



## The Correction To Some Misleading Answers of Albani On Various Current Topics

Trimming the beard is Sunna

Carrying the stick is Sunna

Kissing the scholar's hand is Sunna

Wudu' is required to touch a mushaf

Jama`a prayer is a Sunna mu'akkada

**Γ tikaf is in all mosques**

**Q. Is there a limit to growing facial hair, since some people have very thick hair which sometimes goes from the chest to the neck and even all the way to the eyes?**

**Albani's answer:** It is not permissible for the Muslim to remove any hair from the beard except what the Lawgiver has allowed. It is reported from one of the companions who narrated the hadeeth, "Leave the beard and trim the moustaches," 'Abdullaah bin 'Umar, that he used to remove from his beard what was below a fistful. Apart from that, trimming the beard is against the Sunnah, whether or not the man's beard is pleasing to him, and whether or not it is

pleasing to others, for all of Allaah's creation is handsome, as in the saheeh hadeeth, where the Prophet (S) saw a man with a long waist-shirt and ordered him to have his izaar halfway up his shins; the man gave the excuse that he had a defect in his ankles, so the Prophet (S) said, "All of Allaah's creation is handsome." (saheeh-

Ahmad and others. This phrase is actually of Qur'anic origin cf. Sajdah 32:7).

Really we must memorise this hadeeth well in order to answer the misconceptions in issues like this. One who says that "my wife has a lot of hair and I do not want to go near her" should remember this hadeeth, and in fact remember the saying of Allaah:

"So set your face truly to the faith, Allaah's

handiwork according to the pattern on which

he.has made mankind, (let there be) no change in

the.creation of Allaah." (Roum 30:30)

Also the hadeeth "Allaah has cursed the woman who tattoos and the

one who asks for it, the woman who plucks the eyebrows and the one who asks for it and the woman who makes gaps in her teeth, who change the creation of Allaah for the sake of beauty." (Bukhari, narrated by 'Abdullah bin Mas'ood)

These few quotes are enough as proof to show that it is not allowed to change the creation of Allaah in any way... .. (etc.)

### **Shaykh Hisham says:**

The proof for the etiquette of trimming the beard is in the explicit and known practice of the Companions including, but not restricted to Ibn `Umar, and to invoke an analogy to the Prophet's order to lift up the *izar* is out of place, as that is a command that has a *hukm* of its own, namely that it is detestable to drag one's lower garment on the ground and it is desirable that the ankle-bones remain uncovered. The Prophet's original command to leave the beard is understood in the context of differing from non-Muslims, not leaving it absolutely, as is confirmed by the practice of Ibn `Umar who trimmed whatever grew in excess of a fistful.

The beard of the male Muslim is one of the outward symbols of Islam and as al-Badr al-`Ayni pointed out it is important that it not be made to look unkempt and disheveled. The Prophet said: "Allah is beautiful and He loves beauty." The Tabi`i `Ata' ibn Abi Rabah said: "There is no harm in trimming a little from the length and sides of his beard, if it grows large and long" and al-Nakh`i, another Tabi`i, related that the Companions used to trim their beards on the sides. It is preposterous and reprehensible to suggest that such a trimming is against the Sunna as both they and the authorities among the Tabi`in who reported from them were certainly more knowledgeable of the Sunna than us. As the scholars said: "The Sahaba were all legally upright (*`udul*) by consensus (*ijma`*) of Muslim scholars, and it is inconceivable that they would institutionalize and set a precedent that was in direct defiance of a religious obligation."

It would seem also that the fatwa given above in answer to the original question erroneously suggests for women to leave all facial hair alone equally, since the reply claims, in the section on women, that "These few quotes are enough as proof to show that it is not allowed to change the creation of Allaah in any way." In correcting this false notion we will first quote a more accurate translation of the hadith in question -- about women plucking their facial hair -- and the words of Nawawi and Ibn Hajar regarding it:

The Prophet said:

"May Allah curse women who wear false hair or arrange it for others, who tattoo or have themselves tattooed, who pluck facial hair or eyebrows or have them plucked, and women who separate their front teeth for beauty, altering what Allah has created." Dhahabi narrated it in *al-Kaba'ir* and he said: "It is agreed upon [by Bukhari and Muslim]."

Ibn Hajar al-`Asqalani said in *Fath al-bari* (10:378) in commentary of this hadith:

Nawawi said: "An exception from the prohibition of plucking away facial hair is when a woman has a beard, mustache, or hair growing between her lower lip and chin, in which cases it is not unlawful for her to remove it, but rather is commendable (*mustahabb*)," the permissibility being on condition that her husband knows of it and gives his permission, though it is prohibited if he does not, because of the deception it entails.

The question is sometimes asked: "In what circumstances is it allowable for a male muslim to shave his beard off or not to grow one at all? Is military service a valid excuse?" To which we say: *al-darurat tubihu al-mahzurat* -- Necessities make prohibited things permitted. The question is to define necessity in this case. Protection of one's life, safety, livelihood, and religion all qualify as such, and in some countries military service is unavoidable except at unbearably high personal cost. Indeed in some countries the beard was made either illegal by law under threat of major punishment, such as in Republican Turkey, or a cause for harrassment and persecution by the authorities as in other secular-oriented states. And Allah knows best.

The best word in English on the Sunna of keeping the beard is by Nuh Keller:

Ibn `Umar relates from the Prophet (Allah bless him and give him peace) that he said: "Do otherwise than those who ascribe partners to Allah (*al-mushrikin*): leave beards be, and trim mustaches." And ibn `Umar, when he went on hajj or `umra, grasped his beard with his hand, and removed what was in excess of it (*Sahih al-Bukhari*, 9 vols. Cairo 1313/1895. Reprint (9 vols. in 3). Beirut: Dar al-Jil, n.d., 7.206: 5892 and *Sahih Muslim*, 5 vols. Cairo 1376/1956. Reprint. Beirut: Dar al-Fikr, 1403/1983, 1.222: 259).

In the Hanafi madhhab, there is no harm (*la ba's*) in trimming the edges of the beard, though the handful is sunna, for when a narrator (Ibn 'Umar, in this case), has done something in ostensive contravention to what he has narrated (the words "leave beards be"), Hanafi bases of jurisprudence say this shows that the narrator knows that the Prophet (Allah bless him and give him peace) has indicated that the original ruling has been superseded (*mansukh*) by a subsequent one--permitting the beard to be trimmed, in this case. But trimming it when it is already less than a handful is not permissible in the Hanafi school (Ibn 'Abidin: *Radd al-muhtar 'ala al-durr al-mukhtar*, 5 vols. Bulaq 1272/1855. Reprint. Beirut: Dar Ihya' al-Turath al-'Arabi, 1407/1987, 2.113).

Muhammad ibn Hasan al-Shaybani reports in *Kitab al-athar*, from Imam Abu Hanifa, that "the sunna concerning it [the beard] is the handful, and consists in a man grasping his beard with his hand, and whatever exceeds that, he cuts" (ibid, 5.261).

A Hanafi sheikh whom my wife and I study with, has told us (without mentioning a reference) that there is disagreement as to where this "handful" should begin from, some holding that one puts the index finger of it just below the lower lip, while according to others, one puts it below the bottom of the chin. The former will obviously result in a much shorter "handful."

The Shafi'i scholar Imam Nawawi in his commentary on *Sahih Muslim* says of the above hadith:

As for trimming the mustache, it is also a sunna. It is praiseworthy to begin from the right side . . . . As for how much should be trimmed, the soundest position is that one trims it until the edge of the lip appears, not trimming it down to the roots. As for the versions of the hadith containing the words crop mustaches, (*ihfu al-shawarib*) they mean "crop that which grows over the lips," and Allah knows best.

As for leave beards be, it means "make them ample" (Ar. tawfir, to make much, abundant, copious) and is also the meaning of make beards plenteous (awfu al-liha) in other versions of the hadith. It had been the Persians' custom to cut their beards, so the Sacred Law forbade that (*Sahih Muslim bi Sharh al-Nawawi*, 18 vols. Cairo 1349/1930. Reprint (18 vols. in 9). Beirut: Dar al-Fikr, 1401/1981, 3.149).

Imam Baghawi records that "Malik has said, 'Shaving the mustache is an innovation (bid'a) that has appeared among people'" (*Sharh al-sunna*, 16 vols. Damascus: al-Maktab al-Islami, 1400/1980,

12.108).

Ibn Daqiq al-`Eid says: "I do not know anyone who has understood from the command to leave beards be that it is permissible to do them up so that they seem copious, as some people do" (Ibn Hajar al-`Asqalani: *Fath al-Bari bi sharh Sahih al-Bukhari*, 14 vols. Cairo: al-Maktaba al-Salafiyya, 1390/1970, 10.351).

In his commentary on *Sahih al-Bukhari*, the great Hanafi hadith Imam Badr al-Din al-`Ayni says:

If one objects: "What does 'leave beards be' mean, when 'to leave be' (*al-i`fa'*) literally means 'to make plenteous,' and there are people, who, if they were to leave their beard, following the outward sense of leave beards be, their beard would become outrageous in length and width, and look disgusting, so that the person would become a topic of conversation, or a proverb"--The reply is that it is established from the Prophet (Allah bless him and give him peace) that this hadith is conditioned by a specific context [i.e. the demand to do the contrary to what the Persians and non-Arabs did, established by the first words of the hadith], and that the amount and definition of the beard that is unlawful to leave uncut have been differed upon by the early Muslims . . . .

The meaning, in my opinion, is "as long as it does not exceed what is customary among [religious] people." `Ata' [ibn Abi Rabah, Mufti of Mecca, d. 114/732], has said, "There is no harm in trimming a little from the length and sides of his beard, if it grows large and long, in order to avoid notoriety, or if one risks being made fun of" (*Umdat al-qari sharh Sahih al-Bukhari*, 20 vols. Cairo: Mustafa Babi al-Halabi, 1392/1972, 18.76)

Imam Baghawi says: "'Leaving the beard be' means 'making it ample' (*tawfiruha*) . . . . It is related from Ibn `Umar that he used to grasp his beard with his whole hand, then remove what was in excess of that. This was also related from Abu Hurayra. Ibrahim [al-Nakha`i, d. 108/726] said, 'They [the Sahaba] used to trim their beards on the sides'" (*Sharh al-sunna*, 12.1089).

For trimming the beard, one may adduce as evidence the hadith of `Umar ibn Harun, from Usama ibn Zayd, from `Amr ibn Shu`ayb, from his father, from his grandfather, that the Prophet (Allah bless him and give him peace) "used to trim from his beard, from its sides and its length" (*Sunan al-Tirmidhi* 5 vols. Cairo n.d. Reprint. Beirut: Dar Ihya al-Turath al-`Arabi, n.d., 5.94: 2762). The last narrator in the hadith's chain of transmission, `Umar ibn Harun, is agreed-upon among most hadith Imams as being "fatally weak" (*matruk*) despite (or perhaps because of which) which, Tirmidhi mentions after citing the hadith that his own sheikh, Bukhari, had a good opinion of the narrator. The hadith perhaps remains weak, but Bukhari's opinion carries its weight. My sheikh in Shafi'i fiqh, `Abd al-Wakil Durubi used to cite it, and I have not met a single shafi'i scholar (*faqih*) who did not trim his beard to considerably less than the-handful-below-the-chin length.

The following points can be inferred from all of the above. . . :

(1) The hadiths about "Leaving the beard be" are unconditional, that is, can be read to indicate that it is obligatory not to cut the beard at all.

(2) This ruling seems to be conditioned by a number of considerations from the actual practice of the Sahaba, who were trained by the Prophet (Allah bless him and give him peace) and intimately familiar with his appearance, such as:

(a) that Ibn `Umar, one of the most learned Sahaba and keenest in following the sunna, used to cut his beard when he went on hajj or `umra, that is, presumably in anticipation of entering the ihram or "state of

pilgrim sanctity" in which it is unlawful for a Muslim to cut or otherwise remove any hairs of his beard, a situation in which a learned person could be expected to trim the maximum allowable, since he would be unable to do so (while in ihram) for some time to come. This shows that the unconditionality of the hadiths was, in Ibn `Umar's view, conditioned by trimming the beard, in all probability by instruction or example of the Prophet (Allah bless him and give him peace), since the Sahaba were all legally upright (*`udul*) by consensus (*ijma`*) of Muslim scholars, and it is inconceivable that they would institutionalize and set a precedent that was in direct defiance of a religious obligation.

(b) Imam Baghawi reports that trimming the beard was also the practice of Abu Hurayra, another of the foremost scholars of the Sahaba, and Baghawi reports from Ibrahim al-Nakha`i, the sheikh of the early Muslim community in Iraq, that the Sahaba used to trim their beards on the sides.

(c) If the earliest Muslims had all had beards down to their waists or to their knees from never cutting them, this would have been conveyed to us by hadiths, but it has not.

(3) The wisdom of letting beards be, as in the above hadith of Bukhari and Muslim, is doing otherwise than the non-Muslims. Other hadiths, related in the *Musannaf* of Ibn Abi Shayba and other sources, explicitly state that the Persians used to shave their faces and grow their mustaches long. Distinguishing ourselves from them could be accomplished with considerably less than a long beard.

(4) General Islamic values entail beauty in behavior, manners, and dress. When a man once asked if liking fine clothes and sandals was a form of arrogance, the Prophet (Allah bless him and give him peace) said, "Verily, Allah is beautiful and loves beauty" (Sahih Muslim, 1.93:91).

(5) The general Islamic demand for beauty entails refinement and moderation, at minimum meaning not to deliberately seek notoriety through one's appearance. The Prophet of Islam (Allah bless him and give him peace) has said, "Whoever dresses in a garment of notoriety in this world, Allah will dress him in a garment of humiliation on Judgement Day" (*Musnad al-Imam Ahmad*, 6 vols. Cairo 1313/1895. Reprint. Beirut: Dar Sadir, n.d., 2.139), a well authenticated (*hasan*) hadith. One's standards for this are not non-Muslims, however, as the Prophet (Allah bless him and give him peace) has said, "Whoever imitates a people is one of them" (*Sunan Abi Dawud*, 4 vols. Cairo n.d. Reprint (4 vols. in 2). Istanbul: al-Maktaba al-Islamiyya, n.d. 4.44: 4031). Rather, the standard is that of other religious Muslims.

(6) In consideration of these general values ((4) and (5)), Imam al-`Ayni above investigates the length that obliges one to cut the beard, though he reports that the earliest authorities did not agree on this.

To summarize, to have a beard is obligatory for the Muslim man. The wording of the above sahih hadith indicates it should be abundant, though this is conditioned by the *`urf* or common acknowledgement for it among religious, practicing Muslims. The early Muslims trimmed their beards, and there is not an unequivocal text (*nass*) that establishes a fixed legal limit to length and size. While the sunna is considered by many ulama to be "the handful," my own sheikhs trimmed their beards considerably closer than this, and they were ulama. It is my conviction and the premise of my approach to Islamic law that Allah will not punish the ordinary Muslim for something differed about between traditional ulama.

These considerations are particularly relevant to the circumstance that Islam has now spread to virtually every race on earth, and that genetically, not man can grow a beard like Ibn `Umar's. In my view, the differing capacities make preferable the

more general fiqh criteria of (1) having a beard, (2) "abundance" according to one's capacity, so it doesn't look like the shaving of the non-Muslims, (3) and well-keptness that accords with the general

Islamic standards of beauty (among people who are practicing Muslims) and avoidance of notoriety -- rather than a certain mandatory length. And Allah knows best. End of Nuh Keller's words.



**Q.** Is carrying a stick a sunnah? Or is it a sunnah of the khutbah only, or exclusively for the Messenger of Allaah (S)?

**Albani's answer:** It is none of these: to carry a stick is not the Sunnah, neither generally nor during the khutbah. The hadeeth,

"To carry a stick is an example of the Prophets" is fabricated, as I have explained in *Silsilah al-Ahaadeeth ad-Da'eefah*. The Prophet (S) used to have a stick which he would use as a sutrah while travelling or for the 'Eid prayer when there was no sutrah at the place of prayer. Hence, if a person needs a stick, as Allaah addresses Moosaa in the Qur'aan:

... and what is that in your right hand, O

Moosaa! He said. It is my rod, on it I lean, with

it I beat down fodder for my flock, and in it I

find other uses.(Taa Haa 20:17-18)

or due to old age, then it is undoubtedly correct to carry a stick. However, as for an ordinary person, it is in no way from the Sunnah to needlessly carry a stick, especially in an age where many people do without walking, let alone needing to carry a stick, due to

conveyance in cars, buses etc, from the means provided by Allaah.

**Shaykh Hisham says:**

Carrying a stick, staff, or cane for the adult male Muslim is by general agreement of the ulama one of the Sunan of the Prophets, peace be upon them, and in the Shafi'i and Maliki schools one of the desirable articles of the etiquette of Khutbat al-Jum`a. Imam Shafi'i carried a stick at all times in his life including when he was neither old, nor ailing, nor travelling, as Nawawi relates in the introduction to his *al-Majmu`*, and they were both more knowledgeable of the Sunna of the Prophet, blessings and peace upon him, than the one who gave the above answer. As for the statement *al-tawakku' `ala al-`asa min sunnat al-anbiya'* then al-Qari said: *kalamun sahih wa laysa lahu aslun sarih*: "It is a true statement but without an explicit basis." He continued saying that its implicit basis is the mention of Musa's staff in the Qur'an as well as the mention of the Prophet's staff in several instances in the hadith. `Ajluni mentioned this in *Kashf al-khafa'*.

The Prophet used a stick in the khutba:

1. Abu Dawud in his *Sunan* (Book of *Salat*) and Ahmad in his *Musnad* (4:212) narrate on the authority of al-Hakam ibn Hazn al-Kulafi with a good chain that the latter said: "We stayed with the Prophet a few days during which we witnessed the Jum`a Prayer. During the latter the Prophet stood leaning on a stick (*`asa*) or a bow (*qaws*), praised Allah and glorified him with a few

excellent and blessed words, then he said: "O people, you will not do, nor will you bear to do all that you have been ordered; nevertheless do as much as you can and be glad."

2. Also in the *Musnad* (4:282, 304) on the authority of al-Barra' ibn `Azib: "We were sitting in the mosque on the day of Adha and the Prophet came to us and greeted the people and said: "The first act of devotion (*nusuk*) on this Day of yours is prayer." After which he went forward and prayed two rak`at, gave salam, and then faced the people and was given a bow or a stick upon which he leaned (for his khutba). Then he praised Allah and glorified Him..." Abu Dawud (book of *Salat*) through the same authority only mentions the bow.
3. Also in the *Musnad* (4:335) on the authority of Khalid ibn Jabal al-`Adwani with a good chain: that the latter saw the Prophet in the Eastern part of the tribe of Thaqif (in Ta'if) standing and leaning on a bow or stick, at the time when he came requesting their support. Khalid said: "And I heard him recite: *was-sama'i wat-tariq* (Sura 86)."

Why was the Prophet "given a bow or a stick" before the khutba, and why did he lean on one -- or a bow -- when he addressed the people of Ta'if?

Because, as the Mu`tazila writer al-Jahiz explained in his "Book of the Staff," no self-respecting Arab ever seen addressing people in a public forum except he held a stick in his hand, which adds gravity to his appearance. This is one of the customs of the Arabs which, like the turban, the Prophet retained and made part of his Sunna.

The Prophet deliberately carried a stick during the rites of Pilgrimage:

1. On the authority of Ibn `Abbas, "The Prophet circumambulated the Holy House on the Farewell Pilgrimage on top of a camel and he was touching the Corner (the Black Stone) with a bent-headed stick (*mihjan*)" (Bukhari and Muslim, Book of hajj). Muslim reports it also through Jabir, who adds that he did so in order to be seen by the people and to be asked questions, and through Abu al-Tufayl, who says: "I saw Allah's Messenger (may peace be upon him) circumambulating the House, and touching the corner with a stick that he had with him, and then kissing the stick."
2. This example was followed to the letter by Ibn `Abbas who, on the authority of Mujahid, would hit the Black Stone with his stick and then kiss the stick. Ahmad related it in his *Musnad* with a good chain (1:338).

The Prophet was described on numerous occasions either holding a stick or stressing its symbolism or value: In the following examples, he referred to the stick carried by a Muslim as one of the signs of the approach of the Last Day; made the stick a gift of gratitude from himself and a sign between himself and one of the Companions on the Day of Resurrection; and alluded to the stick as the symbol of the finality of his Prophethood:

1. Ahmad in his *Musnad* narrates (3:89) on the authority of Abu Sa`id al-Khudri with a good chain that the Prophet said: "By the One in Whose hand is my soul, the Hour shall not rise until one of you, after leaving his family, shall hear his own sandal or whip or stick telling him what happened to his family after he left them."
2. Ahmad relates in his *Musnad* (3:496) through al-Zuhri on the authority of `Abdullah ibn Unays that after the latter went upon the Prophet's order and killed Khalid ibn Sufyan ibn Nabih, who was gathering a group to attack the Prophet, he came back and the following took place: "The Prophet walked with me then entered his house and gave me a staff saying: "Keep this, O `Abdullah ibn Unays." I went out with it among the people and they asked what was this stick. I replied that the Prophet had given it to me and ordered me to keep it. They said, "Go back and ask the Prophet about it." I went back and said, "O Prophet, why did you give me this staff?" He said, "As a sign (*ayat*) between you and me on the Day of Resurrection. Very few will be the ones

who have a staff on that Day." Ahmad continues: `Abdullah ibn Unays added the staff to his sword and was never found without it until the day he died, at which time he ordered that it be brought to him. It was put with him when he was shrouded and they were buried together. Ibn Hisham also cites it in his *Sira* (3/4:620 of the Saqqa edition) from Ibn Ishaq's narration. Haytami in *Majma` al-zawa'id* mentions that Abu Ya`la also narrated it. He said: "On of the narrators' names is missing (one of the grandsons of the Companion), but the rest of those in its chain are trustworthy." This hadith indicates the value the Arabs put on the staff in general.

a. Note that the Prophet gave specific prescriptions concerning found sticks, which shows the profusion of their usage in early Muslim society. The Prophet defended anyone from taking someone else's stick, although it is permissible to keep an unclaimed stick if found. To the effect of the prohibition Ahmad (4:221) and Tirmidhi (Book of *Qadar* in his *Sunan*) relate, both on the authority of `Abdullah ibn al-Sa'ib's great-grandfather, that the Prophet said: "Let none of you take his brother's possession whether in seriousness or in jest, and if one of you finds his brother's stick, let him return it to its owner." To the effect of the permission to keep an unclaimed stick, Abu Dawud relates in his *Sunan*, book of *luqata* ("Objects one finds"), on the authority of Jabir ibn `Abd Allah, that the Prophet allowed them to keep for their own use the stick, the whip, and the rope or the like if they find one.

1. Bukhari in his *Sahih* relates on the authority of `Ubayd Allah ibn `Abd Allah ibn `Utba that when Musaylima the Liar came to Madina, the Prophet went to see him with a stick (*qadib*) in his hand -- or a palm-tree stalk (*qit`atu jarid*) in Ibn `Abbas's account -- and spoke to him. Musaylima said to him: "If you wish, we would not interfere between you and the matter of leadership, on the condition that it be ours after you." The Prophet said: "If you asked me for this stick, I would not give it to you."

In the following examples the Prophet carries a stick but without giving it any particular significance:

1. Ibn Majah, Abu Dawud, Nasa'i in their *Sunan* (Books of *zakat*), and Ahmad in his *Musnad* (6:23, 28) relate on the authority of `A'waf ibn Malik al-Ashja'i that the Prophet came out ("into the mosque" in Abu Dawud and Ahmad) and saw that a man had hanged a bunch of grapes ("dates of inferior quality" in Abu Dawud and Ahmad). The Prophet had a stick with his hand and he began to poke and jab at the grapes saying: "If he had wished, the giver of this charity could have given better than this. Truly, the giver of this charity shall eat worthless dates on the Day of Resurrection."
2. Ahmad relates in his *Musnad* (5:253) on the authority of Abu Umamah: The Prophet came out and met us and he was leaning upon a stick (*asa*). We stood up for him and he said: "Do not stand up in the manner of the non-Arabs who adulate each other." Note that the prohibition of standing up was in relation to the intention of worldly praise. Nawawi in his *al-Rukhsa bi al-qiyam* shows that it is good to stand out of respect for an elder or a scholar. `A'isha said: "Whenever Fatima entered a room where the Prophet was sitting the latter would get up and greet her, take her hand, kiss her, and make her sit in his place; and whenever he would enter a room where she was sitting she would get up and greet him, take his hand, kiss him, and make him sit in her place." It is a sound narration related in Abu Dawud's *Sunan* (Book of *Adab*), Tirmidhi's *Sunan* (Book of *Manaqib*), and Nasa'i's *Sunan*. al-Hakim said in the *Mustadrak*: "It is a sound (*sahih*) narration according to the criteria of Bukhari and Muslim." al-Zayla'i in *Nasb al-riya* (4:258) said: "Tirmidhi said: *hadith hasan* -- a fair narration -- and in some of the manuscripts: *hasan sahih*." Ibn al-Muqri' narrates it in *al-Rukhsa* (p. 91 #26).
3. Bukhari in his *Sahih* narrates (in the Book of Commentary of the Qur'an and in the Book of *Adab*) on the authority of Abu `Abd ar-Rahman as-Sulami from `Ali, that the Prophet and some Companions were sitting in the cemetery of Baqi` after a janaza (funeral), and the Prophet began to scrape the ground with his staff (*mikhsara* or *ud*). Then he raised his head and said: "None of

you is created except his place is foreordained in paradise or in hell." It is also related in Muslim, Abu Dawud (Book of *Sunna*), and Ahmad in his *Musnad* (1:132).

4. Bukhari also relates in the Book of *Adab* of his *Sahih* on the authority of Abu Musa that the latter was in the company of the Prophet in one of the gardens of Madina and in the hand of the Prophet there was a stick (*ʿud*), and the Prophet was striking upon the water and the mud with it. A man came and asked permission to enter the garden. The Prophet said, "Open the gate for him, and give him the glad tidings that he shall enter Paradise." Abu Musa said: "I went, and behold! It was Abu Bakr. So I opened the gate for him and informed him of the glad tidings of entering Paradise."

The Companions also carried sticks:

1. Malik relates in his *Muwatta'* on the authority of al-Sa'ib ibn Yazid with a very strong chain that he said: "Umar had ordered Ubayy ibn Ka'b and Tamim al-Dari to pray eleven rak'at with the people, and the imam would read hundreds of verses, until we were leaning on our staffs because of the long duration of our standing, and we did not leave until the first glimpse of dawn."
2. Abu Dawud in the chapter entitled "Leaning on a staff during prayer" in his *Sunan* (Book of *Salat*) narrates with a chain that contains an unknown narrator from Hilal ibn Yasaf that the latter said: We went to Wabisa, and I said to my companion: "Let us observe his dignified appearance." He had a low-top *qalansuwa* (hat) with ear-coverings and a dust-colored woolen *burnus* (hooded cloak), and he was leaning on a staff while praying. After we greeted him we spoke to him and he said: "Umm Qays bint Mihsan told me that the Prophet used to lean on a pillar in his mosque after he aged and put on weight."

The hadith whereby the Prophet owned a stick which he called *al-mamshuq*, narrated by Tabarani on the authority of Ibn `Abbas, contains in its chain `Ali ibn `Urwa, who is "fatally weak" (*matruk*) according to the Imams of hadith. Yet Ibn al-Athir relates it in *al-Nihaya* (2:382) and Ibn Qunfudh in *Wasilat al-islam* (p. 122).

The above is enough evidence, al-hamdu lillah, that the stick is a customary Sunna of the Prophet and the Companions and that no one has authority in our time to deny what all ulama accepted before it. One might wonder why dissent is heard in this area, as in so many other major and minor points which the rest of Muslim scholars have settled once and for all. The following conclusion might shed some light on this strange question.

The third part of the Mu`tazili Imam al-Jahiz Mahbub al-Kinani's (d. 255) book *al-Bayan wal-Tabyin* is entitled *Kitab al-`asa* (The book of the staff) and is entirely devoted to the subject of the staff in and before Islam. The author begins his introduction by mentioning the Shu`ubiyya, a movement within the third-century Islamic community which attacked Arab customs and the paradigmatic status of Arabs as cultural examples for the rest of the Muslims. In the name of "equalization" (*taswiya*), he says, they criticized, among other things, the continued use of the staff (*mikhsara*) by Arab speakers (*khutaba'*) and in public life. To this he retorts: "**Do not give the slightest credit to those who disapprove using a stick, whether to lean upon, or to point at something, or to walk on the ground, or to speak, or on any occasion.**" (*al-Bayan wa al-tabyin*, 1313 H, p. 49)

al-Jahiz shows, through many expressions in poetry and proverbs, that the staff was used and honored in virtually every facet of daily life among the Arabs, including fighting and travelling, and that **after Islam, carrying the staff came to symbolize being a Muslim**. He says, "Many have used this line of poetry to describe Muslim speakers: "When they pound the minbar [i.e. ascend it with staff in hand] they can trace, with the end of their stick, even the defect in one's eye" (p. 50)... and it is said of someone who secedes from the Community, "So-and-so has split the staff of Muslims" (*fulanun shaqqa `asa al-muslimin*), and it is also called "the staff of Religion" (*`asa al-din*)" (p. 59).

"The Prophet, Blessings and Greetings of Allah upon him, used to address people carrying a stick, and it is enough of a proof for its great utility and exalted position. The khalifs perpetuated its use, and so did the great Muslim speakers" (p. 69).

al-Jahiz concludes his book by pointing out that the staff and the turban symbolize Islam, and by stressing the tremendous value Allah puts on outward signs: "Allah Almighty said, "Their signs are on their faces from the trace of prostration," and "We have made you nations and tribes so that you may come to know each other, and the worthiest among you are the most God-fearing." Among the Arabs, wearing a turban and carrying a staff are among the "signs." It may be that the speaker of a khutba does not wear a covering (*milhafa*) nor a robe (*jubba*) nor an ankle-length shirt (*qamis*) nor a mantle (*rida'*), but what he cannot do without is the turban (*`imma*) and the stick (*mikhsara*)." (p. 76) And this is the position of the Shafi`i madhhab in the matter, as Imam Ghazali said in the book *Jum`a* of his *Ihya'*: "It is desirable to wear the turban for Salat al-Jum`a, especially for the Imam," and Imam Nawawi in the book of *Jum`a* of his *Minhaj al-talibin*: "It is the Sunna for the Imam during the khutba... to lean on a sword, a stick, or something similar." And Allah knows best.



**Q.** Is it allowed to kiss the hand of an 'aalim? Some 'ulamaa' regard this as sort of respect.

**Albani's answer:** Kissing the hand of an 'aalim has a basis in the Sunnah; however, this basis is one of allowable action, not one of a recommended example. Nowadays in many Islaamic lands, many of the shaykhs do not know the example of the Prophet (S) of shaking hands with his Companions: as Abu Dhar said, "Whenever the Messenger of Allaah (S) met us, he would shake hands with us." These shaykhs only know how to extend their hands to be kissed; as for extending the hand to shake, they have no idea! This sort of kissing in place of shaking hands is not allowed. The Prophet (S) encouraged his ummah, "Any two Muslims who meet and shake hands before parting, their sins fall as leaves fall from a tree in autumn."

**Shaykh M. Hisham Kabbani says:**

The question is not about Muslim brothers meeting and shaking hands but about the etiquette of the ordinary Muslim meeting the older `alim or scholar of Religion. Similarly, the hadith of the Prophet's meeting the Companions and shaking hands with them does not apply as much as the hadiths of the Companions coming up to the Prophet and kissing his hand do. This is an important difference which is altogether overlooked, whether inadvertently or deliberately, in the above answer. Nor did it escape our notice that Shaykh Albani's reply declares the same thing allowed and yet not allowed at one and the same time.

As for the claim that "Nowadays in many Islaamic lands, many of the shaykhs do not know the example of the Prophet (S) of shaking hands with his Companions" and "These shaykhs only know how to extend their hands to be kissed; as for extending the hand to shake, they have no idea," then this is *iftira'* -- slanderous fabrication -- of the sort which have been unfortunately accustomed from that source, as Shaykh Hasan `Ali al-Saqqaf amply demonstrated in his compendium of Albani's insults of the `ulama entitled *Qamus shata'im al-Albani*. Let us repeat the excellent warning our master Mawlana Shaykh Nazim gave concerning the stance of "Salafis" regarding the ethics of respect in Islam: "They want to break the relationship between the Believers and their Teachers in Islam."

Allah ordered the Prophet: "Lower your wing for the believers" (15:88) from which some have inferred

the order to show courtesy to Muslims, and He said: "Who magnifies the sacred symbols of Allah, then it is better for him with his Lord" (22:30), and: "Who magnifies the symbols of Allah then it is truly from the piety of hearts" (22:32). The scholars are, after the Prophets, of the greatest symbols of Allah on earth and the receptacles of the Religion. To insult them or seek to lower their image in the eyes of Muslims is a grave sin indeed. To insult a Muslim is one of the *Kaba'ir*, then what about those who insult their teachers? To insult the awliya' is an even greater enormity, and al-Shafī'i said that the scholars are the foremost awliya'. That is why the Prophet warned strenuously against harming the rights of the scholar in Islam when he said in an authentic hadith: "Whoever does not know the rights of our scholars is not one of my Community" (which Albani authenticated in his *Sahih al-targhib* 1:44!).

The least that one may say about kissing the hand of the scholar in Islam is what Imam Ahmad said: *la ba'sa bihi*, there is no harm in it and not add to it needlessly. However, our position and that of Tamim ibn Salama, Sufyan al-Thawri, and the school of Imam Shafī'i including Bayhaqi and Nawawi is that it is Sunna and *mustahabb* as it shows the necessary *ta`zim* (magnification) and *tawqir* (reverence) of a person of religion and knowledge in Islam, and as shown by the narrations, it is closer to the practice of the Companions with the Prophet and the knowledgeable ones among themselves as well as the true Salaf.

The ruling among the authorities that kissing the hand of the scholar is *mustahabb* is categorically proven by the fact that when Imam Muslim met the Mountain of Hadith Mastership -- Imam Bukhari -- he desired to kiss not merely his hands but his feet. This was not gratuitous behavior on the part of Imam Muslim but an excellent and meritorious display of humbleness and respect on his part. They purposely imitated in this -- and Allah knows best -- Abu `Ubayda when he met `Umar ibn al-Khattab in Jerusalem, and the precedent of those two, who were of the "Ten Promised Paradise" by the Prophet is enough proof in itself that it is Sunna.

It is authentically recorded that others of the true Ahl al-hadith did this also, such as the Tabī's Khaythama ibn `Abd al-Rahman al-Ju`fi (d. 85) and Talha ibn Musarrif (d.112) kissing each other's hand, and the same Talha kissing the hand of Malik ibn Mighwal (d. 159), and Sufyan ibn `Uyayna and Fudayl ibn `Iyad kissing the hand and foot of Husayn ibn `Ali al-Ju`fi (d. 203) respectively.

Narrations of the Prophet relevant to kissing the hand of the ulama:

1. Usama ibn Sharik narrates: "I came to see the Prophet while his Companions were with him, and they seemed as still as if birds had alighted on top of their heads. I gave him my salam and I sat down. [Then Beduins came and asked questions which the Prophet answered.] ... The Prophet then stood up and the people stood up. They began to kiss his hand, whereupon I took his hand and placed it on my face. I found it more fragrant than musk and cooler than sweet water."

Ibn al-Muqri' in *al-Rukhsa* (p. 58 #2) narrates it with a chain which Ibn al-Hajar graded as "strong" (*sanaduhu qawiy*) in *Fath al-Bari* (1989 ed. 11:67) and he listed it among the "good" (*jayyid*) narrations of Ibn al-Muqri' on the topic. Imam Bayhaqi included it as part of the proofs for the fact that giving honor to the Prophet is part of faith in Chapter 15 of his *Shu`ab al-iman* entitled: The Fifteenth Branch of Faith, Namely A Chapter On Rendering Honor To The Prophet, Declaring His High Rank, And Revering Him (*al-khamis `ashar min shu`ab al-iman wa huwa babun fi ta`zim al-nabi sallallahu `alayhi wa sallama wa ijlalihi wa tawqirih*). Ibn al-Γrabi narrated it with a stronger chain yet in his book *al-Qubal*.

It is partially narrated, without the mention of the kiss, by Abu Dawud (#3855), Tirmidhi (2038 -- hasan sahih), Ibn Majah (3436), al-Hakim (4:399), and Ahmad (4:278).

2. Jabir said: "Umar ibn al-Khattab got up and kissed the hand of Allah's Messenger." Ibn al-Muqri' narrates it in *al-Rukhsa* (p. 71 #11) and although its chain contains `Ubayd Allah ibn Sa`id who is weak, Ibn Hajar included it among Ibn al-Muqri's good narrations (*min jayyidiha*) on the subject (*Fath al-Bari* 11:66).

Tabari narrates it *mursal* [missing the Companion-link] through al-Suddi in his *Tafsir* in commenting on verse 5:101: "Do not ask of things which once shown to you would hurt you" with the wording: "**Umar ibn al-Khattab got up and kissed the foot of Allah's Messenger** and said: O Messenger of Allah, we are pleased with Allah as our Lord, with Islam as our religion, and with Muhammad as our Prophet, and with the Qur'an as our Book. Forgive, and Allah will forgive you (*fa`fu `afallahu `anka*). And he did not cease until the Prophet softened."

The hadith is established as authentic by the following narrations in Bukhari's *Sahih*:

al-Zuhri said: Anas bin Malik told me: The Prophet came out after the sun passed the mid-point of the sky and offered the Zuhr prayer (in congregation). After finishing it with Taslim, he stood on the pulpit and mentioned the Hour and mentioned there would happen great events before it. Then he said, "Whoever wants to ask me any question, may do so, for by Allah, you will not ask me about anything but I will inform you of it as long as I am at this place of mine." The people were weeping profusely (because of the Prophet's anger). Allah's Apostle kept saying, "Ask Me!" Then a man got up and asked, "Where will my entrance be, O Allah's Apostle?" The Prophet said, "The Fire." Then `Abd Allah ibn Hudhafa got up and asked, "Who is my father, O Allah's Apostle?" The Prophet replied, "Your father is Hudhafa." The Prophet then kept on saying (angrily), "Ask me! Ask me!" **Umar then fell to his knees** and said, "We have accepted Allah as our Lord and Islam as our religion and Muhammad as our Apostle." Allah's Apostle became quiet when `Umar said that. Then Allah's Apostle said, "Woe! By Him in Whose Hand my life is, Paradise and Hell were displayed before me just now, across this wall while I was praying, and I never saw such good and evil as I have seen today."

Muslim's version (*Kitab al-fada'il*) adds: "There was no harder day on the Companions than that day."

Bukhari narrates it in the third chapter of *Kitab al-i'tisam bi al-kitab wa al-sunna*, entitled: "What is disliked in asking too many questions, and those who take on what does not concern them, and Allah's saying: "Do not ask about things which once shown to you would hurt you" (5:101)." (English: Volume 9, Book 92, Number 397). The *Sahih* contains other versions of this hadith such as in *Kitab al-ilm*, chapter 28: "On anger during exhortation" and chapter 29: "On kneeling before the Imam or muhaddith." (English: Volume 1, Book 3, Number 90-93), and in *Kitab mawaqit al-salat*, chapter 11: "The time of Zuhr is after the sun passes the zenith." (Volume 1, Book 10, Number 515).

Ibn Hajar in his commentary on the collated accounts of this hadith says (*Fath al-Bari* 1989 ed. 13:335):

"There is in this hadith [evidence for]:

- o the Companions' acute observation of the states of the Prophet and the intensity of their fear when he became angry, lest it result in a matter that

- would become generalized and extend to all of them;
  - `Umar's confidence in the Prophet's love (*idlal*);
  - **the permissibility of kissing the foot of a man;**
  - the permissibility of anger in exhortation;
  - the student's kneeling in front of the one who benefits him;
  - the follower's kneeling before the one followed if he asks him for a certain need;
  - the lawfulness of seeking refuge from dissension when something occurs which might result in its foreshadowings;
  - the use of pairing [subjects] in *du`a* in his words: Forgive, and Allah will forgive you (*fa`fu `afallahu `anka*)."
3. Umm Aban, daughter of al-Wazi` ibn Zari` narrated that her grandfather Zari` al-`Abdi, who was a member of the deputation of `Abd al-Qays, said: "When we came to Medina, we raced to be first to dismount and kiss the hand and foot of Allah's Apostle..." Abu Dawud narrates it in his *Sunan*, book of *Adab*. Bukhari relates from her a similar hadith in his *Adab al-mufrad*: We were walking and someone said, "There is the Messenger of Allah," so we took his hands and feet and kissed them. Ibn al-Muqri' narrates it in his *Kitab al-rukhsa* (p. 80 #20), al-Tayalisi in his *Musnad*, al-Bazzar in his *Musnad* (3:278), Bayhaqi in the *Sunan* (7:102), and Ibn Hajar in *Fath al-Bari* (1989 ed. 11:67 *Isti'dhan* ch. 28 #6265) said: "Among the good narrations in Ibn al-Muqri's book is the hadith of al-Zari` al-`Abdi." It was declared a fair (*hasan*) hadith by Ibn `Abd al-Barr, and al-Mundhiri confirmed it in *Mukhtasar al-sunan* (8:86).

Albani's lone claim in his *Da`if al-adab al-mufrad* (p. 89 #154) that Umm Aban is an unknown (*majhula*) is put to rest by the hadith master Haythami's remark in *Majma` al-zawa'id* (9:390): "Its narrators are trustworthy, as for Umm Aban, Abu Dawud narrated from her and he kept silent concerning her narration," as the silence of the Imams of hadith concerning a narrator is considered acceptance, not *tajhil*, by their vast majority. Of note also is the fact that Ibn al-A`rabi and al-Baghawi narrated the hadith in *Mu`jam al-sahaba* and they, like the totality of the hadith masters who cited this hadith, raised no doubt concerning Umm Aban. Moreover the declaration of a narration as weak on the basis of a narrator can only be done through the mention of that narrator in one of the books of the *Du`afa'* and not through any other way. These rules show why they all considered, either explicitly or tacitly, that the hadith was authentic.

4. From Safwan ibn `Asal al-Muradi: "One of two Jews said to his companion: Take us to this Prophet so we can ask him about Musa's ten signs... [the Prophet replied in full and then] they kissed his hands and feet and said: we witness that you are a Prophet..." Narrated by Ibn Abi Shayba (Book of *Adab*, Chapter entitled A Man Kissing Another Man's Hand When He greets Him), Tirmidhi (Book of *Adab*) who declared it *hasan sahih*, al-Nasa'i, Ibn Maja (Book of *Adab*), and al-Hakim who declared it sahih.
5. Burayda said: When we were with Allah's Messenger on an expedition, a Bedouin came and asked for a miracle. The Prophet pointed at a tree and said to the Bedouin: "Tell that tree: Allah's Messenger summons you." The Bedouin did, whereupon the tree swayed and brought itself out, and came to the presence of the Prophet saying: "Peace be upon you, O Messenger of Allah!" The Bedouin said: "Now let it return to its place!" When Allah's Messenger ordered it, the tree went back. The Bedouin said: "let me prostrate to you!" The Messenger answered: "If I commanded anyone to do that, I would command the wife to prostrate to her husband." The Bedouin said: "Then give me permission to kiss your hands and feet." The Prophet gave him permission.

Qadi `Iyad narrated it in *al-Shifa'* (1:299) and al-Bazzar in his *Musnad* (3:49). The editor of

Suyuti's *Manahil al-safa* (p. 124 #575) said: See *Kashf al-astar* (3:132). Ghazali cites the account of the kiss in the *Ihya'* and al-Hakim in the *Mustadrak* as well as Ibn Muqri'. Both al-Hakim and al-'Iraqi declared its chain authentic (*sahih*), as stated by al-Zabidi in his *Ithaf* (6:280) while Dhahabi declared it weak. However, Ibn Hajar included the hadith of Burayda among Ibn al-Muqri's good narrations (*min jayyidiha*) on the subject of kissing the hand, and Qadi 'Iyad also mentions a similar narration from Ibn 'Umar which Suyuti said was narrated by Darimi, Bayhaqi, and al-Bazzar with a sound chain. Qadi 'Iyad said the hadith of the tree's uprooting and coming to the Prophet is also narrated by Jabir, Ibn Mas'ud, Ya'la ibn Murra, Usama ibn Zayd, Anas ibn Malik, 'Ali ibn Abi Talib, Ibn 'Abbas, and others who all agreed on the same account and so did the Tabi'in who related it.

6. Ibn 'Umar was sent with a detachment by the Prophet. The people wheeled round in flight. He said: I was one of those who wheeled round in flight. When we stopped, we said: What should we do? We have run away from the battlefield and deserve Allah's wrath. Then we said: Let us enter Medina, stay there, and go there while no one sees us. So we came and thought: If we present ourselves before the Prophet, and if there is amnesty for us, we shall stay; if there is something else, we shall go away. So we sat down waiting for the Prophet before the dawn prayer. When he came out, we stood up to him and said: We are the ones who have fled. He turned to us and said: No, you are the ones who return to fight after wheeling away. We then approached and kissed his hand, and he said: "I am the main body of the Muslims." (*ana fi'atu al-muslimin*).

Narrated by Bukhari in his *Adab al-mufrad*, see *Bab taqbil al-yad* (Chapter on Kissing the Hand) and *Bab taqbil ar-rijl* (Chapter on Kissing the Foot), also in Abu Dawud's *Sunan* (Book of *Jihad*, chapter on desertion in the face of the enemy) -- al-'Iraqi said: "with a fair (*hasan*) chain," see Zabidi's *Ithaf* (6:280) -- also in Tirmidhi's *Sunan*, (book of *Jihad*, chapter on flight in the face of the enemy) but without mention of the kissing and he said: *hasan gharib*, also Ibn Majah's *Sunan* (Book of *Adab* #3704), Bayhaqi through al-Shafi'i in his *Sunan* (9:76-77) and in *Dala'il al-nubuwwa*, Ibn Abi Shayba in his *Musannaf* (8:749-750 *Adab*), al-Khattabi through al-Humaydi in *Gharib al-hadith* (1:331), Abu Ya'la in his *Musnad* (8:42), Ibn Sa'd in his *Tabaqat* (4:1/107) and Ahmad in the *Musnad* (2:58, 2:70) and also without mention of kissing (2:86, 2:100, 2:111). Ibn Hajar in *Fath al-Bari* (1989 ed. 11:67) cited it in his list of the narrations providing evidence for kissing the hand and he did not weaken it.

Albani alone declared the hadith weak in his *Da'if al-adab al-mufrad* on the sole grounds that all of its chains contain Yazid ibn Abi Ziad who is weak. Yet none of the masters cited above declared the hadith weak since other factors preclude it. Further, the hadith is cited in full as evidence on the rulings concerning desertion or flight in the face of the enemy: by al-Qurtubi in his *Jami' li ahkam al-qur'an* (Dar al-hadith ed. 7:365-366) and Ibn Kathir in his *Tafsir* (2:294 / 3:567) -- which would be impermissible if it were indeed weak -- as well as Suyuti in *al-Durr al-manthur* (3:174) in commentary of the verses: "When you meet the unbelievers in hostile array, never turn your backs on them. If any do turn their back on them on such a day -- unless it be in a stratagem of war, or to retreat to a troop of one's own -- he draws on himself the wrath of Allah, and his abode is the Gehenna, an evil end" (8:15-16). In conclusion it is as Tirmidhi and 'Iraqi said and as all confirmed tacitly, namely that the hadith is *hasan*.

7. A narration states that Ka'b ibn Malik al-Ansari kissed the hand and knees of the Prophet, Peace be upon him, after repenting from the charge of hypocrisy which followed his sitting out in Madina the Prophet's expedition to Tabuk. Bayhaqi in *Dala'il al-nubuwwa*, Ghazali in the *Ihya'*, and Ibn al-Muqri' in *al-Rukhsa* cite it from Ka'b with a weak chain according to al-'Iraqi: "When Allah sent down my acquittal, I came to the Messenger of Allah and kissed his hand and knee." (*lamma nuzilat tawbati ataytu al-nabi sallallahu 'alayhi wa sallam fa qabbaltu yadahu wa*

*rukbatuhu*). al-Haythami in *Majma` al-zawa'id* (8:42) also states that Tabarani narrates it (cf. *al-Kabir* 19:42) with a chain that contains a weak narrator. Nevertheless Ibn Hajar cites it (*Fath al-bari* 1989 ed. 8:155 book of *Maghazi* ch. 80) from Ibn Mardawayh without weakening it in his commentary on the long hadith of Ka`b in Bukhari (excerpted below) which provides the context of the incident:

... the period of fifty nights was completed starting from the time when Allah's Apostle prohibited the people from talking to us. When I had offered the Fajr prayer on the 50th morning on the roof of one of our houses and while I was sitting in the condition which Allah described (in the Quran) i.e. my very soul seemed straitened to me and even the earth seemed narrow to me for all its spaciousness, there I heard the voice of one who had ascended the mountain of Sala' calling with his loudest voice, 'O Ka`b ibn Malik! Good news!' I fell down in prostration before Allah, realizing that relief has come. Allah's Apostle had announced the acceptance of our repentance by Allah when he had offered the Fajr prayer. The people then went out to congratulate us. Some bringers of good tidings went out to my two fellows, and a horseman came to me in haste, and a man of Banu Aslam came running and ascended the mountain and his voice was swifter than the horse. When he (i.e. the man) whose voice I had heard, came to me conveying the good tidings, I took off my garments and dressed him with them; and by Allah, I owned no other garments than them on that day. Then I borrowed two garments and wore them and went to Allah's Apostle.

The people started greeting me in droves, congratulating me on Allah's Acceptance of my repentance, saying, 'We congratulate you on Allah's Acceptance of your repentance.' Ka`b further said, 'When I entered the Mosque. I saw Allah's Apostle sitting with the people around him. Talha bin `Ubaidullah swiftly came to me, shook hands with me and congratulated me. By Allah, none of the Emigrants got up for me except him (i.e. Talha), and I will never forget this for Talha.' Ka`b added, 'When I greeted Allah's Apostle he, his face being bright with joy, said "Be happy with the best day that you have got ever since your mother delivered you." Ka`b added, "I said to the Prophet 'Is this forgiveness from you or from Allah?' He said, 'No, it is from Allah.' Whenever Allah's Apostle became happy, his face would shine as if it were a piece of moon, and we all knew that characteristic of him. When I sat before him, I said, 'O Allah's Apostle! Because of the acceptance of my repentance I will give up all my wealth as alms for the Sake of Allah and His Apostle. Allah's Apostle said, 'Keep some of your wealth, as it will be better for you.' I said, 'So I will keep my share from Khaibar with me,' and added, 'O Allah's Apostle! Allah has saved me for telling the truth; so it is a part of my repentance not to tell but the truth as long as I am alive. By Allah, I do not know anyone of the Muslims whom Allah has helped foretelling the truth more than me. Since I have mentioned that truth to Allah's Apostle till today, I have never intended to tell a lie. I hope that Allah will also save me (from telling lies) the rest of my life. So Allah revealed to His Apostle the Verse:

"Verily, Allah has forgiven the Prophet, the Muhajirin (i.e. Emigrants (up to His Saying) And be with those who are true (in word and deed)." (9.117-119)

By Allah, Allah has never bestowed upon me, apart from His guiding me to Islam, a Greater blessing than the fact that I did not tell a lie to Allah's Apostle which would have caused me to perish as those who have told a lie perished, for Allah described those who told lies with the worst description He ever attributed to anybody else. Allah said:-- "They (i.e. the hypocrites) will swear by Allah to you when you return to them (up to His Saying) Certainly Allah is not pleased with the rebellious people" (9:95-96). Ka`b added, "We, the three persons, differed altogether from those whose excuses Allah's Apostle accepted when they swore to him. He took their pledge of allegiance and asked Allah to forgive them, but Allah's Apostle left our case pending till Allah gave

His Judgment about it, regarding which Allah said: "And to the three whose case was delayed." (9:118)

What Allah said (in this Verse) does not indicate our failure to take part in the Ghazwa, but it refers to the deferment of making a decision by the Prophet about our case in contrast to the case of those who had taken an oath before him and he excused them by accepting their excuses.

al-Zabidi, Ghazali's commentator, says that Ka`b was one of the Ansar who had stayed behind in the campaign of Tabuk -- eighty-odd individuals according to the hadith of Ka`b in Bukhari. However, the repentance is from the charge of *nifaq*, not from staying behind during a campaign, and this is explicated by Ka`b himself in the last words of Bukhari's narration. The incident is alluded to in the verse: "And to the three whose case was delayed until the earth seemed straitened for them for all its spaciousness, and their very lives seemed straitened for them, until they realized that there was no recourse from Allah except to Him, then He relented towards them so that they repented. He is Oft-Returning, Most Merciful." (9:118)

8. `Ubada ibn al-Samit said: The Prophet said: "He is not of my Community / He is not one of us who does not give respect to our elders or does not show mercy to our little ones or does not recognize the rights of our scholars."

An authentic hadith narrated by Ahmad in his *Musnad* (5:323), al-Hakim in *al-Mustadrak* (1:122) -- al-Dhahabi agreed with him on the authentication of the hadith, -- and Tabarani in *al-Mu`jam al-kabir*. al-Haythami in *Majma` al-zawa'id* (1:127, 8:14) said its chain was fair (*hasan*). So did al-Mundhiri in *al-Tarhib wa al-tarhib* (1:125). Shaykh Albani the leader of the "Salafis" said one time that it was sound (*sahih*), and one time that it was fair (*hasan*), respectively in *Sahih al-tarhib* (1:44) and *Sahih al-Jami` al-saghir* (5:103)! al-Ajurri (d. 360) cited it in *Akhlaq ahl al-Qur'an*, 2nd ed., ed. Muh. `Amr ibn `Abd al-Latif (Beirut: dar al-kutub al-`ilmiyya, 1407/1987) p. 136-137. al-Hakim said: "He is not one of us" means: He is not on our path nor does he follow our guidance. Tirmidhi in the *Sunan* (3:216) said: Some of the scholars said it means: He is not of our Sunna, and: He does not follow our etiquette (*adab*).

9. Kathir ibn Qays said: "I was sitting with Abu al-Darda' in the mosque of Damascus. A man came to him and said: Abu al-Darda', I have come to you from the city of Allah's Messenger for a narration I have heard that you relate from the Prophet. I have come for no other purpose." He said: I heard Allah's Messenger say: "If anyone travels on a road in search of knowledge, Allah will cause him to travel on one of the roads of Paradise, the angels will lower their wings from good pleasure with one who seeks knowledge, and the inhabitants of the heavens and the earth and the fish in the depth of the water will ask forgiveness for the learned man. The superiority of the learned man over the ordinary believer is like that of the moon on the night when it is full over the rest of the stars. The learned are the inheritors of the Prophets, and the Prophets have neither dinar nor dirham, leaving only knowledge, and he who takes it takes an abundant portion." Abu Dawud narrated it in his *Sunan* as the first hadith of the book of *Ilm*, also Ibn Majah and Darimi in the *muqaddima* of their *Sunan*, all of them with a weak chain which, however, is strengthened by the fact that Bukhari in his *Sahih*, Tirmidhi in his *Sunan*, Ahmad in his *Musnad*, Bayhaqi in his *Sunan* all narrate various parts of this hadith.

### **Narrations of the Companions and their explicit practice of kissing the hand:**

1. Tamim ibn Salama relates with a chain of trustworthy narrators that Abu `Ubayda ibn al-Jarrah kissed `Umar's hand when the latter came to Damascus, after which they both began to weep. Tamim said: "Therefore they considered that kissing the hand is Sunna," and in another version:

"Kissing the hand is Sunna," and in another: "Kissing is Sunna."

Ibn Abi Shayba narrates it in his *Musannaf* (8:750 *Adab*), Bayhaqi in his *Sunan* (7:101 *Nikah*), both from Sufyan al-Thawri who narrated it in his *Jami`*. Ibn al-A`rabi mentions it in the *Siyar* (1:15). Abu Nu`aym also mentions it but through another chain. Ahmad cites it in *Kitab al-wara`* (p. 113 #510). Bayhaqi narrates it in his *Kitab al-adab* (p. 181 #296). Ghazali in his *Ihya'* also cited it. Ibn Taymiyya cites it as evidence in the *Mukhtasar al-fatawa al-misriyya* (p. 563-564). The meaning of Tamim's comment is that these two are of the Ten who were given the glad tidings of Paradise, and they would not have done it if it were not the Sunna.

Muhammad ibn Ahmad al-Minhaji al-Suyuti (d. 880) cites it in his book *Ithaf al-akhissa bi fada'il al-masjid al-aqsa* (p.231) but his version states that Abu `Ubayda ibn al-Jarrah extended his hand to shake the hand of `Umar and `Umar extended his hand, whereupon Abu `Ubayda descended to kiss it wishing to magnify him among the people. At this `Umar descended to the foot of Abu `Ubayda and kissed it.

2. al-Shu`bi narrates -- and also Hammad ibn Salama from `Ammar ibn Abi `Ammar -- that Zayd ibn Thabit intended to go on a trip, whereupon the young `Abd Allah ibn `Abbas stood humbly at his side and taking hold of the reins of his mount adopted the attitude of a humble servant in the presence of his master. Zayd said to him: "Don't, O cousin of the Prophet." "Thus we were commanded to treat our ulama and elders," was `Abd Allah's reply. Zayd said to him in turn: "Let me see your hand." Abdullah stretched out his hand. Zayd, taking it, kissed it and said: "Thus we were commanded to treat the members of the household of the Prophet." al-Abhari and Ghazali mention it, and the latter adds that `Umar once helped Zayd Ibn Thabit to mount his camel by holding his foot, and said to the onlookers: "Do the same." al-Zabidi (Ghazali's commentator) said: "I.e. with your `ulama'."

Narrated by al-Khatib in *al-Faqih wa al-mutafaqqih* (2:99), Bayhaqi in *al-Madkhal* (p. 137), and Ibn Sa`d in his *Tabaqat* (2:360) from Abu Nu`aym with a sound (*sahih*) chain according to Ibn Hajar in *al-Isaba* (1:561 "Zayd ibn Thabit"). Also by Tabarani and Ibn al-Muqri' in his *Rukhsa* (p. 95 #30), Tabari in his *Tarikh* (11:57, *al-Fath*), and Ibn `Asakir in his *Tarikh* in the biography of Zayd.

3. Bukhari in his *Adab al-Mufrad* narrates from `Abd al-Rahman ibn Razin that one of the Companions, Salama ibn al-Akwa`, raised his hands before a group of people and said: "With these very hands I pledged allegiance to the Messenger of Allah," upon hearing which all who were present got up and went to kiss his hand and he did not object.

Ibn al-Muqri' narrates it in his *Rukhsa* (p. 72 #12). Narrated with a good chain by Ahmad in his *Musnad* (4:54-55). Ibn Hajar in *Fath al-bari* (11:57) declared its chain good (*jayyid*), and Haythami in *Majma` al-zawa'id* (8:42) declared its narrators all trustworthy, while Albani declared Bukhari's hadith fair (*hasan*) in his *Sahih al-adab al-mufrad* (p. 372 #747)!

4. Abu Malik al-Ashja`i said that he once asked another Companion of the Tree, Ibn Abi Awfa, "Give me the hand that swore allegiance to the Allah's Messenger, that I may kiss it." Ibn al-Muqri' related it with a sound chain.
5. Bukhari in *al-Adab al-mufrad* also relates with a sound chain that Suhayb the freedman of al-`Abbas saw Sayyidna `Ali kiss the hand and feet of the Prophet's uncle al-`Abbas and said to him: "O Uncle! Be pleased with me." al-Muqri' also narrates it through Sulayman ibn Ayyub and through a third chain from his shaykh al-Tahawi in *al-Rukhsa fi taqbil al-yad* (p. 73 #13, p. 76 #15).

Albani in his book *Da`if al-adab al-mufrad* (p. 89 #155) declared it weak claiming that Suhayb is "not known" (*ghayr ma`ruf*) as a narrator. However, Ibn Hibban accepted him as trustworthy and al-Dhahabi did not contradict him, and even if this were not the case, how could Suhayb be "not known" as a narrator when the trustworthy narrated from him, such as Abu Salih Dhakwan, al-Mujmir Nu`aym ibn `Abd Allah, Shu`ba, `Amr ibn Murra, al-Tahawi, and others? Sakhawi said in *Fath al-mughith* (p. 137): Daraqutni said: "One from whom two trustworthy narrators (*thiqatan*) take hadith, his state of "unknownness" (*jahalatuhu*) is lifted, and his credibility is established." The same was declared by al-Dhuhli ("if two or more narrate from him") and Ibn `Abd al-Barr ("three or two") as stated respectively by al-Khatib in *al-Kifaya* (p. 88), and in Ibn `Abd al-Barr's commentary on Malik's *Muwatta'* entitled *al-Istidhkar* in the chapter entitled *Tark al-wudu' mimma massathu al-nar*.

Furthermore the position of the majority of the authorities of hadith is that short of the explicit mention of a narrator as *da`if* in the books of weak narrators, such a narrator is considered trustworthy. This was the method followed or declared explicitly by the hafiz Haythami, Ibn Daqiq al-`Id, al-Mundhiri, al-Zayla`i, Majd al-Din Ibn Taymiyya (the grandfather), al-Dhahabi, Ibn `Abd al-Hadi, Ibn Qayyim, Ibn Kathir, al-Zarkashi, Shawkani, Ibn Hajar al-`Asqalani, and Sakhawi in their books, and among contemporary scholars: Shaykh Ahmad Shakir, Shaykh Zafar Ahmad al-Tahanawi, Shaykh Habib al-Rahman al-A`zami of India, Shaykh Muhammad `Abd al-Rashid al-Nu`mani of Karachi, Shaykh Muhammad Taqi al-`Uthmani of Karachi, Shaykh Isma`il al-Ansari of Riyadh, and Shaykh `Abd Allah ibn al-Siddiq al-Ghumari, as shown by the late Shaykh `Abd al-Fattah Abu Ghudda -- rahimahullah -- in his marginalia on `Abd al-Hayy Lucknawi's *al-Jarh wa al-ta`dil* (p. 232-248). How then could the entire narration be declared as weak by Albani on the sole basis of an incorrect grading of Suhayb? Rather, according to the above criteria, Suhayb is a reliable narrator, the chain is sound, and the hadith is authentic, and Allah knows best.

6. Bukhari in the *Adab al-mufrad*, Ahmad in his *Musnad* (3:111), and Ibn Abi `Umar al-Adani in his *Musnad* (#19) also narrate through Sufyan ibn `Uyayna that Thabit al-Bunani the Tabi`i would come to Anas and kiss his hand because it had touched the Prophet's hand. Ibn al-Muqri' cites it in *al-Rukhsa* (p. 79 #19). The ruling by Albani that this narration is weak (cf. his *Da`if al-adab al-mufrad* p. 88 #153) is rejected, since the account is confirmed by the following three sound narrations and therefore it is *sahih li ghayrih*.
7. Jamila, Anas iMalik's freedwoman and the mother of his child, relates that Anas would say whenever Thabit visited him: "O *jariya*, bring me some perfume for my hand, because whenever Thabit comes he does not accept not to kiss my hand and he says: It is a hand that touched the hand of Allah's Messenger."

Narrated with a sound (*sahih*) chain by Ibn al-Muqri' in *al-Rukhsa* (p. 68 #7), al-Musili in his *Musnad*, and Abu Nu`aym in *Hilyat al-awliya'* (2:327) under Thabit al-Bunani's biography.

This hadith constitutes an important basis for the merit of companionship with those who kept companionship with the Prophet. This derivation of blessing undoubtedly continues in our time uninterrupted. As the Prophet said: *tuba li man ra'ani wa li man ra'a man ra'ani wa li man ra'a man ra'a man ra'ani*. "Blessed is the one who saw me, and the one who saw the one who saw me, and the one who saw the one who saw the one who saw me." Albani included it among the sound narrations of his *Silsila sahiha* (#1254)! That this blessing still applies in our time is proven by the similar narration: *tuba li man ra'ani wa amana bi marratan wa tuba li man lam yarani wa amana bi sab`a marrat*. "Blessed once is the one who saw me and believed in me, and blessed seven times is the one who did not see me and believed in me." Narrated with a sound chain by Ibn Hibban in his *Sahih*, Ahmad in his *Musnad* (3:71, 5:248, 5:264), al-Hakim in

his *Mustadrak*, Tabarani in *al-Kabir* (8:311), Haythami in *Majma` al-zawa'id* (10:20, 10:67) and others.

That Anas scented his hand for greeting others is confirmed by Bukhari's narration in *al-Adab al-mufrad* with a sound chain from Thabit al-Bunani whereby: "Whenever Anas rose in the morning he would daub his hand with perfume for shaking hands with his brothers." Albani included it in his *Sahih al-adab al-mufrad* (p. 388 #774) and said: *sahih al-isnad!*

8. Mubarak ibn `Aqil Abu Sakhr said: I heard Thabit al-Bunani say: Whenever I visited Anas ibn Malik I would take his hand and kiss it and say: "My father for these two hands which touched Allah's Messenger!" Then I would kiss his eyes and say: "My father for these two eyes which saw Allah's Messenger!"

al-Haythami in *Majma` al-zawa'id* (9:325) said: "Its narrators are those of the *sahih* narrations [i.e. retained by Bukhari and Muslim], except Abu Bakr al-Muqaddami, and he is trustworthy (*thiqa*)." That is: the chain is sound. Ibn al-Muqri' narrates it partially in *al-Rukhsa fi taqbil al-yad* (p. 78 #18).

The Prophet spoke of Thabit's example when he said: "Among those of my Community who love me most intensely are certain people who will come after me and who would give away their family and property in exchange for seeing me." Muslim narrated it in his *Sahih*, book of "Paradise and its bliss and people."

9. Hammad ibn Salama narrated from Thabit al-Bunani that Anas gave an apple to Abu al-`Aliya one of the Tabi`in narrators of sound hadith -- who began to turn it in his hands and kiss it and place it against his face, saying: "An apple which touched the hand which touched the Prophet's hand."

Narrated with a sound chain by Ibn al-Γrabi in his book *al-Qubal* as well as Ibn `Asakir in his *Tarikh* (8:331 *Mukhtasar*).

### **Fatawa and practices of the Tabi`in and major `ulama on kissing the hand of the `alim or the just leader of the Muslims:**

1. 1. Khaythama (d. 85)

Talha ibn Musarrif (d. 112)

Malik ibn Mighwal (d. 159): Malik heard from Talha: "Khaythama [ibn `Abd al-Rahman al-Ju`fi] kissed my hand" and Malik added: "And Talha kissed my hand."

Ibn Abi Shayba in the *Musannaf* (8:750) and Ibn al-Γrabi in *al-Qubal* narrate it from Sufyan ibn `Uyayna with a sound chain.

2. Tamim ibn Salama (d. 100): It is Sunna. See his narration above.
3. al-Hasan al-Basri (d. 110): It is *ta`a* (and act of obedience to Allah - Ibn Muflih, *al-Adab* 2:271).
4. Sufyan al-Thawri (d. 161): It is Sunna (Ibn al-Muqri' *al-Rukhsa* p. 70 #10 through Abu Hatim al-Razi); *la ba'sa bih* (Ahmad, *al-Wara`* #512).
5. Malik (d. 179): *ankarahu* -- he condemned it in a worldly context; however, he deemed it *ja`iz* - - permissible for the pious scholar. Related by Ibn Battal and al-Abhari as well as Ibn Hajar.
6. Musa ibn Dawud al-Dubbi (d. 217) said: "I was with Sufyan ibn `Uyayna (d. 198) when Husayn ibn `Ali al-Ju`fi (d. 203) came, whereupon Sufyan stood up and kissed his hand."

Narrated with sound chains by Ibn Sa'd in his *Tabaqat* (6:397 "Husayn al-Ju'fi") and Ibn al-Frabi in *al-Qubal*. Also al-Mizzi in *al-Tahdhib* (6:452) and al-Dhahabi in the *Syar* (9:398).

7. Sufyan ibn `Uyayna and Fudayl ibn `Iyad (d. 187) kissed the hand and foot of Husayn ibn `Ali al-Ju'fi respectively.

Ibn Muflih relates it in *al-Adab al-shar`iyya* (2:272) from Ibn al-Jawzi in his *Manaqib ashab al-hadith*.

8. Sulayman ibn Harb (d. 224): It is the minor prostration (*al-sajda al-sughra*). I.e. it is disliked. (Ahmad, *al-Wara`* #513).
9. Ahmad (d. 241): *la ba'sa bih* -- there is no harm in it. *Kitab al-wara`* (p. 113 #509-510), and Ibn Muflih, *al-Adab* (2:270).
10. Imam Muslim (d. 261) when he met Imam Bukhari (d. 256) said to him:

*Da`ni hatta uqabbila rijlayka ya ustadh al-ustadhayn*

"Let me kiss your feet, O professor of the two professors."

It is narrated by al-Khatib in his *Tarikh* (13:102), al-Hakim in *al-Tarikh* and *Ma`rifat `ulum al-hadith*, Bayhaqi in *al-Madkhal*, Ibn Hajar in *Hadi al-Sari* (p. 488) and his *Nukat* (2:717-719), as well as al-Subki in the chapter of Bukhari in *Tabaqat al-shafi`iyya*, and Ibn al-Muqri' (d. 381) in the introduction to his *al-Rukhsa fi taqbil al-yad* (Riyad ed. 1987).

11. Ibn Battal (d. 449): *mustahabb* -- desirable. Related by Ibn Hajar in *Fath al-Bari* (1989 ed. 11:67).
12. Ghazali (d. 505): *la ba's*. *Ihya' `Ulum ad-din* (*Kitab al-adab*).
13. Nawawi (d. 676): *mustahabb* -- desirable. *Fatawa* & Ibn Hajar's *Fath al-bari* 11:67.
14. al-Zayla'i al-Hanafi (d. 742) in *Tabyin al-haqaiq : sharh Kanz al-daqa'iq* (6:25) [a commentary on Nasafi (d. 709)] said:

In [Muhammad ibn Hasan al-Shaybani's] *al-Jami` al-saghir*: "It is disliked that the man kiss the mouth of another man, or his hand, or any other part of him, or that he hug him." Tahawi said that this is the saying of Abu Hanifa and Muhammad while Abu Yusuf said: *la ba'sa bi al-taqbil wa al-mu`anaqa*: "There is no harm in kissing and hugging." They said that the divergence is only insofar as they are unclothed other than with a lower garment: otherwise then there is no harm in it by consensus. That is what the Shaykh chose in his *Mukhtasar*, while Imam Abu Mansur al-Maturidi eliminated the discrepancy by saying that what is disliked is what is done for the purpose of pleasure (*shahwa*), while what is done out of piety (*birr*) and courtesy (*ikram*) then it is allowed (*ja'iz*). The Sun of Imams, al-Sarakhsi (d. 490) and some of the late authorities allowed the kissing of the scholar's hand and that of the Godwary man (*al-mutawarri`*) for the purpose of deriving blessing (*`ala sabil al-tabarruk*)... and Sufyan al-Thawri said: Kissing the scholar's or the just sultan's hand is a Sunna."

15. Hafiz al-Dhahabi (d. 748) writes in the compendium of his shaykhs entitled *Mu`jam al-shuyukh* (1:73) in the entry devoted to his shaykh Ahmad ibn `Abd al-Mun`im al-Qazwini (#58): "The Companions saw the Prophet with their very eyes when he was alive, enjoyed his presence directly, kissed his very hand, almost fought with each other over the remnants of his ablution water, shared his purified hair on the day of the greater Pilgrimage, and even if he spat it would virtually not fall except in someone's hand so that he could pass it over his face.... Don't you see

what Thabit al-Bunani did when he kissed the hand of Anas ibn Malik and placed it on his face saying: "This is the hand that touched the hand of Allah's Messenger"? Muslims are not moved to these matters except by their excessive love for the Prophet, as they are ordered to love Allah and the Prophet more than they love their own lives, their children, all human beings, their property, and Paradise and its maidens. There are even some believers that love Abu Bakr and `Umar more than themselves... Don't you see that the Companions, in the excess of their love for the Prophet, asked: "Should we not prostrate to you?" and he replied no, and if he had allowed them, they would have prostrated to him as a mark of utter veneration and respect, not as a mark of worship, just as the Prophet Yusuf's brothers prostrated to Yusuf." End of Dhahabi's words in *Mu`jam al-shuyukh al-kabir*.

16. Ibn `Abidin al-Hanafi (d. 1252) said in *Hashiyat radd al-muhtar `ala al-durr al-mukhtar* (5:244-246): "There is no harm in kissing the scholar's hand and that of the Godfearer man for the purpose of deriving blessing, and it has been said that it is Sunna. Kissing the scholar's and the Godfearer man's head is better... Kissing the hand of one's friend upon meeting him is disliked by consensus. As for kissing the ground in front of the ulama or dignitaries it is forbidden (*haram*), and both the doer and the one who approves it commit a sin, because it resembles idol-worship."
17. Ibrahim ibn Muhammad al-Bajuri al-Shafi'i (d. 1276) in his supercommentary on al-Ghazzi's (d. 917) commentary on Abu Shuja` (Ahmad ibn al-Husayn al-Asfahani) entitled *Hashiyat al-bajuri `ala sharh ibn al-qasim al-ghazzi `ala matn abi shuja`* (2:116) said: "Kissing the righteous man's hand, the scholar's, and the ascetic, is Sunna, while kissing the hand of the rich or influential man is disliked. It is narrated: Whoever abases himself for a rich man because of his wealth, two thirds of his religion have left him."

To conclude: Allah said: "Above every knowledgeable one there is one with more knowledge" (12:76). Respect for the people of knowledge in Islam, the `ulama and shaykhs, is based upon the recognition that they stand above us by virtue of their effort (*ijtihad*) and renunciation of worldly pursuits (*zuhd*) towards the acquisition of the Highest Knowledge (*al-ilm*). The above verse shows that there are innumerable ranks and levels of knowledge in the sight of Allah.

The divine warning for every individual to know his ignorance in relation to one more knowledgeable is uttered in the Qur'an in the form of a rhetorical question: "Are the knowledgeable equal with the ignorant?" (39:9) Of course they are not. Allah further addresses the ignorant by telling them to ask those who know: "Ask the People of Remembrance if you do not know" (16:43). One cannot ask sincerely and at the same time claim equal status with the one who knows, or grudge him respect under a false notion of egalitarianism. Respect for the people of knowledge is therefore of the foundation of religion, because knowledge is the foundation of religion, and has been handed down from the more knowledgeable to the less knowledgeable from the time of the Prophet when he gave it to the Companions.

Shaykhs and `ulama are the guardians of the Islamic knowledge of preceding generations. As such they should be respected and obeyed, and even cherished and venerated by Muslims as they have been traditionally in fourteen centuries of Islamic culture. Kissing their hand is but an elementary and ordinary outward sign of such ethics. Their fellowship should be sought, their advice heeded, and their du`a requested, because all three are ways of receiving mercy from Allah Most High. They should receive every mark of courtesy and every affordable service, for even a kind look towards a `alim's face will receive its reward. It is the mark of the enemies of Islam, not of Muslims, to injure the honor and rank of the ulama or abolish it. Therefore those who scoff at the ranks or grades given by Allah to His ulama, and grudge them their extra respect, and consider them the same as ordinary people, are only injuring

themselves and those who imitate them. And Allah knows best.



**What is meant in the aayah LA YAMASSUHU ILLAAL MUTAHHAROONA (Sooratul-Waaqi'ah, aayah 79), and**

**what is the ruling regarding taking the Qur'aan to the land of the unbelievers?**

**Albani says:** What is referred to in the aayah is the angels, and it is Allaah's informing us of these angels. It does not refer to the Qur'aan but to the 'Lawhul-Mahfoo' (Preserved Tablet). So this mushaf in the Preserved Tablet is only touched by the Purified Ones, who are the nearest angels. As for the mushaf which is with us, then it is touched by the righteous, the wicked, the believer and the unbeliever. So Allaah ta'aala does not refer here to the people, good and bad, but to the nearest angels.... We find that some of the companions preferred to have wudoo' to touch the Qur'aan - so that shows what is preferable - but to make it obligatory and to say that it is forbidden for a woman in her period to touch the Qur'aan - then that has no proof at all.

**Shaykh Hisham Kabbani says:** Rather, it is the position of `Ali ibn Abi Talib, Sa`d ibn Abi Waqqas, `Abd Allah ibn `Umar, and the majority of the *fuqaha'* that wudu' is required to touch the Qur'an, and that touching it without wudu' is not permitted with any part of the body whatsoever. This is reported by Nawawi in *al-Majmu`* (1:504, 2:80) and Shawkani in *Nayl al-awtar* (1:207), although the latter also reports that Ibn `Abbas allowed it among the Companions and al-Shu`bi, al-Dahhak, and Zayd ibn `Ali among the Tabi`in.

Ishaq ibn Rahawayh reported from Imam Ahmad, "it is a *sunna masnuna*" (definite Sunna) that one without wudu' is NOT to read from the Qur'an only because he might touch it. This is proven by the fact that Imam Ahmad had been seen reading from the Qur'an without being in a state of purity, but he did not touch it, rather, he flipped its pages with a stick or a reed. al-Ajurri (d. 360) narrated both reports in *Akhlaq ahl al-Qur'an* (p. 148 #71-72) from al-Marwazi.

As for the verse quoted, then the verb in that verse is not an indicative statement but an order, as stated in many of the commentaries and confirmed by the following narration from the Prophet: "No one touches the Qur'an except those in a state of purity." (*la yamass al-qur'ana illa tahir*). Narrated through various chains by Malik in the Muwatta', chapter entitled: The Prophet's order of wudu' for one who touches the Qur'an; also: al-Darimi in the Sunan, Ibn Hibban in his *Sahih*, al-Hakim in the *Mustadrak* and he said it is *sahih*, `Abd al-Razzaq in his *Musannaf* (#1328), Abu Dawud in *al-Marasil*, Tabarani and Bayhaqi, and others.

Hafiz al-`Ayni in *al-Binaya `ala al-hidaya* (1:648) said: "It is narrated by five of the Companions. They are:

- `Amr ibn Hazm
- `Abd Allah ibn `Umar
- Hakim ibn Hizam
- `Uthman ibn Abi al-`As
- Thawban."

Abu `Ubayd al-Qasim ibn Sallam [d. 224] mentioned it in his book *Fada'il al-qur'an* (p. 57 ch. 10, p. 244 ch. 67) and also narrated from `Abd Allah ibn `Umar that "he did not take the mushaf in his hand except in a state of purity." It is thus narrated in Ibn Abi Shayba's *Musannaf* (1:104), al-Jassas's *Ahkam al-Qur'an* (3:416), Ibn Qudama in *al-Mughni* (1:147), and Nawawi in *al-Majmu`* (2:80).

As for the claim that there is "no proof at all for a woman in her period not to touch the Qur'aan," then this is false as stated by Baghawi from Sufyan al-Thawri and others in *Sharh al-Sunna* (2:43) and by all those whose position is that purity is required to touch the Qur'an according to the hadith quoted above, and as Shawkani stated in *Nayl al-awtar* (1:206) it is the consensus (*ijma`*) of Muslims with the sole dissent of Dawud al-Zahiri, that the *junub* or person in a state of major impurity is forbidden to touch the

mushaf.



## CONCERNING PRAYER IN JAMAA'AH:

**Albani says:** Prayer in Jamaa'ah is acceptable only if he prays it with the Muslim Jamaa'ah in the mosque - since Allaah ta'aalaa did not only order Prayer but also added to it - And bow down your heads with those who bow down (in worship). [2:43] - and he is not allowed to suffice with praying in his home and leave the Jamaa'ah of the Muslims. And the Messenger (S) ordered every fit and well Muslim to pray in the Mosque and desired to burn those who remained in their houses - as occurs in 'Saheeh al-Bukhaaree' and 'Saheeh Muslim' from Aboo Hurairah (R). He (S) did not burn the houses because of the presence of women and children on whom Prayer in the mosque is not obligatory.

**Shaykh Hisham Kabbani replies:** The above is by and large incorrect, as the Prophet did not desire to buthe Muslims who remained in their houses, but those known to be hypocrites. This is established by those who have explained this hadith in detail and in the light of all its narrations and other similar narrations, such as Ibn Hajar in Fath al-Bari and Shawkani in Nayl al-awtar. As for the hadith of not burning the houses because of women and children it is da`if as stated by Shawkani. Finally, the majority of the scholars regard prayer in Jama`a a strong Sunna, not an obligation. Shawkani said: "It [Jama`a prayer] is neither a fard `ayn nor a Fard kifaya nor a condition for the validity of one's salat." *Nayl al-awtar* 3:129.

In the book *The Night Prayer / Qiyam and Tarawih*, based on writings by Albani and others, the following is found:

### PLACE FOR I'TIKAAF -----

#### A Mosque Of Jumu'ah

I'tikaaf may only be performed in a masjid, as is indicated in the above aayah from al-Baqarah (2:187). Also, Aa'ishah (radhi Allaahu 'anhu) said:

It is recommended for the one performing i'tikaaf not to leave (the masjid) except for an essential need, not to visit a sick person, and not to touch or sleep with his wife. I'tikaaf may only be performed in a masjid where the jama'ah prayer is performed [or where Jumu'ah (Friday prayer) is offered]. And it is recommended for the one performing i'tikaaf to fast." [1]

Thus, i'tikaaf must be performed in a masjid where the Jumu'ah is held. This insures that one would not need to exit from it to attend the Jumu'ah prayer, which is an obligation on him.

[1] Recorded by al-Bayhaqee with an authentic chain of narrators, and Abu Daawood with a good chain. The part between square brackets is from the latter.

#### The Three Sacred Mosques

A clear authentic hadeeth further restricts the masjids in the above aayah (2:187) to only three: al-Masjid ul-Haraam (the Sacred Mosque of Makkah), al-Masjid un-Nabawee (the Prophet's mosque at al-Madeenah), and al-Masjid ul-Aqsaa (the Furthest Mosque at Jerusalem).

A group of people performed i'tikaaf in a masjid between the houses of 'Abdullaah Bin Mas'ood and

Aboo Moosaa al-Ash'aree in al-Koofah. So, Hudhaifah (radhiAllaahu 'anhu) asked Ibn Mas'ood (radhiAllaahu 'anhu):

"Do you hold the opinion that it is permissible to perform i'tikaaf (at the masjid) between your house and Aboo Moosaa's? You know that the Prophet (sallallaahu 'alaihi wa sallam) said:

**I'tikaaf should not be performed except in the Three Masjids."**

Ibn Mas'ood replied:

"You may have forgotten (the meaning), and they (who are performing i'tikaaf at the other masjid) remembered. Or you may be mistaken, and they be right!" [1]

Ibn Mas'ood's response indicates that he does not deny the authenticity of this hadeeth, but is only uncertain of its correct meaning. The truth in this case is to adhere to the apparent meaning of this hadeeth.

A number of scholars among the Salaf have adhered to the text of this hadeeth; among them are Hudhaifah Bin al-Yamaan (radhiAllaahu 'anhu), Sa'eed Bin al-Musayyib, and A'taa (although A'taa did not mention al-Aqsa). Others among the Salaf hold the opinion that i'tikaaf may be performed at any masjid of Jumu'ah.

**At Home?**

Some scholars say that one may even perform i'tikaaf at the part of one's home which is designated as prayer-place.

It is obvious that one should follow the opinion that agrees best with the authentic hadeeth. And Allaah (Subhaanuwata'ala) knows best.

[1] Recorded by at-Tahaawee in *Mushkal ul-Aathar* (4:20), Adh-Dhahabee in *Siyaru A'laam in-Nubalaa* (15:81), al-Ismaa'eelee, and al-Bayhaqee in *as-Sunan* (3:316), with an authentic chain from Hudhaifah Bin al-Yamaan (radhiAllaahu 'anhu); it is proven authentic by adh-Dhahabee and al-Albaanee in *Silsilat ul-Ahaadeeth is-Saheehah* (No. 2786).

Excerpted from *The Night Prayer / Qiyam and Tarawih*, a compilation from works by Muhammad Nasir ud-Deen al-Albani and other scholars by Muhammad al-Jibali, pages 129-131.

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**Shaykh Hisham Kabbani says:** The hadith of Hudhayfa is clear that Ibn Mas'ud doubted Hudhayfa's report and instead considered i'tikaf permissible in any mosque, as Shawkani pointed out in *Nayl al-awtar* (2:269) by saying that if it were certain that the Prophet had mentioned only the Three Mosques then Ibn Mas'ud would not have doubted it, but he strongly doubted it. This is confirmed by Ibn Hajar's wording when he referred to that hadith in *Fath al-Bari* (1989 ed. 4:342 Bk. 33 ch.1) by saying: "**Hudhayfa ibn al-Yaman** made it specific to the Three Mosques," and he did not attribute it to the Prophet, because the former is certain while the latter is uncertain. This is also the position of the fuqaha' who report this position: they always refer it to Hudhayfa, not to the Prophet, following in this the caution of Ibn Mas'ud.

Furthermore there is a different sound narration from Hudhayfa whereby he replied to Ibn Mas'ud, but without attributing it to the Prophet: "As for myself, I know that there is no i'tikaf except in a congregational mosque (*illa fi masjid jama'a*)." Haythami narrated it in *Majma' al-zawa'id* and Ibn

Qudama refers to it in the beginning of the book of *i'tikaf* in his *Mughni*. This echoes the doubt expressed by Hudhayfa in yet another narration from him cited by Sa'id ibn al-Musayyib in his *Sunan* and related in *Nayl al-awtar* (4:269) whereby Hudhayfa said to Ibn Mas'ud: You know that Allah's Messenger said: "There is no *i'tikaf* except in the Three Mosques," **or he said**: "except in a congregational mosque." Shawkani commented: "The doubt expressed in the hadith ("or he said...") weakens the probative choice of one of its alternatives over the other."

Another discrepancy is that the version of Hudhayfa's hadith reported by Haythami from Tabarani in *al-Mu'jam al-kabir* with a chain of sound narrators, and cited by Ibn Qudama and Shawkani, stops at Hudhayfa who does not name the Prophet. Namely, Hudhayfa came to Ibn Mas'ud and said:

"There are people perform *i'tikaaf* (in a mosque) between your house and Abu Musa al-Ash'ari, will you not forbid it? Ibn Mas'ud replied: "Perhaps they are right and you are mistaken, and they remembered while you forgot." Whereupon Hudhayfa said: "There is no *i'tikaf* except in these Three Mosques: the mosque of Madina, the mosque of Mecca, and the mosque of Ilya' [al-Quds]."

As for the opinion of `Ata' then it excluded Masjid al-Aqsa and this contradicts the hadith of Hudhayfa which is the only basis for the ruling in the first place, and the opinion of Ibn al-Musayyib contradicts it even further since he restricted *i'tikaf* to the Prophet's mosque alone.

The agreement of the scholars is not, as claimed in absolute terms by the fatwa in question whereby "*i'tikaaf* must be performed in a masjid where the Jum'ah is held," but only that *i'tikaf* must be in a masjid, the vast majority saying that **any mosque** is adequate, while Abu Hanifa and Ahmad stipulated that it must be in **any mosque where congregational prayer (*jama'a*) is held**. The latter was also the position of Ibn `Umar as related in *Kashf al-ghimma* (1:213). However, al-San`ani in *Subul al-salam* (2:686 #657) stated that there is great divergence of opinion whether *i'tikaf* was nullified by one going out of the mosque to attend Jum`a.

Shafi'i preferred the mosque where congregational prayer is offered, Malik made it a pre-condition in order to attend Jum`a, al-Zuhri made it a pre-condition in absolute terms, Bukhari said: "**Tikaf is in ALL the mosques**" and made this unambiguous sweeping statement part of the title of the first chapter of the book of *Tikaf* in his *Sahih*, and this is also the position of Malik and al-Shafi'i. Ibn Qudama said: Malik said: "*Tikaf* is correct and sound **in any masjid whatsoever**, because of the generality of Allah's saying: "While you are in retreat in the mosques" (2:187)," and this is the position of al-Shafi'i also, as long as his retreat does not keep him from Jum`a.

The Malikis also allowed *i'tikaf* in the masjid in one's home -- both for men and women -- while the Hanafis restricted the permissibility of *i'tikaf* in the mosque in the home to women only, although all hold it permissible for them in the mosques also, since the Prophet's wives performed it.

Sbesides those quoted: Ibn Rushd, *Bidayat al-mujtahid* (1:202-203); Ibn Hazm, *al-Muhalla* (p. 633); Ibn Qudama, *al-Mughni* (3:169 / 1994 ed. 3:133).

And Allah knows best.

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