

# A'ISHAH SIDDIQAH

*The Greatest Muftiyah*

رَضِيَ اللهُ عَنْهَا



MUFTI FAIZAN UL-MUSTAFA AL-QADIRI

*Translated By: Mufti Salman al-Nuri*

TheSunniWay 

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رَضِيَ اللهُ عَنْهَا

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*Ḥaḍrat `Ā'ishah Ṣiddīqah*  
**& THE STATION OF 'IFTĀ'**

*By Muftī Faizān ul-Muṣṭafā al-Qādirī*



**T**o encompass the qualities and excellences of 'Umm al-Mu'minīn (the Mother of the Believers), the Beloved of the Beloved of the Lord of All Worlds, the Comfort of the King of the Messengers' Heart, the Most Understanding Among the *Fuqahā'* of the Firm *Dīn*, the Faqīhah of the Male and Female Companions, the Teacher of the Male and Female *Tābi`īs*, the Most Intelligent Among the Intellectuals, the Most Truthful of the Truthful – male and female, Ṣiddīqah bint Ṣiddīq, the Chaste, the Impeccable, the Pure, the Virtuous, Ḥaḍrat Sayyidatunā `Ā'ishah bint `Abū Bakr al-Ṣiddīq, Allāh Almighty is pleased with them both and may the blessings of Allāh Almighty continuously be upon her husband, her father, and upon her for eternity, is not achievable by the tongue and speech or pen and paper. However, the motive of the writing below is some benefaction for those desirous of *fiqh* and those occupied in *fatāwā*, from a brilliant aspect of the life and services of that great mother of the nation.

The Mother of the Believers, Ḥaḍrat `Ā'ishah Ṣiddīqah, Allāh Almighty is pleased with her, compared to the other 'Ummahāt al-Mu'minīn (Mothers of the Believers), bears several specialties, of which the greatest specialty is her insight of *fiqh*. Among the *fuqahā'* of the nation in 'Islāmic history, there are only names of men. Among women, *faqīhāt* have just appeared here and there. However, the rank and status of Ḥaḍrat Ṣiddīqah among all the *fuqahā'* of the nation is such that all the *fuqahā'* following her cannot be independent of her. Overlooking her *madh-hab*, *maslak* and her narrations, they cannot take even a few steps forward. A great portion of the 'Islāmic *Sharī`ah* is based on her narrations. Through her narrations, the nation has benefitted in both '*uṣūl* (principles) and '*furū`* (subsidiaries).

Ḥaḍrat Ṣiddīqah was the most beloved to the Messenger of Allāh, may Allāh Almighty send blessings and salutations upon him. His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, did not select her for himself personally. Rather, his Lord selected her for him. When He sent Jibrīl 'Amīn, upon him be blessings and salutations, to the court of His beloved to inform him of this selection, Jibrīl 'Amīn, upon him be blessings and salutations, showed His Eminence her image, and he said, "This is your wife in the world and the hereafter."

This eternal and everlasting marriage of ‘Umm al-Mu‘minīn became so popular among the noble companions that upon the conclusion of the Battle of Jamal, Sayyidunā `Alī, Allāh Almighty is pleased with him, also gave reference to this reality to protect Ḥaḍrat Şiddīqah’s honor. The continuous chain of her splendors starts right from childhood. When this sacred relationship of marriage was proposed, and then she entered the *nikāḥ* bond of the Mercy of All Worlds, the star of her fate began shining beyond the Pleiades as she became the beloved wife of the Pride of the Universe and the King of Messengers, upon him be blessings and salutations, and the mother of the nation.

Her growth, upbringing, and nourishment took place in an environment of pure religiousness, honesty, sincerity, and loyalty. Through the recitation of her honorable father, verses of the Noble *Qur’ān* had reached her ears right from childhood. In the prime of youth, when she reached the prophetic embrace upon becoming a wife, she obtained the golden opportunity to learn the Noble *Qur’ān* and dive deep into the depths of its denotations. She never let this opportunity go in vain. Such that alongside the sincere service of the great husband, the expectations of intellectual irrigation for the entire ‘*ummah* were met. Throughout this great mission, her intellect and wisdom fully assisted her. In this manner, she attained such a rank in knowledge and

erudition that Allāh Almighty had salutation sent upon her. When the attempt was being made to sully her chastity during the occurrence of *ʿIfk* and questions were being raised on her purity, in her defense, her Lord revealed eighteen verses of *Sūrah al-Nūr*, which the believing men and women will recite and continuously announce the purity and chastity of their great mother until Judgment Day.

The canopy of her intellectual blessings is so widespread that all the companions and *tābi`ūn*, rather the entire nation, comes beneath its shade. The context of the revelation of the verse of *tayammum* is a just testimony as during the return from the Battle of *Banū al-Muṣṭaliq*, while Ḥaḍrat Şiddīqah's necklace had disappeared, the entire nation attained the treasure of ease and leisure. The necklace whose misplacement the people were considering to be the fault of Ḥaḍrat Şiddīqah, that very necklace became the basis for the revelation of the verse of *tayammum* upon which an illustrious companion, Ḥaḍrat ʿUsayd bin Ḥuḍayr, in its acknowledgment stated that, "This is not your first blessing."<sup>1</sup>

<sup>1</sup> *Şaḥīḥ al-Bukhārī, Kitāb al-Manāqib: 665*

An extensive span of ten years she spent in this pure house of His Sanctified Eminence, may Allāh send blessings and salutations upon him, for whose sanctity Allāh Almighty had revealed *Sūrah al-Ḥujurāt*. This span of ten years was also during young age and youth when the slates of the mind are very plain. To learn the religion in that time, there was no separation between her and the receiver of the Lord's revelation. She was the one among the mothers of the believers that when she would be in the bed of the Messenger, the Noble *Qur'ān* would be revealed in her quilt.

Each and every occurrence of her life gives acts as a support for the entire nation in knowledge and practice. During the fragile stages of life when mistakes on top of mistakes are committed by man, by becoming a firm mountain of knowledge and wisdom, she invites the people toward *'amal* (practice). Hence, on one extremely sensitive occurrence, she gave the lesson of love and affinity for the husband through her action. When a demand from the pure wives in regard to the *nafaqāt* (provisions) reached the prophetic court, Allāh Almighty revealed a ruling in support of His messenger, upon him be salutations: that the pure wives either choose Allāh and the Messenger, or prefer separation for the sake of worldly wealth and profit.<sup>2</sup>

<sup>2</sup> *Sūrah al-'Aḥzāb*: 28-29

When this command was revealed, His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, first made Ḥaḍrat Ṣiddīqah aware of this. The affection in His Eminence’s heart for her was very apparent and evident in that time as well, when he stated, “O `Ā’ishah! Do not hasten in making the decision until you consult with your parents.”

Upon this, the exceptionally intelligent woman of the universe stated extempore:

أفئك أستشير أبوي؟ اخترت الله ورسوله

*[O Messenger of Allāh] Shall I consult my parents concerning you?*

*I have decided to choose Allāh and His Messenger.*

There is a message for all the women of the world in this response. The other pure wives benefitted from this message. When His Noble Eminence, upon him be salutations, started to head toward the other wives to tell them of this command from the Lord, Ḥaḍrat Ṣiddīqah requested that, “Please do not tell them my response.”

Upon this, the One Enveloped in Mercy, upon him be salutations, said, “Why not? I will surely tell.” One by one, he would go to all the wives and say to each of them, “Allāh Almighty has given you the choice.

Either choose Allāh and the Messenger and stay with me in the same manner or choose separation for the attainment of wealth. And listen, `Ā'ishah has chosen to stay with me.”

Upon hearing this, they all learned the answer, and they all preferred the blessed companionship of the Noble Messenger, upon him be salutations, over the worldly blessings.<sup>3</sup> This was all merely the grace of Ḥaḍrat `Ā'ishah, Allāh is pleased with her. The prudence, situational understanding and decisiveness that she had been endowed with from the court of the Lord, later became beneficial for the entire nation, and played a very significant role in resolving the *shar`ī* (legal) issues of the people.

<sup>3</sup> *Bukhārī Sharīf*

## ‘UMM AL-MU’MINĪN ŞIDDĪQAH IN THE ROLE OF MARJA` FATĀWĀ



‘Umm al-Mu’minīn Şiddīqah, Allāh is pleased with her, held an intellectual prestige even among the ‘*akābir* (senior) noble companions in the era of the *Şahābah*. These elders never regretted attaining intellectual consultation from her in difficult issues. Such issues also came about in which the likes of the dignified rightly guided caliph, Ḥaḍrat `Umar al-Fārūq, Allāh Almighty is pleased with him, would request from her a statement or practice of His Sanctified Eminence, may Allāh send blessings and salutations upon him.

On every issue, she held her own intellectual position. Her position would be established on firm foundations, and she had the nature of solving every issue through the Noble *Qur’ān*. That is why the ‘*ummah* accepted most of her decisions. Even though some may be regarded as *matrūk* (unselected), she would be so steadfast on her position that she would not feel any hesitation in explaining her position in front of anyone. Hence, she had a clear disagreement with Ḥaḍrat `Umar al-Fārūq, Allāh Almighty is pleased with him, concerning the hearing of the dead, for which the detail will come later.

Rather, at times it would be the majority of the companions on one side, and the position of ‘Umm al-Mu’minīn would be different from everyone else’s. This is the status of a *Mujtahid Faqīh*.

For instance, many respected individuals had described that His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, enjoyed the mutton foreshank. But she used to say that this was not the case. Rather, the situation was that they used to acquire meat after several days. So, His Eminence preferred that it be obtained earlier, and the foreshank would cook sooner.

Ḥaḍrat `Abd Allāh `ibn `Umar used to say that “The morning in which the *‘iḥrām* is observed, I do not prefer to apply fragrance that morning.”

She states upon this, “But in the morning of *‘iḥrām*, I, with my own hands, applied fragrance to His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, and after observing the *‘iḥrām*, the color of the fragrance would be shining in the part of his sanctified hair.”<sup>4</sup>

<sup>4</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-Ḥajj*

When the era of the *Ṣiḡhār Ṣaḥābah* (junior companions), such as Ḥaḍrat `Abd Allāh `ibn `Umar, `Abd Allāh `ibn `Amr, `Anas bin Mālīk, `Abū Hurayrah, `Ibn `Abbās, and `Ibn Zubayr etc., came, overseeing them in *fiqh* and *iftā'*, Ḥaḍrat Ṣiddīqah fulfilled the occupation of a *Muḥtāyah*. All these gentlemen would come and have their intellectual problems solved by her.

Then, in the [era of the] *tābi`īn*, she was accepted as the educator and teacher of *fuqahā'* among the *tābi`īn*. In the corner of *Masjid Nabawī Sharīf*, a gathering of people would form near the chamber of `Ā'ishah. The *maḥārim* of `Umm al-Mu'minīn, young children, and women who were able to enter, would come inside and the rest of the people would sit outside, and Ḥaḍrat Ṣiddīqah would train the people whilst inside the room. People would ask questions and she would give them answers. Those who would be hesitant to ask a question, she would encourage them. She would say, "I am your mother. Whatever you can ask your mother, ask me." She would take some children in her custody and train them, and those children who were among her relatives, they would be her permanent students. Among the permanent students, Ḥaḍrat `Urwah `ibn Zubayr's name comes at the top of the list.

Ḥaḍrat `Aṭā' states that during the season of Ḥajj when 'Umm al-Mu'minīn would come to perform Ḥajj, her tent would stand within Mount *Thabīr* in *Minā*. There, her intellectual circle would form and those desirous of knowledge would gather where even the *fuqahā'* of *Makkah Mukarramah* would be present for intellectual benefit.

It is in *Bukhārī Sharīf*:

عن عطاء كنت آتى عائشة أنا وعميد بن عمرو هي مجاورة في جوف ثبير قلت وما  
حجابها قال هي في قبة تركية لها غشاء وما بيننا وبينها غير ذلك  
ورأيت عليها درعاً مورداً

*It is narrated from Ḥaḍrat `Aṭā', "Ubayd 'ibn `Umayr and I would come to the court of Ḥaḍrat `Ā'ishah, Allāh Almighty is pleased with her, when she would stay in the middle of Mount Thabīr." The narrator asked, "What was her veil?" He said, "She had a Turkish tent niqāb that would veil her. That was the only veil between us and her, and I saw her wearing a rosy cloth." <sup>5</sup>*

The women would enter her tent and would go to learn the religion face to face. She would teach them, and through them, she would also make arrangements to teach and train the men in some specific rulings.

<sup>5</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-Ḥajj: 1618*

Hence, she once said to the crowd of women:

مرن أزواجكن أن يستطيبوا بالماء فإنني أستحييهم

فإن رسول الله صلى الله عليه وسلم كان يفعله

*Give your husbands the command that they should do ‘istinjā’ with water because His Sanctified Eminence, may Allāh send blessings and salutations upon him, used to perform ‘istinjā’ with water. Due to shame, I am conveying them this ruling through your medium.* <sup>6</sup>

‘Umm al-Mu’minīn would go to *Makkah Mukarramah* for *Ḥajj* approximately every year, and during the *Ḥajj*, she would provide immense aid to men and women in the issues before them.

<sup>6</sup> *Tirmidhī Sharīf*

Ḥaḍrat Qāsim ‘ibn Muḥammad ‘ibn ‘Abū Bakr, who was the nephew and student of Ḥaḍrat Ṣiddīqah and later became among those seven *fuqahā’* of *Madīnah Munawwarah* upon whom the foundation of the *Mālikī Fiqh* is established, states:

كانت عائشة قد استقلت بالفتوى في خلافة أبي بكر وعمر وعثمان

وهلم جرأ إلى أن ماتت رحمها الله

*Ḥaḍrat ‘Umm al-Mu’minīn Ṣiddīqah, Allāh Almighty is pleased with her, became autonomous in fatwā during the era of khilāfah of Ḥaḍrat ‘Abū Bakr al-Ṣiddīq, ‘Umar, and ‘Uthmān, and she remained in this station her entire life.* <sup>7</sup>

<sup>7</sup> Ṭabqāt ‘Ibn Sa’d

## ḤAḌRAT ŞIDDĪQAH UPON THE STATION OF ‘IFTĀ’



Below, I wish to have an in-depth discussion on the *fiqh* and ‘*iftā*’ of Ḥaḍrat Şiddīqah, Allāh Almighty is pleased with her, and I will commence this with a teaching from my *shaykh*.

I asked my *shaykh*, Ḥuḍūr Muḥaddith Kabīr, may his noble shadow be elongated, that if one looks at the Glorious *Qur’ān* to recite in *ṣalāh*, then his *ṣalāh* is null. Either because this is *talaqqun min al-khārij* (aid from external source), or it is *amal kathīr* (major action). This is the position of ‘Imām ‘Abū Ḥanīfah. However, in connection to Ḥaḍrat Şiddīqah, it is narrated that she would offer *ṣalāh* in the ‘*iqtidā*’ of her slave, Dhakwān, who used to look in the *muṣḥaf* to recite:

كانت عائشة يؤمها عبدها ذكوان من المصحف

‘Ā’ishah would be led by her slave, Dhakwān,

[reading] from the *muṣḥaf*.<sup>8</sup>

When *talaqqun min al-khārij* invalidates *ṣalāh*, then what would be the justification for this practice of Ḥaḍrat Şiddīqah?

<sup>8</sup> *Şaḥīḥ al-Bukhārī, Kitāb al-‘Adhān Tarjamah al-Bāb: 692*

He answered saying:

ام المؤمنین توجتد فقہہ میں

*'Umm al-Mu'minīn is a Mujtahid Faqīhah*

Although our 'Imām 'Abū Ḥanīfah did not regard this practice of Ḥaḍrat Ṣiddīqah as sufficient evidence and ruled looking at the *muṣḥaf shariḥ* to recite in this manner during *ṣalāh* a nullifier of *ṣalāh*, and many contemporary *fuqahā'* ruled this a nullifier of *ṣalāh*, this brief answer of my *shaykh*, even though it is deserving of a lengthy elaboration, but through this, the grandeur of Ḥaḍrat Ṣiddīqah's *'ijtihād* had been cemented in my studently attitude.

## EXAMPLES OF 'UMM AL-MU'MINĪN'S KNOWLEDGE, EXCELLENCE, & 'IJTIHĀD



She would keep the verses of the *Qur'ān* memorized accurately, and she would delve into the depths of their meanings. Amidst the *fuqahā'* of the *Ṣaḥābah*, her rank in *fiqh* was so high that with reliance on the meanings and denotations of the Qur'ānic verses, she would present her own *fiqhī* position on *shar`ī* matters in front of all the *ṣaḥābah*. Moreover, she would answer people's questions in accordance with this and issue verdicts.

## THE EXPERTISE IN COMPREHENSION & DENOTATION OF THE QUR'ĀNIC VERSES

The expertise of the Qur'ānic sciences that she had acquired was because the sound of the recitation of the Noble Qur'ān echoed in her ears from childhood. When Ḥaḍrat 'Abū Bakr al-Ṣiddīq, Allāh Almighty is pleased with him, would recite the Glorious Qur'ān in *Makkah Mukarramah* inside his home, and then in the courtyard of his home, she had memorized many verses even at this young age. She states that, "I was playing at the time when this noble verse was revealed:

بَلِ السَّاعَةِ مَوْعِدُهُمْ وَالسَّاعَةُ أَذَى وَأَمْرٌ

*'Rather, the Hour is their appointment, and the Hour is very intense and extremely bitter.'*<sup>9</sup>

She also states, "When *Sūrah al-Baqarah* and *Sūrah al-Nisā'* were revealed, I was near him."

If there was ever confusion on the understanding and meaning of any verse, then she would ask His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him. When the Sanctified Master, may Allāh Almighty send blessings and salutations upon him, would recite lengthy chapters for the voluntary prayers and *tahajjud*, 'Umm al-Mu'minīn would be present there and she

<sup>9</sup> *Sūrah al-Qamar*: 46

would listen attentively. This is why for every issue, she would first resort to the Noble *Qur'ān*. The state of her insight on the Qur'ānic sciences was such that the issues that were unsolvable by the illustrious *tābi`ūn* would be solved by her. Many instances of this are present in the books of *Ḥadīth*. For example, the *Sa`ī* of *Ṣafā* and *Marwah*.

## THE SA`Ī OF ṢAFĀ AND MARWAH

Ḥaḍrat `Urwah asked:

إِنَّ الصَّفَا وَالتَّرْوَةَ مِنْ شَعَائِرِ اللَّهِ فَمَنْ حَجَّ الْبَيْتَ أَوْ اعْتَمَرَ فَلَا  
جُنَاحَ عَلَيْهِ أَنْ يَطُوفَ بِهِمَا<sup>10</sup>

“This means that if someone does not do *ṭawāf*,  
then there is no harm?”

‘Umm al-Mu’minīn stated:

“This is not the case. If the meaning was that which you have understood, then the verse would be like this:

لَا جُنَاحَ عَلَيْهِ أَنْ لَا يَطُوفَ بِهِمَا

“If they do not do its *ṭawāf*, then there is no harm.”

<sup>10</sup> *Sūrah al-Baqarah*: 158

In reality, some people in the past used to worship the idols that were placed on Mount *Ṣafā* and *Marwah*. Due to this, after ‘Islām, they began perceiving the circumambulation around these mountains to be foul. Hence, the command of the Lord came that there is no harm in the *sa`ī* of *Ṣafā* and *Marwah*.”<sup>11</sup>

## THE SOLUTION TO A DIFFICULT VERSE

The scholars of the nation were having trouble in comprehending the verse of *Sūrah Yūsuf*:

حَتَّىٰ إِذَا اسْتَيْسَأَسَ الرَّسُولُ وَاظُنُّوْا أَنَّهُمْ قَدْ كُذِّبُوا جَاءَهُمْ نَصْرٌ مِّنَّا

However, Ḥaḍrat Ṣiddīqah presented such a *tafsīr* of this noble verse that all the confusions were cleared. The difficulty in comprehending this verse, due to the apparent words, was that it seems as though hopelessness was attributed toward the messengers. And it may be perceived that apparently, they thought that the promise – the promise of victory and help that was made with them – was a deceitful promise, Allāh forbid! How can this comprehension ever be correct? Hence, Ḥaḍrat `Urwah bin Zubayr, Allāh Almighty is pleased with them both, asked Ḥaḍrat Ṣiddīqah, “Is the *dhāl* in ‘*kudhibū*’ with *tashdīd* or without *tashdīd*?”

<sup>11</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-Ḥajj, Bāb Wujūb al-Ṣafā wa al-Marwah*

She said, “With *tashdīd*.” Meaning, the messengers were thinking that they have been belied.

Upon this, Ḥaḍrat `Urwah said, “So why was there doubt? The messengers were certain that their nation is belying them.”

She said that: “Yes. They were certain of this.”

Ḥaḍrat `Urwah requested, “Then what is meant by:

وَعُتِبُوا أَنَّهُمْ قَدْ كُذِّبُوا

*‘And they thought that they have been belied.’”*

She said, “Allāh forbid that the messengers have any doubt regarding their Lord that He has mentioned something false to His prophets. Rather, ‘*kudh-dhibū*’ is referring to them being belied by their followers.”

A summary of the entire verse is that the followers of the prophets who believed in their Lord and believed in His prophets were inflicted with extensive periods of trials and tribulations continuously, and there was delay in the arrival of help – to the extent that there was no hope that the believers would believe. Moreover, the prophets began fearing that what if the believers begin to belie also. Then, the help of Allāh arrived. With this clarification of Ḥaḍrat Ṣiddīqah, Allāh Almighty is pleased with her, the meaning of the noble verse becomes utterly manifest.

In reality, the *qirā'ah* of 'Imām `Āṣim al-Kūfī, rather of all three *kūfī* 'Imāms, is with the *takhfīf* (without *tashdīd*) of *dhāl*, and the *qirā'ah* of the other 'Imāms is with *tashdīd* of *dhāl*. On the basis of this *qirā'ah*, the honorable prophets are the ones who are meant by “*ẓannū*.” And the connotation is that due to the heinous situations and cruel tribulations, the honorable prophets began fearing that their followers may start thinking that the promise made to them was not true. Then, the help of Allāh came. And, according to the first *qirā'ah*, “*ẓannū*” is not referring to the honorable prophets. Rather, it is their nation. 'A`lā Ḥaḍrat, may his secret be sanctified, translated according to this. This is the translation of 'A`lā Ḥaḍrat:

Such that, when the messengers did not have hope in the apparent resources and the people assumed that the messengers spoke untrue to them, at that time Our help arrived.<sup>12</sup>

<sup>12</sup> *Kanz al-`Īmān, Sūrah Yūsuf: 110*

There can be other reasons in the *tafsīr* of this verse, but the *tafsīr* that Ḥaḍrat Şiddīqah presented, on whose basis the *mufasssīrūn* have presented different interpretations, its narration is mentioned in *Bukhārī Sharīf*<sup>13</sup> as such:

عن عروة بن الربير عن عائشة رضى الله عنها قالت له وهو يسألها عن قول الله تعالى {حتى إذا استيأس الرُّسلُ} قال قلت أكذبوا أم كذبوا قالت عائشة كذبوا قلت فقد استيقنوا أن قومهم كذبوهم فما هو بالظن قالت أجل لعبرى لقد استيقنوا بذلك فقلت لها وظنوا أنهم قد كذبوا قالت معاذ الله لم تكن الرسل تنظن ذلك بربها قلت فما هذه الآية قالت هم أتباع الرسل الذين آمنوا بربهم وصدقوهم فطال عليهم البلاء واستأخروا عنهم النصر حتى استيأس الرسل ممن كذبهم من قومهم وظنت الرسل أن أتباعهم قد كذبوهم جاءهم نصر الله عند ذلك

## RESEARCH ON THE UNDERSTANDING OF THE QUR'ĀN

Once, His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, stated, “Whosoever’s account is taken on the Day of Judgment will be afflicted in torment.”

<sup>13</sup> *Şahīḥ al-Bukhārī, Kitāb al-Tafsīr: 4695*

Ḥaḍrat Ṣiddīqah requested, “Then what is the meaning of:

فَسَوْفَ يُحَاسَبُ حِسَابًا يَسِيرًا

‘So, soon they will have an easy reckoning.’”<sup>14</sup>

He stated, “That is [concerning] the presence of the reckoning. If one’s account is taken, then there is torment.”

It is in *Bukhārī Sharīf*:

عن عائشة زوج النبي صلى الله عليه وسلم كانت لا تسمع شيئاً لا تعرفه إلا راجعت فيه حتى تعرفه وأن النبي صلى الله عليه وسلم قال من حوسب عذب قالت عائشة فقلت أو ليس يقول الله تعالى {فَسَوْفَ يُحَاسَبُ حِسَابًا يَسِيرًا} قالت فقال إنما ذلك

العرض ولكن من نوقش الحساب يهلك

Whatever Ḥaḍrat Ṣiddīqah would hear, if she had not understood it, then she would ask His Eminence in order to understand it. His Eminence, may Allāh send blessings and salutations upon him, stated, “Whoever’s account is taken, will be given torment.” She said, “Did Allāh Almighty not state that those who are given their book of deeds in their right hand will have an easy reckoning?” He said, “That is [in] the hearing. Whoever is interrogated in the reckoning will be destroyed.”<sup>15</sup>

<sup>14</sup> Sūrah al-‘Inshiqāq: 8

<sup>15</sup> Ṣaḥīḥ al-Bukhārī, 32/1

## 'UMM AL-MU'MINĪN'S FATĀWĀ



### 1. GHUSL ON THE DAY OF JUMU`AH

A number of noble companions held this position that performing *ghusl* on the day of *Jumu`ah* is *wājib* (compulsory). However, the verdict of Ḥaḍrat Ṣiddīqah, Allāh Almighty is pleased with her, was that this ruling is not *wājib*.

Hence, it is narrated by Ḥaḍrat 'Ibn `Umar, Allāh Almighty is pleased with them both:

سمعت رسول الله صلى الله تعالى عليه وسلم

يقول من جاء منكم الجمعة فليغتسل

*I heard the Messenger of Allāh, may Allāh Almighty send blessings and salutations upon him, saying, "Whoever among you goes to Jumu`ah, he shall perform ghusl."*

Moreover, it is narrated by Ḥaḍrat 'Abū Sa`īd al-Khudrī, Allāh Almighty is pleased with him:

إن رسول الله صلى الله تعالى عليه وسلم قال غسل يوم الجمعة واجب على كل محتلم

*Indeed, the Messenger of Allāh, may Allāh Almighty send blessings and salutations upon him, said, "The ghusl on the day of Jumu`ah is compulsory upon every pubescent."*

However, Ḥaḍrat Ṣiddīqah states:

كان الناس ينتابون يوم الجمعة من منازلهم والعوالي فيأتون في الغبار يصيبهم  
الغبار والعرق فيخرج منهم العرق فأتى رسول الله صلى الله عليه وسلم إنسان منهم  
وهو عندي فقال النبي صلى الله عليه وسلم لو أنكم تطهروا ليومكم هذا

*People used to come from their homes and from far areas of `Awālī, and they would pass through dust and be drenched in sweat. So, one individual from them came to His Eminence, may Allāh send blessings and salutations upon him, when His Eminence was with me. His Eminence, may Allāh send blessings and salutations upon him, said to him, "Had you all performed ghusl for today, it would have been better."*<sup>16</sup>

## 2. FOR HOW LONG SHOULD THE MEAT OF 'UḌḤĪYAH BE USED?

His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, once gave the command to finish the consumption of the 'uḍḥīyah meat within three days. Some companions deemed this command as *wujūbī* (necessitating), but Ḥaḍrat Ṣiddīqah ruled this command as *'istiḥbābī* (recommending).

<sup>16</sup> Ṣaḥīḥ al-Bukhārī, Kitāb al-Jumu`ah: 902

These are her words:

الضحية كنا نمل منه فنقدمه إلى النبي صلى الله عليه وسلم بالمدينة فقال لا  
تأكلوا إلا ثلاثة أيام وليست بعزيمة ولكن أراد أن يطعم منه والله أعلم

*We used to keep some of the ‘udḥīyah meat having cured it, then [we would] present it in the court of His Eminence. So, he stated, “Only eat it for three days.” This command of his was not for ‘azīmah (obligation). Rather, his intention was that we feed others from this meat also, and Allāh knows best.<sup>17</sup>*

It is in *Tirmidhī, Kitāb al-‘Aḍāḥī* that someone asked, “Is it prohibited to eat meat after three days?”

So, in clarification of this, she stated:

لا ولكن قل من كان يضحى من الناس فأحب أن يطعم من لم يكن يضحى

*No. However, since not many people would offer the ‘udḥīyah, His Eminence preferred to feed the one in whose home ‘udḥīyah was not offered.*

<sup>17</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-‘Aḍāḥī*

### 3. CRYING OF THE ALIVE LEADING TO PUNISHMENT OF THE DEAD

It has been narrated from many companions that His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, stated:

إن الميت ليعذب ببكاء أهله عليه

*The cry of the living leads to the punishment of the dead.*

Hence, some people accepted this statement to mean that if someone passes away, then his household should abstain from crying over him. Otherwise, due to their cry, the deceased will experience torment. Some applied a condition to this torment that if the deceased had bequeathed for them to cry, or he remained content with it, then their crying will lead to his punishment.

However, when this narration reached Ḥaḍrat Şiddīqah, Allāh Almighty is pleased with her, she strictly refuted it and she stated, “His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, can never say such because it is in the Holy *Qur’ān*:

لَا تَزِرُ وَازِرَةٌ وِزْرَ أُخْرَىٰ

*‘No criminal will carry the burden of another’s sins.’*

His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, stated at a criminal's funeral that 'Look! His household is crying, and he is being punished.'”

This complete narration of *Ṣaḥīḥ al-Bukhārī Sharīf* from Ḥaḍrat `Abd Allāh `ibn `Abū Mulaykah is as such:

توفيت ابنة لعثمان رضى الله عنه بمكة وجئنا لنشهدها وحضرها ابن عمر وابن عباس  
رضى الله عنهم وإني نجاس بينهما فقال عبد الله بن عمر رضى الله عنهما لعمر بن عثمان  
ألا تنهى عن البكاء فإن رسول الله صلى الله عليه وسلم قال إن الميت ليعذب ببكاء أهله  
عليه فقال ابن عباس رضى الله عنهما قد كان عمر رضى الله عنه يقول بعض ذلك ثم  
حدث قال صدرت مع عمر رضى الله عنه من مكة حتى إذا كنا بالبيداء إذا هو يركب  
تحت ظل سرة فقال اذهب فانظر من هؤلاء الركب قال فنظرت فإذا صهيب فأخبرته فقال  
ادعه لي فرجعت إلى صهيب فقلت ارتحل فأحق أمير المؤمنين فلما أصيب عمر دخل  
صهيب يبكي يقول وأخاه واصحابه فقال عمر رضى الله عنه يا صهيب أتبكي على وقد  
قال رسول الله صلى الله عليه وسلم إن الميت يعذب ببكاء أهله عليه قال ابن  
عباس رضى الله عنهما فلما مات عمر رضى الله عنه ذكرت ذلك لعائشة رضى الله عنها  
فقالت رحم الله عمر والله ما حدث رسول الله صلى الله عليه وسلم إن الله ليعذب المؤمن  
ببكاء أهله عليه ولكن رسول الله صلى الله عليه وسلم قال إن الله ليزيد الكافر عذابا  
ببكاء أهله عليه وقالت حسبكم القرآن {ولا تزروا وزارة ووزرا أخرى} قال ابن عباس رضى  
الله عنهما عند ذلك والله هو أضحك وأبكى

Ḥaḍrat `Uthmān's daughter passed away in Makkah, so we attended with `Ibn `Umar and `Ibn `Abbās. I was in between them both. `Ibn `Umar said to `Amr bin `Uthmān, "You do not stop your family from crying? His Eminence has stated that due to the family crying, the deceased is punished." Ḥaḍrat `Ibn `Abbās stated, "Ḥaḍrat `Umar also used to say such." He explained that "I left Makkah with Ḥaḍrat `Umar. When we arrived at Baydā', he saw a traveler underneath a babul tree. He said, 'Go. See who it is.' I saw that it was Ṣuhayb. I came and informed him. He stated, 'Call him to me.' I went to Ṣuhayb and said, 'Come on. Let's go to `Amīr al-Mu'minīn.' Then, [after some time] when Ḥaḍrat `Umar was attacked, Ṣuhayb came to him and started crying, saying, 'O my brother! O my friend!' Ḥaḍrat `Umar stated, 'O Ṣuhayb! You cry for me? Even though His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, has stated that due to the crying of people, the deceased is punished?'" `Ibn `Abbās, Allāh Almighty is pleased with him, stated, "When Ḥaḍrat `Umar passed away, I told this matter to Ḥaḍrat Ṣiddīqah. Upon that, she stated, 'May Allāh Almighty have mercy upon `Umar. By Allāh, His Eminence, may Allāh Almighty send blessings and salutations upon him, did not say such – that a believer is punished due to his family crying. Rather, His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, stated that: Allāh Almighty will increase the punishment on the disbeliever upon his family crying.' Ḥaḍrat Ṣiddīqah stated, 'The Qur'ān is

sufficient for you all, in which it is stated: No criminal will carry the burden of another's sins." Upon this, 'Tbn `Abbās, Allāh Almighty is pleased with them both, stated, "Allāh Almighty is the one who makes [one] laugh and cry."<sup>18</sup>

#### 4. THE ISSUE OF THE DECEASED'S HEARING

There are some issues in which Ḥaḍrat Ṣiddīqah disagreed with other noble companions and based her position on a Qur'ānic verse. There are also some issues which the majority of the 'ummah did not accept, but through her position, her 'ijtihādī excellence is surely evident. Hence, from such issues, one is the issue of the *samā` al-mawtā* (hearing of the deceased).

It is in *Kitāb al-Maghāzī* of *Bukhārī Sharīf* that upon the conclusion of the Battle of Badr, His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, upon approaching the well of Badr (where the corpses of the polytheists were lying), he addressed their corpses saying:

هل وجدتم ما وعد ربكم حقا

*Did you find the promise of your Lord to be true?*

<sup>18</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-Janā'iz: 1287*

Upon this, Ḥaḍrat `Umar al-Fārūq, Allāh Almighty is pleased with him, asked, “O Messenger of Allāh, you speak to the dead?”

He stated:

مَا أَنْتُمْ بِأَسْمِعُ مِنْهُمْ وَلَكِنْ لَا يَجِيبُونَ

*You do not hear more than these deceased. However, these deceased do not respond.*

When this narration reached Ḥaḍrat Ṣiddīqah, Allāh Almighty is pleased with her, she stated, “His Sanctified Eminence, may Allāh send blessings and salutations upon him, said this:

إِنَّهُمْ لَيَعْلَمُونَ الْآنَ أَنَّ مَا كُنْتُ أَقُولُ لَهُمْ حَقٌّ

*‘Indeed, they now know that what I used to tell them is true.’”*

After this, ‘Umm al-Mu’minīn recited these verses:<sup>19</sup>

إِنَّكَ لَا تَسْمِعُ الْمَوْتَىٰ

وَمَا أَنْتَ بِسَمِيعٍ مِّنْ فِي الْقُبُورِ

The position of Ḥaḍrat Siddīqah that is apparent from these two verses concerning *samā` al-mawtā*, the ‘Ahl al-Sunnah did not agree to it.

<sup>19</sup> The first verse is Sūrah al-Naml: 80 and the second verse is Sūrah al-Fāṭir: 22

The scholars of the *'Ahl al-Sunnah* presented elaborative proofs and authored sound books on this matter. The *'Imām* of the *'Ahl al-Sunnah*, the revivalist of the religion and nation, *'Imām 'Aḥmad Riḍā'*, may his noble secret be sanctified, composed a comprehensive book, *Ḥayāt al-Mawāt fī Samā` al-'Amwāt*, and has mentioned many justifications of these two verses therein of which one justification is that there is no denial of the *samā`* (hearing) of the deceased in the noble verse. Rather, there is denial of *'ismā`* (to make hear). Meaning, not you, but Allāh Almighty makes these deceased hear and the deceased do hear. The second justification he mentions is that this verse is referring to the dead hearts, meaning the disbelievers whose hearts have been sealed. And by *samā`*, it refers to the listening of the heart. Meaning, this nation of dead hearts will not listen (meaning, they will not believe). Countless authentic and sound narrations are found on *samā` al-mawtā* which *'A`lā Ḥaḍrat*, may his secret be sanctified, has comprehensively presented in this book.

## 5. ONE MATTER IS THE ISSUE OF SEEING ALLĀH ON THE NIGHT OF MI`RĀJ

It is a narration of Ḥaḍrat `Abd Allāh `ibn `Abbās, Allāh Almighty is pleased with them both, that His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, saw Allāh, the Exalted and Almighty, twice. When this narration reached Ḥaḍrat Siddīqah, she denied. Ḥaḍrat Masrūq explains:

عن مسروق قال قلت لعائشة رضي الله عنها يا أمتاه هل رأى محمد صلى الله عليه وسلم ربه فقالت لقد قف شعري مما قلت أين أنت من ثلاث من حدثكهن فقد كذب من حدثك أن محمدا صلى الله عليه وسلم رأى ربه فقد كذب ثم قرأت ﴿لَا تُدْرِكُهُ الْأَبْصَارُ وَهُوَ يُدْرِكُ الْأَبْصَارَ وَهُوَ اللَّطِيفُ الْخَبِيرُ﴾ إلى آخر الحديث

*Ḥaḍrat Masrūq narrates that I asked Ḥaḍrat Siddīqah, “O Mother, did the Messenger of Allāh, may Allāh send blessings and salutations upon him, see Allāh?” She said, “I have gotten goosebumps due to what you have said. Do you not know of the three things? Whoever says these will have said wrong. Whoever says that His Eminence saw his Lord has said wrong. Then she recited the verse, “The eyes cannot encompass Him, and He sees the eyes. And He is the Subtle One and is Aware of All.”<sup>20</sup>*

<sup>20</sup> Ṣaḥīḥ al-Bukhārī, Kitāb al-Tafsīr: 4855

## 6. THE DIVORCEE'S NAFAQAH (PROVISION) AND SUKNĀ (DWELLING)

The pure *Sharī`ah* has put the [responsibility of] the divorcee's *nafaqah* and *suknā* upon the husband. Therefore, she shall spend the days of the *`iddah* (waiting period after divorce) at the husband's house.

It is stated in the Noble *Qur`ān*:

لَا تُخْرِجُوهُنَّ مِنْ بُيُوتِهِنَّ وَلَا يُخْرَجْنَ إِلَّا أَنْ يَأْتِيَنَّ بِفَاحِشَةٍ مُّبِينَةٍ

*Do not exile them from their homes nor shall they leave unless they bring forth any clear immorality.*<sup>21</sup>

However, there is a narration of Fāṭimah bint Qays, the famous *ṣaḥābiyah*, that when she was divorced, His Sanctified Eminence, may Allāh send blessings and salutations upon him, gave her permission to leave her husband's home. Fāṭimah bint Qays used to convey this narration, which some people would even accept. But based on the mentioned noble verse, the majority of the people did not agree to this narration. When `Abd al-Raḥmān `ibn al-Ḥakam's daughter was divorced, then based on this very narration, he brought his daughter into his home.

<sup>21</sup> *Sūrah al-Ṭalāq: 1*

When this news reached Ḥaḍrat Ṣiddīqah, Allāh Almighty is pleased with her, she stated, “Fāṭimah does not have the right to convey this ḥadīth. His Sanctified Eminence, may Allāh send blessings and salutations upon him, had given her permission because it was difficult for her to live in the husband’s home.”

The narration of *Bukhārī Sharīf* is as such:

عن عروة بن الزبير لعائشة ألم ترين إلى فلانة بنت الحكم طلقها زوجها البتة فخرجت. فقالت بئس ما صنعت قال ألم تسعي في قول فاطمة قالت أما إنه ليس لها خير في ذكر هذا الحديث وزاد ابن أبي الزناد عابت عائشة أشد العيب وقالت إن فاطمة كانت في مكان وحش فحيف على ناحيتها فلذلك أكره لها النبي صلى الله عليه وسلم

*Ḥaḍrat `Urwah `ibn Zubayr said to Ḥaḍrat `Ā`ishah, “Look at the daughter of Ḥakam. Her husband gave her bā`inah ṭalāq, so she left her husband’s house.” Ḥaḍrat `Ā`ishah, Allāh Almighty is pleased with her, said, “She did wrong.” `Urwah said, “Have you not heard the narration of Fāṭimah bint Qays?” She said, “There is no benefit in Fāṭimah conveying this ḥadīth.” `Abū al-Zinād added, “Ḥaḍrat `Ā`ishah, Allāh Almighty is pleased with her, harshly reproached her for mentioning this ḥadīth, and she said, ‘Fāṭimah used to live in a deserted home, so it was fearful to live there. That is why His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, granted her permission.’”<sup>22</sup>*

<sup>22</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-Ṭalāq: 5325*

## 7. IS ṢALĀH NULLIFIED IF A WOMAN IS IN FRONT?

It is narrated by one companion that if a woman, donkey, or dog is in front, then the ṣalāh is nullified, whereas Ḥaḍrat Ṣiddīqah used to say that the ṣalāh is not null due to this. This narration in *Bukhārī Sharīf* is as follows:

عن مسروق عن عائشة أنه ذكر عندها ما يقطع الصلاة فقالوا يقطعها الكلب  
والحمار والمرأة قالت قد جعلتمونا كلاباً لقد رأيت النبي عليه السلام يصلي وإني  
لبينه وبين القبلة وأنا مضطجعة على السرير فتكون لي الحاجة  
فأكره أن أستقبله فأنسل انسللاً

*Masrūq narrates that the matter of what nullifies the ṣalāh was mentioned in the presence of Ḥaḍrat Ṣiddīqah. The people said, "The dog, donkey, and woman." Ḥaḍrat Ṣiddīqah stated, "You all have placed women on the level of dogs? I have myself seen His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, praying ṣalāh whilst I would be lying on the bed between him and the qiblah. If I ever needed something, I disliked facing him. Thence, I would slip away."*<sup>23</sup>

<sup>23</sup> Ṣaḥīḥ al-Bukhārī, Kitāb al-Ṣalāh: 511

## 8. THE ISSUE OF THE PERMISSIBILITY OR IMPERMISSIBILITY OF MUT`AH

*Mut`ah*, a temporary marriage established for a specific number of days, was practiced in the Days of Ignorance, and there was no prohibition of it in the commencement of *‘Islām*, such that in 7 *Hijrī*, the year of *Khaybar*, His Sanctified Eminence, may Allāh send blessings and salutations upon him, deemed it *ḥarām*. Also, he announced its prohibition during the occasion of the Conquest of Makkah. However, due to not being notified, some companions held the position of its permissibility even after 7 *Hijrī* even though the majority of the companions held the position of its prohibition. After the Prophetic Era, *‘ijmā`* (consensus) was established during the era of the companions regarding the prohibition of *mut`ah*.

The noble companions, Allāh Almighty is pleased with them, used to prove the prohibition of *mut`ah* through *Ḥadīth*. However, Ḥaḍrat Ṣiddīqah’s style of deduction was different from all. When she was inquired about the issue of *mut`ah*, she proved the prohibition of *mut`ah* from the Noble *Qur`ān*.

She states that it is in the Glorious *Qur'ān*:

وَالَّذِينَ هُمْ يُغُفِرُونَ - إِلَّا عَلَىٰ أَزْوَاجِهِمْ أَوْ  
مَا مَلَكَتْ أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ

*And those who protect their private parts, except from their spouses and their bondswomen, then there is no reprehension on them.* <sup>24</sup>

It is clear through this that there are only two situations to reap the benefits from women: through *nikāḥ* or through *milk al-raqabah* (owning a slave woman). And *mut`ah* is neither *nikāḥ* nor *milk al-raqabah*.

<sup>24</sup> *Sūrah al-Mu'minūn: 5,6*

## 9. HOW MANY `UMRAHS DID HIS SANCTIFIED EMINENCE ﷺ PERFORM?

Ḥaḍrat `Abd Allāh `ibn `Umar, Allāh Almighty is pleased with them both, states that His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, performed four `umrahs, one of which he performed in the month of Rajab.

Ḥaḍrat `Urwah was present and he asked Ḥaḍrat Ṣiddīqah:

يَا أُمّاهِ يَا أُمّ الْمُؤْمِنِينَ أَلَا تَسْمَعِينَ مَا يَقُولُ أَبُو عَبْدِ الرَّحْمَنِ قَالَتْ مَا يَقُولُ قَالَ  
يَقُولُ إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اعْتَمَرَ أَرْبَعَ عِمْرَاتٍ إِحْدَاهُنَّ فِي رَجَبٍ قَالَتْ  
يُرْحِمُ اللَّهُ أَبَا عَبْدِ الرَّحْمَنِ مَا اعْتَمَرَ عِمْرَةً إِلَّا وَهُوَ شَاهِدٌ وَمَا اعْتَمَرَ فِي رَجَبٍ قَطُّ  
“O Mother of the Believers, do you hear what ‘Abū `Abd al-Raḥmān is saying?” She said, “What is he saying?” He stated, “He is saying that His Sanctified Eminence, may Allāh send blessings and salutations upon him, performed four `umrahs, one of which was in the month of Rajab.” She said, “May Allāh have mercy upon ‘Ibn `Umar. Whatever `umrah His Eminence performed, ‘Ibn `Umar was in company. His Eminence never performed `umrah in Rajab.”<sup>25</sup>

<sup>25</sup> Ṣaḥīḥ al-Bukhārī, Kitāb al-Ḥajj: 1775

## 10. THE ISSUE OF WOMEN VISITING THE MASJIDS

There are some issues in which the *fiqhī* insight of Ḥaḍrat Şiddīqah, Allāh is pleased with her, became the foundation of the *‘ijtihād* of the latter *mujtahids*. Hence, women used to visit the blessed *masjid* in the time of His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, and they would offer *ṣalāh* with congregation. And their rows were arranged in such a way that the row of children would be behind the men, then the row of women would be established. His Sanctified Eminence, may Allāh send blessings and salutations upon him, had forbade to prevent women from coming to the *masjid*. He stated:

لا تمنعوا إماء الله مساجد الله

*Do not stop the bondswomen of Allāh from Allāh’s masājid.*<sup>26</sup>

However, Ḥaḍrat Şiddīqah, Allāh Almighty is pleased with her, saw after the era of the companions that change came about in women. So, she stated, “Had His Sanctified Eminence, may Allāh send blessings and salutations upon him, witnessed what the women have done, then surely he would hinder them from visiting the *masjids*.”

<sup>26</sup> *Şaḥīḥ al-Bukhārī, Kitāb al-Jumu`ah: 900*

It is in *Bukhārī Sharīf*:

عن عائشة قالت لو أدرك رسول الله صلى الله عليه وسلم ما أحدث النساء لمنعهن  
كما منعت نساء بني إسرائيل

*Ḥaḍrat Ṣiddīqah states that if His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, had seen what the women have done, then he would have hindered them from the masājid how the women of Banū 'Isrā'īl were hindered.*<sup>27</sup>

Throughout the era of Ḥaḍrat Siddīqah the ruling for prohibition was not enforced, but when the situations worsened even more, the *mujtahid* 'Imāms forbade the women from attending the *masjids* for a few prayers. Subsequently, they forbade them for all the prayers. After this, when evil and corruption increased in the men also, then even the elderly women were forbidden from attending the *masjids*. The essence of all this is that very *fiqh* of Ḥaḍrat Siddīqah.

<sup>27</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-'Adhān: 869*

## 11. THE ISSUE OF RAḌĀ`AH

*RaḌĀ`ah* (fosterage) is established by the drinking of milk in days of nursing, and the *ḥurmah* (prohibition) that is established through *raḌĀ`ah* is not only for the foster mother but is established for all her relatives also. Meaning, her husband becomes the father, her children become brothers and sisters, her brothers and sisters become maternal uncles and aunts, her brothers and sisters in law become foster paternal uncles and aunts [of the child]. Once, when His Sanctified Eminence, may Allāh send blessings and salutations upon him, deemed the brother-in-law of a foster woman as the paternal uncle, Ḥaḍrat Şiddīqah asked an extempore question that, “This individual did not feed the milk, rather his sister-in-law nursed. Then, will the *ḥurmah* of *raḌĀ`ah* be established for this man?”

His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, stated, “Yes. He is the foster uncle.” Hence, Ḥaḍrat Şiddīqah issued the verdict that the relations of *ḥurmah* that are established at birth are also established through *raḌĀ`ah*.

This narration in *Bukhārī Sharīf* is as follows:

عن عروة عن عائشة رضى الله عنها قالت جاء عى من الرضاعة فاستأذن على فأبيت أن أذن له حتى أسأل رسول الله صلى الله عليه وسلم فحجاء رسول الله صلى الله عليه وسلم فسألته عن ذلك فقال إنه عمك فأذن له قالت فقلت يا رسول الله إنما أرضعتني المرأة ولم يرضعتني الرجل قالت فقال رسول الله صلى الله عليه وسلم إنه عمك فليلك عليك قالت عائشة وذلك بعد أن ضرب علينا الحجاب قالت عائشة يجرم من الرضاعة ما يجرم من الولادة

*Ḥaḍrat `Ā'ishah, Allāh Almighty is pleased with her, says that "My foster paternal uncle arrived and sought permission to come to me. I forbade to grant him permission until I ask His Sanctified Eminence, may Allāh send blessings and salutations upon him. His Eminence arrived so I asked, and he stated, 'He is your foster paternal uncle. Grant him permission.'" She says, "I asked that, O Messenger of Allāh, the woman fed me milk, the man did not feed me. So, His Sanctified Eminence, may Allāh send blessings and salutations upon him, said, 'Indeed, he is your foster paternal uncle. He may come to you.'" 'Umm al-Mu'minīn says that this matter occurred after the compulsion of ḥijāb, and she says, "Raḍā`ah also establishes the relations as ḥarām that are established as ḥarām by birth."*<sup>28</sup>

<sup>28</sup> *Ṣaḥīḥ al-Bukhārī, Kitāb al-Nikāḥ: 5239*

If the books of *Ḥadīth* are observed, then one will discover an extensive series of Ḥaḍrat Şiddīqah's, Allāh Almighty is pleased with her, *fiqhīyāt* (services in *fiqh*). Which prove this statement that Ḥaḍrat Şiddīqah, Allāh Almighty is pleased with her, is among the first officials of *fatāwā* in the 'ummah. She taught the desirous ones *fiqhī* issues through every step, issued verdicts to the students, and benefitted the 'ummah with her knowledge.

At last, regarding the expertise of Ḥaḍrat Şiddīqah, Allāh Almighty is pleased with her, in *fiqh* and *fatwā*, below I will mention quotes by the pious predecessors of the 'ummah.

**STATEMENTS OF THE ṢAḤĀBAH AND TĀBI`ŪN  
REGARDING THE FIQH AND 'IJTIHĀD OF  
'UMM AL-MU'MINĪN ṢIDDĪQAḤ, ALLĀH  
ALMIGHTY IS PLEASED WITH HER**



It is in a blessed ḥadīth:

كَمَلُ مِنَ الرِّجَالِ كَثِيرٌ وَلَمْ يَكْمَلْ مِنَ النِّسَاءِ إِلَّا مَرْيَمُ بِنْتُ عِمْرَانَ وَأَسِيَّةُ امْرَأَةِ فِرْعَوْنَ  
وَفَضْلُ عَائِشَةَ عَلَى النِّسَاءِ كَفَضْلِ الثَّرِيدِ عَلَى سَائِرِ الطَّعَامِ

*Many among the men attained excellence, and among women there is just Maryam bint `Imrān and `Āsiyah, the wife of Fir`awn, and the excellence of `Ā'ishah over all the women is like the excellence of tharīd over all foods.* <sup>29</sup>

Mullā `Alī al-Qārī writes in *Mirqāh*:

وَالْأَظْهَرُ أَنَّهَا أَفْضَلُ مِنْ جَمِيعِ النِّسَاءِ كَمَا هُوَ ظَاهِرُ الْإِطْلَاقِ مِنْ حَيْثُ الْجَامِعِيَّةُ  
بِكَمَالَاتِ الْعِلْمِيَّةِ وَالْعَمَلِيَّةِ الْمَعْبُرِ عَنْهَا فِي التَّشْبِيهِ بِالثَّرِيدِ الْخ

*It is utterly manifest from this that she is greater than all women considering she comprises excellence in knowledge and practice, as it was definitively stated in the blessed ḥadīth, and was juxtaposed with tharīd.*

<sup>29</sup> Ṣaḥīḥ al-Bukhārī, Kitāb Faḍā'il 'Aṣḥāb al-Nabī, may Allāh send blessings and salutations upon him: 3769

In explanation of this, Ḥāfiẓ ‘Ibn Ḥajar al-`Asqalānī states in *Fatḥ al-Bārī*:

قال ابن التين إن أريد بالتفضيل كثرة الثواب عند الله فذلك أمر لا يطلع عليه فإن  
عمل القلوب أفضل من عمل الجوارح وإن أريد كثرة العلم فعائشة لا محالة وإن  
أريد شرف الأصل ففاطمة وهي فضيلة لا يشارك فيها غير أخواتها وإن أريد شرف  
السيادة فقد ثبت النص لفاطمة وحدها الخ

*‘Ibn al-Tīn said, “If abundance of reward from Allāh is inferred by excellence, then it is difficult to be ascertained since the practice of the heart is greater than the practice of the body. And if abundance of knowledge is inferred, then Ḥaḍrat `Ā’ishah is certainly the most virtuous. And if absolute honor is inferred, then that is for Ḥaḍrat Fāṭimah and this is such excellence for her in which no one is equivalent to her besides her sisters. And if honor of supremacy is inferred, then that is also solely declared for Fāṭimah.”*

It is narrated by Ḥaḍrat ‘Abū Mūsā al-‘Ash`arī, Allāh Almighty is pleased with him:

ما أشكل علينا أصحاب رسول الله صلى الله عليه وسلم حديث قط  
فسألنا عائشة إلا وجدنا عندها منه علما

*Whenever us companions would have difficulty on any ḥadīth and we would ask `Ā’ishah, we would find the solution from her.* <sup>30</sup>

<sup>30</sup> *Jāmi` al-Tirmidhī, Bāb Faḍā’il `Ā’ishah*

Ḥaḍrat `Aṭā `ibn `Abī Rabāḥ, Allāh Almighty is pleased with him, states:

كانت عائشة أفقه الناس وأعلم الناس وأحسن رأيا في العامة

*Ḥaḍrat `Ā'ishah, Allāh Almighty is pleased with her, was the greatest faqīhah, the greatest in knowledge, and the one with the best judgement among the people.*

'Imām al-Zuhrī states:

كانت عائشة أعلم الناس يسألها الأكابر من أصحاب رسول الله

صلى الله تعالى عليه وسلم

*Ḥaḍrat `Ā'ishah, Allāh Almighty is pleased with her, was the greatest in knowledge. The senior companions would ask her questions.*<sup>31</sup>

<sup>31</sup> Ṭabaqāt Ibn Sa`d

Ḥaḍrat ‘Abū Salamah, Allāh Almighty is pleased with him, states:

ما رأيت أحداً أعلم بسنن رسول الله صلى الله تعالى عليه وسلم ولا أفقه في رأى إن  
احتيج إلى رأيه ولا أعلم بآية فيما نزلت ولا فريضة من عائشة

*I have not seen anyone more knowledgeable of the sunan of His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, than Ḥaḍrat `Ā'ishah, nor a greater faqīhah than her during necessity, nor anyone more knowledgeable than her on the context for revelation of the verses and inheritance distribution.* <sup>32</sup>

Sayyidunā ‘Amīr Mu`āwiyah, Allāh Almighty is pleased with him, asked his courtiers, “Who is the greatest scholar?”

Someone said, “It is you.”

He said, “No. Tell me the truth.”

So, he said, “It is `Ā'ishah.”

<sup>32</sup> Ṭabaqāt ‘Ibn Sa`d, min Ṭarīq al-Wāqidi

Ḥaḍrat `Urwah `ibn Zubayr, Allāh Almighty is pleased with him, states:

مَا رَأَيْتُ أَحَدًا أَعْلَمَ بِالْحَلَالِ وَالْحَرَامِ وَالْعِلْمِ وَالشَّعْرِ وَالطَّبِّ مِنْ عَائِشَةَ أُمِّ

الْمُؤْمِنِينَ

*I have not seen anyone more knowledgeable than `Ā'ishah `Umm al-Mu'minīn regarding ḥalāl and ḥarām, other sciences, poetry, and medicine.* <sup>33</sup>

It is in *Mu`jam al-Ṭabarānī* in this manner:

مَا رَأَيْتُ أَحَدًا أَعْلَمَ بِالْقُرْآنِ وَلَا بِفَرِيضَةٍ وَلَا بِحَلَالٍ وَلَا بِفَقْهِ وَلَا بِشِعْرِ وَلَا بِطَبِّ وَلَا

بِحَدِيثِ الْعَرَبِ وَلَا نَسَبٍ مِنْ عَائِشَةَ

*I have not seen anyone more knowledgeable of the Qur'ān and inheritance distribution, ḥalāl and ḥarām, nor in various rulings than Ḥaḍrat `Ā'ishah. Nor have I seen anyone more knowledgeable of poetry, medicine, the narratives of Arabia, and genealogy than her.*

An individual asked Ḥaḍrat Masrūq that, “Did Ḥaḍrat `Ā'ishah, Allāh Almighty is pleased with her, know the science of *farā'id* (inheritance distribution)?”

<sup>33</sup> *al-Mustadrak lī al-Ḥākīm*

He responded:

أى والذى نفسى بيده لقد رأيت مشيخة أصحاب رسول الله  
صلى الله تعالى عليه وسلم يسألونها عن الفرائض

*Yes, of course. I swear by Allāh, I have seen the senior companions asking her about inheritance distribution.* <sup>34</sup>

Maḥmūd ‘ibn Labīd states:

كان أزواج النبي صلى الله تعالى عليه وسلم يحفظن من حديث النبي صلى الله تعالى  
عليه وسلم كثيراً ولا مثلاً لعائشة وأمر سلمة

*The blessed wives would have the ‘aḥādīth of His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, memorized, but not like Ḥaḍrat `Ā’ishah and Ḥaḍrat ‘Umm Salamah.* <sup>35</sup>

Ḥaḍrat al-Zuhrī states:

لوجمع علم الناس كلهم وعلم أزواج النبي صلى الله تعالى عليه وسلم  
فكانت عائشة أوسعهم علماً

*If the knowledge of people was gathered and all the knowledge of the blessed wives was gathered, then the knowledge of Ḥaḍrat `Ā’ishah will be observed as the most expansive.* <sup>36</sup>

<sup>34</sup> *al-Mustadrak and al-Dārimī*

<sup>35</sup> *Ṭabaqāt ‘Ibn Sa`d*

<sup>36</sup> *al-Mustadrak and Mu`jam al-Ṭabarānī al-Kabīr*

## CONCLUSION



Ḥaḍrat Şiddīqah attained the companionship of the His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, in her youth. With the help of her intellect and eidetic memory, she thoroughly learned the *‘uṣūlī* (fundamental) and *furū’ī* (subsidiary) issues of the religion, and by constantly asking her majestic husband, she preserved a grand treasure of knowledge in her chest. Then, after the blessed demise of His Sanctified Eminence, may Allāh Almighty send blessings and salutations upon him, she remained living for over a period of forty years continuously propagating the *Qur’ān*, *Sunnah*, *Dīn*, and *Sharī`ah*. Her statements comprising of Qur’ānic exegesis, *‘aḥādīth* narrated from her which the noble *fuqahā’* have based rulings on, and her countless verdicts which are a magnificent asset for ‘Islāmic *fiqh*, are all Ḥaḍrat Şiddīqah’s great services which, from one angle, manifest her excellent *faqāhah* (understanding of ‘Islāmic jurisprudence) and her grandeur in knowledge.

From another angle, this wisdom of the Lord is also manifest as to why for the marriage of His Noble Beloved, upon him be blessings and salutations, after reaching over the age of fifty, Allāh Almighty selected someone as young as Ḥaḍrat Şiddīqah, Allāh Almighty is pleased with her, for the *nikāḥ*. May Allāh Almighty shower blessings upon her until *qiyāmah* and may He pardon us as well for her sake. *‘Āmīn*.

FAQĪR FAIZĀN AL-MUŞṬAFĀ QĀDIRĪ

*Jami`ah ‘Imām ‘A`zam ‘Abū Ḥanīfah (Lucknow)*

7 Rajab, 1444 AH

## TRANSLITERATION KEY



ARABIC LETTER	LATIN CHARACTER	ARABIC LETTER	LATIN CHARACTER
إِأْءْ	'   'a   'i   'u	ط	ṭ
ب	b	ظ	ẓ
تة	t	ع	`   `a   `i   `u
ث	th	غ	gh
ج	j	ف	f
ح	ḥ	ق	q
خ	kh	ك	k
د	d	ل	l
ذ	dh	م	m
ر	r	ن	n
ز	z	و	w
س	s	ه	h
ش	sh	ي	y
ص	ṣ	ـاـ   ـيـ   ـوـ	ū   ī   ā
ض	ḍ		

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