلَبَنِ الْفَحْلِ بَأْسًا

[17364] Ibn ‘Ulayyah told us, from Ayyūb, who said: The first time I heard about the milk of the stallion, we were in Mecca, and Iyās ibn Mu‘āwiyah started saying: “What is the harm in this, and who dislikes this?”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، قَالَ: أَوَّلُ مَا سَمِعْتُ بِلَبَنِ الْفَحْلِ، وَنَحْنُ بِمَكَّةَ، فَجَعَلَ إِيَاسُ بْنُ مُعَاوِيَةَ يَقُولُ: وَمَا بَأْسُ هَذَا، وَمَنْ يَكْرَهُ هَذَا؟

[17365] Hushaym told us, from Ḥajjāj, from Al-Ḥakam, from Ibrāhīm, that he did not consider the milk of the stallion to be anything [prohibiting].

حَدَّثَنَا هُشَيْمٌ، عَنْ حَجَّاجٍ، عَنِ الْحَكَمِ، عَنْ إِبْرَاهِيمَ، أَنَّهُ كَانَ لاَ يَرَى لَبَنَ الْفَحْلِ شَيْئًا

[17366] ‘Ubayd Allāh ibn Mūsā told us, from Muḥammad ibn Rāshid, from Makhūl, that he used to see no harm in the milk of the stallion.

حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، عَنْ مُحَمَّدِ بْنِ رَاشِدٍ، عَنْ مَكْحُولٍ، أَنَّهُ كَانَ لاَ يَرَى بِلَبَنِ الْفَحْلِ بَأْسًا

[17367] Sufyān ibn ‘Uyaynah told us, from Al-Zuhrī, from Sahl ibn Sa‘d, that the Prophet ﷺ separated the two who did Li‘ān and said: “Your reckoning is with Allah.”

حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَهْلِ بْنِ سَعْدٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَرَّقَ بَيْنَ الْمُتَلاَعِنَيْنِ وَقَالَ: حِسَابُكُمَا عَلَى اللَّهِ

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ عَبَّادِ بْنِ مَنْصُورٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَرَّقَ بَيْنَهُمَا، قَضَى أَنْ لاَ قُوتَ عَلَيْهَا، وَلاَ نَفَقَةَ

[17368] Yazīd ibn Hārūn told us, from ‘Abbād ibn Manṣūr, from ‘Ikrimah, from Ibn ‘Abbās, that the Prophet ﷺ separated them and decreed that there is no maintenance (food) for her, nor expenses.

حَدَّثَنَا حَفْصٌ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عُمَرَ، قَالَ: الْمُتَلاَعِنَانِ يُفَرَّقُ بَيْنَهُمَا، وَلاَ يَجْتَمِعَانِ أَبَدًا

[17369] Ḥafṣ told us, from Al-A‘mash, from Ibrāhīm, from ‘Umar, who said: “The two who perform Li‘ān are separated, and they never reunite.”

حَدَّثَنَا وَكِيعٌ، عَنْ قَيْسٍ، عَنْ عَاصِمٍ، عَنْ زِرٍّ، عَنْ عَلِيٍّ، وَعَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، قَالاَ: لاَ يَجْتَمِعَانِ الْمُتَلاَعِنَانِ أَبَدًا

[17370] Wakī‘ told us, from Qays, from ‘Āṣim, from Zirr, from ‘Alī; and from Abū Wā’il, from ‘Abd Allāh, who both said: “The two who perform Li‘ān never reunite.”

حَدَّثَنَا وَكِيعٌ، عَنْ مُوسَى بْنِ عُبَيْدَةَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: الْمُتَلاَعِنَانِ لاَ يَجْتَمِعَانِ فِي مِصْرٍ

[17371] Wakī‘ told us, from Mūsā ibn ‘Ubaydah, from Nāfi‘, from Ibn ‘Umar, who said: “The two who perform Li‘ān do not gather in one city.”

[17372] Ḥafṣ told us, he said: I asked ‘Umar, so he said: Al-Ḥasan used to separate them, and they would never reunite.

حَدَّثَنَا حَفْصٌ، قَالَ: سَأَلْتُ عُمَرَ فَقَالَ: كَانَ الْحَسَنُ يُفَرِّقُ بَيْنَهُمَا، فَلاَ يَجْتَمِعَانِ أَبَدًا

[17373] Yazīd told us, from Ḥabīb, from ‘Amr ibn Harim, from Jābir ibn Zayd, who said: “They do not reunite.”

حَدَّثَنَا يَزِيدُ، عَنْ حَبِيبٍ، عَنْ عَمْرِو بْنِ هَرِمٍ، عَنْ جَابِرِ بْنِ زَيْدٍ، قَالَ: لاَ يَجْتَمِعَانِ

[17374] Ibn Mahdī told us, from Zam‘ah, from Ibn Ṭāwūs, from his father, who said: “They never reunite.”

حَدَّثَنَا ابْنُ مَهْدِيٍّ، عَنْ زَمْعَةَ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، قَالَ: لاَ يَجْتَمِعَانِ أَبَدًا

[17375] Al-Faḍl ibn Dukayn told us, from Ḥasan, from Layth, from ‘Aṭā’, who said: “They do not reunite.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ حَسَنٍ، عَنْ لَيْثٍ، عَنْ عَطَاءٍ، قَالَ: لاَ يَجْتَمِعَانِ

[17376] Wakī‘ told us, from Sufyān, from Jābir, from Al-Sha‘bī, who said: “The two who perform Li‘ān do not reunite.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ جَابِرٍ، عَنِ الشَّعْبِيِّ، قَالَ: الْمُتَلاَعِنَانِ لاَ يَجْتَمِعَانِ

[17377] Ibn Idrīs told us, from Ibn Isḥāq, from Ibn Shihāb, who said: “The Sunnah has passed that if they are separated, they never reunite.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنِ ابْنِ إِسْحَاقَ، عَنِ ابْنِ شِهَابٍ، قَالَ: مَضَتِ السُّنَّةُ أَنَّهُمَا إِذَا فُرِّقَ بَيْنَهُمَا لَمْ يَجْتَمِعَا أَبَدًا

[17378] ‘Abd al-A‘lā told us, from Yūnus, from Al-Ḥasan, regarding a man who performed Li‘ān, then belied himself during the ‘Iddah. He said: “If he performed Li‘ān, what was between them is cut off.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ يُونُسَ، عَنِ الْحَسَنِ، قَالَ: فِي رَجُلٍ لاَعَنَ، ثُمَّ أَكْذَبَ نَفْسَهُ فِي الْعِدَّةِ، قَالَ: إِذَا لاَعَنَ انْقَطَعَ مَا بَيْنَهُمَا

[17379] Abū Bakr told us, he said: Ḥafṣ told us, from Dāwūd, from Sa‘īd ibn al-Musayyib, regarding the one who performed Li‘ān then belies himself, he said: “He is flogged [for slander], and he may propose.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصٌ، عَنْ دَاوُدَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، فِي الْمُلاَعِنِ يُكَذِّبُ نَفْسَهُ قَالَ: يُضْرَبُ وَهُوَ يُخَاطِبُ

[17380] Abū Bakr ibn ‘Ayyāsh told us, from Muṭarrif, from Al-Sha‘bī: “If he belies himself, it is valid, the child is attached to him, and his wife is returned to him.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ مُطَرِّفٍ، عَنِ الشَّعْبِيِّ، إِنْ أَكْذَبَ نَفْسَهُ جَازَ وَأُلْزِقَ بِهِ الْوَلَدُ وَرُدَّتْ إِلَيْهِ امْرَأَتُهُ

[17381] Ghundar told us, from Shu‘bah, from Ḥammād, who was asked about the two who performed Li‘ān. He said: “He marries her if he belies himself.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ حَمَّادٍ سُئِلَ عَنْ الْمُلاَعِنَيْنِ فَقَالَ: يَتَزَوَّجُهَا إِنْ أَكْذَبَ نَفْسَهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عُمَرَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَرَّقَ بَيْنَ الْمُتَلاَعِنَيْنِ وَقَالَ: حِسَابُكُمَا عَلَى اللَّهِ، أَحَدُكُمَا كَاذِبٌ لاَ سَبِيلَ لَكَ عَلَيْهَا فَقَالَ: يَا رَسُولَ اللَّهِ فَمَالِي؟ قَالَ: لاَ مَالَ لَكَ، إِنْ كُنْتَ صَادِقًا فَهُوَ بِمَا اسْتَحْلَلْتَ مِنْ فَرْجِهَا، وَإِنْ كُنْتَ كَاذِبًا فَذَلِكَ أَبْعَدُ لَكَ

[17382] Abū Bakr told us, he said: Ibn ‘Uyaynah told us, from ‘Amr, from Sa‘īd ibn Jubayr, from Ibn ‘Umar, that the Prophet ﷺ separated the two who performed Li‘ān and said: “Your reckoning is with Allah; one of you is a liar. You have no way [of access] to her.” He said: “O Messenger of Allah, what about my wealth (dowry)?” He said: “There is no wealth for you. If you were truthful, it is [in exchange] for what you made lawful of her private part. And if you were lying, then that is even further from you.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ دَاوُدَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، أَنَّهُ فَرَّقَ بَيْنَ الْمُتَلاَعِنَيْنِ قَالَ: فَعُلِّقَ بِهَا، فَقُلْتُ لَهُ: لاَ مَالَ لَكَ قَالَ: فَانْطَلَقَ إِلَى أَبِي بُرْدَةَ فَقَالَ: يَذْهَبُ مَالِي وَامْرَأَتِي جَمِيعًا؟ قَالَ: لاَ، قَالَ: إِنَّ الَّذِي أَمَرْتَهُ أَنْ يُلاَعِنَ بَيْنَنَا قَالَ: لاَ شَيْءَ لَكَ، قَالَ: وَفَعَلَ ذَلِكَ؟ قَالَ: نَعَمْ، قَالَ: فَجِئْتُ قَالَ: فَقَالَ أَبُو بُرْدَةَ: مَا يَقُولُ هَذَا؟ قُلْتُ: وَمَا يَقُولُ؟ قَالَ: يَقُولُ: ذَهَبَتِ امْرَأَتُهُ وَمَالُهُ، قَالَ: قُلْتُ: مَا يَحْمِلُ الْفُسَّاقَ عَلَى أَنْ يَزْنُوا؟ يَتَزَوَّجُ الْمَرْأَةَ، ثُمَّ يَقْذِفُهَا، ثُمَّ يُلاَعِنُهَا وَيَأْخُذُ مَالَهُ؟ قَالَ: فَكَتَبَ بِهِ إِلَى الْحَجَّاجِ، قَالَ: فَقَالَ: صَدَقَ، ثُمَّ إِنَّ رَجُلاً أَتَانِي قَالَ: فَظَنَنْتُ أَنَّ الْحَجَّاجَ أَمَرَهُ فَقَالَ: الَّذِي قُلْتُ أَشَيْءٌ قُلْتَهُ بِرَأْيِكَ أَوْ شَيْءٌ بَلَغَكَ؟ قَالَ: قُلْتُ: قَضَى بِهِ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِي أُخْتِ بَنِي عَجْلاَنَ

[17383] ‘Abd al-A‘lā told us, from Dāwūd, from Sa‘īd ibn Jubayr, that he separated between two who performed Li‘ān. He said: He was attached to her (wanted her or the dowry), so I said to him: “You have no wealth.” He said: So he went to Abū Burdah and said: “Does my wealth and my wife both go?” He said: “No.” He said: “The one whom you ordered to oversee the Li‘ān between us said: ‘You have nothing.’” He said: “Did he do that?” He said: “Yes.” He said: So I came. He said: So Abū Burdah said: “What is this one saying?” I said: “What does he say?” He said: “He says his wife and his wealth are gone.” He said: I said: “What drives the sinners to commit adultery? He marries the woman, then accuses her, then performs Li‘ān with her, and takes [back] his wealth?” He said: So he wrote about it to Al-Ḥajjāj. He said: So he (Al-Ḥajjāj) said: “He spoke the truth.” Then a man came to me - he said: I thought Al-Ḥajjāj had ordered him - and said: “What you said, is it something you said from your own opinion or

[17384] Abū Bakr told us, he said: ‘Īsā ibn Yūnus told us, from Al-Awzā‘ī, from Yaḥyā ibn Abī Kathīr, that ‘Alī gave a verdict regarding a woman who married a man on the condition that the dowry was upon her, and that divorce and intercourse were in her hand. ‘Alī said: “You have opposed the Sunnah, and you have entrusted the matter to other than its people. The dowry is upon you, and intercourse and divorce are in your hand; that is the Sunnah.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عِيسَى بْنُ يُونُسَ، عَنِ الأَوْزَاعِيِّ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، أَنَّ عَلِيًّا، أَفْتَى فِي امْرَأَةٍ تَزَوَّجَتْ رَجُلاً عَلَى أَنَّ عَلَيْهَا الصَّدَاقَ، وَبِيَدِهَا الْفُرْقَةُ وَالْجِمَاعُ فَقَالَ عَلِيٌّ: خَالَفْتَ السُّنَّةَ، وَوَلَّيْتَ الأَمْرَ غَيْرَ أَهْلِهِ، عَلَيْكَ الصَّدَاقُ، وَبِيَدِكَ الْجِمَاعُ وَالْفُرْقَةُ، وَذَلِكَ السُّنَّةُ

[17385] Ghundar told us, from Ash‘ath, from Al-Ḥasan, who said: “It is not for women to give dowry to men.”

حَدَّثَنَا غُنْدَرٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: لَيْسَ لِلنِّسَاءِ أَنْ يُصْدِقْنَ الرِّجَالَ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ نُمَيْرٍ، عَنْ حَمَّادِ بْنِ أَبِي الدَّرْدَاءِ، قَالَ: سَأَلْتُ الشَّعْبِيَّ عَنْ رَجُلٍ زَوَّجَ أُخْتًا لَهُ بِوَاسِطٍ فَكَرِهَتْ، قَالَ: هِيَ أَحَقُّ بِنَفْسِهَا قُلْتُ: إِنَّهُ أَخُوهَا لِأَبِيهَا وَأُمِّهَا قَالَ: هِيَ أَحَقُّ بِنَفْسِهَا مِنْ أَبِيهَا إِذَا كَرِهَتْ

[17386] Abū Bakr told us, he said: Ibn Numayr told us, from Ḥammād ibn Abī al-Dardā', who said: I asked Al-Sha'bī about a man who married off a sister of his in Wāsiṭ, and she disliked it. He said: "She has more right to herself." I said: "He is her full brother." He said: "She has more right to herself than her father [would have over her] if she disliked it."

حَدَّثَنَا غُنْدَرٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، فِي رَجُلٍ زَوَّجَ أُخْتَهُ وَأَبُوهَا غَائِبٌ، قَالَ: الْأَمْرُ إِلَى أَبِيهَا

[17387] Ghundar told us, from Ash'ath, from Al-Ḥasan, regarding a man who married off his sister while her father was absent. He said: "The matter belongs to her father."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو مُعَاوِيَةَ، عَنْ عَاصِمٍ، عَنْ بَكْرٍ، عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ، قَالَ: خَطَبْتُ امْرَأَةً، فَقَالَ لِيَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: هَلْ نَظَرْتَ إِلَيْهَا؟ قُلْتُ: لاَ، قَالَ: فَانْظُرْ إِلَيْهَا، فَإِنَّهُ أَحْرَى أَنْ يُؤْدَمَ بَيْنَكُمَا

[17388] Abū Bakr told us, he said: Abū Mu'āwiyah told us, from 'Āṣim, from Bakr, from Al-Mughīrah ibn Shu'bah, who said: I proposed to a woman, so the Prophet ﷺ said to me: "Did you look at her?" I said: "No." He said: "Look at her, for it is more likely to create affection between you."

حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ، قَالَ: نَا عَبْدُ الْوَاحِدِ، أَنَّ زِيَادًا، قَالَ: نَا مُحَمَّدُ بْنُ إِسْحَاقَ، عَنْ دَاوُدَ بْنِ الْحُصَيْنِ، عَنْ وَاقِدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ سَعْدِ بْنِ مُعَاذٍ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِذَا خَطَبَ أَحَدُكُمُ امْرَأَةً، فَإِنِ اسْتَطَاعَ أَنْ يَنْظُرَ مِنْهَا إِلَى مَا يَدْعُوهُ إِلَى نِكَاحِهَا فَلْيَفْعَلْ، فَخَطَبْتُ جَارِيَةً مِنْ بَنِي سَلِمَةَ فَكُنْتُ أَتَخَبَّأُ تَحْتَ الْكَرَبِ حَتَّى نَظَرْتُ مِنْهَا إِلَى مَا يَدْعُونِي إِلَى نِكَاحِهَا فَتَزَوَّجْتُهَا

[17389] Yūnus ibn Muḥammad told us, he said: ‘Abd al-Wāḥid told us, that Ziyād said: Muḥammad ibn Isḥāq told us, from Dāwūd ibn al-Ḥuṣayn, from Wāqid ibn ‘Abd al-Raḥmān ibn Sa‘d ibn Mu‘ādh, from Jābir ibn ‘Abd Allāh, who said: The Messenger of Allah ﷺ said: “If one of you proposes to a woman, if he is able to look at what invites him to marry her, let him do so.” So I proposed to a girl from Banū Salimah, and I used to hide under the palm branches until I saw from her what invited me to marry her, so I married her.

حَدَّثَنَا حَفْصٌ، عَنْ حَجَّاجٍ، عَنْ مُحَمَّدِ بْنِ سُلَيْمَانَ، عَنْ عَمِّهِ سَهْلِ بْنِ أَبِي حَثْمَةَ، عَنْ مُحَمَّدِ بْنِ مَسْلَمَةَ، قَالَ: خَطَبْتُ امْرَأَةً فَجَعَلْتُ أَتَخَبَّأُ لَهَا حَتَّى نَظَرْتُ إِلَيْهَا فِي نَخْلٍ لَهَا فَقِيلَ: أَتَفْعَلُ هَذَا وَأَنْتَ صَاحِبُ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ؟ قَالَ: فَقُلْتُ: سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: إِذَا أَلْقَى اللَّهُ فِي قَلْبِ امْرِئٍ مِنْكُمْ خِطْبَةَ امْرَأَةٍ، فَلاَ بَأْسَ أَنْ يَنْظُرَ إِلَيْهَا

[17390] Ḥafṣ told us, from Ḥajjāj, from Muḥammad ibn Sulaymān, from his uncle Sahl ibn Abī Ḥathmah, from Muḥammad ibn Maslamah, who said: I proposed to a woman, so I began to hide for her until I looked at her in a date-palm grove of hers. It was said: “Do you do this while you are a Companion of the Messenger of Allah ﷺ?” He said: So I said: I heard the Messenger of Allah ﷺ say: “If Allah casts the proposal of a woman into the heart of a man among you, there is no harm in him looking at her.”

حَدَّثَنَا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ طَاوُسٍ، قَالَ: أَرَدْتُ أَنْ أَتَزَوَّجَ امْرَأَةً فَقَالَ لِي أَبِي: اذْهَبْ فَانْظُرْ إِلَيْهَا قَالَ: فَلَبِسْتُ وَتَهَيَّأْتُ، فَلَمَّا رَآنِي قَالَ: لاَ تَذْهَبْ

[17391] ‘Abd al-Razzāq told us, from Ma‘mar, from Ṭāwūs, who said: I wanted to marry a woman, so my father said to me: “Go and look at her.” He said: So I dressed up and prepared myself. When he saw me, he said: “Do not go.”

حَدَّثَنَا وَكِيعٌ، عَنْ رَبِيعٍ، عَنِ الْحَسَنِ، قَالَ: لاَ بَأْسَ أَنْ يَنْظُرَ إِلَيْهَا قَبْلَ أَنْ يَتَزَوَّجَهَا

[17392] Wakī‘ told us, from Rabī‘, from Al-Ḥasan, who said: “There is no harm in him looking at her before he marries her.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ رَبِيعَةَ، عَنِ الزُّهْرِيِّ فِي الرَّجُلِ يَتَزَوَّجُ الْمَرْأَةَ قَالَ: "لاَ بَأْسَ أَنْ يَنْظُرَ إِلَيْهَا قَبْلَ أَنْ يَتَزَوَّجَهَا لأَنَّ اللَّهَ عَزَّ وَجَلَّ يَقُولُ: {وَلَوْ أَعْجَبَكَ حُسْنُهُنَّ} [الأحزاب: 52]

[17393] Abū Dāwūd told us, from Rabī‘ah, from Al-Zuhrī, regarding a man who marries a woman. He said: “There is no harm in him looking at her before he marries her, because Allah Almighty and Majestic says: {Even if their beauty pleases you} [Al-Ahzab: 52].”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ حَجَّاجٍ، عَنْ مُحَمَّدِ بْنِ سُلَيْمَانَ بْنِ أَبِي حَثْمَةَ، عَنْ عَمِّهِ سَهْلِ بْنِ أَبِي حَثْمَةَ، قَالَ: رَأَيْتُ مُحَمَّدَ بْنَ مَسْلَمَةَ يُطَارِدُ ثُبَيْتَةَ بِنْتَ الضَّحَّاكِ وَهِيَ عَلَى إِنْجَارٍ مِنْ أَنَاجِيرِ الْمَدِينَةِ بِبَصَرِهِ فَقُلْتُ: أَتَفْعَلُ هَذَا؟ قَالَ: نَعَمْ، سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: إِذَا أَلْقَى اللَّهُ فِي قَلْبِ امْرِئٍ خِطْبَةَ امْرَأَةٍ، فَلاَ بَأْسَ أَنْ يَنْظُرَ إِلَيْهَا

[17394] Abū Mu‘āwiyah told us, from Ḥajjāj, from Muḥammad ibn Sulaymān ibn Abī Ḥathmah, from his uncle Sahl ibn Abī Ḥathmah, who said: I saw Muḥammad ibn Maslamah chasing Thubaytah bint al-Ḍaḥḥāk with his gaze while she was on a roof of the roofs of Medina. I said: “Do you do this?” He said: “Yes, I heard the Messenger of Allah ﷺ say: ‘If Allah casts the proposal of a woman into the heart of a man, there is no harm in him looking at her.’”

[17395] Abū Bakr told us, he said: Abū Usāmah told us, from Ibn ‘Awn, from Muḥammad, who said: I asked ‘Ubaydah about His saying: {Concerning the orphan women whom you do not give what is decreed for them - and you desire to marry them} [An-Nisa: 127]. He said: “[It means] You desire them [to marry them because of their wealth/beauty].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو أُسَامَةَ، عَنِ ابْنِ عَوْنٍ، عَنْ مُحَمَّدٍ، قَالَ: سَأَلْتُ عُبَيْدَةَ عَنْ قَوْلِهِ: {فِي يَتَامَى النِّسَاءِ اللاَّتِي لاَ تُؤْتُونَهُنَّ مَا كُتِبَ لَهُنَّ وَتَرْغَبُونَ أَنْ تَنْكِحُوهُنَّ} [النساء: 127] قَالَ: تَرْغَبُونَ فِيهِنَّ

[17396] Abū Usāmah told us, from Ibn ‘Awn, from Al-Ḥasan, who said regarding this [verse]: “[It means] You desire away from them (you do not want to marry them).”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنِ ابْنِ عَوْنٍ، عَنِ الْحَسَنِ، قَالَ: قَالَ فِي هَذِهِ: تَرْغَبُونَ عَنْهُنَّ

[17397] ‘Abdah told us, from Hishām, from his father, from ‘Ā’ishah, regarding His saying: {And what is recited to you in the Book concerning the orphan women whom you do not give what is decreed for them - and you desire to marry them} [An-Nisa: 127]. She said: “It was revealed regarding the orphan girl who is with a man (under his care) and shares his wealth. He desires not to marry her, and he dislikes for someone else to marry her lest he share in his wealth with her. So he leaves her in suspense, neither marrying her nor marrying her off to another.”

حَدَّثَنَا عَبْدَةُ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، فِي قَوْلِهِ: {وَمَا يُتْلَى عَلَيْكُمْ فِي الْكِتَابِ فِي يَتَامَى النِّسَاءِ اللاَّتِي لاَ تُؤْتُونَهُنَّ مَا كُتِبَ لَهُنَّ وَتَرْغَبُونَ أَنْ تَنْكِحُوهُنَّ} [النساء: 127] قَالَتْ: أُنْزِلَتْ فِي الْيَتِيمَةِ تَكُونُ عِنْدَ الرَّجُلِ فَتُشْرِكُهُ فِي مَالِهِ، فَيَرْغَبُ عَنْ أَنْ يَتَزَوَّجَهَا، وَيَكْرَهُ أَنْ يَتَزَوَّجَهَا غَيْرُهُ، فَتُشْرِكُهُ فِي مَالِهِ، فَيُعَطِّلَهَا فَلاَ يَتَزَوَّجُهَا، وَلاَ يُزَوِّجُهَا غَيْرَهُ

[17398] We were told from ‘Umar, who said: “Whoever has a girl (blessing) in his care who has a defect, let him keep her close to himself (take care of her); and if she is desired (marriageable), let him marry her to someone else.”

حَدَّثَنَا حُدِّثْنَا عَنْ عُمَرَ، قَالَ: مَنْ كَانَتْ عِنْدَهُ فِي حِجْرِهِ بَرَكَةٌ بِهَا عَوَارٌ، فَلْيَضُمَّهَا إِلَيْهِ، وَإِنْ كَانَتْ مُرَغَّبَةً بِهِ، فَلْيُزَوِّجْهَا غَيْرَهُ

حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي سَلَمَةَ، {وَتَرْغَبُونَ أَنْ تَنْكِحُوهُنَّ} [النساء: 127] قَالَ: الْمَرْأَةُ يَكُونُ بِهَا عَرَجٌ أَوْ عَوَارٌ، فَلاَ تُنْكِحُوهَا حَتَّى تَرِثُوهَا

[17399] ‘Ubayd Allāh ibn Isrā’īl told us, from Abū Isḥāq, from Abū Salamah, regarding {and you desire to marry them} [An-Nisa: 127], he said: “[It refers to] The woman who has a limp or a defect, so they do not marry her off [but keep her] until they inherit from her.”

حَدَّثَنَا مُعَاوِيَةُ بْنُ هِشَامٍ، عَنْ عَمَّارٍ، عَنْ عَطَاءٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ {وَمَا يُتْلَى عَلَيْكُمْ فِي الْكِتَابِ فِي يَتَامَى النِّسَاءِ} [النساء: 127] قَالَ: مَا يُتْلَى عَلَيْكُمْ فِي أَوَّلِ السُّورَةِ مِنَ الْمَوَارِيثِ، وَكَانُوا لاَ يُوَرِّثُونَ امْرَأَةً، وَلاَ صَبِيًّا حَتَّى يَحْتَلِمَ

[17400] Mu‘āwiyah ibn Hishām told us, from ‘Ammār, from ‘Aṭā’, from Sa‘īd ibn Jubayr regarding {And what is recited to you in the Book concerning the orphan women} [An-Nisa: 127], he said: “[It refers to] What is recited to you in the beginning of the Surah regarding inheritance. They used to not let a woman inherit, nor a boy until he reached puberty.”

حَدَّثَنَا عُبَيْدُ اللَّهِ عَنْ إِسْرَائِيلَ، عَنِ السُّدِّيِّ، عَنْ أَبِي مَالِكٍ، فِي قَوْلِ اللَّهِ: {وَمَا يُتْلَى عَلَيْكُمْ فِي الْكِتَابِ فِي يَتَامَى النِّسَاءِ اللاَّتِي لاَ تُؤْتُونَهُنَّ مَا كُتِبَ لَهُنَّ وَتَرْغَبُونَ فَقَالَ: كَانَتْ الْمَرْأَةُ إِذَا [127 :أَنْ تَنْكِحُوهُنَّ} [النساء كَانَتْ عِنْدَ وَلِيٍّ رَغِبَ عَنْ حَسَبِهَا أَوْ حُسْنِهَا، شَكَّ أَبُو بَكْرٍ، ثُمَّ تَزَوَّجَهَا، وَلَمْ يَتْرُكْ أَحَدًا يَتَزَوَّجُهَا {وَالْمُسْتَضْعَفِينَ مِنَ الْوِلْدَانِ وَأَنْ تَقُومُوا لِلْيَتَامَى قَالَ: كَانُوا لاَ يُوَرِّثُونَ إِلاَّ [127 :بِالْقِسْطِ} [النساء الأَكْبَرَ فَالأَكْبَرَ

[17401] ‘Ubayd Allāh told us, from Isrā’īl, from Al-Suddī, from Abū Mālik, regarding the saying of Allah: {And what is recited to you in the Book concerning the orphan women whom you do not give what is decreed for them - and you desire to marry them} [An-Nisa: 127]. He said: “The woman, if she was with a guardian who did not desire her lineage or her beauty (Abu Bakr doubted [the exact word]), he would detain her and would not let anyone marry her.” {And the oppressed among children} [An-Nisa: 127] - He said: “They used to not give inheritance except to the eldest and then the next eldest.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ حَجَّاجٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، أَنَّهُ كَرِهَ ذَبَائِحَهُمْ، وَنِسَاءَهُمْ، يَعْنِي الصَّابِئِينَ

[17402] Abū Bakr narrated to us, saying: Abū Khālid al-Aḥmar narrated to us, from Ḥajjāj, from Qatādah, from Al-Ḥasan, that he disliked their slaughtered animals and their women, referring to the Sabians.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ إِسْمَاعِيلَ، عَنْ أَبِي مَالِكٍ، {فَانْكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ} قَالَ: {مَا حَلَّ لَكُمْ مِنَ النِّسَاءِ، قَالَ: {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا}.

[17403] Abū Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from Ismā‘īl, from Abū Mālik, regarding {Then marry those that please you of women} [An-Nisa: 3], he said: “What is lawful for you of women.” He said regarding {That is more likely that you will not oppress}: .

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، {وَإِنْ خِفْتُمْ أَلاَّ تُقْسِطُوا فِي الْيَتَامَى فَانْكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ} تَقُولُ: مَا أَحْلَلْتُ لَكُمْ

[17404] Abū Usāmah narrated to us, from Hishām ibn ‘Urwah, from his father, from ‘Ā’ishah, regarding {And if you fear that you will not deal justly with the orphan girls, then marry those that please you of women} [An-Nisa: 3], she says: “What I have made lawful for you.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ سِمَاكٍ، عَنْ عِكْرِمَةَ، {وَإِنْ خِفْتُمْ أَلاَّ تُقْسِطُوا فِي الْيَتَامَى} قَالَ: "كَانَ الرَّجُلُ مِنْ قُرَيْشٍ يَكُونُ عِنْدَهُ النِّسْوَةُ، وَيَكُونُ عِنْدَهُ الأَيْتَامُ فَيَذْهَبُ مَالُهُ، فَيَمِيلُ عَلَى الأَيْتَامِ فَنَزَلَتْ هَذِهِ الآيَةُ: {فَانْكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ}

[17405] Ghundar narrated to us, from Shu‘bah, from Simāk, from ‘Ikrimah, regarding {And if you fear that you will not deal justly with the orphan girls}, he said: “A man from Quraysh would have wives and orphans. His wealth would run out, so he would turn to the orphans (to use their wealth), so this verse was revealed: {Then marry those that please you of women}.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ مُطَرِّفٍ، عَنْ عَامِرٍ، قَالَ: قَوْلُهُ {وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ مِنْ قَبْلِكُمْ} قَالَ: إِحْصَانُ الْيَهُودِيَّةِ، وَالنَّصْرَانِيَّةِ أَنْ تَغْتَسِلَ مِنَ الْجَنَابَةِ، وَأَنْ تُحْصِنَ فَرْجَهَا

[17406] Abū Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from Muṭarrif, from ‘Āmir, regarding His saying {And [lawful in marriage are] chaste women from among those who were given the Scripture before you} [Al-Ma'idah: 5], he said: “The chastity (Iḥṣān) of the Jewish or Christian woman is that she bathes after major impurity (Janābah) and guards her private parts.”

حَدَّثَـنَا ابْـنُ إِدْرِيـسَ، عَـنْ لَـيْثٍ، عَـنْ مُـجَاهِـدٍ " {وَالْـمُحْصَنَاتُ مِـنَ الَّذِيـنَ أُوتُـوا الْـكِتَابَ مِـنْ قَـبْلِكُمْ} الْعَفَائِفُ

[17407] Ibn Idrīs narrated to us, from Layth, from Mujāhid: "{And [lawful in marriage are] chaste women from among those who were given the Scripture before you} means the chaste ones (Al-

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ إِدْرِيسَ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ {وَالْمُحْصَنَاتُ مِنَ الَّذِينَ أُوتُوا الْكِتَابَ} قَالَ: {عَلِمَ اللَّهُ أَنَّكُمْ سَتَذْكُرُونَهُنَّ} قَالَ: ذِكْرُهُ إِيَّاهَا فِي نَفْسِهِ

[17408] Abū Bakr narrated to us, saying: Ibn Idrīs narrated to us, from Layth, from Mujāhid, regarding {And [lawful in marriage are] chaste women from among those who were given the Scripture} and {Allah knows that you will mention them} [Al-Baqarah: 235], he said: "His mentioning her within himself."

حَدَّثَنَا وَكِيعٌ، عَنْ يَزِيدَ، عَنِ الْحَسَنِ، {عَلِمَ اللَّهُ أَنَّكُمْ سَتَذْكُرُونَهُنَّ}، قَالَ: فِي الْخِطْبَةِ

[17409] Wakī‘ narrated to us, from Yazīd, from Al-Ḥasan, regarding {Allah knows that you will mention them}, he said: "In the proposal."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ إِسْمَاعِيلَ بْنِ نَافِعٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، قَالَ: سَمِعْتُهُ يَقُولُ: قَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مَنْ نَكَحَ امْرَأَةً وَهُوَ يُرِيدُ أَنْ يَذْهَبَ بِمَهْرِهَا، فَهُوَ عِنْدَ اللَّهِ زَانٍ يَوْمَ الْقِيَامَةِ

[17410] Abū Bakr narrated to us, saying: Abū Khālid al-Aḥmar narrated to us, from Ismā‘īl ibn Nāfi‘, from Zayd ibn Aslam, who said: I heard him say: The Prophet ﷺ said: “Whoever marries a woman while intending to take away her dowry, he is a fornicator in the sight of Allah on the Day of Resurrection.”

حَدَّثَنَا وَكِيعٌ، عَنْ مَالِكِ بْنِ مِغْوَلٍ، عَنْ أُمِّ هَمْدَانَ، عَنْ عَمَّتِهَا، عَنْ عَائِشَةَ، وَأُمِّ سَلَمَةَ، قَالَتَا: لَيْسَ شَيْءٌ أَشَدَّ مِنْ مَهْرِ امْرَأَةٍ أَوْ أَجْرِ أَجِيرٍ

[17411] Wakī‘ narrated to us, from Mālik ibn Mighwal, from Umm Hamdān, from her aunt, from ‘Ā’ishah and Umm Salamah, who both said: “There is nothing more severe than (withholding) a woman's dowry or a hired worker's wage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَشْعَثَ، عَنِ الْحَكَمِ، قَالَ: لاَ بَأْسَ أَنْ يَتَزَوَّجَ عَلَى مَا بَقِيَ مِنْ مُكَاتَبَتِهَا

[17412] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Ash‘ath, from Al-Ḥakam, who said: “There is no harm in marrying (a female slave under a contract of manumission) in exchange for the remainder of her contract.”

[17413] Abū Bakr narrated to us, saying: Isḥāq ibn Manṣūr narrated to us, from Huraym ibn Sufyān, from Al-Sha‘bī, from Ibn ‘Abbās, regarding {That is more likely that you will not oppress (ta‘ūlū)}, he said: “Deviate (tamīlū).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْحَاقُ بْنُ مَنْصُورٍ، عَنْ هُرَيْمِ بْنِ سُفْيَانَ، عَنِ الشَّعْبِيِّ، عَنِ ابْنِ عَبَّاسٍ، {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا} قَالَ: تَمِيلُوا

[17414] Jarīr narrated to us, from Mufaḍḍal ibn Muhalhil, from Mughīrah, from Abū Razīn, regarding {That is more likely that you will not oppress}, he said: “Deviate.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُفَضَّلِ بْنِ مُهَلْهِلٍ، عَنْ مُغِيرَةَ، عَنْ أَبِي رَزِينٍ، {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا} قَالَ: تَمِيلُوا

[17415] Muḥammad ibn Fuḍayl narrated to us, from Yūnus, from Mujāhid, regarding {That is more likely that you will not oppress}, he said: “Deviate.”

حَدَّثَنَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ يُونُسَ، عَنْ مُجَاهِدٍ، {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا} قَالَ: تَمِيلُوا

[17416] Ibn Mahdī narrated to us, from Qurrah, from Al-Ḥasan, regarding {That is more likely that you will not oppress}, he said: “Deviate.”

حَدَّثَنَا ابْنُ مَهْدِيٍّ، عَنْ قُرَّةَ، عَنِ الْحَسَنِ، {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا} قَالَ: تَمِيلُوا

[17417] Ghannām ibn ‘Alī and Muḥammad ibn Fuḍayl narrated to us, from Ismā‘īl, from Abū Mālik, regarding {That is more likely that you will not oppress}, he said: “Deviate.”

حَدَّثَنَا غَنَّامُ بْنُ عَلِيٍّ، وَمُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ إِسْمَاعِيلَ، عَنْ أَبِي مَالِكٍ، {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا} قَالَ: تَمِيلُوا

[17418] ‘Abd Allāh ibn Numayr narrated to us, from Jarīr, from Al-Ḍaḥḥāk, regarding {That is more likely that you will not oppress}, he said: “Deviate.”

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ جَرِيرٍ، عَنِ الضَّحَّاكِ، {ذَلِكَ أَدْنَى أَلاَّ تَعُولُوا} قَالَ: تَمِيلُوا

[17419] Abū Bakr narrated to us, saying: Hushaym ibn Bashīr narrated to us, from Al-Shaybānī, from Al-Sha‘bī, and from Yūnus, from Al-Ḥasan, who both said: “Marriage, buying, and selling by a sick person are valid.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمُ بْنُ بَشِيرٍ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، وَعَنْ يُونُسَ، عَنِ الْحَسَنِ، قَالاَ: يَجُوزُ تَزْوِيجُ الْمَرِيضِ، وَبَيْعُهُ، وَشِرَاؤُهُ

[17420] Wakī‘ narrated to us, from Sufyān, from Manṣūr, from Ibrāhīm, regarding a sick person marrying, he said: “It is valid, other than the three.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ فِي الْمَرِيضِ هُوَ يَتَزَوَّجُ؟ قَالَ: هُوَ جَائِزٌ مِنْ غَيْرِ الثَّلاَثِ

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، قَالَ: قَالَ: أَرَادَ عَبْدُ الرَّحْمَنِ بْنُ أُمِّ الْحَكَمِ، أَنْ يَشْتَرِيَ ثُمُنَهُ مِنْ بِنْتِ جَرِيرٍ وَهُوَ مَرِيضٌ، فَأَبَتْ فَتَزَوَّجَ عَلَيْهَا ثَلاَثًا، وَهُوَ مَرِيضٌ فَجَازَ

[17421] Ghundar narrated to us, from Shu‘bah, from Al-Ḥakam, who said: ‘Abd al-Raḥmān ibn Umm al-Ḥakam wanted to buy his eighth (share of inheritance) from the daughter of Jarīr while he was sick, but she refused. So he married three women over her while he was sick, and it was valid.

حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ، قَالَ: إِنَّ مُعَاوِيَةَ أَجَازَهُ

[17422] Abū Dāwūd al-Ṭayālisī narrated to us, from Ḥammād ibn Salamah, from Dāwūd, from Al-Sha‘bī, who said: “Mu‘āwiyah permitted it.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ الْبَاهِلِيِّ، قَالَ: سَأَلْتُ عَطَاءً عَنْ رَجُلٍ يَتَزَوَّجُ وَهُوَ مَرِيضٌ أَيَجُوزُ ذَلِكَ؟ فَقَالَ: إِنَّ النَّاسَ يَقُولُونَ إِنَّهُ يَجُوزُ

[17423] Abū Dāwūd narrated to us, from ‘Abd Allāh ibn Yazīd al-Bāhilī, who said: I asked ‘Aṭā’ about a man who marries while he is sick, is that valid? He said: “People say that it is valid.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ فِي رَجُلٍ يَتَزَوَّجُ وَهُوَ مَرِيضٌ قَالَ: إِنْ كَانَ مُضَارًّا لَمْ يَجُزْ، وَإِنْ كَانَ إِنَّمَا تَزَوَّجَهَا لِتَقُومَ عَلَيْهِ فَهُوَ جَائِزٌ

[17424] Abū Dāwūd narrated to us, from Ḥammād ibn Salamah, from Qatādah, from Al-Ḥasan, regarding a man who marries while he is sick, he said: “If it is intended to cause harm, it is not valid; but if he married her so she could care for him, then it is valid.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ عَبْدِ الْخَالِقِ، عَنْ حَمَّادٍ فِي رَجُلٍ يَتَزَوَّجُ فِي مَرَضِهِ، قَالَ: هُوَ مِنْ ثَلاَثَةٍ

[17425] Ghundar narrated to us, from Shu‘bah, from ‘Abd al-Khāliq, from Ḥammād, regarding a man who marries during his sickness, he said: “It is from the third (of his estate).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو عَاصِمٍ، عَنِ ابْنِ جُرَيْجٍ، قَالَ: سَأَلْتُ عَطَاءً، عَنِ الْمَرِيضِ يَتَزَوَّجُ؟ قَالَ: مَا أَرَاهُ إِلاَّ حَدَثًا

[17426] Abū Bakr narrated to us, saying: Abū ‘Āṣim narrated to us, from Ibn Jurayj, who said: I asked ‘Aṭā’ about the sick person marrying. He said: “I see it as nothing but an event (implying death or innovation).”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، فِي الرَّجُلِ يَتَزَوَّجُ فِي مَرَضٍ، قَالَ: لاَ يَجُوزُ

[17427] ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, regarding a man who marries during sickness, he said: “It is not valid.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ خَلِيفَةَ بْنِ غَالِبٍ، قَالَ: سَأَلْتُ عَنْهُ فَقَالَ: هُوَ جَائِزٌ وَتَرِثُهُ، وَتَأْخُذُ صَدَاقَهَا

[17428] Abū Dāwūd narrated to us, from Khalīfah ibn Ghālib, who said: I asked about it, and he said: “It is valid, she inherits from him, and she takes her dowry.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنْ خَلِيفَةَ بْنِ غَالِبٍ، عَنْ نَافِعِ بْنِ أَبِي رَبِيعَةَ تَزَوَّجَ وَهُوَ مَرِيضٌ أَرَادَ أَنْ تَرِثَهُ، وَكَانَ بَيْنَهُ وَبَيْنَهَا قَرَابَةٌ

[17429] Abū Dāwūd narrated to us, from Khalīfah ibn Ghālib, from Nāfi‘ ibn Abī Rabī‘ah: He married while he was sick, wanting her to inherit from him, and there was kinship between them.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُفْيَانَ، عَنِ الأَعْمَشِ، عَنْ مُسْلِمٍ، عَنْ مَسْرُوقٍ، قَالَ: كَانَتِ الْمَرْأَةُ إِذَا ذَهَبَتْ إِلَى الْمُشْرِكِينَ أَعْطَوْا زَوْجَهَا مِثْلَ مَهْرِهَا، وَإِذَا ذَهَبَتْ إِلَى قَوْمٍ لَيْسَ بَيْنَهَا وَبَيْنَهُمْ عَهْدٌ مِنَ الْمُشْرِكِينَ فَعَاقَبْتُمْ، فَأَصَبْتُمْ غَنِيمَةً {فَآتُوا الَّذِينَ ذَهَبَتْ أَزْوَاجُهُمْ مِثْلَ مَا أَنْفَقُوا} يَقُولُ: آتُوا زَوْجَهَا مِنَ الْغَنِيمَةِ مِثْلَ مَهْرِهَا

[17430] Abū Bakr narrated to us, saying: Yaḥyā ibn Sa‘īd narrated to us, from Sufyān, from Al-A‘mash, from Muslim, from Masrūq, who said: If a woman went over to the polytheists, they would give her husband the equivalent of her dowry. And if she went to a people with whom there was no covenant among the polytheists, and you took turns (in battle) and acquired spoils, {then give those whose wives have gone the like of what they had spent} [Al-Mumtahanah: 11]. He says: “Give her husband from the spoils the equivalent of her dowry.”

[17431] Yaḥyā ibn Sa‘īd narrated to us, from Sufyān, from Khuṣayf, from Mujāhid, the same or similar to it.

حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُفْيَانَ، عَنْ خُصَيْفٍ، عَنْ مُجَاهِدٍ، مِثْلَهُ أَوْ نَحْوَهُ

[17432] Abū Bakr narrated to us, saying: Abū Mu‘āwiyah narrated to us, from Mukhtār ibn Masīḥ, from Qatādah, from ‘Urwah ibn al-Zubayr, who said: The Messenger of Allah ﷺ said: “Choose well for your sperm (offspring).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو مُعَاوِيَةَ، عَنْ مُخْتَارِ بْنِ مَسِيحٍ، عَنْ قَتَادَةَ، عَنْ عُرْوَةَ بْنِ الزُّبَيْرِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: تَخَيَّرُوا لِنُطَفِكُمْ

[17433] Yaḥyā ibn Sa‘īd narrated to us, from Sufyān, from Manṣūr, from Ibrāhīm, that ‘Alqamah used to, when he married, marry from the nearest of his household.

حَدَّثَنَا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، أَنَّ عَلْقَمَةَ، كَانَ إِذَا تَزَوَّجَ، تَزَوَّجَ إِلَى أَدْنَى بَيْتِهِ

[17434] Abū Mu‘āwiyah narrated to us, from Mūsā ibn ‘Ubaydah al-Rabadhī, from ‘Abd Allāh ibn Khirāsh, who said: I saw Abū Dharr in Al-Rabadhah, and he had a wife who was dark-skinned (Saḥmā’) or dark-complexioned. He was in a black tent. It was said to him: “O Abū Dharr, if only you had taken a wife of higher status than this.” He said: “By Allah, to take a wife who humbles me is dearer to me than to take a wife who elevates me.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ مُوسَى بْنِ عُبَيْدَةَ الرَّبَذِيِّ، عَنْ عَبْدِ اللَّهِ بْنِ خِرَاشٍ، قَالَ: رَأَيْتُ أَبَا ذَرٍّ بِالرَّبَذَةِ وَعِنْدَهُ امْرَأَةٌ لَهُ سَحْمَاءُ أَوْ سَحْنَاءُ، قَالَ: وَهُوَ فِي مِظَلَّةٍ لَهُ سَوْدَاءَ، قَالَ: فَقِيلَ لَهُ: يَا أَبَا ذَرٍّ، لَوِ اتَّخَذْتَ امْرَأَةً أَرْفَعَ مِنْ هَذِهِ، فَقَالَ: وَاللَّهِ لأَنْ أَتَّخِذَ امْرَأَةً تَضَعُنِي أَحَبُّ إِلَيَّ مِنْ أَنْ أَتَّخِذَ امْرَأَةً تَرْفَعُنِي

[17435] Marwān ibn Mu‘āwiyah narrated to us, from Ibn ‘Awn, from Muḥammad ibn Sīrīn, who said: ‘Umar ibn al-Khaṭṭāb said: “Nothing of the manners of Jahiliyyah remains (in me) except that I do not care which Muslim I marry or to whom I give in marriage.”

حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنِ ابْنِ عَوْنٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: مَا بَقِيَ مِنْ أَخْلاَقِ الْجَاهِلِيَّةِ شَيْءٌ إِلاَّ أَنِّي لَسْتُ أُبَالِي أَيَّ الْمُسْلِمِينَ نَكَحْتُ وَأَيَّهُمْ أَنْكَحْتُ

[17436] Marwān ibn Mu‘āwiyah narrated to us, from Al-A‘mash, from Ibrāhīm, who said: ‘Alqamah used to propose to those who were lower than him.

حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، قَالَ: كَانَ عَلْقَمَةُ يَخْطُبُ إِلَى مَنْ هُوَ أَسْفَلُ مِنْهُ

حَدَّثَنَا يَزِيدُ، قَالَ: نَا هُشَيْمٌ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، أَنَّ رَجُلاً تَزَوَّجَ ابْنَةَ عَبْدٍ خَيَّاطٍ فَوَلَدَتْ عِنْدَهُ غُلاَمًا، فَانْتَفَى مِنْهُ، فَقَالَ لَهُ شُرَيْحٌ: مَا الَّذِي دَلَّكَ عَلَى أَنْ تَزَوَّجَ بِنْتَ عَبْدٍ خَيَّاطٍ، وَأَنْتَ رَجُلٌ مِنَ الْعَرَبِ فِي شَرَفٍ مِنَ الْعَطَاءِ؟ وَمَا الَّذِي دَعَاكَ إِلَى أَنْ تَنْتَفِيَ مِنْهُ؟

[17437] Yazīd narrated to us, saying: Hushaym narrated to us, from Muḥammad ibn Sīrīn, that a man married the daughter of a tailor slave, and she bore him a boy, but he denied him. Shurayḥ said to him: “What led you to marry the daughter of a tailor slave when you are a man of the Arabs with an honorable stipend? And what led you to deny him?”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ اللَّهِ بْنُ مُبَارَكٍ، عَنْ إِسْمَاعِيلَ، مَوْلَى بَنِي مَخْزُومٍ، قَالَ: سَأَلْتُ عَطَاءً: امْرَأَةٌ قَالَتْ لِعَبْدِهَا: أُعْتِقُكَ عَلَى أَنْ تَزَوَّجَنِي فَقَالَ: لَوْ أَنَّهَا بَدَأَتْ بِعِتْقِهِ قَالَ: وَسَأَلْتُ عَبْدَ اللَّهِ بْنَ عُبَيْدِ بْنِ عُمَيْرٍ فَقَالَ: مِثْلَ قَوْلِ عَطَاءٍ قَالَ: فَسَأَلْتُ مُجَاهِدًا فَغَضِبَ وَقَالَ: فِي هَذِهِ عُقُوبَةٌ مِنَ اللَّهِ وَمِنَ السُّلْطَانِ

[17438] Abū Bakr narrated to us, saying: ‘Abd Allāh ibn Mubārak narrated to us, from Ismā‘īl, the freed slave of Banū Makhzūm, who said: I asked ‘Aṭā’ about a woman who said to her slave: “I will free you on the condition that you marry me.” He said: “If only she had started by freeing him.” He said: I asked ‘Abd Allāh ibn ‘Ubayd ibn ‘Umayr, and he said the same as ‘Aṭā’. He said: Then I asked Mujāhid, and he became angry and said: “In this case, there is a punishment from Allah and from the ruler.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْمَاعِيلَ بْنِ مُسْلِمٍ، عَنْ عَطَاءٍ، وَعَبْدِ اللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ، قَالَ: تُعْتِقُهُ، وَلاَ تُشَارِطُهُ وَقَالَ مُجَاهِدٌ: فِي هَذَا عُقُوبَةٌ مِنَ اللَّهِ وَمِنَ السُّلْطَانِ

[17439] Wakī‘ narrated to us, from Ismā‘īl ibn Muslim, from ‘Aṭā’ and ‘Abd Allāh ibn ‘Ubayd ibn ‘Umayr, who said: “She frees him and does not make conditions with him.” Mujāhid said: “In this case, there is a punishment from Allah and from the ruler.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ فِي قَوْلِهِ {وَأُحْضِرَتِ الأَنْفُسُ الشُّحَّ} قَالَ: فِي النَّفَقَةِ

[17440] Abū Bakr narrated to us, saying: Al-Ḍaḥḥāk ibn Makhlad narrated to us, from Ibn Jurayj, from ‘Aṭā’ regarding His saying {And present in [human] souls is stinginess} [An-Nisa: 128], he said: “In spending.”

حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ أَبِي بِشْرٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، قَالَ: يُصِيبُهَا مِنْ نَفْسِهِ، وَمِنْ مَالِهِ

[17441] Wakī‘ narrated to us, from Shu‘bah, from Abū Bishr, from Sa‘īd ibn Jubayr, who said: “He gives her of himself and his wealth.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ رَجُلٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، قَالَ: النَّفَقَةُ وَالأَيَّامُ

[17442] Wakī‘ narrated to us, from Sufyān, from a man, from Sa‘īd ibn Jubayr, who said: “Spending and (allotment of) days.”

[17443] Abū Bakr narrated to us, saying: Ibn Idrīs narrated to us, from Layth, from Mujāhid, regarding {or concealed within yourselves} [Al-Baqarah: 235], he said: “His mentioning it to himself.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ إِدْرِيسَ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ {أَوْ أَكْنَنْتُمْ فِي أَنْفُسِكُمْ} قَالَ: ذِكْرُهُ إِيَّاهُ فِي نَفْسِهِ

[17444] Wakī‘ narrated to us, from Sufyān, from Al-Ḥasan, regarding {or concealed within yourselves}, he said: “The proposal.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ الْحَسَنِ " {أَوْ أَكْنَنْتُمْ فِي أَنْفُسِكُمْ} الْخِطْبَةَ

[17445] Abū Bakr narrated to us, saying: ‘Abd al-Salām ibn Ḥarb narrated to us, from Mughīrah, from Al-Sha‘bī and Ḥammād, that they saw no harm in a woman in postpartum bleeding (Nufasā’) getting married until she becomes pure.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ السَّلاَمِ بْنُ حَرْبٍ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، وَحَمَّادٍ، أَنَّهُمَا كَانَا لاَ يَرَيَانِ بَأْسًا لِلنُّفَسَاءِ أَنْ تُزَوَّجَ حَتَّى تَطْهُرَ

[17446] Ghundar narrated to us, from Shu‘bah, from Mughīrah, from Al-Sha‘bī and Al-Musayyib ibn Rāfi‘, that they said regarding the woman in postpartum bleeding: “She is not to be married until the blood goes away.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ مُغِيرَةَ، عَنِ الشَّعْبِيِّ، وَالْمُسَيِّبِ بْنِ رَافِعٍ، أَنَّهُمَا قَالاَ فِي النُّفَسَاءِ: لاَ تُزَوَّجُ حَتَّى يَذْهَبَ الدَّمُ

[17447] Ghundar narrated to us, from Shu‘bah, from Al-Ḥakam and Ḥammād, who said regarding the woman in postpartum bleeding: “She may be married even if the blood has not gone away.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، وَحَمَّادٍ، قَالاَ فِي النُّفَسَاءِ: تُزَوَّجُ وَإِنْ لَمْ يَذْهَبِ الدَّمُ

[17448] Ghundar narrated to us, from Ash‘ath, from Al-Ḥasan, who said: “He used to dislike it, but if she married, the marriage is valid.”

حَدَّثَنَا غُنْدَرٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: كَانَ يَكْرَهُهُ، فَإِنْ تَزَوَّجَتْ فَالنِّكَاحُ جَائِزٌ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ الأَعْلَى، عَنْ جَلْدِ بْنِ أَيُّوبَ، عَنْ مُعَاوِيَةَ بْنِ قُرَّةَ، عَنْ عَائِذِ بْنِ عَمْرٍو، رَجُلٍ مِنْ أَصْحَابِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَكَانَ مِمَّنْ بَايَعَ تَحْتَ الشَّجَرَةِ، أَنَّ امْرَأَةً مِنْ نِسَائِهِ نَفِسَتْ فَرَأَتِ الطُّهْرَ لِعِشْرِينَ لَيْلَةً، فَاغْتَسَلَتْ، ثُمَّ جَاءَتْ فَدَخَلَتْ مَعَهُ فِي لِحَافِهِ فَقَالَ: مَنْ هَذِهِ؟ فَقَالَتْ: فُلاَنَةُ، فَقَالَ: أَوَ لَيْسَ قَدْ نَفِسْتِ؟ قَالَتْ: إِذًا قَدْ رَأَيْتُ الطُّهْرَ، قَالَ: فَضَرَبَهَا بِرِجْلِهِ حَتَّى أَخْرَجَهَا مِنَ اللِّحَافِ وَقَالَ: لاَ تَعْزِلِي عَنْ دِينِي حَتَّى يَمْضِيَ أَرْبَعُونَ يَوْمًا

[17449] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Jald ibn Ayyūb, from Mu‘āwiyah ibn Qurrah, from ‘Ā’idh ibn ‘Amr—a man from the companions of the Prophet ﷺ who was among those who pledged allegiance under the tree—that a woman of his wives experienced postpartum bleeding, then she saw purity after twenty nights. She bathed, then came and entered under his cover with him. He said: “Who is this?” She said: “So-and-so.” He said: “Did you not have postpartum bleeding?” She said: “Yes, but I have seen purity.” He said: He kicked her with his foot until he expelled her from the cover and said: “Do not deviate from my religion until forty days have passed.”

حَدَّثَنَا حَفْصٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، عَنْ عُثْمَانَ بْنِ أَبِي الْعَاصِ، أَنَّهُ قَالَ لِنِسَائِهِ: لاَ تُشْرِفْنَ لِي دُونَ أَرْبَعِينَ لَيْلَةً فِي النِّفَاسِ

[17450] Ḥafṣ narrated to us, from Ash‘ath, from Al-Ḥasan, from ‘Uthmān ibn Abī al-‘Āṣ, that he said to his wives: “Do not come near me before forty nights during postpartum bleeding (Nifas).”

[17451] Wakī‘ narrated to us, from Isrā’īl, from Jābir, from ‘Abd Allāh ibn Yasār, from ‘Umar, who said: “The woman in postpartum bleeding sits (waits) for forty days.”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عَبْدِ اللَّهِ بْنِ يَسَارٍ، عَنْ عُمَرَ، قَالَ: تَجْلِسُ النُّفَسَاءُ أَرْبَعِينَ يَوْمًا

[17452] Mu‘tamir ibn Sulaymān narrated to us, from his father, from Al-Ḥasan, who said: “Women wait forty days, then she bathes and prays.” Al-Sha‘bī said: “She waits two months, then she is like the woman with irregular bleeding (Mustaḥāḍah).”

حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ أَبِيهِ، عَنِ الْحَسَنِ، قَالَ: تَرَبَّصُ النِّسَاءُ أَرْبَعِينَ يَوْمًا، ثُمَّ تَغْتَسِلُ وَتُصَلِّي وَقَالَ الشَّعْبِيُّ: تَرَبَّصُ شَهْرَيْنِ، ثُمَّ هِيَ بِمَنْزِلَةِ الْمُسْتَحَاضَةِ

[17453] Asbāṭ ibn Muḥammad narrated to us, from Ash‘ath, from Al-Ḥasan, who said: “The woman in postpartum bleeding does not sit more than forty days.” Abū Bakr narrated to us: ‘Abd al-Wahhāb narrated to us, from ‘Aṭā’: “She sits according to her habit she is used to, and does not sit more than forty nights.”

حَدَّثَنَا أَسْبَاطُ بْنُ مُحَمَّدٍ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: لاَ تَجْلِسُ النُّفَسَاءُ أَكْثَرَ مِنْ أَرْبَعِينَ يَوْمًا حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ الْوَهَّابِ، عَنْ عَطَاءٍ: تَجْلِسُ عَادَتَهَا الَّتِي اعْتَادَتْ، وَلاَ تَجْلِسُ أَكْثَرَ مِنْ أَرْبَعِينَ لَيْلَةً

[17454] Wakī‘ narrated to us, from Abū ‘Awānah, from Abū Bishr, from Yūsuf ibn Māhik, from Ibn ‘Abbās, who said: “The woman in postpartum bleeding sits around forty days.”

حَدَّثَنَا وَكِيعٌ، عَنْ أَبِي عَوَانَةَ، عَنْ أَبِي بِشْرٍ، عَنْ يُوسُفَ بْنِ مَاهِكٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: تَجْلِسُ النُّفَسَاءُ نَحْوًا مِنْ أَرْبَعِينَ يَوْمًا

[17455] Abū Usāmah narrated to us, from Zuhayr, who said: ‘Alī ibn ‘Abd al-A‘lā narrated to us, from Abū Sahl, from Mussah, from Umm Salamah, who said: “The woman in postpartum bleeding used to sit during the time of the Messenger of Allah ﷺ for forty days, and we used to smear Wars (a yellow plant) on our faces for spots.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ زُهَيْرٍ، قَالَ: نَا عَلِيُّ بْنُ عَبْدِ الأَعْلَى، عَنْ أَبِي سَهْلٍ، عَنْ مُسَّةَ، عَنْ أُمِّ سَلَمَةَ، قَالَتْ: كَانَتْ النُّفَسَاءُ تَقْعُدُ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَرْبَعِينَ يَوْمًا، وَكُنَّا نُلَطِّخُ عَلَى وُجُوهِنَا الْوَرْسَ مِنَ الْكَلَفِ

[17456] Abū Bakr narrated to us, saying: Sufyān ibn ‘Uyaynah narrated to us, from ‘Ubayd Allāh ibn Abī Yazīd, that he asked Ibn ‘Abbās about a man who bought a slave girl while she was pregnant, may he have intercourse with her? He said: “No,” and recited: {And for those who are pregnant, their term is until they give birth} [At-Talaq: 4].

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ أَبِي يَزِيدَ أَنَّهُ سَأَلَ ابْنَ عَبَّاسٍ عَنْ رَجُلٍ اشْتَرَى جَارِيَةً وَهِيَ حَامِلٌ أَيَطَؤُهَا؟ قَالَ: لاَ، وَقَرَأَ: {وَأُولاَتُ الأَحْمَالِ أَجَلُهُنَّ أَنْ يَضَعْنَ حَمْلَهُنَّ}

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ، قَالَ: قُلْتُ لَهُ: إِنَّ أَبَا مُوسَى نَهَى حِينَ فَتَحَ تُسْتَرَ، لاَ تُوطَأُ الْحَبَالَى، وَلاَ تُشَارِكُ الْمُشْرِكِينَ فِي أَوْلاَدِهِمْ، فَإِنَّ الْمَاءَ يَزِيدُ فِي الْوَلَدِ، أَشَيْءٌ قَالَهُ بِرَأْيِهِ؟ أَوْ شَيْءٌ رَوَاهُ عَنِ النَّبِيِّ؟ فَقَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَوْمَ أَوْطَاسٍ أَنْ تُوطَأَ حَامِلٌ حَتَّى تَضَعَ، أَوْ حَائِلٌ حَتَّى تُسْتَبْرَأَ

[17457] Abū Khālid al-Aḥmar narrated to us, from Dāwūd, from Al-Sha‘bī, who said: I said to him: Abū Mūsā forbade when he conquered Tustar that pregnant women be had intercourse with, and [said] do not share with the polytheists in their children, for the water increases the child. Is this something he said from his own opinion or something he narrated from the Prophet? He said: “The Messenger of Allah ﷺ forbade on the Day of Awṭās that a pregnant woman be had intercourse with until she gives birth, or a non-pregnant woman until she is established free (by one menstrual cycle).”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ حَجَّاجٍ، عَنْ قَتَادَةَ، عَنْ أَبِي قِلاَبَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لَيْسَ مِنَّا مَنْ وَطِئَ حُبْلَى.

[17458] Abū Khālid al-Aḥmar narrated to us, from Ḥajjāj, from Qatādah, from Abū Qilābah, who said: The Messenger of Allah ﷺ said: “He is not of us who has intercourse with a pregnant woman (meaning a captive pregnant by another).”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ حَجَّاجٍ، عَنِ الْحَكَمِ، عَنْ مِقْسَمٍ، عَنِ ابْنِ عَبَّاسٍ، عَنِ النَّبِيِّ عَلَيْهِ السَّلاَمُ مِثْلَهُ

[17459] Abū Khālid al-Aḥmar narrated to us, from Ḥajjāj, from Al-Ḥakam, from Miqsam, from Ibn ‘Abbās, from the Prophet ﷺ, similar to it.

حَدَّثَنَا عَبْدُ الرَّحِيمِ بْنُ سُلَيْمَانَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ أَبِي مَرْزُوقٍ حَبِيبٍ، قَالَ: غَزَوْنَا مَعَ رُوَيْفِعِ بْنِ ثَابِتٍ الأَنْصَارِيِّ نَحْوَ الْمَغْرِبِ، فَفَتَحْنَا قَرْيَةً يُقَالُ لَهَا حَرْبَةُ قَالَ: فَقَامَ فِينَا خَطِيبًا فَقَالَ: إِنِّي لاَ أَقُولُ فِيكُمْ إِلاَّ مَا سَمِعْتُ مِنْ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فِينَا يَوْمَ خَيْبَرَ: مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الآخِرِ، فَلاَ يُسْقِيَنَّ مَاءَهُ زَرْعَ غَيْرِهِ

[17460] ‘Abd al-Raḥīm ibn Sulaymān narrated to us, from Muḥammad ibn Isḥāq, from Yazīd ibn Abī Ḥabīb, from Abū Marzūq Ḥabīb, who said: We raided with Ruwayfi‘ ibn Thābit al-Anṣārī towards the Maghreb. We conquered a village called Ḥarbah. He stood among us as a speaker and said: I do not say to you anything except what I heard from the Messenger of Allah ﷺ among us on the Day of Khaybar: “Whoever believes in Allah and the Last Day, let him not irrigate the crop of another with his water.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ حَنَشٍ الصَّنْعَانِيِّ، عَنْ أَبِي مَرْزُوقٍ حَبِيبٍ، عَنْ رُوَيْفِعِ بْنِ ثَابِتٍ، عَنِ النَّبِيِّ بِمِثْلِهِ

[17461] Abū Mu‘āwiyah narrated to us, from Muḥammad ibn Isḥāq, from Yazīd ibn Abī Ḥabīb, from Ḥanash al-Ṣan‘ānī, from Abū Marzūq Ḥabīb, from Ruwayfi‘ ibn Thābit, from the Prophet with the same.

[17462] Ḥafṣ ibn Ghiyāth narrated to us, from Ḥajjāj, from ʻAbd Allāh ibn Zayd, from ʻAlī, who said: “The Messenger of Allah ﷺ forbade intercourse with a pregnant woman until she gives birth, or a menstruating woman until she is absolved by one menstrual cycle.”

حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ حَجَّاجٍ، عَنْ عَبْدِ اللَّهِ بْنِ زَيْدٍ، عَنْ عَلِيٍّ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ أَنْ تُوطَأَ الْحَامِلَةُ، حَتَّى تَضَعَ أَوِ الْحَائِضُ حَتَّى تُسْتَبْرَأَ بِحَيْضَةٍ

[17463] Abū al-Aḥwaṣ narrated to us, from Abū Isḥāq, from Ṣilah, Qutham, and Nājiyah ibn Kaʻb, who said: “Whichever man buys a pregnant slave girl, let him not have intercourse with her until she delivers her child. And whichever man buys a slave girl, let him not approach her until she menstruates.”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ أَبِي إِسْحَاقَ، عَنْ صِلَةَ، وَقُثَمٍ، وَنَاجِيَةَ بْنِ كَعْبٍ، قَالُوا: أَيُّمَا رَجُلٍ اشْتَرَى جَارِيَةً حُبْلَى، فَلاَ يَطَؤُهَا حَتَّى تَضَعَ حَمْلَهَا، وَأَيُّمَا رَجُلٍ اشْتَرَى جَارِيَةً، فَلاَ يَقْرَبْهَا حَتَّى تَحِيضَ

[17464] Ibn Numayr narrated to us, from Yaḥyā ibn Saʻīd, from Saʻīd ibn al-Musayyib, who said: “It was forbidden for a man to have intercourse with a slave girl or woman while there is a fetus in her womb belonging to someone else.”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، قَالَ: نُهِيَ أَنْ يَطَأَ الرَّجُلُ وَلِيدَةً أَوِ امْرَأَةً، وَفِي بَطْنِهَا جَنِينٌ لِغَيْرِهِ

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: لَمَّا فُتِحَتْ تُسْتَرُ أَصَابَ أَبُو مُوسَى سَبَايَا، فَكَتَبَ إِلَيْهِ عُمَرُ أَنْ لاَ يَقَعَ أَحَدٌ عَلَى امْرَأَةٍ حَتَّى تَضَعَ، وَلاَ يُشَارِكُوا الْمُسْلِمِينَ فِي أَوْلاَدِهِمْ، فَإِنَّ الْمَاءَ تَمَامُ الْوَلَدِ

[17465] Abū Usāmah narrated to us, from Ash‘ath, from Al-Ḥasan, who said: When Tustar was conquered, Abū Mūsā acquired captives. ‘Umar wrote to him: “Let no one have intercourse with a woman until she gives birth, and let them not share with the Muslims in their children, for the water completes the child.”

حَدَّثَنَا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ مَعْمَرٍ، عَنْ عَمْرِو بْنِ مُسْلِمٍ، عَنْ طَاوُسٍ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَمَرَ مُنَادِيًا فِي غَزْوَةٍ غَزَاهَا، أَنْ لاَ يَطَأَ الرِّجَالُ حَامِلاً حَتَّى تَضَعَ، وَلاَ حَائِلاً حَتَّى تَحِيضَ

[17466] Mu‘tamir ibn Sulaymān narrated to us, from Ma‘mar, from ‘Amr ibn Muslim, from Ṭāwūs, that the Messenger of Allah ﷺ ordered a caller in a raid he conducted: “Let men not have intercourse with a pregnant woman until she gives birth, nor with a non-pregnant woman until she menstruates.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، قَالَ: نَا الْقَاسِمُ، وَمَكْحُولٌ، عَنْ أَبِي أُمَامَةَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى يَوْمَ خَيْبَرَ أَنْ تُوطَأَ الْحَبَالَى حَتَّى يَضَعْنَ

[17467] Abū Usāmah narrated to us, from ‘Abd al-Raḥmān ibn Yazīd, who said: Al-Qāsim and Makḥūl narrated to us, from Abū Umāmah, that the Messenger of Allah ﷺ forbade on the Day of Khaybar that pregnant women be had intercourse with until they give birth.

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: نَا شُعْبَةُ، عَنْ يَزِيدَ بْنِ خُمَيْرٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ جُبَيْرِ بْنِ نُفَيْرٍ، عَنْ أَبِيهِ، عَنْ أَبِي الدَّرْدَاءِ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ مَرَّ عَلَى امْرَأَةٍ مُحِجٍّ، وَهِيَ عَلَى بَابِ خِبَاءٍ، أَوْ فُسْطَاطٍ فَقَالَ: لِمَنْ هَذِهِ؟ فَقَالُوا: لِفُلَانٍ، قَالَ: أَيُلِمُّ بِهَا؟ قَالُوا: نَعَمْ، قَالَ: لَقَدْ هَمَمْتُ أَنْ أَلْعَنَهُ لَعْنَةً تَدْخُلُ مَعَهُ قَبْرَهُ، فَكَيْفَ يَسْتَخْدِمُهُ وَهُوَ يَعْدُوهُ فِي بَصَرِهِ وَسَمْعِهِ، كَيْفَ يَرِثُهُ وَهُوَ لاَ يَحِلُّ لَهُ

[17468] Yazīd ibn Hārūn narrated to us, saying: Shu‘bah narrated to us, from Yazīd ibn Khumayr, from ‘Abd al-Raḥmān ibn Jubayr ibn Nufayr, from his father, from Abū al-Dardā’, that the Prophet ﷺ passed by a pregnant woman (Muḥijj) who was at the door of a tent. He said: “Whose is this?” They said: “So-and-so's.” He said: “Does he have intercourse with her?” They said: “Yes.” He said: “I intended to curse him with a curse that would enter his grave with him. How can he use him (the child) when he nourishes him (through the water in the womb) in his sight and hearing? How can he inherit him when he is not lawful for him?”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، أَنَّ رَجُلاً كَانَتْ عِنْدَهُ يَتِيمَةٌ، وَكَانَتْ تَحْضُرُ مَعَهُ طَعَامَهُ قَالَ: فَخَافَتِ امْرَأَةٌ أَنْ يَتَزَوَّجَهَا عَلَيْهَا قَالَ: وَغَابَ الرَّجُلُ غَيْبَةً، فَاسْتَعَانَتِ امْرَأَةٌ نِسْوَةً عَلَيْهَا فَضَبَطْنَهَا لَهَا، وَأَفْسَدَتْ عُذْرَتَهَا بِيَدِهَا، وَقَدِمَ الرَّجُلُ فَجَعَلَ يَفْقِدُهَا عَنْ مَائِدَتِهِ فَقَالَ لِامْرَأَتِهِ: مَا شَأْنُ فُلاَنَةَ لاَ تَحْضُرُ طَعَامِي كَمَا كَانَتْ تَحْضُرُ؟ فَقَالَتْ: دَعْ عَنْكَ فُلاَنَةَ فَقَالَ: مَا شَأْنُهَا؟ قَالَ: فَقَذَفَتْهَا قَالَ: فَانْطَلَقَ حَتَّى دَخَلَ عَلَيْهَا، فَقَالَ: مَا شَأْنُكِ؟ مَا أَمْرُكِ؟ قَالَ: فَجَعَلَتْ لاَ تَزِيدُ عَلَى الْبُكَاءِ فَقَالَ: أَخْبِرِينِي فَأَخْبَرَتْهُ قَالَ: فَانْطَلَقَ إِلَى عَلِيٍّ رَضِيَ اللَّهُ عَنْهُ، فَذَكَرَ ذَلِكَ لَهُ قَالَ: فَأَرْسَلَ إِلَى امْرَأَةِ الرَّجُلِ، وَإِلَى النِّسْوَةِ فَسَأَلَهُنَّ قَالَ: فَمَا لَبِثْنَ أَنِ اعْتَرَفْنَ قَالَ: فَقَالَ لِلْحَسَنِ: اقْضِ فِيهَا فَقَالَ الْحَسَنُ: أَرَى الْحَدَّ عَلَى مَنْ قَذَفَهَا، وَالْعُقْرَ عَلَيْهَا وَعَلَى الْمَسِكَاتِ قَالَ: فَقَالَ عَلِيٌّ: لَوْ كَلَّفْتُ إِبِلاً طَحِينًا لَطَحَنَتْ قَالَ: وَمَا يَطْحَنُ يَوْمَئِذٍ بَعِيرٌ

[17469] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Mughīrah, from Ibrāhīm, that a man had an orphan girl with him who used to attend his meals. His wife feared he might marry her. The man went away on a trip, and the wife sought the help of some women against her. They held her down, and she broke her virginity with her hand. The man returned and missed her at his table. He said to his wife: “What is wrong with so-and-so, she does not attend my meal as she used to?” She said: “Leave so-and-so alone.” He said: “What is wrong with her?” He said: She accused her (of unchastity). He went to her and said: “What is your matter?” She did nothing but cry. He said: “Tell me.” So she told him. He went to ‘Alī, may Allah be pleased with him, and mentioned that to him. He sent for the man's wife and the women and questioned them. He said: “It was not long before they confessed.” He said to Al-Ḥasan: “Judge in this case.” Al-Ḥasan said: “I see the punishment (Ḥadd) on the one who accused her,

[17470] Hushaym ibn Bashīr narrated to us, from Ismā‘īl, from Al-Sha‘bī, that four girls gathered. One said: “I am a man.” Another said: “I am a woman.” The third said: “I am the father of the one who claimed to be a woman.” The fourth said: “I am the father of the one who claimed to be a man.” The one who claimed to be the father of the man proposed to the one who claimed to be the father of the woman, and she married her to him. The one who claimed to be a man then deflowered the girl who was married to her. They disputed before ‘Abd al-Malik ibn Marwān, and he placed her dowry on all four of them, excluding the share of the one who claimed to be the woman because she allowed it herself. He said: I mentioned that to ‘Abd Allāh ibn Mughaffal al-Muzanī, and he said: “If I were in charge of that, I would not see the dowry except on the one who deflowered her.”

حَدَّثَنَا هُشَيْمُ بْنُ بَشِيرٍ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، أَنَّ جَوَارٍ أَرْبَعًا اجْتَمَعْنَ فَقَالَتْ إِحْدَاهُنَّ: هِيَ رَجُلٌ، وَقَالَتِ الأُخْرَى: هِيَ امْرَأَةٌ، وَقَالَتِ الثَّالِثَةُ: أَنَا أَبُو الَّتِي زَعَمَتْ أَنَّهَا امْرَأَةٌ، وَقَالَتِ الرَّابِعَةُ: أَنَا أَبُو الَّتِي زَعَمَتْ أَنَّهَا رَجُلٌ، فَخَطَبَتِ الَّتِي زَعَمَتْ أَنَّهَا أَبُو الرَّجُلِ إِلَى الَّتِي زَعَمَتْ أَنَّهَا أَبُو الْمَرْأَةِ، فَزَوَّجَتْهَا، فَأَفْسَدَتِ الَّتِي زَعَمَتْ أَنَّهَا رَجُلٌ الْجَارِيَةَ الَّتِي زَوَّجَتْهَا، فَاخْتَصَمُوا إِلَى عَبْدِ الْمَلِكِ بْنِ مَرْوَانَ فَجَعَلَ صَدَاقَهَا عَلَى أَرْبَعَتِهِنَّ، وَرَفَعَ حِصَّةَ الَّتِي زَعَمَتْ أَنَّهَا امْرَأَةٌ لِأَنَّهَا أَمْسَكَتْ مِنْ نَفْسِهَا قَالَ: فَذَكَرَتْ ذَلِكَ لِعَبْدِ اللَّهِ بْنِ مُغَفَّلٍ الْمُزَنِي فَقَالَ: لَوْ أَنِّي وُلِّيتُ ذَلِكَ لَمْ أَرَ الصَّدَاقَ إِلاَّ عَلَى الَّتِي أَفْسَدَتْهَا

حَدَّثَـنَا ابْـنُ فُـضَيْلٍ، عَـنْ حَجَّاجٍ، عَـنِ الْـحَكَمِ، عَـنْ إِبْرَاهِيمَ، "أَنَّ امْرَأَةً افْتَضَّتْ جَارِيَـةً بِأُصْبُعِهَا وَقَالَتْ: إِنَّهَا زَنَتْ فَرَفَعَتْ إِلَى عَلِيٍّ فَغَرَّمَهَا الْعُقْرَ، وَضَرَبَهَا ثَمَانِينَ لِقَذْفِهَا إِيَّاهَا

[17471] Ibn Fuḍayl narrated to us, from Ḥajjāj, from Al-Ḥakam, from Ibrāhīm, that a woman deflowered a girl with her finger and said: “She committed adultery.” The matter was raised to ‘Alī, so he fined her the indemnity (for virginity) and flogged her eighty lashes for accusing her.

حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ أَبِي بِشْـرٍ، عَـنِ الشَّعْـبِيِّ، أَنَّ نِـسْوَةً كُنَّ بِـالشَّامِ، فَـأَشَـرْنَ، وَنَـظَرْنَ، وَلَـعِبْنَ الْخِـرْقَـةَ، فَـرَكِـبَتْ وَاحِـدَةٌ الأُخْـرَى وَبَجَسَتِ الأُخْرَى، فَأَذْهَبَتْ عُذْرَتَهَا فَرُفِعَ ذَلِكَ إِلَى عَبْدِ الْمَلِكِ بْنِ مَرْوَانَ، فَسَأَلَ عَنْ ذَلِكَ فَضَالَـةَ بْنَ عُبَيْدٍ، وَقَبِيصَةَ بْنَ ذُؤَيْبٍ فَقَالاَ: عَلَيْهِنَّ الدِّيَةُ، وَتَرْفَعُ نَصِيبَ وَاحِدَةٍ وَقَالَ ابْنُ مُغَفَّلٍ: يَرَى مِنْ نُطَفِهَا إِلَى بَاجِسَتِهَا. وَقَالَ الشَّعْبِيُّ: وَأَنَا أَرَى ذَلِكَ، وَلَهَا عُقْرُهَا

[17472] Abū Dāwūd al-Ṭayālisī narrated to us, from Ḥammād ibn Salamah, from Abū Bishr, from Al-Sha‘bī, that some women were in Shām. They signaled, looked, and played “The Rag.” One rode the other and pierced the other, destroying her virginity. That was raised to ‘Abd al-Malik ibn Marwān. He asked Faḍālah ibn ‘Ubayd and Qabīṣah ibn Dhu’ayb about it, and they said: “The blood money (Diyah) is upon them (the group), excluding the share of the one (victim).” Ibn Mughaffal said: “He considers from her sperm to her piercer.” Al-Sha‘bī said: “I also hold that view, and she gets her indemnity.”

[17473] Ismā‘īl ibn ‘Ulayyah narrated to us, from ‘Ubayd, from Bakr, that two girls were in the bath. One pushed the other, and her virginity was broken. Shurayḥ ruled for her: “She owes the equivalent of her dowry.”

حَدَّثَنَا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ عُبَيْدٍ، عَنْ بَكْرٍ، أَنَّ جَارِيَتَيْنِ كَانَتَا بِالْحَمَّامِ، فَدَفَعَتْ إِحْدَاهُمَا الأُخْرَى، فَانْفَضَّتْ عُذْرَتُهَا، فَقَضَى لَهَا شُرَيْحٌ: عَلَيْهَا بِمِثْلِ صَدَاقِهَا

[17474] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Mughīrah, from Ibrāhīm, regarding two men who married two sisters, and the wife of each was brought to the other (by mistake). He said: “They (the women) are entitled to the dowry, and the husbands seek recourse from those who switched them.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ أَنَّهُ قَالَ فِي رَجُلَيْنِ تَزَوَّجَا أُخْتَيْنِ، فَأُدْخِلَ عَلَى كُلِّ وَاحِدٍ مِنْهُمَا امْرَأَةُ صَاحِبِهِ قَالَ: لَهُمَا الصَّدَاقُ وَيَرْجِعُ الزَّوْجَانِ عَلَى مَنْ غَيَّرَهُمَا

[17475] Hushaym narrated to us, from Muḥammad ibn Sālim, from Al-Sha‘bī, that ‘Alī said the same.

حَدَّثَنَا هُشَيْمٌ، عَنْ مُحَمَّدِ بْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، أَنَّ عَلِيًّا، قَالَ: ذَلِكَ

[17476] Hushaym narrated to us, from Yūnus, from Al-Ḥasan, that he also said that.

حَدَّثَنَا هُشَيْمٌ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّهُ قَالَ: ذَلِكَ أَيْضًا

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ خِلاَسٍ: تَزَوَّجَ أَخَوَانِ أُخْتَيْنِ فَأُدْخِلَتِ امْرَأَةُ هَذَا عَلَى هَذَا، وَامْرَأَةُ هَذَا عَلَى هَذَا، فَرُفِعَ ذَلِكَ إِلَى عَلِيٍّ، فَرَدَّ كُلَّ وَاحِدَةٍ مِنْهُمَا إِلَى صَاحِبِهَا، وَأَمَرَ زَوْجَهَا أَنْ لاَ يَقْرَبَهَا حَتَّى تَنْقَضِيَ عِدَّتُهَا، وَجَعَلَ لِكُلِّ وَاحِدَةٍ مِنْهُمَا الصَّدَاقَ عَلَى الَّذِي وَطِئَهَا لِغِشْيَانِهِ إِيَّاهَا، وَجَعَلَ جِهَازَهَا وَالْغُرْمَ عَلَى الَّذِي زَوَّجَهَا

[17477] ‘Alī ibn Mushir narrated to us, from Sa‘īd, from Qatādah, from Khilās: Two brothers married two sisters, and the wife of this one was brought to that one, and the wife of that one to this one. The matter was raised to ‘Alī. He returned each woman to her rightful husband and ordered her husband not to approach her until her waiting period (Iddah) ended. He assigned the dowry for each of them to the one who had intercourse with her due to his consummation, and placed (the cost of) her trousseau and the fine on the one who married them off.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ أَبِي بَكْرٍ، عَنِ ابْنِ مَسْعُودٍ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنْ مَهْرِ الْبَغِيِّ

[17478] Abū Bakr narrated to us, saying: Ibn ‘Uyaynah narrated to us, from Al-Zuhrī, from Abū Bakr, from Ibn Mas‘ūd, that the Prophet ﷺ forbade the earnings of a prostitute.

حَدَّثَنَا عَفَّانُ، قَالَ: نَا أَبَانُ الْعَطَّارُ، قَالَ: حَدَّثَنِي يَحْيَى بْنُ أَبِي كَثِيرٍ، عَنْ إِبْرَاهِيمَ بْنِ قَارِظٍ، عَنِ السَّائِبِ بْنِ يَزِيدَ، عَنْ رَافِعِ بْنِ خَدِيجٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: كَسْبُ الْحَجَّامِ خَبِيثٌ، وَمَهْرُ الْبَغِيِّ خَبِيثٌ

[17479] ‘Affān narrated to us, saying: Abān al-‘Aṭṭār narrated to us, saying: Yaḥyā ibn Abī Kathīr narrated to me, from Ibrāhīm ibn Qāriẓ, from Al-Sā’ib ibn Yazīd, from Rāfi‘ ibn Khadīj, that the Prophet ﷺ said: “The earning of a cupper is filthy, and the earning of a prostitute is filthy.”

حَدَّثَنَا شَبَابَةُ، عَنْ شُعْبَةَ، عَنْ عَوْنِ بْنِ أَبِي جُحَيْفَةَ، عَنْ أَبِيهِ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ مَهْرِ الْبَغِيِّ

[17480] Shabābah narrated to us, from Shu‘bah, from ‘Awn ibn Abī Juḥayfah, from his father, who said: “The Messenger of Allah ﷺ forbade the earnings of a prostitute.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ عَبْدِ الْجَبَّارِ بْنِ عَبَّاسٍ، عَنْ عَوْنِ بْنِ أَبِي جُحَيْفَةَ، عَنْ أَبِيهِ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنْ مَهْرِ الْبَغِيِّ

[17481] Al-Faḍl ibn Dukayn narrated to us, from ‘Abd al-Jabbār ibn ‘Abbās, from ‘Awn ibn Abī Juḥayfah, from his father, who said: “The Messenger of Allah ﷺ forbade the earnings of a prostitute.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ أَبِي سُفْيَانَ، عَنْ جَابِرٍ فِي قَوْلِهِ: {وَمَنْ يُكْرِهْهُنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَحِيمٌ} قَالَ: "كَانَ عَبْدُ اللَّهِ بْنُ أُبَيٍّ ابْنِ سَلُولَ يَقُولُ لِجَارِيَتِهِ: اذْهَبِي فَابْغِينَا شَيْئًا، فَأَنْزَلَ اللَّهُ تَعَالَى: {وَلاَ تُكْرِهُوا فَتَيَاتِكُمْ عَلَى الْبِغَاءِ إِنْ أَرَدْنَ تَحَصُّنًا لِتَبْتَغُوا عَرَضَ الْحَيَاةِ الدُّنْيَا وَمَنْ يُكْرِهْهُنَّ فَإِنَّ اللَّهَ مِنْ بَعْدِ إِكْرَاهِهِنَّ غَفُورٌ رَحِيمٌ}

[17482] Abū Mu‘āwiyah narrated to us, from Al-A‘mash, from Abū Sufyān, from Jābir, regarding His saying: {And if anyone forces them, then indeed, Allah is [to them], after their compulsion, Forgiving and Merciful} [An-Nur: 33], he said: “Abd Allāh ibn Ubayy ibn Salūl used to say to his slave girl: ‘Go and earn something for us (through prostitution).’ So Allah Almighty revealed: {And do not compel your slave girls to prostitution, if they desire chastity, to seek [thereby] the temporary interests of worldly life...}.”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، قَالَ: كَانُوا يَكْرَهُونَ أَنْ يَتَزَوَّجُوا عَلَى الدِّرْهَمِ وَالدِّرْهَمَيْنِ مِثْلَ مَهْرِ الْبَغِيِّ

[17483] Abū Khālid al-Aḥmar narrated to us, from Al-A‘mash, from Ibrāhīm, who said: “They used to dislike marrying for a dirham or two, like the earnings of a prostitute.”

حَدَّثَنَا عَلِيُّ بْنُ هَاشِمٍ، عَنِ ابْنِ أَبِي لَيْلَى، عَنْ عَطَاءٍ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ النَّبِيَّ عَلَيْهِ السَّلاَمُ نَهَى عَنْ مَهْرِ الْبَغِيِّ

[17484] ‘Alī ibn Hāshim narrated to us, from Ibn Abī Laylā, from ‘Aṭā’, from Abū Hurayrah, that the Prophet ﷺ forbade the earnings of a prostitute.

[17485] Abū Bakr narrated to us, saying: Mu‘ādh narrated to us, from Ash‘ath, from Al-Ḥasan, regarding a man who marries a slave woman and a free woman in one contract, he said: “He is separated from the slave woman.” Or regarding a man who marries two sisters in one contract, he said: “They are separated.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُعَاذٌ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، فِي رَجُلٍ تَزَوَّجَ أَمَةً وَحُرَّةً فِي عُقْدَةٍ قَالَ: يُفَرَّقُ بَيْنَهُ وَبَيْنَ الأَمَةِ، أَوْ فِي رَجُلٍ تَزَوَّجَ أُخْتَيْنِ فِي عُقْدَةٍ قَالَ: يُفَرَّقُ بَيْنَهُمَا

[17486] Ḥafṣ ibn Ghiyāth narrated to us, from Abū Ḥanīfah, from Ḥammād, from Ibrāhīm, who said: “If he marries a free woman and a slave woman in one contract, the marriage of both is invalid.”

حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ أَبِي حَنِيفَةَ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا تَزَوَّجَ حُرَّةً وَأَمَةً فِي عُقْدَةٍ فَسَدَ نِكَاحُهُمَا

[17487] ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from Qatādah, from Al-Ḥasan, regarding a man who married a woman, consummated the marriage, then died, and then evidence was established that she was his sister through breastfeeding. He said: “She is entitled to the dowry, and she has no inheritance.”

حَدَّثَنَا نَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، فِي رَجُلٍ تَزَوَّجَ امْرَأَةً، ثُمَّ دَخَلَ بِهَا، ثُمَّ مَاتَ، ثُمَّ قَامَتِ الْبَيِّنَةُ أَنَّهَا أُخْتُهُ مِنَ الرَّضَاعَةِ قَالَ: لَهَا الصَّدَاقُ، وَلاَ مِيرَاثَ لَهَا

[17488] Abū Bakr narrated to us, saying: Ḥafṣ ibn Ghiyāth narrated to us, from Al-Ḥajjāj, from Al-Rukayn, that Al-Mughīrah ibn Shu‘bah proposed to a woman while he was her guardian, and there were other guardians like him. So he ordered one of her guardians to marry her to him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصُ بْنُ غِيَاثٍ، عَنِ الْحَجَّاجِ، عَنِ الرُّكَيْنِ، أَنَّ الْمُغِيرَةَ بْنَ شُعْبَةَ خَطَبَ امْرَأَةً وَهُوَ وَلِيُّهَا وَمَعَهُ أَوْلِيَاءُ مِثْلُهُ، فَأَمَرَ بَعْضَ أَوْلِيَائِهَا أَنْ يُزَوِّجَهَا إِيَّاهُ

[17489] Mu‘ādh ibn Mu‘ādh narrated to us, from Ash‘ath, from Al-Ḥasan, who said: “If the guardian of a woman wants to marry her with her permission to himself, he assigns her affair to a man, then marries her with the testimony of just witnesses.”

حَدَّثَنَا مُعَاذُ بْنُ مُعَاذٍ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: إِذَا أَرَادَ وَلِيُّ الْمَرْأَةِ أَنْ يَتَزَوَّجَهَا بِإِذْنِهَا مِنْ نَفْسِهِ وَلَّى أَمْرَهَا رَجُلاً، ثُمَّ تَزَوَّجَهَا بِشَهَادَةِ الْعُدُولِ

[17490] Abū Bakr narrated to us, saying: Ḥafṣ narrated to us, from ‘Āṣim, from Ibn Sīrīn, from Shurayḥ, that he used not to validate the marriage of the coerced person.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصٌ، عَنْ عَاصِمٍ، عَنِ ابْنِ سِيرِينَ، عَنْ شُرَيْحٍ، أَنَّهُ كَانَ لاَ يُجِيزُ نِكَاحَ الْمُضْطَهَدِ

[17491] Yaḥyā ibn Yamān narrated to us, from Sufyān, from Layth, from Mujāhid, who said: “There is no marriage for the coerced person.”

حَدَّثَنَا يَحْيَى بْنُ يَمَانٍ، عَنْ سُفْيَانَ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، قَالَ: لاَ نِكَاحَ لِمُضْطَهَدٍ

[17492] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, saying: He was asked about a man who married a woman with an immediate or deferred dowry. He consummated the marriage with her, then she claimed he did not pay her the immediate portion. He said: Sa‘īd narrated to us, from Qatādah, that he used to say: “The burden of proof regarding the immediate dowry lies on her that he still owes such and such, and his entry upon her absolves him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ الأَعْلَى، قَالَ: سُئِلَ عَنْ رَجُلٍ تَزَوَّجَ امْرَأَةً عَلَى عَاجِلٍ أَوْ آجِلٍ، فَدَخَلَ بِهَا فَادَّعَتْ أَنَّهُ لَمْ يُسَيِّرْ إِلَيْهَا مِنَ الْعَاجِلِ فَقَالَ: حَدَّثَنَا سَعِيدٌ، عَنْ قَتَادَةَ أَنَّهُ كَانَ يَقُولُ: الْمُخْرَجُ عَلَيْهَا فِي الْعَاجِلِ إِنَّهُ بَقِيَ عَلَيْهِ كَذَا وَكَذَا، وَدُخُولُهُ عَلَيْهَا أَبْرَأَهُ

[17493] ‘Abd al-A‘lā narrated to us, from Sa‘īd, from Qatādah, from Al-Ḥasan, and Maṭar, from Al-Ḥasan, that he used to say: “The burden of proof lies on her.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، وَمَطَرٍ، عَنِ الْحَسَنِ أَنَّهُ كَانَ يَقُولُ: الْمُخْرَجُ عَلَيْهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ حُمَيْدٍ، عَنْ أَنَسٍ، أَنَّهُ شَكَّ فِي وَلَدٍ لَهُ فَأَمَرَ أَنْ يُدْعَى لَهُ الْقَافَةُ

[17494] Abū Bakr narrated to us, saying: Ismāʻīl ibn ʻUlayyah narrated to us, from Ḥumayd, from Anas, that he doubted a child of his, so he ordered physiognomists to be called for him.

حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ أَسْلَمَ الْمِنْقَرِيِّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُبَيْدِ بْنِ عُمَيْرٍ، قَالَ: بَاعَ عَبْدُ الرَّحْمَنِ بْنُ عَوْفٍ جَارِيَةً كَانَ وَقَعَ عَلَيْهَا قَبْلَ أَنْ يَسْتَبْرِئَهَا فَظَهَرَ بِهَا حَمْلٌ عِنْدَ الَّذِي اشْتَرَاهَا فَخَاصَمَهُ إِلَى عُمَرَ فَقَالَ عُمَرُ: هَلْ كُنْتَ تَقَعُ عَلَيْهَا؟ قَالَ: نَعَمْ، قَالَ: فَبِعْتَهَا قَبْلَ أَنْ تَسْتَبْرِئَهَا؟ قَالَ: نَعَمْ، قَالَ: مَا كُنْتَ لِذَلِكَ بِخَلِيقٍ قَالَ: فَدَعَا الْقَافَةَ فَنَظَرُوا إِلَيْهِ فَأَلْحَقُوهُ بِهِ، قَالَ: قَالَ: فَوُلِدَ لَهُ مِنْهَا كَثِيرٌ فَمَا عَيَّرُوهُ بِهِ

[17495] Abū Bakr ibn ʻAyyāsh narrated to us, from Aslam al-Minqarī, from ʻUbayd Allāh ibn ʻUbayd ibn ʻUmayr, who said: ʻAbd al-Raḥmān ibn ʻAwf sold a slave girl he had intercourse with before ascertaining she was not pregnant. Pregnancy appeared in her with the one who bought her, so he took the dispute to ʻUmar. ʻUmar said: “Did you used to have intercourse with her?” He said: “Yes.” He said: “And you sold her before ascertaining her freedom from pregnancy?” He said: “Yes.” He said: “You were not worthy of doing that.” He called the physiognomists, and they looked at him (the child) and attached him to him. He said: He had many children from her, and they did not shame him for it.

حَدَّثَنَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنْ عُثْمَانَ بْنِ الأَسْوَدِ، عَنْ عَطَاءٍ، فِي الرَّجُلِ يَشُكُّ فِي وَلَدِهِ، قَالَ مُرْهُ: فَلْيَسْتَحْلِفْهُ، وَإِنَّ عُمَرَ بْنَ الْخَطَّابِ، قَالَ: مَنْ أَقَرَّ أَنَّهُ أَصَابَ وَلِيدَةً أَوْ غَشِيَ أَلْحَقْنَا بِهِ وَلَدَهَا، وَسَأَلْتُ عِكْرِمَةَ بْنِ خَالِدٍ فَقَالَ مُرْهُ: فَلْيَسْتَحْلِفْهُ

[17496] Al-Ḍaḥḥāk ibn Makhlad narrated to us, from ‘Uthmān ibn al-Aswad, from ‘Aṭā’, regarding a man who doubts his child, he said: “Order him to make him swear.” And ‘Umar ibn al-Khaṭṭāb said: “Whoever admits that he had intercourse with a slave girl or covered her, we attach her child to him.” I asked ‘Ikrimah ibn Khālid, and he said: “Order him to make him swear.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: نَا سَعِيدُ بْنُ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ رَجَاءِ بْنِ حَيْوَةَ، عَنْ قَبِيصَةَ بْنِ ذُؤَيْبٍ، قَالَ: قَالَ عُمَرُ: حَصِّنُوهُنَّ أَوْ لاَ تُحْصِنُوهُنَّ أَوْ لاَ تَلِدُ امْرَأَةٌ مِنْهُنَّ عَلَى فِرَاشِ أَحَدِكُمْ إِلاَّ أَلْحَقْتُهُ بِهِ، يَعْنِي السَّرَارِيَّ

[17497] Yazīd ibn Hārūn narrated to us, saying: Sa‘īd ibn Abī ‘Arūbah narrated to us, from Qatādah, from Rajā’ ibn Ḥaywah, from Qabīṣah ibn Dhu’ayb, who said: ‘Umar said: “Guard them or do not guard them, no woman among them gives birth on the bed of any of you but I attach him (the child) to him,” meaning the concubines.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمَّارٍ، عَنْ أَبِي مُسْلِمٍ، عَنْ أَبِي عِمْرَانَ، عَنْ أَبِي يَحْيَى، قَالَ: رَأَيْتُ رَجُلاً سَأَلَ ابْنَ عَبَّاسٍ، فَقَالَ: يَا ابْنَ عَبَّاسٍ إِنِّي رَجُلٌ أَعْبَثُ بِذَكَرِي حَتَّى أُنْزِلَ، قَالَ: فَقَالَ ابْنُ عَبَّاسٍ: أُفٍّ أُفٍّ، هُوَ خَيْرٌ مِنَ الزِّنَا، وَنِكَاحُ الإِمَاءِ خَيْرٌ مِنْهُ

[17498] Abū Bakr narrated to us, saying: Sufyān ibn ‘Uyaynah narrated to us, from ‘Ammār, from Abū Muslim, from Abū ‘Imrān, from Abū Yaḥyā, who said: I saw a man ask Ibn ‘Abbās, saying: “O Ibn ‘Abbās, I am a man who plays with his penis until I ejaculate.” Ibn ‘Abbās said: “Ugh, ugh! It is better than adultery, and marrying slave girls is better than it.”

حَدَّثَنَا وَكِيعٌ، عَنْ عَطَاءِ بْنِ قُدَامَةَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: سُئِلَ ابْنُ عُمَرَ عَنْهَا، يَعْنِي الْخَضْخَضَةَ، فَقَالَ: ذَلِكَ الْفَاعِلُ بِنَفْسِهِ

[17499] Wakī‘ narrated to us, from ‘Aṭā’ ibn Qudāmah, from ‘Ikrimah, from Ibn ‘Abbās, who said: Ibn ‘Umar was asked about it–meaning masturbation–and he said: “That is the one who does it to himself.”

حَدَّثَنَا وَكِيعٌ، عَنْ أَفْلَحَ، عَنِ الْقَاسِمِ، قَالَ: سُئِلَ عَنْ {الَّذِينَ هُمْ لِفُرُوجِهِمْ حَافِظُونَ إِلاَّ عَلَى أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ فَمَنِ ابْتَغَى وَرَاءَ ذَلِكَ فَأُولَئِكَ هُمُ الْعَادُونَ}، فَمَنِ ابْتَغَى وَرَاءَ ذَلِكَ فَهُوَ عَادٍ

[17500] Wakī‘ narrated to us, from Aflaḥ, from Al-Qāsim, who said: He was asked about {those who guard their private parts, except from their wives or those their right hands possess, for indeed, they will not be blamed. But whoever seeks beyond that, then those are the transgressors} [Al-Mu'minun: 5-7]. He said: “Whoever seeks beyond that is a transgressor.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ نُمَيْرٍ، وَأَبُو أُسَامَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنِ الشِّغَارِ. وَزَادَ ابْنُ نُمَيْرٍ: "الشِّغَارُ أَنْ يَقُولَ الرَّجُلُ: زَوِّجْنِي ابْنَتَكَ حَتَّى أُزَوِّجَكَ ابْنَتِي أَوْ زَوِّجْنِي أُخْتَكَ حَتَّى أُزَوِّجَكَ أُخْتِي

[17501] Abū Bakr told us, he said: Ibn Numayr and Abū Usāmah told us, from ‘Ubayd Allāh ibn ‘Umar, from Abū al-Zinād, from Al-A‘raj, from Abū Hurayrah, who said: “The Messenger of Allah ﷺ forbade Shighār.” Ibn Numayr added: “Shighār is when a man says: ‘Marry me your daughter so that I may marry you my daughter,’ or ‘Marry me your sister so that I may marry you my sister.’”

حَدَّثَنَا وَكِيعٌ، عَنْ مُوسَى بْنِ عُبَيْدَةَ، عَنْ عَبْدِ اللَّهِ بْنِ دِينَارٍ، عَنِ ابْنِ عُمَرَ، وَعُبَيْدَةُ، عَنْ عُبَيْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ عَنِ الشِّغَارِ

[17502] Wakī‘ told us, from Mūsā ibn ‘Ubaydah, from ‘Abd Allāh ibn Dīnār, from Ibn ‘Umar; and [from] ‘Ubaydah, from ‘Ubayd Allāh, from Nāfi‘, from Ibn ‘Umar, who said: “The Messenger of Allah ﷺ forbade Shighār.”

حَدَّثَنَا وَكِيعٌ، عَنْ مُغَفَّلٍ، عَنْ عَطَاءٍ، عَنِ النَّبِيِّ عَلَيْهِ السَّلَامُ بِمِثْلِهِ

[17503] Wakī‘ told us, from Mughaffal, from ‘Aṭā’, from the Prophet (peace be upon him) with the like of it.

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ إِبْرَاهِيمَ بْنِ عَبْدِ الأَعْلَى، عَنْ سُوَيْدِ بْنِ غَفَلَةَ، قَالَ: "كَانُوا يَكْرَهُونَ الشِّغَارَ، وَالشِّغَارُ: الرَّجُلُ يُزَوِّجُ الرَّجُلَ عَلَى أَنْ يُزَوِّجَهُ بِغَيْرِ مَهْرٍ

[17504] Wakī‘ told us, from Isrā’īl, from Ibrāhīm ibn ‘Abd al-A‘lā, from Suwayd ibn Ghafalah, who said: “They used to dislike Shighār. Shighār is when a man marries [his female relative] to a man on the condition that he marries him [his female relative] without a dowry.”

حَدَّثَنَا عُمَرُ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، فِي الْمُشَاغِرَيْنِ: يُقَرَّانِ عَلَى نِكَاحِهِمَا، وَيُؤْخَذُ لِكُلِّ وَاحِدٍ مِنْهُمَا صَدَاقٌ

[17505] ‘Umar told us, from Ibn Jurayj, from ‘Aṭā’, regarding two men involved in Shighār: “They are confirmed in their marriage, and a dowry is taken for each one of them.”

[17506] ‘Affān told us, he said: Ḥammād ibn Salamah told us, from Ḥumayd, from Al-Ḥasan, from ‘Imrān ibn Ḥuṣayn, from the Prophet ﷺ, who said: “There is no Shighār in Islam.”

حَدَّثَنَا عَفَّانُ، قَالَ: نَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ حُمَيْدٍ، عَنِ الْحَسَنِ، عَنْ عِمْرَانَ بْنِ حُصَيْنٍ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: لاَ شِغَارَ فِي الإِسْلاَمِ

[17507] ‘Umar ibn Hārūn told us, from Ibn Jurayj, from Abū al-Zubayr, from Jābir, that the Prophet ﷺ forbade Shighār.

حَدَّثَنَا عُمَرُ بْنُ هَارُونَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ الشِّغَارِ

[17508] Abū Bakr told us, he said: Ḥumayd ibn ‘Abd al-Raḥmān told us, from Al-Mas‘ūdī, from Abū Isḥāq, from Abū al-Aḥwaṣ, from ‘Abd Allāh, who said: “The Messenger of Allah ﷺ taught us the sermon of prayer and the sermon of need (marriage/business). As for the sermon of prayer, it is the Tashahhud. As for the sermon of need, it is: ‘Praise be to Allah, we seek His help and we seek His forgiveness, and we seek refuge in Allah from the evils of our souls. Whomever Allah guides, there is no misguider for him, and whomever He leads astray, there is no guide for him. And I bear witness that there is no god but Allah, and I bear witness that Muhammad is His servant and His Messenger.’ Then he recites three verses from the Book of Allah: {Fear Allah as He should be feared, and do not die except as Muslims} [Al Imran: 102], {And fear Allah, through whom you ask one another, and the wombs. Indeed Allah is ever, over you, an Observer} [An-Nisa: 1], {Fear Allah and speak words of appropriate justice. He will amend for you your deeds and

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنِ الْمَسْعُودِيِّ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ، قَالَ: "عَلَّمَنَا رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ خُطْبَةَ الصَّلاَةِ، وَخُطْبَةَ الْحَاجَةِ، فَأَمَّا خُطْبَةُ الصَّلاَةِ فَالتَّشَهُّدُ، وَأَمَّا خُطْبَةُ الْحَاجَةِ فَإِنَّهُ: الْحَمْدُ لِلَّهِ نَسْتَعِينُهُ، وَنَسْتَغْفِرُهُ، وَنَعُوذُ بِاللَّهِ مِنْ شُرُورِ أَنْفُسِنَا مَنْ يَهْدِ اللَّهُ، فَلاَ مُضِلَّ لَهُ، وَمَنْ يُضْلِلْهُ فَلاَ هَادِيَ لَهُ، وَأَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَأَشْهَدُ أَنَّ مُحَمَّدًا عَبْدُهُ وَرَسُولُهُ، ثُمَّ يَقْرَأُ ثَلاَثَ آيَاتٍ مِنْ كِتَابِ اللَّهِ {اتَّقُوا اللَّهَ حَقَّ تُقَاتِهِ وَلاَ تَمُوتُنَّ إِلاَّ وَأَنْتُمْ مُسْلِمُونَ} [آل عمران: 102] {وَاتَّقُوا اللَّهَ الَّذِي تَسَاءَلُونَ بِهِ وَالأَرْحَامَ إِنَّ اللَّهَ كَانَ عَلَيْكُمْ رَقِيبًا} [النساء: 1] {اتَّقُوا اللَّهَ وَقُولُوا قَوْلاً سَدِيدًا يُصْلِحْ لَكُمْ أَعْمَالَكُمْ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ} [الأحزاب: 71]، ثُمَّ تَعْمِدُ لِحَاجَتِكَ

[17509] Wakī‘ told us, from Sufyān, from Ja‘far, from his father, that Al-Ḥusayn ibn ‘Alī used to marry off some of Al-Ḥasan's daughters while he was at ‘Arafāt (Mu‘arrif).

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ جَعْفَرٍ، عَنْ أَبِيهِ، أَنَّ الْحُسَيْنَ بْنَ عَلِيٍّ، كَانَ يُزَوِّجُ بَعْضَ بَنَاتِ الْحَسَنِ وَهُوَ مُعَرِّفٌ

[17510] Wakī‘ told us, from Naṣr, from ‘Aṭā’, that he recited ‘In the name of Allah, the Entirely Merciful, the Especially Merciful’ and then performed the marriage.

حَدَّثَنَا وَكِيعٌ، عَنْ نَصْرٍ، عَنْ عَطَاءٍ أَنَّهُ قَرَأَ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ، ثُمَّ زَوَّجَ

[17511] Mu‘āwiyah ibn Hishām told us, from Sufyān, from Ismā‘īl, that Masrūq married off Shurayḥ and did not deliver a sermon (Khutbah), then he said: “I have fulfilled that need.”

حَدَّثَنَا مُعَاوِيَةُ بْنُ هِشَامٍ، عَنْ سُفْيَانَ، عَنْ إِسْمَاعِيلَ، أَنَّ مَسْرُوقًا زَوَّجَ شُرَيْحًا، وَلَمْ يَخْطُبْ، ثُمَّ قَالَ: قَدْ قَضَيْتُ تِلْكَ الْحَاجَةَ

حَدَّثَنَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ أَبِي بَكْرِ بْنِ حَفْصٍ، قَالَ: سَمِعْتُ عُرْوَةَ بْنَ الزُّبَيْرِ، يَقُولُ: خَطَبْتُ إِلَى ابْنِ عُمَرَ ابْنَتَهُ، فَقَالَ ابْنُ أَبِي عَبْدِ اللَّهِ لأَهْلٌ أَنْ يُنْكَحَ نَحْمَدُ اللَّهَ، وَنُصَلِّي عَلَى النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَقَدْ زَوَّجْنَاكَ عَلَى مَا أَمَرَ اللَّهُ بِهِ {إِمْسَاكٌ بِمَعْرُوفٍ أَوْ تَسْرِيحٌ بِإِحْسَانٍ} حَدَّثَنَا أَبُو بَكْرٍ قَالَ: شُعْبَةُ: أَحْسَبُهُ قَالَ: أَنْكَحَ عُمَرُ بْنُ الْخَطَّابِ رَجُلاً وَهُوَ يَمْشِي قَالَ شُعْبَةُ: قَالَ أَبُو بَكْرِ بْنُ حَفْصٍ: لاَ أَدْرِي الَّذِي قَالَ: أَحْسَبُهُ عُرْوَةَ بْنَ الزُّبَيْرِ أَوِ ابْنَ عُمَرَ

[17512] Wakī‘ told us, from Shu‘bah, from Abū Bakr ibn Ḥafṣ, who said: I heard ‘Urwah ibn al-Zubayr say: I proposed to Ibn ‘Umar for his daughter. Ibn Abī ‘Abd Allāh (Ibn ‘Umar) said: “He is worthy to be married. We praise Allah and send blessings upon the Prophet ﷺ. We have married you to her according to what Allah commanded: {Retaining in fairness or releasing with good treatment}.” Abū Bakr (Ibn Abī Shaybah) said: Shu‘bah said: I think he said: “‘Umar ibn al-Khaṭṭāb married off a man while he was walking.” Shu‘bah said: Abū Bakr ibn Ḥafṣ said: I do not know who said it, I think it was ‘Urwah ibn al-Zubayr or

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصٌ، عَنْ عَبْدِ اللَّهِ بْنِ مُسْلِمٍ، عَنْ حُمَيْدَةَ، مَوْلاَةٍ لِعُمَرَ بْنِ عَبْدِ الْعَزِيزِ قَالَتْ: كَانَ عُمَرُ، يَقُولُ: لاَ تَدَعِينَ بَنَاتِي يَنَمْنَ مُسْتَلْقِيَاتٍ عَلَى ظُهُورِهِنَّ، فَإِنَّ الشَّيْطَانَ يَظَلُّ يَطْمَعُ مَا دُمْنَ كَذَلِكَ

[17513] Abū Bakr told us, he said: Ḥafṣ told us, from ‘Abd Allāh ibn Muslim, from Ḥumaydah, the freed slave of ‘Umar ibn ‘Abd al-‘Azīz, who said: ‘Umar used to say: “Do not let my daughters sleep lying on their backs, for the devil remains covetous as long as they are like that.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ هِشَامٍ، قَالَ: كَانَ ابْنُ سِيرِينَ يَكْرَهُ أَنْ تَكُونَ الْمَرْأَةُ مُسْتَلْقِيَةً

[17514] Ibn Idrīs told us, from Hishām, who said: Ibn Sīrīn used to dislike for a woman to be lying on her back.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، قَالَ: إِذَا أَسْلَمَتِ الْمَرْأَةُ، وَلَهَا زَوْجٌ يَهُودِيٌّ أَوْ نَصْرَانِيٌّ أَوْ مَجُوسِيٌّ، وَلَمْ يُسْلِمْ هُوَ، فَلاَ شَيْءَ لَهَا مَا لَمْ يَدْخُلْ بِهَا

[17515] Abū Bakr told us, he said: Ismāʻīl ibn ʻUlayyah told us, from Yūnus, from Al-Ḥasan, who said: "If a woman accepts Islam while she has a Jewish, Christian, or Magian husband, and he does not accept Islam, she gets nothing (of the dowry) as long as he has not consummated the marriage with her."

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ عُبَيْدَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: لاَ شَيْءَ لَهَا

[17516] Yazīd ibn Hārūn told us, from ʻUbaydah, from Ibrāhīm, who said: "She gets nothing."

حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، قَالَ: يُفَرَّقُ بَيْنَهُمَا، وَلَهَا نِصْفُ الصَّدَاقِ

[17517] ʻAbbād ibn al-ʻAwwām told us, from Hishām, from Al-Ḥasan, who said: "They are separated, and she gets half the dowry."

حَدَّثَنَا حَرَمِيُّ بْنُ عُمَارَةَ بْنِ أَبِي حَفْصَةَ، عَنْ شُعْبَةَ، عَنِ الْهَيْثَمِ، عَنْ حَمَّادٍ، قَالَ: لَهَا نِصْفُ الصَّدَاقِ

[17518] Ḥaramī ibn ʻUmārah ibn Abī Ḥafṣah told us, from Shuʻbah, from Al-Haytham, from Ḥammād, who said: "She gets half the dowry."

حَدَّثَنَا يَزِيدُ، عَنْ حَبِيبٍ، عَنْ عَمْرِو بْنِ هَرِمٍ، عَنْ جَابِرِ بْنِ زَيْدٍ، سُئِلَ عَنْ رَجُلٍ كَانَتْ تَحْتَهُ نَصْرَانِيَّةٌ، فَأَسْلَمَتْ وَأَبَى زَوْجُهَا أَنْ يُسْلِمَ قَالَ: أَرَى أَنْ يُفَرَّقَ بَيْنَهُمَا، فَإِنْ كَانَ دَخَلَ بِهَا، فَلَهَا الْمَهْرُ كَامِلاً، وَإِنْ لَمْ يَكُنْ دَخَلَ بِهَا رَدَّتْ إِلَيْهِ مَا أَعْطَاهَا

[17519] Yazīd told us, from Ḥabīb, from ‘Amr ibn Harim, from Jābir ibn Zayd, who was asked about a man who had a Christian wife, then she accepted Islam and her husband refused to accept Islam. He said: “I see that they should be separated. If he has consummated the marriage with her, she gets the full dowry. If he has not consummated with her, she returns to him what he gave her.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، أَنَّهُ قَالَ: لَهَا نِصْفُ الصَّدَاقِ

[17520] ‘Abd al-A‘lā told us, from Sa‘īd, from Qatādah, that he said: “She gets half the dowry.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنِ الشَّيْبَانِيِّ، عَمَّنْ حَدَّثَهُ، عَنْ مَسْرُوقٍ أَنَّهُ قَالَ: فِي رَجُلٍ أَقَرَّ لِامْرَأَتِهِ بِصَدَاقِهَا فِي مَرَضِهِ قَالَ: لاَ يَجُوزُ ذَلِكَ

[17521] Abū Bakr told us, he said: Hushaym told us, from Al-Shaybānī, from someone who told him, from Masrūq, that he said regarding a man who acknowledged his wife's dowry during his illness (death sickness): “That is not valid.”

حَدَّثَنَا هُشَيْمٌ، عَنِ الْعَوَّامِ، أَنَّ مَسْرُوقًا أَجَازَ إِقْرَارَهُ

[17522] Hushaym told us, from Al-‘Awwām, that Masrūq permitted his acknowledgment.

حَدَّثَنَا هُشَيْمٌ، عَنِ ابْنِ أَبِي لَيْلَى، عَنِ الْحَكَمِ، عَنْ إِبْرَاهِيمَ، قَالَ: يَجُوزُ إِقْرَارُهُ لَهَا بِصَدَاقِ مِثْلِهَا

[17523] Hushaym told us, from Ibn Abī Laylā, from Al-Ḥakam, from Ibrāhīm, who said: "His acknowledgment to her of a dowry of her like (Mahr al-Mithl) is valid."

حَدَّثَنَا هُشَيْمٌ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّهُ كَانَ يُجِيزُ ذَلِكَ

[17524] Hushaym told us, from Yūnus, from Al-Ḥasan, that he used to validate that.

حَدَّثَنَا هُشَيْمٌ، عَنْ بَعْضِ أَصْحَابِهِ، عَنِ الشَّعْبِيِّ، أَنَّهُ كَانَ لاَ يُجِيزُ إِقْرَارَهُ لَهَا لأَنَّهَا وَارِثَةٌ، وَلاَ يَجُوزُ وَصِيَّةٌ لِوَارِثٍ

[17525] Hushaym told us, from some of his companions, from Al-Shaʻbī, that he used to not validate his acknowledgment to her because she is an heir, and a bequest to an heir is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصُ بْنُ غِيَاثٍ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، قَالَ: الْقَوْلُ قَوْلُ الرَّجُلِ. وَقَالَ حَمَّادٌ، وَابْنُ ذَكْوَانَ: الْقَوْلُ قَوْلُهَا مَا بَيْنَهَا وَبَيْنَ مَهْرِ مِثْلِهَا

[17526] Abū Bakr told us, he said: Ḥafṣ ibn Ghiyāth told us, from Al-Shaybānī, from Al-Shaʻbī, who said: "The statement (regarding the dowry amount dispute) is the statement of the man." Ḥammād and Ibn Dhakwān said: "The statement is her statement as long as it is between her amount and the dowry of her like."

حَدَّثَنَا مُعَاذُ بْنُ مُعَاذٍ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: قَالَ هُوَ قَوْلُهَا مَا بَيْنَهَا، وَبَيْنَ صَدَاقِ نِسَائِهَا

[17527] Mu‘ādh ibn Mu‘ādh told us, from Ash‘ath, from Al-Ḥasan, who said: “It is her statement as long as it is between her amount and the dowry of women like her.”

حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، وَعَنْ إِسْمَاعِيلَ بْنِ سَالِمٍ، عَنِ الشَّعْبِيِّ، قَالاَ: فِي رَجُلٍ تَزَوَّجَ امْرَأَةً عَلَى عَاجِلٍ أَوْ آجِلٍ فَدَخَلَ بِهَا قَالاَ: الْبَيِّنَةُ أَنَّهُ دَفَعَهُ إِلَيْهَا

[17528] ‘Abd al-Raḥmān ibn Mahdī told us, from Sufyān, from ‘Aṭā’ ibn al-Sā’ib, from Sa‘īd ibn Jubayr; and from Ismā‘īl ibn Sālim, from Al-Sha‘bī; they both said regarding a man who married a woman with a prompt or deferred dowry and consummated with her: They said: “The proof (required from him) is that he paid it to her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ فِي الْمَرْأَةِ تَدَّعِي الصَّدَاقَ بَعْدَ وَفَاةِ زَوْجِهَا، قَالَ: يَسْأَلُهَا الْبَيِّنَةَ

[17529] Abū Bakr told us, he said: ‘Abd al-Raḥmān ibn Mahdī told us, from Sufyān, from Al-Shaybānī, from Al-Sha‘bī, regarding a woman who claims her dowry after the death of her husband. He said: “He asks her for proof.”

حَدَّثَنَا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ خَالِدِ بْنِ دِينَارٍ، عَنِ الْحَكَمِ، قَالَ: بَيْنَهَا. وَقَالَ حَمَّادٌ: صَدَاقُ نِسَائِهَا

[17530] ‘Abd al-Raḥmān ibn Mahdī told us, from Sufyān, from Khālid ibn Dīnār, from Al-Ḥakam, who said: “It is the proof between her [and the heirs].” Ḥammād said: “The dowry of women like her.”

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، قَالَ: الْبَيِّنَةُ عَلَى أَهْلِ الصَّدَاقِ أَوْلِيَاءِ الْمَرْأَةِ، وَعَلَى أَهْلِ الرَّجُلِ الْمُخْرَجِ مِنْ ذَلِكَ

[17531] Ibn Idrīs told us, from Al-Shaybānī, from Al-Sha‘bī, who said: “The proof is upon the people of the dowry (the woman's guardians), and upon the man's family is the oath to be absolved from that.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ السَّلاَمِ بْنُ حَرْبٍ، عَنِ الْعَلاَءِ بْنِ الْمُسَيِّبِ، عَنِ الْفُضَيْلِ، عَنْ إِبْرَاهِيمَ فِي الرَّجُلِ يَقْذِفُ امْرَأَتَهُ قَبْلَ أَنْ يَدْخُلَ بِهَا قَالَ: يُلاَعِنُهَا، وَلَهَا نِصْفُ الصَّدَاقِ، فَإِنْ ظَهَرَ بِهَا حَمْلٌ، فَلَهَا الصَّدَاقُ كَامِلاً

[17532] Abū Bakr told us, he said: ‘Abd al-Salām ibn Ḥarb told us, from Al-‘Alā’ ibn al-Musayyib, from Al-Fuḍayl, from Ibrāhīm, regarding a man who accuses his wife (of adultery) before consummating with her. He said: “He performs Li‘ān with her, and she gets half the dowry. If pregnancy becomes apparent in her, she gets the full dowry.”

حَدَّثَنَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ مُطَرِّفٍ، عَنْ عَامِرٍ، قَالَ: إِذَا قَذَفَ الرَّجُلُ امْرَأَتَهُ قَبْلَ أَنْ يَدْخُلَ بِهَا لاَعَنَهَا، وَلَهَا نِصْفُ الصَّدَاقِ

[17533] Abū Bakr ibn ‘Ayyāsh told us, from Muṭarrif, from ‘Āmir, who said: “If a man accuses his wife before consummating with her, he performs Li‘ān with her, and she gets half the dowry.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، وَابْنِ عُمَرَ، قَالاَ: إِذَا قَذَفَهَا قَبْلَ أَنْ يَدْخُلَ بِهَا لاَعَنَهَا، وَلَهَا نِصْفُ الصَّدَاقِ

[17534] Abū Khālid told us, from Sa‘īd, from Qatādah, from Al-Ḥasan and Ibn ‘Umar, who both said: “If he accuses her before consummating with her, he performs Li‘ān with her, and she

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ زُرَارَةَ بْنِ أَوْفَى مِثْلَهُ

[17535] Abū Khālid al-Aḥmar told us, from Sa‘īd, from Qatādah, from Zurārah ibn Awfā, the like of it.

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ حَجَّاجٍ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ مِثْلَهُ

[17536] Abū Khālid told us, from Ḥajjāj, from Manṣūr, from Ibrāhīm, the like of it.

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، قَالَ: إِذَا قَذَفَ الرَّجُلُ امْرَأَتَهُ قَبْلَ أَنْ يَدْخُلَ بِهَا لاَعَنَ، وَلَهَا نِصْفُ الصَّدَاقِ

[17537] Wakī‘ told us, from Sufyān, from Al-Shaybānī, from Al-Sha‘bī, who said: “If a man accuses his wife before consummating with her, he performs Li‘ān, and she gets half the dowry.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُطَرِّفٍ، عَنِ الْحَكَمِ، قَالَ: إِذَا كَانَ بِهَا حَمْلٌ فَلَهَا الصَّدَاقُ كَامِلاً

[17538] Wakī‘ told us, from Sufyān, from Muṭarrif, from Al-Ḥakam, who said: “If she is pregnant, she gets the full dowry.”

حَدَّثَنَا أَبُو بَحْرٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، قَالَ: يُلاَعِنُ، وَلَهَا نِصْفُ الصَّدَاقِ

[17539] Abū Baḥr told us, from Ibn Jurayj, from ‘Aṭā’, who said: “He performs Li‘ān, and she gets half the dowry.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، قَالَ: كَانَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقْسِمُ بَيْنَ نِسَائِهِ فَيَعْدِلُ، ثُمَّ يَقُولُ: اللَّهُمَّ هَذِهِ قِسْمَتِي فِيمَا أَمْلِكُ، فَلاَ تَلُمْنِي فِيمَا تَمْلِكُ أَنْتَ، وَلاَ أَمْلِكُ

[17540] Abū Bakr told us, he said: Ismā‘īl ibn ‘Ulayyah told us, from Ayyūb, from Abū Qilābah, who said: The Messenger of Allah ﷺ used to divide [his time] among his wives and treat them equally, then he would say: “O Allah, this is my division concerning what I possess, so do not blame me concerning what You possess and I do not possess.”

[17541] Yazīd ibn Hārūn told us, he said: Ḥammād ibn Salamah told us, from Ayyūb, from Abū Qilābah, from ‘Abd Allāh ibn Yazīd, from ‘Ā’ishah, who said: The Messenger of Allah ﷺ used to divide [his time] among his wives and treat them equally, then he would say: “O Allah, this is my action concerning what I possess, so do not blame me concerning what You possess and I do not possess.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: نَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ، عَنْ عَائِشَةَ، قَالَتْ: كَانَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقْسِمُ بَيْنَ نِسَائِهِ فَيَعْدِلُ ثُمَّ يَقُولُ: اللَّهُمَّ هَذَا فِعْلِي فِيمَا أَمْلِكُ، فَلاَ تَلُمْنِي فِيمَا تَمْلِكُ، وَلاَ أَمْلِكُ

[17542] Abū Khālid al-Aḥmar told us, from Yaḥyā ibn Sa‘īd, that Mu‘ādh had two wives, and he used to dislike performing ablution in the house of this one on the day of that one, or being in the house of this one on the day of that one.

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ يَحْيَى بْنِ سَعِيدٍ، أَنَّ مُعَاذًا كَانَتْ لَهُ امْرَأَتَانِ فَكَانَ يَكْرَهُ أَنْ يَتَوَضَّأَ فِي يَوْمِ هَذِهِ عِنْدَ هَذِهِ، أَوْ يَكُونَ فِي يَوْمِ هَذِهِ عِنْدَ هَذِهِ

[17543] Abū Dāwūd al-Ṭayālisī told us, from Hārūn ibn Ibrāhīm, who said: I heard Muḥammad say regarding someone who has two wives: “It is disliked for him to perform ablution in the house of one of them to the exclusion of the other.”

حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ هَارُونَ بْنِ إِبْرَاهِيمَ، قَالَ: سَمِعْتُ مُحَمَّدًا، يَقُولُ فِيمَنْ لَهُ امْرَأَتَانِ: يُكْرَهُ أَنْ يَتَوَضَّأَ فِي بَيْتِ إِحْدَاهُمَا دُونَ الأُخْرَى

[17544] Muḥammad ibn Bukayr told us, from ‘Ubayd Abū al-Ḥaram, from Jābir ibn Zayd, who said: “I had two wives, and I used to treat them equally even in kisses.”

حَدَّثَنَا مُحَمَّدُ بْنُ بُكَيْرٍ، عَنْ عُبَيْدٍ أَبِي الْحَرَمِ، عَنْ جَابِرِ بْنِ زَيْدٍ، قَالَ: كَانَتْ لِي امْرَأَتَانِ وَكُنْتُ أَعْدِلُ بَيْنَهُمَا حَتَّى فِي الْقُبَلِ

[17545] Yaḥyā ibn Ādam told us, from Sharīk, from Layth, from Mujāhid, who said: “They used to consider it recommended to treat wives equally even in perfume; he would wear perfume for this one just as he would wear perfume for that one.”

حَدَّثَنَا يَحْيَى بْنُ آدَمَ، عَنْ شَرِيكٍ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، قَالَ: كَانُوا يَسْتَحِبُّونَ أَنْ يَعْدِلُوا بَيْنَ النِّسَاءِ حَتَّى فِي الطِّيبِ يَتَطَيَّبُ لِهَذِهِ كَمَا يَتَطَيَّبُ لِهَذِهِ

[17546] Jarīr told us, from Mughīrah, from Abū Ma‘shar, from Ibrāhīm, regarding a man who combines co-wives. He said: “They used to treat them equally [in everything] until the surplus remained from what is measured of barley mush (Sawīq) and food, so they would divide it handful by handful if anything remained that they could not measure.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ فِي الرَّجُلِ يَجْمَعُ بَيْنَ الضَّرَائِرِ فَقَالَ: إِنَّهُمْ كَانُوا يُسَوُّونَ بَيْنَهُمْ حَتَّى تَبْقَى الْفَضْلَةُ مِمَّا يُكَالُ مِنَ السَّوِيقِ، وَالطَّعَامِ فَيَقْسِمُونَهُ كَفًّا كَفًّا إِذَا كَانَ يَبْقَى الشَّيْءُ مِمَّا لاَ يَسْتَطِعْ كَيْلَهُ

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، قَالَ: لَمَّا مَرِضَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ اسْتَحَلَّ نِسَاءَهُ أَنْ يُمَرَّضَ فِي بَيْتِ عَائِشَةَ قَالَ: فَأَحْلَلْنَ لَهُ فَكَانَ فِي بَيْتِ عَائِشَةَ

[17547] Jarīr told us, from Mughīrah, from Abū Ma‘shar, from Ibrāhīm, who said: “When the Messenger of Allah ﷺ became ill, he asked his wives for permission to be nursed in the house of ‘Ā’ishah.” He said: “So they permitted him, and he was in the house of ‘Ā’ishah.”

حَدَّثَنَا وَكِيعٌ، عَنْ هَمَّامِ بْنِ يَحْيَى، عَنْ قَتَادَةَ، عَنِ النَّضْرِ بْنِ أَنَسٍ، عَنْ بَشِيرِ بْنِ نَهِيكٍ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مَنْ كَانَ لَهُ امْرَأَتَانِ، فَكَانَ يَمِيلُ مَعَ إِحْدَاهُمَا عَلَى الأُخْرَى، بُعِثَ يَوْمَ الْقِيَامَةِ وَأَحَدُ شِقَّيْهِ سَاقِطٌ

[17548] Wakī‘ told us, from Hammām ibn Yaḥyā, from Qatādah, from Al-Naḍr ibn Anas, from Bashīr ibn Nahīk, from Abū Hurayrah, who said: The Messenger of Allah ﷺ said: “Whoever has two wives and leans towards one of them over the other, will be raised on the Day of Resurrection with one of his sides fallen (paralyzed).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ غَالِبٍ، قَالَ: سَأَلْتُ الْحَسَنَ، أَوْ سُئِلَ، عَنْ رَجُلٍ تَكُونُ لَهُ امْرَأَتَانِ فِي بَيْتٍ قَالَ: كَانُوا يَكْرَهُونَ الْوَجْسَ، وَهُوَ أَنْ يَطَأَ إِحْدَاهُمَا وَالأُخْرَى تَنْظُرُ أَوْ تَسْمَعُ

[17549] Abū Bakr told us, he said: ‘Abbād ibn al-‘Awwām told us, from Ghālib, who said: I asked Al-Ḥasan, or he was asked, about a man who has two wives in one house. He said: “They used to dislike Al-Wajs, which is that he has intercourse with one of them while the other looks or hears.”

[17550] ‘Abbād ibn al-‘Awwām told us, from Abū Shaybah, who said: I heard ‘Ikrimah narrating from Ibn ‘Abbās, who said: “He used to sleep between two slave girls.”

حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ أَبِي شَيْبَةَ، قَالَ: سَمِعْتُ عِكْرِمَةَ، يُحَدِّثُ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: كَانَ يَنَامُ بَيْنَ جَارِيَتَيْنِ

[17551] Yazīd ibn Hārūn told us, from Sharīk, from Layth, from ‘Aṭā’, that he used to see no harm in a man sleeping between two female slaves.

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ شَرِيكٍ، عَنْ لَيْثٍ، عَنْ عَطَاءٍ، أَنَّهُ كَانَ لاَ يَرَى بَأْسًا أَنْ يَنَامَ الرَّجُلُ بَيْنَ الأُمَتَيْنِ

[17552] Abū Bakr told us, he said: Hushaym told us, from Khālid, from ‘Urwah, from Shurayḥ, that he said regarding a man to whom his wife was gifted (delivered), then he claimed he did not consummate with her, but she affirmed that: He ruled in her favor for half the dowry and obligated the waiting period (‘Iddah) upon her, and said: “I do not verify you against yourself, nor do I verify you for yourself.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا هُشَيْمٌ، عَنْ خَالِدٍ، عَنْ عُرْوَةَ، عَنْ شُرَيْحٍ أَنَّهُ قَالَ: فِي رَجُلٍ أَهْدَتْ إِلَيْهِ امْرَأَتُهُ، فَزَعَمَ أَنَّهُ لَمْ يَدْخُلْ بِهَا وَأَقَرَّتْ هِيَ بِذَلِكَ فَقَضَى لَهَا بِنِصْفِ الصَّدَاقِ وَأَلْزَمَهَا الْعِدَّةَ، وَقَالَ: لاَ أُصَدِّقُكِ عَلَى نَفْسِكِ، وَلاَ أُصَدِّقُكِ لِنَفْسِكِ

حَدَّثَنَا مُحَمَّدُ بْنُ يَزِيدَ، عَنْ أَيُّوبَ أَبِي الْعَلاَءِ، عَنْ مَنْصُورٍ، عَنِ الْحَسَنِ، قَالَ: عَلَيْهِ كَامِلاً إِنْ شَاءَتْ أَخَذَتْهُ، وَإِنْ شَاءَتْ تَرَكَتْهُ

[17553] Muḥammad ibn Yazīd told us, from Ayyūb Abū al-‘Alā’, from Manṣūr, from Al-Ḥasan, who said: “He owes the full [dowry]; if she wishes she takes it, and if she wishes she leaves it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ عُمَرَ بْنِ عَامِرٍ، قَالَ: سَأَلْتُ الشَّعْبِيَّ، فَقَالَ رَجُلٌ: قَالَ لِلرَّجُلِ: إِذَا مَضَى شَوَّالٌ زَوَّجْتُكَ ابْنَتِي، فَقَالَ: لَيْسَ هَذَا بِنِكَاحٍ

[17554] Abū Bakr told us, he said: ‘Abbād ibn al-‘Awwām told us, from ‘Umar ibn ‘Āmir, who said: I asked Al-Sha‘bī, and a man said to another: “When Shawwāl passes, I will marry my daughter to you.” He said: “This is not a marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ اللَّهِ أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، فِي الْعَبْدِ يَتَزَوَّجُ بِإِذْنِ مَوْلاَهُ قَالَ: عَلَيْهِ النَّفَقَةُ

[17555] Abū Bakr told us, he said: ‘Abd Allāh Abū Bakr ibn ‘Ayyāsh told us, from Al-Shaybānī, from Al-Sha‘bī, regarding a slave who marries with his master's permission. He said: “The maintenance is upon him (the slave).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ أَبِيهِ، عَنِ الْحَسَنِ، قَالَ: لاَ تَحْسُرُ الْمَرْأَةُ عِنْدَ وَلَدٍ وَوَالِدٍ، وَلاَ أَخٍ إِلاَّ عِنْدَ زَوْجِهَا

[17556] Abū Bakr told us, he said: Mu‘tamir ibn Sulaymān told us, from his father, from Al-Ḥasan, who said: “A woman should not uncover herself before a child, a father, or a brother, except before her husband.”

حَدَّثَنَا وَكِيعٌ، وَابْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ أَبِي الزَّعْرَاءِ، عَنْ عِكْرِمَةَ، قَالَ: مُبَاشَرَةُ الرَّجُلِ أُمَّهُ وَأُخْتَهُ شُعْبَةٌ مِنَ الزِّنَا

[17557] Wakī‘ and Ibn Mahdī told us, from Sufyān, from Abū al-Za‘rā’, from ‘Ikrimah, who said: “A man's physical contact (skin-to-skin) with his mother and his sister is a branch of fornication (Zina).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ عَاصِمٍ، عَنْ أَبِي عُثْمَانَ، عَنْ سَلْمَانَ، قَالَ: مَا أُبَالِي إِذَا خَلَوْتُ بِأَهْلِي، وَأَغْلَقْتُ بَابِي، وَأَرْخَيْتُ سِتْرِي حَدَّثْتُ بِهِ النَّاسَ أَوْ صَنَعْتُ ذَلِكَ، وَالنَّاسُ يَنْظُرُونَ

[17558] Abū Bakr told us, he said: Muḥammad ibn Fuḍayl told us, from ‘Āṣim, from Abū ‘Uthmān, from Salmān, who said: “I do not care if, when I am alone with my wife, lock my door, and lower my curtain, I [then] speak of it to the people or do that while people are watching.” (Implying revealing secrets is as bad as doing it in public).

حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنْ عُمَرَ بْنِ حَمْزَةَ الْعُمَرِيِّ، قَالَ: نَا عَبْدُ الرَّحْمَنِ بْنُ سَعْدٍ، مَوْلًى لِأَبِي سُفْيَانَ، قَالَ: سَمِعْتُ أَبَا سَعِيدٍ الْخُدْرِيِّ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِنَّ مِنْ شَرِّ النَّاسِ عِنْدَ اللَّهِ مَنْزِلَةً يَوْمَ الْقِيَامَةِ الرَّجُلَ، يُفْضِي إِلَى امْرَأَتِهِ، وَتُفْضِي إِلَيْهِ، ثُمَّ يَنْشُرُ سِرَّهَا

[17559] Marwān ibn Muʻāwiyah told us, from ʻUmar ibn Ḥamzah al-ʻUmarī, who said: ʻAbd al-Raḥmān ibn Saʻd, a client of Abū Sufyān, told us, he said: I heard Abū Saʻīd al-Khudrī say: The Messenger of Allah ﷺ said: “Indeed, among the worst of people in status before Allah on the Day of Resurrection is the man who is intimate with his wife, and she is intimate with him, then he spreads her secret.”

حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنِ الْجُرَيْرِيِّ، عَنْ أَبِي نَضْرَةَ، عَنِ الطُّفَاوِيِّ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: أَحَدُكُمْ يُخْبِرُ بِمَا صَنَعَ بِأَهْلِهِ؟ وَعَسَى إِحْدَاكُنَّ أَنْ تُخْبِرَ بِمَا صَنَعَ بِهَا زَوْجُهَا فَقَامَتِ امْرَأَةٌ سَوْدَاءُ فَقَالَتْ: يَا رَسُولَ اللَّهِ إِنَّهُمْ لَيَفْعَلُونَ، وَإِنَّهُنَّ لَيَفْعَلْنَ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: أَلاَ أُخْبِرُكُمْ بِمَثَلِ ذَلِكَ؟ مَثَلُ ذَلِكَ كَمَثَلِ الشَّيْطَانِ لَقِيَ شَيْطَانَةً، فَوَقَعَ عَلَيْهَا فِي الطَّرِيقِ، وَالنَّاسُ يَنْظُرُونَ فَقَضَى حَاجَتَهُ مِنْهَا، وَالنَّاسُ يَنْظُرُونَ

[17560] Marwān ibn Mu‘āwiyah told us, from Al-Jurayrī, from Abū Naḍrah, from Al-Ṭufāwī, who said: The Messenger of Allah ﷺ said: “Does one of you tell what he did with his wife? And perhaps one of you (women) tells what her husband did with her?” A black woman stood up and said: “O Messenger of Allah, indeed they do it, and indeed they (women) do it.” The Messenger of Allah ﷺ said: “Shall I not tell you what the likeness of that is? The likeness of that is like a male devil meeting a female devil, so he has intercourse with her in the road while people are watching, so he fulfills his need from her while people are

حَدَّثَنَا هُشَيْمٌ، عَنْ عَوَّامٍ، عَنْ مُجَاهِدٍ، {وَإِذَا مَرُّوا بِاللَّغْوِ مَرُّوا كِرَامًا} [الفرقان: 72] قَالَ: إِذَا أَتَوْا عَلَى ذِكْرِ النِّكَاحِ كَنَّوْا عَنْهُ

[17561] Hushaym told us, from ‘Awwām, from Mujāhid, [regarding] {And when they pass by ill speech, they pass by with dignity} [Al-Furqan: 72]. He said: “When they come across the mention of intercourse, they use euphemisms for it.”

[17562] Abū Bakr told us, he said: Ḥafṣ told us, from Muḥammad ibn Qays, from Ḥabīb, who said: ‘Umar used to not permit marriage during a year of drought/famine.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصٌ، عَنْ مُحَمَّدِ بْنِ قَيْسٍ، عَنْ حَبِيبٍ، قَالَ: كَانَ عُمَرُ لاَ يُجِيزُ النِّكَاحَ فِي عَامِ سَنَةٍ، يَعْنِي مَجَاعَةً

[17563] Abū Bakr told us, he said: Ibn Fuḍayl told us, from ‘Ubaydah, from Ibrāhīm, who said: “If a guardian marries off a woman and she is not pleased, then she is pleased later, that marriage is not valid until there is a new marriage contract.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ فُضَيْلٍ، عَنْ عُبَيْدَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا نَكَحَ الْمَرْأَةَ الْوَلِيُّ فَلَمْ تَرْضَ، ثُمَّ رَضِيَتْ بَعْدُ لَمْ يَصْلُحْ ذَلِكَ النِّكَاحُ حَتَّى يَكُونَ نِكَاحٌ جَدِيدٌ

[17564] Abū Bakr told us, he said: Hushaym told us, from Mujālid, from Al-Sha‘bī, from ‘Umar, who said: “If he acknowledges his child once, he does not have the right to deny him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنْ مُجَالِدٍ، عَنِ الشَّعْبِيِّ، عَنْ عُمَرَ، قَالَ: إِذَا أَقَرَّ بِوَلَدِهِ مَرَّةً وَاحِدَةً، فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ

[17565] Ḥafṣ told us, from Mujālid, from Al-Sha‘bī, from ‘Alī, who said: “If he acknowledges his child, he does not have the right to deny him.”

حَدَّثَنَا حَفْصٌ، عَنْ مُجَالِدٍ، عَنِ الشَّعْبِيِّ، عَنْ عَلِيٍّ، قَالَ: إِذَا أَقَرَّ بِوَلَدِهِ، فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ

حَدَّثَنَا حَفْصٌ، عَنْ مُجَالِدٍ، عَنْ شُرَيْحٍ، قَالَ: إِذَا أَقَرَّ بِهِ أَوْ هُنِّئَ بِهِ أَوْ أَوْلَمَ عَلَيْهِ، فَلَيْسَ لَهُ أَنْ يَنْتَفِيَ مِنْهُ

[17566] Ḥafṣ told us, from Mujālid, from Shurayḥ, who said: "If he acknowledges him, or is congratulated for him, or holds a banquet for him, he does not have the right to deny him."

حَدَّثَنَا عَلِيُّ بْنُ هَاشِمٍ، عَنِ ابْنِ أَبِي لَيْلَى، عَنِ الشَّعْبِيِّ، وَغَيْرِهِ، عَنْ عُمَرَ، قَالَ: إِذَا أَقَرَّ بِالْوَلَدِ طَرْفَةَ عَيْنٍ، فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ

[17567] 'Alī ibn Hāshim told us, from Ibn Abī Laylā, from Al-Sha'bī and others, from 'Umar, who said: "If he acknowledges the child for the blink of an eye, he does not have the right to deny him."

حَدَّثَنَا ابْنُ أَبِي لَيْلَى، عَنْ زَائِدَةَ، عَنْ مُجَالِدٍ، عَنِ الشَّعْبِيِّ، قَالَ: جَاءَ رَجُلٌ بِابْنٍ لَهُ قَدْ أَقَرَّ بِهِ، ثُمَّ أَرَادَ أَنْ يَنْفِيَهُ، فَشَهِدُوا أَنَّهُ وُلِدَ فِي بَيْتِهِ، وَأَنَّهُمْ هَنَّأُوهُ بِهِ، وَأَقَرَّ بِهِ، فَقَالَ شُرَيْحٌ: الْزَمْ وَلَدَكَ. قَالَ: عَامِرٌ: فَإِنَّ عُمَرَ يَقْضِي بِذَلِكَ

[17568] Ibn Abī Laylā told us, from Zā'idah, from Mujālid, from Al-Sha'bī, who said: A man brought a son of his whom he had acknowledged, then he wanted to deny him. They testified that he was born in his house, and that they congratulated him for him, and he acknowledged him. Shurayḥ said: "Stick to your son." 'Āmir said: And 'Umar used to judge with that.

حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، قَالَ: إِذَا أَقَرَّ الرَّجُلُ بِوَلَدِهِ، فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ عَلَى حَالٍ

[17569] Ibn Idrīs told us, from Hishām, from Al-Ḥasan, who said: “If a man acknowledges his child, he does not have the right to deny him in any case.”

حَدَّثَنَا هُشَيْمٌ، عَنْ مُغِيرَةَ، وَعُبَيْدَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا أَقَرَّ بِالْوَلَدِ، فَلَيْسَ لَهُ أَنْ يَنْتَفِيَ مِنْهُ وَقَالَ حَمَّادٌ: "إِذَا أَقَرَّ بِالْحَمْلِ، فَلَيْسَ لَهُ أَنْ يُنْكِرَهُ، إِنْ شَاءَ يَقُولُ: أَخْطَأْتُ فِي الْعِدَّةِ

[17570] Hushaym told us, from Mughīrah and ‘Ubaydah, from Ibrāhīm, who said: “If he acknowledges the child, he does not have the right to deny him.” Ḥammād said: “If he acknowledges the pregnancy, he does not have the right to deny it; he may say if he wishes: ‘I was mistaken in the waiting period.’”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ حَمَّادٍ، قَالَ: إِذَا تَبَيَّنَ حَمْلُ سُرِّيَّتِهِ، فَلَهُ إِنْكَارُهُ مَا لَمْ يُقِرَّ بِهِ بَعْدَمَا تَضَعُ، وَإِنْ كَانَ قَدْ أَقَرَّ بِالْحَمْلِ، ثُمَّ أَنْكَرَهُ بَعْدَمَا تَضَعُ فَلَهُ ذَلِكَ

[17571] Jarīr told us, from Mughīrah, from Ḥammād, who said: “If the pregnancy of his concubine becomes apparent, he has the right to deny it as long as he has not acknowledged it after she gives birth. If he had acknowledged the pregnancy, then denied it after she gave birth, he has that right.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ، عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ، قَالَ: إِذَا أَقَرَّ بِوَلَدِهِ، ثُمَّ نَفَاهُ لَزِمَهُ

[17572] Wakī‘ told us, from Sufyān, from Muḥammad ibn ‘Ajlān, from ‘Umar ibn ‘Abd al-‘Azīz, who said: “If he acknowledges his child, then denies him, it is binding upon him (the acknowledgment).”

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، قَالَ: إِذَا انْتَفَى الرَّجُلُ مِنْ وَلَدِهِ لاَعَنَ أُمَّهُ إِنْ كَانَتْ حَيَّةً، وَإِنْ كَانَتْ قَدْ مَاتَتْ جُلِدَ الْحَدَّ، وَأُلْزِقَ بِهِ الْوَلَدُ، فَإِنْ كَانَ ابْنَ سُرِّيَّةٍ صَارَ عَبْدًا

[17573] ‘Alī ibn Mushir told us, from Al-Shaybānī, from Al-Sha‘bī, who said: “If a man denies his child, he performs Li‘ān with his mother if she is alive. If she has died, he is flogged the Ḥadd (punishment for slander), and the child is attached to him. If it was the son of a concubine, he becomes a slave.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ حَمَّادٍ، وَالْحَكَمِ، قَالاَ: إِذَا أَقَرَّ بِوَلَدِهِ، ثُمَّ نَفَاهُ. قَالَ: الْحَكَمُ: يُضْرَبُ وَقَالَ حَمَّادٌ: يَلْزَمُ الْوَلَدُ بِالإِقْرَارِ، وَيُلاَعِنُ وَذَكَرَ أَنَّ سُفْيَانَ كَانَ يَقُولُهُ

[17574] Wakī‘ told us, from Sufyān, from Ḥammād and Al-Ḥakam, who said: If he acknowledges his child then denies him. Al-Ḥakam said: “He is beaten.” Ḥammād said: “The child is bound (to him) by the acknowledgment, and he performs Li‘ān.” He mentioned that Sufyān used to say it.

[17575] ‘Abdah told us, from Sufyān, from Abū Ma‘shar, from Ibrāhīm, regarding a man who acknowledges his child then denies him. He said: “He performs Li‘ān according to the Book of Allah, and the child is attached (to him) according to the judgment of the Messenger of Allah ﷺ.”

حَدَّثَنَا عَبْدَةُ، عَنْ سُفْيَانَ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ فِي الرَّجُلِ يُقِرُّ بِوَلَدِهِ، ثُمَّ يَنْتَفِي مِنْهُ قَالَ: يُلاَعِنُ بِكِتَابِ اللَّهِ، وَيَلْزَمُ الْوَلَدُ بِقَضَاءِ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ

[17576] Jarīr told us, from Mughīrah, from Ḥammād, regarding a man who acknowledged his child from his slave girl until he became a man and he married him off, then he denied him. He said: “His denial is nothing; he is attached to him.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ حَمَّادٍ فِي رَجُلٍ أَقَرَّ بِوَلَدِهِ مِنْ جَارِيَتِهِ حَتَّى صَارَ رَجُلاً وَزَوَّجَهُ، ثُمَّ أَنْكَرَهُ قَالَ: لَيْسَ إِنْكَارُهُ بِشَيْءٍ، يُلْزَقُ بِهِ

[17577] Yaḥyā ibn Yamān told us, from Sufyān, from Manṣūr, from Mujāhid, who said: “He has the right to deny him, even if he is a man (adult).”

حَدَّثَنَا يَحْيَى بْنُ يَمَانٍ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، قَالَ: لَهُ أَنْ يَنْفِيَهُ، وَإِنْ كَانَ رَجُلاً

حَدَّثَنَا عَبْدَةُ، عَنْ عَاصِمٍ قَالَ: جَاءَتِ امْرَأَةٌ إِلَى أَبِي مُوسَى وَأَبُوهَا وَزَوْجُهَا وَأُمُّهَا وَهِيَ حُبْلَى يَقُولُ زَوْجُهَا: هِيَ جَارِيَةٌ، وَإِنَّمَا كُنْتُ أَلْعَبُ مَعَهَا، فَكَلَّمَ الْجَارِيَةَ فَقَالَتْ: زَوَّجَنِيهِ أَبِي، وَأُمِّي، وَكَانَ يَدْخُلُ عَلَيَّ، فَيَصْنَعُ بِي مَا يَصْنَعُ الرَّجُلُ بِامْرَأَتِهِ قَالَ: فَضَرَبَ رَأْسَهُ بِالدِّرَّةِ وَقَالَ: هِيَ امْرَأَتُكَ، وَالْوَلَدُ وَلَدُكَ

[17578] ‘Abdah told us, from ‘Āṣim, who said: A woman came to Abū Mūsā with her father, her husband, and her mother while she was pregnant. Her husband said: “She is a slave girl, and I was only playing with her.” He spoke to the girl, and she said: “My father and mother married me to him, and he used to enter upon me and do with me what a man does with his wife.” He said: So he (Abū Mūsā) struck his head with a whip and said: “She is your wife, and the child is your

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ وَهُوَ قَوْلُ قَتَادَةَ: {إِذَا أُحْصِنَّ} قَالَ: إِذَا أَحْصَنَتْهُنَّ الْبُعُولَةُ

[17579] Abū Bakr told us, he said: ‘Abd al-A‘lā told us, from Sa‘īd, from Qatādah, from Al-Ḥasan - and it is the opinion of Qatādah - regarding {If they are fortified (Uḥṣinna)} [An-Nisa: 25]. He said: “If husbands fortify (marry) them.”

حَدَّثَنَا هُشَيْمٌ، عَنْ حُصَيْنٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ أَنَّهُ كَانَ يَقْرَؤُهَا: {فَإِذَا أُحْصِنَّ} [النساء: 25] يَقُولُ: إِذَا تَزَوَّجْنَ

[17580] Hushaym told us, from Ḥuṣayn, from ‘Ikrimah, from Ibn ‘Abbās, that he used to read it: {And when they are fortified (married)} [An-Nisa: 25]. He says: “When they get married.”

[17581] Abū Bakr told us, he said: Ibn Idrīs told us, from Al-A‘mash, from Ibrāhīm, from Al-Aswad, from ‘Ā’ishah, who said: “Barīrah's husband was a free man.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا ابْنُ إِدْرِيسَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، قَالَتْ: كَانَ زَوْجُ بَرِيرَةَ حُرًّا

[17582] Ḥafṣ ibn Ghiyāth told us, from ‘Āṣim, from Al-Sha‘bī, who said: “Her husband was a free man.”

حَدَّثَنَا حَفْصُ بْنُ غِيَاثٍ، عَنْ عَاصِمٍ، عَنِ الشَّعْبِيِّ، قَالَ: كَانَ زَوْجُهَا حُرًّا

[17583] Muḥammad ibn Bishr told us, he said: Sa‘īd told us, from Abū Ma‘shar, from Al-Nakha‘ī, from Al-Aswad, that ‘Ā’ishah told him: “Barīrah's husband was a free man when she was set free.”

حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، قَالَ: حَدَّثَنَا سَعِيدٌ، عَنْ أَبِي مَعْشَرٍ، عَنِ النَّخَعِيِّ، عَنِ الأَسْوَدِ، أَنَّ عَائِشَةَ، حَدَّثَتْهُ: زَوْجُ بَرِيرَةَ كَانَ حُرًّا حِينَ أُعْتِقَتْ

[17584] ‘Alī ibn Mushir and Ibn Idrīs told us, from ‘Ubayd Allāh ibn ‘Umar, from Nāfi‘, from Ṣafiyyah bint Abī ‘Ubayd, who said: “Barīrah's husband was a slave.”

حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، وَابْنُ إِدْرِيسَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنْ صَفِيَّةَ ابْنَةِ أَبِي عُبَيْدٍ قَالَتْ: كَانَ زَوْجُ بَرِيرَةَ عَبْدًا

[17585] Ibn ‘Ulayyah told us, from Yūnus, from Al-Ḥasan, that Barīrah's husband was a slave.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّ زَوْجُ بَرِيرَةَ كَانَ عَبْدًا

[17586] Ibn ‘Ulayyah told us, from Yūnus, from ‘Ikrimah, from Ibn ‘Abbās, that Barīrah's husband was a black slave called Mughīth, a slave of Banū al-Mughīrah from Banū Makhzūm.

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، "أَنَّ زَوْجَ بَرِيرَةَ كَانَ عَبْدًا أَسْوَدَ يُقَالُ لَهُ: مُغِيثٌ، عَبْدٌ لِبَنِي الْمُغِيرَةِ مِنْ بَنِي مَخْزُومٍ

[17587] Muḥammad ibn Bishr told us, he said: Sa‘īd ibn Abī ‘Arūbah told us, from Ayyūb, from ‘Ikrimah, from Ibn ‘Abbās, who said: “He was a black slave of Banū al-Mughīrah called Mughīth. It is as if I am looking at him on the road of Medina following her, with his tears flowing onto his beard, trying to please her so she would choose him, but she did not choose him.” Meaning Barīrah's husband.

حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، قَالَ: نَا سَعِيدُ بْنُ أَبِي عَرُوبَةَ، عَنْ أَيُّوبَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: كَانَ عَبْدًا أَسْوَدَ لِبَنِي الْمُغِيرَةِ، يُقَالُ لَهُ مُغِيثٌ كَأَنِّي أَنْظُرُ إِلَيْهِ فِي طَرِيقِ الْمَدِينَةِ يَتْبَعُهَا، وَدُمُوعُهُ تَجْرِي عَلَى لِحْيَتِهِ يَتَرَضَّاهَا كَيْ تَخْتَارَهُ، فَلَمْ تَخْتَرْهُ، يَعْنِي زَوْجَ بَرِيرَةَ

[17588] Ḥafṣ told us, from Hishām, from ‘Ikrimah, from Ibn ‘Abbās, who said: “Barīrah's husband was a black slave called Mughīth.”

حَدَّثَنَا حَفْصٌ، عَنْ هِشَامٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: زَوْجُ بَرِيرَةَ عَبْدٌ أَسْوَدُ يُقَالُ لَهُ مُغِيثٌ

[17589] Ḥafṣ told us, from Al-A‘mash, from Ibrāhīm, from Al-Aswad, from ‘Ā’ishah, that she freed Barīrah, so the Messenger of Allah ﷺ gave her the choice, and she had a free husband.

حَدَّثَنَا حَفْصٌ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، عَنْ عَائِشَةَ، أَنَّهَا أَعْتَقَتْ بَرِيرَةَ فَخَيَّرَهَا رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَكَانَ لَهَا زَوْجٌ حُرٌّ

[17590] Ḥusayn ibn ‘Alī told us, from Zā’idah, from Simāk, from ‘Abd al-Raḥmān ibn al-Qāsim, from his father, from ‘Ā’ishah, who said: “Barīrah's husband was a slave.”

حَدَّثَنَا حُسَيْنُ بْنُ عَلِيٍّ، عَنْ زَائِدَةَ، عَنْ سِمَاكٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْقَاسِمِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ، قَالَتْ: كَانَ زَوْجُ بَرِيرَةَ عَبْدًا

[17591] Abū Bakr told us, he said: Wakī‘ told us, from Ziyād ibn Khaythamah, from Nu‘aym ibn Abī Hind, from ‘Umar al-A‘war, from ‘Abd Allāh ibn Ja‘far, who said: ‘Ā’ishah said: “Whiteness is half of beauty.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا وَكِيعٌ، عَنْ زِيَادِ بْنِ خَيْثَمَةَ، عَنْ نُعَيْمِ بْنِ أَبِي هِنْدٍ، عَنْ عُمَرَ الأَعْوَرِ، عَنْ عَبْدِ اللَّهِ بْنِ جَعْفَرٍ، قَالَ: قَالَتْ عَائِشَةُ: الْبَيَاضُ نِصْفُ الْحُسْنِ

[17592] Wakī‘ told us, from Sufyān, from Abū Isḥāq, from Abū al-Aḥwaṣ, from ‘Abd Allāh, who said: “Joseph and his mother were given one third of beauty.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ، قَالَ: أُعْطِيَ يُوسُفُ وَأُمُّهُ ثُلُثَ الْحُسْنِ

[17593] ‘Affān told us, from Ḥammād ibn Salamah, from Thābit, from Anas, that the Prophet ﷺ said: “Joseph was given half of beauty.”

حَدَّثَنَا عَفَّانُ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ ثَابِتٍ، عَنْ أَنَسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: أُعْطِيَ يُوسُفُ شَطْرَ الْحُسْنِ

[17594] Abū Bakr told us, he said: Marwān ibn Mu‘āwiyah told us, from Al-Jurayrī, from Abū Naḍrah, from Al-Ṭufāwī, from Abū Hurayrah, who said: The Messenger of Allah ﷺ said: “A man should not be in physical contact (under one cover) with another man, nor a woman with another woman, nor a father with his child, nor a child with his father.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنِ الْجُرَيْرِيِّ، عَنْ أَبِي نَضْرَةَ، عَنِ الطُّفَاوِيِّ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ يُبَاشِرُ الرَّجُلُ الرَّجُلَ، وَلاَ الْمَرْأَةُ الْمَرْأَةَ، وَلاَ الْوَالِدُ وَلَدَهُ، وَلاَ الْوَلَدُ وَالِدَهُ

[17595] Abū al-Aḥwaṣ told us, from Manṣūr, from Abū Wā’il, from ‘Abd Allāh, who said: “The Messenger of Allah ﷺ forbade for a woman to be in physical contact with another woman under one cloth in order to describe her to her husband.”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ مَنْصُورٍ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ تُبَاشِرَ الْمَرْأَةُ الْمَرْأَةَ فِي ثَوْبٍ وَاحِدٍ مِنْ أَجْلِ أَنْ تَصِفَهَا لِزَوْجِهَا

حَدَّثَنَا زَيْدُ بْنُ الْحُبَابِ، عَنِ الضَّحَّاكِ بْنِ عُثْمَانَ، قَالَ: أَنَا زَيْدُ بْنُ أَسْلَمَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي سَعِيدٍ الْخُدْرِيِّ، عَنْ أَبِيهِ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: لاَ تُفْضِي الْمَرْأَةُ إِلَى الْمَرْأَةِ فِي ثَوْبٍ وَاحِدٍ، وَلاَ الرَّجُلُ إِلَى الرَّجُلِ فِي ثَوْبٍ وَاحِدٍ

[17596] Zayd ibn al-Ḥubāb told us, from Al-Ḍaḥḥāk ibn ‘Uthmān, who said: Zayd ibn Aslam told me, from ‘Abd al-Raḥmān ibn Abī Sa‘īd al-Khudrī, from his father, that the Messenger of Allah ﷺ said: “A woman should not lie with another woman under one cloth, nor a man with another man under one cloth.”

حَدَّثَنَا زَيْدُ بْنُ حُبَابٍ، قَالَ: أَخْبَرَنِي يَحْيَى بْنُ أَيُّوبَ الْمِصْرِيُّ، قَالَ: أَخْبَرَنِي عَيَّاشُ بْنُ عَبَّاسٍ الْحِمْيَرِيُّ، عَنْ أَبِي الْحُصَيْنِ الْحَجَرِيِّ الْهَيْثَمِ، عَنْ عَامِرٍ الْحَجَرِيِّ، قَالَ: سَمِعْتُ أَبَا رَيْحَانَةَ، صَاحِبَ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: كَانَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَنْهَى عَنْ مُعَاكَمَةٍ، أَوْ مُكَاعَمَةٍ، الْمَرْأَةِ الْمَرْأَةَ لَيْسَ بَيْنَهُمَا شَيْءٌ، أَوْ مُعَاكَمَةِ الرَّجُلِ الرَّجُلَ فِي شِعَارٍ لَيْسَ بَيْنَهُمَا شَيْءٌ

[17597] Zayd ibn Ḥubāb told us, he said: Yaḥyā ibn Ayyūb al-Miṣrī told me, he said: ‘Ayyāsh ibn ‘Abbās al-Ḥimyarī told me, from Abū al-Ḥuṣayn al-Ḥajarī al-Haytham, from ‘Āmir al-Ḥajarī, who said: I heard Abū Rayḥānah, the Companion of the Prophet ﷺ, say: The Messenger of Allah ﷺ used to forbid the crowding/huddling (Mu‘ākamah or Mukā‘amah) of a woman with a woman with nothing between them, or the crowding/huddling of a man with a man under a cover with nothing between them.

[17598] Aḥmad ibn ‘Abd Allāh told us, from Abū Shihāb, from Ibn Abī Laylā, from Abū al-Zubayr, from Jābir, who said: “The Messenger of Allah ﷺ forbade for a man to be in physical contact with another man, and a woman with another woman.” Ibn Abī Laylā said: “And I see (that there should be) a discretionary punishment (Ta‘zīr) for that.”

حَدَّثَنَا أَحْمَدُ بْنُ عَبْدِ اللَّهِ، عَنِ أَبُو شِهَابٍ، عَنِ ابْنِ أَبِي لَيْلَى، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يُبَاشِرَ الرَّجُلُ الرَّجُلَ، وَالْمَرْأَةُ الْمَرْأَةَ قَالَ: ابْنُ أَبِي لَيْلَى: وَأَنَا أَرَى فِي ذَلِكَ تَعْزِيرًا

[17599] ‘Abd Allāh told us, from Isrā’īl, from Simāk, from ‘Ikrimah, from Ibn ‘Abbās, who said: “The Messenger of Allah ﷺ forbade for a man to be in physical contact with another man, and a woman with another woman.”

حَدَّثَنَا عَبْدُ اللَّهِ، عَنْ إِسْرَائِيلَ، عَنْ سِمَاكٍ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ يُبَاشِرَ الرَّجُلُ الرَّجُلَ، وَالْمَرْأَةُ الْمَرْأَةَ

[17600] Abū Bakr told us, he said: Ibn ‘Uyaynah told us, from Zayd ibn Aslam, that a man asked the Prophet ﷺ: “Do I ask permission to enter upon my mother?” He said: “Yes, would you like to see her naked?”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ عُيَيْنَةَ، عَنْ زَيْدِ بْنِ أَسْلَمَ، أَنَّ رَجُلاً سَأَلَ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: أَسْتَأْذِنُ عَلَى أُمِّي؟ قَالَ: نَعَمْ، أَتُحِبُّ أَنْ تَرَاهَا عُرْيَانَةً

[17601] Wakī‘ narrated to us, from Abū Isḥāq, from Sufyān, from Abū Isḥāq, from Muslim ibn Yasār, from Ḥudhayfah, who said: “If you do not do so, you are likely to see from her what will displease you.”

حَدَّثَنَا وَكِيعٌ، عَنْ أَبِي إِسْحَاقَ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ مُسْلِمِ بْنِ يَسَارٍ، عَنْ حُذَيْفَةَ، قَالَ: إِنْ لَمْ تَفْعَلْ أَوْشَكَ أَنْ تَرَى مِنْهَا مَا يَسُوءُكَ

[17602] Wakī‘ narrated to us, from Sufyān, from Abū Ḥuṣayn, from Abū ‘Abd al-Raḥmān, who said: He said to ‘Umar: “Should I ask permission to enter upon my mother?” He said: “Yes, ask permission to enter upon her.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي حُصَيْنٍ، عَنْ أَبِي عَبْدِ الرَّحْمَنِ، قَالَ: قَالَ لِعُمَرَ: أَسْتَأْذِنُ عَلَى أُمِّي؟ قَالَ: نَعَمْ، اسْتَأْذِنْ عَلَيْهَا

[17603] Abū Mu‘āwiyah narrated to us, from Al-A‘mash, from Ibrāhīm, from ‘Alqamah, from ‘Abd Allāh, who said: A man came to him and said: “Should I ask permission to enter upon my mother?” He said: “Yes.” He added: “You would not like to see her in all of her states.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ، قَالَ: جَاءَ إِلَيْهِ رَجُلٌ فَقَالَ: أَسْتَأْذِنُ عَلَى أُمِّي؟ قَالَ: نَعَمْ، قَالَ: مَا عَلَى كُلِّ أَحْيَانِهَا تُحِبُّ أَنْ تَرَاهَا

حَدَّثَنَا جَرِيرٌ، عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، قَالَ: كَانَ عَطَاءٌ وَأَخَوَاتٌ لَهُ بِمَكَّةَ فِي بَيْتٍ، وَأَهْلُ مَكَّةَ يَخْتَلِفُ أَحَدُهُمْ إِلَى أَهْلِهِ فِي اللَّيْلِ مِرَارًا فَكَانَ يَأْتِيهِنَّ بِاللَّيْلِ، فَسَأَلَ ابْنَ عَبَّاسٍ: أَسْتَأْذِنُ عَلَيْهِنَّ كُلَّمَا دَخَلْتُ؟ فَقَالَ: نَعَمْ، وَلَمْ يُرَخِّصْ لَهُ فِي الدُّخُولِ عَلَيْهِنَّ بِغَيْرِ إِذْنٍ

[17604] Jarīr narrated to us, from Manṣūr, from Mujāhid, who said: ‘Aṭā’ and his sisters were in a house in Mecca, and the people of Mecca used to visit their families repeatedly during the night. He used to come to them at night, so he asked Ibn ‘Abbās: “Should I ask permission to enter upon them every time I enter?” He said: “Yes.” And he did not grant him a concession to enter upon them without permission.

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ أَشْعَثَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ، قَالَ: اسْتَأْذِنْ عَلَى أُمِّكَ، وَإِنْ كَانَتْ عَجُوزًا

[17605] Abū Khālid al-Aḥmar narrated to us, from Ash‘ath, from Abū al-Zubayr, from Jābir, who said: “Ask permission to enter upon your mother, even if she is an old woman.”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ أَشْعَثَ، عَنِ الزُّهْرِيِّ، عَنْ هُزَيْلٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: عَلَيْكُمْ أَنْ تَسْتَأْذِنُوا عَلَى أُمَّهَاتِكُمْ

[17606] Abū Khālid al-Aḥmar narrated to us, from Ash‘ath, from Al-Zuhrī, from Huzayl, from ‘Abd Allāh, who said: “You must ask permission to enter upon your mothers.”

[17607] Abū Khālid narrated to us, from Ash‘ath, from Kurdūs, from his father, from ‘Abd Allāh, who said: “A man asks permission to enter upon his father and mother, and upon his son, and upon his sister.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ أَشْعَثَ، عَنْ كُرْدُوسٍ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ، قَالَ: يَسْتَأْذِنُ الرَّجُلُ عَلَى أَبِيهِ وَأُمِّهِ، وَعَلَى ابْنِهِ، وَعَلَى أُخْتِهِ

[17608] ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, from Hishām, from Al-Ḥasan: It was asked: “Does a man ask permission to enter upon his mother and his sister?” He said: “Yes, ask permission to enter upon them.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، قِيلَ: يَسْتَأْذِنُ الرَّجُلُ عَلَى أُمِّهِ وَعَلَى أُخْتِهِ؟ قَالَ: نَعَمْ، اسْتَأْذِنْ عَلَيْهِمَا

[17609] Ibn Fuḍayl narrated to us, from Al-A‘mash, from ‘Amr ibn Murrah, from Abū al-Bakhtarī, who said: A man asked ‘Ikrimah: “Should I ask permission to enter upon my mother?” He said: “Yes, ask permission to enter upon your mother.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنِ الأَعْمَشِ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ أَبِي الْبَخْتَرِيِّ، قَالَ: سَأَلَ رَجُلٌ عِكْرِمَةَ أَسْتَأْذِنُ عَلَى أُمِّي؟ قَالَ: نَعَمْ، اسْتَأْذِنْ عَلَى أُمِّكَ

[17610] Abū Usāmah narrated to us, from Mis‘ar, from ‘Amr ibn Murrah, from Abū al-Bakhtarī, who said: “And the brothers of a woman ask permission to enter upon her.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ مِسْعَرٍ، عَنْ عَمْرِو بْنِ مُرَّةَ، عَنْ أَبِي الْبَخْتَرِيِّ، قَالَ: وَإِخْوَةُ الْمَرْأَةِ يَسْتَأْذِنُونَ عَلَيْهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي يَزِيدَ، سَمِعَ ابْنَ عَبَّاسٍ، يَقُولُ: إِنَّهُ لَمْ يُؤْمَرْ بِهَا أَكْثَرُ النَّاسِ الإِذْنَ، وَإِنِّي آمُرُ جَارِيَتِي أَنْ تَسْتَأْذِنَ عَلَيَّ

[17611] Abū Bakr narrated to us, saying: Sufyān ibn ‘Uyaynah narrated to us, from ‘Abd Allāh ibn Abī Yazīd, who heard Ibn ‘Abbās say: “Most people were not commanded with it–seeking permission–but I order my slave girl to ask permission to enter upon me.”

حَدَّثَنَا أَبُو خَالِدٍ، عَنْ مَالِكٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: "غَلَبَ الشَّيْطَانُ عَلَى النَّاسِ فِي السَّاعَاتِ {الَّذِينَ مَلَكَتْ أَيْمَانُكُمْ وَالَّذِينَ لَمْ يَبْلُغُوا الْحُلُمَ مِنْكُمْ} " قَالَ: كَانَ أَهْلُهُمْ يُعَلِّمُونَا أَنْ نُسَلِّمَ قَالَ: "فَكَانَ أَحَدُنَا إِذَا جَاءَ يَقُولُ: السَّلاَمُ عَلَيْكُمْ أَيَدْخُلُ فُلاَنٌ؟

[17612] Abū Khālid narrated to us, from Mālik, from ‘Aṭā’, from Ibn ‘Abbās, who said: “Satan has overcome the people regarding the times [mentioned in the verse]: {Those whom your right hands possess and those who have not reached puberty among you}.” He said: “Their families used to teach us to greet (Say Salam).” He said: “So when one of us came, he would say: ‘Peace be upon you, may So-and-so enter?’”

[17613] Wakī‘ narrated to us, from Sufyān, from Abū Ḥuṣayn, from Abū ‘Abd al-Raḥmān, who said: “It was revealed regarding women: {Let those whom your right hands possess ask permission of you}.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي حُصَيْنٍ، عَنْ أَبِي عَبْدِ الرَّحْمَنِ، قَالَ: "نَزَلَتْ فِي النِّسَاءِ: {لِيَسْتَأْذِنْكُمُ الَّذِينَ مَلَكَتْ أَيْمَانُكُمْ}

[17614] Wakī‘ narrated to us, from Sufyān, from Mūsā ibn Abī ‘Ā’ishah, from Al-Sha‘bī regarding: {Let those whom your right hands possess ask permission of you}. He said: “It is not abrogated.” I said: “But the people do not act upon it.” He said: “Allah is the One whose help is sought.”

حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُوسَى بْنِ أَبِي عَائِشَةَ، عَنِ الشَّعْبِيِّ: {لِيَسْتَأْذِنْكُمُ الَّذِينَ مَلَكَتْ أَيْمَانُكُمْ} قَالَ: لَيْسَتْ بِمَنْسُوخَةٍ قُلْتُ: فَإِنَّ النَّاسَ لاَ يَعْمَلُونَ بِهَا قَالَ: اللَّهُ الْمُسْتَعَانُ

[17615] Ibn Numayr narrated to us, from Ḥanẓalah, who said: I heard Al-Qāsim being asked about permission (to enter). He said: “Ask permission at every [time of] nakedness (Awrah), then there is freedom of movement (Tawaf) after that.”

حَدَّثَنَا ابْنُ نُمَيْرٍ، عَنْ حَنْظَلَةَ، قَالَ: سَمِعْتُ الْقَاسِمَ، وَسُئِلَ عَنِ الإِذْنِ فَقَالَ: اسْتَأْذِنْ عِنْدَ كُلِّ عَوْرَةٍ، ثُمَّ هُوَ طَوَافٌ بَعْدَهَا

[17616] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Sa‘īd, from Qatādah, regarding {And do not determine the marriage contract until the decreed period reaches its end}. He said: “(It means) the expiration of the waiting period ('Iddah).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، {وَلاَ تَعْزِمُوا عُقْدَةَ النِّكَاحِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ} قَالَ: انْقِضَاءُ الْعِدَّةِ

[17617] Wakī‘ and Al-Faḍl narrated to us, from Sufyān, from Mujāhid, regarding {And do not determine the marriage contract until the decreed period reaches its end}. He said: “(It means) the expiration of the waiting period ('Iddah).”

حَدَّثَنَا وَكِيعٌ، وَالْفَضْلُ، عَنْ سُفْيَانَ، عَنْ مُجَاهِدٍ، {وَلاَ تَعْزِمُوا عُقْدَةَ النِّكَاحِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ} قَالَ: انْقِضَاءُ الْعِدَّةِ

[17618] ‘Ubayd Allāh narrated to us, from Isrā’īl, from Al-Suddī, from Abū Mālik, regarding {And do not determine the marriage contract until the decreed period reaches its end}. He said: “Do not make a promise to her during her waiting period, (saying) ‘I will marry you,’ until her waiting period expires.”

حَدَّثَنَا عُبَيْدُ اللَّهِ، عَنْ إِسْرَائِيلَ، عَنِ السُّدِّيِّ، عَنْ أَبِي مَالِكٍ، {وَلاَ تَعْزِمُوا عُقْدَةَ النِّكَاحِ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ} قَالَ: لاَ تُوَاعِدُوهَا فِي عِدَّتِهَا، أَنِّي أَتَزَوَّجُكِ حَتَّى تَنْقَضِيَ عِدَّتُكِ

[17619] Abū Bakr narrated to us, saying: Abū Bakr ibn ‘Ayyāsh narrated to us, from Manṣūr, from Mujāhid, regarding {and forsake them in bed}, he said: “Do not approach her (sexually).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو بَكْرِ بْنُ عَيَّاشٍ، عَنْ مَنْصُورٍ، عَنْ مُجَاهِدٍ، {وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ}، قَالَ: لاَ تَقْرَبُوهَا

[17620] Jarīr narrated to us, from Mughīrah, from Ibrāhīm and Al-Sha‘bī, regarding His saying {and forsake them in bed}, they said: “He should not lie with her.”

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، وَالشَّعْبِيِّ، قَوْلُهُ {وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ}، قَالاَ: لاَ يُضَاجِعُهَا

[17621] Ḥafṣ narrated to us, from Al-Ḥasan ibn ‘Ubayd Allāh, from Abū al-Ḍuḥā, from Ibn ‘Abbās, regarding {and forsake them in bed}, he said: “If she obeys him in bed, he has no right to strike her.”

حَدَّثَنَا حَفْصٌ، عَنِ الْحَسَنِ بْنِ عُبَيْدِ اللَّهِ، عَنْ أَبِي الضُّحَى، عَنِ ابْنِ عَبَّاسٍ، {وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ}، قَالَ: إِذَا أَطَاعَتْهُ فِي الْمَضْجَعِ، فَلَيْسَ لَهُ أَنْ يَضْرِبَهَا

[17622] Yūnus ibn Muḥammad narrated to us, saying: Sharīk narrated to us, from Ḥuṣayn, from ‘Ikrimah and Miqsam, regarding His saying: {and forsake them in bed and strike them}. Miqsam said: “Do not approach her bed.” ‘Ikrimah said: “It refers to speech (abandoning talking to her).” And both of them said: “{Strike them} means a striking that is not severe (or painful/harmful).”

حَدَّثَنَا يُونُسُ بْنُ مُحَمَّدٍ، قَالَ: نَا شَرِيكٌ، عَنْ حُصَيْنٍ، عَنْ عِكْرِمَةَ، وَمِقْسَمٍ، قَوْلُهُ: {وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاضْرِبُوهُنَّ}، قَالَ مِقْسَمٌ: وَلاَ تَقْرَبُ فِرَاشَهَا وَقَالَ عِكْرِمَةُ: هُوَ الْكَلاَمُ وَقَالاَ جَمِيعًا: اضْرِبُوهُنَّ، ضَرْبٌ غَيْرُ مُبَرِّحٍ

[17623] ‘Affān narrated to us, from Ḥammād ibn Salamah, from Ḥumayd, from Al-Ḥasan, regarding {and strike them}, he said: “A striking that is not severe, leaving no mark.”

حَدَّثَنَا عَفَّانُ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ حُمَيْدٍ، عَنِ الْحَسَنِ، {وَاضْرِبُوهُنَّ} قَالَ: ضَرْبٌ غَيْرُ مُبَرِّحٍ، غَيْرُ مُؤَثِّرٍ

[17624] Abū Bakr narrated to us, saying: Ma‘n ibn ‘Īsā narrated to us, from Abū Sallām al-Fihrī, who said: I heard ‘Alī ibn ‘Abd Allāh ibn ‘Abbās say: “If you have intercourse, cover yourself.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مَعْنُ بْنُ عِيسَى، عَنْ أَبِي سَلاَّمٍ الْفِهْرِيِّ، قَالَ: سَمِعْتُ عَلِيَّ بْنَ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ، يَقُولُ: إِذَا جَامَعْتَ فَاسْتَتِرْ

[17625] Abū Mu‘āwiyah narrated to us, from ‘Āṣim, from Abū Qilābah, who said: The Messenger of Allah ﷺ said: “When one of you has intercourse, let him cover himself, and do not become completely naked like two wild donkeys.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ عَاصِمٍ، عَنْ أَبِي قِلاَبَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِذَا جَامَعَ أَحَدُكُمْ فَلْيَسْتَتِرْ، وَلاَ يَتَجَرَّدَانِ تَجَرُّدَ الْعِيرَيْنِ

[17626] Abū Bakr narrated to us, saying: Ma‘n ibn ‘Īsā narrated to us, from Abū Sallām, who said: I heard ‘Alī ibn ‘Abd Allāh ibn ‘Abbās forbidding a Muslim from having his child suckled by a Christian.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مَعْنُ بْنُ عِيسَى، عَنْ أَبِي سَلاَّمٍ، قَالَ: سَمِعْتُ عَلِيَّ بْنَ عَبْدِ اللَّهِ بْنِ عَبَّاسٍ يَنْهَى مُسْلِمًا أَنْ يُرَاضِعَ بِنَصْرَانِيٍّ

[17627] Wakī‘ narrated to us, from ‘Alī ibn Ṣāliḥ, from Ghālib Abū al-Hudhayl, from Abū Ja‘far, that he disliked for a Jewish or Christian woman to breastfeed a child, and he said: “She drinks wine.”

حَدَّثَنَا وَكِيعٌ، عَنْ عَلِيِّ بْنِ صَالِحٍ، عَنْ غَالِبٍ أَبِي الْهُذَيْلِ، عَنْ أَبِي جَعْفَرٍ، أَنَّهُ كَرِهَ أَنْ تُرْضِعَ الْيَهُودِيَّةُ وَالنَّصْرَانِيَّةُ الصَّبِيَّ، وَقَالَ: إِنَّهَا تَشْرَبُ الْخَمْرَ

[17628] ‘Abd al-Salām ibn Ḥabīb narrated to us, from Layth, from Mujāhid, who said: “He used to dislike for a woman to breastfeed with the milk of immorality (i.e., resulting from illicit relations).”

حَدَّثَنَا عَبْدُ السَّلاَمِ بْنُ حَبِيبٍ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ، قَالَ: كَانَ يَكْرَهُ أَنْ تُرْضِعَ امْرَأَةٌ بِلَبَنِ الْفُجُورِ

حَدَّثَنَا شَرِيكٌ، عَنْ إِبْرَاهِيمَ، قَالَ: لاَ بَأْسَ بِرَضَاعِ الزَّانِيَةِ أَوْ لَبَنِ الْمَجُوسِيَّةِ

[17629] Sharīk narrated to us, from Ibrāhīm, who said: “There is no harm in the breastfeeding of an adulteress or the milk of a Magian woman.”

حَدَّثَنَا هُشَيْمٌ، قَالَ: نَا مَنْصُورٌ، عَنِ ابْنِ سِيرِينَ، عَنْ عَائِشَةَ أَنَّهَا كَانَتْ تَقُولُ لِلنِّسَاءِ: لاَ تَصِفْنَنِي لأَزْوَاجِكُنَّ

[17630] Hushaym narrated to us, saying: Manṣūr narrated to us, from Ibn Sīrīn, from ‘Ā’ishah, that she used to say to the women: “Do not describe me to your husbands.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ نُمَيْرٍ، عَنْ إِسْمَاعِيلَ الْمَكِّيِّ، عَنْ حَمَّادٍ، عَنْ إِبْرَاهِيمَ، قَالَ: إِذَا تَزَوَّجَ الأَمَةَ تَزَوُّجًا وَقَعَ عَلَيْهَا، وَلَمْ يَسْتَبْرِئْهَا

[17631] Abū Bakr narrated to us, saying: Ibn Numayr narrated to us, from Ismā‘īl al-Makkī, from Ḥammād, from Ibrāhīm, who said: “If he marries a slave woman in a proper marriage, he may have intercourse with her, and he does not (need to) wait to ascertain she is not pregnant (Istibrā').”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ إِسْمَاعِيلَ، عَنِ الْحَسَنِ، قَالَ: إِذَا تَزَوَّجَ الأَمَةَ تَزَوُّجًا لَمْ يَسْتَبْرِئْهَا

[17632] Abū Mu‘āwiyah narrated to us, from Ismā‘īl, from Al-Ḥasan, who said: “If he marries a slave woman in a proper marriage, he does not (need to) wait to ascertain she is not pregnant (Istibrā').”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ مُسْهِرٍ، وَأَبُو أُسَامَةَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ يَخْطُبُ الرَّجُلُ عَلَى خِطْبَةِ أَخِيهِ، وَلاَ يَبِيعُ عَلَى بَيْعِ أَخِيهِ إِلاَّ أَنْ يَأْذَنَ لَهُ

[17633] Abū Bakr narrated to us, saying: Ibn Mushir and Abū Usāmah narrated to us, from ‘Ubayd Allāh ibn ‘Umar, from Nāfi‘, from Ibn ‘Umar, who said: The Messenger of Allah ﷺ said: “A man shall not propose over the proposal of his brother, nor sell over the sale of his brother, unless he grants him permission.”

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ يَخْطُبُ عَلَى خِطْبَةِ أَخِيهِ

[17634] ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, from Sa‘īd ibn al-Musayyib, from Abū Hurayrah, who said: The Messenger of Allah ﷺ said: “One shall not propose over the proposal of his brother.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْمَاعِيلُ بْنُ عُلَيَّةَ، عَنْ لَيْثٍ، عَنْ مُدْرِكٍ، عَنِ ابْنِ أَبِي أَوْفَى، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ يَزْنِي حِينَ يَزْنِي وَهُوَ مُؤْمِنٌ

[17635] Abū Bakr narrated to us, saying: Ismā‘īl ibn ‘Ulayyah narrated to us, from Layth, from Mudrik, from Ibn Abī Awfā, who said: The Messenger of Allah ﷺ said: “He does not commit adultery at the time he commits it while he is a believer.”

حَدَّثَنَا الْحَسَنُ بْنُ مُوسَى، عَنْ شُعْبَةَ، عَنْ فِرَاسٍ، عَنْ مُدْرِكٍ، عَنِ ابْنِ أَبِي أَوْفَى، عَنِ النَّبِيِّ عَلَيْهِ السَّلاَمُ مِثْلَهُ

[17636] Al-Ḥasan ibn Mūsā narrated to us, from Shu‘bah, from Firās, from Mudrik, from Ibn Abī Awfā, from the Prophet ﷺ, the same.

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ، عَنْ يَحْيَى بْنِ عَبَّادٍ، عَنْ أَبَانَ بْنِ عُثْمَانَ، قَالَ: تُعْرَفُ الزُّنَاةُ بِنَتَنِ فُرُوجِهِمْ يَوْمَ الْقِيَامَةِ

[17637] ‘Abd Allāh ibn Numayr narrated to us, from ‘Abd al-Malik ibn Abī Sulaymān, from Yaḥyā ibn ‘Abbād, from Abān ibn ‘Uthmān, who said: “Adulterers will be recognized by the stench of their private parts on the Day of Resurrection.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ أَبِي الضُّحَى، عَنْ مَسْرُوقٍ، قَالَ: إِنَّ أَكْبَرَ مَا يُصِيبُ النَّاسَ مِنَ الذُّنُوبِ الزِّنَا، هُوَ شَهْوَةٌ، وَلَيْسَ لَهُ رِيحٌ، وَلاَ يَكَادُ تُقَامُ حُدُودُهُ

[17638] Abū Mu‘āwiyah narrated to us, from Abū al-Ḍuḥā, from Masrūq, who said: “Indeed, the greatest of sins that befall people is adultery; it is a desire, and it has no scent (to detect it easily), and its prescribed punishments are rarely established.”

[17639] Abū Usāmah narrated to us, from Sufyān, from Zakariyyā ibn Ṣuhayb, from Abū Ṣāliḥ, who said: It reached me that “Most of the sins of the people of Paradise were regarding women.”

حَدَّثَنَا أَبُو أُسَامَةَ، عَنْ سُفْيَانَ، عَنْ زَكَرِيَّا بْنِ صُهَيْبٍ، عَنْ أَبِي صَالِحٍ، قَالَ: بَلَغَنِي أَنَّ أَكْثَرَ ذُنُوبِ أَهْلِ الْجَنَّةِ فِي النِّسَاءِ

[17640] Ibn Mahdī narrated to us, from Sufyān, from Ibrāhīm ibn Muhājir, from Mujāhid, from Ibn ‘Abbās, that he said to his slaves: “Whoever among you wants marriage, we will marry him off. No adulterer among you commits adultery except that Allah strips the light of faith from his heart; then if He wills to return it, He returns it, and if He wills to withhold it, He withholds it.”

حَدَّثَنَا ابْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ إِبْرَاهِيمَ بْنِ مُهَاجِرٍ، عَنْ مُجَاهِدٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّهُ قَالَ لِغِلْمَانِهِ: مَنْ أَرَادَ مِنْكُمُ الْبَاءَةَ زَوَّجْنَاهُ، لاَ يَزْنِي مِنْكُمُ الزَّانِي إِلاَّ نَزَعَ اللَّهُ نُورَ الإِيمَانِ مِنْ قَلْبِهِ، فَإِنْ شَاءَ أَنْ يَرُدَّهُ رَدَّهُ، وَإِنْ شَاءَ أَنْ يَمْنَعَهُ مَنَعَهُ

[17641] Yazīd ibn Hārūn narrated to us, from Al-‘Awwām, from ‘Alī ibn Mudrik, from Abū Zur‘ah, from Abū Hurayrah, who said: “Faith is a garment/virtue. So whoever commits adultery, faith separates from him. Then if he blames himself (repents) and returns, faith returns to him.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنِ الْعَوَّامِ، عَنْ عَلِيِّ بْنِ مُدْرِكٍ، عَنْ أَبِي زُرْعَةَ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: الإِيمَانُ بَرَّةٌ، فَمَنْ زَنَى فَارَقَهُ الإِيمَانُ، فَمَنْ لاَمَ نَفْسَهُ وَرَاجَعَ رَاجَعَهُ الإِيمَانُ

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ سُلَيْمَانَ التَّيْمِيِّ، عَنْ أَبِي عُثْمَانَ، عَنْ أُسَامَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مَا تَرَكْتُ بَعْدِي عَلَى أُمَّتِي فِتْنَةً أَضَرَّ عَلَى الرِّجَالِ مِنَ النِّسَاءِ

[17642] Abū Khālid al-Aḥmar narrated to us, from Sulaymān al-Taymī, from Abū ‘Uthmān, from Usāmah, who said: The Messenger of Allah ﷺ said: “I have not left behind me a trial more harmful to men than women.”

حَدَّثَنَا أَبُو مُعَاوِيَةَ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ، قَالَ: لَمْ يَكُنْ كُفْرُ مَنْ مَضَى إِلاَّ مِنْ قِبَلِ النِّسَاءِ وَهُوَ كَائِنٌ، كُفْرُ مَنْ بَقِيَ مِنْ قِبَلِ النِّسَاءِ

[17643] Abū Mu‘āwiyah narrated to us, from Layth, from Ṭāwūs, who said: “The disbelief of those who passed was not except because of women, and it will be [that] the disbelief of those who remain is because of women.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَحْيَى بْنِ عَبَّادِ بْنِ عَبْدِ اللَّهِ بْنِ الزُّبَيْرِ، عَنْ أَبِيهِ، عَنْ عَائِشَةَ قَالَتْ: سَمِعْتُ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: لاَ يَزْنِي الزَّانِي حِينَ يَزْنِي وَهُوَ مُؤْمِنٌ

[17644] Yazīd ibn Hārūn narrated to us, from Muḥammad ibn Isḥāq, from Yaḥyā ibn ‘Abbād ibn ‘Abd Allāh ibn al-Zubayr, from his father, from ‘Ā’ishah, who said: I heard the Messenger of Allah ﷺ saying: “The adulterer does not commit adultery at the time he commits it while he is a believer.”

حَدَّثَنَا حَبِيبٌ، قَالَ: نَا يَزِيدُ بْنُ هَارُونَ، عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ بَعْجَةَ الْجُهَنِيِّ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِمِثْلِهِ

[17645] Ḥabīb narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Muḥammad ibn Isḥāq, from Yazīd ibn Abī Ḥabīb, from Ba‘jah al-Juhanī, from Abū Hurayrah, from the Prophet ﷺ, the same.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا زَيْدُ بْنُ الْحُبَابِ، قَالَ: حَدَّثَنِي يَحْيَى بْنُ أَيُّوبَ الْمِصْرِيُّ، قَالَ: حَدَّثَنِي يَزِيدُ بْنُ أَبِي حَبِيبٍ، عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الأَشَجِّ، عَنْ سُلَيْمَانَ بْنِ يَسَارٍ، أَنَّ عُمَرَ بْنَ الْخَطَّابِ، رُفِعَ إِلَيْهِ خَصِيٌّ تَزَوَّجَ امْرَأَةً، وَلَمْ يُعْلِمْهَا فَفَرَّقَ بَيْنَهُمَا

[17646] Abū Bakr narrated to us, saying: Zayd ibn al-Ḥubāb narrated to us, saying: Yaḥyā ibn Ayyūb al-Miṣrī narrated to me, saying: Yazīd ibn Abī Ḥabīb narrated to me, from Bukayr ibn ‘Abd Allāh ibn al-Ashajj, from Sulaymān ibn Yasār, that ‘Umar ibn al-Khaṭṭāb had a case referred to him of a castrated man who married a woman and did not inform her, so he separated them.

حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ سَعِيدِ بْنِ يُوسُفَ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، أَنَّ عَلِيَّ بْنَ أَبِي طَالِبٍ، قَالَ: لاَ يَنْكِحُ الْخَصِيُّ حُرَّةً مُسْلِمَةً

[17647] Ismā‘īl ibn ‘Ayyāsh narrated to us, from Sa‘īd ibn Yūsuf, from Yaḥyā ibn Abī Kathīr, that ‘Alī ibn Abī Ṭālib said: “A castrated man shall not marry a free Muslim woman.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا غُنْدَرٌ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ حَمَّادًا عَنْ رَجُلٍ زَوَّجَ ابْنَتَهُ، ثُمَّ مَاتَ الزَّوْجُ، وَلَمْ تَعْلَمِ الإِبْنَةُ بِذَلِكَ، فَقَالَ: لاَ تَرِثُ. وَسَأَلْتُ الْحَكَمَ فَقَالَ: تَرِثُ

[17648] Abū Bakr narrated to us, saying: Ghundar narrated to us, from Shu‘bah, who said: I asked Ḥammād about a man who married off his daughter, then the husband died, and the daughter did not know about it. He said: “She does not inherit.” And I asked Al-Ḥakam, and he said: “She inherits.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَمَّادُ بْنُ خَالِدٍ، عَنْ دَاوُدَ بْنِ جُبَيْرٍ، قَالَ: زَفَّ سَعِيدُ بْنُ جُبَيْرٍ ابْنَتَهُ إِلَى زَوْجِهَا

[17649] Abū Bakr narrated to us, saying: Ḥammād ibn Khālid narrated to us, from Dāwūd ibn Jubayr, who said: “Sa‘īd ibn Jubayr conducted the bridal procession of his daughter to her husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ رَجُلٍ حَدَّثَهُ، أَنَّ امْرَأَةً سَأَلَتِ ابْنَهَا أَنْ يُزَوِّجَهَا فَكَرِهَ ذَلِكَ، وَذَهَبَ إِلَى عُمَرَ، فَذَكَرَ ذَلِكَ لَهُ فَقَالَ: اذْهَبْ، فَإِذَا كَانَ غَدًا أَتَيْتُكُمْ قَالَ: فَجَاءَ عُمَرُ فَكَلَّمَهَا وَلَمْ يُكْثِرْ، ثُمَّ أَخَذَ بِيَدِ ابْنِهَا، فَقَالَ لَهُ: زَوِّجْهَا، فَوَالَّذِي نَفْسُ عُمَرَ بِيَدِهِ لَوْ أَنَّ حَنْتَمَةَ بِنْتَ هِشَامٍ، يَعْنِي عُمَرُ أُمَّ نَفْسِهِ، سَأَلَتْنِي أَنْ أُزَوِّجَهَا لَزَوَّجْتُهَا، فَزَوَّجَ الرَّجُلُ أُمَّهُ

[17650] Abū Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Hishām ibn ‘Urwah, from a man who told him, that a woman asked her son to marry her off, but he disliked that. He went to ‘Umar and mentioned that to him. He said: “Go, and tomorrow I will come to you.” He said: So ‘Umar came and spoke to her, and he did not speak much. Then he took her son's hand and said to him: “Marry her off. By the One in Whose hand is the soul of ‘Umar, if Ḥantamah bint Hishām– ‘Umar meant his own mother– asked me to marry her off, I would have married her off.” So the man married off his mother.

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: أَخْبَرَنَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ ثَابِتٍ، وَإِسْمَاعِيلَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ، "أَنَّ أَبَا طَلْحَةَ، خَطَبَ أُمَّ سُلَيْمٍ، فَقَالَتْ: يَا أَبَا طَلْحَةَ أَلَسْتَ تَعْلَمُ أَنَّ إِلَهَكَ الَّذِي تَعْبُدُ خَشَبَةً نَبَتَتْ مِنَ الأَرْضِ، نَجَرَهَا حَبَشِيُّ بَنِي فُلاَنٍ؟ قَالَ: بَلَى قَالَتْ: فَلاَ تَسْتَحْيِي مِنْ ذَلِكَ، فَإِنَّكَ إِنْ أَسْلَمْتَ لَمْ أُرِدْ مِنْكَ صَدَاقًا غَيْرَهُ حَتَّى أَنْظُرَ، قَالَ: فَذَهَبَ، ثُمَّ جَاءَ، فَقَالَ: أَشْهَدُ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ قَالَتْ: يَا أَنَسُ قُمْ فَزَوِّجْ أَبَا طَلْحَةَ، فَزَوَّجَهَا

[17651] Yazīd ibn Hārūn narrated to us, saying: Ḥammād ibn Salamah informed us, from Thābit and Ismā‘īl ibn ‘Abd Allāh ibn Abī Ṭalḥah, that Abū Ṭalḥah proposed to Umm Sulaym. She said: “O Abū Ṭalḥah, do you not know that your god whom you worship is a piece of wood that grew from the earth, carved by the Abyssinian of such-and-such tribe?” He said: “Yes.” She said: “Do you not feel ashamed of that? If you accept Islam, I will not want any dowry from you other than that, until I see.” He said: He went, then came back and said: “I testify that there is no god but Allah and that Muḥammad is the Messenger of Allah.” She said: “O Anas, stand up and marry Abū Ṭalḥah (to me).” So he married her (to him).

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا زَيْدُ بْنُ الْحُبَابِ، قَالَ: حَدَّثَنِي حُسَيْنُ بْنُ وَاقِدٍ، قَالَ: حَدَّثَنِي يَزِيدُ النَّحْوِيُّ، عَنْ عِكْرِمَةَ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ كَانَ إِذَا قَدِمَ مِنْ مَغَازِيهِ قَبَّلَ فَاطِمَةَ

[17652] Abū Bakr narrated to us, saying: Zayd ibn al-Ḥubāb narrated to us, saying: Ḥusayn ibn Wāqid narrated to me, saying: Yazīd al-Naḥwī narrated to me, from ‘Ikrimah, that the Prophet ﷺ used to, when he arrived from his campaigns, kiss Fāṭimah.

حَدَّثَنَا وَكِيعٌ، عَنْ مَالِكِ بْنِ مِغْوَلٍ، عَنْ أَبِي حُصَيْنٍ، عَنْ مُجَاهِدٍ، أَنَّ أَبَا بَكْرٍ قَبَّلَ رَأْسَ عَائِشَةَ

[17653] Wakī‘ narrated to us, from Mālik ibn Mighwal, from Abū Ḥuṣayn, from Mujāhid, that Abū Bakr kissed the head of ‘Ā’ishah.

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ عَبْدِ الْوَاحِدِ بْنِ أَنَسٍ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ، أَنَّ خَالِدَ بْنَ الْوَلِيدِ اسْتَشَارَ أُخْتَهُ فِي شَيْءٍ، فَأَشَارَتْ فَقَبَّلَ رَأْسَهَا

[17654] Al-Faḍl ibn Dukayn narrated to us, from ‘Abd al-Wāḥid ibn Anas, from Abū Bakr ibn ‘Abd al-Raḥmān ibn al-Ḥārith ibn Hishām, that Khālid ibn al-Walīd consulted his sister about something. She gave advice, so he kissed her head.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصُ بْنُ غِيَاثٍ، عَنْ مُجَالِدٍ، عَنِ الشَّعْبِيِّ، عَنْ جَابِرٍ، قَالَ: نَهَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ أَنْ نَدْخُلَ عَلَى الْمُغِيبَاتِ

[17655] Abū Bakr narrated to us, saying: Ḥafṣ ibn Ghiyāth narrated to us, from Mujālid, from Al-Sha‘bī, from Jābir, who said: “The Messenger of Allah ﷺ forbade us from entering upon women whose husbands are absent.”

[17656] Ḥafṣ narrated to us, from Layth and Mis‘ar, from Sa‘īd ibn Ibrāhīm, from Ḥumayd ibn ‘Abd al-Raḥmān, who said: ‘Umar said: “Be aware, no man should enter upon a woman unless she is a Maḥram to him. Even if it is said: ‘Her brother-in-law (Ḥamw)?’” He said: “Be aware, indeed her brother-in-law is death.”

حَدَّثَنَا حَفْصٌ، عَنْ لَيْثٍ، وَمِسْعَرٍ، عَنْ سَعِيدِ بْنِ إِبْرَاهِيمَ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ، قَالَ: قَالَ عُمَرُ: "أَلاَ لاَ يَلِجُ رَجُلٌ عَلَى امْرَأَةٍ إِلاَّ وَهِيَ ذَاتُ مَحْرَمٍ مِنْهُ وَإِنْ قِيلَ: حَمْوُهَا؟" قَالَ: أَلاَ إِنَّ حَمْوَهَا الْمَوْتُ

[17657] Sufyān ibn ‘Uyaynah narrated to us, from ‘Amr, from Abū Ma‘bad, who said: I heard Ibn ‘Abbās say: I heard the Prophet ﷺ saying: “Be aware, no man shall be alone with a woman unless there is a Maḥram with her.”

حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ عَمْرٍو، عَنْ أَبِي مَعْبَدٍ، قَالَ: سَمِعْتُ ابْنَ عَبَّاسٍ، يَقُولُ: سَمِعْتُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: أَلاَ لاَ يَخْلُوَنَّ رَجُلٌ بِامْرَأَةٍ إِلاَّ وَمَعَهَا ذُو مَحْرَمٍ

[17658] Hushaym narrated to us, from Abū Zubayr, from Jābir, that the Messenger of Allah ﷺ said: “Be aware, no man shall spend the night with a woman unless he is married (to her) or is a Maḥram.”

حَدَّثَنَا هُشَيْمٌ، عَنْ أَبِي زُبَيْرٍ، عَنْ جَابِرٍ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: أَلاَ لاَ يَبِيتَنَّ رَجُلٌ عِنْدَ امْرَأَةٍ إِلاَّ أَنْ يَكُونَ نَاكِحًا أَوْ ذَا مَحْرَمٍ

حَدَّثَنَا شَبَابَةُ بْنُ سَوَّارٍ، قَالَ: نَا لَيْثُ بْنُ سَعْدٍ، عَنْ يَزِيدَ بْنِ أَبِي حَبِيبٍ، عَنْ أَبِي الْخَيْرِ، عَنْ عُقْبَةَ بْنِ عَامِرٍ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: إِيَّاكُمْ وَالدُّخُولَ عَلَى النِّسَاءِ فَقَالَ رَجُلٌ مِنَ الأَنْصَارِ: يَا رَسُولَ اللَّهِ إِلاَّ الْحَمْوَ؟ فَقَالَ: الْحَمْوُ الْمَوْتُ

[17659] Shabābah ibn Sawwār narrated to us, saying: Layth ibn Sa‘d narrated to us, from Yazīd ibn Abī Ḥabīb, from Abū al-Khayr, from ‘Uqbah ibn ‘Āmir, that the Messenger of Allah ﷺ said: “Beware of entering upon women.” A man from the Anṣār said: “O Messenger of Allah, except the brother-in-law?” He said: “The brother-in-law is death.”

حَدَّثَنَا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، قَالَ: سَمِعْتُ ذَكْوَانَ، يُحَدِّثُ عَنْ مَوْلًى لِعَمْرِو بْنِ الْعَاصِ، أَنَّهُ أَرْسَلَهُ إِلَى عَلِيٍّ يَسْتَأْذِنُ عَلَى أَسْمَاءَ ابْنَةِ عُمَيْسٍ، فَأَذِنَ لَهُ حَتَّى إِذَا فَرَغَ مِنْ حَاجَتِهِ سَأَلَ الْمَوْلَى عَمْرًا عَنْ ذَلِكَ فَقَالَ: إِنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَانَا أَنْ نَدْخُلَ عَلَى النِّسَاءِ بِغَيْرِ إِذْنِ أَزْوَاجِهِنَّ

[17660] Ghundar narrated to us, from Shu‘bah, from Al-Ḥakam, who said: I heard Dhakwān narrating from a freed slave of ‘Amr ibn al-‘Āṣ, that he sent him to ‘Alī to ask permission to enter upon Asmā’ bint ‘Umays. He granted him permission. When he finished his business, the freed slave asked ‘Amr about that. He said: The Messenger of Allah ﷺ “forbade us from entering upon women without the permission of their husbands.”

حَدَّثَنَا وَكِيعٌ، عَنْ مِسْعَرٍ، عَنْ زِيَادِ بْنِ فَيَّاضٍ، عَنْ تَمِيمِ بْنِ سَلَمَةَ، قَالَ: قَالَ عَمْرُو بْنُ الْعَاصِ: نُهِينَا أَنْ نَدْخُلَ عَلَى الْمُغِيبَاتِ إِلاَّ بِإِذْنِ أَزْوَاجِهِنَّ

[17661] Wakī‘ narrated to us, from Mis‘ar, from Ziyād ibn Fayyāḍ, from Tamīm ibn Salamah, who said: ‘Amr ibn al-‘Āṣ said: “We were forbidden from entering upon women whose husbands are absent except with the permission of their husbands.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا يَزِيدُ بْنُ هَارُونَ، قَالَ: أَخْبَرَنَا هِشَامٌ، عَنِ الْحَسَنِ، وَابْنِ سِيرِينَ، أَنَّهُمَا كَانَا يَرَيَانِ بَأْسًا أَنْ يَتَزَوَّجَ الرَّجُلُ عَلَى كَذَا وَكَذَا وَصِيفًا

[17662] Abū Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, saying: Hishām informed us, from Al-Ḥasan and Ibn Sīrīn, that they used to see harm in a man marrying for (a dowry of) such and such servant boys.

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، قَالَ: لاَ بَأْسَ أَنْ يَتَزَوَّجَ الرَّجُلُ عَلَى بِنْتٍ، وَخَادِمٍ، وَعَلَى الْوُصَفَاءِ، وَالْوَصَائِفِ

[17663] Jarīr narrated to us, from Mughīrah, from Ibrāhīm, who said: “There is no harm if a man marries for (a dowry of) a daughter, a servant, servant boys, or servant girls.”

[17664] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Al-‘Alā’ ibn ‘Abd al-Karīm al-Yāmī, from ‘Ammār ibn ‘Imrān–a man from Zayd Allāh–from a woman of them, from ‘Ā’ishah, that she adorned a girl and went around with her, saying: “Perhaps we will catch with her the youth of Quraysh.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، عَنِ الْعَلاَءِ بْنِ عَبْدِ الْكَرِيمِ الْيَامِيِّ، عَنْ عَمَّارِ بْنِ عِمْرَانَ، رَجُلٍ مِنْ زَيْدِ اللَّهِ، عَنِ امْرَأَةٍ مِنْهُمْ، عَنْ عَائِشَةَ أَنَّهَا شَوَّفَتْ جَارِيَةً، وَطَافَتْ بِهَا وَقَالَتْ: لَعَلَّنَا نَصْطَادُ بِهَا شَبَابَ قُرَيْشٍ

[17665] Wakī‘ narrated to us, saying: Usāmah ibn Zayd narrated to us, from Abū Ḥāzim, from Sahl ibn Sa‘d al-Sā‘idī, that they passed by him with a girl who had been adorned. He said: He called for her, looked at her, sat her in his lap, wiped her head, and prayed for blessing for her.

حَدَّثَنَا وَكِيعٌ، قَالَ: نَا أُسَامَةُ بْنُ زَيْدٍ، عَنْ أَبِي حَازِمٍ، عَنْ سَهْلِ بْنِ سَعْدٍ السَّاعِدِيِّ، أَنَّهُمْ مَرُّوا عَلَيْهِ بِجَارِيَةٍ قَدْ زُيِّنَتْ قَالَ: فَدَعَا بِهَا، وَنَظَرَ إِلَيْهَا وَأَجْلَسَهَا فِي حِجْرِهِ، وَمَسَحَ عَلَى رَأْسِهَا، وَدَعَا لَهَا بِالْبَرَكَةِ

[17666] Abū Bakr narrated to us, saying: Usāmah ibn Zayd narrated to us, from some of his shaykhs, who said: ‘Umar said: “If one of you wants to sell a slave girl well, let him adorn her and go around with her, seeking Allah's provision through her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أُسَامَةُ بْنُ زَيْدٍ، عَنْ بَعْضِ أَشْيَاخِهِ قَالَ: قَالَ عُمَرُ: إِذَا أَرَادَ أَحَدُ مِنْكُمْ أَنْ يُحَسِّنَ الْجَارِيَةَ، فَلْيُزَيِّنْهَا وَلْيَطُفْ بِهَا يَتَعَرَّضُ بِهَا رِزْقَ اللَّهِ

[17667] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Hishām, from his father, who said: ‘Umar said: “Do not force your young women upon ugly men, for indeed they like regarding that what you like.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، عَنْ هِشَامٍ، عَنْ أَبِيهِ، قَالَ: قَالَ عُمَرُ: لاَ تُكْرِهُوا فَتَيَاتِكُمْ عَلَى الذَّمِيمِ مِنَ الرِّجَالِ، فَإِنَّهُنَّ يُحْبِبْنَ مِنْ ذَلِكَ مَا تُحِبُّونَ

[17668] Abū Bakr narrated to us, saying: Al-Ḍaḥḥāk ibn Makhlad narrated to us, from Ash‘ath, from Al-Ḥasan, that he used to dislike for a man to marry in the land of war (Dār al-Ḥarb) and leave his child among them.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، أَنَّهُ كَانَ يَكْرَهُ أَنْ يَتَزَوَّجَ الرَّجُلُ فِي أَرْضِ الْحَرْبِ، وَيَدَعُ وَلَدَهُ فِيهِمْ

[17669] Ḥumayd ibn ‘Abd al-Raḥmān narrated to us, from Ḥasan, from Ibn Abī Laylā, from ‘Abd al-Karīm, from Mujāhid, that he disliked marrying the Christians of the Romans (Byzantines) who were not people of the covenant. He said: Muḥammad described: A man might be a commander and want to marry, so he disliked that for him.

حَدَّثَنَا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ حَسَنٍ، عَنِ ابْنِ أَبِي لَيْلَى، عَنْ عَبْدِ الْكَرِيمِ، عَنْ مُجَاهِدٍ، أَنَّهُ كَرِهَ نِكَاحَ نَصَارَى أَهْلِ الرُّومِ مِنْ غَيْرِ أَهْلِ الْعَهْدِ قَالَ: فَوَصَفَ مُحَمَّدٌ: الرَّجُلَ يَكُونُ أَمِيرًا، فَيُرِيدُ أَنْ يَتَزَوَّجَ، فَيَكْرَهُ ذَلِكَ لَهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، قَالَ: لاَ يُحْصِنُ الرَّجُلَ نِكَاحُ الْحَرَامِ

[17670] Abū Bakr narrated to us, saying: Ismā‘īl ibn ‘Ayyāsh narrated to us, from Ibn Jurayj, from ‘Aṭā’, who said: “An unlawful marriage does not make a man Muḥṣan (protected/chaste, i.e., regarding punishment for adultery).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ يَزِيدَ بْنِ مَيْسَرَةَ، عَنْ أَبِي عَطِيَّةَ، عَنِ امْرَأَةٍ مِنْهُمْ قَالَ: سَمِعْتُ عُمَرَ يَنْهَى عَنِ النَّقْشِ، وَالتَّطَارِيفِ فِي الْخِضَابِ

[17671] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Shu‘bah, from Yazīd ibn Maysarah, from Abū ‘Aṭiyyah, from a woman of them, who said: I heard ‘Umar forbidding engraving and tipping (coloring only the fingertips) in dyeing (with henna).

حَدَّثَنَا وَكِيعٌ، عَنْ زَكَرِيَّا، قَالَ: حَدَّثَتْنِي أُمَيَّةُ، قَالَتْ: كُنْتُ آمُرُ الْعَرَائِسَ بِالْمَدِينَةِ فَسَأَلْتُ عَائِشَةَ عَنْ الْخِضَابِ فَقَالَتْ: لاَ بَأْسَ بِهِ مَا لَمْ يَكُنْ فِيهِ نَقْشٌ

[17672] Wakī‘ narrated to us, from Zakariyyā, who said: Umayyah narrated to me, saying: I used to manage brides in Medina, so I asked ‘Ā’ishah about dyeing (with henna). She said: “There is no harm in it as long as there is no engraving (intricate designs) in it.”

[17673] ‘Abd al-A‘lā narrated to us, from Jābir, from a Shaykh, that ‘Umar forbade engraving in dyeing and tipping.

حَدَّثَنَا عَبْدُ الأَعْلَى، عَنْ جَابِرٍ، عَنْ شَيْخٍ، أَنَّ عُمَرَ نَهَى عَنْ نَقْشٍ فِي الْخِضَابِ وَالتَّطَارِيفِ

[17674] Abū Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from ‘Aṭā’ ibn al-Sā’ib, from ‘Abd Allāh ibn Ḥafṣ, from Ya‘lā ibn Murrah, who said: I passed by the Messenger of Allah ﷺ while I was perfumed with saffron (Khalūq). He said to me: “O Ya‘lā, do you have a wife?” I said: “No.” He said: “Go and wash it off, then wash it off, then do not do it again.” He said: So I washed it off, then washed it off, and I did not do it again.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ عَطَاءِ بْنِ السَّائِبِ، عَنْ عَبْدِ اللَّهِ بْنِ حَفْصٍ، عَنْ يَعْلَى بْنِ مُرَّةَ، قَالَ: مَرَرْتُ عَلَى رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَأَنَا مُتَخَلِّقٌ بِالزَّعْفَرَانِ فَقَالَ لِي: يَا يَعْلَى هَلْ لَكَ امْرَأَةٌ؟ فَقُلْتُ: لاَ، قَالَ: فَاذْهَبْ فَاغْسِلْهُ، ثُمَّ اغْسِلْهُ، ثُمَّ لاَ تَعُدْ قَالَ: فَغَسَلْتُهُ، ثُمَّ غَسَلْتُهُ، ثُمَّ لَمْ أَعُدْ

[17675] Mu‘tamir and Jarīr narrated to us, from Al-Rukayn, from Al-Qāsim ibn Ḥassān, from his paternal uncle ‘Abd al-Raḥmān ibn Ḥarmalah, from ‘Abd Allāh, that the Prophet of Allah disliked yellowness, meaning Khalūq (saffron perfume).

حَدَّثَنَا مُعْتَمِرٌ، وَجَرِيرٌ، عَنِ الرُّكَيْنِ، عَنِ الْقَاسِمِ بْنِ حَسَّانَ، عَنْ عَمِّهِ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ، عَنْ عَبْدِ اللَّهِ، أَنَّ نَبِيَّ اللَّهِ كَرِهَ الصُّفْرَةَ، يَعْنِي الْخَلُوقَ،

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ عَبْدِ الْعَزِيزِ بْنِ صُهَيْبٍ، عَنْ أَنَسٍ، أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ نَهَى عَنِ التَّزَعْفُرِ

[17676] Ibn ‘Ulayyah narrated to us, from ‘Abd al-‘Azīz ibn Ṣuhayb, from Anas, that the Prophet ﷺ forbade using saffron (for men).

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ عَبْدِ الْعَزِيزِ بْنِ صُهَيْبٍ، عَنْ أَيُّوبَ، عَنِ الْحَسَنِ، أَنَّ النَّبِيَّ عَلَيْهِ السَّلاَمُ رَأَى سَوَّارَ بْنَ عَمْرٍو مُتَخَلِّقًا فَقَالَ: حُطَّ حُطَّ، وَرْسٌ وَرْسٌ

[17677] Ibn ‘Ulayyah narrated to us, from ‘Abd al-‘Azīz ibn Ṣuhayb, from Ayyūb, from Al-Ḥasan, that the Prophet ﷺ saw Sawwār ibn ‘Amr perfumed with Khalūq, so he said: “Scrape it off, scrape it off, (it is) Wars, Wars (a yellow plant).”

حَدَّثَنَا ابْنُ عُلَيَّةَ، عَنْ هِشَامٍ، عَنْ كَثِيرٍ، مَوْلَى ابْنِ سَمُرَةَ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لاَ تَقْرَبُ الْمَلاَئِكَةُ مُتَضَمِّخًا بِخَلُوقٍ

[17678] Ibn ‘Ulayyah narrated to us, from Hishām, from Kathīr, the freed slave of Ibn Samurah, from Ibn ‘Abbās, who said: “The angels do not approach one who is smeared with Khalūq.”

حَدَّثَنَا أَبُو دَاوُدَ، عَنِ ابْنِ عَوْنٍ، عَنْ مُحَمَّدٍ، أَنَّ الأَشْعَرِيَّ، لَمَّا قَدِمَ الْبَصْرَةَ رَأَى قَيْسَ بْنَ عَبَّادٍ وَعَلَيْهِ أَثَرُ صُفْرَةٍ، أَوْ قَالَ: خَلُوقٍ، قَالَ: فَنَظَرَ إِلَيْهِ فَانْطَلَقَ يَغْسِلُهُ، ثُمَّ جَاءَ فَقَالَ: الأَشْعَرِيُّ: مَا أَسْرَعَ مَا أَعْفَيْتَ هَذَا

[17679] Abū Dāwūd narrated to us, from Ibn ‘Awn, from Muḥammad, that Al-Ash‘arī, when he arrived in Basra, saw Qays ibn ‘Abbād with traces of yellowness, or he said: Khalūq. He said: He looked at him, so he (Qays) went and washed it off, then came back. Al-Ash‘arī said: “How quickly you removed this.”

حَدَّثَنَا ابْنُ فُضَيْلٍ، عَنْ زِيَادِ بْنِ أَبِي زِيَادٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ أَبِي لَيْلَى، أَنَّهُ دُعِيَ إِلَى عُرْسٍ بِلَيْلٍ، فَادَّهَنَ بِدُهْنٍ فِيهِ صُفْرَةٌ، فَأَصْبَحَ وَفِي لِحْيَتِهِ صُفْرَةٌ فَغَسَلَهَا، فَلَمْ يَذْهَبْ فَغَسَلَهَا بِصَابُونٍ

[17680] Ibn Fuḍayl narrated to us, from Ziyād ibn Abī Ziyād, from ‘Abd al-Raḥmān ibn Abī Laylā, that he was invited to a wedding at night, so he anointed himself with oil containing yellowness. He woke up with yellowness in his beard, so he washed it, but it did not go away, so he washed it with soap.

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: نَا حَمَّادُ بْنُ سَلَمَةَ، عَنْ عَطَاءٍ الْخُرَاسَانِيِّ، عَنْ يَحْيَى بْنِ يَعْمَرَ، عَنْ عَمَّارٍ، قَالَ: قَدِمْتُ مِنَ السَّفَرِ فَمَسَّحَتْنِي أَهْلِي بِشَيْءٍ مِنَ الصُّفْرَةِ، فَأَتَيْتُ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، فَسَلَّمْتُ عَلَيْهِ، فَلَمْ يَرُدَّ عَلَيَّ، وَلَمْ يُرَحِّبْ بِي وَقَالَ: انْطَلِقْ فَاغْسِلْ عَنْكَ هَذَا فَذَهَبْتُ فَغَسَلْتُهُ، فَبَقِيَ فِي مِنْ أَثَرِهِ شَيْءٌ، فَأَتَيْتُهُ فَسَلَّمْتُ فَلَمْ يَرُدَّ عَلَيَّ وَلَمْ يُرَحِّبْ بِي فَقَالَ: انْطَلِقْ فَاغْسِلْ عَنْكَ هَذَا فَذَهَبْتُ، فَغَسَلْتُهُ، ثُمَّ جِئْتُ فَسَلَّمْتُ عَلَيْهِ فَرَحَّبَ بِي، وَقَالَ: إِنَّ الْمَلاَئِكَةَ لاَ تَقْرَبُ جِنَازَةَ كَافِرٍ، وَلاَ جُنُبٍ، وَلاَ مُتَضَمِّخٍ بِخَلُوقٍ

[17681] Yazīd ibn Hārūn narrated to us, saying: Ḥammād ibn Salamah narrated to us, from ‘Aṭā’ al-Khurāsānī, from Yaḥyā ibn Ya‘mar, from ‘Ammār, who said: I arrived from travel, and my family rubbed me with some yellowness (Khalūq). I came to the Messenger of Allah ﷺ and greeted him, but he did not return my greeting nor welcome me, and he said: “Go and wash this off you.” So I went and washed it, but some trace of it remained. I came to him and greeted him, but he did not return my greeting nor welcome me, and he said: “Go and wash this off you.” So I went and washed it, then came and greeted him, and he welcomed me and said: “The angels do not approach the funeral of a disbeliever, nor a Junub (person in major impurity), nor one smeared with Khalūq.”

[17682] Abū Bakr narrated to us, saying: Ibn Fuḍayl narrated to us, from ‘Abd al-Raḥmān ibn Isḥāq, from Al-Nu‘mān ibn Sa‘d, who said: I saw Al-Mughīrah ibn Shu‘bah smeared with Khalūq as if he were a dry date stalk.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا ابْنُ فُضَيْلٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ إِسْحَاقَ، عَنِ النُّعْمَانِ بْنِ سَعْدٍ، قَالَ: رَأَيْتُ الْمُغِيرَةَ بْنَ شُعْبَةَ مُتَضَمِّخًا بِالْخَلُوقِ كَأَنَّهُ عُرْجُونٌ

[17683] Hushaym narrated to us, from Abū Sāsān, from Abān ibn Kathīr al-Nahshalī, who said: I saw Anas having rubbed his arms with some Khalūq because of vitiligo (Waḍaḥ) he had.

حَدَّثَنَا هُشَيْمُ عَنْ أَبِي سَاسَانَ، عَنْ أَبَانَ بْنِ كَثِيرٍ النَّهْشَلِيِّ، قَالَ: رَأَيْتُ أَنَسًا قَدْ مَسَحَ ذِرَاعَيْهِ بِشَيْءٍ مِنْ خَلُوقٍ مِنْ وَضَحٍ كَانَ بِهِ

[17684] Abū Bakr narrated to us, saying: Sufyān ibn ‘Uyaynah narrated to us, from Al-Zuhrī, from ‘Urwah, from ‘Ā’ishah, from the Prophet ﷺ, who said: “The child belongs to the bed (i.e., the husband).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ، عَنِ النَّبِيِّ عَلَيْهِ السَّلَامُ قَالَ: الْوَلَدُ لِلْفِرَاشِ

[17685] Sufyān narrated to us, from ‘Abd Allāh ibn Abī Yazīd, from his father, from ‘Umar, who said: The Messenger of Allah ﷺ judged that “The child belongs to the bed.”

حَدَّثَنَا سُفْيَانُ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي يَزِيدَ، عَنْ أَبِيهِ، عَنْ عُمَرَ، قَالَ: قَضَى رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ بِالْوَلَدِ لِلْفِرَاشِ

[17686] Sufyān ibn ‘Uyaynah narrated to us, from Al-Zuhrī, from Sa‘īd and Abū Salamah, from Abū Hurayrah, that the Messenger of Allah ﷺ said: “The child belongs to the bed.”

حَدَّثَنَا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدٍ، وَأَبِي سَلَمَةَ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: الْوَلَدُ لِلْفِرَاشِ

[17687] Yazīd ibn Hārūn narrated to us, saying: Ḥusayn al-Mu‘allim narrated to us, from ‘Amr ibn Shu‘ayb, from his father, from his grandfather, that the Messenger of Allah ﷺ said: “The child belongs to the bed, and for the adulterer is the Athlab.” It was asked: “What is the Athlab?” He said: “The stone (i.e., stoning/deprivation).”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: نَا حُسَيْنُ الْمُعَلِّمُ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، أَنَّ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: الْوَلَدُ لِلْفِرَاشِ، وَلِلْعَاهِرِ الأَثْلَبُ قِيلَ: وَمَا الأَثْلَبُ؟ قَالَ: الْحَجَرُ

[17688] Ismā‘īl ibn ‘Ayyāsh narrated to us, from Shuraḥbīl ibn Muslim, who said: I heard Abū Umāmah al-Bāhilī say: I heard the Messenger of Allah ﷺ say: “The child belongs to the bed.”

حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ شُرَحْبِيلَ بْنِ مُسْلِمٍ، قَالَ: سَمِعْتُ أَبَا أُمَامَةَ الْبَاهِلِيَّ، يَقُولُ: سَمِعْتُ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ يَقُولُ: الْوَلَدُ لِلْفِرَاشِ

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: أَخْبَرَنَا مَهْدِيُّ بْنُ مَيْمُونٍ، عَنْ مُحَمَّدِ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي يَعْقُوبَ، عَنِ الْحَسَنِ بْنِ سَعْدٍ، قَالَ: حَدَّثَنِي رَبَاحُ الْحَبَشِيُّ، عَنْ عُثْمَانَ، أَنَّ رَسُولَ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَضَى، بِالْوَلَدِ لِلْفِرَاشِ

[17689] Yazīd ibn Hārūn narrated to us, saying: Mahdī ibn Maymūn informed us, from Muḥammad ibn ‘Abd Allāh ibn Abī Ya‘qūb, from Al-Ḥasan ibn Sa‘d, who said: Rabāḥ al-Ḥabashī narrated to me, from ‘Uthmān, that the Messenger of Allah ﷺ judged that “The child belongs to the bed.”

حَدَّثَنَا وَكِيعٌ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ مُحَمَّدِ بْنِ زِيَادٍ، عَنْ أَبِي هُرَيْرَةَ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: الْوَلَدُ لِلْفِرَاشِ، وَلِلْعَاهِرِ الْحَجَرُ

[17690] Wakī‘ narrated to us, from Ḥammād ibn Salamah, from Muḥammad ibn Ziyād, from Abū Hurayrah, who said: The Messenger of Allah ﷺ said: “The child belongs to the bed, and for the adulterer is the stone.”

حَدَّثَنَا يَزِيدُ بْنُ هَارُونَ، قَالَ: أَنَا سَعِيدٌ، عَنْ قَتَادَةَ، عَنْ شَهْرِ بْنِ حَوْشَبٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ غَنْمٍ، عَنْ عَمْرِو بْنِ خَارِجَةَ، عَنِ النَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: الْوَلَدُ لِلْفِرَاشِ

[17691] Yazīd ibn Hārūn narrated to us, saying: Sa‘īd narrated to us, from Qatādah, from Shahr ibn Ḥawshab, from ‘Abd al-Raḥmān ibn Ghanm, from ‘Amr ibn Khārijah, from the Prophet ﷺ, who said: “The child belongs to the bed.”

[17692] Jarīr narrated to us, from Mughīrah, from Ibrāhīm, from Abū Wā'il, from 'Abd Allāh, from the Prophet ﷺ, that he said: "The child belongs to the bed."

حَدَّثَنَا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، عَنِ النَّبِيِّ عَلَيْهِ السَّلاَمُ أَنَّهُ قَالَ: الْوَلَدُ لِلْفِرَاشِ

[17693] Abū Usāmah narrated to us, saying: Shu'bah narrated to me, saying: I asked Al-Ḥakam and Ḥammād about a man who flees to the land of the enemy, does his wife marry? One of them said: "No," and the other said: "Yes."

حَدَّثَنَا أَبُو أُسَامَةَ، قَالَ: حَدَّثَنِي شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ، وَحَمَّادًا عَنْ الرَّجُلِ يَلْحَقُ بِأَرْضِ الْعَدُوِّ، أَتَتَزَوَّجُ امْرَأَتُهُ؟ قَالَ أَحَدُهُمَا: لاَ، وَقَالَ الأُخَرُ: نَعَمْ

[17694] Abū Bakr narrated to us, saying: Abū Usāmah narrated to us, from Ḥammād ibn Zayd, who said: 'Āṣim narrated to us, 'Umar ibn al-Khaṭṭāb said: "Seek the virgins among women, for they are sweeter in mouths, more healthy in wombs, and more satisfied with little."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا أَبُو أُسَامَةَ، عَنْ حَمَّادِ بْنِ زَيْدٍ، قَالَ: نَا عَاصِمٌ، قَالَ عُمَرُ بْنُ الْخَطَّابِ: عَلَيْكُمْ بِالأَبْكَارِ مِنَ النِّسَاءِ، فَإِنَّهُنَّ أَعْذَبُ أَفْوَاهًا، وَأَصَحُّ أَرْحَامًا، وَأَرْضَى بِالْيَسِيرِ

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، قَالَ: نَا سُفْيَانُ، عَنْ عَمْرِو بْنِ قَيْسٍ، عَنْ رَجُلٍ، عَنِ ابْنِ مَسْعُودٍ، قَالَ: تَزَوَّجُوا الأَبْكَارَ، فَإِنَّهُنَّ أَقَلُّ جَدًّا، وَأَشَدُّ وُدًّا

[17695] Al-Faḍl ibn Dukayn narrated to us, saying: Sufyān narrated to us, from ‘Amr ibn Qays, from a man, from Ibn Mas‘ūd, who said: “Marry virgins, for they are less likely to be deceitful (or have 'hadd' - luck/strength/cunning, but 'hadd' as guile/deceit is often used in context of difficult wives) and stronger in affection.”

حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُثْمَانَ بْنِ خُثَيْمٍ، عَنْ مَكْحُولٍ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: عَلَيْكُمْ بِالْجَوَارِي الشَّوَابِّ فَانْكِحُوهُنَّ، فَإِنَّهُنَّ أَطْيَبُ أَفْوَاهًا، وأَعَزُّ أَخْلاَقًا، وَأَصَحُّ أَرْحَامًا

[17696] Ismā‘īl ibn ‘Ayyāsh narrated to us, from ‘Abd Allāh ibn ‘Uthmān ibn Khuthaym, from Makḥūl, who said: The Messenger of Allah ﷺ said: “Seek young girls (virgins) and marry them, for they are sweeter in mouths, nobler in character, and more healthy in wombs.”

حَدَّثَنَا مُحَمَّدُ بْنُ عُبَيْدٍ، عَنِ الأَعْمَشِ، عَنْ سَالِمٍ، عَنْ جَابِرٍ، قَالَ: قَالَ: سَأَلَنِي رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: بِكْرًا تَزَوَّجْتَ أَمْ ثَيِّبًا؟ قَالَ: قُلْتُ: "لاَ، بَلْ ثَيِّبًا، قَالَ: فَهَلاَّ جَارِيَةً تُلاَعِبُهَا، وَتُلاَعِبُكَ

[17697] Muḥammad ibn ‘Ubayd narrated to us, from Al-A‘mash, from Sālim, from Jābir, who said: The Messenger of Allah ﷺ asked me: “Did you marry a virgin or a matron?” I said: “No, rather a matron.” He said: “Why not a young girl whom you could play with, and she could play with you?”

[17698] ‘Abīdah ibn Ḥumayd narrated to us, from Al-Aswad ibn Qays al-‘Abdī, from Nubayḥ ibn ‘Abd Allāh al-‘Anazī, from Jābir ibn ‘Abd Allāh, who said: I walked with the Prophet ﷺ, and he said: “Do you have a wife, O Jābir?” I said: “Yes.” He said: “Did you marry a matron or a virgin?” I said: “I married her, and she is a matron.” The Prophet ﷺ said: “Why did you not marry a young girl whom you could play with?” I said to him: “It was said to me: ‘You have (orphaned sisters) on such and such day,’ and he mentioned young girls, so I disliked adding another young girl to them. So I married a matron who would comb their hair (remove lice) and sew their garments if they tore.” The Messenger of Allah ﷺ said: “Indeed, you have seen well.”

حَدَّثَنَا عَبِيدَةُ بْنُ حُمَيْدٍ، عَنِ الأَسْوَدِ بْنِ قَيْسٍ الْعَبْدِيِّ، عَنْ نُبَيْحِ بْنِ عَبْدِ اللَّهِ الْعَنَزِيِّ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، قَالَ: مَشَيْتُ مَعَ النَّبِيِّ عَلَيْهِ السَّلاَمُ فَقَالَ: أَلَكَ امْرَأَةٌ يَا جَابِرُ؟ قُلْتُ: نَعَمْ، فَقَالَ: ثَيِّبًا نَكَحْتَ أَمْ بِكْرًا؟ قُلْتُ: تَزَوَّجْتُهَا وَهِيَ ثَيِّبٌ، فَقَالَ النَّبِيُّ عَلَيْهِ السَّلاَمُ: فَلَوْلاَ تَزَوَّجْتَ جَارِيَةً تُلاَعِبُهَا قَالَ: قُلْتُ لَهُ: قِيلَ لِي: مَعَكَ يَوْمُ كَذَا وَكَذَا، وَذَكَرَ جَوَارِيًا فَكَرِهْتُ أَنْ أَضُمَّ إِلَيْهِنَّ جَارِيَةً، فَتَزَوَّجْتُ ثَيِّبًا تَقْطَعُ قَمْلَ إِحْدَاهُنَّ، وَتَخِيطُ دِرْعَ إِحْدَاهُنَّ إِذَا تَخَرَّقَ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: فَإِنَّكَ نِعِمَّا رَأَيْتَ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنِ ابْنِ عَوْنٍ، عَنْ مُحَمَّدِ بْنِ سِيرِينَ، قَالَ: قَالَ عُمَرُ بْنُ الْخَطَّابِ: مَا بَقِيَ فِي شَيْءٍ مِنْ أَخْلاَقِ الْجَاهِلِيَّةِ، إِلاَّ أَنِّي لاَ أُبَالِي أَيَّ الْمُسْلِمِينَ نَكَحْتُ، وَأَيَّهُمْ أَنْكَحْتُ

[17699] Abū Bakr narrated to us, saying: Marwān ibn Muʻāwiyah narrated to us, from Ibn ʻAwn, from Muḥammad ibn Sīrīn, who said: ʻUmar ibn al-Khaṭṭāb said: "Nothing remains of the manners of Jahiliyyah (in me), except that I do not care which Muslim I marry or to whom I give in marriage."

حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الأَسَدِيُّ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الزُّهْرِيِّ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، عَنْ عُمَرَ، أَنَّهُ نَهَى أَنْ يَتَزَوَّجَ الْعَرَبِيُّ الأَمَةَ

[17700] Muḥammad ibn ʻAbd Allāh al-Asadī narrated to us, from Ibn Abī Dhi'b, from Al-Zuhrī, from Saʻīd ibn al-Musayyib, from ʻUmar, that he forbade an Arab man to marry a slave woman.

حَدَّثَنَا سُوَيْدُ بْنُ عَمْرٍو الْكَلْبِيُّ، عَنْ عَبْدِ الْعَزِيزِ بْنِ أَبِي سَلَمَةَ، قَالَ: أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ، عَنْ كَثِيرِ بْنِ الصَّلْتِ، قَالَ: نَكَحَ مَوْلًى لَنَا عَرَبِيَّةً، فَأُوتِيَ عُمَرُ بْنُ عَبْدِ الْعَزِيزِ لِيُتَعَدَّى عَلَيْهِ، فَقَالَ: وَاللَّهِ لَقَدْ عَدَا مَوْلَى أَبِي كَثِيرٍ طَوْرَهُ

[17701] Suwayd ibn ʻAmr al-Kalbī narrated to us, from ʻAbd al-ʻAzīz ibn Abī Salamah, who said: Muḥammad ibn ʻAbd Allāh informed us, from Kathīr ibn al-Ṣalt, who said: A freed slave of ours married an Arab woman. ʻUmar ibn ʻAbd al-ʻAzīz was brought (the case) so he would be punished (or acted against). He said: "By Allah, the freed slave of Abū Kathīr has indeed overstepped his bounds."

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، قَالَ: نَا سُفْيَانُ، عَنْ حَبِيبٍ، عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ طَلْحَةَ، قَالَ: قَالَ عُمَرُ: لأَمْنَعَنَّ فُرُوجَ ذَوَاتِ الأَحْسَابِ مِنَ النِّسَاءِ إِلاَّ مِنَ الأَكْفَاءِ

[17702] Al-Faḍl ibn Dukayn told us, he said: Sufyān told us, from Ḥabīb, from Ibrāhīm ibn Muḥammad ibn Ṭalḥah, who said: ‘Umar said: “I will prevent the private parts of women of noble lineage except from their equals (in status).”

حَدَّثَنَا أَبُو أُسَامَةَ، قَالَ: حَدَّثَنِي عَمْرُو بْنُ قَيْسٍ، عَنْ عَمْرِو بْنِ أَبِي قُرَّةَ الْكِنْدِيِّ، قَالَ: "عَرَضَ أَبِي عَلَى سَلْمَانَ أُخْتًا فَأَبَى، وَتَزَوَّجَ مَوْلاَةً لَهُ يُقَالُ لَهَا: نُعَيْرَةُ

[17703] Abū Usāmah told us, he said: ‘Amr ibn Qays told me, from ‘Amr ibn Abī Qurrah al-Kindī, who said: “My father offered a sister [for marriage] to Salmān, but he refused, and he married a freed slave woman of his called

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الْكِنْدِيِّ، عَنْ سَلْمَانَ، قَالَ: لاَ نَؤُمُّهُمْ، وَلاَ نَنْكِحُ نِسَاءَهُمْ

[17704] Al-Faḍl ibn Dukayn told us, from Sufyān, from Abū Isḥāq, from Abū al-Kindī, from Salmān, who said: “We do not lead them in prayer, nor do we marry their women.”

حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ الأَسَدِيُّ، عَنِ ابْنِ أَبِي ذِئْبٍ، قَالَ: قَالَ ابْنُ شِهَابٍ فِي الْعَرَبِيِّ وَالْمَوْلَى: لاَ يَسْتَوِيَانِ فِي النَّسَبِ

[17705] Muḥammad ibn ‘Abd Allāh al-Asadī told us, from Ibn Abī Dhi’b, who said: Ibn Shihāb said regarding the Arab and the freed slave (Mawlā): “They are not equal in lineage.”

حَدَّثَنَا يَحْيَى بْنُ آدَمَ، قَالَ: نَا حَسَنٌ، قَالَ: سَأَلْتُ ابْنَ أَبِي لَيْلَى، عَنْ الْكُفْءِ فِي النِّكَاحِ، فَقَالَ: فِي الدِّينِ، وَالْمَنْصِبِ قَالَ: قُلْتُ: فِي الْمَالِ؟ قَالَ: لاَ

[17706] Yaḥyā ibn Ādam told us, he said: Ḥasan told us, he said: I asked Ibn Abī Laylā about compatibility (Kafā'ah) in marriage. He said: "In religion and lineage (Manṣib)." He said: I said: "In wealth?" He said: "No."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، وَأَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ شَقِيقٍ، عَنْ عَبْدِ اللَّهِ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ أَحَدَ أَغْيَرُ مِنَ اللَّهِ، وَلِذَلِكَ حَرَّمَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا، وَمَا بَطَنَ

[17707] Abū Bakr told us, he said: 'Abd Allāh ibn Numayr and Abū Mu'āwiyah told us, from Al-A'mash, from Shaqīq, from 'Abd Allāh, who said: The Messenger of Allah ﷺ said: "No one is more jealous (Ghayr) than Allah, and for that reason He forbade immoralities, what is apparent of them and what is concealed."

حَدَّثَنَا الْحُسَيْنُ بْنُ عَلِيٍّ، عَنْ زَائِدَةَ، عَنْ عَبْدِ الْمَلِكِ بْنِ عُمَيْرٍ، عَنْ وَرَّادٍ، عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ قَالَ: أَتَعْجَبُونَ مِنْ غَيْرَةِ سَعْدٍ؟ فَوَاللَّهِ لأَنَا أَغْيَرُ مِنْ سَعْدٍ وَاللَّهُ أَغْيَرُ مِنِّي، وَلأَجْلِ غَيْرَةِ اللَّهِ حَرَّمَ الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ

[17708] Al-Ḥusayn ibn ‘Alī told us, from Zā’idah, from ‘Abd al-Malik ibn ‘Umayr, from Warrād, from Al-Mughīrah ibn Shu‘bah, that the Prophet ﷺ said: “Do you wonder at Sa‘d's jealousy? By Allah, I am more jealous than Sa‘d, and Allah is more jealous than me. Because of Allah's jealousy, He forbade immoralities, what is apparent of them and what is concealed.”

حَدَّثَنَا مُحَمَّدُ بْنُ بِشْرٍ، قَالَ: نَا الْحَجَّاجُ بْنُ أَبِي عُثْمَانَ، عَنْ يَحْيَى بْنِ أَبِي كَثِيرٍ، عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ، عَنِ ابْنِ عَتِيكٍ الأَنْصَارِيِّ، عَنْ أَبِيه، قَالَ: قَالَ نَبِيُّ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مِنَ الْغَيْرَةِ مَا يُحِبُّ اللَّهُ، وَمِنْهَا مَا يُبْغِضُ اللَّهُ، فَأَمَّا الْغَيْرَةُ الَّتِي يُحِبُّ اللَّهُ، فَالْغَيْرَةُ فِي الرِّيبَةِ، وَأَمَّا الْغَيْرَةُ الَّتِي يُبْغِضُ اللَّهُ، فَالْغَيْرَةُ فِي غَيْرِ رِيبَةٍ

[17709] Muḥammad ibn Bishr told us, he said: Al-Ḥajjāj ibn Abī ‘Uthmān told us, from Yaḥyā ibn Abī Kathīr, from Muḥammad ibn Ibrāhīm, from Ibn ‘Atīk al-Anṣārī, from his father, who said: The Prophet of Allah ﷺ said: “There is jealousy that Allah loves and jealousy that Allah hates. As for the jealousy that Allah loves, it is jealousy regarding suspicion (when there is cause for doubt). And as for the jealousy that Allah hates, it is jealousy without suspicion.”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ أَبِي إِسْحَاقَ، عَنِ أَبِي الأَحْوَصِ، قَالَ: قَالَ عَبْدُ اللَّهِ: "احْبِسُوا النِّسَاءَ فِي الْبُيُوتِ، فَإِنَّ النِّسَاءَ عَوْرَةٌ، وَإِنَّ الْمَرْأَةَ إِذَا خَرَجَتْ مِنْ بَيْتِهَا اسْتَشْرَفَهَا الشَّيْطَانُ، وَقَالَ لَهَا: إِنَّكِ لاَ تَمُرِّينَ بِأَحَدٍ إِلاَّ أُعْجِبَ بِكِ

[17710] Abū al-Aḥwaṣ told us, from Abū Isḥāq, from Abū al-Aḥwaṣ, who said: ‘Abd Allāh said: “Keep women in the houses, for women are ‘Awrah (something to be covered/ private). When a woman goes out of her house, the devil makes her attractive (to look at) and says to her: ‘You will not pass by anyone except that he will be pleased with you.’”

حَدَّثَنَا أَبُو الأَحْوَصِ، عَنْ أَبِي إِسْحَاقَ، عَنْ حَارِثَةَ بْنِ مُضَرِّبٍ، قَالَ: قَالَ عُمَرُ: اسْتَعِينُوا عَلَى النِّسَاءِ بِالْعُرْيِ، إِنَّ إِحْدَاهُنَّ إِذَا كَثُرَتْ ثِيَابُهَا، وَحَسُنَتْ زِينَتُهَا أَعْجَبَهَا الْخُرُوجُ

[17711] Abū al-Aḥwaṣ told us, from Abū Isḥāq, from Ḥārithah ibn Muḍarrib, who said: ‘Umar said: “Seek help against women by [keeping them] without excessive clothing (or adornment for going out). Indeed, when one of them has many clothes and her adornment is beautiful, going out pleases her.”

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ رَجَاءٍ، عَنْ مُحَمَّدِ بْنِ عَجْلاَنَ، عَنْ سُمَيٍّ، عَنْ أَبِي بَكْرِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ الْحَارِثِ بْنِ هِشَامٍ، قَالَ: كُلُّ شَيْءٍ مِنَ الْمَرْأَةِ عَوْرَةٌ حَتَّى ظُفُرُهَا

[17712] ‘Abd Allāh ibn Rajā’ told us, from Muḥammad ibn ‘Ajlān, from Sumayy, from Abū Bakr ibn ‘Abd al-Raḥmān ibn al-Ḥārith ibn Hishām, who said: “Everything of a woman is ‘Awrah, even her fingernail.”

[17713] ‘Abd Allāh ibn Idrīs told us, from Layth, from Abū Ja‘far, who said: The Messenger of Allah ﷺ said: “I am jealous, and Abraham was jealous. There is no man who is not jealous except one whose heart is inverted.”

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ لَيْثٍ، عَنْ أَبِي جَعْفَرٍ، قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: إِنِّي غَيُورٌ، وَإِنَّ إِبْرَاهِيمَ كَانَ غَيُورًا، وَمَا مِنِ امْرِئٍ لاَ يَغَارُ إِلاَّ مَنْكُوسُ الْقَلْبِ

[17714] Abū Bakr told us, he said: Yaḥyā ibn al-Yamān told us, from Sufyān, from Jābir and Muṭarrif, from Al-Sha‘bī, who both said: “If the Li‘ān is averted, the child is attached to him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا يَحْيَى بْنُ الْيَمَانِ، عَنْ سُفْيَانَ، عَنْ جَابِرٍ، وَمُطَرِّفٍ، عَنِ الشَّعْبِيِّ، قَالاَ: إِذَا دَرَأَ اللِّعَانَ أُلْزِقَ بِهِ الْوَلَدُ

[17715] Yaḥyā ibn al-Yamān told us, from Sufyān, from Layth, Mujāhid, and ‘Aṭā’, similar to it.

حَدَّثَنَا يَحْيَى بْنُ الْيَمَانِ، عَنْ سُفْيَانَ، عَنْ لَيْثٍ، وَمُجَاهِدٍ، وَعَطَاءٍ، مِثْلَهُ

[17716] Yaḥyā ibn Ādam told us, he said: Zuhayr told us, from Muṭarrif, from Al-Sha‘bī, who said: “If there is no Li‘ān, the child is attached to the father.”

حَدَّثَنَا يَحْيَى بْنُ آدَمَ، قَالَ: نَا زُهَيْرٌ، عَنْ مُطَرِّفٍ، عَنِ الشَّعْبِيِّ، قَالَ: إِذَا لَمْ يَكُنْ لِعَانٌ أُلْحِقَ الْوَلَدُ بِالْوَالِدِ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا مُحَمَّدُ بْنُ بِشْرٍ، قَالَ: نَا سَعِيدٌ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، وَالْحَسَنِ، قَالاَ: إِذَا زَنَى الرَّجُلُ بِالْمَرْأَةِ، فَلَيْسَ لَهُ أَنْ يَتَزَوَّجَ ابْنَتَهَا، وَلاَ أُمَّهَا

[17717] Abū Bakr told us, he said: Muḥammad ibn Bishr told us, he said: Sa‘īd told us, from Qatādah, from Sa‘īd ibn al-Musayyib and Al-Ḥasan, who both said: “If a man commits adultery with a woman, it is not lawful for him to marry her daughter or her mother.”

حَدَّثَنَا شَرِيكٌ، عَنْ عَبْدِ الْكَرِيمِ، عَنْ عَطَاءٍ، قَالَ: إِذَا أَتَى الرَّجُلُ الْمَرْأَةَ حَرَامًا حَرُمَتْ عَلَيْهِ ابْنَتُهَا، وَإِذَا أَتَى ابْنَتَهَا حَرُمَتْ عَلَيْهِ أُمُّهَا

[17718] Sharīk told us, from ‘Abd al-Karīm, from ‘Aṭā’, who said: “If a man approaches a woman unlawfully (commits Zina), her daughter becomes prohibited to him; and if he approaches her daughter, her mother becomes prohibited to him.”

حَدَّثَنَا أَبُو خَالِدٍ الأَحْمَرُ، عَنْ عُثْمَانَ بْنِ الأَسْوَدِ، عَنْ مُجَاهِدٍ، وَعَطَاءٍ فِي الرَّجُلِ يَفْجُرُ بِالْمَرْأَةِ قَالاَ: لاَ يَحِلُّ لَهُ شَيْءٌ مِنْ بَنَاتِهَا

[17719] Abū Khālid al-Aḥmar told us, from ‘Uthmān ibn al-Aswad, from Mujāhid and ‘Aṭā’, regarding a man who commits immorality with a woman. They said: “None of her daughters are lawful for him.”

حَدَّثَنَا وَكِيعٌ، عَنْ عَبْدِ اللَّهِ بْنِ مُسَبِّحٍ، قَالَ: سَأَلْتُ إِبْرَاهِيمَ، عَنْ رَجُلٍ فَجَرَ بِأَمَةٍ، ثُمَّ أَرَادَ أَنْ يَتَزَوَّجَ أُمَّهَا قَالَ: لاَ يَتَزَوَّجُهَا

[17720] Wakī‘ told us, from ‘Abd Allāh ibn Musabbiḥ, who said: I asked Ibrāhīm about a man who committed immorality with a slave girl, then wanted to marry her mother. He said: “He does not marry her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا الْفَضْلُ بْنُ دُكَيْنٍ، قَالَ: نَا سَيْفٌ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ طَاوُسٍ، أَنَّهُ كَانَ يَقُولُ: إِنَّ رَجُلاً تَزَوَّجَ امْرَأَةً، فَطَلَّقَهَا أَوْ مَاتَ عَنْهَا، وَلَهَا ابْنَةٌ يَحِلُّ لِابْنِ الرَّجُلِ أَنْ يَتَزَوَّجَهَا

[17721] Abū Bakr told us, he said: Al-Faḍl ibn Dukayn told us, he said: Sayf told us, from Ibn Abī Najīḥ, from Ṭāwūs, that he used to say: “If a man marries a woman, then divorces her or dies leaving her, and she has a daughter, it is lawful for the man's son to marry her.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، قَالَ: نَا سَيْفٌ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ عَطَاءٍ، قَالَ: لاَ بَأْسَ بِهِ

[17722] Al-Faḍl ibn Dukayn told us, he said: Sayf told us, from Ibn Abī Najīḥ, from ‘Aṭā’, who said: “There is no harm in it.”

حَدَّثَنَا الْفَضْلُ بْنُ دُكَيْنٍ، قَالَ: نَا سَيْفٌ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ، أَنَّهُ كَرِهَهُ

[17723] Al-Faḍl ibn Dukayn told us, he said: Sayf told us, from Ibn Abī Najīḥ, from Mujāhid, that he disliked it.

حَدَّثَنَا الْفَضْلُ، عَنْ سَيْفٍ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ عِكْرِمَةَ مَوْلَى ابْنِ عَبَّاسٍ، أَنَّهُ كَرِهَهُ

[17724] Al-Faḍl told us, from Sayf, from Ibn Abī Najīḥ, from ‘Ikrimah, the client of Ibn ‘Abbās, that he disliked it.

حَدَّثَنَا أَبُو عَبْدِ الرَّحْمَنِ بَقِيُّ بْنُ مَخْلَدٍ قَالَ: نَا أَبُو بَكْرٍ عَبْدُ اللَّهِ بْنُ مُحَمَّدِ بْنِ أَبِي شَيْبَةَ قَالَ: نا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، وَوَكِيعٌ، وَحَفْصٌ، وَمُعَاوِيَةُ، عَنِ الأَعْمَشِ، عَنْ مَالِكِ بْنِ الْحَارِثِ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ يَزِيدَ، عَنْ عَبْدِ اللَّهِ، قَالَ: {فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ} [الطلاق: 1] طَاهِرًا مِنْ غَيْرِ جِمَاعٍ

[17725] Abū ‘Abd al-Raḥmān Baqī ibn Makhlad told us, he said: Abū Bakr ‘Abd Allāh ibn Muḥammad ibn Abī Shaybah told us, he said: ‘Abd Allāh ibn Idrīs, Wakī‘, Ḥafṣ, and Mu‘āwiyah told us, from Al-A‘mash, from Mālik ibn al-Ḥārith, from ‘Abd al-Raḥmān ibn Yazīd, from ‘Abd Allāh, regarding {Then divorce them for their waiting period} [At-Talaq: 1]. He said: “While pure (from menstruation), without having had intercourse.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ السَّلَامِ بْنُ حَرْبٍ، عَنْ يَزِيدَ الدَّالَانِيِّ، عَنْ أَبِي الْعَلَاءِ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ الْحِمْيَرِيِّ قَالَ: بَلَغَ أَبَا مُوسَى أَنَّ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ وَجَدَ عَلَيْهِمْ، فَأَتَاهُ فَذَكَرَ ذَلِكَ لَهُ، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: "يَقُولُ أَحَدُكُمْ: قَدْ زَوَّجْتُ، قَدْ طَلَّقْتُ، وَلَيْسَ كَذَا عِدَّةُ الْمُسْلِمِينَ، طَلِّقُوا الْمَرْأَةَ فِي قُبُلِ عِدَّتِهَا

[17726] Abū Bakr told us, he said: ‘Abd al-Salām ibn Ḥarb told us, from Yazīd al-Dālānī, from Abū al-‘Alā’, from Ḥumayd ibn ‘Abd al-Raḥmān al-Ḥimyarī, who said: It reached Abū Mūsā that the Prophet ﷺ was upset with them, so he went to him and mentioned that to him. The Messenger of Allah ﷺ said: “One of you says: ‘I have married,’ ‘I have divorced,’ but this is not the waiting period of the Muslims. Divorce the woman at the beginning of her waiting period.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ قَالَ: سَمِعْتُ مُجَاهِدًا يُحَدِّثُ، عَنِ ابْنِ عَبَّاسٍ، فِي هَذَا الْحَرْفِ: {يَا أَيُّهَا النَّبِيُّ إِذَا طَلَّقْتُمُ النِّسَاءَ فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ} [الطلاق: 1] قَالَ: فِي قُبُلِ عِدَّتِهَا

[17727] Abū Bakr told us, he said: Ghundar told us, from Shu‘bah, from Al-Ḥakam, who said: I heard Mujāhid narrating from Ibn ‘Abbās regarding this phrase: {O Prophet, when you [Muslims] divorce women, divorce them for [the commencement of] their waiting period} [At-Talaq: 1]. He said: “In the beginning of her waiting

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ يَزِيدَ، عَنِ ابْنِ سِيرِينَ قَالَ: قَالَ رَجُلٌ يَعْنِي عَلِيًّا: لَوْ أَنَّ النَّاسَ أَصَابُوا حَدَّ الطَّلَاقِ، مَا نَدِمَ رَجُلٌ عَلَى امْرَأَةٍ يُطَلِّقُهَا، وَهِيَ حَامِلٌ قَدْ تَبَيَّنَ حَمْلُهَا، أَوْ طَاهِرٌ لَمْ يُجَامِعْهَا، يَنْتَظِرُ حَتَّى إِذَا كَانَ فِي قُبُلِ عِدَّتِهَا، فَإِنْ بَدَا لَهُ أَنْ يُرَاجِعَهَا، وَإِنْ بَدَا لَهُ أَنْ يُخَلِّيَ سَبِيلَهَا

[17728] Abū Bakr told us, he said: Wakī‘ told us, from Yazīd, from Ibn Sīrīn, who said: A man - meaning ‘Alī - said: “If people followed the limit of divorce [prescribed by Allah], no man would regret divorcing a woman. She should be pregnant with her pregnancy evident, or pure without him having had intercourse with her. He waits until she is at the beginning of her waiting period, then if it appears good to him, he takes her back, and if it appears good to him, he lets her go.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، وَابْنِ سِيرِينَ، أَنَّهُمَا قَالاَ: طَلاَقُ السُّنَّةِ فِي قُبُلِ الْعِدَّةِ، يُطَلِّقُهَا طَاهِرًا فِي غَيْرِ جِمَاعٍ، وَإِنْ كَانَ بِهَا حَمْلٌ طَلَّقَهَا مَتَى شَاءَ

[17729] Abū Bakr told us, he said: ‘Abd Allāh ibn Idrīs told us, from Hishām, from Al-Ḥasan and Ibn Sīrīn, that they both said: “Divorce according to the Sunnah is at the beginning of the waiting period; he divorces her while she is pure without having had intercourse. If she is pregnant, he may divorce her whenever he wishes.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ قَالَ: طَلَّقْتُ امْرَأَتِي وَهِيَ حَائِضٌ فَذَكَرَ ذَلِكَ عُمَرُ لِرَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: مُرْهُ فَلْيُرَاجِعْهَا حَتَّى تَطْهُرَ، ثُمَّ تَحِيضَ، ثُمَّ تَطْهُرَ، ثُمَّ إِنْ شَاءَ طَلَّقَهَا قَبْلَ أَنْ يُجَامِعَهَا، وَإِنْ شَاءَ أَمْسَكَهَا فَإِنَّهَا الْعِدَّةُ الَّتِي قَالَ اللَّهُ

[17730] Abū Bakr told us, he said: ‘Abd Allāh ibn Idrīs told us, from ‘Ubayd Allāh ibn ‘Umar, from Nāfi‘, from Ibn ‘Umar, who said: I divorced my wife while she was menstruating. ‘Umar mentioned that to the Messenger of Allah ﷺ, so he said: “Order him to take her back until she becomes pure, then menstruates, then becomes pure. Then if he wishes, he may divorce her before having intercourse with her, and if he wishes, he may keep her. For that is the waiting period which Allah has commanded.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو الأَحْوَصِ، عَنْ مَنْصُورٍ، عَنْ أَبِي وَائِلٍ، قَالَ: طَلَّقَ ابْنُ عُمَرَ امْرَأَتَهُ وَهِيَ حَائِضٌ، فَأَتَى عُمَرُ النَّبِيَّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَأَخْبَرَهُ، فَقَالَ النَّبِيُّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: مُرْهُ فَلْيُرَاجِعْهَا، ثُمَّ لِيُطَلِّقْهَا طَاهِرًا فِي غَيْرِ جِمَاعٍ

[17731] Abū Bakr told us, he said: Abū al-Aḥwaṣ told us, from Manṣūr, from Abū Wā’il, who said: Ibn ‘Umar divorced his wife while she was menstruating. ‘Umar came to the Prophet ﷺ and informed him. The Prophet ﷺ said: “Order him to take her back, then divorce her while she is pure without having had intercourse.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ، مَوْلَى آلِ طَلْحَةَ، عَنْ سَالِمٍ، عَنِ ابْنِ عُمَرَ، أَنَّهُ طَلَّقَ امْرَأَتَهُ وَهِيَ حَائِضٌ، فَذَكَرَ ذَلِكَ عُمَرُ لِلنَّبِيِّ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ فَقَالَ: مُرْهُ فَلْيُرَاجِعْهَا، ثُمَّ لِيُطَلِّقْهَا طَاهِرًا، أَوْ حَامِلاً

[17732] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Muḥammad ibn ‘Abd al-Raḥmān, the client of the family of Ṭalḥah, from Sālim, from Ibn ‘Umar, that he divorced his wife while she was menstruating. ‘Umar mentioned that to the Prophet ﷺ, so he said: “Order him to take her back, then divorce her while she is pure or pregnant.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ إِدْرِيسَ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ قَالَ: إِذَا طَلَّقَهَا فِي طُهْرٍ قَدْ جَامَعَهَا فِيهِ، لَمْ تَعْتَدَّ فِيهِ بِتِلْكَ الْحَيْضَةِ

[17733] Abū Bakr told us, he said: Ibn Idrīs told us, from Layth, from Ṭāwūs, who said: “If he divorces her during a period of purity in which he has had intercourse with her, she does not count that menstruation as part of the waiting period.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ حَسَنِ بْنِ صَالِحٍ، عَنْ بَيَانٍ، عَنِ الشَّعْبِيِّ قَالَ: إِذَا طَلَّقَهَا وَهِيَ طَاهِرٌ، فَقَدْ طَلَّقَهَا لِلسُّنَّةِ، وَإِنْ كَانَ قَدْ جَامَعَهَا

[17734] Abū Bakr told us, he said: Wakī‘ told us, from Ḥasan ibn Ṣāliḥ, from Bayān, from Al-Sha‘bī, who said: “If he divorces her while she is pure, he has divorced her according to the Sunnah, even if he had intercourse with her.”

[17735] Abū Bakr told us, he said: Wakī‘ told us, from Isrā’īl, from Jābir, from ‘Ikrimah and Mujāhid, regarding {Then divorce them for their waiting period} [At-Talaq: 1]. They said: “While pure without having had intercourse.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عِكْرِمَةَ، وَمُجَاهِدٍ، {فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ} [الطلاق: 1] قَالاَ: طَاهِرًا فِي غَيْرِ جِمَاعٍ

[17736] Al-Thaqafī informed us, from Khālid, from Muḥammad, regarding {Then divorce them for their waiting period} [At-Talaq: 1]. He said: “While pure or pregnant.”

حَدَّثَنَا أَخْبَرَنَا الثَّقَفِيُّ، عَنْ خَالِدٍ عنْ مُحَمَّدٍ، {فَطَلِّقُوهُنَّ لِعِدَّتِهِنَّ} [الطلاق: 1] قَالَ: طَاهِرًا أَوْ حَامِلاً

[17737] Abū Bakr told us, he said: Ibn Idrīs told us, from Hishām, from Ibn Sīrīn, from ‘Ubaydah, from ‘Alī, who said: “No man has divorced according to the Sunnah and regretted it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ ابْنِ سِيرِينَ، عَنْ عَبِيدَةَ، عَنْ عَلِيٍّ قَالَ: مَا طَلَّقَ رَجُلٌ طَلاَقَ السُّنَّةِ فَنَدِمَ

[17738] Abū Bakr told us, he said: Wakī‘ told us, from Ḥasan ibn Ṣāliḥ, from Ibrāhīm ibn Muhājir, from ‘Abd Allāh, who said: “Divorce according to the Sunnah is at the beginning of purity without having had intercourse.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ حَسَنِ بْنِ صَالِحٍ، عَنْ إِبْرَاهِيمَ بْنِ مُهَاجِرٍ، عَنْ عَبْدِ اللَّهِ قَالَ: طَلاَقُ السُّنَّةِ فِي قُبُلِ الطُّهْرِ مِنْ غَيْرِ جِمَاعٍ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ قَالَ: مَنْ أَرَادَ الطَّلَاقَ الَّذِي هُوَ الطَّلَاقُ فَلْيُطَلِّقْهَا تَطْلِيقَةً، ثُمَّ يَدَعَهَا حَتَّى تَحِيضَ ثَلَاثَ حِيَضٍ

[17739] Abū Bakr told us, he said: Wakī‘ told us, from Isrā’īl, from Abū Isḥāq, from Abū al-Aḥwaṣ, from ‘Abd Allāh, who said: “Whoever wishes to divorce with the [proper] divorce should divorce her with one pronouncement, then leave her until she has menstruated three times.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنْ هِشَامِ بْنِ حُجَيْرٍ، عَنْ طَاوُسٍ قَالَ: "طَلَاقُ السُّنَّةِ: أَنْ يُطَلِّقَ الرَّجُلُ امْرَأَتَهُ طَاهِرًا فِي غَيْرِ جِمَاعٍ، ثُمَّ يَدَعَهَا حَتَّى تَنْقَضِيَ عِدَّتُهَا

[17740] Abū Bakr told us, he said: Sufyān ibn ‘Uyaynah told us, from Hishām ibn Ḥujayr, from Ṭāwūs, who said: “Divorce according to the Sunnah is that a man divorces his wife while she is pure without having had intercourse, then leaves her until her waiting period expires.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ، عَنْ خَالِدٍ الْحَذَّاءِ، عَنْ أَبِي قِلَابَةَ، أَنَّهُ كَانَ يَقُولُ: "فِي طَلَاقِ السُّنَّةِ: أَنْ يُطَلِّقَهَا وَاحِدَةً، ثُمَّ يَدَعَهَا حَتَّى تَبِينَ بِهَا

[17741] Abū Bakr told us, he said: ‘Abd al-Wahhāb al-Thaqafī told us, from Khālid al-Ḥadhdhā’, from Abū Qilābah, that he used to say regarding divorce according to the Sunnah: “That he divorces her once, then leaves her until she becomes separated from him [by the expiration of the ‘Iddah].”

[17742] Abū Bakr told us, he said: Wakī‘ told us, from Ḥammād ibn Zayd, from Yaḥyā ibn ‘Atīq, from Ibn Sīrīn, who said: ‘Alī said: “If people followed the limit of divorce [prescribed by Allah], no man would regret divorcing a woman once, then leaving her until she menstruates three times.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ حَمَّادِ بْنِ زَيْدٍ، عَنْ يَحْيَى بْنِ عَتِيقٍ، عَنِ ابْنِ سِيرِينَ، قَالَ: قَالَ عَلِيٌّ: لَوْ أَنَّ النَّاسَ أَصَابُوا حَدَّ الطَّلَاقِ، مَا نَدِمَ رَجُلٌ عَلَى امْرَأَةٍ يُطَلِّقُهَا وَاحِدَةً، ثُمَّ يَتْرُكُهَا حَتَّى تَحِيضَ ثَلَاثَ حِيَضٍ

[17743] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Mughīrah, from Ibrāhīm, who said: “They used to prefer that he divorce her once, then leave her until she menstruates three times.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ قَالَ: كَانُوا يَسْتَحِبُّونَ أَنْ يُطَلِّقَهَا وَاحِدَةً، ثُمَّ يَتْرُكَهَا حَتَّى تَحِيضَ ثَلَاثَ حِيَضٍ

[17744] Abū Bakr told us, he said: Shabābah ibn Sawwār told us, from Shu‘bah, from Al-Ḥakam and Ḥammād, regarding divorce according to the Sunnah. They said: “A man divorces his wife, then leaves her until her waiting period expires.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا شَبَابَةُ بْنُ سَوَّارٍ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، وَحَمَّادٌ، فِي طَلَاقِ السُّنَّةِ، قَالاَ: يُطَلِّقُ الرَّجُلُ امْرَأَتَهُ، ثُمَّ يَدَعَهَا حَتَّى تَنْقَضِيَ عِدَّتُهَا

[17745] Abū Bakr told us, he said: Abū ‘Āmir al-‘Aqadī told us, from ‘Abd al-Ḥakīm ibn Abī Farwah, who said: I heard ‘Umar ibn ‘Abd al-‘Azīz saying: “What is the matter with men; one of them says: ‘Go to your family,’ so he divorces her while she is with her family?” He forbade that most strictly. ‘Abd al-Ḥakīm said: “He means by that the waiting period [should be spent in her husband's house].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو عَامِرٍ الْعَقَدِيُّ، عَنْ عَبْدِ الْحَكِيمِ بْنِ أَبِي فَرْوَةَ، قَالَ: سَمِعْتُ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ يَقُولُ: "مَا بَالُ رِجَالٍ يَقُولُ أَحَدُهُمْ: اذْهَبِي إِلَى أَهْلِكِ، فَيُطَلِّقُهَا فِي أَهْلِهَا، فَنَهَى عَنْ ذَلِكَ أَشَدَّ النَّهْيِ" قَالَ عَبْدُ الْحَكِيمِ: يَعْنِي بِذَلِكَ الْعِدَّةَ

[17746] Abū Bakr told us, he said: Ḥafṣ ibn Ghiyāth told us, from Ash‘ath, from Al-Ḥasan, who said: Jābir was asked about a pregnant woman, how is she divorced? He said: “He divorces her once, then leaves her until she gives birth.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصُ بْنُ غِيَاثٍ، عَنْ أَشْعَثَ، عَنِ الْحَسَنِ، قَالَ: سُئِلَ جَابِرٌ عَنْ حَامِلٍ، كَيْفَ تُطَلَّقُ؟ فَقَالَ: يُطَلِّقُهَا وَاحِدَةً، ثُمَّ يَدَعُهَا حَتَّى تَضَعَ

[17747] Abū Bakr told us, he said: Abū Bakr al-Ḥanafī told us, from Ibn Abī Dhi’b, who said: I asked Al-Zuhrī about that, and he said: “All of that is a time for her [to be

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو بَكْرٍ الْحَنَفِيُّ، عَنِ ابْنِ أَبِي ذِئْبٍ، قَالَ: سَأَلْتُ عَنْ ذَلِكَ الزُّهْرِيَّ، فَقَالَ: كُلُّ ذَلِكَ لَهَا وَقْتٌ

[17748] Abū Bakr told us, he said: ‘Abd Allāh ibn Idrīs told us, from Hishām, from Al-Ḥasan and Muḥammad, who said: “If she is pregnant, he divorces her whenever he wishes.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، وَمُحَمَّدٍ، قَالاَ: إِذَا كَانَتْ حَامِلاً طَلَّقَهَا مَتَى شَاءَ

[17749] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Ḥammād, who said: “He used to prefer that he divorce the pregnant woman once, then leave her until she gives birth.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ حَمَّادٍ، قَالَ: كَانَ يَسْتَحِبُّ أَنْ يُطَلِّقَ الْحَامِلَ وَاحِدَةً، ثُمَّ يَدَعَهَا حَتَّى تَضَعَ

[17750] Abū Bakr told us, he said: Yaḥyā ibn Yamān told us, from Sufyān, from Ash‘ath, from ‘Āmir, who said: “The pregnant woman is divorced according to the months (lit. crescents).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَحْيَى بْنُ يَمَانٍ، عَنْ سُفْيَانَ، عَنْ أَشْعَثَ، عَنْ عَامِرٍ قَالَ: تُطَلَّقُ الْحَامِلُ بِالأَهِلَّةِ

[17751] Abū Bakr told us, he said: ‘Abd al-Razzāq told us, from Ma‘mar, from Ayyūb, from Abū Qilābah, who said: “If a man divorces his wife while she is menstruating, she does not count it [as part of the waiting period].” Al-Zuhrī and Qatādah said the like.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الرَّزَّاقِ، عَنْ مَعْمَرٍ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ قَالَ: إِذَا طَلَّقَ الرَّجُلُ امْرَأَتَهُ وَهِيَ حَائِضٌ فَلاَ تَعْتَدُّ بِهَا وَقَالَ الزُّهْرِيُّ وَقَتَادَةُ مِثْلَهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، فِي الَّذِي يُطَلِّقُ امْرَأَتَهُ وَهِيَ حَائِضٌ، قَالَ: لاَ تَعْتَدُّ بِتِلْكَ الْحَيْضَةِ

[17752] Abū Bakr told us, he said: ‘Abd al-Wahhāb al-Thaqafī told us, from ‘Ubayd Allāh ibn ‘Umar, from Nāfi‘, from Ibn ‘Umar, regarding the one who divorces his wife while she is menstruating. He said: “She does not count that menstruation [as part of the waiting period].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُلَيَّةَ، عَنْ لَيْثٍ، عَنِ الشَّعْبِيِّ، عَنْ شُرَيْحٍ قَالَ: قَالَ: إِذَا طَلَّقَ الرَّجُلُ امْرَأَتَهُ وَهِيَ حَائِضٌ، لَمْ تَعْتَدَّ بِتِلْكَ الْحَيْضَةِ

[17753] Abū Bakr told us, he said: Ibn ‘Ulayyah told us, from Layth, from Al-Sha‘bī, from Shurayḥ, who said: “If a man divorces his wife while she is menstruating, she does not count that menstruation [as part of the waiting period].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُلَيَّةَ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ قَالَ: إِذَا طَلَّقَ الرَّجُلُ الْمَرْأَةَ، وَهِيَ حَائِضٌ لَمْ تَعْتَدَّ بِتِلْكَ الْحَيْضَةِ

[17754] Abū Bakr told us, he said: Ibn ‘Ulayyah told us, from Layth, from Ṭāwūs, who said: “If a man divorces a woman while she is menstruating, she does not count that menstruation [as part of the waiting period].”

[17755] Abū Bakr told us, he said: ‘Abbād ibn al-‘Awwām and ‘Abdah ibn Sulaymān told us, from Ibn Abī ‘Arūbah, from Qatādah, from Sa‘īd ibn al-Musayyib, who said: “She does not count it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبَّادُ بْنُ الْعَوَّامِ، وَعَبْدَةُ بْنُ سُلَيْمَانَ، عَنِ ابْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ قَالَ: لاَ تَعْتَدُّ بِهَا

[17756] Abū Bakr told us, he said: ‘Abdah told us, from Sa‘īd, from Abū Ma‘shar, from Ibrāhīm, who said: “She does not count it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ، عَنْ سَعِيدٍ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، قَالَ: لاَ تَعْتَدُّ بِهَا

[17757] Wakī‘ told us, from Isrā’īl, from Jābir, from ‘Āmir, who said: “If he divorces her while she is menstruating, she does not count that menstruation [as part of the waiting period].”

حَدَّثَنَا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ قَالَ: إِذَا طَلَّقَهَا وَهِيَ حَائِضٌ لَمْ تَعْتَدَّ بِتِلْكَ الْحَيْضَةِ

[17758] Abū Bakr told us, he said: Al-Ḍaḥḥāk ibn Makhlad told us, from Ibn Jurayj, from ‘Aṭā’, regarding a man who divorces his wife the moment she starts menstruating. He said: “She does not count it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ سَاعَةَ حَاضَتْ، قَالَ: لاَ تَعْتَدُّ بِهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الصَّمَدِ بْنُ عَبْدِ الْوَارِثِ، عَنْ هَمَّامٍ، عَنْ مَالِكِ بْنِ دِينَارٍ، عَنْ جَابِرِ بْنِ زَيْدٍ قَالَ: لاَ تَعْتَدُّ بِتِلْكَ الْحَيْضَةِ

[17759] Abū Bakr told us, he said: ‘Abd al-Ṣamad ibn ‘Abd al-Wārith told us, from Hammām, from Mālik ibn Dīnār, from Jābir ibn Zayd, who said: “She does not count that menstruation [as part of the waiting period].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ مَهْدِيٍّ، عَنْ هَمَّامٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدٍ، وَخِلاَسٍ، قَالاَ: لاَ تَعْتَدُّ بِتِلْكَ الْحَيْضَةِ

[17760] Abū Bakr told us, he said: Ibn Mahdī told us, from Hammām, from Qatādah, from Sa‘īd and Khilās, who both said: “She does not count that menstruation [as part of the waiting period].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ مَهْدِيٍّ، عَنْ حُمَيْدِ بْنِ الأَسْوَدِ، عَنِ ابْنِ عَوْنٍ، عَنِ ابْنِ سِيرِينَ، قَالَ: لاَ تَعْتَدُّ بِهَا

[17761] Abū Bakr told us, he said: Ibn Mahdī told us, from Ḥumayd ibn al-Aswad, from Ibn ‘Awn, from Ibn Sīrīn, who said: “She does not count it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبَّادُ بْنُ الْعَوَّامِ، عَنِ ابْنِ أَبِي عَرُوبَةَ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ قَالَ: هُوَ قُرْءٌ مِنْ أَقْرَائِهَا

[17762] Abū Bakr told us, he said: ‘Abbād ibn al-‘Awwām told us, from Ibn Abī ‘Arūbah, from Qatādah, from Al-Ḥasan, who said: “It is one of her menstrual cycles (Qur’).”

[17763] Abū Bakr told us, he said: Ismāʻīl ibn ʻUlayyah told us, from Yūnus, from Al-Ḥasan, who said: He used to say: “She counts that menstruation [as part of the waiting period].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ قَالَ: "كَانَ هُوَ يَقُولُ: تَعْتَدُّ بِتِلْكَ الْحَيْضَةِ

[17764] Abū Bakr told us, he said: Wakīʻ told us, from Shuʻbah, from Anas ibn Sīrīn, who said: I said to Ibn ʻUmar: “Did you count it?” He said: “So what [else]?” Meaning the divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ شُعْبَةَ، عَنْ أَنَسِ بْنِ سِيرِينَ، قَالَ: قُلْتُ لِابْنِ عُمَرَ: احْتَسَبْتُ بِهَا؟ قَالَ: فَقَالَ: فَمَهْ يَعْنِي التَّطْلِيقَةَ

[17765] Abū Bakr told us, he said: Wakīʻ told us, from Yazīd ibn Ibrāhīm, from Ibn Sīrīn, from Yūnus ibn Jubayr, from Ibn ʻUmar, that he divorced his wife while she was menstruating. It was said to him: “Did you count it?” - meaning the divorce. He said: “Why shouldn't I, even if I was incapable and foolish?”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ يَزِيدَ بْنِ إِبْرَاهِيمَ، عَنِ ابْنِ سِيرِينَ، عَنْ يُونُسَ بْنِ جُبَيْرٍ، عَنِ ابْنِ عُمَرَ، أَنَّهُ طَلَّقَ امْرَأَتَهُ وَهِيَ حَائِضٌ، فَقِيلَ لَهُ: احْتَسَبْتُ بِهَا؟ - يَعْنِي التَّطْلِيقَةَ - قَالَ: فَقَالَ: فَمَا يَنْبَغِي إِنْ كُنْتُ عَجَزْتُ، وَاسْتَحْمَقْتُ

[17766] Abū Bakr told us, he said: Ḥafṣ ibn Ghiyāth told us, from Al-A‘mash, from Abū Isḥāq, from Abū al-Aḥwaṣ, from ‘Abd Allāh, who said: “If a man wants to divorce her three times according to the Sunnah, he divorces her once during every period of purity, and she counts one more menstruation after her last divorce.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصُ بْنُ غِيَاثٍ، عَنِ الأَعْمَشِ، عَنِ أَبِي إِسْحَاقَ، عَنْ أَبِي الأَحْوَصِ، عَنْ عَبْدِ اللَّهِ قَالَ: إِذَا أَرَادَ الرَّجُلُ أَنْ يُطَلِّقَهَا ثَلاَثًا لِلسُّنَّةِ طَلَّقَهَا عِنْدَ كُلِّ طُهْرٍ وَاحِدَةً، وَتَعْتَدُّ بِحَيْضَةٍ أُخْرَى بَعْدَ آخِرِ طَلاَقِهَا

[17767] Ḥafṣ told us, from Al-A‘mash, from Ibrāhīm, who said: “She must observe another menstruation after the last divorce.”

حَدَّثَنَا حَفْصٌ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ قَالَ: عَلَيْهَا حَيْضَةٌ أُخْرَى بَعْدَ آخِرِ تَطْلِيقَةٍ

[17768] Abū Bakr told us, he said: Ibn ‘Ulayyah told us, from Ayyūb, from Abū Qilābah, that he used to dislike for a man to divorce his wife at every menstruation, as he only does that to prolong [the waiting period] for her. So if he does that, her waiting period is from the beginning of the ‘Iddah, as long as he does not take her back.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنْ أَبِي قِلاَبَةَ، أَنَّهُ كَانَ يَكْرَهُ أَنْ يُطَلِّقَ امْرَأَتَهُ عِنْدَ كُلِّ حَيْضَةٍ، وَإِنَّمَا يَفْعَلُ ذَلِكَ لِيُطَوِّلَ عَلَيْهَا، فَإِذَا فَعَلَ ذَلِكَ فَإِذًا فَعِدَّتُهَا مِنْ أَوَّلِ الْعِدَّةِ مَا لَمْ يُرَاجِعْهَا

[17769] Abū Bakr told us, he said: Ibn ‘Ulayyah told us, from Yūnus, from Al-Ḥasan, that he used to say: “If a man divorces his wife and stays for a month, then divorces her with another divorce, her waiting period is from the first divorce as long as he does not take her back.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، أَنَّهُ كَانَ يَقُولُ: إِذَا طَلَّقَ الرَّجُلُ امْرَأَتَهُ فَمَكَثَ شَهْرًا، ثُمَّ طَلَّقَهَا تَطْلِيقَةً أُخْرَى، فَإِنَّ عِدَّتَهَا مِنْ أَوَّلِ الطَّلَاقِ مَا لَمْ يُرَاجِعْهَا

[17770] Abū Bakr told us, he said: Wakī‘ told us, from Hishām, from Qatādah, from Sa‘īd ibn al-Musayyib, regarding a man who divorces his wife with one divorce at every menstruation. He said: “She counts the waiting period from her first divorce, as long as there is no revocation (Raja‘ah).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ هِشَامٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ عِنْدَ كُلِّ حَيْضَةٍ تَطْلِيقَةٍ، قَالَ: تَعْتَدُّ مِنْ أَوَّلِ طَلَاقِهَا مَا لَمْ تَكُنْ مُرَاجَعَةً

[17771] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Al-A‘mash, from Ibrāhīm and Khaythamah, that they said: “Every time she menstruates, a divorce occurs, and she counts another menstruation after the three.” Wakī‘ said: “And the people follow this.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ وَخَيْثَمَةَ، أَنَّهُمَا قَالاَ: كُلَّمَا حَاضَتْ وَقَعَتْ تَطْلِيقَةٌ، وَتَعْتَدُّ حَيْضَةً أُخْرَى بَعْدَ الثَّلَاثِ قَالَ وَكِيعٌ: وَالنَّاسُ عَلَيْهِ

[17772] Abū Bakr told us, he said: Abū Dāwūd al-Ṭayālisī told us, from Hishām, from Qatādah, from Jābir ibn ‘Abd Allāh and Khilās ibn ‘Amr, that they said: “She does not count the waiting period from her last divorce.” Sa‘īd ibn al-Musayyib said: “And we do not like that.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ هِشَامٍ، عَنْ قَتَادَةَ، عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ، وَخِلاَسِ بْنِ عَمْرٍو أَنَّهُمَا قَالاَ: لاَ تَعْتَدُّ مِنْ آخِرِ طَلاَقِهَا قَالَ سَعِيدُ بْنُ الْمُسَيِّبِ: وَلاَ يُعْجِبُنَا ذَلِكَ

[17773] Abū Bakr told us, he said: ‘Abdah ibn Sulaymān told us, from ‘Abd Allāh, from Nāfi‘, from Ibn ‘Umar, that he called witnesses for the revocation (Raja‘ah) of Ṣafiyyah when he took her back.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عَبْدِ اللَّهِ، عَنْ نَافِعٍ، عَنِ ابْنِ عُمَرَ، أَنَّهُ أَشْهَدَ عَلَى رَجْعَةِ صَفِيَّةَ حِينَ رَاجَعَهَا

[17774] Abū Bakr told us, he said: Muḥammad ibn Fuḍayl told us, from Al-Shaybānī, from Al-Sha‘bī, that he was asked about a man who divorced his wife, then took her back, but was ignorant of [the requirement to] call witnesses. He said: “He calls witnesses when he learns.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنِ الشَّيْبَانِيِّ، عَنِ الشَّعْبِيِّ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ، ثُمَّ رَاجَعَهَا، فَيَجْهَلُ أَنْ يُشْهِدَ، قَالَ: يُشْهِدُ إِذَا عَلِمَ

[17775] Abū Bakr told us, he said: Jarīr told us, from Mughīrah, from ‘Āmir, regarding a man who divorces his wife, then has intercourse with her before calling witnesses to taking her back. He said: “What do you say, O Mughīrah, about a man who did [that] with the woman of a people when he has no way to her?”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ عَامِرٍ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ، ثُمَّ يُجَامِعُهَا قَبْلَ أَنْ يُشْهِدَ عَلَى مُرَاجَعَتِهَا، قَالَ: "كَيْفَ تَقُولُ: يَا مُغِيرَةُ فِي رَجُلٍ فَعَلَ بِامْرَأَةِ قَوْمٍ لَيْسَ مِنْهَا بِسَبِيلٍ؟

[17776] Abū Bakr told us, he said: Muḥammad ibn ‘Ubayd told us, from Khālid al-Sulamī, from Abū Ma‘shar, from Ibrāhīm, regarding a man who divorced his wife and called witnesses, then took her back but did not call witnesses. He said: “He did not dislike that out of sin (fear of sin), but he feared that it would be denied.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ عُبَيْدٍ، عَنْ خَالِدٍ السُّلَمِيِّ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ فَأَشْهَدَ، ثُمَّ رَاجَعَهَا وَلَمْ يُشْهِدْ، قَالَ: لَمْ يَكُنْ يَكْرَهُ ذَلِكَ تَأَثُّمًا، وَلَكِنْ كَانَ يَخَافُ أَنْ يَجْحَدَ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ يُونُسَ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ، ثُمَّ يَغْشَاهَا وَلَمْ يُشْهِدْ، قَالَ: غِشْيَانُهُ لَهَا مُرَاجَعَةٌ فَلْيُشْهِدْ

[17777] Abū Bakr told us, he said: ‘Abd al-A‘lā told us, from Yūnus, from Al-Ḥasan, regarding a man who divorces his wife, then has intercourse with her and did not call witnesses. He said: “His intercourse with her is a revocation (Raja‘ah), so let him call witnesses.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، وَعَنْ جَابِرٍ، عَنِ الشَّعْبِيِّ، وَعَنْ سُلَيْمَانَ التَّيْمِيِّ، عَنْ طَاوُسٍ، قَالُوا: الْجِمَاعُ رَجْعَةٌ فَلْيُشْهِدْ

[17778] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Mughīrah, from Ibrāhīm; and from Jābir, from Al-Sha‘bī; and from Sulaymān al-Taymī, from Ṭāwūs, that they said: “Intercourse is revocation (Raja‘ah), so let him call witnesses.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَحْيَى بْنُ عَبْدِ الْمَلِكِ بْنِ أَبِي غَنِيَّةَ، عَنْ جُوَيْبِرٍ، عَنِ الضَّحَّاكِ، فِي قَوْلِهِ: {وَأَشْهِدُوا ذَوَيْ عَدْلٍ مِنْكُمْ} [الطلاق: 2]، قَالَ: أُمِرُوا أَنْ يُشْهِدُوا عِنْدَ الطَّلَاقِ وَالرَّجْعَةِ

[17779] Abū Bakr told us, he said: Yaḥyā ibn ‘Abd al-Malik ibn Abī Ghaniyyah told us, from Juwaybir, from Al-Ḍaḥḥāk, regarding His statement: {And bring to witness two just men from among you} [At-Talaq: 2]. He said: “They were commanded to call witnesses at the time of divorce and revocation.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُيَيْنَةَ، عَنْ أَبِيهِ، عَنِ الْحَكَمِ، فِي رَجُلٍ يُرَاجِعُ امْرَأَتَهُ وَلاَ يُشْهِدُ، قَالَ: فَلْيُشْهِدْ عَلَى رَجْعَتِهَا

[17780] Abū Bakr told us, he said: Ibn ‘Uyaynah told us, from his father, from Al-Ḥakam, regarding a man who takes back his wife and does not call witnesses. He said: “Let him call witnesses for taking her back.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، قَالَ: الْفُرْقَةُ، وَالرَّجْعَةُ بِالشُّهُودِ

[17781] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Ibn Jurayj, from ‘Aṭā’, who said: “Separation and revocation are with witnesses.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ فَجَاءَهُ، وَقَدْ غَشِيَهَا فِي عِدَّتِهَا، وَقَدْ عَلِمَ بِذَلِكَ بَعْدَ انْقِضَاءِ الْعِدَّةِ، قَالَ: غِشْيَانُهُ لَهَا مُرَاجَعَةٌ

[17782] Abū Bakr told us, he said: Ghundar told us, from Shu‘bah, from Al-Ḥakam, regarding a man who divorced his wife, then [someone] came to him [Al-Ḥakam], and he had intercourse with her during her waiting period, and he learned of that after the waiting period expired. He said: “His intercourse with her is a revocation.”

[17783] Abū Bakr told us, he said: Al-Thaqafī told us, from Ayyūb, from Muḥammad, from ‘Imrān ibn Ḥuṣayn, that he was asked about a man who divorced his wife and did not call witnesses, and took her back and did not call witnesses. He said: “He divorced not according to the ‘Iddah, and he took back not according to the Sunnah. Let him call witnesses for what he has done.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الثَّقَفِيُّ، عَنْ أَيُّوبَ، عَنْ مُحَمَّدٍ، عَنْ عِمْرَانَ بْنِ حُصَيْنٍ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ، وَلَمْ يُشْهِدْ وَرَاجَعَ، وَلَمْ يُشْهِدْ، فَقَالَ: طَلَّقَ فِي غَيْرِ عِدَّةٍ، وَرَاجَعَ فِي غَيْرِ سُنَّةٍ، لِيُشْهِدَ عَلَى مَا صَنَعَ

[17784] Abū Bakr told us, he said: ‘Abd al-A‘lā told us, from Sa‘īd, from Qatādah, that ‘Umar ibn ‘Abd al-‘Azīz wrote: “It is one irrevocable [divorce].” And it is the opinion of Qatādah.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ كَتَبَ: أَنَّهَا وَاحِدَةٌ بَائِنَةٌ، وَهُوَ قَوْلُ قَتَادَةَ

[17785] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Ibn Jurayj, from ‘Amr ibn Dīnār, from Abū al-Sha‘thā’, who said: “If he revokes [the divorce] within himself, it is nothing.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَمْرِو بْنِ دِينَارٍ، عَنْ أَبِي الشَّعْثَاءِ قَالَ: إِذَا رَاجَعَ فِي نَفْسِهِ فَلَيْسَ بِشَيْءٍ

[17786] Abū Bakr told us, he said: ‘Abd al-A‘lā told us, from Sa‘īd, he said: He was asked about a man who said to his wife: “If you enter the house of so-and-so, you are divorced.” She entered, and he did not know until months had passed. He told us, from Qatādah, from Al-Ḥasan, Sa‘īd, and Khilās that they said: “When he learns, he calls witnesses to taking her back.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ قَالَ: سُئِلَ عَنْ رَجُلٍ قَالَ لِامْرَأَتِهِ: "إِنْ دَخَلْتِ دَارَ فُلاَنٍ فَأَنْتِ طَالِقٌ، فَدَخَلَتْ وَهُوَ لاَ يَشْعُرُ حَتَّى مَضَى لِذَلِكَ أَشْهُرٍ، فَحَدَّثَنَا، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، وَسَعِيدٍ، وَخِلاَسٍ أَنَّهُمْ قَالُوا: إِذَا عَلِمَ أَشْهَدَ عَلَى مُرَاجَعَتِهَا

[17787] Abū Bakr told us, he said: ‘Abd al-A‘lā told us, from Yūnus, from Al-Ḥasan, regarding a man who said: “If you enter the house of so-and-so, you are divorced once.” She entered, and he did not know. He said: “If he had intercourse with her during the waiting period, his intercourse with her is a revocation. Otherwise, she has become separated from him by one [divorce].”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ يُونُسَ، عَنِ الْحَسَنِ، فِي رَجُلٍ قَالَ: إِنْ دَخَلْتِ دَارَ فُلاَنٍ فَأَنْتِ طَالِقٌ وَاحِدَةً، فَدَخَلَتْ وَهُوَ لاَ يَشْعُرُ قَالَ: إِنْ كَانَ غَشِيَهَا فِي الْعِدَّةِ فَغِشْيَانُهُ لَهَا مُرَاجَعَةٌ، وَإِلاَّ فَقَدْ بَانَتْ مِنْهُ بِوَاحِدَةٍ

[17788] Abū Bakr told us, he said: Sahl ibn Yūsuf told us, from Ḥumayd, from Wāqi‘ ibn Saḥbān, who said: ‘Imrān ibn Ḥuṣayn was asked about a man who divorced his wife three times in one sitting. He said: “He disobeyed his Lord, and his wife became forbidden to him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا سَهْلُ بْنُ يُوسُفَ، عَنْ حُمَيْدٍ، عَنْ وَاقِعِ بْنِ سَحْبَانَ، قَالَ: سُئِلَ عِمْرَانُ بْنُ حُصَيْنٍ، عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلاَثًا فِي مَجْلِسٍ، قَالَ: أَثِمَ بِرَبِّهِ، وَحُرِّمَتْ عَلَيْهِ امْرَأَتُهُ

[17789] Abū Bakr told us, he said: Ibn Numayr told us, from Al-A‘mash, from Mālik ibn al-Ḥārith, from Ibn ‘Abbās, that a man came to him and said: “My uncle divorced his wife three times.” He said: “Indeed, your uncle disobeyed Allah, so He made him regret, and He did not make a way out for him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ نُمَيْرٍ، عَنِ الأَعْمَشِ، عَنْ مَالِكِ بْنِ الْحَارِثِ، عَنِ ابْنِ عَبَّاسٍ، أَتَاهُ رَجُلٌ، فَقَالَ: إِنَّ عَمِّي طَلَّقَ امْرَأَتَهُ ثَلاَثًا "فَقَالَ: إِنَّ عَمَّكَ عَصَى اللَّهَ فَأَنْدَمَهُ، فَلَمْ يَجْعَلْ لَهُ مَخْرَجًا

[17790] Abū Bakr told us, he said: ‘Alī ibn Mushir told us, from Shaqīq ibn Abī ‘Abd Allāh, from Anas, who said: “When a man was brought to ‘Umar who had divorced his wife three times in one sitting, he would beat him painfully and separate them.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ شَقِيقِ بْنِ أَبِي عَبْدِ اللَّهِ، عَنْ أَنَسٍ، قَالَ: كَانَ عُمَرُ إِذَا أُتِيَ بِرَجُلٍ قَدْ طَلَّقَ امْرَأَتَهُ ثَلاَثًا فِي مَجْلِسٍ أَوْجَعَهُ ضَرْبًا وَفَرَّقَ بَيْنَهُمَا

[17791] Abū Bakr told us, he said: Yazīd ibn Hārūn told us, from Yaḥyā ibn Sa‘īd, who said: I said to Al-Qāsim ibn Muḥammad: “A man wants to divorce his wife three times.” He said: “He divorces her in different sittings.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، قَالَ: قُلْتُ لِلْقَاسِمِ بْنِ مُحَمَّدٍ: الرَّجُلُ يُرِيدُ أَنْ يُطَلِّقَ امْرَأَتَهُ ثَلاَثًا، قَالَ: يُطَلِّقُهَا فِي مَقَاعِدَ مُخْتَلِفَةٍ

[17792] Abū Bakr told us, he said: Asbāṭ ibn Muḥammad told us, from Ash‘ath, from Nāfi‘, who said: Ibn ‘Umar said: “Whoever divorces his wife three times has disobeyed his Lord, and his wife has become irrevocably separated from him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَسْبَاطُ بْنُ مُحَمَّدٍ، عَنْ أَشْعَثَ، عَنْ نَافِعٍ قَالَ: قَالَ ابْنُ عُمَرَ: مَنْ طَلَّقَ امْرَأَتَهُ ثَلاَثًا، فَقَدْ عَصَى رَبَّهُ، وَبَانَتْ مِنْهُ امْرَأَتُهُ

[17793] Abū Bakr told us, he said: ‘Abd al-A‘lā told us, from Ma‘mar, from Al-Zuhrī, regarding a man who divorced his wife three times all at once. He said: “Whoever does that has disobeyed his Lord, and his wife has become irrevocably separated from him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَيْ، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلاَثًا جَمِيعًا، قَالَ: إِنَّ مَنْ فَعَلَ فَقَدْ عَصَى رَبَّهُ، وَبَانَتْ مِنْهُ امْرَأَتُهُ

[17794] Abū Bakr told us, he said: Abū Usāmah told us, from Ibn ‘Awn, from Al-Ḥasan, who said: “They used to punish (make an example of) the one who divorced three times in one sitting.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنِ ابْنِ عَوْنٍ، عَنِ الْحَسَنِ قَالَ: كَانُوا يُنَكِّلُونَ مَنْ طَلَّقَ ثَلاَثًا فِي مَقْعَدٍ وَاحِدٍ

[17795] Abū Bakr told us, he said: Abū Usāmah told us, from Hishām, who said: Muḥammad was asked about a man who divorces his wife three times in one sitting. He said: “I do not know any harm in that. ‘Abd al-Raḥmān ibn ‘Awf divorced his wife three times, and he was not criticized for that.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنْ هِشَامٍ، قَالَ: سُئِلَ مُحَمَّدٌ عَنِ الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ ثَلاَثًا فِي مَقْعَدٍ وَاحِدٍ، قَالَ: لاَ أَعْلَمُ بِذَلِكَ بَأْسًا، قَدْ طَلَّقَ عَبْدُ الرَّحْمَنِ بْنُ عَوْفٍ امْرَأَتَهُ ثَلاَثًا، فَلَمْ يُعَبْ عَلَيْهِ ذَلِكَ

[17796] Abū Bakr told us, he said: Abū Usāmah told us, from Ibn ‘Awn, from Muḥammad, who said: “He used to see no harm in that.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنِ ابْنِ عَوْنٍ، عَنْ مُحَمَّدٍ، قَالَ: كَانَ لاَ يَرَى بِذَلِكَ بَأْسًا

[17797] Abū Bakr told us, he said: Ghundar told us, from Shu‘bah, from ‘Abd Allāh ibn Abī al-Safar, from Al-Sha‘bī, regarding a man who wanted his wife to be irrevocably separated from him. He said: “He divorces her three times.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ عَبْدِ اللَّهِ بْنِ أَبِي السَّفَرِ، عَنِ الشَّعْبِيِّ، فِي رَجُلٍ أَرَادَ أَنْ تَبِينَ مِنْهُ امْرَأَتُهُ، قَالَ: يُطَلِّقُهَا ثَلاَثًا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو مُعَاوِيَةَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ قَالَ: أَتَاهُ رَجُلٌ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي تِسْعَةً وَتِسْعِينَ مَرَّةً، قَالَ: فَمَا قَالُوا لَكِ؟ قَالَ: قَالُوا: قَدْ حُرِّمَتْ عَلَيْكَ، قَالَ: فَقَالَ عَبْدُ اللَّهِ: لَقَدْ أَرَادُوا أَنْ يُبْقُوا عَلَيْكَ، بَانَتْ مِنْكَ بِثَلاَثٍ، وَسَائِرُهُنَّ عُدْوَانٌ

[17798] Abū Bakr told us, he said: Abū Muʻāwiyah told us, from Al-Aʻmash, from Ibrāhīm, from ʻAlqamah, from ʻAbd Allāh, who said: A man came to him and said: “I divorced my wife ninety-nine times.” He said: “What did they tell you?” He said: “They said she is forbidden to you.” He said: So ʻAbd Allāh said: “They wanted to spare you [from more sin]; she was irrevocably separated from you by three, and the rest are aggression.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصٌ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ مِائَةَ تَطْلِيقَةٍ، قَالَ: حَرَّمَتْهَا ثَلاَثٌ وَسَبْعَةٌ وَتِسْعُونَ عُدْوَانٌ

[17799] Abū Bakr told us, he said: Ḥafṣ told us, from Al-Aʻmash, from Ibrāhīm, from ʻAlqamah, from ʻAbd Allāh, that he was asked about a man who divorced his wife one hundred times. He said: “Three forbade her [to him], and ninety-seven are aggression.”

[17800] Abū Bakr told us, he said: Wakī‘ told us, from Sufyān, from Manṣūr and Al-A‘mash, from Ibrāhīm, from ‘Alqamah, who said: A man came to ‘Abd Allāh and said: “I divorced my wife one hundred times.” He said: “She was irrevocably separated from you by three, and the rest are disobedience.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، وَالأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَلْقَمَةَ قَالَ: جَاءَ رَجُلٌ إِلَى عَبْدِ اللَّهِ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي مِائَةً فَقَالَ: بَانَتْ مِنْكَ بِثَلاَثٍ، وَسَائِرُهُنَّ مَعْصِيَةٌ

[17801] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Salamah ibn Kuhayl, from Zayd ibn Wahb, that a frivolous man in Medina divorced his wife a thousand times. He returned to ‘Umar and said: “I was only playing.” ‘Umar struck his head with his whip and separated them.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنْ زَيْدِ بْنِ وَهْبٍ، أَنَّ رَجُلاً بَطَّالاً كَانَ بِالْمَدِينَةِ، طَلَّقَ امْرَأَتَهُ أَلْفًا، فَرَجَعَ إِلَى عُمَرَ فَقَالَ: إِنَّمَا كُنْتُ أَلْعَبُ، فَعَلاَ عُمَرُ رَأْسَهُ بِالدُّرَّةِ وَفَرَّقَ بَيْنَهُمَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنِ الأَعْمَشِ، عَنْ حَبِيبٍ قَالَ: جَاءَ رَجُلٌ إِلَى عَلِيٍّ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي أَلْفًا قَالَ: بَانَتْ مِنْكَ بِثَلاَثٍ، وَاقْسِمْ سَائِرَهَا بَيْنَ نِسَائِكَ

[17802] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Al-A‘mash, from Ḥabīb, who said: A man came to ‘Alī and said: “I divorced my wife a thousand times.” He said: “She is irrevocably separated from you with three, and distribute the rest among your wives.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ هَارُونَ بْنِ عَنْتَرَةَ، عَنْ أَبِيهِ، قَالَ: كُنْتُ جَالِسًا عِنْدَ ابْنِ عَبَّاسٍ فَأَتَاهُ رَجُلٌ، فَقَالَ: يَا ابْنَ عَبَّاسٍ، إِنَّهُ طَلَّقَ امْرَأَتَهُ مِائَةَ مَرَّةٍ، وَإِنَّمَا قُلْتُهَا مَرَّةً وَاحِدَةً، فَتَبِينُ مِنِّي بِثَلاَثٍ، أَمْ هِيَ وَاحِدَةٌ؟ فَقَالَ: بَانَتْ بِثَلاَثٍ، وَعَلَيْكَ وِزْرُ سَبْعَةٍ وَتِسْعِينَ

[17803] Abu Bakr narrated to us, saying: ‘Abbād ibn al-‘Awwām narrated to us, from Hārūn ibn ‘Antarah, from his father, who said: I was sitting with Ibn ‘Abbās when a man came to him and said: “O Ibn ‘Abbās, I divorced my wife a hundred times, but I only said it once. Does she become irrevocably separated from me with three, or is it one?” He said: “She is irrevocably separated with three, and upon you is the sin of ninety-seven.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ قَالَ: حَدَّثَنِي عَمْرُو بْنُ مُرَّةَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ قَالَ: جَاءَ رَجُلٌ إِلَى ابْنِ عَبَّاسٍ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي أَلْفًا وَمِائَةً قَالَ: بَانَتْ مِنْكَ بِثَلَاثٍ، وَسَائِرُهُنَّ وِزْرٌ، اتَّخَذْتُ آيَاتِ اللَّهِ هُزُوًا

[17804] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, who said: ‘Amr ibn Murrah narrated to me, from Sa‘īd ibn Jubayr, who said: A man came to Ibn ‘Abbās and said: “I divorced my wife a thousand and one hundred times.” He said: “She is irrevocably separated from you with three, and the rest are a sin; you have taken the verses of Allah in jest.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، وَالْفَضْلُ بْنُ دُكَيْنٍ، عَنْ جَعْفَرِ بْنِ بُرْقَانَ، عَنْ مُعَاوِيَةَ بْنِ أَبِي يَحْيَى قَالَ: جَاءَ رَجُلٌ إِلَى عُثْمَانَ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي مِائَةً قَالَ: ثَلَاثٌ تُحَرِّمُهَا عَلَيْكَ، وَسَبْعَةٌ وَتِسْعُونَ عُدْوَانٌ

[17805] Abu Bakr narrated to us, saying: Wakī‘ and Al-Faḍl ibn Dukayn narrated to us, from Ja‘far ibn Burqān, from Mu‘āwiyah ibn Abī Yaḥyā, who said: A man came to ‘Uthmān and said: “I divorced my wife a hundred times.” He said: “Three make her forbidden to you, and ninety-seven are aggression.”

[17806] Abu Bakr narrated to us, saying: Ghundar narrated to us, from Shu‘bah, from Ṭāriq, from Qays ibn Abī Ḥāzim, that he heard him narrating from Al-Mughīrah ibn Shu‘bah, that he was asked about a man who divorced his wife a hundred times. He said: “Three make her forbidden to him, and ninety-seven are surplus.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ طَارِقٍ، عَنْ قَيْسِ بْنِ أَبِي حَازِمٍ، أَنَّهُ سَمِعَهُ يُحَدِّثُ، عَنِ الْمُغِيرَةِ بْنِ شُعْبَةَ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ مِائَةً، فَقَالَ: ثَلَاثٌ تُحَرِّمْنَهَا عَلَيْهِ، وَسَبْعَةٌ وَتِسْعُونَ فَضْلٌ

[17807] Abu Bakr narrated to us, saying: Muḥammad ibn Bishr narrated to us, from Abū Ma‘shar, who said: Sa‘īd al-Maqburī narrated to us, saying: A man came to ‘Abd Allāh ibn ‘Umar while I was with him and said: “O Abū ‘Abd al-Raḥmān, I divorced my wife a hundred times.” He said: “She is irrevocably separated from you with three, and regarding the ninety-seven, Allah will call you to account for them on the Day of Resurrection.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ أَبِي مَعْشَرَ قَالَ: نا سَعِيدٌ الْمَقْبُرِيُّ قَالَ: جَاءَ رَجُلٌ إِلَى عَبْدِ اللَّهِ بْنِ عُمَرَ، وَأَنَا عِنْدَهُ فَقَالَ: يَا أَبَا عَبْدَ الرَّحْمَنِ، إِنَّهُ طَلَّقَ امْرَأَتَهُ مِائَةَ مَرَّةٍ، قَالَ: بَانَتْ مِنْكَ بِثَلَاثٍ، وَسَبْعَةٌ وَتِسْعُونَ يُحَاسِبُكَ اللَّهُ بِهَا يَوْمَ الْقِيَامَةِ

[17808] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Ismā‘īl, from Al-Sha‘bī, from Shurayḥ, that a man said: “I divorced her a hundred times.” He said: “She is irrevocably separated from you with three, and the rest are extravagance and disobedience.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، عَنْ شُرَيْحٍ قَالَ رَجُلٌ: إِنِّي طَلَّقْتُهَا مِائَةً، قَالَ: بَانَتْ مِنْكَ بِثَلَاثٍ، وَسَائِرُهُنَّ إِسْرَافٌ، وَمَعْصِيَةٌ

[17809] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Al-Faḍl ibn Dalham, from Al-Ḥasan, who said: A man came to Al-Ḥasan and said: “I divorced my wife a thousand times.” He said: “The old woman is irrevocably separated from you.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنِ الْفَضْلِ بْنِ دَلْهَمٍ، عَنِ الْحَسَنِ قَالَ: جَاءَ رَجُلٌ إِلَى الْحَسَنِ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي أَلْفًا قَالَ: بَانَتْ مِنْكَ الْعَجُوزُ

[17810] Abu Bakr narrated to us, saying: Ibn Fuḍayl narrated to us, from Al-A‘mash, from Ḥabīb, from a man from the people of Mecca, who said: A man came to ‘Alī and said: “I divorced my wife a thousand times.” He said: “Three make her forbidden to you, and distribute the rest among your family.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ فُضَيْلٍ، عَنِ الأَعْمَشِ، عَنْ حَبِيبٍ، عَنْ رَجُلٍ مِنْ أَهْلِ مَكَّةَ قَالَ: جَاءَ رَجُلٌ إِلَى عَلِيٍّ فَقَالَ: إِنِّي طَلَّقْتُ امْرَأَتِي أَلْفًا، قَالَ: الثَّلَاثُ تُحَرِّمُهَا عَلَيْكَ، وَاقْسِمْ سَائِرَهُنَّ بَيْنَ أَهْلِكَ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ عَاصِمٍ، عَنِ ابْنِ سِيرِينَ، عَنْ عَلْقَمَةَ، عَنْ عَبْدِ اللَّهِ قَالَ: أَتَاهُ رَجُلٌ فَقَالَ: إِنَّهُ كَانَ بَيْنِي وَبَيْنَ امْرَأَتِي كَلاَمٌ فَطَلَّقْتُهَا عَدَدَ النُّجُومِ، قَالَ: تَكَلَّمْتُ بِالطَّلاَقِ؟ قَالَ: نَعَمْ. قَالَ: قَالَ عَبْدُ اللَّهِ: قَدْ بَيَّنَ اللَّهُ الطَّلاَقَ فَعَمَّنْ أَخَذْتَهُ؟ فَمَنْ طَلَّقَ كَمَا أَمَرَهُ اللَّهُ فَقَدْ تَبَيَّنَ لَهُ، وَمَنْ لَبَسَ عَلَى نَفْسِهِ جَعَلْنَا بِهِ لَبْسَهُ، لاَ تُلْبِسُوا عَلَى أَنْفُسِكُمْ، وَنَتَحَمَّلُهُ عَنْكُمْ هُوَ كَمَا تَقُولُونَ

[17811] Abu Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from ʻĀṣim, from Ibn Sīrīn, from ʻAlqamah, from ʻAbd Allāh, who said: A man came to him and said: “There was a dispute between me and my wife, so I divorced her the number of the stars.” He said: “Did you pronounce the divorce?” He said: “Yes.” ʻAbd Allāh said: “Allah has clarified divorce, so from whom did you take this? Whoever divorces as Allah commanded, it becomes clear for him. And whoever confuses matters for himself, we hold him to his confusion. Do not confuse matters for yourselves and expect us to bear it for you; it is as you say.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ فُضَيْلٍ، عَنْ عَاصِمٍ، عَنِ ابْنِ سِيرِينَ، عَنْ شُرَيْحٍ قَالَ: لَوْ قَالَهَا لِنِسَاءِ الْعَالَمِينَ بَعْدَ أَنْ يَمْلِكَهُنَّ كُنَّ عَلَيْهِ حَرَامًا

[17812] Abu Bakr narrated to us, saying: Ibn Fuḍayl narrated to us, from ʻĀṣim, from Ibn Sīrīn, from Shurayḥ, who said: “If he had said it regarding the women of the worlds after possessing them, they would have been forbidden to him.”

[17813] Abu Bakr narrated to us, saying: Ismāʻīl ibn Ibrāhīm narrated to us, from Ayyūb, from ʻAmr: Ibn ʻAbbās was asked about a man who divorced his wife the number of the stars. He said: “The head of Gemini is enough for him from that.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ بْنُ إِبْرَاهِيمَ، عَنْ أَيُّوبَ، عَنْ عَمْرٍو، سُئِلَ ابْنُ عَبَّاسٍ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ عَدَدَ النُّجُومِ، فَقَالَ: يَكْفِيهِ مِنْ ذَلِكَ رَأْسُ الْجَوْزَاءِ

[17814] Abu Bakr narrated to us, saying: ʻAbd al-ʻAzīz ibn ʻAbd al-Ṣamad al-ʻAmmī narrated to us, from ʻĀmir al-Aḥwal, from ʻAmr ibn Shuʻayb, from his father, from his grandfather, who said: The Messenger of Allah ﷺ said: “There is no divorce except after marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الْعَزِيزِ بْنُ عَبْدِ الصَّمَدِ الْعَمِّيِّ، عَنْ عَامِرٍ الأَحْوَلِ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ طَلاَقَ إِلاَّ بَعْدَ النِّكَاحِ

[17815] Abu Bakr narrated to us, saying: Wakīʻ narrated to us, from Sufyān, from Muḥammad ibn al-Munkadir, from someone who heard Ṭāwūs say: The Messenger of Allah ﷺ said: “There is no divorce except after marriage, and no manumission before ownership.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ، عَمَّنْ، سَمِعَ طَاوُسًا يَقُولُ: قَالَ رَسُولُ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ: لاَ طَلاَقَ إِلاَّ بَعْدَ نِكَاحٍ، وَلاَ عِتْقَ قَبْلَ مِلْكٍ

[17816] Abu Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from Layth, from ‘Abd al-Malik ibn Maysarah, from Al-Nazzāl, from ‘Alī, who said: “There is no divorce except after marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ لَيْثٍ، عَنْ عَبْدِ الْمَلِكِ بْنِ مَيْسَرَةَ، عَنِ النَّزَّالِ، عَنْ عَلِيٍّ قَالَ: لاَ طَلاَقَ إِلاَّ بَعْدَ النِّكَاحِ

[17817] Abu Bakr narrated to us, saying: ‘Abd Allāh ibn Numayr narrated to us, from Ibn Jurayj, from ‘Aṭā’, from Ibn ‘Abbās, who said: “There is no divorce except after marriage, and no manumission except after ownership.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ قَالَ: لاَ طَلاَقَ إِلاَّ بَعْدَ النِّكَاحِ، وَلاَ عِتْقَ إِلاَّ بَعْدَ الْمِلْكِ

[17818] Abu Bakr narrated to us, saying: Ḥammād ibn Khālid narrated to us, from Hishām ibn Sa‘d, from Al-Zuhrī, from ‘Urwah, from ‘Ā’ishah, who said: “There is no divorce except after marriage.” Al-Zuhrī said: “When the marriage takes place, the divorce takes place.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَمَّادُ بْنُ خَالِدٍ، عَنْ هِشَامِ بْنِ سَعْدٍ، عَنِ الزُّهْرِيِّ، عَنْ عُرْوَةَ، عَنْ عَائِشَةَ قَالَتْ: لاَ طَلاَقَ إِلاَّ بَعْدَ نِكَاحٍ وَقَالَ الزُّهْرِيُّ: إِذَا وَقَعَ النِّكَاحُ، وَقَعَ الطَّلاَقُ

[17819] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, saying: Ḥasan ibn Ṣāliḥ narrated to us, from Abū Isḥāq, from ‘Ikrimah, from Ibn ‘Abbās, who said: “I do not care whether I marry her or put my hand on this pillar,” meaning that she is lawful (despite a prior conditional divorce before

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ قَالَ: نا حَسَنُ بْنُ صَالِحٍ، عَنْ أَبِي إِسْحَاقَ، عَنْ عِكْرِمَةَ، عَنِ ابْنِ عَبَّاسٍ قَالَ: "مَا أُبَالِي تَزَوَّجْتُهَا، أَوْ وَضَعْتُ يَدِي عَلَى هَذِهِ السَّارِيَةِ يَعْنِي أَنَّهَا حَلاَلٌ

[17820] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, saying: Ibn Abī Dhi’b narrated to us, from ‘Aṭā’ and from Muḥammad ibn al-Munkadir, from Jābir, who said: “There is no divorce before marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ قَالَ: نا ابْنُ أَبِي ذِئْبٍ، عَنْ عَطَاءٍ، وَعَنْ مُحَمَّدِ بْنِ الْمُنْكَدِرِ، عَنْ جَابِرٍ قَالَ: لاَ طَلاَقَ قَبْلَ نِكَاحٍ

[17821] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from ‘Abd al-A‘lā, from Sa‘īd ibn Jubayr, that Marwān asked Ibn ‘Abbās about it. He said: “There is no divorce before marriage, and no manumission before ownership.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَبْدِ الأَعْلَى، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، أَنَّ مَرْوَانَ سَأَلَ عَنْهَا ابْنَ عَبَّاسٍ قَالَ: لاَ طَلاَقَ قَبْلَ نِكَاحٍ، وَلاَ عِتْقَ قَبْلَ مِلْكٍ

[17822] Abu Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Yaḥyā ibn Sa‘īd, from Sa‘īd ibn al-Musayyib, regarding a man who said: “The day I marry so-and-so, she is divorced.” He said: “It is nothing.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، فِي رَجُلٍ قَالَ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ قَالَ: لَيْسَ بِشَيْءٍ

[17823] Abu Bakr narrated to us, saying: Khalaf ibn Khalīfah narrated to us, saying: I asked Manṣūr about a man who has a woman and says: “The day I marry her, she is divorced?” He said: “Al-Ḥasan did not consider it a divorce.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا خَلَفُ بْنُ خَلِيفَةَ قَالَ: سَأَلْتُ مَنْصُورًا، عَنِ الرَّجُلِ لَهُ الْمَرْأَةُ فَيَقُولُ: يَوْمَ أَتَزَوَّجُهَا فَهِيَ طَالِقٌ؟ قَالَ: "كَانَ الْحَسَنُ لاَ يَرَاهُ طَلاَقًا

[17824] Abu Bakr narrated to us, saying: Mu‘tamir ibn Sulaymān narrated to us, from Yūnus, from Al-Ḥasan, that he used to see no harm in marrying the one about whom he says: “The day I marry her, she is divorced.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ يُونُسَ، عَنِ الْحَسَنِ، "أَنَّهُ كَانَ لاَ يَرَى بَأْسًا أَنْ يَتَزَوَّجَ الَّتِي يَقُولُ: يَوْمَ أَتَزَوَّجُهَا فَهِيَ طَالِقٌ

[17825] Abu Bakr narrated to us, saying: Mu‘tamir narrated to us, from Layth, from ‘Aṭā’ and Ṭāwūs, similar to it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُعْتَمِرٌ، عَنْ لَيْثٍ، عَنْ عَطَاءٍ، وَطَاوُسٍ، مِثْلَهُ

[17826] Abu Bakr narrated to us, saying: ‘Abd Allāh ibn Numayr narrated to us, from ‘Abd al-Malik ibn Abī Sulaymān, from Sa‘īd ibn Jubayr, regarding a man who says: “The day I marry so-and-so, she is divorced.” He said: “It is nothing; divorce is only after marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، فِي الرَّجُلِ يَقُولُ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ، قَالَ: لَيْسَ بِشَيْءٍ، إِنَّمَا الطَّلاَقُ بَعْدَ النِّكَاحِ

[17827] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Mu‘arrif ibn Wāṣil, from Ḥabīb ibn Abī Thābit, that ‘Alī ibn Ḥusayn said: “There is no divorce before marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ مُعَرِّفِ بْنِ وَاصِلٍ، عَنْ حَبِيبِ بْنِ أَبِي ثَابِتٍ، أَنَّ عَلِيَّ بْنَ حُسَيْنٍ قَالَ: لاَ طَلاَقَ قَبْلَ نِكَاحٍ

[17828] Abu Bakr narrated to us, saying: Ghundar narrated to us, from Shu‘bah, from Al-Ḥakam, from ‘Alī ibn Ḥusayn, that he said: “There is no divorce except after marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، عَنْ عَلِيِّ بْنِ حُسَيْنٍ أَنَّهُ قَالَ: لاَ طَلاَقَ إِلاَّ بَعْدَ نِكَاحٍ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الثَّقَفِيُّ، عَنْ يَحْيَى بْنِ سَعِيدٍ قَالَ: أَخْبَرَنِي ابْنُ رِفَاعَةَ الأَنْصَارِيُّ، أَنَّهُ ذَكَرَ لِسَعِيدِ بْنِ الْمُسَيِّبِ، أَنَّ رَجُلاً مِنَ الأَنْصَارِ قِيلَ لَهُ: ذُكِرَ لَنَا أَنَّكَ تَخْطُبُ فُلاَنَةَ امْرَأَةً سَمَّوْهَا، فَقَالَ الأَنْصَارِيُّ: هِيَ طَالِقٌ إِنْ تَزَوَّجْتُهَا، فَزَوَّجَهَا، فَزَعَمَ عَبْدُ اللَّهِ أَنَّهُ سُئِلَ سَعِيدٌ فَقَالَ: أَمَّا أَنَا فَلاَ أَرَاهُ شَيْئًا قَالَ يَحْيَى: وَبَلَغَنِي أَنَّ عُرْوَةَ كَانَ يَقُولُ فِي ذَلِكَ: مِثْلَ قَوْلِ سَعِيدٍ

[17829] Abu Bakr narrated to us, saying: Al-Thaqafī narrated to us, from Yaḥyā ibn Sa‘īd, who said: Ibn Rifā‘ah al-Anṣārī informed me that he mentioned to Sa‘īd ibn al-Musayyib that a man from the Anṣār was told: “It was mentioned to us that you are proposing to so-and-so,” naming a woman. The Anṣārī said: “She is divorced if I marry her.” Then he married her. ‘Abd Allāh claimed that Sa‘īd was asked, and he said: “As for me, I do not consider it anything.” Yaḥyā said: It reached me that ‘Urwah used to say regarding that the same as the saying of Sa‘īd.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، وَوَكِيعٌ قَالاَ: حَدَّثَنَا شُعْبَةُ، عَنْ أَبِي بِشْرٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنْ شُرَيْحٍ قَالَ: لاَ طَلاَقَ إِلاَّ بَعْدَ نِكَاحٍ

[17830] Abu Bakr narrated to us, saying: Abū Usāmah and Wakī‘ narrated to us, saying: Shu‘bah narrated to us, from Abū Bishr, from Sa‘īd ibn Jubayr, from Shurayḥ, who said: “There is no divorce except after marriage.”

[17831] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Mu‘arrif, from ‘Amr, from Ṭāwūs, that he said: “There is no divorce before marriage.” He said: And I asked Al-Qāsim ibn ‘Abd al-Raḥmān, and he said: “It is nothing.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ مُعَرِّفٍ، عَنْ عَمْرٍو، عَنْ طَاوُسٍ، أَنَّهُ قَالَ: لاَ طَلاَقَ قَبْلَ نِكَاحٍ قَالَ: وَسَأَلْتُ الْقَاسِمَ بْنَ عَبْدِ الرَّحْمَنِ فَقَالَ: لَيْسَ بِشَيْءٍ

[17832] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Mu‘arrif ibn Wāṣil, from Al-Ḥasan ibn Rawāḥ al-Ḍabbī, who said: I asked Sa‘īd ibn al-Musayyib, Mujāhid, and ‘Aṭā’ about a man who said: “The day I marry so-and-so, she is divorced.” They said: “It is nothing.” Sa‘īd said: “Can there be a flood before rain?”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ مُعَرِّفِ بْنِ وَاصِلٍ، عَنِ الْحَسَنِ بْنِ رَوَاحٍ الضَّبِّيِّ، قَالَ: سَأَلْتُ سَعِيدَ بْنَ الْمُسَيِّبِ، وَمُجَاهِدًا، وَعَطَاءً عَنْ رَجُلٍ قَالَ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ، فَقَالُوا: لَيْسَ بِشَيْءٍ وَقَالَ سَعِيدٌ: يَكُونُ سَيْلٌ قَبْلَ مَطَرٍ؟

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا قَبِيصَةُ قَالَ: نا يُونُسُ بْنُ أَبِي إِسْحَاقَ، عَنْ آدَمَ، مَوْلَى خَالِدٍ، عَنْ سَعِيدِ بْنِ جُبَيْرٍ، قَالَ: قَالَ ابْنُ عَبَّاسٍ: قَالَ اللَّهُ تَعَالَى: {يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا نَكَحْتُمُ الْمُؤْمِنَاتِ ثُمَّ طَلَّقْتُمُوهُنَّ مِنْ قَبْلِ أَنْ تَمَسُّوهُنَّ} فَلاَ يَكُونُ الطَّلاَقُ حَتَّى يَكُونَ النِّكَاحُ

[17833] Abu Bakr narrated to us, saying: Qabīṣah narrated to us, saying: Yūnus ibn Abī Isḥāq narrated to us, from Ādam, the freed slave of Khālid, from Sa‘īd ibn Jubayr, who said: Ibn ‘Abbās said: Allah the Almighty said: {O you who have believed, when you marry believing women and then divorce them before you have touched them}. “So there is no divorce until there is marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَعْفَرُ بْنُ عَوْنٍ، عَنْ أُسَامَةَ، عَنْ مُحَمَّدِ بْنِ كَعْبٍ، وَنَافِعِ بْنِ جُبَيْرٍ، قَالاَ: لاَ طَلاَقَ إِلاَّ بَعْدَ نِكَاحٍ

[17834] Abu Bakr narrated to us, saying: Ja‘far ibn ‘Awn narrated to us, from Usāmah, from Muḥammad ibn Ka‘b and Nāfi‘ ibn Jubayr, who both said: “There is no divorce except after marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، وَأَبُو أُسَامَةَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، قَالَ: كَانَ سَالِمٌ، وَقَاسِمٌ، وَعُمَرُ بْنُ عَبْدِ الْعَزِيزِ يَرَوْنَهُ جَائِزًا عَلَيْهِ

[17835] Abu Bakr narrated to us, saying: ‘Abd Allāh ibn Numayr and Abū Usāmah narrated to us, from Yaḥyā ibn Sa‘īd, who said: “Sālim, Qāsim, and ‘Umar ibn ‘Abd al-‘Azīz used to consider it binding on him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُعْتَمِرٌ، عَنْ لَيْثٍ، عَنْ مُجَاهِدٍ قَالَ: يُكَفُّ عَنْهَا

[17836] Abu Bakr narrated to us, saying: Mu‘tamir narrated to us, from Layth, from Mujāhid, who said: “He refrains from her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، وَعَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ قَالاَ: إِذَا وَقَّتَ وَقَعَ

[17837] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Ismā‘īl, from Al-Sha‘bī, and from Sufyān, from Manṣūr, from Ibrāhīm, who both said: “If he sets a time (condition), it takes effect.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ مُطَرِّفٍ، عَنِ الشَّعْبِيِّ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ، قَالَ لِامْرَأَتِهِ: كُلُّ امْرَأَةٍ تَزَوَّجْتُهَا عَلَيْكَ فَهِيَ طَالِقٌ، قَالَ: فَكُلُّ امْرَأَةٍ يَتَزَوَّجُهَا عَلَيْهَا، فَهِيَ طَالِقٌ

[17838] Abu Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from Muṭarrif, from Al-Sha‘bī, that he was asked about a man who said to his wife: “Every woman I marry upon you is divorced.” He said: “Then every woman he marries upon her is divorced.”

[17839] Abu Bakr narrated to us, saying: Kathīr ibn Hishām narrated to us, from Ja‘far ibn Burqān, from Ḥabīb ibn Abī Marzūq, from ‘Aṭā’, who said: “If a man stipulates to a woman at the time of the marriage contract that every woman he marries upon her is divorced, and every concubine he takes is free, it is binding upon him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا كَثِيرُ بْنُ هِشَامٍ، عَنْ جَعْفَرِ بْنِ بُرْقَانَ، عَنْ حَبِيبِ بْنِ أَبِي مَرْزُوقٍ، عَنْ عَطَاءٍ قَالَ: "إِذَا الرَّجُلُ شَرَطَ لِلْمَرْأَةِ عِنْدَ عَقْدِ النِّكَاحِ، أَنَّ كُلَّ امْرَأَةٍ يَتَزَوَّجُهَا عَلَيْهَا فَهِيَ طَالِقٌ، وَكُلَّ سُرِّيَّةٍ يَتَسَرَّى فَهِيَ حُرَّةٌ جَازَ عَلَيْهِ

[17840] Abu Bakr narrated to us, saying: Ḥammād ibn Khālid narrated to us, from Hishām ibn Sa‘d, who said: Al-Zuhrī said: “If the marriage takes place, the divorce takes place.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَمَّادُ بْنُ خَالِدٍ، عَنْ هِشَامِ بْنِ سَعْدٍ قَالَ: قَالَ الزُّهْرِيُّ: إِذَا وَقَعَ النِّكَاحُ، وَقَعَ الطَّلَاقُ

[17841] Abu Bakr narrated to us, saying: Ghundar narrated to us, from Shu‘bah, from Ḥammād, regarding a man who said to his wife: “Every woman I marry upon you is divorced.” He said: “It is a timing that is binding on him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا غُنْدَرٌ، عَنْ شُعْبَةَ، عَنْ حَمَّادٍ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: كُلُّ امْرَأَةٍ أَتَزَوَّجُهَا عَلَيْكَ فَهِيَ طَالِقٌ قَالَ: هُوَ وَقْتٌ دَاخِلٌ عَلَيْهِ

[17842] Abu Bakr narrated to us, saying: Ḥafṣ narrated to us, from Ḥanẓalah, who said: Al-Qāsim and Sālim were asked about a man who said: “The day I marry so-and-so, she is divorced.” They said: “It is as he said.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصٌ، عَنْ حَنْظَلَةَ قَالَ: سُئِلَ الْقَاسِمُ، وَسَالِمٌ، عَنْ رَجُلٍ قَالَ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ؟ قَالاَ: هِيَ كَمَا قَالَ

[17843] Abu Bakr narrated to us, saying: Ḥafṣ ibn Ghiyāth narrated to us, from ‘Abd Allāh ibn ‘Umar, who said: I asked Al-Qāsim about a man who said: “The day I marry so-and-so, she is divorced.” He said: “Divorced.” And ‘Umar was asked: “The day I marry so-and-so, she is like the back of my mother to me (Zihar)?” He said: “He does not marry her until he makes expiation.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصُ بْنُ غِيَاثٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ قَالَ: سَأَلْتُ الْقَاسِمَ عَنْ رَجُلٍ قَالَ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ، قَالَ: طَالِقٌ وَسُئِلَ عُمَرُ: "يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ عَلَيَّ ظَهْرُ أُمِّي؟ قَالَ: لاَ يَتَزَوَّجُهَا حَتَّى يُكَفِّرَ

[17844] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Muḥammad ibn Qays, from Ibrāhīm, from Al-Aswad, that he divorced a woman if he were to marry her. He asked Ibn Mas‘ūd, who said: “Inform her of the divorce, then marry her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مُحَمَّدِ بْنِ قَيْسٍ، عَنْ إِبْرَاهِيمَ، عَنِ الأَسْوَدِ، أَنَّهُ طَلَّقَ امْرَأَةً إِنْ يَتَزَوَّجَهَا، فَسَأَلَ ابْنَ مَسْعُودٍ فَقَالَ: أَعْلِمَهَا بِالطَّلاَقِ، ثُمَّ تَزَوَّجْهَا

[17845] Abu Bakr narrated to us, saying: Abū Usāmah narrated to us, from ‘Umar ibn Ḥamzah, that he asked Sālim, Al-Qāsim, Abū Bakr ibn ‘Abd al-Raḥmān, Abū Bakr ibn ‘Amr ibn Ḥazm, and ‘Abd Allāh ibn ‘Abd al-Raḥmān about a man who said: “The day I marry so-and-so, she is irrevocably divorced.” They all said: “He does not marry her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنْ عُمَرَ بْنِ حَمْزَةَ، أَنَّهُ سَأَلَ سَالِمًا، وَالْقَاسِمَ، وَأَبَا بَكْرِ بْنَ عَبْدِ الرَّحْمَنِ، وَأَبَا بَكْرِ بْنَ عَمْرِو بْنِ حَزْمٍ، وَعَبْدَ اللَّهِ بْنَ عَبْدِ الرَّحْمَنِ، عَنْ رَجُلٍ قَالَ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ، الْبَتَّةَ، فَقَالُوا كُلُّهُمْ: لاَ يَتَزَوَّجُهَا

[17846] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Manṣūr, from Shurayḥ, that a man asked him about a man who said: “The day I marry so-and-so, she is divorced.” Shurayḥ said: “If she heard the call (to marriage), she is not lawful to him,” meaning she is divorced.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ شُرَيْحٍ، أَنَّ رَجُلاً سَأَلَهُ عَنْ رَجُلٍ قَالَ: يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ فَقَالَ شُرَيْحٌ: إِذَا سَمِعَتْ بَوَادِيَ النِّدَاءِ، مَا حَلَّتْ لَهُ يَعْنِي أَنَّهَا طَالِقٌ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مَرْوَانُ بْنُ مُعَاوِيَةَ، عَنْ سُوَيْدِ بْنِ نَجِيحٍ الْكِنْدِيِّ قَالَ: سَأَلْتُ الشَّعْبِيَّ، عَنْ رَجُلٍ قَالَ: إِنْ تَزَوَّجْتُ فُلاَنَةَ فَهِيَ طَالِقٌ، أَوْ يَوْمَ أَتَزَوَّجُ فُلاَنَةَ فَهِيَ طَالِقٌ، قَالَ الشَّعْبِيُّ: هُوَ كَمَا قَالَ: فَقُلْتُ: إِنَّ عِكْرِمَةَ يَزْعُمُ أَنَّ الطَّلاَقَ بَعْدَ النِّكَاحِ فَقَالَ: حِرْمِزٌ مَوْلَى ابْنِ عَبَّاسٍ

[17847] Abu Bakr narrated to us, saying: Marwān ibn Muʻāwiyah narrated to us, from Suwayd ibn Najīḥ al-Kindī, who said: I asked Al-Shaʻbī about a man who said: "If I marry so-and-so, she is divorced," or "The day I marry so-and-so, she is divorced." Al-Shaʻbī said: "It is as he said." I said: "ʻIkrimah claims that divorce is after marriage." He said: "(That is) Ḥirmiz, the freed slave of Ibn ʻAbbās."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ قُدَامَةَ، قَالَ: قُلْتُ لِسَالِمِ بْنِ عَبْدِ اللَّهِ: رَجُلٍ قَالَ: كُلُّ امْرَأَةٍ يَتَزَوَّجُهَا فَهِيَ طَالِقٌ، وَكُلُّ جَارِيَةٍ يَشْتَرِيهَا فَهِيَ حُرَّةٌ، فَقَالَ: أَمَّا أَنَا فَلَوْ كُنْتُ لَمْ أَنْكِحْ، وَلَمْ أَشْتَرِ

[17848] Abu Bakr narrated to us, saying: Ismāʻīl ibn ʻUlayyah narrated to us, from Qudāmah, who said: I said to Sālim ibn ʻAbd Allāh: "A man said: Every woman he marries is divorced, and every slave girl he buys is free." He said: "As for me, if it were me, I would not marry and I would not buy."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، وَعَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ قَالاَ: إِذَا قَالَ كُلُّ، فَلَيْسَ بِشَيْءٍ

[17849] Abu Bakr narrated to us, saying: Wakīʻ narrated to us, from Ismāʻīl, from Al-Shaʻbī, and from Sufyān, from Manṣūr, from Ibrāhīm, who both said: "If he said 'every', it is nothing."

[17850] Abu Bakr narrated to us, saying: ‘Īsā ibn Yūnus narrated to us, from Al-Awzā‘ī, from Al-Zuhrī and Makḥūl, regarding a man who says: “Every woman I marry is divorced,” that they both made that binding upon him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عِيسَى بْنُ يُونُسَ، عَنِ الأَوْزَاعِيِّ، عَنِ الزُّهْرِيِّ، وَمَكْحُولٍ، "فِي الرَّجُلِ يَقُولُ: كُلُّ امْرَأَةٍ أَتَزَوَّجُهَا فَهِيَ طَالِقٌ، أَنَّهُمَا يُوجِبَانِ ذَلِكَ عَلَيْهِ

[17851] Abu Bakr narrated to us, saying: Abū Usāmah narrated to us, saying: ‘Abd al-Malik ibn Abī Sulaymān narrated to us, saying: I asked Sa‘īd ibn Jubayr about a man who says: “Every woman I marry is divorced.” He said: “How can you divorce what you do not possess? Divorce is only after marriage.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ قَالَ: نا عَبْدُ الْمَلِكِ بْنُ أَبِي سُلَيْمَانَ قَالَ: سَأَلْتُ سَعِيدَ بْنَ جُبَيْرٍ، عَنِ الرَّجُلِ، يَقُولُ: كُلُّ امْرَأَةٍ أَتَزَوَّجُهَا فَهِيَ طَالِقٌ، قَالَ: كَيْفَ تُطَلِّقُ مَا لاَ تَمْلِكُ، إِنَّمَا الطَّلاَقُ بَعْدَ النِّكَاحِ

[17852] Abu Bakr narrated to us, saying: Ibn Fuḍayl narrated to us, from Muṭarrif, from Al-Ḥakam, from Ibn ‘Abbās and Ibn Mas‘ūd, who both said regarding a man who divorced his wife three times before consummating the marriage with her: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ فُضَيْلٍ، عَنْ مُطَرِّفٍ، عَنِ الْحَكَمِ، عَنِ ابْنِ عَبَّاسٍ، وَابْنِ مَسْعُودٍ قَالاَ: فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا، لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17853] Abu Bakr narrated to us, saying: Ḥātim ibn Ismāʻīl narrated to us, from Jaʻfar, from his father, from ʻAlī, who said: “If he divorces a virgin (before consummation) once, he has made her irrevocable. And if he divorces her three times, she is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ جَعْفَرٍ، عَنْ أَبِيهِ، عَنْ عَلِيٍّ قَالَ: إِذَا طَلَّقَ الْبِكْرَ وَاحِدَةً فَقَدْ بَتَّهَا، وَإِذَا طَلَّقَهَا ثَلاَثًا لَمْ تَحِلَّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17854] Abu Bakr narrated to us, saying: ʻAbdah ibn Sulaymān narrated to us, from Yaḥyā ibn Saʻīd, from Bukayr ibn ʻAbd Allāh ibn al-Ashajj, from ʻAṭā’ ibn Yasār, who said: I was sitting with ʻAbd Allāh ibn ʻAmr when a man asked him about a man who divorced his virgin wife three times. ʻAṭā’ said: I said: “Three for a virgin is one.” ʻAbd Allāh ibn ʻAmr said: “What do you know? You are only a storyteller (qāṣṣ), not a Mufti. One makes her irrevocable, and three make her forbidden until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الأَشَجِّ، عَنْ عَطَاءِ بْنِ يَسَارٍ قَالَ: كُنْتُ جَالِسًا عِنْدَ عَبْدِ اللَّهِ بْنِ عَمْرٍو، فَسَأَلَهُ رَجُلٌ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ بِكْرًا ثَلاَثًا؟ قَالَ عَطَاءٌ: فَقُلْتُ: ثَلاَثُ الْبِكْرِ وَاحِدَةٌ، وَقَالَ عَبْدُ اللَّهِ بْنُ عَمْرٍو: مَا يُدْرِيكَ؟ إِنَّمَا أَنْتَ قَاصٍ، وَلَسْتُ بِمُفْتٍ، الْوَاحِدَةُ تَبُتُّهَا، وَالثَّلاَثُ تُحَرِّمُهَا حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17855] Abu Bakr narrated to us, saying: ‘Abdah narrated to us, from Yaḥyā ibn Sa‘īd, from Bukayr ibn ‘Abd Allāh ibn al-Ashajj, from a man from the Anṣār called Mu‘āwiyah, that Ibn ‘Abbās, Abū Hurayrah, and ‘Ā’ishah said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ، عَنْ يَحْيَى بْنِ سَعِيدٍ، عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الأَشَجِّ، عَنْ رَجُلٍ مِنَ الأَنْصَارِ يُقَالُ لَهُ مُعَاوِيَةُ، أَنَّ ابْنَ عَبَّاسٍ، وَأَبَا هُرَيْرَةَ، وَعَائِشَةَ، قَالُوا: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17856] Abu Bakr narrated to us, saying: ‘Abd al-Wahhāb al-Thaqafī narrated to us, from Khālid, from Al-Ḥakam, from Abū Sa‘īd, regarding one who divorces his wife before entering upon her. He said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ: عَنْ خَالِدٍ، عَنِ الْحَكَمِ، عَنْ أَبِي سَعِيدٍ، فِي الَّذِي يُطَلِّقُ امْرَأَتَهُ قَبْلَ أَنْ يَدْخُلَ بِهَا، فَقَالَ: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17857] Abu Bakr narrated to us, saying: ‘Abd Allāh ibn Numayr narrated to us, from Ash‘ath, from Abū al-Zubayr, from Jābir, who said: I heard Umm Salamah being asked about a man who divorced his wife three times before entering upon her. She said: “She is not lawful to him until her (new) husband has intercourse with her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ أَشْعَثَ، عَنْ أَبِي الزُّبَيْرِ، عَنْ جَابِرٍ قَالَ: سَمِعْتُ أُمَّ سَلَمَةَ، سُئِلَتْ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلاَثًا، قَبْلَ أَنْ يَدْخُلَ بِهَا، فَقَالَتْ: لاَ تَحِلُّ لَهُ حَتَّى يَطَأَهَا زَوْجُهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ عَاصِمٍ، عَنْ زِرٍّ، عَنْ عَبْدِ اللَّهِ قَالَ: إِذَا طَلَّقَهَا ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا فَهِيَ بِمَنْزِلَةِ الْمَدْخُولِ بِهَا

[17858] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from ‘Āṣim, from Zirr, from ‘Abd Allāh, who said: “If he divorces her three times before entering upon her, she is in the same position as the one with whom marriage has been consummated (regarding prohibition).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عُيَيْنَةَ، عَنْ عَاصِمٍ، عَنْ أَبِي وَائِلٍ، عَنْ عَبْدِ اللَّهِ، بِمِثْلِهِ

[17859] Abu Bakr narrated to us, saying: Ibn ‘Uyaynah narrated to us, from ‘Āṣim, from Abū Wā’il, from ‘Abd Allāh, with the same.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، قَالَ: نا عُبَيْدُ اللَّهِ بْنُ عُمَرَ، عَنْ نَافِعٍ، عَنِ ابْنِ عَمْرٍو، عَنْ مُحَمَّدِ بْنِ إِيَاسِ بْنِ بُكَيْرٍ، عَنْ أَبِي هُرَيْرَةَ، وَابْنِ عَبَّاسٍ، وَعَائِشَةَ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ ثَلاَثًا، قَبْلَ أَنْ يَدْخُلَ بِهَا، قَالُوا: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17860] Abu Bakr narrated to us, saying: Abū Usāmah narrated to us, saying: ‘Ubayd Allāh ibn ‘Umar narrated to us, from Nāfi‘, from Ibn ‘Amr, from Muḥammad ibn Iyās ibn Bukayr, from Abū Hurayrah, Ibn ‘Abbās, and ‘Ā’ishah, regarding a man who divorces his wife three times before entering upon her. They said: “She is not lawful to him until she marries another husband.”

[17861] Abu Bakr narrated to us, saying: ‘Alī ibn Mushir narrated to us, from Ismā‘īl, from Al-Sha‘bī, from Ibn Mughaffal, regarding a man who divorced his wife before entering upon her. He said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ، عَنِ ابْنِ مُغَفَّلٍ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ، قَبْلَ أَنْ يَدْخُلَ بِهَا، قَالَ: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17862] Abu Bakr narrated to us, saying: Jarīr narrated to us, from Mughīrah, from Ibrāhīm, regarding a man who marries a woman and divorces her three times before entering upon her. He said: “If he said ‘divorced three times’ in one statement, she is not lawful to him until she marries another husband. And if he divorced her consecutively, it is the same.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، فِي الرَّجُلِ يَتَزَوَّجُ الْمَرْأَةَ، فَيُطَلِّقُهَا ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا قَالَ: "إِنْ كَانَ قَالَ: طَالِقٌ ثَلاَثًا كَلِمَةً وَاحِدَةً، لَمْ تَحِلَّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ، وَإِذَا طَلَّقَهَا طَلاَقًا مُتَّصِلاً فَهُوَ كَذَلِكَ

[17863] Abu Bakr narrated to us, saying: Muḥammad ibn Fuḍayl narrated to us, from Ḥuṣayn, from Ibrāhīm, who said: “If he divorces her three times before entering upon her, she is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ فُضَيْلٍ، عَنْ حُصَيْنٍ، عَنْ إِبْرَاهِيمَ قَالَ: إِذَا طَلَّقَهَا ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا، لَمْ تَحِلَّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17864] Abu Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from ‘Āṣim, from Al-Sha‘bī, regarding a man who divorces his wife three times before entering upon her. He said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ عَاصِمٍ، عَنِ الشَّعْبِيِّ، فِي الرَّجُلِ يُطَلِّقُ امْرَأَتَهُ ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا، قَالَ: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17865] Abu Bakr narrated to us, saying: Al-Thaqafī narrated to us, from Khālid, from Muḥammad, who said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الثَّقَفِيُّ، عَنْ خَالِدٍ، عَنْ مُحَمَّدٍ قَالَ: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17866] Abu Bakr narrated to us, saying: Ḥātim ibn Wardān narrated to us, from Makḥūl, regarding one who divorces his wife before entering upon her, that she is not lawful to him until she marries another husband.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَاتِمُ بْنُ وَرْدَانَ، عَنْ مَكْحُولٍ، فِيمَنْ طَلَّقَ امْرَأَتَهُ قَبْلَ أَنْ يَدْخُلَ بِهَا، إِنَّهَا لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17867] Abu Bakr narrated to us, saying: ‘Alī ibn Mushir narrated to us, from Shaqīq ibn Abī ‘Abd Allāh, from Anas, who said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ شَقِيقِ بْنِ أَبِي عَبْدِ اللَّهِ، عَنْ أَنَسٍ قَالَ: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، وَسَعِيدِ بْنِ جُبَيْرٍ، وَحُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ قَالُوا: لاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17868] Abu Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib, Sa‘īd ibn Jubayr, and Ḥumayd ibn ‘Abd al-Raḥmān, who all said: “She is not lawful to him until she marries another husband.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ دَاوُدَ، عَنْ عَامِرٍ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا قَالَ: أَكْرَهُهُ

[17869] Abu Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Dāwūd, from ‘Āmir, regarding a man who divorced his wife three times before entering upon her. He said: “I dislike it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ إِسْرَائِيلَ، عَنْ عَبْدِ الأَعْلَى، عَنْ إِبْرَاهِيمَ، عَنْ عَبِيدَةَ، وَعَنْ سَعِيدِ بْنِ جُبَيْرٍ، عَنِ ابْنِ عَبَّاسٍ قَالاَ: إِذَا طَلَّقَ ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا، فَلاَ تَحِلُّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17870] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Isrā’īl, from ‘Abd al-A‘lā, from Ibrāhīm, from ‘Abīdah, and from Sa‘īd ibn Jubayr, from Ibn ‘Abbās, who both said: “If he divorces her three times before entering upon her, she is not lawful to him until she marries another husband.”

[17871] Abu Bakr narrated to us, saying: Ibn ‘Ayyāsh narrated to us, from Muṭarrif, from Al-Ḥakam, regarding a man who says to his wife: “You are divorced, you are divorced, you are divorced.” He said: “She is irrevocably separated by the first, and the other two are nothing.” I said: “Who says this?” He said: “‘Alī, Zayd, and others,” meaning before he enters upon her.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنِ عَيَّاشٍ، عَنْ مُطَرِّفٍ، عَنِ الْحَكَمِ، "فِي الرَّجُلِ يَقُولُ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، بَانَتْ بِالأُولَى، وَالأُخْرَيَانِ لَيْسَتَا بِشَيْءٍ قَالَ: قُلْتُ: مَنْ يَقُولُ هَذَا؟ قَالَ: عَلِيٌّ، وَزَيْدٌ وَغَيْرُهُمَا يَعْنِي قَبْلَ أَنْ يَدْخُلَ بِهَا

[17872] Abu Bakr narrated to us, saying: Ḥafṣ ibn Ghiyāth narrated to us, from Ash‘ath, from Al-Ḥakam and Ḥammād, from Ibrāhīm, who said: “If he says to his wife before entering upon her: ‘You are divorced, you are divorced, you are divorced,’ she is irrevocably separated by one, and two fall away.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصُ بْنُ غِيَاثٍ، عَنْ أَشْعَثَ، عَنِ الْحَكَمِ، وَحَمَّادٌ، عَنْ إِبْرَاهِيمَ قَالَ: "إِذَا قَالَ لِامْرَأَتِهِ قَبْلَ أَنْ يَدْخُلَ بِهَا: أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، بَانَتْ بِوَاحِدَةٍ، وَسَقَطَتِ اثْنَتَانِ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنِ الْفُقَيْمِيِّ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ قَالَ: "إِذَا قَالَ قَبْلَ أَنْ يَدْخُلَ بِهَا: أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، بَانَتْ بِالأُولَى، وَالأُخْرَيَانِ لَيْسَتَا بِشَيْءٍ

[17873] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Al-Fuqaymī, from Abū Ma‘shar, from Ibrāhīm, who said: “If he says before entering upon her: ‘You are divorced, you are divorced, you are divorced,’ she is irrevocably separated by the first, and the other two are nothing.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ سِمَاكٍ، عَنْ قَتَادَةَ، عَنْ خِلاَسٍ قَالَ: بَانَتْ بِالأُولَى

[17874] Abu Bakr narrated to us, saying: Abū Dāwūd al-Ṭayālisī narrated to us, from Simāk, from Qatādah, from Khilās, who said: “She is irrevocably separated by the first.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، وَحَمَّادٍ قَالاَ: بَانَتْ بِالأُولَى، وَاثْنَتَانِ لَيْسَتَا بِشَيْءٍ

[17875] Abu Bakr narrated to us, saying: Abū Dāwūd narrated to us, from Shu‘bah, from Al-Ḥakam and Ḥammād, who said: “She is irrevocably separated by the first, and two are nothing.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ قَالَ: "إِذَا قِيلَ لَهَا: أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، قَبْلَ أَنْ يَدْخُلَ بِهَا فَقَدْ حُرِّمَتْ

[17876] Abu Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Ḥammād ibn Salamah, from Dāwūd, from Al-Sha‘bī, who said: “If it is said to her: ‘You are divorced, you are divorced, you are divorced,’ before he enters upon her, she becomes forbidden.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ جَابِرٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ قَالَ: إِذَا طَلَّقَهَا ثَلاَثًا قَبْلَ أَنْ يَدْخُلَ بِهَا، لَمْ تَحِلَّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ، وَلَوْ قَالَهَا تَتْرَى بَانَتْ بِالأُولَى

[17877] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Jābir, from ‘Aṭā’, from Ibn ‘Abbās, who said: “If he divorces her three times before entering upon her, she is not lawful to him until she marries another husband. But if he said it consecutively (separately), she is irrevocably separated by the first.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ لَيْثٍ، عَنْ طَاوُسٍ، وَعَطَاءٍ، أَنَّهُمَا قَالاَ: إِذَا طَلَّقَ الرَّجُلُ امْرَأَتَهُ ثَلاَثًا، قَبْلَ أَنْ يَدْخُلَ بِهَا فَهِيَ وَاحِدَةٌ

[17878] Abu Bakr narrated to us, saying: Ismā‘īl ibn ‘Ulayyah narrated to us, from Layth, from Ṭāwūs and ‘Aṭā’, who said: “If a man divorces his wife three times before entering upon her, it is one.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَفَّانَ بْنُ مُسْلِمٍ، قَالَ: نا حَمَّادُ بْنُ زَيْدٍ قَالَ: نا أَيُّوبُ، عَنْ إِبْرَاهِيمَ بْنِ مَيْسَرَةَ، أَنَّ طَاوُسًا، قَالَ: جَاءَ أَبُو الصَّهْبَاءِ إِلَى ابْنِ عَبَّاسٍ فَقَالَ: هَاتِ مِنْ هَنَاتِكَ إِنَّ الثَّلَاثَ كَانَ يُحْسَبْنَ عَلَى عَهْدِ رَسُولِ اللَّهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ، وَأَبِي بَكْرٍ، وَصَدْرِ إِمَارَةِ عُمَرَ، وَاحِدَةً فَلَمَّا رَأَى عُمَرُ النَّاسَ، قَدْ تَتَايَعُوا فِي الطَّلَاقِ فَأَجَازَهُنَّ عَلَيْهِ

[17879] Abu Bakr narrated to us, saying: ‘Affān ibn Muslim narrated to us, saying: Ḥammād ibn Zayd narrated to us, saying: Ayyūb narrated to us, from Ibrāhīm ibn Maysarah, that Ṭāwūs said: Abū al-Ṣahbā’ came to Ibn ‘Abbās and said: “Tell us from your rare narrations. Isn't it true that the three (divorces) were counted as one during the time of the Messenger of Allah ﷺ, Abū Bakr, and the beginning of ‘Umar's caliphate?” He said: “Yes, but when ‘Umar saw that people were hastening in divorce, he enforced it upon them.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ بِشْرٍ قَالَ: نا سَعِيدٌ، عَنْ قَتَادَةَ، عَنْ طَاوُسٍ، وَعَطَاءٍ، وَجَابِرِ بْنِ زَيْدٍ، أَنَّهُمْ قَالُوا: إِذَا طَلَّقَهَا ثَلَاثًا قَبْلَ أَنْ يَدْخُلَ بِهَا فَهِيَ وَاحِدَةٌ

[17880] Abu Bakr narrated to us, saying: Muḥammad ibn Bishr narrated to us, saying: Sa‘īd narrated to us, from Qatādah, from Ṭāwūs, ‘Aṭā’, and Jābir ibn Zayd, that they said: “If he divorces her three times before entering upon her, it is one.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ السَّلَامِ بْنُ حَرْبِ بْنِ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ وَاحِدَةً فَلَقِيَهُ رَجُلٌ، فَيَقُولُ: طَلَّقْتُ امْرَأَتَكَ؟ فَيَقُولُ: نَعَمْ، ثُمَّ لَقِيَهُ آخَرُ فَقَالَ: طَلَّقْتُ؟ قَالَ: نَعَمْ، فَقَالَ: إِنْ كَانَ نَوَى الأُولَى فَهِيَ وَاحِدَةٌ

[17881] Abu Bakr narrated to us, saying: ‘Abd al-Salām ibn Ḥarb narrated to us, from Mughīrah, from Ibrāhīm, regarding a man who divorced his wife once, then a man met him and said: “Did you divorce your wife?” He said: “Yes.” Then another met him and said: “Did you divorce?” He said: “Yes.” He said: “If he intended the first, it is one.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا شَرِيكٌ، عَنِ الرَّجُلِ يُطَلِّقُ الْمَرْأَةَ فَيَلْقَاهُ الرَّجُلُ، فَيَقُولُ: طَلَّقْتُ؟ فَيَقُولُ: نَعَمْ، ثُمَّ يَلْقَاهُ آخَرُ، فَيَقُولُ: طَلَّقْتُ؟ فَيَقُولُ: نَعَمْ فَحَدَّثَنَا عَنْ أَبِي إِسْحَاقَ، عَنِ ابْنِ مُغَفَّلٍ، وَالشَّعْبِيِّ قَالاَ: إِذَا أَرَادَ الأَوَّلَ فَلاَ بَأْسَ

[17882] Abu Bakr narrated to us, saying: Sharīk narrated about a man who divorces a woman, then a man meets him and says: “Did you divorce?” He says: “Yes.” Then another meets him and says: “Did you divorce?” He says: “Yes.” He narrated to us from Abū Isḥāq, from Ibn Mughaffal and Al-Sha‘bī, who both said: “If he intended the first, there is no harm.”

[17883] Abu Bakr narrated to us, saying: ‘Abdah narrated to us, from Sa‘īd, from Qatādah, from Al-Ḥasan, regarding a man who divorced his wife, then met a man who said to him: “Did you divorce your wife?” He said: “Yes.” Then he met another who said to him: “Did you divorce your wife?” He said: “Yes.” That was raised to ‘Umar ibn al-Khaṭṭāb, and he said: “It depends on what he intended.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ فِي رَجُلٍ طَلَّقَ امْرَأَتَهُ فَلَقِيَ رَجُلاً فَقِيلَ لَهُ: طَلَّقْتُ امْرَأَتَكَ؟ فَقَالَ: نَعَمْ، فَلَقِيَ آخَرَ فَقِيلَ لَهُ: طَلَّقْتُ امْرَأَتَكَ؟ فَقَالَ: نَعَمْ، فَرُفِعَ ذَلِكَ إِلَى عُمَرَ بْنِ الْخَطَّابِ فَقَالَ: مَا نَوَى

[17884] Abu Bakr narrated to us, saying: Abū Dāwūd al-Ṭayālisī narrated to us, from ‘Abd Rabbih, from Jābir ibn Zayd, who said: I asked him about a man who divorced his wife once, then divorced her again, so they were two. Then a man met him and said: “Did you divorce your wife?” He said: “Yes.” He said: “If he only intended what he had already divorced, there is nothing (extra) on him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ عَبْدِ رَبِّهِ، عَنْ جَابِرِ بْنِ زَيْدٍ قَالَ: سَأَلْتُهُ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ تَطْلِيقَةً، ثُمَّ طَلَّقَهَا أُخْرَى، فَكَانَتَا اثْنَتَيْنِ، ثُمَّ لَقِيَهُ رَجُلٌ، فَقَالَ: طَلَّقْتُ امْرَأَتَكَ؟ فَقَالَ: نَعَمْ، قَالَ: فَقَالَ: إِنْ كَانَ إِنَّمَا أَرَادَ مَا كَانَ طَلَّقَ فَلَيْسَ عَلَيْهِ شَيْءٌ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو مُعَاوِيَةَ، عَنِ الشَّيْبَانِيِّ، عَنْ حَمَّادٍ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ فَقَالَتْ: أَيُّ شَيْءٍ تَقُولُ؟ فَقَالَ: أَنْتِ طَالِقٌ الْبَتَّةَ فَقَالَ حَمَّادٌ: إِنْ كَانَ أَرَادَ أَنْ يُفَهِّمَهَا فَلاَ بَأْسَ

[17885] Abu Bakr narrated to us, saying: Abū Muʻāwiyah narrated to us, from Al-Shaybānī, from Ḥammād, regarding a man who said to his wife: “You are divorced.” She said: “What are you saying?” He said: “You are divorced irrevocably.” Ḥammād said: “If he intended to make her understand, there is no harm.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ شُعْبَةَ قَالَ: سَأَلْتُ الْحَكَمَ عَنِ الرَّجُلِ يَقُولُ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ، أَنْتِ طَالِقٌ قَالَ لَهَا: "إِلاَّ أَنْ يَكُونَ نَوَى الأُولَى، وَإِذَا قَالَ: اعْتَدِّي فَمِثْلُ ذَلِكَ

[17886] Abu Bakr narrated to us, saying: Wakīʻ narrated to us, from Shuʻbah, who said: I asked Al-Ḥakam about a man who says to his wife: “You are divorced, you are divorced, you are divorced.” He said to her: “Except if he intended (to emphasize) the first. And if he said: ‘Count your waiting period,’ it is the same.”

[17887] Abu Bakr narrated to us, saying: Ibn Fuḍayl narrated to us, from ‘Uqbah, from Abū al-‘Uryān, who said: I asked Ibrāhīm about a man who divorced his wife once or twice, then a man asked him: “Did you divorce your wife such and such, three or four times?” and the man said: “Yes.” Ibrāhīm said: “She is irrevocably separated from him.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ فُضَيْلٍ، عَنْ عُقْبَةَ، عَنْ أَبِي الْعُرْيَانِ، قَالَ: سَأَلْتُ إِبْرَاهِيمَ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ تَطْلِيقَةً أَوْ تَطْلِيقَتَيْنِ، فَسَأَلَهُ رَجُلٌ: طَلَّقْتَ امْرَأَتَكَ كَذَا، وَكَذَا ثَلاَثٌ أَوْ أَرْبَعٌ؟ فَيَقُولُ الرَّجُلُ: نَعَمْ قَالَ إِبْرَاهِيمُ: بَانَتْ مِنْهُ

[17888] Abu Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from Qatādah, from Al-Ḥasan, regarding a man who says to his wife: “You are divorced in a year.” He said: “It falls upon her the day he said it.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، فِي الرَّجُلِ يَقُولُ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ إِلَى سَنَةٍ قَالَ: يَقَعُ عَلَيْهَا يَوْمَ قَالَ

[17889] Abu Bakr narrated to us, saying: Hushaym narrated to us, from Manṣūr, from Al-Ḥasan, that he used not to allow deferment in divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا هُشَيْمٌ، عَنْ مَنْصُورٍ، عَنِ الْحَسَنِ، أَنَّهُ كَانَ لاَ يُؤَجِّلُ فِي الطَّلاَقِ

[17890] Abu Bakr narrated to us, saying: Ḥammād ibn Khālid narrated to us, from Ibn Abī Dhi'b, from Al-Zuhrī, who said: "If he divorces with a set term, it takes effect (immediately)."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا حَمَّادُ بْنُ خَالِدٍ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الزُّهْرِيِّ قَالَ: إِذَا طَلَّقَ إِلَى أَجَلٍ وَقَعَ

[17891] Abu Bakr narrated to us, saying: Kathīr ibn Hishām narrated to us, from Furāt, from 'Abd al-Karīm, who said: Al-Zuhrī used to say: "She observes the waiting period from the day he spoke."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا كَثِيرُ بْنُ هِشَامٍ، عَنْ فُرَاتٍ، عَنْ عَبْدِ الْكَرِيمِ قَالَ: كَانَ الزُّهْرِيُّ يَقُولُ: تَعْتَدُّ مِنْ يَوْمِ قَالَ

[17892] Abu Bakr narrated to us, saying: Hushaym narrated to us, from Mughīrah, from Ibrāhīm, who said: "Whoever sets a time for divorce, and the time enters, the divorce takes effect."

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ قَالَ: مَنْ وَقَّتَ فِي الطَّلَاقِ وَقْتًا، فَدَخَلَ الْوَقْتُ وَقَعَ الطَّلَاقُ

[17893] Abu Bakr narrated to us, saying: Ismā'īl ibn 'Ayyāsh narrated to us, from 'Ubayd Allāh ibn 'Ubayd, from Makḥūl, that he used to say: "Until the term arrives."

حَدَّثَنَا أَبُو بَكْرٍ حَدَّثَنَا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عُبَيْدِ اللَّهِ بْنِ عُبَيْدٍ، عَنْ مَكْحُولٍ، أَنَّهُ كَانَ يَقُولُ: حَتَّى يَجِيءَ الأَجَلُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مَعْمَرُ بْنُ سُلَيْمَانَ الرَّقِّيُّ، عَنْ عَبْدِ اللَّهِ بْنِ بِشْرٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: إِلَى الأَجَلِ

[17894] Abu Bakr narrated to us, saying: Ma‘mar ibn Sulaymān al-Raqqī narrated to us, from ‘Abd Allāh ibn Bishr, from Ibn ‘Abbās, who said: “To the term.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ حَبِيبٍ، عَنْ عَمْرٍو قَالَ: سُئِلَ جَابِرُ بْنُ زَيْدٍ، عَنْ رَجُلٍ قَالَ لِامْرَأَتِهِ: إِذَا أَهْلَلْتُ شَهْرَ كَذَا وَكَذَا فَامْرَأَتِي طَالِقٌ إِلَى رَأْسِ السَّنَةِ، قَالَ: أَرَاهَا طَالِقٌ إِلَى الأَجَلِ الَّذِي سَمَّى، وَتَحِلُّ فِيمَا دُونَ ذَلِكَ

[17895] Abu Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Ḥabīb, from ‘Amr, who said: Jābir ibn Zayd was asked about a man who said to his wife: “When I start the month of such and such, my wife is divorced until the beginning of the year.” He said: “I see her as divorced until the term he named, and she becomes lawful before that (if the condition is met, i.e., at the end of the term, or perhaps meaning she is divorced for that duration and lawful otherwise - context implies conditional temporary divorce which is invalid or counts as immediate).”

[17896] Abu Bakr narrated to us, saying: ‘Abbād ibn al-‘Awwām narrated to us, from ‘Āṣim ibn Kulayb, from Salamah, from Bayān, from Abū Dharr, that he said to a slave of his: “He is free in a year.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ عَاصِمِ بْنِ كُلَيْبٍ، عَنْ سَلَمَةَ، عَنْ بَيَانٍ، عَنْ أَبِي ذَرٍّ، أَنَّهُ قَالَ لِغُلَامٍ لَهُ: هُوَ عَتِيقٌ إِلَى الْحَوْلِ

[17897] Abu Bakr narrated to us, saying: Jarīr ibn ‘Abd al-Ḥamīd narrated to us, from Manṣūr, from Ibrāhīm, regarding a man who said to his wife: “Count (your waiting period).” He said: “It is one divorce if he intended divorce.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَرِيرُ بْنُ عَبْدِ الْحَمِيدِ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، فِي الرَّجُلِ قَالَ لِامْرَأَتِهِ: اعْتَدِّي، قَالَ: هِيَ تَطْلِيقَةٌ إِذَا عَنَى الطَّلَاقَ

[17898] Abu Bakr narrated to us, saying: Wakī‘ narrated to us, from ‘Abd Rabbih, from Jābir ibn Zayd, who said: “It is one divorce.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ عَبْدِ رَبِّهِ، عَنْ جَابِرِ بْنِ زَيْدٍ قَالَ: هِيَ تَطْلِيقَةٌ

[17899] Abu Bakr narrated to us, saying: Yaḥyā ibn Sa‘īd narrated to us, from Ibn Jurayj, from ‘Aṭā’, who said: “'Count' is one (divorce).”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَحْيَى بْنُ سَعِيدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ، قَالَ: اعْتَدِّي وَاحِدَةً

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، قَالَ: هِيَ وَاحِدَةٌ، وَهُوَ أَحَقُّ بِهَا

[17900] Abu Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from Qatādah, from Al-Ḥasan, who said: “It is one, and he has more right to her.”

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ، وَحَمَّادًا، عَنْ رَجُلٍ قَالَ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ وَنَوَى الأُولَى، قَالاَ: هِيَ وَاحِدَةٌ

[17901] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Shu‘bah, who said: I asked Al-Ḥakam and Ḥammād about a man who said to his wife: 'You are divorced' and intended (only) the first one. They both said: 'It is one (divorce).'

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا سَهْلُ بْنُ يُوسُفَ، عَنْ شُعْبَةَ، عَنِ الْحَكَمِ، وَحَمَّادٍ، قَالاَ: "إِذَا قَالَ الرَّجُلُ لِامْرَأَتِهِ: اعْتَدِّي، اعْتَدِّي وَقَالَ: إِنِّي نَوَيْتُ وَاحِدَةً فَوَاحِدَةٌ

[17902] Abū Bakr narrated to us, saying: Sahl ibn Yūsuf narrated to us, from Shu‘bah, from Al-Ḥakam and Ḥammād, who both said: If a man says to his wife: 'Count (your waiting period), count,' and says: 'I intended one (divorce),' then it is one.

[17903] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Jābir, from ‘Āmir, regarding a man who said to his wife: 'Count, count' three times. He said: 'It is one (divorce).'

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: اعْتَدِّي اعْتَدِّي ثَلاَثًا قَالَ: هِيَ وَاحِدَةٌ

[17904] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Sa‘īd, from Qatādah, from Al-Ḥasan—and it is the statement of Qatādah—that both of them said: If a man says to his wife: 'Count three times,' she is not lawful for him until she marries another husband.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنِ الْحَسَنِ، وَهُوَ قَوْلُ قَتَادَةَ أَنَّهُمَا قَالاَ: "إِذَا قَالَ الرَّجُلُ لِامْرَأَتِهِ: اعْتَدِّي ثَلاَثًا لَمْ تَحِلَّ لَهُ حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17905] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Sa‘īd, from Jābir, from ‘Āmir, similar to it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ سَعِيدٍ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، مِثْلَهُ

[17906] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Yūnus and Abū Ḥurrah, from Al-Ḥasan, regarding a man who said to his wife: 'You are divorced, so count (wait).' He said: It is one (divorce). And if he said: 'You are divorced, so count; you are divorced, so count,' then it is two.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا هُشَيْمٌ، عَنْ يُونُسَ، وَأَبِي حَرَّةَ، عَنِ الْحَسَنِ، "فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ فَاعْتَدِّي قَالَ: هِيَ وَاحِدَةٌ وَإِذَا قَالَ: أَنْتِ طَالِقٌ فَاعْتَدِّي، أَنْتِ طَالِقٌ فَاعْتَدِّي، فَهِيَ اثْنَتَانِ

[17907] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Dāwūd, from Al-Sha‘bī, who said: The divorce of a madman is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ قَالَ: الْمَجْنُونُ لاَ يَجُوزُ طَلاَقُهُ

[17908] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Ibn Abī Dhi’b, from Al-Zuhrī, from Abān ibn ‘Uthmān, from ‘Uthmān, who said: There is no divorce for a madman or a drunkard.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا وَكِيعٌ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الزُّهْرِيِّ، عَنْ أَبَانَ بْنِ عُثْمَانَ، عَنْ عُثْمَانَ قَالَ: لَيْسَ لِمَجْنُونٍ، وَلاَ لِسَكْرَانَ طَلاَقٌ

[17909] Abū Bakr narrated to us, saying: Abū Dāwūd al-Ṭayālisī narrated to us, from Hārūn, who said: I asked Ibn Sīrīn about the divorce of a madman. He said: It is nothing. The ruler should look into it, ask for evidence that he divorced, and examine his oath.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ هَارُونَ، قَالَ: سَأَلْتُ ابْنَ سِيرِينَ، عَنْ طَلاَقِ الْمَجْنُونِ؟ فَقَالَ: لَيْسَ بِشَيْءٍ، وَالسُّلْطَانُ يَنْظُرُ فِيهِ يُسْأَلُ الْبَيِّنَةَ أَنَّهُ طَلَّقَ فَيُبْصِرُ يَمِينَهُ

[17910] Abū Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Ḥabīb, from ‘Amr, who said: Jābir was asked about a man who divorced his wife while he was mad, when his madness seized him. He said: It is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ حَبِيبٍ، عَنْ عَمْرٍو، قَالَ: سُئِلَ جَابِرٌ عَنْ رَجُلٍ طَلَّقَ امْرَأَتَهُ، وَهُوَ مَجْنُونٌ حِينَ أَخَذَهُ جُنُونُهُ؟ قَالَ: يَجُوزُ

[17911] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, who said: The divorce of a madman is not valid when he is seized (by madness), but if he recovers, it is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ قَالَ: لاَ يَجُوزُ طَلاَقُ الْمَجْنُونِ إِذَا أُخِذَ، فَإِذَا صَحَّ فَهُوَ جَائِزٌ

[17912] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Al-A‘mash, from Ibrāhīm, from ‘Ābis ibn Rabī‘ah, from ‘Alī, who said: Every divorce is valid except the divorce of the mentally challenged (al-ma‘tūh).

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَابِسِ بْنِ رَبِيعَةَ، عَنْ عَلِيٍّ، قَالَ: كُلُّ طَلاَقٍ جَائِزٌ إِلاَّ طَلاَقَ الْمَعْتُوهِ

[17913] Abū Bakr narrated to us, saying: Ibn Idrīs narrated to us, from Al-A‘mash, from Ibrāhīm, from ‘Ābis ibn Rabī‘ah, who said: I heard ‘Alī say it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ إِدْرِيسَ، عَنِ الأَعْمَشِ، عَنْ إِبْرَاهِيمَ، عَنْ عَابِسِ بْنِ رَبِيعَةَ، قَالَ: سَمِعْتُ عَلِيًّا يَقُولُهُ

[17914] Abū Bakr narrated to us, saying: Abū al-Aḥwaṣ narrated to us, from Abū Isḥāq, from Ibrāhīm, who said: ‘Alī said: Every divorce is valid except the divorce of the mentally challenged.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو الأَحْوَصِ، عَنْ أَبِي إِسْحَاقَ، عَنْ إِبْرَاهِيمَ، قَالَ: قَالَ عَلِيٌّ: كُلُّ طَلاَقٍ جَائِزٌ إِلاَّ طَلاَقَ الْمَعْتُوهِ

[17915] Abū Bakr narrated to us, saying: Abū Bakr al-Ḥanafī narrated to us, from Usāmah, from Nāfi‘, that Al-Mughīrah ibn ‘Abd al-Raḥmān divorced his wife while he was mentally challenged. Ibn ‘Umar ordered her to observe the waiting period. It was said to him: He is mentally challenged. He said: I did not hear Allah exempt a mentally challenged person from divorce or anything else.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا أَبُو بَكْرٍ الْحَنَفِيُّ، عَنْ أُسَامَةَ، عَنْ نَافِعٍ، أَنَّ الْمُغِيرَةَ بْنَ عَبْدِ الرَّحْمَنِ طَلَّقَ امْرَأَتَهُ، وَهُوَ مَعْتُوهٌ فَأَمَرَ ابْنُ عُمَرَ أَنْ تَعْتَدَّ فَقِيلَ لَهُ: إِنَّهُ مَعْتُوهٌ، فَقَالَ: إِنِّي لَمْ أَسْمَعِ اللَّهَ اسْتَثْنَى لِمَعْتُوهٍ طَلاَقًا، وَلاَ غَيْرَهُ

[17916] Abū Bakr narrated to us, saying: ‘Abd Allāh ibn Idrīs narrated to us, from Ismā‘īl, from Al-Sha‘bī, who said: There is no divorce for a mentally challenged person or a child.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ قَالَ: لَيْسَ لِمَعْتُوهٍ، وَلاَ لِصَبِيٍّ طَلاَقٌ

[17917] Abū Bakr narrated to us, saying: ‘Abd al-Salām ibn Ḥarb narrated to us, from Mughīrah, from Ibrāhīm, who said: If the mentally challenged person divorces his wife while he is lucid,

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا عَبْدُ السَّلاَمِ بْنُ حَرْبٍ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ قَالَ: "إِذَا طَلَّقَ الْمَعْتُوهُ، امْرَأَتَهُ فِي حَالِ إِفَاقَتِهِ، قَالَ: جَازَ

[17918] Abū Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib, who said: His divorce is nothing.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ قَالَ: طَلاَقُهُ لَيْسَ بِشَيْءٍ

[17919] Abū Bakr narrated to us, saying: Al-Faḍl ibn Dukayn narrated to us, from Isrā’īl, from Abū Ḥuṣayn, from Shurayḥ, who said: His divorce is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ إِسْرَائِيلَ، عَنْ أَبِي حُصَيْنٍ، عَنْ شُرَيْحٍ قَالَ: لاَ يَجُوزُ طَلاَقُهُ

[17920] Abū Bakr narrated to us, saying: Abū Usāmah narrated to us, from Juwaybir, from Al-Ḍaḥḥāk, who said: His divorce is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنْ جُوَيْبِرٍ، عَنِ الضَّحَّاكِ قَالَ: لاَ يَجُوزُ طَلاَقُهُ

[17921] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Ma‘mar, from Al-Zuhrī, who said: He has no divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ، عَنِ الزُّهْرِيِّ، قَالَ: لَيْسَ لَهُ طَلاَقٌ

[17922] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, saying: Sufyān narrated to us, from Manṣūr, from Ibrāhīm, who said: It used to be said: Every divorce is valid except the divorce of the mentally challenged.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، قَالَ نا سُفْيَانُ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ قَالَ: "كَانَ يُقَالُ: كُلُّ الطَّلَاقِ جَائِزٌ إِلاَّ طَلَاقَ الْمَعْتُوهِ

[17923] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Dāwūd, from Al-Sha‘bī, who said: There is no divorce for a mentally challenged person.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ دَاوُدَ، عَنِ الشَّعْبِيِّ قَالَ: لَيْسَ لِمَعْتُوهٍ طَلَاقٌ

[17924] Abū Bakr narrated to us, saying: ‘Alī ibn Mushir narrated to us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib, regarding the one afflicted with fainting/epilepsy (al-mawtah). He said: If he divorces (during it), it is nothing, but if he recovers, his divorce is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ، فِي الَّذِي بِهِ الْمَوْتَةُ، قَالَ: إِذَا طَلَّقَ، فَلَيْسَ بِشَيْءٍ، وَإِذَا أَفَاقَ فَطَلَاقُهُ جَائِزٌ

[17925] Abū Bakr narrated to us, saying: ‘Alī ibn Mushir narrated to us, from Sa‘īd ibn Abī ‘Arūbah, from Abū Ma‘shar, from Ibrāhīm, similar to it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: حَدَّثَنَا عَلِيُّ بْنُ مُسْهِرٍ، عَنْ سَعِيدِ بْنِ أَبِي عَرُوبَةَ، عَنْ أَبِي مَعْشَرٍ، عَنْ إِبْرَاهِيمَ، مِثْلَهُ

[17926] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Yazīd, from Ibrāhīm, from Al-Ḥasan, regarding the one afflicted by a fit of madness who divorces. Al-Ḥasan said: It is not binding on him. And Qatādah said: If he bought and sold, it is binding on him, but if he divorced in a state of madness, it is not binding on him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ يَزِيدَ، عَنْ إِبْرَاهِيمَ، عَنِ الْحَسَنِ، فِي الَّذِي تُصِيبُهُ النَّظْرَةُ مِنَ الْجُنُونِ يُطَلِّقُ؟ قَالَ الْحَسَنُ: لاَ يَلْزَمُهُ وَقَالَ قَتَادَةُ: إِذَا اشْتَرَى وَبَاعَ لَزِمَهُ، وَإِذَا طَلَّقَ فِي حَالِ جُنُونِهِ لَمْ يَلْزَمْهُ

[17927] Abū Bakr narrated to us, saying: Ibn Numayr narrated to us, from Ash‘ath, from Al-Sha‘bī, regarding the afflicted person who is struck by fits occasionally. He said: His divorce and manumission are valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ نُمَيْرٍ، عَنْ أَشْعَثَ، عَنِ الشَّعْبِيِّ، فِي الْمُصَابِ الَّذِي يُصِيبُهُ فِي الْحِينِ، قَالَ: طَلاَقُهُ، وَعَتَاقُهُ جَائِزٌ

[17928] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Abū al-Mu‘tamir, from Qatādah, who said: Madness is of two types. If he does not recover, his divorce is not valid. If he recovers and divorces while lucid, it is binding on him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ أَبِي الْمُعْتَمِرِ، عَنْ قَتَادَةَ قَالَ: الْجُنُونُ جُنُونَانِ، فَإِنْ كَانَ لاَ يُفِيقُ، لَمْ يَجُزْ لَهُ طَلاَقٌ، وَإِنْ كَانَ يُفِيقُ فَطَلَّقَ فِي حَالِ إِفَاقَتِهِ، لَزِمَهُ ذَلِكَ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الرَّحْمَنِ بْنُ مَهْدِيٍّ، عَنْ سُفْيَانَ، عَنْ حَبِيبٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ قَالَ: وَجَدْنَا فِي كِتَابِ عَبْدِ اللَّهِ بْنِ عَمْرٍو، عَنْ عَمْرٍو: إِذَا عَبِثَ الْمَجْنُونُ بِامْرَأَتِهِ طَلَّقَ عَلَيْهِ وَلِيُّهُ

[17929] Abū Bakr narrated to us, saying: ‘Abd al-Raḥmān ibn Mahdī narrated to us, from Sufyān, from Ḥabīb, from ‘Amr ibn Shu‘ayb, who said: We found in the book of ‘Abd Allāh ibn ‘Amr, from ‘Amr: If the madman harms his wife, his guardian divorces her on his behalf.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الضَّحَّاكُ بْنُ مَخْلَدٍ، عَنِ ابْنِ جُرَيْجٍ، عَنْ عَطَاءٍ قَالَ: يُطَلِّقُ وَلِيُّ الْمُوَسْوِسِ، وَلْيَنْظُرْ عَسَى أَنْ يُفِيقَ

[17930] Abū Bakr narrated to us, saying: Al-Ḍaḥḥāk ibn Makhlad narrated to us, from Ibn Jurayj, from ‘Aṭā’, who said: The guardian of the one suffering from obsessive whispers (waswas) divorces on his behalf, but let him wait, perhaps he will recover.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ قَالَ: طَلَاقُ الْمَعْتُوهِ الْمَغْلُوبِ عَلَى عَقْلِهِ لَيْسَ بِشَيْءٍ، طَلَاقُهُ إِلَى وَلِيِّهِ

[17931] Abū Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib, who said: The divorce of the mentally challenged person who is overcome in his mind is nothing; his divorce is up to his guardian.

[17932] Abū Bakr narrated to us, saying: ‘Abd al-Wahhāb al-Thaqafī narrated to us, from Ayyūb, who said: I wrote to Abū Qilābah about a woman whose husband is mad and she does not hope for his recovery; can his guardian divorce on his behalf? He wrote to me: She is a woman whom Allah has tested with affliction, so let her be patient.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الْوَهَّابِ الثَّقَفِيُّ، عَنْ أَيُّوبَ، قَالَ: كَتَبْتُ إِلَى أَبِي قِلاَبَةَ فِي امْرَأَةٍ زَوْجُهَا مَجْنُونٌ لاَ تَرْجُو أَنْ يَبْرَأَ، يُطَلِّقُ عَنْهُ وَلِيُّهُ؟ فَكَتَبَ إِلَيَّ: أَنَّهَا امْرَأَةٌ ابْتَلاَهَا اللَّهُ بِالْبَلاَءِ فَلْتَصْبِرْ

[17933] Abū Bakr narrated to us, saying: ‘Abd al-A‘lā narrated to us, from Ma‘mar, who said: The divorce of his guardian is not valid on his behalf.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ الأَعْلَى، عَنْ مَعْمَرٍ قَالَ: لاَ يَجُوزُ عَلَيْهِ طَلاَقُ وَلِيِّهِ

[17934] Abū Bakr narrated to us, saying: Ḥafṣ narrated to us, from Ḥajjāj, from ‘Amr ibn Shu‘ayb, from his father, from his grandfather, who said: I wrote to ‘Umar concerning a madman who was feared to kill his wife. He wrote to me: Grant him a year to seek treatment.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصٌ، عَنْ حَجَّاجٍ، عَنْ عَمْرِو بْنِ شُعَيْبٍ، عَنْ أَبِيهِ، عَنْ جَدِّهِ، قَالَ: كَتَبْتُ إِلَى عُمَرَ فِي رَجُلٍ مَجْنُونٍ يَخَافُ أَنْ يَقْتُلَ امْرَأَتَهُ، فَكَتَبَ إِلَيَّ: أَنْ أَجِّلْهُ سَنَةً يَتَدَاوَى

[17935] Abū Bakr narrated to us, saying: Ḥafṣ ibn Ghiyāth narrated to us, from Ḥajjāj, from ‘Aṭā’, from Ibn ‘Abbās, who said: The divorce of a child is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصُ بْنُ غِيَاثٍ، عَنْ حَجَّاجٍ، عَنْ عَطَاءٍ، عَنِ ابْنِ عَبَّاسٍ، قَالَ: لاَ يَجُوزُ طَلاَقُ الصَّبِيِّ

[17936] Abū Bakr narrated to us, saying: ‘Abd Allāh ibn Idrīs narrated to us, from Ismā‘īl, from Al-Sha‘bī, who said: The divorce of a child is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ إِدْرِيسَ، عَنْ إِسْمَاعِيلَ، عَنِ الشَّعْبِيِّ قَالَ: لاَ يَجُوزُ طَلاَقُ الصَّبِيِّ

[17937] Abū Bakr narrated to us, saying: ‘Abdah ibn Sulaymān narrated to us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib, who said: If a child understands prayer and fasting, his divorce is valid. Al-Ḥasan said: His divorce is not valid until he reaches puberty (has a wet dream).

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدَةُ بْنُ سُلَيْمَانَ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ قَالَ: إِذَا عَقَلَ الصَّبِيُّ الصَّلاَةَ وَالصَّوْمَ فَطَلاَقُهُ جَائِزٌ قَالَ الْحَسَنُ: لاَ يَجُوزُ طَلاَقُهُ حَتَّى يَحْتَلِمَ

[17938] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Hammām, from Qatādah, from Ismā‘īl ibn ‘Imrān al-Farī, who said: I divorced while I was a boy and had not reached puberty. I asked Sa‘īd ibn al-Musayyib, and he said: If you observed prayer and fasted Ramadan, your divorce is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ هَمَّامٍ، عَنْ قَتَادَةَ، عَنْ إِسْمَاعِيلَ بْنِ عِمْرَانَ الْفَرِيِّ قَالَ: طَلَّقْتُ وَأَنَا غُلاَمٌ، لَمْ أَحْتَلِمْ، فَسَأَلْتُ سَعِيدَ بْنَ الْمُسَيِّبِ فَقَالَ: إِذَا حَفِظْتُ الصَّلاَةَ، وَصُمْتُ رَمَضَانَ، فَقَدْ جَازَ طَلاَقُكَ

[17939] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from ‘Alī ibn Mālik, who said: I asked Al-Sha‘bī about a boy who divorced three times. He said: I do not see it except that he understood that the three (divorces) separate when combined.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ عَلِيِّ بْنِ مَالِكٍ، قَالَ: سَأَلْتُ الشَّعْبِيَّ، غُلاَمٌ طَلَّقَ ثَلاَثًا؟ قَالَ: مَا أَرَاهُ إِلاَّ عَقَلَ أَنَّ الثَّلاَثَ يَبِينُ أَنْ يَجْتَمِعَا

[17940] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Abū Isḥāq, from someone who heard ‘Alī say: Conceal marriage from children.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ أَبِي إِسْحَاقَ، عَمَّنْ، سَمِعَ عَلِيًّا يَقُولُ: اكْتُمُوا الصِّبْيَانَ النِّكَاحَ

[17941] Abū Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Ash‘ath, from Abū Isḥāq, from ‘Āṣim, from ‘Alī, similar to the hadith of Wakī‘.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ أَشْعَثَ، عَنْ أَبِي إِسْحَاقَ، عَنْ عَاصِمٍ، عَنْ عَلِيٍّ، بِنَحْوِ حَدِيثِ وَكِيعٍ

[17942] Abū Bakr narrated to us, saying: Abū Usāmah narrated to us, from Juwaybir, from Al-Ḍaḥḥāk, who said: Conceal marriage from children, for every divorce is valid except the divorce of the one suffering from pleurisy (mubarsam) and the mentally challenged.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنْ جُوَيْبِرٍ، عَنِ الضَّحَّاكِ قَالَ: اكْتُمُوا الصِّبْيَانَ النِّكَاحَ، فَكُلُّ طَلاَقٍ جَائِزٌ إِلاَّ طَلاَقَ الْمُبَرْسَمِ وَالْمَعْتُوهِ

[17943] Abū Bakr narrated to us, saying: Ibn ‘Ayyāsh narrated to us, from Muṭarrif, from Al-Sha‘bī, who said: The manumission of a child, his marriage, and anything of his affairs are nothing.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ عَيَّاشٍ، عَنْ مُطَرِّفٍ، عَنِ الشَّعْبِيِّ قَالَ: لَيْسَ عِتْقُ الصَّبِيِّ، وَلاَ نِكَاحُهُ، وَلاَ شَيْءٌ مِنْ أَمْرِهِ بِشَيْءٍ

[17944] Abū Bakr narrated to us, saying: Yaḥyā ibn Sa‘īd narrated to us, from Sufyān, from Al-Qa‘qā‘, who said: I asked Ibrāhīm about the divorce of a child. He said: Women are many.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَحْيَى بْنُ سَعِيدٍ، عَنْ سُفْيَانَ، عَنِ الْقَعْقَاعِ، قَالَ: سَأَلْتُ إِبْرَاهِيمَ عَنْ طَلاَقِ الصَّبِيِّ، قَالَ: النِّسَاءُ كَثِيرٌ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، قَالَ نا سُفْيَانُ، عَنِ الْقَعْقَاعِ، عَنْ إِبْرَاهِيمَ، فِي طَلَاقِ الصَّبِيِّ قَالَ: لَيْسَ بِشَيْءٍ، وَالنِّسَاءُ كَثِيرٌ

[17945] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, saying: Sufyān narrated to us, from Al-Qa‘qā‘, from Ibrāhīm, regarding the divorce of a child. He said: It is nothing, and women are many.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، قَالَ: نا سُفْيَانُ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ قَالَ: كَانُوا يُزَوِّجُونَهُمْ وَهُمْ صِغَارٌ، وَيَكْتُمُونَهُمُ النِّكَاحَ؛ مَخَافَةَ أَنْ يَقَعَ الطَّلَاقُ عَلَى أَلْسِنَتِهِمْ قَالَ سُفْيَانُ: فَإِذَا وَقَعَ لَمْ يَرُدُّهُ شَيْءٌ

[17946] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, saying: Sufyān narrated to us, from Manṣūr, from Ibrāhīm, who said: They used to marry them off while they were young and conceal the marriage from them, fearing that divorce might be uttered by their tongues. Sufyān said: And if it occurred, nothing could revoke it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ شُعْبَةَ، عَنْ مُصْعَبٍ، عَنِ الشَّعْبِيِّ، فِي طَلَاقِ الصَّبِيِّ، لَيْسَ بِشَيْءٍ

[17947] Abū Bakr narrated to us, saying: Abū Dāwūd al-Ṭayālisī narrated to us, from Shu‘bah, from Muṣ‘ab, from Al-Sha‘bī, regarding the divorce of a child, (saying): It is nothing.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ، وَحَمَّادًا، عَنْ طَلاَقِ الصَّبِيِّ، فَقَالاَ: لاَ يَجُوزُ

[17948] Abū Bakr narrated to us, saying: Abū Dāwūd narrated to us, from Shu‘bah, who said: I asked Al-Ḥakam and Ḥammād about the divorce of a child. They said: It is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ يُونُسَ، قَالَ: حَدَّثَنِي رَجُلٌ، مِنْ أَهْلِ الشَّامِ لَمْ أَرَ بِهِ بَأْسًا قَالَ: كُنَّا فِي غَزَاةٍ فَبُرْسِمَ صَاحِبٌ لَنَا، فَطَلَّقَ امْرَأَتَهُ ثَلاَثًا، فَلَمَّا أَفَاقَ، قَالُوا لَهُ: كَذَا وَكَذَا، قَالَ: مَا أَعْلَمَنِي، قُلْتُ: مِنْ هَذَا قَلِيلاً، وَلاَ كَثِيرًا، وَلاَ أَعْرِفُهُ؟ فَرَكِبَ رَجُلٌ مِنَّا إِلَى عُمَرَ بْنِ عَبْدِ الْعَزِيزِ فِي حَاجَةٍ، فَلَمَّا قَضَى حَاجَتَهُ، سَأَلَهُ عَنْ ذَلِكَ؟ فَدَيَّنَهُ

[17949] Abū Bakr narrated to us, saying: Ismā‘īl ibn ‘Ulayyah narrated to us, from Yūnus, who said: A man from the people of Shām, in whom I saw no harm, narrated to me, saying: We were on an expedition when a companion of ours was struck with pleurisy (or mental confusion) and divorced his wife three times. When he recovered, they told him: Such and such happened. He said: I have no knowledge; did I say a little or a lot of this? I do not know it. A man from among us rode to ‘Umar ibn ‘Abd al-‘Azīz for a need. When he finished his need, he asked him about that. He entrusted it to his conscience (made him responsible for his intention).

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبَّادُ بْنُ الْعَوَّامِ، عَنْ يُونُسَ، عَنْ مَيْمُونِ بْنِ مِهْرَانَ، عَنْ عُمَرَ بْنِ عَبْدِ الْعَزِيزِ، بِنَحْوِ حَدِيثِ ابْنِ عُلَيَّةَ عَنْ يُونُسَ

[17950] Abū Bakr narrated to us, saying: ‘Abbād ibn al-‘Awwām narrated to us, from Yūnus, from Maymūn ibn Mihrān, from ‘Umar ibn ‘Abd al-‘Azīz, similar to the hadith of Ibn ‘Ulayyah from Yūnus.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو مُعَاوِيَةَ، عَنْ حَجَّاجٍ، عَنِ الْحَكَمِ قَالَ: كَانَ يَقُولُ: طَلاَقُ الْمُبَرْسَمِ، وَالْمَحْمُومِ، الَّذِي يَهْذِي، وَنِكَاحُ الْمَجْنُونِ لَيْسَ بِشَيْءٍ

[17951] Abū Bakr narrated to us, saying: Abū Mu‘āwiyah narrated to us, from Ḥajjāj, from Al-Ḥakam, who said: He used to say: The divorce of the one suffering from pleurisy (mubarsam), the feverish one who is delirious, and the marriage of the madman are nothing.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ عَنْ جُوَيْبِرٍ عَنِ الضَّحَّاكِ قَالَ: لاَ يَجُوزُ طَلاَقُ الْمُبَرْسَمِ، وَالْمَغْلُوبِ عَلَى عَقْلِهِ فِي مَرَضِهِ

[17952] Abū Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Juwaybir, from Al-Ḍaḥḥāk, who said: The divorce of the one suffering from pleurisy and the one overcome in his mind during his illness is not valid.

[17953] Abū Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Ḥabīb, from ‘Amr ibn Ḥazm, from Jābir ibn Zayd, regarding the divorce of the one suffering from pleurisy who is delirious and does not understand what he is saying. He said: He has no divorce and no manumission as long as he remains in that state.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ حَبِيبٍ، عَنْ عَمْرِو بْنِ حَزْمٍ، عَنْ جَابِرِ بْنِ زَيْدٍ، فِي طَلاَقِ الْمُبَرْسَمِ الَّذِي يَهْذِي، وَلاَ يَعْقِلُ مَا يَقُولُ: قَالَ: لاَ طَلاَقَ لَهُ، وَلاَ عَتَاقَ مَادَامَ عَلَى ذَلِكَ

[17954] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Jābir, from ‘Āmir, and from Sharīk, from Mughīrah, from Ibrāhīm, who both said: The divorce of the one suffering from pleurisy is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، وَعَنْ شَرِيكٍ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ قَالاَ: لاَ يَجُوزُ طَلاَقُ الْمُبَرْسَمِ

[17955] Abū Bakr narrated to us, saying: Al-Faḍl ibn Dukayn narrated to us, from Zuhayr, from Mughīrah, from Ibrāhīm, (who said): The divorce of the one suffering from pleurisy or one upon whom a calamity has descended without disfigurement is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا الْفَضْلُ بْنُ دُكَيْنٍ، عَنْ زُهَيْرٍ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، لاَ يَجُوزُ طَلاَقُ الْمُبَرْسَمِ، أَوْ مَنْ نَزَلَ بِهِ بَلاَءٌ مِنْ غَيْرِ شَوَهٍ

[17956] Abū Bakr narrated to us, saying: Abū Usāmah narrated to us, from Ḥammād ibn Zayd, from Ayyūb, who said: I wrote to Abū Qilābah asking him about the divorce of the one suffering from pleurisy. He wrote to me: Whatever the witnesses testify to; if he was rational, his divorce is valid, and if he was not rational, his divorce is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو أُسَامَةَ، عَنْ حَمَّادِ بْنِ زَيْدٍ، عَنْ أَيُّوبَ قَالَ: كَتَبْتُ إِلَى أَبِي قِلاَبَةَ، أَسْأَلُهُ عَنْ طَلاَقِ الْمُبَرْسَمِ، فَكَتَبَ إِلَيَّ: أَنَّهُ مَا شَهِدَتْ بِهِ الشُّهُودُ، إِنْ كَانَ يَعْقِلُ فَطَلاَقُهُ جَائِزٌ، وَإِنْ كَانَ لاَ يَعْقِلُ فَطَلاَقُهُ لاَ يَجُوزُ

[17957] Abū Bakr narrated to us, saying: Sufyān ibn ‘Uyaynah narrated to us, from Ibn Abī Najīḥ, from Mujāhid, who said: The divorce of a drunkard is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا سُفْيَانُ بْنُ عُيَيْنَةَ، عَنِ ابْنِ أَبِي نَجِيحٍ، عَنْ مُجَاهِدٍ قَالَ: طَلاَقُ السَّكْرَانِ جَائِزٌ

[17958] Abū Bakr narrated to us, saying: Abū Mu‘āwiyah narrated to us, from Ḥajjāj, from ‘Aṭā’, that he did not consider the divorce of a drunkard valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو مُعَاوِيَةَ، عَنْ حَجَّاجٍ، عَنْ عَطَاءٍ، أَنَّهُ كَانَ لاَ يُجِيزُ طَلاَقَ السَّكْرَانِ

[17959] Abū Bakr narrated to us, saying: Ismā‘īl ibn ‘Ulayyah narrated to us, from Ayyūb, from Al-Ḥasan and Muḥammad, that they both said: His divorce is valid, and his back should be beaten.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ أَيُّوبَ، عَنِ الْحَسَنِ، وَمُحَمَّدٍ، أَنَّهُمَا قَالاَ: طَلاَقُهُ جَائِزٌ، وَيُوجَعُ ظَهْرُهُ

[17960] Abū Bakr narrated to us, saying: Ibn Idrīs narrated to us, from Hishām, from Al-Ḥasan and Muḥammad, that they both said: His divorce is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ إِدْرِيسَ، عَنْ هِشَامٍ، عَنِ الْحَسَنِ، وَمُحَمَّدٍ، أَنَّهُمَا قَالاَ: طَلاَقُهُ جَائِزٌ

[17961] Abū Bakr narrated to us, saying: Muḥammad ibn Bishr narrated to us, from Sa‘īd, from Qatādah, from Sa‘īd ibn al-Musayyib, who said: The divorce of a drunkard is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ بِشْرٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ سَعِيدِ بْنِ الْمُسَيِّبِ قَالَ: طَلاَقُ السَّكْرَانِ جَائِزٌ

[17962] Abū Bakr narrated to us, saying: Mu‘tamir ibn Sulaymān narrated to us, from Layth, from ‘Abd al-Raḥmān ibn ‘Utbah, that ‘Umar ibn ‘Abd al-‘Azīz validated the divorce of a drunkard and flogged him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُعْتَمِرُ بْنُ سُلَيْمَانَ، عَنْ لَيْثٍ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ عُتْبَةَ، أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ، أَجَازَ طَلاَقَ السَّكْرَانِ وَجَلَدَ

[17963] Abū Bakr narrated to us, saying: Ḥātim ibn Ismā‘īl narrated to us, from ‘Abd al-Raḥmān ibn Ḥarmalah, who said: My neighbor divorced while drunk, so he ordered me to ask Sa‘īd ibn al-Musayyib. He said: If I have judged correctly in this, separate him and his wife, and flog him eighty lashes.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَاتِمُ بْنُ إِسْمَاعِيلَ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ حَرْمَلَةَ، قَالَ: طَلَّقَ جَارِي سَكْرَانًا، فَأَمَرَ أَنْ أَسْأَلَ سَعِيدَ بْنَ الْمُسَيِّبِ، فَقَالَ: إِنْ أَصَبْتُ فِيهِ الْحَقَّ، فَرِّقْ بَيْنَهُ وَبَيْنَ امْرَأَتِهِ، وَضَرَبَ ثَمَانِينَ

[17964] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Sufyān, from Manṣūr, from Ibrāhīm, who said: His divorce is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ قَالَ: طَلَاقُهُ جَائِزٌ

[17965] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Ja‘far, from Maymūn, who said: His divorce is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ جَعْفَرٍ، عَنْ مَيْمُونٍ قَالَ: يَجُوزُ طَلَاقُهُ

[17966] Abū Bakr narrated to us, saying: Ibn Mahdī narrated to us, from Hammām, from Qatādah, from Ḥumayd ibn ‘Abd al-Raḥmān, who said: The divorce of a drunkard is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ مَهْدِيٍّ، عَنْ هَمَّامٍ، عَنْ قَتَادَةَ، عَنْ حُمَيْدِ بْنِ عَبْدِ الرَّحْمَنِ قَالَ: يَجُوزُ طَلَاقُ السَّكْرَانِ

[17967] Abū Bakr narrated to us, saying: Ibn Mahdī narrated to us, saying: I said to Mālik: I was told that Sulaymān ibn Yasār and Sa‘īd ibn al-Musayyib said: His divorce is valid. He said: Yes.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ مَهْدِيٍّ، قَالَ: قُلْتُ لِمَالِكٍ: حَدَّثْتُ أَنَّ سُلَيْمَانَ بْنَ يَسَارٍ، وَسَعِيدَ بْنَ الْمُسَيِّبِ قَالاَ: طَلاَقُهُ جَائِزٌ قَالَ: نَعَمْ

[17968] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Jarīr ibn Ḥāzim, from Al-Zubayr ibn al-Khirrīt, from Abū Labīd, that ‘Umar validated the divorce of a drunkard based on the testimony of women.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ جَرِيرِ بْنِ حَازِمٍ، عَنِ الزُّبَيْرِ بْنِ الْخِرِّيتِ، عَنْ أَبِي لَبِيدٍ، أَنَّ عُمَرَ، أَجَازَ طَلاَقَ السَّكْرَانِ بِشَهَادَةِ النِّسْوَةِ

[17969] Abū Bakr narrated to us, saying: ‘Īsā ibn Yūnus narrated to us, from Al-Awzā‘ī, from Al-Zuhrī, who said: If he divorces and manumits, it is binding on him, and the prescribed punishment (Hadd) is applied to him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عِيسَى بْنُ يُونُسَ، عَنِ الأَوْزَاعِيِّ، عَنِ الزُّهْرِيِّ قَالَ: إِذَا طَلَّقَ، وَأَعْتَقَ جَازَ عَلَيْهِ، وَأُقِيمَ عَلَيْهِ الْحَدُّ

[17970] Abū Bakr narrated to us, saying: Ismā‘īl ibn ‘Ayyāsh narrated to us, from ‘Abd al-‘Azīz, from Al-Sha‘bī, who said: His divorce is valid, and the prescribed punishment is on his back.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عَبْدِ الْعَزِيزِ، عَنِ الشَّعْبِيِّ قَالَ: يَجُوزُ طَلاَقُهُ، وَالْحَدُّ فِي ظَهْرِهِ

[17971] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Ismā‘īl ibn Sālim, from Al-Ḥakam, who said: Whoever divorces in a state of intoxication from Allah, his divorce is nothing; and whoever divorces in a state of intoxication from Satan, his divorce is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا هُشَيْمٌ، عَنْ إِسْمَاعِيلَ بْنِ سَالِمٍ، عَنِ الْحَكَمِ، قَالَ: مَنْ طَلَّقَ فِي سُكْرٍ مِنَ اللَّهِ، فَلَيْسَ طَلاَقُهُ بِشَيْءٍ، وَمَنْ طَلَّقَ فِي سُكْرٍ مِنَ الشَّيْطَانِ، فَطَلاَقُهُ جَائِزٌ

[17972] Abū Bakr narrated to us, saying: ‘Amr ibn Muḥammad narrated to us, from Abū Ḥanīfah, from Al-Haytham, from ‘Āmir, from Shurayḥ, who said: The divorce of a drunkard is valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَمْرُو بْنُ مُحَمَّدٍ، عَنْ أَبِي حَنِيفَةَ، عَنِ الْهَيْثَمِ، عَنْ عَامِرٍ، عَنْ شُرَيْحٍ، قَالَ: طَلاَقُ السَّكْرَانِ جَائِزٌ

[17973] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Ibn Abī Dhi’b, from Al-Zuhrī, from Abān ibn ‘Uthmān, from ‘Uthmān, who said: He did not validate the divorce of a drunkard or a madman. He said: And ‘Umar ibn ‘Abd al-‘Azīz used to validate his divorce and beat his back severely, until Abān told us that.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنِ ابْنِ أَبِي ذِئْبٍ، عَنِ الزُّهْرِيِّ، عَنْ أَبَانَ بْنِ عُثْمَانَ، عَنْ عُثْمَانَ، قَالَ: كَانَ لاَ يُجِيزُ طَلاَقَ السَّكْرَانِ، وَالْمَجْنُونِ قَالَ: وَكَانَ عُمَرُ بْنُ عَبْدِ الْعَزِيزِ يُجِيزُ طَلاَقَهُ، وَيُوجِعُ ظَهْرَهُ، حَتَّى حَدَّثَنَا أَبَانُ بِذَلِكَ

[17974] Abū Bakr narrated to us, saying: Muḥammad ibn Sawā' narrated to us, from Sa'īd, from Qatādah, from Jābir ibn Zayd, 'Ikrimah, 'Aṭā', and Ṭāwūs, who said: It is not valid.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا مُحَمَّدُ بْنُ سَوَاءٍ، عَنْ سَعِيدٍ، عَنْ قَتَادَةَ، عَنْ جَابِرِ بْنِ زَيْدٍ، وَعِكْرِمَةَ، وَعَطَاءٍ، وَطَاوُسٍ، قَالُوا: لَيْسَ بِجَائِزٍ

[17975] Abū Bakr narrated to us, saying: Yazīd ibn Hārūn narrated to us, from Yaḥyā ibn Sa'īd, that Al-Qāsim and 'Umar ibn 'Abd al-'Azīz did not validate the divorce of a drunkard.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا يَزِيدُ بْنُ هَارُونَ، عَنْ يَحْيَى بْنِ سَعِيدٍ، أَنَّ الْقَاسِمَ، وَعُمَرَ بْنَ عَبْدِ الْعَزِيزِ، كَانَا لاَ يُجِيزَانِ طَلاَقَ السَّكْرَانِ،

[17976] Abū Bakr narrated to us, saying: Wakī' narrated to us, from Rabāḥ, from 'Aṭā', that he did not validate it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ رَبَاحٍ، عَنْ عَطَاءٍ، أَنَّهُ كَانَ لاَ يُجِيزُهُ

[17977] Abū Bakr narrated to us, saying: Wakī' narrated to us, from Ḥanẓalah or someone else, from Ṭāwūs, that he did not validate it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ حَنْظَلَةَ، أَوْ غَيْرِهِ عَنْ طَاوُسٍ، أَنَّهُ كَانَ لاَ يُجِيزُهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو مُعَاوِيَةَ، عَنْ عَاصِمٍ، عَنِ السُّمَيْطِ بْنِ عُمَيْرٍ السَّدُوسِيِّ، قَالَ: خَطَبْتُ امْرَأَةً فَقَالُوا: لاَ نُزَوِّجُكَ حَتَّى تُطَلِّقَ امْرَأَتَكَ ثَلاَثًا، فَقُلْتُ: قَدْ طَلَّقْتُهَا ثَلاَثًا، قَالَ: فَزَوَّجُونِي ثُمَّ نَظَرُوا فَإِذَا امْرَأَتِي عِنْدِي، فَقَالُوا: أَلَيْسَ قَدْ طَلَّقْتَ امْرَأَتَكَ؟، قُلْتُ: بَلْ كَانَتْ تَحْتِي فُلاَنَةُ بِنْتُ فُلاَنٍ فَطَلَّقْتُهَا، وَأَمَّا هَذِهِ فَلَمْ أُطَلِّقْهَا، فَأَتَيْتُ شَقِيقَ بْنَ مِحْرَاةَ بْنِ ثَوْرٍ وَهُوَ يُرِيدُ الْخُرُوجَ إِلَى عُثْمَانَ فَقُلْتُ: سَلْ أَمِيرَ الْمُؤْمِنِينَ عَنْ هَذِهِ فَسَأَلَهُ؟ فَقَالَ: نِيَّتُهُ

[17978] Abū Bakr narrated to us, saying: Abū Muʻāwiyah narrated to us, from ʻĀṣim, from Al-Sumayṭ ibn ʻUmayr al-Sadūsī, who said: I proposed to a woman, and they said: We will not marry you until you divorce your wife three times. I said: I have divorced her three times. He said: So they married me, then they looked and saw my wife with me. They said: Did you not divorce your wife? I said: Rather, I had so-and-so daughter of so-and-so under me, and I divorced her, but as for this one, I did not divorce her. So I came to Shaqīq ibn Miḥrāh ibn Thawr while he was intending to go to ʻUthmān, and I said: Ask the Commander of the Faithful about this. So he asked him, and he said: His intention.

[17979] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from Muslim ibn Muḥammad, from Ibrāhīm ibn Maysarah, from Ibn Ṭāwūs, from his father, that a man was sitting with his wife on a cushion, and the man was pleased. He said to his wife: 'You are divorced,' meaning the cushion (taliq means free/loose). Ṭāwūs said: I do not see anything against you.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ مُسْلِمِ بْنِ مُحَمَّدٍ، عَنْ إِبْرَاهِيمَ بْنِ مَيْسَرَةَ، عَنِ ابْنِ طَاوُسٍ، عَنْ أَبِيهِ، أَنَّ رَجُلاً كَانَ جَالِسًا مَعَ امْرَأَتِهِ عَلَى وِسَادَةٍ، وَكَانَ الرَّجُلُ رَضِيَ، فَقَالَ لِامْرَأَتِهِ: أَنْتِ طَالِقٌ، يَعْنِي الْوِسَادَةَ، فَقَالَ طَاوُسٌ: مَا أَرَى عَلَيْكَ شَيْئًا

[17980] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Mughīrah, from Ibrāhīm, who said: Divorce is what is intended as divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ قَالَ: الطَّلَاقُ مَا عَنَى بِهِ الطَّلَاقَ

[17981] Abū Bakr narrated to us, saying: Ibn Numayr narrated to us, from ‘Abd al-Malik, from ‘Aṭā’, regarding a man who says to his wife: 'I have freed you.' He said: It is not a divorce unless he intended that.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ نُمَيْرٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، فِي رَجُلٍ يَقُولُ لِامْرَأَتِهِ: قَدْ أَعْتَقْتُكَ، قَالَ: لاَ يَكُونُ طَلاَقًا، إِلاَّ أَنْ يَكُونَ نَوَى ذَلِكَ

[17982] Abū Bakr narrated to us, saying: Ḥafṣ narrated to us, from Ḥajjāj, from Ismā‘īl ibn Rajā’, from Ibrāhīm, who said: Masrūq said: Divorce is only what is intended as divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا حَفْصٌ، عَنْ حَجَّاجٍ، عَنْ إِسْمَاعِيلَ بْنِ رَجَاءٍ، عَنْ إِبْرَاهِيمَ قَالَ: قَالَ مَسْرُوقٌ: إِنَّمَا الطَّلَاقُ مَا عَنَى بِهِ الطَّلَاقَ

[17983] Abū Bakr narrated to us, saying: Bishr ibn Mufaḍḍal narrated to us, from Sawwār, who said: Abū Thumāmah narrated to us - and his wife was from our people - that Kinānah ibn Luṣt had a wife who had borne him children in the pre-Islamic period. He said to her: 'What is above your waist is freed.' She took the dispute to Al-Ash‘arī. He said: Did you intend divorce by what you said? He said: Yes. He said: We have separated her from you.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا بِشْرُ بْنُ مُفَضَّلٍ، عَنْ سَوَّارٍ، قَالَ: نَا أَبُو ثُمَامَةَ،، وَامْرَأَتُهُ مِنْ أَهْلِنَا، أَنَّ كِنَانَةَ بْنَ لُصْتٍ كَانَتْ عِنْدَهُ امْرَأَةٌ، وَقَدْ وَلَدَتْ لَهُ أَوْلَادًا فِي الْجَاهِلِيَّةِ، فَقَالَ لَهَا: مَا فَوْقَ نِطَاقِكَ مُحَرَّرٌ، فَخَاصَمَتْهُ إِلَى الأَشْعَرِيِّ فَقَالَ: أَرَدْتُ بِمَا قُلْتُ الطَّلَاقَ؟ قَالَ: نَعَمْ، قَالَ: فَقَدْ أَبَنَّاهَا مِنْكَ

[17984] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Manṣūr, from Al-Ḥasan, regarding a man who said to his wife: 'You are freed.' He said: It is one divorce, and he has more right to her.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نَا هُشَيْمٌ، عَنْ مَنْصُورٍ، عَنِ الْحَسَنِ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: أَنْتِ عَتِيقَةٌ، قَالَ: هِيَ تَطْلِيقَةٌ، وَهُوَ أَحَقُّ بِهَا

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ عَبْدِ الْمَلِكِ بْنِ مُسْلِمٍ الْحَنَفِيِّ، عَنْ عِيسَى بْنِ حِطَّانَ، عَنْ زَبَّانِ بْنِ صَبِرَةَ الْحَنَفِيِّ، أَنَّهُ كَانَ جَالِسًا فِي مَجْلِسِ قَوْمِهِ، فَأَخَذَ نَوَاةً، فَقَالَ: نَوَاةٌ طَالِقٌ، نَوَاةٌ طَالِقٌ ثَلاَثًا قَالَ: فَرُفِعَ إِلَى عَلِيٍّ، فَقَالَ: مَا نَوَيْتَ؟ قَالَ: نَوَيْتُ امْرَأَتِي قَالَ: فَفَرَّقَ بَيْنَهُمَا

[17985] Abū Bakr narrated to us, saying: Wakī‘ narrated to us, from ‘Abd al-Malik ibn Muslim al-Ḥanafī, from ‘Īsā ibn Ḥiṭṭān, from Zabbān ibn Ṣabirah al-Ḥanafī, that he was sitting in the assembly of his people and took a date pit and said: 'A date pit is divorced, a date pit is divorced' three times. This was raised to ‘Alī, and he said: What did you intend? He said: I intended my wife. He said: So he separated them.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ عَبْدِ الْمَلِكِ بْنِ أَبِي سُلَيْمَانَ، عَنْ عَطَاءٍ، قَالَ: أُتِيَ ابْنُ مَسْعُودٍ فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: حَبْلُكِ عَلَى غَارِبِكِ فَكَتَبَ ابْنُ مَسْعُودٍ إِلَى عُمَرَ فَكَتَبَ عُمَرُ: مُرْهُ فَلْيُوَافِنِي بِالْمَوْسِمِ، فَوَافَاهُ بِالْمَوْسِمِ، فَأَرْسَلَ إِلَى عَلِيٍّ، فَقَالَ لَهُ عَلِيٌّ: أَنْشُدُكَ بِاللَّهِ، مَا نَوَيْتَ؟ قَالَ: نَوَيْتُ امْرَأَتِي، قَالَ: فَفَرَّقَ بَيْنَهُمَا

[17986] Abū Bakr narrated to us, saying: ‘Abd Allāh ibn Numayr narrated to us, from ‘Abd al-Malik ibn Abī Sulaymān, from ‘Aṭā’, who said: Ibn Mas‘ūd was brought a case concerning a man who said to his wife: 'Your rope is on your withers (you are free to go).' Ibn Mas‘ūd wrote to ‘Umar, and ‘Umar wrote back: Order him to meet me at the Hajj season. He met him at the Hajj season, and he sent for ‘Alī. ‘Alī said to him: I ask you by Allah, what did you intend? He said: I intended my wife. He said: So he separated them.

[17987] Abū Bakr narrated to us, saying: Hushaym narrated to us, from Mughīrah, from Ibrāhīm, regarding a man who said to his wife: 'I have given you permission, so get married.' He said: If he did not intend divorce, it is nothing. This was mentioned to Al-Sha‘bī, and Al-Sha‘bī said: By the One by whom oaths are sworn, something lighter than this would be a divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا هُشَيْمٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: قَدْ أَذِنْتُ لَكِ فَزَوِّجِي قَالَ: إِنْ لَمْ يَنْوِ طَلاَقًا فَلَيْسَ بِشَيْءٍ، فَذَكَرَ ذَلِكَ لِلشَّعْبِيِّ فَقَالَ الشَّعْبِيُّ: وَالَّذِي يُحْلَفُ بِهِ إِنَّ أَهْوَنَ مِنْ هَذَا لَيَكُونُ طَلاَقًا

[17988] Abū Bakr narrated to us, saying: Abū Dāwūd narrated to us, from Abū Ḥurrah, from Al-Ḥasan, regarding a man who said to his wife: 'Get out of my house, what keeps you in my house? You are not a wife to me,' saying it three times. Al-Ḥasan said: This is one (divorce), and one considers what he intended.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ، عَنْ أَبِي حَرَّةَ، عَنِ الْحَسَنِ فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: اخْرُجِي مِنْ بَيْتِي، مَا يُجْلِسُكَ فِي بَيْتِي؟ لَسْتُ لِي بِامْرَأَةٍ يَقُولُ ثَلاَثَ مَرَّاتٍ: قَالَ الْحَسَنُ: هَذِهِ وَاحِدَةٌ، وَيَنْظُرُ مَا نَوَى

[17989] Abū Bakr narrated to us, saying: Ḥafṣ ibn Ghiyāth narrated to us, from Ismā‘īl ibn Ibrāhīm, regarding a man who says to his wife: 'I have no need of you.' He said: (It depends on) his intention.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصُ بْنُ غِيَاثٍ، عَنْ إِسْمَاعِيلَ بْنِ إِبْرَاهِيمَ، فِي الرَّجُلِ يَقُولُ لِامْرَأَتِهِ: لاَ حَاجَةَ لِي فِيكِ قَالَ: نِيَّتُهُ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ بْنُ عَيَّاشٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُبَيْدٍ، عَنْ مَكْحُولٍ فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: لاَ حَاجَةَ لِي فِيكِ قَالَ مَكْحُولٌ: لَيْسَ بِشَيْءٍ

[17990] Abū Bakr narrated to us, saying: Ismāʻīl ibn ʻAyyāsh narrated to us, from ʻAbd Allāh ibn ʻUbayd, from Makḥūl, regarding a man who said to his wife: 'I have no need of you.' Makḥūl said: It is nothing.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ شُعْبَةَ، قَالَ: سَأَلْتُ الْحَكَمَ، وَحَمَّادًا، عَنْ رَجُلٍ قَالَ لِامْرَأَتِهِ: اذْهَبِي حَيْثُ شِئْتُ، لاَ حَاجَةَ لِي فِيكِ، قَالَ: إِنْ نَوَى طَلاَقًا فَوَاحِدَةٌ، وَهُوَ أَحَقُّ بِهَا

[17991] Abū Bakr narrated to us, saying: Wakīʻ narrated to us, from Shuʻbah, who said: I asked Al-Ḥakam and Ḥammād about a man who said to his wife: 'Go wherever you wish, I have no need of you.' He said: If he intended divorce, it is one, and he has more right to her.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حَفْصٌ، عَنِ الْحَسَنِ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: اخْرُجِي، اسْتَتِرِي، اذْهَبِي لاَ حَاجَةَ لِي فِيكِ، فَهِيَ تَطْلِيقَةٌ إِنْ نَوَى الطَّلاَقَ

[17992] Abū Bakr narrated to us, saying: Ḥafṣ narrated to us, from Al-Ḥasan, regarding a man who said to his wife: 'Get out, veil yourself, go, I have no need of you.' (He said): It is a divorce if he intended divorce.

[17993] Abū Bakr narrated to us, saying: Abū Dāwūd al-Ṭayālisī narrated to us, from Hishām, from Maṭar, from ‘Ikrimah, regarding a man who said to his wife: 'Join your family.' He said: This is one (divorce). Qatādah said: I do not count this as anything.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا أَبُو دَاوُدَ الطَّيَالِسِيُّ، عَنْ هِشَامٍ، عَنْ مَطَرٍ، عَنْ عِكْرِمَةَ فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: الْحَقِي بِأَهْلِكِ قَالَ: هَذِهِ وَاحِدَةٌ، فَقَالَ قَتَادَةُ: مَا أَعُدُّ هَذَا شَيْئًا

[17994] Abū Bakr narrated to us, saying: Ḥumayd ibn ‘Abd al-Raḥmān narrated to us, from Ḥasan ibn Ṣāliḥ, from Muṭarrif, from Al-Ḥakam, regarding a man who said to his wife: 'I have let you go.' He said: (It depends on) his intention. He said: What if he intended three? He said: I fear that it would be so.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا حُمَيْدُ بْنُ عَبْدِ الرَّحْمَنِ، عَنْ حَسَنِ بْنِ صَالِحٍ، عَنْ مُطَرِّفٍ، عَنِ الْحَكَمِ، فِي رَجُلٍ قَالَ لِامْرَأَتِهِ: قَدْ خَلَّيْتُ سَبِيلَكِ قَالَ: نِيَّتُهُ، قَالَ: أَرَأَيْتَ إِنْ نَوَى ثَلَاثًا، قَالَ: أَخَافُ أَنْ يَكُونَ ذَلِكَ

[17995] Abū Bakr narrated to us, saying: Ibn Mahdī narrated to us, from Ḥammād ibn Salamah, from Ḥajjāj, from Fuḍayl, from Ibrāhīm, who said: If he says: 'I have no way over you,' it is an irrevocable divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ مَهْدِيٍّ، عَنْ حَمَّادِ بْنِ سَلَمَةَ، عَنْ حَجَّاجٍ، عَنْ فُضَيْلٍ، عَنْ إِبْرَاهِيمَ قَالَ: "إِذَا قَالَ: لاَ سَبِيلَ لِي عَلَيْكِ فَهِيَ تَطْلِيقَةٌ بَائِنَةٌ

[17996] Abū Bakr narrated to us, saying: Ibn Mahdī narrated to us, from Isrā'īl, from Jābir, from 'Āmir, similar to it.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا ابْنُ مَهْدِيٍّ، عَنْ إِسْرَائِيلَ، عَنْ جَابِرٍ، عَنْ عَامِرٍ، مِثْلَهُ

[17997] Abū Bakr narrated to us, saying: Wakī' narrated to us, from Sufyān, from Manṣūr, from Ibrāhīm, and from Jābir, from 'Āmir, and from 'Imrān ibn Muslim, from Ibn 'Affān, from Muṣ'ab ibn Sa'd, Abū Mālik, and 'Abd Allāh ibn Shaddād, who (all) said: If a man divorces his wife three times while she is pregnant, she is not lawful for him until she marries another husband.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ مَنْصُورٍ، عَنْ إِبْرَاهِيمَ، وَعَنْ جَابِرٍ، عَنْ عَامِرٍ، وَعَنْ عِمْرَانَ بْنِ مُسْلِمٍ، عَنِ ابْنِ عَفَّانَ، عَنْ مُصْعَبِ بْنِ سَعْدٍ، وَأَبِي مَالِكٍ، وَعَبْدِ اللَّهِ بْنِ شَدَّادٍ قَالُوا: إِذَا طَلَّقَ الرَّجُلُ امْرَأَتَهُ ثَلاَثًا، وَهِيَ حَامِلٌ لَمْ تَحِلَّ لَهُ، حَتَّى تَنْكِحَ زَوْجًا غَيْرَهُ

[17998] Abū Bakr narrated to us, saying: Jarīr narrated to us, from Mughīrah, from Ibrāhīm, who said: If he writes the divorce with his hand, it becomes obligatory on him.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا جَرِيرٌ، عَنْ مُغِيرَةَ، عَنْ إِبْرَاهِيمَ قَالَ: إِذَا كَتَبَ الطَّلاَقَ بِيَدِهِ، وَجَبَ عَلَيْهِ

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا إِسْمَاعِيلُ ابْنُ عُلَيَّةَ، عَنْ عَلِيِّ بْنِ الْحَكَمِ الْبُنَانِيِّ قَالَ: حَدَّثَنِي رَجُلٌ أَنَّ رَجُلاً كَتَبَ طَلاَقَ امْرَأَتِهِ بِيَدِهِ عَلَى وِسَادَةٍ، فَسُئِلَ عَنْ ذَلِكَ الشَّعْبِيُّ فَرَآهُ طَلاَقًا

[17999] Abū Bakr narrated to us, saying: Ismāʻīl ibn ʻUlayyah narrated to us, from ʻAlī ibn al-Ḥakam al-Bunānī, who said: A man narrated to me that a man wrote the divorce of his wife with his hand on a cushion. Al-Shaʻbī was asked about that, and he considered it a divorce.

حَدَّثَنَا أَبُو بَكْرٍ قَالَ: نا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ، عَنْ عَبْدِ الْمَلِكِ، عَنْ عَطَاءٍ، أَنَّهُ سُئِلَ عَنْ رَجُلٍ أَنَّهُ كَتَبَ طَلاَقَ امْرَأَتِهِ، ثُمَّ نَدِمَ فَأَمْسَكَ الْكِتَابَ، قَالَ: إِنْ أَمْسَكَ فَلَيْسَ بِشَيْءٍ، وَإِنْ أَمْضَاهُ فَهُوَ طَلاَقٌ

[18000] Abū Bakr narrated to us, saying: ʻAbd Allāh ibn Numayr narrated to us, from ʻAbd al-Malik, from ʻAṭāʼ, that he was asked about a man who wrote the divorce of his wife, then regretted it and withheld the writing. He said: If he withheld it, it is nothing, but if he sent it, it is a divorce.