

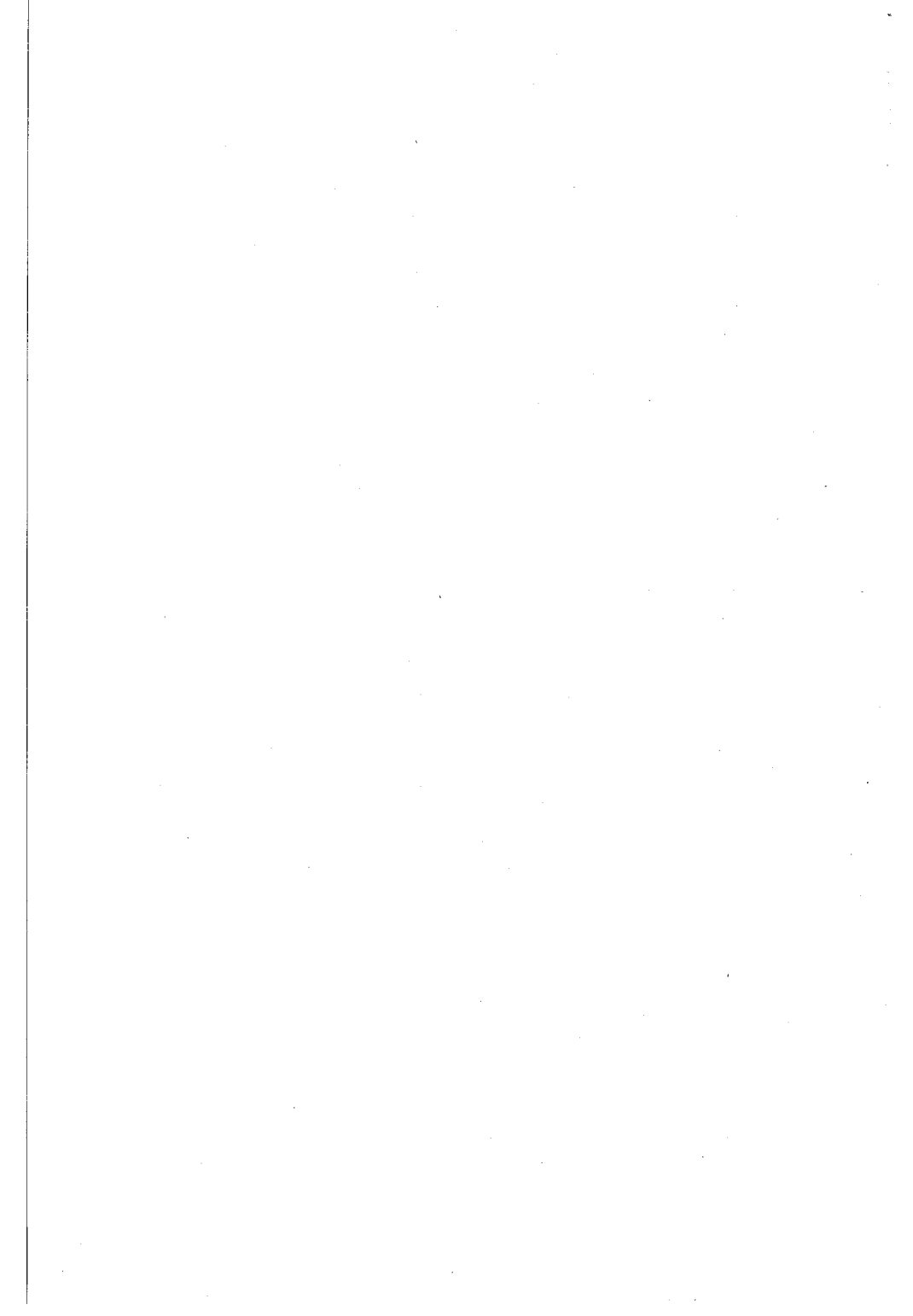
DĀR AS-SUNNAH CLASSIC COLLECTION

NEWBORN BABY GUIDE

Imām ibn Qayyim al-Jawziyyah (d. 751H)



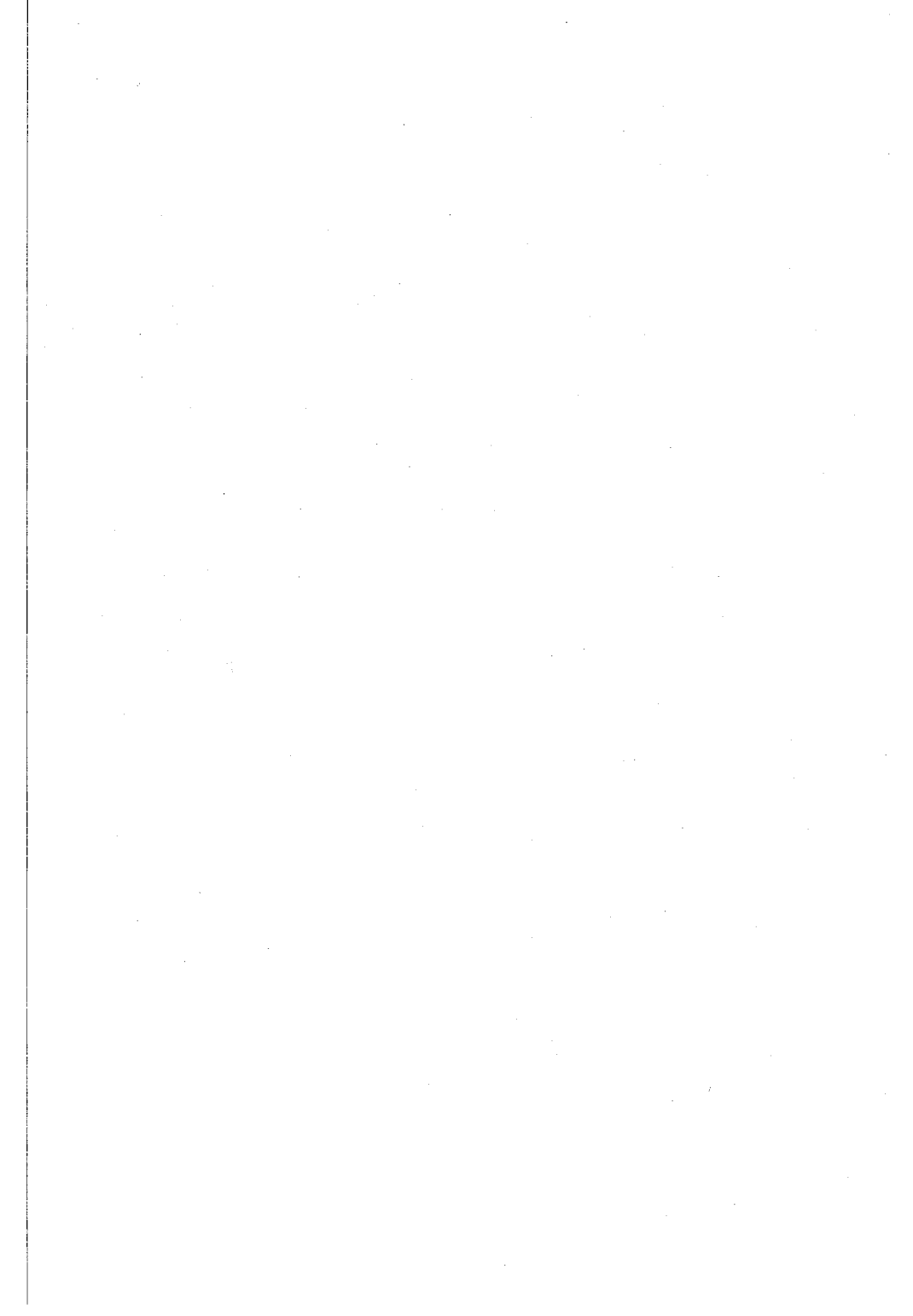
بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



تحفة المودع
بإحكام المولى

تأليف
الإمام أبي عبد الله محمد بن أبي بكر بن أيوب ابن قيس الجوزني

(٦٩١ - ٧٥١)



al-Hāfiẓ Ibn Qayyim al-Jawziyyah (d.751H)

Newborn Baby GUIDE

being a translation of his
'Tuhfatu'l-Mawdūd bi Ahkām al-Mawlūd'



Allāh, the Exalted, said:

*“He gives to whom He wills female
[offspring], and He gives to whom
He wills males [offspring].”*

[QUR'ĀN 42: 49]

Newborn Baby Guide

by
al-Hāfiz Ibn Qayyim al-Jawziyyah (d.751H)



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THE AUTHOR

Ḥāfiz Ibn Qayyim al-Jawziyyah

May Allāh have mercy upon him

His Name:

HE IS THE IMĀM, THE ḤĀFIZ, the exegete, the legal jurist, Shaykh al-Islām: Abū ‘Abdullāh Shamsu-d-Dīn Muḥammad Ibn Abū Bakr—better known as Ibn Qayyim al-Jawziyyah.

His Birth and Education:

He was born into a noble and knowledgeable family on 7th Safar 691H in the village of Zar’, near Damascus, Syria.

From an early age he set about acquiring knowledge of the Islāmic sciences from the scholars of his time. Describing his desire for knowledge, al-Ḥāfiz Ibn Rajab, *Dhayl Ṭabaqāt-l-Ḥanābilah* [4/449] said, ‘He had an intense love for knowledge, for books, publications and writings.’

Ibn Kathīr, *al-Bidāyah wa-n-Nihāyah* [14/235] said, 'He acquired from such books what others could not acquire, and he developed a deep understanding of the books of the Salaf and of the Khalaf.'

His Teachers and Shaykhs:

They include Shihāb an-Nāblusī, Qāḍī Taqī ad-Dīn ibn Sulaymān, from whom he studied ḥadīth; Qāḍī Badr ad-Dīn ibn Jamā'ah; Ṣafī ad-Dīn al-Hindī; Ismā'īl ibn Muḥammad al-Harrānī, from whom he studied fiqh and usūl; and also his father, from whom he learnt the laws of inheritance.

However, the most notable of his teachers was Shaykh al-Islām Ibn Taymiyyah, whom he accompanied and studied under for sixteen years. Al-Hāfiẓ Ibn Kathīr (14/234) said, 'He attained great proficiency in many branches of knowledge; particularly knowledge of tafsīr, ḥadīth, and usūl. When shaykh Taqī ad-Dīn ibn Taymiyyah returned from Egypt in the year 712H, he stayed with the shaykh until he died; learning a great deal of knowledge from him, along with the knowledge that he had already occupied himself in attaining. So he became a unique scholar in many branches of knowledge.'

His Manners and Worship:

Many of his students and contemporaries have born witness to his excellent character and his manners of worship. Ibn Rajab (4/450) said,

He - may Allāh have mercy on him - was constant in worship and performing the night prayer, reaching the limits in lengthening his prayer and devotion. He was

constantly in a state of *dhikr* and had an intense love for Allāh. He also had a deep love for turning to Allāh in repentance, humbling himself to Him with a deep sense of humility and helplessness. He would throw himself at the doors of Divine obedience and servitude. Indeed, I have not seen the likes of him with regards to such matters.

Ibn Kathīr (14/234) said,

He was constant in humbly entreating and calling upon his Lord. He recited well and had fine manners. He had a great deal of love and did not harbour any envy or malice towards anyone, nor did he seek to harm or find fault with them. I was one of those who most often kept company with him and was one of the most beloved of people to him. I do not know of anyone in the world in this time, who is a greater worshipper than him. His prayer used to be very lengthy, with prolonged bowing and prostrations. His colleagues would criticise him for this, yet he never retorted back, nor did he abandon this practice. May Allāh bestow His mercy upon him.

His Students and Works:

Amongst his most prominent students were: Ibn Kathīr (d.774H), adh-Dhahabī (d.748H), Ibn Rajab (d.751H) and Ibn ‘Abdu-l-Hādī (d.744H), as well as two of his sons, Ibrāhīm and Sharafu-d-Dīn ‘Abdullāh.

Ibnu-l-Qayyim authored over sixty works. His books and writings are characterised by their touching address to the heart and soul, as well as their accuracy, precision, strength of argument and

depth of research.

In the field of fiqh and usūl, his writings include: *ʿIlmu-l-Muwaqqihīn*; *Turuqu-l-Hukmiyyah*; *Ighāthatu-l-Lahfān*; *Tuhfatu-l-Mawlūd*; *Aḥkām Ahlu-l-Dhimmah*; and *al-Furūsiyyah*.

In the field of ḥadīth and sīrah they include: *Tahdhīb Sunan Abī Dāwūd*; *al-Manāru-l-Munif*; *Fawāʿid al-Ḥadīthiyyah*; *Jalāʿu-l-Aḥbām*; and *Zādu-l-Maʿād*.

In the field of beliefs: *Ijtimāʿ al-Juyūsh al-Islāmiyyah*; *as-Sawāʿiqu-l-Mursalab*; *Shifāʿu-l-ʿAlīl*; *Ḥādīyu-l-Arwāḥ*; *al-Kāfiyat-u-sh-Shāfiyyah*; and *Kitāb ar-Rūḥ*.

In the field of akhlāq (morals) and tazkiyah (purification): *Madāriju-s-Sālikīn*; *ad-Dāʿ wa-d-Dawāʿ*; *al-Wābilu-s-Ṣayyib*; *al-Fawāʿid*; *Risālatu-t-Tabūkiyyah*; *Miftāḥ Dār as-Saʿādab*; and *ʿUddatu-s-Ṣābirīn*.

In the sciences of the Qurʾān: *at-Tibyān fī Aqsāmi-l-Qurʾān*; and *Amthāl al-Qurʾān*.

In language and miscellaneous issues: *Badāʿi al-Fawāʿid*.

Two books have also been written collating the exegetical comments of ibn al-Qayyim from his various works: *Tafsīr al-Qayyim* and *Tafsīr al-Munīr*.

A few of his works have also been translated into the English language.

Statements of the Scholars about him:

Ibn Rajab (4/44) said,

He had deep knowledge concerning tafsīr and the fundamentals of the religion, reaching the highest degree concerning them both. Similar was the case in the field of ḥadīth, with regards to understanding its meanings, subtleties and deducing rulings from them. Likewise was the case in the field of fiqh and its usūl, as well as the Arabic language. He did a great service to these sciences. He was also knowledgeable about rhetoric, grammar, and *sulūk* as well as the subtleties and details that occur in the speech of the people of *tasawwuf*.

Al-Ḥāfiẓ Ibn Ḥajar, *ad-Duraru-l-Kāminah* (4/21),

He possessed a courageous spirit as well as vast and comprehensive knowledge. He had deep knowledge concerning the differences of opinions of the Scholars and about the ways of the Salaf.

Ibn Ḥajar also said in his commendation to *ar-Raddu-l-Wāfir*,

And if there were no virtues of shaykh Taqī ad-Dīn [Ibn Taymiyyah], except for his famous student, shaykh Shamsu-d-Dīn ibn Qayyim al-Jawziyyah - the author of many works, which both his opponents and supporters benefited from - this would be a sufficient indication of his [Ibn Taymiyyah's] great position.

al-Ḥāfiẓ Ibn Nāṣir ad-Dimishqī, *ar-Raddu-l-Wāfir* [p. 69] said,

He possessed knowledge of the sciences, especially

tafsīr and usūl.

He also said:

Abū Bakr Muḥammad Ibn al-Muhib said, as found in his letter, "I said in front of our Shaykh, al-Mizzī, 'Is Ibnu-l-Qayyim at the same level as Ibn Khuzaymah?' He replied, 'He is in this time, what Ibn Khuzaymah was in his time.'"

As-Suyūṭī, *Bughyatu-l-Wi'āt* [1/62] said,

His books had no equal and he strove and became one of the great Imāms in [the field of] tafsīr, ḥadīth, the Book, the Sunnah, furū', and the Arabic language.

'Alī al-Qārī, *al-Mirqāt* [8/251],

It will be clear to whoever aspires to read the explanation of *Manāẓilu-s-Sā'irīn* [i.e. *Madārīj as-Sālikīn*], that they [Ibn Taymiyyah and Ibnu-l-Qayyim] are from the great ones of *Ahlu-s-Sunnah wa-l-Jamā'ah*, and from the *awliya'* of this Ummah.

Qāḍī Burhān ad-Dīn az-Zur'ā said as quoted from him in *Dbayl Tabaqāt al-Hanābilah*,

There is none under the heavens who has greater knowledge than he.

His Death:

Imām Ibnu-l-Qayyim passed away at the age of sixty, on the 13th night of Rajab, 751H, may Allāh shower His Mercy upon him.

Some of his fine works have been translated and published in English under the Dār as-Sunnah Ibn Qayyim series:

- Trials and Tribulations
- Characteristics of the Hypocrites
- Paragons of the Qur'ān
- Inner Dimensions of the Prayer
- Heartfelt Advice to a Friend

INTRODUCTION

With the Name of Allāh, the All-Merciful, the Most Merciful

All praise is due to Allāh, the Most High, the Most Great, the Most Forbearing, the Most Generous, the Most Forgiving and the Most Merciful.

All praise is due to Allāh, Lord of the worlds; the Most Merciful the Most Gracious; Sovereign of the Day of Recompense. He began the creation of man from an extract of clay. Then He placed him as a sperm-drop in a firm lodging. Then He made the sperm-drop into a clinging clot, and He made the clot into a morsel of flesh. He then made from it, bones of different shapes as foundation for this firm construct. Like clothing, He then covered the bones with flesh; thereafter developing him into another creation. So blessed is Allāh, the best of creators!

Glory is to Him, Whose Power covers everything, and Whose Will takes effect over His creation in order to direct its affairs, and Who has the exclusive dominion of the Heavens and Earth; He

creates what He Wills:

يَهَبُ لِمَن يَشَاءُ إِنثًا وَيَهَبُ لِمَن يَشَاءُ الذَّكَورَ ﴿٤٩﴾

“He gives to whom He wills female [offspring], and He gives to whom He wills males [offspring].”

[*al-Shurā* (42): 49]

And blessed is He, the Most High, the Most Great, the Most Forbearing, the Most Generous, the Hearing, and the Knowing:

هُوَ الَّذِي يُصَوِّرُكُمْ
فِي الْأَرْحَامِ كَيْفَ يَشَاءُ لَا إِلَهَ إِلَّا هُوَ الْعَزِيزُ الْحَكِيمُ ﴿٦﴾

“It is He who forms you in the wombs however He wills. There is no deity except Him, the Exalted in Might, the Wise.”

[*Āl-‘Imrān* (3): 6]

I bear witness that there is no deity except Allāh alone; having no partner. A deity high above having an equivalent or a match; exalted is He above resembling His creation.

لَيْسَ كَمِثْلِهِ شَيْءٌ وَهُوَ السَّمِيعُ الْبَصِيرُ ﴿١١﴾

“There is nothing like unto Him, and He is the Hearing, the Seeing.”

[*al-Shurā* (42): 11]

And I bear witness that Muḥammad is His servant and Messenger, the best of whom He created and entrusted with His revelation, and made His proof against His servants. He sent him as mercy for all beings, a role model for those who work

righteousness, and set him as a goal aspired by those walking the Straight Path. Through him, He guided people away from error, educated them away from ignorance, increased [provisions] for them after [conditions of] scarcity, honoured them after humility, and enriched them after poverty. Through his Message, he opened eyes that were blind, ears that were deaf and hearts that were covered. He conveyed the Message, fulfilled the duty and gave sincere counsel to the nation until the requirements became clear, the laws of Islām were established, the party of Allāh was honoured, and the party of the devil was humiliated. And thus, the face of time shined with beauty, darkness turned into light, and every lost soul found guidance.

May Allāh bestow His Blessings upon the Prophet (ﷺ), and may His Angels, Prophets, Messengers and believing servants ask of Him to do so, as much as he held onto the *tawhīd* of Allāh, connected people with Him and invited them towards Him. May the peace and mercy of Allāh be upon him.

Allāh, the Exalted, diversified His provisions for man—from his entering into this wordly life, until he reaches the home of permanent abode in the Hereafter. Even in the three stages of darkness before that; when His Commands took effect for him to come into existence. Thereafter, his detachment from his mother's womb, His subsidiary Commands begin concerning him—addressed primarily to his parents or guardian responsible for raising him and looking after his welfare. Allāh Exalted, has issued exhortation to his caretakers for as long as the child remains under their custody and for which they are accountable rather than the child. Upon reaching puberty, he becomes dispensed of the [divine] Commands and his actions commence being recorded. He becomes subjected to the rules and regulations that govern both, Muslims

and non-Muslims, and his preparations for life begin—a journey that will inevitably lead him either to the home of prosperity [i.e. Paradise] or the house of wretchedness [i.e. Hellfire].

Days and nights pass until he finally reaches the eternal abode he was destined and guided towards throughout his life. When he reaches the final stage, he arrives at the home that was prepared for him before his arrival; either the house of his wretchedness or his prosperity. It is there he puts down the travelling cane and settles down; either the house of justice becomes his shelter, or the house of prosperity becomes his residence.

In this book, we sought to mention the requirements concerning the child after the period of his birth and prior to puberty. This includes his aqīqah and its requirements, shaving of his head, providing him with a name, circumcising him, rules regarding his urine, piercing of his ear, detailed requirements of raising him and the stages of his growth; from being a sperm-drop until his settlement in either Paradise or the fire of Hell. This book turned out to be lengthy and novel in its meaning, containing benefits that are rarely found anywhere else. Unique gems of interpretations, ḥadīths that are necessary to be studied, understood and collected, cases of juristic discourse that are difficult for the student to comprehend, as well as points of wisdom that are essential to be aware of.

It is an enjoyable book to read, fascinating to look through, and bringing benefit for this life and the Hereafter. Its content is necessary for everyone who is granted children. I ask Allāh for correctness and guidance to the way of right conduct, for He is Most Generous and Bountiful.

I entitled it [*Newborn Baby Guide*] *A Gift to the Loved One Regarding*

Requirements of the Newborn' and I ask Allāh, the Exalted, to make it sincere for His Honourable Countenance.

I divided it into seventeen chapters [as follows]:

- Chapter 1: Desirability of seeking children
- Chapter 2: Disapproval of resenting having female children
- Chapter 3: Desirability of extending glad tidings to those who are granted children and congratulating them.
- Chapter 4: Desirability of uttering the *adhān* and *'iqāmah* in the child's ears
- Chapter 5: Desirability of *Tabnik*
- Chapter 6: *'Aqiqah* and its requirements; Difference of views on its obligation and the evidence of each side
- Chapter 7: Shaving the child's head, and donating the weight of his hair
- Chapter 8: Naming the child, its timing and its requirements
- Chapter 9: Requirements of circumcision of the child
- Chapter 10: Piercing the ear of the boy and girl
- Chapter 11: Urine of young boys and girls prior to weaning
- Chapter 12: An infant's saliva and spittle; is it pure or not since infants do not wash their mouths despite frequent vomiting
- Chapter 13: Permission to carry children in prayers, even while purity of their clothing is unknown
- Chapter 14: Encouraging parents to kiss their children
- Chapter 15: Obligation to discipline and educate children, and to treat them fairly
- Chapter 16: Useful topics in child education
- Chapter 17: The stages of child growth from sperm-drop until entering the final abode.

CHAPTER ONE

Desirability of Seeking Children

Allāh, the Exalted, said:

فَأَنْتَنَ بَشِيرُونَ وَابْتَغُوا مَا كَتَبَ اللَّهُ لَكُمْ

“So now, have relations with them and seek that which Allāh has decreed for you.”

[*al-Baqarah* (2): 187]

Shu‘bah narrated from Al-Ḥakam from Mujāhid that it [seeking what Allāh has decreed] refers to the child (*walad*).

The same was said by Al-Ḥakam, ‘Ikrimah, Al-Ḥasan al-Baṣrī, Al-Suddī and Al-Daḥḥāk.

The strongest among what is narrated is by Muḥammad Ibn Sa‘d from his father: ‘My uncle told me, narrating from his father that Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) said: “It refers to the child.”’¹

Ibn Zayd said: ‘It refers to copulation (*jimā‘a*).’

¹ Ibn Jarīr in his *Jāmi‘ al-Bayān*, 2/98, however it is weak.

Qatādah said: ‘Seek the concession (*rukṣah*) that Allāh has decreed for you.’

There is another narration from Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) where he stated: ‘[It refers to] the Night of Decree (*laylat al-qadr*).’²

The truth is: When Allāh lightened [the hardship] for the *um-mah*, by allowing allowing martial relations on the night preceding fasting until dawn - and since those engaging in martial relations are overwhelmed by the desire (*shahwa*) for pleasure and fulfilling their needs, so much so that nearly nothing else enters their minds—Allāh the Exalted guided them to seek His satisfaction in such pleasure, rather than merely for the pleasure, but to seek the rewards that Allāh has decreed for them, and the child that comes out of their backbones² to worship Allāh alone. In addition, He guided them to seek the seek the exception (*rukṣah*) He allowed for them, for He likes that His concessions are accepted, and Allāh loves those who take to His concessions, just as He hates to be disobeyed. He also decreed *laylat al-qadr* for them, and they were commanded to seek it.

Yet it could be asked: How does *laylat al-qadr* relate to allowing relations with the wife?

The answer is: It guides them not to be distracted by the allowed copulation to seek this night, which is better than a thousand months. It is as if Allāh the Exalted is saying: Fulfil your desire of your wives the night preceding fasting, but do not let that distract you from seeking what Allāh decreed for you of this night, with which He preferred them; and Allāh knows best.³

² Meaning the semen fluid that proceeds to impregnate.

³ Muslim scholars usually conclude their speeches with “*Allāb knows best*” or “*Success is from Allāb*”.

Anas (*radīy Allāhu ‘anhu*) said: “The Messenger of Allāh (ﷺ) used to command us to get married, and severely forbade celibacy. He said: “Marry the loving (*al-wudūd*) and the fertile (*al-wulūd*), for I will take pride of your great numbers before the other Prophets on the Day of Resurrection.”⁴

Ma‘qil Ibn Yassār (*radīy Allāhu ‘anhu*) narrated: ‘A man came to the Prophet (ﷺ) and said: “I have found a woman who is of good lineage and beautiful, but she cannot have children. Should I marry her?” He said: “No.” Then he came to him a second time, and he told him not [to marry the woman]. He then came to him a third-time and so he was told: “Marry the loving and the fertile, because through you, I will compete with the nations for superiority in numbers.”⁵

‘Abdullāh Ibn ‘Amr (*radīy Allāhu ‘anhu*) narrated that the Messenger of Allāh (ﷺ) said: ‘Marry the fertile woman, for I will take pride of your great numbers on the Day of Resurrection.’

‘A’ishah (*radīy Allāhu ‘anhā*) said, narrating from the Prophet (ﷺ): ‘Marriage is part of my Sunnah, and whoever does not follow my Sunnah is not from me. Get married, for I will compete with the nations for superiority in numbers.’⁶

Hammād Ibn Salamah narrates from ‘Āṣim, from Abū Ṣāliḥ, on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) said: ‘A servant will have his rank (*darajah*) raised and will say, “O my Lord how has this come about for me?” And it will be

⁴ Ahmad in his *Musnad*, #12202. Ibn Ḥibbān ruled it as ṣaḥīḥ, 3/338, and Al-Haythamī in *‘Majma’ al-Zawā’id*, 4/474.

⁵ Abū Dāwūd, #250; Al-Nasā’ī, #3227. Ibn Ḥibbān ruled it as ṣaḥīḥ, 9/363 and Al-Albānī in *‘Ṣaḥīḥ al-Targhib’*, #1921.

⁶ Ibn Mājah, #1508. Al-Albānī ruled it as ḥasan in his checking of Ibn Mājah.

said: “Through your son after you seeking forgiveness for you.”⁷

Among further motivations in seeking children is what has been recorded by Imām Muslim in his ‘*Ṣaḥīḥ*’. He narrated from Abū’l-Hassān who said: ‘My two children died, so I said to Abū Hurayrah: “Would you narrate to me anything from Allāh’s Messenger (ﷺ) a ḥadīth that will soothe our hearts in our bereavement?” He said: “Yes. Small children are the *da‘āmīs*⁸ of Paradise. If one of them meets his father [or he said his parents] he would take hold of his garment, or he said with his hand as I take hold of the hem of your cloth [with my hand]. And the child will not let go of it until Allāh causes him and his father to enter Paradise.”’⁹

Mu‘āwiyah Ibn Qurrah (*radīy Allāhu ‘anhu*) narrated on the authority of his father that a man used to come to the Prophet (ﷺ) with his son. The Prophet (ﷺ) asked him: ‘Do you love him?’ He said: ‘O Messenger of Allāh, may Allāh love you like I love him.’ Then another time, the Prophet (ﷺ) noticed the child was missing and so he asked: ‘Where is the son of so-and-so?’ They replied: ‘O Messenger of Allāh, he has died.’ The Prophet (ﷺ) said to the father: ‘Would you not like to come to one of the gates of Paradise and find him there waiting for you?’ The man said: ‘O Messenger of Allāh is this especially for me or for all of us?’ He (ﷺ) said: ‘Rather it is for all of you.’¹⁰

⁷ Ibn Mājah, #3660. Al-Albānī ruled it as ḥasan in his checking of Ibn Mājah, and his ‘*Silsilat al-Ṣaḥīḥah*’, #1598.

⁸ Ibn Athīr said: ‘*Da‘āmīs* is the plural of *da‘mūs*, which refers to a small creature that lives in ponds. *Da‘mūs* also refers to the one who wanders around (i.e. able to go everywhere in *Jannah*), entering all places and not being barred from any place...’ See *Al-Nihāyah*, 2/279.

⁹ Muslim, #2635

¹⁰ Aḥmad in his *Musnad*, 3/436. It was ruled as ṣaḥīḥ by Al-Ḥākim, 1/541. See also Al-Albānī, ‘*Ṣaḥīḥ al-Targhib*’, #1756.

Imām Aḥmad said that ‘Abdu’l-Ṣamad narrated from ‘Abd Rabbuh Ibn Bāriq Al-Ḥanafī, from Sammāk, from Abū Zumayl Al-Ḥanafī, on the authority of Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) that he heard the Messenger (ﷺ) say: ‘Whoever from my *ummah* that loses two infants, then Allāh in return will enter him into Paradise.’ ‘A’ishah (*radīy Allāhu ‘anha*) asked: ‘What about the one who has lost one infant from among your *ummah*?’ He replied: ‘The one that loses only one infant shall prosper.’ ‘A’ishah (*radīy Allāhu ‘anha*) then inquired: ‘What of those who have not lost any children from among your *ummah*?’ He replied: ‘I shall be the excess loss for him in the Hereafter, for my loss [i.e. due to my death] will be felt similarly [to losing one’s family and children].’¹¹

In both Al-Bukhārī and Muslim, it is narrated on the authority of Abū Sa’īd Al-Khudrī (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) said: ‘Any woman who loses three of her children, they will be a shield for her against the Fire [of Hell].’ A woman asked: ‘And two?’ He replied: ‘And two.’¹²

In Muslim, a similar ḥadīth is narrated on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*).¹³ The same ḥadīth was also conveyed by Ibn Mas’ūd (*radīy Allāhu ‘anhu*)¹⁴ and Abū Barazah Al-Aslamī (*radīy Allāhu ‘anhu*).

¹¹ Tirmidhī, 1#062, who said it was ḥasan gharīb. Ibn Rajab said the narration has supporting witness (via another chain), ‘*Tasīyāt al-Nufūs*’, 2/397; Aḥmad Shākir ruled it ṣaḥīḥ in his checking of Imām Aḥmad’s *Musnad*, 5/39. Al-Albānī ruled it weak in his checking of al-Tirmidhī, see also, ‘*Mukhtasar al-Shamā’il*’, #334. However the full version of *al-Shamā’il* is translated in English, ‘The Sublime Beauty of the Prophet (ﷺ)’ of Imām Trimidhī published by Dār us-Sunnah Publishers, Birmingham, U.K, 1st ed, 2020.

¹² Bukhārī, #99 and Muslim, #4786

¹³ Muslim, #2636

¹⁴ Aḥmad in his *Musnad*, 1/421 and others

Also Al-Bukhārī and Muslim narrated on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) said: ‘Any Muslim, three of whose children die before puberty, and he resigns himself calmly to the will of Allāh, the Fire will not touch him but for the fulfilment of the oath.’¹⁵

Al-Bukhārī also narrated on the authority of Anas (*radīy Allāhu ‘anhu*) that the Messenger (ﷺ) said: “Any Muslim who loses three children before they reach the age of maturity, will be granted Paradise by Allāh, the Exalted, out of His mercy for them.”¹⁶

In Muslim, a ḥadīth is narrated on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) who said: ‘A woman came to the Messenger of Allāh (ﷺ) with a child [who was sick]. She said: “Make supplication for him, as I have already buried three children [already].” He said: “You have buried three?” She said: “Yes.” He said: “You have built a strong barrier against the Fire.”’¹⁷

The child benefits his parents, whether he lives after them or dies before them.

Muslim has also narrated on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Messenger of Allāh (ﷺ) said: ‘When a man dies, his deeds come to an end, except for three: An ongoing charity, knowledge by which people derive benefit, a pious child who prays for him.’¹⁸

¹⁵ Bukhārī, #1251 and Muslim, #2632

¹⁶ Bukhārī, #1248

¹⁷ Muslim, #2636.

¹⁸ Muslim, #1631.

Section One

If someone said: What do you say regarding the saying of Allāh, the Exalted:

وَأِنْ خِفْتُمْ أَلَّا تَقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا
مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مِمَّا بَيْنَ يَدَيْكُمْ وَأَنْكِحُوا الْيَتَامَىٰ
فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَلِكَ بَدَأَ اللَّهُ
لَكُمْ آيَاتِهِ لَعَلَّكُمْ تَعْقِلُونَ ﴿٤﴾

“And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four. But if you fear that you will not be just, then [marry only] one or those right hand possesses. That is more suitable that you may not incline [to injustice].”

[*al-Nisā'* (4):3]

Al-Shāfi‘ī said interpreting the word: ‘تَمُولُوا’ ‘*ta‘ūlū*’ in the above-mentioned verse: ‘that your children may not grow in number,’ does that not mean that the fewer children you have the better!

The answer is: Al-Shāfi‘ī—may Allāh have mercy on his soul—has said that, and he was opposed by the majority of interpreters, both the ancient and the modern. They said that the verse means: ‘That is more suitable that you may not incline to injustice.’ It also refers to the division of inheritance, because the heirs increase in number. Another derivation of the word is ‘to be in need.’ Allāh the Exalted said:

وَأِنْ خِفْتُمْ عَيْلَةً فَسَوْفَ يُغْنِيكُمُ اللَّهُ مِنْ فَضْلِهِ إِنَّهُ
غَنِيٌّ غَنِيًّا

“And if you fear poverty, Allāh will enrich you from

His bounty if He wills.”

[*Tawbah* (9):28]

In addition, a poet said:

The poor knows not when his richness will be
and the rich knows not when he will be in need.

As for the increase in the number of children, it is derived from a completely different root.¹⁹

Al-Wāḥidī said in his book *al-Tafsīr al-Basīṭ* that ‘*ta’ūlū*’ تَعُولُوا means *to be unfair*, as related by all scholars of interpretation (*ahlu’l-tafsīr*) and linguistics (*lugha*).

This was also narrated from the Prophet (ﷺ). ‘A’ishah (*radīy Allāhu ‘anḥā*) narrated that the Prophet (ﷺ) said: in interpretation of ‘*ta’ūlū*’ تَعُولُوا that it means *to be unfair*.²⁰

It was also narrated that it means *to incline*.

This is the opinion of Ibn ‘Abbās (*radīy Allāhu ‘anhumā*), Al-Ḥasan, Qatādah, Al-Rabī‘, Al-Suddī, Abū Mālik, ‘Ikrimah, Al-Farrā’, Al-Zajjāj, Ibn Qutaybah and Ibn Al-Anbārī.

In addition, supporting this interpretation of the verse, despite that Al-Shāfi‘ī’s opinion is seen by Al-Kisā‘ī, as narrated by Al-Farrā’, as fluent Arabic, the former opinion is preferred for a number of reasons:

1. It is the prevalent interpretation in the language, besides

¹⁹ There were more details on this but they are very difficult to translate and pointless to someone who does not speak Arabic.

²⁰ Ibn Ḥibbān, #4029 and others, however it is weak

which there is almost no other, except in Al-Kisā'ī's opinion, who was opposed by all the other linguistic scholars.

2. It is narrated from the Prophet (ﷺ), which strengthens this view, even if it were the less common.

3. It is narrated from 'A'ishah (*radīy Allāhu 'anhā*) and Ibn 'Abbās (*radīy Allāhu 'anhumā*), and no interpreter has ever disagreed with them. Al-Ḥākim Abū 'Abdullāh said: 'We regard the interpretation of the Companion [of the Prophet (ﷺ)] as something narrated from the Prophet (ﷺ) himself.'

4. The aforementioned evidence regarding the desirability of seeking children and the Prophet (ﷺ) boasting of his nation's number on the Day of Judgment refutes this interpretation.

5. The context of the verse is to move people away from where they fear injustice. Allāh said in the beginning of the verse:

وَإِنْ خِفْتُمْ أَلَّا تُقْسِطُوا فِي الْيَتَامَىٰ فَانكِحُوا
مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَثْنًا وَثُلَاثًا وَرُبْعًا

“And if you fear that you will not deal justly with the orphan girls, then marry those that please you of [other] women, two or three or four.”

[*al-Nisā'* (4): 3]

Therefore, Allāh the Exalted guided them away from being unfair to orphan girls to marry what they desire of adult women, and he allowed them up to four wives. Then He guided them away from being unfair and unjust in treating them, He said:

فَإِنْ خِفْتُمْ أَلَّا تُعَدِلُوا فَوَاحِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ

“But if you fear that you will not be just, then [marry only] one or those your right hand possesses.”

[*al-Nisā'* (4): 3]

Then He—in His Exaltedness—said that marrying only one or a slave girl is more suitable to avoiding unfairness, which is explicit in the interpretation.

6. It does not fit the meaning to say: If you fear that you will not be just between four wives, and then marry only one as much as you want of those your right hand possesses, for this is more suitable that your children may not grow in number. The latter part does not fit with the former.

7. It is not logical to be told: If you fear that you will not be just between four wives, then you may have a hundred slave girls or more as concubines, for this is more suitable that your children may not grow in number.

8. Allāh's saying:

ذَلِكَ أَذَىٰ لَا تَعْمَلُونَ

“That will be more suitable, to prevent you from doing injustice.”

[*al-Nisā'* (4): 3]

is a justification for each of the preceding provisions, which are moving men away from marrying orphan girls to marrying adult women, and from marrying four wives to marrying just one or slave girls, which is not suitable to be justified by the small number of children.

9. Allāh the Exalted said:

فَإِنْ خِفْتُمْ أَلَّا تَعْدِلُوا

“if you fear that you will not be just...”

[*al-Nisa'* (4): 3]

rather than saying: “*if you fear to become poor or needy.*” If the intended meaning had been having fewer children, this would have been more suitable.

10. When Allāh the Exalted forbids something, and gives a reason to justify it, that reason must be in contrast with the opposite of the justified requirements. He, the Exalted, justified allowing marriage to non-orphans and marrying only one or having slave concubines that they are more suitable to avoiding unfairness. It is known that having many children is not in contrast with the opposite of the justified provision. Allāh knows best.

CHAPTER TWO

Disapproval of Resenting Getting Female Children

Allāh the Exalted said:

لِلَّهِ مُلْكُ
السَّمَوَاتِ وَالْأَرْضِ يَخْلُقُ مَا يَشَاءُ يَهَبُ لِمَنْ يَشَاءُ إِنثًا
وَيَهَبُ لِمَنْ يَشَاءُ الذَّكَورَ ﴿٤٩﴾ أَوْ يَزْوَجَهُمْ ذَكَرًا أَوْ إِنثًا
وَيَجْعَلُ مَنْ يَشَاءُ عَقِيمًا إِنَّهُ عَلِيمٌ قَدِيرٌ ﴿٥٠﴾

“To Allāh belongs the dominion of the heavens and the earth; He creates what He wills. He gives to whom He wills female [children], and He gives to whom He wills males—Or He makes them [both] males and females, and He renders whom He wills barren. Indeed, He is Knowing and Competent.”

[*al-Shurā* (42):49-50]

Therefore, He, the Exalted, divided the states of spouses into four states, and said that whatever children He decreed for them is a gift from Him; it is enough for the servant to be subjected to Allāh’s wrath by resenting His gifts.

He, the Exalted, mentioned females first. Some say that it is to make up to them, for being considered burdensome by parents.

Others say which is better, that He mentioned them first, because the context is that He does what He wills, not what the parents will. For parents mostly want but males, while He, the Exalted, said that He creates what He wills. Therefore, He started by mentioning the kind [female] that He wills while the parents do not want it.

I have another view, and it is that He, the Exalted, gave priority to what the pre-Islamic Ignorance used to put down so much so that they were buried alive; like He is saying: "This kind that you put down and humiliate is preferred, in My sight, to males."

And look how He, the Exalted, mentioned females as an indefinite noun, and the males as definite nouns, so he compensated females by giving them precedence, and compensated the delayed by defining them, for in definition is commendation. It is as He is saying: *"And He gives to whom He wills the mentioned, known knights who are not unknown to you!"*

Then, when he mentioned them together, he gave precedence to the males, in order to give each gender their right of advancing and delaying; Allāh knows best His purpose from that.

We mean to say that resenting getting female children is of the manners of pre-Islāmic Ignorance that was put down by Allāh the Exalted when He said:

وَإِذَا بَشَّرَ أَحَدَهُمْ بِالْأُنثَىٰ ظَلَّ وَجْهَهُ مُسْوَدًّا وَهُوَ كَظِيمٌ
يَنْوَرِي مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَ بِهِ أَيَسْكَبُ عَلَىٰ هُونٍ

أَمْرِدُ شُهُ فِي التُّرَابِ إِلَّا سَاءَ مَا يَحْكُمُونَ ﴿٩١﴾

“And when one of them is informed of [the birth of] a female, his face becomes dark, and he suppresses grief—He hides himself from the people because of the ill of which he has been informed. Should he keep it in humiliation or bury it in the ground? Unquestionably, evil is what they decide.”

[*al-Nahl* (16): 58-59]

And He said:

وَإِذَا بَشَّرَ أَحَدُهُمْ بِمَا ضَرَبَ لِلرَّحْمَنِ مَثَلًا
ظَلَّ وَجْهَهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ﴿٧٧﴾

“And when one of them is given good tidings of that which he attributes to the Most Merciful in comparison, his face becomes dark, and he suppresses grief.”

[*al-Zukhruf* (43): 17]

That is why a fluent man, who was asked by another man: ‘I dreamt that my face was dark.’ He said: ‘Is you wife pregnant?’ He said: ‘Yes.’ He said: ‘She will give birth to a female.’

Muslim has narrated on the authority of Anas Ibn Mālik (*radīy Allāhu ‘anhu*), that the Messenger of Allāh (ﷺ) said: ‘Whoever supports two girls till they attain maturity, he and I will come on the Day of Resurrection like this, and he (ﷺ) joined his fingers illustrating closeness.’²¹

‘Abdu’l-Razzāq narrates, from Mu‘ammar, from Al-Zuhārī on the authority of ‘Urwah Ibn Al-Zubayr that ‘A’ishah (*radīy Allāhu*

²¹ Muslim, #2631

‘*anhā*) said: ‘A woman came to me with her two daughters. She asked me [for charity] but she found nothing with me except one date-fruit, so I gave it to her. She accepted it and then divided it between her two daughters and herself ate nothing out of that. She then got up and went out. When the Messenger of Allāh (ﷺ) came in, and I narrated to him the story, he said: “He who is involved [in the responsibility] of [bringing up] daughters, and he is benevolent towards them, they would become protection for him against Hell-fire.”²²

It is also narrated from Ibn Al-Mubarak, from Mu‘ammar, from Al-Zuharī, from ‘Abdullāh Ibn Abū Bakr Ibn Hazm, on the authority of ‘Urwah, which is the correct version.²³

The ḥadīth is also narrated in *Musnad Aḥmad*.

It also conveys the ḥadīth of Ayyūb Ibn Bashir Al-Anṣārī on the authority of Abū Sa‘īd Al-Khudrī (*radīy Allāhu ‘anhū*) that the Messenger of Allāh (ﷺ) said: ‘Whoever has three daughters, or three sisters, or two daughters, or two sisters and he fears Allāh regarding them and treats them well, then Paradise is for him.’²⁴

Al-Ḥumaydī narrates from Sufyān, from Suhayl Ibn Ṣāliḥ, from Ayyūb Ibn Bashir, from Sa‘īd Al-A‘mash on the authority of Abū Sa‘īd (*radīy Allāhu ‘anhū*) that the Prophet (ﷺ) said: ‘Whoever has three daughters, or three sisters, or two daughters, or two sisters and he keeps good company with them and fears Allāh regarding them, then he will enter Paradise.’²⁵

²² Aḥmad in his *Musnad*, 6/166 and it is ṣaḥīḥ.

²³ Bukhārī, #1418 and Muslim, #2629

²⁴ Aḥmad in his *Musnad*, 3/42, 97, Abū Dāwūd, #5157, #5158 and it is ḥasan

²⁵ Ḥumaydī, #738, Tirmidhī, #1912, Ibn Ḥibbān, #446 and it is weak

Muḥammad Ibn ‘Abdullāh Al-Anṣārī narrates from Ibn Jurayj, from Abū’l-Zubayr, from ‘Umar Ibn Nabḥān, on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Messenger of Allāh (ﷺ) said: ‘Whoever has three daughters, and endures their hardship and their distress will enter Paradise.’²⁶

In one narration, a man replied: ‘O Messenger of Allāh, what about [he who has] two?’ He said: ‘Him too.’ He said: ‘And what about [he who has] one?’ He said: ‘Him too.’

Al-Bayhaqī said conveying from Aḥmad Ibn Al-Ḥasan, from Al-Aṣamm, from Al-Ḥasan Ibn Makram, from ‘Uthmān Ibn ‘Amr, from Al-Naḥḥās, from Shaddād Abū Ammār, on the authority of ‘Awf Ibn Mālik (*radīy Allāhu ‘anhu*) that the Messenger of Allāh (ﷺ) said: ‘Whoever has three daughters, on whom he spends until they get married or die, they will shield him from Hell-fire.’²⁷

‘Alī Ibn Al-Madīnī conveys from Yazīd Ibn Zuray’, from Al-Naḥḥās Ibn Qahm, from Shaddād Abū ‘Ammār, on the authority of ‘Awf Ibn Mālik Al-Ashja’ī, that the Messenger of Allāh (ﷺ) said: ‘Any servant [of Allāh] who has three daughters, on whom he spends until they get married or die, they will shield him from Hell-fire.’ A woman then asked: ‘O Messenger of Allāh, what about [he who has] two?’ He said: ‘Him as well.’

Abū ‘Ammār also narrates on the authority of ‘Awf Ibn Mālik (*radīy Allāhu ‘anhu*) that the Messenger of Allāh (ﷺ) said: ‘I and a woman whose cheeks have become black²⁸ shall in Paradise be like these two [pointing to the middle and forefinger].’²⁹

²⁶ Aḥmad in his *Musnad*, 2/335 and it is weak

²⁷ Aḥmad in his *Musnad*, 6/27, 29, Bayhaqī in his *Shu‘ub al-Imān*, 6/405-406 and it is weak

²⁸ A woman of rank and beauty who has been bereft of her husband and devotes herself to her fatherless children till they are married or die

²⁹ Abū Dāwūd, #5149, Bukhārī in his *Adab al-Mufrad*, #141 and it is weak

Fiṭr Ibn Khalifah narrates from Shurahbīl Ibn Sa'd , on the authority of Ibn 'Abbās (*radīy Allāhu 'anhumā*) that the Messenger of Allāh (ﷺ) said: "Any Muslim who has two daughters to whom he is kind as long as they are in each other's company, they will cause him to enter Paradise."³⁰

'Abdu'l-Razzāq conveys from Mu'ammār, on the authority of Ibn Al-Munkadir that the Prophet (ﷺ) said: "Whoever has three daughters or three sisters, and provided for them, sheltered them and got them married, will enter Paradise." They said: 'What about [he who has] two.' He said: "Him as well" until they thought that if they asked him, 'What about [he who has] one?' He would respond: "Him as well." The chain of narrators for this ḥadīth is incomplete.³¹

'Abdullāh Ibn Al-Mubārak said: 'Conveying from Ḥarmala Ibn 'Imrān, from Abū 'Ushanah, from 'Uqbah Ibn 'Āmir Al-Juhānī (*radīy Allāhu 'anhū*) that the Messenger of Allāh (ﷺ) said: 'Whoever has three daughters and is patient towards them, and feeds them, gives them to drink, and clothes them from his wealth; they will be a shield for him from the Fire on the Day of Resurrection.'³² It is narrated by Aḥmad in his *Musnad*.

Allāh the Exalted said about women:

فَإِنْ كَرِهْتُمُوهُنَّ فَمَسِيئَةٌ
 أَنْ تَكْرَهُوا شَيْئًا وَيَجْعَلَ اللَّهُ فِيهِ خَيْرًا كَثِيرًا ﴿١٩﴾

³⁰ Ibn Abī Shaybah, 8/551, Bukhārī in his *Adab al-Mufrad*, #77 and it is ḥasan

³¹ 'Abdu'l-Razzāq, #19697 and it is weak

³² Aḥmad in his *Musnad*, 4/154, Ibn Mājah, #3669, Bukhārī in his *Adab al-Mufrad*, #76 and it is ṣaḥīḥ.

“For if you dislike them—perhaps you dislike a thing and Allāh makes therein much good.”

[*al-Nisā'* (4):19]

The same applies to daughters as well; there may be good for them in this life and the Hereafter. It is enough to indicate the awfulness of hating them that he who does so hates what Allāh granted him and was satisfied with.

Ṣāliḥ Ibn Aḥmad said “Whenever my father had a female child born, he would say: ‘The Prophets were fathers to female children’ and would say: ‘Allāh and His Messenger said about daughters what you know.’”

Ya‘qūb Ibn Bukhtan said: ‘I had seven daughters. Whenever one of them was born, I would enter upon Aḥmad Ibn Ḥanbal, and he would tell me: “O Abū Yūsuf, the Prophets were fathers to female children,” and it would drive away my sorrow.’ Success is from Allāh.

CHAPTER THREE

Desirability of Bringing Good Tidings to Those Who Receive Children and Congratulating Them

Allāh the Exalted said in the story of Ibrāhīm (*alayhis-salām*):

وَلَقَدْ جَاءَتْ رُسُلَنَا إِبْرَاهِيمَ بِالْبُشْرَى قَالُوا
سَلَامًا قَالَ سَلَامٌ فَمَا لَبِثَ أَنْ جَاءَ بِعِجْلٍ حَنِيذٍ ﴿٦٦﴾ فَلَمَّا
رَأَى أَيْدِيَهُمْ لَا تَصِلُ إِلَيْهِ نَكِرَهُمْ وَأَوْجَسَ مِنْهُمْ خِيفَةً
قَالُوا لَا تَخَفْ إِنَّا أُرْسِلْنَا إِلَى قَوْمِ لُوطٍ ﴿٦٧﴾ وَأَمْرَأَتُهُ قَائِمَةٌ
فَضْحَكَتْ فَبَشَّرْنَاهَا بِإِسْحَاقَ وَمِنْ وَرَاءِ إِسْحَاقَ يَعْقُوبَ ﴿٧١﴾

“And certainly did Our Messengers come to Ibrāhīm with good tidings; they said: “Peace.” He said: “Peace” and did not delay in bringing [them] a roasted calf—But when he saw their hands not reaching for it, he distrusted them and felt from them apprehension. They said: “Fear not. We have been sent to the people of Lot.”—And his Wife was standing, and she smiled. Then We gave her good tidings of Ishāq and after Ishāq, Ya’qūb.”

Until He said:

وَبَرَكَتُهُ عَلَيْكُمْ أَهْلَ الْبَيْتِ إِنَّهُ حَمِيدٌ مَّجِيدٌ ﴿٧٦﴾ فَلَمَّا ذَهَبَ
عَنْ إِبْرَاهِيمَ الرَّوْعُ وَجَاءَتْهُ الْبَشْرَىٰ يُجَادِلُنَا فِي قَوْمِ لُوطٍ ﴿٧٧﴾

“...And when the fright had left Ibrāhīm and the good tidings had reached him, he began to argue with Us concerning the people of Lut.”

[Hūd (11): 69-74]

He also said:

فَبَشَّرْنَاهُ بِغُلَامٍ حَلِيمٍ ﴿١٠١﴾

“So We gave him good tidings of a forbearing boy.”

[al-Ṣāffāt (37):101]

And He said:

وَبَشَّرُوهُ بِغُلَامٍ عَلِيمٍ

“And gave him good tidings of a learned boy.”

[al-Dhāriyāt (51): 28]

And He said:

وَنَبِّئُهُمْ عَنْ ضَيْفِ إِبْرَاهِيمَ ﴿٥١﴾
إِذْ دَخَلُوا عَلَيْهِ فَقَالُوا سَلَامًا قَالَ إِنَّا مِنْكُمْ وَجِئُونَ ﴿٥٢﴾ قَالُوا
لَا تَفْجَلْ إِنَّا نَبِّئُكَ بِغُلَامٍ عَالِمٍ ﴿٥٣﴾ قَالَ أَبَشَّرْتُمُونِي عَلَىٰ أَنْ
مَسَّنِيَ الْكِبَرُ فِيمَا تَبَشِّرُونَ ﴿٥٤﴾ قَالُوا بَشَّرْنَاكَ بِالْحَقِّ
فَلَا تَكُنْ مِنَ الْقَانِطِينَ ﴿٥٥﴾ قَالَ وَمَنْ يَقْنَطُ مِنْ رَحْمَةِ
رَبِّهِ إِلَّا الضَّالُّونَ ﴿٥٦﴾

“And inform them about the guests of Ibrāhīm—When

they entered upon him and said: ‘Peace.’ [Ibrāhīm] said: ‘Indeed, we are fearful of you.’—[The angels] said: ‘Fear not. Indeed, we give you good tidings of a learned boy.’—He said: ‘Have you given me good tidings although old age has come upon me? Then of what [wonder] do you inform?’—They said: ‘We have given you good tidings in truth, so do not be of the despairing.’—He said: ‘And who despairs of the mercy of his Lord except for those astray?’

[*al-Hijr* (15): 51-56]

Allāh the Exalted also said:

يُنزَكِرِيَا
 إِنَّا نُبَشِّرُكَ بِغُلَامٍ اسْمُهُ يَحْيَىٰ لَمْ نَجْعَلْ لَهُ مِنْ قَبْلُ سَمِيًّا

“[He was told]: ‘O Zakariyyā, indeed We give you good tidings of a boy whose name will be Yahyā. We have not assigned to any before [this] name.’”

[*Maryam* (19): 7]

He, the Exalted, also said:

فَنَادَتْهُ الْمَلَائِكَةُ وَهُوَ قَائِمٌ
 يُصَلِّي فِي الْوَحَاءِ أَنَّ اللَّهَ يُبَشِّرُكَ بِيَحْيَىٰ مُصَدِّقًا

“So the angels called him while he was standing in prayer in the chamber: ‘Indeed, Allāh gives you good tidings of Yahyā.’”

[*Al-‘Imrān* (3): 39]

Since the good tidings bring delight and happiness to the person, it is recommended for the Muslim to hurry to bring delight to his brother and inform him of the good news.

When the Prophet (ﷺ) was born, Thuwaybah brought the good tidings to his uncle, Abū Lahab, who was her master. She said: 'Tonight, a boy was born to 'Abdullāh.' He freed her in celebration; Allāh did not let [this action of his] go to waste, and he gave him water to drink, after his death, in the space between his thumb and other fingers.³³

If one missed the opportunity to bring the good tidings, he should offer congratulations.

The difference is that bringing the glad tidings is informing the Muslim of the good news, while congratulation is to pray for him after knowing the good news.

That is why when Allāh revealed the repentance of Ka'b Ibn Mālik (*radīy Allāhu 'anhu*) and his two companions, the news bearer went to him and informed him. Then, when he entered the masjid, people came and congratulated him.³⁴

In pre-Islāmic Ignorance, people used to say in marriage congratulation: 'With harmony and boys.'³⁵

Harmony, means: 'May your marriage bring you concord and harmony.'

Children: They congratulate for the birth of male children in advance.

A person should not congratulate for the birth of male-children

³³ Bukhārī, 9/140

³⁴ Bukhārī, #4418 and Muslim, #2769

³⁵ Nasā'ī, 6/128, Ibn Mājah, 1/614, Dāramī, 2/134 and others.

only and ignore females. He should either congratulate for them both or leave them both, in order to avoid the tradition of the pre-Islāmic Ignorance, since many of them used to congratulate for the birth of a boy and the death of a girl, rather than her birth.

Abū Bakr Al-Mundhir says in *'Al-Awsaṭ'*: It is narrated from Al-Ḥasan Al-Baṣrī that a man entered upon him when another man who had just received a son. He told him: 'Congratulations on [the birth of] the knight.' Al-Ḥasan told him: 'How do you know whether he is a horseman or a donkey-man?' He said: 'What should we say, then?' He said, 'Say: May the gift [you received] be blessed for you, may you be grateful to the Granter, may he or she attain their full strength, and may you enjoy their kindness.'³⁶

Allāh knows best.

³⁶ Ṭabarānī, 2/1243-1244, it is ḥasan and mawqūf to Ḥasan al-Baṣrī.

CHAPTER FOUR

Desirability of Uttering the *Adhān* in the Child's Right Ear, and the *Iqāmah* in his Left Ear

In this regard, there are several traditions:

First: As narrated by Abū 'Abdullāh Al-Ḥākim from Abū Ja'far Muḥammad Ibn Duḥaym, from Muḥammad Ibn Ḥāzim Ibn Abū Gharzah, from 'Ubaydullāh Ibn Mūsā, from Sufyān Ibn Sa'īd Al-Thawrī, from 'Aṣim Ibn 'Ubaydullāh Ibn Rāfi' from his father that he said: 'I saw the Messenger of Allāh (ﷺ) uttering the call to prayer (*adhān*) in the ear of Al-Ḥasan Ibn 'Alī when Fāṭimah gave birth to him.³⁷

Narrated by Abū Dāwūd and Al-Tirmidhī, who said it is a ṣaḥīḥ ḥadīth.

Second: As narrated by Al-Bayhaqī in '*Al-Shu'ab*' on the authority Al-Ḥusayn Ibn 'Alī (*radīy Allāhu 'anhumā*) that the Prophet (ﷺ) said: 'Whoever begets a child and utters the *adhān* in his right ear and the *iqāmah* in his left ear, the Jinn-companion is driven away

³⁷ Abū Dāwūd, #5150, Tirmidhī, #1514, Aḥmad, 6/9, 362, 391 and it is weak

from him [the child].³⁸

Third: What he also narrated from Abū Sa'īd, on the authority of Ibn 'Abbās (*raḍīy Allāhu 'anhumā*) that the Prophet (ﷺ) uttered the *adhān* in the right ear of Al-Ḥasan Ibn 'Alī and the *iqāmah* in his left ear on the day he was born. Al-Bayhaqī said that the chains of narrators for both ḥadīths are weak.³⁹

The reason behind uttering the *adhān*, which Allāh knows best, is to make the first thing a person hears in its words, the glory and might of Allāh, and the creed of Islām which is its first deed. It is as though he or she is inspired by the creed of Islām upon entering this life, just as he or she is inspired by it upon his departure from it.

It is not improbable for the effect of the *adhān* to reach the child's heart and influence it, even if he or she does not feel it at the time. Another benefit of such an act is to repel Satan away with the *adhān's* words; he is waiting for the child to be born in order to accompany him or her throughout the trial, which Allāh had decreed and willed. Therefore, Satan hears what weakens and frustrates him at the first moments of his company.

Another meaning that it entails is to make the invitation to Allāh, His religion of Islām and His worship preceding to the invitation of Satan, just as the nature upon which Allāh created him or her was preceding to Satan's alteration, in addition to other reasons. Allāh knows best.

³⁸ Abū Ya'ālā in his *Musnad*, #6780, Ibn 'Adī in *Kāmil*, 7/2656, al-Bayhaqī in his *Shu'ab al-Imān*, #8619, however it is not established tradition from the Prophet (ﷺ) and therefore should not be attributed to him.

³⁹ al-Bayhaqī in his *Shu'ab al-Imān*, #8620, however it is also not established tradition from the Prophet (ﷺ) and therefore should not be attributed to him.

CHAPTER FIVE

Desirability of *Tabnik*⁴⁰

In both Al-Bukhārī and Muslim, narrated on the authority of Abū Burdah, that Abū Mūsā (*radīy Allāhu ‘anhu*) said: ‘My wife gave birth to a boy, so I took him to the Prophet (ﷺ), who named him Ibrāhīm and performed *tabnik* on him with a date fruit.’

In Al-Bukhārī’s version, he added: ‘He prayed for him to be blessed, and then gave him back to me’. He was the eldest of Abū Mūsā’s children.⁴¹

Also in both Al-Bukhārī and Muslim, that Anas Ibn Mālik (*radīy Allāhu ‘anhu*) said: ‘The son of Abū Ṭalḥah had been ailing. Abū Ṭalḥah set out on a journey and his son breathed his last [in his absence]. When Abū Ṭalḥah came back, he said [to his wife Umm Sulaym]: “How is my child?” Umm Sulaym said: “He is now in a more comfortable state than before.” She served him dinner and he ate. He then came to her [and had sexual intercourse with her] and when it was all over, she said: “Make arrangements for

⁴⁰ *Tabnik*: Slightly rubbing a softened date fruit and then rubbing the inside of the newborn’s palate with it.

⁴¹ Bukhārī, #5467 and Muslim, #2145

the burial of the child.” When it was morning, Abū Ṭalḥah came to Allāh’s Messenger (ﷺ) and informed him, whereupon he said: “Did you spend the night with her.” He said: “Yes.” He then said: “O Allāh, bless both of them.” She [later] gave birth to a child. Abū Ṭalḥah told me [Anas] to take the child, [so I took him] and came to Allāh’s Messenger (ﷺ). Umm Sulaym also had sent some dates [along with the child]. Allāh’s Prophet (ﷺ) took him [the child in his lap] and said: “Is there anything with you [for *tabnik*]?” They [the Companions] said: “Yes.” Allāh’s Prophet (ﷺ) took hold of them and chewed them. He then put them [the chewed dates] in the mouth of the child and then rubbed his palate and gave him the name of ‘Abdullāh.’⁴²

Abū Usāmah narrates from Hisham Ibn ‘Urwah, on the authority of Asmā’ (*radīy Allāhu ‘anhā*) that she was pregnant with ‘Abdullāh Ibn Al-Zubayr (*radīy Allāhu ‘anhumā*) in Makkah. She said: ‘I set out [for migration to Madīnah] as I was in the advanced stage of pregnancy. I came to Madīnah and got down at the place known as Qubā’ and gave birth to a child there. Then I came to Allāh’s Messenger (ﷺ). He placed him [the child] in his lap and then asked for dates. He chewed them and then put the saliva in his mouth. The first thing which went into his stomach was the saliva of Allāh’s Messenger (ﷺ). He then rubbed his palate with dates and then invoked blessings for him and blessed him. He was the first child who was born in Islām [after migration], therefore they [Muslims] were very happy with his birth, for it had been said to them that the Jews had bewitched them, and so they would not produce any offspring.’⁴³

Al-Khallāl conveys from Muḥammad Ibn ‘Alī that he heard the

⁴² Bukhārī, #5470 and Muslim, #2144

⁴³ Bukhārī, #5469 and Muslim, #2146

slave woman⁴⁴ of [Imām] Aḥmad Ibn Ḥanbal say: “When I went into labour, my master was asleep, so I told him: “O Master! I am dying.” He merely said: “Allāh will ease [the hardship].” As soon as he said it, I gave birth to Sa‘īd. Then, he said: “Bring us those dates [talking about dates that were brought to us from Makkah].” I said to Umm ‘Alī: “Chew those dates and perform *ṭabnik* on him and she did.””

Allāh knows best.

⁴⁴ Until she gave birth to his child.

CHAPTER SIX

'Aqīqah and its Requirements

This [chapter] consists of twenty-two sections.

Section 1: Clarifying its legality.

Section 2: The argument of those who discourage it.

Section 3: The evidence of its desirability.

Section 4: Responding to the arguments of those who discourage it.

Section 5: Derivation of its name.

Section 6: Is it disapproved to call it *'aqīqah*?

Section 7: The debate over its obligation, and the arguments of each side.

Section 8: The recommended time for it.

Section 9: Indicating that it is better than donating an equivalent amount for charity.

Section 10: Differentiation of males and females with regards to it.

Section 11: The purpose, legality and benefits of *'aqīqah* and reviving the Sunnah of the Messenger (ﷺ).

Section 12: Indicating that cooking it is better than donating it as raw meat.

Section 13: Disapproval of breaking its bones.

Section 14: The minimum acceptable age of the *'aqīqah*

animal.

Section 15: Clarifying that it is one *'aqiqah* per person, seven people cannot participate in a cow or a camel (unlike the *udhīyah*).

Section 16: Is *'aqiqah* acceptable with something other than sheep, like cows and camels?

Section 17: Clarifying its recipients; what can be donated and what can be given as a gift, and the desirability of giving a part of it to the delivering doctor/nurse/midwife.

Section 18: Requirements upon the simultaneous arrival of the *'aqiqah* and *udhīyah*; does one of them do away with the other?

Section 19: Requirements of those whose parents did not perform *'aqiqah*, should they perform it for themselves after maturity?

Section 20: Requirements of the *'aqiqah*'s skin and offal; can they be sold or are they treated the same as in the *udhīyah*?

Section 21: What should be said when slaughtering the *'aqiqah*.

Section 22: The reason why it should be performed on the 7th, 14th or 21st day [of birth].

Section One: Clarifying its Legality

[Imām] Mālik said: 'This is a matter over which there is no debate among us [the jurists].'⁴⁵

Yahyā Ibn Sa'īd Al-Anṣārī said: 'During my time among people, they never missed out on performing *'aqiqah*, whether for the boy or the girl.'

⁴⁵ Imām Mālik in his *Al-Muwattā'*, 2/502

Ibn Al-Mundhir said: "This is a tradition in Hijāz, both in the past and the present, and it is used by scholars. Mālik said that there is no debate among them [over the legality of 'aqīqab]."

Among those who believe in its legality are 'Abdullāh Ibn 'Abbās (*radīy Allāhu 'anhumā*), 'Abdullāh Ibn 'Umar (*radīy Allāhu 'anhumā*), and 'A'ishah (*radīy Allāhu 'anhā*).

It was also narrated from Fāṭimah (*radīy Allāhu 'anhā*) [daughter of the Prophet (ﷺ)], Buraydah Al-Aslamī, Al-Qāsim Ibn Muḥammad, 'Urwah Ibn Al-Zubayr, 'Aṭā' Ibn Abī Rabah, Al-Zuharī and Abū'l-Zinād.

This is also the view of Mālik, people of Madīnah, Al-Shāfi'ī and his followers, Aḥmad, Ishāq, Abū Thawr, and numerous other scholars, all of whom are following, in this regard, the Sunnah of the Prophet (ﷺ). If something was confirmed to be the Sunnah of the Prophet (ﷺ), then it must be accepted as the correct view, and it is not undermined by those who oppose it.

People of Opinion (*ablu'l-ra'i*)⁴⁶ have denied that the 'aqīqab is Sunnah, and they have hence disagreed with the confirmed reports from the Prophet (ﷺ), his Companions and their followers who were reported to perform it.

Section Two:

The Argument of Those Who Discourage It

They say: 'Amr Ibn Shu'ayb narrated from his father, from his grandfather, that the Messenger of Allāh (ﷺ) was asked about

⁴⁶ It refers to some followers of the Hanafi School of Jurisprudence, since they gave precedence to the jurist's opinion over less-common ḥadīths, as opposed to 'People of *ḥadīth*', which refers to all the other major schools of Jurisprudence.

'*aqiqah*.' He said: 'I do not like disobedience (*'uqūq*).'^{47, 48}

They also said it is due to the fact that it was the tradition of *Abū'l-Kitāb*.⁴⁹ The Prophet (ﷺ) said: "The Jews used to perform '*aqiqah* for the newborn boy, but not for the newborn girl." It is narrated by Al-Bayhaqī.⁵⁰

They said: It was among the kinds of animal sacrifice that was done in the pre-Islāmic Ignorance, and that Islām abolished it, just like '*atirah*'⁵¹ and '*fara*'.⁵²

They said: Imām Aḥmad narrated from Abū Rāfi' that when Al-Hasan Ibn 'Alī was born, his mother Fāṭimah (*radīy Allāhu 'anhum*) wanted to sacrifice two sheep as an '*aqiqah* for him, but the Messenger of Allāh (ﷺ) said: "Do not perform '*aqiqah*, but shave his head, then donate the weight of the hair in *dirhams*."⁵³ Then, when Al-Ḥusayn was born, she did that too.

Section Three:

Evidence of its Desirability

As for all people of ḥadīth (*abū'l-ḥadīth*), the jurists (*fuqahā*) and the majority of scholars (*abū'l-'ilm*), have said: 'It [the '*aqiqah*] is of the Sunnah of the Messenger of Allāh (ﷺ).'

⁴⁷ The rest of the ḥadīth says, "as if he disliked the name."

⁴⁸ Abū Dāwūd, #2842, Nasā'ī, 7/162-164, Aḥmad, 2/182, 194 and it is ṣaḥīḥ

⁴⁹ It mainly refers to Jews and Christians.

⁵⁰ Bazzār, 2/72/1233, Bayhaqī, 9/301-302 and it is weak.

⁵¹ *Al-'Atirah*: A sheep that was sacrificed for the idols in the month of Rajab, during the pre-Islāmic Ignorance.

⁵² *Al-Fara'*: The first baby for the she-camel, they used to sacrifice it for their gods and seek the blessing from that act.

⁵³ Aḥmad in his *Musnad*, 6/390-392, Ṭabarānī in his *al-Kabīr*, #917, #6568, Bayhaqī, 9/304 and it is ḥasan

Their evidence includes the ḥadīth narrated by Al-Bukhārī on the authority of Salmān Ibn ‘Āmir Al-Dabbī (*radīy Allāhu ‘anhu*) that the Messenger of Allāh (ﷺ) said: ‘Along with a boy there is an ‘*aqīqah*, so shed blood on his behalf, and remove harm [hair] from him.’⁵⁴

Samrah (*radīy Allāhu ‘anhu*) narrated that the Messenger of Allāh (ﷺ) said: ‘A boy is in pledge for his ‘*aqīqah*. Sacrifice is made for him on the seventh day, his head is shaved and he is given name therein.’⁵⁵ Narrated by the Sunans⁵⁶ and Tirmidhī said this ḥadīth is ḥasan ṣaḥīḥ.

‘A’ishah (*radīy Allāhu ‘anḥā*) narrates that the Messenger of Allāh (ﷺ) said: ‘For a boy, two sheep equal in age [to him are to be slaughtered], and for a girl, one sheep.’⁵⁷

In another version, she (*radīy Allāhu ‘anḥā*) said: ‘Allāh’s Messenger (ﷺ) commanded us to slaughter two sheep equal [in age] for a boy and one for a girl at their birth.’

Umm Karz Al-Ka’biyah (*radīy Allāhu ‘anhu*) said that she asked the Messenger of Allāh (ﷺ) about the ‘*aqīqah*, and he said: ‘For the boy is two sheep, and for the girl is one, it will not matter whether they [the sheep] are male or female.’⁵⁸ It is narrated by Imām Aḥmad and Al-Tirmidhī, who said it is a ṣaḥīḥ ḥadīth.

Al-Daḥḥāk Ibn Makhlad said, conveying from Abū Ḥafṣ Salim Ibn Tamīm, from his father, from ‘Abdu’l-Raḥmān Al-A’raj, on

⁵⁴ Bukhārī, #5472

⁵⁵ Abū Dāwūd, #2838, Tirmidhī, #1522, Nasā’ī, 7/166, Ibn Mājah, #3165 and it is ṣaḥīḥ

⁵⁶ Referring to the following major ḥadīth books: ‘*Sunan Abū Dāwūd*’, ‘*Sunan Al-Tirmidhī*’, ‘*Sunan Al-Nasā’ī*’, ‘*Sunan Ibn Mājah*’.

⁵⁷ Tirmidhī, #1513, Ibn Mājah, #3165

⁵⁸ Abū Dāwūd, #2834, 2836, Tirmidhī, 1516, Nasā’ī, 7/165, Ibn Mājah, #3162

the authority of Abū Hurayrah (*radīy Allāhu ‘anhū*) that the Prophet (ﷺ) said: ‘The Jews perform *‘aḳīqah* for the boy, but not for the girl. Therefore, sacrifice two sheep for the boy, and one for the girl.’⁵⁹ It is narrated by Al-Bayhaqī.

Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) narrates that the Messenger of Allāh (ﷺ) sacrificed two rams for both Al-Ḥasan and Al-Ḥusayn, one for each.⁶⁰ It is narrated by Abū Dāwūd and Al-Nasā’ī, but Al-Nasā’ī’s version says: ‘two rams each.’

Amr Ibn Shu‘ayb narrates from his father, from his grandfather, that the Messenger of Allāh (ﷺ) commanded to name the newborn on his seventh day, remove hair from him and perform *‘aḳīqah*.⁶¹ Al-Tirmidhī said: ‘This ḥadīth is ḥasan gharīb.’⁶²

Buraydah Al-Aslamī said: ‘During the pre-Islāmic Ignorance, when a boy was born to one of us, he would sacrifice a sheep and smear his head with its blood. Then, after Allāh brought Islām to us, we would sacrifice a sheep, shave the newborn’s head, and smear him/her with saffron.’ It is narrated by Abū Dāwūd.⁶³

Ibn Al-Mundhir narrates from Yahyā Ibn Yahyā, from Hashim, from Ubaynah Ibn ‘Abdu’l-Raḥmān, from his father, that Abū Bakrah had a son, ‘Abdu’l-Raḥmān’, born to him, and he was the first newborn in Baṣrah. He sacrificed a camel and fed it to the people of Baṣrah. Some of them disapproved of this and said: ‘The Messenger of Allāh (ﷺ) ordered two sheep to be sacrificed for the boy and one for the girl.’⁶⁴

⁵⁹ Bazzār, 2/72/1233, Bayhaqī, 9/301-302 and it is weak.

⁶⁰ Abū Dāwūd, #2834

⁶¹ Tirmidhī, #2832 and it is ḥasan

⁶² It means that although this ḥadīth is correct, it is narrated by one chain of narrators only.

⁶³ Abū Dāwūd, 9/615-616

⁶⁴ See *al-Isbrāf* of Ibn Mundhir, 3/416

Al-Ḥasan Ibn Samrah narrates that the Prophet (ﷺ) said about the *'aqīqah*: 'Every boy is mortgaged by his *'aqīqah*, so slaughter for him on the seventh day, and shave his head, and smear it [with the *'aqīqah*'s blood].'⁶⁵

Abū Dāwūd says: 'When Qatādah was asked about the blood [of the *'aqīqah*] and what should be done with it, he would say: 'If the *'aqīqah* is slaughtered, a piece of its wool is taken from it and placed on its neck veins, then placed on the boy's head until a stream of blood as thin as a string flows on his head. His head is then washed and shaved.'⁶⁶

Abū Dāwūd says, And that is a mistake by Hammām Ibn Yaḥyā, referring to 'and smear it with the [*'aqīqah*'s blood]'⁶⁷, then he referred to another version of the ḥadīth that says: 'Every boy is mortgaged by his *'aqīqah*, so slaughter for him on the seventh day, and shave his head, and name him.'

Abū Dāwūd says: "and name him" is more correct. It is narrated by Al-Tirmidhī, Al-Nasā'ī and Ibn Mājah; Al-Tirmidhī said: "This ḥadīth is ṣaḥīḥ."

Al-Ḥasan had heard this ḥadīth from Samurah; Al-Bukhārī mentioned in his Ṣaḥīḥ,⁶⁸ conveying from Ḥabīb Ibn Al-Shahīd that he said: Ibn Sīrīn told me: 'Ask Al-Ḥasan from whom he heard the *'aqīqah*'s ḥadīth.' So, I asked him and he said: 'From Samurah Ibn Jundub.'

⁶⁵ Abū Dāwūd, #2838, Tirmidhī, #1522, Nasā'ī, 7/166, Ibn Mājah, #3165 and it is ṣaḥīḥ

⁶⁶ Abū Dāwūd, 9/608-609, Ibn Mājah, #3156

⁶⁷ The phrase written in italic in the previous ḥadīth.

⁶⁸ Bukhārī, 9/590

Al-Bayhaqī conveyed from Sulaymān Ibn Shurahbīl, that Yaḥyā Ibn Ḥamzah said to ‘Aṭā’ Al-Khorasānī: ‘What does ‘mortgaged by his ‘*aqīqah*’ mean?’ He said: ‘He will be deprived of his son’s intercession.’⁶⁹

Iṣḥāq Ibn Hānī’ said: ‘I asked Abū ‘Abdullāh [Imām Aḥmad] about the saying of the Prophet (ﷺ), ‘mortgaged by his ‘*aqīqah*’ and what it means. He said: ‘Yes, it is the Sunnah of the Prophet (ﷺ) to sacrifice two sheep for the boy and one for the girl. If the parent does not, the child will be restrained by his ‘*aqīqah*, until it is sacrificed for him.’”⁷⁰

Al-Athram conveys from Abū ‘Abdullāh that he said: ‘There is no ḥadīth clearer [in the ‘*aqīqah*’s regard] than, “Every boy is mortgaged by his ‘*aqīqah*.’”

Yaqūb Ibn Bukhtān also said that Abū ‘Abdullāh was asked about the ‘*aqīqah*, and he said: “I know nothing stronger in that regard than this ḥadīth: “Every boy is mortgaged by his ‘*aqīqah*.’”

Ḥanbal said that Abū ‘Abdullāh said: ‘I do not wish for anyone, who is [financially] capable, to not sacrifice for his child, because the Prophet (ﷺ) said: “Every boy is mortgaged by his ‘*aqīqah*, ” which is the strongest ḥadīth narrated in that regard. The Prophet (ﷺ) only hated the name (‘*aqīqah*), but he has performed the sacrifice.’

Aḥmad Ibn Al-Qāsim said that Abū ‘Abdullāh was asked: “Is the ‘*aqīqah* obligatory?” He said: ‘I do not know if it is obligatory; I cannot say “obligatory.”’ Then he added: ‘The strongest saying

⁶⁹ Bayhaqī, 9/299

⁷⁰ See *Masā’il Imām Aḥmad*, 2/130

regarding it is that the boy is mortgaged by his *'aqiqab*.”

Aḥmad had said in another context: ‘mortgaged/restrained from intercession for his parents.’

As for the phrase: “And smear it with the [*'aqiqab*’s blood],” it was debated. It was narrated by Hammām Ibn Yaḥyā from Qatādah, and Qatādah has interpreted it as mentioned above.

However, he was opposed by the majority of scholars, who said that this [smearing the child’s head with the blood] is of the acts of pre-Islāmic Ignorance. That deed was hated by Al-Zuhrī, Mālik, Al-Shāfi‘ī, Aḥmad and Ishāq.

[Imām] Aḥmad said: ‘I hate smearing the child’s head with the blood; this is of the acts of pre-Islāmic Ignorance.’

‘Abdullāh Ibn Aḥmad said: ‘I asked my father about the *'aqiqab*; after it is sacrificed, should we smear with its blood the head of the boy/girl?’ My father said: ‘No.’

Al-Khallāl conveyed from Al-‘Abbās Ibn Aḥmad that Abū ‘Abdullāh was asked about smearing the child’s head with the blood, he said: ‘I do not approve of it; it is of the acts of pre-Islāmic Ignorance.’ He was told: ‘Hammām narrated “And smear it with the [*'aqiqab*’s blood].”’ Abū ‘Abdullāh mentioned another narrator who said, ‘And name him’ then said: ‘I do not approve of Hammām’s narration in this regard.’

Aḥmad Ibn Hashim Al-Antakī said, conveying from Aḥmad: ‘Hammām and Sa‘īd conveyed differently about the *'aqiqab*; one said ‘smear his head’ while the other said ‘bleed him’.

There is another narration from Aḥmad that smearing is Sunnah. Al-Khallāl conveyed from Usmah Ibn 'Isam that Ḥanbal⁷¹ said: 'Did you hear Abū 'Abdullāh's view about smearing the child's head with the blood? That is Sunnah.'

However, his teachings that were reported by all his students are that such an act is hated.

Al-Khallāl also conveyed from 'Usmāh Ibn 'Isām in another instance that Aḥmad Ibn Ḥanbal said: "Did you hear Abū 'Abdullāh's view about shaving the child's head?"

Muḥammad Ibn 'Alī also narrated from Ṣāliḥ, and Aḥmad Ibn Muḥammad Ibn Ḥazim narrated from Ishāq, both of which are conveying from Abū 'Abdullāh that he said: 'The blood-smearing is hated; it was only reported in Samura's ḥadīth.'

Muḥammad Ibn Al-Ḥusayn reports that Al-Faḍl said to Abū 'Abdullāh: 'Should his head be shaved?' He said: 'Yes.' He said: 'Should it be smeared with the blood?' He said 'No, that is of the acts of pre-Islāmic Ignorance.' Al-Faḍl said: 'What about the ḥadīth narrated by Qatādah from Al-Ḥasan, it says 'smear his head with the [*aqīqah*'s blood]?' He said: 'Hammām narrates it as 'smear his head', but Sa'īd narrates it as 'name him.'

In the narration of Al-Athram, 'Abū 'Arūba narrates it as name him, and Hammām narrates it as smear his head; and I believe the latter to be wrong.'

Abū 'Abdullāh Ibn Mājah reports in his Sunan from Ya'qūb Ibn Ḥumayd Ibn Kāsib, from 'Abdullāh Ibn Wahb, from 'Amr Ibn Al-

⁷¹ Ḥanbal Ibn Ishāq is the cousin and student of Imām Aḥmad Ibn Ḥanbal

Hārith, from Ayyūb Ibn Mūsā , from Yazīd Ibn ‘Abdu’l-Muznī that the Prophet (ﷺ) said: ‘Offer sacrifice for the child, but do not smear his/her head with the blood.’⁷²

We have already mentioned Buraydah’s ḥadīth: ‘In the pre-Islāmic Ignorance, when one of us had a child born, he used to sacrifice a sheep and smear the child’s head with it. But after Islām, we sacrifice the sheep, shave the child’s head, and smear it with saffron.’⁷³

Al-Bayhaqī and others convey from Yaḥyā Ibn Sa‘īd, from ‘Amrah from ‘A’ishah (*radīy Allāhu ‘anhā*) that she said: ‘In pre-Islāmic Ignorance, people used to put a piece of cotton in the ‘*‘aqīqab*’s blood and place it on the child’s head. Then, the Prophet (ﷺ) commanded to put perfume in place of that blood.’⁷⁴

Ibn Al-Mundhir said: ‘It was confirmed that the Prophet (ﷺ) said, “Shed blood on his behalf, and remove harm from him”. If the Prophet (ﷺ) commanded us to remove harm from the child, and blood is harm, and a great one at that, therefore, it is not permitted to besmear his head with the blood.’

Section Four:

Responding to the Arguments of Those Who Discourage It

Imām Aḥmad, as narrated by Ḥanbal, said when he heard that some of those who discourage the ‘*‘aqīqab*’ claimed that it is of the pre-Islāmic Ignorance acts: ‘That is due to their lack of knowledge. The Prophet (ﷺ) performed it for Al-Ḥasan and Al-Ḥusayn, but

⁷² Ibn Mājah, #3166 and it is ṣaḥīḥ

⁷³ Reference already mentioned

⁷⁴ Reference already mentioned

these people claim it is of the pre-Islāmic Ignorance acts? The 'aqīqah is Sunnah from the Messenger of Allāh (ﷺ), who said: 'Every boy is mortgaged by his 'aqīqah, which has a good chain of narrators, for it is narrated on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*) from the Prophet (ﷺ).''

He also said, as narrated by Al-Athram: 'With regards to the 'aqīqah, there are ḥadīths from the Prophet (ﷺ), and reports from his Companions and their followers, while those people claim it is of the pre-Islāmic Ignorance acts?' And he smiled in astonishment.⁷⁵

Al-Mamūnī said: 'I asked Abū 'Abdullāh, 'Was something authentic narrated from the Prophet (ﷺ) with regards to 'aqīqah?' He said: 'Yes, by Allāh. More than one ḥadīth were narrated in which the Prophet (ﷺ) said, "Two sheep for the boy and one for the girl."''⁷⁶

I asked him: 'Then what about these ḥadīths which oppose that?' He said: 'They are nothing; they are not to be cared for.'

As for the ḥadīth narrated by 'Amr Ibn Shu'ayb from his father, from his grandfather that the Messenger of Allāh (ﷺ) said: 'I do not like disobedience (*'uqūq*).'⁷⁷ The context of the ḥadīth is an argument for encouraging the 'aqīqah. The ḥadīth says, the Messenger of Allāh (ﷺ) was asked about the 'aqīqah. He said: 'I do not like disobedience (*'uqūq*).' As if he disliked the name. People said: 'But one of us may offer a sacrifice when a child is born to him.' He said: 'Whoever wants to offer a sacrifice for his child, let him do so, for a boy; two sheep, [of equal age], and for a girl, one.' As for the ḥadīth of Abū Rāfi', it is not correct.⁷⁸

⁷⁵ See *al-Mughni* of Ibn Qudāmah, 13/395

⁷⁶ See *al-Masā'il Imām Ahmad* of Abū Ya'fā, p.55

⁷⁷ Reference already mentioned

Imām Aḥmad said about the ḥadīths opposing ‘*aqīqah*’: ‘They are nothing; they are not to be cared for.’

There are many ḥadīths which state that the Prophet (ﷺ) sacrificed for Al-Ḥasan and Al-Ḥusayn. Ayyūb narrated from ‘Ikrimah, on the authority Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) that the Messenger of Allāh (ﷺ) sacrificed a ram for both Al-Ḥasan and al-Ḥusayn each.⁷⁹ It is narrated by Abū Dāwūd.

Jarir Ibn Hazim narrated from Qatādah from on the authority Anas [Ibn Mālik] (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) sacrificed two rams for Al-Ḥasan and Al-Ḥusayn.⁸⁰

Yahyā Ibn Sa‘īd narrates from ‘Amrah on the authority ‘A’ishah (*radīy Allāhu ‘anhā*) that she said: ‘The Messenger of Allāh (ﷺ) performed ‘*aqīqah* for Al-Ḥasan and Al-Ḥusayn on the seventh day [of their birth].’⁸¹

If it was proven true that he (ﷺ) said [to Fāṭimah (*radīy Allāhu ‘anhā*): ‘Do not sacrifice’ that is not evidence against ‘*aqīqah*, but rather he wanted to undertake it himself. He said to her: ‘Do not sacrifice’ then himself sacrificed and relieved her of that burden.

As for their argument that the ‘*aqīqah* is a tradition of People of the Book, their tradition was to perform it exclusively for the male children without the females, as the ḥadīth indicates. It says: ‘The Jews sacrifice two sheep for the boy, and do not sacrifice for

⁷⁸ Reference already mentioned

⁷⁹ Reference already mentioned

⁸⁰ Ibn Abī Shaybah, in his *Musnad*, #6540, Ṭabarānī, #1878 and it is ḥasan

⁸¹ Abū Ya‘lā in his *Musnad*, #4521 and it is ḥasan

the girl. Therefore, sacrifice two sheep for the boy and one for the girl.⁸²

Section Five: Derivation of Its Name

Abū ‘Umar said: ‘The word *‘aqīqah*, it was narrated by Abū ‘Ubayd from Al-Aṣma‘ī and others that it is derived from the hair on the newborn’s head. The lamb that is sacrificed for him is called *‘aqīqah*, because that hair is shaved from their head after the sacrifice. That is why that ḥadīth said: ‘...and remove harm from him’ referring to the hair.

Abū ‘Ubayd said: ‘This falls under what I had said to you, that people may name something after something else, if it was associated with it or caused by it. The lamb was named *‘aqīqah* after the hair. Similarly for every newborn animal, the hair on it when it is born is called *‘aqīqah* and *‘aqqah*.⁸³

Abū ‘Ubayd said: ‘The *‘aqīqah* and *‘aqqah* are used for humans and donkeys; they were not used for anything else.’

However, Imām Aḥmad has rejected this interpretation of *‘aqīqah* by Abū ‘Ubayd, Al-Aṣma‘ī and others. He said: ‘The *‘aqīqah* is the actual process of slaughtering.’ He added: ‘What Abū ‘Ubayd said is not correct at all.’

Abū ‘Umar said: ‘Some of the later scholars have supported [Imām] Aḥmad’s view by saying that it is commonly known in the

⁸² Reference already mentioned

⁸³ The narrator cites several verses of poetry to make his point, but I will skip them because they are extremely difficult to translate and irrelevant to the non-Arabic-speaking reader.

language, because *'aqīqah* is derived from the verb 'to cut,' from which the word *'uquq al-walidayn* (disobedience of parents) is also derived, because it means separating oneself from them.⁸⁴

Abū 'Umar said: 'Aḥmad's view in the linguistic meaning of *'aqīqah* is better and more correct than Abū 'Ubayd.' Allāh knows best.

Al-Jawharī said: "*Aqīqah* means to sacrifice for the child on the seventh day, and also to shave his *'aqīqah* hair.'

Therefore, he gave both meanings to the *'aqīqah*, which is more correct. Allāh knows best.

As for the ḥadīth, 'I do not like disobedience (*'uquq*): it outlines that hatred of repellent names. The Prophet (ﷺ) was very sensitive to that, so much so that he used to change ugly names to better ones, and avoid stopping in places with ugly names and passing between mountains with ugly names. He loved beautiful names and good omens.'

In *Al-Muwatta'*, it is narrated that the Messenger of Allāh (ﷺ) asked about a she-camel about to be milked: 'Who will milk this camel?' A man stood up. The Messenger of Allāh (ﷺ) said: 'What is your name?' The man said: '*Murrah* (bitterness).' The Messenger of Allāh (ﷺ) said to him: 'Sit down.' Then he said: 'Who will milk this one?' A man stood up and the Messenger of Allāh (ﷺ) said: 'What is your name?' He said: '*Harb* (war).' The Messenger of Allāh (ﷺ) said: 'Sit down.' Then he said: 'Who will milk this camel?' A man stood up, and the Messenger of Allāh (ﷺ) said to him: 'What is your name?' The man said: '*Yaish* (he lives).' The

⁸⁴ Same as above

Messenger of Allāh (ﷺ) said to him: 'Milk!' It is narrated in *al-Muwatta'* in mursal form.⁸⁵

Another version was narrated by Ibn Wahb in his *Al-Jāmi'*; Ibn Luhay'ah told me, conveying from Al-Hārith Ibn Yazīd, from Abdu'l-Rahmān Ibn Jubayr, from Ya'ish al-Ghifārī (*radīy Allāhu 'anhu*), that the Prophet (ﷺ) asked one day for a she-camel, and said: 'Who will milk this camel?' A man stood up. The Messenger of Allāh (ﷺ) said: 'What is your name?' The man said: '*Murrah* (bitterness).' The Messenger of Allāh (ﷺ) said to him: 'Sit down.' Then he said: 'Who will milk this one?' A man stood up and the Messenger of Allāh (ﷺ) said: 'What is your name?' He said: '*Jamrah* (live coal).' The Messenger of Allāh (ﷺ) said: 'Sit down.' Then he said: 'Who will milk this camel?' A man stood up, and the Messenger of Allāh (ﷺ) said to him: 'What is your name?' The man said: '*Ya'ish* (he lives).' The Messenger of Allāh (ﷺ) said to him: 'Milk it!'⁸⁶

Abū 'Umar said: 'This is to seek good omens; it is not pessimism.'⁸⁷

I have another view in that regards: Names and meanings have a relation and correlation, which is not the case. Words and names are vessels for meanings.⁸⁸

An ugly name indicates an ugly meaning, just as an ugly face indicates an ugly inside.

That is why, and Allāh knows best, 'Umar Ibn Al-Khaṭṭāb

⁸⁵ Imām Mālik in his *Al-Muwatta'*, 2/973 and it is *ṣaḥīḥ li-ghayribi*.

⁸⁶ *Al-Jāmi'* of Ibn Wahb 2/742 no. #654

⁸⁷ See *Istidhkār*, 27/234/40941

⁸⁸ The author cites verses of poetry to make his point, but I will skip them as explained before.

(*radīy Allāhu ‘anhu*) said what Mālik narrated, when he asked a man: ‘What is your name?’ He said: ‘*Jamrah* (live coal).’ He said: ‘Who is your father?’ He said: ‘*Shihāb* (meteor).’ He asked: ‘Where do you come from?’ He said: ‘*Al-Haraqah* (the heat).’ He asked: ‘Where do you live?’ He said: ‘*Harrat al-Nār* (the volcanic stone of fire region).’ He said: ‘Where therein?’ He said: ‘In *Dhāt al-Laz’a* (the land of Hell).’ Umar (*radīy Allāhu ‘anhu*) said: ‘Go and find your family, for they have burned.’ And he found them as ‘Umar (*radīy Allāhu ‘anhu*) said.’⁸⁹

Ibn Abī Khaythamah narrated from Buraydah that he said: ‘The Messenger of Allāh (ﷺ) never took ill omens.’ Once, Buraydah took off in a caravan of seventy members of his family, of the Aslam tribe. He met the Prophet (ﷺ) at night, who asked him: ‘Who are you?’ He said: ‘I am *Buraydah* (cool).’ The Prophet (ﷺ) turned to Abū Bakr and said: ‘O Abū Bakr, our affairs have become cool and reformed.’ Then he asked: ‘Where are you from?’ He said: ‘From the *Aslam* (to make safe) tribe.’ He said to Abū Bakr: ‘Now, we have become safe.’ Then he said: ‘From which family?’ He said: ‘From *Ṣabm* (Arrow) family.’ He said: ‘May your arrows get launched.’⁹⁰

When the Messenger (ﷺ) saw *Subayl* (ease-going) Ibn ‘Amr coming on the day of the Treaty of Ḥudaybiyyah, so he said: ‘Your affairs have become ease.’⁹¹

He was once walking, and reached two mountains, so he enquired about their names, and people said: ‘Disgraceful and Scandalous.’ He turned away from them and refused to pass between them.⁹²

⁸⁹ Imām Mālik in his *Al-Muwatta’*, 2/973

⁹⁰ Ibn ‘Adī, 1/401, Abū al-Shaykh in *Akblāq al-Nabi*, 1/21 and it is weak.

⁹¹ Bukhārī, #2731, #2732

The Prophet (ﷺ) changed the name of a woman called ‘‘Āsiya (disobedient)’ to ‘Jamilah (beautiful),’⁹³ and the name of a man called ‘Asram (to sever)’ to ‘Zar‘ah (plant)’.⁹⁴

Abū Dāwūd said in his *Al-Sunan*⁹⁵: ‘The Prophet (ﷺ) changed the names of *Al-‘Āṣ* (the disobedient), *‘Azīz* (mighty), *‘Atalah* (crow-bar), *Shaytān* (satan), *Al-Ḥakam* (arbiter) and *Ghurāb* (crow).⁹⁶ He changed the name of *Shihāb* (meteor) to *Hishām* (noble),⁹⁷ *Ḥarb* (war) to *Silm* (peace), *Al-Mudtaji* (the recumbent) to *Al-Munba‘ith* (the revived), the land of *‘Afīrah* (dust) to *Khadīrah* (green),⁹⁸ the people of *Dalālah* (aberrance) to *Hudā* (guidance), and the Tribe of *Al-Zinyah* (adultery) to *Al-Rushdah* (guidance).’⁹⁹

This is an amazing part of the religion; to turn away from names that repel the heart and mind to a better one, to whom the hearts are attracted. The Prophet (ﷺ) was very careful about this, so much so that he said: ‘None of you should say: “My soul has become evil”, but he should say: “My soul has become remorseless.”’¹⁰⁰

Therefore, since the name ‘*aqīqah*’ was similar to disobedience (‘*uqūq*’) the Prophet (ﷺ) hated it and said: ‘Allāh does not like ‘*uqūq*’. Then he said: ‘If anyone has a child born to him, and wants to sacrifice for his child, and then let him do it.’¹⁰¹

⁹² See *Sīrah al-Nabawī* of Ibn Hisham, 2/614

⁹³ Muslim, #2139

⁹⁴ Abū Dāwūd, #4954

⁹⁵ Abū Dāwūd, #4956

⁹⁶ Bukhārī in his *Adab al-Mufrad*, #724, «ākīm in his *al-Mustadrik*, 4/275, Bazzār, 2/415, however it is weak.

⁹⁷ Tayālīsī, #1501, Bukhārī in his *Adab al-Mufrad*, #725, Ibn Hibbān, 13/138 and others.

⁹⁸ Tabarānī in his *al-Mu‘jam al-Ṣaghir*, #349 and others

⁹⁹ Abū Dāwūd, #4956

¹⁰⁰ Bukhārī, #6179 and Muslim, #2250.

Section Six:

Is it Disapproved to Call it *'Aqīqah*?

It is debated; a group disapproves of it, and their argument is that the Messenger of Allāh (ﷺ) hated the name, and so it should not be used to name the sacrifice. They say: 'According to the previously mentioned ḥadīth, it should be called "*Nāsikah* (Sacrifice)" instead of *'aqīqah*.'

Another group said that it is not disapproved, and believe it is allowed.

They used as evidence the ḥadīth narrated by Samurah 'Every boy is mortgaged by his *'aqīqah*,'¹⁰² and the ḥadīth narrated by Salmān Ibn 'Āmir: 'Along with a boy there is an *'aqīqah*.'¹⁰³ In both ḥadīths, the word *'aqīqah* is mentioned, which indicates allowance, not disapproval.

Abū 'Umar said: 'This indicates disapproval of the name, and this is what is in the jurists' books in all regions; only the *'aqīqah* is mentioned, nothing about the *'Nāsikah*.'¹⁰⁴

He also said: 'However, the ḥadīth narrated by Mālik does not contain explicit disapproval, and similarly for the ḥadīth narrated by 'Amr Ibn Shu'ayb from his father from his grandfather. They say: 'As if he disliked the name, and he said: 'Whoever wants to offer a sacrifice for his child, let him do so.'"

¹⁰¹ Bukhārī, #6180 and Muslim, #2251.

¹⁰² Reference already mentioned

¹⁰³ Reference already mentioned

¹⁰⁴ See *Istihkār*, 15/368 and *al-Tamhīd*, 4/306.

I say, this is similar to the debate surrounding the calling of *al-Ishā'* (night) the *al-'Atma'* (darkness). There are two narrations from Imām Aḥmad in that regard.¹⁰⁵ In both cases, it is disapproved to abandon the lawful name, *al-Ishā'* and *al-Nāsikah*, and replace it with the *al-'atmah* and *'aqiqah*. However, if the lawful name was used, not abandoned, and the other name was sometimes used, then it is fine; this would be a way for the two views to reconcile.¹⁰⁶ Success is from Allāh.

Section Seven:

The Debate Over its Obligation, and the Arguments of Each Side

Ibn Al-Mundhir¹⁰⁷ said: 'They [the jurists] have differed over its obligation. One group said: It is obligatory, because the Prophet (ﷺ) commanded so, and his command is obligatory by default.'¹⁰⁸

We narrated from Al-Hasan Al-Baṣṭrī that he was asked about a man whose parents did not sacrifice on his behalf, he said: 'He should sacrifice for himself.' However, he did not believe that a woman [in the same situation] is obliged to do this on her own behalf.¹⁰⁹

It was narrated that Buraydah said: 'People will be held accountable for *'aqiqah* on the Day of Judgment, just as they will be held

¹⁰⁵ See *Masā'il al-Imām Aḥmad*, 1/179-180

¹⁰⁶ *Zād al-Mu'ād*, 2/350

¹⁰⁷ See *al-Ishbrāf 'Ala Madhaab al-'Ulamā'*, 3/416-417

¹⁰⁸ See *al-Muhallā*, 7/523, 526 and *Zād al-Mu'ād*, 4/332

¹⁰⁹ See *Muṣannaḥ* of 'Abdu'l-Razzāq, 4/332 and Ibn Abī Shaybah, 8/245

accountable for the five daily prayers.’

Ishāq Ibn Rāhuwiyah narrates from Ya‘lā Ibn ‘Ubayd, from Šāliḥ Ibn Ḥibbān, from Ibn Buraydah, that his father said: ‘People will be held accountable for *‘aqīqah* on the Day of Judgement, just as they will be held accountable for the five daily prayers.’

I then asked Ibn Buraydah: ‘What is *‘aqīqah*?’ He said: ‘The newborn in Islām; a sacrifice must be done on his behalf.’¹¹⁰

Abū’l-Zannād said: ‘*‘aqīqah* is a matter that Muslims hated to leave.’

We narrated from Al-Ḥasan Al-Baṣrī that he said: ‘The *‘aqīqah* is obligatory on the newborn’s behalf on his seventh day.’

Abū ‘Umar said: ‘As for the debate over its obligation. People of the *Zāhiri* School¹¹¹ say that it is obligatory, including Dāwūd and others. They say that it is because the Messenger of Allāh (ﷺ) commanded to do it and did it himself, and that he said “Every boy is mortgaged by his *‘aqīqah*” and “Along with a boy there is an *‘aqīqah*”, and “For the boy is two sheep, and for the girl is one” and other similar ḥadīths. Buraydah Al-Aslamī said it is obligatory and likened it to the daily prayers. Al-Ḥasan Al-Baṣrī also said that it is obligatory on behalf of the boy on his seventh day; if his parents did not, he should do it himself.’¹¹²

Al-Layth Ibn Sa‘d said: ‘The sacrifice is made on behalf of the

¹¹⁰ See *al-Tamhīd* of Ibn ‘Abdu’l-Barr, 4/311, *Istidhkār*, 5/368

¹¹¹ A school of thought in Islāmic jurisprudence characterized by reliance on the manifest (*ẓāhir*) meaning of expressions, in the Qur’ān and ḥadīth, as well as rejection of analogical deduction (*qiyās*).

¹¹² See *al-Muballā* of Ibn Hazm, 7/524

newborn within his first seven days, but if it was not feasible, it is fine to be performed later on. It is not obligatory to be performed on the seventh day in particular.' His view was that it was obligatory within the first seven days.

[Imām] Mālik said that it is an obligatory Sunnah that should be followed, which is the view of Al-Shāfi'ī, Aḥmad Ibn Ḥanbal, Ishāq, Abū Thawr and Al-Ṭabarī. This is according to Abū 'Umar.¹¹³

I say: The obligatory Sunnah, according to Mālik's followers, is that which is desirable to do and undesirable to ignore; they call it 'as obligatory as a Sunnah'. That is why they said that Friday bath is an obligatory Sunnah, the *udḥyāb* is an obligatory Sunnah, and that the *'aḳīqab* is an obligatory Sunnah.

Aḥmad's followers relate two statements about its obligation, but he has no explicit evidence to support obligation.¹¹⁴ We will state his evidence:

Al-Khallāl said in *Al-Jāmi'* under 'The Desirability of *'aḳīqab*' that it is not obligatory.

Sulaymān Ibn Al-Ash'ath narrates that Abū 'Abdullāh was asked what the *'aḳīqab* is, he said 'The sacrifice' and he rejected the view that it is 'shaving the head'.¹¹⁵

Muḥammad Ibn Al-Ḥusayn told me, conveying from Al-Faḍl that he asked Abū 'Abdullāh whether the *'aḳīqab* is obligatory, he

¹¹³ See *al-Tamhīd* of Ibn 'Abdu'l-Barr, 4/311, *Istidhkār*, 5/550-552

¹¹⁴ See *Masā'il al-Imām Aḥmad* of Ishāq, 8/3943-3944, *al-Mughni* of Ibn Qudāmah, 13/394 and others

¹¹⁵ See *Masā'il al-Imām Aḥmad* of Abi Dāwūd, p.256.

said: “No, but whoever wanted to sacrifice, let him do so.”

He also said: “I asked Abū ‘Abdullāh about the ‘*aqīqah*: ‘Do you deem it obligatory?’ He said: “No.”

He then narrates from Aḥmad Ibn Al-Kassem that Abū ‘Abdullāh was asked whether the ‘*aqīqah* is obligatory, he said: “I do not know if it is obligatory; I cannot say ‘obligatory.’” Then he added: “The strongest saying regarding it is that the boy is mortgaged by his ‘*aqīqah*.”

Al-Athram said: “I asked Abū ‘Abdullāh, ‘Is the ‘*aqīqah* obligatory?’ He said: ‘No, and the strongest saying¹¹⁶ regarding it is that the boy is mortgaged by his ‘*aqīqah*.”

Ḥanbal said that Abū ‘Abdullāh said: “I do not wish for anyone, who is [financially] capable, to not sacrifice for his child, because the Prophet (ﷺ) said, ‘Every boy is mortgaged by his ‘*aqīqah*’, which is the strongest ḥadīth narrated in that regard.’

Abū’l-Ḥārith¹¹⁷ said: I asked Abū ‘Abdullāh about the ‘*aqīqah*: “Is it obligatory, on the rich and the poor, when his or her child is born to sacrifice on his or her behalf?”

Abū ‘Abdullāh said: ‘Al-Ḥasan narrates from Samurah that the Prophet (ﷺ) said, ‘Every boy is mortgaged by his ‘*aqīqah*, so slaughter for him on the seventh day, and shave his head, and name him.’ This is the Sunnah of the Messenger (ﷺ), and I prefer it to be kept alive, I have faith that Allāh will compensate him [the poor who performs it].

¹¹⁶ See *Mas’al al-Imām Aḥmad* of Ṣāliḥ, 2/208

¹¹⁷ See *Ṭabāqāt al-Ḥanābilah* of Ibn Abī Ya’lā, 1/74-75

Ishāq Ibn Ibrāhīm said, “I asked Abū ‘Abdullāh about the meaning of the ḥadīth ‘Every boy is mortgaged by his *‘aqīqah*.’ He said, ‘Yes, it is the Sunnah of the Prophet (ﷺ) to sacrifice two sheep for the boy and one for the girl. If it is not done, the child is restrained by his *‘aqīqah*, until it is sacrificed for him.’”¹¹⁸

Ja‘far Ibn Muḥammad said that Abū ‘Abdullāh was asked about the *‘aqīqah*: “What if he [the parent] did not have the financial means to perform it?” He said, “There is no guilt upon him.”

Abū’l-Hārith said that Abū ‘Abdullāh was asked about the *‘aqīqah*: “What if he [the parent] did not have the financial means to perform it?” He said, “If he borrowed [to perform it], I have faith that Allāh will compensate him, because he kept the Sunnah alive.”¹¹⁹

Ṣāliḥ said that he asked his father: “A child may be born to a man who does not have the financial means to perform *‘aqīqah*; do you prefer that he borrows to perform it, or delay it until he has the means?”

He said: “The strongest saying regarding it is the ḥadīth narrated by Al-Ḥasan from Samurah that the Prophet (ﷺ) said, ‘Every boy is mortgaged by his *‘aqīqah*. I have faith that he who borrows [to perform it] will be compensated quickly by Allāh, because he kept the Sunnah of the Prophet (ﷺ) alive, and followed his instruction.’”¹²⁰

This is the evidence [of Imām Aḥmad] as you see. However, his followers divided the judgment of obligation into three points:

¹¹⁸ See *Masā’il al-Imām Aḥmad*, of Ishāq, 2/130

¹¹⁹ See *al-Mughnī* of Ibn Qudāmah, 13/395

¹²⁰ See *Masā’il al-Imām Aḥmad*, of Ṣāliḥ, 2/208

1. Is it obligatory for the child from his own money, or his father's?
2. How many sheep are obligatory for the boy, one or two?
3. If the parent did not perform it for him; is he exempted from it, or does he have to perform it for himself after maturity?

As for the first point, they are divided into two groups:

The first one: It is compulsory for the father, which is reported from Imām Aḥmad. Ismā'īl Ibn Sa'īd Al-Shālangī said: 'I asked Aḥmad about a man whose father told him that he had not performed *'aqīqah* for him, does he have to perform it for himself? He said: 'It is obligatory for the father.'

The second one: From the child's money.

The evidence of the former team is that the father is the one addressed with the command.

As for the latter team, they cite the ḥadīth: 'Every boy is mortgaged by his *'aqīqah*.'

Both groups cite this ḥadīth as evidence, because it began by stating the child is mortgage by his *'aqīqah*, and ends by the command to shed blood on his behalf.¹²¹

Those who believe in its obligation cite the ḥadīth, 'For the boy is two sheep, and for the girl is one' which indicates obligation, because it means: Two sheep are sufficient for the boy, and one is sufficient for the girl.

¹²¹ See *al-Mughnī* of Ibn Qudāmah, 13/397

They also cite Al-Bukhārī's ḥadīth that he conveyed from Salmān Ibn 'Āmir, that the Prophet (ﷺ) said: 'Along with a boy there is an *'aqīqah*, so shed blood on his behalf, and remove harm [hair] from him.'

They say that this indicates obligation from two ways, one of which is the phrase, 'Along with a boy there is an *'aqīqah*'. This is not a statement of facts, but rather what should be. Then he commanded them to sacrifice on his behalf that which is with him, so he said: "shed blood on his behalf".

They also cite as evidence the ḥadīth narrated by 'Amr Ibn Shu'ayb narrated from his father, from his grandfather, that the Messenger of Allāh (ﷺ) commanded to name the newborn on his seventh day, remove hair from him and perform *'aqīqah*.

They add that Al-Tirmidhī narrated from Yahyā Ibn Khalaf, from Bishr Ibn Al-Mufadḍal, from 'Abdullāh Ibn 'Uthmān Ibn Khuthaym, from Yūsuf Ibn Mahik that they entered upon Ḥafṣah bint 'Abdu'l-Raḥmān to ask her about the *'aqīqah*. She informed them that 'A'ishah had informed her, that the Messenger of Allāh (ﷺ) ordered them that for a boy, two sheep were sufficient, and for a girl one sheep. Al-Tirmidhī said: "This is a ṣaḥīḥ ḥadīth."¹²²

Abū Bakr Ibn Abū Shaybah narrates from 'Affān, from Ḥammād Ibn Salamah, from 'Abdullāh Ibn 'Uthmān Ibn Khuthaym, from Yūsuf Ibn Mahik, from Ḥafṣah bint 'Abdu'l-Raḥmān, that 'A'ishah (*radīy Allāhu 'anbā*) said: "The Messenger of Allāh (ﷺ) commanded us to sacrifice two sheep for a boy's *'aqīqah* and one sheep for a girl's."¹²³

¹²² Reference already mentioned.

¹²³ Ibn Abī Shaybah, 8/239

Abū Bakr conveyed from Ya‘qūb Ibn Ḥumayd Ibn Kāsib, from ‘Abdullāh Ibn Wahb, from ‘Amr Ibn Al-Ḥārith, from Ayyūb Ibn Mūsā, from Yazīd Ibn ‘Abdu’l-Muzanī, that the Prophet (ﷺ) said: ‘Offer sacrifice for the child, but do not smear his/her head with the blood.’¹²⁴

They say: This is a statement, which represents a command.

Abū Bakr reports from Ibn Fuḍayl, from Yahyā Ibn Sa‘īd, from Muḥammad Ibn Ibrāhīm that he said: ‘It is obligatory to sacrifice for the child, even if only a bird.’¹²⁵

Sub-section One:

Those who believe it to be optional say: Had it been obligatory, its obligation would be commonly known, because such a requirements touches everyone in their lives. Had that been the case, the Messenger of Allāh (ﷺ) would have clarified its obligation to the Ummah in an incontrovertible way.

They say: The Prophet (ﷺ) has kept it pending the parent’s desire. He said “Whoever wants to offer a sacrifice for his child, let him do so.

They add: The action of the Prophet (ﷺ) does not imply obligation, it implies desirability.

They also cite the ḥadīth narrated by Abū Dāwūd from ‘Amr Ibn Shu‘ayb, that the Prophet (ﷺ) said: ‘Allāh does not like disobedience (‘uqūq)’ as if he disliked the name. Then said: ‘If anyone has

¹²⁴ Ibn Abī Shaybah, 8/239, Ibn Mājah, 2/1057

¹²⁵ Ibn Abī Shaybah, 8/236, Imām Aḥmad, 2/47

a child born to him, and wants to sacrifice for his child, and then let him do it'.¹²⁶ This ḥadīth is mursal; Abū Dāwūd once narrated it from 'Amr, from his father, but he said: 'I think it is from his grandfather.'

Mālik narrates from Zayd Ibn Aslam, from a man of the Damrah tribe, from his father, that the Messenger of Allāh (ﷺ) was asked about the 'aqīqah. He said: 'I do not like disobedience ('uqūq)' as if he disliked the name. People said: 'But one of us may offer a sacrifice when a child is born to him.' He said: 'Whoever wants to offer a sacrifice for his child, let him do so, for a boy; two sheep, [of equal age], and for a girl, one.'¹²⁷

Al-Bayhaqī said: 'If you put this ḥadīth beside the previous one, both of them become stronger [in authenticity].'¹²⁸

I say: Besides, the ḥadīth of 'Amr Ibn Shu'ayb was strengthened by 'Abdu'l-Razzāq. He conveyed from Dāwūd Ibn Qays that he heard 'Amr Ibn Shu'ayb narrating from his father, from his grandfather that the Messenger of Allāh (ﷺ) was asked about the 'aqīqah and he stated the ḥadīth.¹²⁹

Section Eight:

The Recommended Time for It

Abū Dāwūd says in *Kitāb Al-Masā'il*¹³⁰ 'I heard Abū 'Abdullāh saying, "The 'aqīqah is sacrificed on the seventh day."¹³¹ Ṣāliḥ Ibn

¹²⁶ Abū Dāwūd, #2842

¹²⁷ Imām Mālik in *al-Muwatṭā'*, 1/418 and others

¹²⁸ Bayhaqī in his *Sunan*, 9/300

¹²⁹ See *al-Muṣannaḥ* of 'Abdu'l-Razzāq, 4/329 and *al-Tamḥid*, 10/391

¹³⁰ The Book of Problems and Issues.

¹³¹ See *Masā'il al-Imām Ahmad*, of Abū Dāwūd, p. 256

Aḥmad said: ‘My father said about the *‘aqīqah*: It is sacrificed on the seventh day, if missed, then on the fourteenth, and if missed, then on the twenty-first.’¹³² In addition, Al-Maymūnī said: ‘I asked Abū ‘Abdullāh: ‘When should the sacrifice be made?’ He said: “A’ishah says: “After 7, 14 and 21 days [of birth].” Abū Ṭālib also conveys from Aḥmad that he said: “The *‘aqīqah* is sacrificed after 21 days [of birth].’

The argument for this is the previously mentioned ḥadīth narrated by Samurah: ‘Every boy is mortgaged by his *‘aqīqah*; so slaughter for him on the seventh day, and name him.’¹³³ Al-Tirmidhī said that it is a ṣaḥīḥ ḥadīth.¹³⁴

‘Abdullāh Ibn Wahb narrates from Muḥammad Ibn ‘Amr, from Ibn Jurayj, from Yaḥyā Ibn Sa‘īd, from Amrah bint ‘Abdu’l-Raḥmān, that ‘A’ishah said: ‘The Messenger of Allāh (ﷺ) sacrificed on behalf of Al-Ḥasan and Al-Ḥusayn on their seventh day, named them, and ordered to remove the harm [hair] from their heads.’¹³⁵

Abū Bakr Al-Mundhir conveys from Muḥammad Ibn Ismā‘īl Al-Ṣā’igh, from Abū Ja‘far Al-Razī, from Abū Zuhayr ‘Abdu’l-Raḥmān Ibn Ma‘īn,¹³⁶ from Muḥammad Ibn Ishāq, from ‘Amr Ibn Shu‘ayb, from his father, from his grandfather who said: ‘The Messenger of Allāh (ﷺ) commanded us, on the seventh day of the newborn’s birth to name, sacrifice on his behalf, and remove harm [hair] from him.’¹³⁷

¹³² See *Masā’il al-Imām Aḥmad*, of Ṣāliḥ, 2/210

¹³³ See *Fath al-Barī*, 9/519

¹³⁴ Tirmidhī, 4/101

¹³⁵ Ibn Ḥibbān, 12/27, it is authenticated by Ḥākim and Dhahabī, 4/237 agreed and it also related by Bayhaqī in his *Sunan*, 9/299.

¹³⁶ See Ibn Ḥajr in *al-Tabḍih*, 6/246.

¹³⁷ See *al-Muṣannaḥ* of Ibn Abi Shaybah, 8/240

This is the view of Muslim scholars in general; we report what has reached us of their views.

The most prominent narrator in this regard is 'A'ishah, Umm Al-Mu'minīn, as reported by Aḥmad in Al-Maymūni's narration. Similarly, Al-Ḥasan Al-Baṣrī and Qatādah say: 'Sacrifice on his behalf on his seventh day.'¹³⁸

Abū 'Umar also said: 'It was Al-Ḥasan Al-Baṣrī's view that it is obligatory on the newborn's behalf on his seventh day; if sacrifice was not made for him, he ought to do it [after maturity].'¹³⁹

Al-Layth Ibn Sa'd said: 'The sacrifice is made on behalf of the newborn within his first seven days, but if it was not feasible, it is fine to be performed later on. It is not obligatory to be performed on the seventh day in particular.'

Abū 'Umar said: 'Al-Layth's view was that it was obligatory within the first seven days.'

'Aṭā' said: 'If they missed making the sacrifice on the seventh day, I prefer to postpone it to the next seventh day.'

Such was also the view of Aḥmad, Ishāq and Al-Shāfi'ī. Mālik did not exceed the second seventh day.

Ibn Wahb said: 'There is no problem in performing it on the third seventh day, which is also the view of 'A'ishah, 'Aṭā', Aḥmad and Ishāq.'

Mālik said: 'The day of his birth is not counted, except if he was

¹³⁸ See *al-Isḥrāf 'alā Madbāib al-'Ulamā'* of Ibn al-Mundhir, 3/418

¹³⁹ See *al-Tamhīd* of Ibn 'Abdu'l-Barr, 4/311-312 and *Istidhkār*, 5/550-551

born before dawn [in the previous night].¹⁴⁰

It is apparent that adhering to that is optional, otherwise, sacrificing on the seventh, eighth, tenth or later on would not count. In addition, what matters is the day of sacrifice, not the day of cooking or eating.

Section Nine:

Indicating that it is Better Than Donating an
Equivalent Amount for Charity

Al-Khallāl said in Chapter on the recommended *'aqīqah* and its preference over charity: Sulaymān Ibn Al-Ash'āth told us that Abū 'Abdullāh was asked whether he preferred the *'aqīqah* or donating an equivalent amount for the poor. He said: "[I prefer] the *'aqīqah*."¹⁴¹

He also said, in the narration of Abū'l-Hārith, when he was asked about the *'aqīqah*: 'If he borrowed [to perform it], I have faith that Allāh will compensate him, because he kept the Sunnah alive.'¹⁴²

Ṣāliḥ said that he asked his father: 'A child may be born to a man who does not have the financial means to perform *'aqīqah*; do you prefer that he borrows to perform it, or delay it until he has the means?'

He said: 'The strongest saying regarding it is the ḥadīth narrated

¹⁴⁰ See *al-Tamhīd* of Ibn 'Abdu'l-Barr, 4/312-316, *Istidhkār*, 5/551-552, *Muṣannaf* of Ibn Abī Shaybah, 12/326-327, *al-Mughnī* of Ibn Qudāmah, 13/396-327 and others.

¹⁴¹ See *Masā'il al-Imām Aḥmad*, of Abū Dāwūd, p. 256

¹⁴² See *Masā'il al-Imām Aḥmad*, of Ṣāliḥ, 2/208 and *al-Mughnī* of Ibn Qudāmah, 13/395.

by Al-Ḥasan from Samurah that the Prophet (ﷺ) said: “Every boy is mortgaged by his ‘*aqīqah*’”.¹⁴³ I have faith that he who borrows [to perform it] will be compensated quickly by Allāh, because he kept the Sunnah of the Prophet (ﷺ) alive, and followed his instruction.¹⁴⁴

That is because it is a Sunnah and a legitimate rite of sacrifice, in response to the recent favour of Allāh upon the parents. It contains a wonderful secret regarding the ransom of Ismā‘īl with the ram that was sacrificed on his behalf and used as a ransom for him. Therefore, it became a followed tradition in his descendants; to ransom their children after birth by sacrificing on their behalf.

It is not implausible to think that this protects the child from Satan’s harm after birth, just as mentioning the name of Allāh when planting the seed in the womb was to protect him or her from Satan. That is why it is rare to find someone, whose parent neglected the ‘*aqīqah*, who is not under the influence of Satan.

The secrets of the Sharī‘ah are greater than this, which is why the ‘*aqīqah* is lawful for both the boy and the girl, even if they differ in its amount.

As for People of the Book, the ‘*aqīqah* is not for the girl, but for the boy exclusively, which is the view of some of the Salaf.¹⁴⁵

Abū Bakr Ibn Al-Mundhir said: ‘In this regard is a third opinion held by Al-Ḥasan and Qatādah; they did not believe in ‘*aqīqah* for

¹⁴³ Reference already mentioned.

¹⁴⁴ See *Masā’il al-Imām Ahmad*, of Ṣāliḥ, 2/210-212

¹⁴⁵ The early scholars.

the girl.¹⁴⁶

That is a weak view that should be ignored; the Sunnah disagrees with it from a number of points, as will come in the next topic.

Therefore, sacrifice for the child is better than donating an equivalent or even a greater amount, such as gifts and *udhbiyah*. The sacrifice and spilling blood, in and of itself, is desired, for it is a form of worship coupled with prayers. Allāh the Exalted said:

فَصَلِّ لِرَبِّكَ وَأَنْحِرْ ﴿٢﴾

“So pray to your Lord and sacrifice [to Him alone].”

[*al-Kawthar* (108): 2]

He also said:

قُلْ إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ
رَبِّ الْعَالَمِينَ ﴿١٦٢﴾

“Say: ‘Indeed, my prayer, my rites of sacrifice, my living and my dying are for Allāh, Lord of the worlds.’”

[*al-An‘ām* (6): 162]

In each religion is a prayer and rite of sacrifice that cannot be replaced. Therefore, if the person donated instead of the sacrifice for the wedding, many times its value, it would not suffice, which is also the case for *udhbiyah*.

Allāh knows best.

¹⁴⁶ *Al-Isbrāf ‘alā Madhābīb al-‘Ulamā’* of Ibn al-Mundhir, 3/415, See *al-Tamhīd* of Ibn ‘Abdu’l-Barr, 4/317, *Istidhāk*, 5/550-554, *al-Muṣannaf* of Ibn Abī Shaybah, 4/331 and *al-Muballā*, 7/523.

Section Ten:
Differentiation of Males and Females
Regarding it

There are two issues here:

First issue: The *'aqiqah* is recommended for the girl just as it is recommended for the boy. That is the view of the majority of scholars from Companions [of the Prophet (ﷺ)], followers (*al-tāb'in*)¹⁴⁷ and their followers.

We have already stated what Ibn Al-Mundhir conveyed from Al-Ḥasan and Qatādah, that they did not believe in *'aqiqah* for the girl.¹⁴⁸

Perhaps they clung to the Prophet's (ﷺ) saying: 'Along with a boy there is an *'aqiqah*' which is narrated by Al-Ḥasan and Qatādah from Samura's ḥadīth, since 'the boy' refers to males only.

However, this is refuted by the ḥadīth of Umm Karz who asked the Messenger of Allāh (ﷺ) about the *'aqiqah* and he said: 'For the boy is two sheep, and for the girl is one, it will not matter whether they [the sheep] are male or female.' It is narrated by Al-Tirmidhī and others, who said it is a ṣaḥīḥ ḥadīth.¹⁴⁹

It is also refuted by the ḥadīth of 'A'ishah (*radīy Allāhu 'anhā*): 'The Messenger of Allāh (ﷺ) commanded us to sacrifice two sheep for a boy's *'aqiqah* and one sheep for a girl.' It is narrated by Abū Shaybah and the full list of narrators were previously mentioned.¹⁵⁰

¹⁴⁷ Followers (*al-tāb'in*) refers to followers of the Companions—Muslims who have not met with the Messenger (ﷺ) after converting to Islām, but have met with one or more of his Companions.

¹⁴⁸ Reference already mentioned

¹⁴⁹ Reference already mentioned

Abū 'Aṣim said, conveying Sālim Ibn Tamīm, from his father, from Al-A'raj, on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*) that the Prophet (ﷺ) said: 'The Jews perform *'aqīqah* for the boy, but not for the girl. Therefore, sacrifice two sheep for the boy, and one for the girl.' It is narrated by Al-Bayhaqī by this way.¹⁵¹

Mālik said: "One sheep is sacrificed for the boy and one for the girl; males and females are equal in that regard."¹⁵²

He cited as evidence what Abū Dāwūd narrated in his *Sunan*: Abū Mu'amar conveys from 'Abdu'l-Wārith, from Ayyūb, from 'Ikrimah, from Ibn 'Abbās (*radīy Allāhu 'anhumā*), that the Messenger of Allāh (ﷺ) sacrificed a ram for both Al-Ḥasan and Al-Ḥusayn each.¹⁵³

Abū 'Umar said: 'Ja'far Ibn Muḥammad narrates from his father that Fāṭimah sacrificed a ram for both Al-Ḥasan and Al-Ḥusayn each.'

He said: "Abdullāh Ibn 'Umar used to sacrifice a ram for each of his children, whether boys or girls. The same view is held by Muḥammad Ibn 'Alī Ibn Al-Ḥusayn Ibn 'Alī (*radīy Allāhu 'anhum*), just as Mālik said."¹⁵⁴

Abū 'Umar¹⁵⁵ continues: 'However, Ibn 'Abbās, 'A'ishah and a group of people of ḥadīth (*abl'ul-ḥadīth*) said that two sheep are to be sacrificed for the boy and one sheep for the girl.' He then

¹⁵⁰ Reference already mentioned

¹⁵¹ Al-Bayhaqī in his *Sunan*, 9/301-302 and his *Shu'ab al-Imān*, 15/106

¹⁵² See *al-Muwatta'*, 1/419, *al-Tamhīd*, 4/314 and *Istidhkār*, 5/555-556

¹⁵³ Reference already mentioned

¹⁵⁴ See *al-Tamhīd*, 4/314 and *Istidhkār*, 5/555-556

¹⁵⁵ See *al-Tamhīd*, 4/317 and others.

cited the ḥadīth of Umm Karz and the ḥadīth of ‘Amr Ibn Shu‘ayb from his father, from his grandfather: ‘Whoever wants to offer a sacrifice for his child, let him do so, for a boy, two sheep, and for a girl, one.’

There is no contradiction between the ḥadīths of differentiation between boys and girls and the ḥadīth of Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) in the story of Al-Ḥasan and Al-Ḥusayn. His ḥadīth was narrated in two versions; one says, ‘a ram each’ and the other says, ‘two rams each.’ Perhaps the narrator wished to say two rams each, but then narrated the genral sense of it.¹⁵⁶

However, I have a better explanation here: The Messenger (ﷺ) sacrificed a ram for each, and their mother sacrificed another ram for each. Both ḥadīths were narrated. Therefore, one ram was from the Prophet (ﷺ), and the other was from Fāṭimah (*radīy Allāhu ‘anhu*). In this way, all ḥadīths agree.

This is a rule in the Shari‘ah. Allāh the Exalted differentiated the male and the female from each other, and assigned to the female half that of the male in terms of inheritance, blood money, testimony, slave freeing and *‘aqīqah*. As narrated, and deemed ṣaḥīḥ by Al-Tirmidhī, on the authority of Abū Umāmah (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) said: ‘Any Muslim man who frees a Muslim man, then it is his salvation from the Fire—each of his limbs suffices for a limb of himself. And any Muslim man that frees two Muslim women, then they are his salvation from the Fire—each of their limbs suffices for a limb of himself.’¹⁵⁷

¹⁵⁶ This is the best way I could translate it.

¹⁵⁷ Tirmidhī, 5/151

In the *Musnad* of Imām Aḥmad,¹⁵⁸ on the authority of Murrah Ibn Ka'b Al-Sulamī (*radīy Allāhu 'anhu*) that the Prophet (ﷺ) said: 'Any Muslim man who frees a Muslim man, then it is his salvation from the Fire—each of his limbs suffices for a limb of himself. And any Muslim man that frees two Muslim women, and then they are his salvation from the Fire—each of their limbs suffices for a limb of himself. And any Muslim woman that frees a Muslim woman, then she is her salvation from the Fire—each of her limbs suffices for a limb of herself.' It is narrated by Abū Dāwūd in his *Sunan*.¹⁵⁹

Therefore, differentiation in '*aqīqah*' would have been applicable even if there were no Sunnah therein. How about when an explicit Sunnah is confirmed regarding differentiation?

Section Eleven:

The Purpose, Legality and Benefits of '*Aqīqah*' and Reviving the Sunnah of the Messenger (ﷺ)

Al-Khallāl wrote a chapter in his *Jāmi'* on the purpose of '*aqīqah*', and what is hoped to revive the Sunnah by the latecomers. Then he stated the ḥadīth of Abū'l-Ḥārith when he asked Abū 'Abdullāh about the '*aqīqah*': 'What if he [the parent] did not have the financial means to perform it?' He said: 'If he borrowed [to perform it], I have faith that Allāh will compensate him, because he kept the Sunnah alive.'¹⁶⁰

He also stated the narration of Ṣāliḥ from his father: 'I have faith that he who borrows [to perform it] will be compensated quickly

¹⁵⁸ Aḥmad in his *Musnad*, 4/235, 236

¹⁵⁹ Abū Dāwūd, 11/702, Ibn Mājah, #2522 and others

¹⁶⁰ See *Masā'il al-Imām Aḥmad*, of Ṣāliḥ, 2/208

by Allāh, because he kept the Sunnah of the Prophet (ﷺ) alive, and followed his instruction.’

Its benefits include that it is a sacrifice on behalf of the child in his first moments. The newborn benefits from it greatly, just as they benefit from praying for them, bringing them to places of rituals’, performing *Ihrām*¹⁶¹ for him and so on.

They also include that it absolves the newborn of their mortgage, for they are mortgaged by their ‘*aqīqah*. Imām Aḥmad said: ‘mortgaged from intercession for their parents’, while ‘Aṭā’ Ibn Abī Rabah said it means: ‘being deprived from their child’s intercession’.

They also include that it is a ransom for the newborn, just like Allāh the Exalted ransomed Ismā’īl with the ram. During the pre-Islāmic Ignorance, people used to perform it, call it ‘*aqīqah* and smear the newborn’s head with its blood. The Messenger (ﷺ) approved of the sacrifice, and abolished the name derived from ‘*uqūq* and the blood smudging when he said: ‘I do not like disobedience (‘*uqūq*)’ and “... do not smear his or her head with the blood.’ He (ﷺ) informed us that what is sacrificed for the newborn should be deemed recommended, like the *udḥīyah*, so he said: ‘Whoever wants to offer a sacrifice for his child, let him do so.’ He treated it the same way as the *udḥīyah* that Allāh made a sacrifice and ransom for Ismā’īl (‘*alayhis-salām*) and a means of nearness to Him. It is not unlikely for it to be a reason for the decent nurturing, safety, long life and protection of the child from the harm of Satan, and that each limb thereof suffices for a limb of the child. That is why it is recommended to say, upon performing it, what is said when performing *udḥīyah*.

¹⁶¹ *Ihrām*: The state of devoting [oneself] to a religious pilgrimage

Abū Ṭālib reports that he asked Abū ‘Abdullāh: ‘If a man wished to perform *udḥīyah*, what should he say?’

He said: ‘He should say: “In the name of Allāh,” and then perform it with the *‘aqīqah*’s intention in his heart, just like he does in *udḥīyah*. He should say [in his heart]: “This is the *‘aqīqah* of such-and-such”, that is why he says: ‘O Allāh, it [the *‘aqīqah*] is from you and to you”.’

The recommended acts of *udḥīyah* are also recommended here, such as donating and distributing the meat. The sacrifice on behalf of the newborn contains the meanings of sacrifice, gratitude, ransom, charity and feeding people in the happy incidents, to show gratitude to Allāh and acknowledge His blessing that is the purpose of marriage. If feeding people is recommended in marriage, which is means for the production of this human being, it is more appropriate to be recommended upon the arrival of such end.¹⁶²

It was decreed by means of sacrifice that includes the wisdom explained earlier; nothing is better or closer to the hearts than such law, regarding newborns.

This is applicable to the Sunnah of banquets in weddings and such; it displays joy and happiness for establishing the Islāmī Shari‘ah and the emergence of a Muslim soul, with which the Messenger (ﷺ) will boast before the other nations, on the Day of Judgement, and compel the enemies.

When the Messenger (ﷺ) approved and confirmed the *‘aqīqah* in Islām, and stated that the newborn is mortgaged by it, he forbade

¹⁶² See *al-Mughni* of Ibn Qudāmah, 13/399-400

putting blood on the newborn's head, and allowed them to put little saffron. In the pre-Islāmic Ignorance, they used to smear the newborn's head with the blood to seek its blessing, since the sacrifice's blood was sacred for them that they even smear their gods with it, in order to glorify and honour them. Therefore, Muslims were commanded to avoid that, to avoid resemblance to disbelievers, and they were given what is more beneficial to the parents, the newborn and the poor, which is shaving the newborn's head and donating gold or silver equivalent in weight to that hair. The Messenger (ﷺ) also permitted smudging the head with the good-smelling and nice-looking saffron, instead of the bad-smelling and ugly-looking blood. Saffron is among the best, most gentle and best-looking perfumes. Shaving the head removes harm and weak hair from the newborn, and allows stronger, firmer and more beneficial hair to grow in its place. It also lightens [the burden] from the newborn, and opens the head's pores to allow the easy and smooth emergence of steam, which strengthens the senses of sight, smell and hearing.

It was decreed that two sheep be sacrificed on behalf of the boy, to display his preference and outline his status granted by Allāh, compared to the girl, just as He preferred him in inheritance, blood money and testimony.

It was decreed that the two sheep be equal in size to each other. Aḥmad said: in Abū Dāwūd's narration, 'Equal or close'¹⁶³ and said in Al-Maymūni's narration, 'Equivalent.'

In the narration of Ja'far Ibn Al-Hārith: 'Each resembles the other, since each of them was a ransom for the boy, and each are similar in age and aesthetics, they become like one.'

¹⁶³ See *Masā'il al-Imām Aḥmad*, of Abū Dāwūd, p. 256

It means: Had the ransom been achieved with a single sheep, it would have had to be perfect and ideal. However, since it is achieved with two sheep, it may have been possible [for the parent] to be negligent in one of them, as if the ransom was achieved with one, while the other is just an unnecessary compliment. Therefore, it was decreed that they be equal to avoid that illusion.

This includes a warning to rectify the *'aqīqah* from defects that are not acceptable in other sacrifices such as *udhīyah*, since it releases the mortgaging of the newborn, as the Prophet (ﷺ) said. The meaning of this mortgaging was debated.

One group said: The newborn is restrained from intercession for their parents, as was the view of 'Aṭā' and Imām Aḥmad.¹⁶⁴

This view has obvious flaws. The child's intercession for their parents is not more adequate than the opposite. In addition, being a parent does not grant the right for intercession, and neither does any other family relation. Allāh the Exalted said:

يَتَأْتِيهَا النَّاسُ أَتْفُقَارِكُمْ وَأَخْشَوْا يَوْمًا لَا يَجْزِي وَالِدٌ
عَنْ وَلَدِهِ وَلَا مَوْلُودٌ هُوَ جَارٍ عَنِ وَالِدِهِ شَيْئًا

“O mankind, fear your Lord and fear a Day when no father will avail his son, nor will a son avail his father at all.”

[*Luqṣmān* (31): 33]

He also said:

¹⁶⁴ See *Zād al-Mu'ād*, 2/326 and others.

وَاتَّقُوا يَوْمًا لَا تَجْزِي نَفْسٌ عَنْ نَفْسٍ شَيْئًا وَلَا
يُقْبَلُ مِنْهَا شَفَعَةٌ

“And fear a Day when no soul will suffice for another soul at all, nor will intercession be accepted from it.”

[*al-Baqarah* (2): 48]

And said:

مَنْ قَبِلَ أَنْ يَأْتِيَ يَوْمًا لَا بَيْعَ فِيهِ وَلَا خُلَّةَ وَلَا شَفَعَةَ

“...Before there comes a Day in which there is no exchange and no friendship and no intercession.”

[*al-Baqarah* (2): 254]

Therefore, no one can intercede for anyone on the Day of Judgment, except only after Allāh has permitted [it] to whom He wills and approves.

The rank of the interceder, regarding closeness to Allāh, is not attained through a family relation, filiation or paternity. The master and most prominent of interceders (شَفِيعًا) said to his uncle, aunt and daughter: ‘I cannot avail you at all against Allāh.’¹⁶⁵

He also said, in another version: “I do not have power to do anything for you against Allāh.”¹⁶⁶

He also said regarding his grand intercession, when he prostrates before Allāh and intercedes: ‘He will fix a limit for me [to intercede for] whom I will admit into Paradise.’¹⁶⁷

¹⁶⁵ Bukhārī, 5/382 and Muslim, 1/192

¹⁶⁶ Muslim, #203, #204

¹⁶⁷ Bukhārī, 8/160 and Muslim, 1/181

Therefore, his intercession is for a limited number of people, set by Allāh the Exalted for him (ﷺ), and his intercession cannot exceed that limit, so how can it be said that the child intercedes for their parents, and that if the parent does not perform the ‘*‘aqīqah*’, the child will be restrained from interceding? The word ‘mortgaged’ is not used to describe someone who does not intercede for another, neither does the term itself indicate such meaning.

Allāh the Exalted states the mortgaging of the servant by his deeds, as He said:

كُلُّ نَفْسٍ بِمَا كَسَبَتْ رَهِينَةٌ ﴿٣٨﴾

“Every soul, for what it has earned, will be retained.”

[*al-Mudaththir* (74):38]

He also said:

أُولَٰئِكَ الَّذِينَ أُبْسِلُوا بِمَا كَسَبُوا

“Those are the ones who are given to destruction for what they have earned.”

[*al-An‘ām* (6):70]

The mortgaged one is the one who is restrained, either by his actions or by the actions of another. As for whoever does not intercede for another, he is never described as ‘mortgaged’. The mortgaged one is the one who is denied something he aimed to attain, not necessarily because of his actions; but sometimes because of the actions of others.

Allāh the Exalted made the sacrifice on behalf of the child a reason for their release from the devil that clings to them upon their emergence in this life, and a stab in his flank. The ‘*‘aqīqah*’ is a ransom and a release of Satan’s restraining, captivity and hindrance

of pursuing the Hereafter. It is as the newborn is mortgaged for slaughter by the devil with the knife, which he prepared for his followers and allies, and swore to his Lord to destroy the descendants [of Ādam], except for a few. He is on alert for the newborns since they enter this life. When they do, he rushes to them, embraces them and makes sure to keep them in his grasp, under his captivity and among his allies and party. He is most keen on this.

The majority of newborns are among his herd and army, as Allāh the Exalted said:

وَشَارِكُهُمْ فِي الْأَمْوَالِ وَالْأَوْلَادِ

“And become a partner in their wealth and their children.”

[*al-Isrā'* (17):64]

He also said:

وَلَقَدْ صَدَّقَ عَلَيْهِمْ إِبْلِيسُ ظَنَّهُ

“And Satan had already confirmed through them his assumption.”

[*Sabā'* (34):20]

Thus, the newborn was subject to this mortgaging, and Allāh the Exalted allowed the parents to release that mortgage through a sacrifice; but if they do not perform it, the newborn remains mortgaged. That is why the Prophet (ﷺ) said: ‘Along with a boy there is an *'aqiqab*, so shed blood on his behalf, and remove harm [hair] from him.’¹⁶⁸

Therefore, he commanded shedding blood on the child’s behalf,

¹⁶⁸The book begins the ḥadīth with, ‘Every boy is mortgaged by his *'aqiqab*’, but that is not the correct ḥadīth. The reference already mentioned.

which releases the mortgaging. Had the mortgaging been related to the parents, he would have said: 'shed blood on your behalf so that the intercession of your children can reach you.' However, since he (ﷺ) commanded to remove the apparent harm from him, and shedding blood, which removes the ulterior harm from him, we learn that this '*aqīqah* releases the child from the apparent and ulterior harm. Allāh knows best His intent and the intent of His Messenger.

Section Twelve:
Preference of Cooking it
Over Donating it as Raw Meat

Al-Khallāl said in his *Jāmi'*, under Chapter on the recommended acts in '*aqīqah*: I was told by 'Abdu'l-Mālik that he asked Abū 'Abdullāh: 'Should the '*aqīqah* be cooked?' He said: 'Yes.'¹⁶⁹

I was also told by Muḥammad Ibn 'Alī, conveying from Al-Athram, that Abū 'Abdullāh said about the '*aqīqah*: 'It should be cooked, limb by limb.'

Abū Dāwūd reports that he asked Abū 'Abdullāh: 'Should the '*aqīqah* be cooked?' He said: 'Yes.' He was told: 'It is an additional cost for them' and he said, 'They should endure it.'¹⁷⁰

Muḥammad Ibn Al-Ḥusayn narrates from Al-Faḍl Ibn Ziyād that Abū 'Abdullāh was asked about the '*aqīqah*: 'Should it be cooked in water and salt?' He said: 'Such is recommended.' He was asked: 'What if it was cooked in something else?' He said: 'That would

¹⁶⁹ See *Masā'il al-Imām Ahmad*, of Ṣāliḥ, 2/210 and *al-Mughni* of Ibn Qudāmah, 13/400-401.

¹⁷⁰ See *Masā'il al-Imām Ahmad*, of Abū Dāwūd, p. 256

not hurt.’

That is because, if cooked, it saves the poor and the neighbours the effort of cooking, which is additional kindness and gratitude. The neighbours, children and the poor enjoy it readily. When one is presented with cooked and prepared meat, they are more happy and pleased than being presented with raw meet that needs effort and cost. That is why Imām Aḥmad said: ‘They should endure it.’

Moreover, all traditional banquets that aim to show gratitude [to Allāh] are cooked.

They have different names: *qira* - guests’ food, *ma’dubab*, banquet food, *tuhfab* - visitors’ food, *walimah*, -wedding food, *khurs* - child-birth food, *‘aqiqah* - sacrifice on the seventh day, upon shaving the child’s head, *‘adhirah* - circumcision food, *waḍimah* - funeral food, *naqi’ah* - food for the person arriving from travel and *wakirah* - food after construction works are completed.¹⁷¹

Feeding people on these occasions is better than distributing the meat and is among the good manners of generosity. Allāh knows best.

Section Thirteen:

Disapproval of Breaking its Bones

Al-Khallāl said in his *Jāmi’*: Chapter on the Disapproval of breaking the *‘aqiqah*’s bones and cutting it into pieces:

I was told by ‘Abdu’l-Mālik Ibn ‘Abdu’l-Hāmid that he heard Abū

¹⁷¹ See *Fiqh al-Lughā wa sir al-‘Arabia of Tha’ālabi*, p.264

‘Abdullāh say about the *‘aqīqah*: ‘Its bones should not be broken, but separated from the joints.’

‘Abdullāh Ibn [Imām] Aḥmad said that he asked his father: ‘What should be done with the *‘aqīqah*?’ He said: ‘Its limbs should be separated, but the bones should not be broken.’¹⁷²

He then narrated from Ṣāliḥ, Ḥanbal, Al-Faḍl Ibn Ziyad, Abū Al-Ḥārith and Abū Ṭālib that Abū ‘Abdullāh said about the *‘aqīqah*: ‘It should be separated thoroughly, limb by limb, but the bones should not be broken.’¹⁷³

Abū Dāwūd stated in *Kitāb al-Murāsīl*,¹⁷⁴ from Ja‘far Ibn Muḥammad, from his father, that the Prophet (ﷺ) said, in the *‘aqīqah* performed by Fāṭimah on behalf of Al-Ḥasan and Al-Ḥusayn: “Send a leg thereof to the midwife, eat and feed others, and do not break its bones.”

Al-Bayhaqī narrated from ‘Abdu’l-Wārith, from ‘Āmir Al-Aḥwal, from ‘Aṭā’, from Umm Karz, that the Messenger (ﷺ) said: ‘For the boy is two sheep [equal in age], and for the girl is one.’¹⁷⁵ ‘Aṭā’ said: ‘It should be cut, limb by limb, and its bones should not be broken. The narrator thinks that he added: ‘And it should be cooked.’¹⁷⁶

The same was narrated by Jurayj from ‘Aṭā’ with the addition: ‘It should be cut into pieces, cooked in water and salt, and given

¹⁷² See *Masā’il al-Imām Aḥmad*, of ‘Abdullāh, 3/879

¹⁷³ See *al-Mughnī* of Ibn Qudāmah, 13/401.

¹⁷⁴ *Kitāb al-Murāsīl*, pp.278-279 no. 379, Bayhaqī in his *Sunan*, 9/302 and see *Zād al-Mu‘ād*, 2/332

¹⁷⁵ See Bayhaqī, 3/302 and *Shu‘ab al-Imān*, 15/104.

¹⁷⁶ See *al-Tamhīd* of Ibn ‘Abdu’l-Barr, 4/321, *Istīḍkār* of Ibn ‘Abdu’l-Barr, 5/559 and *al-Muḥallā*, 7/529.

as a present to neighbours.¹⁷⁷

In that regard, sayings were narrated from Jābir Ibn 'Abdullāh (*raḍīy>Allāhu 'anhu*) and from 'A'ishah (*raḍīy>Allāhu 'anḥā*).

Ibn Al-Mundhir narrates from 'Aṭā', from Abū Karz and Umm Karz, from a woman of 'Abdu'l-Raḥmān Ibn Abī Bakr's household said: 'When 'Abdu'l-Raḥmān's wife gave birth, we sacrificed a camel.' 'A'ishah (*raḍīy>Allāhu 'anḥā*) said: 'No, the Sunnah is two equivalent sheep, donated on behalf of the boy, and one on behalf of the girl. It should be cooked, but its bones should not be broken. It is then eaten [by the family], fed [to others] and donated. This should take place on the seventh day [of birth]; if not, then on the fourteenth; and if not, then on the twenty-first.' Ibn Al-Mundhir narrates that Al-Shāfi'ī said: 'The *'aqīqah* is an obligatory Sunnah. It should be free from defects that are not acceptable in the *udḥyāh* as well. Neither its meat nor its skin should be sold, nor should the bones be broken. The [newborn's] family should eat and donate from it, and the child should not be touched with any of its blood.'¹⁷⁹

Abū 'Amr says: 'Mālik's view is the same as Al-Shāfi'ī, except that he said: 'Its bones can be broken, and neighbours should be given to eat from it. However, people are not invited over [to eat] as in the banquet.'¹⁸⁰

He also reported that Ibn Shihāb said: 'It is acceptable to break its bones, which is Mālik's view.'¹⁸¹

¹⁷⁷ See *Istidḥkār* of Ibn 'Abdu'l-Barr, 5/559.

¹⁷⁸ See *al-Isbrāf 'alā Madhābīb al-'Ulamā'* of Ibn al-Mundhir, 3/417-418.

¹⁷⁹ See *al-Isbrāf 'alā Madhābīb al-'Ulamā'* of Ibn al-Mundhir, 3/418.

¹⁸⁰ See *al-Tamhīd* of Ibn 'Abdu'l-Barr, 4/321, *Istidḥkār*, 5/558-559

¹⁸¹ See *al-Muballā* of Ibn Hazm, 7/528-529.

Those who view it alright to break its bones said: ‘Nothing ‘correct’ was narrated in its prohibition, neither is there a Sunnah regarding its disapproval, which should be followed. It is the usual practice to break the meat’s bones, to facilitate eating and utilizing it. There is no benefit in preventing that.’

Those who disapprove of breaking the bones cling to the reports we mentioned from Companions and Followers, and to the ḥadīth mursal¹⁸² narrated by Abū Dāwūd.

They stated some of the wisdom behind that view:

First: To highlight the honour and rank of such food, as it is offered to eaters, given as presents to neighbours and fed to the poor. Therefore, it was recommended to be cut to pieces, each piece is complete in itself, none of its bones is broken, and no part of the limb is missing. No doubt that this is better and more generous than smaller pieces.

Second: If a present is significant, it gets a positive reception from the recipient, and indicates the nobility and vigor of the presenter. This carries a good omen for the nobility and vigor of the newborn.

Third: Since it is regarded as a ransom, it is preferred not to break its bones, as a good omen for the safety, strength and healthiness of the newborn’s limbs, due to not breaking the bones of the child’s ransom. Those who disapprove of breaking the bones follow the same rationale

¹⁸² Ḥadīth mursal: A ḥadīth that is narrated by a Follower (2nd generation narrator) directly from the Messenger (ﷺ), while the companion (1st generation narrator) is not mentioned in the chain of narrators.

as those who disapprove of calling it '*aqīqab*', This disapproval of breaking the bones is parallel to disapproval of the name. Allāh knows best.

Section Fourteen:

The Minimum Acceptable Age of the Animal

Al-Khallāl said in his '*Jāmi'*, Chapter on the recommended age for '*aqīqab*:

He then cited a question of Abū Tālib, when he asked Abū 'Abdullāh whether the '*aqīqab* is acceptable with a ewe or a big lamb, he said: 'A male [lamb] is better, and it was narrated "whether male or female"',¹⁸³ so a ewe is fine as well.' He asked: 'The lamb then?' He said: 'The older is better.'

When the Prophet (ﷺ) said: 'If anyone has a child born to him, and wants to sacrifice for his child, then let him do it' this is evidence that the acceptable age therein is the same as other sacrifices such as *udhīyah* and *hajj* offerings. Since it is a Sunnah, either obligatory or recommended, it follows the path of *udhīyah* and *hajj* offerings regarding donation, presenting, eating and drawing nearer to Allāh the Exalted. Thus, the accepted age for them is also applicable for the '*aqīqab*. In addition, since it was decreed describing perfection, and therefore was made two sheep for the boy and that both should be equivalent, the regarded acceptable age is that of the obligatory sacrifices. That is why it follows the same path in its requirements in general.

Abū 'Umar Ibn 'Abdu'l-Barr said: 'Scholars have agreed that it is only acceptable in the '*aqīqab* what is acceptable in the *udhīyah*;

¹⁸³ Reference already mentioned

the eight mates,¹⁸⁴ except those who deviated, whose view are not considered an opposition.’

As for what is narrated by Mālik in *al-Muwattaʿ* from Rabi‘ah Ibn ‘Abdu’l-Rahmān, from Muḥammad Ibn Ibrāhīm Al-Taymī that his father said: ‘The *‘aqīqah* is recommended even if by [sacrificing] a bird’¹⁸⁵ —it is a form of exaggeration. It is like when he (ﷺ) said to ‘Umar regarding the horse: ‘Do not buy it, even if he gave it to you for a *dirham*’¹⁸⁶ and his saying about the slave girl: ‘If she committed adultery, sell her even for a hair rope.’¹⁸⁷

Mālik said: ‘The *‘aqīqah* is like the sacrifices. It is not acceptable therein to sacrifice an animal that is one-eyed, scrawny, broken or ill. Neither its meat nor its skin should be sold, nor should its bones be broken. The [newborn’s] family should eat and donate from it.’¹⁸⁸

Section Fifteen:

Clarifying that it Cannot Be Shared, and is One *‘Aqīqah* per Person

This is one of the differences between *‘aqīqah* and *udḥīyah* or sacrifice. Al-Khallāl said in his *Jāmi‘* in [Chapter on the viability of one camel on behalf of seven children]:

‘Abdu’l-Mālik Ibn ‘Abdu’l-Ḥamīd said that he asked Abū ‘Abdullāh: ‘Can you sacrifice a camel as *‘aqīqah*?’ He said: ‘Has it not been done before?’ He asked: ‘Can you sacrifice a camel on

¹⁸⁴ They are mentioned in the verses [*al-An‘ām* (6) :143-144]

¹⁸⁵ Imām Mālik in his *al-Muwattaʿ*, 1/419

¹⁸⁶ Bukhārī, 3/352 and Muslim, 3/1620

¹⁸⁷ Bukhārī, 6/421 and Muslim, 3/1329

¹⁸⁸ See *al-Tamḥīd* of Ibn ‘Abdu’l-Barr, 4/320, *Istidḥkār*, 5/558 and others

behalf of seven people, as '*aqiqah*?' He said: 'I never heard anything in that regard and I sensed he is not keen on the idea of seven people sharing in a camel as '*aqiqah*.'

I say: Since this sacrifice is regarded as a ransom for the child, it should be a complete sacrifice, in order to ransom one soul with another.

In addition, if it were acceptable to share in the '*aqiqah*, the desired blood shedding on behalf of the child would not take place, since the blood shedding happens for just one child, while for the others only distributing the meat is what takes place. The blood shedding itself is desired on behalf of the child.

This meaning is what is cited by those who disapprove of sharing in the *udhbiyah* and sacrifice.

However, the Sunnah of the Messenger (ﷺ) is more worthy of following. It was he who allowed sharing in the *udhbiyah* and *haji* offerings, and it was he who decreed for the '*aqiqah* two separate animals for the child, which cannot be replaced by a camel or a cow. Allāh knows best.

Section Sixteen:

Is '*Aqiqah* Acceptable with Something Other than Sheep, like Cows and Camels?

Jurists have disagreed whether other animals are acceptable in the '*aqiqah*.

Ibn Al-Mundhir¹⁸⁹ said: 'They disagreed about performing the

¹⁸⁹ See *al-Isbrāf 'alā Madhāhib al-'Ulamā'* of Ibn al-Mundhir, 3/415-416.

'*aqiqah* with animals other than sheep. We narrated that Anas Ibn Mālik used to sacrifice camels on behalf of his children, and that Abū Bakrah sacrificed a camel on behalf of his son, 'Abdu'l-Raḥmān, and fed with it the people of Baṣrah.'

He then narrated from Al-Ḥasan that he said: 'Anas Ibn Mālik used to sacrifice camels on behalf of his children.'

And then he narrated from Yaḥyā Ibn Yaḥyā, from Hushaym Ibn, from Ubaynah Ibn 'Abdu'l-Raḥmān, from his father, that Abū Bakrah had a son, 'Abdu'l-Raḥmān', born to him, and he was the first newborn in Baṣrah. He sacrificed a camel and fed it to the people of Baṣrah.¹⁹⁰

Some of them disapproved of this and said: 'The Messenger of Allāh (ﷺ) ordered two sheep to be sacrificed for the boy and one for the girl, and it is not permitted to perform it otherwise.'

We narrated from Yūsuf Ibn Māhik that they entered upon Ḥafṣah bint 'Abdu'l-Raḥmān, who had given birth to a boy of Al-Mundhir Ibn Al-Zubayr, and asked her: 'Did you sacrifice a camel as '*aqiqah*?' She replied: '[I seek] the refuge of Allāh. My aunt [A'ishah] used to say: "For a boy, two sheep were sufficient, and for a girl one sheep."¹⁹¹

Mālik said: 'In '*aqiqah*, I prefer goats over cows, and sheep over camels. In *ḥajj* offerings, I prefer cows and camels over sheep, and prefer camels over cows.'¹⁹²

¹⁹⁰ *ibid*

¹⁹¹ See *al-Isbrāf 'alā Madhāhib* of Ibn al-Mundir, 3/416 and Bayhaqī in his *Sunan*, 9/301

¹⁹² *Al-Isbrāf 'alā Madhāhib* of Ibn al-Mundir, 3/416; see *al-Tambid* of Ibn 'Abdu'l-Barr, 4/315.

Ibn Al-Mundhir¹⁹³ said: 'Perhaps the argument of those who said that the *'aqīqah* is acceptable with camels and cows is the saying of the Prophet (ﷺ), "Along with a boy there is an *'aqīqah*, so shed blood on his behalf" without specifying the type of blood. Therefore, whatever is sacrificed on behalf of the child, according to the literal meaning of this ḥadīth, is acceptable.'

He added: 'Someone might say that this ḥadīth is concise, while the ḥadīth, "For the boy is two sheep, and for the girl is one" is detailed, and the detailed ḥadīth is a better source for legislation than the concise one.'

Section Seventeen: Clarifying its Recipients

Al-Khallāl said in his *Jāmi'* in Chapter on what is donated and presented of the *'aqīqah*:

'Abdullāh Ibn Aḥmad reported that his father said: 'You can eat and send presents from the *'aqīqah*.'¹⁹⁴

'Iṣmah Ibn 'Iṣām reports from Ḥanbal that Abū 'Abdullāh was asked what to do with the *'aqīqah*, he said: 'As you wish.'

Ibn Sīrīn used to say: 'Do as you wish.' He was asked: 'Can the family eat it?' He said: 'Yes, but not all of it; they should eat and feed others from it.'¹⁹⁵

This was also narrated by Al-Athram,¹⁹⁶ but according to the

¹⁹³ *Al-Isbrāf 'alā Madhābīb al-'Ulamā'* of Ibn al-Mundhir, 3/416; see *al-Ḥāwī al-Kabīr* of al-Māwardī, 127-128, and *Fath al-'Aẓīz* of al-Rāfi'i, 12/170.

¹⁹⁴ See *Masā'il al-Imām Aḥmad*, of 'Abdullāh, 3/879.

¹⁹⁵ Ibn Abi Shaybah in his *al-Muṣannaḥ*, 8/241 and Ibn Abī Dunyah in *al-'Iyāl*, 1/214.

¹⁹⁶ See *Masā'il al-Imām Aḥmad*, of Ṣāliḥ, 2/210

narration of Abū Al-Ḥārith and his son, Ṣālih, he said: 'He should eat and feed his neighbours from it.'

His son, 'Abdullāh, asked him: 'How is the *'aqiqah* divided?'' He said: "As he [the parent] likes."¹⁹⁷

Al-Maymūnī said that he asked Abū 'Abdullāh: 'Can the family eat from the *'aqiqah*? He said: 'Yes, they can.' He said: 'How much can they eat?' He said: 'I do not know.' As for the *udhīyah*, however, the ḥadīths narrated by Ibn Mas'ūd and Ibn 'Umar apply. Then he added: 'But the family can eat from the *'aqiqah*.' Al-Maymūnī asked: 'Is it similar to the *'aqiqah*, in that regard?' He said: 'Yes.'

Al-Maymūnī narrates from Abū 'Abdullāh that he said: 'A third of the *udhīyah* is presented to neighbours.' He asked: 'The poor among neighbours?' He said: 'Yes, to poor neighbours.' He asked: 'Can the *'aqiqah* be treated similarly?' He said: 'Yes. Whoever does so is not far from right.'

Al-Khallāl conveys from Muḥammad Ibn 'Alī, from Al-Athram, that Abū 'Abdullāh was asked about the *'aqiqah*: 'Can some of it be saved, like the *udhīyah*? He said: 'I do not know.'

He also reports from Manṣūr: 'Abū 'Abdullāh was asked: 'Can some of it be sent to the midwife?' And I think he said: 'Yes.'

'Abdu'l-Mālik reports that Abū 'Abdullāh said: 'Some of it should be gifted to the midwife. It is reported that he (ﷺ) gifted some of it to the midwife, when he performed the *'aqiqah* for Al-Ḥusayn.'

¹⁹⁷ See *Mas'ū'il al-Imām Ahmad*, of his son 'Abdullāh, 3/880

Al-Khallāl conveys from Muḥammad Ibn Aḥmad, from his father, from his father, from Ḥafṣ Ibn Ghayyāth, from Ja‘far Ibn Muḥammad, from his father, that the Prophet (ﷺ) commanded them to send a leg of the ‘*aqiqah* to the midwife.

Al-Bayhaqī narrates from Ḥusayn Ibn Zayd, from Ja‘far Ibn Muḥammad, from his father, from his grandfather, from ‘Alī, that the Messenger of Allāh (ﷺ) told Fāṭimah: ‘Weigh Al-Ḥusayn’s hair and donate it in silver, and give the midwife the ‘*aqiqah*’s leg.’¹⁹⁸

Al-Ḥumaydī narrates from Ḥusayn Ibn Zayd, from Ja‘far Ibn Muḥammad, from his father that ‘Alī gave the ‘*aqiqah*’s leg to the midwife.¹⁹⁹

People debated whether people should be invited over to eat from it, as in the marriage banquet (*walimah*), or should it be given as a present to people.

Abū ‘Umar Ibn ‘Abdu’l-Barr reports that Mālik said: ‘Its bones can be broken, and neighbours should be given to eat from it. However, people are not invited over [to eat] as in the banquet.’ He then adds, ‘And I do not know any other jurist who disapproved of that [inviting people over to eat].’²⁰⁰ Allāh knows best.

¹⁹⁸ Bayhaqī in his *Sunan*, 9/304 and his *Shu‘ab al-Imān*, 15/113, and Ḥākim in his *al-Mustadrak*, 3/179-180

¹⁹⁹ Bayhaqī in his *Sunan*, 9/304 and his *Shu‘ab al-Imān*, 15/113,

²⁰⁰ *Al-Tamhīd* of Ibn ‘Abdu’l-Barr, 4/321, *Istidhkārah*, 5/559; see *al-Mughni* of Ibn Qudāmah, 13/395, *al-Ḥawī al-Kabir* of al-Māwardī, 127-128, and *Fath al-A‘ẓam* of al-Rāfi‘ī, 12/170.

Section Eighteen:
Provisions upon the Simultaneous Arrival of the
‘Aqīqah and *Uḍḥīyah*

Al-Khallāl wrote, [Chapter on the reports that the *uḍḥīyah* does away with the *‘aqīqah*]:

‘Abdu’l-Mālīk Al-Maymūnī told us that he asked Abū ‘Abdullāh: ‘Is it possible to perform *uḍḥīyah* on the child’s behalf instead of the *‘aqīqah*?’ He said: ‘I do not know’ then added: ‘More than one hold this view.’ He asked: ‘From the Followers?’ He said: ‘Yes.’

‘Abdu’l-Mālīk told me in another instance that Abū ‘Abdullāh reports that some said: ‘If the person performed *uḍḥīyah*, they do not have to perform the *‘aqīqah*.’

‘Uṣmah Ibn ‘Iṣām conveys from Ḥanbal, that Abū ‘Abdullāh said: ‘I have faith that the *uḍḥīyah* does away with the *‘aqīqah*—by Allāh’s will—for those who did not perform it.’

‘Uṣmah Ibn ‘Iṣām reports, in another instance, from Ḥanbal, that Abū ‘Abdullāh said: ‘If a person performs the *uḍḥīyah*, it does away with the *‘aqīqah*.’

He also said: ‘I saw that Abū ‘Abdullāh bought an *uḍḥīyah* and sacrificed it on behalf of himself and his family. His son, ‘Abdullāh, was young, so he sacrificed it, I think, both as *‘aqīqah* and as *uḍḥīyah*. He divided the meat and ate of it.’

‘Abdullāh Ibn Aḥmad said²⁰¹ that he asked his father about the *‘aqīqah*’ on the day of *al-Adḥā*: ‘Can it be regarded as *uḍḥīyah* and

²⁰¹ See *Masā’il al-Imām Aḥmad*, of his son ‘Abdullāh, 3/880

'*aqīqah*?' He said: 'either *udhīyah* or '*aqīqah*, depending on what he says upon sacrificing.'²⁰²

This entails three views interpreted from Abū 'Abdullāh:

First: The sacrifice suffices for both of them.

Second: The sacrifice suffices for one of them.

Third: Dependence [on what is said].²⁰³

The reason for not sufficing for both of them: Because each sacrifice is for a different purpose. Thus, no one sacrifice can suffice for them both, like in the sacrifice of *al-tamatu*²⁰⁴ and the sacrifice of ransom.

The reason for sufficing for both of them is because the purpose was achieved with one sacrifice. The *udhīyah* on behalf of the newborn is recommended like the '*aqīqah*. If the parent performed the *udhīyah* and intended it as '*aqīqah* too, it suffices for both of them. Like if the person prayed two units [of prayer], intended both as *ṭahīyyah al-masjid*²⁰⁵ and as *nawāfil*,²⁰⁶ or if he/she prayed an obligatory or a recommended prayer after *tawāf*, it suffices both for itself and for the *tawāf*.²⁰⁷

Similarly, if the pilgrim performing *ḥajj al-tamatu* sacrificed a ram on '*īd al-adḥa*, it suffices for the sacrifice of *al-tamatu* and the sacrifice of *udhīyah*. Allāh knows best.

²⁰² See 'Abdu'l-Razzāq in his *al-Jāmi'*, #7996, Ibn Abī Shaybah, 12/329

²⁰³ See *al-Insāf* of al-Mardāwī, 4/111

²⁰⁴ *Al-Tamattu'* means performing '*umrah* during the *ḥajj* season; and on the day of *ṭarwīyah* the pilgrim gets into the state of *ihrām* for *ḥajj*.

²⁰⁵ *Ṭahīyyah al-masjid*: Two units of prayer performed upon entering the *masjid*, to greet the House of Allāh.

²⁰⁶ *Nawāfil*: Recommended prayers associated with the obligatory prayers.

²⁰⁷ It is recommended to pray two units after performing *tawāf*.

Section Nineteen:

Requirements of Those Whose Parents Did Not Perform *'Aqīqah*, Should They Perform it for Themselves after Maturity?

Al-Khallāl stated in Chapter on the desirability of performing *'aqīqah* for oneself after maturity, if not performed on one's behalf after birth one of the questions of Ismā'īl Ibn Sa'īd Al-Shalanjī, who asked Aḥmad: 'If a man was told by his father that he did not perform *'aqīqah* on his behalf; should he perform it for himself?' He said: 'It is the father's responsibility.'²⁰⁹

He also stated a question of Al-Maymūnī, who asked Abū 'Abdullāh: 'If the *'aqīqah* was not performed on one's behalf at a young age, should it be performed [by the parent] after maturity?' Abū 'Abdullāh reported something he deemed weak in support of that view, and then he recommended performing it after maturity if not performed at a young age, and said: 'If someone did it, I would not disapprove.'

'Abdu'l-Mālik reported in another instance that he asked Abū 'Abdullāh: 'Should the parent perform it after the child's maturity?' He said: 'I did not hear any reports regarding *'aqīqah* for a mature person.' He ['Abdu'l-Mālik] said: 'His father was poor, and then became rich, and he did not wish to leave his son without *'aqīqah*.' He [Abū 'Abdullāh] said: 'I do not know, and I did not hear any reports regarding *'aqīqah* for a mature person.'" He then added: 'Whoever did it, it is fine, and some deem it obligatory.'

²⁰⁸ *Al-tamattu'* means performing *'umrah* during the *haji* season; and on the Day of *Tarwiyah* the pilgrim gets into the state of *ihram* for *haji*.

²⁰⁹ See *Fath al-Bari* of Ibn Ḥajar, 9/595

Al-Khallāl narrates from Abū Al-Muthannā Al-Anbarī, from Abū Dāwūd, from Aḥmad, who was narrating that ḥadīth of Al-Haytham Ibn Jamīl, from ‘Abdullāh Ibn Al-Muthannā, from Thumāmah, on the authority Anas (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) performed the ‘*aqīqah* for himself.²¹⁰

Aḥmad said: ‘The ḥadīth of ‘Abdullāh Ibn Al-Muharrar, on the authority Anas (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) performed the ‘*aqīqah* for himself is *munkar*,²¹¹ and ‘Abdullāh Ibn Al-Muharrar is a weak narrator.’

Al-Khallāl narrates from Muḥammad Ibn ‘Awf Al-Ḥimṣī, from Al-Haytham Ibn Jamīl, from ‘Abdullāh Ibn Al-Muthannā, from a man of Anas’ family, that the Prophet (ﷺ) performed the ‘*aqīqah* for himself after receiving prophethood.²¹²

In the *Muṣannaḥ* of ‘Abdu’l-Razzāq: ‘Abdullāh Ibn Muharrar narrates, from Qatādah, on the authority Anas (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) performed the ‘*aqīqah* for himself after receiving Prophethood. ‘Abdu’l-Razzāq said: ‘They deemed Ibn Muharrar a weak narrator because of this ḥadīth.’²¹³

²¹⁰ Al-Ṭahāwī in his *Musḥkil al-Āthār*, 3/78-79, Ṭabarānī in *al-Awsat*, 1/529 and al-Bayhaqī in his *Sunan*, 9/300

²¹¹ Ḥadīth *munkar* is a ḥadīth narrated by a weak narrator and possibly contradicts another authentic ḥadīth.

²¹² See *al-Mughnī* of Ibn Qudāmah, 13/397; see *al-Ḥāwī al-Kabīr* of al-Māwardī, 15/129

²¹³ ‘Abdu’l-Razzāq in his *al-Muṣannaḥ*, 4/329 and Bazzār, #7281

Section Twenty:
Requirement of the 'Aqīqah's Skin and Offal

Al-Khallāl reports from 'Abdu'l-Mālik Al-Maymūnī that Abū 'Abdullāh was asked: 'The skin, head and offal;²¹⁴ should they be sold and donated?' He said: 'Donated.'²¹⁵

'Abdullāh Ibn Aḥmad narrates from his father, from Yazīd, from Hisham, that Al-Ḥasan said: 'It is disapproved to give the skin of the 'aqīqah or the *udhīyah* as payment.'²¹⁶

I say: It means that it is not recommended to give it as a fee to the butcher or the cook.²¹⁷

Abū 'Abdullāh Ibn Ḥamdān says in his book *Al-Ri'āyah*:²¹⁸ 'It is permitted to sell its skin, offal and head, and donate their value. That is stipulated by [Imām Aḥmad]. Some say it is prohibited and unacceptable to sell them.²¹⁹ Others say that the provisions of the *udhīyah* [in this regard] are transferrable to the 'aqīqah, and vice versa. Therefore, there are two views in this regard. However, differentiation is more common.'

I say: The quote he made is the Al-Maymūnī's problem we mentioned earlier. It can be interpreted as he said, and as the opposite meaning as well: To donate it regardless of the price. Therefore,

²¹⁴ Offal, also called variety meats, pluck or organ meats, refers to the internal organs and entrails of a butchered animal.

²¹⁵ See *al-Tamām* of Ibn Ya'la, 2/234

²¹⁶ See *Masā'il al-Imām Aḥmad*, of 'Abdullāh, 3/880 and *al-Mughnī*, 13/382-383.

²¹⁷ We have already mentioned what was narrated from Aḥmad by Ḥanbal: 'Do with it as you please' and by 'Abdullāh: 'He can divide it as he pleases.' See *Masā'il al-Imām Aḥmad*, of 'Abdullāh, 3/880

²¹⁸ *Al-Ri'āyah* of Ibn Ḥamdān, 1/257 and *al-Insāf* of al-Mardāwī, 4/113

²¹⁹ See *al-Tamām* of Ibn Ya'la, 2/233

look at it carefully, unless he reported another explicit quote regarding selling.’

He [Al-Maymūnī’s] said: ‘As narrated by Ja‘far Ibn Muḥammad, when he was asked about the cowhide of the *udḥīyah* and said: ‘It is narrated that Ibn ‘Umar said, “It should be sold and its value be donated.” It is unlike the sheepskin that can be used to make a rug for prayers, but this is not useful to the household. The cowhide is worth such-and-such.’

Al-Khallāl conveyed from ‘Abdu’l-Mālik Ibn ‘Abdu’l-Hāmid that Abū ‘Abdullāh said: ‘Ibn ‘Umar sold the cowhide and donated its worth. This should not be sold [for one’s gain], because the camel hide and cowhide are not useful for anyone. They are put in the house and sat upon. It is not good for anything in the house. It should be sold and donated. However, the sheepskin has many uses.’²²⁰

Al-Athram said that he heard Abū ‘Abdullāh say—and he mentioned the saying of Ibn ‘Umar that the cowhide should be sold and donated—as if he meant it has a significant worth.

Ishāq Ibn Mansūr²²¹ reports that he asked Abū ‘Abdullāh: ‘The skin of the *udḥīyah*; what should be done with it?’ He said: ‘It should be utilised and donated.’ He asked: ‘Do you mean sold and donated?’ He said: ‘Yes, [according to] the saying of Ibn Umar.’

Al-Marwāzī said: ‘The view of Abū ‘Abdullāh is that the *udḥīyah*’s skin is not to be sold [for one’s gain], but be donated instead.’²²² He cited the Prophet’s (ﷺ) ḥadīth that he commanded donating

²²⁰ See *al-Tamām* of Ibn Ya‘lā, 2/234

²²¹ See *Masā’il al-Imām Ahmad*, of Ishāq, 8/4048

²²² See *al-Insāf* of al-Mardāwī, 4/92-93 and *al-Farū’* of Ibn Mufliḥ, 3/554.

their skin and saddler.”²²³

He said: ‘As narrated by Ḥanbal, it is alright to use the *udḥīyah*’s skin to make a rug to sit upon, but it should not be sold except only to donate its value. He said, “If this sacrifice was obligatory, to fulfill a vow or the like, he should sell it and donate its value. But if it was voluntary, he can utilise it in his house if he wishes.”’

He said: ‘As narrated by Ja‘far Ibn Muḥammad, “The *udḥīyah*’s skin should be donated or utilized in the house as a rug, but not sold.”’

He said: ‘As narrated by Abū’l-Ḥārith: ‘It should be donated or utilized as a rug for sitting or praying in the house.”’

As narrated by Ibn Maṣṣūr : ‘He should donate or utilize its skin, but not sell it.’

In Al-Maymūni’s narration, he said: ‘It should not be sold, but donated.’ They said: ‘How about selling it and donating its value?’ He said: ‘No. He should donate it as it is.’

Aḥmad Ibn Al-Qāsim reports that Abū ‘Abdullāh said, regarding the *udḥīyah*’s skin: ‘It is recommended that it is used to buy a sieve or something used in the house, instead of giving it to the butcher.”’

Abū Ṭālib said that he asked Abū ‘Abdullāh about the *udḥīyah*’s skin, and he said: ‘Al-Sha‘bī and Ibrāhīm say that it should be used to buy a sieve or a screen, without selling it and using its value to buy that.’ He asked: ‘Do you mean barter with it?’ He said: ‘Yes.’ Abū Ṭālib asked: ‘Do you support this view?’ He said: ‘He

²²³ Bukhāri, 3/549 and Muslim, 2/954

should offer it to Allāh, and not sell it, because the Prophet (ﷺ) commanded 'Alī to donate the skin and saddler.' He asked: 'Can I give it to the butcher?' He said: 'No' He asked: 'Can I sell it and donate its value?' He said: 'No. Ibn 'Umar used to give it to the poor, for them to sell it themselves.' He asked: 'Can I sell it for three dirhams and give that to three poor people?' He said: 'Bring them together and give it [the skin] to them.'

He also reported that Maṣrūq and Alqamah used to utilize it as a prayer rug or something in the house. That is the cheapest way in that regard, to be utilized at home.

Al-Khallāl then said in Chapter on recommending selling the cowhide and donating its value: 'Maṣūr Ibn Al-Walīd reports from Ja'far Ibn Muḥammad, that Abū 'Abdullāh was asked about the cowhide, and said, 'It was narrated that Ibn 'Umar said, "It should be sold and its value be donated. It is unlike the sheep skin that can be used to make a rug for prayers, but this is not useful to the household. The cowhide is worth such-and-such.' Abū'l-Hārith says that Abū 'Abdullāh was asked about the cowhide of the *udḥīyah*, and he said: 'It is narrated that Ibn 'Umar said to sell it and donate its value.'"

Muhannā said that he asked Aḥmad: 'The person can buy a cow to sacrifice as *udḥīyah*, and sell its hide for twenty *dirhams* and even more, so he buys another *udḥīyah* with that value. What do you think of that?' He said: 'Something similar is narrated from Ibn 'Umar in that regard.'

Ishāq Ibn Maṣūr²²⁵ reports that he asked Abū 'Abdullāh: 'The skin of the *udḥīyah*; what should be done with it?' He said: 'It

²²⁴ See *Masā'il al-Imām Aḥmad*, of Ishāq, 8/4048.

²²⁵ See *Masā'il al-Imām Aḥmad*, of Ishāq, 8/4048.

should be utilized and donated' He asked: 'Do you mean sold and donated?' He said: 'Yes, [according to] the saying of Ibn 'Umar.'

These are his citations regarding the hide of the 'aqiqab and the udhīyah, both in the obligatory and voluntary sacrifices.²²⁶ Allāh knows best.

Section Twenty-One:

What Should Be Said when Slaughtering the 'Aqiqab

Ibn Al-Mundhir said under Mentioning the name of the child on whose behalf the 'aqiqab is performed: 'Abdullāh Ibn Muḥammad narrates from his father, from Hisham, from Ibn Jurayj, from Yahyā Ibn Sa'īd, from 'Amrah bint 'Abdu'l-Raḥmān that 'A'ishah (*radīy Allāhu 'anha*) said, 'The Prophet (ﷺ) said: "Slaughter with the child's name, and say: In the name of Allāh. O Allāh! That is from you and to you, this is the 'aqiqab of such-and-such."²²⁷

Ibn Al-Mundhir said: "This is alright. If he intended the 'aqiqab but did not utter the name, it also counts, by Allāh's will."²²⁸

Al-Khallāl said in Chapter on what should be said when slaughtering the 'aqiqab: Aḥmad Ibn Muḥammad Ibn Maṭar and Zakariyah Ibn Yahyā, both, narrate from Abū Ṭālib that he asked Abū

²²⁶ See *al-Mughni* of Ibn Qudāmah, 13/396, *al-Insāf* of al-Mardāwī, 4/113-114, *Fath al-'Aẓīz* of al-Rāfi'i, 12/112-116 and *al-Hāwī al-Kabir* of al-Māwardī, 15/129.

²²⁷ 'Abdu'l-Razzāq, 4/330, Abū Ya'lā, 4/301, al-Bayhaqī in his *Sunan*, 9/304 and it is authenticated by al-Hākim, 4/237 and Dhahabī agreed with him.

²²⁸ See *al-Isbrāf 'alā Madhāhib al-'Ulamā'* of Ibn al-Mundhir, 3/420.

‘Abdullāh: ‘If a man wished to perform *udḥīyah*, what should he say?’ He said: ‘He should say: “In the name of Allāh,” and then perform it with the *‘aqīqah* the intention in his heart, just like he does in *udḥīyah*. He should say: “This is the *‘aqīqah* of such-and-such.”’

It is apparent that he considered both the intention and the utterance of the words, just as *talbiyah* and *ihram* [in *ḥajj*] on behalf of someone else are done both by the intention and verbally, he says: ‘Here I am, O Allāh, on behalf of such-and-such’ or ‘My *ihram* is on behalf of such-and-such.’

We understand from this that if someone wished to grant the reward of his deed to someone, he should make so his intention, and say: ‘O Allāh! This is on behalf of so-and-so’ or ‘give the reward of this deed to so-and-so.’

Some people say: ‘It must be conditional and he should say: “O Allāh! If you accept this deed from me, give its reward to such-and-such,” for he does not know whether or not it is accepted from him.’

That is not necessary, and is opposed by the ḥadīth, when the Prophet (ﷺ) heard the man saying: ‘O Allāh! Here I am in response to Your call on behalf of Shubrumah’²²⁹ he did not say, ‘You should say: “O Allāh, if you accept my Ihram, make it on behalf of Shubrumah,”’ neither did he say so to the man who asked if he could perform *ḥajj* on behalf of his relative, in any other ḥadīth. The Prophet’s (ﷺ) guidance is more worthy to be followed.

²²⁹ Abū Dāwūd, 7/160

It is not reported that any of the early scholars tied the *hajj* offerings, *udhiyah* or the *'aqiqah* on behalf of others to a condition. Rather what is reported from them is to say: 'O Allāh! This is on behalf of such-and-such' and that is enough. Allāh the Exalted will only give the reward for the deeds he accepts, whether or not it is stated by the person. Allāh knows best.

Section Twenty-Two: The Reason Why it is Designated for the Seventh Day and its Multiples

There are four matters linked to the seventh day and its multiples: The *'aqiqah*, the head shaving, naming and circumcision of the newborn.

The first two are unanimously recommended on the seventh day. As for naming and circumcision, they are debated, as will be mentioned, Allāh willing.

We have already cited the reports on performing the *'aqiqah* on the seventh day.

The wisdom behind this—and Allāh knows best—is that when the baby is born, his status regarding soundness and damage is uncertain, and it is still unclear whether he will survive or not, until after a certain period, when his apparent condition demonstrates his soundness, health and viability. This period is set at a week, for it is a cycle of days, just as the year is a cycle of months.

This is the period that Allāh determined upon creating the heavens and the earth. He, the Exalted, designated six days to the creation of the world, gave each day a special name, and linked

each day to a type of creation that He created thereon. He made the day of completing and gathering the creation—which is the day of assembling of the creation—a day of gathering and celebration for the believers. They gather on that day to worship, remember, praise, laud, glorify Him as well as devote themselves to praise and serve Him and remember the beginning of creation and the return to Allāh, designated for that day. This is the day when the Lord, Blessed and Exalted, established Himself above the Throne, when He created our father, Ādam, when He admitted him into Paradise, when He expelled him therefrom, and when this world will end and the Day the Hour appears. It is the day when Allāh the Exalted comes to bring His creation into account, and admits the people of Paradise to their accommodation, and the people of Hell to their destination.²³⁰

We mean to say that these days are the first stage of life, if the newborn passes it, he/she moves into the second stage—the months, and if they passed it, they move into the third stage—the years. Anything less than these days is of incomplete creation, and anything more is repeated and it will restate what was already mentioned. Therefore, the six was made an end for completing the creation, and the assembly took place at the end of the sixth day. That is why naming, removing harm, ransoming and releasing the mortgage of the newborn were designated to the seventh day. Just as Allāh, the Exalted, made the seventh day of the week a day of celebration for them, to gather and demonstrate His praise and remembrance, rejoicing in what Allāh has bestowed upon them of His bounty of preferring them over the rest of the creatures, that were created on the previous days.

In addition, it is the wisdom of Allāh, the Exalted, to change the

²³⁰ See *Zād al-Mu'ād* of Ibn Qayyim, 1/375-425.

state of the servant every seven days and transfer him from one state to another, so that the seven days are a phase and a stage of his. That is why you find the state of the patient changing on the seventh days, and it must do, either for better or for worse.

Since the wisdom of Allāh, the Exalted, determined that, He designated for His servant every seven days one day to be desirous towards Him—humbly supplicating and praying to Him, so that it becomes a major cause of their welfare in this life and the Hereafter, and of driving much evil away from them. Glory is to Him whose wisdom, in creation and legislation, impressed the minds.

Allāh knows best.

²³¹ See *al-Tambīd* of Ibn 'Abdu'l-Barr, 4/318, *Istidhkar*, 5/550-559

CHAPTER SEVEN

Shaving the Child's Head, and Donating the Weight of His Hair

Abū 'Umar Ibn 'Abdu'l-Barr²³¹ said: 'As for shaving the child's head at the *'aqīqah*, the scholars recommended it, and it is reported from the Prophet (ﷺ) that he said in the ḥadīth of the *'aqīqah*, "And shave his head, and name him."'

Al-Khallāl said in his *al-Jāmi'*: [Clarifying shaving the child's head and donating the weight of his hair.]: Muḥammad Ibn 'Alī narrates from Ṣāliḥ that his father said, 'It is recommended to shave the newborn's head on the seventh day.'²³²

Al-Ḥasan narrated on the authority of Samurah (*radīy Allāhu 'anhu*) that the Prophet (ﷺ) said: 'Shave his head.' Salmān Ibn 'Āmir narrated that the Prophet (ﷺ) said: 'Remove harm from him.'²³³

Al-Ḥasan was asked about his saying (ﷺ) 'Remove harm from him,' and he said: 'It means shaving his head.'

²³¹ See *al-Tamhīd* of Ibn 'Abdu'l-Barr, 4/318, and his *Istidbākār*, 5/550-559

²³² See *Masā'il al-Imām Aḥmad*, of Ṣāliḥ 2/209, *Masā'il al-Imām Aḥmad*, of Abū Dāwūd, p. 256 and *Masā'il al-Imām Aḥmad*, of Ishāq, 8/3948

²³³ Reference already mentioned.

Hanbal said conveys that Abū ‘Abdullāh said: ‘The child’s head should be shaved.’

Al-Faḍl Ibn Ziyād said that he asked Abū ‘Abdullāh: ‘Should the child’s head be shaved?’ He said: ‘Yes.’ He asked: ‘Should it be smeared with the blood?’ He said: ‘No, that is of the acts of pre-Islāmic Ignorance.’

Ṣāliḥ Ibn Aḥmad conveys that his father said: ‘It is said that Fāṭimah (*raḍīy Allāhu ‘anhā*) shaved the heads of Al-Ḥasan and Al-Ḥusayn, and donated the weight of their hair in silver *dirhams*.’²³⁴

Hanbal reports that Abū ‘Abdullāh said: ‘It is alright to donate the weight of the child’s hair.’

Mālik narrated in his *Al-Muwatta’* from Ja‘far Ibn Muḥammad that his father said: ‘Fāṭimah weighed the hair of Al-Ḥasan, Al-Ḥusayn, Zaynab and Umm Kulthum, and donated that weight in silver.’²³⁵

Also in *al-Muwatta’* from Rabī‘ah Ibn Abū ‘Abdu’l-Raḥmān, from Muḥammad Ibn ‘Alī Ibn Al-Ḥusayn that he said: ‘Fāṭimah, the daughter of the Messenger (ﷺ), weighed the hair of Al-Ḥasan and Al-Ḥusayn, and donated that weight in silver.’²³⁶

Yahyā Ibn Kathīr narrates from Ibn Luhay‘ah, from ‘Umārah Ibn Ghaziyah, from Rabī‘ah Ibn Abū ‘Abdu’l-Raḥmān, on the authority of Anas Ibn Mālik (*raḍīy Allāhu ‘anhu*) that the Messenger (ﷺ) commanded the heads of Al-Ḥasan and Al-Ḥusayn to be shaved

²³⁴ See *Masā’il al-Imām Aḥmad*, of Ṣāliḥ, 2/213

²³⁵ *Al-Muwatta’* of Imām Mālik, 1/418, *al-Murāsīl* of Abū Dāwūd, p.279 no. #380

²³⁶ *ibid*

on their seventh day, and he donated their weight in silver.²³⁷

‘Abdu’l-Razzāq narrates from Ibn Jurayj that Muḥamad Ibn ‘Alī said: ‘Whenever Fāṭimah, the Messenger’s (ﷺ) daughter, had a child born, she would order his head to be shaved and donate the hair’s weight in silver dirhams.’²³⁸

Abū ‘Umar conveys that ‘Aṭā’ said: ‘Shaving the head should start before the sacrifice.’²³⁹

I say, and Allāh knows best: It is as if he meant, with that, to differentiate it from the rituals of *hajj*, since the Sunnah there is to perform the sacrifice before shaving the head. I know no other reports from ‘Aṭā’ in that regard.

Ibn Ishāq narrated from ‘Abdullāh Ibn Abū Bakr, from Muḥammad Ibn Al-Ḥusayn, from ‘Alī who said: ‘The Messenger of Allāh (ﷺ) sacrificed a lamb for Al-Ḥasan and said, ‘‘O Fāṭimah! Shave his head and donate his hair’s weight in silver.’’ We weighed it and it was equivalent to one *dirham* or a fraction of a *dirham*.’²⁴⁰

Al-Bayhaqī narrated from Ibn ‘Aqīl, from ‘Alī Ibn Abū’l-Ḥusayn, from Abū Rāfi‘, that when Al-Ḥasan was born, his mother wanted to sacrifice a great ram for him, so she came to the Prophet (ﷺ) and he said: ‘Do not sacrifice anything on his behalf. Instead, shave his head and donate the hair’s weight for the cause of Allāh and for the stranded traveler.’ She gave birth to Al-Ḥusayn in the next year, and she did that as well.²⁴¹

²³⁷ Al-Bayhaqī, in his *Sunan*, 9/299

²³⁸ See *al-Muṣannaf* of ‘Abdu’l-Razzāq, 4/333

²³⁹ See *Istidhkār* of Ibn ‘Abdu’l-Barr, 5/550 and Ibn Abi Dunyah in *al-‘Iyāl*, 1/222.

²⁴⁰ Tirmidhī, 4/84, Ḥākim, 4/237, al-Bayhaqī in his *Sunan*, 9/304

Al-Bayhaqī said: 'If that narration proved to be authentic, he wished to perform the *'aqiqah* for them himself, as we already stated.'²⁴²

Section One:

Al-Qaza' (Partial Shaving)

One of the issues related to shaving is *al-qaza'* (partial shaving), which means, shaving part of the child's head and leaving the rest. Al-Bayhaqī said: 'As narrated in both in al-Bukhārī and Muslim from 'Ubaydullāh Ibn 'Umar, from 'Umar Ibn Nafi', from his father, from Ibn 'Umar (*radīy Allāhu 'anhumā*) who said: "The Messenger (ﷺ) forbade *al-qaza'*."²⁴³

Al-Qaza' means to partially shave the head.²⁴⁴

It is said: "This demonstrates the complete love by Allāh and his Messenger for justice. He commanded it even in the one's matters with himself. He forbade him to shave some parts of his head and leave the rest, for this is unfair to his head, since he left some of it covered and the other bare.

Similarly, he forbade sitting with one part in the sun and the other in the shade,²⁴⁵ for this is unfair to a part of his body. Similarly as well, he forbade walking in one shoe; he should either wear them both or take them both off.²⁴⁶

²⁴¹ Al-Bayhaqī in his *Sunan*, 9/304

²⁴² Reference already mentioned

²⁴³ Bukhārī, 1/363 and Muslim, 3/1675

²⁴⁴ See *al-Nihāyah* of Ibn al-Athīr, 4/59

²⁴⁵ Ibn Mājah, #3722, Imām Aḥmad in his *al-Musnad*, 3/414 and others

There are four types of *al-qaza'*:

- 1- To shave scattered parts of his head. *Al-qaza'* originally means the separation of a cloud's parts.
- 2- To shave the middle and leave the sides, as the Christian deacons do.
- 3- To shave the sides and leave the middle, as many rabble and delinquents do.
- 4- To shave the front and leave the back.

All these are forms of *al-qaza'*.

Allāh knows best.

²⁴⁶ Bukhārī, 10/309 and Muslim, 3/1660

CHAPTER EIGHT

Naming the Child, its Timing and its Provisions

This [chapter] consists of ten sections:

Section 1: The time for naming.

Section 2: The desirable, forbidden and disapproved of names.

Section 3: The desirability of changing the name, if beneficial.

Section 4: The permissibility of cognominating the newborn

Section 5: Selecting the name is the father's right, not the mother's.

Section 6: The difference between the name, nickname and *kunyah* (cognomen).

Section 7: The requirements of naming after our Prophet (ﷺ) and sharing his *kunyah*, and the ḥadīths in this regard.

Section 8: The permissibility of having multiple names.

Section 9: The relation between the name's meaning with the person, and the appropriateness therein.

Section 10: Clarifying that people are called, on the Day of Judgment, by their fathers' names, not their mothers'.

Section One:
The Time for Naming

Al-Khallāl said in his *Jāmi'*, [Chapter on Naming the Child]: 'Abdu'l-Mālik Ibn 'Abdu'l-Hāmid reports, 'We were discussing when the child should be named, and Abū 'Abdullāh told us: "Thābit narrates from Anas that the child should be named after three days. But according to Samurah—referring to his ḥadīth—it should happen on the seventh day.' Therefore, the naming is required on the seventh."

Ja'far Ibn Muḥammad narrates from Yaḳ'ūb Ibn Bukhtān, that Abū 'Abdullāh said: 'According to Anas' ḥadīth, the child is named on the third day, and according to Samurah's ḥadīth, he should be named on the seventh.' And he stated Samurah's ḥadīth.

Muḥammad Ibn 'Alī conveys from Ṣāliḥ that his father said: 'It is recommended to name the child on the seventh day'... and he stated Samurah's ḥadīth.

Ibn Al-Mundhir said in *Al-Awsa'*²⁴⁷: [Naming the Child on his Seventh Day]: 'Ḥadīths were reported from the Prophet (ﷺ) that he commanded naming the child on the seventh day. We have mentioned the chain of narrators ending with 'Abdullāh Ibn 'Amr.'

I say: He meant the ḥadīth narrated by Ishāq Ibn 'Amr Ibn Shu'ayb, from his father, from his grandfather, 'The Prophet (ﷺ) ordered naming the child, performing his *'aḳīqah* and removing the harm from him on his seventh day.' This ḥadīth was already mentioned, along with Samurah's ḥadīth.

²⁴⁷ See *al-Isbrāf 'alā Madhābih al-'Ulamā'* of Ibn al-Mundhir, 3/421.

Al-Bayhaqī said in his *Sunan*, [Chapter on naming the child once born]: ‘It is stronger than the seventh day.’²⁴⁸

He then narrated²⁴⁹ the ḥadīth of Ḥammād Ibn Salamah, from Thābit, on the authority of Anas (*radīy Allāhu ‘anhu*) who said: ‘I took ‘Abdullāh Ibn Abū Ṭalḥah when he was born to the Messenger (ﷺ), while the Messenger (ﷺ) was tar-washing a camel of his.²⁵⁰ He (ﷺ) said: “Do you have dates?” I said: “Yes”, and I handed him some dates, which he put in his mouth and chewed, then opened the boy’s mouth and put them inside, and the boy kept sucking his lips in relish. The Prophet (ﷺ) said: ‘*Al-Anṣār*²⁵¹ love dates.’”

It was narrated in both al-Bukhārī and Muslim from Anas Ibn Sirin on the authority of Anas Ibn Mālik (*radīy Allāhu ‘anhu*).²⁵²

He also stated the ḥadīth of Yazīd Ibn ‘Abdullāh from Abū Burdah, from Abū Mūsā who said: “A boy was born to me, so I brought him to the Prophet (ﷺ) who named him Ibrāhīm, and performed Tahnīk to him with a date.”²⁵³

I say: In both al-Bukhārī and Muslim,²⁵⁴ Sahl Ibn Sa’d Al-Sā’idī said: ‘Al-Mundhir Ibn Abū Usayd was brought to the Messenger (ﷺ) when he was born. The Prophet (ﷺ) placed him on his thigh, while Abū Usayd was sitting down. Then the Prophet (ﷺ) got distracted with something, so Abū Usayd called for his son, who

²⁴⁸ He means that reports in that regard are stronger than those which stipulate naming on the seventh day. See al-Bayhaqī in his *Sunan*, 9/305.

²⁴⁹ *ibid*

²⁵⁰ To treat the wounds of war.

²⁵¹ *Al-Anṣār* (The Supporters): Residents of Medīnah who supported the Prophet (ﷺ) after migrating from Makkah.

²⁵² Bukhārī, 9/587 and Muslim, 3/1689

²⁵³ See al-Bayhaqī in his *Sunan*, 9/305.

²⁵⁴ Bukhārī, 10/575 and Muslim, 3/1692

was lifted away from the Prophet's (ﷺ) thigh. The Messenger (ﷺ) asked: 'Where is the boy?' Abū Usayd said: 'We took him away, O Messenger of Allāh!' He said: "What is his name?" He said: 'Such-and-such.' He said: 'No. His name is Al-Mundhir.'²⁵⁵

Muslim states the ḥadīth narrated by Sulaymān Ibn Al-Mughīrah, from Thābit, on the authority of Anas (*raḍiy Allāhu 'anhu*) that the Messenger (ﷺ) said: "A boy was born to me tonight, and I named him after my grandfather, Ibrāhīm" and he continued the ḥadīth about the story of his death.²⁵⁶

Abū 'Umar Ibn 'Abdu'l-Barr said in *Al-Istay'āb*: Māriyah Al-Qibtiyya, the Prophet's (ﷺ) concubine, gave birth to his boy, Ibrāhīm, in Dhu'l-Hijjah in the eighth year.

Al-Zubayr Ibn Bakkār conveyed from his masters that Ibrāhīm's mother gave birth to him in Al-'Āliyah, the Prophet (ﷺ) performed his *'aqiqah* on his seventh day, his head was shaved by Abū Hind, and he (ﷺ) donated the hair's weight in silver to the poor. He ordered the hair to be buried in the ground, and he named him on that day.

That is what Al-Zubayr said: 'He named him on the seventh.' However, the ḥadīth is more authentic and reliable than his saying.²⁵⁷

He then stated Anas' ḥadīth: 'Her midwife was Salmah, the Messenger's (ﷺ) freed slave woman. She went to her husband, Abū Rāfi', and told him that Māriyah gave birth to a boy. Abū Rāfi' went to the Messenger (ﷺ) and gave him the good news, so he

²⁵⁵ It means "The Warner".

²⁵⁶ Muslim, 4/1807

²⁵⁷ *Al-Istay'āb* of 'Abdu'l-Barr, 1/54.

(ﷺ) gifted him with a slave boy.²⁵⁸

I say: The story of Māriyah and Ibrāhīm contain a number of Sunnahs:

- 1- Desirability of accepting the gift (*al-hadiya*).
- 2- Accepting the gift from People of the Book (*ahlu'l-kitāb*).
- 3- Accepting slaves as a gift.
- 4- The permissibility of having a concubine.
- 5- Delivering the good news to the one who has a child born to him.
- 6- Desirability of rewarding the bringer of good news.
- 7- The '*aqīqah* on behalf of the newborn.
- 8- The '*aqīqah* on the seventh day.
- 9- Shaving the newborn's head
- 10- Donating the hair's weight in silver dirhams.
- 11- Burying the head in the ground, and not throwing it under people's feet.
- 12- Naming the child on the day of his birth.
- 13- The permissibility of giving the boy to someone, other than his mother, to breastfeed and nurse him.
- 14- Desirability of the father visiting his child. When the Prophet (ﷺ) heard about his sons illness, he went to visit him at the house of Abū Sayf, the blacksmith. He called for him and held him close, while the boy breathed his last. The Prophet's (ﷺ) eyes teared and said: 'The eyes shed tears, and the heart is grieved, but we say only that which pleases our Lord. We are grieved over you, O Ibrāhīm.'²⁵⁹
- 15- The permissibility of crying over the dead. Among

²⁵⁸ *Al-Istay'āb* of 'Abdu'l-Barr, 1/54 and see *al-Tabāqāt al-Kubrah* of Ibn Sa'd, 1/135.

²⁵⁹ Bukhārī, 3/172 and Muslim, 4/1807.

the virtues that were reported of Al-Fuḍayl Ibn 'Iyād was that he laughed on the day his son died. When he was asked about that, he said: 'Allāh, the Exalted, has decided a matter [the child's death], and I wanted to demonstrate my acceptance to His decision.'²⁶⁰

However, the Messenger's (ﷺ) guidance is better and more perfect; as he combined acceptance with Allāh's decision with mercy for the child. When Sa'd Ibn 'Ubadah (*raḍīy-Allāhu 'anhu*) asked him: 'What is that, O Messenger of Allāh?' He said: 'This is mercy, and Allāh is only merciful to the merciful among his servants.'²⁶¹

Al-Fuḍayl was not able to combine the two, accepting Allāh's will and crying in mercy for the child. That is the answer that I heard from our teacher.²⁶²

- 16- The permissibility of grieving over the dead, and that it does not reduce one's reward, unless he/she says or does something that displeases Allāh, or does not say or do something that pleases Him.
- 17- Giving the child a burial bath. Abū 'Umar and others stated that his wet nurse, Umm Burdah, Abū Sayf's wife, gave him a burial bath, and carried him from her house to his grave in a small bed.²⁶³
- 18- *Janāzah* Prayer²⁶⁴ on the child. Abū 'Umar said: 'The Messenger (ﷺ) prayed *jana'zah* on him, and did *takbīr*

²⁶⁰ See *al-Riḍā 'an Allāh biqadā'ih* of Ibn Abi Dunyā, p.108, and *Ḥilyah al-Awliyā'* of Abū Nu'aym al-Aṣbahānī, 8/100.

²⁶¹ Bukhārī, 3/151 and Muslim, 1/636

²⁶² See *Zād al-Ma'ād*, 1/449 and *al-Tiṣṭah al-'Iraqiyah* of Shaykh al-Islām Ibn Taymiyyah, p.37

²⁶³ *Al-Istay'ab* of 'Abdu'l-Barr, 1/56; see *al-Tamhīd* of Ibn 'Abdu'l-Barr, 6/334

²⁶⁴ *Ṣalāt Al-Janāzah*: Funeral Prayer

four times.’ This is the view of the majority of scholars, which is based on authentic reports.

Al-Sha‘bi also said as much: ‘Ibrāhīm, the Prophet’s (ﷺ) son passed away at the age of sixteen months, and the Prophet (ﷺ) prayed *janāzah* on him.’²⁶⁵

Ibn Ishāq narrates from ‘Abdullāh Ibn Abū Bakr, from ‘Amrah bint ‘Abdu’l-Rahmān, on the authority of ‘A’ishah (*radīy Allāhu ‘anha*) that the Messenger (ﷺ) buried his son, Ibrāhīm, but did not pray Janazah on him.

Ibn ‘Abdu’l-Barr said: ‘That is not true, since it is the majority’s consensus to pray *janāzah* on the child once he comes to life... I do not know anyone who reported differently except Samurah Ibn Jundub.’

He continues: ‘It is possible that ‘A’ishah’s ḥadīth means that he did not pray on him in congregation, but rather commanded his companions to pray on him, and did not attend. This way, it does not disagree with the scholars’ view, which is a better interpretation.’

Others said: He was pre-occupied from the *janāzah* prayer by the solar eclipse and its prayer. A solar eclipse took place on the day of his death, which made the Prophet (ﷺ) pre-occupied. People said: The eclipse happened due to Ibrāhīm’s death. The Prophet (ﷺ) delivered the eclipse sermon and said in it: ‘The sun and moon are two signs of Allāh, the Most High, and they do not become eclipsed for death or birth of anyone, rather Allāh, the Mighty and Sublime, strikes fear into His slaves through

²⁶⁵ *Al-Istay‘āb* of ‘Abdu’l-Barr, 1/58, Ibn Abī Shaybah, 3/379, Ibn Sa‘d *al-Ṭabaqāt al-Kubrāh*, 1/140 and others

them.²⁶⁶

Abū Dāwūd said in his *Sunan*,²⁶⁷ [Chapter on Janāzah Prayer on the Child]. The ḥadīth of ‘A’ishah as narrated by Muḥammad Ibn Ishāq who said: ‘Ibrāhīm, the Prophet’s (ﷺ) son passed away at the age of eighteen months, and the Prophet (ﷺ) did not pray janazah on him.’

He narrated in the same chapter from Al-Bahī who said: ‘When Ibrāhīm, the Prophet’s (ﷺ) son, passed away, he (ﷺ) prayer *janāzah* on him in *Al-Maqā’id*.^{268,269}

This ḥadīth is *mursal*, and Al-Bahī is Abū Muḥammad ‘Abdullāh Ibn Yasār, the slave of Mus‘ab Ibn Al-Zubayr, and he is a *tābī‘ī*. He then stated another ḥadīth from ‘Aṭā’ Ibn Abī Rabah that the Prophet (ﷺ) prayed *janāzah* on Ibrāhīm, who died at the age of seventy days.²⁷⁰

This ḥadīth is also *mursal*, and I believe that it is wrong. Allāh knows how old he exactly was.

Al-Bayhaqī said: ‘These reports, even if they are *mursals* (severed), they resemble, in meaning, a *mawsul* (connected) ḥadīth, they strengthen one another, and they proved that the Messenger (ﷺ) prayed *janāzah* on his son, Ibrāhīm. This is more reasonable than the reports that state he did not.’²⁷¹

²⁶⁶ Bukhārī, 2/536 and Muslim, 2/536

²⁶⁷ Abū Dāwūd, 10/469-470 and Aḥmad in his *Musnad*, 6/267

²⁶⁸ A location in Madīnah.

²⁶⁹ Abū Dāwūd, 10/471 in his *Sunan* and in his *al-Marāsīl*, #431, al-Bayhaqī in his *Sunan*, 4/9

²⁷⁰ Abū Dāwūd, 10/471 in his *Sunan*; see *Fath al-Barī*, 3/174 and ‘*Umdah al-Qarī*, 6/141.

²⁷¹ See *al-Sunan al-Kubra* of al-Bayhaqī, 4/9

The mawsul ḥadīth he referred to is the ḥadīth narrated by Al-Barā' Ibn 'Āzib, (*radīy Allāhu 'anhu*) who said: "The Messenger (ﷺ) prayed *janāzah* on his son, Ibrāhīm, who died at the age of sixteen months. he said: "There is a wet-nurse for him in Paradise to continue his breastfeeding, and he is a *Ṣiddīq* (a man of truth)." ²⁷²

This ḥadīth is weak because it is narrated through Jābir Al-Ju'fī, who is a weak narrator. But this ḥadīth with the ḥadīths of Al-Bahī, 'Aṭā' and Al-Sha'bī strengthen one another.

Some people said: He (ﷺ) did not pray on him, because he [Ibrāhīm] is in no need for the prayer, being the son of the Prophet (ﷺ), just as martyrs are in no need for it.

This is among the most corrupt and ignorant views. Allāh, the Exalted, decreed praying *janāzah* on Prophets and people of truth. In addition, *janāzah* prayer is not performed on the martyr because it takes place after the burial bath, and the martyrs do not receive burial baths."

19- The sun was eclipsed on the day of his death, and people said: 'The eclipse happened due to Ibrāhīm's death.' The Prophet (ﷺ) delivered the eclipse sermon and said in it: 'The sun and moon are two signs of Allāh, the Most High, and they do not become eclipsed for death or birth of anyone.' ²⁷³

This refutes the argument of those who claim that Ibrāhīm died on the 10th of Muḥarram [the day of *Āshūrā'*]. Allāh, the Exalted, made it the law of nature, as His wisdom necessitated, for the

²⁷² Aḥmad in his *Musnad*, 4/189 and others

²⁷³ Reference already mentioned

solar eclipse to happen on the new moon nights,²⁷⁴ like the lunar eclipse takes place on the full-moon nights,²⁷⁵ and like the moon waxes in the beginning of the month, becomes full in its middle, and wanes towards its end.

- 20- The Prophet (ﷺ) informed us that there is a wet-nurse for Ibrāhīm in Paradise to continue his breastfeeding. This means that Allāh, Exalted and High, completes the people of Paradise, after their death, the shortcomings that were in their worldly lives. It is even said that whoever dies while pursuing knowledge, will fully acquire it after his death, and similarly for whoever dies while learning the Qur'ān. Allāh knows best.
- 21- The Prophet (ﷺ) instructed to treat the Egyptians kindly, and said: 'For they have a pact and a blood-tie [with you].'²⁷⁶ Since the concubines of the two honourable friends [of Allāh], Ibrāhīm and Muḥammad (ﷺ) were from Egypt—Hājar and Māriyah. As for Hājar, she was the mother of Ismā'īl (*'alayhis-salām*), the grandfather of Arabs. This is the blood tie.

As for the pact, it stems from the Prophet (ﷺ) having Māriyah as a concubine, and her giving birth to Ibrāhīm. This is a pact the Muslims should preserve, unless abandoned by the Egyptians.

Allāh knows best.

²⁷⁴ Which take place in the beginning and the end of the Arabic month.

²⁷⁵ Which take place in the middle of the Arabic month.

²⁷⁶ Muslim, 4/1970

Al-Bukhārī narrated in his *Ṣaḥīḥ*²⁷⁷ from Al-Suddī that he asked Anas Ibn Mālik: ‘How old was Ibrāhīm, the Prophet’s (ﷺ) son?’ He said: ‘He was old enough to fill his cradle. Had he lived on, he would have become a prophet, but he was not meant to live on, because your Prophet is the final of [all] Prophets [and Messengers.]’

‘Isā Ibn Yūnus narrates from Ibn Abū Khālid that he asked Ibn Abū Awfā: ‘Did you ever see Ibrāhīm, the Prophet’s (ﷺ) son?’ He said: ‘He died young. If there was to be a prophet after Muḥammad (ﷺ), he would have lived on, but there is no prophet after Muḥammad (ﷺ).’²⁷⁸

Ibn ‘Abdu’l-Barr²⁷⁹ said: ‘I don’t know what that is! Nūḥ (‘*alayhis-salām*) had sons who were not prophets. Just as the Prophet can be born to someone who is not a prophet, it is normal for the Prophet to give birth to someone who is not a prophet. If every prophet only gave birth to prophets, everyone would be a prophet, because we are all descendants of Nūḥ (‘*alayhis-salām*). Ādam (‘*alayhis-salām*) was a prophet and received revelation from Allāh, yet I do not know any of his children who were prophets except Shayth (Seth).’²⁸⁰ Allāh knows best.

This is an extraneous section related to the time of newborn naming. We mentioned it digressively. Let us return to the section’s core.

The purpose of naming is to identify the particular object,

²⁷⁷ Aḥmad in his *Musnad*, 3/280 and I searched, and could not find this ḥadīth in Al-Bukhārī.

²⁷⁸ Bukhārī in his *Adab al-Mufrad*, 10/579

²⁷⁹ *Al-Istay’āb* of ‘Abdu’l-Barr, 1/60.

²⁸⁰ Shayth (Seth) is the third son of Adam (‘*alayhis-salām*) and Eve (‘*alayha-salām*).

because if an object existed and had no name, it could not be identified. Therefore, naming is permissible on the day of birth, it could be delayed until the third day, it could be delayed until the day of *‘aḡiqab*, and it could be done earlier or later. The matter is flexible.

Section 2:
The Desirable, Forbidden and
Disapproved Names

Abū'l-Dardā' (*radīy Allāhu ‘anhu*) narrates that the Messenger (ﷺ) said: "On the Day of Resurrection you will be called by your names and by your father's names, so give yourselves good names." It is narrated by Abū Dāwūd with a ḥasan chain of narration.²⁸¹

Ibn ‘Umar (*radīy Allāhu ‘anhumā*) said that the Messenger (ﷺ) said: "The names dearest to Allāh are ‘Abdullāh and ‘Abdu'l-Raḥmān." It is narrated by Muslim in his *Ṣaḡīḥ*.²⁸²

Jabir reports, 'A man had a child and named him Al-Qāsim. We said: 'We will not give you the cognomen (*kunyah*) Abū'l-Qāsim nor will we so honour you.'²⁸³ The Prophet (ﷺ) was told and said: "Call your son 'Abdu'l-Raḥmān.'"²⁸⁴

Abū Wahb Al-Jushamī said that the Messenger (ﷺ) said: 'Call yourselves by the names of the Prophets. The names dearest to Allāh are 'Abdullāh and 'Abdu'l-Raḥmān, the truest are Ḥārith

²⁸¹ Abū Dāwūd, 13/348-349

²⁸² Muslim, 3/1682

²⁸³ Abū'l-Qāsim is the *kunyah* of the Prophet (ﷺ), since his eldest child was called 'Al-Qāsim'.

²⁸⁴ Bukhārī, 6/217 and Muslim, 3/1682

(Cultivator) and *Hammām* (Courageous), and the worst are *Harb* (War) and *Murrah* (Bitter).²⁸⁵

Abū Muḥammad Ibn Ḥazm said: 'They agreed on the desirability of the names attached to Allāh, such as 'Abdullāh and 'Abdu'l-Raḥmān, and so on.'

Jurists have disagreed about the names dearest to Allāh. The majority said: The dearest names to Allāh are 'Abdullāh and 'Abdu'l-Raḥmān.

Sa'īd Ibn Al-Musayyab said: 'The dearest names to Allāh are the names of the Prophets.'²⁸⁷

The authentic ḥadīth testifies that the dearest names to Allāh are 'Abdullāh and 'Abdu'l-Raḥmān.

Sub-section One:

As for the disapproved and the forbidden names, Abū Muḥammad Ibn Ḥazm²⁸⁸ said: 'They agreed on the prohibition of every name in worship of anyone other than Allāh, such as 'Abd²⁸⁹ Al-'Uzza, 'Abd Hubal, 'Abd 'Amr, 'Abdu'l-Ka'bah, and so on, with the exception of 'Abdu'l-Muṭṭalib.'

Therefore, it is not acceptable to name someone 'Abd 'Alī, 'Abdu'l-Ḥusayn, or 'Abdu'l-Ka'bah.

Abū Shaybah reports the ḥadīth narrated by Yazīd Ibn Al-

²⁸⁵ Bukhārī, #813 and Abū Dāwūd, 13/350

²⁸⁶ See *Marātib al-Ijmā'* of Ibn Ḥazm, p.154

²⁸⁷ *Al-Muṣannaf* of Ibn Abī Shaybah, 8/667

²⁸⁸ See *Marātib al-Ijmā'* of Ibn Ḥazm, p.154

²⁸⁹ The word "Abd" in Arabic worshipper.

Muqdam Ibn Shurayh, from his father from his grandfather Hānī Ibn Yazīd, who said: ‘Some people came to the Prophet (ﷺ), and he heard them calling someone ‘Abdu’l-Ḥajjar (Worshipper of stone). He asked him: “What is your name?” He said: “‘Abdu’l-Ḥajar.” The Messenger (ﷺ) said: “No, you are ‘Abdullāh.”’²⁹⁰

If someone asked, how can they agree to forbid the names in worship of anyone other than Allāh, when the Prophet (ﷺ) said in an authentic ḥadīth: ‘May he be miserable, the worshipper of the *dīnar*, the worshipper of the *dirham*, the worshipper of the silk and the worshipper of the velvet.’²⁹¹ He said in another authentic ḥadīth: ‘I am the Prophet (ﷺ) undoubtedly; I am the son of ‘Abdu’l-Muṭṭalib.’²⁹² In addition, a man once entered upon him while he was sitting amidst his companions, and asked, ‘Which of you is the son of ‘Abdu’l-Muṭṭalib?’ They said: ‘That is him’ and they pointed to him (ﷺ).²⁹³

The answer: ‘As for his saying, “May he be miserable, the worshipper of the *dīnar*,” he (ﷺ) did not mean the name in itself, but meant the description, and to curse the one who worships money, and agreed to be enslaved by it, rather than his Lord, Blessed and Exalted. He mentioned money and clothing, which are the adornment of the apparent and the hidden.

As for his saying: “I am the son of ‘Abdu’l-Muṭṭalib,” he is not assigning a name, but rather informing of a name with which the object is identified. Informing to identify the object is not forbidden. It is not correct to deem that exclusive for the name ‘Abdu’l-Muṭṭalib, as Abū Muḥammad Ibn Hazm said. The Companions

²⁹⁰ *Al-Muṣannaf* of Ibn Abī Shaybah, 8/665 and Bukhārī in his *Adab al-Mufrad*, #811.

²⁹¹ Bukhārī, 11/253

²⁹² Bukhārī, 6/105 and Muslim, 3/1400

²⁹³ Bukhārī, 1/148

used to call the tribes of ‘Abdu’l-Shams and ‘Abdu’l-Dar by their names, and nobody objected to that. When it comes to informing of an existing name, things are more flexible than they are when assigning a new name, and there are things, which are not allowed in the latter, that are allowed in the former.

Sub-section Two:

It is forbidden to name someone ‘*King of kings*’, ‘*Sultan of sultans*’ or ‘*Shaban shah*.’²⁹⁴ It is authentically reported in both in Al-Bukhārī and Muslim, as narrated by Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) said: ‘The most disgraceful name in the sight of Allāh is a man who called himself King of kings.’

In another narration, he said “The most hated” instead of “The most disgraceful”.²⁹⁵

In another narration by Muslim: “The most wretched person in the sight of Allāh on the Day of Resurrection and the worst person and target of His wrath would of the person who is called *Mālik al-Amlak* (the King of kings) for there is no king but Allāh.”²⁹⁶

Some scholars said that this may indicate disapproval to be called ‘*Judge of judges*’ or ‘*Ruler of rulers*’, because the Ruler of rulers, in truth, is Allāh.

Some people of faith and virtue used to avoid calling someone ‘*Judge of judges*’ or ‘*Ruler of rulers*’, in analogy to what Allāh and His Messenger disapproved of being called ‘*King of kings*’. This is a deductive analogy (*qiyās*).

²⁹⁴ Persian for ‘*King of Kings*’.

²⁹⁵ Bukhārī, 10/588 and Muslim, 3/1688

²⁹⁶ Muslim, #2143

Moreover, it is forbidden to call someone 'Master of people', 'Master of all', or 'Master of the children of Ādam', for that is exclusively for the Messenger (ﷺ); he is the master of the children of Ādam. It is not permitted for anyone else to be called by that name.²⁹⁷

Sub-section Three:

Among the disapproved names is what is narrated in Muslim on the authority of Samurah Ibn Jundub (*radīy Allāhu 'anhu*) that he (ﷺ) said: "Do not call your servant *Yasār* (wealth), *Rabāḥ* (profit), *Nijīb* (prosperous) and *Aflah* (successful), for you may ask; Is he there? And someone says: No." Samurah said: "These are four [names], so do not attribute more to me."²⁹⁸

That last sentence is not of the Prophet's (ﷺ) saying but of the narrator's.²⁹⁹

Abū Dāwūd narrates in his *Sunan* that Jābir Ibn 'Abdullāh (*radīy Allāhu 'anhu*) said: 'Allāh's Messenger (ﷺ) wanted to forbid [his followers] to name persons as *Ya'la* (Elevated), *Barakah* (Blessing), *Aflah* (Successful), *Yasār* (Wealth) and *Nāfi'* (beneficial), but I saw that he kept silent after that and he did not say anything. Allāh's Messenger (ﷺ) died without forbidding [his followers to do this]. Then 'Umar decided to prohibit [people] from giving these names, but later on gave up the idea."³⁰⁰

²⁹⁷ See *Zād al-Mu'ad*, 2/240-241

²⁹⁸ Muslim, #2137

²⁹⁹ See *Zād al-Mu'ad*, 2/342-343

³⁰⁰ See Abū Dāwūd, #359 and Muslim, #2138

Abū Bakr Ibn Abū Shaybah conveys from Muḥammad Ibn ‘Ubayd, from Al-A‘mash, from Abū Sufyān, from Jābir (*radīy Allāhu ‘anhu*) that the Messenger (ﷺ) said: “If I were to live, Allāh willing, I would forbid my *ummah* to name people as *Nāfi‘*, *Aflah*, and *Barakah*.” Al-A‘mash said: ‘I am not sure whether or not he mentioned *Nāfi‘*.’³⁰¹

In ‘*Sunan Ibn Mājah*’, in the ḥadīth narrated by Abū’l-Zubayr, from Jābir, on the authority of ‘Umar Ibn Al-Khaṭṭāb (*radīy Allāhu ‘anhu*), that the Messenger (ﷺ) said: ‘If I were to live, Allāh willing, I would forbid my *ummah* to name people as *Rabāh*, *Najīh*, *Aflah* and *Yasār*.’³⁰²

I say: The same foes for similar names such as *Mubāarak* (Blessed), *Muflīh* (Successful), *Khayr* (Good), *Surūr* (Happiness), *Ni‘mah* (Bounty) and so on. The meaning disapproved by the Messenger (ﷺ) is also in these names.’ Someone may ask: ‘Do you have *Khayr*? Do you have *Surūr*? Do you have *Ni‘mah*?’ and the person might reply, ‘No’ which causes repulsion and pessimism in the hearts, and falls within the disapproved speech.

A ḥadīth states that he (ﷺ) disapproved that someone may say: ‘He got out from the house of *Barrah* (Righteous woman).’³⁰³

However, it contains another meaning that necessitates prohibition, which is self-adornment for being blessed and successful, when he/she might not be so. Abū Dāwūd narrated in his ‘*Sunan*’ that the Messenger (ﷺ) forbade naming a woman as *Barrah* and said: ‘Don’t hold yourself to be pious. It is Allāh alone who knows the people of piety among you.’³⁰⁴

³⁰¹ *al-Muṣannaḥ* of Ibn Abī Shaybah, 8/666 and Abū Dāwūd, #359.

³⁰² Ibn Mājah, #3735; see *Silsilah al-Ṣaḥībah*, 5/176-177

³⁰³ *ibid*

³⁰⁴ Abū Dāwūd. 13/352 and Muslim, #3992

In the Sunan of Ibn Mājah', as narrated on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*), Zainab was called *Barrab* and people said: 'She is adorning her self' so the Prophet (ﷺ) called her Zainab.³⁰⁵

Sub-section Four:

In addition, among the disapproved names are the names of devils, such as *Khinḏab*, *Al-Walbān* (The bewitched), *Al-A'war* (The one-eyed) and *Al-Ajda'* (The mutilated).

Al-Sha'bī narrates that Masrūq said: I met 'Umar Ibn Al-Khaṭṭāb and he asked me: "Who are you?" I said: "Masrūq Ibn Al-Ajda'." 'Umar (*radīy Allāhu 'anhu*) said: "I heard the Messenger of Allāh (ﷺ) say: '*Al-Ajda'* is a devil.'"³⁰⁶

In the *Sunan* of Ibn Mājah³⁰⁷ and the additions of 'Abdullāh to his father's *Musnad*³⁰⁸, as narrated by Ubay Ibn Ka'b (*radīy Allāhu 'anhu*) that the Prophet (ﷺ) said: 'There is a devil for ablution who is called *Walbān*, so be on guard against the insinuating thoughts [whispers] about water.'

'Uthmān Ibn Abū'l-Āṣ (*radīy Allāhu 'anhu*) complained to the Prophet (ﷺ) of the distractions in his prayer, he said: 'This is [the doing of] a devil called '*Khinḏab*.'³⁰⁹

Abū Bakr Ibn Shaybah narrates from Ḥumayd Ibn 'Abdu'l-Raḥmān, from Hisham, from his father, that a man was called

³⁰⁵ Ibn Mājah, 2/1230

³⁰⁶ Abū Dāwūd. 13/356, Ibn Mājah, 2/1229, Imām Aḥmad in his *Musnad*, 1/13 and others

³⁰⁷ Ibn Mājah, 2/1229

³⁰⁸ Imām Aḥmad in his *Musnad*, 5/136, Tirmidhī, 1/52 and others

³⁰⁹ Muslim, 4/1728-1729

Al-Hubāb, so the Messenger (ﷺ) called him ‘Abdullāh and said: “*Al-Hubāb* is a devil’s name.”³¹⁰

Sub-section Five:

The disapproved names also include the names of Pharaohs and tyrants, such as *Firown*, *Qārūn*, *Hāmān* and *Al-Walīd*.

‘Abdu’l-Razzāq conveyed in *Al-Jāmi’* from Mu‘ammar, that Al-Zuhrī said: ‘A man among us wanted to name his son as ‘*Al-Walīd*’, so the Messenger (ﷺ) forbade him and said: “There will be in my *ummah* a man called ‘*Al-Walīd*’, that will do to my *ummah* what Pharaoh did to his people.”³¹¹

Sub-section Six:

They also include the angels’ names, such as *Jibrīl* (Gabriel), *Mikā’il* (Michael) and *Isrāfīl*. It is disapproved to call humans by these names.

Ashhab said: “Mālik was asked about calling people by angels’ names and he disapproved it.”

Qādī ‘Iyād said: ‘Some scholars disapproved naming people with angel names, such as Al-Ḥārith Ibn Miskīn.³¹² Mālik also disapproved naming people as *Jibrīl* and *Yasīn*, while others allowed it.’³¹³

³¹⁰ *Al-Muṣannaf* of Ibn Abī Shaybah, 8/664, ‘Abdu’l-Razzāq in his *al-Jāmi’* from *al-Muṣannaf*, 11/40 and others.

³¹¹ *Al-Muṣannaf* and *Kitāb al-Jāmi’* of Ma‘mar Ibn Rashīd, 11/43 in mursal form and Ibn Jawzī mentioned it in his *al-Mudū‘āt*, 2//194.

³¹² See *Dhakira al-Ḥuffāz* of Dhahabī, 2/514

³¹³ See *Sharḥ Ṣaḥīḥ Muslim* of Qādī ‘Iyād, 7/10 and *Sharḥ Ṣaḥīḥ Muslim* of Nawawī, 14/114

‘Abdu’l-Razzāq narrates in *Al-Jāmi’* from Mu‘ammar who said, I asked Hammād Ibn Abū Sulaymān: ‘What is your opinion if a man was called Jibril or Mika’l?’ He said: ‘Nothing wrong with that.’³¹⁴

Al-Bukhārī said in his *Al-Tārikh*: ‘Aḥmad Ibn Al-Ḥārith narrates from Abū Qatādah Al-Shamī—Not Al-Harrānī, for he died in the year 164H—from ‘Abdullāh Ibn Jarad who said: ‘A man from Muzayinah accompanied me, and went to the Prophet (ﷺ) while I was with him.’ He said: “O Messenger of Allāh! I had a boy; what are the best names?” He said: “The best names for you are *Ḥārith* and *Hammām*. Excellent are the names ‘*Abdullāh* and ‘*Abdu’l-Raḥmān*. Call yourselves by the names of the Prophets, and do not call yourselves by the names of the angels.” He said: “What about your name?” He said: “You may call yourselves by my name, but do not give yourselves my *Kunyah*.”³¹⁵

Al-Bayhaqī said, ‘Al-Bukhārī said in another narration: ‘Its chain of narration is disputable.’³¹⁶

Sub-section Seven:

Moreover, they include the names whose meanings are disapproved and inappropriate, such as *Ḥarb* (War), *Murrah* (Bitter), *Kalb* (Dog), *Ḥayyah* (Snake) and the like. We have already mentioned the story narrated by Mālik in *Al-Muwatta’*, that the Messenger of Allāh (ﷺ) said regarding a she-camel about to be milked: ‘Who will milk this?’ A man stood up. The Messenger of Allāh (ﷺ) said: ‘What is your name?’ The man said: ‘*Murra* (bitterness).’ The Messenger of Allāh (ﷺ) said to him: ‘Sit down.’ Then he said: “Who will

³¹⁴ *Al-Muṣannaḥ* and *Kitāb al-Jāmi’* of Ma’mar Ibn Rashid, 10/40-41

³¹⁵ *Al-Tārikh al-Kabir* of Imām Bukhārī, 5/35

³¹⁶ Imām Bayhaqī in his *Shu’ab al-Imān*, 6/394.

milk this one?’ A man stood up and the Messenger of Allāh (ﷺ) said: ‘What is your name?’ He said: ‘*Harb* (war).’ The Messenger of Allāh (ﷺ) said: ‘Sit down.’ Then he said: ‘Who will milk this camel?’ A man stood up, and the Messenger of Allāh (ﷺ) said to him: ‘What is your name?’ The man said: ‘*Ya’ish* (he lives).’ The Messenger of Allāh (ﷺ) said to him: ‘Milk!’³¹⁷

He (ﷺ) hated assigning a man with a disapproved name to milk the sheep.³¹⁸

The Prophet (ﷺ) used to disapprove strongly of the ugly names and dislike it very much, whether for people, places, tribes or mountains. He was once walking, and reached two mountains, so he enquired about their names, and people said: ‘*Fādih* (Disgraceful) and *Mukhḥ* (Scandalous).’ He turned away from them and refused to pass between them,³¹⁹ and he was very conscious about that.

Whoever looks carefully at the Sunnah will find the names tied to their meanings, as if the names are derived from their meanings, and the meanings derived from the names. Look at his saying (ﷺ): ‘The tribe of Aslam (to make safe) is the one which Allāh granted safety, the tribe of *Ghifār* (Oft-forgiving) is the tribe which Allāh granted pardon, and *Asiyyah* (Disobedient) is the tribe that disobeyed Allāh.’³²⁰

In addition, when the Messenger (ﷺ) saw *Subayl* (ease-going) Ibn ‘Amr coming on the day of the Treaty, he said: ‘Your affair

³¹⁷ Reference cited many times already

³¹⁸ The story in ‘*Al-Muwattā*’ actually mentions about a she-camel, not a sheep.

³¹⁹ Already mentioned previously.

³²⁰ Bukhārī, 2/542 and Muslim, 4/1952

has become ease.³²¹

We also refer to when he (ﷺ) asked Buraydah about his name, he said: 'I am *Buraydah* (cool).' The Prophet (ﷺ) turned to Abū Bakr and said: 'O Abū Bakr, our affairs have become cool and reformed.' Then he asked: 'Where are you from?' He said: 'From the *Aslam* (to make safe) tribe.' He said to Abū Bakr: 'Now, we have become safe.' Then he said: 'From which family?' He said: 'From *Sahm* (Arrow) family.' He said: 'May your arrow be launched.'³²²

He even considered that in dream interpretation. He said (ﷺ): 'I dreamed that we were in the house of 'Uqbah Ibn Rāfi', and we were given dates of Ibn Tāb,³²³ so I interpreted it that the final victory and uplifting will be ours in this life, and that our religion has become pleasing.'³²⁴

If you wanted to know the impact of the name on the object, look at the ḥadīth narrated by Sa'īd Ibn Al-Musayyib, from his father that his grandfather said: 'I came to the Prophet (ﷺ) and he said: "What is your name?" I said: "*Ḥaṣṣ*." He said: "But you are *Sabl* (Easy)." I said: "I will not change a name given to me by my father." Ibn Al-Musayyab said: "Therefore, roughness remained in our character ever since."³²⁵

Moreover, look at what Mālik narrated in *Al-Muwattā'* from Yaḥyā Ibn Sa'īd that 'Umar Ibn Al-Khaṭṭāb (*raḍiyAllāhu 'anhu*) asked a man: 'What is your name?' He said: '*Jamrah* (Live Coal).' He said: 'Who is your father?' He said: '*Shihāb* (Meteor).' He asked: 'Where

³²¹ Reference cited many times already

³²² *Istidhkār* of Ibn 'Abdu'l-Barr, 10/270

³²⁰ *Uqbah* means 'Final', *Rāfi* means 'Uplifter' and *Tāb* means 'to be pleasing'.

³²⁴ Muslim, 4/1779

³²⁵ Bukhārī in his *Adab al-Mufrad*, 10/574

do you come from?’ He said: ‘*Al-Huraqah* (The Heat).’ He asked: ‘Where do you live?’ He said: ‘*Harrat Al-Nār* (The Volcanic stone of fire region).’ He said: ‘Where therein?’ He said: ‘In *Dhātu Laḥa* (The land of Hell).’ ‘Umar said: ‘Go and find your family, for they have burned.’ And he found them as ‘Umar (*radīy Allāhu ‘anhu*) said. This is what is narrated by Mālik.³²⁶

Al-Sha‘bī narrated that a man from Juhaynah came to ‘Umar Ibn Al-Khaṭṭāb (*radīy Allāhu ‘anhu*) who said: ‘What is your name?’ He said: ‘*Shihāb* (Meteor).’ He said: ‘Who is your father?’ He said: ‘*Dhirām* (Ignition).’ He asked: ‘Where do you come from?’ He said: ‘*Al-Huraqah* (The Heat).’ He asked: ‘Where do you live?’ He said: ‘*Harrat Al-Nār* (The Volcanic stone of fire region).’ ‘Umar said: ‘Woe to you! Go and find your house and your family, for they have burned.’ He found all of them to have burned.³²⁷

This could pose a problem to whoever does not understand it, but it is not a problem—Praise be to Allāh—The Originator of causes [Allāh], made these occasions requirements of this impact, and made their association in this special manner necessitating of that impact. He delayed that requirement until it was mentioned by he on whose tongue the truth was spoken, and through whom the Sovereign spoke. At that time, their association was completed, and the effect was consequent. Whoever understands this field, will benefit greatly, because adversity is linked to speech.

Abū ‘Umar said, ‘The Messenger (ﷺ) said: “Adversity is linked to speech.”³²⁸

³²⁶ Reference cited many times already

³²⁷ See *Miftāḥ Dār al-Sa‘ādah*, 2/236

³²⁸ Ibn ‘Abdu’l-Barr in his *Istidhkār*, 10/272, Khaṭīb al-Baghdādī in his *Tārīkh*, 7/389, Bayhaqī in his *Shu‘ab al-Imān*, 9/222 and others

An example of the adversity occurring by speech is the speech of the ill old man whom the Messenger visited and found him to be feverish, and said: 'Don't worry, Allāh willing, [your sickness will be] an expiation for your sins.' He said: 'No, it is but a fever that is boiling within an old man and will send him to his grave.' The Prophet (ﷺ): 'Then it is so.'³²⁹

We have witnessed a number of lessons in that regards, both in us and in others, and what we witnessed is like a drop in the ocean. The poet, Al-Mu'ammil³³⁰ said:

The sight has gazed Al-Mu'ammil on the day of Al-Naqlah

I wish Al-Mu'ammil was never given the sense of sight

Then, he soon turned blind.

In Jāmi' Ibn Wahb, it is narrated that a boy was brought to the Messenger (ﷺ), who asked: 'What did you name him?' They said: 'Al-Sā'ib (The Unrestrained).' He said: 'Do not call him *Al-Sā'ib*, but (call him) *Abdullāh*.' However, they insisted on the name, and he did not die before losing his sanity.³³¹

Therefore, paying attention to speech and selecting names is of Allāh's guidance to the person.

The Prophet (ﷺ) commanded the person to make good wishes, and said: 'For verily, he does not know what of his wish shall be recorded'³³² meaning what will come true. The wish becomes the

³²⁹ Bukhārī, 10/121

³³⁰ Al-Mu'ammil Ibn Amīl al-Mahārabī, in *Al-Aghaani*, 22/250, *Mu'jam al-Adbaa'*, 3/208

³³¹ See 'Abdullāh Ibn Wahb in *Al-Jāmi' fi'l-Hadith*, 1/93

³³² Imām Aḥmad in his *Musnad*, 2/357

reason for the occurrence of what he wished for, or some of it. You have heard of seen the stories of many wishers, whose wishes, or some of them, came true!

Abū Bakr *Al-Siddiq* (*radīy Allāhu 'anhū*) used to say this verse of poetry:

Beware! Your tongue may say something which brings you adversity,
For adversity is linked to speech.³³³

When Al-Ḥusayn and his companions arrive at *Karbala*, he asked about its name, and they said: '*Karbala*.' He said: '*Karb* (Distress) and *Balā'* (Adversity).'³³⁴

When Ḥalimah Al-Sā'diyah came to 'Abdu'l-Muṭṭalib³³⁵ requesting to breastfeed the Messenger (ﷺ), he asked her: 'Who are you?' she said: 'A Woman from the Tribe of *Sa'ūd*' He said: 'What is your name?' She said: '*Ḥalimah*.' He said: 'Excellent! Excellent! *Sa'ūd* (Happiness) and *Hilm* (Patience). These are two traits that suffice for a person throughout his life.'³³⁶

Sulaymān Ibn Arqam narrates from 'Ubaydullāh Ibn 'Abdullāh, on the authority of Ibn 'Abbās (*radīy Allāhu 'anhumā*) that the Byzantine King sent a messenger to the Prophet (ﷺ) and told him: 'See where he is seated, who is beside him and look at what is between his shoulders.'

Then, when he came, he saw the Messenger (ﷺ) sitting on an elevated place, having his feet in water and Abū Bakr was to his

³³³ Ibn 'Abdu'l-Barr in his *Istidhkār*, 10/272,

³³⁴ See Ibn Asākir in *Tārikh Damishk*, 14/220 and others

³³⁵ The grandfather of the Messenger of Allāh (ﷺ).

³³⁶ See *Fayd al-Qadīr* of al-Manāwī, 1/705

right. When the Prophet (ﷺ) saw him he said: 'Come and look at what you were commanded' and he looked at the seal [of Prophethood]. When he returned to his master, he told him the story, and he said: 'He will rise, and he will own what is beneath my feet.' He interpreted the elevated place to mean victory, and water to mean life.³³⁷

'Awānah Ibn Al-Hakam said: 'When Ibn Al-Zubayr claimed himself to be the Caliph, 'Abdullāh Ibn Mutī' came to pledge allegiance, but 'Abdullāh Ibn Al-Zubayr refused to shake his hand, and said to 'Ubaydullāh Ibn 'Alī Ibn Abū Ṭālib, "Stand up and pledge allegiance" and 'Ubaydullāh said, "Stand up, O Muṣ'ab and pledge allegiance." He stood up and pledged allegiance. People then said: "He refused the pledge of son of *Mutī'* (Obedient) and accepted the pledge of *Muṣ'ab* (Difficult). He will surely find difficulty in his affairs."

Salamah Ibn Muhārib said: 'Al-Ḥajjāj arrived at the Monastery of *Qurrah* (Stability), and 'Abdu'l-Raḥmān Ibn Al-Ash'ath arrived at the monastery of *Al-Jamajim* (Skulls), so Al-Ḥajjāj said: 'Victory is mine and death will be his. By Allāh, I will kill him.'"³³⁸

This a vast and very useful subject, which we touched briefly. The original objective was to state the desirable and undesirable names.

Sub-section Eight:

It is prohibited to name someone after the names of the Lord, Blessed and Exalted is He. It is not acceptable to name someone

³³⁷ It is mentioned by Ibn Hamdūn in *al-Tadhkira al-Ḥamdūniyya*, 8/21

³³⁸ See *Tārikh al-Ṭabarī*, 6/347 and *Miftāḥ Dār al-Sa'ādah*, 2/237.

as *Al-Aḥad* (the One), *Al-Ṣamad* (the Eternal Refuge), *Al-Kbāliq* (the Creator), *Al-Razzāq* (the Sustainer), or any other name that belong exclusively to the Lord, Blessed and Exalted is He.

It is not permitted to call kings as *Al-Qāhir* (the Subjugator) or *Al-Zābir* (the Evident). It is also not permitted to call them as *Al-Jabbār* (the Compeller), *Al-Mutakabir* (the Majestic), *Al-Awwāl* (the First), *Al-Ākhir* (the Last), *Al-Bāṭin* (the Immanent) or *Allām Al-Ghuyūb* (Knower of the unseen).

Abū Dāwūd conveyed in his *Sunan*, from Al-Rabi' Ibn Nāfi', from Yazīd Ibn Al-Miqdām Ibn Shurayḥ, from his father, from his grandfather Shurayḥ, that when his father, Hānī', came to the Messenger (ﷺ) with his people, he (ﷺ) heard them calling him *Abū'l-Hakam* (The Judge), so he (ﷺ) called him and said: 'Allāh is the Judge, and to Him belongs Judgment. Then why are you called Abū'l-Hakam?' He said: 'When my people disagree about something, they come to me, I give my judgment and both parties accept it.' The Messenger (ﷺ) said: 'How good is that! What are the names of your children?' He said: 'Shurayḥ Maslamah and 'Abdullāh.' He said: 'Which is the eldest?' He said: 'Shurayḥ.' He said: 'Then you are Abū Shurayḥ.'³³⁹

We have already stated the authentic ḥadīth that says: 'The most disgraceful name in the sight of Allāh is a man who called himself *King of kings*.'³⁴⁰

Abū Dāwūd narrates from Musaddad, from Bishr Ibn Al-Mufaḍḍal, from Abū Salamah Sa'īd Ibn Yazīd, from Abū Naḍrah, from Muṭrif Ibn 'Abdullāh Ibn Al-Shikhīr, that his father said:

³³⁹ Abū Dāwūd, 13/354, Nasā'ī, 8/226, Ibn Hibbān, #504, Ḥākim, 1/24 and Ṭabarānī in *al-Kabir*, #465, #466.

³⁴⁰ Reference already mentioned.

‘I went among the delegation of the tribe of ‘Āmir to the Messenger (ﷺ), and said: “You are our master.” He said: “The Master is Allāh.” We said: “And you are the highest of us in excellence and the greatest in generosity.” He said: “Say what you like, or a part of what you like, but do not let the devil make you his agents.””³⁴¹

This does not conflict with his saying: I am the master of the children of Ādam³⁴² because he informs, in this instance, of what Allāh granted him of pre-eminence and superiority over humanity.

As for describing the Lord, Glorified and Exalted is He, as being the Master, it is because it is in absolute terms. The Master of the creation is The One in control of their affairs, to Whom they shall return, Whose command they follow and upon Whose word they shall depart. Since the angels, humanity and Jinn fall under the creation and dominion of Allāh, Blessed and Exalted is He, they cannot do without Him even for as long as a blink of an eye, and all their desires and needs are directed towards Him, then He, Glorified and Exalted is He, is the true Master.

‘Alī Ibn Abū Ṭalḥah narrates from Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) in the interpretation of Allāh’s saying *Al-Ṣamad* (the Eternal Refuge)³⁴³ that it means: “The Master whose sovereignty is completed.”³⁴⁴

In conclusion, it is not permitted for anyone to be named after the names that are exclusively for Allāh.

³⁴¹ Abū Dāwūd, 13/235-236

³⁴² Muslim, 4/1782

³⁴³ *Sūrah al-Ikhlāṣ* (112) :2

³⁴⁴ Ibn Abī Hātim in his *al-Tafsīr*, 12/467 and Ṭabarī, 24/692

As for the names which are attributed to Him and to others as well, such as *Al-Samīʿ* (the All Hearing), *Al-Bāṣir* (the All Seeing), *Al-Raʿūf* (the Kind) and *Al-Raḥīm* (the Merciful), it is possible to attribute their meaning to creatures, but cannot be used as names in absolute terms as they are attributed to the Lord, Exalted is He.

Sub-section Nine:

It is also prohibited to name someone after the names of the Qurʾān and its chapters, such as *Ṭaba*,³⁴⁵ *Yasīn*,³⁴⁶ or *Hā-Mīm*,³⁴⁷ Mālik has explicitly stated the undesirability of the name ‘*Yasīn*’, as reported by Al-Suhaylī.³⁴⁸

As for what the common people say, that *Yasīn* and *Ṭaba* are among the Prophet’s (ﷺ) names, it is not correct. There is no ḥadīth ṣaḥīḥ, ḥasan or mursal, nor is there a report from a companion in that regard. These letters are the same as ‘*Alif, Lām, Mīm*,’³⁴⁹: ‘*Hā Mīm*,’ ‘*Alif, Lām, Rā*.’³⁵⁰ ... etc.

Sub-section Ten:

It is debated whether it is undesirable to be named after the Prophets’ names. One view states that it is not undesirable, which is the majority’s view, and the correct one. The other view states that it is undesirable.³⁵¹

³⁴⁵ The Qurʾān—Chapter 20

³⁴⁶ The Qurʾān—Chapter 36

³⁴⁷ The Qurʾān—The first verse of Chapters 40, 41, 42, 43, 44, 45 and 46.

³⁴⁸ See *al-Rawḍ al-Aunf fi Sharḥ Sirah Ibn Hishām* of Suhaylī, 2/66

³⁴⁹ The Qurʾān—The first verse of Chapters 2, 3, 29, 30, 31 and 32.

³⁵⁰ The Qurʾān—The first verse of Chapters 10, 11, 12, 14 and 15.

³⁵¹ See *Zād al-Muʿād*, 2/342.

Abū Bakr Ibn Abū Shaybah conveys in 'Chapter on the undesirable names', from Al-Faḍl Ibn Dukayn, from Abū Khaldah, that Abū'l-ʿĀliyah said: 'You commit a worse deed! You name your children after the Prophets, and then you curse them.'³⁵²

A more explicit report is what is conveyed by Abū'l-Qāsim Al-Suhaylī in '*al-Rawḍ*' when he said: 'The undesirability of naming someone after the Prophets' names was in the doctrine of 'Umar Ibn Al-Khaṭṭāb.'³⁵³

I say: The purpose behind this was to preserve their names from degradation and harsh speech which they may be subjected to upon anger and so on.

Saʿīd Ibn Al-Musayyib said: 'The dearest names to Allāh are the names of Prophets.'³⁵⁴

In *al-Tāriḫ Ibn Khaythamah*, it is said: Ṭalḥah had ten children, each named after a Prophet, and Al-Zubayr had ten children, each named after a martyr. Ṭalḥah said to him: 'I name them after Prophets' names, and you name them after martyrs' names.' Al-Zubayr said: 'I aspire that my children become martyrs, while you cannot aspire that your children become Prophets.'³⁵⁵

It is stated in Muslim that Abū Mūsā (*radīy Allāhu ʿanhu*) said: 'My wife gave birth to a boy, so I took him to the Prophet (ﷺ), who named him Ibrāhīm and performed *taḥnīk* on him with a date fruit.'³⁵⁶

³⁵² See Ibn Abī Shaybah, 8/667

³⁵³ See *al-Rawḍ al-Aunf fī Sharḥ Sirah Ibn Hishām* of Suhaylī, 2/66

³⁵⁴ See Ibn Abī Shaybah, 8/667

³⁵⁵ See *Tāriḫ Ibn Abī Khaythamah*, 2/91 and *al-Rawḍ al-Aunf fī Sharḥ Sirah Ibn Hishām* of Suhaylī, 2/66.

³⁵⁶ Muslim, 3/1690.

Al-Bukhārī stated in his *Ṣaḥīḥ*, [Chapter on Naming with the Names of Prophets]: Ibn Numayr narrated from Ibn Bishr, from Ismā'īl that he said to Ibn Awfā: 'Did you ever see Ibrāhīm, the Prophet's (ﷺ) son?' He said: 'He died young. If there was to be a Prophet after Muḥammad (ﷺ), he would have lived on, but there is no Prophet after Muḥammad (ﷺ).'³⁵⁷

He then stated the ḥadīth narrated on the authority of Al-Barā' (*radīy Allāhu 'anhu*) that when Ibrāhīm [the son of the Prophet (ﷺ)] passed away, the Prophet (ﷺ) said: 'There is a wet-nurse for him in Paradise.'³⁵⁸

In Muslim, in Chapter of Naming with the Names of Prophets and Pious People, he stated the ḥadīth narrated by Al-Mughīrah Ibn Shu'bah (*radīy Allāhu 'anhu*): When I came to Najrān, they asked me: 'You recite [in the Qur'ān]: "O sister of Aaron"³⁵⁹ when [Prophet] Mūsā precedes [Prophet] 'Isā by such-and-such years.' When I returned to the Messenger (ﷺ), I asked him about that and he said: 'They used to name with the names of their Prophets and the pious people before them.'³⁶⁰

Section Three: The Desirability of Changing the Name, if Beneficial

Ibn 'Umar (*radīy Allāhu 'anhumā*) narrated that the Prophet (ﷺ) changed the name of a woman called 'Āsiyah (Disobedient)' to 'Jamilah (Beautiful).'³⁶¹

³⁵⁷ Bukhārī, 10/557.

³⁵⁸ Reference already mentioned

³⁵⁹ *Surah Maryam* (19): 28

³⁶⁰ Muslim, 3/1685.

³⁶¹ Reference already cited

In *Ṣaḥīḥ* Al-Bukhārī, as narrated on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*), Zainab was called *Barrab*, and people said: ‘She is adorning herself’ so the Prophet (ﷺ) called her Zainab.³⁶²

In *Sunan* of Abū Dāwūd, the ḥadīth narrated by Sa‘īd Ibn Al-Musayyib, from his father, from his grandfather that the Prophet (ﷺ) said: ‘What is your name?’ He said: ‘*Ḥaẓn* (rough).’ He said: ‘But you are *Sahl* (Easy).’ I said: ‘No, the easy person is trampled and degraded.’ Ibn Al-Musayyab said: ‘Therefore, I thought that roughness will hit us after that.’³⁶³

In both Al-Bukhārī and Muslim, it is narrated that Al-Mundhir Ibn Abū Usayd was brought to the Messenger (ﷺ) when he was born, and the Prophet (ﷺ) placed him on his thigh, then he was lifted away. The Messenger (ﷺ) asked: ‘Where is the boy?’ Abū Usayd said: ‘We took him away, O Messenger of Allāh!’ He said: ‘What is his name?’ He said: ‘Such-and-such.’ He (ﷺ) said: ‘No. His name is Al-Mundhir.’^{364, 365}

Abū Dāwūd narrated in his *Sunan*, on the authority of Usāmah Ibn Akhdarī that a man called Aṣram was among a group of people that came to the Messenger (ﷺ). He said: ‘What is your name?’ He said: ‘*Aṣram* (to sever).’ He said: ‘No. You are *Zur‘ab* (Plant).’³⁶⁶

Abū Dāwūd said: ‘The Prophet (ﷺ) changed the names of *Al-‘Aṣ* (The Disobedient), *‘Azīz* (Mighty), ‘Atalah (Crowbar), *Shayṭān*

³⁶² Bukhārī, 10/575

³⁶³ Abū Dāwūd, 13/354-355

³⁶⁴ It means ‘The Warner’.

³⁶⁵ Reference already cited

³⁶⁶ Abū Dāwūd, 13/353 and Bukhārī in his *Adab al-Mufrad*, p.65

(Satan), *Al-Hakam* (Arbiter) and *Ghurāb* (Crow). He changed the name of *Shihāb* (Meteor) to *Hishām* (Noble), *Harb* (War) to *Silm* (Peace), *Al-Mudṭajī* (The Recumbent) to *Al-Munba'ith* (The Revived), the land of *'Afirah* (Dust) to *Khaḍīrah* (Green), The people of *Dalālah* (Aberrance) to *Hudā* (Guidance), and the Tribe of *Al-Zinyah* (Adultery) to *Al-Rushdah* (Guidance), and the Tribe of *Mughwīyyah* (Misleading) to *Rushdah* (Guidance).³⁶⁷

Abū Dāwūd said: 'The chains of narration were omitted for brevity.'

In Sunan Al-Bayhaqī, a ḥadīth is narrated from Al-Layth Ibn Sa'd, from Yazīd Ibn Abū Ḥabīb, from 'Abdullāh Ibn Al-Ḥārith Ibn Jaz' Al-Zubaydī that he said: 'A distant friend of mine passed away, and we were standing by his grave—me, 'Abdullāh Ibn 'Umar and 'Abdullāh Ibn 'Amr Ibn Al-'Āṣ. My name was *Al-'Āṣ* (the Disobedient)', Ibn 'Umar was called *'Al-'Āṣ*', and Ibn 'Amr was also called *'Al-'Āṣ*'. The Messenger (ﷺ) told us: "Go down and bury him, and each of you is *'Abdullāh* (Servant of Allāh)." So we went down and buried our brother, then we got up and our names had changed.³⁶⁸

The chain of narration of this ḥadīth is good to Al-Layth, which is strange, because it is not known that 'Abdullāh Ibn 'Amr or 'Abdullāh Ibn 'Umar were previously called *'Al-'Āṣ*'.

Ibn Abī Shaybah narrates in his *al-Muṣannaḥ* from Muḥammad Ibn Bishr, from Zakariyah, that Al-Sha'bī said: 'No one of those from Quraysh whose names meant *'disobedience'* before Islām joined Islām except *'Mutī'*. His name was *Al-'Āṣ*, and the Messenger

³⁶⁷ Abū Dāwūd, 13/355

³⁶⁸ Al-Bayhaqī in his *Sunan*, 9/307-308

(ﷺ) changed it to *Muti'* (Obedient).³⁶⁹

Abū Bakr Al-Mundhir conveys from Muḥammad Ibn Ismā'īl, from Abū Nu'aym, from Isra'īl, from Abū Ishāq, from Hānī' Ibn Hānī', that 'Alī (*radīy Allābu 'anhu*) said: 'When Al-Ḥasan was born, I called him *Ḥarb* (War), then the Prophet (ﷺ) came and said: "Show me my grandchild; what did you name him?" We said: *Ḥarb*. He said: "No. He is *Ḥasan* (Good)." Then, when Al-Ḥusayn was born, I called him *Ḥarb*, then the Prophet (ﷺ) came and said: "Show me my grandchild; what did you name him?" We said: *Ḥarb*. He said: "No. He is *Husayn* (Good)." When the third was born, I called him *Ḥarb*, and then the Prophet (ﷺ) came and said: "Show me my grandchild; what did you name him?" We said: "*Ḥarb*." He said: 'No. He is *Muḥassin* (Enhancer).' Then he added: "I named them like Hārūn named his children; Shabar, Shubayr, and Mushabbir."³⁷⁰

It is narrated in the *al-Muṣannaḥ* of Ibn Abī Shaybah from Muḥammad Ibn Fuḍayl, from Al-'Alā' Ibn Al-Mussayib, that Khaythama said: 'My father's name in pre-Islāmic Ignorance was 'Azīz (Mighty), so the Messenger (ﷺ) called him 'Abdu'l-Raḥmān (Servant of the Merciful).³⁷¹

Al-Bukhārī conveys in his *Al-Adab'* from Ibrāhīm Ibn Al-Mundhir, from Yazīd Ibn Al-Ḥabbāb, that Ibn 'Abdu'l-Raḥmān Ibn Sa'īd Al-Makhzūmī, whose name used to be *Al-Ṣarm* (Severed),

³⁶⁹ *Al-Muṣannaḥ* of Ibn Abī Shaybah, 8/664

³⁷⁰ Imām Aḥmad in his *Musnad*, 1/98, Bukhārī in his *Adab al-Mufrad*, #823, Ibn Hibbān, #6958, Bayhaqī, 6/166; it was authenticated by Ḥākim, 3/165 and Dhahabī agreed. See *Majma' al-Zawā'id*, 8/52.

³⁷¹ *Al-Muṣannaḥ* of Ibn Abī Shaybah, 8/475 and Imām Aḥmad in his *Musnad*, 4/187; it was authenticated by Ibn Hibbān, #5828, Ḥākim in his *al-Mustadrīk*, 4/276 and Dhahabī agreed.

was named *Sa'īd* (Happy) by the Messenger (ﷺ).³⁷²

Muḥammad Ibn Sinān narrates from 'Abdullāh Ibn Al-Hārith Ibn Abza, from his mother, from her father, that he said: 'I witnessed the Battle of Hunayn with the Messenger (ﷺ). He asked me: "What is your name?" I said: "*Ghurāb* (Crow)." He said: "No. You are Muslim."³⁷³

Sub-section One:

In addition to changing the name due to its undesirability, it could be changed for another purpose despite its desirability, like when the Prophet changed *Barrab* to *Zainab* to avoid self-adornment or to avoid people saying: 'Left *Barrab*' or ask 'Are you with *Barrab*?' and be answered 'No' as in the ḥadīth.³⁷⁴

Sub-section Two:

The Prophet (ﷺ) changed Madīnah's name from *Yathrib* (to reproach) to *Tābah* (to be pleasant), as narrated in both Al-Bukhārī and Muslim on the authority of Abū Ḥumayd (*radīy Allāhu 'anhu*) who said: 'We came with the Messenger (ﷺ) from Tabūk, until we approached Madīnah, he said: "This is *Tābah*."³⁷⁵

It is narrated in Ṣaḥīḥ Muslim on the authority of Jabir Ibn Samurah (*radīy Allāhu 'anhu*) that he heard the Messenger (ﷺ) say: 'Allāh named Madīnah as *Tābah*.'³⁷⁶

³⁷² Bukhārī in his *Adab al-Mufrad*, p.67

³⁷³ Bukhārī in his *Adab al-Mufrad*, p.68 and it was declared weak by al-Albānī in *al-Jāmi'*, #132 and #134. It is also reported by Abū Dāwūd in *ta'liqāt* form, 13/355

³⁷⁴ Bukhārī, 10/575. See *Zād al-Mu'ad*, 2/244

³⁷⁵ Bukhārī, #187 and Muslim, 2/1011

³⁷⁶ Muslim, 2/1007

It is highly undesirable to call it Yathrib. Allāh the Exalted has conveyed that name being designated by the hypocrites, when He said:

وَلَا يَقُولُ الْمُنَافِقُونَ وَالَّذِينَ فِي قُلُوبِهِمْ
مَّرَضٌ مَا وَعَدَنَا اللَّهُ وَرَسُولُهُ إِلَّا غُرُورًا ﴿١٣﴾ وَإِذْ قَالَتْ طَائِفَةٌ
مِّنْهُمْ يَا أَهْلَ يَثْرِبَ لَا مُقَامَ لَكُمْ فَارْجِعُوا وَيَسْتَأْذِنُ فَرِيقٌ
مِّنْهُمُ النَّبِيَّ يَقُولُونَ إِنَّ بُيُوتَنَا عَوْرَةٌ وَمَا هِيَ بِعَوْرَةٍ إِن يُرِيدُونَ إِلَّا
فِرَارًا ﴿١٤﴾

“And [remember] when the hypocrites and those in whose hearts is disease said: ‘Allāh and His Messenger did not promise us except delusion.’ And when a faction of them said: ‘O People of Yathrib, there is no stability for you [here], so return [home].’ And a party of them asked permission of the Prophet, saying: ‘Indeed, our houses are unprotected’ while they were not exposed. They did not intend except to flee.”

[*al-Abḥāb* (33):12-13]

It is narrated in *Sunan Al-Nasāʾī*³⁷⁷ from Mālik, from Yaḥyā Ibn Saʿīd, from Abūʾl-Ḥubāb Saʿīd Ibn Yasār, on the authority of Abū Hurayrah (*radīy Allāhu ʿanhu*) that the Messenger (ﷺ) said: ‘I have been commanded [to migrate] to a town [Medīnah] which would overpower other towns. They [the people] call it *Yathrib*; its correct name is [in fact] Madīnah. It eliminates [bad] people just as a furnace removes the alloy of iron.’

³⁷⁷ *Al-Sunan al-Kubrā* of Nasāʾī, 2/482 and 6/430. The ḥadīth is also related by Bukhārī, 13/174, Muslim, 2/1007 and Imām Mālik in his *al-Muwattaʾa*, 2/314

Section Four:
The Permissibility of Cognominating
the Newborn

In both Bukhārī and Muslim, it is narrated that Anas said: 'The Prophet (ﷺ) was the best of all the people in character. I had a brother called Abū Umayr. Whenever the Prophet (ﷺ) came, he used to say: "O Abū Umayr! What did Al-Nughayr (nightingale) do?" referring to a nightingale with which he used to play.' The narrator said: 'I think he [Abū Umayr] had been newly weaned.'³⁷⁸

Before Anas [Ibn Mālik] (*radīy Allāhu 'anhu*) had children, his cognomen was 'Abū Hamzah', and Abū Hurayrah (*radīy Allāhu 'anhu*) was his own cognomen when he did not have children.

The Prophet (ﷺ) permitted 'A'ishah (*radīy Allāhu 'anbā*) to be cognominated *Umm Abdullāh*, after 'Abdullāh Ibn Al-Zubayr who is her nephew—the son of her sister, Asmā' bint Abū Bakr (*radīy Allāhu 'anhu*). This is the authentic narration.³⁷⁹ As for the ḥadīth that narrates that she and the Prophet (ﷺ) had a stillborn, named him 'Abdullāh and nicknamed her after him, it is not an authentic ḥadīth.³⁸⁰

It is possible for a father to have a cognomen after someone who is not his child. Abū Bakr did not have a child called *Bakr*, 'Umar did not have a son called *Ḥafṣ*, Abū Dharr did not have a child called *Dharr*, nor did Khalid have a child called *Sulaymān*, when his cognomen was *Abū Sulaymān*. The same applies for Abū Salamah,

³⁷⁸ Bukhārī, 10/587 and Muslim, 3/1692

³⁷⁹ Abū Dāwūd in his *Sunan*, 13/372

³⁸⁰ Ibn Sunnī in his *'Aml al-Yawm wa'l-Layl*, p.199 no.#417 on the authority of Hishām Ibn 'Urwā (*radīy Allāhu 'anhu*)

and the examples are too many to be counted. Therefore, it is not necessary for the cognominated person to have a child, or for the cognomen to be after his or her child's name.³⁸¹ Allāh knows best.

A cognomen is a kind of glorification and honouring to the person, as the poet said:

When I call him by his cognomen, I honour him
I do not nickname him, for a nickname aims to shame.³⁸²

Section Five:
Selecting the Name is the Father's Right,
and not the Mother's

This is not disputed among people [of knowledge]. When the parents disagree about naming the child, the final say is the fathers. The previously mentioned ḥadīths all indicate as much.

This is similar to being called by the names of their fathers, not their mothers; it is said: Such-and-such, the son of So-and-so. Allāh the Exalted said:

ادْعُوهُمْ لِأَبَائِهِمْ هُوَ أَقْسَطُ عِنْدَ اللَّهِ

“Call them by [the names of] their fathers; it is more just in the sight of Allāh.”

[*al-Abzāb* (33): 5]

The child follows his mother in freedom and slavery, and follows his father in genealogy, and the name identifies the genealogy. He

³⁸¹ See *Jāmi' Abkām al-Sighār*, 1/214

³⁸² See *Sharḥ Diwān al-Hamāsata* of al-Marzūqī, p.1146, *al-Maqāṣid al-Nahwiyyah*, 2/411 and others.

[the child] follows the best religion amongst his parents'. Identification is similar to education and 'aqīqah, in that it is the father's responsibility, and not the mother's. The Prophet (ﷺ) said: 'A boy was born to me tonight, and I named him after my grandfather, Ibrāhīm.'³⁸³ The father's naming of his child is like naming his slave.

Section Six:

The Difference between the Name (*ism*),
Nickname (*laqab*) and Cognomen (*kunyah*)

These three are similar in their purpose to identify the person. However, they differ in another aspect: whether they indicate praise, slander or neither.

If it indicated either, then it is a nickname (*laqab*). It is mostly used in slander. That is why Allāh the Exalted said:

وَلَا تَسَابُرُوا بِأَلْقَابٍ

“And do not call each other by [offensive] nicknames
(*alqāb*).”

[*al-Hujarāt* (49):11]

No one disputes the prohibition (*tahrim*) of nicknaming a person with something he hates, whether that trait was actually true or not. However, if the person is known by that nickname, such as *Al-A'mash* (The Blear-eyed): *Al-Ashtar* (The Cleft-lipped): *Al-A'sam* (The Deaf) and *Al-A'raj* (The Limping), it has been frequently used by Scholars of the old and modern days, and Imām Ahmad was lenient in that regard.

³⁸³ Reference already mentioned.

Abū Dāwūd said in his *Masā'ik*: 'I heard Aḥmad Ibn Ḥanbal being asked about a man who has a nickname that he is only known by and does not hate, he said: "Do people not say 'Sulaymān Al-A'mash' and 'Ḥumayd Al-Tawīl'?" as if he saw no problem therein.'

Abū Dāwūd said: 'I asked Aḥmad about it once more, and he permitted it.'

I say: Aḥmad hated to say: '*Al-A'mash*'. Al-Fuḍayl said: 'They claim that he used to say *Sulaymān*'.³⁸⁴

If it indicated neither praise (*madḥ*) nor slander (*dhamm*), then if it is begun with '*Abu*' or '*Umm*', then it is a cognomen (*kunyah*), such as 'Abū Such-and-such', and 'Umm so-and-so'. However, if it is not begun with either, then it is a name, such as Zayd and 'Amr. This is what the Arabs knew, and this is how they addressed each other

As for names ending with *Al-Dīn* (The Religion) and *Al-Dawlah* (The State), such as *Izz Al-Dīn* (Glory of the Religion): *Izz Al-Dawlah* (Glory of the State) and *Babā' Al-Dawlah* (Magnificence of the State), the Arabs did not know that, but it was rather brought in by the non-Arabs.

³⁸⁴ See *Masā'il al-Imām Aḥmad*, of Abū Dāwūd, pp. 283-284

Section Seven:

The Provisions of Naming after our Prophet (ﷺ)
and Sharing his *Kunyah*

It is narrated in both Bukhārī and Muslim from Muḥammad Ibn Sūrīn, on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that he said: “Name yourselves after me, but do not call yourselves by my cognomen.”³⁸⁵

Al-Bukhārī said in his Ṣaḥīḥ, in the chapter of The Prophet’s (ﷺ) saying: Name yourselves after me, but do not call yourselves by my cognomen: It was also narrated by Anas (*radīy Allāhu ‘anhu*).³⁸⁶

Musaddid narrates from Khālīd from Ḥusayn, from Sālim, that Jābir (*radīy Allāhu ‘anhu*) said: ‘A man among us had a boy, and he called him *Al-Qāsim*. People said: ‘Do not call him that until you ask the Prophet (ﷺ).’ He (ﷺ) said: ‘Name yourselves after me, but do not call yourselves by my cognomen.’³⁸⁷

‘Abdullāh Ibn Muḥammad narrates from Sufyān, from Ibn Al-Munkadīr, that Jābir Ibn ‘Abdullāh (*radīy Allāhu ‘anhu*) said: ‘A man among us had a boy, and he called him *Al-Qāsim*. People said: “We will not call you *Abū’l-Qāsim*, nor will we give you that honour.” He went to the Prophet (ﷺ) and told him that, so he (ﷺ) said: “Your son’s name is ‘Abdu’l-Rahmān.’”³⁸⁸

It is narrated in Muslim, from Ishāq Ibn Rāhwayh, from Jarīr,

³⁸⁵ Bukhārī, 10/571 and Muslim, 3/1684

³⁸⁶ Bukhārī, 10/571

³⁸⁷ *Ibid*

³⁸⁸ Bukhārī, 10/571 and Muslim, 3/1684

from Manṣūr, from Sālim Ibn Abū'l-Jād, that Jābir (*radīy Allāhu 'anhu*) said: 'A man among us had a boy, and he called him *Muḥammad*. His people told him: "We will not let you name your son after the Messenger's (ﷺ) name." He carried his son on his back and went to the Messenger (ﷺ). He said: "O Messenger of Allāh! I had a son, called him *Muḥammad*, and my people told me: 'We will not let you name your son after the Messenger's (ﷺ) name.'" The Messenger (ﷺ) said: "Name yourselves after me, but do not call yourselves by my cognomen, for I am Qāsim (Distributor) [in the sense] that I distribute amongst you [the spoils of war] and disseminate the knowledge [of revelation].'"³⁸⁹

It is also narrated therein from Abū Kurayb, from Marwān Al-Fazārī, from Ḥumayd, on the authority of Anas (*radīy Allāhu 'anhu*), that a man called another in Al-Baqī': 'O Abū'l-Qāsim.' The Messenger (ﷺ) turned to him, so he said: 'O Messenger of Allāh! I was not calling for you, I was calling for Such-and-such.' The Messenger (ﷺ) said: 'Name yourselves after me, but do not call yourselves by my cognomen.'³⁹⁰

Scholars disagreed in that regard after agreeing the permissibility of naming after the Messenger's (ﷺ) name. Two views are reported from Aḥmad. One of which is: It is disapproved to give someone both the Prophet's name and cognomen, but if only one of them is given, then it is not disapproved.

The second: It is disapproved to use his cognomen, whether his name was given or not.³⁹¹

Al-Bayhaqī narrates from Abū 'Abdullāh Al-Ḥāfiz, from Abū'l-

³⁸⁹ Muslim, #3/1682

³⁹⁰ Muslim, #3/1684

³⁹¹ See *Masā'il al-Imām Aḥmad*, of Ṣālih, 3/210 and *Zād al-Mu'ad*, 2/344-348.

‘Abbās Muḥammad Ibn Yaq‘ūb, from Al-Rabī‘ Ibn Sulaymān that Al-Shāfi‘ī said: ‘No one is permitted to be given the cognomen *‘Abū’l-Qāsim*, whether or not his name was Muḥammad.’ The essence of what he said is also narrated from Ṭāwūs.

Al-Suhaylī said: ‘Ibn Sirin disapproved of using the cognomen *‘Abū’l-Qāsim*’ whether his name was Muḥammad or not.³⁹³

A group said: This lack of permission means disapproval, and not prohibition. Wakī‘ narrates from Ibn ‘Awn that he asked Muḥammad: ‘Is it disapproved to use the cognomen *‘Abū’l-Qāsim*, even if the man’s name was not Muḥammad?’ He said: ‘Yes.’

Ibn ‘Awn narrates that Ibn Sirīn was asked: ‘Did they hate to use the cognomen *‘Abū’l-Qāsim*’ with a man even if his name was not Muḥammad?’ He said: ‘Yes.’³⁹⁴

They said: ‘The lack of permission means disapproval when combined with the other ḥadīths that permit it.’

Another group said: ‘It is permitted, and the ḥadīths of prohibition are abrogated.’

They cited as evidence what Abū Dāwūd narrated in his Sunan from Al-Nufaylī, from Muḥammad Ibn ‘Imrān Al-Ḥajabī, from his grandmother Ṣafīyyah bint Shaybah, on the authority of ‘A’ishah (*radīy Allāhu ‘anhā*), that a woman came to the Prophet (ﷺ) and said: ‘O Messenger of Allāh! I gave birth to a boy and named him *Muḥammad*, and gave him the cognomen *Abū’l-Qāsim*, then I was

³⁹² See Al-Bayhaqī in his *Sunan*, 9/309

³⁹³ See *al-Rawḍ al-Aunf fī Sharḥ Sirah Ibn Hishām* of Suhaylī, 2/66

³⁹⁴ See *Sharḥ Ma‘āni al-Āthār* of Ṭahāwī, 4/338

told that you disapprove of that.' He (ﷺ) said: 'Who was it that allowed [the used of] my name and prohibited my cognomen?' or "Who was it that prohibited my cognomen and allowed [the used of] my name?"³⁹⁵

Ibn Abū Shaybah conveys from Muḥammad Ibn Al-Ḥasan, from Abū 'Awānah, from Mughīrah, from Ibrāhīm that he said: 'Muḥammad Ibn Al-Ash'ath was 'A'ishah's nephew, and he was given the cognomen *Abū'l-Qāsim*.'

Ibn Abū Khaythama narrates from Al-Zubayr Ibn Bakkār, from 'Abdu'l-'Azīz Ibn 'Abdullāh Al-Awdī, from Usāmah Ibn Ḥafṣ—who was a freed slave in the house of Hisham Ibn Zahrah, from Rashīd Ibn Ḥafṣ Al-Zahrī that he said: 'I witnessed four of the Companions' sons, each of which was called *Muḥammad* and given the cognomen *Abū'l-Qāsim*: Muḥammad Ibn Ṭalḥah Ibn 'Ubaydullāh, Muḥammad Ibn Abū Bakr Al-Siddīq, Muḥammad Ibn 'Alī Ibn Abū Ṭālib and Muḥammad Ibn Sa'd Ibn Abī Waqqāṣ.'³⁹⁷

He also narrates from his father, from Jarīr, from Mughīrah, that Ibrāhīm said: 'Muḥammad Ibn 'Alī was given the cognomen *Abū'l-Qāsim*, and so was Muḥammad Ibn Al-Ash'ath, and he used to enter upon 'A'ishah, and she did not object to that.'³⁹⁸

Al-Suhaylī said that Mālīk was asked about a person whose name is Muḥammad and who is given the cognomen *Abū'l-Qāsim* and he did not object. He was asked: 'Did you give your son the cognomen *Abū'l-Qāsim*, since his name is Muḥammad?' He said:

³⁹⁵ Abū Dāwūd, 13/370, Imām Aḥmad in his *Musnad*, 6/135, Bayhaqī, 9/310 and others.

³⁹⁶ Ibn Abī Shaybah in his *al-Muṣannaf*, 8/480.

³⁹⁷ Ibn Abī Khaythama in his *Tārikh*, 2/91

³⁹⁸ *ibid*

‘I did not, but his family did, and I heard no prohibition, and see no issue in that regard.’³⁹⁹

Another group said: ‘It is not permitted to have both the name and the cognomen, but it is permitted to have each of them individually.’

This group cited as evidence what is narrated by Abū Dāwūd in his *Sunan* from Muslim Ibn Ibrāhīm, from Hishām Ibn Abū’l-Zubayr, on the authority of Jābir (*raḍiy>Allāhu ‘anhu*), that the Prophet (ﷺ) said: ‘Whoever is named after me should not be given my cognomen, and whoever is given my cognomen should not be named after me.’⁴⁰⁰

Abū Bakr Ibn Abū Shaybah conveys from Wakī’, from Sufyān, from ‘Abdu’l-Karīm Al-Jarzī, from ‘Abdu’l-Raḥmān Ibn Abū ‘Amrah, from his uncle, that the Messenger (ﷺ) said: ‘Do not combine having my name and my cognomen.’⁴⁰¹

Ibn Abū Khaythama reports that when Muḥammad Ibn Ṭalḥah was born, Ṭalḥah came to the Prophet (ﷺ) and said: ‘His name is Muḥammad; should I give him the cognomen ‘Abū’l-Qāsim?’ He (ﷺ) said: ‘Do not give him both. His cognomen is Abū Sulaymān.’⁴⁰²

Another group said: ‘This prohibition is exclusively during his lifetime (ﷺ), for the reason that prompted the prohibition, which is calling for someone else and causing him to think that he is the one being called for.’

³⁹⁹ See *al-Rawḍ al-Aunf fī Sharḥ Sirah Ibn Hishām* of Suhaylī, 2/66

⁴⁰⁰ Abū Dāwūd, 13/365 and Tirmidhī, #2842

⁴⁰¹ Ibn Abi Shaybah in his *al-Musannaf*, 8/672, Imām Aḥmad in his *Musnad*, 2/433 and Ibn Ḥibbān, #5814.

⁴⁰² Ibn Abī Khaythama in his *Tārikh*, 2/91

This group cited as evidence what is narrated by Abū Dāwūd in his *Sunan* from Abū Bakr and ‘Uthmān, the sons of Abū Shaybah, from Abū Usāmah, from Fitr, from Mundhir, from Muḥammad Ibn Al-Ḥanafiyyah that ‘Alī (*radīy>Allāhu ‘anhu*) said: ‘O Messenger of Allāh! If I had a son after your time, could I give him both your name and cognomen?’ He said: ‘Yes.’⁴⁰³

Ḥumayd Ibn Zangawiya wrote in *Kitāb Al-Adab*: ‘I asked Ibn Abū Uways, “What did Mālīk say about a man who held both the Prophet’s (ﷺ) name and cognomen?” He pointed to an old man sitting with us and said, “This is Muḥammad Ibn Mālīk. He named him ‘Muḥammad’, and gave him the cognomen ‘Abū’l-Qāsim.” He [Mālīk] used to say, “This was prohibited during the Prophet’s (ﷺ) lifetime, in order to avoid the situation of someone else being called by both his name and cognomen, causing the Prophet (ﷺ) to wrongly respond to the calling. However, today, it is alright.”⁴⁰⁴

Ḥumayd Ibn Zangawiya said: ‘He disapproved of others being called by his cognomen and did not disapprove of them being called by his name, because hardly anyone called him by his name. Therefore, when he passed away, that disapproval was gone. This proven by the fact that he permitted ‘Alī to give his son both his name and cognomen if he was born after his death (ﷺ), and that a number of the Companions’ children held both the name and cognomen, including Muḥammad Ibn Abū Bakr, Muḥammad Ibn Ja‘far Ibn Abū Ṭālib, Muḥammad Ibn Sa‘d Ibn Abī Waqqāṣ, Muḥammad Ibn Ḥātib, and Muḥammad Ibn Al-Mundhir.’⁴⁰⁵

⁴⁰³ Abū Dāwūd, 13/368-369, Tirmidhī, #2843 and he said: ‘This ḥadīth is ḥasan ṣaḥīḥ.’ And Bayhaqī in his *Sunan*, 9/309.

⁴⁰⁴ Al-Bayhaqī in his *Sunan*, 9/310.

⁴⁰⁵ *ibid*

Ibn Abū Khaythama said in his book *Al-Tārikh*: Ibn Al-Aṣbahānī narrates from Fiṭr, from Mundhir, from Ibn Al-Ḥanafīya, that the Messenger (ﷺ) said [to 'Alī], 'You will have a son after my death; call him by my name and give him my cognomen' which was a permit from the Messenger (ﷺ) to 'Alī.⁴⁰⁶

There are three reasons for disapproval:

First: Giving the meaning of the name to someone who is not fit, as mentioned by the Prophet (ﷺ) when he said: 'For I am Qāsim (Distributor) [in the sense] that I distribute amongst you [the spoils of war] and disseminate the knowledge [of revelation].'⁴⁰⁷

He distributes among them what Allāh the Exalted commanded him, not like the distribution of kings who gave and deprived as they willed.

Second: To avoid confusion upon calling, to which he referred in the previously mentioned ḥadīth narrated by Anas (*radīy Allāhu 'anhu*) when the caller said: 'I was not calling for you,' So he (ﷺ) said: 'Name yourselves after me, but do not call yourselves by my cognomen.'⁴⁰⁸

Third: Sharing both the name and cognomen abolishes the exclusivity and distinguishability through the name and cognomen, just as he forbade anyone to carve on his seal ring similar to the Prophet's (ﷺ).

⁴⁰⁶ Ibn Abī Khaythama in his *Tārikh*, 2/133, Ibn 'Asākir, 54/330, Ibn Sa'd, 5/45, Al-Khaṭīb in his *al-Tārikh*, 11/218 and others.

⁴⁰⁷ Reference already cited

⁴⁰⁸ *ibid*

Regarding the first reason: One is forbidden from holding the cognomen whether during the Prophet's lifetime or after his death.

As for the second reason: The forbiddance is exclusive during his lifetime.

As for the third reason: The forbiddance is exclusively for holding both the name and the cognomen.

The ḥadīths in this regard go back and forth between these three points. Allāh knows best.

Section Eight: The Permissibility of Having Multiple Names

Since the purpose of the name is to identify and distinguish, and a single name is sufficient in this regard, limiting oneself to one name is better.

It is permitted to assign more than one name to the same person, such as having a name, cognomen and nickname.

As for the names of the Lord, Exalted is He, as well as the names of His book and His Messenger, they are attributes indicating praise and tribute, and therefore do not fall under this classification, but rather the multiplication of names to outline the glory, mighty and rank of the named object. Allāh the Exalted said:

وَلِلَّهِ الْأَسْمَاءُ الْحُسْنَىٰ فَادْعُوهُ بِهَا

“And to Allāh belong the best names, so invoke Him

by them.”

[*al-A'raf* (7):180]

It is narrated in both Bukhārī and Muslim, on the authority of Jābir in Muṭ'im (*radīy Allāhu 'anhu*), that the Messenger (ﷺ) said: 'I have five names: I am *Muḥammad* and *Aḥmad*; I am *Al-Mābī* (The Eliminator) through whom Allāh will eliminate infidelity; I am *Al-Hāshir* (The Gatherer) who will be the first to be resurrected, the people being resurrected there after; and I am also *Al-Āqib* (The Last) after whom there will be no prophet."⁴⁰⁹

Imām Aḥmad conveys from Aswad Ibn 'Āmir, from Abū Bakr, from 'Āsim Ibn Bahdala, from Abū Wā'il, on the authority of Hudayfah (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: 'I am *Muḥammad*, *Aḥmad*, *Al-Muqaffī* (The Last); *Al-Hāshir* (The Gatherer), *Nabī Al-Tawbah* (The Prophet of Repentance), and *Nabī Al-Malāhim* (The Prophet of Battles)."⁴¹⁰

Aḥmad⁴¹¹ narrates from Yazīd Ibn Harūn, from Al-Mas'ūdī, from 'Amr Ibn Murrah, from Abū 'Ubaydah, on the authority of Abū Mūsā (*radīy Allāhu 'anhu*) who said: 'The Messenger (ﷺ) told us his names, some of which we memorised, and some of which we did not.' He (ﷺ) said: 'I am *Muḥammad*, *Aḥmad*, *Al-Muqaffī*, *Al-Hāshir*, *Nabī Al-Tawbah* and *Nabī Al-Malāhim*.' It is narrated by Muslim in his *Ṣaḥīḥ*.⁴¹²

Abū'l-Husayn Ibn Fāris⁴¹³ mentioned twenty-three names for the Messenger: *Muḥammad*, *Aḥmad*, *Al-Mābī*, *Al-Āqib*, *Al-Muqaffī*,

⁴⁰⁹ Bukhārī, 2/270 and Muslim, 3/1828

⁴¹⁰ Imām Aḥmad in his *Musnad*, 5/405

⁴¹¹ Imām Aḥmad in his *Musnad*, 4/395

⁴¹² Muslim, 3/1828

⁴¹³ Abū'l-Husayn Ibn Fāris in his *Asmā' Rasūlullāh* (ﷺ) *wa Ma'āniyha*, pp.30-39

Nabī Al-Rahmān (The Prophet of Mercy), *Nabī Al-Tawbāh*, *Nabī Al-Malāhim*, *Al-Shahīd* (The Witness), *Al-Mubassbir* (The Bringer of Good Tidings), *Al-Nadbir* (The Warner), *Al-Dahūk* (The Cheerful), *Al-Qattāl* (The Fighter), *Al-Mutawakil* (The Depender [upon Allāh]), *Al-Fāṭih* (The Conqueror), *Al-Amin* (The Honest), *Al-Khātām* (The Final [Prophet]), *Al-Muṣṭafā* (The Chosen one), *Al-Rasūl* (The Messenger), *Al-Nabī* (The Prophet), *Al-Ummī* (The Unlettered), *Al-Qāsim* (The Distributor) and *Al-Hāshir*.

Section Nine:

The Relation between the Name's Meaning with the Person

We have already mentioned a lot in that regard:⁴¹⁴ including what Sa'īd Ibn Al-Musayyib said: 'Therefore, roughness remained in our character ever since'⁴¹⁵ which resulted from naming the grandfather as *Ḥaẓn* (Rough).⁴¹⁶

We have also mentioned what 'Umar told Jamrah Ibn Shihāb: 'Go and find your family, for they have burned.'⁴¹⁷

We have also mentioned when the Prophet did not allow those whose name was *Ḥarb* or *Murrah* to milk the camel⁴¹⁸ that he wished to milk.⁴¹⁹

There is much evidence for that. It is very rare that you find an ugly name except attached to an ugly object. As the poet said⁴²⁰:

⁴¹⁴ See the author's *Zād al-Mu'ād*, 2/336 and *Miftāḥ Dār al-Sa'ādah*, 2/259-260

⁴¹⁵ Reference already cited

⁴¹⁶ *ibid*

⁴¹⁷ *ibid*

⁴¹⁸ Again, the story is talking about a she-camel, not a sheep.

⁴¹⁹ Reference already cited

⁴²⁰ *ibid*

It is rare that your eye sees an object
to which the meaning of its name does not apply

Allāh the Exalted, with His wisdom in His decree, inspires people to assign names according to the named objects, in order to be consistent with His wisdom between the word and its meaning, just as in the cause and effect.

Abū'l-Faṭḥ Ibn Jinnī said: 'I would hear the name for long without knowing its meaning, so I try to deduce the meaning from the word. Then I learn the actual meaning, and find it to be the same, or close [to what I deduced].'

I mentioned this to Shaykh Al-Islām Ibn Taymiyyah (may Allāh have mercy on his soul) and he said: 'This happens a lot to me as well.'⁴²¹

We have already stated his saying (ﷺ): 'The tribe of Aslam (to make safe) is the one which Allāh granted safety, the tribe of *Ghifār* (Oft-forgiving) is the tribe which Allāh granted pardon, and '*Usiyyah* (Disobedient) is the tribe that disobeyed Allāh.'⁴²²

When Waḥshī—the killer of Ḥamzah (*radīy Allāhu 'anhu*)⁴²³ embraced Islām, he stood before the Prophet (ﷺ), who hated his name⁴²⁴ and his deed and said: 'Get out of my face.'⁴²⁵

To summarise, ugly manners and deeds necessitate appropriate

⁴²¹ See the author's *Badā'ir al-Fawā'id*, 1/166 and *Jalā' al-Afḥām*, p.147

⁴²² Reference already cited

⁴²³ Ḥamzah Ibn 'Abdu'l-Muṭṭalib (*radīy Allāhu 'anhu*), the uncle of the Prophet (ﷺ)

⁴²⁴ Waḥshī in Arabic means savage.

⁴²⁵ Bukhārī, 7/367

names, and vice versa. While that is the case in attributes' names, it is also the case in proper nouns. The Messenger (ﷺ) was not called Muḥammad and Aḥmad except for the many praiseworthy traits in him.⁴²⁶ That is why the Banner of Praise is in his hand, his followers are the praise giving, and he is the greatest of Allāh's creation in praising Him. This is why the Messenger commanded the proper selection of names and said: 'Give yourselves good names'⁴²⁷ for a person with a good name may be encouraged by his name to do what suits his name and refrain from what does not. That is why you see the majority of low people fit for their names, and the majority of honourable people fit for their names. Success is from Allāh.

Section Ten:

Clarifying that People are Called, on the Day of Judgment, by their Fathers' Names, and not their Mothers'

This is the correct thing stated in the explicit authentic Sunnah, and reported by the Imāms, such as Al-Bukhārī and others. He said in his *Ṣaḥīḥ*: Chapter: People are called on the Day of Judgment by their fathers' Names, and not their Mothers'.

Then he narrated the ḥadīth of Ibn 'Umar (*radīy Allāhu 'anhumā*) that the Messenger (ﷺ) said: 'When Allāh will gather together, on the Day of Judgment, all the earlier and later generations of mankind, a flag will be raised [to mark off] every person guilty of breach of faith, and it will be announced that this is the deceit of so-and-so, son of so-and-so'⁴²⁸ [to attract the attention of people

⁴²⁶ Muḥammad means 'The Praised', and Aḥmad means 'The Praiseworthy'

⁴²⁷ Reference already cited

⁴²⁸ In Arabic, it is written in the male form, which the English translation cannot clarify.

to his guilt].⁴²⁹

It is narrated in *Sunan* of Abū Dāwūd, with a good chain of narration, on the authority of Abū'l-Dardā' (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: 'On the Day of Resurrection you will be called by your names and by your fathers' names, so give yourselves good names.'⁴³⁰

Some people claimed that they would be called by their mothers' names.

They cited as evidence an unauthentic ḥadīth, which is narrated in *Mu'jam Al-Ṭabarānī*, on the authority of Abū Umāmah (*radīy Allāhu 'anhu*) that the Prophet (ﷺ) said: 'When one of your brothers dies, and you level dust on his grave, one of you should stand in front of the grave and say: "O such-and-such, son of such-and-such [woman],"⁴³¹ for he will hear him but not answer him. Then he should say, "O such-and-such, son of such-and-such" for he will answer: "Guide us, may Allāh be merciful with you..." as the ḥadīth says. Further in the ḥadīth, a man asks: 'O Messenger of Allāh! What if he did not know his [deceased] mother's name?' He (ﷺ) said: 'Call him by the name of his mother, Hawā' (Eve): O such-and-such, son of Hawā'.'⁴³²

They also said: 'A man's paternity may not be confirmed in cases such as to disavowal due to *li'ān*⁴³³ or illegitimate children, how

⁴²⁹ Bukhārī, 10/563 and Muslim, 3/1359.

⁴³⁰ Reference already cited

⁴³¹ Similarly, in Arabic, it is written in the female form, which the English translation cannot clarify.

⁴³² Ṭabarānī in his *al-Mu'jam al-Kabīr*, 8/298 and others

⁴³³ *Li'ān* or *mula'anab* (cursing) occurs when a husband accuses his wife of adultery without having four witnesses. Then, the judge asks each of them to swear five times

then can the child be called by his father's name?'

The answer is: As for the ḥadīth, it is weak according to the consensus of ḥadīth scholars. As for he whose paternity is in doubt, he will be called [in the hereafter] like in this life. A person is called in the hereafter as he is called in this life, whether by his father's name or his mother's.

Allāh knows best.

=

that they are telling the truth or that the other party is lying, and that Allāh's curse and wrath are upon the liar. Then, they are separated for life. If that oath includes disavowal of paternity of a child, the child's paternity is nullified.

CHAPTER NINE

Circumcising the Child and its Requirements

This [chapter] consists of fourteen sections:

Section 1: The meaning, derivation and essence of circumcision.

Section 2: The circumcision of Ibrāhīm and the Prophets after him (*'alayhis-salām*).

Section 3: Its legality and that it is of pure nature.

Section 4: The debate among scholars regarding its obligation.

Section 5: The time of obligation.

Section 6: The debate regarding performing it on the seventh day, whether or not it is disapproved and the argument of each side.

Section 7: The wisdom behind circumcision and its benefits.

Section 8: The depth of circumcision.

Section 9: Its inclusion of the male and the female.

Section 10: Requirements of the circumciser's offense and the circumcision contagion.

Section 11: Requirements of the uncircumcised in his purity, prayers, leadership of prayers and testimony.

Section 12: Removers of its obligation.

Section 13: The circumcision of our Prophet (ﷺ) and the debate surrounding it, whether he was born circumcised, or circumcised after birth, and when he was circumcised.

Section 14: The wisdom behind the resurrection of people on the Day of Judgment uncircumcised.

Section One:

The Meaning, Derivation and Essence of Circumcision

[Some parts of this chapter were not translated because they are speaking about Arabic grammar and vocabulary, which does not concern the English reader.]

The man's foreskin: is the round edge under the glans; requirements originated to remove it from the penis. Over three hundred requirements originated in that regard; some people counted them up to three hundred ninety-two requirements.

As for the woman's foreskin: it is a piece of skin, like a cockscomb above the vagina. If the glans entered the vagina, the two foreskins align with each other.

The Arabic word '*khitān*' means circumcision, foreskin and also the circumcision banquet.

Section 2:

The Circumcision of Ibrāhīm
and the Prophets after him (*'alayhim-salām*)

It is narrated in both Al-Bukhārī and Muslim on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: 'Ibrāhīm (ﷺ) was circumcised at the age of eighty with *al-qadūm* (an adze).'⁴³⁴

Al-Bukhārī said: '*Al-Qadūm* is the name of a location.'⁴³⁵

Al-Marrūdhī was asked: 'Did Ibrāhīm (*'alayhis-salām*) circumcise himself with an adze?' He said: 'With the adze's edge.'⁴³⁶ Abū Dāwūd, 'Abdullāh Ibn Aḥmad and Ḥarb said that they asked Aḥmad about the phrase, 'Circumcised in *Al-Qadūm*' and he said: 'That is a location.'⁴³⁷

Others said that it is the name of a tool [the adze], and cited as evidence the poet's saying:

I said lend me *al-qadūm* so that I may
carve with it a sheath for a glorious white [sword]⁴³⁸

Another group said: 'Wherever it is narrated as '*Al-Qadūm*', it means the location, and wherever it is narrated as '*Al-Qaddūm*', it means the tool.'⁴³⁹

⁴³⁴ Bukhārī, 11/88 and Muslim, 4/1839

⁴³⁵ The last phrase of the ḥadīth could be translated as '*with Al-Qadūm*' or '*in Al-Qadūm*', depending on the translation of '*Al-Qadūm*'.

⁴³⁶ See *al-Khallāl fī'l-Tarajil*, p.82 no.169.

⁴³⁷ See *Mas'īl al-Imām Aḥmad*, of Abū Dāwūd, p. 284 and others.

⁴³⁸ Al-Azharī in *al-Taḥdhīb*, 9/47

⁴³⁹ See *al-Misbāḥ al-Munir* of Fayawmī, 2/494

The story of Ibrāhīm's circumcision is narrated with words that may give the impression of contradiction, and no contradiction is there, praise be to Allāh, which we will mention.

It is narrated Al-Bukhārī in his *Ṣaḥīḥ*, from Abū'l-Zinād, from Al-A'raj, on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*), that the Prophet (ﷺ) said: 'Ibrāhīm (*'alayhis-salām*) was circumcised at the age of eighty with or in *Al-Qadūm*.⁴⁴⁰

Similar words are narrated from Yahyā Ibn Sa'īd, from Ibn 'Ajlān, from his father, on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*). Yahyā said: '*Al-Qadūm* means an axe.'⁴⁴¹

Al-Naḍr Ibn Shumayl said: 'He cut it with *Al-Qadūm*.' He was asked: 'They say that *Al-Qadūm* is a village in the Levant?' But he did not recognise it, and insisted on his view.

Al-Jawharī said: '*Al-Qadūm* is a tool used for carving.' Ibn Al-Sakkīt said: 'Do not say *Al-Qadūm*.' He also said: '*Al-Qadūm* is also the name of a location.'⁴⁴²

The correct view is that *Al-Qadūm* in the ḥadīth refers to the tool, because of what Al-Bayhaqī conveyed: Abū 'Abdullāh Al-Ḥāfiẓ and Abū Sa'īd Ibn Abū 'Amr narrate from Abū'l-'Abbās Muḥammad Ibn Ya'qūb, from Muḥammad Ibn 'Abdullāh, from Abū 'Abdu'l-Raḥmān Al-Maqrī, from Mūsā Ibn 'Alī, that his father said: 'Allāh commanded Ibrāhīm to be circumcised when he was eighty years of age, so he hastened and circumcised with an adze. When the pain grew intense for him, he prayed to his Lord. Allāh

⁴⁴⁰ Bukhārī, 6/388

⁴⁴¹ Ibn Ḥajr said in *Fath al-Bari*, 11/90; see Ibn 'Abdu'l-Barr in his *Istidhkār*, 10/21

⁴⁴² *Al-Ṣaḥāḥ* of Al-Jawharī, 5/2008-2009; see *al-Misbāḥ al-Munir* of Fayawmī, 2/494 and *Fath al-Bari*, 11/90

inspired him: 'You hastened before We command you with the tool to use.' He said: 'O Lord! I hated to delay your command.' He [Alī] said: 'Ismā'īl was circumcised at the age of thirteen, and Ishāq was circumcised when he was seven days old.'

Hanbal conveys from 'Āṣim, from Abū Uways, from Abū'l-Zinād, from Al-A'raj, on the authority of Abū Hurayrah (*radīy Allāhu 'anhu*) that the Prophet (ﷺ) said: "Ibrāhīm was the first one to be circumcised, when he was a hundred and twenty years of age. He was circumcised with or in *Al-Qadūm*, then lived eighty years after that."⁴⁴³

However, this ḥadīth is weak. It was narrated by Yahyā Ibn Sa'īd from Sa'īd Ibn Al-Musayyib from Abū Hurayrah's (*radīy Allāhu 'anhu*) saying.

Nevertheless, it was also narrated by Abū Uways 'Abdullāh Ibn 'Abdullāh Al-Madanī, from whom Muslim narrated in his *Ṣaḥīḥ*, as well as the four authors of the *Sunan* books.⁴⁴⁴

Abū Dāwūd said: 'His narration is acceptable.'

Different views were narrated from Ibn Ma'īn regarding him. Al-Dowrī narrated: 'There is weakness in his narration' and also narrated certifying his narration.⁴⁴⁵

However, Al-Mughīrah Ibn 'Abdu'l-Raḥmān, Shu'ayb Ibn Abū Ḥamzah and others narrated from Abū'l-Zinād something different than Abū Uways did, which conforms with the authentic

⁴⁴³ Ibn Ḥajr said in *Fath al-Bārī*, 11/90, *Al-Tamhīd* of Ibn 'Abdu'l-Barr, 23/137-138, *Istīḍkār*, 10/21 and *Shu'ab al-Imān* of al-Bayhaqī, 15/130.

⁴⁴⁴ Referring to the *Sunan* of Al-Tirmidhī, Al-Nasā'ī, Ibn Mājah and Abū Dāwūd.

⁴⁴⁵ See *Tārikh Yahyā Ibn Ma'īn*, 2/317 and *Tabḍīb al-Tabḍīb* of Ibn Ḥajr, 5/245-246

narrations, that he (ﷺ) was circumcised at the age of eighty.⁴⁴⁶

This is more entitled to be true, and it indicates the weakness of *marfū*⁴⁴⁷ and *mawqūf*⁴⁴⁸.

Some of them said: Both versions are correct, and the way to accommodate both of them is by looking at the duration of Ibrāhīm's (*'alayhis-salām*) life. He lived for two hundred years, uncircumcised for the first eighty, and circumcised for the last hundred and twenty. The first ḥadīth said, 'Circumcised at the age of eighty' and the other said, 'Circumcised for hundred and twenty years' remaining from his life.⁴⁴⁹

However, this accommodation has a clear flaw. The ḥadīth says: "Ibrāhīm was the first one to be circumcised, when he was a hundred and twenty years of age" and not "Circumcised for hundred and twenty years."

We have stated the narration of Yaḥyā Ibn Sa'īd from Sa'īd Ibn Al-Musayyib from Abū Hurayrah (*radīy Allāhu 'anhu*), which is *mawqūf* to Abū Hurayrah (*radīy Allāhu 'anhu*), that Ibrāhīm (*'alayhis-salām*) was circumcised at the age of hundred and twenty. This is contradicted by the authentic narration from Abū Hurayrah (*radīy Allāhu 'anhu*) that is *marfū*'.

Al-Walīd Ibn Muslim narrates from Al-Awzā'ī, from Yaḥyā Ibn Sa'īd, from Sa'īd Ibn Al-Musayyib on the authority of Abū Hurayrah's (*radīy Allāhu 'anhu*) saying: 'Ibrāhīm was circumcised

⁴⁴⁶ See Ibn Hajar said in *Fath al-Bari*, 11/88-89

⁴⁴⁷ Ḥadīth *marfū*': Any ḥadīth attributed to the Prophet (ﷺ), whether authentic or not.

⁴⁴⁸ Ḥadīth *mawqūf*: A ḥadīth with a continuous chain of narration that extends to the Companion, not the Prophet (ﷺ).

⁴⁴⁹ Ibn Hajar said in *Fath al-Bari*, 11/89 and see *Shu'ab al-Imān* of al-Bayhaqī, 15/133

at the age of hundred and twenty, then he lived for eighty years.”

This ḥadīth is weak, narrated by Ja‘far Ibn ‘Awn and ‘Ikrimah Ibn Ibrāhīm from Yaḥyā Ibn Sa‘īd, from Abū Hurayrah’s (*radīy Allāhu ‘anhu*) saying, when the authentic *marfū‘* ḥadīth should prevail. In addition, Al-Walīd Ibn Muslim is known for fraudulent (*tadlīs*) narration.

Haytham Ibn Kharijah⁴⁵⁰ said that he told Al-Walīd Ibn Muslim: ‘You have corrupted the ḥadīths narrated by Al-Awzā‘ī!’ He said: ‘How so?’ He said: ‘You narrate from Al-Awzā‘ī from Nafī‘, and narrate from Al-Awzā‘ī from Al-Zuharī, and from Al-Awzā‘ī from Yaḥyā Ibn Sa‘īd. Meanwhile, others insert ‘Abdullāh Ibn ‘Āmir Al-Aslamī between Al-Awzā‘ī and Nāfi‘, and insert Ibrāhīm Ibn Maysarah, Qurrah and others between him and Al-Zuharī. Why do you do this?’

He said: ‘I hold him far above narrating from those.’

Haytham said: ‘If Al-Awzā‘ī narrated from those, when those are weak narrators, whose narrations are not acceptable, then you remove them and attribute Al-Awzā‘ī’s narration directly to trustworthy narrators, you weaken Al-Awzā‘ī’s narration.’ Haytham adds: ‘But he did not listen.’

Abū Mus‘hir said: ‘Al-Walīd Ibn Muslim used to narrate from Al-Awzā‘ī from liars, while removing them from the chain of narration.’⁴⁵¹

Al-Dāraqutnī⁴⁵² said: ‘Al-Walīd Ibn Muslim narrates from Al-

⁴⁵⁰ See *Tahdhīb al-Kamāl*, 7/488

⁴⁵¹ *ibid*

⁴⁵² *ibid*

Awzā'ī some ḥadīths that he narrated from weak narrators, which they narrated from trustworthy narrators, such as Nāfi', 'Aṭā' and Al-Zuhārī, and he [al-Walīd] would omit the names of the weak narrators and present them as from Al-Awzā'ī from 'Aṭā'.'

Imām Aḥmad said, as narrated by his son, 'Abdullāh: 'Al-Walīd frequently omits narrators from the chain' and as narrated by Al-Marrūdhī, 'He makes frequent mistakes.'⁴⁵³

This ḥadīth was narrated through another narration, from the version of Nubayt Ibn Shaṛīṭ from the Prophet (ﷺ): 'The first to give hospitality to guests was Ibrāhīm (*'alayhis-salām*), the first to wear trousers was Ibrāhīm, and the first to be circumcised was Ibrāhīm, with or in *Al-Qadūm* at the age of hundred and twenty.' This version was weakened by the ḥadīth scholars.⁴⁵⁴

In conclusion: This ḥadīth is weak, and cannot contradict what is stated in the authentic ḥadīth.

It also cannot be interpreted as previously stated for a number of reasons:

- 1- The wording cannot be interpreted as satated, because it said: "Circumcised at the age of hundred and twenty."
- 2- It said: "Then he lived for eighty years."
- 3- It could have been interpreted as such, with difficulty and disapproval, if it had said: "Circumcised for a hundred and twenty years."

Then, it would have meant for the hundred and twenty years

⁴⁵³ *ibid*

⁴⁵⁴ See *Shu'ab al-Imān* of al-Bayhaqī, 15/130

that remained in his life. However, this method is used [by Arabs] if the remainder was less than the past.⁴⁵⁵

Circumcision was among the commands with which Allāh—the Exalted—tried his close friend, Ibrāhīm, which he fulfilled, and so Allāh made him a leader for the people.

It was narrated that he was the first to be circumcised, as mentioned and narrated in the Ṣaḥīḥ: Ibrāhīm was circumcised at the age of eighty, and circumcision continued after him in Messengers and their followers, even in Christ, for he was circumcised. Christians admit that, and do not deny it, just as they admit that he forbade pork and eating on Saturday, prayed [while directed] towards the stone, and did not fast for fifty days, that which they call Lent.

It is narrated in *Jāmi' al-Tirmidhī*⁴⁵⁶ and *Musnad* of Imām Aḥmad,⁴⁵⁷ on the authority of Abū Ayyūb (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: 'Four are of the *Sunan* (traditions) of Messengers: circumcision, perfuming oneself, *siwāk* (tooth stick) and marriage.' Al-Tirmidhī said that this ḥadīth is ḥasan gharīb.⁴⁵⁸

They disagreed about the wording [of the first tradition]. Some said *modesty*, and some said '[the use of] camphire'.⁴⁵⁹

I heard our teacher, Abū'l-Ḥajjāj Al-Ḥāfiẓ Al-Mazzī saying: 'Both of them are wrong; it said *circumcision*, but due to improper

⁴⁵⁵ See al-Safī in *al-Wāfi bi'l-Wafiyāt*, 1/20-21

⁴⁵⁶ Tirmidhī, 4/66 and others

⁴⁵⁷ Imām Aḥmad in his *Musnad*, 5/421 and others

⁴⁵⁸ Ḥasan *gharīb* (strange good): A good ḥadīth that is subjected to a form of uniqueness in its narrators.

⁴⁵⁹ See Ibn Ḥajr said in *Fath al-Bari*, 10/415

writing, the word was misread. It is also what was narrated from *Al-Mahāmili*⁴⁶⁰ from the narrator from whom Al-Tirmidhī narrated he said “circumcision.” He added: “This is more entitled to be true than modesty and camphire, because modesty is an attribute, and camphire is not a Sunnah, nor was it mentioned by the Prophet (ﷺ) among the attributes of pure nature, nor recommended by him, unlike circumcision.”⁴⁶¹

Sub-section One: Self-circumcision

Al-Marāzī states that Abū ‘Abdullāh was asked whether a man may perform circumcision on himself, and he said: ‘If he was able to, let him do so.’⁴⁶²

Al-Khallāl conveys from ‘Abdu’l-Karīm Ibn Al-Haytham that he heard Abū ‘Abdullāh being asked whether a man may perform circumcision on himself, and he said: ‘If he was able to, let him do so.’⁴⁶³

He also conveys from Muḥammad Ibn [Abu] Harun, from Ishāq, that Abū ‘Abdullāh was asked about a woman who is to consummate her marriage with her husband while uncircumcised and whether she is obliged to be circumcised. He said: ‘It is a good practice.’ Then he said something similar to Al-Marāzī’s report about self-circumcision. He was asked: ‘If she was able to, should she self-circumcise?’ He said: ‘How good would that be!’

He was asked about a man self-circumcising, he said: ‘If he was

⁴⁶⁰ See *Amāli al-Mahāmili*, #431

⁴⁶¹ *Zād al-Ma‘ād*, 4/252, *al-Manār al-Munif*, pp.127-128; see *Fayd al-Qadīr* of Manāwī, 1/466

⁴⁶² See al-Khallāl in his *Kitāb al-Tarajī*, p.83 no.172.

⁴⁶³ See al-Khallāl in his *Kitāb al-Tarajī*, p.83 no.173.

able to, that is good, and it is a good practice.”⁴⁶⁴

Section Three:

Its Legality and That it is of Pure Nature

It is narrated in both Bukhārī and Muslim, on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Messenger (ﷺ) said: “There are five acts which conform to the pure nature: circumcision, removing of the pubic hair, trimming the moustache, clipping the nails and plucking the underarm hair.”⁴⁶⁵

He (ﷺ) made circumcision (*khitān*) the headline of the acts of pure nature. These acts are of pure nature (*fitra*) because *fitra* is the *Hanifiyyah*, the religion of Ibrāhīm, who commanded the performance of these acts.

These were among the commands with which Allāh tried him, as ‘Abdu’l-Razzāq narrated from Mu‘amar, from Ibn Ṭāwūs, from his father, on the authority Ibn ‘Abbās (*radīy Allāhu ‘anhumā*), in his interpretation of the verse:

وَإِذْ أَمَرْنَا إِبْرَاهِيمَ بِكَلِمَاتٍ

“And [mention, O Muḥammad], when Ibrāhīm was tried by his Lord with commands.”

[*al-Baqarab* (2):124]

He [Ibn ‘Abbās] said: ‘He tried him with purity; five in the head, and five in the body. In the head: trimming the moustache, gargling, rinsing the nose, *siwāk* and parting one’s hair. In the body: clipping nails, shaving pubic hair, circumcision, plucking armpit hair, and

⁴⁶⁴ Reference already mentioned

⁴⁶⁵ Bukhārī, 10/334 and Muslim, 1/221

cleaning the effect of urine and stool with water.⁴⁶⁶

There are two types of *fitrah*. A heart-related *fitrah*, which is to know Allāh, love Him and give Him priority over everything else, and a practical *fitrah*, which consists of the acts.

The former purifies the soul and heart, and the latter purifies the body. Each of them supplies and strengthens the other. The head of bodily *fitrah* is circumcision, for reasons that we will mention in Section Seven, by Allāh's will.

It is narrated in *Musnad* of Imām Aḥmad on the authority of Ammār Ibn Yāsir (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: 'Part of the *fitrah* is gargling, rinsing out the nostrils, using the *siwāk*, trimming the moustache, clipping the nails, washing the joints, plucking the armpit hairs, shaving the pubic hair, washing the private parts and circumcision.'

The acts of *fitrah* are tied together regarding purity, cleanliness and removing the dirty wastes that are familiar and frequented by Satan, and it has a connection and exclusivity with circumcision which we will clarify in Section Seven, by Allāh's will.

A number of the Salaf said: 'Whoever prayed, performed pilgrimage and performed circumcision is a *Ḥanīf* (follows the religion of Ibrāhīm). Pilgrimage and circumcision are the banner of *Ḥanīfiyyah*, and is the pure nature upon which Allāh created the people.'

⁴⁶⁶ See *Tafsīr 'Abdu'l-Raḥḥāq*, 1/57

⁴⁶⁷ Imām Aḥmad in his *Musnad*, 4/264, Abū Dāwūd, 1/342-344, Ibn Mājah, #294 and others

The hearsman⁴⁶⁸ said, addressing Abū Bakr (*raḍiy Allāhu ‘anhu*):

O Vicegerent of the Merciful, we are a group of Hanifs;

prostrating morning and afternoon.

Arabs, that see Allāh in our fortune,

the right of *ḡakāt*, sent down progressively.

Section Four:

The Debate Regarding its Obligation

Jurists debated that. Al-Sha‘bī, Rabī‘ah, Al-Awzā‘ī, Yaḥyā Ibn Sa‘īd Al-Anṣarī, Mālik, Al-Shāfi‘ī and Aḥmad said: ‘It is obligatory.’⁴⁶⁹

Mālik was adamant therein, he even said: ‘Whoever is not circumcised, their leadership and testimony are not accepted.’⁴⁷⁰ Many jurists reported from Mālik that it is a Sunnah. Even the judge, ‘Iyād, said: ‘Circumcision, in Mālik’s view as well as the majority of scholars is a Sunnah.’⁴⁷¹

However, it is a sin, in their view, to leave the Sunnah. They treat it as something between the *farḍ* (obligatory) and the recommended, else why would Mālik say that the testimony and leadership of the uncircumcised are not acceptable.

Al-Ḥasan Al-Baṣrī and Abū Ḥanīfah said: ‘It is not obligatory,

⁴⁶⁸ Al-Rā‘ī al-Numīrī in his *Divān*, p.206

⁴⁶⁹ See *Nihāya al-Muṭalīb* of Juwaynī, 17/354-355, *Biyan* of ‘Umarānī. 1/95, *al-Majmū‘* of Al-Nawāwī, 1/164, *al-Mugnī* of Ibn Qudāmah, 1/115 and others.

⁴⁷⁰ See *Hāshiyah al-Dasūqī ‘ala al-Sharḥ al-Kabīr*, 6/87

⁴⁷¹ *Sharḥ Ṣaḥīḥ Muslim* of Qaḍī ‘Iyād, 2/65 and Ibn ‘Abdu’l-Barr in his *Istidhkār*, 10/20

but it is a Sunnah,⁴⁷² likewise Ibn Abū Mūsā,⁴⁷³ one of Aḥmad's students said, 'It is an affirmed Sunnah.'⁴⁷⁴

Aḥmad said in one report that it is not obligatory for women.⁴⁷⁵ Those deeming it obligatory cited a number of points as evidence:

First: Allāh the Exalted's saying:

ثُمَّ أَوْحَيْنَا إِلَيْكَ أَنْ اتَّبِعْ مِلَّةَ إِبْرَاهِيمَ حَنِيفًا

"Then We revealed to you, [O Muḥammad], to follow the religion of Ibrāhīm, inclining toward truth."

[*al-Naḥl* (16):123]

Circumcision was a part of his religion, as stated.

Second: What is narrated by Imām Aḥmad from 'Abdu'l-Razzāq, from Ibn Jurayj, from Uthaym Ibn Kulayb, from his father, from his grandfather, that he came to the Prophet (ﷺ) and said: 'I have accepted Islām.' He (ﷺ) said: 'Remove the hair of the disbeliever's from you' meaning to shave. He [the narrator] said that another person with him told him that the Prophet (ﷺ) said to another person: 'Remove the hair of the disbeliever's from you and get circumcised.' It is narrated by Abū Dāwūd from Makhlad Ibn Khālid, from 'Abdu'l-Razzāq.⁴⁷⁶ Interpreting the removal of hair as optional does not necessitate interpreting the same for circumcision.

⁴⁷² See Mullā 'Alī Qarī in his *Faṭḥ Bāb al-'Ināyah*, 1/37

⁴⁷³ In his book *al-Irshād ila Sabīl al-Rishād*, p.391

⁴⁷⁴ *Sunnah Mu'akadab* (Affirmed Sunnah): A Sunnah that the Prophet (ﷺ) rarely missed.

⁴⁷⁵ See al-Khallāl in his *Kitāb al-Tarajil*, p.86 and *al-Mugni* of Ibn Qudāmah, 1/115-116

⁴⁷⁶ 'Abdu'l-Razzāq, 6/10, Abū Dāwūd, 2/575-577, Imān Aḥmad in his *Musnad*, 3/415, Bayhaqī in his *Sunan*, 1/172 and others

Third: Harb conveyed in his book *'Masā'il'* from Al-Zuhārī that the Messenger (ﷺ) said: 'Whoever embraces Islām should get circumcised, even if he was old.'⁴⁷⁷

Even if this ḥadīth is mursal, it is valid as evidence.

Fourth: What Al-Bayhaqī narrated from Mūsā Ibn Ismā'īl Ibn Ja'far Ibn Muḥammad Ibn Ḥusayn Ibn 'Alī, from his grandfathers one after the other, from 'Alī (*radīy Allāhu 'anhu*), that the paper they found in the handle of the Messenger's (ﷺ) sword saying: 'The uncircumcised is not left, in Islām, until he gets circumcised, even if he had reached the age of eighty.' Al-Bayhaqī said: 'This ḥadīth is narrated exclusively by *Ahlu'l-Bayt*.'^{478,479}

Fifth: What Ibn Al-Mundhir narrated from Abū Burzah from the Prophet (ﷺ) regarding the uncircumcised: 'He must not perform Pilgrimage to the house of Allāh until he gets circumcised.'⁴⁸⁰ In another version it said that they asked the Messenger (ﷺ) about an uncircumcised man wanting to perform pilgrimage to the house of Allāh, he said: 'No. Not until he gets circumcised.' Then he said: 'Its authenticity is uncertain, because the chain of narrators is unknown.'⁴⁸¹

Sixth: What Wakī' narrated from Sālim Abū'l-'Alā' Al-Murādī, from 'Amr Ibn Ḥarām, from Jābir Ibn Zayd, that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: 'The uncircumcised person's prayer is not acceptable, and people should not eat from his sacrifice.'⁴⁸²

⁴⁷⁷ See *Al-Talkhīṣ al-Ḥabīr* of Ibn Ḥajr, 4/82

⁴⁷⁸ *Ahlu'l-Bayt* (People of the house) are the family of Prophet Muḥammad (ﷺ).

⁴⁷⁹ Bayhaqī in his *Sunan*, 8/324

⁴⁸⁰ It is related by Ibn Mundhir in his *al-Isbrāf*, 3/424 and Bayhaqī, 8/324

⁴⁸¹ See Ibn Mundhir in his *al-Isbrāf*, 3/424

⁴⁸² 'Abdu'l-Razzāq, 4/483, Bayhaqī in his *Sunan*, 8/325 and in his *Shu'ab al-Imān*, 6/396; see *Fath al-Bari*, 9/637

Imām Aḥmad conveys from Muḥammad Ibn 'Ubayd, from Sālim Al-Murādī, from 'Amr Ibn Ḥarām, from Jābir Ibn Zayd that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: 'People should not eat from the uncircumcised person's sacrifice.'⁴⁸³

Ḥanbal narrated in his *'Masā'il'* from Abū 'Umar Al-Ḥawdī, from Hammam, from Qatādah that 'Ikrimah said: 'People should not eat from the uncircumcised person's sacrifice.'⁴⁸⁴

He also said that Al-Ḥasan disagreed with 'Ikrimah in that regard. He added that 'Ikrimah was asked: 'Can he [the uncircumcised] perform pilgrimage?' He said: 'No.'⁴⁸⁵

Ḥanbal said, narrating from Abū 'Abdullāh: 'His sacrifice should not be eaten, and no prayer or pilgrimage is accepted from him until he is circumcised. Circumcision is among that which completes Islām.'⁴⁸⁶

Ḥanbal also narrates from Abū 'Abdullāh: 'The uncircumcised should not make a sacrifice, his sacrifice should not be eaten, and his prayer is not accepted.'

'Abdullāh Ibn Aḥmad conveys from his father, from Ismā'īl Ibn Ibrāhīm, from Sa'īd Ibn Abū 'Arūbah, from Qatādah, from Jābir Ibn Zayd, that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: 'The uncircumcised person's prayers are not accepted, his sacrifice should not be eaten, and he is not allowed to testify.'⁴⁸⁷

⁴⁸³ See al-Khallāl in his *Kitāb al-Tarajil*, p.86

⁴⁸⁴ See *Masā'il al-Imām Aḥmad*, of Ishāq, 9/4759

⁴⁸⁵ See *al-Muṣannaf* of 'Abdu'l-Razzāq, 11/175

⁴⁸⁶ See al-Khallāl in his *Kitāb al-Tarajil*, p.178

⁴⁸⁷ See *Masā'il al-Imām Aḥmad*, of 'Abdullāh, 1/151 and al-Khallāl in his *Kitāb al-Tarajil*, p.84

Qatādah said: 'Al-Ḥasan did not agree with that view.'⁴⁸⁸

Seventh: Circumcision is one of the most apparent rituals that differentiate the Muslim and the Christian.⁴⁸⁹ Therefore, its obligation is more important than the obligation of *witr* prayer, *ḡakat* on horses, redoing ablution for whoever laughs loudly in his prayer or on whoever vomited, bled or received bloodletting, extending *tayammum*⁴⁹⁰ to the elbows, or hitting hands against the ground [in *tayammum*], ... etc. Meanwhile, the obligation of circumcision is clearer and stronger, so much so that Muslims do not consider the uncircumcised to be one of them.

Therefore, a group of jurists believe that the old uncircumcised person should get circumcised even if it lead to its damaging, as we will explain in Section Twelve, by Allāh's will.

Eighth: That it is a severance decreed for the sake of Allāh, the damage due to infection during the course of which is not insured. Therefore, it is obligatory, just like the thief's hand.

Ninth: That it is permitted to show one's *'awrah* (private parts) for its performance. Had it not been obligatory, this would not have been the case, because the forbidden cannot be justifiably done in order to preserve an optional deed.⁴⁹¹

Tenth: It cannot be performed without leaving two obligatory

⁴⁸⁸ See *al-Muṣannaf* of 'Abdu'l-Razzāq, 11/175

⁴⁸⁹ See *A'lām al-Ḥadīth* of Khaṭṭābī, 3/2154

⁴⁹⁰ Ablution with sand in the absence of water. It is performed by placing one's hands on the surface of the ground, rubbing the face with them, and then wiping both hands until the wrists.

⁴⁹¹ See *Nihāya al-Muṭṭalib* of Juwaynī, 17/355, *al-Majmū'* of Al-Nawāwī, 1/164, *Sharḥ Ṣaḥīḥ Muslim* of Qaḍī 'Iyād, 2/65 and others

deeds and committing two forbidden ones. These are uncovering the circumcised person's private parts, and the circumcising person looking at another person's private parts. Had it not been obligatory, it would not have been permitted to leave two compulsory deeds and commit two forbidden ones for its performance.

Eleventh: What is cited as evidence by Al-Khattābī when he said: 'As for circumcision, even if it was mentioned among the group of Sunan, it is regarded by many scholars as obligatory, and that it is the banner of the religion. It distinguishes the Muslim from the non-believer. If a circumcised person's dead body was found among a group of uncircumcised dead people, he is prayed upon and buried in the graves of Muslims.'⁴⁹²

Twelfth: The child's guardian inflicts pain on the child during its performance, exposes him to damage by infection, pays for the circumciser's fees and medication from his [the child's] fortune, and does not guarantee him being held accountable for damage by infection. Had it not been obligatory, that would not have been permitted. The guardian is not permitted to waste the child's fortune, inflict pain on him and expose him to damage for an optional deed. This is apparent, praise be to Allāh.

Thirteenth: Had it not been obligatory, the circumciser would not have been allowed to perform it, even by the circumcised person's permission, or the permission of his guardian. No one is allowed to sever an organ that neither Allāh nor His Messenger commanded severing, nor whose severing became necessary.⁴⁹³ If he was given permission [by the person or his guardian] to sever

⁴⁹² See *Ma'ālim al-Sunan* of al-Khattābī, 1/42 with *Mukhtasar al-Mundhir* and *Sharḥ Ibn al-Qayyim*.

⁴⁹³ See *Nihāya al-Muṭṭalib* of Juwaynī, 17/355, *al-Majmū'* of Al-Nawāwī, 1/164-165 and others.

an ear or a finger, he would not be allowed to do it, and the permission does not absolve him of the sin involved; in addition, it is debated whether insurance against persecution for damage will apply to him.⁴⁹⁴

Fourteenth: The uncircumcised is subject to the corruption of his purity and prayer. The foreskin covers the entire male private parts, so it is stained with urine, and cannot be purified by stone. Therefore, the validity of purity and prayer depend on circumcision. That is why many scholars, of both old and new, forbade the uncircumcised to lead the prayer, even if he was excused himself, he is treated like someone who has urinary incontinence and so on.

The purpose of circumcision is to avoid the confinement of urine in the foreskin, which corrupts the purity and prayer. That is why Ibn 'Abbās (*radīy Allāhu 'anhumā*) said, as narrated by Imām Aḥmad and others: 'His prayer is not accepted.' That is also why it lapses with the person's death, since the obligation of purity and prayer is removed.

Fifteenth: That it [not circumcising] is the banner of worshippers of the cross and worshippers of fire with which they distinguished themselves from the Ḥanīfs. Circumcision is originally the banner of Ḥanīfs, hence the first one to be circumcised was the leader of Ḥanīfs. It became the banner of *Ḥanīfiyyah*, and it was inherited by the children of Ismā'īl and Isra'īl from Ibrāhīm (ﷺ). Therefore, it is not permitted to conform with the uncircumcised worshippers of the cross in the banner of their disbelief and trinity.

⁴⁹⁴ See *Majma' al-Damānāt* of Baghdādī, 1/136-137, *Badā'id al-Sanā'ī'* of Kāsānī, 7/236-237, *Fath al-Qadīr* of Ibn al-Hamām, 7/206 and others.

Sub-section Two:

Those who deem it optional said [in response]:

The Sunnah has explicitly stated that it is a Sunnah, as in the ḥadīth narrated by Shaddād Ibn Aus that the Prophet (ﷺ) said: ‘Circumcision is a Sunnah for men, and a noble deed for women.’ It is narrated by Imām Aḥmad.⁴⁹⁵

They said: ‘The Prophet (ﷺ) has joined it with other optional Sunan, such as shaving the pubic hair, trimming the moustache, clipping the nails and plucking the armpit hair.’

They also conveyed that Al-Ḥasan Al-Baṣrī that said: “People have joined Islām on the hands of the Prophet (ﷺ). Whether they were Blacks, Whites, Romans, Persians or Abyssinian, he never checked any of them [for circumcision], or I have not heard that he checked any of them.”⁴⁹⁶

Imām Aḥmad narrates from Al-Mu’tamir, from Salm Ibn Abū’l-Dhayyāl, that Al-Ḥasan said: ‘How strange is that man [referring to the Amir of Baṣrah]! He met some people from Kashkar and asked them: “What is your religion?” They said: “Muslims.” He commanded them to be checked, they were found to be uncircumcised, so they were circumcised this winter, and I heard that some of them died [as a result]! People have joined Islām on the hands of the Prophet (ﷺ); blacks, whites, Romans, Persians or Abyssinian, he never checked any of them [for circumcision].’⁴⁹⁷

⁴⁹⁵ Imām Aḥmad in his *Musnad*, 5/75, Ibn Abī Shaybah in his *al-Muṣannaf*, 6/223, Ṭabarānī, in *al-Kabīr*, 7/329; Bayhaqī in his *Sunan*, 8/325 and others

⁴⁹⁶ Al-Khallāl in his *Kitāb al-Tarajīl*, p.182 and Ibn Hānī in *al-Masā’il*, 2/151.

⁴⁹⁷ Al-Khallāl in his *Kitāb al-Tarajīl*, p.191 and Bukhārī in his *Adab al-Mufrad*, #1251; it is authenticated by al-Albānī in *Ṣaḥīḥ Adab al-Mufrad*, #947.

They said, as for your citing of this verse as evidence:

ثُمَّ أَوْحَيْنَا إِلَيْكَ أَنْ اتَّبِعْ مِلَّةَ إِبْرَاهِيمَ حَنِيفًا

“Then We revealed to you, [O Muḥammad], to follow the religion of Ibrāhīm, inclining toward truth.”

[*al-Nahl* (16):123]

The religion is *Hanifiyyah*, which is *tanbīd*. That is why Allāh clarified it by saying:

حَنِيفًا وَمَا كَانَ مِنَ الْمُشْرِكِينَ ﴿١٢٣﴾

“Inclining toward truth; and he was not of those who associate with Allāh.”

[*al-Nahl* (16):123]

Yūsuf (*‘alayhis-salām*), the man of truth said:

وَاتَّبَعْتُ مِلَّةَ آبَائِي إِبْرَاهِيمَ وَإِسْحَاقَ وَيَعْقُوبَ مَا كَانُوا
لَنَا أَنْ نُشْرِكَ بِاللَّهِ مِنْ شَيْءٍ

“And I have followed the religion of my fathers, Ibrāhīm, Ishāq and Ya‘qūb. And it was not for us to associate anything with Allāh.”

[*Yūsuf* (12): 38]

Allāh the Exalted said:

قُلْ صَدَقَ اللَّهُ فَاتَّبِعُوا مِلَّةَ إِبْرَاهِيمَ حَنِيفًا وَمَا كَانَ
مِنَ الْمُشْرِكِينَ ﴿١٥﴾

“Say: ‘Allāh has told the truth. So follow the religion of Ibrāhīm, inclining toward truth; and he was not of

the polytheists.”

[*Āl-Imrān* (3): 95]

The religion in all that is the root of belief (*asl al-īmān*), from believing in the Oneness of God (*tawhīd*), turning towards Him in repentance, and being sincere to Him in religion.

The Messenger (ﷺ) taught his Companions when they wake up in the morning to say: ‘We woke up on the *fiṭrah* of Islām, the word of sincerity, the religion of our Prophet, Muḥammad, and the religion of our father, Ibrāhīm, a *Ḥanif*, a Muslim, and he was not of the polytheists.’⁴⁹⁹

They added: ‘If an act became a part of the religion, then it must be followed in the same way that he [Ibrāhīm] originally did it; if he did it as an obligation, then it is so for the followers,⁵⁰⁰ but if it was optional for him, then it is optional for whoever follows him. You only have the act of Ibrāhīm (*‘alayhis-salām*). However, was it obligatory or optional for him? This is the common dilemma. The stronger view here is that it is optional, because there is nothing there to indicate obligation. Therefore, if we did it optionally, we have followed him (*‘alayhis-salām*).’

They also said: ‘As for the ḥadīth narrated by Uthaym Ibn Kulayb, from his father, from his grandfather, “Remove the hair of disbelief’s hair from you and get circumcised.”⁵⁰¹ Ibn Jurayj said when he narrated it: “I was told from Uthaym Ibn Kulayb.”

Abū Aḥmad Ibn ‘Adyy said: ‘This ḥadīth where Ibn Jurayj said

⁴⁹⁸ Inclining towards the truth is the meaning of the word *‘Ḥanif*.

⁴⁹⁹ Imām Aḥmad in his *Musnad*, 3/406, Daramī in his *Sunan*, 2/292 and others

⁵⁰⁰ See *Istīḥkār* of Ibn ‘Abdu’l-Barr, 10/20

⁵⁰¹ Reference already mentioned

in its narration, “I was told from Uthaym Ibn Kulayb,” he was actually told by Ibrāhīm Ibn Abū Yaḥyā, but he did not say his name explicitly. This Ibrāhīm is a weak narrator according to the ḥadīth scholars’ consensus, apart from Al-Shaf‘ī.⁵⁰²

They also said: ‘As for the *mursal* ḥadīth narrated by Al-Zuhārī that the Prophet (ﷺ) said, “Whoever embraces Islām should get circumcised, even if he was old,”⁵⁰³ the *mursal* ḥadīths narrated by Al-Zuhārī are among the weakest ḥadīths, and are not valid for citing as evidence.’

Ibn Abū Hātim narrates that Aḥmad Ibn Sinān said: ‘Yaḥyā Ibn Sa‘īd Al-Qaṭṭān used to disregard the *mursal* ḥadīths by Al-Zuhārī and Qatādah and say, “They are like wind.”⁵⁰⁴

Something was once narrated to ‘Abbās Al-Duwri from Yaḥyā Ibn Ma‘īn and he said: “The *mursal* ḥadīths narrated by Al-Zuhārī have no significance.”⁵⁰⁵

Those who say it is the sunnah also said: ‘As for the ḥadīth narrated by Mūsā Ibn Ismā‘īl Ibn Ḥafṣ from his grandfathers, it is not known, and not narrated by ḥadīth scholars. It was uniquely narrated through this route by Mūsā Ibn Ismā‘īl from his grandfathers. Therefore, it is like similar ḥadīths that have been uniquely narrated by people who are not memorisers who are known for narrating ḥadīths.’

They said: ‘As for the ḥadīth narrated by Abū Barzah, Ibn Al-Mundhir said: ‘I was told by Yaḥyā Ibn Muḥammad, from Aḥmad

⁵⁰² *Al-Kāmal* of Ibn ‘Adī, 1/220 and see *Tabdhīd al-Kāmal*, 5/124

⁵⁰³ Reference already mentioned

⁵⁰⁴ See *al-Jarḥ wa’l-Ta’dil*, p. 246, *Kitāb al-Murāsīl* of Ibn Abī Hātim and *Naṣḥ al-Rāya* of Zala‘ī, 3/422-423

⁵⁰⁵ See *Tabdhīd al-Tabdhīd* of Ibn Ḥajr, 9/398

Ibn Yūnus, from Umm Al-Aswad, from Manīyah, from her grandfather, Abū Barzah, that ... [and he stated the ḥadīth].⁵⁰⁶

Ibn Al-Mundhir said: ‘This is an unknown chain of narration that is not confirmed.’⁵⁰⁷

They added: ‘As for your citing as evidence the saying of Ibn ‘Abbās (*radīy Allāhu ‘anhumā*), “The uncircumcised person’s prayer is not acceptable, and people should not eat from his sacrifice”, this is the unique saying of a Companion.

Aḥmad said: ‘He was adamant therein, and Al-Ḥasan Al-Baṣrī and others disagreed with him there.’

As for your saying that it is among the rituals, that is an undebated fact. However, not all rituals are obligatory.

Rituals are classified into obligatory rituals, such as the five daily prayers, pilgrimage, fasting and ablution; recommended rituals, such as *talbiyah*⁵⁰⁸, driving and marking the sacrificed animal [in pilgrimage]; and rituals of debated obligation, such as the *adhān*, the two *‘ids*, the *uḍḥiyah* and circumcision.

So, how can you be certain that it is an obligatory ritual?

As for your saying: ‘It is a severance decreed for the sake of Allāh, the damage due to infection during the course of which is

⁵⁰⁶ Reference already mentioned

⁵⁰⁷ See *Al-Isbrāf ‘ala Madhāhib Ahlu’l-‘Ilm* of Ibn Mundhir, 3/424.

⁵⁰⁸ *Talbiyah* means repeating the following sentences during the rituals of pilgrimage, “*Labayk, Allāhumma labayk, la sharikalaka labayk. Inna’l-Ḥamda wa’l-ni’mata lakawa’l-Mulke, la sharikalak*—I am at Your service, O Allāh, I am at Your service. You have no partner. I am at Your service. Praise and blessing belong to You, and Dominion. You have no partner.”

not insured. Therefore, it is obligatory, just like cutting the thief's hand is among the coldest comparisons.

Where does circumcision lie, compared to cutting the thief's hand? How far apart are they!

He has gone too far away, who likens one of them with the other. Circumcision honours the circumcised, and severing the thief's hand is a punishment for him. How far are punishments from cleaning and purification?

As for your saying: 'It is permitted to show one's private parts for its performance not for a necessity or treatment. Therefore, it is obligatory?'

The allowance of uncovering one's private parts for circumcision does not necessitate its obligation. Because, according to scholars' consensus, it is permitted to uncover it for deeds that are not obligatory, such as when visiting the doctor, even if seeking the treatment was not necessary.

In addition, the woman's face is a part of her *'awrah*, yet she can uncover it in non-obligatory dealings, such as identity verification in optional testimony.

Moreover, they permitted the person giving burial bath to shave the pubic hair of the dead body, which requires uncovering the private parts or touching them for a non-obligatory reason.

As for your saying, 'It distinguishes the Muslim from the non-believer, so much so that if a circumcised person was found among a group of uncircumcised dead people, he, alone, is prayed upon.'

This is not true, because some non-believers get circumcised, such as Jews. Circumcision does not distinguish Muslims from non-believers unless they are in a place where only the Muslims get circumcised; then it distinguishes. However, this does not necessitate its obligation, just like it does not necessitate the obligation of all that distinguishes Muslims from non-believers.

As for your saying, 'The child's guardian inflicts pain, during its performance, on the child, exposes him to damage by infection and pays for the circumciser's fees and medication from his fortune.'

This does prove its obligation, for he inflicts pain on him by beating him for a disciplinary purpose, he also pays for an instructor and an educator from the child's fortune, and he performs *uḍḥīyah* on his behalf.

Al-Khallāl said, [Chapter on *uḍḥīyah* on behalf of the orphan]: Ḥarb Ibn Ismā'īl said that he asked Aḥmad: 'Should I perform *uḍḥīyah* on behalf of the orphan child?' He said: 'Yes. If he has money and Sufyān Al-Thawrī also said the same.'

Ja'far Ibn Muḥammad Al-Naysabūrī said that he heard Abū 'Abdullāh being asked about an orphan girl's guardian buying an *uḍḥīyah* on her behalf, he said: 'Does she have money?' He said: 'Yes.' He said: 'He should buy it on her behalf.'

As for your saying, 'Had it not been obligatory, the circumciser would not have been permitted to sever it ...' and so on.

This is contradicted by the fact that he is allowed to sever goiters and damaged organs, remove teeth, cut blood vessels, and incise skin for bloodletting. Therefore, it is permitted to sever

for reasons that are optional, let alone what is recommended and beneficial.

As for your saying: 'The uncircumcised is subject to the corruption of his purity and prayer.'

He is to blame for that only if it was by choice. However, if it was for factors out of his control, he is not to blame, and his purity is not corrupted, such as urinary incontinence, nosebleeds, and pre-seminal incontinence. If he did what he could of purification by water and stone, he is not to be held accountable for what he is unable to do.

As for your saying: 'It is the banner of the worshippers of the cross and worshippers of the fire, and so, to conform with them therein is to conform with the banner of their religion.'

They did not distinguish themselves from the *Hanifs* merely by refraining from circumcision, but rather with the entirety of the false religion that they follow. Conforming with them in leaving circumcision does not necessitate conforming with the banner of their religion, with which they are distinguished from the *Hanifs*.

Those who deem it obligatory replied: Circumcision is the mark of *Hanifiyyah*, the banner of Islām and the headline of pure nature and the religion. If the Prophet (ﷺ) said, 'Whoever did not trim his moustache is not one of us'⁵⁰⁹ what about he who refrained from circumcision, and was satisfied with the banner of the uncircumcised worshippers of the cross?

⁵⁰⁹ Tirmidhī, 5/93, Imām Aḥmad in his *Musnad*, 1/15 and others

Among the most apparent differences between worshippers of the cross and worshippers of the Merciful is circumcision. This was the tradition of the *Ḥanīfs* since their leader, Ibrāhīm (*‘alayhis-salām*), until the time of the Seal of Prophets (ﷺ). He was sent to continue and confirm *Ḥanīfiyyah*, not to change or transform it.

When Allāh, the Exalted, commanded his close friend to do it, and he [Ibrāhīm] knew that His command is to be obeyed and not delayed or ignored, he hastened to follow the command of the Ever-Living, the Sustainer of existence, and he circumcised himself with the adze, rushing to conform and obey the Owner of Majesty and Honour, and he made it an ever-lasting *fiṭrah* among his descendants until Allāh inherits the Earth and all those living on it. That is why all prophets from his descendants told their nations to perform it: even the servant, Messenger and word of Allāh, the son of the Virgin Mary [Īsā *‘alayhis-salām*] was circumcised, taking after Ibrāhīm (*‘alayhis-salām*). Christians admit this, and confirm that it is among the requirements of the Gospel, but they have followed the inclinations of a people who had gone astray before, misled many and strayed from the correct of the way.

Even, the scholar of the Messenger’s (ﷺ) family made an announcement heard by everybody, that the prayer of he who was not circumcised is not acceptable, and his sacrifice should not be eaten.⁵¹⁰ Therefore, he expelled such a man from the domain of Muslims.

Such statement is not given to someone who ignored an optional deed, but rather for something necessarily known to be obligatory. It is enough, to prove its obligation, that it is the headline of the

⁵¹⁰ Reference already cited

traits of *Hanifiyyah*, upon which Allāh created His servants, and to which all Messengers called their followers. Thus, he who refrains from it gets out of the pure nature that Allāh sent His Messengers to complete, hastens to prevent it, delays that which deserves hastening, and is averse to the religion of his father, Ibrāhīm:

وَمَنْ يَرْغَبْ عَن
 مِلَّةِ إِبْرَاهِيمَ إِلاَّ مَن سَفِهَ نَفْسَهُ وَلَقَدِ اصْطَفَيْنَاهُ فِي الدُّنْيَا
 وَإِنَّهُ فِي الآخِرَةِ لَمِنَ الصَّالِحِينَ ﴿١٣١﴾ إِذْ قَالَ لِرَبِّهِ أَاسَلِّمُ
 قَالَ أَاسَلَّمْتُ لِرَبِّ الْعَالَمِينَ ﴿١٣٢﴾

“And who would be averse to the religion of Ibrāhīm except one who makes a fool of himself. And We had chosen him in this world, and indeed he, in the Hereafter, will be among the righteous. When his Lord said to him: ‘Submit’, he said: “I have submitted [in Islām] to the Lord of the worlds.”

[*al-Baqarab* (2):131-132]

Just as Islām is the head and body of *Hanifiyyah*, submitting to His command is its completion and fulfilment.

Sub-Section Three:

As for the ḥadīth, ‘Circumcision is a Sunnah for men, and a noble deed for women.’

This ḥadīth is narrated from Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) with a weak chain of narrators. It is known to be mawqūf until him.

It is also narrated by Al-Ḥajjāj Ibn Artāta—who is not a valid narrator, from Abū'l-Maliḥ Ibn Usāmah, from his father, from him [Ibn 'Abbās (*radīy Allāhu 'anhumā*)], and also from him, from Makhūl, from Ibn Ayyūb, from the Prophet (ﷺ).

Al-Bayhaqī stated all the above and then he cited Ibn 'Abbās (*radīy Allāhu 'anhumā*) saying, that the sacrifice of he who was not circumcised should not be eaten and that his prayer and testimony are not accepted.

He then said: 'This proves that he deemed it obligatory, and that when he said: "Circumcision is a Sunnah" he meant a Sunnah of the Prophet (ﷺ), introduced commanded by the Messenger (ﷺ), and is therefore obligatory.'⁵¹¹

Al-Sunnah means the way. His saying: 'Circumcision is a Sunnah for men' means that it is decreed for them, and not that it is an optional recommended deed.

The Sunnah is the followed practice, whether obligatory or recommended, since he (ﷺ) said, 'Whoever turns away from my Sunnah does not belong to me'⁵¹² and said: "You must keep to my Sunnah and to the Sunnah of the rightly guided caliphs."⁵¹³

Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: 'Whoever deviates from the Sunnah has disbelieved.'⁵¹⁴

Limiting the Sunnah to optional deeds is a modern terminology. The Sunnah is what is decreed by the Messenger (ﷺ) for his

⁵¹¹ See Bayhaqī in his *Sunan*, 8/325

⁵¹² Bukhārī, 9/104 and Muslim, 2/1020

⁵¹³ Abū Dāwūd, 7/11, 12, Tirmidhī, 7/438-441 and others

⁵¹⁴ See *al-Idānah 'an Sharā'ih al-Firqa al-Nājiyah* of Ibn Baṭṭah, 1/338 and others

ummah, whether obligatory or recommended. The Sunnah is the way, the law, the method, and the route.⁵¹⁵

As for your argument: ‘The Messenger (ﷺ) joined it with optional deeds.’

The significance of joining is not as strong as the evidence for obligation. In addition, the acts stated in the ḥadīth include obligatory acts, such as gargling, rinsing the nose and purification, and recommended acts such as the use of *siwāk*.

As for nail clipping, if the nail grew long enough to collect dirt underneath it, it must be clipped to preserve the purity [in prayers].

As for trimming the moustache, the evidence points to its obligation if it grew long. This is the correct view due to the Messenger’s (ﷺ) command, and his saying: ‘Whoever did not trim his moustache is not one of us.’⁵¹⁶

As for the saying of Al-Ḥasan Al-Baṣrī: ‘People have joined Islām on the hands of the Prophet (ﷺ) and he never checked any of them [for circumcision].’

The response here is that they did without checking because circumcision was the norm. All the Arabs had circumcision and all the Jews as well. What remained were the Christians, which were divided into two groups, one that got circumcised, and one that did not.

Everyone who entered Islām, whether or not from them, knew

⁵¹⁵ See *Kashf Istalāhāt al-Funūn* of Al-Tahānuwī, 4/53-57, *Majmū’ al-Fatāwa* of Shaikh al-Islām, 18/191,192, *Al-Mawāfaqāt* of Shātabī, 4/ 3-7 and others

⁵¹⁶ Reference already cited

that the banner of Islām is circumcision. They hastened to perform it after Islām, just as they hastened to take the bath. Some of them were old and feared damage from its performance, and they were absolved from it.

Imām Aḥmad was asked about the uncircumcised person's sacrifice, and was told the saying of Ibn 'Abbās (*radīy Allāhu 'anhumā*): 'should not be eaten'. He said: 'In my opinion, that is if he was born to Muslim parents, and he got old without getting circumcised. As for the old person who joins Islām and fears damage from circumcision, he is excused, in my view.'⁵¹⁷

As for your saying: 'The religion is *tawḥīd*.'

The religion consists words (*aqwāl*), deeds (*aḥ'āl*) and beliefs (*i'tiqād*). The inclusion of deeds in the religion is like the inclusion of belief (*īmān*).

The religion is the *fitrah*.⁵¹⁸ It is impossible that Allāh would command following Ibrāhīm in the words and not the deeds and acts of *fitrah*. Allāh commanded following him in his *tawḥīd*, words and deeds. He (ﷺ) got circumcised to obey the command of his Lord who commanded and tried him with it, so he fulfilled it as commanded. Thus, if we do not do as he did, we are not following him.

As for your saying: 'It was found that the ḥadīth narrated by Uthaym Ibn Kulayb, from his father, from his grandfather was narrated by Ibrāhīm Ibn Abū Yahyā.'

Al-Shāfi'ī thought positively of him, while others weakened

⁵¹⁷ *Ṭabāqāt al-Ḥanābilab*, 1/206

⁵¹⁸ See *Mufridāt Af'āz al-Qur'an* of Rāqib al-Asfahānī, p.373

him. His ḥadīth is good to strengthen one's argument, if it was not cited alone.

Similarly, in the mursal ḥadīths of Al-Zuharī, if not cited alone. These marfū', mawqūf and mursal ḥadīths strengthen one another.

The same goes for the ḥadīth of Mūsā Ibn Ismā'īl and the like. As for your saying: 'Ibn 'Abbās (*radīy Allāhu 'anhumā*) uniquely said about the uncircumcised: His sacrifice should not be eaten, and his prayer is not accepted.'

This is a Companion's statement. The Four Imāms⁵¹⁹ all used the Companions' sayings as evidence⁵²⁰ and explicitly stated that they are valid arguments. Al-Shāfi'ī was adamant therein and made going against them as an invention in religion (*bid'ah*). How about the fact that nothing against Ibn 'Abbās (*radīy Allāhu 'anhumā*)' saying was narrated from a companion?

Such aggravation (*tashdīd*) and intensification (*taghlīḥ*) is not made by a scholar such as Ibn 'Abbās (*radīy Allāhu 'anhumā*) about ignoring an optional deed in which the person is giving the choice of doing or leaving.

As for your saying: 'Rituals are classified into recommended and obligatory.'

That is so, but such a great ritual that distinguishes worshippers of the cross from worshippers of the Merciful, that is necessary

⁵¹⁹ Founders of the four major schools of *Fiqh* (Jurisprudence); Abū Ḥanīfah, Mālik, Al-Shāfi'ī and Aḥmad Ibn Ḥanbal.

⁵²⁰ See *Usūl al-Sarkebisī*, 2/105, *T'lām al-Mawaqī'in 'an Rabb al-'Ālamin* of Ibn Qayyim, 1/29 and others.

for the completion of purity, and that is left by the worshippers of the cross cannot be anywhere less than among the greatest of obligations.

As for your argument: 'Where does punishment rank compared to circumcision?'

We did not use that as proof of the obligation of circumcision. We considered the obligation of one of them with the obligation of the other. The Muslim's organs, back and blood are protected except for a legal punishment (*hadd*) or a right; both of which must be performed and cannot be halted.

As for uncovering one's private parts to perform it, if its benefit did not outweigh the harm of uncovering them, looking at them and touching them, it would not have been permitted to commit three grave forbidden deeds for an optional deed that can be done or left.

As for medical treatment, it falls within preserving one's life and its means, which is necessary for the body. If circumcision was optional, uncovering the private parts would be unnecessary, which is not permitted.

As for your saying: 'The guardian pays from the child's fortune the fees of the instructor and educator.'

There is no doubt that the child's education and instruction are an obligation for the guardian. He only used his fortune for what is necessary for his welfare in this life and the next. If circumcision were purely optional, paying for it would be like an optional donation on his behalf, or paying it to whoever performs optional pilgrimage on his behalf, and so on.

As for *udhīyah* on the child's behalf, its obligation is debated. Those who deem it necessary only permit spending the child's money for obligatory purposes, and those who deem it optional say that its out come of heart-mending, kindness and bringing joy to the child is better than its value remaining in his fortune.⁵²¹

Section Five: The Time of its Obligation

It is obligatory upon puberty, because it is the time of obligation over all acts of worship, and it is not obligatory before that.⁵²²

It is narrated in Ṣaḥīḥ Al-Bukhārī from Sa'īd Ibn Jubayr, that Ibn 'Abbās (*radīy Allāhu 'anhumā*) was asked: 'How old were you when the Messenger (ﷺ) passed away?' He said: 'I was circumcised then, for they did not circumcise a man until he reached puberty.'⁵²³

Ibn 'Abbās' (*radīy Allāhu 'anhumā*) age upon the Prophet's (ﷺ) death was debated. Al-Zubayr and Al-Waqidī said: 'He was born in the *Shi'b*'⁵²⁴ before the clan of Hashim left it, three years before the Migration of the Messenger (ﷺ), and the Messenger (ﷺ) passed away when he [Ibn 'Abbās (*radīy Allāhu 'anhumā*)] was thirteen years old.'

⁵²¹ See *al-Mughnī* of Ibn Qudāmah, 13/361 and others

⁵²² See *Fath al-Qadīr* of Kamāl Ibn al-Hamām, 6/46, *Al-Kāfi fī Fiqh Ahl'l-Madīnah* of Ibn 'Abdu'l-Barr, 2/558, *al-Majmū'* of Al-Nawāwī, 1/166, *Al-Mughnī* of Ibn Qudāmah, 1/115 and others

⁵²³ Bukhārī, 11/88

⁵²⁴ Shi'b Abū Ṭālib is the valley where The clan of Hashim was forced to migrate after being boycotted by the rest of Quraysh in the 7th year of the Messenger's *bi'thab* (Mission) to put pressure on the clan of Hashim to withdraw its protection from Muḥammad (ﷺ).

Sa'īd Ibn Jubayr said, narrating from Ibn 'Abbās (*radīy Allāhu 'anhumā*): 'The Messenger (ﷺ) passed away when I was ten years old, when I had learned *Al-Mufasssal*.^{525,526}

Abū 'Umar said, 'We narrated that from him through a number of paths. It is narrated from Ibn Ishāq, from Sa'īd Ibn Jubayr, that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: "The Messenger (ﷺ) passed away when I was circumcised" which is not authentic."⁵²⁷

I said: No. It is the most authentic thing in this regard, which is also narrated by Al-Bukhārī in his *Ṣaḥīḥ* as stated.

'Abdullāh Ibn Imām Aḥmad narrates from his father, from Sulaymān Ibn Dāwūd, from Shu'bah, from Abū Ishāq, from Sa'īd Ibn Jubayr, that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: 'The Messenger (ﷺ) passed away when I was fifteen years old.'⁵²⁸

'Abdullāh says that his father said: 'This is the correct view.'

I say, it is narrated from him in both Bukhārī and Muslim that he said: 'I came riding on a she-ass when I had nearly attained the age of puberty, the Messenger (ﷺ) was leading the prayer in Mina, and there was no wall in front of him. I passed in front of some of the people in the prayer row ...'⁵²⁹

The majority of historians believe that his age when the Prophet (ﷺ) died was thirteen years; for he was born in the *Shi'b*, three years before the Migration, the Messenger (ﷺ) lived in Madīnah for ten

⁵²⁵ The final portion of the Qur'ān, which consists of the shorter chapters, which are usually taught first.

⁵²⁶ *Al-Istay'āb* of 'Abdu'l-Barr, 3/66

⁵²⁷ *ibid*

⁵²⁸ Imām Aḥmad in his *Musnad*, 1/373, Ṭabarānī, 10/235 and others

⁵²⁹ Bukhārī, 1/171 and Muslim, 1/361

years, and he said that he was circumcised then.

Jurists said: ‘Circumcision is not obligatory before puberty, because the child is not equipped for the obligation of body-related acts of worship, so how can the wound-related act of worship be obligatory for him?’⁵³⁰

This is not contradicted by the waiting period that is obligatory for the young girl,⁵³¹ because no bodily effort is required from her, but rather the passage of time.

They said: ‘If a boy or a girl reached puberty uncircumcised, the leader should oblige them to do it.’

In my opinion, the guardian must circumcise the child before puberty so that he reaches it circumcised, for that is considered a requirement of the obligatory.⁵³²

As for Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) saying: ‘They did not circumcise a man until he reached puberty’ he meant ‘until he approaches puberty.’

Similarly to what Allāh said:

فَإِذَا بَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ

“And when they have [nearly] fulfilled their term, either

⁵³⁰ See *Fath Bāb al-‘Ināyah* of al-Qarī, 1/37, *Jumal al-Abkām* of al-Nātifī. p.191, *al-Kāfi* of Ibn ‘Abdu’l-Barr and others.

⁵³¹ When a woman is divorced or widowed, she is obligated to wait for a certain period before she is allowed to get married to someone else. This period is three months in case of divorce, four months and ten days in case of the husband’s death, or until she delivers her baby in case she was pregnant.

⁵³² Anything required for the performance of an obligatory deed is considered by jurists to be obligatory as well. In this case, in order to be circumcised upon puberty, the guardian must perform it before the child’s puberty.

retain them according to acceptable terms ...”

[*al-Talāq* (65) : 2],

When they cannot be retained after fulfilling their term. Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) has stated that he was circumcised when the Prophet (ﷺ) passed away, and that, in the Farewell Pilgrimage,⁵³³ after which the Prophet (ﷺ) lived for eighty-something days, he had approached puberty. The Prophet (ﷺ) commanded parents to teach prayer to their children at the age of seven, and to discipline them for leaving it at the age of ten; how then will he permit them to leave their children’s circumcision until they reach puberty? Allāh knows best.

Section Six:

The Debate Regarding its Disapproval on the Seventh Day

There are two views in that regard; both are conveyed from Imām Aḥmad.

Al-Khallāl narrates in Chapter on the child’s circumcision, from ‘Abdu’l-Mālik Ibn ‘Abdu’l-Hāmid that he asked Abū ‘Abdullāh about the age of circumcision, he said: ‘I don’t know. I heard nothing in that regard.’ He told him: ‘It is difficult to perform for the ten-year-old child, for it [the foreskin, presumably] becomes thick.’ He also added that his son, Muḥammad is five years old, and that he wishes to perform it then, and he felt that he [Aḥmad, also presumably] wished the same, and hated waiting till the age of ten, due to the thickening [of the foreskin] and the difficulty of removing it. He said: ‘I don’t think that it will be difficult for the youngster.’

⁵³³ The first and last pilgrimage of the Prophet (ﷺ).

He [‘Abdu’l-Mālik] adds: ‘I did not see him disapproving of performing it for the child who is a few months or a few years old, and he said nothing in that regard, but I found him wondering that it may hurt the youngster.’

‘Abdu’l-Mālik also said that he heard Aḥmad say: ‘Al-Ḥasan disapproved circumcising the child on his seventh day.’

Muḥammad ibn ‘Alī, the broker, narrates from Muhanna that he asked Abū ‘Abdullāh about a man who circumcised his child on his seventh day, he disapproved and said: ‘This is the Jewish tradition!’⁵³⁴

He also narrated that Aḥmad told him: ‘Al-Ḥasan disapproved that a man circumcises his child on his seventh day.’ I said: ‘Who narrated it from Al-Ḥasan.’ He said: ‘Some narrators from Baṣrah.’

He also narrated that Aḥmad conveyed that Sufyān Al-Thawrī asked Sufyān Ibn ‘Uyaynah: ‘When should the child be circumcised?’ Sufyān said: ‘At what age did Ibn ‘Umar circumcise his children?’ Aḥmad said: ‘How clever was Sufyān Ibn ‘Uyaynah!’ referring to his reply.

‘Uṣmah Ibn ‘Iṣām narrates from Ḥanbal that Abū ‘Abdullāh said: ‘If he got circumcised on the seventh day, it is alright. Al-Ḥasan only disapproved of it to avoid resemblance to the Jews, but it is not a problem.’⁵³⁵

Muḥammad Ibn ‘Alī narrates from Ṣāliḥ that he asked his

⁵³⁴ See *Masā’il al-Imām Aḥmad*, of Ṣāliḥ, 2/206

⁵³⁵ See *Ṭabāqāt Ibn Abi Ya’lā*, 3/309

father: 'Can the child be circumcised on his seventh day?' He said: 'It is narrated from Al-Ḥasan that he said that it is the Jews' tradition.'⁵³⁶

He added that Wahb Ibn Munabbih was asked about that and he said: 'It is desirable on the seventh day to be less painful for the child, because when the child is born, his body is numbed, and does not feel the pain. If he is not circumcised then, let him wait until he grows strong.'

Ibn Al-Mundhir⁵³⁷ said in *Stating the time of circumcision*, 'They have disagreed about the time of circumcision; one side disapproved circumcising on the seventh day. They include Al-Ḥasan Al-Baṣrī and Mālik Ibn Anas, in order to differ from the Jews.

Al-Thawrī said: 'It is dangerous [to perform at that age].'

Mālik said: 'The correct thing to do is to differ from the Jews. It is my view that it should be performed when the child's permanent teeth start to grow.'⁵³⁸

Aḥmad Ibn Ḥanbal said: 'I heard nothing in that regard.'

Al-Layth Ibn Sa'd said: 'Circumcision for the boy between the ages of seven and ten years.'

He also reported from Makhūl and others that Ibrāhīm (*'alayhis-salām*)—the intimate friend of the Most Merciful—circumcised his child Ishāq (*'alayhis-salām*) at the age of seven days, and his son Ismā'īl (*'alayhis-salām*) at the age of thirteen years. He also narrated

⁵³⁶ See *Masā'il al-Imām Ahmad*, of Ṣāliḥ, 2/206

⁵³⁷ See *Isbrāf*, 3/424

⁵³⁸ It could also be translated to "when the child's milk teeth fall."

from Abū Ja‘far that Fāṭimah (*radīy Allāhu ‘anbā*) used to circumcise her children on the seventh day after birth.⁵³⁹

Ibn Al-Mundhir added: ‘There is nothing confirmed in that regard, and the time of circumcision has neither a report to refer to nor a Sunnah to be followed. Everything is permitted by default, and cannot be prohibited except with evidence. However, we know not of any evidence to prohibit circumcising the child after seven days.’⁵⁴⁰

It is narrated in *Sunan* of Al-Bayhaqī from Zuhayr Ibn Muḥammad, from Muḥammad Ibn Al-Munkadir, that Jābir (*radīy Allāhu ‘anbu*) said: ‘The Messenger (ﷺ) performed *‘aḳīqah* on behalf of Al-Hasan and Al-Ḥusayn, and circumcised them when they were seven days old.’⁵⁴¹

It is also narrated there from Mūsā Ibn ‘Alī Ibn Rabāḥ, from his father that Ibrāhīm (*‘alayhis-salām*) circumcised Ishāq (*‘alayhis-salām*) when he was seven days old.⁵⁴²

Our Shaykh⁵⁴³ said: ‘Ibrāhīm (*‘alayhis-salām*) circumcised Ishāq (*‘alayhis-salām*) when he was seven days old, and circumcised Ismā‘īl (*‘alayhis-salām*) upon reaching puberty. Therefore, the circumcision of Ishāq (*‘alayhis-salām*) became a Sunnah for his descendants, and the circumcision of Ismā‘īl (*‘alayhis-salām*) became a Sunnah for his descendants.’ Allāh knows best.⁵⁴⁴

⁵³⁹ See *al-Isbrāf* of Ibn Al-Mundhir, 3/424

⁵⁴⁰ *Al-Isbrāf* of Ibn Al-Mundhir, 3/425; see *Tafsīr al-Qurtubī*, 2/99 and *Bayān* of Al-‘Umarānī, 1/95-96 and others

⁵⁴¹ Al-Bayhaqī in his *Sunan*, 8/324,

⁵⁴² *ibid*

⁵⁴³ Meaning Shaykh Al-Islām, Ibn Taymiyyah. See *Majmū‘ al-Fatāwa*, 21/113-114

⁵⁴⁴ It is not clear whether this last sentence was said by the author or Ibn Taymiyyah.

⁵⁴⁵ See *Tafsīr Ibn Abī Ḥātim*, 8/107 and 12/427, *Tafsīr al-Baghwī*, 1/157, *Tafsīr al-Qurtubī*,

Section Seven:
The Wisdom Behind Circumcision
and its Benefits

Circumcision is among the beautiful legislations ordained by Allāh [the Exalted] for His servants, with which He adorned their qualities, both hidden and apparent. It completes the pure nature on which He created them, that is why it is an integral part of the Hanifiyya, the religion of Ibrāhīm (*'alayhis-salām*).

The main objective behind circumcision is to complement *Hanifiyyah*. When Allāh the Exalted made a covenant with Ibrāhīm (*'alayhis-salām*), He promised to make him a leader for the people, a father for many nations, to make prophets and kings from his progeny, and to multiply his descendants. He told him that he made between him and his descendant the mark of that covenant to circumcise every newborn they have, and to have that covenant marked in their bodies. Circumcision is a mark for entering the religion of Ibrāhīm (*'alayhis-salām*), which conforms to one interpretation of the saying of Allāh [the Exalted]:

صِبْغَةَ اللَّهِ وَمَنْ أَحْسَنُ مِنَ اللَّهِ صِبْغَةً

“[Ours is] the religion of Allāh. And who is better than Allāh in [ordaining] religion?”

[*al-Baqarah* (2):138]

that it refers to circumcision.⁵⁴⁵

Circumcision for Ḥanifs is what is regarded as baptism and christening for the Worshippers of the Cross. They claim purify

2/145 and others.

⁵⁴⁶ Part of a lengthy ḥadīth in Bukhārī, 1/31 and Muslm 3/1393.

their children when baptizing them and say: 'Now he or she is a Christian.' Therefore, Allāh ordained for Hanifs the baptism of *Hanifiyyah*, and made circumcision as its mark, when he said:

صِبْغَةَ اللَّهِ وَمَنْ أَحْسَنُ مِنَ اللَّهِ صِبْغَةً

“[Ours is] the religion of Allāh. And who is better than Allāh in [ordaining] religion?”

[*al-Baqarab* (2):138]

Allāh [the Exalted] made traits a mark for the object to which they are attributed, like when people name their animals and livestock after their traits, so that the traits attributed to a person identify that person, and that this trait maybe passed down in one nation after another.

Allāh [the Exalted] made circumcision an identifier for the person who performs it as well as for his religion, and it is attributed to him as servitude and *Hanifiyyah* [to Allāh], so much so that when a man's religion is unknown, it may be revealed by the trait of circumcision. The Arabs were called *The Circumcision Nation*, which is why it was reported in the story of Heraclius that he said: 'I sense that the king of circumcision has appeared.' His companions told him: 'Do not worry, Jews get circumcised, so kill them.' Then, the messenger sent by the Messenger (ﷺ) arrived delivering his message, so Heraclius commanded to check whether he is circumcised, and he was found to be so. The messenger told him that the Arabs [too] get circumcised, and he said: 'This is the king of that nation.'⁵⁴⁶

When the battle of Ajnadayn took place between the Muslims and the Greeks, Hisham Ibn Al-'Āṣ said: 'O Muslims, these uncir-

⁵⁴⁷ *Tafsīr Jāmi' al-Bayān*, 3/117

cumcised people do not endure the sword.’ Therefore, he reminded them the mark of the Worshipers of the Cross,’ and made it a motive for the Hanifs to engage in fighting them and purifying the Earth of them.

To sum up: The religion of Allāh is the *Hanifiyyah*, which imbues the hearts with the knowledge, love, sincerity and worship of Him alone, without having a partner, and imbues the bodies with the traits of pure nature, such as circumcision, shaving the pubic hair, trimming the moustache, clipping the nails, plucking the armpit hair, gargling, rinsing the nose, using the siwak and washing the private parts. Thus, the *fitrah* of Allāh appears on the hearts and bodies of the Hanifs.

Muḥammad Ibn Jarīr⁵⁴⁷ said in the interpretation of Allāh’s saying:

صِبْغَةَ اللَّهِ

“[Ours is] the religion of Allāh.”⁵⁴⁸

‘It means the imbuelement of Islām, because when Christians want to christen their children, they put them in water, which they claim to be as sacred as circumcision is for Muslims, and that it imbues them with Christianity.’ Therefore, Allāh [the Exalted] said to his Prophet (ﷺ) when the Jews and Christians said:

وَقَالُوا كُونُوا هُودًا أَوْ نَصَارَى تَهْتَدُوا قُلْ بَلْ مِلَّةَ إِبْرَاهِيمَ
حَنِيفًا وَمَا كَانَ مِنَ الْمُشْرِكِينَ ﴿١٢٥﴾

“‘Be Jews or Christians [so] you will be guided.’ Say:

⁵⁴⁸ The phrase literally means “The imbuelement of Allāh”

⁵⁴⁹ See *Tafsir Mujāhid*, 1/89

“Rather, [we follow] the religion of Ibrāhīm, inclining toward truth, and he was not of the polytheists.”

Until He said:

صِبْغَةَ اللَّهِ وَمَنْ أَحْسَنُ مِنَ اللَّهِ صِبْغَةً وَنَحْنُ لَهُ
عَبِيدُونَ

“[And say: ‘Ours is] the religion of Allāh. And who is better than Allāh in [ordaining] religion? And we are worshippers of Him.”

[*al-Baqarab* (2):135-138]

Qatādah said: ‘The Jews imbue their children to be Jews, the Christians baptize their children to be Christians, and the imbue-ment of Allāh is Islām. Therefore, there is no other imbue-ment better or purer than that of Islām.’

Mujahid said: ‘The imbue-ment of Allāh means the *fitrah* of Allāh.’⁵⁴⁹

Others said that it means the religion of Allāh.⁵⁵⁰

This is in addition to what circumcision entails of purity, cleanliness, adornment, beautifying the body and regulating the sexual desire, which if became excessive, it makes humans the same as animals, and if it became nonexistent, it makes humans the same as inanimate objects, but circumcision regulates it. That is why you find the uncircumcised man or woman never to have enough of sexual intercourse.

⁵⁵⁰ See *Tafsīr al-Qurtubī*, 2/145 and others

⁵⁵¹ See *Al-Talkhīṣ al-Ḥabīr*, 4/83

Thus, a man is insulted and humiliated by being called ‘the son of the uncircumcised woman’—in reference to her lust. What adornment is better than removing what exceeded the limit of the foreskin, pubic hair, armpit hair, moustache and nails! Satan hides beneath all that, is acquainted with it, and lives therein. He even blows in the uncircumcised urethra and vagina what he does not in their circumcised counterparts, and he hides in the pubic hair and beneath the nails. The foreskin is uglier than the long nails and the extremely long pubes. Anyone with a common sense will never fail to see the ugliness of the foreskin, and the improvement, cleanliness and adornment of removing it. Therefore, when Allāh tried His friend (*ḵhalīl*), Ibrāhīm (*‘alayhis-salām*) with commands to remove these things, and he fulfilled them, he made him a leader for the people. In addition to all that, it causes grace and beauty of one’s face, and avoids the shame that appears thereon.

Ḥarb has reported in his *‘Masā’il*’ from Maymūnah, the wife of the Prophet (ﷺ), that she told the woman who used to perform circumcision, ‘When you perform circumcision, go high and do not cut severely, for it is more dignified for the woman and better for her husband.’⁵⁵¹

Abū Dāwūd narrated from Umm ‘Atiyyah (*radīy Allāhu ‘anhu*) that the Messenger (ﷺ) commanded a woman who used to perform circumcision and said: ‘If you perform circumcision, do not cut severely, for this is better for the woman, and more desirable for a husband.’⁵⁵²

This means that if the circumcising woman cut the foreskin severely, the woman’s sexual drive is weakened, and her desirability

⁵⁵² Abū Dāwūd, 13/658 and others

⁵⁵³ Hajar was the handmaid of Sarah, who gave her to Ibrāhīm (*‘alayhis-salām*), her

by her husband is also reduced. Alternatively, if she left it as it is, without removing anything, the drive increased. However, if she took a portion of it and left another, it will moderate the outlook and the sexual drive.

Moreover, it is not unlikely that removing this foreskin is a mark for servitude. You find cutting the edge of the ear, branding the forehead and so on in many slaves, as a mark of their slavery, so that if he/she escaped, they could be returned to their master. Why then could this circumcision not be a mark of the servitude of its doer to Allāh [the Exalted], so that people recognize whoever performs it, as a *Hanif* worshipper of Allāh, which makes circumcision a mark of this most honourable Sunnah, in addition to what it contains of purity, cleanliness, adornment and sexual drive regulation!

With regards to the wisdom behind circumcision for women, it was reported that when Hajar⁵⁵³ was given to Ibrāhīm (*'alayhis-salām*), he had intercourse with her, and she became pregnant with his child, so Sarah grew jealous, and swore to cut three of Hajar's limbs. Ibrāhīm (*'alayhis-salām*) feared that she might cut her nose and ears, so he commanded piercing her ears and circumcising her, which became a tradition for women afterwards.⁵⁵⁴

This is not unlikely, just like *al-Sa'īr*⁵⁵⁵ began when Hajar went back and forth between two mountains, to seek food for her child, and just like the throwing of stones in Pilgrimage began when Ismā'īl stoned Satan when he went with his father. Therefore, Allāh de-

husband, to bear a child.

⁵⁵⁴ See *Shu'ab al-Imān* of Bayhaqī, 15/138 and *al-Tamhīd* of Ibn 'Abdu'l-Barr, 21/59

⁵⁵⁵ Travelling back and forth between the mountains of *Al-Safa* and *Al-Marwab*, which is one of the rituals of Pilgrimage and *'Umrah*.

⁵⁵⁶ See *al-Misbāh al-Munir* of Fayawmī, 1/317

creed for his servants a reminder and revival of the Sunnah of his friend, an establishment for his remembrance, and an honour of his servitude. Allāh knows best.

Section Eight:

Clarifying the Depth of Circumcision

Abū'l-Barakāt said in his book *'Al-Ghāyah'*: In the male's circumcision, the foreskin is removed; it is also permitted to only remove the majority of it. As for the female's circumcision, it is desirable not to cut excessively, which was explicitly mentioned. It was reported that 'Umar said to the circumcising woman: 'When you perform circumcision, leave a portion of it.'

Al-Khallāl said in his *Jāmi'*, [Stating the removed portion in circumcision]: Muḥammad Ibn Al-Ḥusayn narrated from Al-Faḍl Ibn Ziyād that Aḥmad was asked: 'How much should be removed in circumcision?' He said: 'Until the glans appears.'

'Abdu'l-Mālik Al-Maymūnī also narrated that he asked: 'O Abū 'Abdullāh! I was asked about a problem: A circumciser circumcised a boy but did not remove the foreskin completely.' He said: 'If the circumcision exceeded halfway through the glans or higher, it is not deemed incomplete, because the glans gets thicker, and the thicker it gets, the higher the circumcision will be.' Then he added: 'If it is below the halfway, I would be reluctant [to accept it].' I told him: 'Redoing it is very difficult, and the circumciser may fear for the child.' He said: 'What would he fear? I believe it would be easy if the former circumcision was done lower than halfway through the glans.' He ['Abdu'l-Mālik] heard him say: 'In this case, circumcision must be easy.'

Ibn Al-Sabbāgh said in '*Al-Shāmil*': 'What is obligatory for the man is to remove the skin that lies on the glans, until it is revealed completely. As for the woman, she has two virginities: one is her hymen, and the other is the one that must be removed; it is like a cockscomb above the vagina, between the labia. When it is removed, its foundation remains like a nucleus.'⁵⁵⁶

Al-Juwaynī said in '*Nibāyat*': 'What must be removed for men is the foreskin, which is the skin that covers the glans. The purpose of that is for the glans to appear. If a portion of it remained on the penis that does not extend on the glans surface, it must be removed, in order for it not to remain dangling.'⁵⁵⁷

Ibn Kajj said: 'In my opinion, it is sufficient to remove a portion of the foreskin, even a little one, provided that its round head is included in the removal.'⁵⁵⁸

Al-Juwaynī said: 'What must be removed for women is what the name entails.' He added: 'The ḥadīths include that which indicates demerit. He (ﷺ) told a circumcising woman: "Go high and do not cut severely. This means to leave some length in it."⁵⁵⁹

Al-Mawardī said: 'The Sunnah is to completely remove the foreskin that covers the glans. The minimum acceptable is not to leave anything thereof covering the glans. As for the woman's foreskin, it is a piece of skin in the vagina above the penis' inlet and the urine's outlet, on a foundation like a nucleus. What should be removed is the upper piece of skin, without its foundation.'⁵⁶⁰

⁵⁵⁷ See *Nibāya al-Muṭṭalib* of Imām al-Harmayn al-Juwaynī, 17/354

⁵⁵⁸ See *al-Majmū'* of Al-Nawāwī, 1/165

⁵⁵⁹ See *Nibāya al-Muṭṭalib* of Imām al-Harmayn al-Juwaynī, 17/354

⁵⁶⁰ See *al-Hāwī al-Kabīr* of al-Māwardī, 13/433

⁵⁶¹ Al-Khallāl in his *Kitāb al-Tarajil*, p.86 no.#185 and Ibn Hānī in *al-Masā'il al-Imām*

It is clear now that there are three types of removal in circumcision: recommended, obligatory and insufficient. Allāh knows best.

Section Nine:

Its Inclusion of the Male and the Female

Ṣāliḥ Ibn Aḥmad was asked: 'What if a man had intercourse with his wife, but did not ejaculate?' He said: 'If the two circumcisions met, the bath becomes obligatory.' Aḥmad said: 'This proves that women got circumcised.'

He was also asked about a man who finds his wife, upon first having intercourse with her, not to be circumcised: 'Does she have to get circumcised?' He said: 'Circumcision is a Sunnah.'⁵⁶¹

Al-Khallāl narrates from Abū Bakr Al-Marrūdhī, 'Abdu'l-Karīm Ibn Al-Haytham and Yūssed Ibn Mūsā—the narrations of whom got mixed together—that Abū 'Abdullāh was asked about a woman having intercourse with her husband while she is not circumcised and whether she has to get circumcised, but he did not answer. Instead, he turned to Abū Ḥafṣ and said: 'Do you know something in this regard?' He said: 'No.' He was then told, 'She is in her thirties or forties' but he did not answer. He was told: 'What if she was able to get circumcised?' He said: 'It would be preferred [that she do it]'.⁵⁶²

He also narrates from Muḥammad Ibn Yaḥyā Al-Kahhal that he asked Abū 'Abdullāh: 'Should the woman get circumcised?' He said: 'There are reports in that regard.' Then he added: 'Look at

Aḥmad, 2/151.

⁵⁶² Al-Khallāl in his *Kitāb al-Tarajī*, p.86 no.#184

⁵⁶³ Al-Khallāl in his *Kitāb al-Tarajī*, p.86 no.#184; see *al-Mughnī* of Ibn Qudāmah, 1/115

the ḥadīth narrated from the Prophet (ﷺ) regarding when the two circumcisions meet, he did not say one; he said two.' Muḥammad asked: 'So, is it obligatory?' He said: 'The command is stronger for men, because if a man is not circumcised, this piece of skin keeps dangling over the glans, which corrupts the purity of such area. However, for women, it is less so.'⁵⁶³

I say: There is no debate over its desirability for women, while there is a debate over its obligation.⁵⁶⁴ There are two views reported from Aḥmad in that regard. One of them is that it is obligatory for men and women both, while the other is that it is only obligatory for men. The evidence of this latter view is the ḥadīth narrated by Shaddād Ibn Aus (*radīy Allāhu 'anhu*): "Circumcision is a Sunnah for men and a noble deed for women." Therefore, he (ﷺ) differentiated between men and women in this regard.

Another piece of evidence is that the command was directed to men, like when Allāh [the Exalted] commanded His friend (ﷺ), which he obeyed.

As for women's circumcision, it was because of Sarah's oath as mentioned.

Imām Aḥmad said: 'The women circumciser should not cut excessively, because 'Umar said to a female circumciser, "Leave something of it when you perform circumcision."⁵⁶⁵

Imām Aḥmad narrated on the authority of Umm 'Atīyyah

and *Hāshiyah al-Rawḍ al-Murabi'* of Ibn Qāsim, 1/160-161

⁵⁶⁴ See *al-Majmū'* of Al-Nawāwī, 1/164

⁵⁶⁵ Al-Khallāl in his *Kitāb al-Tarajil*, p.87 no.#185

⁵⁶⁶ Reference already cited

(*radīy Allāhu ‘anhu*) that the Messenger (ﷺ) commanded a female circumciser and said: “If you perform circumcision, do not cut severely, for this is better for the woman, and more desirable for a husband.”⁵⁶⁶

The wisdom behind circumcision, which we stated, is true both for men and for women, even if it is more so for men. Allāh knows best.

Section Ten:

Guidelines of the Circumciser’s Offense and Circumcision Contagion

Allāh [the Exalted] said:

مَا عَلَى الْمُحْسِنِينَ مِنْ سَبِيلٍ

“There is not upon the doers of good any cause [for blame].”

[*al-Tawbah* (9):91]

It is also narrated in *Al-Sunan* from ‘Amr Ibn Shu‘ayb, from his father, from his grandfather that the Prophet (ﷺ) said: ‘Whoever practices medicine, when he is not known for that, is liable.’⁵⁶⁷

As for the offense of the circumciser’s hand, it is his liability or the liability of his *‘Āqilah*.⁵⁶⁸ If it exceeded one third of the full *diyab*, it is the *‘Āqilah*’s responsibility, and if it is less, then it is paid from his own money.

⁵⁶⁷ Abū Dāwūd, 12/691 and others

⁵⁶⁸ *‘Āqilah* (literally male blood relation) are one’s male relatives, from his father’s side, who pay the *diyab* (blood money) with or instead of him.

⁵⁶⁹ See *al-Mughnī* of Ibn Qudāmah, 12/529

As for what is damaged by contagion, if the circumciser was not an expert in his field, and was not known to be skillful, he is liable, because it is contagion due to a procedure that he should not have been permitted to perform. It is treated like contagion due to a crime; scholars have agreed that contagion due to a crime is the criminal's liability.

However, they disagreed about the other types. Aḥmad and Mālik said: Contagion due to a permitted procedure does not entail liability, whether the procedure was for punishment or discipline, and whether or not it was decreed, such as the contagion due to fulfilling the benefit of marriage, removing a hymen, bloodletting, circumcision, incising an abscess, and the permitted cutting of a goiter by a skilled practitioner who was not excessive.⁵⁶⁹

Al-Shāfiʿī said: 'Contagion due to a decreed procedure, whether a punishment or retribution, does not entail liability. However, if it was not decreed, such as *ta'zīr*⁵⁷⁰ and discipline, it entails liability, because damage due to that is evidence for excessiveness and aggression.'⁵⁷¹

Abū Hanīfah said: 'Contagion due to an obligatory deed does not entail liability. However, contagion due to a decreed procedure entails liability, because it is only allowed on the condition of sound performance.'

However, the authentic Sunnah disagrees with that view. If the circumciser was an expert in his field, performed the newborn at

⁵⁷⁰ *Ta'zīr*: Punishment for offenses at the discretion of the judge or ruler of the state.

⁵⁷¹ See *Nihāya al-Muḥtalib* of Imām al-Ḥarmayn al-Juwaynī, 17/356 and *al-Ḥāwī al-Kabīr* of al-Māwardī, 13/434

⁵⁷² Al-Khallāl in his *Kitāb al-Tarajīl*, p.177, 179

the appropriate age for circumcision and carried it out well, he is not liable for the contagion, according to scholars' consensus, such as if the circumcised person got sick and died because of it.

In case he was permitted to perform it in a time of extreme hot or cold weather, or in a state of weakness that could pose a danger, if he [the circumcised one] was a sane adult, the circumciser is not liable, because the permission relieves him of the liability. However, if he was still young, the permission is not considered legally. If the guardian was the one to give permission, it is debatable whether it is the liability of the guardian or the circumciser.

There is no doubt that the guardian is an inciter, and the circumciser is the performer. The rule is to place the liability on the performer, because he can be referred to, unlike if it became impossible to place the liability on him.

These are the detailed views in the circumciser's offense and the contagion of his circumcision. Allāh knows best.

Section Eleven:

Provisions of the Uncircumcised-His Purity, Prayers, Sacrifice, Testimony and So On

Al-Khallāl narrates from Muḥammad Ibn Ismā'īl, from Wakīf narrated from Sālim Abū'l-'Alā' Al-Murādī, from 'Amr Ibn Ḥarām, from Jābir Ibn Zayd, that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: The uncircumcised person's prayer is not acceptable, and people should not eat from his sacrifice.⁵⁷³

⁵⁷³ Al-Khallāl in his *Kitāb al-Tarajil*, p.174

Wakī' said: 'If the uncircumcised person reached puberty without getting circumcised, his testimony is not acceptable.'

'Uṣmah Ibn 'Iṣām narrates from Ḥanbal, from Abū 'Abdullāh, from Muḥammad Ibn 'Ubayd, from Salim Al-Murādī, from 'Amr Ibn Ḥarām, from Jābir Ibn Zayd that Ibn 'Abbās (*radīy Allāhu 'anhumā*) said: 'People should not eat from the uncircumcised person's sacrifice.'⁵⁷³

Ḥanbal conveys that Abū 'Abdullāh said: 'I do not like it when the uncircumcised sacrifices.'

Ḥanbal narrates in another instance from Abū 'Amr Al-Ḥawdī, from Hammām, from Qatādah, that 'Ikrimah said: 'The uncircumcised person's sacrifice should not be eaten.'

He also said that Al-Ḥasan used to disagree with 'Ikrimah in that regard. 'Ikrimah was asked: 'Is his [the uncircumcised] pilgrimage accepted?' He said: 'No.'

Abū 'Abdullāh said: 'His sacrifice should not be eaten and his prayer and his pilgrimage are not accepted, until he purifies himself, which is considered a completion of his faith.'⁵⁷⁴

Ḥanbal narrated in another location from Abū 'Abdullāh said: 'The circumciser should not offer sacrifice, his sacrifice should not be eaten, and his prayer is not accepted.'⁵⁷⁵

'Abdullāh Ibn Aḥmad narrates from his father, from Ismā'īl Ibn Ibrāhīm, from Sa'īd Ibn Abū 'Arūbah, from Qatādah, from

⁵⁷⁴ Al-Khallāl in his *Kitāb al-Tarajil*, p.174

⁵⁷⁵ Al-Khallāl in his *Kitāb al-Tarajil*, p.178

⁵⁷⁶ Al-Khallāl in his *Kitāb al-Tarajil*, p.180

Jābir Ibn Zayd, that Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) said: ‘The uncircumcised person’s prayer is not accepted, his sacrifice should not be eaten, and his testimony is not accepted.’ Qatādah added: ‘Al-Ḥasan used to disagree with that.’⁵⁷⁶

Ishāq Ibn Mansūr conveys that he asked Abū ‘Abdullāh: ‘What about the uncircumcised person’s sacrifice?’ He said: ‘There is nothing wrong with [eating from] it.’

Abū Ṭālib said that he asked Abū ‘Abdullāh about the uncircumcised person’s sacrifice, and he said: ‘Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) is very adamant in disapproving eating from it.’⁵⁷⁷

Al-Faḍl Ibn Ziyād said that he asked Abū ‘Abdullāh about the uncircumcised person’s sacrifice, and he said: ‘It is narrated from Ibrāhīm, Al-Ḥasan and others that they did not see a problem in eating from it, except something narrated from Jābir Ibn Zayd from Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) that he disapproved it.’

Abū ‘Abdullāh said: ‘This is difficult for people. If a man embraced Islām at an old age where circumcision could be dangerous, can people not eat from his sacrifice?’⁵⁷⁸

Al-Khallāl conveys from Abū Al-Samḥ Aḥmad Ibn ‘Abdullāh Ibn Thābit that Aḥmad Ibn Ḥanbal was asked about the uncircumcised person’s sacrifice and the person asking mentioned the saying of Ibn ‘Abbās (*radīy Allāhu ‘anhumā*): ‘his sacrifice should not be eaten.’ Aḥmad said: ‘In my view, that is if the man grew up with Muslim parents, and reached puberty without getting circumcised. However, if an old man embraced Islām and was afraid to get

⁵⁷⁷ Al-Khallāl in his *Kitāb al-Tarajīl*, p.177

⁵⁷⁸ Al-Khallāl in his *Kitāb al-Tarajīl*, p.180

⁵⁷⁹ Al-Khallāl in his *Kitāb al-Tarajīl*, p.179

circumcised [at that age], he is permitted, in my view.’

Then, he [Al-Khallāl presumably] stated the story of the ‘Amir of Baṣrah, who circumcised men in the winter, which caused some of them to die.

Then he added that Aḥmad used to say: ‘If an old man embraced Islām and was afraid to get circumcised [at that age], he is excused, in my view.’⁵⁷⁹

Section Twelve: Removers of its Obligation

These are a number of things:

First: If a man was born without a foreskin, he does not need circumcision, for he was not given that which must be circumcised. This is the scholars’ consensus.⁵⁸⁰

Some of the later scholars said: ‘It is desirable to rub the razor against it, because it is what he can do of that which he was commanded to do.’⁵⁸¹ The Prophet (ﷺ) said: ‘When I command you to do anything, do it to the best of your capacity.’⁵⁸² The command was to do two things: to utilize the razor and to remove the foreskin. If removing became unnecessary, the utilization of the razor becomes desirable.⁵⁸³

⁵⁸⁰ See *al-Muqadimāt al-Mumabadāt* of Ibn Rushd, 3/447, *Al-Bayān* of al-‘Umrānī, 1/95-96 and *al-Majmū’* of Al-Nawāwī, 1/166.

⁵⁸¹ See *Al-Kāfi* of Ibn Qudāmah, 1/477, *Al-Insāf* of al-Mardāwī, 2/54-55, *Al-Muqadimāt al-Mumabadāt* of Ibn Rushd, 3/448 and *Fath al-Bari* of Ibn Ḥajr, 10/340

⁵⁸² Bukhārī, 13/251 and Muslim, 2/975

⁵⁸³ See *Taqrīr al-Qawā’id wa Tahrīr al-Fawā’id* of Ibn Rajab, 3/240

⁵⁸⁴ See *Kashāf al-Qanā’*, 1/181

The correct view is that this is undesirable.⁵⁸⁴ It does not bring one closer to Allāh, is not a form of worship, and the *Shari'ah* is far high above that, for it is a useless futility. The use of the razor is not an end in itself, but rather a means to perform the desirable deed; if the end lapses, the means has no meaning.

This view is similar to what some of them said, that whoever is naturally bald is recommended, during *hajj* and *'umrah*, to rub the razor against his scalp.⁵⁸⁵

And it is also similar to what some late scholars of the students of Aḥmad and others, that he who cannot read or perform *dhikr* at all, as well as the mute, should just merely move his lips [during prayers].

Imām Ibn Taymiyyah said: 'It is more likely that such thing [merely moving one's lips] would spoil the prayers, because it is a futility that contradicts submissiveness (*khushū'*), and an excessive unlawful act.'⁵⁸⁶

In conclusion, he who is born without a foreskin, the Arabs used to claim that whoever is born in a full-moon night, his foreskin shrinks, that is why they say, circumcised by the moon. However, this is not a regular happening, for many people are born in full-moon nights, but those born without foreskins are very rare. In addition, the foreskin is not entirely non-existent; the glans head appears to reveal the urine outlet, which necessitates removing it for the glans to fully appear. What removes the obligation for circumcision is for the glans to be fully apparent.

⁵⁸⁵ See *al-Mubda'* of Ibn Muflīh, 3/243 .

⁵⁸⁶ See his *Al-Fatāwa al-Kubrā*, 5/336

⁵⁸⁷ See *Al-Insāf* of al-Mardāwī, 1/124, *Al-Bayān* of al-'Umṛānī, 1/95-96, *al-Majmū'* of

My companion, Muḥammad Ibn 'Uthmān Al-Khlīlī, the ḥadīth narrator in Jerusalem, told me that he was born like that. Allāh knows best.

Sub-section One:

Second: If the newborn is too weak to endure it, where it is feared to cause damage to him, and that weakness is continuous with him, he is permitted to refrain from it. Circumcision is obligatory, and like other obligatory deeds, if a person is unable to perform it, he is exempted from doing so.⁵⁸⁷

Sub-section Two:

Third: If a man embraced Islām at an old age, and feared for his own health, he is exempted from doing so, according to the majority of scholars.⁵⁸⁸

Imām Aḥmad explicitly stated so as narrated by a group of his companions. He also quoted Al-Ḥasan when he said that a variety of people embraced Islām at the time of the Messenger (ﷺ), including Greeks, Abyssians and Persians, but he never checked them for circumcision.⁵⁸⁹

Sahnūn Ibn Sa'īd deviated from the majority's view, and did not

Al-Nawāwī, 1/166 and *al-Ḥāwī al-Kabīr* of al-Māwardī, 13/434.

⁵⁸⁸ See *Jāmi' Ahkām al-Sāgīr* of al-Asrūshānī, 1/212-213, *al-Muqadimāt al-Mumabadāt* of Ibn Rushd, 3/447, *Nihāya al-Muṭṭalīb* of Imām al-Harmayn al-Juwaynī, 17/365, *Al-Bayān* of al-'Umrānī, 1/95-96 and *al-Ḥāwī al-Kabīr* of al-Māwardī, 13/434, *al-Majmū'* of Al-Nawāwī, 1/166 and *Haashiyā al-Rawd al-Muraba'*, 1/159.

⁵⁸⁹ Reference already mentioned

⁵⁹⁰ See *al-Muqadimāt al-Mumabadāt* of Ibn Rushd, 3/447

exempt the old fearful man from performing it,⁵⁹⁰ which is one view in Aḥmad's school narrated by Ibn Tamīm and others.⁵⁹¹

Sub-section Three:

What should be understood from the views of our companions is that the obligation is removed only when damage is feared, which must prevent the performance itself, and not allow it, as explicitly stated in '*Sharḥ Al-Hidāyah*' when the author said: 'He is prohibited to perform it [in this condition].'⁵⁹²

This is similar to many other cases, such as taking a bath in cold water in case of extreme cold or sickness, fasting of the sick person, where it is feared to cause him harm, the pregnant woman and so on. All of these excuses prevent the performance of the act, and remove its obligation. Allāh knows best.

Sub-section Four:

Fourth: Death - circumcision of the dead is not obligatory, but is it recommended? The majority of scholars say that it is not, which is the view of the Four Imāms.⁵⁹³

Some of the latter scholars say that it is desirable, likening it to shaving the dead man's moustache and removing his armpit hair and pubic hair.

This disagrees with the tradition of the *ummah*, and is a corrupt analogy. Shaving the moustache, clipping nails and shaving the

⁵⁹⁰ See *Mukhtaṣar Ibn Tamīm fi Madhab al-Imām Aḥmad*, 1/37-138

⁵⁹¹ See *Al-Insāf* of al-Mardāwī, 1/124 and others

⁵⁹² See *Fath al-Qadīr* of Ibn al-Hamām, 1/451, *al-Majmū' Sharḥ al-Madhab* of al-Nawawī, 1/166 and *al-Mughnī* of Ibn Qudāmāh, 3/484.

⁵⁹³ Bukhārī, 11/376-377 and Muslim, 4/2194

pubic hair are to purify and to remove dirt and impurity from oneself.

As for circumcision, it is the removal of an organ, the purpose of which no longer exists after death, so there is no benefit from circumcision then. The Prophet (ﷺ) said that people are resurrected on the Day of Judgement with their foreskin, uncircumcised.⁵⁹⁴ Then, what is the benefit of cutting, after death, an organ that will return upon resurrection, and is a part of him in the next life?

Sub-section Five:

Being in the state of *ihram*⁵⁹⁵ does not prevent circumcision. This was stated by Imām Aḥmad when he was asked: ‘Can one who is in the state of *ihram* get circumcised?’ He said: ‘Yes.’

Therefore, he did not treat it like removing hair or clipping nails, whether in life or after death.

Section Thirteen:

The Circumcision of our Prophet (ﷺ)

There are a number of views⁵⁹⁶ in this regard:

First: That he was born circumcised.

Second: That Jibrīl circumcised him when he cut his chest open.

Third: That his grandfather, ‘Abdu’l-Muṭṭālib, circumcised

⁵⁹⁵ *Ihram*: a sacred state, which a Muslim must enter in order to perform *hajj* or *‘umrah*.

⁵⁹⁶ See *Zād al-Mu‘ad* of Ibn Qayyim, 1/81

him according to the Arabs' tradition in circumcising their children.

Here we will state the holders of these views and their evidence.

Those who said he was born circumcised cited some ḥadīths as evidence:

One of which, what Abū 'Umar Ibn 'Abdu'l-Barr narrated from 'Abdullāh Ibn 'Abbās (*radīy Allāhu 'anhumā*), from his father, Al-'Abbās Ibn 'Abdu'l-Muṭṭālib, who said: "The Messenger (ﷺ) was born circumcised and with his umbilical cord⁵⁹⁷ split. His grandfather, 'Abdu'l-Muṭṭālib, admired that and said: This grandson of mine will be of great stature."⁵⁹⁸

Ibn 'Abdu'l-Barr⁵⁹⁹ added: "The chain of narrators of this ḥadīth is not continuous. It has another chain of narrators that extends to 'Abdullāh Ibn 'Umar, but it is not authentic either."

I say, we narrated the ḥadīth of Ibn 'Umar (*radīy Allāhu 'anhumā*) through the following chain: Abū Na'īm narrated from Abū'l-Ḥasan Muḥammad Ibn Aḥmad Ibn Khālid Al-Khaṭīb, from Muḥammad Ibn Muḥammad Ibn Sulaymān, from 'Abdu'l-Raḥmān Ibn Ayyūb Al-Ḥimṣī, from Mūsā Ibn Abū Mūsā Al-Maqdisī, from Khālid Ibn Salamah, from Nafi', from Ibn 'Umar (*radīy Allāhu 'anhu*) that he said, "The Prophet (ﷺ) was born circumcised and

⁵⁹⁷ The original word here is "*al-sirrah*" which translates to "bellybutton". However, it can be inferred from context that the author actually means "umbilical cord"

⁵⁹⁸ See *Al-Tamḥīd* of Ibn 'Abdu'l-Barr, 23/140, Ibn 'Asākir in *Tārīkh Damasq*, 3/411, Ibn 'Adī in *al-Kamāl*, 2/155, al-Bayhaqī in *Dalā'il al-Nabuwā*, 1/114 and 'akīm in his *al-Mustadrik*, 2/602.

⁵⁹⁹ See *Al-Tamḥīd* of Ibn 'Abdu'l-Barr, 23/140

with his umbilical cord split.⁶⁰⁰

However, this Muḥammad Ibn Sulaymān is Al-Baghandī, who is deemed weak by ḥadīth scholars. Al-Dāraquṭnī said about him: 'He is known for fraudulent narration, conveying that which he had not heard, and he may have stolen the ḥadīth [from another narrator].'⁶⁰¹

They also include what Al-Khaṭīb narrated [through his chain] from Sufyān Ibn Muḥammad Al-Massīsī, from Hushaym, from Yūnus Ibn 'Ubayd, from Al-Ḥasan, from Anas Ibn Mālik (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: "It is a sign of my high rank in the sight of Allāh that I was born circumcised, and no one saw my private parts."⁶⁰²

Al-Khaṭīb said: 'No significant narrators narrated it except for Yunus from Hushaym. In addition, Sufyān Ibn Muḥammad Al-Massīsī was the exclusive narrator in his layer, when his ḥadīth is not acceptable.'⁶⁰³

Al-Khaṭīb conveys from Al-Azharī that Al-Dāraquṭnī was asked about Sufyān Ibn Muḥammad Al-Massīsī, and he conveys from Abū'l-Ṭayyib Al-Ṭabarī that Al-Dāraquṭnī said: 'There is an old man in Al-Massīsah called Sufyān Ibn Muḥammad Al-Farrazī, he was weak and bad in his narration of ḥadīths.'

Ṣāliḥ Ibn Muḥammad Al-Ḥāfiẓ said: 'Sufyān Ibn Muḥammad

⁶⁰⁰ Abū Nu'aym in his *Akhbār Aṣṣabān*, 1/156 and Ibn 'Asākir in *Tārīkh Damashq*, 3/414

⁶⁰¹ See *Tārīkh Baghdād* of Khaṭīb, 9/186, *Miẓān al-'Itidāl* of Dhahabī, 6/175 and *Lisān al-Miẓān* of Ibn Hajr, 3/173

⁶⁰² See *Tārīkh Baghdād* of Khaṭīb, 1/329, Ṭabarānī in his *al-Saghir*, 2/59 and his *al-Awsat*, #6327, Ibn 'Asākir in *Tārīkh Damashq*, 3/423 and others.

⁶⁰³ See *Tārīkh Baghdād* of Khaṭīb, 1/329

Al-Massīsi is not noteworthy.’

The same ḥadīth was narrated by Abū’l-Qāsim Ibn ‘Asākir through Al-Ḥasan Ibn ‘Arafah, from Hushaym, from Yūnus, from Al-Ḥasan, on the authority of Anas (*radīy Allāhu ‘anhu*), that the Messenger (ﷺ) said: “It is a sign of my high rank in the sight of Allāh that I was born circumcised, and no one saw my private parts.”⁶⁰⁶ However, in the chain of narrators up to Al-Ḥasan are a number of unknown narrators.

Abū’l-Qāsim Ibn ‘Asākir said: ‘Ibn Al-Jārūd stole it, and he is a liar, and he narrated it from Al-Ḥasan Ibn ‘Arafah.’⁶⁰⁷

Another piece of evidence cited by holders of this view is what Muḥammad Ibn ‘Alī Al-Tirmidhī⁶⁰⁸ stated in the miracles of the Prophet (ﷺ). He said: ‘Safīyah bint ‘Abdu’l-Muṭṭalib (*radīy Allāhu ‘anha*) said: ‘I wanted to know whether he was a boy or a girl, and I found him to be circumcised.’

This ḥadīth is not authentic, and has no known chain of narrators.

Abū’l-Qāsim ‘Umar Ibn Abū’l-Ḥasan Ibn Hibatullāh Ibn Abū Jaradah said in a book he wrote on the Prophet’s (ﷺ) circumcision, to refute a book that Muḥammad Ibn Ṭalḥah wrote where he decided that the Messenger (ﷺ) was born circumcised. He said: ‘This is Al-Ḥākim Muḥammad Al-Tirmidhī, he was not a scholar of ḥadīth, and has no knowledge of its ways and methods. It [his

⁶⁰⁴ See *Tārikh Baghdād* of Khaṭīb, 9/185

⁶⁰⁵ See *Tārikh Baghdād* of Khaṭīb, 9/186

⁶⁰⁶ Ibn ‘Asākir in *Tārikh Damashq*, 3/413

⁶⁰⁷ *ibid*

⁶⁰⁸ Not the same Tirmidhī as the scholar ḥadīth.

book] was filled with the ways of Ṣūfism and other sects, and claims of revealing mysterious matters and facts, until it deviated from the base of scholars, and he deserved slander and disparagement for it. He was opposed by the leading jurists and *Ṣūfis*, and they deemed him to have left the acceptable realm. They said that he put into the science of Sharī‘ah that which expels him from the community [of Muslims], and made him worthy of defamation. He filled his book with fabricated ḥadīths, added to it reports that were neither heard nor narrated [by known narrators], and justified therein hidden legal matters, whose meanings cannot be comprehended, with very weak justifications.’

For example, he stated in a book of his called ‘*Al-Ihtiyāt* (Precaution)’ that one should perform *suḥūd al-sahn*⁶⁰⁹ at the end of each prayer, even if no mistakes were committed therein.⁶¹⁰

This is not permitted, according to the scholars’ consensus, and is considered extremism and invention in the religion.

What he conveyed from Ṣafīyyah that she said, ‘I found him to be circumcised’ contradicts the other ḥadīth when he (ﷺ) said: ‘No one saw my private parts.’ Therefore, each ḥadīth in this regard contradicts the other, and neither is authentic. Even if he (ﷺ) was born circumcised, it is not something exclusive to him, because many people are born in no need of circumcision.

He [Abū’l-Qāsim ‘Umar] added: The genealogist, Abū’l-Qāsim Al-Zaydī stated that his father, the Judge, Abū Muḥammad Al-

⁶⁰⁹ Literally means “Prostration of forgetfulness”; it consists of two prostrations performed at the end of a prayer if the person committed an unintentional mistake in the performance of the prayer.

⁶¹⁰ See *Al-Ihtiyāt* of Ḥākīm al-Tirmidhī, pp.330-331

Hasan Ibn Muḥammad Ibn Al-Ḥasan Al-Zaydī, was born in no need of circumcision. That is why he was nicknamed ‘*Al-Mutabbār* (the Purified)’. He wrote, ‘Abū Muḥammad Al-Ḥasan was born purified and did not get circumcised, and he died in the same state.’ Jurists said that whoever is born like that is not circumcised, while some of them recommended rubbing the razor on the circumcision location without cutting anything; the public call this lunar circumcision, referring to the belief that human body growth increases in the full moon, and decreases in its incomplete phases, like the tide. Therefore, they attribute the lack of the foreskin to the incomplete moon.

He also added, it was narrated by Ṣayf Ibn Muḥammad, the nephew of Sufyān Al-Thawrī, from Hisham Ibn ‘Urwah, from his father on the authority of ‘A’ishah (*radīy Allāhu ‘anhā*) that the Prophet (ﷺ) said: ‘[I am] the son of a hunter, born circumcised and with a split umbilical cord.’⁶¹¹ Ṣayf’s narration is doubted.

It is said that Caesar, the Roman king, who was visited by Imru’ Al-Qays, was born without a foreskin, and Imru’ Al-Qays entered the bathroom upon him and found him like that, so he said satirizing him:

I have sworn a truthful oath
that you are uncircumcised, except what the moon reaped⁶¹²

Shaming him that he did not get circumcised, and considering his birth like that a defect. It is said that this verse is one of the reasons that incited Caesar to poison Imru’ Al-Qays which led to his death.

⁶¹¹ See Ibn ‘Adī in his *al-Kamāl*, 3/127

⁶¹² The poem of al-Imru’ Al-Qays in his *Diwān*, p.280

Ibn Al-A'rabī said, about who was born without a foreskin.⁶¹³

He is uncircumcised, except what the moon took away. He likened his foreskin to the scorpion's pedipalps. The Arabs did not consider the natural circumcision to be honourable, but saw virtue in the act of circumcision itself, and took pride in performing it.

He [Abū'l-Qāsim] said: 'Allāh has sent our Prophet (ﷺ), a genuine Arab, and granted him, exclusively, traits of perfection in his creation and genealogy. How can what he [Al-Tirmidhī] said: about being born circumcised, truly then be an exclusive trait of the Prophet (ﷺ)?'

It is said that circumcision is among the commands with which Allāh tried his friend, Ibrāhīm (*'alaybis-salām*), to fulfil.⁶¹⁴ The most severely tested people are the Prophets, then the next best, and the next best.

The Prophet (ﷺ) considered circumcision an act of pure nature. It is known that being tried and being patient multiplies the reward of the tried person. Therefore, it is more suitable for the Prophet (ﷺ) not to be deprived of such virtue, and to be honoured by Allāh just as He honoured Ibrāhīm, because the traits of the Prophet (ﷺ) are greater and higher than those of the other Prophets.

The circumcision by the angel, as narrated, is more entitled to be a trait of the Prophet (ﷺ). These are all the words of Ibn

⁶¹³ [TN]: The language of the verses is very ancient, and difficult to translate. Even the author had to explain them after stating them. Therefore, I will only translate his explanation.

⁶¹⁴ See *Tafsīr al-Tabarī*, 7/8 and *Tafsīr al-Baghwī*, 1/144

Al-‘Adīm.

When he said ‘circumcision by the angel’, he meant what is narrated through Al-Khaṭīb, from Abū Bakrah, that Jibrīl circumcised the Prophet (ﷺ) when he purified his heart.⁶¹⁵

Despite this being a ḥadīth mawqūf, whose chain of narration is not acceptable, Al-Khaṭīb said about it: ‘We were told by Abū’l-Qāsim ‘Abdu’l-Wāḥid Ibn Muḥammad Al-Baḡlī, from Ja‘far Ibn Muḥammad Ibn Nusayr, from Muḥammad Ibn ‘Abdullāh Ibn Sulaymān, from ‘Abdu’l-Raḥmān Ibn ‘Uyaynah Al-Baṣrī, from ‘Alī Ibn Muḥammad Al-Madā’inī, from Maslamah Ibn Muhārib Ibn Sulaym Ibn Ziyād, from his father, from Abū Bakrah. This chain of narrators is not strong enough to authenticate the ḥadīth.’

The story of the angel cutting the chest of the Prophet (ﷺ) was narrated from many paths with continuous chains of narration up until the Prophet (ﷺ), but none of which stated that Jibrīl circumcised him, except this ḥadīth. It is an irregular and strange ḥadīth.

Ibn Al-‘Adīm said: ‘Some reports stated that his grandfather, ‘Abdu’l-Muṭṭalib, circumcised him on his seventh day.’⁶¹⁶

He added: ‘Despite the weakness of these reports, they are closer to the truth, and more conceivable.’⁶¹⁷

Then he conveyed the following report through Ibn ‘Abdu’l-Barr: ‘Abū ‘Amr Aḥmad Ibn Muḥammad told us—as he was told

⁶¹⁵ See *Tārikh Baghdād* of Khaṭīb, 1/347, Tabarānī in his *al-Awsat*, #5817, Abū Nu‘aym in his *al-Dalā’il*, 1/193, Ibn ‘Asākir in *Tārikh Damashq*, 3/412 and others

⁶¹⁶ *Al-Tamhid* of Ibn ‘Abdu’l-Barr, 23/140 and others

⁶¹⁷ *ibid*

by Mannī—from Muḥammad Ibn ‘Isā, from Yahyā Ibn Ayyūb Ibn Zayd Al-Allaf, from Muḥammad Ibn Abū’l-Surri Al-Asqalānī, from Al-Walid Ibn Muslim, from Shu‘ayb Ibn Abū Hamzah, from ‘Atā’ Al-Khurasānī, from ‘Ikrimah, from Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) that ‘Abdu’l-Muṭṭalib circumcised the Prophet (ﷺ) on his seventh day, made a banquet on his behalf, and named him ‘Muḥammad’.

Yahyā Ibn Ayyūb said: ‘We only found this ḥadīth narrated by Ibn Abū’l-Surri, who is Muḥammad Ibn Al-Mutawakkil Ibn Abū’l-Surri.’ Allāh knows best.

Section Fourteen:

The Wisdom behind the Resurrection of People Uncircumcised

Allāh [the Exalted], who is true in His promise and never breaks it, promised to return the creation as He originated them the first time. Therefore, to fulfil His promise, He shall return the man to the state in which He created him, with his organs complete.

Allāh [the Exalted] said:

يَوْمَ نَطْوِي السَّمَاءَ كَطَيِّ السِّجِلِّ لِلْكُتُبِ كَمَا
بَدَأْنَا أَوَّلَ خَلْقٍ نَعْمِدُهُ وَعَدَّاعَلَيْنَا إِنَّا كُنَّا فَاعِلِينَ

“The Day when We will fold the heaven like the folding of a [written] sheet for the records. As We began the first creation, We will repeat it. [That is] a promise binding upon Us. Indeed, We will do it.”

[*al-Anbiyā’* (21):104]

He also said:

كَمَا بَدَأَكُمْ تَعُودُونَ ﴿٢٩﴾

“Just as He originated you, you will return [to life].”

[*al-A'raf* (7):29]

Moreover, circumcision was decreed in this life to complete one's purity, and remove the dirt of urine. However, people in Paradise do not urinate or defecate, so there is no impurity reaching the foreskin that need to be removed, nor does the foreskin block or reduce the pleasure of the intercourse. This is in case they were destined to continue in the state on which they were resurrected, for it is not necessary if they were resurrected uncircumcised to continue that way. People are resurrected barefoot, naked and speechless, then they are clothed, their creation extends and later increases. This is true both for the residents of Paradise and for the residents of Hell. Otherwise, upon rising from the grave, they are on the state on which they were in the worldly life as well on their traits, shapes and conditions. Every man is resurrected on the state upon which he died, and then Allāh [the Exalted] forms them as He wills.

Does this foreskin, which returned to them in the grave, remain or go?

Both are possible, and this cannot be decided without an authentic report. Allāh [the Exalted] knows best.

CHAPTER TEN

Piercing the Ears of Boys and Girls

As for the girl's ear, it may be pierced for adornment, as stated by Imām Aḥmad. He also stated disapproving doing it for the boy.⁶¹⁸

The difference is that the female needs adornment, so piercing her ear is in her interest, unlike the boy.

The Prophet (ﷺ) said to 'A'ishah in the ḥadīth of Umm Zara': 'I am for you as Abū Zara' was for Umm Zara' when she said, "He has suspended in my ears heavy ornaments."

In both Bukhārī and Muslim, when the Prophet (ﷺ) enticed women to donate for charity, women started giving their earrings as the ḥadīth says.⁶¹⁹

It is enough to prove its allowance for women the knowledge of Allāh and His Messenger (ﷺ) that people are wearing it and

⁶¹⁸ See *Al-Mustaw'ab* of al-Sāmīrī, 1/267, *al-Adāb al-Shar'iyah* of Ibn Mufliḥ, 3/356 and *Jāmi' Ahkām al-Sagḥār* of al-Asrūshānī, 1/215

⁶¹⁹ Part of a from Bukhārī, 9/435 and Muslim, 4/1896

their silent approval of it. Had it been prohibited, the Qur'ān or the Sunnah would have stated so.

If someone claims that Allāh [the Exalted] spoke about His enemy, Iblis, when he said:

وَلَا مَرْتَهُمْ فَلْيَبْتَئِكُنَّ آذَانَ الْأَنْعَامِ

“and I will command them so they will slit the ears of cattle”

[*al-Nisā'* (4:119)]

which proves that cutting, slitting and piercing the ear is of Satan's doing, since piercing is a form of cutting, so it follows the provisions of slitting the ears of cattle.

The response is this is a most corrupt analogy, because it was Satan who commanded them, when a she-camel gives birth to five camels, and the sixth turns out to be a male, to slit the she-camel's ear, prohibit riding and benefiting from her, forbid driving her away from water or pasture, and call her 'Bahirah.' Satan gave them such decree of his own.

How can that be likened to piercing the ear of the girl to put the ornament with which Allāh allowed her to be adorned?

As for piercing the boy's ear, there is no benefit therein, so an organ of his is cut without any religious or worldly benefit, which is not permitted.

One of the strangest reports narrated in this regard is what Al-Khaṭīb conveyed in his history book, from Al-Ḥasan Ibn 'Alī Al-Jawharī, from Muḥammad Ibn Al-'Abbās Al-Khazzāz, from

Abū ‘Amr ‘Uthmān Ibn Ja‘far, known as Ibn Al-Labban, that Abū Al-Husayn Ibn ‘Alī Ibn Ishāq Ibn Rahwayh said: ‘My father was born with his ears pierced. So, my grandfather,⁶²⁰ Rahwayh, went to Al-Faḍl Ibn Mūsā Al-Sinānī and asked him about that and said, “My child was born with his ears pierced.” He said: “Your son will be a leader, either in goodness or in evil.”⁶²¹

It is as if Al-Faḍl Ibn Mūsā —and Allāh knows best—foresaw that when he was unique among all newborns with this trait, that he will be a unique leader, either in a religious or a worldly fashion.

He (Alī Ibn Ishāq may Allāh have mercy on his soul) was the leader of his time in knowledge, ḥadīth, Qur’ān interpretation, Sunnah, dignity, commanding right and forbidding wrong, breaking the Jahmis and people of innovation in Khorasan, and he was the one who spread the Sunnah in Khorasan. He had a number of praiseworthy situations in the Sultan’s presence, where Allāh gave him victory over his enemies and disgraced them, until the Sultan and those who were present marveled, so much so that Muḥammad Ibn Aslam Al-Tūsī said: ‘Had Al-Thawrī been alive, he would have needed Ishāq.’ Aḥmad Ibn Sa‘īd Al-Ribātī was told about that, and he said: ‘By Allāh, had Al-Thawrī, Ibn ‘Uyaynah and Al-Ḥammadān alive, they would have needed Ishāq.’ Muḥammad Ibn ‘Alī Al-Ṣaffār was told about that and he said: ‘By Allāh, had Al-Ḥasan Al-Baṣṭrī been alive, he would have needed Ishāq in many things.’⁶²²

⁶²⁰ Previously, when he said ‘my father’, he was actually referring to his grandfather, and here, he is referring to his great grandfather.

⁶²¹ See *Tārikh Baghdād* of Khaṭīb al-Baghdādī, 6/347

⁶²² *Tārikh Baghdād* of Khaṭīb al-Baghdādī, 6/349; see *Sirah A‘lam al-Nubalā’* of Dhahabī, 11/371

Imām Aḥmad used to call him ‘Amir Al-Mu‘minin’. We will state that along with other similar stories in a book that we will dedicate to his virtues, Allāh willing.

We will state a strange story that indicates how he was the leader of his people. Al-Ḥakīm Abū ‘Abdullāh narrated in ‘*The History of Nishapur*’ from Abū Muḥammad Ibn Ziyād, from Abū'l-‘Abbās Al-Azhari, from ‘Alī Ibn Salamah, that Ishāq was in the council of ‘Abdullāh Ibn Ṭāhir with Ibrāhīm Ibn Abū Ṣāliḥ. ‘Abdullāh asked Ishāq about a problem, and Ishāq said: ‘The Sunnah here is such and such, but Al-Nu‘mān and his followers disagree with that view.’

Ibrāhīm said: ‘Al-Nu‘mān did not disagree with that.’

Ishāq said: ‘I memorised it from your grandfather’s book, me and him in one book.’

Ibrāhīm told the leader: ‘May Allāh bless you! Ishāq told lies upon my grandfather.’

Ishāq said: ‘The leader should send for the such-and-such volume of the book *Al-Jāmi*’ and bring it.’ The book was brought, and the leader started going through its pages.

Ishāq said: ‘Count from the beginning of the book twenty one pages, then count nine lines’ which he did, and found the problem just as Ishāq said.

‘Abdullāh Ibn Ṭāhir said: ‘One is not surprised at your strong memorisation, but one marvels at this demonstration.’

Ishāq said: '[I do it] for a day like this, so that Allāh would disgrace, at my hands, an enemy of the Sunnah such as this.'⁶²³

'Abdullāh Ibn Ṭāhir said: 'I was told that you memorise one hundred thousand ḥadīths!' He said: 'One hundred thousand; I do not know how many they are, but I never heard anything except memorised it, and I never memorised something and forgot it.'⁶²⁴

The moral behind the story is the true foresight of Al-Faḍl Ibn Mūsā about him and that he was a leader in goodness.

Allāh knows best.

⁶²³ See *Tārīkh Baghdād* of Khaṭīb al-Baghdādī, 6/353-354

⁶²⁴ See *Tārīkh Baghdād* of Khaṭīb al-Baghdādī, 6/354

CHAPTER ELEVEN

Guidelines Over of the Young Boy and Girl's Urine before they Start Eating⁶²⁵

It was stated in the *Ṣaḥīḥayn*,⁶²⁶ the *Sunan*,⁶²⁷ the *Musānid*,⁶²⁸ from Umm Qays bint Miḥṣan, that she brought her baby boy, who was still breastfeeding, to the Messenger (ﷺ), and he urinated on the Messenger's (ﷺ) dress, so he asked for water, spilled it on the dress and did not wash it.⁶²⁹

Ali Ibn Abū Ṭālib (*radīy Allāhu 'anhu*) narrates that the Prophet (ﷺ) said: 'The urine of the baby boy should be sprinkled with water, while the urine of the baby girl should be washed off.' Qatādah said: 'That is until they start eating, after that; both of them must be washed off.'

This ḥadīth is narrated by Imām Aḥmad and Al-Tirmidhī, who

⁶²⁵ Meaning while they are still breastfeeding.

⁶²⁶ Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim.

⁶²⁷ Sunan Abū Dāwūd, Sunan Al-Tirmidhī, Sunan Al-Nasa'ī, Sunan Ibn Mājah.

⁶²⁸ The most famous of which is Aḥmad in his *Musnad*.

⁶²⁹ Bukhārī, 1/326, Muslim, 1/238, Abū Dāwūd, #374, Tirmidhī, #71, Nasā'ī, #1.57, Ibn Mājah, #524, Imām Aḥmad in his *Musnad*, 6/355, Darami, #741, Bayhaqī, 2/414, Ibn Khuzaymah, #285, Ibn Ḥibbān, #1373, Ḥākim in his *Mustadrak*, 1/165 and others.

said it is ḥasan ḥadīth.’ It was deemed authentic by Al-Ḥākīm, who said: ‘It conforms with the conditions of authenticity set by Al-Bukhārī and Muslim.’⁶³⁰

‘A’ishah (*radīy Allāhu ‘anhā*) said: ‘A boy was brought to the Prophet (ﷺ) to do *tahnik* for him, but the boy urinated on him, where upon the Prophet had water poured on the place of urine.’ In the version narrated by Muslim, it adds: ‘And he did not wash it off.’⁶³¹

Umm Karz Al-Khuzā’iyah said: ‘A boy was brought to the Prophet (ﷺ), but the boy urinated on him, whereupon the Prophet had water poured on the place of urine, and a girl was brought to the Prophet (ﷺ), but she urinated on him, whereupon the Prophet had the place of urine washed off.’ It is narrated by Imām Aḥmad.⁶³²

It is narrated in Sunan Ibn Mājah from ‘Amr Ibn Shu‘ayb, from Umm Karz (*radīy Allāhu ‘anhu*), that the Prophet (ﷺ) said: ‘The urine of a boy should be sprinkled over and the urine of a girl should be washed.’⁶³³

Umm Al-Faḍl Lubābah bint Al-Ḥārith said that Al-Ḥusayn Ibn ‘Alī was [sitting] in the lap of the Messenger of Allāh (ﷺ) and passed water on him. She said: ‘Give me your wrapper and wear another so that I can wash it.’ He said: ‘The urine of a male child should be sprinkled over and the urine of a female child should be washed [thoroughly].’ It is narrated by Imām Aḥmad and Abū

⁶³⁰ Imām Aḥmad in his *Musnad*, 1/76, Abū Dāwūd, 2/608, Tirmidhī, 2/509, Ibn Mājah, 1/174, Ibn Khuzaymah, #284 and others.

⁶³¹ Bukhārī, 1/325 and Muslim, 1/237

⁶³² Imām Aḥmad in his *Musnad*, 6/422 and #464, Ṭabarānī in his *al-Awsaṭ*, #828 and others.

⁶³³ Ibn Mājah, 1/175

Dāwūd, and Al-Ḥākim said: 'It is authentic.'⁶³⁴

It is also narrated in *Ṣaḥīḥ Al-Ḥākim*, from 'Abdu'l-Raḥmān Ibn Maḥdī, from Yaḥyā Ibn Al-Walīd, from Muḥill Ibn Khalīfah, that Abū'l-Samḥ said: 'I was the servant of the Prophet (ﷺ). Al-Ḥasan and Al-Ḥusayn were brought to him, and they urinated on his chest, so people wanted to wash it and he said, "Sprinkle it [with water], for the urine of a female child should be washed and the urine of a male child should be sprinkled over." Al-Ḥākim said: 'It is authentic, and it is narrated by authors of the Sunan.'⁶³⁵

The majority of ḥadīth scholars and jurists conform with these ḥadīths, so much so that Dāwūd deduced from them the purity of the baby boy's urine. He said: 'That is because the ḥadīth stated sprinkling it with water without washing it, and sprinkling does not remove it.'⁶³⁶

Jurists of 'Irāq say: 'Nothing short of washing is sufficient for either of them.' This is the view of Al-Nakh'ī, Al-Thawrī, Abū Ḥanīfah and his followers, due to the general ḥadīths about washing off urine, and by analogy to the rest of impurities, and by analogy to the baby girl's urine.'⁶³⁷

However, the Sunnah has explicitly differentiated between the

⁶³⁴ Imām Aḥmad in his *Musnad*, 6/339, Abū Dāwūd, 2/604, Ibn Khuzaymah, #284, Abū Ya'la, #7074, Bayḥaqī in his *Sunan*, 2/414 and Baghwī in his *Sbarḥ al-Sunnah*, #295.

⁶³⁵ Ḥākim in his *al-Mustadrak*, 1/166 and he said the chain is ṣaḥīḥ and Dhahabī agreed with him. Abū Dāwūd, 2/606-607, Nasā'ī, 1/158, Ibn Mājah, 1/174 and Ibn Khuzaymah authenticated it, #283 and Dāraquṭnī narrated it in his *Sunan*, 1/13

⁶³⁶ See *al-Maballā* of Ibn Ḥazm, 1/100-102, *Al-Awsaṭ* of Ibn al-Mundhir, 2/142 and *Mukhtaṣar Iktūlāf al-'Ulamā'* of al-Jasās, 1/126-128.

⁶³⁷ See *Al-Awsaṭ* of Ibn al-Mundhir, 2/142, *Al-Mughnī* of Ibn Qudāmah, 2/495 and it is the saying if Imām Mālik in *al-Maduwana*, 1/4

two urines, so it is wrong to equate that which the Sunnah has explicitly differentiated.

Another group, including Al-Awza'ī and Mālik—as Al-Walīd Ibn Muslim narrates from him, said: “The urine of the baby boy and girl is sprinkled with water to avoid inconvenience, due to the difficulty of caring for them and carrying them both.”⁶³⁸

This view is parallel to that which says ‘both must be washed.’ The correct view is differentiation, as evidenced by the authentic Sunnah.⁶³⁹

Abū'l-Barakat, Ibn Taymiyyah said: ‘differentiation between the two urines is the consensus of the Companions. It was narrated by Abū Dāwūd from ‘Alī Ibn Abū Ṭālib, and narrated by Sa‘īd Ibn Maṣūf from Umm Salamah. Ishāq Ibn Rahwayh said, “The Sunnah of the Prophet (ﷺ) is to sprinkle the urine of the boy who is still breastfeeding, and to wash the urine of the girl whether or not she is still breastfeeding and this was the view of the scholars from the Companions and their followers. It was not heard from the Prophet (ﷺ) or from those who came after him, until the time of the Followers, that anyone equated the urine of the boy and the girl.”

Qiyas that contradicts the Sunnah is unacceptable.

The boy and the girl are differentiated by a number of factors:

First: The boy’s urine disperses and scatters here and there, so it is difficult to wash off, while the girl’s urine falls in one location, so it is not difficult to wash off.

⁶³⁸ See *al-Mahallā* of Ibn Hazm, 1/102, and *Mukhtaṣar Ikhṭilāf al-‘Ulamā’* of al-Jaṣāṣ, 1/126.

⁶³⁹ See *Al-Awsaṭ* of bn al-Mundhir, 2/144 and *Fath al-‘Azīz* of al-Rāfi‘ī, 1/64-66

Second: The baby girl's urine is filthier than that of the baby boy, because the temperature of the male's private parts are higher, and they help ripen the urine and alleviate its smell.

Third: The baby boy is more frequently carried than the baby girl, due to the hearts' attachment to him, as the observation suggests.

If these differences do not turn out to be true, we trust in the Sunnah's differentiation.

Some of our companions said: 'Sprinkling here means to drown it in water, even if it [urine] was not removed.'⁶⁴⁰

However, this is not necessary. As the terms suggests, merely sprinkling is enough, so that water exceeds the urine in quantity.

The guideline for sprinkling [water] is not suspended by getting the baby boy to lick honey, syrup, dates and whatnot, in order not to paralyze the permission, for this takes place with almost every baby boy. In addition, it was the tradition of the Prophet (ﷺ), to do tahnik to babies with dates upon their birth. The sprinkling provision is suspended if the boy ate food and desired it for nutrition.

Allāh knows best.

⁶⁴⁰ See *al-Mughni* of Ibn Qudāmah, 2/495 and others

CHAPTER TWELVE

Guidelines Over the Infant's Saliva and Spittle

This matter is very widespread. The Lawgiver⁶⁴¹ knew that the infant vomits frequently, his mouth cannot be washed, and his saliva and spittle keeps falling on whoever is carrying him and caring for him. Yet, the Lawgiver did not command washing that off the clothes, prevent praying in them, or command watching out for the child's saliva.⁶⁴²

A group of jurists said: 'This is considered an impurity of which people are exempted due to difficulty and need, similar to the mud on the streets, impurity that remains after stone-purification and the impurity that remains on the bottom of the shoes after rubbing them against the ground.'

Our Shaykh and others of our companions⁶⁴³ said: 'No! The child's saliva is deemed to purify his mouth for the need,⁶⁴⁴ just as

⁶⁴¹ Allāh [the Almighty].

⁶⁴² See *al-Mughni* of Ibn Qudāmah, 1/113

⁶⁴³ See Ibn Taymiyyah in his *Majmū' al-Fatāwa*, 21/474

⁶⁴⁴ It means that it does not fully purify it, but is considered so because of the difficulty posed otherwise.

the cat's saliva purifies its mouth. The Prophet (ﷺ) has informed us that it (the cat's saliva) is not impure, despite knowing that it feeds on mice and what not. Abū Qatādah understood from that the purity of its mouth and saliva, that is why he (ﷺ) tilted the bowl for it to drink.⁶⁴⁵

'A'ishah (*radīy Allāhu 'anhā*) said that the Prophet (ﷺ) used to tilt the bowl for the cat to drink,⁶⁴⁶ and then perform ablution with the remaining water. The probability that its saliva would come into plenty of water, above two jarfuls,⁶⁴⁷ in Madīnah is very remote. Even if it came into a mass of water, it would not have counted due to the impurity of its mouth but for its purification by the saliva. Therefore, saliva is deemed to purify the cat's mouth, and the infant's mouth for the need. Furthermore, it is more entitled as a purifier than the stone in stone-purification, or the dust on the bottom of the shoe and the barefoot, according to one view of Aḥmad and Mālik schools. It is also more entitled than the sun, the wind, vinegar and other fluids in some views, or than wiping the sword, the mirror, the knife and other polished surfaces with a piece of cloth. The Companions used to wipe their swords without washing them, and used to pray while wearing them. If swords were washed, they would rust and become useless.⁶⁴⁸ The Prophet (ﷺ) looked at the swords of the two sons of 'Afrā', and deducted from the traces on them that they participated in the killing of Abū Jahl (may Allāh curse him), but he did not order them to wash their swords, when he knew that they pray while wearing them.⁶⁴⁹ Allāh knows best.

⁶⁴⁵ Imām Mālik in his *al-Muwatta'*, 1/24 and others

⁶⁴⁶ Reference already mentioned

⁶⁴⁷ If water was contaminated with impurity that did not change its color, taste or smell, and the water was two jarfuls or more, then it is still considered pure.

⁶⁴⁸ See *Al-Awsat* of Ibn al-Mundhir, 2/167 and *Majma' L-Anhar Sharḥ Multaqa al-Abḥar* of Shaikh Dāmād, 1/59

⁶⁴⁹ Bukhārī, 6/246 and Muslim, #1752

CHAPTER THIRTEEN

The Authorisation to Carry Children in Prayers even if the Purity of their Clothes is Unknown

It was stated in both Bukhārī and Muslim, on the authority of Abū Qatādah (*radīy Allāhu ‘anhu*), that the Messenger (ﷺ) used to pray while carrying Umāmah, his granddaughter from his daughter Zaynab, and the daughter of Abū'l-‘Āṣ Ibn Al-Rabī‘ (*radīy Allāhu ‘anhu*). He carried her as he stood up, and put her down as he prostrated.⁶⁵⁰

In Muslim’s version, it says: ‘He carried her on his neck’⁶⁵¹ In Abū Dāwūd’s version, the narrator says: ‘While we were waiting the Messenger (ﷺ) in *zuhr* or *‘aṣr*,⁶⁵² after Bilal called him for prayers, he came outside to us, while Umāmah bint Abū'l-‘Āṣ, his granddaughter, was on his neck. He stood in his Mihrāb, and we stood behind him, while she was still in her place. He began praying, and we followed. When he (ﷺ) wanted to bow down, he placed her

⁶⁵⁰ Bukhārī, 1/590 and Muslim, 1/385

⁶⁵¹ *ibid*

⁶⁵² Noon and dusk prayers, respectively.

on the ground, then bowed and prostrated, and after he finished prostration and stood up, he picked her up and returned her to where she was. The Messenger (ﷺ) kept doing that in each *rak'ah* until he finished his prayers.⁶⁵³

This explicitly states that this took place in an obligatory prayer, it refutes people of obsession, it proves that occasional acts in the prayer do not nullify it, if they were necessary, it includes being merciful to children, it teaches modesty and good manners, and it proves that holding the young girl does not nullify one's purity.⁶⁵⁴

⁶⁵³ Abū Dāwūd, 4/404-405

⁶⁵⁴ See *al-Mughni* of Ibn Qudāmah, 1/112-113 and *Fath al-Bari* of Ibn Ḥajr, 1/590-591

CHAPTER FOURTEEN

Desirability of Kissing Children

In both Bukhārī and Muslim, on the authority of Abū Hurayrah (*radīy Allāhu ‘anhū*): “The Prophet (ﷺ) kissed his grandson, Al-Ḥasan Ibn ‘Alī in the presence of Al-Aqrā’ Ibn Hābis al-Tamīmī. Thereupon he remarked, “I have ten children and I have never kissed any one of them.” The Messenger (ﷺ) looked at him and said, “He who does not show mercy to others will not be shown mercy.”⁶⁵⁵

Also both Bukhārī and Muslim, on the authority ‘A’ishah (*radīy Allāhu ‘anhā*), that she said: ‘Some Bedouin people came to the Prophet (ﷺ) and said, “Do you kiss your children?” He said: “Yes.” They said: “But we, by Allāh, never kiss [our children].” The Prophet (ﷺ) said: “What can I do if Allāh has deprived your hearts of mercy?”⁶⁵⁶

In *Musnad Ahmad* on the authority of Umm Salāmah (*radīy Allāhu ‘anhā*), she said: ‘While the Messenger (ﷺ) was in my house one day, the servant said that Fāṭimah and ‘Alī (*radīy Allāhu ‘anhumā*) are at the door. He told me, “Make way for my family,” so I went to

⁶⁵⁵ Bukhārī, 10/426 and Muslim, 4/1809

⁶⁵⁶ Bukhārī, 10/426 and Muslim, 4/1808

another side of the house. 'Alī and Fāṭimah entered with Al-Ḥasan and Al-Ḥusayn, while they were young boys. He took the boys, sat them on his lap and kissed them. He then embraced 'Alī with one arm and Fāṭimah with the other, kissed them both, threw a black piece of cloth over them and said, "O Allāh, [bring us] to You, and save us from Hell, me and my family." I said, 'What about me, O Allāh's Messenger?' He said, "And you as well."⁶⁵⁷ In another version, he said, 'You are destined for good.'⁶⁵⁸

⁶⁵⁷ Imām Aḥmad in his *Musnad*, 6/296, Ibn Ḥibbān, #6936, Ibn Abī Shaybah, 12/73

⁶⁵⁸ Imām Aḥmad in his *Musnad*, 6/292, with a ṣaḥīḥ chain; see the author's [Ibn Qayyim] *Ighātha al-Lahafān*, 1/102, 107

CHAPTER FIFTEEN

The Obligation of Disciplining, Educating and Fairly Treating Children

Allāh [the Exalted] said:

يَا أَيُّهَا الَّذِينَ آمَنُوا قُوا أَنْفُسَكُمْ وَأَهْلِيكُمْ
نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ

“O you who have believed! Protect yourselves and your families from a Fire whose fuel is people and stones.”

[*al-Tabrīm* (66):6]

‘Alī (*radīy Allāhu ‘anhu*) said: ‘[It means] to teach and discipline them.’⁶⁵⁹ While Al-Ḥasan said: ‘[It means] to command them to obey Allāh and teach them goodness.’⁶⁶⁰

It is narrated in the *Musnad* and *Sunan* Abū Dāwūd, from ‘Amr Ibn Shu‘ayb, from his father, from his grandfather, that the Mes-

⁶⁵⁹ Ṭabarī, 23/492, Bayhaqī in his *Shu‘ab al-Imān*, 15/144, al-Baghwī in *al-Tafsīr*, 8/169 and Al-Asam‘ānī in *Adab al-Imlā’ wa’l-Istimalā’*, p.2

⁶⁶⁰ Ṭabarī, 23/491-492, ‘Abdu’l-Razzāq, 3/49, al-Baghwī in *al-Tafsīr*, 8/169 and Bayhaqī in his *Shu‘ab al-Imān*, 15/144

senger (ﷺ) said: ‘Command your children to pray when they become seven years old, and discipline them for it [prayer] when they become ten years old; and arrange their beds [to sleep] separately.’⁶⁶¹

This ḥadīth contains three points: commanding children to pray, discipline them for [not performing] it at the age of ten, and separating their beds.

Al-Ḥākim narrated from Abū'l-Naḍr Al-Faqīh, from Muḥammad Ibn Mahmūwiyah, from his father, from Al-Naḍr Ibn Muḥammad, from Al-Thawrī, from Ibrāhīm Ibn Muḥājir, from 'Ikrimah, on the authority of Ibn 'Abbās (*raḍiy Allāhu 'anhumā*), that the Prophet (ﷺ) said: ‘Make the first thing your children hear [upon birth] “*lā ilaha illAllāh* (There is no deity [worthy of worship] except Allāh),” and inspire them upon death “*lā ilaha illAllāh* (There is no deity [worthy of worship] except Allāh).”⁶⁶²

It is narrated in *Tārikh Al-Bukhārī*, from Bishr Ibn Yūsuf, from 'Āmir Ibn Abū 'Āmir, from Ayyūb Ibn Mūsā Al-Qurashī, from his father, from his grandfather, that the Prophet (ﷺ) said: ‘There is no gift that a father gives his son more virtuous than good manners.’ Al-Bukhārī said: ‘His grandfather is not proven to have heard from the Prophet (ﷺ).’⁶⁶³

In *Muḥjam Al-Ṭabarānī*, it is narrated from Sammāk, on the authority of Jābir Ibn Samurah (*raḍiy Allāhu 'anhu*), that the Messenger (

⁶⁶¹ Imām Aḥmad in his *Musnad*, 2/180 and its chain is ḥasan; Abū Dāwūd, 1/270, Tirmidhī, 2/245 and he said the ḥadīth is ḥasan ṣaḥīḥ.

⁶⁶² Ḥākim in his *Tārikh Nasābūrī* like what is mentioned in *Jam' al-Jawāmi'* of al-Suyutī, 1/126, Bayhaqī in his *Shu'ab al-Imān*, 6/397 and others

⁶⁶³ See *Al-Tārikh al-Kabīr* of Imām Al-Bukhārī, 1/422, Tirmidhī, 4/338 and said that this ḥadīth is gharīb. Also see *Majma' al-Zawā'id*, 9/54.

ﷺ) said: 'It is better for one of you to discipline his child than to donate half a *sā*⁶⁶⁴ every day to the poor.'⁶⁶⁵

Al-Bayhaqī conveyed from Muḥammad Ibn Al-Faḍl Ibn 'Aṭīyah—who is a weak narrator—from his father, from 'Aṭā', from Ibn 'Abbās (*radīy Allāhu 'anhumā*), that people asked: "O Allāh's Messenger! We have learned the rights of the father, so what are the rights of the child [upon his father]?" He said, "To give him a good name and teach him good manners."⁶⁶⁶

Sufyān Al-Thawrī said: 'The father should force his son to learn [the science of] ḥadīth, for he is responsible for him.'

He also said: 'This [science of] ḥadīth holds eminence. Whoever wanted the worldly life will find it through it, and whoever wanted the Hereafter will find it through it.'⁶⁶⁷

'Abdullāh Ibn 'Umar (*radīy Allāhu 'anhumā*) said: 'Discipline your child, for you will be held to account for him; how did you discipline him? What did you teach him? While he will be held to account for his kindness and obedience towards you.'⁶⁶⁸

Al-Bayhaqī narrated from Muslim Ibn Ibrāhīm, from Shaddād Ibn Sa'īd, from Al-Jarīrī, from Abū Sa'īd and Ibn 'Abbās (*radīy Allāhu 'anhumā*), that the Messenger (ﷺ) said: 'Whoever has a child born, should give him a good name and teach him good manners, and when he reaches puberty, he should get him married. So, if he reached puberty and did not get married and committed a sin, the

⁶⁶⁴ *Sā'* is a weight measure that equals around three kilograms.

⁶⁶⁵ *Al-Mu'jam al-Kabīr* of Tabarānī, 2/246, Tirmidhī, 4/338 and others; see *Silsilah al-Aḥādīth al-Da'īfah* of al-Albānī, 4/362.

⁶⁶⁶ Bayhaqī in his *Shu'ab al-Imān*, 6/401 and others

⁶⁶⁷ Bayhaqī in his *Shu'ab al-Imān*, 15/157

⁶⁶⁸ Bayhaqī in his *Sunan*, 3/84 and in his *Shu'ab al-Imān*, 15/161

father bears responsibility for that sin.⁶⁶⁹

Sa'īd Ibn Manṣūr reports from Ḥazm, that Kathīr Ibn Ziyād asked Al-Ḥasan about Allāh's saying:

رَبَّنَا
هَبْ لَنَا مِنْ أَزْوَاجِنَا وَذُرِّيَّاتِنَا قُرَّةَ أَعْيُنٍ وَاجْعَلْنَا
لِلْمُتَّقِينَ إِمَامًا ﴿٧٤﴾

“Our Lord, grant us from among our wives and offspring comfort to our eyes and make us an example for the righteous.”

[*al-Furqān* (25):74]

He [Kathīr Ibn Ziyād] asked: “O Abū Sa'īd! What is this ‘comfort to the eyes’; is it in this life or the Hereafter?”

He [Al-Ḥasan] said: ‘No. By Allāh, it is in this life.’

He [Kathīr Ibn Ziyād] said: “Then what is it?”

He [Al-Ḥasan] said: ‘It is when Allāh shows the man, in his wife, brother and close friend, the obedience for Allāh. By Allāh, there is nothing dearer to the Muslim than to find his child, father, brother or friend an obedient servant of Allāh [the Exalted].’⁶⁷⁰

Al-Bukhārī narrated in his *Ṣaḥīḥ*, from Nāfi', on the authority of Ibn 'Umar (*radīy Allāhu 'anhumā*) that the Messenger (ﷺ) said: ‘Beware! Every one of you is a shepherd and every one of you shall be held to account for his flock. The Caliph is a shepherd over the people and is held to account for his subjects. A man is

⁶⁶⁹ Bayhaqī in his *Sunan*, 3/84 and it is weak; see *Silsilah al-Aḥādīth al-Da'īfah* of al-Albānī, 2/163.

⁶⁷⁰ It is related by Sa'īd Ibn Manṣūr—like what is mentioned in *Fath al-Bari*, 8/491, Ṭabarī in his *al-Tafsīr*, 19/318, Ibn Abī Hātim, 8/2742, al-Baghwī in his *al-Tafsīr*, 6/99, Bayhaqī in his *Shu'ab al-Imān*, 15/167-168 and others.

a guardian over his family members and shall be held to account for them. A woman is a guardian over the household of her husband and his children and shall be held to account for them. A slave is a guardian over the property of his master and shall be held to account for it. Beware! Every one of you is a guardian and every one of you shall be questioned with regard to his trust.⁶⁷¹

Section One:

Among the Rights of Children is
Fairness in Giving and Depriving

It is narrated in the *Sunan*, *Musnad Ahmad* and *Ṣaḥīḥ Ibn Ḥibbān*, from Al-Nu'mān Ibn Bashīr (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: "Treat your children fairly, treat your children fairly, treat your children fairly."⁶⁷²

It is narrated in Ṣaḥīḥ Muslim that Bashīr's wife said [to her husband]: 'Give my son your slave [as a gift], and call the Messenger (ﷺ) as witness for me.' So he came to the Messenger (ﷺ) and said, 'The daughter of so-and-so has asked me to give her son my slave.' He asked, 'Does he have brothers?' He replied, 'Yes.' He again asked, 'Did you give them all the same as you have given him?' He replied, 'No.' He said: 'This is not acceptable, and I will be a witness only to what it right.'⁶⁷³

Imām Ahmad narrated another version of this ḥadīth where the Messenger (ﷺ) said: 'Do not make me a witness for unfairness.

⁶⁷¹ Bukhārī, 1/304 and Muslim, 3/1459

⁶⁷² Abū Dāwūd, 11/273, Nasā'ī, 6/262 and in his *al-Sunan al-Kubrā*, #6481, Imām Ahmad in his *Musnad*, 4/275, Ibn Ḥibbān, #2046 and others

⁶⁷³ Muslim, 3/1233

Your children have a right upon you to treat them fairly.⁶⁷⁴

It is also narrated in both Bukhārī and Muslim from Al-Nu‘mān Ibn Bashir that his father took him to the Messenger (ﷺ) and said: ‘I have given this son of mine a slave.’ The Prophet (ﷺ) asked, ‘Have you given all your sons the like?’ He replied in the negative. The Prophet (ﷺ) said: ‘Take back your gift then.’⁶⁷⁵

In a version narrated by Muslim, the Prophet (ﷺ) said: ‘Did you do this with all your sons?’ He said, ‘No.’ He said, ‘Fear Allāh and be just to your children.’ Al-Nu‘mān said, ‘So my father took his gift back.’⁶⁷⁶

And in another version by Muslim, he said: ‘Let someone else be a witness to that.’⁶⁷⁷

This command is a threat, not permission, for that gift was unjust, according to the ḥadīth, and the Messenger (ﷺ) does not permit anyone to be a witness to the validity of an unjust transaction. Who would be a witness to a gift, when the Messenger (ﷺ) refused to do it and stated that it is unacceptable, unjust and unfair!

It is astonishing to interpret his saying, “treat your children fairly” not to entail obligation, when it is an absolute command repeated three times, when the commander informed that deviating from it is unjust, unacceptable, and not right. What can be beyond right, except wrong?

⁶⁷⁴ Imām Aḥmad in his *Musnad*, 4/269

⁶⁷⁵ Bukhārī, 5/211 and Muslim, 3/1241-1242

⁶⁷⁶ Muslim, 3/1241-1242

⁶⁷⁷ *ibid*

Moreover, justice is obligatory in any case. If the command to do it was absolute, it had to be taken as an obligation. So what about when it was accompanied by ten things, all of which confirm its obligation? Observe them in the words of the story!⁶⁷⁸

Al-Bayhaqī narrated from Abū Aḥmad Ibn ‘Adi, from Al-Qāsim Ibn Mahdī, from Ya‘qūb Ibn Kāsib, from ‘Abdullāh Ibn Mu‘ādh, from Ma‘mar, from Al-Zuhārī, on the authority of Anas (*radīy Allāhu ‘anhu*), that a man was sitting with the Prophet (ﷺ), and a son of his came, so he kissed him and sat him on his lap. Then, a daughter of his came, so he took her and sat her down beside him. The Prophet (ﷺ) said: ‘You have not been just with them.’⁶⁷⁹

The early Muslims liked to be just with their children in kissing.

Some scholars said: On the day of Judgment, Allāh [the Exalted] will hold the father to account for his child before he holds the child to account for his father. Just as the father has rights upon his child, the child has rights upon his father. Because just as Allāh [the Exalted] said:

وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ حُسْنًا

“And We have enjoined upon man goodness to parents.”

[*al-‘Ankabūt* (29):8],

He also said:

قُوا أَنْفُسَكُمْ وَأَهْلِيكُمْ نَارًا وَقُودُهَا النَّاسُ وَالْحِجَارَةُ

“Protect yourselves and your families from a Fire whose

⁶⁷⁸ See *Fath al-Bari* of Ibn Ḥajr, 5/214-216

⁶⁷⁹ Bayhaqī in his *Shu‘ab al-Imān*, 12/526 and others.

fuel is people and stones.”

[*al-Tabrīm* (66):6]

‘Alī Ibn Abū Ṭālib (*radīy Allāhu ‘anhu*) said: ‘[It means] to teach and discipline them.’⁶⁸⁰

Allāh the Exalted also said:

وَأَعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ
إِحْسَانًا وَبِذِي الْقُرْبَىٰ

“Worship Allāh and associate nothing with Him, and to parents do good, and to relatives.”

[*al-Nisā*’ (4): 36]

The Prophet (ﷺ) also said: “Treat your children fairly.”⁶⁸¹ Therefore, Allāh’s commandment to the parents regarding their children precedes His commandment to children regarding their parents.

Allāh the Exalted said:

وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ

“And do not kill your children for fear of poverty.”

[*al-Isrā*’ (17):31]

Whoever ignored teaching his child what is beneficial to him, and neglected him, have wronged him greatly.

For most children, their corruption is a result of their parents, their negligence, and not teaching them the obligations and recom-

⁶⁸⁰ Reference already mentioned.

⁶⁸¹ Reference already mentioned.

mended deeds of the religion. They have ruined them at a young age, so they [the children] did not benefit from themselves, and could not benefit their parents when they grow old.

When someone admonished his son for his lack of dutifulness, he told him: 'Father, you have been unkind to me when I was young, so I became unkind to you when you became old, and you neglected me in my early years, so I neglected you in your late years.'

CHAPTER SIXTEEN

Useful Topics in Child Education whose Rewards are Reaped at Old Age

The newborn's breastfeeding should be carried by someone other than his mother, two or three days after his birth, which is better, because of the roughness of her breast milk during that time, unlike the breast milk of she whose job is breastfeeding. All the Arabs care for that, and have their children nursed by Bedouin women, just as the Prophet (ﷺ) was nursed in the clan of Sa'd.⁶⁸²

Sub-section One:

They should not be carried around until they reach three months of age or more, due to their recent emergence of their mothers' wombs and their weak bodies.

Sub-section Two:

They should only consume milk until their teeth grow, because of the weakness of their stomachs and their digestive capabilities.

⁶⁸² See *Sīrah Ibn Ishāq*, pp. 25-27 with Muḥammad Ḥamidullāh checking.

When the teeth grow, the stomach strengthens and then he can eat food. Allāh [the Exalted] delayed the growth of teeth to the time when he needs food, in His wisdom and kindness, and His mercy for the mother and her breast nipples, so that the newborn does not bite them with his teeth.

Sub-section Three:

Food should be gradually introduced to them. The first thing they eat should be tender food. They should be fed hot-water-soaked bread, milk, and then cooked vegetables, soup devoid of meat, and then very tender meat after being thoroughly chewed or broken to soft pieces.

Sub-section Four:

If they are close to the speaking time, and parents wished to facilitate the process for them, they should rub their tongues with honey and rock salt, because they expel the heavy moistness that hinder speaking. When they start speaking, they should be inspired '*Lā ilāhā illā Allāh, Muḥammad al-rasūlullāh* (There is no deity [worthy of worship] except Allāh, Muḥammad is the Messenger of Allāh).' Let the first thing they hear be the knowledge of Allāh [the Exalted] and His unity, that He is above His throne, looking at them and hearing them, and that He is with them [in knowledge] wherever they are.

The Jews frequently called their children 'Amanuel (Emanuel)', which means 'Our Lord is with us'.⁶⁸³ That is why the dearest names to Allāh are 'Abdullāh and 'Abdu'l-Raḥmān, so that when the child began to comprehend, he knew that he is 'Abdullāh (the

⁶⁸³ See Qāmūs *al-Kitāb al-Muqadis*, p.69

servant of Allāh), and that Allāh is his Lord and Master.

Sub-section Five:

When teeth start to grow, their gums should be rubbed with butter, and the neck beads should be oiled a lot. Parents must be very cautious, during the teeth growth period, of solid matter, and they should absolutely keep them away from their children, as it may cause the corruption, irregularity or disorder of the teeth.

Sub-section Six:

Parents must not be overburdened by the crying and yelling of their child, particularly when he feels hungry for the breast milk, for he benefits from that crying greatly. It trains the organs, widens the intestines, expands the chest, heats the head, preserves the temper, instigates the instinctive temperature, drives the child's nature to satisfy his curiosity, and pushes away the wastes of the head, such as mucus.⁶⁸⁴

Sub-section Seven:

The matters of the child's diapers should not be neglected, even if it was a burden, until his body and organs strengthen, and he can sit on the ground. Then, he can be trained to move and stand up bit by bit until he has the strength to go and do it himself.

⁶⁸⁴ See *Miftāh Dār al-Sa'ādah* of Ibn Qayyim, 1/273

Sub-section Eight:

The child must be protected from anything that can scare him, such as terrible and loud sounds, horrible scenes and disturbing movements, as they may harm his intellectual capabilities that are weak at this point, which would prevent him from utilizing them when he grows. If he was subjected to such thing, parents must hasten to counter its effects, entertain him with what makes him forget, give him his mother's breast immediately, so that this disturbance goes away and not get imprinted in his memory making it difficult to remove, and he should be cradled until he falls asleep and forgets about it. This matter should not be treated lightly, for to neglect it is to instill panic and fear in his heart, which will cause him to grow up like this, and make it very difficult to get rid of that.

Sub-section Nine:

The newborn's state changes upon the growth of his teeth, and it instigates vomiting, fever and bad temper, particularly if it was in wintertime of extreme cold, or in summertime of extreme heat. The best times for teeth growth are in the spring or autumn. The time of its growth is at the age of seven months; it may start growing in the fifth month, and it may also be delayed to the tenth month. Upon its growth, he should be treated gently, be taken to the toilet frequently and be given light amount of food, so as not to fill his stomach causing him to have diarrhea. His head should be bound a band containing what is sufficient for him, such as a wool band containing soft cumin, celery and anise, and his gum should be rubbed with what was previously mentioned. Yet, diarrhea at this stage is better than constipation. If he became constipated during his teeth growth, parents should hasten to mitigate

that, for nothing is more harmful for the child when his teeth are growing than constipation, and nothing is more beneficial than having moderately easy bowel movements.

The best thing to ease bowel movements is cooked honey made into wicks, with which he is carried, or ground Artemisia, mixed with honey and made into wicks as well. The wet-nurse should soften the food and give drinks, and avoid harmful food.

Section One: Weaning Time

Allāh [the Exalted] said:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ
 حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنَمِّيَ الرِّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ
 وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ
 وَالِدَةٌ بَوْلًا لَهَا وَلَا مَوْلُودٌ لَهُ بِوَلَدِهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ
 فَإِنْ أَرَادَا فِصَالًا عَنِ تِرَاضٍ وَتَمَامًا وَشَاوِرًا فَلِجَنَاحِ عَلَيْهِمَا وَإِنْ
 أَرَدْتُمْ أَنْ نَسْتَرْضِعُوا أَوْلَادَكُمْ فَلِجَنَاحِ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا
 ءَاتَيْتُم بِالْمَعْرُوفِ

“Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. Upon the father is the mothers’ provision and their clothing according to what is acceptable. No person is charged with more than his capacity. No mother should be harmed through her child, and no father through his child. And upon the [father’s] heir is [a duty] like that [of the father]. And if they both

desire weaning through mutual consent from both of them and consultation, there is no blame upon either of them. And if you wish to have your children nursed by a substitute, there is no blame upon you as long as you give payment according to what is acceptable.”

[*al-Baqarab* (2):233]

The verse indicated a number of provisions:

- 1- The full breastfeeding period is two years, which is the infant's right if he needed it and could not do without it. Allāh [the Exalted] affirmed it with the word '*kāmil*' [complete], so that no one interprets that as one year and a few months.
- 2- If the parents desired to wean the child earlier than that, with their mutual consent and consultation without harming the child, they may do so.
- 3- If the father wished to use a substitute nurse for his child, he may do so, even if the mother objected, unless it would cause her or the child harm, then he may not do so. It is permitted for the mother to continue breastfeeding the child beyond two years, to half of the third year or beyond.

The best time for weaning is when the weather is moderate, after the child's teeth and molars have completely grown, and became able to cut and crush food, then weaning is best for him. The moderate whether of the autumn is more beneficial to the child than that of the spring, because autumn precedes winter, and the air starts to cool, and the instinctive temperature begins and grows therein, digestion strengthens, and so does the desire.

Sub-section One:

When the nurse wishes to wean the child, she should do it gradually, and not shock the child with it abruptly. She must train him and get him used to it, due to the damage of a sudden shift away from the habit and tradition. Like what Hippocrates said in his book *Aphorisms*: 'The sudden use of a large amount of that which fills the body, empties it, heats it, cools it, or changes it in any way is dangerous, and the more it is, the more unnatural it becomes, and the less it is, the safer.'

Sub-section Two:

An example of bad care for children is to be allowed to fill on food and drinks. The best practice is to be given below the fullness of their stomachs, so that their digestion improves, the chemistry of their bodies regulates, the excess food therein decreases, their bodies become healthier, and their illnesses decrease due to the reduction of wastes in food.

One doctor said: 'I am praising certain people, who only feed their boys below their full stomachs. That is why their figures are upright, their bodies are straight, and they are less exposed than their counterparts to tetanus, heart and chest pain and so on.' He added: 'So if you wished your boy to be in a good shape, with an upright figure and not arched, make him avoid being full. If the boy became full, he will sleep a lot and relax; his stomach will be flatulent with repulsive gases.'

Sub-section Three:

Galen said: 'I do not prevent these boys from drinking cold water, but I allow them a mouthful that mostly follows the meal, and in

the hot times during the summer, if they yearned for it.’

I say, This is due to the strong instinctive temperature within them, and drinking cold water will not harm them at these times, particularly after the meal, because they have to be allowed it to a certain extent, since it would be difficult for them to endure thirst in the hot weather.

Sub-section Four:

Another thing to be avoided is to force the child to walk before its appropriate time, because it exposes his legs to arching and twisting, as they are still too weak to endure such activity. Beware to prevent him from doing or getting what he needs, such as vomiting, sleeping, food, drink, sneezing, urinating or bleeding, because hindering that will have grave consequences both for the young and for the old.

Section Two:

Marital Relations with the Breastfeeding Woman⁶⁸⁵

Judāmah bint Wahb Al-Asadiyyah (*radīy Allāhu ‘anhā*) said that she witnessed the Messenger (ﷺ) among people saying: ‘I intended to prohibit *ghila* [a man having intercourse with a woman who is breastfeeding a child] but I remembered that the Greeks and Persians do that without it causing any injury to their children.’ Then they asked him about coitus interruptus,⁶⁸⁶ and he said: “That is hidden infanticide,” as Allāh said:

⁶⁸⁵ See *Zād al-Mu‘ād*, 5/147-148

⁶⁸⁶ Coitus interruptus withdrawal or pull-out method, is a method of birth control in which a man, during sexual intercourse, withdraws his penis from a woman's vagina prior to orgasm (and ejaculation), and then directs his ejaculate (semen) away from the vagina in an effort to avoid insemination.

وَإِذَا الْمَوْءُودَةُ سُئِلَتْ

“And when the girl [who was] buried alive is asked.”

[al-Takwīr (81):8]

It is narrated by Muslim in his ‘*Ṣaḥīḥ*’.⁶⁸⁷

He also narrated in his *Saḥīḥ* from Usāmah Ibn Zayd (*radīy Allāhu ‘anhumā*) that a man came to the Messenger (ﷺ) and said: ‘I do coitus interruptus with my wife.’ The Messenger (ﷺ) said: ‘Why do you do so?’ He said: ‘I fear harm for her child, or her children.’ The Messenger (ﷺ) said: ‘If that were harmful, it would harm the Persians and the Greeks.’⁶⁸⁸

Asmā’ bint Yazīd (*radīy Allāhu ‘anhu*) conveys that she heard the Messenger (ﷺ) say: ‘Do not kill your children in secret, for I swear, by He in whose hand is my soul, that the milk with which a child is suckled, while his mother is pregnant, overtakes the horseman and throws him from his horse.’ It is narrated by Imām Aḥmad and Abū Dāwūd.⁶⁸⁹

Combining these ḥadīths proved difficult for many scholars. A group of them said: ‘The Prophet’s (ﷺ) saying, “I intended to prohibit *ghīla*” does not contradict his saying in the other ḥadīth, “Do not kill your children in secret,” for this prohibition is like advice and guidance to them to refrain from what weakens the child and kills him.’⁶⁹⁰

They added: ‘The evidence about that is that when a man has

⁶⁸⁷ Muslim, 2/1067

⁶⁸⁸ Muslim, 2/1076

⁶⁸⁹ Imām Aḥmad in his *Musnad*, 6/453, Abū Dāwūd, 5/361, Ibn Mājah, 1/648 and others

⁶⁹⁰ See *Zād al-Mu‘ād*, 5/147 and others

intercourse with a woman who is breastfeeding, he triggers the menstrual blood and instigates it to go out of the body, so the woman's breast milk does not remain as pleasant and good smelling as it was. It is also possible for the woman to become pregnant as a result of that intercourse, which is most harmful and foul to her breastfeeding baby, because the good blood is directed to nurture the fetus in the womb and is consumed by it. When the fetus gets and attracts that which it does not need, it is suitable because it is connected to its mother like roots to the ground, and it is not separated from it day or night. Therefore, the pregnant woman's blood decreases and becomes bad, so the milk in her breasts also gets decreased and becomes bad. So, whenever the breastfeeding woman becomes pregnant, it is wise to prevent the infant from breastfeeding from her, because if he drank that bad milk, it may kill him, or contribute to his weakness with an impact that he will find when he grows up, which is what is referred to by the saying: "throws him from his horse." This is the essence of the advice [and guidance to refrain from it, without prohibiting it], because it does not happen for each infant, even if a number of children were exposed to it. The majority of men have intercourse with their wives while they are breastfeeding, and were this damage to happen to each infant [exposed to these circumstances], the majority of people would have been affected. However, these two large nations-the Persians and the Greeks- do it, and no damage happens to their children.'

In any case, it is better, as a precaution, if a breastfeeding woman became pregnant, that her child is prevented from breastfeeding from her, and that another wet nurse is sought.⁶⁹¹ Allāh knows best.

⁶⁹¹ See *Hujjatullāh al-Bāligha* of Imām Shahwālīullāh Dhilavwī, 2/992-993

Sub-section One:

One thing that the child highly needs is to look after his manners. The child grows up with the traits on which he was made accustomed by his educator, such as sullenness, anger, stubbornness, rashness, moodiness, recklessness, violence and greed, and it becomes very difficult for him to avoid these traits as an adult, and they become deeply rooted characteristics in him. Even if he tried so hard to suppress them, inevitably they will slip away from him one day.

That is why when the child starts to mature, he must avoid the gatherings of banter and falsehood, singing, hearing profanities, inventions in religion, and ill-speech, because if that stuck to his hearing, it will be difficult to get rid of after growing up, and difficult for his guardian to rescue him from. Changing habits is a most difficult matter, because the person needs to invoke a second nature, and escaping one's nature is very challenging.

The guardian must prevent him strongly from taking from others, for if he got used to taking, it will become his nature, and he will grow to take and not give. Instead, he must teach him generosity and openhandedness, and when he [the guardian] wished to donate something, he should do it through the child, to give him a taste of the pleasure of giving. He must be more protective of him against lying and betrayal than he is against poison, because if he facilitated lying and betrayal to him, he would spoil for him the happiness of this life and the Hereafter, and deprive him of every goodness.

The guardian must protect him from laziness, idleness, and excessive luxury and comfort. On the contrary, he should encourage him

in the opposite direction, and only allow him comfort as much as lets his body and soul recover, for laziness and idleness have poor and regrettable consequences, while hard work and diligence have their good rewards, both in this life and in the next. In both of them, the most comfortable is the most tired, and the most tired is the most comfortable. Prevalence in this life and happiness in the next cannot be attained except through a bridge of hard work. Yaḥyā Ibn Abū Kathīr said: 'Knowledge is not attained through the bodily comfort.'⁶⁹²

The guardian must also teach the child to pay attention to the end of the night, for it is the time of dividing the spoils and distributing the rewards. People are divided therein into those who gain much, those who gain little, and those who gain nothing, and whoever is accustomed to it at a young age, will find it easy at old age.

Sub-section Two:

He must keep him away from the excessiveness in eating, talking, sleeping and being acquainted with sins, for in that excessiveness lays loss, and these things cause one to miss the goodness of this life and the Hereafter.

He must also protect him from the harms of the desires related to the stomach and the private parts as much as possible. Making their means accessible and being permissive in that regard will corrupt him to a degree that will be difficult to fix. Many have caused their children wretchedness in this life and the next, by neglecting them, not disciplining them and enabling them in their desires. These parents claim to honour their children when they have

⁶⁹² Muslim, 1/428

humiliated them, and to be merciful with them when they have oppressed and deprived them. They missed the chance to benefit from their children, and made them miss their share of this life and the Hereafter. Therefore, if you consider corruption among children, you find its major cause among the parents.

Sub-section Three:

Be absolutely careful not to allow him to take in that which hinders his mind, such as intoxicants or others, or associating with who are potentially corrupt, talking with them or befriending them, for in that is total destruction. Whoever is permissive herein will find it easy to be a cuckold, and 'No cuckold shall enter Paradise.'⁶⁹³ Nothing corrupts children more than the carelessness and negligence of their parents and their dismissiveness of the fire sparks among clothes.⁶⁹⁴

Most parents, unknowingly, harm their children more than one does to his enemy. Many parents have deprived their children from the goodness of this life and the next and exposed them to the destruction of this life and the next. All these are the consequences of parents' negligence of the rights of Allāh, their failure to fulfill them, their deviance from what Allāh made obligatory for them of useful knowledge and good deeds, which prevented them from benefiting from their children, and their children from benefitting from them, which is a part of the parents' punishment.

⁶⁹³ Ṭayālīsī, #642, Nasā'ī, #2354, 'Abdu'l-Razzāq in his *al-Muṣannaf*, 11/226, Ḥākim in his *al-Mustadrik*, 1/72 and Bayhaqī in his *Sunan*, 10/226. It is authenticated by al-Albānī in his *Ṣaḥīḥ Sunan al-Nasā'ī*, #2562. See *al-Tarḡīb wa'l-Tarḥīb* of Ḥāfiẓ al-Mundhirī, 5/1

⁶⁹⁴ This refers to a famous Arabic poem, which says in one part: "Most fires start from sparks that are considered small."

Sub-section Four:

He must prevent him⁶⁹⁵ from wearing silk, for it corrupts him and effeminates his nature, just as he keeps him away from sodomy, alcoholism, thievery and lying. The Prophet (ﷺ) said: 'Wearing of silk and gold has been made unlawful for males and lawful for the females of my *ummah*.'⁶⁹⁶

Even if the boy was not accountable yet, the guardian is, and he may not enable him to do a forbidden deed, because he will get used to it and find it difficult to stop doing it. This is the more correct view among scholars.

Those who do not deem it forbidden [to do so] say that the boy is not yet accountable, and therefore it is not forbidden for him to wear silk, just as in animals.⁶⁹⁷

However, this is a most corrupt analogy, because a child, though not accountable, is ready to be so. That is why he is not permitted to pray without ablution, naked or in an impure state, to imbibe alcohol, to gamble or to commit sodomy.

Sub-section Five:

Another thing to be considered is the child's nature and what the line of work for which he is equipped and ready. The guardian must know that this child was created for that purpose, and must not force him in a way that is not lawfully permitted. If he forces him in a field for which he is not prepared, he will not be success-

⁶⁹⁵ This paragraph is exclusively for boys.

⁶⁹⁶ Tirmidhī, 4/217 and he said: 'This ḥadīth is ḥasan ṣaḥīḥ'

⁶⁹⁷ See *al-Mughnī* of Ibn Qudāmah, 2/310-311, *Rawḍah al-Tālibīn*, 2/67 and others

ful therein, and he will miss that for which he is prepared. If he finds him to have a good understanding, a decent perception and a good memory, these are the signs of being equipped for knowledge; therefore, he should carve knowledge on the stone of his heart while it is still vacant,⁶⁹⁸ for he will be ready for it and able to grow therein. If he found him not to be like that but equipped for horsemanship and its means, such as riding, archery and using spears, he should enable him to learn and train in the ways of horsemanship. If he found him not to be like that but equipped for a certain craft and accepting of it, while such craft is a lawful and beneficial craft, he should enable him to pursue it.

All this follows teaching him what he needs of his religion, because this is feasible for everyone, so that Allāh's argument against servant is established, for with Allāh is the far-reaching argument against his servant, just as he has the bestowed favours upon them.

Allāh knows best.

⁶⁹⁸ This is inspired by an Arabic saying: Learning at a young age is like carving on stone, while learning at an old age is like drawing on water.

CHAPTER SEVENTEEN

The Stages of Human Growth since Being a Sperm-drop until Entering Paradise or Hell⁶⁹⁹

Allāh the Exalted said:

وَلَقَدْ خَلَقْنَا الْإِنْسَانَ مِنْ
سُلَالَةٍ مِنْ طِينٍ ﴿١٣﴾ ثُمَّ جَعَلْنَاهُ نُطْفَةً فِي قَرَارٍ مَكِينٍ ﴿١٤﴾ ثُمَّ
خَلَقْنَا النُّطْفَةَ عَلَقَةً فَخَلَقْنَا الْعَلَقَةَ مُضْغَةً فَخَلَقْنَا
الْمُضْغَةَ عِظْمًا فَكَسَوْنَا الْعِظْمَ لَحْمًا ثُمَّ أَنْشَأْنَاهُ خَلْقًا
ءَاخِرًا فَتَبَارَكَ اللَّهُ أَحْسَنُ الْخَالِقِينَ ﴿١٥﴾ ثُمَّ إِنَّكُمْ بَعْدَ ذَلِكَ
لَمَسْتُونَ ﴿١٦﴾ ثُمَّ إِنَّكُمْ يَوْمَ الْقِيَامَةِ تُبْعَثُونَ

“And certainly did We create man from an extract of clay. Then We placed him as a sperm-drop in a firm lodging. Then We made the sperm-drop into a clinging clot, and We made the clot into a lump [of flesh], and We made [from] the lump, bones, and We covered the

⁶⁹⁹ It is necessary to point out that this book was written around seven centuries ago, so some of the scientific information may not be accurate or correct.

bones with flesh; then We developed him into another creation. So blessed is Allāh, the best of creators. Then indeed, after that you are to die. Then indeed you, on the Day of Resurrection, will be resurrected.”

[*al-Mu'minūn* (23): 12-16]

So He [the Exalted] enclosed the stages of human life since even before he was a sperm-drop, when he was dust and water, until his resurrection on the Day of Judgment. The first stage of his creation is being an extract of clay, and then afterwards an extract of a liquid disdained, which is the sperm-drop that was drawn from the entire body. It remains like this for forty days, then Allāh [the Exalted] transforms this sperm-drop into a clinging clot, which is a black mass of blood, and it remains like this for another forty days until He [the Exalted] transforms it into a lump of flesh for another forty days. During this stage, the organs, image shape and form are determined.

Scholars debated over the first organ to be formed:⁷⁰⁰

Some said it is the heart (*qalb*), others said it is the brain (*damāgh*), a third group said it is the liver (*kabd*), while others said they are the Vertebrae (*zabr*).

The first group argued that the heart is the organ and the basis that is the essence of instinctive temperature, which is the vessel of life. Therefore, it must take precedence in creation. Anatomist said that they found in the clinging clot—upon its completion—a black dot.

The second group said that the animal's brain is the primary

⁷⁰⁰ See *Al-Ṭibyan fi Imān al-Qur'an* of the author [Ibn Qayyim], pp.525-528 and *Miftāḥ Dār al-Sa'ādah* of Ibn Qayyim, 2/19.

organ, and the assembly point of the senses. The distinctive features of animals are sensing and voluntary movement, the origin of which is the brain. Since these distinctive features result from that organ, it should take precedence in creation.

Those who said it is the liver argued that it is the liver, because it is the organ responsible for growth and nutrition, which is the foundation of the animal. They said: 'The natural order necessitates that the first organs to be formed are the liver, then the heart, then the brain, because the first stage of the animal's life is growth. During that time, it has no need for sensing or voluntary movement; it is like a plant at this stage—it only needs to grow. The senses and [ability to] will only come to it with the soul's attachment to the body, which takes place in the fourth stage. Therefore, the first organ to be created is the growth machine, which is the liver.' What the anatomists witnessed, and agree upon, is that the first thing to appear in the animal fetus' body is three close dots, which are thought to be the liver, the heart and the brain. They grow further apart as the pregnancy proceeds. This is as much as is clear to anatomists. As for which of these dots is the precedent, they have no evidence in that regard except appropriateness, entitlement and analogy. Allāh knows best.

Sub-section One:

Then his joints, bones, blood vessels and nerves are created, his hearing, sight and mouth are made, his throat is separated after it was joined and the tongue is attached and shaped therein, his bones are covered with flesh and tied together in the firmest way, which is what Allāh referred to as '*al-asīr*' (chains)' when He said:

نَحْنُ خَلَقْتَهُمْ وَشَدَدْنَا أَسْرَهُمْ

“We have created them and strengthened their chains [joints].”

[*al-Insān* (76): 28],

which means the chain with which the captive is tied; the word *captive* is also derived from it.

Imām Aḥmad narrates from Rūḥ Ibn ‘Ubadah, from Abū Hilāl, from Thābit, that Ṣafwān Ibn Muḥriz said: ‘When Allāh’s Prophet Dāwūd (*alayhis-salām*) mentioned Allāh’s punishment, his limbs are almost torn apart so that only his chains [joints] hold them together, and when he mentioned Allāh’s mercy, they return to normality.’⁷⁰¹

Sub-section Two:

Hippocrates said in the third article of *The Book of Fetuses*: I will tell you how I saw sperm forming.

A woman of my relatives had a precious slave girl. She did not like her to get pregnant in order not to let her price go down. The slave girl heard women say, “If a woman wants to get pregnant, she does not let the man’s sperm leave her body, but keep it in.” She understood that and paid attention to it in herself. One time, she felt that the sperm did not leave her body, and news of that reached me. I commanded her to hop backwards. She hopped seven times, and sperm fell out of her looking like an uncooked egg whose outer crust fell off and whose moisture remained inside

⁷⁰¹ Ibn Abi Shaybah in his *al-Muṣannaḥ*, 13/202, Abū Nu‘aym in his *al-Hilyah*, 2/328, Ḥunnād in his *al-Zuhd*, 1/545 and others. See *Al-Tibyān fi Imān al-Qur’ān* of the author [Ibn Qayyim], pp.55-57

the membrane.'

He added: 'It absorbs the womb's secretions for the fetus' nutrition.' He said: 'What appear are the tiny white nerves, which I saw in the middle of the umbilical cord, and nowhere else, because the soul makes an airway through it.'

Then he said: 'I will say something else known to everyone who seeks science, and I will clarify it with measurements. The sperm is in the membrane, and it feeds on the blood that is drawn from the woman's body and descended to the womb.'

He said: 'Sperm attracts air, and breathes it inside these membranes that we stated, and it grows on the blood that descends off the woman.'

He added: 'Menstrual blood does not come out during pregnancy if the fetus is healthy, throughout the nine months of pregnancy, but all the blood that comes from the whole body gathers around the fetus on the upper membrane with breathing. Umbilical cord is its way to the fetus, where nutrition enters to it to nurture and nourish it.'

He said: 'After semen stays for a while, other membranes are formed for it, and they extend inwards from the first one. They are of diverse types, but their form is like the first one.'

He added: 'Some membranes are created first, others are created after the second month, and others in the third month. The benefits of any of them does not become clear initially, but some of them extend around the sperm, and their benefits appear first, while for others, benefits only appear later. That is why some

of them are created in the first month, some in the second, and some in the third. The belly button looks as if it is tied together; amidst the membranes lays the umbilical cord from which the fetus breathes and feeds.’

If the blood comes down and the fetus feeds from it, the membranes come between it and the fetus. That is why Allāh [the Exalted] said:

يَخْلُقُكُمْ فِي
بُطُونِ أُمَّهَاتِكُمْ خَلْقًا مِّنْ بَعْدِ خَلْقٍ فِي ظُلُمَاتٍ ثَلَاثٍ

“He creates you in the wombs of your mothers, creation after creation, within three darknesses.”

[*al-Zumar* (39): 6]

Each of these membranes has its own darkness, so Allāh [the Exalted] stated the stages of his creation, his passing from one to the next, and the darknesses of membranes upon the fetus. Most interpreters⁷⁰² said: ‘They are the belly’s darkness, the womb’s darkness, and the placenta’s darkness; each of these is a membrane upon the fetus.’

Others said: ‘They are the father’s backbone darkness, the mother’s womb darkness and the placenta’s darkness.’

However, weaker than that view is the view that said: ‘The night’s darkness, the belly’s darkness, and the womb’s darkness, because the night and the day are the same to the fetus.’

The Physician said: ‘When the woman gets pregnant, it is not

⁷⁰² See these sayings are in *Tafsīr al-Ṭabarī*, 23/196, ‘Abdu’l-Razzāq, 2/171, *Zād al-Musīr*, 7/163-164, *Al-Durr al-Munthūr*, 12/635 and others

hurt by the blood that descends and gathers around its womb, nor does she feel weakness like she does during menstruation, because her blood is not agitated every month, but rather descends to the womb every day little by little, steadily and without pain. When it reaches the womb, the fetus is nourished by it and grows.'

He added: 'Similarly, when the fetus has flesh and body, membranes are formed, and they grow with the fetus' growth. When blood descends from the mother, the fetus absorbs it and gets nourished by it, causing his flesh to grow. The bad blood that is not valid for nourishment goes down to the membranes' drains. When the membranes have a cavity that takes in blood, they are called *the Placenta*.'

He added: 'When the fetus and its form are complete and it starts to attract blood for its nutrition, the membranes become wider and the placenta appears, which consists of the instruments that we stated. If its interior widens, its exterior also widens, because it is more entitled to do so, because it has a location to extend to.'

I say: That is why the pregnant woman does not menstruate. Rather the blood she sees is a bad blood, and not the usual menstruation blood.⁷⁰³ This is one of the two reports conveyed from 'A'ishah (*radīy Allāhu 'anhā*), it is the well-known view of Aḥmad, which is the only one known to his companions, and it is the view of Abū Ḥanīfah.⁷⁰⁴

⁷⁰³ See *Al-Tibyan fi Imān al-Qur'an* of the author [Ibn Qayyim], p.539 and *Zād al-Mu'ad* of Ibn Qayyim, 5/731-739

⁷⁰⁴ See *Al-Awsaṭ* of Ibn al-Mundhir, 2/238-241, *Mukhtasar Ikhtilāf al-'Ulamā'* of al-Jasās, 1/171, *Fath al-Qadir* of Ibn al-Hamām, 3/280, *al-Mughni* of Ibn Qudāmah, 1/443-445 and *Tanqih al-Tabaqiq* of Ibn Jawzī, 1/243-244.

It is the view of Al-Shāfi‘ī, ‘A’ishah (*radīy Allāhu ‘anhā*)—in a report conveyed from her - and Imām Aḥmad, in a report conveyed from him and chosen by our Shaikh,⁷⁰⁵ that the blood she sees in her usual menstruation time is menstruation blood.

The argument for this view is apparent, which is the prevalent evidence that the woman should refrain from prayer and fasting when she sees the usual blood in menstruation time, and neither Allāh nor His Messenger excluded any cases from this requirement.

As for the fact that the blood is directed to the fetus’ nutrition, it is known that this does not prevent a part of it, excess to the fetus’ nutrition, to leave her body during her period. Therefore, there is no contradiction between the fetus’ nutrition and the mother’s menstruation.

Those with the other view cite the Prophet’s (ﷺ) saying: ‘There must be no intercourse with a pregnant woman till she gives birth to her child or with the one who is not pregnant till she has had one menstrual period as proof [of not being pregnant].’⁷⁰⁶ Therefore, he regarded menstruation as evidence of not being pregnant. If the pregnant woman could menstruate, menstruation could not indicate lack of pregnancy.

The others reply to this by saying: ‘Menstruation is an apparent sign, but if pregnancy appeared, it becomes apparent that it was not a proof. That is why the end of the waiting period [of a divorced or widowed woman] is decided by the apparent sign of menstruation, then by checking the woman’s pregnancy. The Prophet (ﷺ) divided women into two types: A woman who is known to

⁷⁰⁵ See *Majmū’ al-Fatawa*, 19/239 and *Al-Ikhtiyārāt al-Fiqhiyyah*, p.59

⁷⁰⁶ Abū Dāwūd, 3/74, 175, Imām Aḥmad in his *Musnad*, 3/62, Bayhaqī in his *Sunan*, 5/359 and others

be pregnant, and a woman who is suspected to be pregnant. The former is cleared by delivering the baby, and the latter is cleared by menstruation. That is what the ḥadīth indicates; it does not indicate that a pregnant woman is allowed to pray and fast when she sees blood in her usual period time.’

Sub-section Three:

The physician said: ‘Bones grow stronger from heat, because heat hardens bones and ties them together, like the tree.’

He also said: ‘Nerves are made inside and outside, the head is placed between the shoulders, the upper arms and the forearms are placed on each side, the legs are also separated, and in each joint a nerve is made to strengthen and tie it.’

I say: That is the chain with which the man is strengthened.

He added: ‘The mouth is made to open on its own, the nose and ears [of flesh] are attached, the ears are punctured, then the eyes afterwards and they are filled with pure moisture.’

The Prophet (ﷺ) used to say in his prostration: ‘I have prostrated my face to the One Who created it, and made its hearing and vision.’⁷⁰⁷ Even if the Arabic word for ‘and’ does not necessitate order, stating the hearing first is appropriate with its precedence in existence. After that, intestines grow wider and have a cavity, joints are linked, breath rises to the mouth and nose from which inhalation begins to enter, the stomach and intestines are opened, and inhalation occurs through the mouth instead of the umbilical cord. When the aforementioned takes place, the time for the fetus

⁷⁰⁷ Muslim, 1/535

to emerge arrives, wastes from its stomach and intestines descend to its bladder and have a route from there to the urethra. All these open up and become wider with inhalation, and through that they grow apart according to their forms.

He added: 'When the belly becomes wider, and the intestinal cavity becomes clear, it must have a route to the bladder and the urethra.'

He added: 'When the semen and the ovule are combined, each part of the former gets joined with its counterpart in the latter; bones with bones, nerves with nerves, and so on for all organs, and then the fetus is composed.'

He then said: 'We have seen many women in whom the fetuses became corrupted and were aborted after thirty days.'

He added: 'Do you not see that if the fetus gets aborted after thirty days, you see its joints formed.'

He said: 'This is realized by looking at the stillborn, because it is not aborted by our doing, but rather on its own.' Then he added: 'When the fetus is formed, its joints are harmonious, its organs grow bigger, its bones grow firmer and start to move, it attracts rich blood from the [mother's] body. This blood is retained and moves in the bone heads like leaves in a tree.'

He said: 'And so, the fetus moves and rolls over [in the womb].'

Sub-section Four:

He said in the second article of this book of his: ‘Then the fetus is formed. The male is completed in thirty-two days, and the female is completed in forty-two days, give or take a few days.’

He said: ‘The fetus is completed and formed in thirty-two days if it was a male and in forty-two days if it was a female.’

He said: ‘The menstrual blood comes out of the place where the fetus comes out. Just as the male is formed in thirty-two days, his mother’s purity after his birth also happens in thirty-two days, and the woman becomes pure, if she gave birth to a female, in forty-two days, the same number of days in which she was formed.’

He added: ‘Blood comes out of the confined woman after giving birth for many days. That is because when she is pregnant, the fetus does not need much nutrition initially until it is completely formed. After forty-two days, it is nourished properly. The accumulated blood in these forty days remains until the time of birth. When she gives birth, the blood comes out for forty days.’

I say: In this regard, there are two authentic ḥadīths from the Messenger (ﷺ). We will state them and clarify their affirmation for one another, and then we will follow physician’s words and clarify it by the power, help and guidance of Allāh.

It is narrated In both Bukhārī and Muslim, on thr authority of Ibn Mas‘ūd (*radīy Allāhu ‘anhu*), that the Messenger (ﷺ), the truthful and the receiver of the truth, said: ‘The creation of you [humans] is gathered in the form of semen in the womb of your mother

for forty days, then it becomes a clinging clot in similar [period], then it becomes a lump of flesh like that, then Allāh sends an angel who breathes the life into it; and [the angel] is commanded to record four things about it:

Its provision, its term of life [in this world], its conduct; and whether it will be happy or miserable. By the One besides Whom there is no true god! Verily, one of you would perform the actions of the dwellers of Paradise until there is only one cubit between him and it [Paradise], when what is foreordained would come to pass and he would perform the actions of the inmates of Hell until he enter it. And one of you would perform the actions of the inmates of Hell, until there is only one cubit between him and Hell. Then he would perform the acts of the dwellers of *Jannah* until he would enter it.⁷⁰⁸

In another narration: ‘The creation of each son of Ādam is gathered in his mother’s womb for forty.’⁷⁰⁹

In another version: ‘forty nights.’⁷¹⁰ Al-Bukhārī said: ‘forty days, or forty nights.’⁷¹¹

And in one version, it says: ‘Then Allāh sends an angel with four words: He writes its conduct, its term of life, its provision, and whether it will be happy or miserable, then he breathes the life into it’ the rest of the ḥadīth is the same.⁷¹²

It is narrated in Ṣaḥīḥ Muslim on the authority of Hudayfah

⁷⁰⁸ Bukhārī, 6/303 and Muslim, 4/2036

⁷⁰⁹ Reference already mentioned

⁷¹⁰ Muslim, 4/2036

⁷¹¹ Bukhārī, 13/440

⁷¹² Bukhārī, 6/363

Ibn Usayd (*radīy Allāhu ‘anhu*) that the Prophet (ﷺ) said: ‘When the drop of [semen] remains in the womb for forty or fifty [days] or forty nights, the angel comes and says, “My Lord, will he be good or evil?” And both these things would be written. Then the angel says, “My Lord, would he be male or female?” And both these things are written. And his deeds and actions, his death, his livelihood; these are also recorded. Then his document of destiny is rolled and there is neither addition to nor subtraction from it.’⁷¹³

Imām Aḥmad narrates from Sufyān, from ‘Amr, from Abū’l-Ṭufayl, from Hudayfah Ibn Usayd Al-Ghaffarī (*radīy Allāhu ‘anhu*), that he heard the Messenger (ﷺ) say: ‘When the drop of [semen] remains in the womb for forty or fifty [days] or forty nights, the angel comes and says, “My Lord, will he be good or evil?” And both these things would be written. Then the angel says, “My Lord, would he be male or female?” And both these things are written. And his deeds and actions, his death, his livelihood; these are also recorded. Then his document of destiny is rolled and there is neither addition to nor subtraction from it.’⁷¹⁴

It is narrated by Musim in his *Ṣaḥīḥ* from ‘Āmir Ibn Wathilah that he heard ‘Abdullāh Ibn Mas‘ūd (*radīy Allāhu ‘anhu*) say: ‘The miserable is who is determined to be miserable in his mother’s womb, and the happy is who learns from others’ mistakes.’ Then he came to another of the Messenger’s companions called Hudayfah Ibn Usayd Al-Ghaffarī, told him of what Ibn Mas‘ūd said and asked: ‘How can someone be miserable without committing any [evil] deeds?’ The man said: ‘Are you surprised at this? I heard the Messenger (ﷺ) say, “When forty-two nights pass after the semen gets into the womb, Allāh sends the angel and gives him shape. Then

⁷¹³ Muslim, 4/2037

⁷¹⁴ Imām Aḥmad in his *Musnad*, 4/7, Muslim, 4/2036-2037

he creates his sense of hearing, sense of sight, his skin, his flesh, his bones, and then says, "My Lord, would it be male or female?" And your Lord decides as He desires and the angel then puts down that also and then says, "My Lord, what about its age?" And your Lord decides as He likes it and the angel puts it down. Then he says: My Lord, what about its livelihood? And then the Lord decides as He likes and the angel writes it down, and then the angel gets out with his scroll of destiny in his hand and nothing is added to it and nothing is subtracted from it."⁷¹⁵

In another version: 'I heard the Messenger (ﷺ) with my own ears say, "The semen remains in the womb for forty nights, then the angel [who creates it]⁷¹⁶ climbs unto it and says, "My Lord, would it be male or female?" And Allāh makes him as He desires. Then he asks, 'My Lord, is he upright or not?' And Allāh makes him as He desires. Then he asks, 'My Lord, what is his provision? What is his term of life? What is his form?' Then Allāh makes him happy or miserable."⁷¹⁷

In another version: 'There is an angel who looks after the womb when Allāh decides to create anything after more than forty nights are over' the rest of the ḥadīth is the same.⁷¹⁸

Ibn Mas'ūd's ḥadīth and Hudayfah's ḥadīth agree that the semen's event takes place after forty days, and Hudayfah's ḥadīth is explicit and clear that this is written after forty days, before the life is breathed in the fetus, as previously mentioned in Al-Bukhārī's version.

⁷¹⁵ Muslim, #2645

⁷¹⁶ The narrator is not certain about this part in brackets.

⁷¹⁷ Muslim, #2645

⁷¹⁸ Reference already mentioned

As for Ibn Mas'ūd's ḥadīth, one of its versions conform with Hudayfah's ḥadīth, even if the deciding and writing takes place after forty days before breathing life into it, as previously mentioned in Al-Bukhārī's version, which says: 'Then Allāh sends an angel with four words: He writes its conduct, its term of life, its provision, and whether it will be happy or miserable, then he breathes the life into it.' This explicitly states that the angel's writing and questions are before breathing life into it,⁷¹⁹ which agrees with Hudayfah's ḥadīth in this regard.

As for its other version: 'who breathes the life into it; and [the angel] is commanded to record four things about it,' it is not explicit, because the Arabic word for 'and' here is the letter 'wa', which does not necessitate order, it could be used to couple the sentence with the following sentence, or with the previous ones. Therefore, there is no contradiction in this regard.

It remains to say that Hudayfah's ḥadīth indicates the beginning of creation after the first forty days, while Ibn Mas'ūd's ḥadīth indicates that it is after the third forty days. So how can they be joined together?⁷²⁰

It is said: As for Hudayfah's ḥadīth, it is explicit that it takes place after forty days. As for Ibn Mas'ūd's ḥadīth, it does not discuss the time of creating and formation, but clarifies the stages of semen and its transformation every forty days, and that after the third [set of] forty days, life is breathed into it. This is not discussed by Hudayfah's ḥadīth, but is exclusive for Ibn Mas'ūd's ḥadīth. Therefore, both ḥadīths state that something happens after the first forty.

⁷¹⁹ The Arabic word for 'and' here is 'thumma', which indicates order, meaning what preceded it happened before what came after it.

⁷²⁰ See *Tariq al-Hijratayn*, 1/106-162, *Al-Tibyān fi Imān al-Qur'an*, p.517 and *Shifa' al-'Alil*, pp. 39-44

Hudayfah's ḥadīth exclusively stated that the beginning of its formation and creation happens after the first forty, while Ibn Mas'ūd's ḥadīth exclusively stated that breathing life into it happens after the third forty. Both ḥadīths mention the angel asking permission from the Sovereign, his Lord [the Exalted], in deciding the fetus' affairs through that. Therefore, the Messenger's (ﷺ) words conform and validate each other.

Ibn Mas'ūd's ḥadīth contains two points: The stage of semen growth and the angel's writing what Allāh decides therein. The Prophet (ﷺ) stated the two points in the ḥadīth.

Imām Aḥmad narrates from Hushaym, from 'Alī Ibn Zayd, from Abū 'Utbah Ibn 'Abdullāh, on the authority of Ibn Mas'ūd (*radīy Allāhu 'anhu*) that the Messenger (ﷺ) said: 'The semen remains in the womb for forty days without changing, and when forty days pass, it becomes a clinging clot, then becomes a lump of flesh after a similar period, and bones like that. When Allāh decides to finalise its creation, He sends the angel to it, so the angel says, "O my Lord, is it a male or a female? Is it happy or miserable? Is it short or tall? Is it lacking or exceeding? What is its provision and term of life? Is it healthy or ill?"' He added: 'All that is written.'⁷²¹

This ḥadīth is the decisive, that what takes place after the third forty days is finalising creation upon breathing life into the fetus.

There is no doubt that upon breathing life into the fetus and attaching the soul to it, some things happen in its creation excess to the creation that was after the first forty. After the first forty days was the beginning of its creation, but this is its finalisation

⁷²¹ Imām Aḥmad in his *Musnad*, 1/375 and its isnad is weak. See *Fath al-Bari*, 11/481

and completion of what is decreed for it. Just as Allāh [the Exalted] created the earth before heaven, then created the heaven, then proportioned, paved and flattened the earth, and finalised its creation, this is His system for the residence, and this is his system for the resident. Moreover, creation and shaping takes place in the semen after forty days and gradually, like the plant grows. This is evident in animals and plants, as you can see by carefully examining the state of a chick in the egg. Confusion results from not understanding the words of Allāh [the Exalted] and His Messenger (ﷺ); the problem lies in our understanding, and not the words of the Protected (ﷻ). Allāh knows best.

This spares you—Praise be to Allāh—the mannerism of explainers. Look at it closely, and compare it with this adaptation. Success is from Allāh.

Sub-section Five:

Physicians said in *The Book of Nutrition*: ‘Formation of the fetus takes place in thirty-five days, its movement in seventy days, and its completion in a hundred and ten days.

Some fetuses get formed in fifty days, make their first movement after a hundred days and are completed in three hundred days. Other fetuses get formed in forty days, make their first movement after eighty days and are born after two hundred and forty days, while others get formed in forty-five days, move after ninety days and are born after two hundred and seventy days.’

He added: ‘As for birth, it takes place in the seventh, eighth, ninth and tenth months.’

I say: There are two types of movement. Natural involuntary

movement, which may take place before the soul's attachment to the body, and voluntary movement, which only occurs after breathing life into it.

This is why Hippocrates differentiated between the two types of movement.

I say: What the truthful revelation from the Creator of mankind indicates that creation moves to another stage every forty days; it is a sperm-drop for forty days, then it becomes a clinging clot for a similar period, then a lump of flesh for another similar period, and then life is breathed into it after a hundred and twenty days. You can almost see this with your own eyes. Anything that contradicts this [truthful sequence outlined in the revelation] is not witnessed. It mostly cite corrupt evidence analogy, dissection that does not encompass what it witness in knowledge, or imitation of an unprotected, followed by whoever comes after him, so that the believer believes that this is a consensus among all naturalists, when its origin is just one person, who was mistaken, then imitated by those who came after him, when they did not see what they were told therein.

The only thing they have is that they dissected the alive and... dead, and found the fetus in the womb in the state that they were told, but they have no knowledge of what preceded that of the beginning of pregnancy and the transformations of the semen.

If those who imitated [such theories] narrowed the assumption and said they considered a virgin upon having intercourse, and then counted the days until she reached the stage they mentioned, then dissected her and found her in the state that they mentioned, then this is absolute lying and fabrication. They did not claim that, and how could they when they say that such-and-such period after

that the pregnancy reaches so-and-so state! These people have analogies, that such-and-such should happen, and that the natural system necessitates so-and-so.

Many of them derived that from the movement and phases of the moon, the movements of the sun, and from tripling, quadrupling, sextupling and comparison.

Other people from the same group have refuted these views, and sided with what is more appropriate and entitled.

Others have linked it to the movement of stars, while others have linked it to nautical days and the natural changes therein. These people refuted one another's points with arguments that we will ignore to avoid prolixity.

The strongest argument that they have is dissection and thorough examination. We do not deny that, but it does not have what contradicts the revelation regarding the creation of fetuses. One thing that proves that the views of these people are not based on eye witnessing is when they said that fetus born after seven months became a sperm-drop in nine days, a bloody-thing in another eight days, a fleshy-thing in another nine days and takes form in another twelve days. If you add these days up they amount to thirty-five days, so they made it a lump of flesh in the first forty days, which a definitely clear lie. It only becomes a fleshy-thing after eighty days, and such is only realized through revelation or eye witnessing, both of which they lack. What they have is an analogy with which they considered the states of fetuses during pregnancy. They decided that each fetus born in a certain month of pregnancy must have been a sperm-drop for such-and-such days, a bloody-thing, meaning a clinging clot for such-and-such days, a fleshy-thing, meaning a lump of flesh, for such-and-such days, and then they multiplied

this number and said it is when the fetus starts to move. As such, they have lied upon the Knowing Creator in His creation, as they have lied upon Him in His attributes and names. These people did not have a share of the knowledge that the Messengers brought. On the contrary, they were as Allāh [the Exalted] said:

فَلَمَّا جَاءَتْهُمْ رُسُلُهُمْ بِالْبَيِّنَاتِ فَرِحُوا بِمَا عِنْدَهُمْ
مِنَ الْعِلْمِ

“And when their Messengers came to them with clear proofs, they [merely] rejoiced in what they had of knowledge.”

[*Ghāfir* (40):83]

The extent of reach of the denier and the ignorer of what the Messengers brought is knowledge of natural matters that are a mixture of truth and falsehood, and knowledge of mathematical matters that are of much pain and little gain. With regards to the form [of the fetus], falsehood is manyfold more than the truth. Therefore, how does the knowledge obtained from revelation compare to assumption derived from an evanescent opinion? How does knowledge taken from the Messenger (ﷺ), from Jibrīl, from Allāh [the Exalted] compare to assumption taken from the opinion of a man whose heart was not lit by revelation even for a moment, but only has his own intuition and guessing? The difference between what all the wise perceive with their intellect to what the Messengers brought is like the difference between a weak lamp and the sun. You will not find, even if you lived as long as Nūḥ (*‘alayhis-salām*) did, a single subject where all the wise unanimously agree on something that contradicts what the Messengers brought. The Prophets (*‘alayhum-salām*) did not bring that which contradicts the sound intellect, but rather that which the intellects

cannot perceive. What the Messengers brought, with regards to intellect, is classified into three types: That to which the intellect and pure nature testify, that to which they testify in general but have no knowledge of the details, and that which the intellect cannot comprehend. As for the fourth type, which the sound intellect rejects and testifies to its falsehood, Messengers are innocent of it. Even if some of the ignorant who claim knowledge thought that some of what the Messengers brought fall under this type, this is either due to ignorance of what the Messengers brought, lack of sound intellect, or both.

Section One

The Duration of Pregnancy and its Difference for Different Fetuses

Allāh [the Exalted] said:

وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ إِحْسَانًا حَمَلَتْهُ أُمُّهُ كُرْهًا وَوَضَعَتْهُ
 كُرْهًا وَحَمَلُهُ وَفِصْلُهُ ثَلَاثُونَ شَهْرًا

“And We have enjoined upon man, to his parents, good treatment. His mother carried him with hardship and gave birth to him with hardship, and his gestation and weaning [period] is thirty months.”

[*al-Abqāf* (46):15]

Allāh [the Exalted] informed us here that the duration of pregnancy and weaning are thirty months, and he said in the verse of *Surah al-Baqarah* that the duration of complete breast-feeding is “two complete years,”⁷²² from that we deduce that the remainder is a valid period for pregnancy, which is six months.

⁷²² *al-Baqarah* (2): 233

Jurists unanimously agree that no woman gives birth before six months unless it is a stillborn. This is something which jurists got from the Companions (*radīy Allāhu ‘anhum*).⁷²³

Al-Bayhaqī and others report from Ḥarb Ibn Al-Aswad Al-Daylī that a woman was brought to ‘Umar (*radīy Allāhu ‘anhu*) because she gave birth after six months of marriage, and ‘Umar intended to stone her.⁷²⁴ ‘Alī (*radīy Allāhu ‘anhu*) heard of this and said: ‘She must not be stoned.’ ‘Umar heard this, so he called for him and asked him. He cited:

وَالْوَالِدَاتُ

يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُتِمَّ الرَّضَاعَةَ^٥

“Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period].”

[*al-Baqarab* (2):233],

and cited:

وَحَمْلُهُ وَوَفْصَلُهُ ثَلَاثُونَ شَهْرًا^٥

“And his gestation and weaning [period] is thirty months.”

[*al-Aḥqāf* (46):15]

He reasoned: ‘Pregnancy for six months, and complete breastfeeding for two years, which merit no punishment.’ Therefore, she was released.⁷²⁵

It is narrated in *Muwattā’* of [Imām] Mālik that ‘Alī (*radīy Allāhu*

⁷²³ See *Al-Ṭibṭān fī Imān al-Qur’ān* of the author [Ibn Qayyim], pp.509-510

⁷²⁴ On the grounds that she committed adultery.

⁷²⁵ Bayhaqī in his *Sunan*, 7/442 and also ‘Abdu’l-Razzāq in his *al-Muṣannaf*, 7/279

'*anbu*) heard that a woman was brought to 'Uthmān Ibn 'Affān (*radīy Allāhu 'anhu*) because she gave birth after six months of marriage, and 'Uthmān commanded to stone her, so 'Alī (*radīy Allāhu 'anhu*) said: She must not be stoned. Allāh the Exalted said:

وَحَمَلُهُ وَفَصْلُهُ ثَلَاثُونَ شَهْرًا

“And his gestation and weaning [period] is thirty months.”

[*al-Aḥqāf* (46):15]

And said:

وَفَصْلُهُ فِي عَامَيْنِ

“and his weaning is in two years.”

[*Luqḥmān* (31):14].’

Therefore, 'Uthmān (*radīy Allāhu 'anhu*) commanded to release her but she had already been stoned.⁷²⁶

Dāwūd Ibn Abū Hind narrated from 'Ikrimah that Ibn 'Abbās (*radīy Allāhu 'anhumā*) used to say: ‘If a woman gave birth after nine months of pregnancy, twenty-one months of breastfeeding are sufficient, if she gave birth after seven months, twenty-three months of breastfeeding are sufficient, and if she gave birth after six months, twenty-four months of breastfeeding are sufficient.’ As Allāh said:

وَحَمَلُهُ وَفَصْلُهُ ثَلَاثُونَ شَهْرًا

“And his gestation and weaning [period] is thirty months.”

[*al-Aḥqāf* (46):15]⁷²⁷

⁷²⁶ Imām Mālik in his *al-Muwaffāʿ*, 2/255; see Ibn 'Abdu'l-Barr in his *Istidhkār*, 9/53 and 'Abdu'l-Razzāq in his *al-Muṣannaʿ*, 7/280-281.

⁷²⁷ Bayhaqī in his *Sunan*, 7/442

Allāh [the Exalted] said:

اللَّهُ يَعْلَمُ مَا تَحْمِلُ كُلُّ أُنْثَىٰ وَمَا تَغِيصُ الْأَرْحَامُ
وَمَا تَزْدَادُ

“Allāh knows what every female carries and by how much the wombs fall short or exceed.”

[al-Ra‘d (13):8]

Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) said: “‘By how much the wombs fall short or exceed’ means compared to nine months.’ His companions, such as Mujahid and Sa‘īd Ibn Jubayr agreed with him on that.⁷²⁸

Mujahid also said: ‘If a woman menstruated while pregnant, that is falling short, and if she exceeded nine months, this completes the aforementioned shortcoming.’

He also said: “‘Falling short’ is the blood that comes out of her during pregnancy, as it is a shortcoming of the fetus’ nutrition, and the excess refers to exceeding the standard nine months of pregnancy, which completes the shortcoming.⁷²⁹

Al-Ḥasan said: “‘By how much the wombs fall short’ refers to the premature loss of fetus, and “or exceed” refers to giving birth after ten months of pregnancy.⁷³⁰

‘Ikrimah said: “‘By how much the wombs fall short’ mean menstruation during pregnancy. For each day she bleeds during

⁷²⁸ See *Tafsīr al-Ṭabarī*, 16/359-365, *Tafsīr Abi Ḥātim*, 9/1-3, *Tafsīr al-Baghwi*, 4/297-298, *Zād al-Masīr*, 4/308 and *al-Durr al-Manthūr*, 8/377.

⁷²⁹ See *Tafsīr al-Ṭabarī*, 16/360-361 and *Zād al-Masīr*, 4/308

⁷³⁰ See *Tafsīr al-Ṭabarī*, 16/361-362 and *Zād al-Masīr*, 4/308

pregnancy, a day of purity is added. Therefore, for each day of menstruation, pregnancy extends another day.⁷³¹

Qatādah said: “Falling short” means abortion and “exceeding” means exceeding nine months.⁷³²

Saʿīd Ibn Jubayr said: ‘If a woman menstruated during pregnancy, this is shortcoming for the fetus, because its nutrition decreases, and its pregnancy extends.’⁷³³

The object of each of the two verbs “fall short” and “exceed” is omitted, and they are antonyms of each other.

Careful examination of the verse yields the following interpretation: He [the Exalted] knows the duration of pregnancy and what happens therein of increase and decrease. He knows that, and you do not, just as he knows what every female carries, and whether it is a male or a female.

This is one type of the unseen that none knows except Allāh, as is narrated in the *Ṣaḥīḥ* that he (ﷺ) said: “The keys of Unseen are five which none knows but Allāh. None knows what will happen tomorrow but Allāh; none knows what is in the wombs [a male child or a female] but Allāh; none knows when it will rain but Allāh; none knows at what place one will die; none knows when the Hour will be established but Allāh.”⁷³⁴

He [the Exalted] is unique in knowledge of what is in the womb, the time of its establishment, what increases and decreases of its

⁷³¹ See *Tafsīr al-Ṭabarī*, 16/362-363

⁷³² See *Tafsīr al-Ṭabarī*, 16/359

⁷³³ See *Zād al-Masīr*, 4/308

⁷³⁴ Bukhārī, 2/524

body. Anything else follows and stems from these things, such as full abortion, bleeding and stopping of the blood.

The purpose of this section is to state the duration of pregnancy and the increase and decrease related to it.

Sub-section One:

Concerning the maximum period of pregnancy, Ibn Al-Mundhir⁷³⁵ said: Scholars disagreed in this regard. A group said: 'The maximum period is two years. This view is reported from 'A'ishah (*radīy Allāhu 'anhā*).'

It was narrated from Al-Daḥḥāk and Ḥarām Ibn Ḥibbān that each of them remained in his mother's womb for two years. This is also Sufyān Al-Thawrī's view.⁷³⁶

Another view is that the maximum period of pregnancy could be three years. We narrated from Al-Layth Ibn Sa'd that he said: 'A slave woman of 'Umar Ibn 'Abdullāh carried a baby for three years.'

A third view is that the maximum period of pregnancy is four years, that is Al-Shāfi'ī's view (may Allāh have mercy on his soul).⁷³⁷

I say: Two reports are narrated from Imām Aḥmad (may Allāh have mercy on his soul); one says four years, and the other says two years.⁷³⁸

⁷³⁵ See *al-Isbrāf 'alā Madāhib* of Ibn al-Mundhir, 5/347

⁷³⁶ See *al-Mughnī* of Ibn Qudāmah, 11/232-233 and *Fatḥ Bāb al-'Ināyah* of Mullā 'Alī al-Qarī, 2/188-189

⁷³⁷ See *al-Isbrāf 'alā Madāhib* of Ibn al-Mundhir, 5/347

⁷³⁸ See *al-Mughnī* of Ibn Qudāmah, 11/232

Ibn Al-Mundhir⁷³⁹ adds: Mālik's view is debated. His well-known view according to his companions is the same as Al-Shāfi'ī. Ibn Al-Mā'jashūn narrates that from him, then he changed his mind when he heard the story of the woman who gave birth after five years of pregnancy.

Another view is that pregnancy could extend for five years. It was narrated from 'Abbād Ibn Al-'Awwām that he said: 'A woman who lived with us gave birth after five years of pregnancy. She gave birth to him when his hair had reached here—and he pointed to his neck—and a bird once passed by him and he shooed it.' It was narrated from Ibn 'Ajlān that his wife used to get pregnant for five years.

A fifth view is what Al-Zuhārī said: that a woman could get pregnant for six and seven years, and her baby grows firmer inside her belly. He also said: 'A woman who was pregnant for seven years was brought to Sa'īd Ibn Mālik.'

Another group said: 'We should not, in this regard, use our opinion to determine and time the duration, because we have found an origin in the Qur'ān's interpretation for the minimum duration of pregnancy—the six months, which we adhere and follow. However, there is nothing there about the maximum period.'

This is the view of Abū 'Ubayd, with which he refuted 'A'ishah's ḥadīth, and he said: 'The woman who narrated it from her is unknown.'

All his followers unanimously agree that if a woman gave birth

⁷³⁹ See *al-Ishrāf 'alā Madāhib* of Ibn al-Mundir, 5/347-348

after less than six months of marrying a man, the child is not attributed to him, but if it was exactly after six month, the child is his.

This example and others indicate that nature, which is the origin of the way of Naturalists, has a Compelling and Capable Lord that acts therein as He wills, and He varies His creation as He pleases, to prove to those with an intellect His existence, oneness, attributes of perfection and glory. Otherwise, where does this great variation and explicit contrast originate in this abstract nature?

In addition, how, in this nature, were humanity created in one of these four ways?

- 1- With neither a male nor a female origin, such as Ādam (*'alayhis-salām*).
- 2- With a male origin without a female, such as Hawā' (*'alayha-salām*).
- 3- With a female origin without a male, such as *al-Masih* [ʿIsa Ibn Maryam] (*'alayha-salām*).
- 4- With a male and a female origins, such as the rest of mankind.

How, in this nature, were these compositions, formation, organs, joints, forces, outlets and wonders embedded in this disdained sperm-drop?

Had it not been for the magnificence of Allāh's creation

These wonders would not have existed in this cloudy water.⁷⁴⁰

⁷⁴⁰ The poet refers to semen.

⁷⁴¹ Reference already mentioned

يٰۤاَيُّهَا الْاِنْسٰنُ مَا غَرَّبَكَ رَبِّكَ الْكَرِيْمُ ﴿٦﴾
 خَلَقَكَ فَسَوَّاكَ فَعَدَلَكَ ﴿٧﴾ فِيْ اٰيٍ صُوْرَةٍ مَّا شَاءَ رَكَّبَكَ ﴿٨﴾

“O mankind, what has deceived you concerning your Lord, the Generous, Who created you, proportioned you, and balanced you? In whatever form He willed has He assembled you.”

[*al-Infītār* (82):6-8]

And

اِنَّ اللّٰهَ لَا يَخْفٰى عَلَيْهِ
 شَيْءٌ فِى الْاَرْضِ وَلَا فِى السَّمَآءِ ﴿٥﴾ هُوَ الَّذِى يُصَوِّرُكُمْ
 فِى الْاَرْحَامِ كَيْفَ يَشَآءُ لَآ اِلٰهَ اِلَّا هُوَ الْعَزِيزُ الْحَكِيْمُ ﴿٦﴾

“Indeed, from Allāh nothing is hidden in the earth nor in the heaven. It is He who forms you in the wombs however He wills. There is no deity except Him, the Exalted in Might, the Wise.”

[*Āl-‘Imrān* (3):5-6]

He [the Exalted] has demonstrated His existence in the clearest way with what He made each of them testify of himself of his own state, existence, perfection of his making, wonders of his creation, and the signs of His [Allāh’s] power and wisdom in him [man].

He [the Exalted] invited man to observe his origin when he said:

فَلْيَنْظُرِ الْاِنْسٰنُ مِمَّ خُلِقَ ﴿٥﴾ خُلِقَ مِنْ مَّاءٍ دَافِقٍ ﴿٦﴾ يَخْرُجُ مِنْ بَيْنِ
 الصُّلْبِ وَالتَّرَائِبِ ﴿٧﴾

“So let man observe from what he was created. He was

created from a fluid, ejected. Emerging from between the backbone and the ribs.”

[*al-Tariq* (86):5-7]

And He said:

يَتَأْتِيهَا النَّاسُ إِنْ كُنْتُمْ فِي
رَيْبٍ مِّنَ الْبَعْثِ فَإِنَّا خَلَقْنَاكُمْ مِّن تُرَابٍ ثُمَّ مِّن نُّطْفَةٍ ثُمَّ
مِّن عَلَقَةٍ ثُمَّ مِّن مُّضْغَةٍ مُّخَلَّقَةٍ وَغَيْرِ مُخَلَّقَةٍ لِّنُبَيِّنَ لَكُمْ
وَنُقَرِّفِي الْأَرْحَامَ مَا نَشَاءُ إِلَىٰ أَجَلٍ مُّسَمًّى ثُمَّ نُخْرِجُكُمْ
طِفْلًا ثُمَّ لَتَبَلِّغُوا أَشَدَّكُمْ وَمِنْكُمْ مَّن يَمُوتُ
وَمِنْكُمْ مَّن يُرَدُّ إِلَىٰ أَرْدَلِ الْعُمْرِ لِكَيْلَا يَعْلَمَ مِنْ
بَعْدِ عِلْمٍ شَيْئًا

“O People, if you should be in doubt about the Resurrection, then [consider that] indeed, We created you from dust, then from a sperm-drop, then from a clinging clot, and then from a lump of flesh, formed and unformed—that We may show you. And We settle in the wombs whom We will for a specified term, then We bring you out as a child, and then [We develop you] that you may reach your [time of] maturity. And among you is he who is taken in [early] death, and among you is he who is returned to the most decrepit [old] age so that he knows, after [once having] knowledge, they then know nothing at all.” [*al-Hajj* (22):5]

He [the Exalted] also said:

وَفِي الْأَرْضِ آيَاتٌ
لِّلْمُؤْمِنِينَ ﴿٢٠﴾ وَفِي أَنفُسِكُمْ أَفَلَا تُبْصِرُونَ ﴿٢١﴾

“And on the earth are signs for the certain [in faith].
And in yourselves. Then will you not see?”

[*al-Dhāriyāt* (51):20-21]

This is frequent in the Qur’ān to him who reflects and ponders upon it. It is a witness from you, against you. How could the nature and limited force be capable of such creation, perfection and ingenuity? How could they be capable of detailing these bones, and having them strengthen each other, despite their different shapes, sizes, uses and attributes? Who made in the sperm-drop these veins, flesh and nerves?

Who opened for it these doors and outlets? Who made its sight and hearing? Who attached therein a tongue to speak with, eyes to see with, ears to listen with, and two lips?

Who gave it the chest and the equipment and utilities it contains, which will cause you to wonder upon seeing?

Who placed therein a basin and a tank to collect food and water, and made for it drains and ways in order to nourish every part of the body, each part receiving nourishment from its own drain without exceeding it?

فَدَعَا كُلُّ نَاسٍ مَشْرِبَهُمْ

“Every people knew its watering place.”

[*al-Baqarab* (2):60]

Who took from it these forces with which its interests and benefits were accomplished?

Who gave it these minute sciences and wonderful works, taught it what it did not know, inspired it with discernment of its wicked-

ness and its righteousness, and transformed it through the stages of creation stage after stage, and state after state, until it became a person who is alive, talking, hearing, seeing, knowing, commanding, forbidding, given power over birds in the sky, fish in the sea and creatures of the desert, and knowing what no other creature knows?

قُلِّلَ الْإِنْسَانُ

مَا أَكْفَرَهُ ﴿٧٧﴾ مِنْ أَيِّ شَيْءٍ وَخَلَقَهُ ﴿٧٨﴾ مِنْ نُطْفَةٍ خَلَقَهُ فَقَدَرَهُ ﴿٧٩﴾ ثُمَّ
السَّبِيلَ يَسَّرَهُ ﴿٨٠﴾ ثُمَّ أَمَانَهُ وَأَقْبَرَهُ ﴿٨١﴾ ثُمَّ إِذَا شَاءَ أَنشُرَهُ ﴿٨٢﴾

“Cursed is man; how disbelieving is he. From what substance did He create him? From a sperm-drop He created him and destined for him; Then He eased the way for him; Then He caused his death and provided a grave for him. Then when He wills, He will resurrect him.”

[‘Abasa (80):17-22]

Sub-Section Two:

A group who talked about the creation of man claimed that he is only given sight and hearing after his birth and emergence from his mother’s womb. They cited Allāh’s saying:

وَاللَّهِ

أَخْرَجَكُمْ مِنْ بُطُونِ أُمَّهَاتِكُمْ لَا تَعْلَمُونَ شَيْئًا وَجَعَلَ
لَكُمْ السَّمْعَ وَالْأَبْصَارَ وَالْأَفْئِدَةَ لَعَلَّكُمْ تَشْكُرُونَ

“And Allāh has extracted you from the wombs of your mothers not knowing a thing, and He made for you hearing and vision and heart that perhaps you would

be grateful.”

[*al-Nabl* (16):78]

They also claimed that inside the mother’s womb, the fetus does not hear or see anything, so there is no use of giving him sight or hearing there!

This is not true, and the verse does not provide evidence to such view, because coupling with the letter ‘*naw*’ does not entail order. On the contrary, the verse provides evidence against them, because his heart is created while the fetus is in the womb.

We have already stated the authentic ḥadīth narrated by Hudayfah Ibn Usayd (*radīy Allāhu ‘anhu*): “When forty-two nights pass after the semen gets into the womb, Allāh sends the angel and gives him shape. Then he creates his sense of hearing, sense of sight, his skin, his flesh...”⁷⁴¹

Even if this refers to the eye and ear, the hearing and seeing capabilities are deposited therein. As for perception, it depends on the removal of the membrane that prevent it, so when it is removed upon emergence from the womb, the organs perform their function. Allāh knows best.

Section Two:

States of the Fetus after its Movement and Overturn after Six Months

At that time, the fetus is subject to having its membrane and membranes ripped, and to move towards the uterine neck. If the fetus was strong, and the membranes surrounding it as well as its

⁷⁴² Bukhārī, 1/228 and Muslim, 1/250

belly button weaker, the baby is born. If it was weak and its membranes and umbilical cord were stronger, they are either partially ripped and birth does not take place, in which case it remains sick for forty days until the end of the eighth month; if it is born in these forty days, it will die, and cannot be nurtured or kept.

If it tore its membranes completely in a manner that could not be avoided, without being born, it will die, and if it is not aborted, it will cause the death of its mother. However, if it tore its membranes in a manner that could be avoided, it survives and remains in the location towards which it moved and overturned, at the uterine neck. It is exposed to sickness in these forty days if it was not born after moving because it turns away from the place where it grew, and changes its position and dislocate their umbilical cord. The mother is exposed to sickness due to the expansion of membranes, dislocation of the umbilical cord attached to their womb, and because when the fetus is unattached, it becomes more of a burden to the mother.

Section Three:

Reasons for resemblance of One or Both Parents, Reasons for the Child's Sex, and whether there are Signs thereof during Pregnancy

We have already stated Allāh's [the Exalted] saying:

هُوَ الَّذِي يُصَوِّرُكُمْ
فِي الْأَرْحَامِ كَيْفَ يَشَاءُ لَا إِلَهَ إِلَّا هُوَ الْعَزِيزُ الْحَكِيمُ ﴿٦﴾

“It is He who forms you in the wombs however He wills. There is no deity except Him, the Exalted in

Might, the Wise.”

[*Al-‘Imrān* (3): 6]

It was authentically narrated in both Bukhārī and Muslim on the authority of Anas Ibn Mālik (*radīy Allāhu ‘anhu*) that Umm Sulaym (*radīy Allāhu ‘anhu*) asked the Prophet (ﷺ) about a woman who sees in her dream something like that which a man sees. The Messenger of Allāh (ﷺ) said: ‘If she sees that and has a discharge, then she should perform a bath.’ Umm Sulaym said: ‘O Messenger of Allāh, does that really happen?’ He said: ‘Yes, the water of the man is thick and white and the water of a woman is thin and yellow. Whichever of them precedes or predominates, the child will resemble [that parent].’⁷⁴²

It is narrated in Muslim in his *Ṣaḥīḥ* on the authority of ‘A’ishah (*radīy Allāhu ‘anḥā*) that a woman said to the Messenger (ﷺ): ‘Should a woman wash herself when she sees a sexual dream and sees [the marks] of liquid?’ He (ﷺ) said: ‘Yes.’ ‘A’ishah (*radīy Allāhu ‘anḥā*) said to her: ‘May your hand be covered with dust.’ The Messenger of Allāh (ﷺ) said: ‘Leave her alone. In what way does the child resemble her but for the fact that when the genes contributed by woman prevail upon those of man, the child resembles the maternal family, and when the genes of man prevail upon those of woman the child resembles the paternal family.’⁷⁴³

It is also narrated in Muslim in his *Ṣaḥīḥ* on the authority of Thawban (*radīy Allāhu ‘anhu*) that he said: ‘While I was standing beside the Messenger of Allāh (ﷺ) one of the rabbis of the Jews came and said, “Peace be upon you, O Muḥammad.” I pushed him back with a push that he was going to fall. Upon this he said:

⁷⁴³ Muslim, #314

“Why do you push me?” I said: “Why don’t you say: ‘O Messenger of Allāh?’” The Jew said: “We call him by the name by which he was named by his family.” The Messenger of Allāh (ﷺ) said: “My name is Muḥammad with which I was named by my family.” The Jew said: “I have come to ask you [something].” The Messenger of Allāh (ﷺ) said: “Should that thing be of any benefit to you, if I tell you that?” He [the Jew] said: “I will lend my ears to it.” The Messenger of Allāh (ﷺ) drew a line with the help of the stick that he had with him and then said: “Ask [whatever you like].” Then the Jew said: “Where would the human beings be on the Day when the earth would change into another earth and the heavens too [would change into other heavens]?” The Messenger of Allāh (ﷺ) said: “They would be in darkness beside the Bridge.” He [the Jew] again said: “Who amongst people would be the first to cross [this bridge]?” He (ﷺ) said: “They would be the poor amongst the refugees.” The Jew said: “What would constitute their breakfast when they would enter Paradise?” He (ﷺ) replied: “A caul of the fish-liver.” He [the Jew] said: “What would be their food after this?” He (ﷺ) said: “A bullock which was fed in the different quarters of Paradise would be slaughtered for them.” He [the Jew] said: “What would be their drink?” He (ﷺ) said: “They would be given drink from the fountain which is named ‘Salsabil.’” He [the Jew] said: ‘Correct!’

Then he [the Jew] added: “I have come to ask you about a thing which no one amongst the people on the earth knows except a Prophet or one or two men besides him.” He (ﷺ) said: “Would it benefit you if I tell you that?” He [the Jew] said: “I would lend ears to that.” He then said: “I have come to ask you about the child.” He (ﷺ) said: “The reproductive substance of man is white and that of woman is [i.e. ovum central portion] yellow. When they have sexual intercourse and the male’s substance [chromosomes

and genes] prevails upon the female's substance, it is the male child that is created by Allāh's Decree, and when the substance of the female prevails upon the substance contributed by the male, a female child is formed by the Decree of Allāh." The Jew said: "What you have said is true; verily you are a Prophet." He then returned and went away. The Messenger of Allāh (ﷺ) said: "He asked me about such and such things of which I have had no knowledge till Allāh gave me that."⁷⁴⁴

In Aḥmad in his *Musnad*, from Al-Qāsim Ibn 'Abdu'l-Raḥmān, from his father, 'Abdullāh Ibn Mas'ūd (*radīy Allāhu 'anhu*) said: 'A Jewish man passed by the Messenger (ﷺ) while he was speaking to his Companions. A man of Quraysh said: "O Jewish man! This man claims to be a prophet!" He said: "I will ask him about something which no one knows except a Prophet." He came and sat down, then said: "O Muḥammad! From what is man created?" He said, "O Jewish man! He is created from both; from the man's sperm and from the woman's water. As for the man's sperm, it is a thick substance, from which bones and nerves are made, and as for the woman's water, it is a light substance, from which flesh and blood are created." The Jew stood up and said: "This it what was said by those who came before you."⁷⁴⁵ [referring to previous Prophets]."

These ḥadīths include a number of points:

First: The fetus is created from the male's sperm and the female's water, unlike what some naturalists claim that it is created from the male's sperm only. Allāh [the Exalted] said:

⁷⁴⁴ Muslim, 1/252

⁷⁴⁵ Imām Aḥmad in his *Musnad*, 1/465, Bazzār, #2377, Ṭabarānī in his *al-Kabir*, #10360 and others

فَلْيَنْظُرِ الْإِنْسَانُ مِمَّ خُلِقَ ﴿٥﴾ خُلِقَ مِنْ مَّاءٍ دَافِقٍ ﴿٦﴾ يَخْرُجُ مِنْ بَيْنِ
الصُّلْبِ وَالتَّرَائِبِ ﴿٧﴾

“So let man observe from what he was created. He was created from a fluid, ejected. Emerging from between the backbone and the ribs.”

[*al-Tāriq* (86):5-7]

Al-Zajjāj conveys linguists interpretation of the word ‘*Al-Tarā’ib*’, and translated here as ‘the ribs’⁷⁴⁶ that it means the location of the chest where the necklace rests.⁷⁴⁷

Abū ‘Ubaydah said: “‘*Al-Tarā’ib*’ is the location of the chest where the necklace is hanged.”⁷⁴⁸

This is the view of all linguists.

‘Atā’ narrates that Ibn ‘Abbās (*radīy Allāhu ‘anhumā*) said: ‘The verse refers to the male’s backbone, and the female’s breastbone, where her necklace hangs.’ This is the view of Al-Kalbī, Muqatil, Sufyān and the majority of Qur’ān interpreters, which is the view that conforms to these ḥadīths.

This way, Allāh followed His tradition of bringing existence of something from between two origins, such as animals, plants and other creatures. An animal comes into existence through a male and a female, and a plant comes to existence through water, dust and air. That is why Allāh [the Exalted] said:

⁷⁴⁶ The word ‘*Al-Tarā’ib*’ is translated here as ‘the ribs’ according to all the major translations of the Qur’ān.

⁷⁴⁷ *Ma’āni al-Qur’ān* of Al-Zajjāj, 5/312

⁷⁴⁸ *Majāz al-Qur’ān*, 2/292

بَدِيعُ السَّمَوَاتِ وَالْأَرْضِ أَفَنُيَكُونُ لَهُ وَلَدٌ وَلَمْ تَكُنْ لَهُ
صَاحِبَةً

“[He is] Originator of the heavens and the earth.
How could He have a son when He does not have a
companion?”

[*al-An‘ām* (6):101]

Therefore, a son is only formed through a male and a female. This is not refuted by the cases of Ādam and Hawā’ (*‘alayhumā-salām*) or *al-Masīh* (*‘alayhis-salām*); Allāh [the Exalted] mixed the dust of Ādam with water until it became clay, then exposed it to air and sunlight until it became like pottery, and then He breathed life into it. Hawā’ was derived from him and a part of his, and al-Maseeh was created from Maryam’s water and the angel’s blow; the blow from him was as the father is to others.

Sub-section one:

Second: The precedence of one of the two waters is a reason for the child’s resemblance to the owner of this water, and the prevalence of one water is a reason for the child’s sex being the same as its owner.⁷⁵⁰

Here there are two aspects: Precedence and prevalence. They could meet and they could part. If the male’s water preceded and prevailed, the child is a boy who resembles his father. If the female’s water preceded and prevailed, the child is a girl who resembles her mother. If one of them preceded while the other

⁷⁴⁹ See *Ma‘ānī al-Qur‘ān* of Al-Firaa’, 3/255, *Tafsīr al-Ṭabari*, 24/354 and *Tafsīr al-Baghwi*, 8/324

⁷⁵⁰ See *al-Masā’il* in *Al-Ṭibyan fī Imān al-Qur‘ān*, pp.510-517, *al-Turaq al-Hikmiyyah*, 2/583-588 and *Miftāḥ Dār al-Sa‘ādah* of the author [Ibn Qayyim], 1/258-260.

prevailed, resemblance is to the owner of the preceding water, and the child's sex is the same as the owner of the prevailing one.

There are two issues here:

First: The child's sex has no natural cause; it is only dependent on the will of the Creator [the Exalted]. That is why the Prophet (ﷺ) said in the authentic ḥadīth: "So the angel says, "O my Lord, is it a male or a female? What is its provision and term of life? Is it happy or miserable?" And then the Lord decides as He likes and the angel writes it down.' Therefore, the child's sex depends on the decision of the Knowing Creator, just as happiness and misery, and provision and term of life. As for Thawbān's ḥadīth, it was only narrated by Muslim. The ḥadīth narrated in Al-Bukhārī only mentions resemblance. That is why it said: 'Whichever of them precedes or predominates, the child will resemble [that parent]'.⁷⁵¹

Second: *Al-Qāfah*⁷⁵² is based on resemblance to the father, not the mother.⁷⁵³ That is why the Prophet (ﷺ) said in the case of the child whose father accused his wife of adultery: 'Wait and see. If she gives birth to a child with such-and-such characteristics, the child belongs to Shurayk Ibn Al-Sahmā'—meaning the man with whom she was accused of committing adultery—and if the child had so-and-so characteristics, the child belongs to Hilāl Ibn Umayyah.⁷⁵⁴ Therefore, he considered resemblance to the father, and not the mother.

⁷⁵¹ Reference already mentioned

⁷⁵² *Al-Qāfah*: The art of determining a child's father in case of a dispute. The person who performs it is called '*Al-Qāfi*'.

⁷⁵³ See *al-Turaq al-Fikmiyyah* of the author [Ibn Qayyim], 2/573.

⁷⁵⁴ Muslim, 2/1134

To address these two issues:

For the first issue: Allāh [the Exalted] decided the affairs of the sperm-drop since He placed it in the womb, until its final states with purposes that He decided [for it]. Even misery and happiness, provision, term of life and death, all these are linked to causes that He decided. It is not improbable for the child's sex to be linked to causes, just as resemblance has its causes, merely because the cause does not necessitate the effect. If Allāh wills, the cause has its effects, if He wills, He deprives the cause of its effect, and if He wills, He causes through it the opposite effect. He [the Exalted] does this sometimes and that sometimes. The real cause is the will of Allāh, alone, and the causes are governed, not governing. Therefore, there is no contradiction between the establishment of the cause for the child's sex and the angel asking his Lord which one He decides for the child. He [the Exalted] informed that having a male or a female child is a pure gift from Him, based on His will, knowledge and power.

If it was said: The angel's saying, 'O my Lord, is it a male or a female?' is the same as his saying, 'What is its provision and term of life?' which does not depend on a cause from the father, and happens through other causes.

The answer is: Yes, the child's gender does not depend on a necessary cause related to the sexual intercourse itself. All there is that a tiny proportion of the cause is established, and it is completed by matters outside the spouses' control. It suffices here to say that if Allāh does not allow the cause to yield the effect, it does not happen. Therefore, the child's gender dependence on the will of Allāh does not contradict their happening due to a cause, and vice versa, but the cause alone is not sufficient.

As for the exclusivity of Thawban's ḥadīth in ṣaḥīḥ Muslim, it is so, and the ḥadīth is authentic, which is not contested, but its addressing of the child's sex makes one uncomfortable. Was this word properly memorised or not? What is stated is resemblance, as in all the other authentic ḥadīths. Therefore, this is an issue. Allāh knows best.

Sub-section Two:

As for the other issue: that *Al-Qā'if* considers the father's resemblance and not the mother's, this is because the child's belonging to the mother is a verified matter and not under suspicion, whether or not the child resembled her. *Al-Qā'if* is needed in determining the father.

That is why a child can be attributed to two fathers, according to the Companions and the majority of jurists among people of ḥadīth, but he/she cannot be attributed to two mothers. If two men claim the child to be their own, he or she is attributed to the one they resemble, if there is no contradicting evidence of sexual intercourse. If there is, resemblance is ignored. Therefore, resemblance is regarded as evidence when it does not contradict stronger evidence, such as evidence of sexual intercourse and eyewitnesses.

Yes, if two women claimed the child to be their own, the child is shown to *al-Qāfah* and is attributed to the one they resemble. Therefore, we used resemblance in both cases.

Imām Aḥmad explicitly stated considering *al-Qāfah* in the case of two mothers. He was asked about a situation where a Muslim woman and a Jewish woman both gave birth, and the Jewish woman claimed the Muslim woman's child to be her own. He was

asked: 'Can *Al-Qāfab* be used here?' He expressed admiration for that idea.⁷⁵⁵

This is also the more authentic view of the Shāfi'ī school.

The other view says: '*Al-Qāfab* is not valid here because it is possible to determine the mother with certainty, unlike the father.'

The correct view is to consider *Al-Qāfab* in the case of two women because it takes resemblance to the mother into consideration. A child resembles his father in some cases and his mother in others. This can be proved by the aforementioned ḥadīths from 'A'ishah, Umm Salamah, 'Abdullāh Ibn Salam, Anas Ibn Mālik and Thawbān (*raḍiy Allāhu 'anhum*). The possibility to determine the mother with certainty does not prevent considering *Al-Qāfab* in case of uncertainty, just as it is considered with men in case of no clear evidence of sexual intercourse.

Sulaymān Ibn Ḥarb narrated from Ḥammād, from Hisham Ibn Hassān, that Muḥammad Ibn Sīrīn said: 'Al-Walīd took us to pilgrimage, and we were seven sons of Sīrīn. He took us to Madīnah, and when we entered upon Zayd Ibn Thābit (*raḍiy Allāhu 'anhu*) he was told: 'These are the sons of Sīrīn.' He said: "These two are from one mother, these two are from another mother, and these two are from a third mother," and he was not wrong.⁷⁵⁶

The physician says in *the Book of Fetuses*: 'If the father's water was more than the mother's, the child resembled him, and if the mother's water was more than the father's, the child resembles her.'

⁷⁵⁵ See *al-Mughni* of Ibn Qudāmah, 8/381

⁷⁵⁶ See *Tārikh Damshaq* of Ibn 'Asākir, 19/330 and *Siyār A'lām al-Nubalā'* of Dhahabī, 2/438

He added: 'The sperm is drawn from all bodily organs, the parts drawn from sound organs are sound, and the parts drawn from sick organs are sick.' He added: 'Bald people give birth to bald children, the blue-eyed gives birth to blue-eyed children, and the cockeyed gives birth to cockeyed children.'

He also said: 'As for the flesh, it increases with the flesh, and joints are created therein, and each part of the fetus resembles that from which it originates.'

He added: 'Frequently, blind people, and people who have a mole or a certain mark give birth to children with the same marks, and in many cases, children resemble their grandparents or their relatives.'

He also said: 'Male children, mostly, resemble their fathers, and the females resemble their mothers.'

Sub-section Three:

The newborn's ugliness or beauty may result from other factors:

Including the parents' ideas, particularly the mother, if she was thinking, during the sexual intercourse and after it until the fetus is created, about someone that she sees, remembers or long for because she loves and is fond of them. As long as she is thinking about and longing for them, the fetus resembles them and takes after them. Nature is a carrier, and its readiness and acceptance are known to everyone.

The chief doctor in Cairo told me: 'I assigned my nephew to paint people's eyes with kohl. After a short while, he came to me

with conjunctivitis. When he was healed, he went back, so conjunctivitis came back to him. I realized that it is due to him opening his eyes to the eyes of conjunctivitis patients, and nature is a carrier.'

Doctors said that the pregnant woman's addiction to eat quince and apples is among that which beautifies the newborn's face and purifies its color. The hated for the pregnant woman to see horrible pictures, opaque colors, narrow and lonely houses, because all that affects the fetus.

Sub-section Four:

The physician said in *The Book of Fetuses*: If the male's sperm entered the uterus during the intercourse and did not leave it, but stayed in the uterine neck, and the neck shuts, the woman conceives. If the uterine neck shuts, the sperm and the embryo are united, and pregnancy occurs. If the male and the female's ejaculation occurred simultaneously, they were mixed together, settled in the uterus, became enclosed by it, and the uterine neck shut, the woman conceives.

Contributing to that occurs in three times: before, during and after the intercourse. Before, by preparing the womb to receive the sperm: during, by delivering the sperm to its residence in the womb and coinciding both ejaculations: and after, by the sperm's stability in the womb, being enclosed by it and protected from leaving or corruption.

I say: The aforementioned cause does not necessitate the result, only Allāh's will necessitates that as clarified earlier. Allāh knows best.

Sub-section Five:

When the fetus is formed and shaped by the Creator, the Inventor, the Fashioner, it is positioned with its head up and his legs down. When Allāh permits his emergence, his is turned so that his head is down and his legs are up, and his head precedes the rest of his body. All doctors and anatomists unanimously agree on that.

This is a form of the Divine mercy for the fetus and his mother, because if the head emerges first, the emergence of the rest of the body is easier, without the need for anything else. Were its legs to emerge first, it could not be guaranteed not to get its hands stuck.

If one leg emerged, it could not be guaranteed not to have the other leg stuck.

If the hands emerged, it could not be guaranteed not to have the head stuck, because it could twist backwards, the umbilical cord may twist at its neck or its shoulder, because if it descends with the umbilical cord extended, it may be twisted on the neck and shoulders, which could result in: pulling the umbilical cord and causing great pain to the mother, the fetus' death or difficulty in emergence and illness and swelling afterwards. Therefore, the wisdom the Most Just of judges necessitates turning the fetus inside the womb, so that its head emerges first, followed by the rest of the body.

Section Four

The Reason Why the Newborn Does Not Survive
If Born After Eight Months But Survives If Born
After Seven, Nine or Ten Months

When the fetus reaches seven months, it undergoes a strong movement that it does naturally to turn around and emerge. If the fetus is strong, and is a child who is naturally of strong build and able to rip apart the surrounding membranes connected to the uterus in order to cut through and emerge, it emerges in the seventh month not pained by the movement and not sickened by the turnaround.

If it is not that strong, either it is impaired by the pain to which it is exposed, by movement causing it to emerge dead, or it remains in the belly, becomes sick and remains so around forty days until it is healed, invigorated and strengthened. If it is born in the eighth month, it is born sick, is not healed; remains impaired and cannot be brought up.

If it remains in the womb until these forty days pass, until the ninth month, until it is healed, strengthened and invigorated, and remain a while after that, it should be sound. The most entitled to be sound are those that stay the longest in the womb after turning around, meaning those born in the tenth month. As for those born between the ninth and the tenth month, they are in-between depending on how far they are.

Others said: The reason why the fetus born after eight months does not survive: is that it is exposed to two kinds of harm successively:

First: Turing around in the seventh month inside the uterus for emergence.

Second: Changing its condition between its position in the uterus and its position in the air. Even if all fetuses are exposed to that change, the fetus born in the seventh month escapes before damage and illness befall it. As for the fetus born after ten months, it remains in the womb until it recovers and heals from those illnesses. Therefore, he is not exposed to both harms successively. However, the baby born in the eighth month is exposed to both harms successively, and it cannot survive. All fetuses are exposed to illness at the eighth month.

You can confirm that by observing pregnant women and seeing how they are, in the eighth month, in a worse condition and with a heavier burden than they are in all months before and after it. The condition of the mother is linked to the condition of the fetus.

Sub-section One:

The newborn's crying upon its birth indicates its health, strength and power. When the baby puts its hand, thumb or any finger on one of its organs, it indicates feeling pain in that organ. All animals naturally point to the painful part of their body, using either their hand, mouth, head or tail. Since the newborn is unable to speak, it points to the painful part with its finger or hand just as the animal does.

Sub-section Two:

Children are stronger and more enduring in the womb than they are after birth. Therefore, care for them and attention to them is

greater after birth. As long as the branches are attached to the tree, strong wind cannot destabilize or pluck them away. However, when they are separated and planted elsewhere, illness can reach them and the weakest wind can pluck them away.

Similarly, as long as the fetus is in the womb, it can endure what it is exposed to, such as harm and malnutrition, which it cannot endure after birth and separation from the womb, just like the fruit in the tree, which is stronger and firmer than it is after plucking.

Breaking the habit and changing the familiar routine are tough on whoever experiences them, particularly when they happen suddenly. When the fetus emerges from the womb, it moves away from what it was used to and acquainted with in all its affairs all of a sudden; this is tougher for him than if it was done gradually.

That is why Hippocrates said: It is easily known that if malnutrition, despite its badness, was uniform and almost in a similar condition, it is safer, more reassuring and less dangerous concerning health than for the person suddenly to change to better nutrition. The fetus moves away from what it was acquainted to in its nutrition, breathing, inlets, outlets and surroundings all of a sudden.

This is the first hardship that the person faces in this life, then hardships follow in succession, until the person reaches the greatest calamity, above which there is no hardship, or the greatest comfort, below which there is no discomfort. That is why the baby cries when it reaches this hardship, along with Satan's poking and stabbing of his waist.

Sub-section Three:

In the womb, the fetus was nourished with what suits it, and it naturally absorbed the appropriate amount of its mother's blood. After emerging, it also absorbs the appropriate amount of milk, but it absorbs it with its desire and will, absorbing more than it needs, which, along with instances of bad or poor milk, causes him vomiting and nausea, attracts the mixtures of his belly, exposes him to pains and illnesses that he was not used to in the womb. He had been protected from harm by membranes and veils, but when he was born, new membranes and veils were given to him that he was not acquainted with, and he may start to be exposed to heat, coldness and air. It used to pull him by the bellybutton, which is the gentlest thing.⁷⁵⁷ It is similar to someone who was in the bath with gentle moderate weather, then he goes out, all of a sudden, naked to the harmful windy weather.

In summary, he moves from his routine and habit, suddenly, to what is tougher and more difficult for him. This is a display of the wisdom of the Knowing Creator, to train His servant on breaking his habit and routine to what is better, more beneficial and more suitable.

Allāh [the Exalted] referred to that by saying:

لَتَرْكَبَنَّ طَبَقًا عَن طَبَقٍ ﴿١٩﴾

“[That] you will surely experience state after state.”

[*al-Inshiqāq* (84):19]

His first state⁷⁵⁸ is being a sperm-drop, then a clinging clot, then a lump of flesh, then a fetus, then a newborn, then a suckling, then

⁷⁵⁷ See *Qāmūs al-Iḥbā'* of al-Qawsūnī, 1/308-309.

⁷⁵⁸ See Bukhārī, 8/698

a weanling, then healthy or ill, rich or poor, sound or suffering, to all the different states of humans, until he dies, resurrected, then made to stand before Allāh [the Exalted], and then he is led either to Paradise or to Hell.

The meaning is: You will experience one state after another, one destination after another, and one affair after another.

Sa'īd Ibn Jubayr and Ibn Zayd say: 'You will be the latter after you were the former, and you will be rich after poverty, and poor after wealth.'

'Aṭā' said: 'One hardship after the other.'

We have stated some of the fetus' states in the womb since being a sperm-drop until its birth. We will now outline its states after birth until their end: The fetus in the womb is like the fruit on the tree, in terms of strong connection to its origin. If it reached its final stage, it must be separated because of its heaviness, completion and severance of the connected blood vessels. Thus, the membranes surrounding the fetus are ripped, and the vessels holding him between the placenta and the womb are severed, and these slippery moistures are made. The slipperiness, the fetus' heaviness, the ripping of the membranes and the severance of blood vessels help the fetus to emerge, so the womb opens greatly, and some great joints split then heal very quickly.

The skilled doctors and anatomists acknowledge that and say: 'This cannot happen without divine care and planning, the manner of which cannot be perceived by people's minds.'

فَتَبَارَكَ اللَّهُ أَحْسَنَ الْخَالِقِينَ ﴿١٤﴾

“So blessed is Allāh, the best of creators.”

[*al-Mu'minūn* (23):14]

When the fetus is separated, it cries for a normal reason, which is leaving the place where it resided and to which it was acquainted, as well as for a different reason, which is Satan stabbing its waist. When it is completely separated, it extends its arm to its mouth. When forty days pass, it moves to a different state, just like in the womb, so he starts to laugh, which is the beginning of his perception. At the age of two months, the baby starts to have dreams and his perception and awareness are gradually established until the age of consciousness. There is no certain age for that; some people reach consciousness at the age of five, like Maḥmūd Ibn Al-Rabī said: ‘I remember that the Prophet (ﷺ) threw water in my face from a bucket [used to get water from a well] with his mouth when I was five years old.⁷⁵⁹ That is why I made the age of five the minimum age for accepting the child’s hearing.’

Some children are conscious before that, and remember things that happened before that age. We have narrated from Iyās Ibn Mu‘āwiyah that he said: ‘I remember the day when my mother delivered me, because I went from darkness to light, and then to darkness.’ His mother was asked about that and said: ‘He is saying the truth. When he was separated from me, I had nothing to wrap him in, so I put a bowl on him.’⁷⁶⁰

This is a most amazing and rare incident.

When the child reaches the age of seven, he enters the age of consciousness, and is commanded to pray, just as is narrated in

⁷⁵⁹ Bukhārī,1/172 and Muslim,1/456

⁷⁶⁰ See Ibn ‘Asākir in his *Tārikh al-Damishq*, 10/14, Al-Aṣḥabānī in his *Tabāqāt al-Muḥadathin bi Aṣḥabān*, 2/88 and his *Al-Tārikh*,1/270

'*Al-Musnad*' and '*Al-Sunan*' from 'Amr Ibn Shu'ayb, from his father, from his grandfather, that the Messenger (ﷺ) said: 'Command your children to pray when they become seven years old, and discipline them for it [prayer] when they become ten years old; and arrange their beds [to sleep] separately.'⁷⁶¹

The Prophet (ﷺ) allowed a weaned girl to choose between her parents, as Abū Dāwūd narrated in his *Sunan*, from 'Abdu'l-Ḥāmid Ibn Ja'far Ibn 'Abdullāh Ibn Rāfi' Ibn Sinān Al-Anṣarī, from his father, from his grandfather Rāfi' Ibn Sinān (*radīy Allāhu 'anhu*), that he embraced Islām, but his wife refused to do so. She came to the Prophet (ﷺ) and said: 'My daughter; she is weaned or about to wean.' Rāfi' said: 'My daughter.' The Prophet (ﷺ) said to him: 'Be seated on one side' and he said to her, 'Be seated on the other side.' He then seated the girl between them, and said to them: 'Call her.' The girl inclined to her mother. The Prophet (ﷺ) said: 'O Allāh! Guide her.' The daughter then inclined to her father, and he took her.⁷⁶²

There is no judgment better or closer to pure nature and justice than this.

It was narrated by Al-Nasā'ī, from 'Abdu'l-Ḥāmid Ibn Salamah Al-Anṣarī, from his father, from his grandfather, that he embraced Islām, but his wife refused to do so. A young son of theirs, who had not yet reached puberty, came, and the Prophet seated the father on one side and the mother on the other side, and he gave him the choice. He said: 'O Allāh, guide him' and [the child] went

⁷⁶¹ Reference already incited

⁷⁶² Abū Dāwūd, 8/280-281, Ibn Mājah, 2/782, Aḥmad in his *Musnad*, 2/246 and it was authenticated by Ḥākīm, 2/206

to his father.⁷⁶³

It is also narrated in *Al-Musnad* from Abū Hurayrah (*radīy Allāhu ‘anhu*) that the Messenger (ﷺ) gave a boy the choice between his father and his mother.⁷⁶⁴

As for restricting choice to the age of seven, there is nothing supporting that in the continuous ḥadīths, but it was reported from ‘Alī (*radīy Allāhu ‘anhu*) and Abū Hurayrah (*radīy Allāhu ‘anhu*).

‘Amarah Al-Jarmī said: “Alī gave me the choice between my mother and my uncle, and I was seven or eight years old.”⁷⁶⁵

This does not imply that whoever is younger than this must not be given the choice, it merely says that this was his age when he was given the choice.

It is narrated in the *Sunan* on the authority of Abū Hurayrah (*radīy Allāhu ‘anhu*) that a woman came to the Prophet (ﷺ) and said: ‘O Allāh’s Messenger! My husband wants to take my son away from me, when he [the son] brings me water from the well of Abū Inābah and helps me.’ The Prophet (ﷺ) said: ‘This is your father, and this is your mother; take the hand of whichever of them you want.’ He took his mother’s hand, and she went away with him.⁷⁶⁶ The Messenger (ﷺ) did not ask about his age.

What is apparent is that what the Messenger (ﷺ) knew that he brought her water from the well. There is no age-restriction in

⁷⁶³ Nasā’ī, 6/185

⁷⁶⁴ Aḥmad in his *Musnad*, 2/246

⁷⁶⁵ Bayhaqī in *Sunan*, 8/4; see *Irwā’ al-Ghalīl* of al-Albānī, 7/251-252

⁷⁶⁶ Abū Dāwūd, 8/342-343, Tirmidhī, 4/589 and he said: ‘[This] ḥadīth is ḥasan ṣaḥīḥ.’ Nasā’ī, 6/185-186, Ibn Mājah, 2/782, Imām Aḥmad in his *Musnad*, 2/246 and others.

the ḥadīths of choice, whether the continuous or the severed. They indicate that whenever he is able to distinguish between his father and his mother, he is given the choice. Allāh knows best.

Similarly, the validity of his Islām is not restricted to the age of seven. Whenever he understands Islām and is able to describe it, it is valid. Al-Khiraqī insisted that he be ten years old.⁷⁶⁷

Aḥmad explicitly stated that regarding the will. He said, as narrated by his sons, Ṣāliḥ and Abdullāh, his uncle Abū Ṭālib, Ishāq Ibn Ibrāhīm, Abū Dāwūd, and Abū Mansūr that reaching the age of ten is a condition for the will's validity.

Abū Ṭālib asked him: 'What if he was younger than ten?' He said: 'No.'

He cited, in Ishāq Ibn Ibrāhīm's narration, that the child is disciplined for the prayer at the age of ten.⁷⁶⁸

As for the child's Islām, he said in *Al-Mughnī*:

Most scholars who accepted the child's Islām did insist on a minimum age of ten, and did not put a minimum age. It was narrated by Ibn Al-Mundhir from Aḥmad, because the purpose was achieved, and there is no need for anything else.

It was narrated that Aḥmad said: 'If he was seven years old, his Islām is valid, because the Prophet (ﷺ) said: "Command your

⁷⁶⁷ See *Mukhtaṣar al-Kharqī* with *al-Mughnī* of Ibn Qudāmah, 12/278

⁷⁶⁸ See the statements of Imām Aḥmad in *Masā'il al-Imām Aḥmad*, of 'Abdullāh, 1/188-189 and 3/1170, Ibn Hāni, 2/39, *Masā'il al-Imām Aḥmad*, of Abū Dāwūd, p. 214 and *al-Mughnī* of Ibn Qudāmah, 12/278-280

children to pray when they become seven years old” which proves that this age is the limit for commanding them and the validity of their worship, so it is a limit for the validity of their faith.⁷⁶⁹

Ibn Abū Shaybah said: ‘If he embraced Islām at the age of five, it is considered valid, because ‘Alī embraced Islām at the age of five.’

Abū Ayyūb said: ‘The Islām of a three-year-old is accepted. Whoever arrives at the truth, whether young or old, is accepted. A child this young cannot nearly comprehend Islām or understand what he is saying, and his word is not taken into consideration. However, if he was found to have arrived at the truth and his words and actions indicated knowledge and understanding of Islām, it is accepted from him, like anyone else.’⁷⁷⁰

Therefore, the Shaikh stated the validity of a three-year-old’s Islām if he understood it.

Al-Maymūnī reports that he asked Abū ‘Abdullāh: ‘What about a boy who embraced Islām at the age of ten, before reaching the age of puberty?’

He said: ‘I accept his Islām.’

He asked: ‘What is your evidence for such view?’

He said: ‘I discipline him for the prayer at the age of ten and separate his bed from other children’s beds [at that age].’⁷⁷¹

Al-Faḍl Ibn Ziyād said that he asked Aḥmad: ‘What about a Christian boy who embraced Islām, what do you do with him?’⁷⁷²

⁷⁶⁹ See *al-Jāmi’* of Khallāl, p.40-41

⁷⁷⁰ See *al-Mughnī* of Ibn Qudāmah, 12/280

⁷⁷¹ See *Aḥkām Abī’ul-Malal of Khallāl*, p.41-42

⁷⁷² *ibid*

He said: 'If he reached the age of ten, I would encourage him to remain a Muslim, because the Prophet (ﷺ) said: "Command your children to pray when they become seven years old, and discipline them for it [prayer] when they become ten years old."⁷⁷³

This is one report from him; another report is narrated where he said: 'The Islām of a seven-year-old is accepted.'

Abū'l-Ḥārith narrates that Abū 'Abdullāh was asked: 'A young boy declared Islām, and testified that there is no deity [worthy of worship] except Allāh and that Muḥammad is His Messenger, and prayed when he was still young, not conscious yet, then he reverted, does his declaration of Islām count, when he was still young?'

He said: 'Yes; if he was seven years old, he should be forced to remain a Muslim, because the Prophet (ﷺ) said: "Command your children to pray when they become seven years old," so the prayer became obligatory.'⁷⁷⁴

Ṣāliḥ conveys that his father said: 'If the Jew or the Christian reached the age of seven and then converted to Islām, they are forced to remain in Islām, because at the age of seven, they are commanded to pray.'

Ṣāliḥ then asked: 'What if he was six years old?' He said: 'Then no.'⁷⁷⁵

⁷⁷³ *ibid*

⁷⁷⁴ *ibid*

⁷⁷⁵ *ibid*

Sub-section Four:

When he reaches the age of ten, his strength, mental capacities and endurance of obligations increase. Therefore, he is reprimanded for skipping prayer, as the Prophet (ﷺ) commanded, this reprimand is for disciplining and training. Upon reaching the age of ten, he moves to another stage where his consciousness and knowledge increase. That is why many jurists believe that he is obligated to believe at this stage, and that he will be punished for lack thereof. This is the view of Abū'l-Khattāb and others, and it is a very strong view. Even if he is exempted from secondary obligations, he is given the instrument that enables him to know the Creator, acknowledge His oneness and the truthfulness of His Messengers, and he is able to comprehend the analogies and deductions, just as he is capable of understanding the sciences, crafts and the interests of his life. Therefore, there is no excuse for disbelief in Allāh and His Messenger, let alone that the evidence for belief in Allāh and His Messenger is clearer than each science or craft that he learns.

Allāh [the Exalted] said:

وَأَوْحَىٰ إِلَيَّ هَذَا الْقُرْآنَ لِأُنذِرَكُمْ بِهِ وَمَنْ بَلَغَ

“And this Qur’ān was revealed to me that I may warn you thereby and whomever it reaches.”

[*al-An’ām* (6):19]

Therefore, everyone who is reached by the Qur’ān and able to understand it is warned by it.

The ḥadīths narrated about the trial of children, fools and people of *al-Fatrah* [those who died without being reached by

a Messenger's message] indicate the trial of those who did not comprehend Islām. Those present the argument that they were not reached by the message and were not able to understand Islām. However, he who understands the details of crafts and sciences cannot present this argument before Allāh.

Being exempted from provisions in this life before puberty does not indicate being accounted for them in the Hereafter.

This view is the one reported from Abū Ḥanīfah and his companions, and it is immensely strong.⁷⁷⁶

Sub-section Five:

From the age of ten until puberty, he is called a teenager and approaching puberty. When he reaches the age of fifteen, he is transformed to another state, where sexual maturity occurs, hair grows around the genitals, voice becomes deep and the nose tip separates.

What the Sharī'ah considered among these are sexual maturity and hair growth.

As for sexual maturity, Allāh [the Exalted] said:

يَا أَيُّهَا الَّذِينَ آمَنُوا
لَيْسَ عَلَيْكُمْ الَّذِينَ مَلَكَتْ أَيْمَانُكُمْ وَالَّذِينَ لَمْ يَبْلُغُوا الْحُلُمَ مِنْكُمْ
ثَلَاثَ مَرَّاتٍ

⁷⁷⁶ See *Tariq al-Hijratayn* of the author [Ibn Qayyim], 2/842-877, *Ahkām al-Dhimma*, 2/609, *Al-Jawāb al-Ṣaḥīḥ* of Ibn Taymiyyah, 1/310 and *Mukhtaṣar al-Fatāwa al-Miṣriyyah* of al-Ba'li, pp. 642-643.

“O you who have believed, let those whom your right hands possess and those who have not [yet] reached puberty among you ask permission of you [before they come to your presence] on three occasions”

And said:

وَإِذَا بَلَغَ الْأَطْفَالُ مِنْكُمْ الْحُلُمَ فَلْيَسْتَأْذِنُوا كَمَا اسْتَأْذَنَ
الَّذِينَ مِنْ قَبْلِهِمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ وَاللَّهُ
عَلِيمٌ حَكِيمٌ

“And when the children among you reach puberty, let them ask permission [at all times] as those before them have done. Thus does Allāh make clear to you His verses; and Allāh is Knowing and Wise.”

[*al-Nūr* (24): 58-59]

The Prophet (ﷺ) said: “There are three [persons] whose actions are not recorded: the sleeping person until he awakens, the minor until he reaches puberty, and the insane person until he comes to his senses.”⁷⁷⁷

He (ﷺ) said to Mu‘adh (*radīy Allāhu ‘anhu*): “Take [the *jiyyab*] from everyone who has reached the age of puberty [the amount of] one *dīnār*.”⁷⁷⁸

Puberty does not have a certain age. Some children reach it at the age of twelve, while others reach the age of fifteen, sixteen and more before reaching it.

⁷⁷⁷ Bukhārī, 9/388, Abū Dāwūd, 6/229-230, Tirmidhī, 4/685, Ibn Mājah, 1/658 and others.

⁷⁷⁸ Abū Dāwūd, 2/195, Tirmidhī, 3/257, Nasā’ī, 5/26, Hākim, 5/230 and it is authenticated by him and Dhahabī agreed. Aḥmad in his *Musnad*, 5/230 and Baghwī in his *Sharḥ al-Sunnab*, 6/19; see *Al-Talkhīṣ al-Ḥabīr* of Ibn Ḥajr, 4/122

Jurists debate the age of puberty. Al-Awzā'ī, Aḥmad, Al-Shāfi'ī, Abū Yūsuf and Muḥammad said: 'Whenever he becomes fifteen years old, he is deemed to have reached puberty.'

Mālik's followers have three views: one says seventeen, the other says eighteen, and the third says fifteen, which is the one narrated from Mālik.

There are two views reported from Abū Ḥanīfah: one is seventeen and the other is eighteen for the boy, and seventeen for the girl.⁷⁷⁹

Dāwūd and his companions say: 'There is no age limit, the criterion is sexual maturity.' This is a strong view, and there is no ḥadīth narrated from the Messenger (ﷺ) regarding an age limit for puberty. The only thing narrated in this regard is the ḥadīth narrated by Ibn 'Umar (*radīy Allāhu 'anhumā*) when he was presented to the Prophet (ﷺ) to fight in battle when he was fourteen years old, and he (ﷺ) did not accept him, then he was presented when he was fifteen years old, so he (ﷺ) accepted him.⁷⁸⁰

This ḥadīth, despite being authentic according to the consensus, carries no evidence that the Prophet (ﷺ) accepted him because he reached puberty. Perhaps he deemed him too young the first time or did not think he would endure fighting, but when he reached the age of fifteen, he estimated that he would endure fighting and accepted him. That is why he (ﷺ) did not ask him whether he had reached puberty. Allāh [the Exalted] made requirements pending puberty, and so did the Prophet (ﷺ). Nothing was narrated from him regarding the age of puberty except what Ibn Umar's conveyed

⁷⁷⁹ See *Takmilā Fath al-Qadīr* of Ibn Al-Hamām.7/323 and *Jāmi' Ahkām al-Ṣaghār* of Asrūshani, 1/34-35

⁷⁸⁰ Bukhārī, 7/392 and Muslim, 3/1490

about rejecting and accepting him.

Therefore, the jurists differed in opinion about the age where the boy's puberty is determined. Imām Aḥmad insisted that the boy cannot be a *mabram* (unmarriageable person) to a woman until he reaches puberty. Therefore, he regarded sexual maturity as a condition.

Sub-section Six:

As for hair growth, it is the growth of hair around the genitals of the boy and the girl. The weak pubic hair does not count.⁷⁸²

This is the view of Aḥmad, Mālik and one of the views of Al-Shāfi'ī. He said in the other view: 'It is a sign [of puberty] among disbelievers, and not Muslims, because for Muslim children, evidence proves when they reach puberty, and the words of their adults are accepted, unlike the disbeliever.'⁷⁸³ Abū Ḥanīfah said: 'It is not considered a proof at all; just as voice hoarseness and nose separation are not.'⁷⁸⁴

Whoever regarded it as a proof cited the ḥadīths narrated in both Bukhārī and Muslim that when the Prophet (ﷺ) made Sa'd Ibn Mu'adh (*raḍīy Allāhu 'anhu*) a judge in the case of Banu Qurayzah.⁷⁸⁵ He judged that their warriors should be killed and their women and children should be taken as captives. The Messenger (ﷺ) commanded to check them, whoever had his pubic hair grown

⁷⁸¹ See *al-Mughni* of Ibn Qudāmah, 5/34

⁷⁸² See *al-Mishāb al-Munir* of Fayawmī, 1/253

⁷⁸³ See *al-Mughni* of Ibn Qudāmah, 6/597-598, *Al-Sharḥ al-Kabīr ma'a Ḥāshiyā* of al-Dasūqī, 3/293, *Mughni al-Muhtāj* of al-Khaṭīb al-Sharībīnī, 2/166

⁷⁸⁴ See *Multaqa al-Abḥār* of Shaikh Damād al-Ḥanafī, 1/127

⁷⁸⁵ The Jewish tribe of Qurayzah who used to live in Madinah.

was determined to be a warrior, and the others were determined to be of children.⁷⁸⁶

‘Atīyah said: ‘They doubted my status, so the Prophet (ﷺ) commanded to check whether my pubic hair had grown. They checked and it had not grown, so I was joined with children.’⁷⁸⁷

The Companions continued to use this criterion after the Prophet (ﷺ). ‘Umar (*radīy Allāhu ‘anhu*) wrote to one of his appointed officials: ‘Do not collect tax (*jiʒyah*) except from whom was touched by a razor [has pubic hair].’⁷⁸⁸

Al-Bayhaqī⁷⁸⁹ narrated from Ibn ‘Uliyah, from Ismā‘īl Ibn Umayyah, from Muḥammad Ibn Yahyā Ibn Ḥibbān, that ‘Umar (*radīy Allāhu ‘anhu*) was brought a boy who falsely claimed, in his poetry, to have committed adultery with a girl. He said: ‘Look at him’ and they found his pubic hair to not have grown yet, so he was spared the punishment (*ḥadd*).

It was narrated that ‘Uthmān Ibn ‘Affān (*radīy Allāhu ‘anhu*) was brought a boy who stole something. He said: ‘Look at his private place’ and they found no pubic hair, so his hand was spared.⁷⁹⁰ It was narrated that Ibn ‘Umar (*radīy Allāhu ‘anhumā*) said: ‘If a boy committed a punishable act, and his puberty was in doubt, look at his pubis.’⁷⁹¹

⁷⁸⁶ Bukhārī, 6/165 and Mulsim, 3/1388-1389

⁷⁸⁷ Abū Dāwūd, 12/477, Tirmidhī, 4/144, Nasāʾī, 6/155, Ibn Mājah, 2/849, Dāramī, #2467, Imām Aḥmad in his *Musnad*, 4/310 and it is authenticated by Tirmidhī, Ḥakīm and Ibn Ḥibbān; see *Al-Talkhīṣ al-Ḥabīr* of Ibn Ḥajr, 3/42

⁷⁸⁸ See Abū ‘Ubayd al-Qāsim Ibn Sallām’s *Al-Amwāl*, p.47 on the authority of Aslam Mawlā ‘Umar Ibn al-Khaṭṭāb (*radīy Allāhu ‘anhu*).

⁷⁸⁹ Bayhaqī in his *Sunan*, 6/58

⁷⁹⁰ Bayhaqī in his *Sunan*, 6/58

⁷⁹¹ Bayhaqī in his *Sunan*, 6/58

This clarifies that the pubic hair growth is a sign of puberty, and that it is so for both Muslim and non-Muslim children. It also shows that it is permitted to look at the stranger's private place when it is necessary to determine his puberty.

As for what some of the latter scholars said, that he [the person whose puberty is doubted] uncovers his private place, but the examiner looks away, and both of them face a mirror, through which the examiner looks to determine pubic hair growth, that is something they said of their own. Neither did the Messenger (ﷺ) nor his Companions do it, nor did any of the former scholars consider it.

Sub-section Seven:

If his puberty is ascertained, obligations apply to him, and all the provisions of adults take hold, then he starts to reach maturity.

Al-Zajjāj said: 'Maturity is from the age of seventeen until around forty.'⁷⁹²

Ibn 'Abbās (*radīy Allāhu 'anhuma*), as narrated by 'Aṭā', said: 'Maturity is puberty.' This is the choice of Yahyā Ibn Ya'mur and Al-Suddī. Mujāhid narrated another view from him where he said: 'Thirty-three years of age, and he was also narrated to have said, 'Thirty [years].'

Al-Dahhāk said: 'The age of twenty' and Muqātil said: 'Eighteen.'⁷⁹³

⁷⁹² See *Ma'āni al-Qur'an wa Ṭrābahu* of Zajjāj, 4/442

⁷⁹³ See *Tafsīr al-Ṭabarī*, 12/23, *Tafsīr al-Baghwī*, 3/204, 4/226 and 6/195, *Tafsīr Ibn Abi Hātim*, 5/439 and 8/319-320 and *Ma'āni al-Qur'an* of al-Nahās, 5/164.

Al-Azharī⁷⁹⁴ has explained the term properly, he said: ‘Reaching maturity occurs between puberty and reaching the age of manhood—forty years old. Reaching maturity has a lower age limit and a higher age limit, but does not have a specific age. It is a stage between puberty and reaching the age of forty.’

Sub-section Eight:

After forty, he starts do decline and weaken gradually, just as he was improving gradually.

Allāh [the Exalted] said:

اللَّهُ الَّذِي خَلَقَكُمْ
 مِنْ ضَعْفٍ ثُمَّ جَعَلَ مِنْ بَعْدِ ضَعْفٍ قُوَّةً ثُمَّ جَعَلَ مِنْ بَعْدِ
 قُوَّةٍ ضَعْفًا وَشَيْبَةً

“Allāh is the one who created you from weakness, then made after weakness strength, then made after strength weakness and white hair.”

[*al-Rūm* (30):54]

Therefore, his strength lies between two weaknesses, and his life lies between two deaths.⁷⁹⁵

⁷⁹⁴ See *Tabdhīb al-Luġba* of al-Azharī, 11/266

⁷⁹⁵ [TN]: Until the end of this topic, the author speaks about the Arabic names of different stages of human life, some of which have already been translated, and many of which have no translation in English, so I have skipped the remainder of this topic.

Sub-section Nine:

When he reaches his decreed time that was for him, and he fulfils his term of life, the Messengers [angels] of his Lord [the Exalted] come and transport him from the home of perishing to the home of [eternal] settlement.

They stand as far from him as he can see, then the angel authorised to withdraw the soul comes closer and extracts the soul.

If the soul was a good soul, he [the angel] says: ‘Come out, O good soul that was in a good body, come out praiseworthy and receive glad tidings of mercy and fragrance and a Lord Who is not angry.’ The soul departs the body as easily as a water drop from the bottle. When he takes it, the angels do not leave it in his hands for a moment; they embalm it, wrap it with embalming scent and a grave cloth from Paradise, and pray upon it. It comes out like the best fragrance of musk on earth. Then, it is ascended for the first presentation before the Swiftest of Accountants [Allāh, the Exalted], and it reaches the lowest heaven. Permission is asked for it, the heaven doors are opened, its angels pray upon it, and it is escorted by the close angels to the second heaven, where the same is done for it, then the third, then the fourth, until it is brought to the heaven above which is Allāh. It greets its Lord [blessed and exalted] with the Lordship greeting:

اللهم أنت السلام،
ومنك السلام، تباركت يا ذا الجلال والإكرام.

“AllāhummaAnta as-Salām, wa minka as-salām, tābarakta yā Dhāl-Jalāl wa'l-Ikrām”—“O Allāh, You are the Peace, and peace comes from You. Blessed are you, O Owner of Majesty and Honour.”

If Allāh wills, He permits it to prostrate, then it is shown its location in Paradise. The Lord [in His Glory] says: 'Preserve the record of My servant in *'ilīyīn* [the most sacred place], and return him to Earth, because from it I created them and into it I shall send them back and from it will I raise them a second time.'

His soul returns to Earth, and witnesses him being given the burial bath, covered in grave cloth, carried and prepared. He says: 'Take me quickly, take me quickly.'

When he is placed in the grave, and his companions forsake him, the soul enters with him, so that he hears their footsteps on the ground, whereupon the two angels of the grave come to him, make him sit up and ask him: "Who is your Lord? What is your religion? Who is your Prophet?" He says: "My Lord is Allāh, my religion is Islām, and my Prophet is Muḥammad (ﷺ)." They believe him and bring him glad tidings that this is the state [of faith] in which he lived, in which he died, and in which he is resurrected.

A space is made for him in his grave as far as the eye can see, it is furnished with green, and good-looking and smelling young man is appointed for him who says: 'Rejoice at that which will please you.'

He will say: 'Who are you? Your face is one that brings good.'
 He will reply: 'I am your good deeds.'

Then a window is opened to Hell, and it will be said: 'Look what Allāh protected you from' and a window is opened to Paradise, and it will be said, 'Look what Allāh prepared for you' so he will see them both.

As for the corrupt soul, it is quite the opposite. When it is time for it to depart, black-faced angels descend, with embalment from Hell and a grave cloth from Hell. They sit as far from him as he can see, then the angel authorized to withdraw the soul comes closer and extracts the soul. He says: "Come out, O evil soul that was in an evil body. Come out blameworthy, and receive the tidings of boiling water and the discharge of dirty wounds,' and other torments of similar kind, all together."

The soul scatters in the body, so he pulls it from the depths of the body, cutting veins and nerves like thorns pulled from wet wool. When he takes it, he does not leave it in his hand for a moment, and it comes out like the foulest stench of a corpse. It is embalmed with that embalment, wrapped with that cloth and cursed by every angel between heaven and earth. Then it is ascended to heaven, and permission is requested for it, but it is denied. Then the call comes from the Lord of the Worlds: "Preserve his record in *sijjīn*, and return him to Earth." Thus, his soul is thrown down, and it witnesses him being prepared, covered in grave cloth and carried. It says: 'Woe to me! Where are you taking me?'

When the body is put in the grave, the soul returns to it. Then the two angels come and ask him about his Lord, religion and prophet, so he stammers and says: 'I do not know.' They reply: 'Neither did you know nor did you take the guidance [by reciting the Qur'ān].'⁷⁹⁶ Then they beat him and he will scream a scream heard by everything except the two classes [of man and *jinn*]. Then his grave is narrowed so much so that his ribs are squeezed together. His grave is furnished with fire, and a window to Paradise is opened, and it is said to him: 'Look what Allāh took from

⁷⁹⁶ An alternative translation of this sentence is "Neither did you know nor did you follow those who did."

you' and a window to Hell is opened, and it is said to him: 'Look at your seat in Hell.' He sees them both, and a blind, deaf and mute is appointed to him. He says: 'Who are you? Your face is an ominous one.' He says: 'I am your bad deeds.'

The believer basks in pleasures in his grave according to his deeds, and the wicked is tortured therein according to his deeds.

Every organ is tortured in a specific way according to the sins committed by that organ. The lips of backbiters, who tear the flesh of others and slander their honour, are champed by nippers of fire. The bellies of those who devour the property of orphans unjustly are lit on fire. Those who consume usury are fed stones and swim in rivers of blood, just as they swam in foul earnings. The heads of those who sleep during the time of obligatory prayer are bruised with a great stone. The mouth corners of the great liars are incised with iron grapples and hooked to the backs of their neck, the same is done for their noses and eyes, just as his lie incised people's lives. Adulteresses are hanged by their breasts, and adulterers and adulteresses are imprisoned in the heated furnace and the locations of their sin, the lower parts, are tortured.

Worries, grieves, sorrows and mental anguishes are empowered over the corrupt souls that were distracted with amusement, play and trivialities, creating pains in their souls as vermin and worms do to their bodies, until Allāh [the Exalted] permits the time of the world to come to an end, so heavy thick rain, like male sperm, falls on the earth for forty days, so people grow from their graves, as the trees and grass grow.

When the fetuses are completed, the mother becomes near, and it is time for birth, Allāh [the Exalted] commands Isrā'fil to blow

in the horn the blow of resurrection, which was preceded by the blow of death, which was preceded by the blow of terror. Then, the earth breaks away and they emerge standing, looking on. The believer will say:

«الحمد لله الذي أحيانا بعد ما أماتنا واليه النشور.»

“Al-ḥamdu lil-lāhil-ladhīḥyānā ba‘da mā amātanā wa ilāihīn nushur”—“Praise is due to Allāh, Who gave us life after our death and unto Him is resurrection.”

The disbeliever will say:

يَوَيْلَنَا مِنْ بَعْثِنَا مِنْ مَرِّقِدَانَا هَذَا مَا وَعَدَ الرَّحْمَنُ
وَصَدَقَ الْمُرْسَلُونَ ﴿٥٢﴾

“O woe to us! Who has raised us up from our sleeping place. This is what the Most Merciful had promised, and the Messengers told the truth.”

[*Yasīn* (36): 52]⁷⁹⁷

They are led to the place of gathering, barefoot, naked, uncircumcised and speechless. Every soul has a driver who drives it and a witness who testifies for or against it. They are either happy or calling for their own destruction, laughing or crying.

وَجْوهٌ يَوْمَئِذٍ مُسْفِرَةٌ ﴿٣٨﴾ صَاحِكَةٌ مُسْتَبْشِرَةٌ ﴿٣٩﴾ وَوَجْوهٌ
يَوْمَئِذٍ عَلَيَّاءَةٌ ﴿٤٠﴾ تَرْتَهِّمْنَ أَقْبَارَهُنَّ ﴿٤١﴾

“[Some] faces, that Day, will be bright—Laughing, rejoicing at good news. And [other] faces, that Day, will have upon them dust. Blackness will cover them.”

⁷⁹⁷ The author referenced this verse as [*Yasīn* (36): 53] but this is a mistake.

[*Abasa* (80): 38-41]

When their number is complete, and they are all on the face of the earth, the skies split open, the stars are scattered, the angels of the heaven descend and surround them, and then the angels of the second heaven descend and surrounded them, and so on.

Thereupon, the Lord of the World comes to arbitrate, the Earth shines with the Glory of its Lord, the criminals are separated from the believers, the scale is established, the record is brought, witnesses are recalled, and the hands, tongues, legs and skin testify that day.

Disputes will be presented before Allāh [the Exalted], until even the soul and the body dispute each other. The body says: 'I was an inanimate object who could not understand, hear or see. You were the one that could see, hear and understand. You controlled me to where you desired.' The soul replies: 'And you were the one that committed the sin and the transgression!'

Thereupon, Allāh [the Exalted] sends to them an angel to arbitrate, who says: 'You are like a crippled person who can walk, and a blind person who can see. They entered an orchard, and the crippled person said: "I can see the fruits but cannot reach them" and the blind person said: "I can get up but I cannot see them." The cripple said: "Carry me so that I can reach them and they did." So [the angels ask] who shall be punished?'

They [body and soul] replay: 'Both of them.' He [angles] says: 'So are you.'

Allāh [the Exalted] judges between His servants with His judgment, on which all residents of the heavens and the earth praise

him, including each pious and wicked, each believer and disbeliever.

وَتُؤْتَىٰ كُلُّ نَفْسٍ مَّا عَمِلَتْ

“And every soul will be fully compensated for all its actions.”

[*al-Nabl* (16): 111]

And said:

فَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ خَيْرًا
يَرَهُ ۗ وَمَنْ يَعْمَلْ مِثْقَالَ ذَرَّةٍ شَرًّا يَرَهُ ۗ

“So whoever does an atom’s weight of good will see it,
And whoever does an atom’s weight of evil will see it.”

[*al-Zalzalah* (99): 7-8]

Then a caller will call: ‘Let each nation follow what they worshipped.’ So the worshippers of idols go with their idols, people of the cross go with their cross, and anyone who associated anything with Allāh goes with what they worshipped, and cannot abstain, until they fall in Hell.

The monotheists [those who believe in the oneness of Allāh] remain, so they are told: ‘Will you not go where others went?’ They say: ‘We parted with people when we needed them the most. We have a Lord, for Whom we are waiting.’

They are told: ‘Is there a mark with which you will recognize Him?’

They say: ‘Yes. There is nothing like unto Him.’

Thereupon Allāh reveals Himself to them in an image unlike the one they know, and says: ‘I am your Lord.’

They say: 'We seek refuge in Allāh from you. This is our place until our Lord comes. When He does come, we shall recognize him.' Thereupon He reveals Himself to them in the image they saw the first time, laughing, and says: 'I am Your Lord.' They say: 'Yes. You are our Lord' and they fall down in prostration, except those who did not pray in this life, or did pray only to be seen by people, for they are prevented from prostration.

Then He [the Exalted] sets out, and they follow him. The bridge is established, and people are driven to it; it is slippery and dark, and cannot be traversed without light. When they reach it, light is distributed among them according to the light of their faith, sincerity and deeds in the worldly life. Some will have lights [as strong] as the sun, others as the star, and others as the lamp.

The trust and kinship are placed on either side of the bridge; no traitor shall pass nor a severer of his kinship.

Their passing on the bridge differs according to their uprightness on the right path in the worldly life. Some of them pass [as fast] as lightening, some as wind, some as birds, some as good horses, others will pass running, others will pass walking and others will pass crawling.

On each side of it, hooks are placed whose size is only known by Allāh, to hinder the people passing as much as they were hindered by the worldly life from obeying Allāh, pleasing Him and worshipping Him. Some Muslims will be saved, some will be scratched, some will be injured, and some will be thrown in Hell. The lights of Hypocrites are turned off on the bridge, when they need it most, as it was turned off inside their hearts in the worldly life. They are given, unlike the infidels, a superficial light, just as their

belief was superficial. They say to the believers:

نَقَلَيْسَ مِنْ نُورِكُمْ

“Wait for us that we may acquire some of your light.”

to pass with. The believers will reply:

أَرْجِعُوا وِرَاءَكُمْ فَالْتَمِسُوا نُورًا

“Go back behind you and seek light.”

[*al-Hadid* (57):13]

It is said that the meaning is: ‘Go back to the worldly life and seek light in belief, as the believers did.’⁷⁹⁸ Another view is that the verse means: Go back to where the lights were distributed, and seek light to help you pass. Then, ‘a wall will be placed between them with a door, its interior’ on the believers’ side:

فِيهِ الرَّحْمَةُ وَظَاهِرُهُ

“Containing mercy, but on the outside of it...”

And on the disbelievers side:

مِنْ قِبَلِهِ
الْعَذَابُ ﴿١٣﴾ يُنَادُونَهِمْ أَلَمْ نَكُنْ مَعَكُمْ قَالُوا بَلَىٰ وَلَكِنَّكُمْ فَتَنْتُمْ
أَنْفُسَكُمْ وَتَرَبَّصْتُمْ وَارْتَبْتُمْ وَغَرَّتْكُمُ الْأَمَانِيُّ حَتَّىٰ جَاءَ أَمْرُ
اللَّهِ وَغَرَّكُمْ بِاللَّهِ الْغُرُورُ ﴿١٤﴾ فَأَلْيَوْمَ لَا يُؤَخِّدُ مِنْكُمْ فِدْيَةٌ وَلَا
مِنَ الَّذِينَ كَفَرُوا مَا وَنَّكُمْ النَّارُ هِيَ مَوْلَاكُمْ وَبِئْسَ الْمَصِيرُ

“...is torment. The hypocrites will call to the believers:

⁷⁹⁸ See al-Ṭabarī on the authority of Ibn ‘Abbās (*radīy Allāhu ‘anhumā*), 27/224 and *al-Durr al-Manthūr*, 14/270-271

‘Were we not with you?’ They will say: ‘Yes, but you afflicted yourselves and awaited [misfortune for us] and doubted, and wishful thinking deluded you until there came the command of Allāh. And the Deceiver deceived you concerning Allāh. So today no ransom will be taken from you or from those who disbelieved. Your refuge is the Fire. It is most worthy of you, and wretched is the destination.’

[*al-Hadīd* (53): 13-15]

When the believers pass the bridge, which only the believers can, they are safe from entering Hell. They are held on an arch between Paradise and Hell, so that the complaints among them from this life are settled. When they are polished and purified, they are permitted to enter Paradise.⁷⁹⁹

After residents of Paradise settle there and the residents of Hell settle there, death is brought in the form of a white ram with black head, and then a caller calls: ‘O residents of Paradise!’ They look, worried, and then the caller calls: ‘O residents of Hell!’ They look, hopeful. The caller says: ‘Do you recognize this?’ They say: ‘Yes’ and they all recognise it. The caller says: ‘This is death’ and it is slaughtered between Paradise and Hell, and the caller says: ‘O residents of Paradise! Eternity [is for you] and no death. O people of Hell! Eternity [is for you] and no death.’⁸⁰⁰

This is the last stage of this sperm-drop that is the beginning of humans. Between this beginning and this end are stages and states that the Exalted in Might, the Knowing decreed for men to move between, until he reaches his end of either happiness or misery.

⁷⁹⁹ Bukhārī, #2440 on the authority of Abū Sa‘īd al-Khudrī (*radīy>Allāhu ‘anhu*)

⁸⁰⁰ Bukhārī, 8/429 and Muslim, 4/2188

قِيلَ لِلْإِنْسَانِ
 مَا أَكْفَرَهُ ﴿١٧﴾ مِنْ أَيِّ شَيْءٍ خَلَقَهُ ﴿١٨﴾ مِنْ نُطْفَةٍ خَلَقَهُ فَقَدَرَهُ ﴿١٩﴾ ثُمَّ
 السَّبِيلَ يَسَّرَهُ ﴿٢٠﴾ ثُمَّ أَمَانَهُ وَأَقْبَرَهُ ﴿٢١﴾ ثُمَّ إِذَا شَاءَ أَنْشُرَهُ ﴿٢٢﴾
 يَقِضْ مَا أَمَرَهُ ﴿٢٣﴾

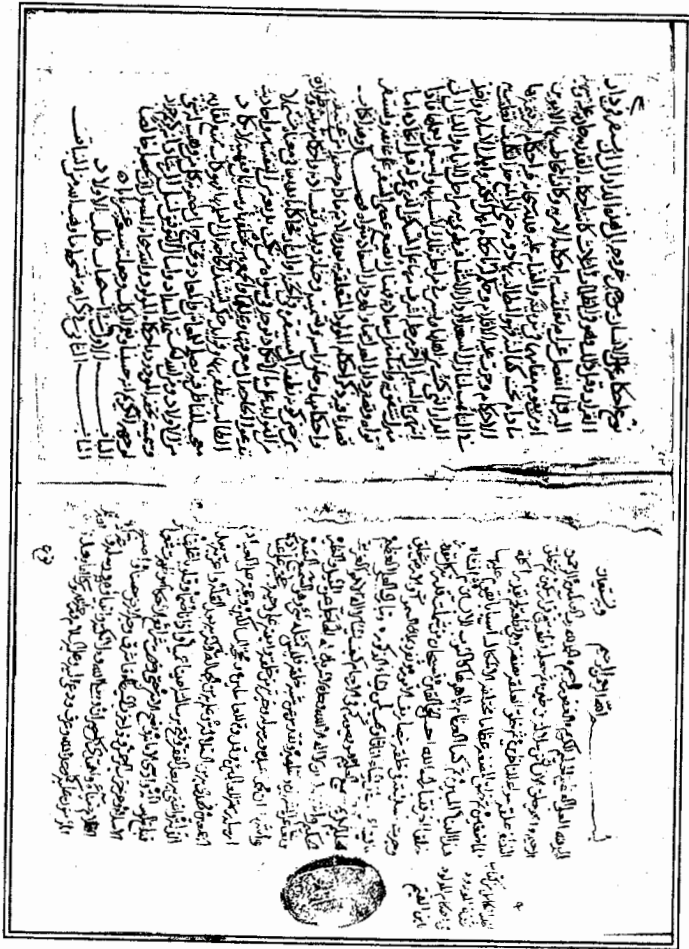
“Cursed is man; how disbelieving is he. From what substance did He create him? From a sperm-drop He created him and destined for him: Then He eased the way for him: Then He causes his death and provides a grave for him. Then when He wills, He will resurrect him. No! Man has not yet accomplished what He commanded him.”

[‘Abasa (80): 17-23]

Therefore, we ask Allāh the Most Great, Lord of the Noble Throne to make us of those for whom the best reward has preceded from Him, and to not make us of those whose wretchedness overcame them, and they lost both this world and the Hereafter; He is the Hearer of supplication, He is Sufficient for us, and [He is] the best Disposer of affairs.

All praise is due to Allāh, Lord of the worlds.
 May Allāh bestow His blessings and peace upon
 our master, Muḥammad, his Family, Companions,
 continuously until the Day of Judgment.

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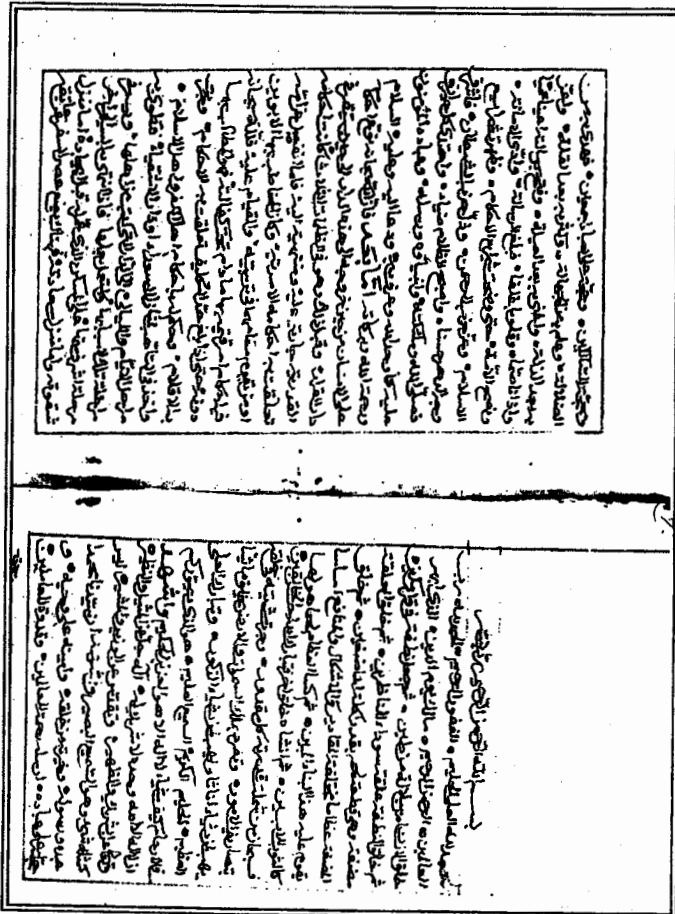
الورقة الأولى من نسخة المحمودية بالمدينة النبوية

The Original Manuscript Picture

ودوا حوت بهذا احوال هذه النظم التي سدا الانسان وما بين هذه
 هذه الغاية احوال املان قدر العزيز العليم بتقبل الاشارة فيها وركوب
 بلقا بعد طوبى حتى يصل الى الغاية من الشعان والسقاوت مثل الانسان الكفر
 من اي شيء خلق من قطعة خلق فقدره ثم البسيل مبيته ثم امته فانين ثم اذا است
 اشركه كلالا يقض امره فنب الله العليم ان يجعلنا من الذين يستنبطهم الى الحسنى
 وزيان ولا يجعلنا من الذين تقلبت عليهم السقام فحشر والدينا والاحمر انه سبحانه
 والبرهان وهو حسيبا ونم الوكيل امير المؤمنين صلى الله عليه وسلم من شهر رجب سنة ١٠٠٠
 داما اليه الم الذين وصرغ من يوم السبت الثالث من شهر جاد الاحرم سنة ١٠٠٠
 سنة ١٠٠٠ الهجرية من شهر رجب سنة ١٠٠٠
 وحسن الخليلي عمير الله راحه عن النبي صلى الله عليه وسلم من شهر رجب
 وعف عن دعا الحاسم بالمعروف وطرف في راحة ربح الله والمسلم والمؤمنين في راحة
 البسم الله الرحمن الرحيم في اليوم الثاني عشر من شهر رجب سنة ١٠٠٠
 والله ولي المتقين والذين آمنوا هم خير من الذين كفروا والله اعلم بالصواب
 والحمد لله رب العالمين

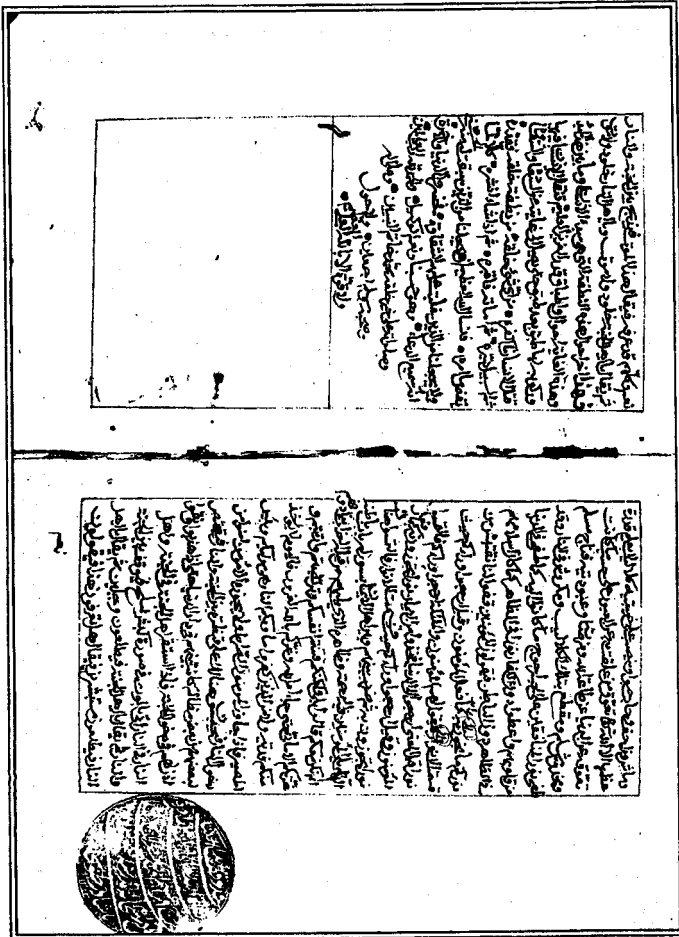
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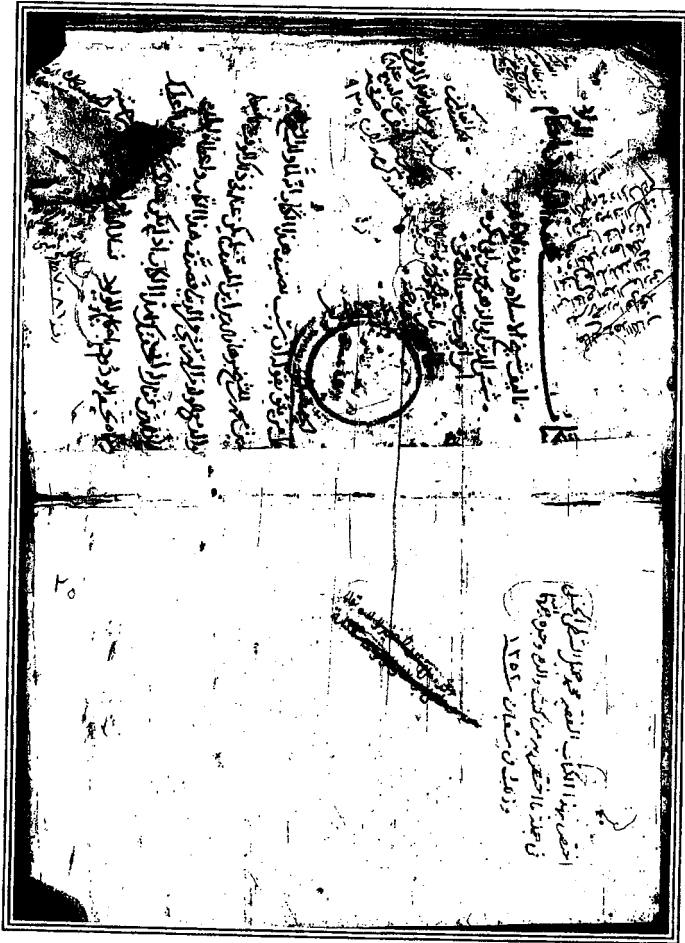
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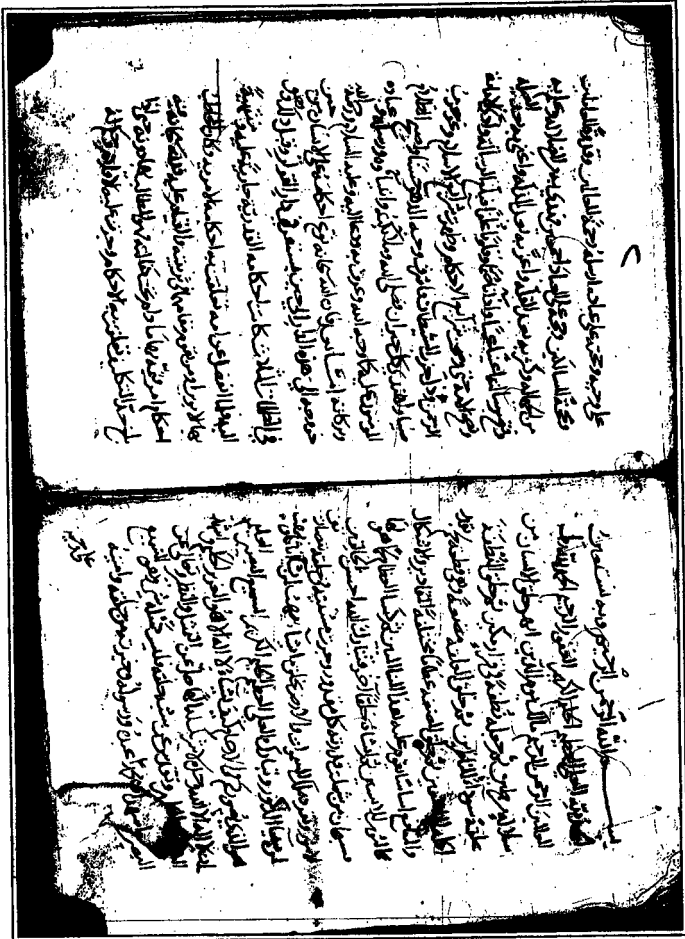
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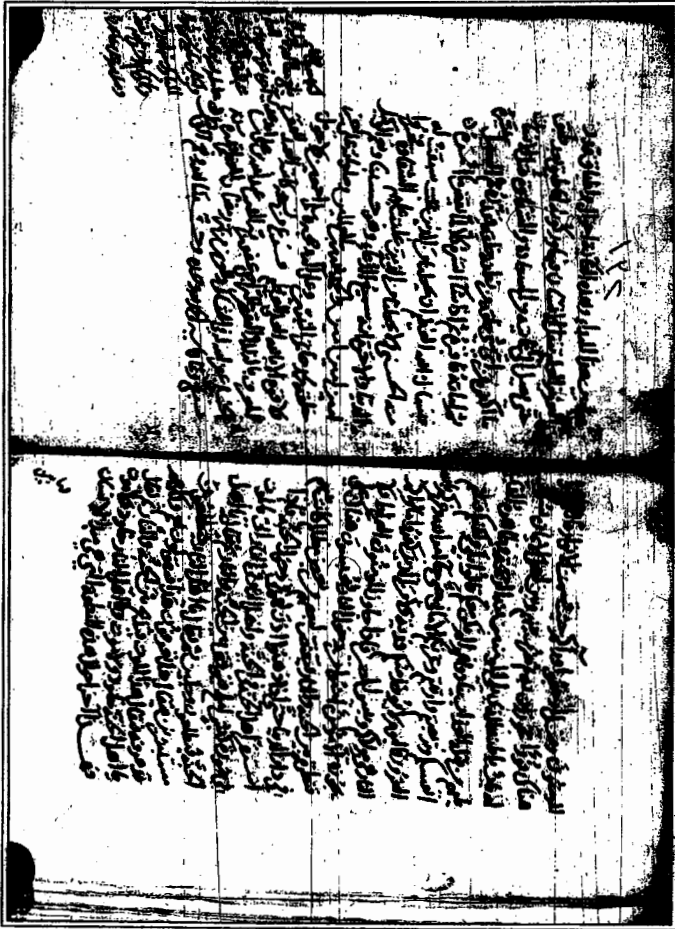
ورقة عنوان نسخة المكتبة الظاهرية

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الورقة الأولى من نسخة الظاهرية

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الورقة الأخيرة من نسخة الظاهرية

Glossary of Arabic Terms

Awliyā': plural of *walī*, friend, ally, loyal companion. From the word *wilāyah* meaning loyalty and closeness, the opposite of enmity.

Barzakb: barrier, isthmus, A barrier that is erected between the deceased and this life preventing him from returning and a generic reference to the life that commences after death.

Bid'ah: innovation, that which is newly introduced into the religion of Allāh.

Da'if: weak; the ḥadīth that is neither ṣaḥīḥ nor ḥasan because it fails to meet one of their requirements. It is of varying degrees of severity, the most severe of which being mawḍū', fabricated.

Dhikr: remembrance, recollection, technically referring the remembrance of Allāh.

Du'ā': supplication, invocation, it is an action of worship that may only be directed to Allāh. It is of two types, supplication through worship (*du'ā' 'ibādah*) and supplication of request (*du'ā' mas'alah*). The first type of *du'ā'* can be understood when

one understands that every act of worship is done with the unstated plea that Allāh accept that action of worship and the desire to draw closer to him; and hence attain His pleasure. Hence every action of worship is a type of request to Allāh. The second type of *du'ā* is whereby one explicitly asks his Lord of something such as 'O Allāh! Grant me good in this world and the Hereafter.' The second type includes the first type and the first type necessitates the second type.

Ḥadīth: A text attributed to the Prophet (ﷺ) describing his actions, words, descriptions and tacit approvals. It consists of two portions, the body of the text (*matn*) and the *isnād*. Rarely the term is also used to refer to a text attributed to a Companion or a *Ṭabī'ī*.

Ḥāfiẓ: pl. *ḥuffāẓ*. Ḥadīth Master, commonly referred to one who has memorised at least 100,000 ḥadīths.

Ḥasan: good, fair. A ḥadīth whose *isnād* is continuously linked of just, morally upright narrators but whose precision (*dabt*) falls short of the requirements of the ṣaḥīḥ ḥadīth; containing no irregularity (*shādh*) and no hidden defect (*'illah*). A ḥadīth can be ḥasan in and of itself, or contain a defect but still be ruled to be so due to supporting evidences.

Ḥudūd: limits, boundaries. The limits ordained by Allāh, prescribed punishments.

Iḥsān: beneficence, excellence. To worship Allāh as if one is seeing Him, and knowing that even though one sees Him not, He sees the servant.

Ikhlās: sincerity, to strip oneself of worshiping any besides Allāh such that everything one does is performed only to draw closer to Him and for His pleasure. It is to purify one's actions from any but the Creator having a share in them, from any defect or self-desire. The one who has true *ikhhlās* (*mukhlīs*) will be free of *riyā'*.

Ilm: knowledge.

Īmān: The firm belief, complete acknowledgement and acceptance of all that Allāh and His Messenger have commanded to have faith in, submitting to it both inwardly and outwardly. It is the acceptance and belief of the heart that includes the actions of the heart and body, therefore it encompasses the establishment of the whole religion. This is why the Imāms and Salaf used to say, 'Faith is the statement of the heart and tongue, action of the heart, tongue and limbs.' Hence it comprises statement, action and belief, it increases through obedience and decreases through disobedience. It includes the beliefs of faith, its morals and manners and the actions demanded by it.

Islām: submission, submitting to the will of Allāh through following His law as revealed upon the tongue of the Messenger (ﷺ).

Isnād: support. The chain of authorities on which a narration is based, linking the end narrator of a narration to the one it is attributed to, be it the Prophet (ﷺ) or anyone else, narrator by narrator.

Ittibā': following, technically referring to following the Sunnah of the Prophet (ﷺ).

Jāhiliyyah: Pre-Islāmic Ignorance. Technically this refers to the

condition of a people before the guidance of Allāh reaches them, or the state of a people that prevents them from accepting the guidance of Allāh.

Jahl: ignorance.

Kalām: speech, discourse. Technically used to refer to dialectics and scholastic theology.

Kufr: denial, rejection, hiding, technically referring to disbelief. It can be major (removing a person from the fold of Islām) or minor (not removing a person from the fold of Islām).

Majbūl: unknown. A reference to a narrator from whom only one narrator narrates (*majhūl al-‘ain*) or whose state of precision (*dabt*) is unknown (*majhūl al-hāh*), such a narrator makes the *isnād da‘if*.

Matruk: abandoned. A narrator who is accused of lying, or makes many mistakes, or makes mistakes in aḥādīth that are agreed upon, or narrates from famous narrators that which those narrators do not know.

Munqati‘: that ḥadīth from which the narrator just before the Companion has been omitted from its *isnād*.

Mursal: disconnected. A ḥadīth whereby a *Tābi‘ī* narrates directly from the Prophet (ﷺ) without mentioning the Companion. In the view of the majority of Scholars it is a sub-category of *da‘if*.

Muṣḥaf: text of the Qur’ān

Qadr: Divine Decree and Destiny.

Qur'ān: The actual Word of Allāh revealed to the Prophet (ﷺ) in the Arabic language through the medium of the Angel Gabriel and the greatest miracle bestowed him. It consists of 114 chapters commencing with al-Fātiḥah and ending with an-Nās.

Ṣaḥīḥ: correct, authentic. A ḥadīth which has a continuously linked *isnād*, of just, morally upright and precise narrators; containing no irregularity (*shādh*) or hidden defect (*'illab*). Hence five conditions have to be met: the *isnād* being continuously linked; the justice (*'adh*) of the narrator; the precision (*ḍabt*) of the narrator; its not being *shādh*; and its not containing an *'illab*. The ḥadīth can be *ṣaḥīḥ* in and of itself, or it can contain a defect but still be ruled to be *ṣaḥīḥ* due to supporting evidences.

Salaf: predecessors. Technically used to refer to the best generations of Muslims, the first three generation: the *Ṣaḥābah*, the *Tābi'ūn* and the *Tab' Tābi'ūn* due to the ḥadīth, "The best of people are my generation, then the one that follows, then the one that follows."

Shādh: irregular, odd. A ḥadīth narrated by a trustworthy and precise narrator that contradicts the narrative of other narrators or the narration of one more trustworthy and precise than him, provided that a reconciliation is not possible.

Shirk: association, technically referring to directing a right that is due to Allāh Alone to another object of creation, either completely or partially. It can be major (removing a person from the fold of Islām) or minor (not removing a person from the fold of Islām).

Sunnab: way, path. The actions, words, descriptions, commands, prohibitions and tacit approvals of the Prophet (ﷺ).

Tābi'ūn: The generation following that of the Companions.

Tab' Tābi'ūn: The generation following that of the *Tābi'ūn*.

Tadlis: deceit. An action of a narrator whereby he makes out that he heard something from a particular narrator what he did not hear or conceals the identity of the one he is narrating from. In order to do so, he will use terms that are vague such as 'such-and-such said' and 'on the authority of such-and-such.' The first type of *tadlis* is blameworthy and constitutes a defect in the *isnād*. The second is dependant upon exactly what was done and the motives of the narrator, it can be blameworthy or not.

Taqwā: the basic meaning of which is setting a barrier between two things. This is why it is said that one *ittaqa* with his shield, i.e. he set it as a barrier between him and the one who wished him evil. Therefore it is as if the one who has *taqwa* (*muttaqi*) has used his following the commands of Allāh and avoiding His prohibitions as a barrier between himself and the Punishment. Hence he has preserved and fortified himself against the punishment of Allāh through his obeying Him.

Tawhīd: unification, monotheism, the belief in the absolute Oneness of Allāh. It is to believe that Allāh Alone is the creator, nourisher, and sustainer of the worlds; it is to believe that Allāh Alone deserves to be worshipped; and it is to believe that He has unique and perfect Names and Attributes that far transcend anything that one can imagine.

Yaqīn: certainty. It is to faith (*Īmān*) what the soul is to the body, it is the soul to the actions of the heart which in turn formulate the souls to the actions of the limbs and through it one attains the rank of *Ṣiddīq*. From *yaqīn* does *tawakkul* (absolute reliance in Allāh) sprout and through *yaqīn* is all doubt, suspicion and worry dispelled and the heart filled with love, hope and fear of Allāh. *Yaqīn* is of three levels, that which arises from knowledge (*ilm al-yaqīn*), seeing (*‘ain al-yaqīn*) and actual experience (*ḥaqq al-yaqīn*).