

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

# *Jāmi<sup>c</sup> at-Tirmidhī*

CHAPTERS ON  
JUDICIAL JUDGEMENTS EXPLAINED

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# *Jāmi' at-Tirmidhī*

CHAPTERS ON  
JUDICIAL JUDGEMENTS EXPLAINED

IMAM MUḤAMMAD IBN 'ĪSĀ AT-TIRMIDHĪ

*Commentary by*  
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For the late Grand Mufti of Pakistan  
and elder brother of the author, Shaykh Mufti  
Muhammad Rafi<sup>c</sup> Usmani, whose services to the  
Dār al-‘Ulūm Karachi Seminary transformed it into  
a world-renowned Islamic university, where the  
author delivered these lectures on *Jāmi‘ at-Tirmidhī*.  
—May Allah have mercy on his soul—

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## PUBLISHER'S FOREWORD

*In the Name of Allah, Most Merciful and Compassionate*

All praise is due to Allah. May blessings and peace be on His beloved messenger Muhammad ﷺ, his family, his Companions and all those who follow him.

In many Islamic seminaries (Dār al-<sup>U</sup>lūms) of the Indian subcontinent and in those withroots there, the final year of studies—often referred to as the “*dawrat al-ḥadīth*”—entails studying the famous six canonical books of ḥadīth (*al-ṣiḥāḥ al-sitta* or *al-kutub al-sitta*). The *dawrat al-ḥadīth* is an intensive study of the major ḥadīth collections, in which students study ḥadīth texts with commentary, exploring the most prominent scholastic interpretations of the ḥadīths—in terms of their linguistic, theological, spiritual and juristic implications. All six books are read from cover to cover, after which students receive their certificate of graduation.

The ḥadīth lessons delivered by the teachers are unique and comprehensive, touching on all dimensions of a ḥadīth text: its commentary, jurisprudence, differences between the various *fiqh* schools, narrator criticism and so on. It has been a long-standing tradition of students to record and transcribe the lectures of their teachers, often resulting in their publication. Countless scholarly works have been produced thus far, both in Arabic and Urdu, and proved to be of immense benefit for students, researchers, scholars and teachers alike. These include: 1) *Lāmiʿ al-Darārī* (Arabic commentary of *Ṣaḥīḥ al-Bukhārī*, transcribed from the lectures of Shaykh Rashīd Aḥmad Gangohī by his student, Shaykh Muhammad Yaḥyā Kāndhlawī, and later edited, annotated and published by the latter's son, Shaykh al-Ḥadīth Muhammad Zakariyyā Kāndhlawī); 2) *Fayḍ al-Bārī* (Arabic commentary of *Ṣaḥīḥ al-Bukhārī*, transcribed from the lectures of Imam Anwar Shāh Kashmīrī by his student, Shaykh Badr Ālam Mirathi); 3) *Faḍl al-Bārī* (Urdu commentary of *Ṣaḥīḥ al-Bukhārī*, transcribed from the lectures of Allāmah Shabbīr Aḥmad ʿUthmānī); 4) *Inʿām al-Bārī* (Urdu commentary of *Ṣaḥīḥ al-Bukhārī*, transcribed from the lectures of Mufti Muhammad Taqī Usmani); 5) *Al-Ḥall al-Mufḥim* (Arabic commentary of *Ṣaḥīḥ Muslim*, transcribed from the lectures of Shaykh Rashīd Aḥmad Gangohī by Shaykh Muhammad Yaḥyā Kāndhlawī); 6) *Al-Kawkab al-Durriyy* (Arabic commentary of *Jāmiʿ at-Tirmidhī*,

transcribed from the lectures of Shaykh Rashīd Aḥmad Gangohī by Shaykh Muhammad Yaḥyā Kāndhlawī and edited, annotated and published by Shaykh al-Ḥadīth Muhammad Zakariyyā Kāndhlawī); 7) *Al-ʿArf al-Shadhī* (Arabic commentary of *Jāmi' at-Tirmidhī*, transcribed from the lectures of Imam Anwar Shāh Kashmīrī by his student, Mawlana Muhammad Chirāgh); and 8) *Al-Durr al-Mandūd* (Urdu commentary of *Sunan Abī Dāwūd*, transcribed from the lectures of Shaykh Muhammad ʿĀqil).

The ḥadīth lectures of our respectable Shaykh Mufti Muhammad Taqi Usmani on *Jāmi' at-Tirmidhī* were also transcribed and published in Urdu, entitled *Dars Tirmidhī* and *Taqrīr Tirmidhī*, in five volumes. Over the years, they received the approval of scholars, teachers and students alike. Turath Publishing now has the honour of presenting its readers with a translation of this monumental work. This particular publication comprises the commentary of the chapters on *Al-Ahkam* (Judicial Judgements). We hope and pray that this work proves to be of benefit to Islamic scholars, students and those in the legal field.

We would like to thank the honourable Shaykh Mufti Muhammad Taqi Usmani for granting us permission to have his work translated and for his invaluable advice. May Allah reward him and grant him wellbeing. We would also like to thank the translator and editor for their efforts in translating and editing this work. May Allah accept their efforts and reward them. Finally, we thank Allah for blessing us with the ability to publish this work, and pray that He enable us to publish the translation of the remaining chapters of *Dars Tirmidhī* and *Taqrīr Tirmidhī*. *Āmīn*.

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## TRANSLATOR'S FOREWORD

*In the Name of Allah, Most Merciful and Compassionate*

It is in the final year of the Dār al-<sup>U</sup>lūm curriculum that the student embarks on studying primary texts of Hadith. This involves the reading of the entire text of each Hadith collection in the presence of a teacher licensed to transmit the work with an unbroken chain tracing back to the original author. This reading is supplemented by the teacher's commentary, which the students then commit to paper. This is the manner in which Muftī Muhammad Taqī Usmani taught *Jāmi' at-Tirmidhī* to the students of Dār al-<sup>U</sup>lūm Karachi.

A project was then undertaken by Mawlānā Rashīd Ashraf Sayfī (may Allah have mercy on him) to publish literature from these class lectures. He was able to publish the lectures up to the Chapters of Divorce and Imprecation (*Abwāb at-Ṭalāq wa 'l-Li'ān*) under the title *Dars Tirmidhī* in three volumes, and these were very well received. However, due to Mawlānā Rashīd Ashraf's other commitments at Dār al-<sup>U</sup>lūm Karachi, he was not in a position to bring the project to completion.

Mawlānā 'Abdullāh Memon assumed the task of resuming the work and subsequently published, in two volumes, *Taqrīr Tirmidhī*, spanning from the Chapters of Trade and Commerce (*Abwāb al-Buyū'*) to the Chapters of Clothing (*Abwāb al-Libās*). This initial publication of *Taqrīr Tirmidhī* was later reviewed by Mawlānā Abu Bakr Iḥsān, and was republished with corrections made to typing errors found in the text and additional references added to aid the reader.

As both *Dars Tirmidhī* and *Taqrīr Tirmidhī* are works in the Urdu language, Turath Publishing has decided to extend this project to translating them for an English-speaking readership. As such, my dear teacher, Mufti Muhammad ibn Adam al-Kawthari, under whose tutelage I myself had the pleasure of studying the Chapters of Trade and Commerce from *Jāmi' at-Tirmidhī*, accepted the task of translating the Chapters of Trade and Commerce from *Taqrīr Tirmidhī*. I was then honoured with the task of translating the next set of chapters, namely the Chapters of Judicial Judgements.

Perhaps the most unique presentation of the Chapters of Judicial Judgements is found in *Jāmi' at-Tirmidhī* in comparison to the other Six Books of Hadith (*al-*

*Kutub as-Sittah*). While usually this chapter focuses solely on the etiquettes and guidelines of judgship, Imam Tirmidhī also includes chapters concerning wider issues relating to sales and social dealings. It appears that Imam Tirmidhī elected to include these chapters among the Chapters of Judicial Judgements as opposed to the Chapters of Trade and Commerce—or even as independent chapters (as is the case in other works of Hadith)—because their bearing is underpinned by the judicial process.

As far as the approach to this translation is concerned, it must be noted that, with the work being rooted in classroom lectures, the original Urdu does not always read like a conventional book. Therefore, where possible, the tenor of the commentary has been adjusted to be more textual. At times, in the Urdu, a running commentary of the hadith has been presented in parentheses within the translation text of the hadith itself, but I have moved these to the commentary section of each chapter wherever doing so would not break the natural flow of the commentary. Otherwise, the parenthetical glosses have been kept in the translation section to retain the explanations provided. Moreover, Yahya Batha spoke to Mufti Muhammad Taqi Usmani, who advised that we include only the hadith texts and their translation without bringing the full chains of narration (*sanad*) as found in *Jāmi' at-Tirmidhī*. He further advised that any comments by Imam Tirmidhī following the hadiths be limited only to the hadith grading provided by Imam Tirmidhī.

I am grateful to have had the opportunity to translate this work, and I would like to thank the editors and publisher for their efforts in readying this translation for publication. I pray to Allah Almighty that this translation will be of benefit to those who read it, and I ask Allah to overlook my shortcomings and accept this endeavour.

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