

The tenth: That his heart takes pleasure in the garden of the Qur'ân, like spring for animals and that he is enlightened by it in the darkness of doubts and uncertainties and that he is consoled by it against every calamity and he seeks a cure in it from the diseases of his heart and so it removes his sadness and cures his anxiety and grief.

The eleventh: Seeking forgiveness from Allâh.

The twelfth: Repenting to Allâh (*Tawbah*).

The thirteenth: Jihad.

The fourteenth: Prayer.

The fifteenth: The acceptance that man is without power or strength and the acknowledgement that they belong only to Allâh.



Chapter

Regarding His ﷺ Guidance in the Treatment of Fear and Sleeplessness

At-Tirmidhi narrated on the authority of Buraidah ؓ that he said: "Khalid complained to the Messenger of Allâh ﷺ, saying: "Oh, Messenger of Allâh! I cannot sleep at night, due to insomnia." He ﷺ said:

«إِذَا أَوَيْتَ إِلَى فِرَاشِكَ، فَقُلْ:

"When you repair to your bed, say:

اللَّهُمَّ رَبَّ السَّمَوَاتِ السَّبْعِ، وَمَا أَظَلَّتْ، وَرَبَّ الْأَرْضِينَ السَّبْعِ وَمَا أَقَلَّتْ، وَرَبَّ الشَّيَاطِينِ وَمَا أَضَلَّتْ، كُنْ لِي جَارًا مِنْ شَرِّ خَلْقِكَ كُلِّهِمْ جَمِيعًا أَنْ يُفْرِطَ عَلَيَّ أَحَدٌ مِنْهُمْ، أَوْ يَبْغِي عَلَيَّ، عَزَّ جَارُكَ، وَجَلَّ تَنَاوُكَ، وَلَا إِلَهَ غَيْرُكَ»

"Allâhumma, Rabbas-Samawatis-Sab'i Wa Ma Azallat Wa Rabbal-Ardeena-Sab'i Wa Ma Aqallat Wa Rabbash-Shayateeni Wa Ma Adallat, Kun Lee Jaran Min Sharri Khalqika Kullihim Jamee'an An Yafruta 'Alayya Ahadun Minhum Aw Yabghiya 'Alayya 'Azza Jaruka Wa Jalla Thana'uka Wa La Ilaha Ghairuka."

"O, Allâh! Lord of the seven heavens and all that they contain, Lord of the earths and all that they carry, Lord of the devils and all those whom they send astray, be a Protector for me against the evil of all of Your created beings, that they may not transgress against me and that they may not commit injustice against me. Mighty is Your Protection and Exalted is Your

Praise and there is no *ilah* besides You.”^[1]

Also in At-Tirmidhi's '*Sunan*' is the *Hadeeth* of 'Amr Ibn Shu'aib, in which it is stated that the Messenger of Allâh ﷺ used to teach them the following supplication as a protection against fear:

«أَعُوذُ بِكَلِمَاتِ اللَّهِ التَّامَّاتِ مِنْ غَضَبِهِ، وَشَرِّ عِبَادِهِ، وَمِنْ هَمَزَاتِ الشَّيَاطِينِ، وَأَعُوذُ بِكَ رَبِّ أَنْ يَحْضُرُونِ»

'A'ûdhu Bikalimatillahit-Tammati Min Ghadabihi Wa Sharri 'Ibadihi Wa Min Hamazatish-Shayateeni Wa A'ûdhu Bika Rabbi An Yahdurûn'

"I seek refuge with the Perfect Words of Allâh from His Anger and from the evil of His slaves and from the whisperings of the devils and I seek refuge with You, Lord, from their coming to me."^[2]

And 'Abdullah Ibn 'Umar ؓ used to teach it to those of his children who were of sufficient age to memorize it and he used to write it and hang it around the necks of those who were not.^[3]

And it is mentioned in the *Hadeeth* of 'Amr Ibn Shu'aib in a *Marfû'* form:

«إِذَا رَأَيْتُمُ الْحَرِيقَ فَكَبِّرُوا، فَإِنَّ التَّكْبِيرَ يُطْفِئُهُ»

"If you see burning, say: '*Allâhu Akbar*', because *Takbeer* extinguishes it."^[4]

[1] Narrated by At-Tirmidhi, on the authority of Buraidah Ibn Al-Haseeb ؓ, it contains in its chain of narrators Al-Hakam Ibn Zuhair, of whom Yahya Ibn Ma'een said: "He is a liar," while Al-Bukhari said: "His *Ahadeeth* are abandoned."

[2] Narrated by Abu Dawûd, At-Tirmidhi and Ahmad, Shaikh Nasir Ad-Deen Al-Albani declared it to be "*Hasan Lighairihi*" (i.e. it is raised to the level of *Hasan* by another supporting narration).

[3] According to Shaikh Nasir Ad-Deen Al-Albani, this addition is *Munkar*, since it is prohibited in Islam to wear amulets, whether they be Qur'anic Verses or supplications.

[4] Narrated by Ibn As-Sunni in '*Amal Al-Yawmi Wal-Lailah*', it contains in its *Sanad* Al-Qasim Ibn 'Abdillah, who was described as a liar by Imam Ahmad. Shaikh Al-Albani says that a number of its narrators are weak.

Burning is caused by fire, from which Satan was created and in it there is destruction which is beloved by Satan; and fire naturally seeks to rise high and to destroy and these two attributes are the guidance of Satan, to which he calls and by which he destroys mankind, while remembrance of the Lord, the Almighty, the All-Powerful restrains Satan. So when the Muslims extols his Lord by saying: '*Allâhu Akbar*', it extinguishes the burning and we and others have tried this and have found that it is so.



Chapter

Regarding His ﷺ Guidance in Preserving Health

Allâh, Most High says:

﴿وَكُلُوا وَاشْرَبُوا وَلَا تُسْرِفُوا﴾

“And eat and drink but waste not by extravagance.”^[1]

So He instructed them to put in their bodies the food and drink which would sustain them, rather than eating and drinking excessively which is just excreted, and that the amount and the quality of it be should sufficient to benefit the body, so preservation of health is enshrined within these two words (i.e. quantity and quality). And because health and wellbeing are among the greatest of blessings – indeed general wellbeing is without exception the greatest of blessings – it is only fitting that you should preserve it.

This is why the Prophet ﷺ said:

﴿يُعْمَتَانِ مَعْبُودٌ فِيهِمَا كَثِيرٌ مِنَ النَّاسِ: الصَّحَّةُ وَالْفَرَاغُ﴾

“There are two blessings which many people lose: Health and free time (for doing good deeds).”^[2]

And it is reported by At-Tirmidhi and others in a *Marfû'* form:

^[1] *Sûrah Al-A'raf* 7:31

^[2] Narrated by Al-Bukhari, At-Tirmidhi, Ibn Majah and Ahmad.

«مَنْ أَصْبَحَ مُعَافَى فِي جَسَدِهِ، آمِنًا فِي سِرِّهِ، عِنْدَهُ فُوتٌ يَوْمِهِ،
فَكَأَنَّمَا حِيزَتْ لَهُ الدُّنْيَا»

“Whoever enjoyed good health in his body and safety among his people and had enough food for the day, it is as if he had gained possession of the whole world.”^[1]

Also narrated by At-Tirmidhi in a *Marfû'* form is the *Hadeeth*:

«أَوَّلُ مَا يُسْأَلُ عَنْهُ الْعَبْدُ يَوْمَ الْقِيَامَةِ مِنَ النَّعِيمِ أَنْ يُقَالَ: أَلَمْ نُصَحِّ
لَكَ جِسْمَكَ؟ وَنَزَوَّكَ مِنَ الْمَاءِ الْبَارِدِ»

“The first blessing about which the slave will be asked on the Day of Resurrection is that it will be said to him: “Did We not give you a healthy body? And did We not give you cold water to drink?”^[2]

Due to this, some of the *Salaf* said regarding the Words of Allâh:

﴿ثُمَّ لَتَسْأَلَنَّ يَوْمَئِذٍ عَنِ النَّعِيمِ﴾

“Then on that Day you shall be asked about the delights (you indulged in, in this world)”^[3]

That it (the delight) refers to health.

And Ahmad has narrated in a *Marfû'* form:

«سَلُّوا اللَّهَ الْيَقِينَ وَالْمُعَافَاةَ، فَمَا أُوتِيَ أَحَدٌ بَعْدَ الْيَقِينِ خَيْرًا مِنَ
الْعَافِيَةِ»

“Ask Allâh for certainty and well-being, for no one is given anything better after certainty than well-being.”^[4]

^[1] Narrated by At-Tirmidhi, on the authority of ‘Abdullah Ibn Mihsan Al-Ansari, it contains in its *Sanad* ‘Amr Ibn Malik, who is declared weak by a number of scholars, including Abu Hatim Ar-Razi, Ibn ‘Adi and others. It also contains one Salamah Ibn ‘Ubaidillah, who is unknown, according to Imam Ahmad.

^[2] Narrated by At-Tirmidhi, on the authority of Abu Hurairah ؓ.

^[3] *Sûrah At-Takathur* 102:8

^[4] Narrated by Imam Ahmad, on the authority of Abu Bakr ؓ.

So he has combined well-being in the Religion with wellbeing in worldly matters.

And in 'Sunan An-Nasa'i', it is reported in a *Marfû'* form: "Ask Allâh for forgiveness, health and well-being, for no one is given anything after certainty better than well-being."^[1] These three things include removal of past evils by forgiveness, present evils by health and future evils by maintaining well-being.

It was not the custom of the Prophet ﷺ to restrict himself to one type of food, because that is harmful, even if it is the best of food. Instead, he used to eat what was customary among the people of his land.

Anas ؓ said: "The Messenger of Allâh ﷺ never disparaged any food. If it appealed to him, he would eat it and if it did not, he would leave it."^[2] Whenever a person eats a food which he does not like, it is more harmful than beneficial to him.

He ﷺ used to love meat (i.e. mutton) and his favourite part was the leg and the front portion of the sheep, because that is lighter and more quickly digested.

He also used to like sweets and honey; and meat, sweets and honey are among the most beneficial foods.

He would eat all of the fruits available in his land whenever they arrived and that is one of the ways of maintaining good health, because Allâh, Most Glorified, in His Wisdom has placed fruits in every land which are a means of preserving the health of its people. And in most cases, when a person avoids eating fruit due to fear of illness, one finds that he is the sickest of people in body. And it has been authentically reported from him ﷺ that he said:

«لَا أَكُلُ مُتَّكِنًا»

"I do not eat while leaning."^[3]

[1] Narrated by An-Nasa'i, in 'Amal Al-Yawmi Wal-Lailah'.

[2] Narrated by Al-Bukhari, Abu Dawûd and Ahmad, on the authority of Abu Hurairah ؓ – not Anas ؓ, as the author says.

[3] Narrated by Al-Bukhari, At-Tirmidhi, Ibn Majah, Abu Dawûd, Ahmad and Ad-Darimi, on the authority of Abu Juhaifah ؓ.

And he ﷺ said:

«إِنَّمَا أَجْلِسُ كَمَا يَجْلِسُ الْعَبْدُ، وَأَكُلُ كَمَا يَأْكُلُ الْعَبْدُ»

"I sit only as the slave sits, and I eat as the slave eats."^[1]

Leaning or supporting one's weight (*Ittika'*) has been explained as meaning to sit cross-legged and it has been explained as meaning to lean on something and it has been explained as meaning to lean on one side. All three of these are considered *Ittika'*.

He used to eat with three fingers and that is the most beneficial way to eat. He used to drink honey mixed with cold water.

And it has been authentically reported from him that he prohibited drinking in a standing position and it has been authentically reported from him that he commanded one who did so to vomit it out.^[2] And it has been authentically reported from him that he drank while standing^[3] and so it was said that the prohibition was abrogated and it was said that this made it clear that the prohibition was not one of *Tahreem*^[4] and it was said that he drank standing out of necessity.

He used to take three breaths when drinking and he said:

«إِنَّهُ أَرْوَى وَأَمْرًا، وَأَبْرَأُ»

"It is more thirst-quenching, healthier and more wholesome."

That is, it is better to quench the thirst, healthier in that it frees one from thirst and more nourishing for the body when it enters it, and it mixes with it easily and is tastier and more beneficial, as in Allâh's Words:

﴿فَكُلُوهُ هَيْئًا مَّرِيئًا﴾

"Take it, and enjoy it without fear of any harm (as Allâh has made it lawful)."^[5]

[1] Narrated by Abu Ash-Shaikh, on the authority of 'A'ishah ؓ, it contains in its *Sanad* one 'Ubaidullah Ibn Al-Waleed Al-Wassafi, who is weak, according to Imam Ahmad, Yahya Ibn Ma'een and others.

[2] Narrated by Muslim and Ad-Darimi.

[3] Narrated by Al-Bukhari, Muslim, An-Nasa'i, Ibn Majah and Ahmad.

[4] *Tahreem*: Strict forbiddance.

[5] *Sûrah An-Nisa'* 4:4

That is, delight in the result of it and enjoy the taste of it.

And At-Tirmidhi has narrated from the Prophet ﷺ that he said:

«لَا تَشْرَبُوا نَفْسًا وَاحِدًا كَشَرْبِ الْبَعِيرِ، وَلَكِنْ اشْرَبُوا مَثْنَى، وَسَمُوا
اللَّهَ إِذَا شَرِبْتُمْ، وَاحْمَدُوا إِذَا أَنْتُمْ فَرَعْتُمْ»

“Do not drink in one breath as the camel does, but drink in two or three breaths and mention Allâh’s Name when you drink and praise and thank Him when you finish.”^[1]

And it is authentically reported from the Prophet ﷺ that he said:

«غَطُّوا الْإِنَاءَ، وَأَوْكُوا السَّقَاءَ، فَإِنَّ فِي السَّنَةِ لَيْلَةً يَنْزِلُ فِيهَا وَبَاءٌ،
لَا يَمُرُّ بِإِنَاءٍ لَيْسَ عَلَيْهِ غِطَاءٌ وَلَا سِقَاءٍ لَيْسَ عَلَيْهِ وَكَاءٌ، إِلَّا وَقَعَ فِيهِ
مِنْ ذَلِكَ الدَّاءِ»

“Cover the drinking vessels and tie the waterskins, for there is a night in the year when a pestilence descends and it does not pass over any vessel without a cover or any waterskin which is not tied except that some of that disease goes into it.”^[2]

Al-Laith Ibn Sa’d, one of the narrators said: “The non-Arabs in our community protect themselves against that night in *Kanûn Al-Awwal*.”^[3]

And it has been authentically reported from him ﷺ that he ordered vessels to be covered even if it be only with a stick.^[4]

And it has been authentically reported from him ﷺ that he ordered his Companions ﷺ to mention Allâh’s Name when covering vessels and tying waterskins and he prohibited them from drinking from the

[1] Narrated by At-Tirmidhi, on the authority of Ibn ‘Abbas ﷺ, it contains in its *Sanad* one Yazeed Ibn Sinan Al-Jazari, who is described as weak by Ahmad Ibn Hanbal and Yahya Ibn Ma’een.

[2] Narrated by Muslim and Ibn Majah, on the authority of Jabir Ibn ‘Abdillah ﷺ.

[3] *Kanûn Al-Awwal*: December.

[4] Narrated by Al-Bukhari and Muslim on the authority of Jabir Ibn ‘Abdillah ﷺ.

mouth of the waterskin^[1] and from breathing and blowing into the water vessel and from drinking from cracked or chipped cups.^[2]

He would not refuse perfume^[3] and he said:

«مَنْ عُرِضَ عَلَيْهِ رَيْحَانٌ، فَلَا يَرُدُّهُ، فَإِنَّهُ طَيْبٌ الرِّيحِ، خَفِيفٌ
الْمَحْمَلِ»

“Whoever is offered *Raihan*, he should not refuse it, because it is light to carry and it has a pleasant odour.”^[4]

And in Abu Dawûd and An-Nasa’i’s version: “Whoever is offered perfume.”

In Al-Bazzar’s *Musnad*, it is reported from him ﷺ that he said:

«إِنَّ اللَّهَ طَيْبٌ يُحِبُّ الطَّيِّبَ، نَظِيفٌ يُحِبُّ النُّظَافَةَ، كَرِيمٌ يُحِبُّ
الْكَرَمَ، جَوَادٌ يُحِبُّ الْجُودَ، فَتَنْظِفُوا أَفْنَاءَكُمْ وَسَاحَتَكُمْ، وَلَا تَسْبَهُوا
بِالْيَهُودِ يَجْمَعُونَ الْأَكْبَاءَ فِي دُورِهِمْ»

“Verily, Allâh is Good and He loves that which is good and He is Clean and He loves cleanliness and He is Kind and He loves kindness and He is Generous and He loves Generosity, so clean your doorways and your courtyards and do not imitate the Jews whoever collect their rubbish in their houses.”^[5]

And regarding perfume, one special characteristic of it is that the angels like it and the devils flee from it and good souls love good souls and evil souls love evil souls, so:

[1] Narrated by Al-Bukhari, on the authority of Abu Hurairah ﷺ.

[2] Narrated by Abu Dawûd, on the authority of Abu Sa’eed Al-Khudri ﷺ, it contains in its chain of narrators one Qurrah Ibn ‘Abdir-Rahman, who is described as weak by Yahya Ibn Ma’een, Ibn Hibban, Ahmad Ibn Hanbal and others.

[3] Narrated by Al-Bukhari, on the authority of Anas Ibn Malik ﷺ.

[4] Narrated by Muslim, Abu Dawûd, An-Nasa’i and Ahmad, on the authority of Abu Hurairah ﷺ.

[5] Also narrated by At-Tirmidhi, on the authority of Sa’d Ibn Abi Waqqas, it contains in its *Sanad* one Khalid Ibn Ilyas, who is abandoned in *Hadeeth*, according to scholars.

﴿الْحَيِّثُ لِلْحَيِّثِينَ وَالْحَيَّثُونَ لِلْحَيِّثَاتِ وَالطَّيِّبُونَ لِلطَّيِّبَاتِ﴾
 ﴿لِلطَّيِّبَاتِ﴾

“Bad statements are for bad people (or bad women for bad men) and bad people for bad statements (or bad men for bad women). Good statements are for good people (or good women for good men) and good people for good statements (or good men for good women).”^[1]

And although this may refer to men and women, it also includes deeds and words, foods and drinks, clothing and odours, either based upon the generality of its wording or by the generality of its meaning.



[1] *Sûrah An-Nûr* 24:26

Chapter

Regarding His Guidance ﷺ in His Judgements

The aim is not to mention the general legislation, even though his particular judgements are general, but to mention his guidance in the courts of summary jurisdiction in which he ruled between the opposing parties and to mention along with it the cases from his general rulings. It has been confirmed from him that he imprisoned a man on suspicion.^[1]

And in the *Hadeeth* of 'Amr Ibn Shu'aib, on the authority of his father, on the authority of his grandfather, it is reported that a man intentionally killed his slave and the Prophet ﷺ flogged him with a hundred stripes and he banished him for a year and ordered him to free a slave and he did not make the punishment fit the crime.

And Ahmad has reported on the authority of Anas ؓ in a *Marfû'* form:

«مَنْ قَتَلَ عَبْدَهُ قَتَلْنَاهُ»

“Whoever killed his slave, we shall kill him.”^[2]

But even if this is authentic, it is for the *Imam* to reprimand, according to what he considers beneficial.

[1] Narrated by At-Tirmidhi, Abu Dawûd and An-Nasa'i.

[2] Narrated by An-Nasa'i, Abu Dawûd, Ibn Majah, Ahmad and Ad-Darimi, on the authority of Samurah Ibn Jundub ؓ, not Anas ؓ, as mentioned by the author.

And he ﷺ ordered a man to pursue a person who was in debt to him.^[1] This was reported by Abu Dawûd.

Abu 'Ubaid narrated that he ﷺ ordered that the murderer be killed and that the *Sabir* (one who locked up another without food or water until he died) be (likewise) imprisoned until death.^[2] Abu 'Ubaid said: "That is, he should be locked up until he dies." And 'Abdur-Razzaq mentioned in his *'Musannaf'* on the authority of 'Ali ؓ that he said: "The kidnapper should be imprisoned until he dies."

Regarding *Al-'Uraniyyûn*, he ordered that their hands and feet be cut off and their eyes gouged out as they had done to the camel-herder, and he left them until they died of hunger and thirst, as they had done to the camel-herder.^[3]

And in *'Saheeh Muslim'* it is reported that a man claimed that another man had killed his brother and so he sent him to his brother and when he turned back, he said: "If he kills him, he will be like him." When he returned, the man said: "I only took him away by your command." The Prophet ﷺ said:

«أَمَا تُرِيدُ أَنْ يَبُوءَ بِإِثْمِكَ وَإِثْمِ صَاحِبِكَ؟»

"Do you not prefer that he should bear the burden of your sin and that of your brother?"

The man said: "Yes." So he set him free.^[4] It was said that the meaning of this is that if the killer is led with a strap around his neck, he is absolved of the crime of which he is accused and so he becomes like the one who leads him; and in it (the saying of the Prophet ﷺ) there is indemnity by pardon. It was also said that it means: If the man did not intend to kill his brother and he killed him because of it, then he is a murderer like him. And this is proven by the *Hadeeth* narrated by Imam Ahmad, on the authority of Abu Hurairah ؓ in a *Marfû'* form, in which it was said: "Oh, Messenger of Allâh! I did not

[1] Narrated by Abu Dawûd, on the authority of Abu Habeeb ؓ.

[2] Narrated by 'Abdur-Razzaq in *'Al-Musannaf'*.

[3] Narrated by Al-Bukhari, Muslim, the compilers of the *'Sunan'* and Ahmad, on the authority of Anas ؓ.

[4] Narrated by Muslim, on the authority of 'Alqamah Ibn Wa'il ؓ.

intend to kill him." The Messenger of Allâh ﷺ said to the deceased's next of kin:

«أَمَا إِنَّهُ إِنْ كَانَ صَادِقًا، ثُمَّ قَتَلْتَهُ دَخَلْتَ النَّارَ»

"If he has spoken the truth and you then kill him, you will enter the Fire."

And so he let him go.^[1] And he ruled against a Jew who had crushed the skull of his slave girl between two rocks that his head be crushed between two rocks.^[2] In this there is evidence that a man should be killed for killing a woman and that the murderer is killed in the same manner in which he killed his victim and that the murderer is executed without asking the permission of the next of kin of the victim. This is the *Mazhab* of Imam Malik and it was the opinion of Shaikh Al-Islam Ibn Taimiyyah. And whoever claimed that he did so due to the Jew's invalidation of the covenant is incorrect, because one who violates a covenant of protection does not have his head crushed. And regarding a woman who threw a stone at another woman, killing her and the child in her belly, he ruled that the payment of one tenth of the blood money for a male slave or a female slave (*Ghurrah*) for the fetus and the blood money for the murdered woman upon the kin of the murderess.^[3]

And in *'Saheeh Al-Bukhari'*, it is reported that he ruled on the fetus of a woman the payment of one tenth of the blood money for a male or female slave, then the woman upon whom he had pronounced judgement died, so he ruled that her estate was for her children and her husband and that the blood money was to be paid by her heirs.^[4] From this it is proven that a semi-intentional act does not necessitate retaliation and that the relatives of the accused bear the responsibility

[1] It is not in Imam Ahmad's *'Musnad'*; it was narrated by At-Tirmidhi, Abu Dawûd and Ibn Majah. The former said that it is *Hasan Saheeh*.

[2] Narrated by Al-Bukhari and Muslim, on the authority of Anas Ibn Malik ؓ.

[3] Narrated by Al-Bukhari and Muslim, on the authority of Abu Hurairah ؓ.

[4] Narrated by Al-Bukhari, Muslim, An-Nasa'i, Abu Dawûd and Ahmad, on the authority of Abu Hurairah ؓ.

of paying the *Ghurrah*, in the same manner as the *Diyah* and that the husband is not included among them, nor are her children.

And he ﷺ ruled upon a man who married his father's wife that he be killed and that his property be taken;^[1] and that is the *Mazhab* of Imam Ahmad and it is the correct opinion. The three^[2] said that his punishment is that of the adulterer, but the judgement of the Messenger of Allâh ﷺ is more appropriate and more correct.

And he ruled that if a man looked into someone's house without his permission and he threw a stone at him or poked him with a stick and put out his eye, then there is no sin upon him.^[3]

And it has been authentically reported from him ﷺ that he invalidated the payment of blood money for the mother of the children of the blind man (who was her master) when he killed her for maligning the Prophet ﷺ.

And he killed a number of Jews for slandering him and hurting him. Abu Bakr said to Abu Barzah ؓ when he wished to kill someone who had slandered him: "It is not allowed for anyone to do that after the Messenger of Allâh ﷺ."^[4] And regarding this there are more than ten *Ahadeeth* some of which are *Saheeh*, some of which are *Hasan* and some of which are *Mashhûr*.^[5] Mujahid reported on the authority of Ibn 'Abbas ؓ that he said: "Any man who curses Allâh or curses any of His Prophets ﷺ has belied the Messenger of Allâh ﷺ and it is an act of apostasy, for which the one who does it must be compelled to repent to Allâh; if he goes back on what he said (all well and good), but if not, he must be killed."

And it is reported in the '*Saheehayn*' that he ﷺ pardoned the woman who poisoned him.^[6]

[1] Narrated by Ahmad, An-Nasa'i and Abu Dawûd.

[2] Abu Haneefah, Malik and Ash-Shafi'i.

[3] Narrated by Al-Bukhari and Muslim, on the authority of Abu Hurairah ؓ.

[4] Narrated by An-Nasa'i, on the authority of Abu Barzah ؓ, all of its narrators are described as reliable by scholars of *Hadeeth*.

[5] *Mashhûr*: This term is defined by the scholars of *Hadeeth* as follows:

[6] "A *Hadeeth* which is not *Mutawatir* (reported by such a large group of

He did not kill the one who bewitched him, but it is authentically reported on the authority of 'Umar, Hafsah and Jundub ؓ that he killed one who practised magic. And it has been authentically reported from him ﷺ regarding the captives of war that he killed some of them, that he ransomed other, freed some of them and enslaved some of them. But it is not known that he enslaved any male adults. And these judgements have not been abrogated; rather the *Imam* is free to choose between them, according to what is most beneficial.

And he ﷺ made a number of judgements regarding the Jews: He made a covenant with them when he first arrived in Al-Madinah, then Banu Qainuqa' made war on him and so he conquered them, then he freed them. Then he fought Banu An-Nadeer and he banished them, then Banu Quraizah and he killed them. Then he made war on the people of Khaibar and he conquered them.



people, that it is highly improbable that they have all agreed upon a lie), but its narrators are not less than three in any generation." The same term is also used by the scholars of *Fiqh*, but their definition is slightly different. They say: "A *Mashhûr Hadeeth* is one which was not *Mutawatir* in the time of the Companions ؓ, but became *Mutawatir* after them. The *Mashhûr* narration, according to both definitions, falls into the second category following the *Mutawatir*.

Chapter

Regarding His ﷺ Rulings on the Spoils of War

He ﷺ ruled that the cavalryman is entitled to three shares and the infantryman to one share and he ruled that the loot from the dead enemy soldier belongs to the one who killed him. And Talhah and Sa'eed Ibn Zaid ؓ did not attend the Battle of Badr, but he allotted a share for them and they said: "And our recompense?" He replied: "And your recompense." And no one disagrees that 'Uthman ؓ stayed behind to take care of his wife, Ruqayyah ؓ and the Prophet ﷺ allotted a share for him and he said: "And my recompense?" And he ﷺ replied: "And your recompense." Ibn Habeeb said: "This was the exclusive right of the Prophet ﷺ. And the scholars are in agreement that one who stays away from the battle has no share of the spoils.

I say: Ahmad, Malik a number of the *Salaf* and the scholars from the later generations have said that if the *Imam* sends someone on a mission which is for the benefit of the army, he may allot a share to him.

The Prophet ﷺ did not deduct the *Khumus* from spoils of the fallen enemy (i.e. his armour, weapons etc.), but that he deducted it from the war booty. And he ruled that a person was entitled to his share based upon the testimony of one witness.

Kings and rulers would send him gifts and he would accept them and divide them among his Companions ؓ. And Abu Sufyan gave him a gift and he accepted it.

Abu 'Ubaid has reported from him ﷺ that he rejected the gift of 'Amir

Ibn Malik, saying: "We do not accept gifts from a polytheist." And he said: "He only accepted the gift of Abu Sufyan because it was in peacetime. Likewise, he accepted the gift of Al-Muqawqas because he had dealt kindly with Hatib ؓ and he had not despaired of his embracing Islam. But he never accepted a gift from a polytheist who was at war with him. Sahnûn said: "If the Leader of the Christians gives a gift to the *Imam*, there is no objection and it belongs solely to him." Al-Awza'i said: "It should be shared between the Muslims and he may be compensated for it from the Muslims' treasury. Ahmad said: "The ruling on it is that of spoils of war."



Chapter

Regarding His ﷺ Ruling on the Sharing of Property

They are of three types: *Zakah*, spoils of war and war booty gained without fighting.

As for *Zakah* and war booty, we have mentioned previously the ruling on them and made clear that he did not give it to all of the eight categories^[1] and that he might sometimes give it to one category.

As for spoils obtained without fighting (*Al-Fai'*), he distributed them on the Day of Hunain between the new converts to Islam, in order to attract their hearts.^[2] And 'Ali ﷺ sent him a piece of gold from Yemen and he divided it among four persons.^[3]

And in the '*Sunan*', it is reported that he designated a share for his kin among Banu Hashim and Banu Al-Muttalib, but he did not give to Banu Nawfal and 'Abdu Shams, and he said: "We and Banu Al-Muttalib did not disunited in the *Jahiliyyah*, nor in Islam; we and they

^[1] Narrated by Al-Bukhari and Muslim. However, Abu Dawûd narrated on the authority of 'Abdur-Rahman Ibn Ka'b Ibn Malik, on the authority of his mother, that the Prophet ﷺ had her killed. And it was said that he forgave her for trying to kill him, but that he ordered her to be killed when Bishr Ibn Al-Bara' ﷺ, who also ate the poisoned meat died.

^[2] See *Sûrah At-Tawbah* 9:60.

^[3] Narrated by Al-Bukhari and Muslim, on the authority of Anas Ibn Malik ﷺ.

are one." And he interlocked his fingers.^[1] And he did not divide them equally like an inheritance, but instead distributed them between them according to what was beneficial; so he would marry those of them who were unmarried from these spoils and he would pay the debts of the debtor from them and he would give to the poor from them. And what is proven by his guidance is that he made the disbursement of the *Khumus* like that of *Zakah*, not giving it to any except the aforementioned eight categories, not that he distributed it between them like an inheritance. And whoever studied his biography cannot doubt that.

Scholars disagreed regarding whether *Al-Fai'* was his property which he disposed of as he saw fit, or not.

What is proven by his *Sunnah* is that he disposed of it as he was commanded, not as an owner does, for Allâh, Most Glorified gave him the choice whether to be slave and Messenger or a king and Messenger and he chose to be a slave. And the difference is that a slave does not dispose except as he is commanded while the king and Messenger may give to whomsoever he wills and deny whomsoever he wills, as Allâh, Most High said to Solomon (Sulaiman ﷺ):

﴿هَذَا عَطَاؤُنَا فَامْنُنْ أَوْ أَمْسِكْ بِغَيْرِ حِسَابٍ﴾

"[Allâh said to Sulaimân (Solomon):] "This is Our Gift, so spend you or withhold, no account will be asked of you."^[2]

That is, give whomsoever you wish and deny whomsoever you wish. This was the status which was offered to our Prophet ﷺ and which he disliked, and he said:

«وَاللّٰهُ اِنِّيْ لَا اَعْطِيْ اَحَدًا، وَلَا اُمْنَعُ اَحَدًا اِنَّمَا اَنَا قَاسِمٌ اَضَعُ حَيْثُ اُمِرْتُ»

"By Allâh, I do not give anyone nor do I deny anyone; I am only a distributor and I give as I am commanded."^[3]

^[1] Narrated by Al-Bukhari and Muslim, on the authority of Abu Sa'eed Al-Khudri ﷺ.

^[2] *Sûrah Sad* 38:39

^[3] Narrated by Abu Dawûd and An-Nasa'i.