

Note: References to page no's are to the English translation of Muhammad Sa'eed Dabas and Jamalud-Deen M. Zarabozo

Volume One

(43) P. vi "This book deals with the *fiqh* questions and provides supporting evidence to them from the clear [text of the] Book (of Allaah), and the authentic Sunnah of the Prophet, *sallallaahu 'alaihi wa sallaam*." This is a claim true for the most part, however the book does contain many weak (*Da'eef*) *ahaadeeth* - some of which he remained silent about, and the others he thought to be *saheeh* or *hasan* - following others in that and being mistaken therein. And it contains more than a few questions for which he does not mention a proof - rather for some of them, the proof is against them. And this will be more fully explained in its correct places *inshaa-Allaah*.

(43) P. viii line 10, "In *Saheeh al-Bukhaaree* it is recorded from Abu Sa'eed al-Muqbiri that the Messenger of Allaah, *sallallaahu 'alaihi wa sallaam*, said, "This religion is easy ..."" The narrator of the *hadeeth* is Sa'eed ibn Abee Sa'eed al-Muqbiree from Aboo Hurairah. The wording of al-Bukhaaree - *Book of Imaan* is "The religion is easy ..." the wording, "This religion is easy ..." is reported by an-Nasaa'ee and Ibn Hibbaan.

P. 44 p. viii line 13, "In *Saheeh Muslim* a *hadeeth* says, "The most beloved religion..." The *hadeeth* is in fact reported by al-Bukhaaree in his *Saheeh* without *isnaad* and in his *Aadaabul-Mufrad* with connected *isnaad*, and is reported by Ahmad in *al-Musnad* and others from Ibn 'Abbaas from the Prophet, *sallallaahu 'alaihi wa sallaam*. It is not reported by Muslim. The *hadeeth* is *Hasan Lighairihi*. [*Tamaamul-Minnah* p. 44, *as-Saheehah*, no. 881]

(45) p. ix 5 lines from the end, "There is a *hadeeth* where the Prophet, *sallallaahu 'alaihi wa sallaam*, prohibited the discussion of events that have not yet occurred." This *hadeeth* is reported by Aboo Daawood, Ahmad and others and is weak (*Da'eef*) due to one of its narrators, 'Abdullaah ibn Sa'd.

P. x line 1, "The Prophet, *sallallaahu 'alaihi wa sallaam*, also stated, "Allaah has made certain things obligatory ..." Declared *Da'eef* by Shaikh al-Albaanee due to its chain being disconnected between Makhool and Aboo Tha'labah - the companion.

Ghayatul-Maraam (no. 4), *al-Mishkaat* (no. 197) and *al-Imaan* (p. 43) of Shaikh al-Albaanee. *Jaami'ul-Uloom wal-Hikam* of Ibn Rajab, no. 30.

(46) p. 2 no. (iii), "Alee narrated ... This *hadeeth* is related by Ahmad." It is reported by 'Abdullaah ibn Ahmad. The *hadeeth* is *hasan*, [*Irwa'ul-Ghaleel*, no. 13].

(46) p. 4 25th line, "There is also a *hadeeth* from 'Abdullaah ibn 'Umar ... however this *hadeeth* is *mudtarab* ..." Rather it is *Saheeh* - only some weak narrations of it are *mudtarab*. [*Irwa'ul-Ghaleel*, no. 23 and 172]

(47) p. 5 3rd paragraph, "The *hadeeth* of Jaabir ..." The *hadeeth* is weak, as an-Nawawee says in *al-Majmoo'*, (1/173).

(48) p. 5 3rd paragraph, "It has also been related from Ibn 'Umar ..." Also weak. Its *isnaad* contains Ayyoob ibn Khaalil al-Harraanee who is *Da'eef* - and on top of that he causes *idtiraab* in its *isnaad*.

(48) p. 5 3rd paragraph, "*Yahya Ibn Sa'eed ...*" It is reported from Umar by Yahyaa ibn Abdir-Rahmaan ibn Haatib (who was not born until after the death of Umar) not by Yahyaa ibn Sa'eed. It is therefore weak (*munqati*).

(49) p. 7 "The bones, horns, ... skin ... of dead animals ... all of these are considered pure" Rather the skin of dead animals is established to be impure due to the many ahaadeeth from the Prophet, sallallaahu alaihi wa sallaam, such as his, sallallaahu alaihi wa sallaam, saying, "When the skin is tanned then it is purified" [Reported by Muslim and others]. The fact that the skin has to be tanned to make it pure is clearly shown by the following hadeeth reported by Ibn Abbaas (p7-8).

(50) p. 8 "*Blood ...*" "*Al-Hasan said ... mentioned by al-Bukhaaree*" Rather al-Bukhaaree quotes it in *mu'allaq* form. It is, however, connected with *saheeh isnaad* by Ibn Abee Shaibah.

(50) p. 9 "*Aboo Hurairah did not see anything wrong in a drop or two of blood ...*" Reported by Ibn Abee Shaibah in his *Musannaf* and its *isnaad* is weak due to Shareek ibn Abdillaah al-Qaadee who is *da'eef* due to his weak memory. (The position that blood is *taahir* and does not break *wudoo* is the position of al-Bukhaaree and Ibn Hazm).

(52) *That normal blood, blood of animals and blood of menstruation are all the same.*

This is incorrect due to two reasons:

That there is no proof for this from the Book or *Sunnah* and the principle is that things are pure unless declared impure in a text.

That it contradicts what is established in the *Sunnah*.

- a. As for the blood of humans then that is shown to be pure by the *hadeeth* of the Ansaaree who prayed at night and was struck by arrows and continued praying even though his blood flowed. [Reported in *mu'allaq* form by al-Bukhaaree and connected by Ahmad and others Saheeh Abee Daawood, 193]
- b. As for the blood of animals then that is also pure as shown by the authentic narration that Ibn Mas'ood some camels and ??? became smeared with their blood and excrement then the *Alqaamah* was given and he prayed without making *wudoo*.
- c. Reported by Abdur-Razzaaq in his *musannaf* (1/125), Ibn Abee Shaibah (1/392) and at-Tabaraanee in *al-Mu'jamul-Kabeer* 9/283) with *Saheeh isnaad* from him.

(52) *His making distinction between a small and a large amount of blood.*

This has no proof from the *sunnah* rather it is negated by the *hadeeth* of the Ansaaree. The *Athar* from Aboo Hurairah is *Da'eef* as has preceded. (This distinction is rebutted by Ibn Hazm in *al-Muhallaa* and by Ibnul-Arabee and al-Qurtubee in their *tafseers*).

(53) "*Vomiting of a person ... there is agreement amongst the scholars ...*" He does not mention any proof.

Scholars are not agreed in that that the vomit of a muslim is pure is the saying of Ibn

Hazm (al-muhallaa, 1/183), ash-Shawkaanee in ad-Dururul-Bahiyyah and Saddeeq Hasan Khaan in his Sharh (1/18-20).

"but a small amount of vomit ... and ... are overlooked." He doesn't bring any proof.

(54) p. 12 "Alcohol... some scholars say that it is pure." In order that their saying should not be regarded as unimportant their names should be mentioned, amongst them are,

- i. Rabee'ah ibn Abee 'Abdir-Rahmaan, known as Rabee'atur-Rae'e, al-Haafiz says of him in at-Tahdheeb, "He met some of the *Sahaabah* and greater *taabi'een*, and he gave *Fatwaas* in al-Madeenah, where the people used to turn to him, and his circle was attended by forty men wearing *imaamah* and Maalik learnt from him.
- ii. al-Laith ibn Sa'd al-Misree, al-Faqeeh, the famous imaam, the great scholars acknowledged his excellence amongst them Imaam Maalik in the letter which he wrote to him. And ash-Shaafi'ee said of him, "He was a greater scholar than Maalik, but his companions did not carry his renown.
- iii. Ismaa'eel ibn Yahyaa al-Muzaanee, companion of Imaam ash-Shaafi'ee. He was a mujtahid imaam.

And this is the position of many other scholars of later times from Baghdaad and other towns they hold that alcohol is pure and only drinking it is what is forbidden (see Tafseerul-Qurtubee, 6/88).

(55) p 16 3rd paragraph, "If a person finishes the Prayer ..."

Its proof is the *hadeeth* of Aboo Sa'eed al-Khudree, "That while Allaah's Messenger, *sallallaahu 'alaihi wa sallaam*, was praying with his Companions he suddenly took off his shoes and placed them on his left so when the people saw that they threw off their shoes, so when the Prophet, *sallallaahu 'alaihi wa sallaam*, finished his prayer he said, "Why did you throw off your shoes?" They said, "We saw you throw off your shoes so we threw our shoes off." So Allaah's Messenger, *sallallaahu 'alaihi wa sallaam*, said, "Indeed Jibreel 'Alaihis-Salaam, came to me and informed me that my shoes contained impurity. And he said, "When one of you comes to the mosque then let him look, and if he finds any impurity or filth on his shoes, then let him wipe it and pray in them." Reported by Ahmad, Aboo Daawood and others with a *saheeh isnaad*, *Al-Irwaa*, 284.

(56) p. 17 2nd paragraph "This is related by the group" the group meaning, al-Bukhaaree, Muslim, Aboo Daawood, at-Tirmidhee, an-Nasaaee and Ibn Maajah.

This wording including "In the name of Allaah" is not reported by any of the group, but rather by Sa'eed ibn Mansoor in his *Sunan* and by Ibn Abee Shaibah in his *Musannaf* (1/1) and Ibn Abee Haatim in *al-Millal* (1/64) and its *isnaad* contains (Aboo Mi'shar Najeeh) who is weak.

There are other narrations ordering this, from Anas but these are *Shaadhdh*. The practice of saying "Bismillaah" when entering the toilet may, however be supported by the *hadeeth* of 'Alee, *radiyallaahu 'anhu*, from the Prophet, *sallallaahu 'alaihi wa sallaam*, who said, "The screen that is between the eyes of the Jinn and the private parts of the sons of Adam, when one of them enters the toilet, is that he says

﴿Bismillaah﴾. Reported by at-Tirmidhee and Ibn Maajah, and declared weak by at-Tirmidhee, but it has two supporting *isnaads* from Anas, reported by at-Tabraanee, so the *hadeeth* is at the very least hasan. And see *Irwaa'ul-Ghaleel*, no. 50.

(58) p. 17 3rd paragraph, "Aboo Sa'eed reported... not forbidden." The *hadeeth* is weak for two reasons:

- i. `Ikrimah ibn `Ammar related it from Yahyaa ibn Abee Katheer, and `Ikrimah's narrations from him are *mudtarab* [see *at-Taqreeb*].
- ii. Its *isnaad* contains Hilaal ibn `Iyaad who is unknown.

The ruling which the author bases upon this *hadeeth* is therefore not established.

(59) p. 18 1st question, "... The prohibition implies that it is only disliked ..." "Some reconcile [sic.] these *hadeeth* by saying that in the desert it is forbidden to face or turn one's back on the *ka'bah* while it is permitted in buildings ..."

What is correct is that it is forbidden in the desert or within buildings. The Prophet, *sallallaahu `alaihi wa sallaam*, relieving himself on the roof of Hafsa's house cannot be used either to lessen the forbiddance reported in Aboo Hurairah's *hadeeth*, or to make the forbiddance particular to buildings, that is because it was an action he was doing in private, hidden from the people and so cannot be said to have been a proof of its allowance or particularisation of the forbiddance. i.e., it was clearly something private not meant to be seen and followed, something particular to him, *sallallaahu `alaihi wa sallaam*, (and see *as-Sailul-Jarraar* of ash-Shawkaanee (2/69)).

As for the saying of Ibn `Umar [translator mistakenly puts `Umar] "Certainly not ... this has been prohibited only in open areas ..." The he does not state that this understanding is from the Prophet, *sallallaahu `alaihi wa sallaam*, but may have been his own personal understanding due to his, *sallallaahu `alaihi wa sallaam*, action on the roof of Hafsa's house.

(61) p. 18 "Qataadah related from ... This *hadeeth* is related by Ahmad ..." The *hadeeth* is weak. Qataadah reports it using *an'anah* [saying, `from`] and he is a *mudallis*. Further in the view of Imaam Ahmad and al-Haakim ` Qataadah never met Ibn Sarjas whom he narrates from here, and that would make the *hadeeth munqati'a* in their view.

(63) p. 19 "Abdullaah ibn Mughaffal narrated... reported by the five." The *hadeeth* is weak since the reporter from the Companions is al-Hasan al-Basree who despite his fame and position was a *mudallis*, and he narrates here using *an'anah*.

However Aboo Daawood and other report with a *saheeh isnaad* that Allaah's Messenger, *sallallaahu `alaihi wa sallaam*, forbade that one of us should comb our hair every day or that he should urinate in his bathing place.

(63) p. 19 "Urinating in running water" ... "Jaabir said... and its narrators are trustworthy." It is weak since it contains in its *isnaad*, (i) Someone unknown, (ii) someone accused of lying, and (iii) *an'anah* of the *mudallis* Abuz-Zubair and further it is contradicted by the authentic narration of al-Laith reported by Muslim with the wording, "standing water." The wording "running water" is therefore *Munkar*. It is

narrated by at-Tabraanee in al-Awsat which should have been mentioned.

(64) p. 19 "ﷺ said ﷺ, "If someone related to you ... sitting." Its *isnaad* from ﷺ is weak due to Shareek ibn Abdillaah al-Qaadee. However there is a support for it which raises it to authenticity, narrated by Sufyaan ath-Thawree. (Reported by Aboo Awaanah in his *Saheeh* (1/198), al-Haakim (1/181), al-Baihaqee (1/101) and Ahmad).

(65) p. 19 3rd paragraph "ﷺ or any combinations of purifying agents ﷺ" i.e. with water and stones together. And it is not authentic that the Prophet, *sallallaahu ﷺ alaihi wa sallaam*, combined the two, rather he, *sallallaahu ﷺ alaihi wa sallaam*, sufficed with one of the two and his is the best guidance and as Shaikh al-Albaanee says, "So i fear that the saying that the two may be joined is from *Ghuluww* (going to excesses) in the *Deen*."

And as for the *hadeeth* of the people of Qubaa's joining between the two and the sending down of the *ayah* in that regard, then it's *isnaad* is weak as an-Nawawee, Ibn Hajr and others say. Rather what is correct from that is that they used water alone [Aboo Daawood and others from Aboo Hurairah].

(66) p. 20 "ﷺ the *hadeeth* by al-Haakim ibn Sufyaan or ..." The wording of this *hadeeth* is not authentic, as it contains great contradiction, being reported in about ten different ways.

(66) p. 21 3rd line, "It is related through a number of weak chains that the Prophet, *sallallaahu ﷺ alaihi wa sallaam*, used to say, "Praise be to Allaah ... harm." The first of the two *hadeeth* [... who made the filth] is from Aboo Dharr and Anas, and *isnaad* is weak. (*Al-Irwaa*, 53). And the second *hadeeth* [... who let me enjoy it] is from Ibn Umar and is again weak (*Ad-Da'eefah*, 4187). The *hadeeth* of Aboo Dharr contains unknown narrators in its *isnaad*, and *idtiraab* (contradiction) and contradictions in its text.

(69) p. 22 3rd paragraph, "Said Aataa ibn Yasaar ..." [Related by Maalik] Aataa is a *Taabi'ee*, so the *hadeeth* is *Mursal*, *Da'eef*.

The *hadeeth* is reported in connected form from Jaabir, from the Prophet, *sallallaahu ﷺ alaihi wa sallaam*, with more complete wording, without the mention of the beard, (reported by Aboo Daawood and others, *as-Saheehah*, 493)

(70) p. 22 3rd section, "Aboo Qataadah related ... "... and honour it." It is not *saheeh* from Aboo Qataadah, due to its *isnaad* being broken (*munqati'*) and its text being *mudtarab*. It is reported by an-Nasaa'ee in his *Sunan* and its *inqita'a*s due to its being narrated by Umar ibn Alee ibn Muqaddam who is known for committing a severe form of *tadlees* ... and see *Tamaamul-Minnah* (pp. 70-73).

(74) p 23 Final paragraph, "There are some narrations that state that dying is disliked." Shaikh al-Albaanee says, "I do not find anyone who has preceded the author in this claim, and i do not know any basis for it. And perhaps he means that, that is reported from the companions. And what ash-Shawkaanee reports from them in *An-Nayl* (1/103) is their differing regarding what is better, not that it is something disliked. And even if it were reported from any of them, then it would not be a proof for two reasons,

- i. The Companions did not agree upon that, rather some of them dyed such as Aboo Bakr and ʿUmar, *radiyallaahu ʿanhumaa*, reported in *Saheeh* Muslim and others, and others left it, and its being left does not show that it is disliked, only that it is permissible to leave it.
- ii. It contradicts the authentic saying and practice of the Prophet, *sallallaahu ʿalaihi wa sallaam*.

(83) p. 23 last paragraph, "*ʿUmar and a group of them used a black dye.*" Even if that is established, then it is not a proof, since it contradicts the saying and action of the Prophet, *sallallaahu ʿalaihi wa sallaam*. And what is reported from the chief companions such as Aboo Bakr and ʿUmar, *radiyallaahu ʿanhumaa*, that they dyed with henna and *ʿkattaan*, should be acted upon, since it is in agreement with the sunnah, and not that which contradicts this, especially since there is doubt about its being established from some of them, as Ibn al-Qayyim said. And therefore an-Nawawee clearly states that it is forbidden in *Al-Majmooʿ* (1/294), using the *hadeeth* of Jaabir as proof.

(84) p. 23 "*Ibn Hajr mentioed in Fathul Baaree that az-Zuhree said ...*"

Even if it is established from az-Zuhree, then it is not a proof since it would be his saying only (*Maqtooʿ*) and he is *ataabiʿee*.

(88) p. 23 End, "*This dealt with a certain incident... Aboo Quhaafah.*" Rather the rule is that "An order for one of the *ummah* is an order for the rest of the *ummah*." And that this order was not particular to Aboo Quhaafah is the conclusion of an-Nawawee, as has preceded and of al-Haafiz ibn Hajr (6/499 and 10/354) .

And this is supported by various *ahaadeeth*.

- i. From Ibn ʿAbbaas, that Allaah's Messenger, *sallallaahu ʿalaihi wa sallaam*, said, "*There will be at the end of time a people who dye with this ʿ black ʿ like the crops of doves ʿ they will not smell the fragrance of Paradise.*" [Reported by Aboo Daawood, an-Nasaaee, Ahmad and at-Tabraanee.]
- ii. From Abud-Dardaa in *marfooʿ* form, "*He who dyes with black, Allaah blackens his face on the Day of Resurrection.*" Al-Haithumee said, "Reported by at-Tabraanee and it contains al-Wadeen ibn ʿAtaa, declared reliable by Ahmad and Ibn Maʿeen and Ibn Hibbaan, and declared weak by others lesser in station than them. And the rest of its narrators are reliable." Al-Haafiz said (10/292) after attributing it to at-Tabraanee and Ibn Abee ʿAasim, "Its *isnaad* is weak."
- iii. Anas, *radiyallaahu ʿanhu*, said, "We were with the Prophet, *sallallaahu ʿalaihi wa sallaam*, one day when Jews entered upon them, and they saw them having white beards, so he said, "*Why do you not dye?*" So it was said, They dislike it. So he, *sallallaahu ʿalaihi wa sallaam*, said, "*But rather, you should dye! And beware of black.*" Al-Haithamee said, "At-Tabraanee reports it in *Al-Awsat*, and it contains Ibn Laheeʿah, and the rest of its narrators are reliable. And it is a *hasan hadeeth*."
- iv. ʿAbdullaah ibn ʿUmar, reports in *marfooʿ* form, "*Yellow is the dye of the Believer and red is the dye of the Muslim and black is the dye of the disbeliever.*"

Al-Haithamee said, "At-Tabraanee reports it and it contains someone I do not know."

Thus it is clear that using black dye is forbidden, and this is the position of a group of scholars and about which Ibn al-Qayyim said, "It is what is correct without a doubt."

As regards the *hadeeth*, "*The best of that which you use as a dye is this black, it makes you more desirable to your women and puts fear of you into the hearts of your enemies.*" Reported by Ibn Maajah (2/382)], then its *isnaad* is weak, it contains two weak narrators, (*Ad-Da'eefah*, 2972).