

## Manners Welcoming a new born child - What we should know by necessity as Muslim parents.

### Manners Welcoming a new born child

#### IMPORTANCE OF THE TOPIC

The importance of writing about this topic springs from the importance of these manners which can be summarized in the following points:

All of the manners for welcoming the new-born are taken from the guidance given by the chosen Messenger Muhammad (SAW) in his Sunnah, so applying them with one's children is a form of worship which draws one nearer to Allah - the Most High - and is a revival of the Sunnah in this matter.

Greeting the new-born with these rites at the start of their lives is an outward sign distinguishing the children of this Ummah from the children of other nations in their upbringing, and their behavior, just as it gives the sense of dignity of attachment to this Deen, and it gives them a distinguishing character from the first moments of their lives.

**That welcoming the new-born with these manners by the parents is a fulfillment of part of their duty towards the child, and of their good treatment of it - which will also lead if Allah wills to the child in turn treating its parents well.**

Allah says in the Quran in Soorat al-Baqarah, Aayah:138, the meaning of which is:

"Our 'Sibghah' (religion) is] the 'Sibghah' (religion) of Allah (Islam) and which 'Sibghah' (religion) can be better than Allah's. And we are His worshippers." [Tafsir Ibn Kathir]

These manners have their effect upon the child's education and development and his correct development is closely tied to this, and what can be greater for the father than seeing that his son is honest and good, and is developing righteously - this will indeed be a great pleasure for him.

That welcoming the new-born with these manners by the parents is a fulfillment of part of their duty towards the child, and of their good treatment of it - which will also lead if Allah wills to the child in turn treating its parents well, since as is said: "Treat your children well and your

children will treat you well".

These manners of welcoming the new-born which are to be quoted are by a large number of points of wisdom and benefit derived the Sharee'ah, social life, the field of education and nature, which will be of benefit to the child, its parents and to their society in and the future. This will become clearer when the topic is entered into large number of errors that people fall into in these matters due either to negligence or lack of knowledge.

#### (A) GIVING THE GOOD NEWS OF THE BIRTH

The celebrations due to the birth begin with the desirability of carrying the good news to the family of the new-born child. So this news is conveyed to the father and others i.e. that the child has been born, and it will cause him great happiness and joy to hear that what he has been anxiously awaiting has arrived.

So the child is a blessing and a precious gift given to the parents, and a beautiful flower granted to them by the Granter of all blessings - He thee free of all imperfections - so it is right that whoever has been provided with a new-born child should be informed of it, and that hears of it should be happy for him and congratulate him.

Quran mentions this good news being given to a number of the Prophets who were granted the blessing of a child. He - the One free all imperfections - gave the good news to Zakariyyaa of his son in His saying:

"Then the angels called him, while he was standing in prayer in 'Al-Mihrab' (a praying place or a private room), (saying): 'Allah gives you glad tidings of Yahya.' [Soorah Aali Imraan, Aayah:39]

Before this He gave the news to Ibraheem of his son Ismael, with His saying:

"So We gave him glad tidings of a forbearing

boy." [Soorat us-Saffaat, Aayah:101]

And it is reported that Abu Rafi' informed the Prophet of the birth of son Ibraheem, so the Messenger gave him the gift of a slave. <sup>1</sup>

### (B) CONGRATULATIONS AND SUPPLICATING FOR THE NEW-BORN.

Since the new-born child is something good that has come to his parents, a reason for their happiness then it is desirable for those who know about it to congratulate the parents and his near relations and congratulating a Muslim when he attains that which is pleasing is an established sunnah - just as with marriage, at the time of Eid, at the time of repentance, and on other such occasions so the same is the case at the birth of a child. Furthermore, our Prophet Muhammad (SAW) used to take the new-born child and supplicate for its good and for blessing. 'Aishah (RD) said: "New-born children used to be brought to Allah's Messenger (SAW) and he would supplicate for blessing for them and rub a chewed date upon their palate." <sup>2</sup>

#### THE MANNER OF CONGRATULATING

I have not come across anything in the sunnah established from the Messenger (SAW) regarding the manner of congratulating - except for the supplication for the blessing which has preceded. But it is said that a man came to al-Hasan al-Basree - rahimahullaah <sup>3</sup> and entered upon him when there was already with him a man who had a new-born son. So the man said to him: "Congratulations for the lion." So al-Hasan said: "How do you know whether he will be a lion or a donkey" So he said: "Then what should we say?" He said, "Say: You have been blessed in what you have been given, may you give thanks to the One who granted it, may he reach maturity and right-guidance, and may you be treated well by him." and in a different wording that he said to him: "May Allaah make him a blessing for you and for the Ummah of Muhammad". <sup>4</sup>

So this form of congratulations reported as being the saying of al-Hasan is beautiful in meaning and wording since it contains the seeking of good and blessings for the new-born child - which was what the Messenger (SAW) used to do with the children of the Companions.

And if someone gives congratulations with other wordings - then that is permissible and he has carried out the sunnah by doing what was intended and because we do not have anything particular mentioned in text, and Allaah knows best. At this point, we should also mention a very important point which is that supplicating for blessing of the child when greeting his arrival is what every righteous parent would wish so that this child may be righteous himself, beneficial to them and a blessing for his Deen and for the Ummah. But as regards supplicating that he should become doctor or an engineer, or just that he should grow up to be like his parents, then none of this has any value in Islam, since if he attained that but was deprived of blessing, good and righteousness, then that would indeed be worthless.

Then, after this, the manners of greeting the new-born proceed and the prescribed practices (Sunan)

by which he is welcomed into the shade of Allah's Deen follow on, so that he may grow up upon them and be raised in their shade right from the first breath of air which he takes in this life.

So in what follows - if Allaah wills - there will be a full explanation of these Sunnahs and the prescribed manners.

1. Ibn Sa'd in his 'Tabaqaat' and Ibn 'Abdul-Barr in 'Al-Istee'aab'
2. Reported by Muslim [E.T. 3/1173/No. 5347] and Abu Dawood
3. Famous taabi'ee of Basrah, died in 110H.
4. Ibn ul-Qayim attributes it to Ibnul-Mudhir in 'al-Awaat', and as-Suyootee in 'al-Haawee' attributes it to Ibn 'Asaakir. Its isnaad contains Kulthoom ibn Jawshan who is weak.

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### CIRCUMCISION (AL-KHITAAN)

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From the manners prescribed for the new-born child is the circumcision (Khitaan) which is the surgical removal of the skin surrounding the head of the boys penis and the skin dangling above the girl's vagina.

#### (A) Its Prescription

The proofs of the prescription of circumcision are very many. From them is what is reported by al-Bukhaaree and Muslim from Aboo Hurairah radiyallaahu'anhu - who said: "Allah's Messenger (peace be upon him) said: <The Fitrah (natural way) is five: circumcision, shaving the private parts, trimming the mustache, clipping the nails and plucking hair from the armpits.>"<sup>1</sup>

So in this hadeeth circumcision is quoted at the head of the actions of the Fitrah. Ibnul-Qayyim said: "These are from the Fitrah, since the Fitrah, is the true religion - that of Ibraaheem and these actions were ordered by Ibraaheem, and they were from the words by which he was tested."<sup>2</sup>

(B) The Ruling for Circumcision The scholars hold two views about the ruling for circumcision.

**The first saying:** that it is a recommended Sunnah and their proof for this is the hadeeth:

circumcision is sunnah for men, a noble action for women<sup>3</sup> And that he united it with the other recommended actions in the hadeeth of the Fitrah. They also use as evidence the saying of al-Hasan al-Basree: "That all peoples, white and black, Romans, Persians and Abyssinians accepted Islam in the time of the Messenger (peace be upon him) and none of them were investigated (concerning circumcision)" - so that shows that it is only a recommendation, and this is the view of al-Hasan al-Basree and Aboo Haneefah-rahimahuallaah.

**The second View:** that it is an obligation - is what is correct, if Allah wills, based upon the following evidences:

- (1) Allah - the Most High - ordered His Messenger (peace be upon him) to follow the way and religion of Abraham in His saying:

"Then, We have inspired you (O Muhammad saying): **Follow the religion of Abraham Hanifan (Islamic Monotheism to worship none but Allah) (Sooratun-Nahl, Ayah 123)**

And circumcision is from his religion, and this nation is commanded with whatever its Prophet (peace be upon him) was commanded with unless there is further proof to show that it is something particular to him.

- (2) He ordered a man who enter into Islam to get himself circumcised, saying to him: Remove the hair of unbelief and get yourself circumcised.<sup>4</sup>

And an order in principle produces an obligation as is well-known to the scholars of Usool-ul-Fiqh (The Principles upon which Fiqh is Based).

- (3) The person who remains uncircumcised has the possibility that his purification and prayer will be nullified -since the foreskin covers the penis and urine may gather under it and thus full purification may not be achieved - in which case the correctness of his prayer would depend upon circumcision.<sup>5</sup> Therefore Ibn 'Abbaas - radiyallaahu'anhumaa - said: "Prayer is not accepted from him"<sup>6</sup> Since that which is essential for fulfillment of an obligation is itself obligatory.

- (4) It is also one of the symbols and signs of the Deen, through it Muslims can be distinguished from non-Muslims. Therefore al-Khattaabee mentioned that if a circumcised person was found dead amongst the corpses of uncircumcised people (i.e. on a battlefield) - then he should be prayed over and buried in the Muslim cemetery.<sup>7</sup> There are also further proofs of its obligation which can be found in reference works.<sup>8</sup>

A Reply to the Evidence of those Holding it to be a Recommendation only. The evidences brought by those who hold that the first saying are replied to as follows:

As for the hadeeth: Circumcision is Sunnah for men, a noble action for women. - then it is reported from Ibn 'Abbaas with a weak chain of narration. Even if it were taken to be authentic then the meaning of his saying 'Sunnah' would be: That it was something established by the Messenger and ordered by him as an obligation. Just as the Sunnah is the way, the correct methodology to be applied and the Sharee'ah to be followed - and it is something which covers both obligations and recommendations. Furthermore particularizing it to refer only to things which may be left is

a new terminology which cannot be used as evidence.

As regards its being joined with recommended actions in the hadeeth about the Fitrah - then this cannot be used as a proof here since the characteristic of the Fitrah include things which are obligatory - such as washing the mouth and nose (in wudoo), and clipping the mustache if it grows long, and things which are recommended - and cutting the nails is recommended - or it may be an obligation. So the hadeeth is not an applicable proof here.

As for the saying that the Messenger did not investigate any of those who accepted Islam about it - then that was because the 'Arabs used to practice circumcision - as did the Jews, and as for the Christians - then some of them practiced circumcision and others did not. Furthermore, everyone who entered into Islam knew that it was one of the signs of the Deen so they would hasten to get it done just as they would take a bath.

#### (C) The Time for Circumcision

There is a recommended time for the circumcision, an obligatory time and a permissible time.

- (1) As for the recommended time, then it is the seventh day after the birth - i.e. the day of the aq. As for the saying that this is an imitation of the Jews, then that is not correct, and nothing is reported about it as Imam Ahmad said.<sup>9</sup>

There are two hadeeth reported about the recommendation of circumcising on the seventh day - as Shaikh al-Albaanee says: The first is the hadeeth of Jaabir who said: "Allah's Messenger (peace be upon him) performed the aq of al-Hasan and al-Husayn and circumcised them on the seventh day."<sup>10</sup> And the Hadeeth of Ibn 'Abbaas - that seven are from the Sunnah on the child's seventh day and in it there occurs: " .... he should be named and circumcised." Both these hadeeth are declared weak by Shaikh al-Albaanee said: "However, each hadeeth supports the other since they are reported by different narrators and neither is reported by anyone accused of lying, and it is accepted by the Shaafi'ees who hold that it is therefore recommended to circumcise the child on the seventh day after the birth."<sup>11</sup>

I say: that is also reported from Faatimah - that she circumcised one of her children on the seventh day.<sup>12</sup>

And when Wahb ibn Munabbih was asked about the wisdom of circumcising on the seventh day he said: "To make it easy for the child."<sup>13</sup>

Modern medicine has also shown us the importance, benefit and desirability of performing it on this day - as will be seen in this section about the wisdom of circumcision. This is the case if the child's organ is normal, however if the child is born and the opening through which the urine passes is

lower or high than normal - then the doctor may delay the circumcision for a while in order to carry out an operation to correct this, making use of the foreskin for a skin graft - and performing the circumcision at the same time.<sup>14</sup>

- (2) As regards the permissible time - then it is permissible to perform the circumcision before the seventh day, or afterwards, until before puberty.
- (3) Then if the time of puberty comes near one enters the obligatory time period since puberty is the time when the actions of worship - purification, prayer and so on become obligatory - and it is not correct from him unless he is circumcised. Ibnul-Qayyim said, addressing the fathers: "It is obligatory upon the guardian to circumcise the child so that he attains puberty and has been circumcised - since this is something essential for the accomplishment of an obligation."<sup>15</sup>

#### (D) Circumcision (Khafd) of Girls

It has become clear to us that circumcision is obligatory. However, does this apply to females or is it particular to the males. This is what we will discover - if Allah wills.

The view that we arrived at when discussing the ruling of circumcision was indeed particular to males. however, with regard to females then the scholars have three opinions:

- (1) Some scholars - such as the Shaafi'ees, and a narration from Ahmad hold that it is obligatory upon the females.
- (2) The majority - such as the Hanafees, the Maalikees, the Hanbalees and others - hold that it is prescribed for women and is recommended (mustahabb).
- (3) Others hold that it is not prescribed for them -and this is a weak saying.

\* Discussion and Arrival at the Preferred View.

Perhaps the closest of the sayings to the truth - and Allah knows best - is that circumcision is prescribed for women and allowed for them and is not an obligation, and that is due to the following:

- (1) His saying: <When the two circumcised parts unite then bathing becomes obligatory><sup>16</sup> is a proof of its prescription and permissibility for women, since the two circumcised parts are those of the male and those of the female. Ahmad said: "This shows that the women used to be circumcised."<sup>17</sup>
- (2) The saying of the Messenger (peace be upon him) in the hadeeth of Umm 'Atiyyah to a female circumciser: <When you circumcise then do not cut severely, since that is better for her and more pleasing to the husband.><sup>18</sup>
- (3) And to those who declare it to be obligatory upon the women, then it is said: Rather the order refers to the men and it is not correct to transfer the ruling to the women, since they differ from men in their nature and constitution and there is no proof for its obliga-

tion upon them except for an analogy - and that cannot be applied here as we have mentioned.

- (4) As for the hadeeth of Umm 'Atiyyah then it shows no more than an allowance as has preceded, not an obligation - and Allah knows best

#### (E) Discussion about the Circumcision of Girls.

Some doctors and others try to belittle female circumcision and claim that it is harmful, an evil custom and is detrimental to health. However, this is a false claim since a number of doctors have affirmed that it produces a number of benefits, some of which we will mention when discussing the wisdom of circumcision.

The harm that is attributed to this operation cannot be ascribed to circumcision itself, rather to two matters:

- (i) Cutting too severely - as occurs in some Islamic lands - such that the clitoris or its hood is totally removed, indeed sometimes even the outer lips (labia) are removed and the vaginal orifice closed. It is essential to point out here that this is not the prescribed Sharee'ah method of circumcision but rather a barbaric act rejected by Islam and forbidden by the Messenger (peace be upon him) who warned against it saying: <When you circumcise then do not do so severely ... >
- (ii) or the harm is also due to this operation being carried out by those who do not specialize in this field, or by the use of unsterilized instruments which causes infection or harmful illnesses.<sup>19</sup>

So when we consider this harm, we find that it is not caused by circumcision itself, but rather by contradicting the text forbidding cutting severely, or by using unhygienic instruments, and this cannot be used to prevent the operation itself - if properly performed - since if male circumcision were to be performed by cutting to excess or with unhygienic instruments - then that would also be detested and rejected. So would this be a reason to prevent male circumcision so the same goes with regard to females.

So from what has preceded it becomes clear that female circumcision - if done correctly - such that the cutting is limited, and done with proper instruments - is something prescribed and produces health and psychological benefits - and is far removed for harmful effects or danger.

#### (F) Particular and Special Cases

The ruling about circumcision may vary according to the circumstances, and from one person to another - since a child may be born without a foreskin - and this is very rare.<sup>20</sup>

So in this case circumcision is not performed as there is no need, nor is there any need to brush the razor over his penis - and this is not correct and is of no benefit. As for one whose foreskin is such that a part of the head of the penis is visible, then

he must be circumcised so that all of the head is visible. they are:

Likewise, with regards to females, a girl may be born not needing to be circumcised, as is the case with women from some lands having a cold climate, whereas women of lands with a hot climate may require circumcision since the hood of the clitoris may grow so large as to prevent sexual intercourse, or it may increase her desires when her clothes rub against it.

**(G) Wisdom and Benefits of Circumcision.**

Circumcision carries very great Sharee'ah benefits, and great medical benefits - which have been affirmed by Islam and discovered by scholars and doctors. So there follows some of the wisdom and benefits which have become apparent:

Before mentioning the wisdom of circumcision, we should first mention the wisdom behind its being recommended on the seventh day. This will be clear from the fact that the seventh day is the best day to protect the child from the effect of any bleeding or infection caused by the operation. Medicine tells us that the number of red blood cells increases during the hours after birth and then the increase falls and reaches its lowest level between the third and the seventh day. This falls causes the blood to flow more easily so that white blood cells and antibodies are able to flow easily to any part of the body in order to counter any infection due to a wound or inflammation. Likewise during this week the liver becomes fully operational as does blood coagulation. Furthermore bacteria reach the intestines so that vitamin K is produced which is vital to prevent hemorrhage - which completely stops after this week.<sup>21</sup>

\* From the Sharee'ah wisdom of Circumcision

- (1) Circumcision is the head of the characteristics of the Fitrah prescribed for the followers of the true religion, it is therefore a sign and indication of Islam.
- (2) Circumcision also shows one's willing servitude to Allah, and is a sign of this. This is why you may find that a part of the ear lobe or the like of a slave is cut off as a sign of his enslavement, or the scarring of the face by some African tribes to show their tribal attachment. So it should not be denied that the cutting in circumcision is a sign of the person's servitude to Allah and his ascription to being one of the slaves of Allah upon the correct religion.<sup>22</sup>
- (3) The foreskin which is removed in circumcision is a place of impurity and filth, and shaitaan - as is well known - loves filth and impurity and feels at home with it. So when the child is circumcised it is removed from this impurity and from that which is comforting to shaitaan.

\* As regards the medical benefits then they are clear from the following:

**First:** Doctors do not differ about the importance and medical benefits of circumcision for males, and

- (i) that it prevents infection due to microbes which is caused by retention of urine by the foreskin and narrowness of the urinary exit
- (ii) it reduces lusts and the sexual urge and the ill-effects produced by them
- (iii) it reduces premature ejaculation<sup>23</sup>
- (iv) it protects the man from a number of dangerous diseases which may afflict him such as inflammation or cancer of the penis and a number of other diseases. Studies have shown that those who are afflicted by cancer of the penis are from those who are uncircumcised, whereas the circumcised are not afflicted by it<sup>24</sup>
- (v) circumcision also protects the wife, since women married to circumcised husbands have fewer incidences of cancer of the neck of the womb than those married to uncircumcised husbands<sup>25</sup>

There are a great deal more medical benefits which can be referred to in medical books.

Ibnul-Qayyim - rahimahullaah - summarized these benefits, saying: "Circumcision comprises cleanliness, purification, health, regulation of desires and embellishment of one's appearance."<sup>26</sup>

**Second:** Female circumcision shares some of the benefits of male circumcision, and has extra benefits particular to it - some of them being mentioned by our Prophet Muhammad (peace be upon him) who said that it is: <Better for the woman and more pleasing to the husband> and that it is: <Better for the face and more pleasing to the husband><sup>27</sup>

And as is known these benefits do not reach the level of importance of the benefits of male circumcision. However, they are benefits and productive of good effects.

Here are some of the benefits which have been discovered:

- (i) A reduction of infections resulting from microbes gathering under the hood of the clitoris.
- (ii) Attacks of herpes and genital ulcers are less severe and less harmful with men and women who have been circumcised.<sup>28</sup>
- (iii) A further benefit that is apparent for them and more so for their husbands, is that women of hot climates often have a large clitoris which arouses their desires when it rubs against the adjacent clothing. It may even grow to such a size that sexual intercourse is not possible. Therefore, circumcision reduces her desires and their effects in the first case, and makes intercourse possible in the second.<sup>27</sup>

**Footnote**

- 1. Reported by 'al-Bukharee [E.T. 7/516/No. 779] and Muslim [E.T. 1/159/No. 495]
- 2. 'Tuhfatul-Mawdood' p. 90
- 3. Reported by Ahmad (5/75) from the father of Abu

Maleeh and al-Baihaqee (8/325) from Ibn 'Abbaas - as his own saying and as a prophetic hadeeth - and its chain of narration

contains weakness. See: ad-Da'eefah' (No. 1497)

4. Reported by Ahmad (3/415), Abu Dawood [E.T. 1/93-94/No. 356] and al-Baihaqee (8/323-324) and its chain contains weakness. However, it is 'hasan' due to witnessing narrations- see 'al-Irwaa.' (1/120)

5. 'Tuhfatul-Mawdood' p. 203

6. al-Baihaqee(8/325) as his saying only

7. 'Fathul-Baaree' (10/342)

8. See; 'Tuhfatul-Mawdood' p. 108, 'Sunanul-Baihaqee (8/325) and 'Fathul-Baaree' (10/431 -)

9. 'Tuhfatul-Mawdood' p. 103

10. Reported by at-Tabaraanee in 'as-Sagheer' (2/45) and al-Baihaqee (8/324) from Jaabir

11. 'Tamaamul-Minnah fit-Ta'leeq 'alaa Fiqhis-Sunnah (p. 68) and al-Majmoo' (1/303)

12. Reported by Maalik and Abu Dawood in 'al-Maraaseel' (No. 380) and al-Baihaqee (9/304) and its chain is broken but its meaning is witnessed to - as has preceded. [E.T. These narrations from her do not, however, mention circumcision]

13. 'Tuhfatul-Mawdood' p. 112

14. 'al-Islam wat-Tifl' of Wajeeh Zaymul-'Aabideen, p. 20

15. 'Tuhfatul-Mawdood' p. 111

16. SSAHEEH: Reported by Ahmad (6/239) and al-Baihaqee. (Saheehul-Jaami':385)

17. 'Tuhfatul-Mawdood' p. 117

18. Reported by Abu Dawood [E.T. 3/1451/No. 5251] and al-Baihaqee (8/324) and declared 'hasan' by shaikh al-Albaanee in 'as-Saheehah (No. 722)

19. Adapted from an article in 'al-Mujtami' magazine entitled: 'Circumcision and Modern Illness' No. 931

20. Some people think that one who is born not requiring circumcision has been specially blessed and had special status - this is however, a false superstition having no basis in the intellect or the Sharee'ah.

21. 'Manual of New-born Care' p. 5 by John Colohery

22. 'Tuhfatul-Mawdood' P. 115

23. 'Circumcision and Modern Illness' in al-Mujtami's magazine p. 50

24. 'at-Tibbun-Nabawee wal-Ibmul-hadeeth' by Dr. Mahmood an-Naseemee: 1/384-385

25. Ibid

26. 'at-Tuhfah' p.114

27. Reported by al-Baihaqee (8/324) and see 'as-Saheehah' No. 722

28. 'Circumcision and Modern Illness' p. 51

## SHAVING THE BABY'S HEAD.

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From the prescribed manners of welcoming the new-born child is to shave the head on the seventh day after the birth - i.e. on the day when the 'Aqeeqah is sacrificed. This is due to the saying of the chosen Messenger Muhammad: <Every child is held in pledge for its 'Aqeeqah which is sacrificed for him on his seventh day, and he is named on it, and his head is shaved.><sup>1</sup>

### (A) Manners to be Observed when Shaving the Head

The following manners must be observed when shaving the child's head:

- (1) The right side of the head should be shaved first - then the other side. This is the Sunnah for shaving the head in general due to the hadeeth of Anas ibn Maalik that Allah's Messenger said to the barbers who shaved his head in Minaa: "<Take/Shave> and he indicated the right side of his head and then the left." and in another wording after he had shave the right side, he said to him: <Shave the other side>.<sup>2</sup>
- (2) The new-born child's hair is shaved when that is possible - but if the child is born without hair, or there is so little hair that it cannot really be shaved - then it is not shaved, and with regard to the first case, then there is no need to merely pass the razor over his head.
- (3) One may not shave a part of the child's head and leave another part since this is 'al-Qaz' which was forbidden by the beloved Prophet Muhammad (peace be upon him).<sup>3</sup>
- (4) When the hair has been shaved and weighed it may be buried in the earth since it has been reported in some narrations<sup>4</sup> - just as it is allowed to put it in any place without specification.

(B) Does Shaving Apply to both Males and Females?

The Preferred View

Perhaps the second saying which holds that it applies to both males and females is more correct and stronger due to the following three points:

**First:** He said: <When it is the child's seventh day, then spill blood for him, remove the harm from him and name him><sup>5</sup> and in another hadeeth that he: "Ordered that the child be named on the seventh day, the harm removed and 'Aqeeqah be performed."<sup>6</sup>

So there two hadeeth are a proof that the shaving is general to both male and female children since the word (mawlood) - '(new-born) child' is a word used to refer to both males and females, and the harm men-

tioned in the hadeeth is the hair as has preceded.

So this is the meaning that is to be understood from the ahaadeeth which occur with the word: 'al-ghulaam' (boy/child) - such as the hadeeth of Samurah: <Every child (ghulaam) ... >, since some of the scholars mention that what is meant by 'ghulaam' is any child whether male or female .<sup>7</sup>

As San'aanee adds: "And what is apparent from it is that the shaving of the head applies to both boys and girls."<sup>8</sup>

Therefore, we say that the mention of the word for boy in the hadeeth was not meant to be restricted and particular to boys as is shown by the fact that both males and females share in the other matters mentioned in the same hadeeth, i.e. the naming and the 'Aqeeqah - so likewise both share in the shaving.

**Secondly:** From Ja'far ibn Muhammad: from his father ('Alee ibn alHusayn) who said: "Faatimah weighed the hair of Hasan, Husayn and Zaynab and Umm Kulthoom and gave its weight in silver in charity."<sup>9</sup>

And its chain of narration is broken (munqati). It is reported in another narration - which does not mention Zaynab or Umm Kulthoom - "that she weighed the hair of al-Hasan and al-Husayn and gave its weight in silver to charity."<sup>10</sup>

So the first narration contains an addition which is the mention of Zaynab and Umm Kulthoom, however, its meaning is witnessed to by what is established from the prescription of shaving the hair of the girl in the ahaadeeth of the first point. So this addition is to be accepted since it does not bring any new and extra ruling, and Allah knows best.

As is obvious Faatimah's - radiyallaahu'anhaa - weighing of the hair of her daughters was not possible except after shaving it, and a further indication that she did indeed shave their hair is what can be understood from the general word 'children' in the narration reported by Ibn Abee Shaibah: "That she used to perform 'Aqeeqah for her children on the seventh day, name them, circumcise them, shave their head, and give its weight in silver to charity."<sup>11</sup>

However, since we cannot definitely state that these narrations are strong with regard to their chains of narration - then we say that they are secondary evidences and that the primary proof is the first evidence where the general term applying to both males and females is used, i.e. (child: mawlood), along with what follows:

**Second:** In addition to this the Messenger (peace be upon him) ordered that harm be removed from the child and this harm - as has preceded - is the hair upon the head and the traces of birth upon it. The removal of this hair is due to the reason that it is harmful, so how can it be, this being the case that is to be removed from the male but not the female! The benefit is medical - as seen from the hadeeth, and social - as will follow - and this will be the same for both boys and girls.

So perhaps these three matters together support each other and strengthen one another - so that

the ruling is strengthened and shaving is seen to be a Sunnah applying to any new-born child whether male or female. And Allah knows best what is correct.

### (C) The Place of Shaving in the Order of the Actions on the Seventh Day.

We know that shaving the hair is one of the actions of the seventh day and here we will mention that it is recommended that it be done after sacrificing the 'Aqeeqah on that day. There occurs in the hadeeth of 'Aa.ishah - radiyallaahu'anhaa -:"Allah's Messenger performed the 'Aqeeqah of al-Hasan and al-Husayn on the seventh day, and he named them, and ordered that the harm be removed from their heads."<sup>12</sup>

So this indicates that the sacrifice is to be done before the shaving of the head, since the shaving is attached to the 'Aqeeqah and was ordered to be done after the 'Aqeeqah was performed. This is also indicated by what is mentioned in some narrations of the hadeeth of Samurah: <Sacrifice is made for him on the seventh day, then his head is shaved.> It is reported by Abush-Shaikh<sup>13</sup>

This is the view held by al-Baghawee and declared to be correct by an-Nawawee in 'al-Majmoo'.

### (D) The Time of Giving Charity

After shaving off the hair of the child it is Sunnah to give the value of the weight of the hair in silver, as charity. However, is this another action to be done on the seventh day., The time for giving the charity has been mentioned in the hadeeth of Anas: "That Allah's Messenger (peace be upon him) ordered that the heads of al-Hasan and al-Husayn be shaved on their seventh day, then charity was given with its weight in silver, and he did not find a sacrifice."<sup>14</sup>

And there is also a report from Faatimah that she shaved the hair of her son on the seventh day and gave the charity on it.<sup>15</sup>

So this is what is recommended, but it is a matter in which there is allowance and ease - if Allah - the Most High - wills.

### (E) Is Charity to be Given in Gold or Silver?

What is established in the authentic ahaadeeth is that it is to be silver. Ibn Hajr said: "All the narrations are agreed in mentioning giving charity with silver, and none of them contain a mention of gold."<sup>16</sup>

And giving charity in gold is not reported - as far as I know - except in the previous hadeeth of Ibn 'Abbaas in which there occurs: "And he should give its weight in charity - in either gold or silver." However, it is weak as has preceded. Therefore, what is better is to stick to what is confirmed in the authentic Sunnah - that charity be given with the weight of his hair in silver. But if he were to give the charity in gold, then it would not harm since it is reported from a group of the Salaf. But silver is better for two reasons:

- (i) It is what is established in the many authentic ahaadeeth as has preceded.

- (ii) That giving silver in charity is easily managed by any person - as opposed to gold which is more expensive, and this can be seen clearly in the following point:

### (F) How can this Charity be Given at Present.

In the time of the Messenger (peace be upon him) and after him, silver used to be a common form of currency - like gold, when they shaved the hair they weighed it against silver - and then gave this weight in charity - as done by Faatimah - radiyallaahu'anhaa. However, today, people use paper money (riyals in Saudi Arabia) and other currencies which are prevalent today instead of silver.<sup>17</sup>

So we need to know the amount of charity to be given today, and this will be made clear in the following:

\* What we should do is to work out the value of the appropriate amount of silver in modern currency. That is done by weighing the hair in grams then finding out the current value of that amount of silver.

The result will then be the amount of charity that is to be given.

\* An example: For hair which weighs 2.5 grams, i.e. approximately one dirham. We multiply this by the price of a gram of silver - which is not fixed - let us say that it is two Saudi Riyals. Then the amount of charity to be given will be  $2.5 \times 2 = 5$  Riyals (approx. 85p sterling) and this is an amount of charity which will be easy for every Muslim - rich or poor.

However, if this were measured in gold, it would be harder since a gram of gold may cost about 50 Riyals or more (approx. 8.50) - so upon our example the amount of charity to be given if it were given in gold would be  $2.5 \times 50$  Riyals = 125 Riyals (approx. 22)

### Footnote

1. Reported by Ahmad, Abou Dawood [E.T. 2/798/No. 2832] and others and it is 'saheeh'
2. Reported by Muslim [E.T. 2/656/Nos. 2991 & 2993]
3. Reported by al-Bukhaaree: [E.T. 7/5261/No. 803]
4. It is reported by Ibn Sa'd in his 'Tabaqaat' (1/136 & 137) and Ibn 'Abdul-Barr mentions in 'al-Istee'aab' (1141,42) that the Messenger did that with the hair of his son Ibraaheem, and Ibn Abee Shaibah reports some narrations about this from Mujaahid and Ibn Seereen (5/241), and see 'al-Majmoo' (1/290)
5. Reported by at-Tabaraanee in 'al-Awsat' and declared 'hasan' by Ibn Hajr
6. Reported by at-Tirmidhee (2989) and is 'hasan': al-Irwaa 4/399-400
7. 'Fathul-Malikul-Ma'bood' of al-Ameen Khitaab, 3/85
8. Subulus-Salaam: 4/131
9. Reported by Maalik [E.T. Na. 1042], Abou Dawood in 'al-Maraaseel' (No. 380) and al-Baihaqee (9/304) and its chain of narration is 'munqati' (broken). However, its meaning is witnessed to by the hadeeth quoted after it, and the first proof - together with the third point about it
10. Reported by al-Baihaqee (9i304) and its chain is also broken (munqai') and it is declared 'hasan' due to its supports by al-Arnawoot ... see his notes on 'Jaami'ul-Usool' (7/505)
12. Reported by al-t-laakim (4/237) who declared it 'saheeh' and adh'Dhahabee agreed, and Ibn Hajr declares it 'saheeh' in 'al-Fath' (9/589) and it is a part of a hadeeth reported by al-Baihaqee (9/304) which has preceded

13. 'Tarhut-Tathreeb' : 5/213

14. Reported by at-Tabaraanee in 'al-Kabeer' and 'al-Awsat' and its chain of narration contains Ibn Lahee'ah who is weak and al-Haithumee says (4/57): 'Its isnaad is 'hasan' and the rest of its narrators are those of the 'saheeh'

15. Reported by al-Baihaqee (9/304) with broken chain - declared 'hasan' by al-Arnawoot due to its supports: 'Jaami'ul-Usool' (7/505)

16. 'at-Talkeesul-Habeer' 4/163

17. In principle one should give silver in charity, however, a poor person today will perhaps not benefit from it if he receives it since it is no longer counted as common currency as used to be the case

## THE 'AQEEQAH

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### (A) Introduction

Its Prescriptions

Ruling for the Aqeeqah

Aqeeqah for Miscarried Fetus

Giving Charity Equal to its Price

### (B) Its Prescription

The ahaadeeth about the prescription of the "Aqeeqah are very many. From them is that which al-Bukhaaree reports: that Allah's Messenger (peace be upon him) said: With the child there is "Aqeeqah, so spill blood for him and remove the harm from him<sup>1</sup> And from them is the hadeeth of Samurah who said: Allah's Messenger (peace be upon him) said: Every child is in pledge (raheenah)<sup>2</sup> for its "Aqeeqah which is sacrificed for it on its seventh day, and it is named on it, and its head is shaved.<sup>3</sup> and other ahaadeeths.

### (C) The Ruling for the 'Aqeeqah.

The scholars differ about the ruling for the 'Aqeeqah upon three sayings:

**The first saying:** That it is obligatory (waajib). This is the view of some of the scholars such as Imam Ahmad in one narration, al-Hasan, al-Layth and Ibn Hazm. They use as their proof that it is obligatory the order of the Prophet in his saying: <So spill blood>. And also its being declared like something held in pledge for a debt as occurs in the hadeeth of Samurah.

**The second saying:** That it is not prescribed, or that it is merely something permissible and lawful. This was the view of Imam Aboo Haneefah rahimahullaah-

**The third saying:** The scholars of this saying take a middle view saying that it is a recommended (mustahab) sunnah, and it is the view of many of the scholars such as Imam Maalik, ash-Shaafi'ee, and it is what is preferred and best known from the saying of Ahmad. Their proof for this is the hadeeth: <Whoever has a child born to him and wishes to offer a sacrifice, then let him sacrifice.....>.4

So this hadeeth leaves the sacrifice up to the father if he wishes to do it which shows that it is a recommendation and it dispels the idea of it being an obligation which might be understood from the other ahaadeeth<sup>5</sup> Imam ash-Shaafi'ee said: "Two men took extreme positions about the 'Aqeeqah. One man saying that it is obligatory, and the other saying that is an innovation!<sup>6</sup> So it is a confirmed rite and an emphasized Sunnah, therefore Imam Ahmad loved that a person should even borrow money in order to perform it, and said: "Because he is giving life to a Sunnah".<sup>7</sup>

#### **(D) The Ruling for Performing 'Aqeeqah for a Miscarried Fetus or a Baby which dies after Birth.**

The ruling for 'Aqeeqah which has preceded does not apply to the miscarried fetus, even if it is clear whether it was male or female, since it is not described as being a new-born child, nor as being a boy or a girl - and these are what the prescription of 'Aqeeqah is related to/ However, if the child is born alive and then dies after birth, the question of whether 'Aqeeqah is prescribed or not applies, and there are two views on the matter: Some of the scholars hold that 'Aqeeqah should be done for it on the seventh day since the reason for the 'Aqeeqah i.e. the child's birth occurred - this can be understood from the hadeeth: <with the child there is 'Aqeeqah>.8 Others hold that it no longer applies if the child dies after birth since the blessing of a new born child is therefore rendered incomplete due to his death and Allah knows what is correct.

#### **(E) The Ruling Regarding Giving Charily Equal to its Price (Instead of Making the Sacrifice)**

We have shown that the "Aqeeqah is an emphasized Sunnah - but can the place of the sacrifice be taken by giving its price in charity? The truth is that the sacrifice and spilling the blood of the sacrificed animals is what is required from the 'Aqeeqah, as seen by the hadeeth: < .. sacrificed for him ...> and the hadeeth: < .... so spill blood for him ....> - therefore giving money in charity cannot take the place of the sacrifice and "Aqeeqah will not be achieved by it. This can be seen from the hadeeth: <Whoever does an action which is not from what we have commanded, then it is rejected.><sup>9</sup> So it is the same in this regard as the sacrificial animals to be slaughtered on 'Eid-ul-Adhaa and on making Hajj - if charity is given instead, it will not count for them, and Allah knows best.

#### **(F) What is to be Sacrificed for a Boy and for a Girl**

List of Topics

Sacrifice for a boy & a girl

Type & Kind of Animal

Characteristics & Age of Animal

This rite is to be performed for the new born child whether it is a boy or a girl, however, two sheep are to be sacrificed for the boy and one for the girl. This is what is correct and witnessed to by the narrations established from Allah's Messenger (peace be upon him), as will follow, and was the position of Ibn 'Abbaas and 'Aa.ishah-radiyallaahu 'anhum - and the majority of the people of knowledge such as Imam ash-Shaafi'ee, Ahmad and others.

The proof for the saying of the majority who hold that two sheep are to be sacrificed for a boy and one for a girls is the hadeeth of 'Aishah and Umm Kurz-radiyallaahu 'anhumaa - from the Prophet (peace be upon him) who said: <For the boy two equal sheep and for the girl, a single sheep.><sup>10</sup> Therefore, the Sunnah is not accomplished unless two sheep are sacrificed for a boy for one who is able to do that.<sup>11</sup> Another saying is that the number is also a recommendation and that the Sunnah would be achieved by sacrificing a

single sheep. However, the first saying is stronger and precedence since it agrees with what is clearly stated in the hadeeth<sup>12</sup> ash-Shawkaanee said: "The outcome is that the "Aqeeqah is a Sunnah from the Sunnahs of Islam and is not properly fulfilled unless two sheep are sacrificed for a boy and one for a gir<sup>13</sup>.

#### **(G) The Type and Kind of Animal to be Sacrificed for 'Aqeeqah**

The Messenger (peace be upon him) gave a general order that sacrifice should be done for the new-born, and that blood should be spilt for it, saying: <With the child there is to be 'Aqeeqah, so spill blood for it><sup>14</sup>, then he explained this further by saying: <For the boy, two sheep, and for the girl a single sheep (shaatun), it will not harm you whether they are male or female.><sup>15</sup> i.e. the sheep.

#### **MY PERSONAL VIEW & PREFERENCE**

What I consider most correct is to take a middle position between these two sayings, namely that the "Aqeeqah is prescribed to be done with sheep and that this is what is best and most perfect, however, if someone sacrifices camels or cows for the "Aqeeqah instead, then it will suffice him even though he has not achieved the Sunnah and what is best. As is clear, the fact that sheep alone are mentioned in the hadeeth does not mean a denial of the acceptability of sacrificing other animals instead.<sup>16</sup> This view is further supported by the saying of 'Aa.ishah-radiyallaahu 'anhaa - to one who had vowed to sacrifice camels for "Aqeeqah. She said: "Rather the Sunnah is better."<sup>17</sup> So the statement that it is 'better' is an evidence that other than sheep will still count - and Allah knows best.

## (H) The Characteristics and the Age of the Sheep which are Conditions for the 'Aqeeqah Sacrifice

**First:** With Regard to the Health of the Sheep.

(a) A group of the scholars hold that it must be free from the defects mentioned with regard to the sacrifice for the - - adhaa - due to analogy with it. This is the saying of most of the scholars, such as Imam Maalik, ash-Shaafi.ee and Ahmad rahimahumullaah -

(b) Others such as Ibnul- 'Arabee al-Maalikee and Ibn Hazm hold that this is not a condition, and this is the saying preferred by ash-Shawkaanee and as-San'aanee. The strength of this saying is indicated by the unrestricted use of the word 'sheep' (shaatun) in the ahaadeeth about the 'Aqeeqah - since it is mentioned without any further qualification. Therefore, anything to which the term 'sheep' (shaatun) applies can be sacrificed for the 'Aqeeqah. However, the more complete it is in its attributes - then the better it is:

(And whosoever honors the Symbols of Allah, then it is truly from the piety of the heart.) [Soorat-Hajj: Aayah 32]

Ibnul-'Arabee al-Maalikee said: "The condition that the 'Aqeeqa sacrifice must be like that for the Adhaa sacrifice is not established by any authentic or weak hadeeth, so those who hold it to be a condition have no proof other than analogy."<sup>18</sup>

**Second:** As Regard its Age.

The same goes with regard to the age of the sheep for sacrifice. If the sheep has passed the age required for the Adhaa sacrifice i.e. that it is six months or older (according to one saying) - then that is better and more complete, but if it is less then it appears that this is still allowable, al-Maawardee holds the view, in his book 'al-Hawee' that a sheep younger than this will still count for the 'Aqeeqah, whereas he does not allow that for the Adhaa sacrifice,<sup>19</sup> and neither do others beside him. There is also a report from Imam Ahmad which indicates this since he was asked about giving 'Aqeeqa with an animal below this age, so he said: "An older one is better."<sup>20</sup>

## (I) Sharing in a Single 'Aqeeqah

It is not correct to share in a single sacrifice for 'Aqeeqah. This is because the allowance is based upon analogy, and analogy with the sacrificial animals of Adhaa and Hajj is not correct for 'Aqeeqah as has preceded. Ibnul-Qayyim said: "A single head (of sheep) can only count for a single person and this is a matter where the 'Aqeeqah differs with the sacrificial animals of Hajj and Adhaa.... And since the 'Aqeeqah sacrifice is like a ransom for the child then it is prescribed that it should be entirely for him - so that one is a ransom for the other. Also if it were correct to share in it, then the goal of spilling blood for the child will not be attained. This is because spilling the blood will count for one of them, then all that will remain for the others will be the distribution of the meat, whereas the desired goal was to spill blood for the Child."<sup>21</sup> This is the saying of the

Hanbalees and is what is correct - if Allah wills - due to what has preceded.

## (J) The Time of the 'Aqeeqah and the Ruling about delaying it

List of Topics

Time of Aqeeqah

A Question

Who Performs Aqeeqah

What is to be said

Aqeeqah for a Grown up

### Performing during Eidul-Adhaa

The birth of the child is the reason for sacrificing the 'Aqeeqah as shown by the hadeeth: <with the child there is to be 'Aqeeqah>. Therefore it is not correct to sacrifice it before the birth. So after the birth, then the sacrifice is to be done at any time on the seventh day after the birth whether during the night or the day, as he said < ... which is sacrificed for him on his seventh day ...> - the first of these days being the day of the birth. So if the child was born on the day of Jumuaah, for example, then the 'Aqeeqah is sacrificed on the day of Khamees (Thursday) of the following week. Likewise, if the child dies before the seventh day, then the sacrifice is still done on the seventh day after the birth.<sup>22</sup>

This is the Sunnah with regard to the timing of the 'Aqeeqa sacrifice, however, what is the ruling if the seventh day passes and the sacrifice has not been done?

The scholars have a number of views about this - rahimahumullaah

**The first view:** That if it has not been done on the seventh day then it should be done sometime thereafter, without any specification as to when.

**The second view:** That the 'Aqeeqah is specific to the seventh day, so it may not be done before or after. So if it is not done on this day, its time has been missed. This is the view of Imam Maalik - rahimahullaah.

**The third view:** That the time for the 'Aqeeqah has a limited period of extension after the seventh day. So if one misses the seventh day due to preoccupation, some need or some excuse, then its prescription remains since it is still required in order to free the child held in pledge for it as occurs in the hadeeth: <Every child is in pledge for its 'Aqeeqah>. So in this view, it should then be sacrificed on the fourteenth day, then if that is missed due to an excuse, it may be postponed until the twenty first day. These are the three days for 'Aqeeqah to be done and it should not be delayed beyond them except due to a valid reason or excuse. Then if it is delayed beyond that it should be sacrificed at any time without any specification of the time. This is the view of a group of the people of

knowledge amongst them: 'Aisha -radiyallaahu 'anhaa-, and

Ahmad, at-Tirmidhee, Ishaah, al-Raghawee and Aboo 'Abdullah al Booshanjee from the Shaafi'ees, and others.

## MY VIEW AND ITS JUSTIFICATION:

The third saying is the one which the heart feels at peace with and which is witnessed to by the narrations, and is held by most of the scholars. Its being the preferred saying is supported by the following:

- (1) From Buraydah radiyallaahu'anhu - that Allah's Messenger said: <The 'Aqeeqah is to be sacrificed on the seventh, or the fourteenth, or the twenty-first.><sup>23</sup>
- (2) From Umm Kurz that a woman vowed to sacrifice camels if the wife of 'Abdur-Rahmaan ibn Abee Bakr gave birth to a child. So 'Aa.ishah said: "No, rather the Sunnah is better. For the boy two equal sheep, and for the girls a single sheep. It is to be cut up with limbs cut only at the joints and no bone broken. So one should eat, feed with it, and give it in charity. Let that be on the seventh day, and if not then on the fourteenth, and if not then on the twenty-first."<sup>24</sup>

These two hadeeth are what is relied upon in this matter, so those who hold that they are authentic and acceptable has this one as his saying, and those who hold that both the hadeeth are weak will support one of the first two sayings. Ibn Qudaamah said: "The proof in the matter is the saying of 'Aa.ishah - - radiyallaahu 'anhaa - given that she would obviously not have said it except due to a hadeeth."<sup>25</sup>

I say: and Allah knows best. And a further evidence here is the hadeeth of Buraydah which has preceded.<sup>26</sup> This is also what at-Tirmidhee reports from the people of knowledge, saying: "They recommend that the 'Aqeeqah for the child is sacrificed on the seventh day, and if it is not possible on the seventh day, then on the fourteenth day, and if that is not possible, then on the twenty-first day."<sup>27</sup>

- (3) In addition to what has preceded - this saying also provides some degree of ease and facility for those fathers who - for whatever reason - are unable to perform the sacrifice on the seventh day, just as it may remove some of the difficulty of performing all the actions" sharing the head, giving the weight of the hair in silver as charity, the circumcision and distribution of the meat: on the seventh day.

Note: The 'Aqeeqah is an emphasized Sunnah as we have seen. So the question here was concerning the time for the sacrifice which will be in accordance with the Sunnah and will be the recommended time. Ibnul-Qayyim said: "What is apparent is that its limitation to the seventh day is something recommended, however, if he sacrificed on the fourth day, or the eighth day, or the tenth day, or thereafter, then it will count, and what is counted is the day of the sacrifice - not the day of cooking it and eating the meat."<sup>28</sup>

## (k) A Question

If sacrificing the 'Aqeeqah is delayed until the fourteenth or twenty-first day - then should the other actions such as shaving the head and circumcision be delayed as well?

Perhaps what is correct - and Allah knows best - is that the other actions should not be delayed, since it (the delay) was only reported with regard to the 'Aqeeqah.

## (l) Who is to Perform the Sacrifice.

The sacrifice for the child is required from the father - since he is the one addressed by the prophetic ahaadeeth. However, it is also correct if done by someone else. So it is permissible for a near and beloved relative - such as the grandfather, uncle and brother to take on the responsibility of the 'Aqeeqah and donate it. Our Prophet Muhammad (peace be upon him) gave the 'Aqeeqah of his two grandsons, al-Hasan and al-Husayn - and their father was present. This matter is also indicated in his saying: < ... which is sacrificed for him ... >. So he mentioned the sacrifice without assigning a particular person to do it.

## (M) What is to be said whilst Sacrificing.

Whilst sacrificing the 'Aqeeqah, it is obligatory to mention Allah's name upon it - as is the case with all sacrifices. However, the question arises - is anything else to be said? As is the case with the Adhaa sacrifice?

There occurs in some Prophetic ahaadeeth an addition to be made besides the saying of 'Bismillaah' - i.e. a mention of who the sacrifice is made on behalf of - just like the Adhaa sacrifice. From 'Aa.ishah - - radiyallaahu 'anhaa - who said: "The Prophet said: <Sacrifice with (mention of) his name, so say: In the name of Allah, O Allah, it is Yours and for You, this is the 'Aqeeqah of so and so><sup>29</sup> (Bismillaah . Allaahumma laka wa ilaika . Haadhihi 'Aqeeqah ...) And from Qataadah who said: "The name is said over the 'Aqeeqah just as over the Adhaa sacrifice: 'Bismillaah, 'Aqeeqatu (so and so)", and in another narration he added: "Allaahumma minka wa laka 'Aqeeqah ....., Bismillaah, wallaahu Akbar." (O Allah, it is from You and for You. The 'Aqeeqah of so and so. In the name of Allah. Allah is greater.)<sup>30</sup>

And Imam Ahmad - rahimalluaah - was asked about this, so he said: "Say: Haadhihi 'Aqeeqah .... " (This is the 'Aqeeqah of so and so)<sup>31</sup> Ibnul-Mundhir said: "This is good, even if he had the intention of 'Aqeeqah but did not say it - then it will suffice - if Allah wills."<sup>32</sup>

## **(N) Making Use of the Skin of the Sacrifice and its Offal**

List of Topics

Use of the skin

Distribution of the Meat

It is permissible to make use of the skin of the animal sacrificed for 'Aqeeqah and its offal - such as its stomach and gut. Its price being given in charity or it may be sold.<sup>33</sup> Since there is nothing reported to affirm or deny this. It is also not to be analogized with the Adhaa sacrifice. Ahmad said: "The skin, head and offal may be sold and charity be given with it."<sup>34</sup> As for everything that is mentioned in forbiddance of that - then it has no proof except for analogy which is not applicable here - and Allah knows best.

## **(O) Distribution of the Meat of the 'Aqeeqah**

What is meant is to whom is the meat to be distributed after the sacrifice and I have not come across any acceptable hadeeth about this - except what is reported from 'Alee - radiyallaahu 'anhu - that he gave a leg of the 'Aqeeqah - which Allah's Messenger sacrificed for al-Hasan and al-Husayn - to the midwife.<sup>35</sup> So distributing it in this way is established by this hadeeth.

There also occurs in a mursal hadeeth<sup>36</sup> an order to eat from it and to feed with it (in the form of a gift or charity). The wording of the hadeeth is: <Eat and give food><sup>37</sup> And 'Aa.ishah said about this matter: "It should be eaten, fed to people and given in charity"<sup>38</sup> Imam Ahmad when asked what should be done with the aq said: "However you wish." It was said to him: "May the people who are responsible for it eat it? He said: "Yes, but they should not eat all of it, rather they should feed others with it also."<sup>39</sup> This was also the saying of 'Ataa.

So the how the sacrifice is to be distributed is a matter which has been made easy - and all praise and thanks is for Allah, since the goal was the sacrifice. If that is done, then it is permissible for the person and the people of this household to eat the meat, and to give some of it as a gift to his friends and brothers, and to give some in charity to the poor - without any specified amount to be given and without analogy with the Adhaa sacrifice.

## **(P) Should the Meat be Cooked or Not (Before Distribution)?**

List of Topics

Should the Meat be Cooked?

Inviting to a Meal

It is permissible to distribute the meat raw or cooked - after being cut up, each limb being divided at the joints, and some of the scholars prefer that it be cooked before being distributed. 'Ataa - rahimhullaah - said: "It should be cooked." And he said: "There is no harm if it is roasted."<sup>40</sup>

And Imam Ahmad - rahimahullaah - was asked about cooking the 'Aqeeqah meat. He said: "Yes .... it should be cooked with unbroken bones." This also does not mean that it has to be cooked on the seventh day, since what is taken account of is the sacrifice - not the cooking and eating - as has preceded.

From those who like that it should be cooked is Ibnul-Qayyim - who gave as his reason that it is an increase in goodness, thankfulness and a greater blessing - since it will mean that the poor and the neighbors do not have the burden of cooking it and they will be able to make use of it readily. He then mentioned that all food given out of thanks is given cooked - like the wedding 'waleemah', invitations to meals, and food given at the occasion of circumcision<sup>41</sup>

This, however, will depend upon circumstances and it may be that sometimes it will be better if it is distributed uncooked.

## **(Q) Inviting to a Meal for the -'Aqeeqah.**

We have spoken about the permissibility of cooking it - but is it allowed to invite those whom one loves, one's brothers and the poor to a meal prepared from the 'Aqeeqah?

Then - inviting to such a meal is permissible, beloved and good and is not disliked by anyone except Imam Maalik - rahimahullaah - <sup>42</sup>. As for the Shaafi'ees, then they hold that distributing it in cooked form - as has preceded - is better than inviting to a meal, but that if people were invited to a meal, then that is allowed, and that if some meat were distributed and some given as a meal - then that is also allowed.<sup>43</sup>

And if the Aqeeqah is made a general invitation - then it should not be restricted to the well-off to the exclusion of the poor, since this was forbidden by our Prophet Muhammad who said: <The worst food is the food of the Waleemah to which the rich are invited and the poor are prevented from.><sup>44</sup> It is recommended for the one invited to the meal that after eating he should supplicate for the father and the child and say:

"May the fasting people break their fast with you, may the righteous eat your food, and may the angels pray for you."<sup>45</sup> or make any du'aa reported from the Messenger in this regard.

## **(R) The Dislike of Breaking its Bones**

There are two views amongst the scholars - rahimahullaah - about breaking the bones of the Aqeeqah sacrifice after it or when preparing it for eating.

**The first view:** That there is nothing to prevent that. This is the view of Imam Maalik and Ibn Hazm, and is the view preferred by an-Nawawee in 'al-Majmoo'. They mention that there is nothing authentic to prevent it and nothing established in the Sunnah showing it to be hated. They add that it is a common practice that bones of the meat are broken and there is no benefit in preventing it.

**The second view:** Is that it is something disliked (makrooh). This is the saying of 'Aa.ishah - radiyallaahu -anhaa -,'Ataa, ash-Shaafi'ee and Ahmad, and was the view preferred by Zaynudeen al-'Iraaqee and a group of the scholars-rahimahumullaah.

\* Discussion and Preference.

Despite the suitability and soundness of the first view - the saying that it is disliked to break the bones is stronger and closer to correctness since it is aided by a number of things indicating its preference which are:

(1) What is reported in 'mursal' form from the Messenger that he said about the Aqeeqah which Faatimah gave for al-Hasan and al-Husayn: <Send a leg of it to the midwife, and eat and give it in food and do not break its bones.><sup>46</sup>

(2) The saying of 'Aa.ishah - radiyallaahu 'anhaa - to the one who vowed to sacrifice camels: "Rather the Sunnah is better." until she said: "And do not break its bones."<sup>47</sup>

And this hadeeth has preceded, so those who declare it authentic it is a proof that the bones should not be broken, since 'Aa.ishah attributed it to the prophetic Sunnah.

(3) 'Ataa used to say about the 'Aqeeqah: "It should be cut up only at the joints and no bone should be broken."<sup>48</sup> And Ahmad said: "Its bones are not to be broken, rather each bone should be severed at the joint, so that the bone is not broken."<sup>49</sup>

This saying is also inclined to by Ibnul-Qayyim in 'at-Tuhfah'. So perhaps the aforementioned narrations support one another and strengthen one another. Then they are further strengthened by the practice of a group of the Salaf, together with the points of wisdom and benefit mentioned by Ibnul-Qayyim<sup>49</sup> and from them are:

- (i) Expressing ones hope for the well-being, health and strength of the limbs of the child.
- (ii) A manifestation of the excellence of food, each piece being complete in itself and not deficient and this is better than its being cut up into small pieces.
- (iii) An expression of the nobility of the newborn child and status - since the excellence of the animal sacrificed is an expression of the excellence of the one for whom it is sacrificed.

**(S) What Should be Done for a Grown-up for whom the Aqeeqah was not performed?**

If the child (male or female) attains adulthood and then comes to know that the father did not carry out their 'Aqeeqah - then he may in this case perform 'Aqeeqah for himself, since it has preceded that if the 'Aqeeqah is not performed on time it may be done at any time thereafter. So he should do it since its

prescription remains and in order to free himself from being in pledge as occurs in the hadeeth. This is the saying of 'Ataa and al-Hasan and it is the view of the Shaafi'ees - rahimahumullaah-<sup>50</sup>

Another saying is that is prescription remains but that he should not perform 'Aqeeqah for himself, rather his father should carry it out - and this is the saying of the Hanbalees - rahimahumullaah - <sup>51</sup> and it is said that it is no longer prescribed if the person attains adulthood.

**(T) Performing 'Aqeeqah during the Time of 'Eidul-Adhaa**

If the 'Aqeeqah coincides with the sacrifice of Adhaa - then can one take the place of the other?

There are two sayings with the scholars, al-Hasan and Ibn Seereen hold that the Adhaa sacrifice when performed will be sufficient to count for the aq. This is also one of the two narrations from Ahmad and the Hanbalees give ruling according to it.<sup>52</sup>

The view of Qataadah and Ahmad in another narration is that it will not suffice, and this is what is correct - if Allah wills - since each sacrifice has its reasons and separate intention and actions are only according to the intention. Ahmad - rahimahullaah - said when asked about this matter: "It will either be the Aqeeqah of the Adhaa sacrifice, depending upon what he declared."<sup>53</sup>

**Footnote**

1. Reported by al-Bukhaaree [E.T. 7/275/No.380] in discontinuous (mu'allaq) form - but stating its ascription with certainty. And it is reported in connected form by Ahmad (4/17) and Aboo Dawood [E.T. 3/798/No. 2833] and at-Tirmidhee (No. 1551) who declared it 'hasan saheeh'
2. There are a number of views about its meaning: (a) That the 'Aqeeqa is binding just like the pledge. (b) That the child's correct growth and upbringing and his being a source of benefit is tied to the 'Aqeeqa just as an article held in pledge for a debt cannot be utilized until the debt is paid.
- (c) That the child is prevented from interceding for its parents when it dies if 'Aqeeqa was not performed for it. This saying is attributed to Ahmad who declared a weak saying by Ibnul Qayyim. (d) that naming and shaving the head are dependent upon the 'Aqeeqa (e) It is a means of rescuing the child from being caught and ensnared by saitaan - and this was the view preferred by Ibnul-Qayyim in 'at-Tuhfah' (p. 49)
3. The hadeeth has preceded
4. Aboo Dawood and others as has preceded

5. See: 'Naylul-Awtaar' of ash-Shawkaanee, (6/217)
6. See: 'al-Majmoo' of an-Nawawee (8/448)
7. See: 'Tuhfatul-Mawdood' (p.39)
8. See: 'al-Muhallaa' of Ibn Hazm (7/523)
9. Reported by Muslim [E.T. 3/931/No. 4267]
10. Reported from 'Aa.ishah by Ahmad (6/31) and from Umm Kurz by Ahmad (6/422) and Ibn Maajah (No. 3162) and it is 'saheeh' - see 'al-Irwaa' (4/389)
11. What is referred to here is that by which the Sunnah is completed, however, the 'Aqeeqa is in principle a recommended Sunnah and not an obligation as has preceded.
12. The evidence used by those who say that a single sheep is sufficient is that the Messenger slaughtered a single ram for al-Hasan and al-Husayn which is an authentic report, however, there occurs in another narration that it was two rams - and this is an addition quoted by a reliable narrator and is thus acceptable (al-Irwaa: 4/384)
13. as-Sayhul-Jarraar: 4/91
14. It has preceded under point B. (No. 123)
15. Reported by Ahmad (6/381), Aboo Dawood [E.T. 2/797/ No. 2830] and the remaining three Sunan. at Tirmidhee declared it 'saheeh'
16. See 'Nayhul-Awtaar: 6/220
17. Part of a narration that will follow in point (J) [E.T. along with Shaikh al-Albaanee's declaration of its weakness]
18. 'Fathul-Malikul-Ma'bood ..' of Ibn Khitaab (3/75)
19. 'Rawdatut-Taalibeen' of Imam as-Nawawee (3/230)
20. 'Tuhfatul-Mawdood' p. 54
21. 'Tuhfatul-Mawdood' p. 54
22. And refer to what has preceded in point (D)
23. Reported by at-Tabaraanee in 'as-Sagheer' (1/251) and al-Baihaqee (9/303) and its chain of narration contains Ismaa'eel ibn Muslim who is weak. [E.T. It is declared weak by Shaikh al-Albaanee in 'al-Irwaa.' (No. 1170)]
24. Reported by al-Haakim (4/238) who declared it 'saheeh' and adh-Dhahabee agreed and likewise Ahmad Shaakir in his footnotes on 'al-Muhallaa' (7/529). However, al-Albaanee declares it weak as it is cut off (munqati') between 'Ataa and Umm Kurz, and due to 'idraaj' (interpolation) in its wording: "it is to be cup up with limbs intact ..." and except for "Let that be ...". Since al-Baihaqee reports it as being only the words of 'Ataa. See 'al-Irwaa' (4/395-396)
25. 'al-Mughnee' of Ibn Qudaamah (8/646)
26. Again assuming its being authentic - bearing in mind the fact that the scholars differ about this, and what Ibn Qudaamah mentions is perhaps based upon his holding the narration of (buraydah) to be weak
27. 'Sunanut-Tirmidhee' (3/38-39)
28. 'Tuhfatul-Mawdood' p. 43
29. Part of a hadeeth reported by al-Baihaqee (9/303, 304) and is declared 'hasan' by an Nawawi in 'al-Majmoo' (8/428) and al-'Iraaqee agreed with him in 'Tarhut-Tathreeb' (5/212)
30. 'Musannaf Ibn Abee Shaybah' (No. 24271)
31. 'Tuhfatul-Mawdood' p. 60
32. (ibid)
33. See: at-Tanqeehul-Mushbi' of al-Mardaawee, p.113, and 'Sharhul-Muntahaa' (2/90)
34. "Tuhfatul-Mawdood" p. 57
35. Reported by al-Baihaqee (9/304) and al-Amawoot declared it hasan'
36. [E.T. i.e. a hadeeth whose weakness is that the links between the taabi'ee and the Prophet is missing]
37. Part of a mursal hadeeth reported in Aboo Fawood's 'Maraaseel' (No. 379) and al-Bayhaqee (9/302) from him and its narrators are reliable
38. It has preceded in point (J):l
39. 'Tuhfatul-Mawdood' p. 55
40. 'Maraaseel Abee Dawood (No. 381) and its chain was declared 'good' by al-Arnaqoot
41. 'Tuhfatul-Mawdood' p. 50
42. 'al-Muntaqaa fee sharhil-Muwatta' of Imam al-Baajee: 3/

43. 'al-Majmoo' of an-Nawawee (8/43b)
44. Reported by Muslim [E.T. 2/728/No. 3349] and al-Baihaqee
45. Reported by Aboo Dawood [E.T. 3/1082/No. 3845], Ibn Maajah and others and declared 'saheeh' by Shaikh al-Albaanee in 'Aadaabuz-Zafaaf' p.85
46. A mursal' hadeeth reported in Aboo Daawood's 'Maraaseel' (No. 379) and from him alBaihaqee - as has preceded
47. Reported by al-Haakim as has preceded [E.T. and declared weak by Shaikh al-Albaanee since its chain of narration is disconnected and the wording 'And do not break its bones' are the words of 'Ataa the taabi'ee]
48. al-Baihaqee: 9/302
49. See: 'Thufatul-Mawddod' p. 50-51
50. 'Tuhfatul-Mawdood' p. 50-51
51. See:'al-Majmoo' of an-Nawawee 8/431
52. See:'al-Insaaf' (4/11) and 'Sharh Muntahal-Iraadaat' (2/90)
53. 'Masaa.il al-Imaam Ahmad' of his son 'Abdullah. p. 268

## NAMING THE CHILD

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(A) When to Name the Child:

The ahaadeeth about when the child is to be named fall into two classes:

- (1) Those which mention naming the child on the seventh day after the birth. Like the hadeeth of Samurah - radiyallaahu 'anhu - who said: Allah's Messenger said: <Every child is held in pledge for his' Aqeeqah which is sacrificed for him on his seventh day, and he is named on it and his head is shaved><sup>1</sup>

And the hadeeth that the Messenger ordered that the child be named on the seventh day, that the harm be removed

from him and the sacrifice (the 'Aqeeqah) be performed.<sup>2</sup>

- (2) And those which indicate naming the child on the day of its birth. From these is the hadeeth of Anas-radiyallaahu 'anhu who said: Allah's Messenger (peace be upon him) said: <A boy was born to me this night and I have given him the name of my forefather Ibraaheem.><sup>3</sup> Allah's Messenger (peace be upon him) also named 'Abdullaah ibn Abee Talhah<sup>4</sup>. another baby was brought to him after birth and he called it al-Mundhir<sup>5</sup> and there are many examples like this.

So from the previous ahaadeeth we can see that the time for giving the name is something flexible - and all praise and thanks are for Allah - so it may be named on the day of the birth, or delayed until the seventh day after birth - just as it is allowed between the two and later on. However, the time when it is recommended to name the child is the seventh day after the birth since that occurs in the words of the Prophet (peace be upon him) and so it is

taken to be a recommendation, and the ahadeeth mentioning the day of its birth report the Prophet's action - and are, therefore, taken to show & what is permissible.

### Who Names the Child?

The father and mother are the ones who are to choose a good name for their child, but if they disagree about the name, then the father has the right to choose the name. If he wishes, he may name it himself and if he wishes, he may give the choice to his wife, and if he wishes he may draw lots with her.

The fact that naming the child is the right of the father is shown by the fact that the child in this world is ascribed and attributed to his father. Allah - the Most High - says:

"Call them (adopted sons) by (the names of) their fathers, that is more just in the Sight of Allah." [Sooratul - Ahzaab, Aayah:5]

They will likewise be ascribed to him on the Day of Resurrection, and he (peace be upon him) said: <For every treacherous one a banner will be raised saying: This is the treachery of so and so, son of so and so.><sup>6</sup>

And the hadeeth: <On the Day of Resurrection, you will be called by your names and your fathers names, so make your names good.><sup>7</sup>

It is also allowed for the parents to allow someone else to choose the name his grandfather, or grandmother, or someone else, i.e. that they should say: 'Call him so and so', or 'Your name is so and so', or 'His name is so and so' etc., since our Messenger and teacher Muhammad (peace be upon him) used to name some of the children of his Companions - for example he named 'Abdullah ibn Abee Talhah as has preceded and he said to a man: <Call your son 'Abdur-Rahman><sup>8</sup>

### (C) The Ruling for Naming the Miscarried Fetus and the One who Dies before being named.

If it happens that the new-born child dies before it is named, then it is prescribed to give the child a name in this case<sup>9</sup> - just as other children are named, and Funeral Prayer is said upon him, and the rulings for the deceased apply to him. As regards the fetus that is miscarried before the completion of six months - and that is the earliest that life would have been possible for it<sup>10</sup> - then the scholars of the Shaafi'ees<sup>11</sup> and the Hanbalees<sup>12</sup> hold that it is recommended to name him, and they add that if the sex of the fetus is unclear then it should be given a name suitable for either such as: Talhah, Rajaa, Hind and Tarafah.

Their support for the first and second questions is that the child will be called on the Day of Resurrection by his name, and this is a good and reasonable argument - if Allah wills.

It should also be noted that there are some ahadeeth reported concerning the encouragement to name the miscarried fetus, however, nothing from them is authentic - and Allah knows best.<sup>13</sup>

#### (D) Praiseworthy Names

When the parents intend to name their beloved child - whether male or female, then they may choose his or her name from one of the following four classes of names:

**FIRST:** That the child is given a name indicating servitude to Allah by calling him 'Abd (slave of...) followed by one of Allah - the Most High's names, those which are confirmed for Him and the most beloved of such names to Allah - the One free of all imperfections - are 'Abdullaah (the slave of Allah) and 'Abdur-Rahmaan (the slave of the Most Merciful) as shown by the hadeeth:

The most beloved of your names to Allah - the Mighty and Magnificent - are 'Abdullaah and 'Abdur-Rahmaan.<sup>14</sup>

**SECOND:** That the Child is Named after one of the Prophets or Messengers of Allah - ('Alaihimus - Salaatu Was-Salaam)

It is said that he. said: Call yourselves by the names of the Prophets.<sup>15</sup>

And he said: You may name with my name.<sup>16</sup> And we find that following this principle, he called his own son Ibraaheem - after the name of his forefather Ibraaheem - 'Alaihimus - Salaatu Was-Salaam -, he said: <A son was born to me this night and I called him after my forefather Ibraaheem.<sup>17</sup>

**THIRD:** Naming after the Pious People - The Companions, The Martyrs and the Scholars - both the Men and Women of Them.

Hoping that the child will grow up to love and respect them and follow their way and adopt their manners in righteousness, knowledge and seeking martyrdom. For this reason the noble companion az-Zubayr ibn al-Awaam radiyallaahu 'anhu chose the names of some of the martyrs from the Companions for his ten sons, hoping that they would become like them. So he named one 'Abdullaah after 'Abdullaah ibn Jahsh the martyr of Uhud, and 'Urwah after 'Urwah ibn Mas'ood, and Hamzah after Hamzah ibn 'Abdul-Muttalib - the noblest of the martyrs, and Ja'far after Ja'far ibn Abee Taalib - the martyr of Mutah, and Mus'ab after Mus'ab ibn 'Umayr - the martyr of Uhud radiyallaahu 'anhum ajma'een<sup>18</sup> and what we have just mentioned is not specific to the males - rather it is for both the males and the females. So it is indeed praiseworthy and beneficial for the correct upbringing of daughters that they be called after the names of the pious women and those who participated in Jihaad from the female companions and those after them, hoping that they will follow them in piety, chastity and manners, and from these names are: Faatimah, Maryam, Asmaa, Sumayyah, Nusaybah, Khawlah and others from the pious and believing women.

#### FOURTH: GOOD NAMES WHICH DO NOT FALL INTO THE PREVIOUS THREE CATEGORIES

Names that are good in their wordings and meanings carrying meanings of bravery, chastity or piety and easily pronounced, harmonious, and suitable and befitting the person who carries the name. They should be far from that which has been forbidden in the Sharee'ah (which will follow) and from the examples of this type are: Hamzah, Khaalid, Anas, Usaamah, Thaamir,

Haarith, & Hammaam the last two being the most true of names as occurs in the hadeeth<sup>19</sup>, and names like them in wording and meaning and from the examples of these for daughters are: Saarah, Hassaanah, Su'aad, 'Affaaf and other such names beautiful in wording and meaning.<sup>20</sup>

#### (E) Prohibited Names

The prohibited names are of two categories: those which are forbidden in the Sharee'ah and those which are either disapproved of due to the Sharee'ah, or due to manners and good taste.

##### FIRSTLY: FORBIDDEN NAMES<sup>21</sup>

- (1) Names indicating servitude to other than Allah - the Most High such as: 'Abdun-Nabee (slave of the Prophet), 'Abdur-Rasool (slave of the Messenger)<sup>22</sup> and 'Abdul - Muttalib - and whatever is like these names.
- (2) Using these names which are particular names of Allah - the One far removed from all deficiencies - like: al-Ahad<sup>23</sup>.
- (3) From the names forbidden for our sons and daughters particular to our enemies, the Jews and the Christians, like: George, David, Michael, Joseph, Diana, Jaclyn etc., since use of these names causes - sooner or later-love of them and feeling of closeness to them and imitating them in their manners and their customs and we - the Muslims - have been forbidden to imitate our enemies and to have love for them and ties of friendship.
- (4) From the names which should also be avoided are the names of tyrants and despots like: Fir'awn (Pharaoh), Qaaron, Aboo Jahl and their like, also the names of the leaders of Kufr and the heads of atheism such as Marx, Lenin and so on.

##### SECONDLY: NAMES DISAPPROVED OF IN THE SHAREE'AH OR DISLIKED DUE TO GOOD MANNERS OR GOOD TASTE.<sup>24</sup>

- (1) Giving names which are meant to show servitude to Allah but using names not known to be from Allah's perfect names - like 'Abdul-Mawjood, 'Abdul-Maqsood and 'Abdus-Sattaar. This is because nothing can be affirmed as one of Allah's names without an authentic text.
- (2) From these names are those which carry meanings of pessimism, or blameworthy characteristics which will be disliked or cause aversion or cause the possessor of the name to feel degraded, humiliated and such as will kill his personality - like Harb (war), Himaar (donkey), and Kalb (dog).
- (3) From good manners is to avoid naming children with names which are suggestive or offend one's meaning of shame - such as: Huyaam (one passionately in love), Nuhaad (A young woman with full and raised breasts), Sahaam (summer heat)!, Wisaal (sexual union), Ghaadah (delicate young woman), Faatin (temptress), Fitnah (temptation), Shaadiyah (female singer) and names with similar meanings.
- (4) It is also disliked to give names which amount to a declaration of a person's being pious like: Barraah (pious / piety) and the like - due to this meaning the Messenger of Allah (peace be upon him) changed the name of one of his wives from Barraah to Zaynab, as he used to hate that it be said: "He left/went out from 'Barraah' (piety)."<sup>25</sup> &  
<sup>26</sup>
- (5) From these names which it is disliked to use for naming are the names of the Angels<sup>27</sup>- Particularly if they are

used for females - such as Malaak since it is to be feared that this involves imitation of the pagans who gave feminine names to the angels.

(6) Just as it is disliked to name with the names of soorahs of the Qur'an such as: TaaHaa, Yaaseen and other names of soorahs. This is the saying of Imaam Maalik-rahimahullaah- Ibnul- Qayyim also said: "The saying of the common people that Yaaseen and TaaHaa are from the names of the Prophet (peace be upon him) is not correct, there is no 'saheeh' hadeeth about it or any 'hasan' hadeeth, nor anything 'mursal'<sup>28</sup>, nor any narration from any Companion, but rather they are letters like 'Alif Laam Meem', 'HaaMeem', 'Alif Laam Raa' and the like".<sup>29</sup>

(7) It is disliked to give names 'Yasaar' (Ease), 'Rabaah' (Profit), 'Najeeh' (Successful), 'Aflah' (Prosperous), 'Ya'laa' (Elevated) and Barakah' (Blessing) since the Messenger (peace be upon him) forbade that<sup>30</sup> with his saying: <Do not call your boy Yasaar, nor Rabaah, nor Najeeh, nor Aflah, since you will say: Is he there, So it will be said: 'No'. Indeed they are four, so do not attribute more to me><sup>31</sup> And the forbiddence of Ya'aa and Barakah occurs in another hadith.<sup>32</sup>

### (G) Combining the Name and the Kunyah of the Messenger.

Many scholars hold that there is no harm in giving the child the name of our Prophet: Muhammad and for him to take his Kunyah along with it, i.e. Abul-Qaasim. This is because they say that the forbiddence mentioned in the hadeeth: <Name with my name but do not give my Kunyah><sup>33</sup> was particular to his lifetime - this is the view of Imaam Maalik and the majority of the Salaf.<sup>34</sup>

Others hold that it is prohibited to join between the name of the Prophet (peace be upon him) and his Kunyah in ones name - based upon the previous hadeeth.

However, an evidence of the preferability of the first saying may be seen in

the hadeeth of 'Alee-radiyallaahu' anhu - who said: "O Messenger of Allah, if a son is born to me after your death, may I give him your name and your Kunya?" He said <Yes><sup>35</sup> So this clearly shows that the prohibition was particular to his lifetime and those who say that the allowance was only for 'Alee do not have any evidence for this.

### (H) Giving Kunyah to a Small Child.

From the Sunnahs established from the beloved Messenger (peace be upon him) is the giving of a Kunyah to small children - calling them 'father of so and so' or 'mother of so and so' - and this strengthens the personality of the child and enables him and causes him to realize his worth and his importance. Together with the expression of hope which it contains, the feeling of familiarity it produces and the protection it gives from unbecoming nicknames. So he spoke in a good and affectionate manner with one of the small children and called him Aboo'Umayr. Anas said: "The Prophet (peace be upon him) was the best of people in manners, and I used to have a brother who was addressed as Aboo'Umayr - (the narrator said: I think he was one who had recently been weaned) and the Messenger (peace be upon him) when he came to him would say: <O Aboo 'Umayr what has happened to the Nughayr (Little Finch)><sup>36</sup> The finch was a small bird which the child used to play with. So this hadeeth shows the manners of the Prophet (peace be upon him) in treating this boy in an honorable and

comforting way. Just as the poet said: "I call him by his Kunyah when I call him to show him due respect, and I do not call him by a nickname for that is unbecoming."

(I) Manner and Regulations Relating to Giving a Kunyah.

(1) It is permissible to give a Kunyah to a person before they have any children as is seen from the hadeeth of Aboo'Umayr.

(2) And someone who has children takes Kunyah after the eldest of his sons. This is what our Messenger Muhammad (peace be upon him) did when he asked a man about his sons, so the man said: "I have Shuraih, Maslamah and 'Abdullaah. So he said to him: <So who is the eldest of them!> He said: "Shurayh." So he said: <Then you are Aboo Shurayh.><sup>37</sup>

There is, however, no harm in taking ones Kunyah after the youngest or middle son - but it is better and more fitting that one should take ones Kunyah after the eldest.

(3) It is also allowed for one who has children to take a Kunyah not connected with his children - as was the case with Aboo Bakr, Aboo Dharr, Aboo Sulaymaan, since Aboo Bakr did not have a son called Bakr, Aboo Dharr did not have a son called Dharr, Aboo Sulaymaan did not have a son called Sulaymaan.

(4) It is also permissible for a man or a woman to take their kunyah after the name of a daughter - like Abuz-Zahraa, Aboo'Aa.ishah, Aboo Raihaanah, Aboo Ruqayyah, Aboo Arwaa, Abud-Dardaa, Ummud-Dardaa and others from the Companions of Allah's Messenger.

(5) It is also not a condition that Kunyahs have to be with names - they may involve attributes such as Abul-Fadl (father of excellence), Abul-Majd (father of honor), or involve nouns - such as Aboo Hurairah (father of the kitten), Aboo Hafs (father of a lion-cub) and Aboo Turaab (father of dust).<sup>38</sup>

(6) It may be that the Kunyah is actually the person's name which he is known by, i.e. that his/her name begins Aboo.... or Umm....., and this is rare.

### Footnote

1. Reported by Ahmad (5/7, 17), Aboo Daawood [E.T. 2/797/No. 2831) and the remaining 3 Sunan [E.T. Declared 'Saheeh by Shaikh al-Albaanee (No. 1165)]
2. Reported by al-Tirmidhee [E.T. and declared 'hasan' by Shaikh al-Albaanee in 'Saheeh Sunamit-Tirmidhee]
3. Reported by Muslim [E.T. 4/1243/No. 5733] and Aboo Daawood
4. al-Bukhaaree [E.T. 7/273/No. 379] and Muslim [E.T. 3/1172/No.5341] as has preceded
5. al-Bukhaaree [E.T. 8/137/No.211] and Muslim [E.T. 3/1173/NO.5349]
6. Reported by al-Bukhaaree [E.T. Vol. 8/p. 128/ No. 196] and others
7. Reported by Ahmad (5/194), Aboo Daawood [E.T. Vol. 3/p.1377/No. 4930 and others Transl.... Its isnaad is declared good by an-Nawawee and 'Hasan' by Ibnul-Qayyim. However, it was declared weak by al-Baihaqee, al-Mundhiree, Ibn Hair, al-Manaawee, Shaikh al-Albaanee and others since the taabi'ee reporting it did not meet the Companion he is narrating from as pointed out by Aboo Daawood himself. ('ad'Da'eefa' of Shaikh

- al-Albaanee: 1/431-432)]
8. Reported by al-Bukhaaree [E.T. Vol. 8, p. 134, No. 205] and Muslim [Vol. 3/p. 1169/No. 5323]
  9. Refer to 'al-Majmoo' of an-Nawawee (8/435)
  10. Refertro 'khalqul-Insaaan bainat-Tibb wal-Quraan' of Muhammad al-Baar p. 431 and 451
  11. See 'Mughniyyul-Muhtaaaj' of al-Khateeb ash-Sharbeenee (4/294)
  12. See'al-Mughnee' of Ibn Qudaamah (2/398) and 'Sharhul-Muntaahaa' (1/332)
  13. Refer to: 'Da'eeful-Jaami;' (Nos. 3281 and 3282)
  14. Reported by Muslim [E.T. 3/. 1168/No. 5315], Aboo Daawood (E.T. Vol. 3/.
  15. Part of a hadeeth reported by Ahmad (4/345) and Aboo Daawood [E.T. 3/1377/No. 4932] and its isnaad contains 'Aqeel ibn Shabeeb who is unknown - as al-Haafiz says. However, its meaning is witnessed to by the ahaadeeth which follow. It is declared weak by Shaikh al-Albaanee
  16. Reported by al-Bukhaaree [E.T. 8/134/No. 206] and Muslim [3/1169/5325]
  17. Reported by Muslim [E.T. 4/1243/No. 5733] & Aboo Daawood
  18. 'Tarbiyatun-Nash.fee Zilaalil-Islaam' of Muhammad 'Umaarah, p.124.
  19. Part of a hadeeth [E.T. Aboo Daawood Vol. 3/1377/ No.4932] which is weak, however the authenticity of this part is witnessed to by other narrations - see 'as-Saheehah' (No.1040).
  20. This class also covers calling the child after the child's grandfather or grandmother - if it is a good name - as seen in the hadeeth: <So I named him after my forefather 'Ibraaheem.
  21. Names in this category must be changed.
  22. [E.T. Just the same in meaning are 'Ghulaamun-Nabee' and 'Ghulaamur-Rasool']
  23. [E.T. The One and Only, Unique in his Lordship, names and attributes, and His right to worship. The One having no equal, no assistant, no rival and no-one similar to Him]
  24. The classes of name included here are hated or disliked - varying in degree of dislike. The worst are the first type - and it is recommended to change these but not an obligation and Allah knows best. Therefore, we find that some of the levels (4), (6) and (7) were found amongst the Pious Predecessors of this Ummah.
  25. Reported by Muslim [E.T. 3/1170/5334]
  26. [E.T. For the prohibition of ascribing piety to oneself, see sorratum-Najm, Aayah:32]
  27. But as regards their use for males - then that is disliked by Maalik, but allowed by a group of the scholars since the hadeeth prohibiting it is not authentic.
  28. [E.T. Having a missing link between the Taabi'ee and the Prophet]
  29. 'Tuhfatul-Mawdood' (p. 80)
  30. This was a forbiddance showing disapproval as shown by the hadeeth: <If I live - if Allah wills - I will forbid my Ummah to give the names ... > (Muslim) and the hadeeth: "The Prophet wanted to forbid naming with Ya'laa and ... and ... then his soul was taken and he had not forbidden that." (Muslim) Meaning he did not forbid it and make it

'haraam'. Refer to an-Nawawee's 'Sharh' of Muslim (14/ 119)

31. Reported by Muslim [E.T. Vol. 3, p. 1170, No. 5329], Aboo Dawood [E.T. 3/1379/No. 4940] and at-Tirmidhee
32. Reported by Muslim [E.T. 3/1170/No. 5331]
33. [E.T. al-Bukhaaree 8/139/NO.217 and Muslim 3/1168/ 5314]
34. 'Sharh saheeh Muslim' of an-Nawawee 14/112
35. Reported by Aboo Dawood [E.T. 3/1382/No. 4949] and at-Tirmidhee and al-Haakim who declared it 'Saheeh' [as does shaikh al-Albaanee]
36. Reported by al-Bukhaaree [E.T. 8/142/NO.222] and Muslim [E.T. 3/1174/No.5350]
37. Reported by al-Bukhaaree [E.T. 8/142/No.222] and Muslim [E.T. 3/1174/No.5350]
38. Reported by Aboo Dawood [E.T. 3/1378/No. 4937] and an-Nasaa-ee, and declared 'saheeh' by Shaikh al-Albaanee

## THE TAHNEEK

### (Rubbing a softened date upon the child's palate)

The tahneek is another noble practice from Islam with which the newborn is greeted upon entering into the first moments of this life, before any other type of food enters his stomach.

#### (A) Its Description and What is Used

The tahneek here means softening a date and then rubbing the palate of the new-born with it just after the birth or soon after that. This is done by putting a piece of the date upon a finger and then entering the finger into the baby's mouth and rubbing it right and left.

This is how it is done, with regard to what is used - then it is done with a (dried) date. Ibn Hajr said: "If one is not able to find a (dried) date, then a fresh date should be used, and if that is not available, then anything sweet."<sup>1</sup>

It is not essential to chew the date before the tahneek, rather it may be softened in any way - since chewing the date before rubbing it in the baby's mouth as occurs in the ahaadeeth was something particular to the Messenger (peace be upon him) i.e. due to the blessing placed in his (peace be upon him) saliva. Therefore, it is sufficient to soften the date without chewing it, and then to rub it upon the child's palate.

This action is to be done by the child's father or mother, or one of the people of knowledge and excellence<sup>2</sup> whose supplication, it is hoped would be accepted. So he should perform tahneek and supplicate for blessings for the child - as was the practice of the Companions along with the Messenger (peace be upon him) all of this is allowed."<sup>3</sup>

#### (B) Its Wisdom and its being a Prescribed Practice

The tahneek is a recommended Sunnah, an-Nawawee said: "Scholars are agreed upon the recommendation of performing tahneek upon the baby after its birth".<sup>4</sup> The Messenger performed tahneek upon a number of the children of his Companions, as is reported by 'Aa-ishah who said: "New-born children used to be brought to Allah's Messenger and he would supplicate for blessings for them, and rub a chewed date upon their palate".<sup>5</sup>

And al-Bukhaaree and Muslim report from Aboo Moosaa who said: "A boy was born to me and so I came to the Prophet.

(peace be upon him) . He called him Ibraaheem and rubbed his palate with a chewed date and supplicated for blessing for him and handed him to me”.<sup>6</sup>

And al-Bukhaaree and Muslim report a hadeeth of Anas concerning his maternal brother - in which Aboo Talhah said to him: “Carry him to the Prophet” and he sent some dates along with him. So the Prophet (peace be upon him) took him and said: “Is there anything with him?”. He said: “Yes, some dates.” So Allah’s Messenger (peace be upon him) took and chewed them, then took them from his mouth and then placed them in the baby’s mouth, rubbing his palate with them and he named him ‘Abdullaah.’<sup>7</sup> And in another narration: “So the baby began to lick it, so the Prophet (peace be upon him) said: “The Ansaar have a love of dates”<sup>8</sup>

### **(C) The Wisdom of Tahneek and its Benefits**

There are many benefits of the tahneek, both medical and non-medical. Some of these were perceived by the scholars and many were not and there follows some of these points of wisdom:

- (1) In performing the tahneek, one is following the Sunnah of the beloved Messenger Muhammad (peace be upon him) , and a revival of his Sunnah which he used to perform with his Companions - and this is more than sufficient wisdom in itself.
- (2) It is, furthermore, a Prophetic miracle and protects the child from a danger which has only recently become apparent to the medical profession. This is that newborn babies may die if their blood-sugar level is too low, and after the birth the baby’s nutrition from its mother is cut off, so his body turns to whatever he has stored up whilst he was in his mother’s womb - until his mother is able to breast-feed him. It is at this time that the child’s organs are most active, so whatever stores it has may quickly be exhausted causing the blood-sugar level to drop and resulting in danger. We, therefore, find that rubbing the child’s palate with a crushed date - which contains a large percentage of sugar - provides him with sugar which can pass into his system quickly and will be a protection for him from that deficiency should it occur. So how far above and free from any deficiency is Allah, the Most Wise!<sup>9</sup>
- (3) The tahneek also exercises the muscles of the mouth and helps with the circulation of blood in the mouth - which is brought about by rubbing the date upon the palate, and by the movement of the jaws when he chews and licks - this also helps the baby to be able to suck and take the mother’s milk.”<sup>10</sup>
- (4) Furthermore, as is well-known, the date has a number of different benefits for health - so performing tahneek as done by the Messenger-will produce a number of such benefits helping the body and health of the child.

4. an-Nawawee’s Sharh of Saheeh Muslim, 4/122.
5. Reported by Muslim and Aboo Daawood as has preceded
6. al-Bukhaaree [E.T. 7/272/376] and Muslim [E.T. 3/1173/5343]
7. Reported by al-Bukhaaree [E.T. 7/273/No.379] and Muslim [E.T. 3/1172/NO.5341]
8. Reported by Muslim [E.T. 3/1172/No. 5340] and Aboo Daawood [E.T. 3/1377/No.4933]
9. From the words of Dr. Faarooq MUSAHIL (adapted slightly) in ‘al-Ummah’ magazine (No. 50, p. 55)
10. Refer to ‘Tarbiyyatul-Awlaad fil-Islaam’ of ‘Abdullaah Naasih ‘Alwaan (Vol. i, P. 71)

### **Footnote**

1. ‘Fathul-Baaree’ (9/588)
2. [E.T. i.e. Scholars of the Book of Allah and the Sunnah as understood and practiced by the Companions and those who followed their way after them - not those claimants to (hidden) knowledge today who are ignorant of this, whose only currency is fables and superstition.]
3. [ refer to point No. 5 of the section ‘Mistakes made in welcoming the new-born child’.]