

## HADITH STUDIES

### Forced Divorce

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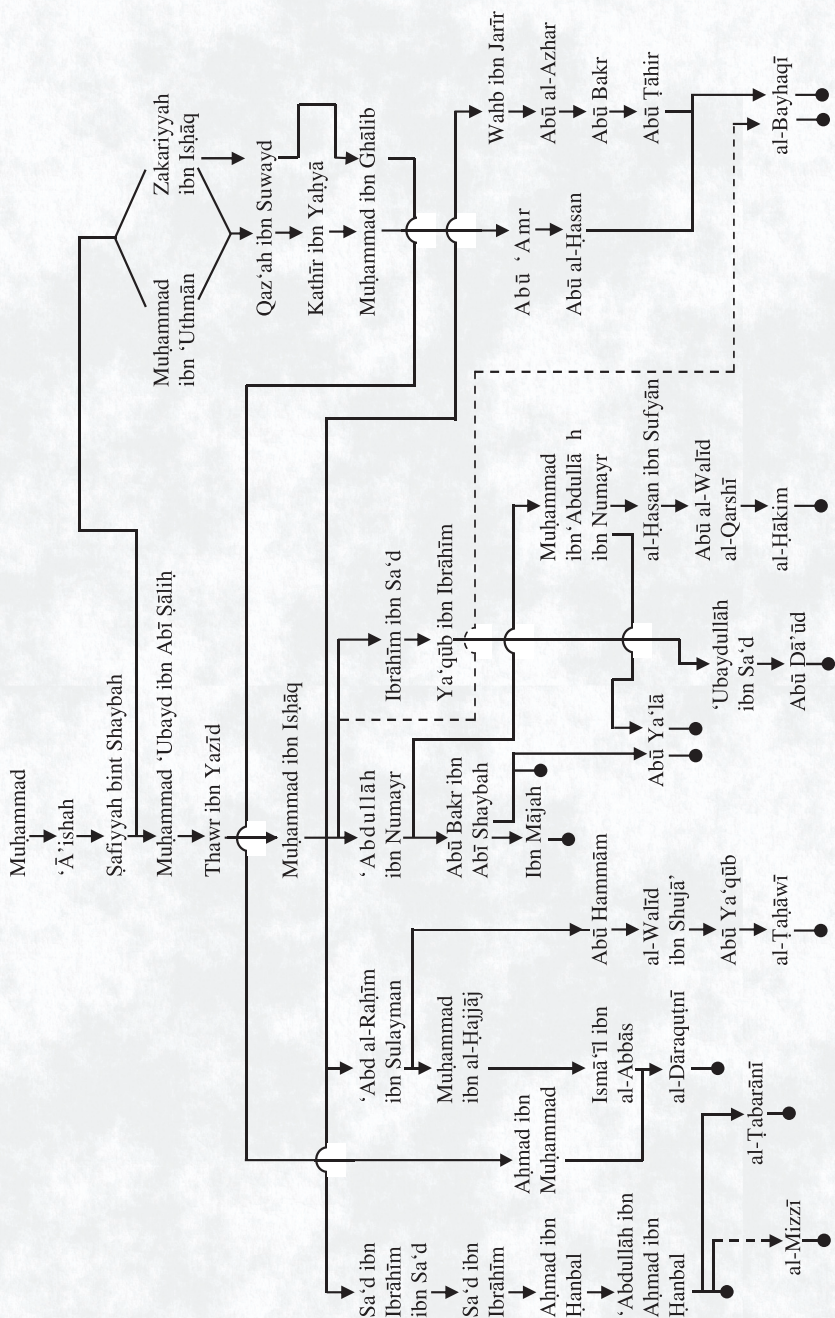
حَدَّثَنَا أَبُو بَكْرِ بْنُ أَبِي شَيْبَةَ حَدَّثَنَا عَبْدُ اللَّهِ بْنُ نُمَيْرٍ عَنْ مُحَمَّدِ بْنِ إِسْحَاقَ عَنْ  
ثَوْرٍ عَنْ عُبَيْدِ بْنِ أَبِي صَالِحٍ عَنْ صَفِيَّةَ بِنْتِ شَيْبَةَ قَالَتْ حَدَّثَنِي عَائِشَةُ أَنَّ  
رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ لَا طَلَاقَ وَلَا عَتَاقَ فِي إِغْلَاقٍ  
'Ā'ishah reported that God's Messenger (sws) said: "Divorce  
and liberation of slaves does not take place by *ighlāq*."<sup>2</sup>

Following is the schematic illustration of the *isnād* of this narratives' variants:

1. According to the people of Hijāz, *ighlāq* means compulsion, while according to those of Iraq, it refers to anger. See: Shams al-Dīn ibn Muḥammad ibn Aḥmad ibn 'Abd al-Hādī, *Tanqīḥ taḥqīq al-ta'līq*, 1<sup>st</sup> ed., vol 3 (Beirut: Dār al-kutub al-'ilmiyyah, 1998), 523.

2. Ibn Mājah, *Sunan*, vol. 1, 660, (no. 2046). See also: Ibn Abī Shaybah, *Muṣannaf*, vol. 4, 83, (no. 18038); Abū Dā'ūd, *Sunan*, vol. 2, 258, (no. 2193); Al-Ḥākim, *Al-Mustadrak*, vol. 2, 216, (no. 2802); Al-Bayhaqī, *Al-Sunan al-kubrā*, vol. 7, 357, (no. 14874); Ibid., vol. 7, 357, (no. 14875); vol. 10, 61, (no. 19800); Al-Bayhaqī, *Al-Sunan al-ṣughrā*, vol. 6, 349-350, (no. 2689); Al-Bayhaqī, *Ma'rifah al-sunan wa al-āthār*, vol. 5, 495, (no. 4475); Al-Dāraquṭnī, *Sunan*, vol. 4, 36, (no. 98); Ibid., vol. 4, 36, (no. 99); Abū Ya'lā, *Musnad*, vol. 7, 421, (no. 4444); Ibid., vol. 8, 52, (no. 4570); Aḥmad ibn Ḥanbal, *Musnad*, vol. 6, 276, (no. 26403); Al-Ṭabarānī, *Musnad shāmiyyīn*, vol. 1, 287, (no. 500); Al-Ṭahāwī, *Sharḥ mushkil al-āthār*, vol. 2, 126.

Al-Ḥākim has cited a variant in which Muḥammad ibn 'Ubayd is not found. In other words, Thawr ibn Yazīd (d. 155 AH) directly narrates from Ṣafiyyah bint Shaybah (d. 129 AH). This variant in all probability is *munqaṭa'* because no authority states that Thawr narrates from Ṣafiyyah. See for example: Al-Mizzī, *Tahdhīb al-kamāl*, vol. 4, 418-419; Ibn Ḥajar, *Tahdhīb al-tahdhīb*, vol. 2, 30; Al-Dhahabī, *Tadhkirah al-huffāz*, vol. 1, 175. Precisely for this reason, the variant is not represented in the schematic illustration.





It is specified by authorities that ‘Ubayd ibn Abī Šālih is actually Muḥammad ibn ‘Ubaydullāh ibn Abī Šālih.<sup>3</sup> According to Ibn Ḥajar, he is *ḍa‘īf*.<sup>4</sup> Al-Mizzī records that while Ibn Ḥibbān regards him to be trustworthy, Abū Ḥātim calls him *ḍa‘īf al-ḥadīth*.<sup>5</sup>

Al-Mizzī<sup>6</sup> records the following *jarḥ* Muḥammad ibn Ishāq:

In the opinion of ‘Abdullāh ibn Aḥmad ibn Ḥanbal, he is *laysa bi ḥujjah*. Aḥmad ibn Abī Khaythamah says that he heard Yaḥyā ibn Ma‘īn say: *laysa biḥī ba’s*. When he was asked a second time, he said: *laysa bi dhāka* and is *ḍa‘īf*. Aḥmad ibn Abī Khaythamah says that when he asked Yaḥyā ibn Ma‘īn about him at another instance, he replied: *‘indī saqīm laysa bi al-qawī*. Al-Nasā’ī says: *laysa bi al-qawī*.

Al-Dhahabī<sup>7</sup> records that Yaḥyā ibn Sa‘īd al-Qaṭṭān bore witness that Muḥammad ibn Ishāq is a liar.

Following is the *jarḥ* recorded by al-Mizzī<sup>8</sup> on Qaz‘ah ibn Suwayd ibn Ḥujayr: Aḥmad ibn Ḥanbal regards him to be *muḍṭrib al-ḥadīth*; two conflicting opinions are recorded about him from Yaḥyā ibn Ma‘īn: *ḍa‘īf* and *thiqah*; Abū Ḥātim says that he is *laysa bi dhāk al-qawī maḥalluhū al-ṣidq wa laysa bi al-matīn yuktabu ḥadīthuhū wa lā yuḥtajju biḥī*; al-Bukhārī says that he is *laysa bi dhāk al-qawī*; Abū Dā‘ūd, al-‘Abbās al-‘Anbarī and al-Nasā’ī regard him to be *ḍa‘īf*.

Ibn Ḥibbān says that he is *kathīr al-khaṭā’ fāḥish al-wahm* and when these blemishes plagued his narratives, he was rejected from being adduced from.<sup>9</sup> Ibn Ḥajar records: al-Bazzār says that he is *lam yakun bi qawī* and that Aḥmad’s opinion about him reported by al-Athram is that he is close to being *matrūk*.<sup>10</sup>

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3. See, for example: Al-Mizzī, *Tahdhīb al-kamāl*, vol. 19, 216; Ibn Ḥajar, *Taqrīb*, 377.

4. Ibn Ḥajar, *Taqrīb*, 495.

5. Al-Mizzī, *Tahdhīb al-kamāl*, vol. 26, 62.

6. Ibid., vol. 24, 422-425.

7. Al-Dhahabī, *Mīzān al-i‘tidāl*, 6, 58.

8. Al-Mizzī, *Tahdhīb al-kamāl*, vol. 23, 594-595.

9. Ibn Ḥibbān, *Al-Majrūhīn*, vol. 2, 216.

10. Ibn Ḥajar, *Tahdhīb al-tahdhīb*, vol. 8, 336.