## Al-Muwatta

# Al-Muwatta of Imām Mālik Arabic – English

Translated by Aisha Abdurrahman Bewley



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## Contents

INTRODUCTION	xxxi
The lineage of Imām Mālik, his family, birth and autobiography His quest for knowledge People's praise of him and their testimony that he was the greatest of the Imāms in knowledge The shaykhs from whom he transmitted The transmitters who transmitted from him The position of the <i>Muwaṭṭa'</i> and people's concern for it xxxviii Clarification of the meaning of " <i>Muwaṭṭa'</i> ", its excellent layout and fine style	xxxii xxxii xxxiii xxxvii xxxvii
1 THE TIMES OF PRAYER	1
<ol> <li>1.1 The times of prayer</li> <li>1.2 The time of the <i>jumu'a</i> prayer</li> <li>1.3 Whoever catches a <i>rak'a</i> of the <i>ṣalāh</i></li> <li>1.4 <i>Dulūk ash-shams</i> and <i>ghasaq al-layl</i></li> <li>1.5 The times of prayer in general</li> <li>1.6 Sleeping through the prayer</li> <li>1.7 Not doing the prayer at the hottest hour of the day</li> <li>1.8 Not entering the mosque smelling of garlic and not covering the mouth in prayer</li> </ol>	1 5 6 7 7 9 11 12
2 BOOK OF PURITY	13
<ul> <li>2.1 How to perform wudū'</li> <li>2.2 Wudū' for praying after sleep</li> <li>2.3 What is pure for wudū'</li> <li>2.4 Things which do not break wudū'</li> <li>2.5 Not doing wudū' on account of eating cooked food</li> <li>2.6 Wudū' in general</li> <li>2.7 Wiping the head and ears</li> <li>2.8 Wiping over leather socks</li> <li>2.9 How to wipe over leather socks</li> <li>2.10 Nosebleeds in the prayer</li> <li>2.11 Nosebleeds in general</li> <li>2.12 Bleeding from a wound or a nosebleed</li> <li>2.13 Wudū' on account of prostatic fluid</li> <li>2.14 Indulgence about not having to do wudū' on account of prostatic fluid</li> </ul>	13 15 16 18 19 22 26 27 29 30 31 31 32 33
2.15 Wudū' on account of touching the genitals	34

$2.16~Wud\bar{u}$ ' on account of a man kissing his wife	35
2.17 How to perform <i>ghusl</i> on account of major ritual impurity	36
2.18 <i>Ghusl</i> from the two "circumcised parts" meeting	37
2.19 $Wud\bar{u}$ of a person in a state of major ritual impurity ( $jan\bar{a}ba$ )	
when he wants to go to sleep or eat before having a <i>ghusl</i>	39
2.20 The repetition of the prayer by a person in a state of major ritual impurity,	
his doing <i>ghusl</i> when he has prayed without remembering it, and	
his washing his garments	40
2.21 Ghusl of a woman when she experiences the same as a man in her sleep	42
2.22 Ghusl for major ritual impurity	43
2.23 Tayammum	44
2.24 How to do tayammum	47
2.25 Tayammum of someone in a state of major ritual impurity	47
2.26 What is permitted to a man from his wife when she is menstruating	48
2.27 The purity of a woman after menstruation	49
2.28 Menstruation in general	50
2.29 Bleeding as if menstruating	51
2.30 The urine of an infant boy	54
2.31 Urinating standing and otherwise	54
2.32 The tooth-stick ( $siw\bar{a}k$ )	55
3 PRAYER	57
3.1 The call to prayer	57
3.2 The $adh\bar{a}n$ on a journey and without $wud\bar{u}'$	62
<ul><li>3.3 The meal before dawn (saḥūr) in relation to the adhān</li><li>3.4 The opening of the prayer</li></ul>	63 63
3.5 The recitation of Qur'ān in the <i>Maghrib</i> and <i>'Ishā'</i> Prayers	66
3.6 Behaviour in the recitation	68
3.7 The recitation in the <i>Şubḥ</i> prayer	69
3.8 The Umm al-Qur'ān	70
3.9 Reciting to oneself behind the imām when he does not recite aloud	70
3.10 Not reciting behind the imām when he recites aloud	73
3.11 Saying 'amīn' behind the imām	74
3.12 Behaviour in the sitting in the prayer	75
3.13 <i>Tashahhud</i> in the prayer	77
3.14 What to do if one raises one's head before the imām	80
3.15 What to do if through forgetfulness one says the <i>taslīm</i> after two <i>rak'as</i>	81
3.16 Completing what is recalled when uncertain how much has been prayed	83
3.17 What to do if one stands after the completion of the prayer or after two <i>rak'as</i>	84
3.18 Distraction in the Prayer	85
·	
4. FORGETFULNESS IN THE PRAYER	88
4.1 What to do if one forgets in prayer	88
5. <b>JUMU'A</b>	90
5.1 Ghusl on the day of jumu'a	90
5.2 Paying attention when the imām is giving the <i>khuṭba</i> on the day of <i>jumuʻa</i>	92
5.3 Catching a <i>rak'a</i> of the <i>jumu'a</i> prayer	94
J 1 $J$	

	<ul> <li>5.4 Nosebleeds on the day of <i>jumu'a</i></li> <li>5.5 Making haste on the day of <i>jumu'a</i></li> <li>5.6 The Imām's stopping off in a town on the day of <i>jumu'a</i></li> <li>5.7 The special time in the day of <i>jumu'a</i></li> <li>5.8 Good appearance and not stepping over people and facing the imām</li> </ul>	95 95 96 97
	on the day of <i>jumu'a</i> 5.9 The recitation in the <i>jumu'a</i> prayer, the sitting, and missing the prayer without a reason	99 100
6	PRAYER IN RAMADAN	102
	<ul><li>6.1 Stimulation of desire for prayer in Ramaḍān</li><li>6.2 Praying at night during Ramaḍān</li></ul>	102 103
7	TAHAJJUD	106
	<ul> <li>7.1 Concerning prayer in the night</li> <li>7.2 How the Prophet ﷺ prayed the witr</li> <li>7.3 The command to pray the witr</li> <li>7.4 Praying the witr after the break of dawn</li> <li>7.5 The two rak'as of Fajr</li> </ul>	106 108 111 114 115
8	PRAYER IN CONGREGATION	117
	<ul> <li>8.1 The superiority of prayer in congregation over prayer alone</li> <li>8.2 The <i>Tshā'</i> and <i>Ṣubḥ</i> prayers</li> <li>8.3 Repeating the prayer with the imām</li> <li>8.4 Praying in a group of people</li> <li>8.5 Prayer behind an imām when he prays sitting</li> <li>8.6 The excellence of prayer standing over prayer sitting</li> <li>8.7 Praying voluntary prayers (nawāfil)</li> <li>8.8 The middle prayer</li> <li>8.9 Permission to pray in one garment</li> <li>8.10 Permission for a woman to pray in a shift and head-covering</li> </ul>	117 118 120 122 123 124 124 126 127
9	SHORTENING THE PRAYER	130
	<ul> <li>9.1 Joining two prayers when settled and when travelling</li> <li>9.2 Shortening the prayer in travel</li> <li>9.3 Circumstances in which the prayer has to be shortened</li> <li>9.4 The prayer of a traveller when undecided whether to remain in a place or not</li> <li>9.5 Doing the full prayer when one decides to remain in a place</li> <li>9.6 The prayer of a traveller when acting as imām, or when praying behind an imām</li> <li>9.7 Voluntary prayers while travelling, by day and at night, and praying on a riding beast</li> <li>9.8 The Duḥā prayer</li> <li>9.9 General remarks about the voluntary prayer of Duḥā</li> <li>9.10 Strong warning against passing in front of a person praying</li> <li>9.11 Permission to pass in front of someone praying</li> </ul>	130 132 133 135 136 136 137 139 140 141
	9.12 The <i>sutra</i> of a traveller praying	144
	9.13 Brushing away small stones in the prayer 9.14 Straightening the rows	144 145

9.15 Placing one hand on the other in the prayer	145
9.16 <i>Qunūt</i> in the Ṣubḥ prayer	146
9.17 Prohibition against a man praying when wishing to relieve himself	146
9.18 Waiting for the prayer and walking to it	147
9.19 Placing the hands flat on the surface by the face in prostration	149
9.20 Turning around and clapping when necessary during the prayer	150
9.21 Joining the prayer while the imām is in $ruk\bar{u}'$	151
9.22 The prayer on the Prophet #	152
9.23 How to perform the prayer in general	153
9.24 Prayer in general	157
9.25 Stimulation of the desire for prayer in general	161
10. THE TWO ' <i>ĪDS</i>	164
10.1 <i>Ghusl</i> for the two ' $\bar{l}ds$ , the call to prayer for them, and the $iq\bar{a}ma$	164
10.2 The order to pray before the <i>khuṭba</i> on the two ' <i>Īds</i>	165
10.3 The order to eat before going out on the morning of the $^t\bar{l}d$	166
10.4 The <i>takbūrs</i> and the recitation in the prayer of the two $\sqrt{I}ds$	166
10.5 Refraining from praying before and after the two 'Īd prayers	167
10.6 Permission to pray before and after the two $^{\prime}\bar{l}d$ prayers	168
10.7 The coming of the imām on the Day of the $\bar{I}d$ and waiting for the $khutba$	168
11 THE FEAR PRAYER	170
11.1 The Fear Prayer	170
12 THE ECLIPSE PRAYER	173
12.1 How to pray the Eclipse Prayer	173
12.2 About the Eclipse Prayer	176
13 PRAYING FOR RAIN	178
13.1 How to pray for rain	178
13.2 What is reported about praying for rain	179
13.3 About asking the stars for rain	180
14. THE QIBLA	182
14.1 The prohibition against relieving oneself facing the <i>qibla</i>	182
14.2 Permission to face the <i>qibla</i> when urinating or defecating	183
14.3 The prohibition of spitting towards the <i>qibla</i>	184
14.4 About the <i>qibla</i>	184
14.5 The Mosque of the Prophet 🍇	185
14.6 Women going out to the mosque	186
15. THE QUR'ĀN	188
15.1 The command to be in $wud\bar{u}'$ (when touching the Qur'ān)	188
15.2 Allowance to recite the Qur'ān while not in wuḍū'	189
15.3 The division of the Qur'ān into sections ( <i>ḥizbs</i> )	189
15.4 About the Qur'ān	190
15.5 The prostration of the Qur'ān	193
15.6 About reciting <i>Sūrat al-Ikhlā</i> ṣ and <i>Sūrat al-Mulk</i>	196
15.7 Dhikr (Remembrance) of Allah, the Blessed and Exalted	197

	15.8 <i>Du'ā'</i> (supplication)	200
	15.9 Making supplication $(du'\bar{a}')$	204
	15.10 Prayer forbidden after Ṣubḥ and after ʿAṣr	206
1	6 BURIALS	209
	16.1 Washing the dead	209
	16.2 Shrouding the dead	210
	16.3 Preceeding the bier	211
	16.4 The prohibition against following the bier with a burning torch	212
	16.5 The <i>takbūrs</i> in funerals	213
	16.6 What to say in the prayer for the dead	214
	16.7 Permission to pray over the dead after Ṣubḥ until the dawn is clear	
	and after 'Aṣr until the sun turns yellow	215
	16.8 Doing the prayer for the dead in mosques	216
	16.9 The prayer over the dead in general	217
	16.10 Burying the dead	217
	16.11 Stopping for funerals and sitting in graveyards	219
	16.12 The prohibition of weeping over the dead	220
	16.13 Fortitude in the face of misfortune	222
	16.14 Fortitude in the face of misfortune generally	222
	16.15 Exhumation	224
	16.16 Burial in general	225
1	7 ZAKĀT	229
	17.1 Things subject to <i>zakāt</i>	229
	17.2 The <i>zakāt</i> on gold and silver coins	230
	17.3 <i>Zakāt</i> on mines	234
	17.4 $Zak\bar{a}t$ on buried treasure $(rik\bar{a}z)$	235
	17.5 Non-zakatable items of jewelry, bits of gold and silver, and amber	236
	17.6 <i>Zakāt</i> on the property of orphans and trading for orphans	237
	17.7 Zakāt on inheritance	238
	17.8 Zakāt on debts	239
	17.9 <i>Zakāt</i> on merchandise	241
	17.10 Wealth which has been hidden away (kanz)	243
	17.11 <i>Zakāt</i> on livestock	244
	17.12 Zakāt on cattle	245
	17.13 Zakāt of associates	250
	17.14 Counting lambs and kids when assessing <i>zakāt</i>	252
	17.15 Zakāt when two years are assessed together	254
	17.16. The prohibition of making things difficult for people in taking $zak\bar{a}t$	255
	17.17 Receiving <i>zakāt</i> , and who is permitted to receive it	256
	17.18 Collecting <i>zakāt</i> and being firm in doing so	257
	17.19 <i>Zakāt</i> on estimated yields of date-palms and vines	258
	17.20 Zakāt on seeds and olives	261
	17.21 Non-zakatable Fruits	263
	17.22 Non-zakatable fruits, animal fodder and vegetables	266
	17.23 Zakāt on slaves, horses and honey	267
	17.24 Jizva imposed on the People of the Book and Magians	268

17.25 The <i>'ushr</i> for the People of <i>Dhimma</i>	271
17.26 Selling <i>ṣadaqa</i> and taking it back	272
17.27 Who pays the <i>Zakāt al-Fiṭr</i>	273
· ·	274
	275
17.30 People who are not obliged to pay the Zakāt al-Fiṭr	276
8. FASTING	277
18.1 Sighting the new moon for beginning and ending the fast of Ramaḍān	277
18.2 Making the intention to fast before dawn	279
	279
· · · · · · · · · · · · · · · · · · ·	280
ŭ	283
	285
ŭ v	285
· ·	287
	288
	290
	291
· ·	292
	222
	293
	200
·	293
	294
· · · · · · · · · · · · · · · · · · ·	295
~ · ·	296
~ · · · · · · · · · · · · · · · · · · ·	299
	301
· · ·	303
·	303 304
•	307
	307
· ·	311
č t	311
	312
	314
19.6 Laylat al-Qadr (The Night of Power)	315
0 ḤAJJ	318
20.1 The <i>ghusl</i> of <i>iḥrām</i>	318
20.2 Ghusl in iḥrām	319
20.3 Clothes forbidden in <i>iḥrām</i>	321
20.4 Clothes worn in <i>iḥrām</i>	322
20.5 Wearing a belt in <i>iḥrām</i>	323
20.6 Veiling the face in <i>iḥrām</i>	323
	17.26 Selling sadaqa and taking it back 17.27 Who pays the Zakāt al-Fitr 17.28 Measuring the Zakāt al-Fitr 17.29 When to send the Zakāt al-Fitr 17.30 People who are not obliged to pay the Zakāt al-Fitr 17.30 People who are not obliged to pay the Zakāt al-Fitr 18.1 Sighting the new moon for beginning and ending the fast of Ramaḍān 18.2 Making the intention to fast before dawn 18.3 Being quick to break the fast 18.4 Fasting when someone finds himself in janāba in the morning during Ramaḍān 18.5 Permission for a fasting man to kiss 18.6 Being strict about kissing when fasting 18.7 Fasting while travelling 18.8 Returning from a journey in Ramaḍān and intention to travel in Ramaḍān 18.9 Kaffāra (making amends) for breaking the fast in Ramaḍān 18.10 Cupping a man who is fasting 18.11 Fasting the Day of Āshūrā' (the 10th of Muḥarram) 18.12 Fasting the Days of Fitr and Aḍḥā and fasting continuously 18.13 The prohibition against fasting for two days or more without breaking the fast in between (wiṣāl) 18.14 Fasting on account of manslaughter or for pronouncing the zɨhār form of divorce 18.15 Illness and the fast 18.16 The vow to fast, and fasting on behalf of a dead person 18.17 Making up days missed in Ramaḍān, and the kaffāra 18.18 Making up voluntary fasts 18.19 The fidya (compensation) for breaking the fast in Ramaḍān for a reason 18.20 Making up days missed in Ramaḍān, and the kaffāra 18.19 The fidya (compensation) for breaking the fast in Ramaḍān for a reason 18.20 Making up days of Ramaḍān in general 18.21 Fasting the "Day of Doubt" 18.22 The Fast in General 19.1 TIKĀf IN RAMApĀN 19.1 Concerning i'tikāf (retreat) 19.2 Essentials of i'tikāf 19.3 Leaving i'tikāf for the Īd 19.4 Making up for the i'tikāf (not done) 19.5 Marriage in i'tikāf 19.3 Leaving i'tikāf sor the Īd 20.4 Glothe worn in iḥrām 20.3 Glothes forbidden in iḥrām 20.4 Glothe worn in iḥrām 20.4 Glothe worn in iḥrām 20.5 Wearing a belt in iḥrām

20.7 Wearing perfume during <i>ḥajj</i>	325
20.8 Points of entry for <i>iḥrām</i> ( <i>mawāqīt</i> )	327
20.9 The method of entering <i>iḥrām</i>	328
20.10 Raising the voice in <i>talbiya</i>	331
20.11 Ḥajj al-Ifrād	332
20.12 Performing <i>ḥajj</i> and <i>'umra</i> together ( <i>Ḥajj al-Qirān</i> )	333
20.13 When to stop the <i>talbiya</i>	335
20.14 How the people of Makka, and those besides them living there, go into <i>iḥrām</i>	337
20.15 Situations when <i>iḥrām</i> is not obligatory for garlanding sacrificial animals	339
20.16 Menstruating women on <i>hajj</i>	341
20.17 <i>'Umra</i> in the months of <i>hajj</i>	341
20.18 When to stop saying the <i>talbiya</i> for <i>'umra</i>	342
20.19 Ḥajj at-Tamattuʻ	343
20.20 Circumstances in which <i>tamattu</i> ' is not obligatory	345
20.21 About <i>'umra</i> in general	346
20.22 Marriage while in <i>iḥrām</i>	349
20.23 Cupping while in <i>iḥrām</i>	350
20.24 Game that can be eaten by someone who is in <i>iḥrām</i>	351
20.25 Game that is not lawful to eat while in <i>iḥrām</i>	355
20.26 Hunting in the <i>Ḥaram</i>	357
20.27 Assessing the forfeit for hunting game animals	357
20.28 Animals that someone in <i>iḥrām</i> may kill	358
20.29 Things that someone in <i>iḥrām</i> is allowed to do	360
20.30 Performing the <i>hajj</i> for somebody else	361
20.31 Someone whose path (to the House) is blocked by an enemy	362
20.32 Someone who is prevented (from going to the House) by something	
other than an enemy	364
20.33 Building the Kaʻba	367
20.34 Hastening (raml) in the ṭawāf	368
20.35 Saluting the corners during tawāf	370
20.36 Kissing the corner of the Black Stone when saluting the corners	371
20.37 The two rak'as of ṭawāf	371
20.38 Praying after Subh and 'Aṣr when doing ṭawāf	373
20.39 Taking leave of the House	374
20.40 <i>Tawāf</i> in general	375
20.41 Starting with Safā in the sa'y	377
20.42 Sa'y in general	378
20.43 Fasting the Day of 'Arafa	381
20.44 Fasting on the Days of Minā	382
20.45 What are acceptable as sacrificial animals (hadys)	383
20.46 Treatment of sacrificial animals while being driven to sacrifice	385
20.47 Injury to sacrificial animals or their loss	387
20.48 The animal to be sacrificed on account of intercourse in <i>iḥrām</i>	388
20.49 The animal to be sacrificed on account of missing the <i>ḥajj</i>	390
20.50 Intercourse before the <i>Ṭawāf al-Ifāḍa</i>	391
20.51 The sacrificial animals considered least difficult	393
20.52 Sacrificial animals in general	395

20.53 The wuqūf (standing) at 'Arafa and Muzdalifa	397
20.54 Wuqūf while not in wuḍū', and wuqūf on a riding beast	398
20.55 The <i>wuqūf</i> at 'Arafa of someone who misses the <i>ḥajj</i>	399
20.56 Sending women and children ahead	400
20.57 Going from 'Arafa to Muzdalifa	401
20.58 Sacrificing during the <i>ḥajj</i>	402
20.59 How to make the sacrifice	403
20.60 Shaving the head	404
20.61 Cutting the hair	406
20.62 Gumming the hair	407
20.63 Performing the prayer in the House, shortening the prayer,	
and hastening the <i>khuṭba</i> at 'Arafa	408
20.64 Performing the prayer at Minā on the eighth day of Dhū al-Ḥijja,	
and the <i>jumuʻa</i> at Minā and 'Arafa	409
20.65 Performing the prayer at Muzdalifa	410
20.66 Performing the prayer at Minā	411
20.67 The prayer of a visitor to Makka or Minā	413
20.68 Saying the <i>takbīr</i> during the Days of <i>Tashrīq</i>	413
20.69 Performing the prayer at al-Mu'arras and al-Muḥaṣṣab	414
20.70 Staying overnight at Makka on the nights of Minā	415
20.71 Stoning the <i>jamras</i>	416
20.72 Indulgence with respect to stoning the <i>jamras</i>	418
20.73 The Ṭawāf al-Ifāḍa	420
20.74 A menstruating woman's entering Makka	421
20.75 The <i>Ṭawāf al-Ifāḍa</i> of a menstruating woman	423
20.76 The compensation ( $fidya$ ) for killing birds and wild animals while in $ihram$	425
20.77 The <i>fidya</i> for killing locusts in <i>iḥrām</i>	427
20.78 The <i>fidya</i> for shaving the head before sacrificing	428
20.79 Forgetfulness in the rituals	430
20.80 Compensation (fidya) in general	431
20.81 The ḥajj in general	433
20.82 The ḥajj of a woman without a maḥram	438
20.83 Fasting in Ḥajj at-Tamattuʻ	438
21 <i>JIHĀD</i>	440
21.1 Stimulation of desire for <i>jihād</i>	440
21.2 Prohibition against travelling with the Qur'ān in enemy territory	443
21.3 The prohibition against killing women and children in military expeditions	443
21.4 Fulfilling safe conduct	445
21.5 Giving in the Way of Allah	446
21.6 Booty from war in general	447
21.7 Things on which the tax of one-fifth (khums) is not obligatory	448
21.8 What it is permissible for the Muslims to eat before the spoils are divided	448
21.9 Returning enemy plunder to the owner before the division of the spoils	449
21.10 Stripping the slain of their personal effects in the booty	451
21.11 Awarding extra portions from the fifth (khums)	453
21.12 The share of the spoils allotted to cavalry in military expeditions	454

21.13 Stealing from the Spoils	455
21.14 Martyrs in the Way of Allah	458
21.15 Things in which martyrdom lies	460
21.16 How to wash a martyr	461
21.17 What is disliked to be done with something given in the Way of Allah	462
21.18 Stimulation of desire for <i>jihād</i>	462
21.19 Horses and racing them and financing in military expeditions	465
21.20 Acquisition of the land of <i>dhimmīs</i> who surrender	467
21.21 Burial in one grave by necessity and Abū Bakr's carrying out the promise of	
the Messenger of Allah <b>%</b> after the death of the Messenger <b>%</b>	468
22 VOWS AND OATHS	470
22.1 Fulfilling vows to walk	470
22.2 Making vows to walk to the House and not succeeding	471
22.3 How to fulfil the oath of walking to the Ka'ba	473
22.4 Vows not permitted in disobedience to Allah	474
22.5 Inadvertence in oaths	476
22.6 Oaths for which <i>kaffāra</i> is not obligatory	477
22.7 Oaths for which <i>kaffāra</i> is obligatory	478
22.8 What is done regarding the <i>kaffāra</i> of a broken oath	479
22.9 Oaths in general	480
23 SACRIFICIAL ANIMALS	482
23.1 Animals avoided as sacrifices	482
23.2 Animals desirable as sacrifices	483
23.3 Prohibition against sacrificing an animal before the imām finishes	483
23.4 Storing meat from sacrificial animals	484
23.5 Sharing sacrificial animals	486
23.6 The sacrificial animal for the child in the womb and mention	107
of the Days of Sacrifice	487
24 SLAUGHTERING ANIMALS	488
24.1 Saying the Name of Allah over the slaughtered animal	488
24.2 Methods of slaughter permitted in necessity	489
24.3 What is disapproved of in slaughtering animals	490
24.4 Slaughtering what is in the womb of a slaughtered animal	491
25 GAME	492
25.1 Eating game killed with throwing sticks and by stones	492
25.2 Game caught by trained dogs	494
25.3 Catching sea animals	496
25.4 Prohibition against eating animals with fangs	497
25.5 What is disapproved of regarding eating riding animals	498
25.6 Using the skin of animals found dead	499
25.7 Eating carrion when forced to, out of necessity	500
26 THE 'AQĪQA	501
26.1 About the 'aqīqa	501

26.2 Behaviour in the 'aqīqa	502
27 FIXED SHARES OF INHERITANCE	504
27.1 Inheritance of direct descendants	504
27.2 Inheritance of husbands from wives and wives from husbands	506
27.3 Inheritance of fathers and mothers from children	507
27.4 Inheritance of maternal half-siblings	508
27.5 Inheritance of full-siblings	509
27.6 Inheritance of paternal half-siblings	510
27.7 Inheritance of grandfathers	512
27.8 Inheritance of grandmothers	515
27.9 Inheritance of persons without parents or offspring	517
27.10 Paternal aunts	519
27.11 Inheritance of paternal relations ('aṣaba)	520
27.12 People who do not inherit	522
27.13 Inheritance from the people of other religions	523
27.14 People killed in battle or otherwise whose situation in inheritance	
is not known	525
27.15 The inheritance of the child of $li\bar{a}n$ and the child of fornication	526
28 MARRIAGE	528
28.1 Asking for someone's hand in marriage	528
28.2 Asking the consent of virgins and women previously married	529
28.3 The bride-price and unreturnable gifts	531
28.4 Consummating a marriage	534
28.5 Wedding nights of virgins and of women previously married	535
28.6 Stipulations not permitted in marriage	536
28.7 Marriage of a <i>muḥallil</i> and its like	537
28.8 Combinations of women not to be married together	538
28.9 Prohibition against marrying mothers of wives	539
28.10 Marriage to mothers of women with whom one has had sexual relations in	
a disapproved manner	540
28.11 What is not permitted in marriage in general	541
28.12 Marrying slaves when already married to free women	543
28.13 A man's owning a slave whom he has married and then divorced	544
28.14 Reprehensibility of intercourse with two sisters or a mother and daughter that one owns	545
28.15 Prohibition against intercourse with a slave-girl who belonged to one's father	547
28.16 Prohibition against marrying slave-girls who are People of the Book	548
28.17 Muḥsanāt	549
28.18 Temporary marriage	550
28.19 Marriage of slaves	551
28.20 The marriage of idolators when their wives become Muslim before them	552
28.21 The wedding feast	554
28.22 Marriage in general	556
29 DIVORCE	559
29.1 The 'irrevocable' divorce	559
29.2 Divorce by euphemistic statements	560

	29.3 Giving wives the right of full divorce	562
	29.4 When a wife's authority must be considered as only a single pronouncement of divorce	563
	29.5 When allowing a wife her authority does not constitute a divorce	564
	29.6 Annulment of marriage by the husband's vow to refrain from intercourse ( $\bar{l}l\bar{a}'$ )	566
	29.7 The <i>īla</i> ' (vow of abstention) of slaves	569
	29.8 <i>Zihār</i> of freemen	569
	29.9 <i>Zihār</i> done by slaves	572
	29.10 The option (of slave-girls married to slaves when freed)	573
	29.11 Separating from wives for compensation (khul')	576
	29.12 The <i>khul</i> divorce	577
	29.13 <i>Li'ān</i> (invoking mutual curses)	578
	29.14 Inheritance of children of women against whom $li\bar{a}n$ has been pronounced	583
	29.15 Divorce of virgins	583
	29.16 Divorce of sick men	585
	29.17 Compensatory gift after divorce	587
	29.18 The divorce of a slave	588
	29.19 Maintenance of slave-girls divorced when pregnant	589
	29.20 <i>'Idda</i> of women with missing husbands	590
	29.21 <i>'Idda</i> of divorce and divorce of menstruating women	591
	29.22 <i>'Idda</i> of women in their houses when divorced in them	594
	29.23 Maintenance of divorced women	596
	29.24 'Idda of slave-girls divorced by their husbands	597
	29.25 General chapter on <i>'idda</i> of divorce	598
	29.26 The two arbiters	600
	29.27 Oath of men to divorce while not yet married	600
	29.28 Deadline of men who do not have intercourse with their wives	601
	29.29 General section on divorce	602
	29.30 'Idda of widows when pregnant	606
	29.31 Widows remaining in their houses until free to marry	608
	29.32 'Idda of an umm walad on her master's death	610
	29.33 'Idda of slave-girls whose master or husband dies	611
	29.34 Coitus interruptus	612
	29.35 Limit of abstaining from adornment in mourning	614
3	50 SUCKLING	619
	30.1 Suckling of the young	619
	30.2 Suckling of older people	623
	30.3 Suckling in general	625
3	1 BUSINESS TRANSACTIONS	627
	31.1 Non-returnable deposits ( <i>'urbūn</i> )	627
	31.2 Wealth of slaves	630
	31.3 Built-in liability agreements	630
	31.4 Defects in slaves	631
	31.5 The purchase of slave-girls with conditions attached	635
	31.6 Prohibition against intercourse with married slave-girls	636
	31.7 Ownership of the fruit of trees sold	637
	31.8 Prohibition against selling fruit until starting to ripen	637

	31.9 The sale of 'ariyyas	639
	31.10 The effect of crop damage on the sale of agricultural produce	640
	31.11 Keeping back a portion of the fruit	641
	31.12 Disapproved practices in the sale of dates	642
	31.13 Muzābana and muḥāqala	643
	31.14 General remarks about selling produce at its source	646
	31.15 Selling fruit	651
	31.16 Selling gold for silver, minted and unminted	651
	31.17 Money-changing	656
	31.18 Selling gold for gold and silver for silver by weight	657
	31.19 Buying on delayed terms and re-selling for less on more immediate terms	660
	31.20 What is disapproved of in selling food with delayed payment or delivery	663
	31.21 Pre-payment on food	664
	31.22 Bartering food for food with no increase between them	666
	31.23 General section on selling food	670
	31.24 Hoarding and raising prices by stockpiling	673
	31.25 What is permitted in bartering animals for other animals and advances on animals	674
	31.26 What is not permitted in the sale of animals	676
	31.27 Selling animals in exchange for meat	677
	31.28 Selling meat for meat	678
	31.29 Selling dogs	679
	31.30 Advance and sale of some goods for others	680
	31.31 An advance on goods	681
	31.32 Selling weighable items like copper and iron and similar things	684
	31.33 Prohibition against two sales in one	686
	31.34 Transactions with uncertainty in them	687
	31.35 Al-mulāmasa and al-munābadha	690
	31.36 <i>Murābaḥa</i> transactions (partnership between investors and borrowers in	
	profit-sharing re-sales)	691
	31.37 Sales according to a list of contents	693
	31.38 The right of withdrawal ( <i>khiyār</i> )	695
	31.39 Usury in debts	696
	31.40 Debts and transfer of debts in general	698
	31.41 Partnership, transferral of responsibility to an agent and revocation	701
	31.42 Bankruptcy of debtors	703
	31.43 What is permitted of free loans	705
	31.44 What is not permitted of free loans	707
	31.45 What is forbidden of haggling and such transactions	708
	31.46 Business transactions in general	710
3	2 QIRĀD	713
	32.1 <i>Qirāḍ</i>	713
	32.2 What is permitted in <i>qirāḍ</i>	714
	32.3 What is not permitted in <i>qirāḍ</i>	715
	32.4 Conditions permitted in <i>qirāḍ</i>	717
	32.5 Conditions not permitted in <i>qirāḍ</i>	718
	32.6 <i>Qirād</i> in wares	721

	32.7 Hire in <i>qirāḍ</i>	722
	32.8 Overstepping in <i>qirād</i>	723
	32.9 Expenses permitted in <i>qirāḍ</i>	724
	32.10 Expenses not permitted in <i>qirāḍ</i>	725
	32.11 Debts in qirāḍ	726
	32.12 Goods in qirāḍ	727
	32.13 Loans in <i>qirāḍ</i>	728
	32.14 Accounting in <i>qirāḍ</i>	729
	32.15 A general view of <i>qirāḍ</i> CROPSHARING	730
		<b>734</b> 734
	33.1 Cropsharing 33.2 The condition about slaves in cropsharing	742
34	RENTING LAND	745
:	34.1 Renting land	745
35	PRE-EMPTION IN PROPERTY	747
:	35.1 Cases in which pre-emption is possible	747
:	35.2 Cases in which pre-emption is not possible	752
36	JUDGEMENTS	755
:	36.1 Stimulation of desire to judge correctly	755
:	36.2 Giving testimony	756
	36.3 Judgement on testimony of those who have received <i>ḥadd</i> -punishments	757
	36.4 Judgement based on oaths along with the testimony of a single witness	758
	36.5 Judgement on a deceased with a debt against him and a debt for him and only one witness	
	36.6 Judgement on claims	763
	36.7 Judgement on the testimony of children	764
	36.8 Perjury on the minbar of the Prophet #	765
	36.9 Taking oaths on the minbar in general	765
	36.10 Prohibition against forfeiting pledges given on security	766
	36.11 Judgement on pledging fruit and animals as security	767
	36.12 Judgement on pledging animals as security	768 769
	36.13 Judgement on pledges shared between two men 36.14 Judgement on pledges in general	770
	36.15 Judgement on renting animals and going beyond specified destinations	772
	36.16 Judgement about raped women	774
	36.17 Judgement on consuming other people's animals	775
	36.18 Judgement on the abandonment of Islam	776
	36.19 Judgement on men finding other men with their wives	777
	36.20 Judgement on the abandoned child	778
	36.21 Judgement on attaching paternity to children	779
	36.22 Judgement on inheritance of attached children	781
	36.23 Judgement on women who are <i>umm walad</i>	783
	36.24 Judgement on bringing barren land into cultivation	784
	36.25 Judgement on watering land	784
	36.26 Judgement on benefiting neighbours	785

	36.27 Judgement on division of properties	787
	36.28 Judgement on animals grazing on other people's crops and animals stolen from the herd	787
	36.29 Judgement on injuries to domestic animals	788
	36.30 Judgement regarding articles given to artisans to work on	789
	36.31 Judgement on taking on debts and transfers of debts	790
	36.32 Judgement on garments bought which have defects	791
	36.33 What is not permitted in giving gifts (1)	792
	36.34 What is not permitted in giving gifts (2)	793
	36.35 Judgement on gifts	794
	36.36 Taking back <i>ṣadaqa</i>	795
	36.37 Judgement on life grants	796
	36.38 The ruling on lost property which is found	797
	36.39 Judgement on slaves using finds	798
	36.40 Judgement on strays	799
	36.41 <i>Ṣadaqa</i> of the living for the dead	800
3	7 WILLS AND TESTAMENTS	802
	37.1 The command to write wills	802
	37.2 Permissibility of bequests made by children, simpletons, lunatics and idiots	803
	37.3 Limiting bequests to one-third of the estate	805
	37.4 Dealing with the property of a pregnant woman, a sick person and someone present in bat $807$	tle
	37.5 Bequests to heirs and right of possession	808
	37.6 Effeminate men and the custody of children	810
	37.7 Liability for defective goods	811
	37.8 General chapter on rendering judgement and aversion to it	812
	37.9 Damages and injuries caused by slaves	814
	37.10 What is permitted in gifts	815
3	$8$ SETTING FREE AND $WALar{A}'$	816
	38.1 Freeing a share held in a slave	816
	38.2 Making conditions when freeing a slave	818
	38.3 People who free slaves and own no other property	818
	38.4 Judgement on the property of slaves when they are set free	819
	38.5 Freeing slaves who are <i>umm walads</i> and a general section on freeing	820
	38.6 Slaves permitted to be freed when a slave must be freed by obligation	821
	38.7 Slaves not permitted to be freed when a slave must be freed by obligation	823
	38.8 Freeing the living for the dead	824
	38.9 The excellence of freeing slaves, freeing adulteresses and illegitimate children	825
	38.10 The right of the one who sets free to the <i>walā'</i>	825
	38.11 Slaves attracting the <i>walā</i> ' when set free	828
	38.12 The inheritance of the $wal\bar{a}'$	830
	38.13 The inheritance of slaves set free and the $wal\bar{a}'$ of Jews and Christians who set slaves free	
3	9 THE MUKĀTAB	834
	39.1 Judgement on the <i>mukātab</i>	834
	39.2 Assuming responsibility in <i>kitāba</i>	839
	39.3 Severance in the <i>kitāba</i> for an agreed price	841

39.4 Injuries caused by <i>mukātabs</i>	845
39.5 Selling <i>mukātabs</i>	847
39.6 The labour of <i>mukātabs</i>	850
39.7 Freeing a <i>mukātab</i> on payment of his due before its term	851
39.8 The inheritance of a <i>mukātab</i> on emancipation	853
39.9 Conditions concerning <i>mukātabs</i>	854
39.10 The <i>walā'</i> of the <i>mukātab</i> when he is set free	855
39.11 What is not permitted in freeing a <i>mukātab</i>	857
39.12 Freeing a mukātab and an umm walad	858
39.13 Bequests involving <i>mukātabs</i>	859
40 THE MUDABBAR	865
40.1 Judgement on the <i>mudabbar</i>	865
$40.2$ General section on $tadb\bar{t}r$	867
$40.3$ Bequests involving $tadb\bar{t}r$	868
40.4 A master's intercourse with his <i>muddabara</i>	870
40.5 Selling <i>mudabbars</i>	871
40.6 Injuries caused by <i>mudabbars</i>	873
40.7 Injuries caused by an <i>umm walad</i>	876
41 <b>ḤUDŪD</b>	877
41.1 Stoning	877
41.2 Self-confession of fornication	883
41.3 The <i>ḥadd</i> for fornication	885
41.4 Rape	886
41.5 The <i>ḥadd</i> for slander, denial of paternity and insinuation	886
41.6 That for which there is no <i>ḥadd</i> punishment	889
41.7 That which obliges cutting off the hand	890
41.8 Cutting off the hands of runaway slaves who steal	892
41.9 Intercession is cut off for thieves when cases reach the ruler	894
41.10 General section on cutting off the hand	894
41.11 Things for which the hand is not cut off	900
42 DRINKS	904
42.1 The <i>ḥadd</i> punishment for drinking wine	904
42.2 Containers forbidden for preparation of $nab\bar{\iota}dh$	905
42.3 Mixtures of fruit disapproved for making <i>nabīdh</i>	906
42.4 The prohibition of wine	907
42.5 General section on the prohibition of wine	908
43 BLOOD MONEY	910
43.1 Concerning blood-money	910
43.2 Procedure in blood-money	911
43.3 The blood-money for murder when accepted, and the criminal act of the insane	912
43.4 The blood-money for manslaughter	912
43.5 The blood-money for accidental injury	914
43.6 The blood-money for women	915
43.7 The blood-money for the foetus	917

43.8 Injuries for which there is full blood-money	919
43.9 The blood-money for an eye whose sight is lost	921
43.10 The blood-money for head wounds	921
43.11 The blood-money for fingers	924
43.12 General section on the blood-money for teeth	925
43.13 Procedure in the blood-money for teeth	926
43.14 The blood-money for injuries to slaves	927
43.15 The blood-money of the People of Protection ( <i>dhimma</i> )	929
43.16 Blood-money that has to be paid on an individual basis	930
43.17 Inheritance of blood-money and making it more severe	932
43.18 General section on blood-money	934
43.19 Killing secretly by trickery and sorcery	938
43.20 What is obligatory for intentional injury	939
43.21 Retaliation in killing	940
43.22 Pardoning murder	942
43.23 Retaliation in injury	943
43.24 The blood-money and crime of the slave set free and from whom his former master	
does not inherit	945
44 THE CATH OF CACAMA	046
44 THE OATH OF <i>QASĀMA</i>	946
44.1 Beginning with the people seeking blood revenge in the oath	946
44.2 Blood relatives who are permitted to swear in the case of an intentional act	951
44.3 Swearing in the case of manslaughter	952
44.4 Inheritance in cases of <i>qasāma</i>	953
44.5 Swearing for blood revenge in cases involving slaves	954
45 A COMPREHENSIVE BOOK	956
45.1 Supplication for Madīna and its people	956
45.2 What has been narrated about dwelling in Madīna and leaving it	957
45.3 Making Madīna a <i>ḥaram</i>	959
45.4 The epidemic of Madīna	960
45.5 The expulsion of the Jews from Madīna	962
45.6 Concerning Madīna	963
45.7 About the plague	964
46 THE DECREE	968
46.1 The Prohibition against talking about the Decree	968
46.2 General section on the People of the Decree	970
47 GOOD CHARACTER	972
47.1 Good character	
	972
47.2 Modesty	974 975
47.3 Anger 47.4 Shunning People	975 975
48 DRESS	978
48.1 Wearing clothes for beautification	978
48.2 Wearing dyed garments and gold	979

48.3 Wearing rough silk 48.4 Clothes disapproved for women to wear 48.5 A man trailing his garments 48.6 A woman trailing her garments	980 980 981 982
48.7 Wearing sandals 48.8 Ways of dressing	983 984
49 THE DESCRIPTION OF THE PROPHET <b>**</b>	986
49.1 Description of the Prophet ∰ 49.2 Description of Tsā ibn Maryam ∰ and the Dajjāl 49.3 Sunna of the fiṭra (natural form) 49.4 Prohibition against eating with the left hand 49.5 The very poor 49.6 The intestines of the unbeliever 49.7 Prohibition against drinking from silver vessels and blowing into drinks 49.8 Drinking while standing 49.9 The sunna about drinking and passing to the right 49.10 General section on food and drink 49.11 Eating meat 49.12 Wearing rings 49.13 Pulling off necklaces and bells from the necks of camels	986 986 987 988 989 989 990 991 992 992 1001 1001
50 THE EVIL EYE	1003
<ul> <li>50.1 Wuḍū' against the Evil Eye</li> <li>50.2 Guarding against the Evil Eye</li> <li>50.3 The invalid's reward</li> <li>50.4 Seeking refuge and using talismans in illness</li> <li>50.5 Treating the invalid</li> <li>50.6 Washing with water for a fever</li> <li>50.7 Visiting invalids, and evil omens</li> </ul>	1003 1004 1005 1006 1008 1008
51 HAIR	1011
<ul><li>51.1 The sunna regarding hair</li><li>51.2 Caring for hair</li><li>51.3 Dyeing the hair</li><li>51.4 What is commanded of seeking refuge in Allah</li><li>51.5 Those who love each other in Allah</li></ul>	1011 1012 1013 1014 1016
52 VISIONS	1019
52.1 Visions 52.2 Games of dice	1019 1021
53 GREETINGS	1022
<ul><li>53.1 Behaviour in greeting</li><li>53.2 Greeting Jews and Christians</li><li>53.3 General section on the greeting</li></ul>	1022 1023 1023
54 GENERAL	1026
541 Asking permission to enter	1026

54.2 Blessing someone who sneezes	1028
54.3 Pictures and images	1028
54.4 Eating lizards	1030
54.5 Concerning dogs	1031
54.6 Concerning sheep	1032
54.7 Mice falling into clarified butter, and giving precedence to food over the prayer	1033
54.8 Guarding against ill luck	1034
54.9 Names that are disliked	1035
54.10 Cupping and the reward of the cupper	1036
54.11 Concerning the East	1036
54.12 Killing snakes and what is said about them	1037
54.13 What to say on journeys	1039
54.14 Travelling alone in the case of men and women	1040
54.15 How to behave on journeys	1040
54.16 The command to be kind to slaves	1041
54.17 A slave and his reward	1042
55 THE OATH OF ALLEGIANCE	1043
55.1 About the oath of allegiance	1043
56 SPEECH	1045
56.1 Disliked speech	1045
56.2 The order to be mindful in speech	1046
56.3 Disliked speech and speech without the mention of Allah	1047
56.4 Backbiting	1048
56.5 What is feared from the tongue	1048
56.6 Two people conversing to the exclusion of another	1049
56.7 Truthfulness and lying	1050
56.8 Squandering property and being two-faced	1051
56.9 Punishing the many for the actions of the few	1052
56.10 About people with <i>taqwā</i>	1052
56.11 What to say when it thunders	1053
56.12 The legacy of the Prophet 紫	1053
57 JAHANNAM	1055
57.1 Description of Jahannam	1055
58 ṢADAQA	1056
58.1 Stimulation of desire for <i>ṣadaqa</i>	1056
58.2 Refraining from asking	1058
58.3 What is disliked in <i>ṣadaqa</i>	1061
59 KNOWLEDGE	1063
59.1 Seeking Knowledge	1063
60 THE SUPPLICATION OF THE UNJUSTLY WRONGED	1064
60.1 Supplication of someone unjustly wronged	1064
61 THE NAMES OF THE PROPHET SERVING	1066

Contents

61.1 The names of the Prophet 🙈	1066
GLOSSARY	1067
INDEX	1081

#### Translation of Al-Muwatta

Al-Muwatta does not need an introduction as its author, the Faqih of Madina, Malik bin Anas, may Allah be pleased with him, is the founder of the school of hadith and Islamic fiqh. The maliki madhab is the madhab followed by the majority of the muslims in north and west Africa and in some parts of the Arabian peninsula. It is almost certain that most of the followers of the madhab are from non arabic speaking peoples and that the majority of these are from areas where the english language is in use. Therefore the translation of Al-Muwatta into this language is an essential work in that it makes the text accessible to the large numbers of english speakers in the Islamic world and the west.

This translation features two important advantages: firstly it is a translation that is not only accurate and honest but also a translation that the english reader can understand as it is not a 'literal' translation in which the meaning is lost nor is it a 'free' translation that deviates from what is intended, rather it has gathered eloquence of expression (as the translators are english muslims) and a true rendering of the original meaning (as it has been checked and corrected by an arabic scholar). Secondly it contains a complete glossary of all the terms of figh that are used in the text which facilitates the reader's use of the book and makes it a reference book for the student of law in both the Islamic and western schools, and in universities

The translation of this book into the english language deserves every encouragement and support as it is a great weapon for the da<sup>©</sup>wa to the deen of Allah. It also clarifies the superior qualities of the noble shari<sup>©</sup>a in the language which is normally used to mislead and distract the reader from the truth.

May Allah give us success to work in the Way of His deen and guide us on the straight path.

Dr. Muhammad Abu'l Khayr Zaki Badawi Director, Islamic Cultural Centre & Central Mosque. London England.



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ان هذا العمل جدير بكل تشجيع وعون فهو سلاح عظيم من اسلحة الدعبوة لدين الله وابراز لمحاسن الشريعة الفراء في لفة حفلت بكل مايفلل القارى، ويمرفه عن الحق،

وفقنا الله للعمل في سبيل دينه وهدانا الى الصراط المستقيم،

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## Introduction

Praise be to Allah, who sent our Prophet Muḥammad as a mercy to the whole universe. He sent down the Noble Qur'ān through him as a light and guidance for those who are godfearing. He commanded him to clarify what had been revealed to people so that they might reflect. His words and actions made clear to them everything they needed to know. He instructed those who were present with him to convey his teaching to those who were not there.

Blessings and peace be upon him and upon his family and his good and pure Companions who expended their property and their lives to spread the  $d\bar{\imath}n$  of Islam. By means of them Allah preserved His Sharī'a enabling it to survive through the passage of time down to the present time. Their hearts were the vessels which contained and preserved the ayats of the Clear Book and the Sunna of the Seal of the Prophets and the Imām of the Messengers. Then those who followed them, and those who followed them in turn, undertook this task. The people who wrote down and recorded this knowledge appeared in the time of the third generation. The greatest of them was the Imām of the Abode of the Hijra, the Imām of the Imāms, Abū 'Abdullāh Mālik ibn Anas al-Aşbaḥī al-Madanī. He took it upon himself to serve the Sharī'a and to preserve the Prophetic Sunna. He did this by relaying it from those notable Tābi'ūn with whose knowledge he was satisfied and whose words he thought worthy of conveying and by his work he opened the way for all later writers and cleared a path for the compilation of Islamic law. He selected those transmitters who were reliable and rejected those who were weak. His book, al-Muwaṭṭa', was the greatest book written at that time. It was the most precise in layout and the best of them in its choice of chapters. The other books written at the same time as his book have vanished but Allah had decreed that his book would remain until this time and indeed until the first of the two worlds comes to an end, when Allah will inherit the earth and all those on it. This has come about by the permission of the One Who created the two worlds and the jinn and mankind.

I have been asked by some of our brothers, who desire to disseminate knowledge and to renew the call of Islam, to write an introduction to this edition of the *Muwaṭṭa'*, which is the first translation of the *Muwaṭṭa'* in the English language. I have complied with their request hoping for an abundant reward from Allah since we are well aware of the importance of this book, its blessings, the abundant knowledge to be found in it and its fame, both past and present, among the books written on the science of <code>ḥad̄th</code> by the Imāms who are worthy of emulation.

We have divided this introduction into the following topics:

## The lineage of Imam Malik, his family, birth and autobiography

His full name is Mālik ibn Anas ibn Mālik ibn Abī 'Āmir al-Aṣbaḥī and he was related to Dhū Aṣbaḥ, a sub-tribe of Ḥimyar, one of the Qahtani tribes who held sway over an immense kingdom during the period of the *Jāhiliyya*. Their kingdom was known as the Tabābi'a (pl. of Tubba'). Tubba' is mentioned in two places in the Noble Qur'ān.

His father's grandfather, Abū 'Āmir, is considered by some to have been one of the Companions and it is mentioned that he went on all the raids with the Messenger of Allah # except Badr. However, Ibn Ḥajar mentioned in the  $I \circ aba$  from adh-Dhahabī that he did not find anyone who mentioned him as being one of the Companions, although he was certainly alive in the time of the Prophet #. As for Mālik ibn Abī 'Āmir, the grandfather of the Imām, he was one of the great scholars of the  $T \circ abi$  in. He was one of those who assisted in the writing out of the noble  $M \circ abi$  at the time of the  $A \circ abi$  in  $A \circ abi$  in A

He had four children: Anas, the father of the Imām, Abū Suhayl whose name was Nāfi', ar-Rabī', and Uways the grandfather of Ismā'īl ibn Abī Uways and his brother, 'Abd al-Ḥamīd. These two (Ismā'īl and 'Abd al-Ḥamīd) were among the students of Mālik and among the transmitters of the Ṣaḥīḥ. The four brothers (i.e. Anas, Mālik's father, and his brothers) transmitted from their father, Mālik ibn Abī 'Āmir, and others, in turn, transmitted from them. The most famous of them in knowledge and transmission was Abū Suhayl. Imām Mālik related from him as did the compilers of the Ṣaḥīḥ collections. Al-Bukhārī, Muslim, and others transmitted a lot from Mālik ibn Abī 'Āmir and from his son, Abū Suhayl.

From this it is evident that the Imām was a branch from a good tree whose men were famous for transmitting and serving knowledge. Part of the excellence of this family lies in the fact that it gave birth to Imām Mālik. It is said that this took place in 90 A.H. although there are other opinions. He died when he was 87 according to the soundest report although it is also said that he was 90. Mālik, may Allah have mercy on him, was tall and slightly corpulent. He was bald, with a large head and well-shaped eyes, a fine nose and a full beard. Muṣʻab az-Zubayrī said, "Mālik was one of the most handsome people in his face and the sweetest of them in eye, the purest of them in whiteness and the most perfect of them in height and the most excellent in body." Another said, "Mālik was of medium height." The first is better known.

## His quest for knowledge

At the time when Mālik grew up, and during the time immediately preceding him, *Madīna al-Munawarra* was flourishing with the great scholars who were the direct inheritors of the knowledge of the Companions, may Allah be pleased with them. They included "the seven *fuqahā*" of Madīna (or the ten) and their companions who took from them. Mālik himself was always eager for knowledge and devoted himself to the assemblies of eminent men of knowledge. He drank and drank again from the sweet, quenching springs of knowledge.

He was instructed in the learning and recitation of the Noble Qur'ān from Imām Nāfi' ibn 'Abd ar-Raḥmān ibn Abī Nu'aym, the Imām of the reciters of Madīna and one of the "seven reciters". Abū 'Amr ad-Dānī, who included the biography of Imām Mālik in his book *Ṭabaqāt al-Qurrā'*, considered him to be to be one of the reciters. He mentioned that Imām al-Awzā'ī related the Qur'ān from Mālik, he being concerned with the meaning of its commentary. In the *Muwaṭṭa'*, you will find some of his commentaries on certain *ayats*.

He occupied himself with those who knew *ḥadīths*, both in transmission and knowledge, and was a master in *fiqh*, knowing how to derive judgements and join statements together and how to weigh one proof against another. Part of his good fortune was that two of his shaykhs, Muḥammad ibn Shihāb az-Zuhrī and 'Abdullāh ibn Abī Bakr ibn Muḥammad ibn 'Amr ibn Ḥazm al-Anṣārī, were instrumental in the beginning of the process of recording the *hadīths*.

Imām Mālik met an extraordinary number of men of knowledge who related from the Companions or from the great  $T\bar{a}bi'\bar{u}n$ . He did not attend the circle of everyone who sat teaching in the mosque of the Prophet  $\frac{1}{2}$  or leaned against one of its pillars relating  $had\bar{\iota}th$  to the people from the Messenger of Allah  $\frac{1}{2}$  but used to take only from those men that he saw possessed  $taqw\bar{a}$ , scrupulousness, good memory, knowledge and understanding, and who clearly knew that they would be accountable for what they said on the Day of Rising. Shu'ba ibn al-Ḥajjāj, who was one of the great scholars of  $had\bar{\iota}th$ , said that Mālik was most discriminating, saying about him that: "He did not write down from everyone."

Knowing, as we do, that Imām Mālik came from a family of learning and grew up in  $Mad\bar{u}na$  al-Munawarra which was the capital of knowledge at that time, especially the knowledge of  $had\bar{u}ths$ , and also knowing the strength of Mālik's predisposition for retention, understanding and  $taqw\bar{u}$  and his perseverance and steadfastness in the face of all the obstacles he met in the path of knowledge, it is hardly surprising to discover that he graduated at a very young age. Reliable transmitters relate that he sat to give  $fatw\bar{u}$  when he was seventeen years old. This was not from the impetuosity of youth or because of love of appearance but only after seventy Imāms had testified that he was worthy to give  $fatw\bar{u}$  and teach. Such people would only testify when it was absolutely correct to do so. Indeed, the testimony of any two of them would have been sufficient.

## People's praise of him and their testimony that he was the greatest of the Imāms in knowledge

The notable scholars at the time of Mālik and those who came after him all agree about his pre-eminent worth and consider him to be a pillar of knowledge and one of its firm bulwarks, celebrated for his  $taqw\bar{a}$ , his retentive memory, his reliability in transmission, and his ability in giving  $fatw\bar{a}s$ . He was well known for his turning towards true knowledge and away from what did not concern him, and for cutting himself off from the caliphs and amirs who would liberally bestow money on those men of knowledge who attached themselves to them. He had overwhelming respect for the  $had\bar{t}ths$  of the Messenger of Allah  $\frac{1}{8}$ , and this was considered enough

by the notable men of  $had\bar{\imath}th$  and  $fuqah\bar{a}'$  who related from him and used his transmission as a proof, putting it ahead of the transmission of many of his peers. They followed him in declaring different transmitters reliable or unreliable.

There is no disagreement on the fact that al-Layth, al-Awzāʻī, the two Sufyāns, Ibn al-Mubārak, Shuʻba ibn al-Ḥajjāj, 'Abd ar-Razzāq and other great scholars like them transmitted from Mālik. Imām ash-Shāfiʻī was one of his most prominent pupils as was Imām Muḥammad ibn al-Ḥasan, the companion of Abū Ḥanīfa. Qāḍī Abū Yūsuf, who met and spoke with him, also related from him via an intermediary. It is also true that Abū Ḥanīfa related from him as did a group of his shaykhs, including Muḥammad ibn Shihāb az-Zuhrī, Rabiʻa ibn Abī ʻAbd ar-Raḥmān, Abū al-Aswad Muḥammad ibn 'Abd ar-Raḥmān known as the 'orphan of 'Urwa', Yaḥyā ibn Saʻīd al-Anṣārī, Ayyūb as-Sakhtiyānī and others. There were none in their time greater than these men. Some of them were fuqahā' and others were hadīth relaters. Most of them were both.

Those who came after them all related from Mālik except for those who were prevented from doing so by circumstances. Why indeed should they not relate from him? Was not the Imām someone who combined justice, precision, examination, and criticism in his evaluation of men and avoided transmission from the weak? There is only one man he related from who is considered weak. He was 'Abd al-Karīm ibn Abī al-Makhāriq al-Baṣrī, and this only happened because he was not one of the people of Mālik's own land and Mālik was deceived by his scrupulousness and the way he performed *hajj*.

If you have any doubts about what we have said, then look in any of the books of <code>hadīths</code> and you will find the name of Mālik constantly repeated by the tongues and pens of the transmitters. Enough for us is the frequent repetition of his name in the <code>Ṣahīḥ</code> volumes of al-Bukhārī and Muslim. The <code>Kitāb al-Umm</code> of Imām ash-Shāfiʿī and his <code>Kitāb ar-Risāla</code> both begin with the words, "Mālik reported to us." When the <code>Musnad</code> of ash-Shāfiʿī was compiled, it also began with the same words.

We find that Ḥāfiẓ Abū Bakr al-Bayhaqī began his great <code>Sunan</code> with the <code>hadīth</code> "Its water is pure" which is from the transmission of ash-Shāfi'ī from Mālik and from the transmission of Abū Dāwūd from Mālik. He mentioned that ash-Shāfi'ī said, "There is someone in the <code>isnād</code> whom I do not know." Then al-Bayhaqī said at the end of it, "However, that which establishes the soundness of its <code>isnād</code> was the reliability Mālik gave it in the <code>Muwaṭṭa</code>." These words indicate the position of Mālik and that the people of his time and those after them, who were not partisan, acknowledged his pre-eminence in the preservation of <code>hadīth</code>, in his ability to distinguish the sound from the weak, and in his knowledge of the science of men and their states, whether they were reliable or unreliable.

Those early Imāms were not content to remain silent about him, but spoke out using their tongues and their pens, clearly stating his eminence and the extent of his fame. In *Iṣʿāf al-mubaṭṭa bi-rijāl al-Muwaṭṭa'*, Jalāl ad-Dīn as-Suyūṭī said that Bishr ibn 'Umar az-Zahrānī said that he asked

Mālik about a man and he said, "Do you see him in my books?" He replied, "No." Mālik said, "If he had been reliable, you would have seen him in my books." Ibn al-Madīnī said, "I never knew Mālik to reject a man unless there was something wrong about his <code>hadīths</code>." Ibn al-Madīnī also said, "When Mālik brings you a <code>hadīth</code> from someone from Saʿīd ibn al-Musayyib, I prefer that to Sufyān from someone from Ibrāhīm. Mālik only relates from people who are reliable." Yaḥyā ibn Maʿīn said, "All of those from whom Mālik ibn Anas relates are reliable except for 'Abd al-Karīm al-Baṣrī Abū Umayya."

Aḥmad ibn Ṣāliḥ said, "I do not know of anyone who was more careful in his selection of men and scholars than Mālik. I do not know of anyone who has related anything wrong about anyone among those he chose. He related from people none of whom are rejected." An-Nasā'ī said, "The trustees of Allah over the knowledge of the Messenger of Allah \*\* were Shu'ba ibn al-Ḥajjāj, Mālik ibn Anas and Yaḥyā ibn Sa'īd al-Qaṭṭān." He said, "Ath-Thawrī was an Imām, but he related from weak men. It was the same with Ibn al-Mubārak." Then he indicated the pre-eminence of Mālik over Shu'ba and Yaḥyā ibn Sa'īd al-Qaṭṭān. He said, "There are none among the *Tābi'ūn* trusted in *hadīths* more than these three, and none who had fewer weak transmissions."

Ismāʻīl ibn Abī Uways said, "I heard my uncle, Mālik, say, 'This knowledge is a  $d\bar{n}$ , so look to those from whom you take your  $d\bar{n}$ . I met seventy men who said, "The Messenger of Allah  $\frac{1}{8}$  said by these pillars..." and I did not take anything from them. Yet if any one of them were to be trusted with the treasury, he would have been trustworthy. This is because they were not men of this business. But when Ibn Shihāb came to us, we crowded around his door. Yaḥyā ibn Maʻīn said from Sufyān ibn 'Uyayna, "Who are we in comparison to Mālik? We merely follow in the tracks of Mālik. We looked to see if Mālik took from a shaykh. If not we left him."

Ashhab said that Mālik was asked, "Should one take from someone who does not memorise, but is reliable and accurate in writing? Can <code>hadīths</code> be taken from such a man?" Mālik replied, "I fear that he might add to his books at night." Al-Athrim said, "I asked Aḥmad ibn Ḥanbal about 'Amr ibn Abī 'Amr, the client of al-Muṭṭalib, and he said, 'His transmission is excellent in my opinion. Mālik related from him." Abū Saʿīd ibn al-Aʻrābī said, "If Mālik related from a man, Yaḥyā ibn Maʿīn declared him reliable. More than one person was asked and said, 'He is reliable. Mālik related from him."

Qarād Abū Nūḥ said, "Mālik mentioned something and was asked, 'Who related it to you?' He said. 'We did not use to sit with fools.'" 'Abdullāh ibn Aḥmad ibn Ḥanbal said, "I heard my father mentioning this and he said, 'There is no statement in the world more noble than this regarding the virtues of scholars - Mālik ibn Anas mentioned that he did not sit with fools. This statement is not valid from anyone else except Mālik.'

In *Tadhkira al-Ḥuffāz*, adh-Dhahabī mentioned some of people's praise of him, including the famous statement of ash-Shāfi'ī, "When the '*ulamā*' are mentioned, Mālik is the star." Aḥmad ibn al-Khalīl said that he heard Isḥāq ibn Ibrāhīm (i.e. Ibn Rahwayh) say, "When ath-Thawrī, Mālik

and al-Awzā'ī agree on a matter, it is *sunna*, even if there is no text on it."

After mentioning much of the praise of the people of knowledge for him, adh-Dhahabī said, "I put Mālik's biography on its own in a section in my  $T\bar{a}r\bar{\iota}kh$  al- $Kab\bar{\iota}r$ . It is agreed that Mālik had virtues which are not known to have been combined in anyone else. The first of them was the length of his life and extent of his transmission. The second was his piercing mind. The third was the agreement of the Imāms that he is a proof, sound in transmission. The fourth is that they agree on his  $d\bar{\iota}n$ , justice and following of the sunna. The fifth is his pre-eminence in fiqh,  $fatw\bar{a}$  and the soundness of his foundations."

In *Taqrīb at-Tahdhīb*, Ibn Ḥajar says, "Mālik ibn Anas ibn Mālik ibn Abī 'Āmir al-Aṣbaḥī, Abū 'Abdullāh, al-Madanī, the *faqīh*, the Imām of the Abode of the *Hijra*, the chief of those who have *taqwā* and the greatest of those who are confirmed, of whom al-Bukhārī said, 'The soundest *isnāds* of all are those of Mālik from Nāfi' from Ibn 'Umar.'"

This is just a brief collection of a few of the things that have been said about him by scholars who do not follow the school of Mālik. Their words in no way disagree with anything that has been written by the Mālikī scholars who follow him. The reader will be able to find a lot of what they have said in the books of Abū 'Umar ibn 'Abd al-Barr, the *Tartīb al-Madārik* of Qāḍī Abū al-Faḍl 'Iyāḍ, and *ad-Dībāj al-Mudhahhab* by Burhān ad-Dīn ibn Farḥūn, and other books of earlier and later writers.

Among the Mālikīs and others Imām Mālik is known as the Imām of the Imāms. It is easy to see why this is so. We know that those Imāms whose schools, fatwās and transmissions are followed were his students, either directly or via an intermediary. Imām ash-Shāfi'ī was one of Imām Mālik's most famous students and Imām Ahmad was one of the most famous students of ash-Shāfi'ī. Muhammad ibn al-Hasan was one of the transmitters of the Muwatta'. Abū Yūsuf also related it from Mālik via an intermediary. One scholar confirmed that Imām Abū Ḥanīfa also related from him, and no objection was made to him for stating that. Some shaykhs like Ibn Shihāb and ar-Rabīʻa related from Mālik as we have already mentioned. We also mentioned that al-Layth, al-Awzā'ī, the two Sufyāns and Ibn al-Mubārak related from him, and there is no disagreement about that. Scholars of hadīths who are famous for writing in that field, or from whom others have transmitted, transmitted from him. We say that today there is no scholar of the Islamic Sharī'a who is not a student of Mālik. That is because, first of all, it is not valid to count someone as a scholar of the *Sharī'a* if he is ignorant of the *Muwaṭṭa'*, the Six Books, the *Musnad* of Ahmad and the rest of the books which are consulted in hadīths. All of those who relate these books or some of them must relate from Mālik. Therefore they must respect this Imām from whom they relate and acknowledge his position and ask for mercy on him.

One of the extraordinary things about the people who came to Mālik for transmission is that there was not a single small region subject to the rule of Islam in his time but that a group of their noble sons set out to visit him. The number of those whose name was Muhammad who related from him

is more than a hundred. The number of those called 'Abdullāh is about sixty, of those called Yaḥyā about forty, and of those called Saʻīd more than twenty. If you were to imagine his circle of study, you would find Andalusians, Khorasanis, Syrians, Moroccans, Egyptians, Iraqis, Yemenis, and others all sitting in a circle around him with their different languages, colours, and clothing. It must have been an amazing sight. We do not believe that such a group has ever been gathered together at the feet of a scholar before or after him, in Madīna or elsewhere.

## The shaykhs from whom he transmitted

It is known that Imām Mālik grew up in *Madīna al-Munawwara* and that those who sought knowledge travelled there from all the regions of Islam because Madīna had an unrivalled number of scholars compared with the rest of the Muslim world. In Madīna Mālik met all the great men who had a major part in the transmission of *ḥadīths* and the sayings of the Companions and the great *Tābi'ūn*. He found such a wealth of knowledge there that he did not need to travel anywhere else. He related from nine hundred shaykhs or more and with his own hand wrote down a hundred thousand *ḥadīths*. His book, the *Muwaṭṭa'*, which we are discussing, contains eighty-four men of the *Tābi'ūn*, all of whom were people of Madīna except for six. These six were Abū az-Zubayr from Makka, Ḥamīd aṭ-Ṭawīl and Ayyūb as-Sakhtiyānī from Basra, 'Aṭā' ibn Abī Muslim from Khorasan, 'Abd al-Karīm al-Jazarī from Jazira (Mesopotamia) in northern Iraq, and Ibrāhīm ibn Abī 'Abla from Syria. Mālik is famous for the fact that he did not transmit from a number of scholars whom he met, even though they were people of *dīn* and correct action, because he thought that they did not transmit properly.

Al-Ghāfiqī said that the number of his shaykhs whom he named (i.e. in the *Muwaṭṭa'*) was ninety-five.

#### The transmitters who transmitted from him

In the introduction to *Tanwīr al-Ḥawālik*, as-Suyūṭī says that so many people related from him that no other Imām is known to have had a transmission like his. He says that Abū Bakr al-Khaṭīb al-Baghdadī devoted a book to those who transmitted from Mālik and it included 993 men. Qāḍī 'Iyāḍ mentioned that he wrote a book on those who transmitted from Mālik in which he enumerated over 1300 men. As-Suyūṭī said that he had enumerated the names of all of them in his *Great Commentary*. The transmitters of *al-Muwaṭṭa*' alone are of a number which it is difficult to count.

Qāḍī 'Iyāḍ mentioned that the number of transmissions which he read or came across in the transmissions of his shaykhs reached twenty, and some of them mention thirty. Another thing that indicates the great number of the transmitters of the *Muwaṭṭa'* is that Aḥmad ibn Ḥanbal said, "I heard the *Muwaṭṭa'* from about ten of the companions of Mālik who had mentioned it but I revised it with ash-Shāfı'ī because I found him to be the most correct of them." Shaykh

Muḥammad Ḥabīb-Allāh ibn Māyābā ash-Shinqīṭī said in *Iḍā'a al-Ḥālik* that Ibn Nāṣir ad-Dīn ad-Dimashqī wrote a book about the transmitters of the *Muwaṭṭa'* and he mentioned that there were seventy-nine. Among those who transmitted the *Muwaṭṭa'* from Mālik were his son, Yaḥyā, and his daughter, Fāṭima.

### The position of the Muwatta' and people's concern for it

In the introduction to *Tanwīr al-Ḥawālik*, as-Suyūṭī said that ash-Shāfi'ī said, "After the Book of Allah, there is no book on the face of the earth sounder than the book of Mālik." In another statement he said, "No book has been placed on the earth closer to the Qur'ān than the book of Mālik." In a third he said, "After the Book of Allah, there is no book more useful than the *Muwaṭṭa'*." 'Alā' ad-Dīn Maghlaṭāy al-Ḥanafī said, "The first person to compile the ṣaḥūḥ was Mālik."

Ibn Ḥajar said, "The book of Mālik is sound by all the criteria that are demanded as proofs in the *mursal*, *munqaṭi'* and other types of transmission." Then as-Suyūṭī followed what Ibn Ḥajar said here and said, "The *mursal ḥadīths* in it are a proof with him (ash-Shāfi'ī) as well because the *mursal* is a proof with us when it is properly supported. Every *mursal* report in the *Muwaṭṭa'* has one or more supports as will be made clear in this commentary (i.e. *Tanwīr al-Ḥawālik*). It is absolutely correct to say that the *Muwaṭṭa'* is sound (ṣaḥīḥ) without exception."

Ibn 'Abd al-Barr collected together all the *mursal*, *munqaṭi*' and *muˈdal ḥadīths* in the *Muwaṭṭa*' and said that the total number of *ḥadīths* in the *Muwaṭṭa*' which do not have an *isnād* are sixtyone. He stated that he found the *isnāds* of all of them in other sources with the exception of four *ḥadīths*. The erudite scholar of *ḥadīth*, Shaykh Muḥammad Ḥabīb-Allāh ibn Māyābā ash-Shinqīṭī says in *Iḍā'a al-Ḥālik* that he had found witnesses for these four *ḥadīths* and he then mentioned these witnesses. He said, "Some of the people of knowledge made these *isnāds* complete." He mentioned from Ibn 'Abd al-Barr that there are no *munkar ḥadīths* in the *Muwaṭṭa'* nor anything fundamentally refuted. In *Dalīl as-Sālik* in the margin of *Iḍā'a al-Ḥālik* he mentioned that Ibn Ḥajar retracted what he had previously said which was what had been followed by as-Suyūṭī. From this it is clear that everything in the *Muwaṭṭa'* has an *isnād*. The people of knowledge rely on the *ḥadīths* in it and transmit and record them in their books, including al-Bukhārī and Muslim who transmitted most of its *ḥadīths* and included them in their Ṣaḥāḥ collections. The rest of the authors of the six books did the same as did the Imām of the *ḥadīth* scholars, Aḥmad ibn Ḥanbal, and others.

It should be pointed out that the <code>hadīths</code> of Mālik are not confined to those he included in the <code>Muwaṭṭa'</code>. This is clearly shown by the <code>hadīths</code> we find transmitted from Mālik in the two <code>Ṣaḥīḥ</code> volumes which are not found in the <code>Muwaṭṭa'</code>. There is a <code>hadīth</code> which al-Bukhārī relates in the chapter on the description of the Garden: "The people there look at the people of the chambers from above them." There is a second <code>hadīth</code> related by Mālik commenting on <code>Surat al-Muṭaffafīn</code> (83) where the Prophet <code>\$\malepsilon\$</code> said, "'The Day when people stand before the Lord of the Worlds' until one of them disappears immersed in his sweat up to his ears." There is a third <code>hadīth</code> related by

Muslim in the chapter forbidding *ṣadaqa* to the family of the Prophet **\*\*** which he related from 'Abdullāh ibn Muḥammad ibn Asmā' aḍ-Ḍaba'ī from his uncle, Juwayriya ibn Asmā', from Mālik.

There are two areas which particularly interest people regarding the *Muwaṭṭa'*. One of them is its transmission and the other is its commentary and the discussion about its transmitters and the different expressions they use and so forth. As for interest in its transmitters, we have already shown how the seekers of knowledge in Mālik's time came from East, West, South and North out of the desire to sit in his circle and take from him. Many of this group related the *Muwaṭṭa'* from him and preserved it in their hearts or in writing. The men of the generation after their generation were also concerned with it.

We have enough evidence for what we say in the fact that Imām Aḥmad ibn Ḥanbal related it first from ten men and then finally from Imām ash-Shāfiʻī. Similarly ash-Shāfiʻī first learned it in Makka and then went to Madīna to Mālik and took it directly from him. That is also what Yaḥyā ibn Yaḥyā al-Andalusī did – he first learned it in his own country from Ziyād ibn ʻAbd ar-Raḥmān Shabṭūn and then travelled from Andalusia to Madīna and read it directly with Mālik in the year in which Imām Mālik died, may Allah have mercy on him.

As for interest in its commentary, discussion about its transmitters and whether the different versions are shorter or longer, and commentary on what is *gharib* in it and that sort of thing, people evince more interest in writing about these matters in the case of the *Muwaṭṭa'* than they do for any other book of *ḥadīth*. A great number of people have written about these things and some of them have composed several books. For instance, Ibn 'Abd al-Barr wrote three books: *at-Tamhīd*, *al-Istidhkār* and *at-Tajrīd* which is also *called "at-Taqaṣṣī"*. Qāḍī Abū al-Walīd al-Bājī wrote three commentaries called *al-Istīfā'*, *al-Muntaqā*, and *al-Īmā'*. He wrote a fourth book on the different versions of the *Muwaṭṭa'*. Jalāl ad-Dīn as-Suyūṭī wrote two commentaries on it. One of them, called *Kashf al-Mughaṭṭā*, is voluminous, and the other is a summary called *Tanwīr al-Ḥawālik*. He wrote a third book called *Iṣ'āf al-Mubaṭṭa' bi-rijāl al-Muwaṭṭa'*.

The most famous transmission of the *Muwaṭṭa'* is that of Yaḥyā ibn Yaḥyā al-Laythī al-Andalusī so that when the name the *Muwaṭṭa'* is used, it is this transmission that is referred to. There are about a hundred commentaries on it. This is what Shaykh Muḥammad Ḥabīb-Allāh ibn Māyābā ash-Shinqīṭī was indicating in the *Dalīl as-Sālik* when he said:

The most famous *Muwaṭṭa'*If the truth be known
Is that of Imām Yaḥyā al-Laythī.
Who else's can be compared with his?

He also said:

It is the one on which the critics comment and in

whose lustre the slaves find benefit.

There are about a hundred commentaries on it,
all of them about what it contains.

Another version of the *Muwaṭṭa'* worthy of mention is that of Imām Muḥammad ibn al-Ḥasan ash-Shaybānī which has great distinction. It includes the transmission of many traditions intended to support his *madhhab* and the *madhhab* of his Imām, Abū Ḥanīfa. Sometimes he mentions that Abū Ḥanīfa agrees with Mālik regarding the matter underdiscussion.

It appears that the Andalusians had a great deal of interest in the *Muwaṭṭa'* as anyone will know who has studied the names of the scholars who made commentaries on it or spoke about the people in it and its different versions or wrote on its *gharīb ḥadīths*.

It should also be noted that those who were interested in the *Muwaṭṭa'* were not only Mālikīs or people from one particular region. They were from different groups and schools and from all parts of the Muslim world.

## Clarification of the meaning of "Muwatta", its excellent layout and fine style

"Muwaṭṭa" is a passive participle from the verb "tawṭi'a". One says that the thing is smoothed (waṭṭa'a) and "I prepared the thing for you" and "The bed is laid out" and "The seat is made comfortable for you". Ibn Manẓūr said in al- $Lis\bar{a}n$ , "In the  $had\bar{\iota}th$ : 'Shall I tell you of the one among you I love the most and who will sit closest to me on the Day of Rising? — Those who are easygoing (muwaṭṭa' al-aknāf) who are friendly and bring people together.'" Ibn al-Athīr said, "This comes from tawṭi'a which means to smooth and make lower. Thus Muwaṭṭa' means the clear book which smooths the way and is not difficult for the seeker of knowledge to grasp. It is also related that Mālik gave his book this title because he read it to a group of the people of knowledge and they agreed with him about it (wāta'a). In this case the name would be derived from muwāta'a which means agreement. However, the first meaning is more likely because it is supported by the rules of derivation although both of them apply since the way is prepared and smoothed by it and people agree about it and admire it.

If you look at the *Muwaṭṭa'* in an unbiased way, you will find that it prepares and smooths the way and is easy to grasp, even though it is one of the oldest books now in our possession. No earlier book from the people of knowledge is known. Its author made it an example to be imitated, particularly in the way in which it is arranged.

We find that Mālik begins with the chapters on the acts of worship, which are the pillars of Islam. He put the prayer first, it being the greatest of the pillars. Since the prayer only becomes obligatory when its time comes, he began by talking about the times of prayer. Then he spoke about purity in all its forms because purification is obligatory after the time for prayer has come. Then he spoke about what it is obligatory to do in the prayer and what is not obligatory and things that

can happen to people in the prayer. Then he spoke about  $zak\bar{a}t$  and so on until he had covered all the acts of worship. Then he spoke about the rest of the matters of fiqh and divided each chapter into small sections so as to make it easier to grasp. He finished the book with a chapter called "General Matters" which contains various things which did not fit under the other headings, and since it was not possible to devote a whole chapter to each of them and he did not want to go on at length, he combined them and called it "General Matters". As Ibn al-'Arabī says, other authors found in this arrangement a new way of organising their material.

What he did in the book as a whole he also did in certain chapters. For instance at the end of the chapter on prayer, he has a section entitled "Prayer in General". He also has a section on "Funerals in General," "Fasting in General," "General chapter on what is not permitted of marriage," and "General chapter on sales," etc. This shows the excellence of the way he arranged the book and the precision of the system he used. This is so much the case that if one of us today, in this age of systems, wanted to organise it, it would be very difficult to come up with a better arrangement than the one it already has.

If the reader looks at the *Muwaṭṭa'* with respect to its language, he will find that its language shows that the author was a pure Arab. His language has both force and simplicity. Its terms are neither odd nor hackneyed. His style is free of oversimplification, unnecessary complexity or triteness. Despite its length, the book does not contain any linguistic or grammatical errors nor any of the faults which the scholars of rhetoric warn against.

Consequently we do not find that any of those who have made commentaries on it or spoken about it, despite their great number and their different times, places and backgrounds, directed any criticism at it on these grounds, neither in respect of what the Imām himself wrote nor in respect of the transmissions of Prophetic  $had\bar{\iota}ths$  and other traditions ascribed to the Companions and the  $T\bar{a}bi'\bar{\iota}un$ . By that we mean that there is no criticism at all that cannot easily be answered. It is always possible for criticism to be made by people whose understanding is inadequate and who lack sufficient knowledge. "How many there are who find fault with a sound statement while their trouble is faulty understanding."

The noble reader should also be aware of the fact that Imām Mālik has other works than the *Muwaṭṭa'* even though they are not as famous.

#### These works are:

- 1. A letter on *Qadar* and refutation of the Qadariyya. He wrote it to 'Abdullāh ibn Wahb, one of his eminent students.
- 2. A book on the stars and reckoning the passage of time and the stages of the moon.
- 3. A letter on judgements which he wrote to some judges.
- 4. A letter on *fatwā* which was addressed to Abū Ghassān Muḥammad ibn Muṭarrif al-Laythī, one of his great students.

- 5. A letter on the *ijmā* of the people of Madīna which he sent to Imām al-Layth ibn Sa d.
- 6. A book on the *tafsīr* of rare words in the Qur'ān.
- 7. A letter on manners and admonitions which he sent to Hārūn ar-Rashīd which is not acknowledged by a group of notable Mālikīs.
- 8. A book called Kitāb as-Sirr.

This introduction is only a drop in the ocean. It has not covered everything by any means but I hope it has mentioned a few salient points.

Allah is the One we ask for help and on Whom we rely. May Allah bless our master Muḥammad and his family and Companions and grant them peace abundantly.

The late Shaykh Aḥmad ibn 'Abd al-'Azīz Al Mubārak

Head of the Sharī'a Court

**United Arab Emiratess** 

# 1 - كِتَابِ وقُوتِ الصَّلاة

### 1 The Times of Prayer

## -1 بَابِ وُقُوتِ الصَّلاَة

#### 1.1 The times of prayer

1 - قَالَ : حَدَّثَنِي يَحْيَى بْنُ يَحْيَى اللَّيْقِيُّ، عَنْ مَالِك بْنِ أَنَسٍ، عَنِ ابْنِ شَهَابٍ : أَنَّ عُمَرَ بْنَ عَبْدِ الْعَزِيزِ أَخَّرَ الصَّلاَةَ يَوْماً وَهُو بِالْكُوفَة، الصَّلاَةَ يَوْماً، فَلَـخَلَ عَلَيْهِ عُرْوَةُ بْنُ الزَّبْيِر، فَأَخْبَرَهُ : أَنَّ الْمُغِيرَةُ بْنَ شُعْبَةً أَخَّرَ الصَّلاَةَ يَوْماً وَهُو بِالْكُوفَة، فَلَـخَلَ عَلَيْهِ أَبُو مَسْعُودِ الأَنْصَارِيُّ فَقَالَ : مَا هَذَا يَا مُغِيرَةُ أَلَيْسَ قَدْ عَلَمْتَ أَنَّ جِبْرِيلَ نَزَلَ فَصَلَّى، فَصَلَّى رَسُولُ اللَّهِ ﷺ، ثُمَّ صَلَّى، فَصَلَّى رَسُولُ اللَّهِ ﷺ، ثُمَّ صَلَّى، فَصَلَّى رَسُولُ اللَّهِ ﷺ، ثُمَّ صَلَّى، فَصَلَّى رَسُولُ اللَّهِ ﷺ، ثُمَّ قَالَ : بِهَذَا أُمِرْتُ .

1. He said, "Yaḥyā ibn Yaḥyā al-Laythī related to me from Mālik ibn Anas from Ibn Shihāb that one day 'Umar ibn 'Abd al-'Azīz delayed the prayer. 'Urwa ibn az-Zubayr went to him and told him that al-Mughīra ibn Shu'ba had delayed the prayer one day while he was in Kūfa and Abu Mas'ūd al-Anṣārī had gone to him and asked, 'What is this, Mughīra? Do you not know that the angel Jibrīl came down and prayed and the Messenger of Allah aprayed. Then he prayed again, and the Messenger of Allah prayed. Then he prayed again, and the Messenger of Allah prayed. Then he prayed again, and the Messenger of Allah prayed. Then he said, "This is what I was ordered to do.""

فَقَالَ عُمَرُ بْنُ عَبْدِ الْعَزِيزِ : اعْلَمْ مَا تُحَدِّثُ بِهِ يَا عُرْوَةُ ، أَوَ إِنَّ جِبْرِيلَ هُوَ الَّذِي أَقَامَ لِرَسُولِ اللَّهِ ﷺ وَقْتَ الصَّلاَةِ ؟ 'Umar ibn 'Abd al-'Azīz said, "Be sure of what you relate, 'Urwa. Was it definitely Jibrīl who established the times of the prayers for the Messenger of Allah?"

'Urwa replied, "That is how it was related to Bashīr ibn Abī Mas'ūd al-Anṣārī by his father."

2 'Urwa said, "' $\bar{A}$ 'isha, the wife of the Prophet # related to me that the Messenger of Allah # used to pray 'Asr while the sunlight was pouring into her room, before the sun itself had become visible (i.e. because it was still high in the sky)."

3 Yaḥyā related to me from Mālik from Zayd ibn Aslam that 'Aṭā' ibn Yasār said, "A man came to the Messenger of Allah  $\divideontimes$  and asked him about the time of the  $\underbox{\it Subh}$  prayer. The Messenger of Allah  $\divideontimes$  did not answer him, but in the morning he prayed  $\underbox{\it Subh}$  at first light. The following morning he prayed  $\underbox{\it Subh}$  when it was much lighter, and then asked, 'Where is the man who was asking about the time of the prayer?' The man replied, 'Here I am, Messenger of Allah.' He said, 'The time is between these two.'"

4 Yaḥyā related to me from Mālik from Yaḥyā ibn Sa'īd from 'Amra bint 'Abd ar-Raḥmān that 'Ā'isha, the wife of the Prophet ﷺ said, "The Messenger of Allah ﷺ used to pray Ṣubḥ and then the women would leave

wrapped in their garments while they could not yet be recognised in the darkness."

5 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارِ وَعَنْ بُسْرِ بْنِ سَعِيدِ وَعَنِ الأَعْرَج، كُلُّهُمْ يُحُدِّثُونَهُ، عَنْ أَبِيَّ هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ : مَنْ أَدْرَكَ رَكْعَةً مِنَ الصُّبْحِ قَبْلَ أَنْ تَطْلُعَ الشَّمْسُ، فَقَدْ أَدْرَكَ الصَّبْحَ، وَمَنْ أَدْرَكَ رَكْعَةً مِنَ الْعَصْرِ قَبْلَ أَنْ تَغْرُبَ الشَّمْسُ، فَقَدْ أَدْرَكَ الْعَصْرَ.

5 Yaḥyā related to me from Mālik from Zayd ibn Aslam from 'Aṭā' ibn Yasār and from Busr ibn Sa'īd and from al-A'raj — all of whom related it to him from Abū Hurayra — that the Messenger of Allah  $\frac{1}{2}$  said, "Whoever manages to perform a rak'a of  $\frac{1}{2}$  before the sun has risen has done  $\frac{1}{2}$  before the sun has set has done 'Aṣr within the time."

6 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ نَافِعٍ مَوْلَى عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ عُمَرَ بْنَ الْخَطَّابِ كَتَبَ إِلَى عُمَّالِهِ : إِنَّ أَهَمَّ أَمْرِكُمْ عِنْدِي الصَّلَاّةُ، فَمَنْ حَفِظَهَا وَحَافَظَ عَلَيْهَا حَفِظَ دِينَهُ، وَمَنْ ضَيَّعَهَا فَهُوَ لِمَا سِواهَا أَضْيَعُ.

6 Yaḥyā related to me from Mālik from Nāfi', the  $mawl\bar{a}$  of 'Abdullāh ibn 'Umar, that 'Umar ibn al-Khaṭṭāb wrote to his governors, saying, "The most important of your affairs in my view is the prayer. Whoever protects it and observes it carefully is protecting his  $d\bar{\imath}n$  while whoever is negligent about it will be even more negligent about other things."

ثُمُّ كَتَبَ : أَنْ صَلُّوا الظُّهْرَ إِذَا كَانَ الْفَيْءُ ذِرَاعاً، إِلَى أَنْ يَكُونَ ظِلُّ أَحَدَكُرْ مِثْلَهُ، وَالْعَصْرَ وَالشَّمْسُ، مُرْتَفَعَةٌ بَيْضَاءُ نَقِيَةً، قَدْرَ مَا يَسِيرُ الرَّاكِبُ وَرَسِّخَيْنِ أَوْ ثَلاَئَةً قَبْلَ غُرُوبِ الشَّمْسِ، وَالْمَغْرِبَ إِذَا غَرَيَتِ الشَّمْسُ، وَالْعِشَاءَ إِذَا غَابَ الشَّفَقُ إِلَى ثَلُثِ اللَّيْلِ، فَمَنْ نَامَ فَلاَ نَامَتْ عَيْنُهُ، فَلاَ نَامَ فَلاَ نَامَتْ عَيْنُهُ، فَلاَ نَامَ فلاَ نَامَتْ عَيْنُهُ، فَلاَ نَامَ فلاَ نَامَتْ عَيْنُهُ،

Then he added, "Pray *Zuhr* any time from when the afternoon shade is the length of your forearm until the length of your shadow matches your height. Pray 'Aṣr' when the sun is still pure white, so that a rider can travel two or three farsakhs before the sun sets. Pray Maghrib when the sun has set. Pray 'Ishā' any time after the redness in the western sky has disappeared up until a third of the night has passed – and a person who sleeps, may he have no rest; a person who sleeps, may he have no rest. Pray Ṣubḥ when all the stars are visible and mixed together in the sky."

7 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ عَمِّهِ أَبِي سُهِيْل، عَنْ أَبِيهِ : أَنَّ عُمَرَ بْنَ الْخُطَّابِ كَتَبَ إِلَى أَبِي مُوسَى : أَنْ صَلِّ الظَّهْرَ إِذَا زَاغَتِ الشَّمْسُ، وَالْعَصْرُ وَالشَّمْسُ بَيْضَاءُ نَقِيَّةٌ قَبْلَ أَنْ يَدْخُلِهَا صُفْرَةً، وَالْمُغْرِبَ إِذَا غَرَبَتِ الشَّمْسُ، وَأَخْرِ الْعِشَاءَ مَا لَمْ تَنَمْ، وَصَلِّ الصُّبْحَ وَالنَّجُومُ بَادِيَةٌ مُشْتَبِكَةً، وَاقْرَأُ فِيهَا بِسُورَتَيْنِ طَوِيلَتَيْنِ مِنَ الْمُفَصَّلِ.

7 Yaḥyā related to me from Mālik from his uncle Abū Suhayl from his father that 'Umar ibn al-Khattāb wrote to Abū Mūsā saying that he should pray *Zuhr* when the sun had started to decline, 'Aṣr when the sun was still pure white before it was tinged with any yellowness, *Maghrib* when the sun had set, and to delay 'Ishā' as long as he did not sleep, and to pray Ṣubḥ when the stars were all visible and mixed together in the sky, reciting in it two long sūras from the *Mufaṣṣal*.

8 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ هِشَامِ بْنِ عُرْوَةَ، عَنْ أَبِيهِ : أَنَّ عُمَرَ بْنَ الْخَطَّابِ كَتَبَ إِلَى أَبِي مُوسَى الأَشْعَرِيِّ : أَنْ صَلِّ الْعَصْرَ وَالشَّمْسُ بَيْضَاءُ نَقِيَّةً، قَدْرَ مَا يَسِيرُ الرَّاكِبُ ثَلاَثَةَ فَرَاسِخَ، وَأَنْ صَلِّ الْعِشَاءَ مَا يَيْنَكَ وَبَيْنَ ثُلُثِ اللَّيْلِ، فَإِنْ أَخَرْتَ فَإِلَى شَطْرِ اللَّيْلِ، وَلاَ تَكُنْ مِنَ الْغَافِلينَ .

8 Yaḥyā related to me from Mālik from Hishām ibn 'Urwa from his father that 'Umar ibn al-Khaṭṭāb wrote to Abū Mūsā al-Ash'arī that he should pray 'Aṣr when the sun was still pure white so that a man could ride three farsakhs (before *Maghrib*) and that he should pray 'Ishā' during the first third of the night, or, if he delayed it, then up until the middle of the night, and he warned him not to be forgetful.

9 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ يَزِيدَ بْنِ زِياد، عَنْ عَبْدِ اللّهِ بْنِ رَافِعٍ مَوْلَى أُمَّ سَلَمَةَ زَوْجِ النَّبِي ﷺ أَنَّهُ سَأَلُ أَبًا هُرَيْرَةَ عَنْ وَقْتِ الصَّلاَةِ، فَقَالَ أَبُو هُرَيْرَةَ : أَنَا أُخْبِرُكَ، صَلِّ الظُّهْرَ إِذَا كَانَ ظَلَّكَ مِثْلَكَ، وَالْعَصْرَ إِذَا كَانَ ظَلَّكَ مِثْلَكَ، وَالْعَصْرَ إِذَا كَانَ ظَلَّكَ مَثْلَكَ، وَالْعَشِهُ، وَالْعَشَاءَ مَا بَيْنَكَ وَبَيْنَ ثُلُثِ اللَّيْلِ، وَصَلِّ الشَّمْسُ، وَالْعِشَاءَ مَا بَيْنَكَ وَبَيْنَ ثُلُثِ اللَّيْلِ، وَصَلِّ الصَّبْحَ بِغَبَشَ. يَعْنَى الْغَلَسَ .

9 Yaḥyā related to me from Mālik from Yazīd ibn Ziyād that 'Abdullāh ibn Rāfi', the  $mawl\bar{a}$  of Umm Salama, the wife of the Prophet  $\mathcal{Z}$ , asked Abū Hurayra about the times of the prayers. Abū Hurayra said, "I will tell you. Pray Zuhr when the length of your shadow matches your height, 'Aṣr when your shadow is twice your height, Maghrib when the sun has set, 'Ishā' in the first third of the night, and Subh in the very first light of dawn," i.e. when the dawn has definitely come.

10 Yaḥyā related to me from Mālik from Ishāq ibn 'Abdullāh ibn Abī Ṭalḥa that Anas ibn Mālik said, "We used to pray the 'Aṣr prayer, and then if one of us went out to the Banū 'Amr ibn 'Awf, we would find them praying 'Aṣr."

11 Yaḥyā related to me from Mālik from Ibn Shihāb that Anas ibn Mālik said, "We used to pray 'Aṣr' and then it was still possible for one of us to go to Qubā' and arrive there while the sun was still high."

12 Yaḥyā related to me from Mālik from Rabī'a ibn Abī 'Abd ar-Raḥmān that al-Qāsim ibn Muḥammad said, "None of the Companions that I met prayed *Zuhr* until well after noon," (i.e. until when the sun had lost it fierceness).

## 2 - باب وَقْتِ الْجُمُعَةِ

### 1.2 The time of the jumu'a prayer

13 - حَدَّثِنِي يَحْيَى، عَنْ مَالِك، عَنْ عَبِّهِ أَبِي سُهَيْلِ بْنِ مَالِك، عَنْ أَبِيهِ، أَنَّهُ قَالَ : كُنْتُ أَرَى طِنْفِسَةً لَعَقِيلِ بْنِ أَبِي طَالِبٍ يَوْمَ الجُّعَةِ تُطْرَحُ إِلَى جِدَارِ الْمُسْجِدِ الْغَرْبِيّ، فَإِذَا غَشِيَ الطِّنْفِسَةَ كُلَّهَا ظلُّ الْجِدَارِ خَرَجَ عُمْرُ بْنُ الْخُطَّابِ وَصَلَّى الجُمُّعَةَ، قَالَ مَالِكُ [وَالِدُ أَبِي سُهَيْلٍ] : ثُمَّ نَرْجِعُ بَعْدَ صَلاَةِ الجُمُّعَةِ فَنَقِيلُ قَائلَةَ الضَّحَاءِ.

13 Yaḥyā related to me from Mālik from his uncle Abū Suhayl ibn Mālik that his father said, "I used to see a carpet belonging to 'Āqil ibn Abī Ṭālib spread out on the day of *jumu'a* up to the west wall of the mosque. When the shadow of the wall covered the whole carpet, 'Umar ibn al-Khaṭṭāb would come out and pray the *jumu'a* prayer." Mālik, Abū Suhayl's father, added, "We would then return after the *jumu'a* prayer and take our midday sleep".

14 Yaḥyā related to me from Mālik from 'Amr ibn Yaḥyā ibn Yaḥyā al-Māzinī from Ibn Abī Salīt that 'Uthmān ibn 'Affān prayed *jumu'a* in Madina and 'Aṣr at Malal. Mālik commented, "That was due to praying *jumu'a* just past midday and then travelling fast."

### 3 - باب مَنْ أَدْرَكَ رَكْعَةً مِنَ الصَّلاَةِ 1.3 Whoever catches a rak'a of the salāb

15 Yaḥyā related to me from Mālik from Ibn Shihāb from Abu Salama ibn 'Abd ar-Raḥmān from Abū Hurayra that the Messenger of Allah ﷺ said, "Whoever catches a *rak'a* of the prayer has caught the prayer."

16 Yaḥyā related to me from Mālik from Nāfi' that 'Abdullāh ibn 'Umar ibn al-Khaṭṭāb used to say, "If you have missed  $ruk\bar{u}$ ', you have missed the sajda.".

17 Yaḥyā related to me from Mālik that he had heard that 'Abdullāh ibn 'Umar and Zayd ibn Thābit used to say, "Whoever catches the  $ruk\bar{u}$ ' has caught the sajda."

18 Yaḥyā related to me from Mālik that he had heard that Abū Hurayra used to say, "Whoever catches the  $ruk\bar{u}$ ' has caught the sajda and whoever misses the recitation of the  $Umm\ al\-Qur'\bar{a}n$  has missed much good."

19 Yaḥyā related to me from Mālik from Nāfi' that 'Abdullāh ibn 'Umar used to say, "Dulūk ash-Shams begins from when the sun passes the meridian."

20 Yaḥyā related to me from Mālik that Dāwūd ibn al-Ḥusayn said that someone had told him that 'Abdullāh ibn 'Abbās used to say, "Dulūk ash-Shams begins from when the sun passes the meridian. Ghasaq al-layl is the gathering of the night and its darkness."

1.5 The times of prayer in general

2l Yaḥyā related to me from Mālik from Nāfi' from 'Abdullāh ibn 'Umar that the Messenger of Allah  $\frac{1}{2}$  said, "If someone misses the 'Aṣr prayer it is as if he has been deprived of his family and all his wealth."

22 - وَحَدَّثَنِي عَنْ مَالِكِ، عَنْ يَحْيَى بْنِ سَعِيدِ : أَنَّ عُمَرَ بْنَ الْحَطَّابِ انْصَرَفَ مِنْ صَلاَةِ الْعَصْرِ, فَلَقِيَ رَجُلاً لَمْ يَشْهَدِ الْعَصْرَ، فَقَالَ عُمَرُ : مَا حَبَسَكَ عَنْ صَلاَةِ الْعَصْرِ ؟ فَذَكَرَ لَهُ الرَّجُلُ عُدْراً، فَقَالَ عُمَرُ : طَفَّفْتَ. 22 Yaḥyā related to me from Mālik from Yaḥyā ibn Sa'īd that once 'Umar ibn al-Khattāb left after performing the 'Aṣr prayer and met a man who had not been present for 'Aṣr. 'Umar asked him what had kept him from the 'Aṣr prayer and even though the man gave a good reason, 'Umar said, "You have given yourself short measure."

Yaḥyā added that Mālik commented, "It is said that everything has a short measure and a full measure."

23 Yaḥyā related to me from Mālik that Yaḥyā ibn Saʻīd used to say, "Even if someone manages to pray before the time of the prayer has passed, the time that has passed him by is more important – or better – than his family and wealth."

Yaḥyā said that Mālik said, "If the time for a prayer comes and a traveller delays the prayer through neglect or forgetfulness until he reaches his family, he should do that prayer in full if he arrives within the time. But if he arrives after the time has passed, he should do the travelling prayer – that way he only repays what he owes."

Mālik said, "This is what I have found the people and men of knowledge in our land doing."

Mālik explained that shafaq is the redness in the sky after the sun has set

and said, "When the redness has gone then the 'Ishā' prayer is due and you have left the time of Maghrib."

 $24\,\mathrm{Yahy\bar{a}}$  related to me from Mālik from Nāfi' that once 'Abdullāh ibn 'Umar fainted and lost consciousness and he did not make up the prayer.

Mālik commented, "We consider that that was because, and Allah knows best, the time had passed. Someone who recovers within the time still has to pray."

### 6 - باب النَّوْمِ عَنِ الصَّلاَةِ 1.6 Sleeping through the prayer

27 - حَدَّثَنِي يَحْيَى، عَنْ مَالِك، عَنِ ابْنِ شَهَابٍ، عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ، أَنَّ رَسُولَ اللَّهِ عَلَيْ حِينَ قَفَلَ مِنْ خَيْرَ أَسْرَى، حَتَّى إِذَا كَأَنَ مِنْ آخِرِ اللَّيْلِ عَرَّسَ وَقَالَ لِبِلالِ : اكْلاَ لَنَا الصَّبْحَ ، وَنَامَ رَسُولُ اللَّهِ وَهُوَ مُقَابِلُ الْفَجْرِ، فَعَلَبَتْهُ عَيْنَاهُ، فَلَمْ يَسْتَيْقِظْ وَمُولَ اللَّهِ وَهُو مُقَابِلُ الْفَجْرِ، فَعَلَبَتْهُ عَيْنَاهُ، فَلَمْ يَسْتَيْقِظْ رَسُولُ اللَّهِ عَلَيْ وَلاَ بِلالُ وَلاَ أَحَدُ مِنَ الرَّكِبِ، حَتَّى ضَرَبَّهُمُ الشَّمْسُ، فَفَرْعَ رَسُولُ اللَّهِ عَلَيْ فَقَالَ بِلالًا فَقَالَ اللهِ عَلَيْ وَاللَّهِ اللهِ عَلَيْ اللهِ عَلَيْ اللهِ عَلَيْ وَسُولُ اللّهِ عَلَيْ الصَّلَةِ وَقَالَ بِلالًا فَقَالَ رَسُولُ اللّهِ عَلَيْ الصَّلاةَ وَلَا السَّبْحَ، ثُمَّ قَالَ وَاللّهِ اللّهِ اللهِ اللّهِ اللهِ اللهِ عَلَيْ اللّهِ اللهِ اللهُ ا

25 Yaḥyā related to me from Mālik from Ibn Shihāb from Saʿīd ibn al-Musayyab that the Messenger of Allah # travelled by night on the way back from Khaybar. Towards the end of the night he stopped for a rest and told Bilāl, "Keep watch for the Ṣubḥ prayer." The Messenger of Allah # and his companions slept. Bilāl stayed on watch for as long as was decreed for him and then he leant against his riding camel facing the direction of the dawn and sleep overcame him and neither he nor the Messenger of Allah # nor

any of the party woke up until the sun's rays struck them. The Messenger of Allah and was alarmed. Bilāl said, "Messenger of Allah! The One who took your soul was the One who took my soul." The Messenger of Allah said, "Move on." So they roused their mounts and rode on a short distance. The Messenger of Allah ordered Bilāl to give the *iqāma* for the prayer and then led them in the *Ṣubḥ* prayer. When he finished the prayer he said, "A person who forgets a prayer should pray it when he remembers. Allah the Blessed and Exalted says in His book, *Establish the prayer to remember Me.*' (20:14)"

28 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ زَيْدِ بْنِ أَسْلَمَ أَنَّهُ قَالَ : عَرَّسَ رَسُولُ اللّهِ ﷺ لِيَّلَةً بِطَرِيقِ مَكَّة، وَوَكَّلَ بِلاَلاً أَنْ يُوقِظَهُمْ لِلصَّلاَةَ، فَرَقَدَ بِلاَلَ وَرَقَدُوا، حَتَّى اسْتَقَظُوا وَقَدْ طَلَعَتْ عَلَيْمُ الشَّمْسُ، فَاسْتَيْقَظَ الْقَوْمُ وَقَدْ فَزِعُوا، فَأَمَرَهُمْ رَسُولُ اللّهِ ﷺ أَنْ يَرْكَبُوا حَتَّى يَخْرُجُوا مِنْ ذَلِكَ الْوَادِي وَقَالَ : إِنَّ هَذَا وَادِ الْقَوْمُ وَقَدْ فَزِعُوا، فَأَمَرَهُمْ رَسُولُ اللّهِ ﷺ أَنْ يَنْزِلُوا وَأَنْ يَتَوَضَّؤُوا، بِهِ شَيْطَانُ ، فَرَكَبُوا حَتَّى خَرَجُوا مِنْ ذَلِكَ الْوَادِي، ثُمَّ أَمَرَهُمْ رَسُولُ اللّهِ ﷺ أَنْ يَنْزِلُوا وَأَنْ يَتَوَفَّوُوا، وَأَمْرَ بِلاَلاً أَنْ يَنْادِي بِالصَّلاَةِ، أَوْ يُقِيمٍ، فَقَالَ : يَا أَيُّهَا النَّاسُ إِنَّ اللّهَ قَبْضَ أَرْواحَنَا، وَلَوْ شَاءَ لَرَدَّهَا إِلَيْنَا فِي حِينٍ غَيْرِ هَذَا، فَإِذَا رَقَلَ وَأَمُومُ مَنْ الصَّلاَةِ أَوْ يَسَيَهَا، ثُمَّ فَنِع إِلْيَهَا، فَلْيُصلّهَا كَا كَانَ يُصَلّيها فِي وَقْتِهَا ، ثُمَّ التَّفَتَ رَسُولُ اللّهِ ﷺ أَعْنَ الصَّيقُ حَتَى الصَّلاةِ أَوْ يَسَلَيها فَي وَقْتِها ، ثُمَّ التَفَتَ رَسُولُ اللّهِ عَلَي بَعْرِ هَذَا، فَإِذَا رَقَلَا إِلَى بَكُو فَقَالَ : يَا أَيّهَا النَّاسُ إِنَّ اللّهَ قَبْ فَقَالَ اللّهُ عَلَى مِنْ الصَّلامَ أَوْ يَسَهَا، ثُمَّ فَنِع إِلْهَا، فَلْيُصلّهَا كَا كَانَ يُصَلِّيها فِي وَقْتِهَا ، ثُمَّ التَفَتَ رَسُولُ اللّهِ ﷺ غَلَى اللّهُ عَلَى اللّهِ عَلَى اللّهِ عَلَى اللّهِ عَلَى اللّهُ عَلَاللهَ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ عَلَى اللّهُ اللّهُ عَلَى اللّهُ عَلَى اللّهُ اللّهُ عَلَى اللّهُ عَلَى اللّهُ اللهُ وَلَو اللّهِ عَلَى اللّهُ اللهُ عَلَى اللهُ اللّهُ عَلَى اللّهُ اللهُ الل

26 Yaḥyā related to me from Mālik that Zayd ibn Aslam said, "The Messenger of Allah % stopped for a rest one night on the road to Makka and appointed Bilāl to wake them up for the prayer. Bilāl slept and everyone else slept and none of them woke up until the sun had risen. When they did wake up they were all alarmed. The Messenger of Allah % ordered them to ride out of the valley, saying that there was a  $shayt\bar{a}n$  in it. So they rode out of the valley and the Messenger of Allah % ordered them to dismount and do  $wud\bar{u}$  and he told Bilāl either to call the prayer or to give the  $iq\bar{a}ma$ . The Messenger of Allah % then led them in prayer. Noticing their uneasiness, he went to them and said, 'O people! Allah seized our spirits  $(arw\bar{a}h)$  and if He had wished He would have returned them to us at a time other than this. So if you sleep through the time for a prayer or forget it and then are anxious about it, pray it as if you were praying it in its time.' The Messenger of Allah % turned to Abū Bakr and said, 'Shayṭān came to Bilāl when he was standing in prayer and made him lie down and lulled him to sleep like a small boy.' The

Messenger of Allah **%** then called Bilāl and told him the same as he had told Abū Bakr. Abū Bakr declared. 'I bear witness that you are the Messenger of Allah.'"

## 7 - باب النَّهي عَنِ الصَّلاَةِ بِالْهَاجِرَةِ

#### 1.7 Not doing the prayer at the hottest hour of the day

29 - حَدَّثَنِي يَحْيَى : عَنْ مَالِك : عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ, أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ : إِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْجِ جَهَنَّمَ، فَإِذَا اشْتَدَّ الْحُرُّ فَأَبْرِدُوا عَنِ الصَّلاَةِ . وَقَالَ : اشْتَكَتِ النَّارُ إِلَى رَبِّهَا فَقَالَتْ : يَا رَبِّ أَكُل بَعْضِي بَعْضاً، فَأَذِنَ لَهَا بِنَفَسَيْنِ فِي كُلِّ عَامٍ، نَفَسٍ فِي الشِّتَاءِ، وَنَفَسٍ فِي الصَّيْفِ .

27 Yaḥyā related to me from Mālik from Zayd ibn Aslam from 'Aṭā' ibn Yasār that the Messenger of Allah said, "Scorching heat comes from the blast of Jahannam. So when the heat is fierce, delay the prayer until it gets cooler." He added in explanation, "The Fire complained to its Lord and said, 'My Lord, part of me has eaten another part,' so He allowed it two breaths in every year, a breath in winter and a breath in summer."

30 - وَحَدَّثَنَا مَالِكُ، عَنْ عَبْدِ اللَّهِ بْنِ يَزِيدَ مَوْلَى الأَسْوِدِ بْنِ سُفْيَانَ، عَنْ أَبِي سَلَمُةَ بْنِ عَبْدِ الرَّحْمَنِ، وَعَنْ مُحَمَّدِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ ثَوْبَانَ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ : إِذَا اشْتَدَّ الْحَرُّ فَأَبْرِدُوا عَن الصَّلاَةِ، فَإِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْجِ جَهَنَّمَ .

28 Mālik related to us from 'Abdullāh ibn Yazīd, the *mawlā* of al-Aswad ibn Sufyān, from Abū Salama ibn 'Abd ar-Raḥmān from Muḥammad ibn 'Abd ar-Raḥmān ibn Thawbān from Abū Hurayra that the Messenger of Allah said, "When the heat is fierce, delay the prayer until it gets cooler, for scorching heat comes from the blast of Jahannam."

• وَذَكَرَ: أَنَّ النَّارَ اشْتَكَتْ إِلَى رَبِّهَا، فَأَذِنَ لَهَا فِي كُلِّ عَامٍ بِنَفَسَيْنِ، نَفَسٍ فِي الشِّتَاءِ وَنَفَسٍ فِي الصَّيْفِ. He added, "The Fire complained to its Lord, so He allowed it two breaths in each year, a breath in the winter and a breath in summer."

31 - وَحَدَّثَنِي عَنْ مَالِك، عَنْ أَبِي الزِّنَادِ، عَنِ الأَعْرَجِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ : إِذَا اشْتَدَّ الْحَرُّ، فَأَبْرِدُوا عَنِ الصَّلاَةِ، فَإِنَّ شِدَّةَ الْحَرِّ مِنْ فَيْجِ جَهَنَّمَ . 29 Yaḥyā related to me from Mālik from Abū az-Zinād from al-A'raj from Abū Hurayra that the Messenger of Allah # said, "When the heat is fierce, wait until it gets cooler before you do the prayer, for scorching heat comes from the blast of Jahannam."

1.8 Not entering the mosque smelling of garlic and not covering the mouth in prayer

30 Yaḥyā related to me from Mālik from Ibn Shihāb from Sa'id ibn al-Musayyab that the Messenger of Allah # said, "Anyone who eats this plant should not come near our mosques. The smell of the garlic will offend us."

31 Yaḥyā related to me from Mālik from 'Abd ar-Raḥmān ibn al-Mujabbar that he used to see Sālim ibn 'Abdullāh pull the cloth away fiercely from the mouth of any man he saw covering his mouth while praying.