

“Banish her.^[1]” He replied, “I am afraid my soul may desire her.” He said, “Then enjoy her.” [Reported by Abū Dā’ud and Al-Bazzār, and its narrators are reliable]. An-Nasā’i reported it with through another chain, from Ibn ‘Abbās (رضي الله عنه) with this wording: He said, “Divorce her.” He replied, “I can not endure the desire for her.” He said, “Then keep her.”

942. Narrated Abū Huraira (رضي الله عنه): He heard Allāh’s Messenger (ﷺ) say, when the Verse^[2] about invoking curses came down, “Any woman who brings into a family one who does not belong to it,^[3] is not an observer of Allāh’s (religion), and Allāh will not admit her into His Paradise. Likewise, Allāh will veil Himself from any man who disowns his child while he knows that it is his child, and will humiliate him in the presence of the first and last (creatures).” [Abū Dā’ud, An-Nasā’i and Ibn Mājah reported it; and Ibn Hibbān graded it *Sahih* (authentic)].

943. Narrated ‘Umar (رضي الله عنه): If anyone acknowledges that he is the father of his child just for the blinking of an eye, he has no right to disown it.^[4] [Al-Baihaqi reported it. The *Hadīth* is *Hasan* (good) and *Mawqūf* (saying of a Companion)].

قَالَ: أَخَافُ أَنْ تَتَّبِعَهَا نَفْسِي، قَالَ: «فَاسْتَمْتِعْ بِهَا». رَوَاهُ أَبُو دَاوُدَ وَالْبَزْزَارُ، وَرِجَالُهُ يَثْقَاتُ. وَأُخْرِجَهُ النَّسَائِيُّ مِنْ وَجْهِ آخَرَ عَنِ ابْنِ عَبَّاسٍ، بَلْفَظٍ قَالَ: «طَلَّقَهَا» قَالَ: لَا أَصْبِرُ عَنْهَا، قَالَ: «فَأَمْسِكْهَا».

(٩٤٢) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّهُ سَمِعَ رَسُولَ اللَّهِ ﷺ يَقُولُ حِينَ نَزَلَتْ آيَةُ الْمَتَلَاعَتِينَ: «أَيُّمَا امْرَأَةٍ أَدْخَلْتَ عَلَى قَوْمٍ مِنْ لَيْسَ مِنْهُمْ فَلَيْسَتْ مِنَ اللَّهِ فِي شَيْءٍ، وَلَنْ يُدْخِلَهَا اللَّهُ جَنَّتَهُ، وَأَيُّمَا رَجُلٍ حَجَدَ وَلَدَهُ، وَهُوَ يَنْظُرُ إِلَيْهِ، احْتَجَبَ اللَّهُ عَنْهُ، وَفَصَحَهُ عَلَى رُؤُوسِ الْأَوَّلِينَ وَالْآخِرِينَ». أَخْرَجَهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ وَإِبْنُ مَاجَةَ، وَصَحَّحَهُ ابْنُ جِبَانَ.

(٩٤٣) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: مَنْ أَقْرَبَ بَوْلِدِهِ طَرْفَةَ عَيْنٍ فَلَيْسَ لَهُ أَنْ يَنْفِيَهُ. أَخْرَجَهُ الْبَيْهَقِيُّ، وَهُوَ حَسَنٌ مُؤَوَّفٌ.

an adulteress. Thirdly, she is not good custodian of his wealth. The first meaning is the closest to being correct. If the second meaning was correct, the accuser would have had to produce witnesses, or *Li’an* would take place, or the woman would have been punished. However, none of this happened. On the contrary, the Prophet (ﷺ) ordered him to tolerate her. If the second meaning was correct, it means, the Prophet (ﷺ) had permitted him to be a *Dayyūth* (a man who doesn’t care about the moral behavior of the women under his care).

[1] i.e., Divorce her.

[2] *Sūrat An-Nūr* 24:6.

[3] It means to give birth to an illegitimate child and to present him as legitimate child. This creates many troubles and problems in inheritance, legacy and marriage, etc.

[4] Merely on doubts one should not disown his child. Once the parentage is accepted, it cannot be denied. On account of disowning the child, on one side, he becomes an illegitimate child, and on the other, his mother is blamed for adultery and the child is deprived of heredity.

944. Narrated Abū Huraira رضي الله عنه: A man said, "O Allāh's Messenger, my wife has given birth to a black son." He asked, "Have you any camels." He replied, "Yes." He asked, "What is their color?" He replied, "They are red." He asked, "Is there a dusky (dark) one among them?" He replied, "Yes." He asked, "How has that come about?" He replied, "It is perhaps a strain to which it has reverted (i.e. heredity)." He said, "It is perhaps a strain to which this son of yours has reverted." [Agreed upon]. A narration by Muslim has: "he was intending to disown him." Muslim concluded the *Hadīth* as follows: "He did not permit him to disown him."

(٩٤٤) وَعَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ رَجُلًا قَالَ: يَا رَسُولَ اللَّهِ! إِنَّ أَمْرَأَتِي وَوَلَدَتْ غُلَامًا أَسْوَدًا، قَالَ: «هَلْ لَكَ مِنْ إِبِلٍ؟» قَالَ: نَعَمْ، قَالَ: «فَمَا أَلْوَانُهَا؟» قَالَ: حُمْرٌ، قَالَ: «هَلْ فِيهَا مِنْ أَوْزُقٍ؟» قَالَ: نَعَمْ، قَالَ: «فَأَنَّى ذَلِكَ؟» قَالَ: لَعَلَّهُ نَزَعَهُ عِزْقٌ، قَالَ: «فَلَعَلَّ ابْنَكَ هَذَا نَزَعَهُ عِزْقٌ». مُتَّفَقٌ عَلَيْهِ. وَفِي رِوَايَةِ لِمُسْلِمٍ: «هُوَ يُعْرَضُ بِأَنْ يَنْفِيهِ» وَقَالَ فِي آخِرِهِ: «وَلَمْ يُرَخِّصْ لَهُ فِي آلَانِيفَاءِ مِنْهُ».

Chapter 11

AL-'IDDĀH^[1], AL-IHDĀD^[2], AL-ISTIBRA^[3], AND OTHER PERTINENT MATTERS

١١ - بَابُ الْعِدَّةِ وَالْإِحْدَادِ وَالِاسْتِبْرَاءِ وَعَبْرِ ذَلِكَ

945. Narrated Al-Miswar bin Makhrama (رضي الله عنه): Some nights after her husband's death, Subai'a Al-Aslamiya^[4] رضي الله عنها gave birth to a child. Then she went to the Prophet ﷺ and asked permission to marry. He gave her permission and she married. [Reported by Al-Bukhāri]. Its basic meaning is found in the two *Sahib* books of Al-Bukhāri and Muslim.

(٩٤٥) عَنِ الْمِسْوَرِ بْنِ مَخْرَمَةَ، أَنَّ سُبَيْمَةَ الْأَسْلَمِيَّةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا نَفِسَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِلَيْالٍ، فَجَاءَتْ إِلَى النَّبِيِّ ﷺ، فَاسْتَأْذَنَتْهُ أَنْ تَنْكِحَ، فَأُذِنَ لَهَا، فَتَكَحَّتْ. رَوَاهُ الْبُخَارِيُّ، وَأَصْلُهُ فِي الصَّحِيحَيْنِ. وَفِي لَفْظٍ: «أَنَّهَا وَضَعَتْ بَعْدَ وَفَاةِ زَوْجِهَا بِأَرْبَعِينَ لَيْلَةً».

[1] 'Iddah (العدة) is a period of waiting in which a woman is not allowed to remarry, after the death of her husband or divorce. There are three kinds of 'Iddah: 1) 'Iddah of Birth 2) 'Iddah of Menses and 3) 'Iddah of Months. For a pregnant woman, in either case – death of the husband or divorce – her 'Iddah is up to the birth of the child. For example, she is divorced or her husband dies today, and the next day she gives birth to a child. Her 'Iddah ends with the birth of child. She is allowed to marry at anytime, but as long as she is not free from the post-childbirth bleeding, it is not proper to have a sexual intercourse with her.

[2] Ihdād (الإحداد) is the observing of mourning, by a woman, for her husband who has died.

[3] Istibra' (الاستبراء) is the time of waiting, till one menstruation period has passed, in the case of a newly purchased slave-girl.

[4] Subai'a, daughter of Al-Hārith Al-Aslamiya of Banu Aslam was a *Sahābiya* and Ibn Sa'd mentioned that she was among the *Muhajirāt*. She was married to Sa'd bin Khawla, who died in Makkah during the *Hajjatul-Wadā'*, then she was married by a young man from her people. They also mentioned that she married Abū Sanābil.

A wording has: "She gave birth to a child after forty nights of her husband's death."

A wording by Muslim has: Az-Zuhri^[1] said, "I think there is no harm if she marries when she is still bleeding (due to child-birth), but her husband should not go near her till she is purified."

946. Narrated 'Aisha (رضي الله عنها): Barira (رضي الله عنها) was ordered to wait till three menstrual periods of hers have passed (before she could remarry).^[2] [Reported by Ibn Mājah. Its narrators are reliable, but it is *Ma'lul* (having a hidden defect)].

947. Narrated Ash-Sha'bi^[3] from Fātima (رضي الله عنها) daughter of Qais on the authority of the Prophet (ﷺ) regarding a woman who was divorced by three pronouncements: "She has no right to accommodation or maintenance."^[4] [Reported by Muslim].

948. Narrated Umm 'Atiya (رضي الله عنها): Allāh's Messenger (ﷺ) said, "A woman must not observe mourning for more than three nights for the one who has died, except for the four months and ten days in the

وَفِي لَفْظٍ لِمُسْلِمٍ: قَالَ الزُّهْرِيُّ: وَلَا أَرَى بَأْسًا أَنْ تَزَوَّجَ وَهِيَ فِي دَوِّهَا، غَيْرَ أَنَّهُ لَا يَقْرُبُهَا زَوْجُهَا حَتَّى تَطْهَرُ.

(٩٤٦) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: أُمِرْتُ بِرَبْرَةَ أَنْ تَعْتَدَّ بِثَلَاثِ جِيصَرٍ. رَوَاهُ ابْنُ مَاجَةَ، وَرَوَاهُ يِقَاتٌ، لِكَيْتِهِ مَعْلُولٌ.

(٩٤٧) وَعَنْ الشَّعْبِيِّ عَنْ فَاطِمَةَ بِنْتِ قَيْسٍ، عَنِ النَّبِيِّ ﷺ، فِي الْمُطَلَّاقَةِ ثَلَاثًا لَيْسَ لَهَا سُكْنَى، وَلَا نَفَقَةٌ. رَوَاهُ مُسْلِمٌ.

(٩٤٨) وَعَنْ أُمِّ عَطِيَّةَ، أَنَّ رَسُولَ اللَّهِ ﷺ قَالَ: «لَا تُحْدِ امْرَأَةٌ عَلَى مَيِّتٍ فَوْقَ ثَلَاثِ، إِلَّا عَلَى زَوْجٍ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا، وَلَا تَلْبَسُ ثَوْبًا مَضْبُوعًا، إِلَّا تَوْبَ عَضْبٍ، وَلَا تَكْتَحِلُ،

[1] He is Muhammad bin Muslim bin 'Ubaidullāh bin Abdullāh bin Shihāb Al-Qurashi Az-Zuhri, one of the eminent *Imāms* and 'Aalim of Hijāz and Shām. He was among the elders of the 4th generation of *Tābi'in* and his mastery and greatness was conscientiously agreed upon. Al-Laith said that he never saw an 'Aalim who accumulated so much knowledge like Ibn Shihāb and Mālik said that Ibn Shihāb was among the most generous people and had no equal. He died in 124 H.

[2] Barira's husband was a slave. After being manumitted from slavery, as a free woman, she was given an option concerning her wedlock. Barira (رضي الله عنها) chose to have her previous wedlock nullified and hence she had to spend an *'Iddah* of a free woman consisting of three menstrual periods. This *Hadith* implies that the duration of *'Iddah* thus spent is determined according to the status of the woman and not the man.

[3] He is Abū 'Amr 'Aamir bin Sharāhil bin 'Abdullah Ash-Sha'bi Al-Hamdāni Al-Kufi. He was a great *Tābi'i* and an eminent *Fiqh* scholar. Az-Zuhri said, "The *'Ulama* are four: Ibn Al-Musaiyab at Al-Madīnah, Ash-Sha'bi at Kufa, Hasan Al-Basri at Basra and Mak-hul at Shām." Ash-Sha'bi was born during 'Umar's Caliphate and it was said that he was born when six years were remaining from 'Uthmān's Caliphate.

[4] The ruling according to *Shari'a* is that in case a *Talāq* (divorce) is gradually pronounced, a man is liable to pay for a woman's accommodation and livelihood until the termination of her *'Iddah* period. A man is not liable to pay her any of the expenses concerning her food and lodging after the pronouncement of the third *Talāq* [which is irrevocable].

case of a husband,^[1] and she must not wear a dyed garment except one of the type made of *'Asb* (dyed yarn)^[2] or apply *Kubl* (antimony), or apply perfume except for a little *Qust* or *Azfār*,^[3] when she has been purified after her menstruation." [Agreed upon. The wording being of Muslim]. Abū Dā'ud and An-Nasā'i have an addition: "nor apply henna." An-Nasā'i added: "nor comb (her hair)."

949. Narrated Umm Salama ؓ: I put *Sabir* (a type of medicine) on my eyes after Abū Salama (ؓ) had died. So Allāh's Messenger ﷺ said, "It gives the face a glow, so apply it only at night and remove it in the daytime, and do not comb (your hair) with scent or henna,^[4] for it is a dye." I asked, "What should I use when combing (my hair)?" He replied, "You should use lote-tree leaves." [Reported by Abū Dā'ud and An-Nasā'i; its chain of narrators is *Hasan* (good)].

950. Narrated (Umm Salama) ؓ: A woman said, "O Allāh's Messenger, my daughter's husband has died and her eye is troubling her, so may we apply *Kubl* (antimony) to it?" He replied, "No." [Agreed upon].

951. Narrated Jābir ؓ: My maternal aunt was divorced and wanted to cut down fruit from her palm-trees. A man

وَلَا تَمَسُّ طَيِّبًا، إِلَّا إِذَا طَهَّرَتْ، نُبْدَةَ مِنْ قُسْطٍ أَوْ أَظْفَارًا». مُتَّفَقٌ عَلَيْهِ، وَهَذَا لَفْظٌ مُشْبِهٌ، وَلِأَبِي دَاوُدَ وَالنَّسَائِيَّ مِنَ الزِّيَادَةِ: «وَلَا تَخْتَضِبُ». وَلِلنَّسَائِيَّ: «وَلَا تَمْتَشِطُ».

(٩٤٩) وَعَنْ أُمِّ سَلَمَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: جَعَلْتُ عَلَى عَيْنِي صَبْرًا، بَعْدَ أَنْ تُوَفِّي أَبُو سَلَمَةَ، فَقَالَ رَسُولُ اللَّهِ ﷺ: «إِنَّهُ يَسْبُؤُ الرَّجُلَ، فَلَا تَجْعَلِيهِ إِلَّا بِاللَّيْلِ، وَأَنْزِعِيهِ بِالنَّهَارِ، وَلَا تَمْتَشِطِي بِالطَّبِّيبِ، وَلَا بِالْحِجَاءِ فَإِنَّهُ خِضَابٌ»، قُلْتُ: بِأَيِّ شَيْءٍ أَمْتَشِطُ؟ قَالَ: «بِالسَّدْرِ». رَوَاهُ أَبُو دَاوُدَ وَالنَّسَائِيُّ، وَإِسْنَادُهُ حَسَنٌ.

(٩٥٠) وَعَنْهَا أَنَّ أَمْرَأَةً قَالَتْ: يَا رَسُولَ اللَّهِ! إِنَّ ابْنَتِي مَاتَ عَنْهَا زَوْجُهَا، وَقَدْ اسْتَكْتَحَتْ عَيْنَهَا، أَفَتَكْحُلُهَا؟ قَالَ: «لَا». مُتَّفَقٌ عَلَيْهِ.

(٩٥١) وَعَنْ جَابِرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، قَالَ: طَلَّقَتْ خَالَي، فَأَرَادَتْ أَنْ تَجِدُ نَخْلَهَا،

[1] The duration of *'iddab* for a widow, (in case not pregnant) is four months and ten days. The duration for a divorced woman (non-pregnant) is three menstrual periods, provided she is young. If the divorcee is an old woman who has already entered the phase of menopause, or if she is merely a non-adult adolescent girl, then their *'iddab* duration is three months. In case the women in the said category are widows, their *'iddab* duration shall be similar to the ones mentioned earlier (i.e., four months and ten days).

[2] *'Asb* was a Yemeni garment which was dyed before being woven.

[3] A nice smelling substance which resembles fingernails.

[4] The instructions concerning the spending of *'iddab* duration are that such a woman should not use perfume, antimony or colored silken clothes and should not make a decision about entering into a matrimony with a man. This ruling includes all the women in general, whether they are the non-adults, the young or the old ones.

forbade her to go out, so she went to the Prophet ﷺ and he said, "Certainly, cut down fruit from your palm-trees, for perhaps you may give *Sadaqa* (charity) or do an act of kindness."^[1] [Reported by Muslim].

952. Narrated Furai'a, daughter of Mālik^[2]: Her husband had gone out in search of some slaves of his and they killed him. She said, "I asked Allāh's Messenger ﷺ to be allowed to return to my family, for my husband had not left for me a house which belonged to him, nor had he left any maintenance." He then said, "Yes, (I agree)," but when I was in the courtyard, he called me and said, "Stay in your house till the prescribed period expires."^[3] She said, "I observed the period in it for four months and ten days." She said, "Afterwards Uthmān gave judgement in accordance with that." [Ahmad and *Al-Arba'a* reported it. Al-Tirmidhi, Adh-Dhuhli, Ibn Hibbān, Al-Hākim and others graded it *Sahih* (authentic)].

953. Narrated Fātima (رضي الله عنها) daughter of Qais: I said, "O Allāh's Messenger, my husband has divorced me by three pronouncements (of divorce) and I am afraid that I may get broken into. Hence, he commanded her, and she moved (to another house)." [Reported by Muslim].

954. Narrated 'Amr bin Al-'Aas (رضي الله عنه): "Do not confuse us about our Prophet's *Sunnab*: The period that a slave-woman, whose master dies, and she has

فَوَجَّهَهَا رَجُلٌ أَنْ تَخْرُجَ، فَأَتَتْ النَّبِيَّ ﷺ، فَقَالَ: «بَلْ جُدِّي نَخْلِكَ، فَإِنَّكَ عَسَى أَنْ تَصَدَّقِي، أَوْ تَفْعَلِي مَعْرُوفًا». رَوَاهُ مُسْلِمٌ.

(٩٥٢) وَعَنْ فُرَيْعَةَ بِنْتِ مَالِكٍ، أَنَّ زَوْجَهَا خَرَجَ فِي طَلَبِ أَعْبِدٍ لَهُ، فَتَقْتَلُوهُ، قَالَتْ: فَسَأَلْتُ رَسُولَ اللَّهِ ﷺ أَنْ أَرْجِعَ إِلَى أَهْلِي، فَإِنَّ زَوْجِي لَمْ يَتْرِكْ لِي مَسْكَنًا يَمْلِكُهُ، وَلَا نَفَقَةً، فَقَالَ: نَعَمْ، فَلَمَّا كُنْتُ فِي الْحُجْرَةِ نَادَانِي، فَقَالَ: أَمْكُثِي فِي بَيْتِكَ حَتَّى يَبْلُغَ الْكِتَابُ أَجَلَهُ، قَالَتْ: فَأَعْتَدْتُ فِيهِ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا، قَالَتْ: فَفَضَى بِهِ بَعْدَ ذَلِكَ عُثْمَانُ. أَخْرَجَهُ أَحْمَدُ وَالْأَرْبَعَةُ، وَصَحَّحَهُ التِّرْمِذِيُّ وَالذَّهَلِيُّ وَابْنُ جِبَانَ وَالْحَاكِمُ وَعَبْرَهُمْ.

(٩٥٣) وَعَنْ فَاطِمَةَ بِنْتِ قَيْسٍ قَالَتْ: قُلْتُ: يَا رَسُولَ اللَّهِ! إِنَّ زَوْجِي طَلَّقَنِي ثَلَاثًا، وَأَخَافُ أَنْ يَفْتَحَمَ عَلَيَّ، قَالَ: فَأَمْرَهَا فَتَحَوَّلَتْ. رَوَاهُ مُسْلِمٌ.

(٩٥٤) وَعَنْ عَمْرِو بْنِ الْعَاصِرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: لَا تَلْبِسُوا عَلَيْنَا، سُنَّةَ نَبِيِّنَا: عِدَّةُ أُمِّ الْوَالِدِ، إِذَا تُوُفِّيَ عَنْهَا سَيِّدُهَا، أَرْبَعَةٌ

[1] The women are instructed to spend their *'iddah* duration within the houses of their husbands whether it is a case of divorce or widowhood. However, a woman upon whom the *Talāq* has been pronounced three times is an exception, for such a woman shall not live in her husband's house.

[2] She is Furai'a, daughter of Mālik bin Sinān Al-Khudria, the sister of the famous *Sahābi* Sa'id Al-Khudri. She witnessed the *Bai'atur-Ridwān*.

[3] A widow must spend the days of her *'iddah* in the house of her late husband. Such is the ruling given by the majority of the religious scholars.

begotten a child from him must wait for, is four months and ten days.”^[1]
[Reported by Ahmad, Abū Dā’ud and Ibn Mājah. Al-Hākim graded it *Sabih* (authentic), but Ad-Dāraqutni considered it defective due to *Inqitā’* (broken link)].

955. Narrated ‘Aisha رضي الله عنها: *Al-Aqrā’* is the period of a woman’s purity (which occurs between two menses).^[2]
[Mālik, Ahmad and An-Nasā’i reported it in the course of a story with a *Sabih* (authentic) chain of narrators].

956. Narrated Ibn ‘Umar رضي الله عنهما: The divorce of a slave-woman occurs by saying it (the divorce word) twice, and her *‘Iddab* (waiting period) is two menses.^[3] [Reported by Ad-Dāraqutni. He reported it as *Marfū’* (a saying of the Prophet) and graded it *Da’if* (weak)]. Abū Dā’ud, At-Tirmidhi and Ibn Mājah reported the aforesaid *Hadīth* from the narration of ‘Aisha رضي الله عنها, which Al-Hākim graded as *Sabih* (authentic), but the *Hadīth* scholars disagreed with him, and they agreed that it is *Da’if* (weak).

957. Narrated Ruwaifi’ bin Thābit^[4] رضي الله عنه: The Prophet صلى الله عليه وسلم said, “It is not lawful for a man who believes in Allāh and the Last Day to water what another person

أَشْهُرٍ وَعَشْرًا. رَوَاهُ أَحْمَدُ وَأَبُو دَاوُدَ وَابْنُ مَاجَةَ، وَصَحَّحَهُ الْحَاكِمُ، وَأَعْلَلَهُ الدَّارِقُطْنِيُّ بِالْإِنْقِطَاعِ.

(٩٥٥) وَعَنْ عَائِشَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهَا، قَالَتْ: إِنَّمَا الْأَقْرَاءُ الْأَطْهَارُ. أَخْرَجَهُ مَالِكٌ وَأَحْمَدُ وَالتَّسَائِيُّ فِي قِصَّةٍ، بِسَنَدٍ صَحِيحٍ.

(٩٥٦) وَعَنْ ابْنِ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، قَالَ: طَلَّاقُ الْأَمَةِ تَطْلِيقَتَانِ، وَعِدَّتُهَا حَيْضَتَانِ. رَوَاهُ الدَّارِقُطْنِيُّ، وَأَخْرَجَهُ مَرْفُوعًا، وَضَعَفَهُ، وَأَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ وَابْنُ مَاجَةَ مِنْ حَدِيثِ عَائِشَةَ، وَصَحَّحَهُ الْحَاكِمُ، وَخَالَفُوهُ، فَاتَّفَقُوا عَلَى ضَعْفِهِ.

(٩٥٧) عَنْ رُوَيْفِعِ بْنِ ثَابِتٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، عَنِ النَّبِيِّ صلى الله عليه وسلم قَالَ: «لَا يَجْلُ لِأَمْرِيءٍ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ أَنْ يَسْقِي مَاءَهُ»

^[1] As to the duration of *‘Iddab* in regard to a *Ummul-Walad* (a slave-woman who has already mothered a child for her master), if she is widowed, some scholars are of the opinion that it is four months and ten days, whereas some of them maintain that it is one menstrual period only, a ruling which is correct.

^[2] There are a few words in Arabic which have two meanings which are opposite to each other. Such words are known as *Dhawātul-Addad* (the words that are their own antonyms). One such word is *Qar’* (القرء) which stands for menstrual blood or period, and at the same time also means *Tubr* i.e., the state of being free from impurities. ‘Aisha رضي الله عنها construed the same to be as *Tubr* whereas its predominant connotation happens to be that of a menstrual blood cycle.

^[3] This makes us know that a male-slave may consummate his divorce by pronouncing it two times, whereas the duration of a female-slave’s *‘Iddab* comprises her two menstrual cycles.

^[4] Ruwaifi’ bin Thabit Al-Ansāri of Banu Mālik bin An-Najārah and was counted among the settlers in Egypt. He died in the year 46 H.

has sown^[1]” [Abū Dā’ud and At-Tirmidhi reported it. Ibn Hibbān graded it *Sahib* (authentic), and Al-Bazzār graded it *Hasan* (good)].

958. Narrated ‘Umar ؓ regarding a wife of a lost husband: She should wait for four years and then observe the *‘Iddah* for four months and ten days.^[2] (before she may remarry). [Mālik and Ash-Shāfi’i reported it].

959. Narrated Al-Mughira bin Shu’ba ؓ: Allāh’s Messenger ﷺ said, “The spouse of a lost husband remains his wife till she gets a certain news about his death.” [Ad-Dāraqutni reported it with a *Da’if* (weak) chain of narrators].

960. Narrated Jābir ؓ: Allāh’s Messenger ﷺ said, “A man must not spend the night in the house of woman^[3] unless he is her husband or a *Mabram*.”^[4] [Reported by Muslim].

961. Narrated Ibn ‘Abbās ؓ: The Prophet ﷺ said, “A man must not be alone with a woman except in the presence of a *Mabram*.” [Al-Bukhārī reported it].

962. Narrated Abū Sa’id ؓ: The Prophet ﷺ said in regard to the captives taken

رَزَعَ غَيْرِهِ». أَخْرَجَهُ أَبُو دَاوُدَ وَالتِّرْمِذِيُّ، وَصَحَّحَهُ ابْنُ جِبَّانَ، وَحَسَّنَهُ الْبَزَّازُ.

(٩٥٨) وَعَنْ عُمَرَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، فِي امْرَأَةِ الْمَفْقُودِ، تَرَبَّصُ أَرْبَعِ سِنِينَ، ثُمَّ تَعْتَدُ أَرْبَعَةَ أَشْهُرٍ وَعَشْرًا. أَخْرَجَهُ مَالِكٌ وَالشَّافِعِيُّ.

(٩٥٩) وَعَنْ الْمُغِيرَةَ بْنِ شُعْبَةَ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «امْرَأَةُ الْمَفْقُودِ امْرَأَتُهُ حَتَّى يَأْتِيَهَا الْبَيِّنَاتُ». أَخْرَجَهُ الدَّارِقُطْنِيُّ بِإِسْنَادٍ ضَعِيفٍ.

(٩٦٠) وَعَنْ جَابِرِ رَضِيَ اللَّهُ تَعَالَى عَنْهُ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: «لَا يَبِيتَنَّ رَجُلٌ عِنْدَ امْرَأَةٍ، إِلَّا أَنْ يَكُونَ نَاقِحًا، أَوْ ذَا مَحْرَمٍ». أَخْرَجَهُ مُسْلِمٌ.

(٩٦١) وَعَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُمَا، عَنِ النَّبِيِّ ﷺ قَالَ: «لَا يَحْلُونَ رَجُلٌ بِامْرَأَةٍ إِلَّا مَعَ ذِي مَحْرَمٍ». أَخْرَجَهُ الْبُخَارِيُّ.

(٩٦٢) وَعَنْ أَبِي سَعِيدٍ رَضِيَ اللَّهُ تَعَالَى عَنْهُ، أَنَّ النَّبِيَّ ﷺ قَالَ فِي سَبَايَا أَوْطَاسٍ: «لَا تُوْطَأُ

[1] It may imply two meanings. First of all, one should not commit fornication. Secondly, one should not perform a sexual intercourse with a female-slave who is already pregnant by her ex-husband or previous master until she gives birth to a child.

[2] A woman whose husband is reported to be lost, shall have to wait four years (before she can remarry). This waiting period of four years was determined by ‘Umar رَضِيَ اللَّهُ عَنْهُ. Later, the Companions of the Prophet ﷺ had a consensus to this effect and the religious scholars also pronounced their judgement based on this ruling.

[3] This *Hadīth* informs us that it is forbidden for a man to be in seclusion with a non-Mahram woman. The reason for this ruling, also mentioned in another *Hadīth*, is that Satan interferes between them and coaxes them into committing the abominable act of fornication. Even if they refrain from committing this unlawful act, they are still threatened to be accused as such and thus fall into disrepute. It is also an obligation to avoid such suspicious situations.

[4] *Mabram* is the one who is so closely related to a woman that marriage between them is permanently forbidden.