

**AVERSION IN THE TEXTS OF THE SUNNAH: AN APPLIED
JURISPRUDENTIAL STUDY**

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Abstract

This is a fundamental and applied study that aims to clarify the meanings conveyed by the term "aversion" (karāhah) found in the Sunnah. It addresses the connotations and usages of the word "aversion" in the texts of the Sunnah, as well as its various formulations and styles. Among the main findings of the research are: that the term "aversion" is used in the Sunnah to mean "forbidden" (ḥarām), which is its most common usage, and also to mean "disliked and not pleasing," the performance of which is not sinful. Furthermore, the majority of instances where a Companion narrates aversion from the Prophet (peace be upon him) do not indicate prohibition. This research recommends conducting a study of transcribed jurisprudential terms found in the texts of the Sunnah, with an explanation of their intended meanings.

Key words: Inversion, Texts, Sunnah

In the Name of Allah, the Most Gracious, the Most Merciful

All praise is to Allah, and may peace and blessings be upon the Messenger of Allah.

Allah the Exalted has bestowed upon His servants a comprehensive Sharia that provides rulings for everything they encounter. He did not place them in difficulty regarding what He has legislated; rather, He appointed a measure for everything. Thus, within His Sharia are obligations (wujūb), prohibitions (taḥrīm), recommendations (nadb), permissions (ibāḥah), and aversions (karāhah). Jurisprudence revolves around these matters, and "there is no issue in jurisprudence more difficult than ruling with aversion (karāhah)" ⁽¹⁾.

The term "aversion" is among those found in the texts of the Sunnah. Therefore, it is essential to focus on its foundational principles and study its connotations. How could it not be, when some have erred in understanding its meaning, interpreting it contrary to its intended signification?! After searching and contemplation, I did not find an independent study dedicated to the foundational principles and application of this transmitted Islamic legal term. This prompted me to undertake research on it.

Significance of Research and Reasons for Selection

Researching the topic of aversion in general is of great significance, which led me to choose it. This significance is manifested in the following:

¹ *Al-Taḥqīq wa-al-Bayān fī Sharḥ al-Burhān [Verification and Elucidation: A Commentary on 'The Proof'], lil-Abiyārī (1/850).*

Firstly: Its connection to prescriptive rulings (al-aḥkām al-taklīfiyyah) and understanding the intent of the Lawgiver, which is among the most important objectives sought by scholars and students of knowledge.

Secondly: The prevalence of error in understanding this term within the texts of the Sunnah.

Thirdly: The fact that ruling with aversion is the most difficult issue in matters of jurisprudence, as stated by some legal theorists (uṣūlīyūn) ⁽¹⁾.

Previous Studies

I did not find an independent study that focused on the foundational principles and application of the topic of aversion in the language of the Sharia, particularly in the Sunnah.

Research Methodology and Procedures

The methodology followed in this research is as follows:

Defining terminology and unfamiliar expressions.

Referring to authentic sources for transcription, except when necessary.

Pointing out differences of opinion concisely.

Citing the sources of ḥadīths mentioned in the research from Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim to their specific locations, and providing the authentication status (taḥrīj) for those from other sources by relaying the statements of specialists regarding their authenticity or weakness, concisely.

I sufficed with mentioning the well-known names of scholars without providing their biographies, for the sake of brevity.

Research Plan

This research consists of an introduction, five chapters, a conclusion, and academic indices.

The introduction includes the importance of the research, reasons for its selection, previous studies, and the research methodology and procedures.

The chapters are as follows:

Chapter One: Definition of Aversion (Karahah), containing two sections.

Section One: The linguistic definition of aversion.

Section Two: The definition of aversion in later Islamic legal terminology.

Chapter Two: The Evolution of the Term "Aversion" in Jurisprudential Studies.

Chapter Three: The Usages of "Aversion" in the Language of the Sharia.

Chapter Four: The Formulations and Styles of Expressing Aversion.

Chapter Five: Applied Issues Regarding the Connotation of Aversion in the Sunnah, containing three issues:

Issue One: The ruling on drinking very hot water (ḥamīm) and eating hot food.

¹ *Al-Taḥqīq wa-al-Bayān [Verification and Elucidation] (1/850), wa-al-Baḥr al-Muḥīṭ [The Vast Ocean] (1/395).*

This issue contains two sections:

Section One: The text of the ḥadīth pertaining to the issue.

Section Two: The type of aversion intended in the ḥadīth.

Issue Two: The ruling on a man coming to his family unexpectedly at night (ṭurūqan) after a journey.

This issue contains two sections:

Section One: The text of the ḥadīth pertaining to the issue.

Section Two: The type of aversion intended in the ḥadīth.

Issue Three: The ruling on men wearing gold rings.

This issue contains two sections:

Section One: The text of the ḥadīth pertaining to the issue.

Section Two: The type of aversion intended in the ḥadīth.

Conclusion: Includes the most prominent findings and recommendations of the research.

Chapter One: Definition of Aversion (Karahah).

This chapter contains two sections:

Section One: The linguistic definition of aversion.

Aversion (al-Karāhah) is the opposite of love (al-maḥabbah).

Ibn Fāris said: "The letters Kāf, Rā', and Hā' form a single sound root, indicating the opposite of satisfaction and love." ⁽¹⁾

It is said: "Karihtu al-shay'a, akrahuhu kurhan" (I disliked the thing, I dislike it with aversion), meaning I was not pleased with it and did not love it. The disliked thing (al-makrūh) is the opposite of the beloved (al-maḥbūb)⁽²⁾.

All derivatives of the root (k-r-h) refer to the meaning of recoiling from something, despising it, and not loving or being satisfied with it.

Al-Kurh (with a ḍammah on the kāf) means hardship ⁽³⁾. From this is the saying of Allah the Exalted: "...and they will be given to drink boiling water (ḥamīman) that will sever their intestines" [Part of Verse 15, Sūrat al-Aḥqāf]. Al-Kurh in the verse means hardship ⁽⁴⁾.

Section Two: The definition of aversion in later Islamic legal terminology.

Aversion was defined in later terminology—according to the majority of legal theorists (uṣūlīyūn)—with many definitions, the most famous of which is: "That for which the one who omits it is praised, but the one who does it is not blamed" ⁽⁵⁾. This definition is the most widely accepted among legal theorists ⁽⁶⁾.

¹ *Maqyās al-Lughā* (5/172)-(The Standard of the Language)

² See *Maqyās al-Lughā* (5/172), *Mukhtār al-Ṣiḥāḥ* (*The Chosen of al-Ṣiḥāḥ*) (p. 269), *al-Qāmūs al-Muḥīṭ* (*The Comprehensive Dictionary*) (p. 1252)

³ *al-Ṣiḥāḥ* (6/2247), *Lisān al-'Arab* (13/534-535). *al-Qāmūs al-Muḥīṭ* (p. 1252)

⁴ *afṣīr al-Ṭabarī* (22/112)

⁵ *Al-Sharḥ al-Mukhtaṣar 'ala al-Rawdah* [The Brief Commentary] (1/382-383)

⁶ *Al-Hukm al-Shar'i* by Al-Bahusayn (p. 351).

Chapter Two: The Evolution of the Term "Aversion" in Jurisprudential Studies

The term "aversion" or "the disliked thing" (al-makrūh) was not stabilized to a single meaning in jurisprudential studies until the 7th century AH. Before that, it was used with many meanings and was a shared term (lafẓ mushtarak) among them.

Al-Ghazālī said: "As for 'the disliked thing' (al-makrūh), it is a term shared ⁽¹⁾ in the customary usage of jurists between several meanings:

The first: The forbidden (al-mahẓūr). Often, Al-Shāfi'ī says, 'And I dislike (akrah) such and such,' meaning prohibition.

The second: That which is prohibited by a directive of discouragement (nahy tanzīh), which implies that omitting it is better than doing it, even if there is no punishment for doing it, just as a recommendation (nadb) implies that doing it is better than omitting it.

The third: Omitting what is more preferable, even if not prohibited, such as omitting the Duḥā prayer, for example—not because of a prohibition against it, but due to its great virtue and reward, it is said that omitting it is disliked.

The fourth: That in which there is doubt or ambiguity regarding its prohibition, such as the meat of predatory animals and a small amount of nabīdh (a fermented drink) ⁽²⁾.

Some Shāfi'ī scholars hold that applying the term "aversion" to the matters mentioned by Al-Ghazālī is not from the category of shared terms (mushtarak); rather, aversion is literal in meaning for discouragement (tanzīh)—which is the second meaning according to Al-Ghazālī—and metaphorical for other meanings ⁽³⁾.

The second meaning mentioned by Al-Ghazālī—that it is "that which is prohibited by a directive of discouragement, where omitting it is better than doing it (i.e., there is reward for omitting it) and there is no punishment for doing it"—and definitions similar to it, began to gain prominence in jurisprudential works from the 5th century AH.

In the 6th and 7th centuries AH, this definition began to witness greater acceptance and fame in jurisprudential works. Al-Abiyārī, narrating from Al-Ghazālī regarding his four usages of "the disliked thing," said: "The second—and it is the well-known one—is: that which is prohibited by a directive of discouragement, and this is the one we have defined ⁽⁴⁾."

¹ *Al-Ta'rifat* [Al-mushtarak (the homonym/shared) is defined as: A word that was assigned to multiple meanings through multiple assignments, like the word 'ayn'; because it is shared between the meanings.] by Al-Jurjani (p. 215).

² *Al-Mustasfa* [The Purified] (p. 54).

³ *Al-Bahr al-Muhit* [The Vast Ocean] (1/395), *Al-Fawa'id al-Saniyyah fi Sharh al-Alfiyyah* [The Brilliant Benefits in Explaining the Alfiyyah] by Al-Barmawi (1/216).

⁴ *Al-Tahqiq wal-Bayan fi Sharh al-Burhan* [Verification and Elucidation in Explaining al-Burhan] (1/849).

In the 7th century AH, the term "aversion" stabilized with this meaning among legal theorists—other than the Ḥanafīs⁽¹⁾—in their jurisprudential works⁽²⁾.

Chapter Three: The Usages of "Aversion" in the Language of the Sharia

The term "aversion" and its derivatives are used in the Sharia to mean the forbidden (al-ḥarām), which is prohibited by a definitive prohibition, and for which the doer is blameworthy by intent, and the ommitter is rewarded by intent⁽³⁾. It is also used to mean the disliked thing that is not pleasing.

Example of the first: The saying of Allah the Exalted—after mentioning a number of prohibitions—: "That [i.e., all of which] is evil and disliked (rukisan) by your Lord"⁽⁴⁾. Here, "disliked" (rukisan) means forbidden (ḥarām)⁽⁵⁾.

Another example from the Sunnah is the Prophet's saying: "Allah dislikes (kariha) for you three things: gossip (qīl wa qāl), squandering wealth, and asking too many questions"⁽⁶⁾. The aversion in this ḥadīth means prohibition, as stated by Abū al-‘Abbās al-Qurṭubī⁽⁷⁾ and indicated by Ibn al-Qayyim⁽⁸⁾. The opinion of Al-Qāḍī ‘Iyād and Al-Nawawī—may Allah have mercy on them—that the aversion in this ḥadīth is for discouragement (tanzīh), not prohibition (taḥrīm)⁽⁹⁾, is refuted. Abū al-‘Abbās al-Qurṭubī said: "It has been said that the aversion here is of the type of discouragement; but this is far-fetched, due to what we have explained regarding squandering wealth"⁽¹⁰⁾. Squandering wealth is forbidden; indeed, preserving it is an essential objective (maqṣad ḍarūrī) among the five necessities that the Sharia came to preserve and protect⁽¹¹⁾. Example of the second: What is narrated from the Prophet (peace be upon him)

¹ *Sharh Mukhtasar al-Rawdah* [Explanation of the Summary of al-Rawdah] (1/385), *Al-Mukhtasar fi Usul al-Fiqh* [The Summary in Legal Theory] by Ibn al-Lahham (p. 65), *Al-Tahrir Sharh al-Tahrir* [The Commentary on The Composition] (3/1011).

² *Sharh al-Tawdih 'ala al-Talwih* [Explanation of the Clarification on the Allusion] (1/17), *Al-Bahr al-Muhit* [The Vast Ocean] (1/394), *Al-Taqrir wal-Tahbir* [The Affirmation and Exposition] by Ibn Amir Hajj (2/80), *Al-Khilaf al-Lafzhi 'inda al-Usuliyyin* [Verbal Disagreement Among the Legal Theorists] by Al-Namlah (1/217).

³ *Nafa'is al-Usul* [Gems of Legal Theory] (1/264), *Al-Muwafaqat* [The Congruences] (4/53-54), *Al-Bahr al-Muhit* [The Vast Ocean] (1/337). "Someone who refrains from a forbidden act without the intention of obeying God by abandoning it does not receive reward for it. Likewise, the one who commits a forbidden act without intending to do it and without being aware of it is not blamed. This is like a man who has intercourse with a strange woman believing her to be his wife, or someone who is forced to commit fornication or drink alcohol; they are not blamed."

⁴ Surah Al-Isra' (17), verse 38.

⁵ *Al-Iddah* [The Provision] (5/1634), *Al-Bahr al-Muhit* [The Vast Ocean] (1/393), *Sharh al-Kawkab al-Munir* [Explanation of The Brilliant Star] (1/420).

⁶ Narrated by Al-Bukhari, *Sahih al-Bukhari*, Book of Zakat, Chapter on the verse: {For the poor who are constrained in the way of Allah...} (2/124), Hadith Number (1477).

⁷ *Al-Mufhim lima Ashkala min Talkhis Kitab Muslim* [The Comprehensor of Difficulties in the Summary of Muslim's Book] by Al-Qurtubi (5/163, 166).

⁸ *I'lam al-Muwaqqi'in* [Informing the Signatories] by Ibn al-Qayyim (2/81).

⁹ *Ikmal al-Mu'allim* [Complementing the Teacher] by Al-Qadi 'Iyad (5/571), *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (12/12).

¹⁰ *Al-Mufhim* [The Comprehensor] (5/166).

¹¹ *Al-Mustasfa* [The Purified] (p. 174), *Al-Muwafaqat* [The Congruences] (2/20, 4/348), *Maqasid al-Shari'ah* [The Objectives of Islamic Law] by Ibn 'Ashur (3/232-233) - Ibn al-Khujah's edition. "The five essential necessities (al-daruriyyat al-khams) are: the preservation of religion, life, intellect, progeny, and wealth. See the previous references."

that he said: "Indeed, Allah loves lofty matters and dislikes (yakrah) inferior ones" ⁽¹⁾. The aversion here does not necessitate prohibition for the servants; rather, it carries its linguistic meaning, which is dislike and lack of satisfaction.

The usage of aversion ⁽²⁾ in the speech of Allah the Exalted and His Messenger (peace be upon him) to mean the disliked thing that is not beloved, and which does not imply prohibition but rather discouragement, has been indicated by a group of legal theorists, such as Abū Ya'la²⁶ ⁽³⁾ and Ibn al-Qayyim ⁽⁴⁾.

When aversion is used in the speech of Allah the Exalted and His Messenger (peace be upon him), it most commonly intends prohibition. Al-Ṭūfī said: "Often, the term 'aversion' is found in the speech of the Lawgiver... and its meaning is prohibition" ⁽⁵⁾. Ibn al-Qayyim said: "As for the expression 'Allah and His Messenger dislike it,' or 'disliked' (makrūh): it is most often used for the forbidden (muḥarram), and it may sometimes be used for discouraging aversion (karāhat al-tanzīh)" ⁽⁶⁾. However, when aversion is found in the speech of the Lawgiver, it is not correct to interpret it as either prohibition or discouragement except with evidence or an indicator (qarīnah) that clarifies the intended meaning ⁽⁷⁾.

Chapter Four: The Formulations and Styles of Expressing Aversion

The formulations and styles indicating aversion are ⁽⁸⁾:

The use of the word "kariha" (disliked) and its derivatives. An example is the Prophet's (peace be upon him) saying: "Indeed, Allah dislikes (kariha) for you gossip, asking too many questions, and squandering wealth" ⁽⁹⁾. The aversion here means prohibition, as previously explained.

Sometimes a Companion (may Allah be pleased with him) narrates the aversion in the report and attributes it to the Prophet (peace be upon him), such as saying: "The Prophet (peace be upon him) disliked such-and-such action," as in the ḥadīth: "(...and he used to dislike sleeping before the 'Ishā' prayer and conversing after it)" ⁽¹⁰⁾.

What is the implication of this aversion?

I say: The Companions were the most knowledgeable people regarding the Prophet (peace be upon him), as they witnessed him, lived in his time, and knew about his circumstances what

¹ Narrated by Al-Tabarani in *Al-Mu'jam al-Kabir* [The Large Dictionary] from the ḥadīth of Al-Husayn ibn 'Alī (3/131) Ḥadīth Number (2894). Also narrated by Al-Hakim in *Al-Mustadrak* (1/111-112) Numbers (151-152).

² *Al-'Iddah fi Usul al-Fiqh* [The Provision in Legal Theory] by Abu Ya'la (5/1634).

³ *Al-'Iddah* [The Provision] (5/1633-1634).

⁴ *Bada'i' al-Fawa'id* [Marvelous Benefits] by Ibn al-Qayyim (4/1310). And see: *Al-Mustalahat al-Usuliyyah: Nash'atuha wa Tasalsuluha al-Tarikhi* [The Terminology of Legal Theory: Its Emergence and Historical Sequence] (1/208-210).

⁵ *Sharh Mukhtasar al-Rawdah* [Explanation of the Summary of al-Rawdah] (1/385).

⁶ *Bada'i' al-Fawa'id* [Marvelous Benefits] (4/1310).

⁷ *Al-Asalib al-Shar'iyyah al-Dallah 'ala al-Ahkam al-Taklifiyyah* [Legal Indicants for the Rulings of Obligation] by Dr. Alī Al-Matruḍī (p. 417).

⁸ *Al-Hukm al-Taklifi fi al-Shari'ah al-Islamiyyah* [The Obligatory Ruling in Islamic Law] by Al-Bayyanuni (p. 224-225).

⁹ Previously cited.

¹⁰ Narrated by Al-Bukhari in his *Sahih*, from the ḥadīth of Abu Barzah Al-Aslami, Book of Prayer Times, Chapter on the Time of 'Asr (1/114), Number (547).

others did not. If one of them used the term "aversion" and attributed it to the Prophet (peace be upon him) regarding doing something, the predominant understanding is that this aversion is not one of prohibition, though it could be for prohibition if indicators and evidence dictate so. The aversion attributed to the Prophet (peace be upon him) regarding sleeping before 'Ishā' and permissible conversation afterwards is not an aversion of prohibition; rather, jurists have interpreted the aversion here according to the well-known meaning ⁽¹⁾.

The attribution of aversion to the Prophet (peace be upon him) regarding wearing gold rings is also found, in the ḥadīth of Ibn Mas'ūd (may Allah be pleased with him) where he said: "The Messenger of Allah (peace be upon him) disliked ten traits: one of them is wearing gold rings for males..." ⁽²⁾. The aversion in this case means prohibition, due to the existence of evidence prohibiting wearing gold rings. This will be discussed in its proper place.

It is said ⁽³⁾: The word "bughḍ" (hatred) and its derivatives. An example is what is narrated from the Prophet (peace and blessings be upon him) that he said: "The most hated (abghaḍ) permissible thing to Allah is divorce" ⁽⁴⁾.

The aversion to divorce and it being hateful to Allah does not indicate its prohibition; rather, its description as "permissible" (ḥalāl) in the ḥadīth indicates its permissibility. The Qur'an, Sunnah, and consensus—as stated by Ibn Qudāmah in al-Mughnī ⁽⁵⁾—have established the legality of divorce in principle. Divorce can be surrounded by all five prescriptive rulings: it can be forbidden in one situation, obligatory in another, disliked in another, recommended at times, and permissible at other times. A group of jurists have detailed these situations ⁽⁶⁾. The ḥadīth "The most hated permissible thing to Allah is divorce" has been interpreted to refer to the situation where it is disliked ⁽⁷⁾.

It must be mentioned: The Sharia's report of its hatred for something necessitates a demand to abandon that thing and a prohibition against it. This report of hatred may come with an indicator (qarīnah) or without one. If it is accompanied by an indicator that points to prohibition, it is interpreted as such, or if it points to aversion, it is interpreted accordingly. There is no disagreement among scholars on this point ⁽⁸⁾.

¹ *Al-Mufhim* [The Comprehensor] by Al-Qurtubi (2/271), *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (5/146-147), *Al-Majmu' Sharh al-Muhadhdhab* [The Collection: Commentary on The Refined] by Al-Nawawi (3/42), *Ihkam al-Ahkam* [Perfection of Rulings] by Ibn Daqiq al-'Id (1/169-170).

² Narrated by Ahmad in his *Musnad* (3/507) Number (3605), and Abu Dawud in his *Sunan*, Book of Rings, Chapter on What was Narrated Regarding Gold Rings (4/89) Number (4222). The hadith has weakness in its chain.

³ *Al-Hukm al-Taklifi fi al-Shari'ah al-Islamiyyah* [The Obligatory Ruling in Islamic Law] by Dr. Muhammad Abu al-Fath Al-Bayyanuni (p. 224).

⁴ Narrated by Al-Tabarani, and it is weak. See: *Fayd al-Qadir* [The Overflow of the Omnipotent] by Al-Munawi (1/79).

⁵ (7/363).

⁶ *Al-Mughni* [The Enricher] by Ibn Qudamah (7/363-364), *Al-Majmu' Sharh al-Muhadhdhab* [The Collection: Commentary on The Refined] (17/69 ff.), *Fath al-Bari* [The Victory of the Creator] by Ibn Hajar (9/346).

⁷ *Al-Mughni* [The Enricher] (7/364), *Fath al-Bari* [The Victory of the Creator] (9/356).

⁸ *Al-Asalib al-Shar'iyyah al-Dallah 'ala al-Ahkam al-Taklifiyyah* [Legal Indicators for the Rulings of Obligation] by Al-Matrudi (p. 925).

I have not come across a sound example in the texts of the Sunnah where the word "hatred" (al-bughḍ) is coupled with something indicating prohibition. And Allah knows best. In the ḥadīth "The most hated permissible thing to Allah is divorce," there is an indicator showing that hatred here means aversion, which is its description in the ḥadīth as "permissible." If it appears without an indicator, the apparent meaning is that it indicates prohibition ⁽¹⁾, because that is the primary meaning (al-mutabādir) ⁽²⁾. It is also said that it is shared between prohibition and aversion ⁽³⁾, and it is said that it indicates aversion ⁽⁴⁾. The first opinion is the most correct, and it is the apparent view of Al-‘Izz ibn ‘Abd al-Salām (d. 660 AH) and Ibn al-Qayyim (d. 751 AH)—may Allah have mercy on them ⁽⁵⁾.

When a prohibition (nahy) is mentioned, and connected or disconnected indicators are found that divert it from prohibition to aversion. Among the indicators that divert a prohibition from taḥrīm to karāḥah are: the prohibition occurring in the context of etiquette, refinement, and guidance ⁽⁶⁾.

When the narrator of the prohibition explicitly states that it is not emphatic (laysa lil-jazm) ⁽⁷⁾, as in the statement of Umm ‘Atiyyah (may Allah be pleased with her): "We were forbidden from following funeral processions, but it was not made emphatic (lam yu‘zam) upon us" ⁽⁸⁾.

Al-Ḥāfiẓ Ibn Ḥajar (d. 852 AH)—may Allah have mercy on him—said regarding the meaning of "and it was not made emphatic upon us": "Meaning: it was not emphasized for us in the prohibition as other prohibitions were emphasized. It is as if she said: He disliked (kariha) for us following funeral processions without it being prohibition" ⁽⁹⁾.

¹ "I say: It might be argued that the ḥadīth, 'Indeed, Allah loves lofty matters and abhors base ones,' contains the word 'abhors' (yabghadh) without being coupled with an indication that it implies prohibition (taḥrim). The response to this is: The apparent meaning of the ḥadīth suggests that these 'base matters' (safasif) are intended to refer to lowly character traits such as miserliness and self-debasement, and the like. In fact, what seems evident from the context of the ḥadīth is that it is primarily condemning miserliness, as indicated by the beginning of the ḥadīth which describes Allah as Generous and loving generosity. Furthermore, included among 'base matters' is anything that involves debasing and despising oneself. And Allah knows best."

² *Al-Asalib al-Shar'iyyah* [Legal Indicators] (p. 926, 927).

³ Understood from the apparent statement of Al-Shatibi in *Al-Muwafaqat* [The Congruences] (3/423), and see: *Al-Asalib al-Shar'iyyah* [Legal Indicators] (p. 926).

⁴ *Al-Hukm al-Taklifi fī al-Shari'ah al-Islamiyyah* [The Obligatory Ruling in Islamic Law] by Al-Bayyanuni (p. 224).

⁵ *Al-Imam fī Bayan Adillat al-Ahkam* [The Imam in Elucidating the Evidences of Rulings] by Al-‘Izz ibn ‘Abd al-Salam (p. 106), *Bada'i' al-Fawa'id* [Marvelous Benefits] by Ibn al-Qayyim (4/4).

⁶ *Al-Umm* [The Foundational Source] by Al-Shafi'i (5/153), *Al-Qarinah 'inda al-Usuliyyin wa Atharuha fī al-Qawa'id al-Usuliyyah* [Contextual Indication in Legal Theory and its Effect on Theoretical Principles] by Al-Khaimi (p. 239, 241-244).

⁷ There may be some further detail to this discussion, but this is not the place for it, as the matter ultimately leads to the well-known point of scholarly disagreement regarding the issue of a narrator contravening what he has narrated. This is a known issue in *usul al-fiqh* (Islamic legal theory).

⁸ Agreed upon (Mutafaqun ‘alayh). Narrated by Al-Bukhari in his *Sahih*, Book of Funerals, Chapter on Women Following Funeral Processions (2/78) Number (1278), and Muslim in his *Sahih*, Book of Funerals, Chapter Prohibiting Women from Following Funeral Processions (2/646) Number (938).

⁹ *Fath al-Bari* [The Victory of the Creator] (3/145). ^(*) **Note:** The Hanafis hold the view that it is prohibited (haram) for women to follow funeral processions. They used as evidence the ḥadīth: "Go back, for you will bear the burden of sin and will not receive reward" – narrated by Ibn Majah in his *Sunan*, in the Book of Funerals, Chapter on What was Narrated Regarding Women Following Funeral Processions, Vol. 2, p. 516, Ḥadīth Number: 1578 – and this ḥadīth is weak (da'if). They argued that the ḥadīth of Umm 'Atiyyah (may Allah be pleased with her) is explicit in that the prohibition is for discouragement (tanzih) [i.e., denoting dislike, not

Chapter Five: Applied Issues Regarding the Connotation of Aversion in the Sunnah.

This chapter contains three issues:

The ruling on drinking very hot water (ḥamīm) and eating hot food.

The ruling on a man coming to his family unexpectedly at night (ṭurūqan).

The ruling on men wearing gold rings.

Issue One: The ruling on drinking very hot water (ḥamīm) and eating hot food.

Issue one contains two sections:

Section One: The text of the ḥadīth pertaining to the issue.

From 'Uqbah ibn 'Āmir (may Allah be pleased with him) who said: "(...and the Messenger of Allah, peace be upon him, disliked drinking hot water...)" ⁽¹⁾. In another narration, the one stating the aversion is the Prophet (peace be upon him) himself, as it states: "(...and I dislike ḥamīm)" ⁽²⁾.

"Ḥamīm water" is hot, heated water. It is said: "Ḥammamt al-mā'" meaning "I heated the water" ⁽³⁾.

From Anas ibn Mālik (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) disliked... hot food, and said: "You should have cold [food], for it has blessing. Know that hot [food] has no blessing" ⁽⁴⁾.

Section Two: The type of aversion intended in the ḥadīth.

The aversion intended in these two ḥadīths is discouraging aversion (karāhat tanzīh). This is indicated by the reasoning mentioned in Anas's ḥadīth for disliking hot food—that it has no blessing. The jurists of the four schools of thought agree on the dislike of drinking hot and

unlawfulness]. However, this dislike (karahah) is specific to the time of the Companions. As for later times, it becomes prohibited due to the prevalence of corruption and causing corruption among the women of our time. See: Hashiyat Ibn 'Abidin (2/232).

Sheikh Ibn Baz issued a fatwa prohibiting women from following funeral processions, using as evidence the hadith of Umm 'Atiyyah in her statement: "We were forbidden..." He said: "This indicates that they are prevented from following the funeral processions to the cemetery... and the default principle regarding a prohibition is that it implies unlawfulness (tahrim)." See: Majmu' Fatawa Ibn Baz (4/344). As for Sheikh Ibn 'Uthaymin (may Allah have mercy on him), he considered Umm 'Atiyyah's statement "but it was not insisted upon us" to be part of her own juristic understanding (fiqh), and the determining factor is what she reported of the prohibition, not her personal understanding that it indicated dislike rather than prohibition. See: Majmu' Fatawa wa Rasa'il Ibn 'Uthaymin (17/314).

¹ Narrated by Al-Tabarani in *Al-Mu'jam al-Kabir* [The Large Dictionary] (17/338) Number (932).

² *Mu'jam al-Sahabah* [Dictionary of the Companions] by Ibn Qani' (1/258). The discussion revolves around 'Abd al-Rahman ibn Harmala. There has been scholarly disagreement concerning him: one group of scholars deemed him weak (*al-da'if*), while others considered him reliable (*al-thiqa*). The latter opinion is the more preponderant one (*al-rajih*).

See: Ibn Ḥibbān, *al-Thiqāt* [The Trustworthy Ones] (7/68), wa-Ibn Ḥajar, *Tahdhīb al-Tahdhīb* [The Refinement of 'The Refinement'] (6/161).

³ *Lisan al-'Arab* [The Tongue of the Arabs] by Ibn Manzur (12/153).

⁴ Narrated by Abu Nu'aym in *Hilyat al-Awliya'* [The Adornment of the Saints] (8/252). There is criticism regarding its narrators.

eating hot food ⁽¹⁾. Some Ḥanbalīs restricted this to cases where there is no need; if there is a need for it, the aversion is lifted ⁽²⁾. This restriction is the most preponderant, especially since there are types of drinks and foods that are preferred to be consumed hot, and appetite for them decreases when they are cold.

It should be noted that the heat of water and food varies in degree. If it is extremely high to the point where one cannot bear to consume that food or drink, then consuming and using it becomes forbidden (ḥarām), because it causes harm to oneself and constitutes throwing oneself into destruction. Allah the Exalted has said: "And do not throw [yourselves] with your [own] hands into destruction" [Sūrat al-Baqarah, 2:195]. And the Prophet (peace be upon him) said: "There should be neither harming nor reciprocating harm" ⁽³⁾.

Al-Ḥāfiẓ al-Munāwī—may Allah have mercy on him—explaining the ḥadīth about disliking ḥamīm water, said: "'And I dislike ḥamīm' meaning hot water, i.e., its use for purposes like drinking and purification. But the intended meaning is if it is extremely hot due to its harm and preventing swallowing; the aversion then is legal (sharʿiyyah), rather, if harm is certain, the prohibition is for taḥrīm" ⁽⁴⁾.

Extremely hot water and food "weakens the taste cells in humans, burns the tongue, and may lead to burns that usually appear on the palate or the lip area, with a high incidence of cancers in the upper part of the digestive system, especially esophageal cancer" ⁽⁵⁾.

Among the punishment Allah the Exalted has prepared for the people of Hell is that they will be given boiling water (māʾan ḥamīman) to drink that will cut up their intestines, as Allah says: "...and they will be given to drink boiling water that will sever their intestines" [Sūrat Muḥammad, 47:15]. This is the case, and Allah is Most High and All-Knowing.

Issue Two: The ruling on a man coming to his family unexpectedly at night (ṭurūqan). This issue contains two sections.

Section One: The text of the ḥadīth pertaining to the issue.

Several narrations have been reported prohibiting a man who has been absent for a long time from coming to his family unexpectedly at night (ṭurūqan—meaning coming at night ⁽⁶⁾)—

¹ Hashiyat Ibn 'Abidin [Ibn 'Abidin's Marginalia] (6/340), *Al-Fatawa al-Hindiyyah* [The Indian Edicts] (5/337), *Al-Madkhal* [The Introduction] by Ibn al-Hajj al-Maliki (1/216), *Sharh Zarruq 'ala Matn al-Risalah* [Zarruq's Commentary on the Text of the Epistle] (2/1060), *Mughni al-Muhtaj* [The Needy's Enricher] (3/330), *Al-Adab al-Shar'iyyah* [Legal Manners] by Ibn Muflih (3/223). And see: *Adab al-Akl wal-Shurb fi al-Fiqh al-Islami* [Manners of Eating and Drinking in Islamic Jurisprudence] by Al-Jad'ani (p. 78).

² *Al-Insaf* [The Equitability] by Al-Mardawi (8/328), *Kashshaf al-Qina'* [Unveiling the Veil] (5/174).

³ Narrated by Al-Hakim in *Al-Mustadrak* [The Supplement] from the hadith of Abu Sa'id Al-Khudri, Book of Sales (2/66). And he said: "This is a hadith with a sound chain (ṣaḥīḥ al-isnād) according to the criteria of Muslim, but the two (al-Shaykhān, i.e., al-Bukhārī and Muslim) did not record it." And al-'Alā'ī said: "The hadith has supporting narrations (shawāhid) which, when combined, elevate it to the level of sound (ṣaḥīḥ) or good (ḥasan) that can be used as evidence." Al-Munāwī reported this from him in *Fayḍ al-Qadīr* (6/431).

⁴ *Fayḍ al-Qadīr* [The Overflow of the Omnipotent] by Al-Munawī (3/62).

⁵ *Fiqh al-Sunnah fi al-Ta'am wal-Shurb* [The Jurisprudence of the Sunnah Regarding Food and Drink] by Muzaffar Al-Mawsili (p. 129).

⁶ *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (13/71). And see: *Maqayis al-Lughah* [Scales of the Language] by Ibn Faris (3/449).

most of them from Jābir ibn ‘Abdullāh (may Allah be pleased with them) ⁽¹⁾. Among them is a narration with the wording of prohibition (nahy), and another narration in which Jābir (may Allah be pleased with him) says: "The Prophet (peace be upon him) disliked that a man should come to his family unexpectedly at night" ⁽²⁾.

Section Two: The type of aversion intended in the ḥadīth.

The aversion intended in this ḥadīth is a discouraging aversion, not a prohibitive one. The prohibition and aversion in it are for the purpose of guidance ⁽³⁾. Therefore, it is diverted from prohibition to discouragement. It is disliked (makrūh) for a man to surprise his family at night if he has not informed them of his arrival. This aversion applies if the man does not intend to seek out faults and spy. If his intention is that, then it becomes forbidden (ḥarām).

Imām Ibn Mufliḥ al-Ḥanbalī (d. 763 AH)—may Allah have mercy on him—said regarding the prohibition related to a man surprising his family at night: "It is appropriate to say that whoever does it seeking faults, it is forbidden because it is a form of spying (tajassus); otherwise, it is disliked" ⁽⁴⁾.

As for the other wordings of Jābir's ḥadīth (may Allah be pleased with him) that contain the word "prohibition" (nahy), such as the Prophet's (peace be upon him) saying: "If any of you has been absent for a long time, he should not come to his family at night" ⁽⁵⁾, and Jābir's statement in another narration: "The Messenger of Allah (peace be upon him) forbade a man who has been absent for a long time from coming to his family unexpectedly" ⁽⁶⁾, Imām al-Nawawī (d. 676 AH)—may Allah have mercy on him—after mentioning all these narrations from Jābir (may Allah be pleased with him), said: "The meaning of all these narrations is that it is disliked for one who has been on a long journey to return to his wife suddenly at night" ⁽⁷⁾.

This is the case, and Allah is Most High and All-Knowing.

Issue Three: The ruling on men wearing gold rings. It contains two sections.

Section One: The text of the ḥadīth pertaining to the issue.

Many ḥadīths have been reported prohibiting men from wearing gold rings ⁽⁸⁾. What concerns us first is the ḥadīth in which aversion is attributed to the Prophet (peace be upon him), which

¹ Narrated by Al-Tirmidhi in his *Sunan*, Book of Seeking Permission, Chapter on What was Narrated Regarding the Dislike of a Man Returning to his Family at Night (Unexpectedly) (7/409), Number (2712).

² Narrated by Al-Bukhari in his *Sahih*, Book of Marriage, Chapter: He should not return to his family at night if he has been absent for a long time, for fear of finding fault with them or seeking out their faults (7/39) Number (5243).

³ *Al-Mufhim* [The Comprehensor] by Al-Qurtubi (3/459).

⁴ *Al-Adab al-Shar'iyyah* [Legal Manners] (1/424).

⁵ Narrated by Al-Bukhari in his *Sahih*, Book of Marriage, Chapter: He should not return to his family at night if he has been absent for a long time... (7/39) Number (5244).

⁶ Narrated by Muslim in his *Sahih*, Book of Leadership, Chapter on the Dislike of *Al-Taruq* - which is entering at night - for someone returning from a journey (3/1528) Number (183).

⁷ *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (13/71).

⁸ *Ahkam al-Khawatim wa ma Yata'allaqu Biha* [Rulings Pertaining to Rings and Related Matters] by Ibn Rajab Al-Hanbali, edited by Dr. Muhammad Hammud Al-Wa'ili (pp. 51-59).

is the ḥadīth of Ibn Mas'ūd (may Allah be pleased with him) who said: "The Messenger of Allah (peace be upon him) disliked ten traits—among them is wearing gold rings..."⁽¹⁾.

Section Two: The type of aversion intended in this ḥadīth.

The aversion in this ḥadīth is for prohibition (taḥrīm). This is due to many clear pieces of evidence prohibiting wearing gold rings, including: what Abū Hurayrah (may Allah be pleased with him) narrated: "The Prophet (peace and blessings be upon him) forbade gold rings"⁽²⁾. An absolute prohibition implies taḥrīm.

Another evidence is what Ibn 'Abbās (may Allah be pleased with them) narrated: that the Messenger of Allah (peace be upon him) saw a gold ring on a man's hand. He took it off, threw it away, and said: "Would one of you take an ember from the Fire and place it in his hand?!" It was said to the man after the Messenger of Allah (peace be upon him) left: "Take your ring and benefit from it." He said: "No, by Allah, I will never take it after the Messenger of Allah threw it away"⁽³⁾. Imām al-Nawawī—may Allah have mercy on him—said about this ḥadīth: "It contains an explicit statement that the prohibition against gold rings is for taḥrīm"⁽⁴⁾.

Evidence that the prohibition is for taḥrīm is also found in the Prophet's (peace be upon him) statement when he took silk in his left hand and gold in his right hand, raised them, and said: "These two are forbidden (ḥarām) for the males of my nation and permissible (ḥalāl) for their females"⁽⁵⁾. A group of scholars have reported consensus (ijmā') on the prohibition of wearing gold rings⁽⁶⁾. Some jurists held the opinion that wearing gold rings is disliked (makrūh), and some held it to be permissible.

Al-Nawawī—may Allah have mercy on him—said: "Muslims are agreed on the permissibility of gold rings for women, and they are agreed on its prohibition for men, except what is reported from Abū Bakr ibn Muḥammad ibn 'Umar ibn Muḥammad ibn Ḥazm that he permitted it, and from some that it is disliked, not forbidden. These two reports are invalid, and those who say them are refuted by these ḥadīths mentioned by Muslim, along with the consensus of those before him on its prohibition, and his (peace be upon him) statement regarding gold and silk: 'These two are forbidden for the males of my nation and permissible for their females'"⁽⁷⁾.

Those who argued for the permissibility of wearing gold rings cited a number of ḥadīths and reports (āthār), which Al-Ḥafīẓ Ibn Rajab al-Ḥanbalī (d. 795 AH)—may Allah have mercy on

¹ Previously cited.

² Agreed upon (Muttafaqun 'alayh). Narrated by Al-Bukhari in his *Sahih*, Book of Dress, Chapter on Gold Rings (7/155) Number (5864), and Muslim in his *Sahih*, Book of Dress and Adornment, Chapter on Discarding Gold Rings (3/1654) Number (2089).

³ Narrated by Muslim, Book of Dress and Adornment, Chapter on Discarding Gold Rings (3/1655) Number (2090).

⁴ *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (14/65).

⁵ Narrated by Al-Tirmidhi in his *Sunan*, from the hadith of Abu Musa Al-Ash'ari, Book of Dress, Chapter on What was Narrated Regarding Silk and Gold (4/217) Number (1720). He said: "The hadith of Abu Musa is Hasan Sahih."

⁶ *Al-Tamhid* [The Preparation] by Ibn 'Abd al-Barr (14/249), *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (14/65), *Fath al-Bari* [The Victory of the Creator] (10/317), *Libas al-Rajul: Ahkamuhu wa Dawabituhu fi al-Fiqh al-Islami* [Men's Clothing: Its Rulings and Regulations in Islamic Jurisprudence] by Nasir Al-Ghamdi (p. 408).

⁷ *Sharh al-Nawawi 'ala Sahih Muslim* [Al-Nawawi's Commentary on Sahih Muslim] (14/65).

him—mentioned in his book *'Aḥkām al-Khawātim wa-mā Yata'allāqu bihā'* (Rulings on Rings and Related Matters) ⁽¹⁾. Then he mentioned the ḥadīths of prohibition and said: "These ḥadīths are more authentic and numerous than the ḥadīths of concession. Therefore, if the reports of concession are established, they are understood to have been before the prohibition, which was then abrogated by these authentic ḥadīths. This is necessary, for we are certain that wearing gold was permissible when he (peace be upon him) wore it, then it was prohibited by his prohibition against it after he wore it. The principle is the continuity of the prohibition and the absence of its change. The action of those among the Companions who wore it is understood as them not having received the abrogating text" ⁽²⁾.

This is the case, and Allah the Exalted is Most High and All-Knowing.

Conclusion

All praise is to Allah at the beginning and the end, and may Allah send prayers upon Muḥammad, the best of creation.

In this research, I have reached important conclusions which I see fit to record, as follows:

There is no issue in jurisprudence more difficult than ruling with aversion (*karāhah*).

The term "aversion" or "the disliked thing" evolved in jurisprudential studies and was not stabilized to a single meaning until the 7th century AH. Before that, it was a shared term between several meanings, such as prohibition (*taḥrīm*), discouragement (*tanzīh*), omitting what is more preferable, and that in which there is doubt or ambiguity regarding its prohibition. The definition of aversion or the disliked thing as "that which is prohibited by a directive of discouragement" began to gain prominence in jurisprudential works among non-Ḥanafis from the 5th century AH.

The most widely accepted definition of aversion or the disliked thing among legal theorists is defining it as: "That for which the one who omits it is praised, but the one who does it is not blamed."

Aversion is used in the speech of Allah the Exalted and His Messenger (peace be upon him) to mean both prohibition and the disliked thing that is not pleasing. Its usage for the forbidden is more common.

Despite the more common usage of aversion in the language of the Sharia for prohibition, it is not correct to interpret it as prohibition when used without evidence or an indicator pointing to that interpretation.

Aversion in the texts of the Sunnah has specific styles and formulations: the word "*kariha*" (disliked), "*baghd*" (hated), the presence of an indicator diverting a prohibition from *taḥrīm* to *karāhah*—such as its occurrence in the context of etiquette, refinement, and guidance—and the narrator's explicit statement that the prohibition is not emphatic.

If a Companion narrates aversion and attributes it to the Prophet (peace be upon him), the predominant understanding is that this aversion is not for prohibition, unless other evidence and indicators necessitate that it is for prohibition.

The Sharia's report of its hatred for something may contain an indicator showing it is for prohibition or for aversion. There is no disagreement among scholars regarding interpreting it according to what the indicator dictates.

¹ See the aforementioned book from pp. 47-50.

² *Aḥkam al-Khawatim wa ma Yata'allāqu Biha* [Rulings Pertaining to Rings and Related Matters] (p. 6).

I have not found a sound example in the texts of the Sunnah where the word "hatred" (al-baghd) is coupled with something indicating prohibition. The usage of "hatred" in the ḥadīth "The most hated permissible thing to Allah is divorce" contains an indicator showing that hatred here means aversion.

Scholars differed regarding the interpretation if the word "hatred" appears in the texts of the Sunnah unaccompanied by an indicator showing whether it is for prohibition or aversion. It was said: it is interpreted as prohibition because that is the primary meaning. It was said: it is shared between prohibition and aversion. It was said: it is interpreted as aversion. The first opinion is the most correct.

Narrations prohibiting drinking very hot water (ḥamīm) include some attributing the aversion to the Prophet (peace be upon him) and others with the Prophet (peace be upon him) himself explicitly stating the aversion. The aversion in this ḥadīth, across all its narrations, is for discouragement, not prohibition. Note that the heat of drinks and food varies in degree; if the degree is extremely high, harming the person and making consumption unbearable, then consuming it becomes forbidden, as it constitutes throwing oneself into destruction, which is forbidden.

The jurists of the four schools of thought agree on the dislike of drinking ḥamīm and eating hot food. Some Ḥanbalīs restricted this to cases where there is no need for it; if there is a need, the aversion is lifted. Some foods and drinks are preferred to be consumed hot, and appetite for them decreases when cold. This restriction is the most preponderant.

Many narrations prohibit a man from coming to his family unexpectedly at night (ṭurūqan—coming at night) after a long journey without prior knowledge of the family. Most of these are from Jābir ibn ‘Abdullāh (may Allah be pleased with him). These narrations include Jābir attributing the aversion to the Prophet (peace be upon him) by saying "He used to dislike...", his attribution of the prohibition to the Prophet (peace be upon him) by saying "The Prophet forbade...", and the Prophet's (peace be upon him) explicit statement of prohibition. The aversion and prohibition in all these narrations are for discouragement, not prohibition, unless the intention behind coming at night is to seek out faults and spy, in which case it becomes forbidden.

Many ḥadīths prohibit men from wearing gold rings, including a ḥadīth from Ibn Mas‘ūd (may Allah be pleased with him) where he attributes the aversion to the Prophet (peace be upon him) by saying "The Messenger of Allah (peace be upon him) disliked ten traits—among them is wearing gold rings." The aversion in this ḥadīth is for prohibition, due to other evidence prohibiting wearing gold rings. Some scholars reported early consensus on its prohibition. Those who disagreed and claimed permissibility or mere dislike are refuted by the prohibiting texts and the prior consensus. The ḥadīths cited for its permissibility are less authentic than the ḥadīths of prohibition and are abrogated by them. Those Companions who wore gold or wore rings did so because the abrogating text had not reached them.

Allah knows best.

Recommendations

The most significant recommendation reached by the researcher is: to continue studying transmitted jurisprudential terms found in the texts of the Sunnah, clarifying their intended meanings—such as the terms "obligatory" (wājib), "forbidden" (ḥarām), "Sunnah," and others—due to the great benefits this holds in refining the understanding of these terms between their Sharia usage and later jurisprudential concepts.

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