Objective Jurisprudential Research Papers

Conflict and Preference in the Prophetic Sunnah

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**In the Name of Allāh,
the Most Merciful, the Most Compassionate**

All praise is due to Allāh and blessings and peace upon the Messenger of Allāh (peace and blessings be upon him). Since then:

Part One

First: Definitionse:

Taʿāruḍ (Conflict) is a verbal noun in the *tafāʿul* pattern, which indicates mutual participation between two or more entities. Its root is *ʿaraḍa*, which holds several meanings:

1. **Prevention:** That is, becoming an obstacle or barrier to action. For instance, the verse: "And do not make Allāh *ʿurḍat-an* (an obstacle) in your oaths so as to avoid doing good and being mindful [of Him]." [Al-Baqarah 2:224]. Meaning: Do not make invoking Allāh a barrier to what draws you near to Him. A man may swear not to act kindly or make amends, and when told to do so, he says, "I have sworn."

2. **Manifestation:** As in "something appeared to someone." Allāh says: "Then He *ʿaraḍahum* (presented) them to the angels." [Al-Baqarah 2:31]. That is, He manifested them. From this meaning, the *khadd* (cheek) is called *ʿāriḍ* because it is exposed on both sides.

3. **Mutual Revision**: That is, juxtaposing one thing with another, as in the *muʿāraḍah* of Jibrīl with the Prophet (peace and blessings be upon him). In the *ḥadīth* of ʿĀʾishah (may Allāh be pleased with her), she said: "The Prophet (peace and blessings be upon him) confided to me that Jibrīl would review the Qurʾān with him once every year, but this year he did so twice, and I do not see this except as a sign that my time has come."[1] Al-Qasṭallānī said: *Muʿāraḍah* is a mutual act from both sides — as though each recites while the other listens.

4. **Similarity or Mimicking**: As in *So-and-so mimicked So-and-so*, i.e., by mirroring his fault. This also appears in poetic *muʿāraḍah*, where one poet composes a poem imitating another's poem in meter, rhyme, and theme. Among the most well-known is the *muʿāraḍah* of *al-Burdah* by *Nahj al-Burdah*, and that of Al-Bārūdī mimicking Al-Mutanabbī's poem beginning with:

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[1] Recorded by Al-Bukhārī

’Wddu min al-’ayyām mā lā tawadduhu

Wa-’ashkū ilayhā baynanā wa-hiya junduhu

(I wish what the days do not wish, yet I complain to them our subdued distance)

Al-Bārūdī's mimicking:

Raḍītu min al-dunyā bimā lā ’awadduhu

Wa-’ayyu imri’in yaqwā ʿala al-dahri zinduhu

’Uḥāwil waṣlan wa-al-ṣudūdu khaṣīmatī

Wa-’abghī wafā’an wa-al-ṭabīʿatu ḍidduhu

(I submitted to the life for what I do not wish, and no one is able to compete with the life. I am struggling for contact while hurdles oppose, and I am looking for loyalty while events decline)

5. **Opposition and Contradiction**: As in *"The people opposed the ruler,"* meaning they rejected or denied his ruling.

Thus, in the terminology of the *fuqahā'* (jurists), *taʿāruḍ* (conflict) is:

The occurrence of a contradiction between two *sharʿī* (legal) evidences such that one entails the negation of what the other entails.

Examples:

1. The verse: "And those who are pregnant — their term is until they deliver." [Al-Ṭalāq 65:4], and the verse: "And those among you who die and leave behind wives — they shall wait for four months and ten [days]" — [Al-Baqarah 2:234]. A pregnant widow may give birth before the four months and ten days pass, as occurred with Subayʿah al-Aslamiyyah.

2. The *ḥadīth* regarding washing the feet in wuḍū': In *al-Kutub al-Sittah* (Six Canonical Books of Sunnah), it is reported that he (peace and blessings be

upon him) washed his feet, whereas in the *Sunan of al-Nasā'ī*, it is reported that he sprinkled water over his feet[1].

3. The *aḥādīth* on *qunūt* in the Fajr prayer:

It was narrated that the Prophet (peace and blessings be upon him) "only performed *qunūt* in Fajr for a month, then abandoned it — not performing it before or after that." This *ḥadīth* is reported from Ibrāhīm, from ʿAlqamah, from Ibn Masʿūd (may Allāh be pleased with him).

This conflicts with what is reported in *Ṣaḥīḥ al-Bukhārī* from Abū Hurayrah (may Allāh be pleased with him), who said: "I will show you how the Messenger of Allāh (peace and blessings be upon him) prayed. He [Abū Hurayrah] used to perform *qunūt* in the final *rakʿah* of Fajr after saying '*Samʿa Allāhu liman ḥamidah*', praying for the believers and cursing the disbelievers."

Tarjīḥ (**Preference**):

Tarjīḥ is a verbal noun from *rajjaḥa*, derived from *rajḥ* — meaning inclination or leaning. From this root is the word *'urjūḥah* (swing), because it tilts, and *mīzān* (scale), because it tips to one side.

The term *tarjīḥ* has several related meanings:

1. **Leaning or Inclining**, which we have mentioned.

2. **Increase or Excess**, as in the *ḥadīth* of the Prophet (peace and blessings be upon him): "Weigh and allow more. We, the Prophets, weigh and increase the measure." Meaning: Give with generosity.

3. **Conformity to Truth**, as in mental soundness.

Hence, *tarjīḥ* is:

The *mujtahid's* (qualified jurist's) preference of one of the two conflicting paths due to a recognized merit that makes acting upon it more appropriate than the other.

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[1] The narration of ʿAlī.

Part Two

Al-Sunnah al-Nabawiyyah **(The Prophetic Sunnah):**

Linguistically, *al-sunnah* means a "way" or "method," whether praiseworthy or blameworthy. For instance, the Prophet (peace and blessings be upon him) said: "Whoever initiates in Islam a good sunnah..."[1]

Terminologically, the definition of *al-sunnah* varies according to the discipline and the scholars concerned:

- **Among the *muḥaddithīn* (traditionalists/ḥadīth scholars)**: It refers to whatever is transmitted from the Prophet (peace and blessings be upon him) in terms of his sayings, actions, tacit approvals, physical or moral characteristics—whether before or after the beginning of his Prophethood.

- **Among the *'uṣūliyyūn* (fundamentalists)**: It refers to what has been reported from the Prophet (peace and blessings be upon him) in terms of his sayings, actions, or tacit approvals:
  - *Saying*: Such as, "Actions are only judged by intentions."
  - *Action*: Such as his method of performing *ṣalāh* or *ḥajj*.
  - *Tacit approval*: When the Prophet (peace and blessings be upon him) approves of a Companion's statement or action by remaining silent or expressing contentment or praise.

- **Among the *fuqahā'* (jurists)**: It is opposite to the obligatory acts, which means that it refers to whatever has been established from the Prophet (peace and blessings be upon him) that is not obligatory—such as voluntary prayers before and after the obligatory ones, the *ḍuḥā* prayer, and fasting on Mondays and Thursdays.

It is also used in contrast to *al-bid'ah* (religious innovation), as in *ṭalāq al-sunnah* (propre divorce) versus *ṭalāq al-bid'ah* (improper divorce).

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[1] Recorded by Muslim from the narration of Jarīr bin ʿAbdullāh al-Bajalī.

The reason for these varying definitions lies in the different objectives of each field:

- The *ḥadīth* scholars are primarily concerned with transmission and narration, so they categorize everything transmitted from the Prophet (peace and blessings be upon him)—biographical accounts, characteristics, sayings, actions—as sunnah, whether or not it is related to rulings.

- The fundamentalists focus on legislation, as the Prophet (peace and blessings be upon him) is a legislator whose sayings, actions, and tacit approvals form the foundation for legal rules. His physical traits or biography fall outside the legal domain.

- The jurists focus on the indications; everything that the Prophet (peace and blessings be upon him) did indicates a command as he guides the people to supplementary avenues of good acts that are not compulsory. He also guides them to the way of sticking to righteousness.

Hence, the term *al-sunnah* intended here is according to the definition used by the *ʾuṣūliyyūn*.

Categories of *al-Sunnah* According to Strength of Transmission:

1. *Al-Sunnah al-Mutawātirah* (Mass-Transmitted Sunnah):

This is a *ḥadīth* reported by a number of narrators whose agreement upon a lie is rationally impossible. This level of transmission must exist in the first three generations: The Companions, the *Tābiʿūn* (Followers), and the followers of the *Tābiʿūn*. It is divided into:

a. *Tawātur lafẓī* (verbal mass-transmission): Rare. It involves identical wording across narrations by multiple narrators, such as the *ḥadīth*: "Whoever lies about me intentionally..."

b. *Tawātur maʿnawī* (meaning-based mass-transmission): Narrated by numerous people with varied wording but with the same core meaning, such as the *ḥadīth*: "The Qurʾān was revealed in seven letters [i.e., modes of recitations]."

c. *Tawātur ʿamalī* (practical mass-transmission) or *sunnah fiʿliyyah* (action-based): Widely practiced actions initiated by the Prophet (peace and blessings be upon him), such as the rites of *ṣalāh*, *ḥajj*, and *wuḍūʾ*.

This division is based on the definitiveness of transmission. Regarding the definitiveness of *dalālah*, not all mass-transmitted reports provide clear-cut rulings in terms of their *dalālah* (indications). If a text has a single, clear meaning and no contradiction, then its indication is *qaṭʿī* (definitive). But if it allows interpretation or has conflicting reports, then its indication is *ẓannī* (speculative).

2. *Al-Sunnah al-Mashhūrah* (Well-Known Sunnah):

Also called *al-mustafīḍah*—a term used in Ḥanafī terminology. This refers to reports that were narrated by multiple trustworthy individuals who qualify for *tawātur*, or even a single narrator initially, but later became well-known among specialized scholars and narrators in the generations after the Companions and *Tābiʿūn*.

Example:

The *ḥadīth*: "A woman should not be married to one who had married her paternal aunt or a paternal aunt to one who had married her brother's daughter or a woman to one who had married her maternal aunt or maternal aunt to one who had married her brother's daughter," even though it was narrated by Jābir and Abū Hurayrah (may Allāh be pleased with them) with some variation in wording. Though technically *khabar āḥād* (solitary report), it became well-known and fundamental in the relevant legal chapter, paralleling the Qurʾānic prohibition of marrying two sisters simultaneously [Al-Nisāʾ 4:23].

This type of well-known sunnah provides moderate knowledge, which is slightly less than certainty.

Another example:

The *ḥadīth*: "Indeed, Allāh has given every person their due share; thus, no bequest for an heir," was reported by three Companions and later became widely known and foundational in its legal context.

The indication of *al-sunnah al-mashhūrah* in establishing legal rulings is still speculative, despite its robust transmission.

Additionally, certain solitary *ḥadīths* that gained popularity before the codification era (i.e., before the second and third centuries) also fall under this category.

3. *Al-Sunnah al-ʾAāḥād* (Solitary Report):

This refers to reports narrated by one or a few individuals from the Prophet (peace and blessings be upon him), which do not meet the criteria of *tawātur*. Though its transmission is not definitive, it provides *ʿilm ẓannī rājiḥ* (speculative but preponderant knowledge) because its valid attribution to the Prophet (peace and blessings be upon him). Most *ʾaḥādīth* fall into this category.

Scholarly opinions differ regarding the binding authority of solitary reports:

- The Muʿtazilah do not consider *sunnah al-ʾaāḥād* to be binding evidence.

- The Ẓāhiriyyah hold that it does produce knowledge and must be acted upon.

- The Ḥanafīs maintain that it must be acted upon except in cases involving *ʿumūm al-balwā* (necessitated prevalence), where it must be corroborated by *shuhrah* (well-known transmission).

- The majority of scholars hold that *ʾaḥādīth ʾaāḥād* are authoritative, even if not definitive, and must be followed if authentic and connected to the Prophet (peace and blessings be upon him) in transmission.

The criteria of *dalālah* that apply to *sunnah al-mutawātirah* and *sunnah al-mashhūrah* also apply to *sunnah al-ʾaāḥād*.

Part Three

Dealing with Apparently Conflicting Evidences in the Prophetic *Sunnah*:

When two *'aḥādīth* appear in the *Sunnah* that address the same matter, yet each affirms something the other does not, the scholars—including the *'uṣūliyyūn*, *fuqahā'*, and *muḥaddithūn*—are unanimously agreed that there are four primary methods for addressing such conflicts:

1. *Jamʿ* (reconciliation) between the two conflicting reports.

2. *Tarjīḥ* (giving preference), meaning granting superiority to one and acting upon it.

3. Declaring *naskh* (abrogation), if the chronological order is known.

4. Judging both reports as invalid due to mutual conflict, based on the principle "*'in taʿāraḍā tasāqaṭā*" (if two evidences conflict, they both fall away).

Invalidating both requires a return to *al-barā'ah al-'aṣliyyah* (the original state of freedom from liability), as if neither evidence had ever existed.

This is the general principle, though the majority differ with the Ḥanafīs in terms of the order and priority of the previous methods. While the majority adopt the order above, the Ḥanafīs follow this sequence:

1. *Naskh*, if the chronological order is known, whereby the later report abrogates the earlier one.

2. *Tarjīḥ*, whether by internal evidence (e.g., a *mutawātir* report against an *'āḥād* report), or external factors (e.g., narration by a more knowledgeable jurist versus a less knowledgeable one).

3. *Jamʿ* (reconciliation).

4. Abandoning both evidences—but not by directly returning to *barā'ah 'aṣliyyah*; rather, they advocate a graded approach:

   o If the conflicting reports are from the Qur'ān, we descend to the *Sunnah*.

- If the conflicting reports are within the *Sunnah*, we descend to *qiyās* (analogical reasoning).

- If the conflicting reports are in *qiyās*, we descend to giving preference to the stronger of the two.

- Finally, if none of the above applies, both evidences are invalidated and we return to *barā'ah 'aṣliyyah*.

Before elaborating on these methods, I would like to highlight some causes behind the apparent contradiction in the *'aḥādīth*, even though they all originate from the same source: the greatest of Messengers (peace and blessings be upon him).

Causes of Apparent Contradictions in the Prophetic *Sunnah*:

First Cause:

The Prophet (peace and blessings be upon him) conveyed his teachings in the Arabic tongue, which accommodates literal and figurative speech, generality and specificity, restriction and unqualified statements, among other valid modes of expression. As a result, two statements may appear contradictory on the surface while, in fact, they are not.

Second Cause:

As previously discussed in the earlier parts of this series, the Prophet (peace and blessings be upon him) assumed various roles: as a legislator, a jurist, a judge, a leader, an advisor, and even in exercising strategic discretion. Confusion between these roles can lead to apparent contradiction.

Third Cause:

Contradiction may arise from the narrators themselves. Sometimes the apparently conflicting reports refer to the same incident, but the variation results from the narrators. One may narrate the full incident, another only part of it, one may have heard everything, while another only some.

Example:
The Prophet (peace and blessings be upon him) once mentioned what distinguishes him from the other Prophets. The wording differs across narrations:

- In the narration of Ibn Ḥibbān from Abū Hurayrah (may Allāh be pleased with him): "I have been given superiority over the Prophets in six things: I was granted concise speech, aided with awe, spoils of war were made lawful for me, the earth was made a purification and a place of prayer for me, I was sent to all of creation, and Prophethood ended with me."

- In Al-Bukhārī's narration from Jābir (may Allāh be pleased with him): "I was given five things which were not given to anyone before me: I was aided with awe for a distance of a month's journey; the earth was made for me a place of prayer and purification; anyone from my *'ummah* who the prayer reaches may perform it; spoils of war were made lawful for me; and every Prophet was sent to his people exclusively, while I was sent to all people; and I was granted intercession."

- In ʾAḥmad's narration from ʿAlī (may Allāh be pleased with him): "I was given what no other Prophet was given." They asked: "O Messenger of Allāh, what is it?" He replied: "I was aided with awe, granted the keys of the earth, named ʾAḥmad, the soil was made for me a purifier, and my *'ummah* was made the best of nations."

- In the narration of Muslim from Ḥudhayfah (may Allāh be pleased with him): "We were preferred over the people in three things: our ranks in prayer are like the ranks of the angels, the whole earth is a place of prayer for us, and its soil is a purifier when water is not available."

Given the different contexts and variations across these narrations—which all center on the virtues of the Prophet (peace and blessings be upon him) and his *'ummah*—the scholars differed in acting upon the *ḥadīth* regarding *tayammum* (dry ablution).

- The Ḥanafīs and Mālikīs held that *tayammum* is valid with anything that comes from the earth, even stones. Mālikīs went further to include trees and leaves, not requiring dust specifically, basing their view on the narration that mentioned "the earth."

- The Shāfiʿīs and Ḥanbalīs, however, stipulated the presence of dust, due to its specific mention in the other narration, which include further details.

In reality, such differences often stem from the narrators' expressions, not from the Prophet (peace and blessings be upon him).

Fourth Cause:

The Prophet (peace and blessings be upon him) may have issued different rulings on the same matter due to changing circumstances. Some reported the first ruling, others the second—thus creating the apparent contradiction.

Example:
The prohibition on storing sacrificial meat.

- Al-Bukhārī narrated from ʿAlī (may Allāh be pleased with him) that the Prophet (peace and blessings be upon him) prayed before the sermon and then said: "Indeed, the Messenger of Allāh (peace and blessings be upon him) has prohibited you from eating from the meat of your sacrifices beyond three days."

- ʿAbd Allāh bin ʿUmar (may Allāh be pleased with him) narrated: "Eat from your sacrifices for three days."

These *'aḥādīth* outwardly indicate prohibition of storing sacrificial meat.

However, other narrations explicitly permit storage, such as:

- Muslim narrated from ʿAbd Allāh bin Buraydah from his father who said: The Messenger of Allāh (peace and blessings be upon him) said: "I forbade you from visiting graves—now visit them. I forbade you from [storing] sacrificial meat beyond three days—now keep whatever you wish." Similar narration exists from Jābir ibn ʿAbd Allāh (may Allāh be pleased with him).

Al-Bukhārī explained the reconciliation between these reports arguing that the Prophet (peace and blessings be upon him) issued the prohibition in a year of famine, as clarified in the narration of ʿĀʾishah (may Allāh be pleased with her).

Fifth Cause:

The Prophet (peace and blessings be upon him) intended to abrogate a previous ruling.

Example:

The abrogation of *mut'ah* marriage.

The abrogation of the prohibition on drinking from certain containers.

- Abū Hurayrah (may Allāh be pleased with him) narrated that the Prophet (peace and blessings be upon him) said: "Do not drink from *naqīr* (a palm trunk hollowed and coated), *muzaffat*, *dubba'*, or *ḥantam*."[1]

- *Naqīr*: coated with tar.

- *Dubba'*: dried gourd.

- *Ḥantam*: green jars.

This was abrogated by the narration of Buraydah (may Allāh be pleased with him) who narrated that the Prophet (peace and blessings be upon him) said: "I had forbidden you from using such containers, but now [I say] no vessel makes anything lawful or unlawful. Every intoxicant is prohibited."[2]

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[1] Recorded by Muslim.

[2] Recorded by Muslim.

Part Four
Detailing the Methods of Addressing Conflicting Reports
Reconciling and Harmonizing Between Conflicting Texts

First: Reconciliation Between Two Reports:

Linguistically, *jamʿ* (reconciliation) means combining what is dispersed; it is the opposite of division.

Terminologically, it refers to clarifying the agreement and compatibility between the *sharʿī* (Islamic legal) evidences—whether rational or transmitted.

Second: General Approaches Toward Reconciling Conflicting Reports:

The First Approach:

Leniency in accepting reconciliation and harmonization between conflicting *ʾaḥādīth*, employing *taʾwīl* (interpretation) through assigning meanings metaphorically, considering generality and specificity, or absolute and restricted meanings, or ambiguity and clarification, and so on. This view is represented by a group of *muḥaddithūn* such as Ibn al-Ṣalāḥ and Ibn Khuzaymah, and among the jurists, Ibn Ḥazm al-Ẓāhirī. These scholars claimed that there is no apparent contradiction between texts that cannot be reconciled.

The Second Approach:

A more stringent approach to reconciliation, represented by the majority of the Ḥanafīs, some of the Shāfiʿīs, Mālikīs, and some *muḥaddithūn*. As a result, they rejected *ṣaḥīḥ* (authentic) *ʾaḥādīth* for several reasons, including:

1. **Contradiction with Stronger Evidence**. For example:

The Prophet (peace and blessings be upon him) ruled with the testimony of a witness and the oath of the claimant. This was narrated in several versions from ʿAmr bin Dīnār, ʿAlī bin ʾAbī Ṭālib (may Allāh be pleased with him), and Abū Hurayrah (may Allāh be pleased with him), as reported by Abū Dāwūd, Ibn Mājah, and al-Dāraquṭnī. However, this conflicts with his statement (peace and blessings be upon him): "Evidence is upon the claimant, and the oath is upon the one who

denies."[1] According to al-Kattānī, eight Companions narrated it, and it is among the general principles in *qaḍā'* (adjudication).

Explanation:

Claims are divided into three types:

- Claims related to *ḥudūd* (fixed legal punishments) and *qiṣāṣ* (religious retaliation)

- Claims related to rights, such as sale, purchase, or mortgage

- Claims related to personal rights, such as marriage and divorce

As for *ḥudūd* and *qiṣāṣ*, there is consensus that the oath with a witness is not acceptable—except for a few from the Ẓāhirī school who applied the apparent meaning of the aforementioned narration.

The disagreement is limited to financial rights like sale, purchase, and mortgage.

Thus, jurists differed in how to apply the two aforementioned texts:

- Some jurists permitted adjudication using a witness and the claimant's oath in financial transactions. This was the view of the Mālikīs (except a few), Shāfiʿīs, Ḥanbalīs, and Ẓāhirīs. They based this on narrations from ʿAlī bin ʾAbī Ṭālib, ʿAmr bin Dīnār, and Abū Hurayrah (may Allāh be pleased with them).

- Others did not allow adjudication based on the claimant's oath and a witness, such as the Ḥanafīs, some Mālikīs, al-Thawrī, al-ʾAwzāʿī, Ibn Shubrumah, al-Layth bin Saʿd, and others. They relied on the narration from Ibn ʿAbbās (may Allāh be pleased with him).

They also cited what was narrated from al-ʾAshʿath bin Qays (may Allāh be pleased with him), who said: "There was a dispute between me and a man over a well, and we took it to the Messenger of Allāh (peace and blessings be upon him). He said: 'Your two witnesses or his oath.' I said: 'He will swear and not care, and I will lose my right.' The Prophet replied: 'Whoever swears an oath to unlawfully

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[1] Recorded by Al-Bayhaqī.

consume the wealth of a Muslim while lying will meet Allāh, and He will be angry with him.'"[1]

The Prophet (peace and blessings be upon him) did not accept a man's testimony alongside the claimant's oath.

The Ḥanafīs preferred to reject this *ḥadīth* based on the verse: "And call two witnesses from among your men. If there are not two men, then one man and two women…" [Al-Baqarah 2:282]. There is no mention of an oath in establishing proof.

The Ḥanafīs also argued that the Shāfiʿīs themselves did not accept the oath alongside the testimony of two women, arguing that it would be combining a weak substitute with another weak form of evidence.

Some tried to reconcile by stating that the *ḥadīth* of Ibn ʿAbbās (may Allāh be pleased with him) is general for all types of cases, while the *ḥadīth* of ʿAlī bin ʿAbī Ṭālib (may Allāh be pleased with him) is specific to financial matters. However, this reconciliation is countered by the Qurʾānic verse in Sūrat al-Baqarah.

2. **Contradiction with Sound *Qiyās* (Analogical Reasoning)**. For instance:

The Mālikīs rejected the *ḥadīth* regarding washing seven times after a dog licks a container. Several seemingly conflicting *ʾaḥādīth* were narrated on the matter:

- From Abū Hurayrah (may Allāh be pleased with him): "If a dog drinks from one of your vessels, wash it seven times."[2]

- From Abū Hurayrah (may Allāh be pleased with him): "If a dog licks a vessel, spill it out, then wash it three times."[3]

- From Ibn ʿUmar (may Allāh be pleased with him): "I used to sleep in the mosque during the time of the Messenger of Allāh (peace and blessings be upon him), and I was a young, unmarried man. Dogs would come and go in

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[1] Recorded by Al-Bukhārī.

[2] Recorded by Al-Bukhārī and Muslim.

[3] Recorded by Al-Bayhaqī, Al-Dāraquṭnī and Al-Ṭaḥāwī.

the mosque, and they would urinate, but no one would sprinkle water over it."[1]

Imām Mālik rejected the requirement of washing with earth, considering it contrary to *qiyās*, based on the verse: "So eat of what they catch for you" [Al-Māʾidah 5:4]. He said: "How can one eat what the dog has caught if its saliva is impure?"

3. **Contradiction with *Ijmāʿ* (Scholarly Consensus)**. An example is the *ʾaḥādīth* related to *ribā* (usury), which may seem contradictory.

For instance, some *ʾaḥādīth* mention *ribā al-faḍl* (surplus usuary):

- From ʿUbādah bin al-Ṣāmit (may Allāh be pleased with him) said: The Prophet (peace and blessings be upon him) said: "Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, and salt for salt—equal for equal, hand to hand. If the types differ, sell as you wish, so long as it is hand to hand."[2]

But Al-Bukhārī also narrated from Abū Saʿīd al-Khudrī (may Allāh be pleased with him), quoting ʾUsāmah bin Zayd (may Allāh be pleased with him): "There is no *ribā* except in *nasīʾah* (deferred payment)." Ibn ʿAbbās (may Allāh be pleased with him) once followed this, but later retracted. The scholars of *ʾAhl al-Sunnah* unanimously prohibit all forms of *ribā*. Al-Manāwī stated: "Consensus has been established on abandoning the outward meaning of that narration."

The Third Approach:

Those who took a moderate stance between rigidity and leniency in reconciliation. They did not accept all narrations nor reject all interpretations. Among them are the majority of the Shāfiʿīs and Ḥanbalīs, and some from the Ẓāhirī school.

Conditions for Reconciling Conflicting Evidences:

1. **Both evidences must be authentic**. If one of them is weak, reconciliation is not needed. If one is agreed upon to be authentic, it is prioritized.

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[1] Recorded by Al-Bukhārī.

[2] Recorded by Muslim.

Example:

The dispute regarding Barīrah and her husband.

Al-Bukhārī narrated: "The Prophet gave Barīrah the choice when she was freed, and her husband was a slave."[1]

This narration was adopted by the majority of the Mālikīs, Shāfiʿīs, and Ḥanbalīs, who ruled that a slave woman, once is freed, has the option if her husband is a slave.

The Ḥanafīs relied on another narration: "And her husband was a free man," narrated by al-ʾAswad bin Yazīd from ʿĀʾishah (may Allāh be pleased with her).

Ibn Ḥajar noted that this narration "her husband was a free man" is disputed: whether it was said by ʿĀʾishah, al-ʾAswad, or someone else[2].

The Ḥanafīs tried to reconcile by suggesting that he was a slave, then became free.

2. **Reconciliation must not nullify any part of the *sharīʿah* text**.

An example is the well-known verse on washing the feet during *wuḍūʾ* (ritual ablution). *ʾAhl al-Sunnah* consider washing the feet obligatory, while the *Shīʿah* allow wiping over them by grammatical linkage with the head.
However, this interpretation invalidates the specification mentioned in the verse: "to the ankles" [Al-Māʾidah 5:6], because everyone agrees the ankles are not part of what is wiped. Thus, this interpretation turns the specification meaningless.

3. **The two reports must be equal in strength**.

This is the view of the Ḥanafīs and some Shāfiʿīs. If one is stronger, *tarjīḥ* (preference) is given without attempting reconciliation. Example: The case of Barīrah mentioned earlier.

4. **The rulings from the conflicting reports must not be contradictory in nature**. If so, they must be understood in sequence. That is, they must be understood in light of one another [i.e., one abrogates the other].

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[1] Recorded by Al-Bukhārī and Muslim.

[2] Recorded by Al-Nasāʾī.

Example: The ruling on *wuḍū'* after eating something that has been touched by fire.

From Abū Hurayrah (may Allāh be pleased with him), reported by Muslim: "Make *wuḍū'* after eating what has been touched by fire." The same has been reported from ʿĀʾishah (may Allāh be pleased with her).

However, Jābir (may Allāh be pleased with him) reported that they used to eat meat and pray without performing *wuḍūʿ*. Also, from ʿAmr bin ʾUmayyah al-Ḍamarī (may Allāh be pleased with him): he saw the Prophet (peace and blessings be upon him) eating from the shoulder of a sheep and praying without performing *wuḍūʿ*. Likewise, the same has been narrated from Ibn ʿAbbās (may Allah be pleased with him).

These narrations are so contradictory that reconciliation is not feasible, and thus *naskh* (abrogation) is the only option that must be considered. Hence, the latter narration abrogated the former one. This accounts for the narration of Jābir (may Allāh be pleased with him): "The last of the two commands of the Messenger of Allāh (peace and blessings be upon him) was to abandon *wuḍūʿ* from what had been touched by fire."

Reconciling Conflicting Evidences

1. **Reconciling by interpreting one of the two evidences:**

This means that both conflicting texts may be interpreted to achieve reconciliation, but we only act upon one of them due to the possibility of evidence supporting that interpretation. This occurs when there is a case of generality and specificity between the two evidences.

Example: The Prophet (peace and blessings be upon him) said: "Whoever forgets a prayer or sleeps through it, let him pray it when he remembers, for that is its time." This is contradicted by his prohibition (peace and blessings be upon him) against praying at three specific times. In *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim*, it is narrated that: "The Prophet (peace and blessings be upon him) forbade prayer and the burial of the dead at the time of sunrise, its zenith, and sunset."

Reconciliation is achieved by interpreting one of the two texts — both of which are open to interpretation. Thus, the generality of the first *ḥadīth* is specified by the

particularity of the second. The result is that it is permissible to make up missed prayers at any time except these three prohibited times.

Alternatively, the generality of the second *ḥadīth* may be specified by the particularity of the first, meaning that the prohibition applies to all prayers except for *qaḍā'* (those being made up). For this reason, the Ḥanafīs and Mālikīs took one approach, while the Shāfiʿīs and Ḥanbalīs took another.

2. **Reconciling both evidences through interpretation together:**

Example: Al-Bukhārī and others narrated from Abū Saʿīd that Banū Qurayẓah surrendered to the judgment of Saʿd, so the Prophet (peace and blessings be upon him) sent for him. When he arrived, he said: "Stand for your master," or "for your best man..."

This appears to contradict the narration from Abū ʾUmāmah: "The Prophet (peace and blessings be upon him) came out leaning on his staff, and we stood up for him. He said: 'Do not stand up as non-Arabs stand up for one another.'"

He (peace and blessings be upon him) also said: "Whoever likes people to stand up for him out of honor will find the Fire inevitable."[1]

Due to these reports, scholars held four views:

1. Standing up is *ḥarām* (forbidden).
2. It is *makrūh* (abhorred), especially if it is feared to cause pride in the one being stood for.
3. It is permissible.
4. It is recommended.

The correct view is that reconciliation is possible through interpreting both narrations together. That is:

- *"Stand for your master"*: This is directed at the group, especially if there is a justifiable reason for standing.

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[1] Recorded by Al-Tirmidhī, Abū Dāwūd and ʾAḥmad.

- *"Whoever likes people to stand..."*: This addresses the individual and his intention — meaning, even if people stand for him, his heart should not desire or seek that honor.

3. **Reconciliation through distribution:**

This occurs when two evidences conflict — one affirms something which the other negates. The reconciliation is made by applying one evidence to some instances and the other evidence to the remaining instances.

Example:
The Prophet (peace and blessings be upon him) said: "Whoever does not make the intention to fast before dawn, there is no fast for him." This appears to contradict the narration that the Prophet (peace and blessings be upon him) used to ask his wives upon entering their homes: "Do you have any food?" If they said no, he would say, 'Then I am fasting.'"

The first *ḥadīth* is understood to apply to obligatory fasts, while the second applies to voluntary fasts, thus distributing the ruling based on the type of fast — even though the act (fasting) is the same.

4. **Reconciliation by interpreting the outcome or implication:**

Example: The Prophet (peace and blessings be upon him) said: "There is no prayer for the neighbor of the mosque except in the mosque." This appears to contradict the *ḥadīth*: "The prayer of a man in congregation is better than his prayer alone at home or in the market by twenty-five times."[1]

The second indicates that prayer at home is valid but less in reward. Reconciliation is made by saying: the first *ḥadīth* negates perfection, while the second affirms extra rewards.

Resolving Contradictions through *Naskh* (Abrogation):

Linguistically, *naskh* means: removal, nullification, transfer, or replacement — such as in *tanāsukh al-mawārīth* (transference of inheritance). It can also mean metaphor or documentation, as in: "This, Our record, speaks about you in truth.

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[1] Agreed upon.

Indeed, We were *nastansikh* (having transcribed) whatever you used to do." [Sūrat al-Jāthiyah 45:29].

Terminologically, it is: The removal of a fixed *Shar'ī* ruling established by a prior *Shar'ī* text through a subsequent, delayed evidence.

From this definition, we understand the following:

- *Nāskh* (abrogator): The text that removes the previous ruling. It may be a Qur'ānic verse, or a verbal, practical, or tacit *ḥadīth*.

- *Mansūkh* (abrogated): The *Shar'ī* ruling that is removed by the new, delayed evidence.

Example: The obligation for one Muslim to remain firm against ten enemies in battle was later abrogated by the obligation to remain firm against two, as in: "Now, Allāh has lightened [the hardship] for you." [Sūrat al-ʾAnfāl 8:66].

General Conditions for Accepting *Naskh*:

1. The abrogated ruling must be *Shar'ī*: There is no *naskh* in rational matters. Example: That which was originally permissible through *barāʾah ʾaṣliyyah* (default freedom of liability) was later prohibited for certain kinds. Such as the default permissibility of eating all animals. Later texts prohibited certain kinds of animals: carrion, blood, pork.

The majority say: the default status of things is permissibility and what is later prohibited does not fall under abrogation of the original permissibility. However, it is an initiation of a new rule.

Most Ḥanafīs say: it is an abrogation of the original permissibility, since abrogation applied to some cases but not all, and because humans are not left without legislation. Therefore, the removal of an established ruling is considered abrogation to it.

2. The ruling must be receptive to abrogation: Matters of Islamic foundational beliefs, *tawḥīd* (monotheism), matters of *ʿaqīdah* (Islamic faith) regarding the core acts of worship, virtues such as truthfulness, and vices such as lying are not subject to abrogation.

3. The abrogating evidence must be separate and later in time:

If the abrogating evidence is joined to the abrogated evidence (e.g., via condition, qualification, or exception), it is not considered *naskh*.
Example: "Then complete the fast until nightfall." [Sūrat al-Baqarah 2:187] is not an abrogation of daytime fasting.

4. The reason for removing the first ruling must be *Sharʿī*: If the ruling drops due to death or insanity of the legally accountable person, that is not *naskh*, but the fall of accountability as a whole.

Important Distinction Between *Naskh* and *Takhṣīṣ* (Specification):

Though similar, they differ in several ways:

1. *Naskh* requires a delay in time; *takhṣīṣ* does not but may occur with simultaneity. In fact, Ḥanafīs require simultaneity for *takhṣīṣ*.

2. *Naskh* applies to a single ruling; *takhṣīṣ* removes individual cases from a general category.

3. *Naskh* must occur through a new text; *takhṣīṣ* may occur through reason, custom, or analogy.

   o **Intellectual reasoning:** As in the verse: "And [due] to Allāh from the people is a pilgrimage to the House." [Sūrat Āli ʿImrān 3:97]. Reason excludes children, the insane, and non-Muslims because they are addressed in this text.

   o **Custom:** Excluding fish from the general category "meat," despite the verse: "To eat from it tender meat." [Sūrat al-Naḥl 16:14]. If someone swears not to eat meat but eats fish, he is not considered to have broken his oath.

4. *Naskh* completely ends the prior ruling; *takhṣīṣ* only removes part of it while the ruling remains valid for the rest of the other cases.

5. After *naskh*, acting upon the old ruling wholly or partially is forbidden. After *takhṣīṣ*, the remaining cases must still be followed.

Examples of *Naskh* in the Sunnah:

1. The Prophet (peace and blessings be upon him) said: "I had prohibited you from visiting graves, but now visit them..."[1] This indicates the abrogation of the prohibition. All scholars unanimously agree this abrogation applies to men. As for women, there is a disagreement due to the narration from Abū Hurayrah: "The Prophet (peace and blessings be upon him) cursed women who frequently visit graves."[2] Likewise, narrated by Abū Dāwūd, al-Tirmidhī, and Ibn Mājah from Ibn ʿAbbās: "The Prophet (peace and blessings be upon him) cursed women who visit graves and those who take them as places of worship or light lamps upon them."

Scholars differed here — is this *naskh* or *takhṣīṣ*? They held four views:

- *Nadb* (**Recommendation**): Held by some Ḥanafīs, Shāfiʿīs, and Ibn Ḥazm who even said it is obligatory once in a lifetime for the *ḥadīth* "so visit them as they are a reminder of the Hereafter."

- **Permissibility:** The view of the majority of Ḥanafīs, many Mālikīs, some Shāfiʿīs, and one opinion in the Ḥanbalī school.

- *Karāhah* (**Abhorrence**): Some Mālikīs, most Shāfiʿīs, and Ḥanbalīs.

- *Taḥrīm* (**Forbiddance**) : Some Shāfiʿīs (e.g., al-Shīrāzī) and some Ḥanbalīs.

The difference lies in which narration is dominant:

- Those who say the *ḥadīth* on the permissibility of visiting abrogated the *ḥadīth* of curse and prohibition permitted or recommended it.

- Those who say the *ḥadīth* of curse specified the general permissibility, limited permissibility to men only, leaving the prohibition for women.

2. Muslim narrates from Rabiʿ bin Sabrah al-Juhanī that his father said: "The Prophet (peace and blessings be upon him) permitted *mutʿah* (temporary marriage), so I and a man from Banū ʿĀmir went to a woman who looked

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[1] Recorded by Muslim.

[2] Recorded by Al-Tirmidhī who said: It is *Ḥasan Ṣaḥīḥ* [its chain of transmission is good authentic].

like a young maiden. We proposed to her. She asked what we would offer. I said, 'My cloak.' My companion's cloak was better, but I was younger and more attractive. When she looked to my companion's cloak, she would like him. When she looked at me, she would like me. Then, she said, 'You and your cloak suffice.' I stayed with her three days. Then the Prophet (peace and blessings be upon him) said: 'Whoever has any of these women in temporary marriage, let him release her.'"

3. Regarding the Imam praying seated: ʿĀāishah (may Allah be pleased with her) said: "The Prophet (peace and blessings be upon him) was ill, and some of his Companions visited him. He prayed sitting, and they prayed behind him standing. He gestured for them to sit, so they sat. When the prayer ended, he said: 'The Imam was only appointed to be followed. When he bows, bow; when he rises, rise; and when he prays sitting, then pray sitting.'"[1]

This was abrogated by her other narration: "In the illness from which the Prophet (peace and blessings be upon him) passed away, he ordered Abū Bakr to lead the people in prayer. The Prophet (peace and blessings be upon him) would pray sitting while Abū Bakr stood and followed him, and the people followed Abū Bakr."[2]

Reconciling Conflicts Between *Sunnah* Evidence through *Tarjīḥ* (Preference):

At the beginning of this series, we defined *tarjīḥ* (preference), stating that it means: the act of a *mujtahid* (qualified scholar) favoring one of two conflicting pieces of evidence due to a recognized merit that makes acting upon it more appropriate than the other.

From this definition, we derive that *tarjīḥ* has four essential pillars:

1. The two evidences: the *rājiḥ* (stronger) and the *marjūḥ* (weaker), for no preference exists without a comparison of evidences.

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[1] Recorded by Al-Bukhārī and Muslim.

[2] Recorded by Al-Bukhārī and Muslim.

2. The *murajjiḥ* (preferential factor): the merit or advantage used in favoring one over the other.

3. The *mujtahid*: the scholar who examines the evidence.

4. The *tarjīḥ* itself: the result reached after the process of comparison.

Commentary on the Third Pillar: The *Mujtahid*:

Not everyone is qualified to engage in *tarjīḥ* merely by observing, memorizing, or being exposed to conflicting evidence. The *mujtahid* must possess thorough knowledge of many relevant matters. There are various types of *mujtahidūn*:

1. The absolute *mujtahid* such as the four Imāms and others.

2. The *mujtahid* within a *madhhab* (school of Islamic law), such as the students and transmitters of the Imāms.

3. The *mujtahid* who derives new rulings based on the Imāms' statements.

4. The *mujtahid* who preserves the Imāms' views and reconciles between some of them.

There is a difference among the *'uṣūliyyūn* as to whether *tarjīḥ* is a quality inherent to the evidence itself or an act performed by the *mujtahid*.

Conditions of *Tarjīḥ* Between Evidences:

1. Conditions related to the evidences:

a. Inability to reconcile: This is the view of the majority of scholars, contrary to the Ḥanafīs, who allow *tarjīḥ* even when reconciliation is possible because they prioritize it over reconciliation. They argue there is no benefit in reconciling between a strong and a weak piece of evidence when the distinction is clear and a preferential factor is present.

b. Equality in authority: If one evidence is *ṣaḥīḥ* (authentic) and the other is weak or speculative, the weak one is not considered.

c. No knowledge of chronological order: Otherwise, *naskh* is assumed.

2. Conditions related to the *murajjiḥ* (preferential factor):

a. Strength of the preferential factor's indication: If it is speculative, it is open to doubt.

b. It may be a quality attached to the evidence or an independent proof: This is the opinion of the majority including the Mālikīs, Ḥanbalīs, Shāfiʿīs, and the Muʿtazilah. However, the Ḥanafīs held that the preferential factor must be an attached quality, such as the narrator being more knowledgeable or closer to the event (e.g., preferring the narration of Lady ʿĀʾishah [may Allāh be pleased with her] in matters of the Prophet's household).

According to the majority, it is permissible to prefer:

- One *ʾāyah* over another *ʾāyah*, *ḥadīth*, *ijmāʿ* (consensus), or *qiyās* (analogical reasoning);

- A *sunnah* over another *sunnah* or *ʾāyah*;

- A *qiyās* over another *sunnah* or the apparent meaning of an *ʾāyah*, and so on.

Ruling on *Tarjīḥ* Between Conflicting Evidences:

- The majority of jurists and theologians held that it is *wājib* (obligatory) to perform *tarjīḥ* in the case of conflicting evidences.

- Some of the Ẓāhirīs disagreed, saying it is not obligatory; rather, when two evidences conflict, one may choose between them, consider both null, or opt for the more precautionary view.

The opinion of the majority is more correct, based on the actions of the Companions (may Allāh be pleased with them):

- The Companions preferred the *ḥadīth* of ʿĀʾishah regarding the meeting of the two circumcised parts over the *ḥadīth* of Abū Hurayrah, "Water is only from water."

- They preferred her report on the validity of fasting while in a state of major ritual impurity over the narration of Abū Hurayrah because she was more aware of the Prophet's (peace and blessings be upon him) personal matters.

- Abū Bakr accepted the narration of al-Mughīrah concerning the inheritance of the grandmother after Muḥammad bin Maslamah confirmed it.

- ʿUmar accepted Abū Mūsā's report about seeking permission three times when it was supported by Abū Saʿīd al-Khudrī.

- The Prophet's (peace and blessings be upon him) approval of Muʿādh's prioritization of evidence indicates *tarjīḥ*.

- Customarily, we give preference to the stronger over the weaker, and *Sharīʿah*-based decisions should reflect customary decision-making in essence.

Forms of *Tarjīḥ* in the *Sunnah*:

1. Preference based on the narrator's age:

If one narrator was older at the time of the event than the other.

Example: Ibn ʿUmar narrated that the Prophet (peace and blessings be upon him) intended *ḥajj mufrad* (only *ḥajj*), while ʾAnas narrated that he intended *qirān* (combined *ḥajj* and *ʿumrah*). Preference was given to Ibn ʿUmar because he said ʾAnas was young, engaging with uncovered women, while he [Ibn ʿUmar] himself held the reins of the Prophet's camel, and its saliva was dripping on him.

In another narration, when Ibn ʿUmar was informed of ʾAnas's report, he responded: "ʾAnas forgot." Later, Bakr told ʾAnas that Ibn ʿUmar said you forgot, to which ʾAnas replied: "You consider us mere boys! I heard the Prophet say: *'Labayka bi-ʿumrah wa-ḥajj maʿan* (Here I am, O Allāh, performing *ʿumrah* and *ḥajj* together).'"

Note: The disagreement here is not about the type of *ḥajj* (which was *qirān*), but the wording of the initial *'iḥrām*. Based on the narration of ʾAnas, he uttered the intention for performing *ḥajj* and *ʿumrah* together, while based on the narration of Ibn ʿUmar he uttered the intention for performing only *ḥajj*, then added to it the intention for performing *ʿumrah*.

2. Preference based on the narrator's legal insight:

The Ḥanafīs preferred the narration of Ibn Masʿūd on raising the hands in prayer, stating he was more knowledgeable and insightful than Ibn ʿUmar, Abū Ḥumayd, and others.

3. Preference based on physical proximity to the Prophet (peace and blessings be upon him):

Closeness at the time of the event can be a preferential factor.

Example: The same *ḥadīth* regarding the Prophet's *ḥajj*. The majority preferred the narration of Ibn ʿUmar that the Prophet (peace and blessings be upon him) uttered the intention for *ḥajj* only because he was holding the reins of his camel. The Ḥanafīs preferred the narration of ʾAnas because he too reported, "I was holding the reins of the Prophet's (peace and blessings be upon him) camel and its salvia was dripping on my shoulder while he was saying: Here I am, O Allāh, performing *ʾumrah* and *ḥajj* together." For this evidence, they argued that ʾAnas was closer to the Prophet (peace and blessings be upon him).

In fact, since both narrations show that they were equally close, another preferential factor was needed. The majority favored Ibn ʿUmar due to his age; the Ḥanafīs noted the inconsistencies in his narration as it includes, "that he uttered the intention for *ʾumrah* then for *ḥajj*," and "that he uttered the intention for *ḥajj* only."

4. Preference based on the narrator's involvement in the event:

Example: Lady Maymūnah (may Allāh be pleased with her) said: "The Prophet married me while we were both in a state of freedom from *ʾiḥrām* in Sarif," while Ibn ʿAbbās said: "The Prophet married Maymūnah while he was in a state of *ʾiḥrām*."

The jurists differed on the ruling of the validity of a marriage contract during *ʾiḥrām*:

- The majority of Mālikīs, Shāfiʿīs, and Ḥanbalīs say it is invalid for the groom, bride, guardian, or proxy, citing the *ḥadīth* "A *muḥrim* (one in the

state of *'iḥrām*) must not contract marriage, nor help others contract marriage, nor get engaged to marry."[1]

- The Ḥanafīs consider it valid, relying on Ibn ʿAbbās's narration and arguing that he had better memory and accuracy than others.

5. Preference based on the narrator's time of conversion to Islam:

There is disagreement regarding which narration to prefer:

a. Prefer the one who converted later, as they would know the final ruling; a view of some Ḥanbalīs, most Shāfiʿīs, and some Mālikīs.

b. Prefer the earlier convert, due to their longer exposure to Islamic teachings; a view of some Ḥanafīs, Shāfiʿīs, and Mālikīs.

c. Differentiate: If the earlier convert was present during the time of the later, no preference. If the later convert lived after the earlier died, his report is preferred due to knowledge of the final ruling.

d. Equal status — an external *murajjiḥ* is needed.

6. Preference based on the number of narrators:

The majority accept this; the Ḥanafīs reject it.

Example: Regarding whether touching the private part breaks *wuḍūʾ*:

- The majority of Mālikīs, Shāfiʿīs, and Ḥanbalīs say it does, citing the many reports from Abū Hurayrah, Ibn ʿUmar, ʾUmm Salamah, ʾUmm Ḥabībah, and Busrah bint Ṣafwān.

- The Ḥanafīs, some Malikīs, and an opinion among the Ḥanbalīs which is also the opinion of Ibn Taymiyah hold that it does not, based on Ṭalq bin ʿAlī's report: "It is only a part of you."

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[1] Recorded by Muslim.

7. Preference based on the degree of the *ḥadīth*:

According to the Ḥanafīs:

- *Mutawātir* is preferred over *mashhūr*, and *mashhūr* over *'āḥād* reports.

- The majority do not consider *mashhūr* stronger than *'āḥād* reports.

Example: The Ḥanbalīs invalidated fasting due to cupping based on: "The one who cups and the one who is cupped both break their fast." This is a *mutawātir* report from fifteen Companions.

The majority disagreed, citing the *ḥadīth*: "He cupped while fasting and while in *'iḥrām*," saying this came later and thus abrogates the earlier ruling.

8. Preference of *manṭūq* (explicit text) over *dalālah* (inferred meaning):

Example:

- The *ḥadīth*: "In every forty sheep, one is due as *zakāh*," obliges *zakāh* regardless of the owner.

- This is contrasted with: "The pen is lifted from three… among them, the child," which implies that a child has no obligations.

The majority ruled: The explicit statement is preferred, so *zakāh* is due on a child's wealth, and the guardian must pay it.

The Ḥanafīs preferred the second *ḥadīth*, arguing that since prayer is not obligatory for a child, neither is *zakāh*.