

# Kitāb Tarteeb Masā'il 'Alī ibn Ja'far

Authored by the Esteemed Scholar  
Sheikh Nasir bin Muhammad Al-Jarudi  
Al-Qatifi  
(Died 1164 AH)

Edited by  
Sheikh Dia Badr Al-Sunbul

Published by  
Tayyiba Foundation for Heritage Revival

Translated by  
Team Alkarbala

# Kitāb Tarīb Masa'il 'Alī ibn Ja'far

## (كتاب ترتيب مسائل علي بن جعفر)

**The Ordered Compilation of Issues by Ali bin Ja'far**

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## Translator's Note:

On behalf of Team AlKarbala, we humbly present this English translation of ***Masā'il 'Alī ibn Ja'far*** — a treasured compilation of **questions posed by 'Alī ibn Ja'far (peace be upon him)** and the invaluable **responses he received from his brother, Imam Mūsā al-Kāzim (peace be upon him)**.

Our collective aim has been to remain faithful to the spirit and language of the original text while rendering it into clear, accessible English for today's readers. We approached this task with deep reverence, knowing the significance of preserving and conveying the words of the Imams (peace be upon them).

While we strived for accuracy and clarity, **we humbly acknowledge that any shortcomings or imperfections in this translation are ours alone, and we seek forgiveness from Allah for them.**

May this work be a source of guidance and benefit for all seekers of truth. We ask you to remember Team Al-Karbala in your prayers.

*"O my Lord! Increase me in knowledge." (Surah Tāhā 20:114)*

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

## **Introduction to the Verification**

All praise is due to Allah, the Lord of the worlds. May peace and blessings be upon the Seal of the Prophets and his pure, infallible family.

And after:

The esteemed reader now holds in their hands illuminating pages in the realm of knowledge and scholarly verification, reflecting the fruitful academic efforts passed down by one of the distinguished scholars of **Qatif**—Sheikh Nasir Al-Jarudi Al-Qatifi—to those who came after him from among the experts in jurisprudence and profound knowledge.

The significance of this work lies in its being a serious effort focused on one of the primary sources in the fields of **narration** and **hadith**. The author dedicated himself to organizing and categorizing the book of **Ali bin Ja'far** and his legal inquiries, a work that received great attention from scholars due to its inclusion of jurisprudential questions covering topics from **purification (tahārah)** to **blood money (diyāt)**, which were answered by **Imam Musa bin Ja'far**.

To understand the characteristics of this **arrangement**, we will first briefly introduce the **issues (masā'il)** as an initial overview.

The "**Issues of Ali bin Ja'far**" is a collection of questions posed by **Ali bin Ja'far bin Muhammad bin Ali bin Al-Husayn bin Ali bin Abi Talib** to his brother, **Imam Musa bin Ja'far Al-Kadhim**. Ali bin Ja'far, also known as **Abu Al-Hasan Al-Aridhi**, was mentioned by **Al-Najashi**, who pointed out that this title (**Al-Aridhi**) is exclusively used for him when it follows his kunyah (Abu Al-Hasan). The name derives from **the village of Al-Arid**, located several miles from **Medina**.

And in addition to his noble lineage from the household of infallibility and purity and his being the brother of the seventh Imam of Ahl al-Bayt; he was among the trustworthy narrators, possessing immense virtue and holding a high status.

Sheikh Al-Tusi authenticated him in *Al-Rijal*<sup>1</sup> and *Al-Fihrist*<sup>2</sup>. Ibn Shahr Ashub<sup>3</sup> also listed him among the trustworthy narrators, stating that he transmitted hadith from Imam Al-Kadhim extensively, as well as narrating from his father Imam Al-Sadiq and his nephew Imam Al-Ridha.

Sheikh Al-Mufid mentioned him, saying:

*"He was a narrator of hadith, firm in his methodology, highly pious, and abundant in virtue."*<sup>4</sup>

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<sup>1</sup> *Rijal Al-Tusi*: 353 / 5.

<sup>2</sup> *Al-Fihrist*: 151 / 377.

<sup>3</sup> *Manaqib Aal Abi Talib* 4: 350.

<sup>4</sup> *Al-Irshad* 2: 214.

As for his book, it is among the valuable works, as we observe the following characteristics:

- 1 - It is one of the reliable foundational sources within the school of thought, as indicated by the author of *Al-Dhari'ah*<sup>5</sup>.
- 2 - It was relied upon by several scholars of hadith compilations, such as the author of *Al-Wasa'il*, Allama Al-Majlisi in *Bihar Al-Anwar*, and Al-Nuri in *Al-Mustadrak*.
- 3 - Its texts are distributed across the fundamental jurisprudential books, including the *Four Books*.
- 4 - It contains numerous jurisprudential issues spanning all chapters of Islamic law.
- 5 - Multiple manuscript copies are available in the heritage libraries, some of which present the issues in an organized, categorized manner, while others do not. This diversity provided a solid foundation for verification and contributed to the meticulous scholarly work undertaken by the *Aal al-Bayt Foundation*, which was based on collecting and comparing the different versions.
- 6 - The book has reliable chains of transmission that have been mentioned and scrutinized by scholars, confirming or refuting them. Here, we present them following the exhaustive research conducted by the esteemed scholar **Sayyid Muhammad Rida Al-Jalali** (may Allah preserve him) in his introduction to the verified edition published by the **Aal al-Bayt Foundation**, which was printed by the **World Conference on Imam al-Rida in Mashhad al-Muqaddasah in 1409 AH**. We mention them with some modification and summarization:

1. **The two chains of transmission through Al-Saduq:** It was mentioned in *Al-Mashikha* that he had two chains, but **Allama Al-Majlisi**, in his commentary on *Al-Mashikha* (*Rawdat Al-Muttaqin*, 14/152), stated that they effectively amount to five chains: three of them are *Sahih* (authentic), and two are *strong*.
2. **The two chains of Al-Tusi:** The first of them is identical to the first chain of Al-Saduq, while the second is also through **Sheikh Al-Saduq**.
3. **The two chains of Al-Najashi:** He mentioned them in his book *Al-Rijal*.
4. **The chain of Abdullah bin Ja'far Al-Himyari:** It was mentioned in *Qurb Al-Isnad* (p.83).
5. **The chain of Al-Bihar:** It was mentioned in *Bihar Al-Anwar* (10/249).

Furthermore, **Sheikh Abdullah Al-Samahiji**, a contemporary of **Sheikh Nasir bin Muhammad Al-Jaroudi** and his certifier, transmitted in his *Ijazah al-Mudabbajah* (granted in the year 1128 AH) from Sheikh Al-Jaroudi that:

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<sup>5</sup> *Al-Dhari'ah*, vol. 20: 360.

*"The book Masa'il is authored by Imam Musa al-Kadhim and Ali bin Ja'far, but it was narrated through his brother Musa, as the chain of transmission ends with Ali bin Ja'far, who narrates from his brother Musa bin Ja'far. He said: 'I asked my father Ja'far bin Muhammad...' and so on. The one speaking here is indeed Musa bin Ja'far, which necessitates that the questioner in all cases is Musa bin Ja'far."*

This is according to the explanation of the author of *Al-Dhari'ah* (1).<sup>6</sup>

He briefly responded to this observation by saying: "I say, however, in some places, such as the issue of raising hands during Takbir, the wording is as follows: Ali ibn Ja'far said, my brother said: It is upon the Imam to raise his hands in prayer... It appears that these are narrations of Ali ibn Ja'far from his brother." (Vol. 20 - 360).

Then he said: "It appears from these passages that the one who compiled the book is Ali ibn Ja'far, in which he gathered all his narrations from his brother, and they fall into three categories:

- (1) His brother's questions to their father and their father's responses.
- (2) What his brother mentioned about himself.
- (3) What his brother narrated as Mursal (without a direct chain) from their forefathers."

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<sup>6</sup> *Al-Dhari'ah* 20: 36

## **The Arrangement of the Issues of Ali ibn Ja‘far**

This is the book before you, which Sheikh al-Jarudi prepared and arranged according to the order of the chapters of jurisprudence, along with some important annotations.

The author of *Al-Dhari‘ah* (Vol. 4, pp. 67–68) described its arrangement, saying: “It is known as *Al-Ja‘fariyyat* and *Al-Kazhimiyat*, arranged according to the chapters of jurisprudence, from purification (*taharah*) to blood money (*diyyat*), with the chains of transmission omitted, and including some legal rulings of early scholars such as Sheikh al-Tusi, Sallar, Abu al-Salah, and Ibn Idris.”

In conclusion, he undertook the following:

- Arranging the issues according to the well-known classification in jurisprudential encyclopedias, starting from *Al-Muhaqqiq Al-Hilli*.
- Omitting the chains of transmission, making it closer in form to a jurisprudential book on legal issues.
- Adding some scholarly annotations, such as mentioning the views of prominent scholars, discussing them, or commenting on some of them after the phrase “*I say*”.

It is strongly presumed that he relied on more than one manuscript, as many issues included in his arrangement are not found in the verified version of *Masā’il ‘Alī ibn Ja‘far* available to us. Instead, they belong to the supplements compiled by the researchers of the Aal al-Bayt (‘alayhim al-salām).

### **The Author in Brief<sup>7</sup>**

His name is Nasir bin Muhammad Al-Jarudi Al-Qatifi.

He was born in the late 12th century.

His studies: He began his scholarly studies in Qatif and Bahrain, and among his teachers were: Shaykh Sulayman Al-Mahuzzi Al-Bahrani, Shaykh Abdullah bin Salih Al-Samahiji, and Shaykh Ahmad bin Ibrahim Al-Asfur.

### **His Works**

1. *Bushra al-Mudhnibin wa Indhar al-Sadiqin* – Printed in Najaf al-Ashraf and later re-edited and republished by the esteemed scholar Shaykh Mahdi Al-Awazim (may Allah preserve him).
2. *Tarteeb Masa’il Ali bin Ja‘far* – This is the book before you.

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<sup>7</sup> We relied in his biography on the commendable effort undertaken by the esteemed scholar Shaykh Mahdi Al-Awazim in his introduction to the book *Bushra al-Mudhnibin*. Whoever seeks further details should refer to this book.

He also compiled questions directed to his teacher, Shaykh Sulayman Al-Mahuzi, and others to Shaykh Ahmad ibn Ibrahim Al-Asfur.

### What They Said About Him:

#### 1. **Shaykh Sulayman Al-Mahuzi:**

"... When I reviewed what the esteemed and distinguished Shaykh Nasir bin Muhammad Al-Jarudi had sent—comprising noble questions and subtle benefits, through which he sought to clarify hidden intricacies..."<sup>8</sup>

#### 2. **Shaykh Ahmad bin Ibrahim Al-Asfur:**

"... He is the skillful and distinguished shaykh, excelling in the arena of virtues and merits, pure-minded and perceptive, refined and astute, Shaykh Nasir Al-Khati..."<sup>9</sup>

#### 3. **Shaykh Abdullah Al-Samahiji:**

"... The elite of the virtuous, the pillar of eminent scholars, the compiler of fundamentals and branches, encompassing both rational and legal sciences, the virtuous jurist, the accomplished hadith scholar, the essence of the pious and devout, and the select of the righteous worshippers..."

Until he says: "I was honored by his companionship, took pride in his friendship and bond, benefited from his wisdom, sought his generosity and received his kindness. I asked for his permission, and he granted it to me; I inquired, and he enlightened me..."<sup>10</sup>

### His teachers in Ijazah

- 1- Sheikh Abu al-Hasan al-Sharif al-Amili (d. 1139 AH).
- 2- Sheikh Suleiman al-Mahuzzi al-Bahrani (d. 1121 AH).
- 3- Sheikh Muhammad bin Yusuf bin Ali bin Kirbar al-Nuaimi (d. 1130 AH).
- 4- Sheikh Mirza Abdullah bin Isa al-Afandi al-Tabrizi (d. 1130 AH).
- 5-Sheikh Abdullah bin Saleh Al-Samahiji (d. 1135 AH), who granted him *Al-Ijazah Al-Kabirah*. The esteemed Sheikh Mahdi Al-Awazim verified and published it in Qom Al-Muqaddasah in the year 1419 AH.

### Those Authorized by Him

- Sheikh Abdullah bin Saleh Al-Samahiji.
- Sheikh Hussein bin Abdul Abbas Al-Qatifi (alive in the year 1141 AH).
- Sheikh Hussein bin Muhammad bin Abdul Nabi Al-Barbari (alive in the year 1179 AH).
- Sheikh Yahya bin Muhammad bin Abdul Ali Al-Bahrani Al-Qatifi Al-Awami (alive in the year 1182 AH).
- Sheikh Hussein bin Ahmad bin Abdul Jabbar Al-Qatifi.

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<sup>8</sup> Answers to the Questions of Shaykh Nasir Al-Jarudi (Manuscript).

<sup>9</sup> *Tabaqāt A'lām al-Shī'a* 6:770.

<sup>10</sup> *Al-Ijazah al-Kabirah* (Al-Samahiji): 49.

- Sheikh Abdul Ali bin Sheikh Ahmad bin Ibrahim Al-Asfour (before the year 1281 AH).

### His Death and Burial

He passed away, may Allah have mercy on him, in the year 1164 AH in Behbahan.<sup>11</sup> It was mentioned in *Tarikh Al-Bahrain* that his grave is well-known there.

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<sup>11</sup> *Tarikh Al-Bahrain*: 106/183.

## **Methodology of Verification**

We relied on two manuscripts for the verification of this book:

1. **The first manuscript:** A complete copy from the **Library of the Holy Shrine of Imam Reza (Mashhad)**, catalog number **8158**, consisting of **150 pages**, without mention of the year of transcription.
2. **The second manuscript:** An incomplete copy from **Qatif**, belonging to the esteemed **Sheikh Mustafa, son of the late Hajj Muhammad Saleh Al-Sheikh**. It consists of **14 pages**, and it appears to be derived from the **author's own manuscript**.

This manuscript is the one referenced by **Sheikh Al-Tahrani**.<sup>12</sup> It seems to be **the last version written by the author**, as it contains **annotations and additions**, along with **reorganized chapters and new headings** that are not present in the first manuscript. It appears that the author initially arranged the narrations **according to jurisprudential chapters**, then later reorganized the book by **adding titles and additional content**. As a result, different copies of the book vary in terms of **additions and omissions**.

In verifying this book, we followed a **collective verification methodology**, exerting effort in **collation, sourcing, documenting textual variations, and refining the text**. We seek divine assistance and guidance for everyone who contributed to reviving this work, for He is the **Best Helper and Supporter**.

All praise is due to Allah, Lord of the worlds.

**Diya Badr Al-Sanbal**  
**Qom – Taybah Institute for Heritage Revival**  
**15th Sha'ban, 1429 AH**

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<sup>12</sup> ***Al-Dhari'ah*** 4:67, Entry No. 282.

## In the name of Allah, the Most Gracious, the Most Merciful.

All praise is due to Allah, the Lord of the worlds. May Allah send blessings upon Muhammad and his pure progeny. Sufficient for us is Allah, and He is the best Disposer of affairs.

Thereafter:

This is a brief compilation that arranges the Ja'fariyat and Kazhimiyat issues, upon the one who answered them be the best of prayers.

### **The First: On Drawing Water from the Well**

والظاهر أنه تجده شرعياً.

١ - مسألة: قال: وسألته عن رجل ذبح شاة، فاضطررت فوقيت في بئر ماء وأوداجها تشخب دمًا هل يتوضأ من تلك البئر ؟ قال: «ينزح منها ما بين الثلاثين إلى الأربعين دلوا، ثم يتوضأ منها، ولا بأس به»

And it appears to be a religious obligation.

#### **1 - Issue:**

He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a man who slaughtered a sheep, and as it convulsed, it fell into a water well while its veins were still gushing blood. Should one perform ablution (wudu) with water from that well?

He (Musa Ibn Jafar) said: "Between thirty to forty buckets should be drawn from it, after which ablution can be performed with its water, and there is no harm in it."<sup>13</sup>

- مسألة: قال: وسألته، عن رجل ذبح دجاجة أو حمامه فوقيت في بئر، هل يصلح أن يتوضأ منها ؟ قال: «ينزح منها دلاء يسيرة، ثم يتوضأ منها» .

#### **2- Issue:**

He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a man who slaughtered a chicken or a pigeon, and it fell into a well. Is it permissible to perform ablution (wudu) with its water?

He (Musa Ibn Jafar) replied: "A small number of buckets should be drawn from it, and then ablution can be performed with its water."<sup>14</sup><sup>15</sup>

<sup>13</sup> *Masā'il 'Alī ibn Ja'far*: 203/430, *Qurb al-Isnād*: 179/661, *Al-Kāfi*: 3/86, *Al-Faqīh*: 1/15/29, *Tahdhīb al-Āḥkām*: 1/409/1288, *Al-Istibṣār*: 1/44/123, *Wasā'il al-Shī'a*: 1/193, Chapter on "Pure Water," Section 21, Hadith.

<sup>14</sup> *Masā'il 'Alī ibn Ja'far*: 203/431, *Al-Kāfi*: 3/86, *Tahdhīb al-Āḥkām*: 1/409/1288, *Al-Istibṣār*: 1/44/123, *Wasā'il al-Shī'a*: 1/193, Chapter on "Pure Water," Section 21, Hadith 1.

<sup>15</sup> "A few buckets" as mentioned in *Al-Kāfi*, whereas in *Qurb al-Isnād*, it is stated: "Between thirty to forty buckets should be drawn."

*Qurb al-Isnād*: 179/662 [Footnote of the manuscript].

٣ - مسألة: قال: وسألته عن رجل يستقي من بئر فغير عف فيها، هل يتوضأ منها؟ قال: «ينزح منها دلاء يسيرة»

**3 - Issue:** He (Ali ibn Ja'far) said: I asked him (Musa ibn Ja'far) about a man drawing water from a well, and he has a nosebleed into it. Can he perform ablution with that water?

He (Musa ibn Ja'far) replied: "A few buckets should be drawn from it."<sup>16</sup>

٤ - مسألة: قال وسألته عن بئر وقع فيها زنبيل من عذرة رطبة أو يابسة، أو زنبيل من سرفين، هل يصلح الوضوء منها؟ قال: «لا بأس»

**4 - Issue:** (Ali ibn Ja'far) said: I asked him (Musa ibn Ja'far) about a well in which a basket of fresh or dry filth, or a basket of dung, had fallen. Is it permissible to perform ablution from it?

He (Musa ibn Ja'far) replied: "There is no harm."<sup>17</sup>

٥ - مسألة: قال: وسألته، عن فأرة وقعت في بئر فماتت، هل يصلح الوضوء من مانها؟ قال: «انزح منها سبع دلاء، ثم تتوضأ ولا بأس» .

**5 - Mas'ala:** He (Ali ibn Ja'far) said: I asked him (Musa ibn Ja'far) about a mouse that fell into a well and died. Is it permissible to perform ablution with its water? He (Musa ibn Ja'far) said: "Draw seven buckets of water from it, then perform ablution, and there is no harm."<sup>18</sup>

٦ - مسألة: قال: وسألته عن فأرة وقعت في بئر فأخرجت وقد تقطعت، هل يصلح الوضوء من مانها؟ قال: ينزع منها عشرون دلاء إذا تقطعت، ثم تتوضأ ولا بأس» (٤).

**6 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a mouse that fell into a well and was removed after being dismembered, is it permissible to perform ablution with its water? He (Mūsā ibn Ja'far) said: "Twenty buckets should be drawn from it if it has been dismembered, then perform ablution, and there is no harm."<sup>19</sup>

٧ - مسألة: قال: وسألته عن صبي بال في بئر، هل يصلح الوضوء منها؟ قال: "انزح منها سبع دلاء، ثم تتوضأ ولا بأس."

<sup>16</sup> *Masā'il 'Alī ibn Ja'far*: 203/432, *Qurb al-Isnād*: 179/663, *Al-Kāfi*: 3:86, *Tahdhīb al-Aḥkām*: 1:246/709 and 1:409/1288, *Al-Istibṣār*: 1:44/123, *Wasā'il al-Shī'a*: 1:193, *Chapters on Absolute Water, Chapter 21, Hadith 1*.

<sup>17</sup> *Masail Ali ibn Ja'far*: 205/438, *Qurb al-Isnad*: 180/664, *Tahdhīb al-Aḥkām*: 1: 246/709, *Al-Istibṣār*: 1: 42/118, *Wasa'il al-Shī'a*: 1: 172, *Abwāb al-Mā' al-Mutlaq*, Bab 14, Hadith 6, and Bab 19, Hadith 20.

<sup>18</sup> *Masā'il 'Alī ibn Ja'far*: 422/198, *Wasā'il al-Shī'a* 1:190, *Abwāb al-Mā' al-Mutlaq*, *Bāb 19*, *Hadith 14*, quoted from *Masā'il 'Alī ibn Ja'far*.

<sup>19</sup> *Masail of Ali Ibn Jafar*: 1/198 423, *Wasail Al-Shia* 1: 190, *Chapters of Absolute Water, Chapter 19, Hadith 14*, quoted from *Masail of Ali Ibn Jafar*.

**7 - Mas'ala:** He (**Ali Ibn Jafar**) said: I asked him (**Musa Ibn Jafar**) about a boy who urinated in a well. Is it permissible to perform wudu from it? He (**Musa Ibn Jafar**) said: "**Draw seven buckets from it, then perform wudu, and there is no harm.**".<sup>20</sup>

٨ - مسألة: قال: وسألته عن بعير مات في بئر، هل يصلح الوضوء منها؟ قال: "ينزح الماء كله".

**8 - Issue:** He (**Ali Ibn Jafar**) said: I asked him (**Musa Ibn Jafar**) about a camel that died in a well, is it permissible to perform ablution from it? He (**Musa Ibn Jafar**) said: "**All the water must be removed.**".<sup>21</sup>

٩ - مسألة: قال: وسألته، عن بئر صب فيها خمر، هل يصلح الوضوء بمانها؟ قال: "لا يصلح حتى ينزع الماء كله".

**9 - Issue:** He (**Ali Ibn Jafar**) said: I asked him (**Musa Ibn Jafar**) about a well into which wine was poured. Is it permissible to perform ablution with its water? He (**Musa Ibn Jafar**) said: "**It is not permissible until all the water is removed.**".<sup>22</sup>

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<sup>20</sup> *Masā'il 'Alī ibn Ja'far* /198 424.

<sup>21</sup> *Masa'il Ali Ibn Jafar* /198/425.

<sup>22</sup> *Masail Ali Ibn Jafar* /199 427.

## The Second: On the Ruling of Small and Large Amounts of Water

١٠ - مسألة: قال: وسألته، عن الدجاجة والحمامه وأشباههن تطا العذر، ثم تدخل في الماء، أيتوضأ منه للصلوة؟ قال: "لا، إلا أن يكون الماء كثيراً قدر كر من ماء".

**10 - Issue:** He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a chicken, a pigeon, and similar birds that step on filth and then enter the water. Is it permissible to perform ablution with it for prayer? He (Musa Ibn Jafar) said: "**No, unless the water is abundant, reaching the amount of a Kurr of water.**"<sup>23</sup>

١١ - مسألة: قال: وسألته عن العظاية والحياة والوزغ يقع في الماء فلا يموت، أيتوضأ منه للصلوة؟ قال: «لا بأس».

**11 - Issue:** He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a lizard<sup>24</sup>, a snake, and a gecko falling into the water but not dying—can one perform ablution from it for prayer? He (Musa Ibn Jafar) said: "**There is no harm.**"<sup>25</sup>

١٢ - مسألة: قال: وسألته، عن العقرب والخنساء وأشباههن تموت في الجرة والدن، أيتوضأ منه للصلوة؟ قال: "لا بأس".

**12 - Issue:** He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a scorpion, a beetle, and similar creatures dying in a jar or a large vessel—can one perform ablution from it for prayer? He (Musa Ibn Jafar) said: "**There is no harm.**"<sup>26</sup>

١٣ - مسألة: قال: وسألته عن الفارة الرطبة قد وقعت في الماء تمشي على الثياب، أ يصلح الصلاة فيها قبل أن تغسل؟ قال: «اغسل ما رأيت من أثرها، وما لم تره فلتضحيه بالماء»

**13 - Issue:** He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a wet mouse that fell into the water and then walked on clothing. Is it permissible to pray in them before washing? He (Musa Ibn Jafar) said: "**Wash whatever traces of it you can see, and sprinkle water over what you cannot see.**"<sup>27</sup>

<sup>23</sup> *Masā'il 'Alī ibn Ja'far*: 193/403, *Qurb al-Isnād*: 178/655, *Tahdhīb al-Āḥkām* 1: 419/1326, *Al-Istibṣār* 1: 21/49, *Wasā'il al-Shī'a* 1: 155, Chapters on Pure Water, Chapter 13, Hadith 1.

<sup>24</sup> **Al-'Adāyah:** A well-known small creature similar in form to a gecko but slightly larger. *Lisan al-Arab* 9:280 - 'Adī.

<sup>25</sup> *Masā'il 'Alī ibn Ja'far*: /193 404, *Qurb al-Isnād*: /178 656, *Tahdhīb al-Āḥkām* 1: /419 1326, *Al-Istibṣār* 1: 58/23, *Wasā'il al-Shī'a* 3: 460, Abwāb al-Najāsāt, B 33, H 1, And in the last three: "**There is no harm in it**" instead of "**There is no harm.**"

<sup>26</sup> *Masā'il 'Alī ibn Ja'far*: 193 - /194 405, *Qurb al-Isnād*: /178 657, *Wasā'il al-Shī'a* 3: 464 - 465, Abwāb al-Najāsāt, B 35, H 6.

<sup>27</sup> *Masā'il 'Alī ibn Ja'far*: 857/348, *Al-Kāfi* 3: 60/3, *Tahdhīb al-Āḥkām*: /261 761, and 2: /366 1522, *Wasā'il al-Shī'a* 3: 460, Abwāb al-Najāsāt, B 33, H 2, And in it: "**Sprinkle it**" instead of "**So sprinkle it.**"

٤ - مسألة: قال: وسألته، عن حب ماء فيه ألف رطل ماء، وقع فيه أوقية بول، هل يصلح شربه والوضوء منه؟ قال: «لا يصلح»

**14 - Issue:** He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a water container holding a thousand pounds of water, into which an ounce of urine fell. Is it permissible to drink from it and perform ablution with it? He (Musa Ibn Jafar) said: "It is not permissible."<sup>28</sup>

١٥ - مسألة: قال: وسألته، عن قدر فيها ألف رطل ماء فطبخ فيها لحم، وقع فيها أوقية دم، هل يصلح أكلها؟ قال: «إذا طبخ فكل، فلا يأس».

**15 - Issue:** He (Ali Ibn Jafar) said: I asked him (Musa Ibn Jafar) about a pot containing a thousand pounds of water in which meat was cooked, and an ounce of blood fell into it. Is it permissible to eat it? He (Musa Ibn Jafar) said: "If it is cooked, then eat it; there is no harm."<sup>29</sup>

وروى محمد بن يعقوب الكليني له عن أبي علي الأشعري عن محمد بن عبد الجبار عن محمد بن إسماعيل عن علي بن النعمان عن سعيد الأعرج قال: سألت أبا عبد الله عن قدر فيها جزور وقع فيها مقدار أوقية من دم، أيوك؟ فقال: "نعم؛ لأن النار تأكل الدم"

وقال صاحب "الأشبه والنظائر": "النار تظهر كل ما يكون في القدور من اللحم والتوابل والمرق، إذا كانت تغلي ووقع فيها مقدار أوقية دم؛ للخبر الصحيح."

وبه قال الشيخ أبو جعفر في الثاني من "النهاية" وغيره من كتبه، وإليه ذهب جماعة من أصحابنا. وقال محمد بن إدريس: "لا يظهر"

Muhammad Ibn Ya'qub Al-Kulayni narrated from Abu Ali Al-Ash'ari, from Muhammad Ibn Abd Al-Jabbar, from Muhammad Ibn Isma'il, from Ali Ibn Al-Nu'man, from Sa'id Al-A'raj, who said: I asked **Abu Abdullah** about a pot containing camel meat in which an ounce of blood had fallen. Can it be eaten? He (Abu Abdullah) said: "Yes, because fire consumes the blood."<sup>30</sup>

The author of "*Al-Ashbāh wa al-Naẓā'ir*" said: "Fire purifies everything in cooking pots, including meat, spices, and broth, as long as it is boiling and an ounce of blood falls into it, according to the authentic narration."

This was also stated by **Sheikh Abu Ja'far** in the second part of "*Al-Nihāya*"<sup>31</sup> and in other of his books, and a group of our scholars followed this view.<sup>32</sup> However, **Muhammad Ibn Idris** said: "It does not become pure."<sup>33 34</sup>

<sup>28</sup> **Masā'il 'Alī ibn Ja'far:** 420/197, **Wasā'il al-Shī'a** 1: 156, Abwāb al-Mā' al-Muṭlaq, B, H 16, And in it: "Jarrah" instead of "Hubb."

<sup>29</sup> **Masā'il 'Alī ibn Ja'far:** 197 - 421/198, **Wasā'il al-Shī'a** 24: 197, Abwāb al-At'ima al-Muḥarrama, B 44, H 3.

<sup>30</sup> **Al-Kāfi** 6: /235 1, **Al-Faqīh** 3: /216 1005, and in it: "Fa-in" instead of "Li-ann."

**Wasā'il al-Shī'a** 24: 196, Abwāb al-At'ima al-Muḥarrama, B 44, H 2, and in it: "Fa-in" instead of "Li-ann."

<sup>31</sup> **Al-Nihāya:** 588.

<sup>32</sup> **Al-Muḥadhdhab** by Ibn Al-Barraj (2: 431-432).

<sup>33</sup> **Al-Sarā'ir** 3: 120-121.

<sup>34</sup> **Nuzhat al-Nāzir fī al-Jam' bayn al-Ashbāh wa al-Naẓā'ir** (within the **Silsilat al-Yanābī' al-Fiqhiyya**) 26: 227.

## The Third: On Leftover Water

١٦ - مسألة: قال: وسألته عن فضل ماء البقرة والشاة والبعير، أيسرب منه ويتوضاً؟ قال: «لا بأس».

**16 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about the leftover water of a cow, a sheep, and a camel—can one drink from it and perform ablution? He (Mūsā Ibn Ja'far) said: "There is no harm."<sup>35</sup>

١٧ - مسألة: قال: وسألته عن فضل الفرس والبغل والحمار، أيسرب منه ويتوضاً للصلوة؟ قال: «لا بأس».

**17 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about the leftover water of a horse, a mule, and a donkey—can one drink from it and perform ablution for prayer? He (Mūsā Ibn Ja'far) said: "There is no harm."<sup>36</sup>

١٨ - مسألة: قال: وسألته عن الحانص؟ قال: يشرب من سورها، ولا يتوضاً منه»

**18 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a menstruating woman. He (Mūsā Ibn Ja'far) said: "One may drink from her leftover water, but ablution should not be performed with it."<sup>37</sup>

١٩ - مسألة: قال: وسألته عن اليهودي والنصراني يدخل يده في الماء، أبتوضاً منه في الصلاة؟ قال: «لا، إلا أن يضطر إليه».

**19 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a Jew or a Christian who puts his hand into the water—can one perform ablution with it for prayer? He (Mūsā Ibn Ja'far) said: "No, unless there is a necessity."<sup>38</sup>

<sup>35</sup> **Masā'il 'Alī Ibn Ja'far:** 191 / 393, **Qurb al-Isnād:** 179 / 660, **Wasā'il al-Shī'a** 1: 233, **Abwāb al-Asār**, B 5, H 6.

<sup>36</sup> **Masā'il 'Alī Ibn Ja'far:** 192 / 400, **Tahdhīb al-Āhkām** 1: 225 / 646, **al-Istibṣār** 1: 19 / 40-41, **Wasā'il al-Shī'a** 1: 226, **Abwāb al-Asār**, B 1, H 4, and in it, from **al-Ṣādiq**, with variation.

<sup>37</sup> (3) **Masā'il 'Alī Ibn Ja'far:** 142-143 / 166, **al-Kāfi** 3: 10 / 1-3, **Tahdhīb al-Āhkām** 1: 222 / 634-635, **al-Istibṣār** 1: 17 / 32-33, and in it, from **al-Ṣādiq**, with slight variation. **Wasā'il al-Shī'a** 1: 237, **Abwāb al-Asār**, B ..., H 4, and in it: "tashrab" instead of "yashrab", "tatawadḍa" instead of "yatawaḍḍa".

<sup>38</sup> **Masā'il 'Alī Ibn Ja'far:** 170 / 290, **Tahdhīb al-Āhkām** 1: 223 / 640, **Wasā'il al-Shī'a** 3: 421, **Abwāb al-Najāsāt**, B 14, H 9.

٢٠ - مسألة: قال: وسألته عن اليهودي والنصراني يغتسل مع المسلمين في الحمام؟ قال: «إذا علم أنه نصراني اغتسل بغير ماء الحمام، إلا أن يغتسل وحده على الحوض فيغسله، ثم يغتسل».

**20 - Issue:** 'Alī Ibn Ja'far said: I asked him (Mūsā Ibn Ja'far) about a Jew or a Christian bathing with Muslims in the public bath. He (Mūsā Ibn Ja'far) said: "If it is known that he is a Christian, he should bathe with water other than that of the bath, unless he bathes alone at the basin, in which case he should wash it first and then bathe."<sup>39</sup>

٢١ - مسألة: قال: وسألته عن اليهودي والنصراني يشرب من الدورق، أيشرب منه المسلم؟ قال: «لا بأس».

**21 - Issue:** 'Alī Ibn Ja'far said: I asked him (Mūsā Ibn Ja'far) about a Jew or a Christian drinking from a jug<sup>40</sup> can a Muslim drink from it? He (Mūsā Ibn Ja'far) said: "There is no harm."<sup>41</sup>

٢٢ - مسألة: قال: وسألته عن الصلاة على بواري اليهود والنصارى التي يقعدون عليها في بيوتهم، أيصلح؟ قال: «لا تصل علىها».

قال: وسألته عن فراش اليهودي، أينام عليه؟ قال: «لا بأس»  
قال: وسألته عن ثياب النصراني واليهودي، أيصلح أن يصلح فيها المسلم؟ قال: «لا»

**22 - Issue:** 'Alī Ibn Ja'far said: I asked him (Mūsā Ibn Ja'far) about praying on the mats of Jews and Christians that they sit on in their homes—is it permissible? He (Mūsā Ibn Ja'far) said: "Do not pray on them."<sup>42</sup>

He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about the bedding of a Jew—can one sleep on it? He (Mūsā Ibn Ja'far) said: "There is no harm."<sup>43</sup>

He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about the clothes of a Christian or a Jew—can a Muslim pray in them? He (Mūsā Ibn Ja'far) said: "No."<sup>44</sup>

٢٣ - مسألة: في الوضوء بماء البحر، وسألته عن ماء البحر، أيتوضاً منه؟ قال: «لا بأس»

<sup>39</sup> *Masā'il 'Alī Ibn Ja'far*: 171/291, *Tahdhīb al-Āḥkām*: 1/223, 640, *Wasā'il al-Shī'a*: 3:421, Chapters on Impurities, Chapter 14, Ḥadīth 9.

<sup>40</sup> (Al-Dawraq: A vessel for drinking, and I believe it to be a Persian word that has been Arabized. (Footnote from the manuscript). See *Lisān al-'Arab* 4: 333 [under the entry "Darq"]).

<sup>41</sup> (*Masā'il 'Alī Ibn Ja'far*: 171/292, *Biḥār al-Anwār* 10:278).

<sup>42</sup> *Masā'il 'Alī Ibn Ja'far*: 193/401, *Tahdhīb al-Āḥkām* 2:373/1551, (in which "alladhīnā" replaces "allatī"), *Wasā'il al-Shī'a* 3:519, Abwāb al-Najāsāt, B. 73, H. 4.

<sup>43</sup> *Masā'il 'Alī Ibn Ja'far* 135/134, *Qurb al-Isnād* 282/1118, *Tahdhīb al-Āḥkām* 1:263/766, *Wasā'il al-Shī'a* 3:443, Abwāb al-Najāsāt, B. 26, H. 10.

<sup>44</sup> *Masā'il 'Alī Ibn Ja'far* 135/135, 'Anhu *al-Biḥār* 80:8/260.

**23 - Issue:** 'Alī Ibn Ja'far said: I asked him (**Mūsā Ibn Ja'far**) about seawater—can one perform ablution with it? He (**Mūsā Ibn Ja'far**) said: "There is no harm."<sup>45</sup>

## **The Fourth Chapter: On the Purification by Rain of What It Contacts from Impurities**

٢٤ - مسألة: قال: وسألته، عن البيت ببال على ظهره، ويعتسل من الجنابة، ثم يصيبه المطر، أيؤخذ من مائه فيتوضأ؟ قال: «إذا جرى فلا بأس».

**24 - Issue:** 'Alī Ibn Ja'far said: I asked him (**Mūsā Ibn Ja'far**) about a house on whose roof urine is discharged and where one bathes from janābah. Then rain falls on it—can its water be used for *wuḍū'*? He (**Mūsā Ibn Ja'far**) said: "If it flows, then there is no harm."<sup>46</sup>

٢٥ - مسألة: قال: وسألته، عن الكنيف يكون فوق البيت فيصيبه المطر، فيكيف فيصيب الثياب، أيصلني فيها قبل أن تخصل؟ قال: «إذا جرى من ماء المطر فلا بأس، يصلني فيها».

**25 - Issue:** 'Alī Ibn Ja'far said: I asked him (**Mūsā Ibn Ja'far**) about a latrine that is above a house, and when it rains, the water drips down and touches clothing—can one pray in them before washing? He (**Mūsā Ibn Ja'far**) said: "If the rainwater flows over it, then there is no harm; one may pray in them."<sup>47</sup>

٢٦ - مسألة: قال: وسألته، عن رجل مر في ماء مطر قد صب فيه خمر، فأصاب ثوبه هل يصلني فيه قبل أن يغسله؟ قال: «لا يغسل ثوبه ولا رجليه، يصلني فلا بأس».

**26 - Issue:** 'Alī Ibn Ja'far said: I asked him (**Mūsā Ibn Ja'far**) about a man who walked through rainwater in which wine had been poured, and it got on his clothes—can he pray in them before washing them? He (**Mūsā Ibn Ja'far**) said: "He does not need to wash his clothes or his feet, and he may pray—there is no harm."<sup>48</sup>

<sup>45</sup> *Masā'il 'Alī Ibn Ja'far* 204/434, *Qurb al-Isnād* 180/665, *Wasā'il al-Shī'a* 1:136, *Abwāb al-Mā'* al-Muṭlaq, Bāb 2, Ḥadīth 3, *Bihār al-Anwār* 77:1/8.

<sup>46</sup> *Masā'il 'Alī Ibn Ja'far*: 204/433, *Qurb al-Isnād*: 177-178/654, *Al-Faqīh* 1: 7/6, *Tahdhīb al-Āhkām* 1: 411-412/1297, in which (*al-mā'* "water") appears instead of (*al-matar* "rain"), *Wasā'il al-Shī'a* 1: 145, *Chapters on Absolute Water*, Bāb 6, Ḥadīth 2, *Bihār al-Anwār* 77:1.

<sup>47</sup> *Masā'il 'Alī Ibn Ja'far*: 192/398, *Qurb al-Isnād*: 192/724, *Wasā'il al-Shī'a* 1: 145, *Chapters on Absolute Water*, Bāb 6, Ḥadīth..., *Bihār al-Anwār* 77: 11 (Supplement to Ḥadīth 1)

<sup>48</sup> *Masā'il 'Alī Ibn Ja'far*: 220/490, *Qurb al-Isnād*: 191/719, *Al-Faqīh* 1:7/7, *Tahdhīb al-Āhkām* 1:418/1321, *Wasā'il al-Shī'a* 1:145, *Chapters on Absolute Water*, Bāb 6, Ḥadīth 2, with slight variations in the last three sources.

## Chapter Five: On Performing Wuḍū’ and Ghusl with Dripping Rainwater

قال: وسألته، عن الرجل يكون على غير وضوء، فيصيّبه المطر حتى يغسل رأسه ولحيته وبديه ورجليه، هل يجزيه ذلك من الوضوء؟ قال: «إن غسله فهو يجزيه، ويتمضمض ويستنق» .

He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a man who is without **wuḍū'**, and rain falls on him until it washes his head, beard, hands, and feet<sup>49</sup>—does that suffice for **wuḍū'**? He (Mūsā Ibn Ja'far) said: **"If he washes with it, then it suffices him. He should also rinse his mouth and inhale water into his nose."**<sup>50</sup>

٢٧ - مسألة: قال: وسألته، عن الرجل الجنب هل يجزيه عن غسله أن يقوم في المطر حتى يغسل رأسه وجسده وهو يقدر على ماسوى ذلك ؟ قال: «إن كان يغسله كما يغسل بالماء أجزأه ذلك، إلا أنه ينبغي له أن يتمضمض ويستنق و يتمد على ما نالت من جسده »

**27 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a **junub** (ritually impure) man—does it suffice for his **ghusl** if he stands in the rain until it washes his head and body, while he is capable of using other water? He (Mūsā Ibn Ja'far) said: **"If he washes with it as he would with water, then it suffices him. However, he should rinse his mouth, inhale water into his nose, and pass his hand over whatever parts of his body the water reaches."**<sup>51</sup>

٢٨ - مسألة: قال: وسألته عن الرجل تصيّبه الجنابة فلا يقدر على الماء، فيصيّبه المطر، يجزيه ذلك أو عليه التيمم؟ فقال: «إن غسله أجزأه، وإلا تيمم»

**28 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a man who becomes **junub** (ritually impure) but cannot find water—if rain falls on him, does it suffice, or must he perform **tayammum**? He (Mūsā Ibn Ja'far) said: **"If he washes with it, it suffices him; otherwise, he must perform tayammum."**<sup>52</sup>

٢٩ - مسألة: قال: وسألته، عن رجل يجنب، هل يجزيه من غسل الجنابة أن يقوم في المطر حتى يغسل رأسه وجنبه، وهو يقدر على ما سوى ذلك ؟ قال: «إن كان يغسله اغتساله بالماء أجزأه»

**29 - Issue:** He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a man who becomes **junub** (ritually impure)—does it suffice for his **ghusl** if he stands in the rain until it washes his

<sup>49</sup> In one manuscript margin: **his forehead** instead.

<sup>50</sup> **Masā'il 'Alī Ibn Ja'far:** 353/183; **Qurb al-Isnād:** 658/178; **Tahdhīb al-Āḥkām** 1:359/1082; **Al-Istibṣār** 1:75/231; **Wasā'il al-Shī'a** 1:454, **Chapters on Wuḍū'**, Bāb 36, Ḥadīth 1, with variations therein.

<sup>51</sup> **Masā'il 'Alī Ibn Ja'far:** 354/183; **Qurb al-Isnād:** 672/182; **Tahdhīb al-Āḥkām** 1:149/424; **Al-Istibṣār** 1:125/425; **Al-Faqīh** 1:14/27; **Wasā'il al-Shī'a** 2:231–232, **Chapters on Janābah**, Bāb 26, Ḥadīths 10 and 11.

<sup>52</sup> **Masā'il 'Alī Ibn Ja'far:** 355/183; **Qurb al-Isnād:** 668/181; **Wasā'il al-Shī'a** 2:232, **Chapters on Janābah**, Bāb 26, Ḥadīth 1.

head and side, while he is able to use other water? He (**Mūsā Ibn Ja‘far**) said: "If he washes with it as he would wash with water, then it suffices him."<sup>53</sup>

٣٠ مسألة في الاغتسال في الثلوج قال: وسألته، عن الرجل الجنب، أو على غير وضوء لا يكون معه ماء، وهو يصيّب ثلجاً وصعيداً، أيهما أفضل، التيم أو يمسح بالثلج وجهه وجسده، ورأسه؟ قال: «الثلج إن بل رأسه وجسده أفضل، فإن لم يقدر على أن يغتسل بالثلج فليتيم».

**30 - Issue:** He ('Alī Ibn Ja‘far) said: I asked him (**Mūsā Ibn Ja‘far**) about a man who is junub (ritually impure) or without *wuḍū'* and does not have water with him, but he finds snow and soil—which is better: performing tayammum or wiping his face, body, and head with the snow? He (**Mūsā Ibn Ja‘far**) said: "If the snow moistens his head and body, then it is better. But if he is unable to perform ghusl with snow, then he should perform tayammum."<sup>54</sup>

٣١ - مسألة في الاغتسال والوضوء بالماء النقيع قال: وسألته، عن الرجل يصيّب الماء في الساقية مستنقعاً، فيتخوف أن تكون السباع قد شربت منه، يغتسل منه للجنابة ويتوضاً منه للصلوة إذا كان لا يجد غيره، والماء لا يبلغ صاعاً للجنابة، ولا ماء للوضوء، وهو متفرق كيف يصنع؟ قال: «إذا كانت كفه نظيفة فليأخذ كفًا من الماء بيده واحدة، ولينضّحه خلفه، وكفًا أمامه، وكفًا عن يمينه، وكفًا عن يساره، فإن خشي أن لا يكفيه غسل رأسه ثلث مرات، ثم مسح جلده بيديه، فإن ذلك يجزيه إن شاء الله، وإن كان الوضوء غسل وجهه، ومسح يده على ذراعيه ورأسه ورجليه، وإن كان الماء متفرقًا يقدر على أن يجمعه جمعه، وإلا اغتسل من هذا وهذا، وإن كان في مكان واحد، وهو قليل، لا يكفيه لغسله، فلا عليه أن يغتسل، ويرجع الماء فيه، فإن ذلك يجزيه إن شاء الله».

**31 - Issue:** He ('Alī Ibn Ja‘far) said: I asked him (**Mūsā Ibn Ja‘far**) about a man who finds stagnant water in a canal, and he fears that wild animals may have drunk from it. Can he perform ghusl for *janābah* and *wuḍū'* from it if he finds no other water, and the water is not enough to reach a *ṣā'* for ghusl or a *mudd* for *wuḍū'*, and it is scattered—what should he do? He (**Mūsā Ibn Ja‘far**) said: "If his hand is clean, then let him take a handful of water with one hand and sprinkle it behind him, a handful in front of him, one to his right, and one to his left. If he fears it will not suffice him, he should wash his head three times and then wipe his body with his hands—this will suffice him, in *shā' Allāh*. For *wuḍū'*, he should wash his face and wipe his hands over his forearms, his head, and his feet. If the water is scattered and he is able to gather it, he should do so; otherwise, let him wash with this and that. If it is in one place and is little and not sufficient for his ghusl, then there is no harm if he bathes and returns the water back into it—this will suffice him, in *shā' Allāh*."<sup>55</sup>

٣٢ مسألة في اغتسال الجنب من ماء أصابته يده قبل غسلها، قال: وسألته، عن جنب أصابت يده جنابة من جنابته، فمسحه بخرقة، ثم تم أدخل يده في غسله قبل أن يغتسل، هل يجزيه أن يغتسل من ذلك الماء؟ قال: «إن وجد ماء غيره فلا يجزيه أن يغتسل به، وإن لم يجد غيره أجزاء».

<sup>53</sup> **Masā'il 'Alī Ibn Ja‘far:** 354/183; **Qurb al-Isnād:** 672/182; **Al-Faqīh** 1:14/27; **Tahdhīb al-Āhkām** 1:149/424; **Al-Istibṣār** 1:125/425; **Wasā'il al-Shī'a** 2:231–232, **Chapters on Janābah**, Bāb 26, Hadīth 1.

<sup>54</sup> **Masā'il 'Alī Ibn Ja‘far:** 183/356, **Qurb al-Isnād:** 181/668, **Tahdhīb al-Āhkām** 1:192/554, **Al-Istibṣār** 1:158/547, **Mustadrakāt al-Sarā'ir** 3:613, **Wasā'il al-Shī'a** 3:357, **Chapters on Tayammum**, Bāb 10, Hadīth 3, with slight variations among them.

<sup>55</sup> **Masā'il 'Alī Ibn Ja‘far:** 207/447, **Qurb al-Isnād:** 180–181/667, **Tahdhīb al-Āhkām** 1:416/1315, **Al-Istibṣār** 1:28/73, **Wasā'il al-Shī'a** 1:216, **Chapters on Mixed and Used Water**, Bāb 10, Hadīth 1, with slight variations among them.

### 32 - Issue: On a Junub Performing Ghusl with Water That His Hand Touched Before Washing

He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a junub (ritually impure person) whose hand became impure due to his own janābah. He wiped it with a cloth and then placed his hand into the water he intended to use for ghusl<sup>56</sup> before actually performing the ghusl—does it suffice for him to perform ghusl with that water? He (Mūsā Ibn Ja'far) said: "If he finds other water, then it does not suffice for him to use it; but if he does not find any other, then it suffices him."<sup>57</sup>

٣٣ - مسألة: قال: وسألته عن الجنب يدخل يده في غسله قبل أن يتوضأ، وقبل أن يغسل يده، ما حاله؟ قال: «إذا لم تصب يده شيئاً من جنابته فلا بأس» قال: «وأن يغسل يده قبل أن يدخلها في شيء من غسله أحب إلى»

33 - Issue: He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a junub who puts his hand into his ghusl before performing wuḍū' and before washing his hand—what is his ruling? He (Mūsā Ibn Ja'far) said: "If his hand has not been contaminated by anything from his state of janābah, then there is no harm." He (Mūsā Ibn Ja'far) said: "But it is more beloved to me that he washes his hand before placing it into any part of his ghusl."<sup>58</sup>

٣٤ - مسألة: في تطهير الفراش من الاحتلام والبول، قال: وسألته، عن الفراش يصيبه الاحتلام، كيف يصنع به؟ قال: «أغسله، فإن لم تفعل فلا تنم عليه حتى يبليس، فإن نمت عليه وأنت رطب الجسد، فاغسل ما أصاب من جسدك، فإن جعلت بيتك وبينه ثوباً فلا بأس»

34 - Issue: He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a bed affected by nocturnal emission—how should one deal with it? He (Mūsā Ibn Ja'far) said: "Wash it, and if you do not, then do not sleep on it until it dries. If you sleep on it while your body is still wet, then wash whatever part of your body touches it. If you put a cloth between you and the bed, then there is no harm."<sup>59</sup>

٣٥ - مسألة: قال: وسألته، عن الفراش يكون كثير الصوف فيصيبه البول، كيف يغسل؟ قال: «يغسل الظاهر، ثم يصب عليه الماء في المكان الذي أصابه البول، حتى يخرج الماء من جانب الفراش الآخر»

35 - Issue: He ('Alī Ibn Ja'far) said: I asked him (Mūsā Ibn Ja'far) about a bed with a lot of wool that is affected by urine—how should it be washed?

He (Mūsā Ibn Ja'far) said: "Wash the surface, then pour water on the area affected by the urine until the water comes out from the other side of the bed."<sup>60</sup>

<sup>56</sup> It is said: al-Fashl (with a ḥamma) — the water with which the lamp al-Munīr is purified. [Margin of the manuscript: 2:] 447 — I washed it.

<sup>57</sup> Masā'il 'Alī Ibn Ja'far: 209/452, Qurb al-Isnād: 180/666, Bihār al-Anwār 1/77:14.

<sup>58</sup> Masā'il 'Alī Ibn Ja'far: 190–390/191.

<sup>59</sup> Masā'il 'Alī Ibn Ja'far: 213–214/263, Qurb al-Isnād: 281/1115, Wasā'il al-Shī'a 3:443, Chapters on Impurities, Bāb 26, Ḥadīth 9.

<sup>60</sup> Masā'il 'Alī Ibn Ja'far: 192/397, Qurb al-Isnād: 281/1114, Wasā'il al-Shī'a 3:400, Chapters on Impurities, Bāb 5, Ḥadīth.

٣٦ - مسألة: في الثوب تصيبه الجنابة، قال: وسألته عن الرجل يكون له الثوب قد أصابته الجنابة فلم يغسله هل يصلح النوم فيه؟ قال: «يكره»<sup>61</sup>

**36 - Issue:** He ('Alī Ibn Ja'far) said: I asked him about a man whose garment became impure with junub (sexual impurity) but did not wash it—can he sleep in it? He said: "**It is disliked.**"

٣٧<sup>61</sup> - مسألة: قال: وسألته عن الرجل يعرق في الثوب يعلم أن فيه جنابة، كيف يصنع؟ هل يصلح له أن يصلح قبل أن يغسل؟ قال: «إذا علم أنه إذا عرق أصاب جسده من تلك الجنابة التي في الثوب، فليغسل ما أصاب جسده من ذلك، وإن علم أنه قد أصاب جسده ولم يعرف مكانه فليغسل جسده كله»

**37 - Issue:** He ('Alī Ibn Ja'far) said: I asked him about a man who sweats in a garment he knows is impure with junub—what should he do? Can he pray before washing it? He said: "**If he knows that the sweat has reached his body from the junub impurity in the garment, he should wash what the impurity touched on his body; and if he knows it reached his body but does not know the exact spot, he should wash his entire body.**"<sup>62</sup>

٣٨ - مسألة: في غسل الثوب من الفأرة والكلب قال: وسألته، عن الفأرة تصيب الثوب، أيصلّي فيه؟ قال: «إذا لم تكن الفأرة رطبة فلابأس، وإن كانت رطبة فاغسل ما أصاب من ثوبك، والكلب مثل ذلك»

**38 - Issue:** He ('Alī Ibn Ja'far) said: I asked him about a garment that was touched by a mouse or a dog—can he pray wearing it? He said: "**If the mouse is not wet, then no harm; but if it is wet, wash what touched your garment. The same applies to the dog.**"<sup>63</sup>

٣٩ - مسألة: في مس السنور قال: وسألته عن رجل مس ظهر سنور، هل يصلحه أن يصلّي قبل أن يغسل يده؟ قال: «لا بأس»

**39 - Issue:** He ('Alī Ibn Ja'far) said: I asked him about a man who touched a cat's back—can he pray before washing his hand? He said: "**No harm.**"<sup>64</sup>

٤٠ - مسألة: في غسل الثوب من القذر قال: وسألته، عن الفأرة والدجاجة والحمامة - وأشباههن - تطا في العذرة، ثم تطا على الثوب، أيغسل؟ قال: «إن كان استبيان من أثره شيء فاغسله، وإلا فلا بأس»

**40 - Issue:** He ('Alī Ibn Ja'far) said: I asked him about a mouse, chicken, pigeon, or similar animals stepping on a container of pure water and then stepping on a garment—should it be washed? He said: "**If any trace of impurity is evident, wash it; otherwise, no harm.**"<sup>65</sup>

<sup>61</sup> **Masā'il 'Alī Ibn Ja'far:** 159/237, **Wasā'il al-Shī'a** 3:404, Chapters on *Najāsāt*, *Bāb* –, *Hadīth* 9.

<sup>62</sup> **Masā'il 'Alī Ibn Ja'far:** 159/238, **Wasā'il al-Shī'a** 3:404, Chapters on *Najāsāt*, *Bāb* –, *Hadīth* 10.

<sup>63</sup> **Masā'il 'Alī Ibn Ja'far:** 192/399, **Qurb al-Isnād:** 193/728, **Bahār al-Anwār** 10:287.

<sup>64</sup> **Masā'il 'Alī Ibn Ja'far:** 370/186–187, **Qurb al-Isnād:** 202/777, **Wasā'il al-Shī'a** 3:414, Chapters on *Najāsāt*, *Bāb* 11, *Hadīth* 5.

<sup>65</sup> **Masā'il 'Alī Ibn Ja'far:** 402/193, **Qurb al-Isnād:** 193/729, includes: "Athar hunna" instead of "Atharhu," **Tahdhīb al-Āḥkām:** 424/1347, **Wasā'il al-Shī'a** 3:467, Chapters on *Najāsāt*, *Bāb* 37, *Hadīth* 3.

## Chapter Six: On Wudū' (Ablution), Its Rules, and Its Nullifiers

٤١ - مسألة: قال: وسألت أخي موسى بن جعفر عن الرجل عليه الخاتم الضيق لا يدرى يجري الماء تحته إذا توضأ أم لا ، كيف يصنع؟  
قال: «إذا علم أن الماء لا يدخل فليخرجه إذا توضأ» من (الجعفريةات) قال: وذكر الخاتم، قال: «إذا اغسلت فحوله من مكانه، وإذا توضأت فحوله من مكانه، وإن نسيت حتى تقوم في الصلاة فلا أمرك أن تعيد الصلاة»

**41 - Issue:** He ('Alī ibn Ja'far) said: "I asked my brother Mūsā ibn Ja'far about a man who wears a tight ring and does not know if water flows underneath it during wudū' or not, what should he do?" He (Mūsā ibn Ja'far) said: "If he knows water does not enter, he should remove it when he performs wudū'." <sup>66</sup> From Al-Ja'farīyāt it is reported: He mentioned the ring and said: "If you perform ghusl, move it from its place, and if you perform wudū', move it from its place, and if you forget until you stand for prayer, I do not command you to repeat the prayer." <sup>67</sup>

٤٢ - مسألة: قال: وسألته عن المرأة عليها السوار والدملج بعضدها وفي ذراعها لا تدرى يجري الماء تحته أم لا ، كيف يصنع إذا توضأت واغسلت؟ قال: تحركه حتى يجري الماء تحته أو تترعرعه».

**42 - Issue:** He ('Alī ibn Ja'far) said: "I asked him about a woman who has a bracelet and a bangle<sup>68</sup> on her forearm and upper arm, and she does not know if water passes underneath them or not; what should she do when performing wudū' and ghusl?" He (Mūsā ibn Ja'far) said: "She should move them so that water flows underneath or remove them." <sup>69</sup>

٤٣ - مسألة: قال: وسألته عن الرجل يبول في الطست، يصلح له الوضوء فيها؟ قال: «إذا غسلت بعد بوله فلا بأس».

**43 - Issue:** He ('Alī ibn Ja'far) said: "I asked him about a man who urinates in a basin; is it valid for him to perform wudū' with water from that basin?" He (Mūsā ibn Ja'far) said: "If he washes after urinating, then there is no harm." <sup>70</sup>

٤٤ - مسألة: قال: وسألته عن المرأة، هل يصلح لها أن تمسح على الخمار؟ قال: لا يصلح حتى تمسح على رأسها».

**44 - Issue:** He ('Alī ibn Ja'far) asked about a woman wiping over her head covering (khimār). He (Mūsā ibn Ja'far) said: "It is not valid until she wipes on her head itself." <sup>71</sup>

٤٥ - مسألة: قال: وسألته عن الرجل يرعنف وهو يتوضأ فيقطر قطرة في إناءه، هل يصلح له الوضوء منه؟ قال: «لا».

<sup>66</sup> **Masā'il 'Alī ibn Ja'far:** 204–205/436, **Qurb al-Isnād:** 176/646, **Al-Kāfi** 3:44/6, **Tahdhīb al-Āḥkām** 1:85/221, **Wasā'il al-Shī'a** 1:467, **Chapters on Wudū'**, **Bāb 41**, **Hadīth 1**, **Bihār al-Anwār** 77:364/1, including the variant phrase "lā yadkhuluhu" instead of "lā yadkhul."

<sup>67</sup> **Masā'il 'Alī ibn Ja'far:** 143–171/144.

<sup>68</sup> **Al-Damlj:** a type of strong jewelry; **Lisān al-‘Arab** 4:408 — **Damlj**.

<sup>69</sup> **Masā'il 'Alī ibn Ja'far:** 204/435, **Qurb al-Isnād:** 176/647, **Al-Kāfi** 44:3/6, **Tahdhīb al-Āḥkām** 1:85/222, **Wasā'il al-Shī'a** 1:467, **Chapters on Wudū'**, **Bāb 41**, **Hadīth 1**.

<sup>70</sup> **Masā'il 'Alī ibn Ja'far:** 316/176, **Bihār al-Anwār** 77:344/25.

<sup>71</sup> **Masā'il 'Alī ibn Ja'far:** 22/110, **Wasā'il al-Shī'a** 1:456, **Abwāb al-Wuḍū'**, **Bāb 37**, **Hadīth 5**.

**45 - Issue:** He ('Alī ibn Ja'far) asked about a man who has a runny nose while performing wudū' and a drop falls into his vessel; is wudū' valid with that water? **He (Mūsā ibn Ja'far)** said: "No." <sup>72</sup>

٤٦ - مسألة: قال: وسألته عن رجل رعف فامتخط، فصار بعض ذلك الدم قطرأً قطرأً صغاراً، فأصاب إناءه، هل يصلح الوضوء منه؟  
قال: «إن لم يكن شيئاً يُستبين في الماء فلا بأس، وإن كان شيئاً بيناً فلا تتوضأ منه».

**46 - Issue:** He ('Alī ibn Ja'far) asked about a man who had a runny nose and blew it, causing some small drops of blood to fall into his vessel; is wudū' valid with that water? **He (Mūsā ibn Ja'far)** said: "If nothing visible appears in the water, then it is valid; if something visible appears, then do not perform wudū' with it." <sup>73</sup>

٤٧ - مسألة: قال: وسألته عن المضمضة والاستنشاق، قال: «ليس بواجب، وإن تركهما لم يعد لهما صلاة».

**47 - Issue:** He ('Alī ibn Ja'far) asked about rinsing the mouth (madmadah) and sniffing water (istinshāq). **He (Mūsā ibn Ja'far)** said: "They are not obligatory, but if one omits them, his prayer is not valid." <sup>74</sup>

٤٨ - مسألة: قال: وسألته عن رجل توضأً فغسل يساره قبل يمينه، كيف يصنع؟  
قال: يعيد الوضوء من حيث أخطأ، يغسل يمينه ثم يساره، ثم يمسح رأسه ورجليه».

**48 - Issue:** He ('Alī ibn Ja'far) asked about a man who performed wudū' and washed his left hand before his right hand; what should he do?

**He (Mūsā ibn Ja'far)** said: "He must repeat the wudū' from the point of error: wash the right hand first, then the left, then wipe his head and wash his feet." <sup>75</sup>

٤٩ - مسألة: قال: وسألته عن رجل توضأً ونسى غسل يساره؟ قال: «يغسل يساره وحدها، ولا يعيد وضوء شيء غيرها».

**49 - Issue:** He ('Alī ibn Ja'far) asked about a man who performed wudū' but forgot to wash his left hand? **He (Mūsā ibn Ja'far)** said: "He washes the left hand alone and does not need to repeat the rest of the wudū'." <sup>76</sup>

<sup>72</sup> **Masā'il 'Alī ibn Ja'far:** 119/63, **al-Kāfi** 3:74/16, **Wasā'il al-Shī'a** 1:151, **Abwāb al-Mā' al-Muṭlaq**, Bāb –, Ḥadīth 1; 1:169, **Abwāb al-Mā' al-Muṭlaq**, Bāb 13, Ḥadīth 1.

<sup>73</sup> **Masā'il 'Alī ibn Ja'far:** 119/64, **al-Kāfi** 3:74/16, **Tahdhīb al-Āḥkām** 1:412/1299, **Al-Istibṣār** 1:57/23, **Wasā'il al-Shī'a** 1:150, **Abwāb al-Mā' al-Muṭlaq**, Bāb –, Ḥadīth 1.

<sup>74</sup> **Masā'il 'Alī ibn Ja'far:** 206/442, **Qurb al-Isnād**: 648/176, **Wasā'il al-Shī'a** 1:433, **Abwāb al-Wuḍū'**, Bāb 29, Ḥadīth 14, **Bihār al-Anwār** 77:1/332.

<sup>75</sup> **Masā'il 'Alī ibn Ja'far:** 208/449, **Qurb al-Isnād**: 176–177/649, **Wasā'il al-Shī'a** 1:454, **Abwāb al-Wuḍū'**, Bāb 35, Ḥadīth 15, **Bihār al-Anwār** 77:263/10.

<sup>76</sup> **Masā'il 'Alī ibn Ja'far:** 207–208/448, **Qurb al-Isnād**: 177/650, **Tahdhīb al-Āḥkām** 1:98/257, **Al-Istibṣār** 1:73/226, **Wasā'il al-Shī'a** 1:452, **Abwāb al-Wuḍū'**, Bāb 35, Ḥadīth 7, **Bihār al-Anwār** 77:1/358.

٥٠ - مسألة: قال: وسألته عن رجل يكون على وضوء، ويشك على وضوء هو أم لا؟ قال: «إذا ذكر - وهو في صلاته - انصرف فتوضأ وأعادها، وإن ذكر - وقد فرغ من صلاته - أجزاء ذلك».

**50 - Issue:** He ('Alī ibn Ja'far) said: I asked him about a man who is in a state of wudū' (ablution) but doubts whether his wudū' is valid or not. He said: "**If he remembers while praying, he should stop, perform wudū' again, and repeat the prayer. But if he remembers after finishing his prayer, then that is sufficient.**" <sup>77</sup>

٥١ - مسألة: قال: وسألته عن رجل استاك أو تخل فخرج من فمه دم، أينقض ذلك الوضوء؟ قال: «لا، ولكن يتضمض».

**51 - Issue:** He ('Alī ibn Ja'far) said: I asked him about a man who used a miswāk or cleaned his teeth and blood came out of his mouth. Does that break his wudū'？ He said: "**No, but he should rinse his mouth.**" <sup>78</sup>

٥٢ - مسألة: قال: وسألته عن رجل ينكيء في المسجد، فلا يدرى نام أم لا، هل عليه وضوء؟ قال: «إذا شك فليس عليه وضوء».

**52 - Issue:** He ('Alī ibn Ja'far) said: I asked him about a man leaning in the mosque, unsure if he fell asleep. Does he have to perform wudū'？ He said: "**If he doubts, then wudū' is not required.**" <sup>79</sup>

٥٣ - مسألة: قال: وسألته عن رجل يكون في صلاته، فيعلم أن ريحًا قد خرجت، فلا يجد ريحًا ولا يسمع صوتًا؟ قال: يعيد الوضوء والصلوة، ولا يعتد بشيء مما صلّى، إذا علم ذلك يقينًا».

**53 - Issue:** He ('Alī ibn Ja'far) said: I asked him about a man praying who knows that wind (a fart) passed but does not smell it nor hear it. He said: "**He must renew his wudū' and prayer, and should not rely on any prayer he performed if he is certain of this.**" <sup>80</sup>

<sup>77</sup> **Masā'il 'Alī ibn Ja'far:** 206/444, **Qurb al-Isnād:** 177/651, **Wasā'il al-Shī'a** 1:473, **Abwāb al-Wuḍū'**, Bāb 44, Hadīth 2, **Bihār al-Anwār** 77:1/358.

<sup>78</sup> **Masā'il 'Alī ibn Ja'far:** 205–206/440, **Qurb al-Isnād:** 177/652, **Wasā'il al-Shī'a** 1:268, **Abwāb Nawāqid al-Wuḍū'**, Bāb –, Hadīth 14, **Bihār al-Anwār** 77:212/1.

<sup>79</sup> **Masā'il 'Alī ibn Ja'far:** 205/437, **Qurb al-Isnād:** 177/653, **Wasā'il al-Shī'a** 1:248, **Abwāb Nawāqid al-Wuḍū'**, Bāb –, Hadīth 9, **Bihār al-Anwār** 77:358/ (under Hadīth 1).

<sup>80</sup> **Masā'il 'Alī ibn Ja'far:** 184/358, **Qurb al-Isnād:** 200/769, **Wasā'il al-Shī'a** 1:248, **Abwāb Nawāqid al-Wuḍū'**, Bāb 1, Hadīth 9, **Bihār al-Anwār** 77:3/213.

## Chapter Seven: On the Obligation of Ghusl (Ritual Bath)

٥٤ - مسألة: قال: وسألته عن الرجل يلاعب المرأة، أو يجردها، أو يقبلها، فيخرج منه الشيء، ما عليه؟ قال: «إذا جاءت الشهوة وخرج الدفق وفتر لخروجه فعليه الغسل، وإن كان إنما هو شيء لا يجد له شهوة ولا فترة فلا غسل عليه، ويتوضأ للصلوة».

**54 - Issue:** He ('Alī ibn Ja'far) said: I asked my brother Mūsā ibn Ja'far about a man who caresses a woman, or undresses her, or kisses her, and something comes out of him—what is his ruling? He (Mūsā ibn Ja'far) said: **"If desire arises and ejaculation occurs, then he must perform ghusl, and if it stops without ejaculation, then no ghusl is required; he should perform wudū' (ablution) for prayer."**<sup>81</sup>

٥٥ - مسألة: من (الجعفريات) وسألته عن الرجل يجامع، ويدخل الكثيف، وعليه خاتم فيه ذكر الله وشيء من القرآن، أ يصلح له ذلك؟ قال: «لَا».

**55 - Issue:** From (Al-Ja'fariyyāt), I asked him about a man who has intercourse and enters the private part while wearing a ring engraved with the name of Allah and some Qur'anic verses — is that permissible for him? He (Mūsā ibn Ja'far) said: **"No."**<sup>82</sup>

٥٦ - مسألة: قال: وسألته عن رجل مس ميتاً، هل عليه الغسل؟ قال: «إن كان الميت لم يبرد فلا غسل عليه، وإن كان قد برد فعليه الغسل إذا مس».

**56 - Issue:** He ('Alī ibn Ja'far) said: I asked him about touching a dead body — is ghusl obligatory? He (Mūsā ibn Ja'far) said: **"If the dead body is not cold, then ghusl is not obligatory; but if it is cold, then ghusl becomes obligatory if he touches it."**<sup>83</sup>

٥٧ - مسألة: قال: وسألته عن الميت يُغسل في الفضاء. قال: «لا بأس، وإن سترته فهو أحب إلى».

**57 - Issue:** He ('Alī ibn Ja'far) said: I asked him about washing a dead body outdoors. He (Mūsā ibn Ja'far) said: **"There is no harm, but covering it is preferable."**<sup>84</sup>

<sup>81</sup> Masā'il 'Alī ibn Ja'far: 157 - 158 / 230, Qurb al-Isnād: 182 / 170, Tahdhīb al-Ahkām 1: 120 / 317, Al-Istibsār 1: 104 / 342, Wasā'il al-Shī'a 2: 194, Abwāb al-Jināba, Part 1, Bihār al-Anwār 78: 68 / 56 — except the first reference, others vary.

<sup>82</sup> Masā'il 'Alī ibn Ja'far: 188 - 189 / 381, Qurb al-Isnād: 293 / 1157, Wasā'il al-Shī'a 20: 148, Abwāb Muqaddimāt al-Nikāh wa Adabuhu, Part 74, Hadith 1, Bihār al-Anwār 77: 188 / 43.

<sup>83</sup> Masā'il 'Alī ibn Ja'far: 198 - 199 / 426, Wasā'il al-Shī'a 3: 293, Abwāb Ghusl al-Mass, Part 1, Hadith 18.

<sup>84</sup> Masā'il 'Alī ibn Ja'far: 212 / 459, Qurb al-Isnād: 182 / 671, Al-Kāfi 14: 3 / 6, Al-Faqīh 1: 86 / 400, Tahdhīb al-Ahkām 1: 431 / 1379, Bihār al-Anwār 78: 7 / 288.

٥٨ - مسألة: قال: وسألته هل يجزيه أن يغتسل قبل طلوع الفجر؟ هل يجزيه ذلك من غسل العيددين؟ قال: «إن اغتسل يوم الفطر والأضحى قبل طلوع الفجر لم يجزه، وإن اغتسل بعد طلوع الفجر أجزأه».

**58 - Issue:** He ('Alī ibn Ja'far) said: He asked if it is valid to perform ghusl (ritual bath) before dawn (Fajr). Does that suffice as the ghusl for the two Eid prayers? He (Mūsā ibn Ja'far) said: **"If he performs ghusl on the day of Eid al-Fitr or Eid al-Adha before dawn, it does not suffice; but if he performs it after dawn, it is valid."**<sup>85</sup>

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<sup>85</sup> **Masā'il 'Alī ibn Ja'far:** 246-247 / 585, **Qurb al-Isnād:** 181 / 669, **Wasa'il al-Shī'a** 3: 330, **Abwāb al-Aghsāl al-Masnūnah**, Section 17, Hadith 1, **Bihār al-Anwār** 78: 25 / 1.

## Chapter Eight: On the Place of the One Who Prays

٥٩ - مسألة: قال: وسألته عن البيت والدار لا تصيبها الشمس، ويصيّبها البول، أو يغتسل فيه من الجنابة، أيصلّي فيه إذا جف؟ قال: «نعم».

**59 - Issue:** He ('Alī ibn Ja'far) said: He asked about a house or dwelling that does not receive sunlight but is affected by urine or is washed from junub (major impurity). Can one pray there if it has dried? He (Mūsā ibn Ja'far) said: "Yes." <sup>86</sup>

٦٠ - مسألة: قال: وسألته عن الصلاة في معاطن الإبل، أيصلح؟ قال: «لا يصلح، إلا أن تخاف على متعاك ضيوع فاكسن، ثم انضج بالماء، ثم صل». <sup>87</sup>

**60 - Issue:** He ('Alī ibn Ja'far) said: He asked about praying in camel resting places (ma'āṭin al-ibil). Is it valid? He (Mūsā ibn Ja'far) said: "It is not valid, unless you fear for your belongings being lost, then sweep it, wash it with water, and then pray." <sup>87</sup>

٦١ - مسألة: قال: وسألته عن معاطن الغنم أتصلّح الصلاة فيها؟ قال: «نعم، لا بأس به».

**61 - Issue:** He ('Alī ibn Ja'far) said: He asked about sheep resting places (ma'āṭin al-ghanam). Is praying there valid? He (Mūsā ibn Ja'far) said: "Yes, it is permissible." <sup>88</sup>

٦٢ - مسألة: من (الجعفريات) قال: وسألته عن قوم في سفينة لا يقدرون أن يخرجوا إلا إلى الطين والماء، هل يصلح لهم أن يصلوا الفريضة في السفينة؟ قال: «نعم».

**62 - Issue:** From Masā'il al-Ja'farīyāt: He asked about people on a ship who cannot go out except to mud and water. Is it valid for them to pray the obligatory prayer on the ship? He (Mūsā ibn Ja'far) said: "Yes." <sup>89</sup>

٦٣ - مسألة: من (الجعفريات) أيضاً وسألته عن الرجل، هل يجوزه أن يسجد في السفينة على القير؟ قال: «لا بأس».

**63 - Issue:** Also from Masā'il al-Ja'farīyāt: He asked about a man whether it is permissible for him to prostrate on the ship on a tar surface (qīr). He (Mūsā ibn Ja'far) said: "No problem." <sup>90</sup>

٦٤ - مسألة: قال: وسألته عن الصلاة في الأرض السبخة، أيصلّي فيها؟ قال: «لا، إلا أن يكون فيها نبت، إلا أن يخاف فوت الصلاة، فيصلّى» (١).

<sup>86</sup> Masā'il 'Alī ibn Ja'far: 221–222 / 493, Qurb al-Isnād: 196 / 743, Al-Faqīh 1:158 / 336, Wasā'il al-Shī'a 3:453, Abwāb al-Najāṣāt, Bāb 30, Ḥadīth 1, Bihār al-Anwār 80:2/285.

<sup>87</sup> Masā'il 'Alī ibn Ja'far: 281 / 168, Wasā'il al-Shī'a 146:5, Abwāb Makān al-Muṣallī, Bāb 17, Ḥadīth 6.

<sup>88</sup> Masā'il 'Alī ibn Ja'far: 282 / 169, Wasā'il al-Shī'a 146:5, Abwāb Makān al-Muṣallī, Bāb 17, Ḥadīth 6.

<sup>89</sup> Masā'il 'Alī ibn Ja'far: 256 / 163, Wasā'il al-Shī'a 4:323, Abwāb al-Qibla, Bāb 13, Ḥadīth 16. (Note: correction—"except to mud and water" instead of "except mud and water")

<sup>90</sup> Masā'il 'Alī ibn Ja'far: 181 / 346, Mustadrak al-Wasā'il 8:4–9, Kitāb al-Ṣalāh, Bāb 5, Ḥadīth 1.

**64 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about praying on salty barren land, is it permissible to pray on it? He (Mūsā ibn Ja'far) said: "No, unless there is vegetation growing on it — unless he fears missing the prayer, then he may pray." <sup>91</sup>

٦٥ - مسألة: قال: وسألته عن الصلاة في بيت الحجام من غير ضرورة. قال: «لا بأس إذا كان المكان نظيفاً».

**65 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about praying in the barber's house without necessity. He (Mūsā ibn Ja'far) said: "No problem, if the place is clean." <sup>92</sup>

٦٦ - مسألة: قال: وسألته عن الصلاة بين القبور؟ قال: «لا بأس».

**66 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about praying between graves. He (Mūsā ibn Ja'far) said: "No problem." <sup>93</sup>

٦٧ - مسألة: قال: وسألته عن الرجل يجامع على الحصير أو المصلى، هل تصلح الصلاة عليه؟ قال: «إذا لم يصبه شيء فلا بأس، وإن أصابه شيء فاغسله وصل».

**67 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who engages in intercourse on a mat or prayer rug — is it permissible to pray on it? He (Mūsā ibn Ja'far) said: "If nothing affected it (no impurity), then there's no problem. If something did, then wash it and pray." <sup>94</sup>

٦٨ - مسألة: قال: وسألته عن الرجل، هل يجزيه أن يضع الحصير أو البوريا على الفراش وغيره من الماتع ثم يصلى عليه؟ قال: «إن كان يضطر إلى ذلك فلا بأس».

**68 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) — is it valid for a man to place a mat or straw mat<sup>95</sup> on a bed or furniture and then pray on it? He (Mūsā ibn Ja'far) said: "If he is forced to do so, then there's no problem." <sup>96</sup>

٦٩ - مسألة: قال: وسألته عن الرجل يكون في السفينة، هل يصلح له أن يضع الحصير فوق الماتع والقت (٧) أو التبن أو الحنطة أو الشعير وأشباهه، ثم يصلى؟ قال: «لا بأس».

**69 - Issue:** He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who is on a ship — is it permissible for him to place a mat over goods and over *al-qat* (7), or over straw,

<sup>91</sup> *Masā'il 'Alī ibn Ja'far*: 301/172, *Wasā'il al-Shī'a* 5:152, *Bāb Makān al-Muṣallī*, Bāb 20, Ḥadīth 11.

<sup>92</sup> *Masā'il 'Alī ibn Ja'far*: 222/496, *Qurb al-Isnād*: 197/748, *Al-Faqīh* 1:156/727 — in both sources (*al-ḥammām*) is used instead of (*al-ḥajjām*); *Wasā'il al-Shī'a* 5:189, *Bāb Makān al-Muṣallī*, Bāb 43, Ḥadīth 1, with minor variations.

<sup>93</sup> *Masā'il 'Alī ibn Ja'far*: 221/492, *Qurb al-Isnād*: 197/749, *Al-Faqīh* 1:158/737, *Wasā'il al-Shī'a* 5:158, *Bāb Makān al-Muṣallī*, Bāb 25, Ḥadīth 1.

<sup>94</sup> *Masā'il 'Alī ibn Ja'far*: 223/500, *Qurb al-Isnād*: 197/751, *Wasā'il al-Shī'a* 5:189, *Bāb Makān al-Muṣallī*, Bāb 43, Ḥadīth 2, *Bihār al-Anwār* 80:286/2.

<sup>95</sup> *al-Bāriya*: the coarse type of prayer mat (*haṣīr*), see *Majma' al-Bahrayn* 1:52 — under root (*bara*).

<sup>96</sup> *Masā'il 'Alī ibn Ja'far*: 222–223/498, *Qurb al-Isnād*: 184/681, *Wasā'il al-Shī'a* 5:183–184, *Bāb Makān al-Muṣallī*, Bāb 40, Ḥadīth 2, *Bihār al-Anwār* 82:1/144.

wheat, barley, and similar things, and then pray on it? He ([Mūsā ibn Ja‘far]) said: "There is no problem." <sup>97</sup>

٧٠ - مسألة: قال: وسألته عن الرجل، هل يجزيه أن يقوم إلى الصلاة على فراشه، فيضع على الفراش مروحة أو عوداً ثم يسجد؟ قال: «إن كان مريضاً فليضع مروحة، وأما العود فلا يصلح» (٢).

**70 - Issue:** He ('Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about a man — is it sufficient for him to stand for prayer on his bed, and place a fan or a stick on the bed and then prostrate on it? He ([Mūsā ibn Ja‘far]) said: "If he is sick, then let him place a fan; but as for a stick, it is not suitable." <sup>98</sup>

٧١ - مسألة: قال: وسألته عن رجل هل يصلح أن يقوم في الصلاة على القت والتبن والشعير وأشباهه، ويضع مروحة ويسجد عليها؟ قال: «لا يصلح له إلا أن يكون مضطراً» (٣).

**71 - Issue:** He ('Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about a man — is it permissible for him to stand in prayer on *al-qat*, straw, barley, and similar things, and to place a fan and prostrate on it? He ([Mūsā ibn Ja‘far]) said: "It is not permissible for him unless he is compelled." <sup>99</sup>

٧٢ - مسألة: قال: وسألته عن الرجل يؤذيه حر الأرض في الصلاة، ولا يقدر على السجود، هل يصلح له أن يضع ثوبه إذا كان قطناً أو كثاناً؟ قال: «إذا كان مضطراً فليفعل» (٤).

**72 - Issue:** He ('Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about a man who is harmed by the heat of the ground during prayer and cannot prostrate — is it permissible for him to place his garment if it is made of cotton or linen? He ([Mūsā ibn Ja‘far]) said: "If he is compelled, then let him do so." <sup>100</sup>

٧٣ - مسألة: قال: وسألته عن الدابة تبول فيصيب بولها المسجد أو [حائطه] (٥) أيصلى فيه قبل أن يُغسل؟ قال: «إذا جف فلا بأس».

**73 - Issue:** He ('Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about an animal that urinates and its urine touches the mosque or [its wall] <sup>101</sup> — is it permissible to pray there before it is washed? He ([Mūsā ibn Ja‘far]) said: "If it has dried, then there is no problem." <sup>102</sup>

٧٤ - مسألة: قال: وسألته عن البواري يبل قصبهما بماء قذر، أ يصلح الصلاة عليها إذا بيسط؟ قال: «لا بأس».

<sup>97</sup> **Masā'il 'Alī ibn Ja‘far:** 224 / 507, **Qurb al-Isnād:** 216 / 847, **Wasā'il al-Shī'a** 5: 184, **Abwāb Makān al-Muṣallī**, Bāb 40, Ḥadīth 6.

<sup>98</sup> **Masā'il 'Alī ibn Ja‘far:** 234 / 546, **Qurb al-Isnād:** 184 / 682, **Wasā'il al-Shī'a** 5: 184, **Abwāb Makān al-Muṣallī**, Bāb 40, Ḥadīth (unspecified), **Bihār al-Anwār** 82: 1/145.

<sup>99</sup> **Masā'il 'Alī ibn Ja‘far:** 223 / 499, **Qurb al-Isnād:** 184 / 683, **Wasā'il al-Shī'a** 5: 184, **Abwāb Makān al-Muṣallī**, Bāb 40, Ḥadīth 4, **Bihār al-Anwār** 82: 1/145.

<sup>100</sup> **Masā'il 'Alī ibn Ja‘far:** 225 / 513, **Qurb al-Isnād:** 184 / 684, **Wasā'il al-Shī'a** 5: 352, **Abwāb Mā Yusjad 'Alayh**, Bāb 4, Ḥadīth 9, **Bihār al-Anwār** 82: 1/145.

<sup>101</sup> From the source. In the manuscript: (ḥā'iṭan) [a wall].

<sup>102</sup> **Masā'il 'Alī ibn Ja‘far:** 188 / 380, **Qurb al-Isnād:** 205 / 794, **Wasā'il al-Shī'a** 3: 411, **Abwāb al-Najāsa**, Bāb 9, Ḥadīth 18.

**74 - Issue:** He said: I asked him (**Musa bin Jafar**) about **al-bawārī** (rough mats) wetted with filthy water—does prayer on them become valid if they dry? He said: “**No problem.**”<sup>103</sup>

٧٥ - مسألة: قال: وسألته عن البواري يصيبيها البول، هل تصلح الصلاة عليها إذا جفت من غير أن تغسل؟ قال: «نعم، لا بأس» (٢).

**75 - Issue:** He said: I asked him (**Musa bin Jafar**) about **al-bawārī** (rough mats) that get touched by urine—does prayer on them become valid if they dry without washing? He said: “**Yes, no problem.**”<sup>104</sup>

٧٦ - مسألة: قال: وسألته عن الطين يطرح فيه التبن حتى يطين به المسجد أو البيت، أ يصلى فيه؟ قال: «لا بأس» (٣).

**76 - Issue:** He said: I asked him (**Musa bin Jafar**) about clay mixed with straw to plaster a mosque or a house—can one pray on it? He said: “**No problem.**”<sup>105</sup>

٧٧ - مسألة: قال: وسألته عن بواري اليهود والنصارى التي يقعدون عليها في بيوتهم، أ يصلى عليها؟ قال: «لا» (٤).

**77 - Issue:** He said: I asked him (**Musa bin Jafar**) about mats of the Jews and Christians that they sit on in their houses—can one pray on them? He said: “**No.**”<sup>106</sup>

٧٨ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يصلى على الرف المعلق بين نخلتين؟ قال: «إن كان مستوىً يقدر على الصلاة عليها، فلا بأس» (٥).

**78 - Issue:** He said: I asked him (**Musa bin Jafar**) about a man praying on a shelf hanging between two palm trees—does it become valid? He said: “**If it is level and he can pray on it, then no problem.**”<sup>107</sup>

٧٩ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يصلى على البيدر مطين عليه؟ قال: «لا يصلح».

**79 - Issue:** He said: I asked him (**Musa bin Jafar**) about a man praying on a threshing floor that is muddy—does it become valid? He said: “**It is not valid.**”<sup>108</sup>

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<sup>103</sup> **Masā'il 'Alī bin Jā'far:** 132 / 122, **Qurb al-Isnād:** 212 / 830, **Tahdhīb al-Ahkām** 2: 373 / 1553, **Wasā'il al-Shī'ah** 3: 453–454, **Abwāb al-Najāssāt**, vol. 30, hadith 2, and it contains: “**If it dries, it is permissible**” instead of “**It is permissible**.”

<sup>104</sup> **Masā'il 'Alī bin Jā'far:** 227 / 522, **Tahdhīb al-Ahkām** 1: 273 / 2803 : 373 / 1551, **Al-Istibsār** 1: 193 / 676, **Wasā'il al-Shī'ah** 3: 451–452, **Abwāb al-Najāssāt**, vol. 29, hadith 3.

<sup>105</sup> **Masā'il 'Alī bin Jā'far:** 224 / 505, **Qurb al-Isnād:** 212 / 829, **Al-Faqīh** 1: 153 / 710, **Wasā'il al-Shī'ah** 5: 290–291, **Abwāb Ahkām al-Masājid**, vol. 65, hadith 1, **Bihār al-Anwār** 82: 1/145.

<sup>106</sup> **Masā'il 'Alī bin Jā'far:** 193 / 401, **Qurb al-Isnād:** 184 / 685, **Tahdhīb al-Ahkām** 2: 373 / 1551, **Wasā'il al-Shī'ah** 3: 519, **Abwāb al-Najāssāt**, vol. 73, hadith 4, and it contains: “**It is not prayed upon**” instead of “**No,**” **Bihār al-Anwār** 80: 3/331.

<sup>107</sup> **Masā'il 'Alī bin Jā'far:** 226 / 515, **Qurb al-Isnād:** 185 / 686, **Tahdhīb al-Ahkām** 2: 373 / 1553, **Wasā'il al-Shī'ah** 5: 1178, **Abwāb Makān al-Muṣallī**, vol. 35, hadith 1, **Bihār al-Anwār** 81: 93/5.

<sup>108</sup> **Masā'il 'Alī bin Jā'far:** 224 / 504, **Qurb al-Isnād:** 211 / 825, **Wasā'il al-Shī'ah** 5: 184, **Abwāb Makān al-Muṣallī**, vol. 40, hadith 5, **Bihār al-Anwār** 81: 93/5.

٨٠ - مسألة: قال: وسألته عن فراش حرير ومثله من الدبياج، ومصلٌّ حرير ومثله من الدبياج، هل يصلح للرجل النوم عليه والاتكاء والصلوة؟ قال: «يفترشه ويقوم عليه، ولا يسجد عليه» (١).

**80 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a bed of silk or similar from brocade, and a prayer place of silk or similar from brocade. Is it valid for a man to sleep, lean on, and pray on it? He replied (Musa bin Jafar): "He may spread it and stand on it, but not prostrate on it." <sup>109</sup>

٨١ - مسألة: قال : وسألته عن الرجل، هل يصلح له أن يصلي في بيته أنمط (٢) فيها تماثيل قد غطاها؟ قال: «لا بأس» (٣).

**81 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a man, is it valid for him to pray in a house that has patterns <sup>110</sup> with statues covered by them? He replied (Musa bin Jafar): "No problem." <sup>111</sup>

٨٢ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يصلي في بيته ستر خارج فيه التماثيل، ودونه مما يلي البيت ستر آخر ليس فيه تماثيل، هل يصلح له أن يرخي الستر الذي ليس فيه تماثيل، حتى يحول بينه وبين الستر الذي فيه تماثيل، أو يحيف (٤) الباب دونه ويصلي؟ قال: «نعم، لا بأس» (٥).

**82 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a house with a curtain on its door that has statues outside it, and behind it another curtain without statues. Is it valid for him to lower the curtain without statues so that it separates him from the curtain with statues, or to pray beyond <sup>112</sup> the door? He replied (Musa bin Jafar): "Yes, no problem." <sup>113</sup>

٨٣ - مسألة: قال: وسألته، عن البيت قد صور فيه طير أو سمكة أو شبهه، يعبث به أهل البيت، هل يصلح الصلاة فيه؟ قال: «لا، حتى يقطع رأسه أو يفسده، وإن كان قد صلٌّ، فليس عليه إعادة» (٦).

**83 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a house that has painted birds or fish or similar images which the people of the house play with. Is it valid to pray in it? He replied (Musa bin Jafar): "No, not until its head is cut off or ruined; and if he prayed, he does not have to repeat it." <sup>114</sup>

٨٤ - مسألة: قال: وسألته عن البيت فيه الدراماً السود في كيس، أو تحت فراش، أو موضوعة في جانب البيت فيه التماثيل، هل تصلح فيه الصلاة؟ قال: «لا بأس» (١).

<sup>109</sup> **Masa'il Ali ibn Jafar:** 180 / 342, **Qurb al-Isnad:** 185 / 687, **Al-Kafi** 6: 477 / 8, **Tahdhib al-Ahkam** 2: 374 / 1553, **Wasa'il al-Shi'a** 4: 378, **Chapters of the Dress of the Praying Person**, section 15, hadith 1.

<sup>110</sup> **Al-Namat:** a kind of mat, **Lisan al-Arab** 14: 293 - **Namat**.

<sup>111</sup> **Masa'il Ali ibn Jafar:** 227 / 519, **Qurb al-Isnad:** 185 / 688, **Wasa'il al-Shi'a** 4: 441, **Chapters of the Dress of the Praying Person**, section 45, hadith 17, **Bihar al-Anwar** 80: 3/289.

<sup>112</sup> **Yujif al-Bab:** to push back, **Ajafat al-Bab:** to repel, see **Majma' al-Bahrain** 5: 34 - **Jawf**.

<sup>113</sup> **Masa'il Ali ibn Jafar:** 221 / 491, **Qurb al-Isnad:** 185 / 689, **Al-Mahasin** 2: 4: 440 - 441, **Chapters of the Dress of the Praying Person**, section 45, hadith 16, with slight variations, **Bihar al-Anwar** 80: 288 / 1. 457 / 2576, **Wasa'il al-Shi'a**.

<sup>114</sup> **Masa'il Ali ibn Jafar:** 503 / 223, **Qurb al-Isnad:** 185 / 690, **Wasa'il al-Shi'a** 4: 441, **Chapters of the Dress of the Praying Person**, section 45, hadith 18.

**84 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a house that has black coins in a bag, or under a bed, or placed on the side of the house where there are statues. Is it valid to pray in it? He replied (Musa bin Jafar): "No problem." <sup>115</sup>

٨٥ - مسألة: قال: وسألته عن رجل كان في بيته تماثيل أو في ستر ولم يعلم بها، وهو يصلى في ذلك البيت ثم علم، ما عليه؟ قال: «ليس عليه فيما لا يعلم شيء، فإذا علم فلينزع الستر وليكسر رؤوس التماثيل» (٢).

**85 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a man who had statues in his house or behind a curtain without knowing it, and he prayed in that house, then he found out. What is the ruling? He replied (Musa bin Jafar): "He is not blamed for what he did not know, but when he finds out, he must remove the curtain and break the heads of the statues."

<sup>116</sup>

٨٦ - مسألة: قال: وسألته عن الدار والحجرة فيها التماثيل، أيصلى فيها؟ قال: لا تصل فيها وشيء منها مستقبلاك، إلا أن لا تجد بدأ فنقطع رؤوسها، وإنما فلا تصل» (٣).

**86 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a house or room that has statues. Is it valid to pray in it? He replied (Musa bin Jafar): "Do not pray in it if any part faces you, unless you have no choice and then you cut off their heads; otherwise, do not pray." <sup>117</sup>

٨٧ - مسألة: قال: وسألته عن مسجد يكون فيه تصاوير وتماثيل، أيصلى فيه؟ قال: «يكسر رؤوس التماثيل، ويلطخ رؤوس التصاوير، ويصلى فيه، ولا بأس» (٤).

**87 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a mosque that has images and statues. Is it valid to pray in it? He replied (Musa bin Jafar): "Break the heads of the statues and smear the heads of the images, then pray in it, no problem." <sup>118</sup>

٨٨ - مسألة: قال: وسألته عن الثوب فيه التماثيل وعلمه (٥)، أيصلى فيه؟ قال: «لا».

**88 - Issue:** I (Ali ibn Jafar) asked him (Musa bin Jafar) about a garment that has statues and marks <sup>119</sup>. Is it valid to pray wearing it? He replied (Musa bin Jafar): "No." <sup>120</sup>

<sup>115</sup> Masa'il Ali ibn Jafar: 223 / 501, Qurb al-Isnad: 185 / 691, Wasa'il al-Shi'a 4: 441, Chapters of the Dress of the Praying Person, section 45, hadith 19, Bihar al-Anwar 80: 2/290.

<sup>116</sup> Masa'il Ali ibn Jafar: 228 / 523, Qurb al-Isnad: 186 / 692, Wasa'il al-Shi'a 4: 441 - 442, Chapters of the Dress of the Praying Person, section 45, hadith 20, Bihar al-Anwar 80: 3/290.

<sup>117</sup> Masa'il Ali ibn Jafar: 222 / 497, Qurb al-Isnad: 186 / 693, Al-Mahasin 2: 459 / 2584, Al-Kafi 6: 527 / 9, includes: "yastabiquk" instead of "mustaqbiluk," Wasa'il al-Shi'a 442:4, Chapters of the Dress of the Praying Person, section 45, hadith 21.

<sup>118</sup> Masa'il Ali ibn Jafar: 226 / 514, Qurb al-Isnad: 205 / 793, Wasa'il al-Shi'a 5: 172 - 173, Chapters of the Place of the Praying Person, section 32, hadith 10, Bihar al-Anwar 80: 3/290.

<sup>119</sup> Al-'Alam: the design or mark on the cloth, and its "Alam" is the number or mark on its edges, Lisan al-Arab 9: 373 - 'Alam.

<sup>120</sup> Masa'il Ali ibn Jafar: 218 / 483, Qurb al-Isnad: 186 / 694, Wasa'il al-Shi'a 4: 440 - 441, Chapters of the Dress of the Praying Person, section 45, hadith 16, includes: "does not pray in it" instead of "does not."

٨٩ - مسألة: قال: وسألته عن المسجد يكون فيه المصلى تحته الفلوس أو الراهم - البيض أو السود - هل يصلح القيام عليها وهو في الصلاة؟ قال: «لا بأس».

**89 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a mosque where under the prayer place there are coins or dirhams—silver or copper—does it suffice to stand on them while praying? He replied: "No harm".<sup>121</sup>

٩٠ - مسألة: قال: وسألته عن الرجل يصلّي وأمامه شيء عليه ثياب؟ قال: «لا بأس» (٢).

**90 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man praying with something covered with clothes in front of him? He said: "No harm".<sup>122</sup>

٩١ - مسألة: قال: وسألته عن الرجل هل يصلح أن يصلّي وأمامه ثوم أو بصل ثابت؟ قال: «لا بأس» (٣).

**91 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man, is it permissible to pray if there is sprouted garlic or onion in front of him? He said: "No harm".<sup>123</sup>

٩٢ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلّي على الحشيش النابت الثيل (٤) وهو يجد أرضاً جدداً (٥)؟ قال: «لا بأس» (١).

**92 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man, is it permissible to pray on growing grass<sup>124</sup> or turf when he finds fresh earth?<sup>125</sup> He said: "No harm".<sup>126</sup>

٩٣ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلّي والسراج موضوع بين يديه في القبلة؟ قال: «لا يصلح له أن يستقبل النار».

**93 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man, is it permissible to pray if there is a lamp placed in front of him in the Qiblah? He said: "It is not permissible for him to face the fire".<sup>127</sup>

٩٤ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلّي وأمامه حمار واقف؟ قال: «يضع بينه وبينه عوداً، أو قصبة، أو شيئاً يقيمه بينهما ثم يصلّي فلا بأس»، فلت: فإن لم يفعل وصلي، أبعيد صلاته أو ما عليه؟ قال: «لا يبعد صلاته ولا شيء عليه».

<sup>121</sup> *Masā'il 'Alī ibn Ja'far*: 223/502; *Qurb al-Isnād*: 186/695; *Wasā'il al-Shī'a* 4:442, *Chapters on the Garments of the One Who Prays*, Chapter 45, Hadith 22; *Bihār al-Anwār* 80:3/290.

<sup>122</sup> *Masā'il 'Alī ibn Ja'far*: 222/494; *Qurb al-Isnād*: 186/696; *Al-Faqīh* 1:161/760; *Wasā'il al-Shī'a* 5:179, *Chapters on the Place of Prayer*, Chapter 37, Hadith 1 — in both: (mishjab) instead of (shay').

<sup>123</sup> *Masā'il 'Alī ibn Ja'far*: 228/525; *Qurb al-Isnād*: 187/698; *Al-Faqīh* 1:162/761; *Wasā'il al-Shī'a* 5:179, *Chapters on the Place of Prayer*, Chapter 37, Hadith 1; *Bihār al-Anwār* 80:295/2.

<sup>124</sup> *Al-Thīl*: A type of plant with large nodes and short stalks that intertwine to form a mat on the ground. *Lisān al-'Arab* 2:154 – Entry: *Thīl*.

<sup>125</sup> *Al-Jadad*: Solid and level ground. *Lisān al-'Arab* 2:200 – Entry: *Jadad*.

<sup>126</sup> *Masā'il 'Alī ibn Ja'far*: 224–225/509; *Qurb al-Isnād*: 187/699; *Al-Kāfi* 3:13/332; *Al-Faqīh* 1:162/762; *Tahdhīb al-Āhkām* 2:304/1230; *Wasā'il al-Shī'a* 5:361, *Chapters on What One Prostrates Upon*, Chapter 13, Hadith 1; *Bihār al-Anwār* 81:93/5.

<sup>127</sup> *Masā'il 'Alī ibn Ja'far*: 226/517; *Qurb al-Isnād*: 187/700; *Al-Kāfi* 3:391/16; *Al-Faqīh* 1:162/763; *Tahdhīb al-Āhkām* 2:225/889; *Al-Istibṣār* 1:396/1511; *Wasā'il al-Shī'a* 5:166, *Chapters on the Place of Prayer*, Chapter 30, Hadith 1; *Bihār al-Anwār* 80:295/2.

**94 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man, is it permissible to pray while a standing donkey is in front of him?

He said: "**He should put a stick, or a cane, or something to separate between him and the donkey, then he may pray without harm.**" I said: If he does not do so and prays, does he have to repeat the prayer or is there no harm? He said: "**He does not have to repeat the prayer and there is no blame on him.**".<sup>128</sup>

٩٥ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يصلّي في المسجد والتور (٢) أمامه فيه النضوح أو غيره؟ قال: «لا بأس» (٣).

**95 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man, is it permissible to pray in a mosque with a threshing floor<sup>129</sup> in front of him with barley or others on it? He said: "**No harm**".<sup>130</sup>

٩٦ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يصلّي خلف النخلة فيها حملها؟ قال: «لا بأس» (٤).

**96 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man, is it permissible to pray behind a palm tree carrying its dates? He said: "**No harm**".<sup>131</sup>

٩٧ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يصلّي في الكرم وفيه حمله؟ قال: «لا بأس» (٥).

**97 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man, is it permissible to pray in a vineyard carrying its fruit? He said: "**No harm**".<sup>132</sup>

<sup>128</sup> **Masā'il 'Alī ibn Ja'far:** 187/372; **Qurb al-Isnād:** 187/701; **Al-Faqīh** 1:164/775 — not reported in full; **Wasā'il al-Shī'a** 5:132, **Chapters on the Place of Prayer**, Chapter 11, Hadiths 1 and 2; **Bihār al-Anwār** 80:295/2.

<sup>129</sup> **Al-Tūr:** A vessel used for drinking. **Al-Ṣīḥāḥ** 2:602 – Entry: **Tūr**.

<sup>130</sup> **Masā'il 'Alī ibn Ja'far:** 158/140.

<sup>131</sup> **Masā'il 'Alī ibn Ja'far:** 186/368; **Qurb al-Isnād:** 188/702; **Al-Faqīh** 1:164/775; **Wasā'il al-Shī'a** 5:179, **Chapters on the Place of Prayer**, Chapter 37, Hadith 1; **Bihār al-Anwār** 80:295/2.

<sup>132</sup> **Masā'il 'Alī ibn Ja'far:** 186/369; **Qurb al-Isnād:** 188/703; **Al-Faqīh** 1:164/775; **Wasā'il al-Shī'a** 5:179, **Chapters on the Place of Prayer**, Chapter 37, Hadith 1; **Bihār al-Anwār** 80:295/2.

## Chapter Nine: On the Clothing of the One Who Prays

٩٨ - مسألة: قال: وسألته عن الثوب فيه التماشيل أو علمه، أيصلى فيه؟ قال: «لا»

**98 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a garment that has "figures or symbols" on it, is it permissible to pray wearing it? He (Musa ibn Jafar) said: "No."<sup>133</sup>

٩٩ - مسألة: قال: وسألته عن الثوب يوضع في مربط الدابة، على بولها أو روثها؟ قال: «إن علق به شيء فليغسله، وإن أصابه شيء من الروث والصفرة التي تكون معه فلا تغسله من صفرة» (٢)

**99 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a garment placed in the animal's stable, on its urine or dung? He (Musa ibn Jafar) said: "If something sticks to it, then it must be washed, but if it is affected by dung or the yellow stain that comes with it, then it does not need washing for the yellow stain."<sup>134</sup>

١٠٠ - مسألة: قال: وسألته عن ثياب اليهود والنصارى، ينام عليها المسلم؟ قال: «لا بأس»

**100 - Issue:** He (Ali ibn Jafar) said: I asked him about the clothes of Jews and Christians, can a Muslim sleep on them? He (Musa ibn Jafar) said: "No harm."<sup>135</sup>

١٠١ - مسألة: قال: وسألته عن ليس السمور (٤) والسنجب (٥) والفنك (٦). قال: «لا يلبس ولا يصلى فيه، إلا أن يكون ذكياً»

**101 - Issue:** He (Ali ibn Jafar) said: I asked him about wearing sable<sup>136</sup>, squirrel<sup>137</sup>, and fennec<sup>138</sup> fur. He (Musa ibn Jafar) said: "It is not worn nor prayed in, unless it is tanned."<sup>139</sup>

١٠٢ - مسألة: وسألته، عن لبس فراء الثعالب والسنانير. قال: «لا بأس، ولا يصلى فيه

<sup>133</sup> **Masā'il 'Alī ibn Ja'far:** 218 / 483, **Qurb al-Isnād:** 186 / 694, **Al-Mahāsin** 2: 457 / 2576, **Wasā'il al-Shī'a** 4: 440, **Chapters on the Garment of the One Who Prays**, vol. 45, hadith 16, and it contains: "It is not prayed in" instead of "No."

<sup>134</sup> **Masā'il 'Alī ibn Ja'far:** 130 / 116, with slight variation, **Qurb al-Isnād:** 282 / 1119, **Wasā'il al-Shī'a** 3: 411, **Chapters on Impurities**, vol. 19, **Bihār al-Anwār** 77: 4/107.

<sup>135</sup> **Masā'il 'Alī ibn Ja'far:** 135 / 134, and it contains "bedding" instead of "clothes," **Qurb al-Isnād:** 282 / 1118, **Tahdhīb al-Āḥkām** 1: 263 / 766, **Wasā'il al-Shī'a** 3: 443, **Chapters on Impurities**, vol. 26, hadith 10, **Bihār al-Anwār** 77: 7/47.

<sup>136</sup> **Sāmūr (Sable):** a known animal whose skins are tanned into expensive fur. **Lisan al-'Arab** 6: 360 – Sumar.

<sup>137</sup> **Sunjāb (Squirrel):** an animal similar to a jerboa, larger than a mouse, with extremely soft fur used as fur. **Majma' al-Bahrāy** 2: 84 – Sunjab.

<sup>138</sup> **Fank (Fennec):** an animal whose skin is worn as fur. **Lisan al-'Arab** 10: 336 – Fank.

<sup>139</sup> **Masail Ali ibn Jafar:** 153/152-153, 205 with slight differences, **Qurb al-Isnād:** 282/1116, **Wasa'il al-Shī'a** 4: 352, **Abwab Libas al-Musalli**, vol. 4, hadith 6, **Bihār al-Anwār** 80: 236/34.

**102 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about wearing fox and marten fur. He (**Musa ibn Jafar**) said: "No harm, and he does not pray in it."<sup>140</sup>

١٠٣ - مسألة: قال: وسألته، عن ليس السمور والسنجب والفنك والفاقم (٣)؟ قال: لا بأس ولا يصلى فيه إلا أن يكون ذكياً (٤).  
هاتان المسألتان من (الجعفريات).

**103 - Issue:** He (**Ali ibn Jafar**) said: He asked him about wearing sable, squirrel, fennec, and jerboa? <sup>141</sup> He (**Musa ibn Jafar**) said: "No harm, and he does not pray in it unless it is tanned."<sup>142</sup>

These two issues are from (Al-Ja'fariyyat).

١٠٤ - مسألة: قال: وسألته عن ثياب النصراني واليهودي، أيصلح أن يصلى فيه (٥) المسلم. قال: «لا» (٦).

**104 - Issue:** He (**Ali ibn Jafar**) said: He asked him about the clothes of the Christian and the Jew, whether a Muslim can pray in them <sup>143</sup>. He (**Musa ibn Jafar**) said: "No."<sup>144</sup>

١٠٥ - مسألة: قال: وسألته، عن رجل قطع عليه أو غرق متابعه فبقي عرياناً وحضرت الصلاة، كيف يصلى؟ قال: «إن أصاب حشيشاً يستر به عورته أتم صلاته برکوع وسجود، وإن لم يصب شيئاً يستر به عورته أوماً وهو قائم» (٧).

**105 - Issue:** He (**Ali ibn Jafar**) said: He asked him about a man whose belongings were cut off or drowned and he remained naked and prayer time came, how does he pray? He (**Musa ibn Jafar**) said: "If he finds grass to cover his private parts, he completes his prayer with bowing and prostration; if he does not find anything to cover his private parts, he gestures while standing."<sup>145</sup>

١٠٦ - مسألة: قال: وسألته عن رجل عريان وحضرت الصلاة فأصاب ثوباً نصفه دم أو كله دم، أيصلى فيه، أو يصلى عرياناً؟ قال: «إن وجد ماءً غسله، فإن لم يجد ماءً صلى فيه ولم يصل عرياناً» (١).

**106 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about a man who is naked and the prayer time arrives and he obtains a garment half of which or all is stained with blood, can he pray in it or should he pray naked? He said: "If he finds water, he should wash it; if he does not find water, he may pray in it and should not pray naked"<sup>146</sup>

<sup>140</sup> **Masail Ali ibn Jafar:** 204/152, **Bihar al-Anwar** 10: 269, 80: 232/27, **Mustadrak al-Wasa'il** 3: 202, **Abwab Libas al-Musalli**, vol. 7, hadith 4.

<sup>141</sup> Al-Qaqim: A rodent similar to the squirrel but colder and more moist in temperament, hence it is white, and its skin resembles the skin of the fennec, which is more valuable than the squirrel's skin. **Hayat al-Hayawan al-Kubra** 2:195.

<sup>142</sup> **Masail Ali ibn Jafar:** 152-153/205, **Qurb al-Isnad:** 282/1116, **Wasa'il al-Shi'a** 4: 352, **Abwab Libas al-Musalli**, vol. 4, hadith 6.

<sup>143</sup> In a copy: "(In it)", margin (A).

<sup>144</sup> **Masail Ali ibn Jafar:** 135/135.

<sup>145</sup> **Masail Ali ibn Jafar:** 172/298, **Tahdhib al-Ahkam** 2: 365/1515, 3: 297/900, **Wasa'il al-Shi'a** 4: 448, **Abwab Libas al-Musalli**, vol. 50, hadith 1.

<sup>146</sup> **Masa'il Ali ibn Jafar:** 219 / 488, **Qurb al-Isnad:** 191 / 718, **Al-Faqih** 1: 160 / 756, **Tahdhib al-Ahkam** 2: 224 / 884, **Al-Istibsar** 1: 169 / 585, **Wasail al-Shi'a** 3: 484-485, **Chapters on Impurities**, Book 45, Hadith 5.

١٠٧ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلّي في سروال واحد، وهو يصيّب ثوباً؟ قال: «لا يصلح» (٢).

**107 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man, is it permissible for him to pray wearing only one trouser while he also obtains a garment? He said: "It is not permissible" <sup>١٤٧</sup>

١٠٨ - مسألة: قال: وسألته عن المرأة ليس لها إلا ملحفة (٣) واحدة، كيف تصلي فيها؟  
قال: «تلتف فيها وتغطي رأسها وتصلّي، فإن خرّجت رجلها ولم تقدر على غير ذلك فلا بأس» (٤).

**108 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a woman who has only one shawl <sup>١٤٨</sup>, how should she pray in it? He said: "She wraps herself in it, covers her head, and prays; if her foot comes out and she cannot do otherwise, it is permissible" <sup>١٤٩</sup>

١٠٩ - مسألة: قال: وسألته عن الرجل يتلوّح بالثوب في الصلاة يقع على الأرض أو يتجاوز عاتقه، أيصلح ذلك؟ قال: «لا بأس» (٥).

**109 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man who drapes a garment over himself during prayer that falls on the ground or passes beyond his shoulders, is that permissible? He said: "It is permissible" <sup>١٥٠</sup>

١١٠ - مسألة: قال: وسألته عن الرجل يقوم في الصلاة فيطير ح على ظهره ثوباً يقع طرفه خلفه وأمامه - أي يصيّب الأرض - ولا يضمّه عليه، أيجزه ذلك؟ قال: «نعم»

**110 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man who stands in prayer and throws a garment on his back, which has one end behind him and one in front touching the ground, and he does not wrap it around himself, is that valid? He said: "Yes". <sup>١٥١</sup>

١١١ - مسألة: قال: وسألته عن الرجل، هل يصلح أن يجمع طرفي رداءه على يساره؟ قال: «لا يصلح جمعهما على اليسار، ولكن جمعهما على يمينك، أو دعهما متفرقين» (٦).

**111 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man, "Is it permissible to gather the two ends of his cloak on his left side?" He replied, "It is not permissible to gather them on the left, but gather them on your right, or leave them apart." <sup>١٥٢</sup>

١١٢ - مسألة: قال: وسألته عن القعود والقيام والصلاحة على جلد السباع وبيعها وركوبها، أيصلح ذلك؟ قال: «لا بأس ما لم يسجد عليها» (٧).

<sup>١٤٧</sup> Qurb al-Isnad: 717 / 191, Bihar al-Anwar 80: 12 / 184.

<sup>١٤٨</sup> Al-Milhafa (shawl): Clothing, Lisan al-Arab 12: 250 - Lahf.

<sup>١٤٩</sup> Masa'il Ali ibn Jafar: 299 / 172, Al-Faqih 1: 244 / 1083, Wasail al-Shi'a 4: 405, Chapters on Prayer Clothing, Book 28, Hadith 2, with the phrase "ليس تقدر" instead of "لم تقدر".

<sup>١٥٠</sup> Masa'il Ali ibn Jafar: 188 / 378, Qurb al-Isnad: 192 / 723, Wasail al-Shi'a 4: 395, Chapters on Prayer Clothing, Book 23, Hadith 9

<sup>١٥١</sup> Masa'il Ali ibn Jafar: 217 / 479, Qurb al-Isnad: 192 / 725, Wasail al-Shi'a 4: 395, Chapters on Prayer Clothing, Book 23, Hadith (number unspecified), Bihar al-Anwar 80: 12 / 184.

<sup>١٥٢</sup> Masail Ali ibn Jafar: 43/115, Tahdhib al-Ahkam 2: 1551/373, Wasa'il al-Shi'a 4: 400-401, Abwab Libas al-Musalli, B, H 25, 7.

**112 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about sitting, standing, and praying on the skins of wild animals, selling them, and riding them, “**Is this permissible?**” He replied, “**No problem as long as one does not prostrate on them.**”<sup>153</sup>

١١٣ - مسألة: قال: وسألته عن رجل أصاب ثوبه خنزير [فلم يغسله] (٣)، ذكر وهو في صلاته؟ قال: «إن كان دخل في صلاته فليمض فلا بأس، وإن لم يكن دخل في صلاته فلينضج ما أصاب من ثوبه، إلا أن يكون فيه أثر فليغسله» (٤).

**113 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about a man whose garment was touched by pig (unclean substance) [and he did not wash it]<sup>154</sup>, and if he mentioned it during prayer, “**What is the ruling?**” He replied, “**If he entered into his prayer, let him continue; no problem. If not, he should shake off what touched his garment unless there is a stain, in which case he must wash it.**”<sup>155</sup>

١١٤ - مسألة: قال: وسألته عن خنزير أصاب ثوباً وهو جاف، أ يصلح الصلاة فيه قبل أن يغسل؟ قال: «نعم، ينضج بالماء ثم يصلى فيه» (٥).

**114 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about pig impurity on a dry garment, “**Is it valid to pray in it before washing?**” He replied, “**Yes, rinse it with water then pray in it.**”<sup>156</sup>

١١٥ - مسألة: قال: وسألته عن رجل أتجم فأصاب ثوبه دم فلم يعلم به حتى كان من غد، كيف يصنع؟ قال: إن كان رأه فلم يغسله فليقض جميع ما فاته على قدر ما كان يصلى، ولا ينقص منها شيئاً، وإن كان رأه وقد صلى، فليبدأ بتلك الصلاة ثم ليقض صلاته تلك

**115 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about a man who cupped and his garment was stained with blood, but he did not realize it until the next day. He asked, “**What should he do?**” He (**Musa ibn Jafar**) said, “**If he saw it and did not wash it, he must make up all the prayers he missed, fully, without leaving anything out. And if he saw it after he prayed, he should start with that prayer, then make up the others.**”<sup>157</sup>

١١٦ - مسألة: قال: وسألته عن الدمل يسيل منه القيح، كيف يصنع؟ قال: «إن كان غليظاً أو فيه خلط من دم فاغسله كل يوم مرتين غدوة وعشية، ولا ينفع ذلك الوضع، فإن أصاب ثوبك قدر دينار من الدم فاغسله، ولا تصل فيه حتى تخسله» (٦).

**116 - Issue:** He (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about a boil (dammal) from which pus flows, how should one act? He said: “**If it is thick or mixed with blood, wash it twice a**

<sup>153</sup> **Masail Ali ibn Jafar:** 382/189, **Qurb al-Isnad:** 1032/261, **Wasa'il al-Shi'a** 17: 172, **Abwab Ma Yatkasab Bih**, B 37, H 5, **Bihar al-Anwar** 100: 4/71.

<sup>154</sup> From the source.

<sup>155</sup> **Masail Ali ibn Jafar:** 858/348, **Al-Kafi** 6/61:3, **Tahdhib al-Ahkam** 1: 261/760, **Wasa'il al-Shi'a** 3: 417, **Abwab al-Najasat**, B, 31, H 1.

<sup>156</sup> **Masail Ali ibn Jafar:** 481/218, **Qurb al-Isnad:** 727/193, **Tahdhib al-Ahkam** 1: 1347/424, **Wasa'il al-Shi'a** 3: 442, **Abwab al-Najasat**, B, H 26, 6.

<sup>157</sup> **Masail Ali ibn Jafar:** 180/341, **Qurb al-Isnad:** 810/208, **Wasa'il al-Shi'a** 3: **Abwab al-Najasat**, Section 40, Hadith 10, **Bihar al-Anwar** 80: 271/8

**day, morning and evening, and that does not invalidate wudu. If a quantity of blood the size of a dinar falls on your clothes, wash it, and do not pray in it until you wash it."**<sup>158</sup>

١١٧ - مسألة: قال: وسألته عن الرجل يمشي في العذرة وهي يابسة فتصيب ثيابه أو رجله، أ يصلح له أن يدخل المسجد فيصلي ولم يغسل ما أصابه؟ قال: «إن كان يابساً فلا بأس» (٣).

**117 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man who walks in dry al-'adhra (a type of dirt) and it falls on his clothes or feet, is it permissible for him to enter the mosque and pray without washing what fell on him? He said: "**If it is dry, then no harm.**"<sup>159</sup>

١١٨ - مسألة: قال: وسألته عن الرجل يشتري ثوباً من السوق ليساً لا يدرى لمن كان يصلح له الصلاة فيه؟ قال: «إن كان اشتراه من مسلم فليصل فيه، وإن كان اشتراه من نصراني فلا يصل فيه حتى يغسله» (٤).

**118 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man who buys a garment from the market without knowing who wore it before, is it suitable for prayer? He said: "**If he bought it from a Muslim, he may pray in it; if he bought it from a Christian, he should wash it before praying in it.**"<sup>160</sup>

١١٩ - مسألة: قال: وسألته عن الرجل يمر بالمكان فيه العذرة فتهب الريح نفسها عليه من العذرة فيصيب ثوبه ورأسه، أ يصلي فيه قبل أن يغسله؟ قال: «نعم، ينفعه ويصلي، فلا بأس» (٥).

**119 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man passing through a place with al-'adhra, and the wind blows it onto him, getting on his clothes and head, should he pray before washing it? He said: "**Yes, he should shake it off and pray, no harm.**"<sup>161</sup>

١٢٠ - مسألة: قال: وسألته عن الرجل يبرى في ثوبه خراء الحمام أو غيره، هل يصلح له أن يحكه وهو في صلاته؟ قال: «لا بأس» (١).

**120 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man who sees pigeon droppings or other similar impurities on his garment. Is it permissible for him to wipe it off while praying? He said: "**No harm**"<sup>162</sup>

١٢١ - مسألة: قال: وسألته عن رجل يمر في ماء مطر قد صب في خمر، فأصاب ثوبه، هل يصلي فيه قبل أن يغسله؟ قال: «لا يغسل ثوبه ولا رجلية، ويصلي ولا بأس [ب٤] 2

**121 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about a man who passes through rainwater mixed with wine and it soiled his garment. Is it permissible for him to pray in it before

<sup>158</sup> **Masail Ali ibn Jafar:** 173/305, **Wasa'il al-Shi'a** 3: **Abwab al-Najasat**, Section 20, Hadith 8.

<sup>159</sup> **Masail Ali ibn Jafar:** 196/150, **Qurb al-Isnad:** 790/204, **Wasa'il al-Shi'a** 3: 442, **Abwab al-Najasat**, Section 26, Hadith —; includes "If it was" instead of "If it is," **Bihar al-Anwar** 10: 268.

<sup>160</sup> **Qurb al-Isnad:** 821/210, **Tahdhib al-Ahkam** 1: 766/263, **Wasa'il al-Shi'a** 3: 490, **Abwab al-Najasat**, Section 50, Hadith 1, **Bihar al-Anwar** 80: 258/2.

<sup>161</sup> **Masail Ali ibn Jafar:** 155/214, **Wasa'il al-Shi'a** 3: 443, **Abwab al-Najasat**, Section 26, Hadith 1.

<sup>162</sup> **Masail Ali ibn Jafar:** 473/216, **Qurb al-Isnad:** 726/192, **Al-Faqih** 1:165/775, **Wasa'il al-Shi'a:** 284, **Chapters on Interruptions of Prayer**, Book 27, Hadith 1.

washing it? He said: "He does not need to wash his garment or his feet; he may pray and there is no harm" <sup>163</sup>

١٢٢ - مسألة: قال: وسألته عن أكسيبة المرعَى (٣) والخفاف تقع في البول، أيصلى فيها؟ قال: «إذا غسلت بالماء فلا بأس» (٤).

**122 - Issue:** He (Ali ibn Jafar) asked him (Musa ibn Jafar) about leather socks (mar'azzā)<sup>164</sup> and slippers soaked in urine. Is it permissible to pray wearing them? He said: "If they are washed with water, there is no harm" <sup>165</sup>

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<sup>163</sup> **Masail Ali ibn Jafar:** 490/220, **Qurb al-Isnad:** 719/191, **Al-Faqih** 7:1/7, **Tahdhib al-Ahkam** 1:1321/418, **Wasa'il al-Shi'ah** 1:145, **Chapters on Pure Water**, Book 6, Hadith 2.

<sup>164</sup> Al-Mar'azzā: the downy hair beneath the goat's hair. **Al-Sihah:** 879 under the root "R'z."

<sup>165</sup> **Masail Ali ibn Jafar:** 489-490/219-220, **Qurb al-Isnad:** 720/191, **Wasa'il al-Shi'ah** 3:517, **Chapters on Impurities**, Book 71, Hadith 2.

## Chapter Ten: On Time

١٢٣ - مسألة: قال: وسألته عن الرجل صلى الفجر في يوم غيم، أو في بيت، وأذن المؤذن، وقد فأطالت الجلوس حتى شك، فلم يدر طلع الفجر أم لا، فظن أن المؤذن لا يؤذن حتى يطلع الفجر؟ قال: «أجزأه أذانهم» (١).

**123 - Issue:** He (**Musa ibn Jafar**) was asked about a man who prayed Fajr on a cloudy day or inside a house. The muezzin gave the call to prayer, and the man sat down and prolonged his sitting until he doubted whether dawn had actually broken or not. He thought that the muezzin does not call the adhan until dawn has broken. He (**Musa ibn Jafar**) said: **“He is excused by their adhan.”**<sup>166</sup>

١٢٤ - مسألة: من (الجعفريات) (٢)، قال: وسألته عن الرجل يسمع الأذان فيصلي الفجر فلا يدرى طلع الفجر أم لا، ولا يعرفه غير أنه يظن أنه لمكان الأذان قد طلع، هل يجزيه ذلك؟ قال: «لا يجزيه حتى يعلم أنه قد طلع» (٣).

**124 - Issue:** From **Al-Ja'fariyyāt**, <sup>167</sup> he (**Musa ibn Jafar**) was asked about a man who hears the adhan and prays Fajr but does not know if dawn has actually broken and does not know for sure, except that he thinks dawn has broken because of the place of the adhan. Is this valid for him? He (**Musa ibn Jafar**) said: **“It is not valid for him until he knows that dawn has actually broken.”**<sup>168</sup>

١٢٥ - مسألة: قال: وسألته عن النوم بعد الغداة. قال: «لا، حتى تطلع الشمس» (٤).

**125 - Issue:** He (**Musa ibn Jafar**) was asked about sleeping after dawn. He (**Musa ibn Jafar**) said: **“No, not until the sun has risen.”**<sup>169</sup>

١٢٦ - مسألة: قال: وسألته عن وقت الظهر؟ قال: «إذا زالت الشمس فقد دخل وقتها، فصل إذا شئت بعد أن تقرع من سبحتك» (٥).

**126 - Issue:** He (**Musa ibn Jafar**) was asked about the time of Dhuhra prayer. He (**Musa ibn Jafar**) said: **“When the sun passes its zenith, its time has entered. Pray whenever you want after you finish your supplication.”**<sup>170</sup>

١٢٧ - مسألة: قال: وسألته عن وقت العصر، متى هو؟ قال: «إذا زالت الشمس قدمين صلبت الظهر، والسبحة بعد الظهر، فصل العصر إذا شئت (٧).

**127 - Issue:** He (**Musa ibn Jafar**) was asked about the time of Asr prayer, when is it? He (**Musa ibn Jafar**) said: **“When the sun has declined by two arm's lengths, you pray Dhuhra and do the supplication after Dhuhra, then pray Asr whenever you want.”**<sup>171</sup>

<sup>166</sup> **Masail Ali ibn Jafar:** 231/534, **Qurb al-Isnad:** 182/674, with variant: "Adhanahu" instead of "Adhanuhum," **Wasa'il al-Shi'a** 5:379, **Abwab al-Adhan wal-Iqama**, Bāb 4, Hadith 4, **Bihar al-Anwar** 79:18/344.

<sup>167</sup> **Masail Ali ibn Jafar:** 249/161.

<sup>168</sup> **Dhikra al-Shi'a** 2:396, **Wasa'il al-Shi'a** 4:280, **Abwab al-Mawaqeet**, Bāb 58, Hadith 4.

<sup>169</sup> **Masail Ali ibn Jafar:** 143/170, **Wasa'il al-Shi'a** 6:498, **Abwab al-Ta'qib**, Bāb 36, Hadith 10.

<sup>170</sup> **Masail Ali ibn Jafar:** 231/535, **Qurb al-Isnad:** 183/678, **Wasa'il al-Shi'a** 4:135, **Abwab al-Mawaqeet**, Bāb 5, Hadith 14.

<sup>171</sup> **Masail Ali ibn Jafar:** 231/536, **Qurb al-Isnad:** 183/679, **Wasa'il al-Shi'a** 4:135, **Abwab al-Mawaqeet**, Bāb 5, Hadith 14.

## Chapter Eleven: On the Adhan (Call to Prayer) and Iqamah

١٢٨ - مسألة: قال: وسألته عن المؤذن يُحدث في أذانه، وفي إقامته؟ قال: «إن كان الحدث في الأذان فلا بأس، وإن كان في الإقامة فليترضاً وليقم بإقامته» (١).

**128 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about the muezzin who has a ritual impurity (hadath) during his adhan or iqamah. He (Musa ibn Jafar) said: **“If the impurity is during the adhan, there is no harm. But if it is during the iqamah, he must perform wudu and then continue the iqamah.”**<sup>172</sup>

١٢٩ - مسألة: قال: وسألته عن الرجل يؤذن، أو يقيم وهو على غير وضوء، أيجزيه ذلك؟ قال: «أما الأذان فلا بأس، وأما الإقامة فلا يقيم على غير وضوء» قلت: فإن أقام وهو على غير وضوء، أيصلح بإقامته؟ قال: «لا» (٢).

**129 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who calls to prayer or makes iqamah while not in a state of wudu. Is that valid? He (Musa ibn Jafar) said: **“As for the adhan, it is valid, but as for the iqamah, he cannot make iqamah without wudu.”** I (Ali ibn Jafar) asked: If he makes iqamah without wudu, will the prayer be valid? He (Musa ibn Jafar) said: **“No.”**<sup>173</sup>

١٣٠ - مسألة: قال: وسألته عن الرجل يخطيء في أذانه وإقامته، فيذكر قبل أن يقوم في الصلاة، ما حاله؟ قال: «إن كان أخطأ في أذانه مضى على صلاته، وإن كان في إقامته انصرف فأعادها وحدها، وإن ذكر بعد الفراغ من ركعة أو ركعتين مضى على صلاته، وأجزاءه ذلك» (٣).

**130 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who makes mistakes in his adhan and iqamah, such as mentioning the prayer before standing for it. What is his ruling? He (Musa ibn Jafar) said: **“If he makes a mistake in the adhan, his prayer is valid. But if the mistake is in the iqamah, he should leave and repeat the iqamah alone. If he mentions it after finishing one or two rak'ahs, his prayer is valid and accepted.”**<sup>174</sup>

١٣١ - مسألة: قال: وسألته عن الأذان والإقامة، أيصلاح على الدابة؟ قال: «أما الأذان فلا بأس، وأما الإقامة فلا، حتى ينزل على الأرض» (٤).

**131 - Issue:** He (Ali ibn Jafar) said: I (Ali ibn Jafar) asked him (Musa ibn Jafar) if it is permissible to give the adhan and iqamah while riding a mount (animal). He (Musa ibn Jafar) said: **“As for the adhan, there is no harm, but for the iqamah, no, until he dismounts and stands on the ground.”**<sup>175</sup>

١٣٢ - مسألة: قال: وسألته، عن رجل يفتح الأذان والإقامة، وهو على غير القبلة، ثم يستقبل القبلة؟ قال: «لا بأس»

<sup>172</sup> **Masail Ali ibn Jafar:** 232 / 538, **Qurb al-Isnad:** 183 / 673, **Wasā'il al-Shī'a** 5: 393, **Chapters of Adhan and Iqamah**, section 7, **Bihar al-Anwar** 81: 136 / 29.

<sup>173</sup> **Masail Ali ibn Jafar:** 197 / 150, **Wasā'il al-Shī'a** 5: 393, **Chapters of Adhan and Iqamah**, section 9, hadith 8.

<sup>174</sup> **Masail Ali ibn Jafar:** 232 / 541, **Qurb al-Isnad:** 182 - 183 / 675, **Wasā'il al-Shī'a** 5: 442, **Chapters of Adhan and Iqamah**, section 33, hadith 5, **Bihar al-Anwar** 81: 8 / 112.

<sup>175</sup> **Masail Ali ibn Jafar:** 309 / 174, **Wasā'il al-Shī'a** 405: 5, **Chapters of Adhan and Iqamah**, section 13, hadith 15.

**132 - Issue:** He (**Ali ibn Jafar**) said: I (**Ali ibn Jafar**) asked him (**Musa ibn Jafar**) about a man who begins the *adhan* and *iqamah* while not facing the *qiblah*, then turns to face it. He (**Musa ibn Jafar**) said: “**There is no harm in that.**”<sup>176</sup>

١٣٣ - مسألة: قال: وسألته عن المسافر يؤذن على راحلته، وإذا أراد أن يقيم أقام على الأرض. قال: «نعم، لا بأس» (٢).

**133 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a traveler who calls the *adhan* while on his mount, but makes the *iqamah* on the ground. He (**Musa ibn Jafar**) said: “**Yes, there is no harm.**”<sup>177</sup>

١٣٤ - مسألة: في الأذان في المنارة قال: وسألته عن الأذان في المنارة، أسنة هو ؟ قال: «إنما كان يؤذن للنبي الله في الأرض ولم تكن يومئذ منارة» (٣).

**134 - Issue:** Regarding giving the *adhan* from a minaret, he (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about giving the *adhan* from a minaret — is it Sunnah? He (**Musa ibn Jafar**) replied: “**The Prophet of Allah had the adhan called on the ground, and there were no minarets in those days.**”<sup>178</sup>

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<sup>176</sup> **Masail Ali ibn Jafar:** 232 / 540, *Qurb al-Isnad:* 183 / 676, *Wasā'il al-Shī'a* 5: 457, **Chapters of Adhan and Iqamah**, Section 47, Hadith 2; **Bihār al-Anwār** 81: 8 / 112

<sup>177</sup> **Masail Ali ibn Jafar:** 232 / 539, *Qurb al-Isnad:* 183 / 677, *Wasā'il al-Shī'a* 5: 405, **Chapters of Adhan and Iqamah**, Section 13, Hadith 13; **Bihār al-Anwār** 81: 8 / 112

<sup>178</sup> **Masail Ali ibn Jafar:** 233 / 542, *Tahdhib al-Ahkām* 2: 284 / 1134, *Wasā'il al-Shī'a* 5: 230, **Chapters on the Rulings of Mosques**, Section 25, Hadith 1

## Chapter Twelve: On Nawafil (Supererogatory Prayers)

١٣٥ - مسألة: قال: وسألته عن الرجل ينسى ما عليه من النافلة، وهو يريد أن يقضى، كيف يقضى؟ قال: يقضى حتى يرى أنه قد زاد على ما عليه وأتمه» (١).

**135 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who forgets how many **nafila** (supererogatory) prayers he owes and wants to make them up — how should he make them up? He (Musa ibn Jafar) said: “**He should continue making them up until he thinks he has exceeded what he owed and completed it.**”<sup>179</sup>

١٣٦ - مسألة: قال: وسألته عن الرجل يصلي النافلة، هل يصلح له أن يصلي أربع ركعات لا يسلم بينهن؟ قال: «لا، إلا أن يسلم بين كل ركعتين» (٢).

**136 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man performing **nafila** — is it valid for him to pray four **rak'ahs** without giving **salam** between them? He (Musa ibn Jafar) said: “**No, unless he gives salam after every two rak'ahs.**”<sup>180</sup>

١٣٧ - مسألة: قال: وسألته عن رجل صلّى نافلة وهو جالس من غير علة، كيف يحتسب صلاته؟ قال: «رکعتین برکعة» (٣).

**137 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who performs **nafila** prayer while sitting, without any excuse — how is his prayer counted? He (Musa ibn Jafar) said: “**Two rak'ahs are counted as one.**”<sup>181</sup>

١٣٨ - مسألة: قال: وسألته عن الرجل يريد أن يقرأ مائة آية أو أكثر في نافلة، فيتخفّف أن يضعف ويكسد، هل يصلح له أن يقرأها وهو جالس؟ قال: «ليصل رکعتین بما أحب، ثم لينصرف فليقرأ ما بقي عليه مما أراد قراءته، فان ذلك يجزيه مكان قراءته وهو قائم، فإن بدا له أن يتكلم بعد التسلیم من الرکعتین فليقرأ فلا بأس» (٤). قال: وقال أخي : «نوافلکم صدقاتکم، فقدموها أنى شئتم» (١).

**138 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who wants to recite one hundred verses or more in **nafila** but fears he will become weak or lazy — is it permissible for him to recite them while sitting? He (Musa ibn Jafar) said: “**Let him perform two rak'ahs with whatever he wishes to recite, then let him sit and complete the rest of the recitation he intended — that will suffice him in place of reciting while standing. And if after the salam he feels like speaking, then he may speak and continue the recitation —**

<sup>179</sup> **Masa'il Ali ibn Jafar:** p. 249, no. 591; **Qurb al-Isnad:** p. 193, no. 730; **Wasail al-Shi'ah**, vol. 4, p. 79, **Chapters on the Number of Obligatory Prayers (Abwab A'dad al-Fara'id)**, Chapter 19, Hadith ...; **Bihar al-Anwar**, vol. 84, p. 36, in which it reads: "he completed" (**atamma**) instead of "he completed it" (**atammahu**).

<sup>180</sup> **Masa'il Ali ibn Jafar:** p. 249, no. 590; **Qurb al-Isnad:** p. 194, no. 736; **Wasail al-Shi'ah**, vol. 4, p. 63, **Chapters on the Number of Obligatory Prayers (Abwab A'dad al-Fara'id)**, Chapter 15, Hadith 2; **Bihar al-Anwar**, vol. 84, p. 38.

<sup>181</sup> **Masa'il Ali ibn Jafar:** p. 249, no. 592; **Qurb al-Isnad:** p. 209, no. 818; **Wasail al-Shi'ah**, vol. 5, p. 494, **Chapters on Standing in Prayer (Abwab al-Qiyam)**, Chapter ..., Hadith ...

**there is no harm.”<sup>182</sup> He (Ali ibn Jafar) said: And my brother (Musa ibn Jafar) said: “Your nawafil are like your charity — offer them however you wish.”<sup>183</sup>**

١٣٩ - مسألة: قال : وسألته عن السفر فيترك النافلة ، عن الرجل يكون في السفر ، وهو مجمع أن يقضى إذا أقام، هل يجزيه تأخير ذلك؟ قال: «إن كان ضعيفاً لا يستطيع القضاء أجزاء ذلك، وإن كان قوياً فلا يؤخره» (٢).

**139 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who is traveling and leaves the **nafila** but has the intention to make them up when he returns — is delaying them acceptable? He (Musa ibn Jafar) said: “**If he is weak and unable to make them up, then it suffices. But if he is strong, he should not delay them.**”<sup>184</sup>

١٤٠ - مسألة: قال: وسألته عن رجل نسي صلاة الليل والوتر، فتذكر إذا أقام في صلاة الزوال؟ قال: «يبدأ بالزوال، فإذا صلى الظهر صلى صلاة الليل، وأوتر ما بينه وبين العصر، أو متى أحب» (٣).

**140 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who forgets to pray **Salat al-Layl** and **Witr**, and remembers when he stands for **Salat al-Zuhr** — what should he do? He (Musa ibn Jafar) said: “**He should begin with Zuhr. After praying Zuhr, he should pray Salat al-Layl, and perform Witr between then and Asr — or whenever he wishes.**”<sup>185</sup>

١٤١ - مسألة: قال: وسألته عن الرجل يستاك بيده إذا قام في الصلاة - صلاة الليل وهو يقدر على السواك؟ قال: «إذا خاف الصبح فلا يأس» (٤).

**141 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who uses his hand to brush his teeth when standing for **Salat al-Layl**, while he is capable of using a **miswak** — is that allowed? He (Musa ibn Jafar) said: “**If he fears dawn approaching, there is no harm.**”<sup>186</sup>

١٤٢ - مسألة: قال: وسألته عن رجل ترك ركعتي الفجر حتى دخل المسجد والإمام قد قام في صلاته، كيف يصنع؟ قال: يدخل في صلاة القوم، ويدع الركعتين، فإذا ارتفعت الشمس قضاهما» (٥).

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<sup>182</sup> **Masa'il Ali ibn Jafar:** p. 237, no. 553; **Qurb al-Isnad:** p. 210, no. 823; **Wasail al-Shi'ah**, vol. 6, p. 137, **Chapters on Recitation in Prayer (Abwab al-Qira'ah fi al-Salah)**, Chapter 60, Hadith 1; **Bihar al-Anwar**, vol. 84, p. 2.

<sup>183</sup> **Masa'il Ali ibn Jafar:** p. 249, no. 589; **Qurb al-Isnad:** p. 211, no. 828; **Wasail al-Shi'ah**, vol. 4, p. 234, **Chapters on Prayer Times (Abwab al-Mawaqeet)**, Section 37, Hadith ..., **Bihar al-Anwar** 84: 26/38.

<sup>184</sup> **Masa'il Ali ibn Jafar:** p. 250, no. 593; **Qurb al-Isnad:** p. 216, no. 848; **Wasail al-Shi'ah**, vol. 4, pp. 77-78, **Chapters on Counting Obligatory Prayers (Abwab A'dad al-Fara'id)**, Section 18, Hadith 6, **Bihar al-Anwar** 84: 26/38.

<sup>185</sup> **Masa'il Ali ibn Jafar:** p. 180, no. 340; **Qurb al-Isnad:** p. 202, no. 780; **Wasail al-Shi'ah**, p. 272, **Chapters on Making Up Missed Prayers (Abwab Qada al-Salat)**, Section 9, Hadith 4, with slight variation.

<sup>186</sup> **Masa'il Ali ibn Jafar:** p. 250, no. 594; **Qurb al-Isnad:** p. 207, no. 806; **Al-Faqih**, vol. 1, p. 122, **Wasail al-Shi'ah**, vol. 2, p. 24, **Chapters on Siwak (Ablution Stick)**, Section 9, vol. 1, **Bihar al-Anwar** 84: 207/18.

**142 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who misses the two **rak'ahs of Fajr** until he enters the mosque and the **imam** has already begun the prayer — what should he do? He (Musa ibn Jafar) said: “**He should join the congregational prayer and leave the two rak'ahs. Then, after the sun has risen, he can make them up.**”<sup>187</sup>

١٤٣ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن ينكلم إذا سلم في الركعتين قبل الفجر، قبل أن يضطجع على يمينه؟ قال: «لا بأس» (١).

**143 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man — is it permissible for him to speak after the **salam** of the two **rak'ahs before Fajr**, before lying on his right side? He (Musa ibn Jafar) said: “**There is no harm.**”<sup>188</sup>

١٤٤ - مسألة: قال: وسألته عن رجل نسي أن يضطجع على يمينه بعد ركعتي الفجر، فذكر حين أخذ في الإقامة، كيف يصنع؟ قال: «**يقيم ويصلّي ويدع ذلك، فلا بأس.**» (٢).

**144 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who forgets to lie on his right side after the two **rak'ahs before Fajr**, and remembers only when the **iqamah** has begun — what should he do? He (Musa ibn Jafar) said: “**He should proceed with the iqamah and perform the prayer — leaving it (the lying down), and there is no harm.**”<sup>189</sup>

١٤٥ - مسألة: قال: وسألته عن الرجل وهو في وقت صلاة الزوال، أيقطعه بكلام؟ قال: «نعم، لا بأس» (٣).

**145 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man in the time of **Salat al-Zuhr** — can he interrupt it with speech? He (Musa ibn Jafar) said: “**Yes, there is no harm.**”<sup>190</sup>

١٤٦ - مسألة: قال: وسألته عن الرجل يتخفّف أن لا يقوم من الليل، أيصلّي صلاة الليل إذا انصرف من العشاء الآخرة؟ وهل يجزيه ذلك أم عليه قضاء؟ قال: لا صلاة حتى يذهب الثالث الأول من الليل، والقضاء بالنهار أفضل من تلك الساعة» (٤).

**146 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who fears he will not wake up at night — can he pray **Salat al-Layl** after **Isha**? And would that suffice, or must he make it up later? He (Musa ibn Jafar) said: “**There is no (valid) prayer until the first third**

<sup>187</sup> **Masa'il Ali ibn Jafar:** p. 185, no. 362; **Qurb al-Isnad:** p. 201, no. 773; **Wasail al-Shi'ah**, no. 4535, **Chapters on Adhan and Iqamah (Abwab al-Adhan wal-Iqamah)**, Section 44, Hadith ..., **Bihar al-Anwar** 81: 72/169.

<sup>188</sup> **Masa'il Ali ibn Jafar:** p. 249, no. 588; **Qurb al-Isnad:** p. 198, no. 756; **Wasail al-Shi'ah** 6: 493, **Chapters on Follow-up Prayers (Abwab al-Ta'qib)**, Section 33, Hadith 4; note: “Yes” replaces “No harm.”

<sup>189</sup> **Masa'il Ali ibn Jafar:** p. 182, no. 350; **Qurb al-Isnad:** p. 202, no. 781; **Tahdhib al-Ahkam** 2: 338, no. 1399; **Wasail al-Shi'ah** 6: 493, **Chapters on Follow-up Prayers (Abwab al-Ta'qib)**, Section 33, Volume 3; **Bihar al-Anwar** 84: 354, no. 20.

<sup>190</sup> **Masa'il Ali ibn Jafar:** p. 231, no. 537; **Qurb al-Isnad:** p. 198, no. 757; **Wasail al-Shi'ah** 7: 282, **Chapters on Prayer Interruptions (Abwab Qawati' al-Salah)**, Section 25, Hadith 9; **Bihar al-Anwar** 84: 26/37.

of the night has passed, and making it up during the day is better than praying it at that early hour.”<sup>191</sup>

١٤٧ - مسألة: قال: وسألته عن الرجل يلتفت في صلاته، هل يقطع ذلك صلاته؟ قال: «إذا كانت الفريضة والتفت إلى خلفه فقد قطع صلاته، فيعيد ما صلى ولا يعتد به، وإن كانت نافلة لم يقطع ذلك صلاته ولكن لا يعود» (٥).

**147 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who turns his head during prayer — does that invalidate his prayer? He (Musa ibn Jafar) said: “**If it is an obligatory prayer and he turns completely behind him, he has invalidated his prayer, and he must repeat it — it is not counted. But if it is a nafila, it does not invalidate the prayer, but he should not do it again.**”<sup>192</sup>

## **Chapter Thirteen: On the Opening Takbir (Takbīrat al-Ihrām)**

١٤٨ - مسألة: قال: وسألته عن رجل دخل في صلاة فنسى أن يكبر حتى ركع، فذكر حين ركع، هل يجزيه ذلك؟ وإن كان قد صلى ركعة أو شتتين، وهل يعتد بما صلى؟  
قال: «يعد بما يفتح به من التكبير» (١).

**148 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who started the prayer but forgot to say the opening takbir until he had already bowed (ruku'). He remembered while in ruku'. Does that suffice? And if he has prayed one or two rak'ahs like this, is what he prayed valid? He (Musa ibn Jafar) said: “**What he begins with the takbir is what counts.**”<sup>193</sup>

١٤٩ - مسألة: قال: وسألته عن رجل ركع وسجد ولم يدر، هل كبر أو قال شيئاً في ركوعه وسجوده، هل يعتد بتلك الركعة والسجدة؟  
قال: «إذا شك فليمض في صلاته» (٢).

**149 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who bowed and prostrated but was unsure whether he said the takbir or anything during the bowing and prostration. Is that rak'ah and prostration valid? He (Musa ibn Jafar) said: “**If he doubts, he should continue with his prayer.**”<sup>194</sup>

١٥٠ - مسألة: قال: وسألته عن الرجل يقوم في صلاته، فلا يدرى صلى شيئاً أم لا ، كيف يصنع؟ قال: يستقبل الصلاة» (٣).

<sup>191</sup> **Masa'il Ali ibn Jafar:** p. 250, no. 595; **Qurb al-Isnad:** p. 198, no. 759; **Wasail al-Shi'ah** 4: 257, **Chapters on Prayer Times (Abwab al-Mawaqeet),** Section 45, Hadith; **Bihar al-Anwar** 84: 16/206.

<sup>192</sup> **Masa'il Ali ibn Jafar:** p. 243, no. 574; **Qurb al-Isnad:** p. 210, no. 820; **Wasail al-Shi'ah** 7: 246, **Chapters on Prayer Interruptions (Abwab Qawati' al-Salah),** Section 3, Hadith; **Bihar al-Anwar** 84: 38/2.

<sup>193</sup> **Masā'il 'Alī ibn Jā'far:** 599 / 252, **Qurb al-Isnād:** 734 / 194, **Wasā'il al-Shī'a** 6:19, Chapter **Abwāb Takbīrat al-Ihrām**, Book 6, Hadith 2, **Bihār al-Anwār** 85:191/19.

<sup>194</sup> **Masā'il 'Alī ibn Jā'far:** 601 / 252-253, **Qurb al-Isnād:** 755 / 198, **Wasā'il al-Shī'a** 8:239, Chapter **Abwāb al-Khalal al-Wāqi'i fī al-Šalāh**, Book 2, Hadith 9, **Bihār al-Anwār** 85:191/19.

**150 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who stands in prayer but is unsure whether he has prayed anything or not. What should he do? He (Musa ibn Jafar) said: “**He should face the qiblah and continue praying.**”<sup>195</sup>

## Chapter Fourteen: On Recitation

١٥١ - مسألة: قال: وسألته عن الرجل افتتح الصلاة فقرأ السورة ولم يقرأ بفاتحة الكتاب معها، أيجريه أن يفعل ذلك متعدداً، بعجلة كانت؟ قال: «لا يتعد ذلك، فإن نسي فقرأ في الثانية أجزأه» (١).

**151 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who begins the prayer and recites a Surah but does not recite the Fatiha along with it. Is it valid if he does so intentionally due to haste? He (Musa ibn Jafar) said: “**It should not be done intentionally, but if he forgets and recites it in the second rak'ah, it is valid.**”<sup>196</sup>

١٥٢ - مسألة: قال: وسألته، عمن ترك قراءة القرآن ما حاله؟ قال: «إن كان متعدداً فلا صلاة له، وإن كان نسي فلا بأس» (٢).

**152 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about someone who abandons reciting the Quran, what is his ruling? He (Musa ibn Jafar) said: “**If it is intentional, his prayer is invalid; if it is forgetfulness, there is no harm.**”<sup>197</sup>

١٥٣ - مسألة: قال: وسألته عن الرجل والمرأة يضع المصحف أمامه ينظر فيه، ويقرأ ويصلي. قال: «لا يعتد بتلك الصلاة» (٣).

**153 - Issue:** He (Ali ibn Jafar) said: I asked him about a man or woman who places the Mushaf (Quran) in front of them, looks into it, recites, and prays. He (Musa ibn Jafar) said: “**That prayer is not considered valid.**”<sup>198</sup>

١٥٤ - مسألة: قال: وسألته عن رجل افتتح الصلاة فقرأ سورة قبل فاتحة الكتاب، ثم ذكر بعدما فرغ من السورة؟ قال: يمضي في صلاته ويقرأ فاتحة الكتاب، فيما يستقبل» (٤).

**154 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who begins the prayer and recites a Surah before the Fatiha, then remembers after finishing the Surah. He (Musa ibn Jafar) said: “**He should continue his prayer and recite the Fatiha in the direction he faces.**”<sup>199</sup>

<sup>195</sup> **Masā'il 'Alī ibn Jā'far:** 598 / 252, **Qurb al-Isnād:** 751 / 197, **Tahdhīb al-Ahkām** 2:189 / 848, **Wasā'il al-Shī'a:** 227, Chapter **Abwāb al-Khalal al-Wāqi' fī al-Ṣalāh**, Book 15, Hadith 5, includes: “yastaqbil” instead of “yataqabbal al-ṣalāh,” **Bihār al-Anwār** 85:169/12.

<sup>196</sup> **Masā'il 'Alī ibn Jā'far:** 236/549, **Qurb al-Isnād:** 195/738, **Wasā'il al-Shī'ah** 6: **Chapter 91, Reading in Prayer (Abwāb al-Qirā'ah fī al-Ṣalāh)**, Book 29, Hadith 4, **Bihār al-Anwār** 82:13/24.

<sup>197</sup> **Masā'il 'Alī ibn Jā'far:** 157/227, **Qurb al-Isnād:** 209/813, including: (“Reciting Umm al-Kitāb” instead of “Reciting the Quran”), **Wasā'il al-Shī'ah** 6:8, **Chapter Reading in Prayer (Abwāb al-Qirā'ah fī al-Ṣalāh)**, Book 27, Hadith 5.

<sup>198</sup> **Masā'il 'Alī ibn Jā'far:** 238/559, **Qurb al-Isnād:** 195/742, **Wasā'il al-Shī'ah** 6:107, **Chapter Reading in Prayer (Abwāb al-Qirā'ah fī al-Ṣalāh)**, Book 41, Hadith 2, **Bihār al-Anwār** 81:16/295.

<sup>199</sup> **Masā'il 'Alī ibn Jā'far:** 181/344, **Qurb al-Isnād:** 199/762, **Wasā'il al-Shī'ah** 6:89, **Chapter Reading in Prayer (Abwāb al-Qirā'ah fī al-Ṣalāh)**, Book 28, Hadith 4, **Bihār al-Anwār** 85:192/2.

١٥٥ - مسألة: قال: وسألته عن رجل كان في صلاته، فقرأ سورة قبل فاتحة الكتاب، هل يجزيه ذلك إذا كان خطأ؟ قال: «نعم» (١).

**155 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man who was in his prayer and recited a Surah before reciting the Fatiha. Is it valid if it was a mistake? He (**Musa ibn Jafar**) said: “**Yes.**”<sup>200</sup>

١٥٦ - مسألة: قال: وسألته عن الرجل يفتح السورة فيقرأ بعضها، ثم يخطئ فيأخذ في غيرها حتى يختمها ثم يعلم أنه قد أخطأ، هل له أن يرجع في الذي افتح، وإن كان قد ركع وسجد؟ قال: «إن كان لم يركع فليرجع إن أحب، وإن ركع فليمض» (٢).

**156 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who begins a Surah and reads some of it, then makes a mistake and switches to another Surah, and finishes it, then realizes he made a mistake. Is he allowed to go back to the original Surah if he has already bowed (rukū') and prostrated (sujūd)? He (**Musa ibn Jafar**) said: “**If he hasn't bowed, he can go back if he wants. But if he has bowed, he should continue.**”<sup>201</sup>

١٥٧ - مسألة: قال: وسألته عن الرجل يقرأ في الفريضة سورة النجم، يركع بها، أو يسجد، ثم يقوم فيقرأ غيرها؟ قال: يسجد ثم يقوم فيقرأ بفاتحة الكتاب ويركع، ولا يعود يقرأ في الفريضة بسجدة» (٣).

**157 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who recites Surah al-Najm in an obligatory prayer, then bows or prostrates, and then stands up to recite another Surah. He (**Musa ibn Jafar**) said: “**He should prostrate, then stand up and recite the Fatiha and bow, and he should not repeat a Surah in the prayer that contains a prostration verse.**”<sup>202</sup>

١٥٨ - مسألة: قال: وسألته عن رجل قرأ سوريتين في ركعة؟ قال: «إذا كانت نافلة فلا بأس، وأما الفريضة فلا يصلح» (٤).

**158 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who recites two Surahs in one rak'ah. He (**Musa ibn Jafar**) said: “**If it's in a recommended (nafila) prayer, there's no harm. But in an obligatory prayer, it's not permissible.**”<sup>203</sup>

١٥٩ - مسألة: قال: وسألته عن الرجل يقرأ في الفريضة بفاتحة الكتاب وسورة أخرى في نفس الواحد، هل يصلح ذلك، أو ما عليه إن فعل؟ قال: «إن شاء قرأ بالنفس الواحد، وإن شاء في غيره، فلا بأس» (٥).

**159 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who recites the Fatiha and another Surah in a single breath in an obligatory prayer. Is it acceptable, and is there any problem with doing so? He (**Musa ibn Jafar**) said: “**If he wants to recite both in a single**

<sup>200</sup> **Masā'il 'Alī ibn Ja'far:** 181 / 345, **Qurb al-Isnād:** 199 / 763, **Bihār al-Anwār** 85: 192 / 20.

<sup>201</sup> **Masā'il 'Alī ibn Ja'far:** 253 / 162, **Wasā'il al-Shī'a** 6: 89, *Chapters on Recitation in Prayer*, Bāb 28, Ḥadīth 3.

<sup>202</sup> **Masā'il 'Alī ibn Ja'far:** 185–186 / 366, **Qurb al-Isnād:** 202 / 776, **Wasā'il al-Shī'a** 6: 106, *Chapters on Recitation in Prayer*, Bāb 40, Ḥadīth 4, **Bihār al-Anwār** 82: 13 / 5.

<sup>203</sup> **Masā'il 'Alī ibn Ja'far:** 236 / 551, **Qurb al-Isnād:** 202 / 778, **Wasā'il al-Shī'a** 6: 53, *Chapters on Recitation in Prayer*, Bāb ?, Ḥadīth 13, **Bihār al-Anwār** 82: 13 / 4.

**breath, it's fine. If he wants to recite them separately, that's also fine—there's no problem.”<sup>204</sup>**

١٦٠ - مسألة: قال: وسألته عن الرجل يقرأ في صلاته، هل يجزيه أن لا يحرك لسانه، وأن يتوهم توهماً؟ قال: «لا بأس» (١). روى الشيخ في (الاستبصار): (فأما ما رواه محمد بن أحمد : د بن يحيى، عن العمركي، عن علي بن جعفر، عن أخيه موسى بن جعفر ، قال: سأله، عن الرجل يصلح له أن يقرأ في صلاته ويحرك لسانه بالقراءة في لهوته، من غير أن يسمع نفسه؟ قال: «لا بأس، أن لا يحرك لسانه يتوهم توهماً») (٢). فالوجه في هذا الخبر أن نحمله على من يصلح خلف من لا يقتدي به، جاز له أن يقرأ مع نفسه مثل حديث النفس يدل على ذلك ما رواه (محمد بن أحمد بن يحيى، عن يعقوب بن يزيد، عن محمد بن أبي حمزة، عن ذكره، عن أبي عبدالله عليه وآله وسنه قال: «يجزيك من القراءة معهم مثل حديث النفس») (٣) انتهى. أقول: ويمكن حمله على النافلة أو على أولي الأذار.

**160 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who is praying and whether it is valid for him not to move his tongue and merely imagine the recitation in his mind. He (Musa ibn Jafar) said: “**There is no harm.**”<sup>205</sup>

The Shaykh (al-Tusi) narrated in *al-Istibsar*: “**As for what Muhammad ibn Ahmad narrated from Ibn Yahya, from al-‘Umruki, from Ali ibn Jafar, from his brother Musa ibn Jafar—he said: I asked him about a man, is it permissible for him to recite in his prayer by moving his tongue in his mouth without making himself hear it? He (Musa ibn Jafar) said: ‘There is no harm if he does not move his tongue and only imagines the recitation in his mind.’”<sup>206</sup>**

The explanation of this report is that it can be interpreted as referring to a person who is praying behind someone whose prayer is not valid to follow. In such a case, it is permissible for him to recite to himself as if it is like talking to oneself. Supporting this is what Muhammad ibn Ahmad ibn Yahya narrated from Ya‘qub ibn Yazid, from Muhammad ibn Abi Hamza, from someone he mentioned, from Abu Abdullah (Ja‘far al-Sadiq), who said: “**It suffices you to recite with them like self-talk (hadith al-nafs).**”<sup>207</sup>

I (the narrator) say: It is also possible to interpret this as referring to supererogatory (nafila) prayers or to those who have valid excuses.

١٦١ - مسألة: قال: وسألته عن الرجل يصلّي، أله أن يقرأ في الفريضة فيمر بالآية فيها التخويف فيبكي، ويردد الآية؟ قال: يردد القرآن ما شاء، وإن جاءه البكاء، فلا بأس» (٤).

<sup>204</sup> **Masā’il ‘Alī ibn Ja‘far:** 167 / 273, and 236 / 548, **Qurb al-Isnād:** 203 / 783, **Tahdhīb al-Āḥkām** 2: 296 / 1193, **Wasā’il al-Shī‘a** 6: 113, *Chapters on Recitation in Prayer*, Bāb 46, Ḥadīth 1 — with slight variations in both.

<sup>205</sup> **Masā’il ‘Alī ibn Ja‘far:** 167 / 275, **Qurb al-Isnād:** 203 / 785, **Wasā’il al-Shī‘a** 6: 128, *Chapters on Recitation in Prayer*, Bāb 52, Ḥadīth 4.

<sup>206</sup> **Masā’il ‘Alī ibn Ja‘far:** 237 / 557, **Tahdhīb al-Āḥkām** 2: 97 / 365, **al-Istibṣār** 1: 321 / 1196, **Wasā’il al-Shī‘a** 6: 97–98, *Chapters on Recitation in Prayer*, Bāb 33, Ḥadīth 5, and on p. 128, Bāb 52, Ḥadīth 2.

<sup>207</sup> **al-Kāfi** 3: 315 / 16, **Tahdhīb al-Āḥkām** 2: 97 / 366, **al-Istibṣār** 1: 321 / 1197, **Wasā’il al-Shī‘a** 6: 128, *Chapters on Recitation in Prayer*, Bāb 52, Ḥadīth 3.

**161 - Issue:** He (Ali ibn Jafar) said: I asked him about a man who is praying and whether he can recite in the obligatory prayer and when he passes by a verse of warning (takhwif) he cries and repeats the verse. He (Musa ibn Jafar) said: “**He may repeat the Quranic verse as much as he wishes, and if tears come, there is no harm.**”<sup>208</sup>

١٦٢ - مسألة: قال: وسألته عن رجل يصلي الفريضة ما يجهر فيه بالقراءة، هل عليه أن يجهر؟ قال: «إن شاء جهر، وإن شاء لم يجهر» (١).

وروى الشيخ في (الاستبصار): (روى حرizer عن زرار، عن أبي جعفر في رجل جهر فيما لا ينبغي الإجهاز فيه، أو أخفى فيما لا ينبغي الإلقاء فيه. فقال: «أي ذلك فعل متعمداً، فقد نقض صلاته، وعليه الإعادة، وإن فعل ذلك ناسياً أو ساهياً، أو لا يدرى فلا شيء عليه، وقد تمت صلاته») (٢).

وحمل الشيخ روایة علی بن جعفر علی التقیة (٣).

أقول: ويمكن حمل روایة زرار علی الفضیلية، وإن قرأت نقض بالضاد المعجمة، أو بالصاد المهملة، أي: نقض فضلها، أو نقص فضلها.

**162 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man praying an obligatory prayer in which it is normally recited aloud—must he recite aloud? He (Musa ibn Jafar) said: “**If he wishes, he may recite aloud; if he wishes, he may not.**”<sup>209</sup>

The Shaykh (al-Tusi) narrated in *al-Istibsar*: “**Hariz narrated from Zurara, from Abu Ja‘far (al-Baqir), regarding a man who recites aloud in what should not be recited aloud or recites silently in what should be recited aloud. He (Abu Ja‘far) said: ‘If he did it intentionally, he has invalidated his prayer and must repeat it. If he did it out of forgetfulness, inattention, or uncertainty, then there is no harm, and his prayer is complete.’**”<sup>210</sup>

The Shaykh (al-Tusi) explained that Ali ibn Jafar’s narration is due to *taqiyyah* (precautionary dissimulation).<sup>211</sup>

I (the narrator) say: It is also possible to interpret Zurara’s narration as referring to the merit (fadilah) of prayer—if you read it as *naqad* with a doted “d” (ض), or as *naqas* with a plain “s” (ص), meaning it either invalidates its merit or reduces its merit.

<sup>208</sup> **Masā’il ‘Alī ibn Ja‘far:** 167 / 276, **Qurb al-Isnād:** 203–204 / 786, **Wasā’il al-Shī‘a** 6: 152, *Chapters on Recitation in Prayer*, Bāb 68, Ḥadīth 3, **Bihār al-Anwār** 82: 13 / 24.

<sup>209</sup> **Masā’il ‘Alī ibn Ja‘far:** 237–238 / 556, **Qurb al-Isnād:** 205 / 796, **Tahdhīb al-Āḥkām** 2: 162 / 636, **al-Istibṣār** 1: 313 / 1164, **Wasā’il al-Shī‘a** 6: 85, *Chapters on Recitation in Prayer*, Bāb 25, Ḥadīth 6. (With the note: in all except the first: “If he wishes, he may not do it” instead of “If he wishes, he may not recite aloud.”)

<sup>210</sup> **al-Faqīh** 1: 227 / 1003, **Tahdhīb al-Āḥkām** 2: 162 / 635, **al-Istibṣār** 1: 313 / 1163, **Wasā’il al-Shī‘a** 6: 86, *Chapters on Recitation in Prayer*, Bāb 26, Ḥadīth 1.

<sup>211</sup> **Tahdhīb al-Āḥkām** 2: 162 (under Ḥadīth 636), **al-Istibṣār** 1: 313 (under Ḥadīth 1164).

١٦٣ - مسألة: قال: وسألته عن الرجل يخطيء في قراءته، هل يصلح له أن ينصلح ساعة، ويذكر؟ قال: «لا بأس» (٤).

**163 - Issue:** He (Ali ibn Jafar) said: I asked him about a man who makes a mistake in his recitation—can he pause for a moment and recollect? He (Musa ibn Jafar) said: “**There is no harm.**”<sup>212</sup>

١٦٤ - مسألة: قال: وسألته عن الرجل يقرأ سورة واحدة في الركعتين من الفريضة، وهو يحسن غيرها، فإن فعل فما عليه؟ قال: «إذا أحسن غيرها فلا يفعل وإن لم يحسن غيرها فلا بأس، وإن فعل فلا شيء عليه، ولكن لا يعود» (١).

**164 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who recites the same Surah in both rak'ahs of an obligatory prayer even though he knows another one well. If he does so, what is the ruling? He (Musa ibn Jafar) said: “**If he knows another one well, he should not do so. But if he does not know another one well, there is no harm. If he does it, there is nothing upon him, but he should not repeat it.**”<sup>213</sup>

١٦٥ - مسألة: قال: وسألته عن رجل أراد سورة فقرأ غيرها، هل يصلح له أن يقرأ نصفها، ثم يرجع إلى السورة التي أراد؟ قال: «نعم، ما لم تكن (فُلْ هُوَ اللَّهُ أَحَدٌ) (٢)، و (فُلْ يَأْتِيهَا الْكَافِرُونَ) (٣) (٤).

**165 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who intended to recite a particular Surah but ended up reciting a different one. Is it permissible for him to recite half of it and then return to the original Surah he intended? He (Musa ibn Jafar) said: “**Yes, that is allowed, except in the case of Surah Qul Huwa Allahu Ahad**<sup>214</sup> (**Surah al-Ikhlas**) and **Qul Ya Ayyuha al-Kafiroon** (**Surah al-Kafirun**).”<sup>215 216</sup>

١٦٦ - مسألة: قال: وسألته عن القرآن في الجمعة بما يقرأ؟ قال: «بِسُورَةِ الْجُمُعَةِ وَإِذَا جَاءَكُ الْمُنَافِقُونَ (٥) وإن أخذت في غيرها، وإن كان (فُلْ هُوَ اللَّهُ أَحَدٌ)، فاقطعها من أولها وارجع إليها» (١).

**166 - Issue:** He (Ali ibn Jafar) said: I asked him about the recitation for the Friday prayer. He (Musa ibn Jafar) said: “**It is with Surah al-Jumu'ah and Surah al-Munafiqun**<sup>217</sup>. However, if you started with another Surah, even if it is Qul Huwa Allahu Ahad (Surah al-Ikhlas), stop at the beginning and return to the correct recitation.”<sup>218</sup>

١٦٧ - مسألة: قال: وسألته، عمن ترك قراءة ألم القرآن؟ قال: «إن كان متعمداً فلا صلاة له، وإن كان ناسياً فلا بأس» (٧).

<sup>212</sup> **Masā'il 'Alī ibn Ja'far:** 163–164 / 259, **Qurb al-Isnād:** 206 / 800, **Wasā'il al-Shī'a** 7: 259, *Chapters on Invalidators of Prayer*, Bāb 10, Ḥadīth 5, **Bihār al-Anwār** 81: 28 / 305.

<sup>213</sup> **Masā'il 'Alī ibn Ja'far:** 164 / 261, **Qurb al-Isnād:** 206 / 801, **Tahdhīb al-Āḥkām** 2: 71–72 / 263, **al-Istibṣār** 1: 315 / 1174, **Wasā'il al-Shī'a** 6: 47, *Chapters on Recitation in Prayer*, Bāb 6, Ḥadīths 1 & 2.

<sup>214</sup> **Sūrat al-Ikhlāṣ:** verse 1.

<sup>215</sup> **Sūrat al-Kāfirūn:** verse 1.

<sup>216</sup> **Masā'il 'Alī ibn Ja'far:** 164 / 260, **Qurb al-Isnād:** 206 / 802, **Wasā'il al-Shī'a** 6: 100, *Chapters on Recitation in Prayer*, Bāb 35, Ḥadīth 3, **Bihār al-Anwār** 82: 8 / 16.

<sup>217</sup> **Sūrat al-Munāfiqūn:** verse 1.

<sup>218</sup> **Masā'il 'Alī ibn Ja'far:** 245 / 580, **Qurb al-Isnād:** 214 / 839, **Wasā'il al-Shī'a** 6: 153, *Chapters on Recitation in Prayer*, Bāb 69, Ḥadīth 4.

**167 - Issue:** He (**Ali ibn Jafar**) said: I asked him about someone who omits the recitation of Surah al-Fatiha (Umm al-Kitab). He (**Musa ibn Jafar**) said: “**If he does so intentionally, his prayer is invalid. If he forgets, there is no harm.**”<sup>219</sup>

١٦٨ - مسألة: قال: وسألته عن الرجل، هل يصلح له وهو في ركوعه أو سجوده، فبقي عليه شيء من السورة يكون يقرأها، ثم يأخذ في غيرها؟ قال: «أما الركوع فلا يصلح له، وأما السجود فلا بأس» (١).

**168 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who, while bowing (ruku‘) or prostrating (sujud), has some part of a Surah left to recite and then starts reciting a different one. He (**Musa ibn Jafar**) said: “**In the case of ruku‘, it is not proper for him. In sujud, there is no harm.**”<sup>220</sup>

١٦٩ - مسألة: قال، وسألته عن رجل قرأ في ركوعه من سورة غير السورة التي كان يقرأها؟ قال: «إن كان فرغ فلا بأس في السجود، فأما في الركوع فلا يصلح» (٢).

**169 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who recites a part of a different Surah while in ruku‘ instead of the one he was originally reciting. He (**Musa ibn Jafar**) said: “**If he has finished, there is no harm in doing so while in sujud. But in ruku‘, it is not proper.**”<sup>221</sup>

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<sup>219</sup> **Masā’il ‘Alī ibn Ja‘far:** 157 / 227, **Qurb al-Isnād:** 209 / 813, **Wasā’il al-Shī‘a** 6: 88, *Chapters on Recitation in Prayer*, Bāb 27, Ḥadīth 5.

(Note: It contains “Recitation of the Qur’ān” instead of “Recitation of Umm al-Qur’ān (Sūrat al-Fātiha).”) **Bihār al-Anwār** 85: 196 / 24.

<sup>220</sup> **Masā’il ‘Alī ibn Ja‘far:** 181–182 / 348, **Qurb al-Isnād:** 199 / 764, **Wasā’il al-Shī‘a** 6: 310, Bāb ?, Ḥadīth 5, **Bihār al-Anwār** 82: 37 / 85, (*Chapters on Bowing*).

<sup>221</sup> **Masā’il ‘Alī ibn Ja‘far:** 182 / 349 (with variation), **Qurb al-Isnād:** 199 / 765, **Wasā’il al-Shī‘a** 6: 310, *Chapters on Bowing*, Bāb ?, Ḥadīth 6, **Bihār al-Anwār** 82: 37 / 85 (with variation).

## Chapter Fifteen: On Tashahhud, Qunoot, Reciting Them Aloud, and Remembrance in Ruku' and Sujud

١٧٠ - مسألة: قال: وسألته عن رجل يخطئ في التشهد والقنوت، هل يصلح له أن يردده حتى يتذكر، وينصت ساعة ويتنذكر؟ قال: لا يأنس أن يردد وينصت ساعة حتى يذكر، وليس في القنوت سهو، ولا في التشهد» (١).

**170 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man who makes a mistake in Tashahhud or Qunoot—can he repeat it until he remembers and pause for a moment to recall? He (**Musa ibn Jafar**) said: **“There is no harm in repeating it and pausing until he remembers. There is no forgetfulness (sujud al-sahw) required in Qunoot or in Tashahhud.”**<sup>222</sup>

١٧١ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يجهر بالتشهد والقول في الركوع والسجود والقنوت؟ قال: «إن شاء جهر، وإن شاء لم يجهر» (٢).

**171 - Issue:** He (**Ali ibn Jafar**) said: I asked him whether a man is allowed to recite the Tashahhud, and the phrases in ruku', sujud, and Qunoot aloud? He (**Musa ibn Jafar**) said: **“If he wants to recite them aloud, he may do so; if he prefers not to, that is also fine.”**<sup>223</sup>

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<sup>222</sup> **Masā'il 'Alī ibn Ja'far:** 163 / 258, **Qurb al-Isnād:** 206 / 799, **Wasā'il al-Shī'a** 7: 258–259, *Chapters on Things That Invalidate the Prayer*, Bāb 10, Ḥadīth 4, **Bihār al-Anwār** 81: 28 / 305.

<sup>223</sup> **Masā'il 'Alī ibn Ja'far:** 237 / 555, **Qurb al-Isnād:** 205 / 796, **Tahdhīb al-Āḥkām** 2: 313 / 1272, **Wasā'il al-Shī'a** 6: 290, *Chapters on Qunūt*, Bāb 20, Ḥadīth 2, **Bihār al-Anwār** 82: 11 / 77.

## Chapter Sixteen: On Praying Before Performing Istinja'

١٧٢ - مسألة: قال: وسألته عن رجل ذكر - وهو في صلاته - أنه لم يسترج من الخلاء، ويستنجي من الخلاء، ويعيد الصلاة، وإن ذكر وقد فرغ أجزاء ذلك ولا إعادة عليه» (١).

**172 - Issue:** He (**Ali ibn Jafar**) said: I asked him (**Musa ibn Jafar**) about a man who remembers during his prayer that he did not perform istinja' after relieving himself. He (**Musa ibn Jafar**) said: **“He should leave, perform istinja’, and then repeat his prayer. But if he remembers only after he has finished the prayer, it suffices for him, and he does not need to repeat it.”**<sup>224</sup>

١٧٣ - مسألة: قال: وسألته عن رجل بال ثم تمسح، فأجاد التمسح، ثم توضأ، وقام فصلى؟ قال : «يعيد الوضوء، فيمسك ذكره، ويتووضأ ويغسل صلاته، ولا يعتد بشيء مما صلّى» (٢).

تنمية

### **Sequel**

قال: وسألته عن رجل أخذ من شعره ولم يمسحه بالماء، ثم يقوم فيصلّي؟

قال: ينصرف فيمسحه بالماء، ولا يعتد بصلاته تلك» (٣).

**173 - Issue:** He (**Ali ibn Jafar**) said: I asked him about a man who urinates, cleans himself thoroughly, then performs wudu and prays. He (**Musa ibn Jafar**) said: **“He must repeat the wudu, hold his private part (to ensure cleanliness), then perform wudu again and repeat his prayer. He should not count anything from what he has already prayed.”**<sup>225</sup>

### **Supplement:**

He (**Ali ibn Jafar**) said: I asked him about a man who cuts his hair but does not wipe it with water, then stands to pray. He (**Musa ibn Jafar**) said: **“He should stop, wipe it with water, and that prayer is not valid.”**<sup>226</sup>

١٧٤ - مسألة: فيمن صلّى في خضابه قال: وسألته عن الرجل والمرأة، يصلح لهما أن يصليان وهم مختضبان بالحناء واللوسمة؟ قال: «إذا أبرز المنخر والفم فلا بأس». (٢)

<sup>224</sup> **Masā’il ‘Alī ibn Ja‘far:** 243 / 572, **Qurb al-Isnād:** 196 / 744, **Tahdhīb al-Āḥkām** 1: 50 / 145, **al-Istibṣār** 1: 55 / 161, **Wasā’il al-Shī‘a** 1: 318, *Chapters on the Rules of Seclusion (Khalwah)*, Bāb 10, Hadīth 4, **Bihār al-Anwār** 81: 295 / 16.

<sup>225</sup> **Masā’il ‘Alī ibn Ja‘far:** 206 / 441, **Qurb al-Isnād:** 196 / 745, **Bihār al-Anwār** 81: 295 / 16, **Mustadrak al-Wasā’il** 1: 275, *Chapters on the Rules of Seclusion*, Bāb 23, Hadīth 1.

<sup>226</sup> **Masā’il ‘Alī ibn Ja‘far:** 206 / 443, **Qurb al-Isnād:** 196 / 747, **Wasā’il al-Shī‘a** 2: 141, *Chapters on the Etiquette of the Bathhouse*, Bāb 88, Hadīth 1, **Bihār al-Anwār** 81: 295 / 16.

**174 - Issue:** Regarding someone who prays while having dye on (like henna), he (**Ali ibn Jafar**) said: I asked him about a man or woman praying while their hair or skin is dyed with henna or indigo.<sup>227</sup> He (**Musa ibn Jafar**) said: “**If the nostrils and mouth are clear (not blocked by the dye), there is no harm.**”<sup>228</sup>

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<sup>227</sup> *al-Wasmah*: A tree whose leaves are used for firewood. **Lisān al-‘Arab** 15: 302 – root: wasm.

<sup>228</sup> **Masā’il ‘Alī ibn Ja‘far**: 152 / 203, **Qurb al-Isnād**: 199 / 760, **al-Faqīh** 1: 174 / 821, **Tahdhīb al-Āḥkām** 2: 356 / 1473, **al-Istibṣār** 1: 391 / 1490 (with variation), **Wasā’il al-Shī‘a** 4: 429, *Chapters on the Clothing of One Praying*, Bāb 39, Ḥadīth 1.

## **Chapter Seventeen: On Forgetfulness in Prayer**

١٧٥ - مسألة: قال: وسألته عن رجل سها وهو في السجدة الأخيرة من الفريضة؟

قال: «يسلم ثم يسجدها، وفي النافلة مثل ذلك» (١).

**175 - Issue:** He (Ali ibn Jafar) said: I asked him (Musa ibn Jafar) about a man who forgets while in the last prostration of a prescribed prayer. He (Musa ibn Jafar) said: “**He should complete the prayer with salam, then perform the prostration (of forgetfulness). The same applies in a voluntary prayer.**”<sup>229</sup>

١٧٦ - مسألة: قال: وسألته عن رجل نسي القنوت حتى ركع ما حاله؟ قال: «تمت صلاته ولا شيء عليه» (٢).

**176 - Issue:** He (Ali ibn Jafar) said: I asked him about a man who forgets the qunoot and only remembers after he has bowed. He (Musa ibn Jafar) said: “**His prayer is complete and there is nothing upon him.**”<sup>230</sup>

١٧٧ - مسألة: قال: وسألته عن الرجل يذكر أن عليه السجدة يريد أن يقضيها، وهو راكع في بعض صلاته، كيف يصنع؟ قال: يمضي في صلاته فإذا فرغ سجد» (٣).

**177 - Issue:** He (Ali ibn Jafar) said: I asked him about a man who remembers a prostration he missed, while he is bowing in another part of his prayer. He (Musa ibn Jafar) said: “**He should continue his prayer, and when he finishes, he should make up that missed prostration.**”<sup>231</sup>

١٧٨ - مسألة: قال: وسألته عن رجل سها فبني على ما صلّى، كيف يصنع؟ أيفتحصلاته أم يقوم وبكير ويقرأ؟ وهل عليه أذان وإنقامة؟ وإن كان قد سها في الركعتين الآخرتين، وقد فرغ من القرآن، هل عليه قراءة وتسبيح أو تكبير؟ قال: يبني على ما صلّى، فإن كان قد فرغ من القراءة، فليس عليه قراءة ولا أذان ولا إنقامة، ولا سهو عليه» (٤).

**178 - Issue:** He (Ali ibn Jafar) said: I asked him about a man who forgets, then builds (continues) on what he has prayed — what should he do? Should he begin his prayer again or just stand and say the takbeer and recite? Does he need to repeat the adhan and iqamah? If he forgets in the last two rak'ahs and has already finished the recitation, is it necessary for him to recite again or to do tasbih or takbeer? He (Musa ibn Jafar) said: “**He should build upon what he has prayed. If he has finished the recitation, he does not need to recite again, nor is there any need for adhan or iqamah, and there is no obligation upon him for the forgetfulness.**”<sup>232</sup>

<sup>229</sup> **Masā'il 'Alī ibn Ja'far:** 181 / 343, **Qurb al-Isnād:** 199 / 761, **Wasā'il al-Shī'a** 6: 367, *Chapters on Prostration (Sujūd)*, Bāb 14, Hadīth 9, **Bihār al-Anwār** 85: 156 / 8 (with variation).

<sup>230</sup> **Masā'il 'Alī ibn Ja'far:** 321 / 176, **Wasā'il al-Shī'a** 6: 289, *Chapters on Qunūt*, Bāb 18, Hadīth 6.

<sup>231</sup> **Masā'il 'Alī ibn Ja'far:** 253 / 605, **Qurb al-Isnād:** 194 / 733, **Wasā'il al-Shī'a** 6: 367, *Chapters on Prostration*, Bāb 14, Hadīth [number not specified].

<sup>232</sup> **Masā'il 'Alī ibn Ja'far:** 160 / 241, **Qurb al-Isnād:** 207 / 807, **Wasā'il al-Shī'a** 8: 211–212, *Chapters on Errors Occurring in Prayer*, Bāb [not specified], Hadīth 3 (with variation), **Bihār al-Anwār** 81: 136 / 29.

## **Chapter Nineteen: On Congregational Prayer (Jama'ah)**

١٨٢ - مسألة: قال: وسألته عن القيام خلف الإمام في الصف، ما حده؟ قال: «قم ما استطعت، فإذا قعدت فضيّق المكان فتقعد، أو تأخر فلا بأس» (١).

**182 - Issue:** He (Ali ibn Ja'far) said: I asked him (Musa ibn Ja'far) about standing behind the imam in the row—what is its extent?

He (Musa ibn Ja'far) said: “Stand as much as you can. If you sit and there's no more room, then move forward or backward; there's no harm in that.”<sup>233</sup>

١٨٣ - مسألة: قال: وسألته عن الرجل يكون في صلاته في الصف، هل يصلح له أن يتقدم إلى الثاني، أو الثالث أو يتاخر وراءه في جانب الصف الآخر؟ قال: «إذا رأى خللاً فلا بأس به» (٢).

**183 - Issue:** He (Musa ibn Ja'far) said: I asked him about a man who is in his prayer in the row—can he move forward to the second or third row or move back to another side of the row? He (Musa ibn Ja'far) said: “If he sees a gap, there's no harm in doing so.”<sup>234</sup>

١٨٤ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يصل إلى خلف الإمام فوق دكان؟ قال: «إذا كان مع القوم في الصف فلا بأس» (٣).

**184 - Issue:** He (Musa ibn Ja'far) said: I asked him about a man—can he pray behind the imam while standing on a platform (dukkan)?

He (Musa ibn Ja'far) said: “If he is with the congregation in the row, there's no harm.”<sup>235</sup>

١٨٥ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يوم في سراويل وقلنسوة؟ قال: «لا يصلح» (٤).

**185 - Issue:** He (Musa ibn Ja'far) said: I asked him whether it is permissible for a man to lead prayer wearing only trousers (saraweeh) and a cap (qalansuwa)?

He (Musa ibn Ja'far) said: “It is not permissible.”<sup>236</sup>

١٨٦ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يوم في سراويل ورداء؟ قال: «لا بأس» (٥).

<sup>233</sup> **Masā'il 'Alī ibn Ja'far:** 170 / 287, **Tahdhīb al-Āḥkām** 3: 275 / 799, **Wasā'il al-Shī'a** 8: 422, *Chapters on Congregational Prayer*, Bāb 70, Ḥadīth 1 — and in both sources: “Iqāmah (إقامة)” appears instead of “Qum (قُمّ)”.

<sup>234</sup> **Masā'il 'Alī ibn Ja'far:** 308 / 174, **Wasā'il al-Shī'a**: 425, *Chapters on Congregational Prayer*, Bāb 70, Ḥadīth 11.

<sup>235</sup> **Masā'il 'Alī ibn Ja'far:** 32 / 112, **Wasā'il al-Shī'a**: 412, *Chapters on Congregational Prayer*, Bāb 63, Ḥadīth 4.

<sup>236</sup> **Masā'il 'Alī ibn Ja'far:** 40 / 114, **Tahdhīb al-Āḥkām** 2: 366 / 1520, **Wasā'il al-Shī'a** 4: 393, *Chapters on the Clothing of the One Praying*, Bāb 22, Ḥadīth 15.

**186 - Issue:** He (**Musa ibn Ja‘far**) said: I asked him if it is permissible for a man to lead prayer in trousers and a cloak (rida')?

He (**Musa ibn Ja‘far**) said: “**There is no harm in that.**”<sup>237</sup>

١٨٧ - مسألة: قال: وسألته عن السراويل، هل تجزي مكان الإزار؟ قال: «نعم» (١).

**187 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him (**Musa ibn Ja‘far**) about whether trousers (saraveel) can suffice in place of an izaar (waist-wrapper)?

He (**Musa ibn Ja‘far**) said: “**Yes.**”<sup>238</sup>

١٨٨ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يصلّي في إزار وقلنسوة، وهو يجد رداء؟ قال: «لا بصلاح» (٢).

**188 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man—can he pray in an izaar and a cap (qalansuwa) while he has a cloak (rida')?

He (**Musa ibn Ja‘far**) said: “**It is not permissible.**”<sup>239</sup>

١٨٩ - مسألة: قال: وسألته عن الرجل، هل يصلاح أن يوم بقميص واحد أو قباء وحده؟

قال: «يطرح على ظهره شيئاً» (٣).

**189 - Issue:** (**Ali ibn Ja‘far**) He said: I asked him about a man—can he lead prayer with just a shirt (qamees) or just a cloak (qabaa)?

He (**Musa ibn Ja‘far**) said: “**He should place something over his back.**”<sup>240</sup>

١٩٠ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يوم في ممطر (٤) وحده،

أو جبة وحدها؟ قال: «إذا كان تحتها قميص فلا بأس» (٥).

**190 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man—can he lead prayer in a rain cloak (mimtar)<sup>241</sup> alone or just a long cloak (jubba)?

He (**Musa ibn Ja‘far**) said: “**If there is a shirt underneath, there's no harm.**”<sup>242</sup>

١٩١ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يوم في قباء وقميص؟

قال: «إذا كانا ثوبين فلا بأس» (٦).

<sup>237</sup> **Masā’il ‘Alī ibn Ja‘far:** 113 / 36, **al-Faqīh** 1: 252 / 1134 — in which: “*Lā ba’sa bihi* (لَا يَبْلُغُه)” appears instead of “*Lā ba’s* (لَا يَبْلُغُ)” — **Wasā’il al-Shī‘a** 4: 393, *Chapters on the Clothing of the One Praying*, Bāb 22, Ḥadīth 16.

<sup>238</sup> **Masā’il ‘Alī ibn Ja‘far:** 114 / 38, **Tahdhīb al-Aḥkām** 2: 366 / 1520, **Wasā’il al-Shī‘a** 4: 392, *Chapters on the Clothing of the One Praying*, Bāb 22, Ḥadīth 14.

<sup>239</sup> **Masā’il ‘Alī ibn Ja‘far:** 39 / 114.

<sup>240</sup> **Masā’il ‘Alī ibn Ja‘far:** 57 / 118, **Wasā’il al-Shī‘a** 4: 392, *Chapters on the Clothing of the One Praying*, Bāb 22, Ḥadīth 11 — in which: “*Liyatrah* (يُطْرَحُ)” appears instead of “*Yatrah* (يُطْرَحُ)”.

<sup>241</sup> *al-Mimtar*: A woolen garment worn in the rain for protection. **Lisān al-‘Arab** 13: 131 – root: *Maṭar*.

<sup>242</sup> **Masā’il ‘Alī ibn Ja‘far:** 58 / 118, **Wasā’il al-Shī‘a** 4: 392, *Chapters on the Clothing of the One Praying*, Bāb 22, Ḥadīth 12.

**191 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man—can he lead prayer in a cloak (qabaa) and a shirt (qamees)?

He (**Musa ibn Ja‘far**) said: “**If they are two garments, there’s no harm.**”<sup>243</sup>

١٩٢ - مسألة: قال: وسألته عن الرجل يصلّي، أله أن يكبر قبل الإمام؟ قال: «لا

يكبر إلا مع الإمام، إن كبر قبله أعاد التكبير» (٧).

**192 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man praying—can he say the opening takbeer (Allahu Akbar) before the imam?

He (**Musa ibn Ja‘far**) said: “**He should only say it along with the imam. If he says it before the imam, he must repeat the takbeer.**”<sup>244</sup>

١٩٣ - مسألة: قال: وسألته عن قوم صلوا جماعة في سفينة، أين يقوم الإمام؟ وإن كان معهم نساء، كيف يصتنعن؟ أقياماً يصلون أم جلوساً؟ قال: «يصلون قياماً، فإن لم يقدروا على القيام صلوا جلوساً [ ويقوم الإمام أمامهم ]، وتقوم النساء خلفهم، وإن ضاقت السفينة قعد النساء، وصلّى الرجال، ولا بأس أن تكون النساء بحاليهم» (٢).

**193 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him (**Musa ibn Ja‘far**) about a group of people praying in congregation on a ship—where should the imam stand?<sup>245</sup> And if there are women with them, what should they do? Should they pray standing or sitting?

He (**Musa ibn Ja‘far**) said: “**They should pray standing, but if they cannot stand, they should pray sitting, and the imam should stand in front of them. The women should stand behind them, and if the ship is too cramped, the women may sit while the men stand and pray. It is also permissible for the women to be directly beside them.**”<sup>246</sup>

١٩٤ - مسألة: قال: وسألته عن الرجل يكون خلف الإمام يقتدي به في الظهر والعصر، يقرأ خلفه؟ قال: «لا، ولكن يسبح ويحمد ربه

**194. - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man praying behind the imam, following him in Dhuhr and Asr—should he recite behind the imam?

He (**Musa ibn Ja‘far**) said: “**No, but he should glorify Allah, praise Him, and send blessings upon His Prophet.**”<sup>247</sup>

١٩٥ - مسألة: قال: وسألته عن الرجل يكون خلف الإمام يجهر بالقراءة، وهو يقتدي به هل له أن يقرأ من خلفه؟ قال: «لا، ولكن يقتدي به» (٤).

<sup>243</sup> **Masā’il ‘Alī ibn Ja‘far:** 62 / 119, **Wasā’il al-Shī‘a** 4: 392, *Chapters on the Clothing of the One Praying*, Bāb 22, Ḥadīth 13.

<sup>244</sup> **Masā’il ‘Alī ibn Ja‘far:** 211 / 455, **Qurb al-Isnād:** 218 / 854, **Wasā’il al-Shī‘a** 3: 101–102, *Chapters on the Funeral Prayer*, Bāb 16, Ḥadīth 1, **Bihār al-Anwār** 78: 389 / 53.

<sup>245</sup> From the source.

<sup>246</sup> **Masā’il ‘Alī ibn Ja‘far:** 163 / 257, **Qurb al-Isnād:** 217 / 850, **Tahdhīb al-Āḥkām** 3: 296 / 900, **al-Īstibṣār** 1: 440 / 1697, **Wasā’il al-Shī‘a** 8: 428, *Chapters on Congregational Prayer*, Bāb 73, Ḥadīth 3 — with minor variations in all except the first source.

<sup>247</sup> **Masā’il ‘Alī ibn Ja‘far:** 128 / 102, **Qurb al-Isnād:** 211 / 826, **Wasā’il al-Shī‘a** 8: 361, *Chapters on Congregational Prayer*, Bāb 32, Ḥadīth 3, **Bihār al-Anwār** 85: 81 / 36.

في (الجعفريات): «ولكن لينصت للقرآن» (٥)، قال علي بن جعفر: قال أخي :

على الإمام أن يرفع يديه في الصلاة، وليس على غيره أن يرفع يديه في التكبير» (٦).

**195 - Issue:** He (Ali ibn Ja'far) said: I asked him about a man praying behind an imam who is reciting aloud—should he also recite behind him?

He (Musa ibn Ja'far) said: “**No, but he should follow the imam.**” <sup>248</sup>

In (al-Ja'fariyyat): “**But he should listen attentively to the Qur'an.**” <sup>249</sup>

Ali ibn Ja'far said: My brother (Musa ibn Ja'far) said: “**The imam should raise his hands during the prayer, but others should not raise their hands during the takbeer.**” <sup>250</sup>

١٩٦ - مسألة : قال: وسألته، عن إمام قرأ السجدة فأحدث قبل أن يسجد، كيف يصنع ؟  
قال: «يقدم غيره فيسجد ويسجدون، وينصرف فقد تمت صلاتهم» (١).

**196 - Issue:** He (Ali ibn Ja'far) said: I asked him (Musa ibn Ja'far) about an imam who recited the prostration verse (Sajda) but then spoke before performing the prostration, what should he do?

He (Musa ibn Ja'far) said: “**Someone else should go ahead and prostrate, and the others should prostrate as well, then they should dismiss the prayer because their prayer is complete.**” <sup>251</sup>

١٩٧ - مسألة: قال، وسألته عن الرجل يكون خلف الإمام فيطول في التشهد فيأخذه البول، أو يتخوف على شيء يفوت، أو يعرض له،  
كيف يصنع ؟ قال: يتشهد هو وينصرف، ويدع الإمام» (٢).

**197 - Issue:** He (Ali ibn Ja'far) said: I asked him about a man praying behind the imam who prolongs the final tashahhud, and he either experiences the need to urinate or fears missing something, or something else comes to him—what should he do?

He (Musa ibn Ja'far) said: “**He should perform the tashahhud himself, then leave, abandoning the imam.**” <sup>252</sup>

١٩٨ - مسألة: قال: وسألته عن تسليم الرجل خلف الإمام في الصلاة كيف؟ قال:

تسليمة واحدة عن يمينك إذا كان عن يمينك أحد، أو لم يكن» (٣).

<sup>248</sup> **Qurb al-Isnād:** 208 / 811, **Wasā'il al-Shī'a** 8: 359, *Chapters on Congregational Prayer*, Bāb 31, Hadīth 16, **Bihār al-Anwār** 85: 80 / 36 — in which: “Yu'taddu bihi (يُعْتَدُ بِهِ)” appears instead of “Yuqtaḍā bihi (يُقْتَدَى بِهِ)”.

<sup>249</sup> **Masā'il 'Alī ibn Ja'far:** 101 / 127.

<sup>250</sup> **Masā'il 'Alī ibn Ja'far:** 257 / 619, **Qurb al-Isnād:** 208 / 808, **Tahdhīb al-Āḥkām** 2: 287 / 1153, **Wasā'il al-Shī'a** 6: 27, *Chapters on the Opening Takbīrah (Takbīrat al-Iḥrām)*, Bāb 9, Hadīth 7.

<sup>251</sup> **Masā'il 'Alī ibn Ja'far:** 255 / 611, **Qurb al-Isnād:** 205 / 795, **Tahdhīb al-Āḥkām** 2: 293 / 1178, **Wasā'il al-Shī'a** 8: 427, *Chapters on Congregational Prayer* (Bāb 72), Hadīth 3 — in which it states: “Tammet ṣalātuh (تَمَّتْ صَلَاتُهُ)” instead of “Tammet ṣalātuhum (تَمَّتْ صَلَاتُهُمْ)”.

<sup>252</sup> **Masā'il 'Alī ibn Ja'far:** 255 / 613, **Qurb al-Isnād:** 207 / 803, **al-Faqīh** 1: 261 / 1191 — in which it says: “Yusallim (يُسَلِّمُ)” instead of “Yatashahhad huwa (يَتَشَهَّدُ هُوَ)”— **Tahdhīb al-Āḥkām** 2: 349 / 1446 and 3: 283 / 842, **Wasā'il al-Shī'a** 8: 413, *Chapters on Congregational Prayer* (Bāb 64), Hadīth 2.

**198 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about how a man should give the salam (salutation) behind the imam in prayer?

He said: “**One salam to your right if someone is on your right, or even if there isn't anyone.**”<sup>253</sup>

١٩٩ - مسألة: قال: وسألته، عن حد قعود الإمام بعد التسليم، ما هو ؟ قال: «يسلم، فلا ينصرف ولا يلتفت، حتى يعلم أن كل من دخل معه في صلاته قد أتم صلاته، ثم ينصرف» (٤).

**199 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about the limit of the imam sitting after the salam, what is it?

He (**Musa ibn Ja'far**) said: “**The imam should give the salam and then not leave or turn around until he is sure that everyone who prayed with him has completed their prayer, then he may leave.**”<sup>254</sup>

٢٠٠ - مسألة: قال: وسألته عن قوم صلوا خلف إمام، هل يصلح لهم أن ينصرفوا والإمام قاعد؟ قال: «إذا سلم الإمام فليقيم من أحب» (٥).

**200 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a group praying behind the imam—can they leave while the imam is still sitting?

He (**Musa ibn Ja'far**) said: “**If the imam has given the salam, then whoever wishes may stand up.**”<sup>255</sup>

٢٠١ - مسألة: قال: وسألته عن القوم يتحدون حتى يذهب الثالث الأول من الليل وأكثر، أيهما أفضل يصلون العشاء جماعة، أو في غير جماعة؟ قال: يصلونها جماعة أفضل» (١).

**201 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a group who talk until more than the first third of the night has passed, which is better: should they pray the Isha in congregation or individually?

He (**Musa ibn Ja'far**) said: “**Praying it in congregation is better.**”<sup>256</sup>

٢٠٢ - مسألة: قال: وسألته عن الرجل يدرك الركعة من المغرب، كيف يصنع حين يقوم يقضي، أبقيع في الثانية والثالثة؟ قال: «يُقعد فيهن جميعاً» (٢).

**202 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who catches part of the Maghrib prayer—what should he do when he stands up to complete it? Should he sit for the second and third rak'ahs?

He (**Musa ibn Ja'far**) said: “**He should sit during all of them.**”<sup>257</sup>

<sup>253</sup> **Masā'il 'Alī ibn Ja'far:** 254 / 610, **Qurb al-Isnād:** 209 / 814, **Wasā'il al-Shī'a** 6: 423, *Chapters on Salām (Taslīm)* (Bāb 2), Ḥadīth 16, **Bihār al-Anwār** 82: 297 / 1.

<sup>254</sup> **Masā'il 'Alī ibn Ja'far:** 254 / 607, **Qurb al-Isnād:** 209 / 816, **Wasā'il al-Shī'a** 6: 435, *Chapters on Ta'qīb (Post-prayer Supplication)* (Bāb 2), vol. 8, **Bihār al-Anwār** 85: 80 / 36.

<sup>255</sup> **Masā'il 'Alī ibn Ja'far:** 256 / 617, **Qurb al-Isnād:** 209 / 817, **Wasā'il al-Shī'a** 6: 436, *Chapters on Ta'qīb* (Bāb 3), Ḥadīth 2, **Bihār al-Anwār** 85: 80 / 36.

<sup>256</sup> **Masā'il 'Alī ibn Ja'far:** 185 / 365, **Qurb al-Isnād:** 201 / 775, **Wasā'il al-Shī'a** 8: 308, *Chapters on Congregational Prayer* (Bāb 9), Ḥadīth 2, **Bihār al-Anwār** 85: 73 / 26.

<sup>257</sup> **Masā'il 'Alī ibn Ja'far:** 255 / 612, **Qurb al-Isnād:** 195 / 737, **Wasā'il al-Shī'a** 8: 417, *Chapters on Congregational Prayer* (Bāb 66), Ḥadīth 4, **Bihār al-Anwār** 85: 80 / 36.

٢٠٣ - مسألة: قال: وسألته عن رجل أدرك مع الإمام ركعة ثم قام يصلّى، كيف يصنع، يقرأ في الثالثة كلهن، أو في ركعة، أو في شنتين؟ قال: «يقرأ في شنتين، وإن قرأ في واحدة أجزأه» (٣).

**203 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who catches one rak'ah with the imam, then stands up to pray—how should he act? Should he recite in all three rak'ahs, or only in one or two?

He (**Musa ibn Ja'far**) said: **“He should recite in two rak'ahs, but if he recites in one, that is sufficient.”**<sup>258</sup>

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<sup>258</sup> **Masā'il 'Alī ibn Ja'far:** 254 / 606, **Qurb al-Isnād:** 193 / 731, **Wasā'il al-Shī'a** 8: 389–390, *Chapters on Congregational Prayer* (Bāb 47), Ḥadīth –, **Bihār al-Anwār** 85: 53 / 12.

## **Chapter Twenty: On What Breaks the Prayer and What Does Not**

٢٠٤ - مسألة: قال: وسألته عن رجل يكون في صلاته، فيعلم أن ريحًا قد خرجت، فلا يجد ريحها ولا يسمع صوتًا؟ قال: «يعيد الوضوء والصلوة، ولا يعتد بشيء مما صلّى إذا علم ذلك يقينًا» (١).

**204 - Issue:** He (Ali ibn Ja‘far) said: I asked him (Musa ibn Ja‘far) about a man who is praying and knows that a fart has occurred, but neither smells it nor hears any sound?

He (Musa ibn Ja‘far) said: “**He must perform wudu and repeat the prayer, and nothing of the prayer he performed counts if he knows this with certainty.**”<sup>259</sup>

٢٠٥ - مسألة: قال: وسألته عن رجل وجد ريحًا في بطنه، فوضع يده على أنفه، وخرج من المسجد متعمداً حتى أخرج الريح من بطنه، ثم عاد إلى المسجد فصلّى ولم يتوضأ، هل يجزيه ذلك؟ قال: «لا يجزيه حتى يتوضأ ولا يعتد بشيء مما صلّى» (٢).

**205 - Issue:** He (Ali ibn Ja‘far) said: I asked him about a man who feels gas in his stomach, places his hand on his nose, then deliberately leaves the mosque to release the gas, then returns and prays without performing wudu—does that suffice?

He (Musa ibn Ja‘far) said: “**It does not suffice until he performs wudu, and nothing of what he prayed counts.**”<sup>260</sup>

٢٠٦ - مسألة: قال: وسألته عن الرجل يسجد فتحول عمامته وقلنسوته بين جبهته وبين الأرض؟ قال: «لا يصلح حتى يضع جبهته على الأرض» (٣).

**206 - Issue:** He (Ali ibn Ja‘far) said: I asked him about a man who prostrates and his turban or cap comes between his forehead and the ground?

He (Musa ibn Ja‘far) said: “**It is not valid until he places his forehead on the ground.**”<sup>261</sup>

٢٠٧ - مسألة: وفي (الجعفرية) وسألته عن الرجل يكون في صلاته، أ وضع إحدى يديه على الأخرى بكفه أو ذراعه؟ قال: «لا يصلح ذلك، فإن فعل فلا يعود» (٤).

قال: على، قال: «موسى سأله أبي جعفر عن ذلك فقال: أخبرني أبي محمد بن علي، عن أبيه علي بن الحسين، عن أبيه الحسين بن علي، عن أبيه علي بن أبي طالب قال: «ذلك عمل وليس في الصلاة عمل» (١).

وقال علي بن جعفر، قال: أخي: «قال: علي بن الحسين: وضع الرجل إحدى يديه على الأخرى في الصلاة عمل، وليس في الصلاة عمل» (٢).

<sup>259</sup> **Masā’il ‘Alī ibn Ja‘far:** 184 / 358, **Qurb al-Isnād:** 200 / 769, **Wasā’il al-Shī‘a** 7: 235, *Chapters on Invalidators of Prayer* (Bāb 1), Ḥadīth –, **Bihār al-Anwār** 77: 213 / 3 — with slight variations.

<sup>260</sup> **Masā’il ‘Alī ibn Ja‘far:** 184 / 359, **Qurb al-Isnād:** 200 / 770, **Wasā’il al-Shī‘a** 7: 235, *Chapters on Invalidators of Prayer* (Bāb 1), Ḥadīth –, **Bihār al-Anwār** 77: 213 / 2.

<sup>261</sup> **Masā’il ‘Alī ibn Ja‘far:** 184 / 361, **Qurb al-Isnād:** 201 / 772, **Wasā’il al-Shī‘a** 5: 363, *Chapters on What One Prostrates Upon* (Bāb 14), Ḥadīth 6.

**207 - Issue:** In (Al-Ja‘fariyyāt), I asked him about a man who during prayer places one hand over the other on his palm or arm?

He (Musa ibn Ja‘far) said: “That is not valid, and if he does it, he must repeat the prayer.”<sup>262</sup>

Ali said: “Musa, I asked Abu Ja‘far about this, and he said: My father Muhammad ibn Ali informed me, from his father Ali ibn al-Husayn, from his father Husayn ibn Ali, from his father Ali ibn Abi Talib, that ‘this is a deed and deeds do not belong to prayer.’”<sup>263</sup>

And Ali ibn Ja‘far said: My brother said: ‘Ali ibn al-Husayn said: A man placing one hand on the other during prayer is a deed, and deeds are not part of prayer.’”<sup>264</sup>

٢٠٨ - مسألة: قال: وسألته عن الرجل هل يصلح له وهو في صلاته أن يقتل القملة، والنملة، أو الفارة، أو الخلمة (٣)، أو شبه ذلك؟  
قال: «أما القملة فلا يصلح له،  
ولكن يرمي بها خارجًّا من المسجد، أو يدفنها تحت رجليه» (٤).

**208 - Issue:** He (Ali ibn Ja‘far) said: I asked him whether it is valid for a man during prayer to kill a louse, an ant, a mouse, a flea,<sup>265</sup> or something similar?

He (Musa ibn Ja‘far) said: “As for the louse, it is not valid, but he should throw it outside the mosque or bury it under his feet.”<sup>266</sup>

٢٠٩ - مسألة: قال: وسألته عن الرجل يكون في الصلاة فيسمع الكلام أو غيره، فينصت لسماعه، ما عليه إن فعل ذلك؟ قال: هو نقص،  
وليس عليه شيء» (٥).

**209 - Issue:** He said: I asked him about a man who hears talking or other sounds during prayer and listens attentively to hear it, what is the ruling?

He (Musa ibn Ja‘far) said: “It is a deficiency but does not invalidate the prayer.”<sup>267</sup>

٢١٠ - مسألة: قال: وسألته عن الرجل يكون في صلاته فيرمي الكلب وغيره بالحجر، ما عليه؟ قال: «ليس عليه شيء، ولا يقطع ذلك صلاته» (٦).

**210 - Issue:** He (Ali ibn Ja‘far) said: I asked him about a man who throws stones at a dog or others during prayer, what is the ruling?

<sup>262</sup> **Masā’il ‘Alī ibn Ja‘far:** 288 / 170, **Wasā’il al-Shī‘a** 7: 266, *Chapters on Invalidators of Prayer* (Bāb 15), Ḥadīth 5.

<sup>263</sup> **Masā’il ‘Alī ibn Ja‘far:** 288 / 170.

<sup>264</sup> **Qurb al-Isnād:** 208 / 808, **Wasā’il al-Shī‘a** 7: 266, *Chapters on Invalidators of Prayer* (Bāb 15), Ḥadīth 4.

<sup>265</sup> **al-Halamah:** A worm (parasite) that inhabits the skin of sheep — see **al-Ṣīḥāḥ** 5: 1903 – under the root **ḥ-l-m**.

<sup>266</sup> **Masā’il ‘Alī ibn Ja‘far:** 243 / 575, **Qurb al-Isnād:** 209 / 812, **Wasā’il al-Shī‘a** 7: 276, *Chapters on Invalidators of Prayer* (Bāb 20), Ḥadīth –, **Bihār al-Anwār** 81: 296 / 16.

<sup>267</sup> **Masā’il ‘Alī ibn Ja‘far:** 167 / 274, **Qurb al-Isnād:** 203 / 784, **Wasā’il al-Shī‘a** 7: 258, *Chapters on Invalidators of Prayer* (Bāb 10), Ḥadīth 3.

He (**Musa ibn Ja‘far**) said: “**There is no blame on him, and this does not break his prayer.**”

<sup>268</sup>

٢١١ - مسألة: قال: وسألته عن تفريح الأصابع في الركوع، أسنة هو ؟ قال: )) من شاء فعل، ومن شاء ترك« (١).

**211 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about spreading the fingers in the bowing (rukū‘), is it Sunnah?

He (**Musa ibn Ja‘far**) said: “**Whoever wishes may do it, and whoever wishes may leave it.**”

<sup>269</sup>

٢١٢ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يغمض عينه في الصلاة متعمداً؟ قال: «لا بأس» (٢).

**212 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him if it is permissible for a man to deliberately close his eyes during prayer?

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”

٢١٣ - مسألة: من (الجعفريات) وسألته عن الرجل، هل يصلح أن يرفع طرفه إلى السماء وهو في صلاته؟ قال: «لا بأس» (٣).

**213 - Issue:** From (**Al-Ja‘fariyyāt**), I asked him if it is permissible for a man to raise his gaze to the sky while praying?

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”

٢١٤ - مسألة: قال: وسألته عن رجل يكون في صلاته وإلى جانبه رجل راقد، فيريد أن يوقظه، فيسبح ويرفع صوته، لا يريد إلا لاستيقظ الرجل، أقطع ذلك صلاته، أو ما عليه؟ قال: «لا يقطع ذلك صلاته، ولا شيء عليه» (٤).

**214 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man praying with another man sleeping beside him, who wants to wake him by glorifying Allah (tasbih) loudly, only to wake the man—does that break his prayer or is there any problem?

He (**Musa ibn Ja‘far**) said: “**That does not break his prayer and there is no blame on him.**”

<sup>272</sup>

٢١٥ - مسألة: قال: وسألته عن الرجل يكون في صلاته، فيستأذن إنسان على الباب، فيسبح ويرفع صوته؛ ليسمع خادمه فيأتيه، فيبين له بيده أن على الباب إنساناً، أما يقطع ذلك صلاته، أو ماذا عليه؟ قال: «لا بأس» (٥).

**215 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man praying and someone requests permission at the door, so he glorifies Allah loudly to let his servant hear and come, and signals with his hand that there is a person at the door—does that break his prayer or what is the

<sup>268</sup> **Masā’il ‘Alī ibn Ja‘far:** 243 / 573, **Qurb al-Isnād:** 204 / 787, **Wasā’il al-Shī‘a** 7: 258, *Chapters on Invalidators of Prayer* (Bāb 10), Ḥadīth 2.

<sup>269</sup> **Masā’il ‘Alī ibn Ja‘far:** 130 / 114, **Qurb al-Isnād:** 204 / 791, **Wasā’il al-Shī‘a** 6: 329, *Chapters on Rukū‘* (Bāb 22), Ḥadīth 2.

<sup>270</sup> **Masā’il ‘Alī ibn Ja‘far:** 184 / 357, **Qurb al-Isnād:** 200 / 768, **Wasā’il al-Shī‘a** 7: 249, *Chapters on Invalidators of Prayer* (Bāb 6), Ḥadīth 2.

<sup>271</sup> **Masā’il ‘Alī ibn Ja‘far:** 185 / 363, **Qurb al-Isnād:** 201 / 774, **al-Faqīh** 1: 165 / 775, **Wasā’il al-Shī‘a** 7: 284–285, *Chapters on Invalidators of Prayer* (Bāb 27), Ḥadīth 1.

<sup>272</sup> **Masā’il ‘Alī ibn Ja‘far:** 182 / 351, **Qurb al-Isnād:** 200 / 766, **Wasā’il al-Shī‘a** 7: 257, *Chapters on Invalidators of Prayer* (Bāb 9), Ḥadīth 9.

ruling?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>273</sup>

٢١٦ - مسألة: قال: وسألته عن القيام من الركعتين الأولتين، كيف يضع ركبتيه ويديه على الأرض ثم ينهض، أو كيف يصنع؟ قال: «ما شاء صنع، ولا بأس» (١).

**216 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about rising from the first two rak'ahs, how does he place his knees and hands on the ground before standing, or how should he do it?

He (**Musa ibn Ja'far**) said: “**Do as you wish, there is no harm.**”<sup>274</sup>

٢١٧ - مسألة: قال: وسألته عن الرجل يكون في صلاته فيستفتح الرجل الآية، هل تفتح عليه، وهل يقطع ذلك الصلاة؟ قال: «لا يصلح أن يفتح عليه» (٢).

**217 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who recites aloud the opening verse (fatiha) during prayer—does it interrupt the prayer or is it allowed?

He (**Musa ibn Ja'far**) said: “**It is not permissible to recite aloud during his prayer.**”<sup>275</sup>

٢١٨ - مسألة: من (الجعفريات) وسألته عن المرأة تكون في صلاة فريضة ولدها إلى جنبها فيكي، وهي قاعدة، هل يصلح لها أن تناوله فتقعده في حجرها؛ لتسكنه، أو ترضعه؟ قال: «لا بأس» (٣).

أيضاً من (الجعفريات) وسألته عن الرجل يكون في جماعة فيقرأ إنسان السجدة، كيف يصنع؟ قال: «يوميء برأسه» (٤).

من (الجعفريات) أيضاً وسألته عن الرجل يكون في صلاته فيقرأ آخر السجدة؟

قال: «يسجد إذا سمع شيئاً من العزائم الأربع، ثم يقوم فيتم صلاته إلا أن يكون في فريضة فيومي برأسه أيامه» (٥).

ومنها أيضاً وسألته عن الرجل هل يصلح له أن ينظر وهو في صلاته في نقش خاتمه كأنه يرید قراءته، أو في صحيفة أو في كتاب في القبلة؟ قال: «ذلك نقص في الصلاة، وليس يقطعها» (١).

**218 - Issue:** From (**Al-Ja'fariyyāt**), I (**Ali ibn Ja'far**) asked him about a woman praying an obligatory prayer with her child crying beside her while she is sitting—can she take the child and sit him on her lap to calm him or breastfeed him?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>276</sup>

Also from (**Al-Ja'fariyyāt**), I (**Ali ibn Ja'far**) asked him about a man praying in congregation when someone recites the sajdah verse how should he respond?

He (**Musa ibn Ja'far**) said: “**He should gesture with his head.**”<sup>277</sup>

Also from (**Al-Ja'fariyyāt**), I (**Ali ibn Ja'far**) asked about a man praying who recites the last

<sup>273</sup> **Masā'il 'Alī ibn Ja'far:** 182 / 352, **Qurb al-Isnād:** 200 / 767, **Tahdhīb al-Āḥkām** 2: 331 / 1363, **Wasā'il al-Shī'a** 7: 256, *Chapters on Invalidators of Prayer* (Bāb 9), Ḥadīth 6 — with slight variation.

<sup>274</sup> **Masā'il 'Alī ibn Ja'far:** 184 / 360, **Qurb al-Isnād:** 201 / 771, **Wasā'il al-Shī'a** 6: 396, *Chapters on Tashahhud* (Bāb 3), Ḥadīth 3

<sup>275</sup> **Masā'il 'Alī ibn Ja'far:** 236 / 550, **Qurb al-Isnād:** 194 / 732, **Wasā'il al-Shī'a** 8: 306, *Chapters on Congregational Prayer* (Bāb 7), Ḥadīth 4.

<sup>276</sup> **Masā'il 'Alī ibn Ja'far:** 165 / 267, **Qurb al-Isnād:** 225 / 877, **Wasā'il al-Shī'a** 7: 280, *Chapters on Invalidators of Prayer* (Bāb 24), Ḥadīth 2.

<sup>277</sup> **Masā'il 'Alī ibn Ja'far:** 300 / 172, **Wasā'il al-Shī'a** 6: 243, *Chapters on Qur'an Recitation* (Bāb 43), Ḥadīth 3.

sajdah verse

He (**Musa ibn Ja'far**) said: “He should prostrate upon hearing any of the four commands, then rise to complete his prayer; except if it is an obligatory prayer, then he gestures with his head.”<sup>278</sup>

Also from (**Al-Ja'fariyyāt**), I (**Ali ibn Ja'far**) asked if it is permissible for a man to look at the engraving of his ring as if to read it, or at a paper or book in front of him during prayer?

He (**Musa ibn Ja'far**) said: “That is a deficiency in the prayer but does not break it.”<sup>279</sup>

٢١٩ - مسألة: قال: وسألته عن الرجل يكون في الصلاة، فيسلم عليه الرجل، هل يصلح له أن يرد؟ قال: «نعم، يقول: السلام عليك. فيشير إليه باصبعه» (٢).

**219 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who is praying and someone greets him with salam—can he respond?

He (**Musa ibn Ja'far**) said: “Yes, he should say: ‘Peace be upon you’ and gesture to him with his finger.”<sup>280</sup>

٢٢٠ - مسألة: قال: وسألته عن رجل رَعُفَ وهو في صلاته، وخلفه ماء، هل يصلح أن ينكص على عقبيه حتى يتناول الماء فيغسل الدم؟ قال: «إذا لم يلتفت فلا بأس» (٣).

**220 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who coughs during prayer and there is blood behind him—can he turn back to reach the water to wash the blood?

He (**Musa ibn Ja'far**) said: “If he does not look around, there is no harm.”<sup>281</sup>

٢٢١ - مسألة: قال: وسألته عن الرجل يلتفت في صلاته، هل يقطع ذلك صلاته؟

قال: «إذا كانت الفريضة والافت إلى خلفه فقد قطع صلاته، فيعيد ما صلّى، ولا يعتد به.

وإن كانت نافلة لم يقطع ذلك صلاته، ولكن لا يعود (٤).

**221 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who turns around during prayer—does that break his prayer?

He (**Musa ibn Ja'far**) said: “If it is obligatory prayer and he turns to his back, then his prayer is broken; he must repeat the prayer and it will not count. If it is a voluntary prayer, it does not break the prayer but he should not repeat it.”<sup>282</sup>

٢٢٢ - مسألة: قال: وسألته عن الرجل يسجد ثم لا يرفع يديه من الأرض حتى يسجد الثانية، هل يصلح له ذلك؟ قال: «ذلك نقص في الصلاة» (٥).

<sup>278</sup> **Masā'il 'Alī ibn Ja'far**: 303 / 173, **Wasā'il al-Shī'a** 6: 243, *Chapters on Qur'an Recitation* (Bāb 43), Hadīth 4.

<sup>279</sup> **Masā'il 'Alī ibn Ja'far**: 347 / 181, **Qurb al-Isnād**: 190 / 715, **Wasā'il al-Shī'a** 7: 290, *Chapters on Invalidators of Prayer* (Bāb 34), Hadīth 3.

<sup>280</sup> **Masā'il 'Alī ibn Ja'far**: 242 / 567, **Qurb al-Isnād**: 209 / 815, **Wasā'il al-Shī'a** 7: 269, *Chapters on Invalidators of Prayer* (Bāb 16), Hadīth 7.

<sup>281</sup> **Masā'il 'Alī ibn Ja'far**: 242 / 569, **Qurb al-Isnād**: 210 / 819, **Wasā'il al-Shī'a** 7: 243, *Chapters on Invalidators of Prayer* (Bāb 2), Hadīth 18.

<sup>282</sup> **Masā'il 'Alī ibn Ja'far**: 243 / 574, **Qurb al-Isnād**: 210 / 820, **Wasā'il al-Shī'a** 7: 246, *Chapters on Invalidators of Prayer* (Bāb 3, Hadīth 8).

**222 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who prostrates but does not lift his hands from the ground until he prostrates the second time—is that valid?

He (**Musa ibn Ja'far**) said: “**That is a deficiency in the prayer.**”<sup>283</sup>

٢٢٣ - مسألة: قال: وسألته، عن الخاتم يكون فيه نقش تماثيل سبع، أو طير، أيصل إلى فيه؟ قال: «لا بأس» (١).

**223 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a ring engraved with seven statues or birds—can one pray wearing it?

He said: “**There is no harm.**”<sup>284</sup>

٢٢٤ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصل إلى وأمامه شيء من الطير؟ قال: «لا بأس» (٢).

**224 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if it is permissible for a man to pray with something of a bird in front of him?

He said: “**There is no harm.**”<sup>285</sup>

٢٢٥ - مسألة: قال: وسألته عن الرجل يسجد فيضع يده على نعله، هل يصلح

ذلك له؟ قال: «لا بأس» (٣).

**225 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who prostrates and places his hand on his sandal—does this affect the prayer?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>286</sup>

٢٢٦ - مسألة: قال: وسألته عن الرجل يصل إلى الضحى وأمامه امرأة تصلي بينهما عشرة أذرع؟ قال: «لا بأس، لم يمض في صلاته» (٤).

**226 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man praying Dhuha prayer with a woman praying ten cubits away—does that invalidate his prayer?

He (**Musa ibn Ja'far**) said: “**There is no harm; let him continue his prayer.**”<sup>287</sup>

٢٢٧ - مسألة: قال: وسألته عن الرجل يكون في صلاته، هل يصلح له أن تكون امرأة مقبلة بوجهها عليه في القبلة قاعدةً أو قائمةً؟ قال: «يدرُّهَا، فإن لم يفعل لم يقطع ذلك صلاته» (٥).

<sup>283</sup> **Masā'il 'Alī ibn Ja'far:** 215 / 469, **Qurb al-Isnād:** 210 / 822, **Wasā'il al-Shī'a** 6: 383, *Chapters on Prostration* (Bāb 25), Hadīth 1.

<sup>284</sup> **Masā'il 'Alī ibn Ja'far:** 128 / 103, **Qurb al-Isnād:** 211 / 827, **Mustadrakāt al-Sarā'ir** (within **Kitāb al-Sarā'ir**) 3: 624, **Wasā'il al-Shī'a** 4: 442, *Chapters on the Prayer Garments* (Bāb 45), Hadīth 23.

<sup>285</sup> **Masā'il 'Alī ibn Ja'far:** 228 / 527, **Qurb al-Isnād:** 212 / 831, **al-Faqīh** 1: 164 / 775 — it reads “**ṭīn** (clay)” instead of “**ṭayr** (bird)”, **Wasā'il al-Shī'a** 5: 179, *Chapters on the Place of the Worshipper* (Bāb 37), Hadīth 1.

<sup>286</sup> **Masā'il 'Alī ibn Ja'far:** 30 / 112, **Wasā'il al-Shī'a** 5: 353, *Chapters on What One Prostrates Upon* (Bāb 5), Hadīth 3.

<sup>287</sup> **Masā'il 'Alī ibn Ja'far:** 228 / 526, **Qurb al-Isnād:** 204 / 788, **Wasā'il al-Shī'a** 5: 128, *Chapters on What One Prostrates Upon* (Bāb –), Hadīth 2).

**227 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man praying and a woman sitting or standing facing him in the Qiblah—does that invalidate his prayer?

He said: “**He should prevent it, but if he does not, it does not break his prayer.**”<sup>288</sup>

٢٢٨ - مسألة: قال: وسألته عن رجل هل يصلح له أن يصلّي في مسجد قصير الحائط، وامرأة قائمة تصلي بحيله، وهو يراها وتراه؟  
قال: «إن كان بينهما حائط قصير أو طويل فلا بأس» (١).

**228 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if it is permissible for a man to pray in a mosque with a low wall, and a woman stands praying beside him while they see each other?

He (**Musa ibn Ja'far**) said: “**If there is a low or tall wall between them, there is no harm.**”  
<sup>289</sup>

٢٢٩ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلّي في مسجد حيطانه كوى (١) كلّه قبلته، وجانبيه، وامرأة حياله يراها ولا تراه؟ قال: «لا بأس» (٢).

**229 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if it is permissible for a man to pray in a mosque whose walls have windows<sup>290</sup> all around (including Qiblah and sides), and a woman prays beside him who can see him but he cannot see her?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>291</sup>

٢٣٠ - مسألة: قال: وسألته عن رجل يكون في الصلاة، هل يصلح له أن يقدم رجلاً ويؤخر أخرى، من غير مرض ولا علة؟ قال: «لا بأس» (٣).

**230 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if a man can place one foot forward and the other back during prayer without illness or disability?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>292</sup>

٢٣١ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يستند إلى حائط المسجد، وهو يصلّي يضع يده على الحائط، وهو قائم من غير مرض ولا علة؟ قال: «لا بأس» (٤).

**231 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if a man can lean on a mosque wall during prayer, placing his hand on it while standing without illness or disability?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>293</sup>

<sup>288</sup> **Masā'il 'Alī ibn Ja'far:** 227 / 518, **Qurb al-Isnād:** 204 / 789, **Wasā'il al-Shī'a** 7: 279, *Chapters on Invalidators of Prayer* (Bāb 22), Ḥadīth 2 — both sources read: “**he repels it from him**” instead of just “**he repels it**”.

<sup>289</sup> **Masā'il 'Alī ibn Ja'far:** 224 / 508, **Qurb al-Isnād:** 207 / 805, **Wasā'il al-Shī'a** 5: 130, *Chapters on the Place of the Worshipper* (Bāb 8), Ḥadīth 4.

<sup>290</sup> *al-Kuwwa:* A hole/opening in the wall. **Lisān al-'Arab** 12:198 – entry *k-w-y*.

<sup>291</sup> **Masā'il 'Alī ibn Ja'far:** 140 / 159, **Tahdhīb al-Āḥkām** 2: 374 / 1553, **Wasā'il al-Shī'a** 5: 129, *Chapters on the Place of the Worshipper*, Bāb –, Ḥadīth 1.

<sup>292</sup> **Masā'il 'Alī ibn Ja'far:** 164 / 262, **Qurb al-Isnād:** 205 / 797, **Wasā'il al-Shī'a** 5: 192, *Chapters on the Place of the Worshipper*, Bāb 44, Ḥadīth (variant wording).

<sup>293</sup> **Masā'il 'Alī ibn Ja'far:** 235 / 547, **Qurb al-Isnād:** 204 / 792, **al-Faqīh** 1: 237 / 1045, **Tahdhīb al-Āḥkām** 2: 326 / 1339, **Wasā'il al-Shī'a** 5: 499, *Chapters on Standing*, Bāb 10, Ḥadīth 1.

٢٣٢ - مسألة: قال: وسألته عن رجل يكون في صلاة فريضة فيقوم في الركعتين الأولتين، هل يصلح له أن يتناول حائط المسجد فينهض، ويستعين به على القيام من غير ضعف ولا علة؟ قال: «لا بأس» (٥).

**232 - Issue:** He said: I asked him about a man praying an obligatory prayer who uses the mosque wall to help rise from the first two rak'ahs without weakness or illness?

He (**Musa ibn Ja'far**) said: “**There is no harm.**” <sup>294</sup>

٢٣٣ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلي وفي كفه شيء من الطير؟ قال: «إن خاف عليه ذهاباً فلا بأس» (١).

**233 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if it is permissible for a man to pray while holding something made from bird (feather or other)?

He said: (**Musa ibn Ja'far**) “**If he fears losing it, there is no harm.**” <sup>295</sup>

٢٣٤ - مسألة: قال: وسألته عن الرجل يصلّي ومعه دبة (١) من جلد الحمار، وعليه نعل من جلد الحمار، وصَلَّى، هل تجزيه صلاته، أو عليه إعادة؟ قال: «لا يصلح أن يصلّي وهي معه، إلا أن يتخوف عليها ذهابها، فلا بأس أن يصلّي وهي معه» (٢).

**234 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man praying with a bag made<sup>296</sup> from donkey leather and wearing sandals of donkey leather—does his prayer count or must he repeat?

He (**Musa ibn Ja'far**) said: “**It is not permissible to pray with them, unless he fears losing them; then it is permissible.**” <sup>297</sup>

٢٣٥ - مسألة: قال: وسألته عن الرجل يكون راكعاً أو ساجداً فيحكه بعض جسده، هل يصلح له أن يرفع يده من ركوعه أو سجوده؟ [فيحكه] (٣) مما حكه؟ قال: «لا بأس إذا شق عليه أن يحكه، والصبر لما أن يفرغ أفضل» (٤).

**235 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if a man who is bowing or prostrating and itches some part of his body—is it permissible for him to lift his hand from bowing/prostration to scratch?

<sup>298</sup>He (**Musa ibn Ja'far**) said: “**There is no harm if it is difficult for him to endure; but patience until finishing is better.**” <sup>299</sup>

٢٣٦ - مسألة: قال: وسألته عن الرجل يحرك بعض أسنانه، وهو في الصلاة، هل يصلح له أن ينزع عنها ويطرحوها؟ قال: «إن كان لا يجد دماً فلينزعه وليرم به، وإن كان رأى دماً فلينصرف» (٥).

<sup>294</sup> **Masā'il 'Alī ibn Ja'far:** 164 / 263, **Qurb al-Isnād:** 206 / 798, **al-Faqīh** 1: 237 / 1045, **Tahdhīb al-Āḥkām** 2: 326 / 1339, **Wasā'il al-Shī'a** 5: 499, *Chapters on Standing*, Bāb 10, Ḥadīth 1.

<sup>295</sup> **Masā'il 'Alī ibn Ja'far:** 215 / 470, **Qurb al-Isnād:** 187 / 697, **al-Kāfi** 3: 404 / 33, **al-Faqīh** 1: 165 / 775, **Wasā'il al-Shī'a** 4: 461, *Chapters on Prayer Garments*, Bāb 60, Ḥadīth 1 — all versions except the first mention “**his sleeve**” (كمه) instead of “**his palm**” (كفه).

<sup>296</sup> **Dabbah:** A container used for storing oil or grease. **Lisān al-'Arab** 4:278 – entry *d-b-b*.

<sup>297</sup> **Masā'il 'Alī ibn Ja'far:** 218 / 482, **Qurb al-Isnād:** 188 / 704, **al-Faqīh** 1: 165 / 775, **Tahdhīb al-Āḥkām** 2: 373 / 1553, **Wasā'il al-Shī'a** 4: 461, *Chapters on Prayer Garments*, Bāb 60, Ḥadīth 2 — with minor variation.

<sup>298</sup> In the original manuscript: “**fa-yahutthu**” (he places it), but we adopted the version from the source.

<sup>299</sup> **Masā'il 'Alī ibn Ja'far:** 215 / 468, **Qurb al-Isnād:** 188 / 705, **Wasā'il al-Shī'a** 6: 330, *Chapters on Bowing*, Bāb 23, Ḥadīth 1.

**236 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if a man moves some of his teeth during prayer, can he remove and throw them away?

He (**Musa ibn Ja'far**) said: **“If no blood appears, he may remove and discard; if blood appears, he should leave.”**<sup>300</sup>

٢٣٧ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يستدخل الدواء يصلي وهو معه، وهل ينقض الوضوء؟ قال: «لا ينقض الوضوء، ولا يصلبي حتى يطرحه»

**237 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if a man can apply medicine (insert medication) while praying and if that breaks ablution?

He (**Musa ibn Ja'far**) said: **“It does not break ablution, but he should not pray until he removes it.”**<sup>301</sup>

٢٣٨ - مسألة: قال: وسألته عن الرجل والمرأة تصلي وهي مختببة بالحناء والوسمة؟ قال: «إذا بربق المنخر والفم فلا بأس» (١).

**238 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a woman praying with henna or tattoo on her hands—

He (**Musa ibn Ja'far**) said: **“If the nostrils and mouth are clear, there is no harm.”**<sup>302</sup>

٢٣٩ - مسألة: قال: وسألته عن الرجل يكون له الثالول، أو الجرح، هل يصلح له وهو في صلاته أن يقطع رأس الثالول أو ينتف بعض لحمه من ذلك الجرح ويطرحه؟ قال: «إن لم يتخوف أن يسيل الدم فلا بأس، وإن تخوف أن يسيل الدم فلا يفعل، فإن فعل فقد نقض من ذلك الصلاة، ولا ينقض الوضوء» (٢).

**239 - Issue:** He (**Ali ibn Ja'far**) said: I asked him if a man who has warts or wounds can cut the wart or pull some flesh from the wound during prayer and throw it away?

He (**Musa ibn Ja'far**) said: **“If he does not fear blood flow, there is no harm; if he fears blood, he should not do it; otherwise, it breaks part of the prayer but does not break ablution.”**<sup>303</sup>

٢٤٠ - مسألة: قال: وسألته عن الرجل يكون في الصلاة فرماده رجل فشجه، فسال الدم، فانصرف فغسله ولم يتكتم حتى رجع إلى المسجد، هل يعتد بما صلى، أو يستقبل الصلاة؟ قال: **«يستقبل الصلاة، ولا يعتد بما صلى»** (٣).

**240 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who was wounded by another during prayer, blood flowed, he left, washed, and did not speak until returning to the mosque—does he repeat or continue the prayer?

<sup>300</sup> **Masā'il 'Alī ibn Ja'far:** 216 / 471, **Qurb al-Isnād:** 189 / 706, **al-Faqīh** 1: 164 / 775, **Wasā'il al-Shī'a** 7: 284, *Chapters on Invalidators of Prayer*, Bāb 27, vol. 1 — with minor variation.

<sup>301</sup> **Masā'il 'Alī ibn Ja'far:** 206 / 445, **Qurb al-Isnād:** 189 / 707, **al-Kāfi** 3: 36 / 7, **Tahdhīb al-Āḥkām** 1: 345 / 1009, **Wasā'il al-Shī'a** 1: 291, *Chapters on Invalidators of Wuḍū'*, Bāb 16, Ḥadīth 1 — with some variation.

<sup>302</sup> **Masā'il 'Alī ibn Ja'far:** 152 / 203, **Qurb al-Isnād:** 199 / 760, **al-Faqīh** 1: 174 / 821, **Tahdhīb al-Āḥkām** 2: 356 / 1473, **al-Istibṣār** 1: 391 / 1490, **Wasā'il al-Shī'a** 4: 429, *Chapters on Prayer Garments*, Bāb 39, Ḥadīth 1 — with minor variation.

<sup>303</sup> **Masā'il 'Alī ibn Ja'far:** 241 / 564, **Qurb al-Isnād:** 189 / 708, **al-Faqīh** 1: 164 / 775, **Tahdhīb al-Āḥkām** 2: 378 / 1576, **al-Istibṣār** 1: 404 / 1542, **Wasā'il al-Shī'a** 7: 242, *Chapters on Invalidators of Prayer*, Bāb 2, Ḥadīth 15 — differences in ordering.

He (**Musa ibn Ja‘far**) said: “He should continue the prayer; what he prayed is not counted.”<sup>304</sup>

٢٤١ - مسألة: قال: وسألته عن رجل كان في صلاته فرمأه، فسال الدم، هل ينقض ذلك وضوئه؟ فقال: «لا ينقض الوضوء، ولكنه يقطع الصلاة» (٤).

**241 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him if blood flowing due to injury during prayer breaks ablution?

He (**Musa ibn Ja‘far**) said: “It does not break ablution, but breaks the prayer.”<sup>305</sup>

٢٤٢ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يمسح بعض أسنانه، أو داخل فيه بثوبه وهو في الصلاة؟ قال: «إن كان شيء يؤذيه أو يجد طعمه فلا بأس» (٥).

**242 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him if a man can wipe some of his teeth or inside of his mouth with his garment during prayer?

He (**Musa ibn Ja‘far**) said: “If it causes discomfort or he tastes something unpleasant, there is no harm.”<sup>306</sup>

٢٤٣ - مسألة: قال: وسألته عن الرجل يشتكي بطنه، أو شيئاً من جسده، هل يصلح له أن يضع يده عليه، أو يغمزه في الصلاة؟ قال: «لا بأس» (١).

**243 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him (**Musa ibn Ja‘far**) about a man who has stomach pain or an ache in his body—can he place his hand on it or press it during prayer?

He (**Musa ibn Ja‘far**) said: “There is no harm.”<sup>307</sup>

٢٤٤ - مسألة: قال: وسألته عن الرجل يقرض أظافيره، أو لحيته، وهو في صلاته، وما عليه إن فعل ذلك متعمداً؟ قال: «إن كان ناسياً فلا بأس، وإن كان متعمداً فلا يصلح له» (٢).

**244 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man who clips his nails or beard while praying—what is upon him if he does so deliberately?

He (**Musa ibn Ja‘far**) said: “If he forgets, there is no harm; but if he does so intentionally, it is not suitable for him.”<sup>308</sup>

٢٤٥ - مسألة: قال: وسألته عن الرجل يقرض لحيته، أو بعض عليها، وهو في الصلاة، ما عليه؟ قال: «ذلك الولع فلا يفعل، وإن فعل فلا شيء عليه، ولكن لا يتعدوه» (٣).

<sup>304</sup> **Masā’il ‘Alī ibn Ja‘far:** 241 / 565, **Qurb al-Isnād:** 189 / 709, **al-Faqīh** 1: 164 / 775, **Tahdhīb al-Āḥkām** 2: 378 / 1576, **al-Istibṣār** 1: 404 / 1542, **Wasā’il al-Shī‘a** 7: 242, *Chapters on Invalidators of Prayer*, Bāb 2, Ḥadīth 15.

<sup>305</sup> **Masā’il ‘Alī ibn Ja‘far:** 242 / 570, **Qurb al-Isnād:** 189 / 710, **Wasā’il al-Shī‘a** 7: 243, *Chapters on Invalidators of Prayer*, Bāb 2, Ḥadīth 17.

<sup>306</sup> **Masā’il ‘Alī ibn Ja‘far:** 215 / 467, **Qurb al-Isnād:** 190 / 711, **Wasā’il al-Shī‘a** 7: 285–286, *Chapters on Invalidators of Prayer*, Bāb 28, Ḥadīth 3.

<sup>307</sup> **Masā’il ‘Alī ibn Ja‘far:** 242/571, **Qurb al-Isnād:** 190/712, **Wasā’il al-Shī‘a** 7:286, Chapter on Things That Invalidate Prayer, Section 28, Ḥadīth 4.

<sup>308</sup> **Masā’il ‘Alī ibn Ja‘far:** 242/566, **Qurb al-Isnād:** 190/713, **Wasā’il al-Shī‘a** 7:290, Chapter on Things That Invalidate Prayer, Section 34, Ḥadīth 1.

**245 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man who clips his beard or bites on it during prayer—what is upon him?

He (**Musa ibn Ja‘far**) said: “**That is a habit he should avoid; if he does so, there is no penalty, but he should not make it a habit.**”<sup>309</sup>

٢٤٦ - مسألة: قال: وسألته عن الرجل يكون في صلاته، فيظن أن ثوبه قد انخرق، أو أصابه شيء، هل يصلح له أن ينظر فيه أو يفتشه؟ قال: «إن كان في مقدم ثوبه أو جانبه فلا بأس، وإن كان في مخرجه فلا يلتقط، فإنه لا يصلح له» (٤).

**246 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man in prayer who suspects his garment is torn or that something has affected it—can he check or inspect it?

He (**Musa ibn Ja‘far**) said: “**If it’s at the front or side of his garment, there is no harm; if it’s at the back, he should not turn around, for it is not suitable.**”<sup>310</sup>

٢٤٧ - مسألة: قال: وسألته عن الرجل يكون في إصبعه، أو في شيء من يده الشيء، أ يصلح له أن يلته ببصاقه، ويمسحه في صلاته؟ قال: «لا بأس» (٥).

**247 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man who has something on his finger or hand—can he wet it with his saliva and wipe it off during prayer?

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”<sup>311</sup>

٢٤٨ - مسألة: قال: وسألته عن الرجل يكون على المصلى، أو على الحصير، فيسجد فيقع كفه على المصلى وأطراف أصابعه، أو بعض كفه خارج من المصلى على الأرض. قال: «لا بأس» (١).

**248 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man praying on a mat or straw mat, and while prostrating his palm or fingertips rest partially outside the mat on the ground.

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”<sup>312</sup>

<sup>309</sup> **Masā’il ‘Alī ibn Ja‘far:** 242/568, **Qurb al-Isnād:** 190/714, **Wasā’il al-Shī‘a** 7:290, Chapter on Things That Invalidate Prayer, Section 34, Ḥadīth 2.

<sup>310</sup> **Masā’il ‘Alī ibn Ja‘far:** 186/367, **Qurb al-Isnād:** 191/716, **Tahdhīb al-Āḥkām** 2:333/1374, **Wasā’il al-Shī‘a** 7:245, Chapter on Things That Invalidate Prayer, Section 3, Ḥadīth 4.

<sup>311</sup> **Masā’il ‘Alī ibn Ja‘far:** 175–176/315, **Wasā’il al-Shī‘a** 7:285, Chapter on Things That Invalidate Prayer, Section 27, Ḥadīth 2.

<sup>312</sup> **Masā’il ‘Alī ibn Ja‘far:** 166/272, **Qurb al-Isnād:** 203/782, **Wasā’il al-Shī‘a** 5:356, Chapter on What Prostration Is Done Upon, Section 8, Ḥadīth 1.

## Chapter Twenty-One: On Mosques

عبد الله بن الحسن، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: وسألته، عن النوم في المسجد الحرام؟ قال: «لا بأس» (١).

**Abdullah ibn al-Hasan**, from his grandfather **Ali ibn Ja‘far**, from his brother **Musa ibn Ja‘far**, said: I asked him about sleeping in the Sacred Mosque (Masjid al-Haram).

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”<sup>313</sup>

٢٤٩ - مسألة: قال: وسألته عن النوم في مسجد الرسول ﷺ؟ قال: «لا يصلح» (٢).

**249 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about sleeping in the Mosque of the Messenger ﷺ.

He (**Musa ibn Ja‘far**) said: “**It is not suitable.**”<sup>314</sup>

٢٥٠ - مسألة: قال: وسألته عن بيت كان حُشّاً (٣) زماناً، هل يصلح أن يجعل

مسجدًا؟ قال: «إذا نظف وأصلح فلا بأس» (٤).

**250 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a house that was once a latrine<sup>315</sup>—can it be turned into a mosque?

He (**Musa ibn Ja‘far**) said: “**If it is cleaned and renovated, there is no harm.**”<sup>316</sup>

٢٥١ - مسألة: قال: وسألته، أينشد الشعر في المسجد؟ قال: «لا بأس» (٥).

**251 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him, can one recite poetry in the mosque?

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”<sup>317</sup>

٢٥٢ - مسألة: قال: وسألته عن الضالة تنشد في المسجد؟ قال: «لا بأس»

**252 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about announcing lost property in the mosque.

He (**Musa ibn Ja‘far**) said: “**There is no harm.**”<sup>318</sup>

٢٥٣ - مسألة: قال: وسألته عن رجل كان له مسجد في بعض بيته أو داره، هل يصلح أن يجعله كنيفًا؟ قال: «لا بأس» (٦).

<sup>313</sup> **Masā’il ‘Alī ibn Ja‘far:** 230/532, **Qurb al-Isnād:** 289/1140, **Wasā’il al-Shī‘a** 5:220, Chapter on Mosque Rulings, Section 18, Hadīth 6.

<sup>314</sup> **Masā’il ‘Alī ibn Ja‘far:** 229/531, **Qurb al-Isnād:** 289/1141, **Wasā’il al-Shī‘a** 5:220, Chapter on Mosque Rulings, Section 18, Hadīth 6.

<sup>315</sup> *al-Hashsh* (hashsh): lavatory and places of relieving oneself – see **Lisān al-‘Arab** 3:190, root: h-sh-sh.

<sup>316</sup> **Masā’il ‘Alī ibn Ja‘far:** 229/528, **Qurb al-Isnād:** 289/1142, **al-Faqīh** 1:153/712, **Wasā’il al-Shī‘a** 5:210, Chapter on Mosque Rulings, Section 11, Hadīth 2.

<sup>317</sup> **Masā’il ‘Alī ibn Ja‘far:** 156/222, **Qurb al-Isnād:** 289/1143, **Tahdhīb al-Āḥkām** 3:249/683, **Wasā’il al-Shī‘a** 5:213, Chapter on Mosque Rulings, Section 14, Hadīth 2.

<sup>318</sup> **Masā’il ‘Alī ibn Ja‘far:** 156/223, **Qurb al-Isnād:** 289/1144, **Tahdhīb al-Āḥkām** 3:249/683, **Wasā’il al-Shī‘a** 5:234, Chapter on Mosque Rulings, Section 28, Hadīth 1.

**253 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who has a mosque in part of his house—can he turn it into a latrine?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>319</sup>

٢٥٤ - مسألة: قال: وسألته عن السيف، هل يصلاح أن يعلق في المسجد؟ قال: أما في القبلة فلا، وأما في جانب فلا بأس» (٢).

**254 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about hanging a sword in the mosque.

He (**Musa ibn Ja'far**) said: “**In the direction of the qiblah, no; but on the side, there is no harm.**”<sup>320</sup>

٢٥٥ - مسألة: قال: وسألته عن الجص يطيخ بالعذر، أيصلاح أن يحصل به المسجد؟

قال: «لا بأس» (٣).

**255 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about plaster cooked with dung—can it be used to plaster the mosque?

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>321</sup>

٢٥٦ - مسألة: قال: وسألته عن المسجد، يكتب في القبلة القرآن، أو الشيء من ذكر الله؟

قال: «لا بأس» (٤).

**256 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about writing the Qur'an or the remembrance of Allah on the qiblah wall of the mosque.

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>322</sup>

٢٥٧ - مسألة: قال: وسألته عن المسجد ينقش في قبنته بجص، أو أصباغ؟ قال: «لا بأس» (٥).

**257 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about decorating the qiblah wall of the mosque with plaster or colors.

He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>323</sup>

٢٥٨ - مسألة: قال: وسألته عن المكان يغسل فيه من الجنابة أو يبال فيه، أيصلاح يفرش فيه؟ قال: «نعم يصلاح ذلك، إذا كان جافاً» (٦).

<sup>319</sup> **Qurb al-Isnād:** 290/1145, **Wasā'il al-Shī'a** 5:209, Chapter on Mosque Rulings, Section 10, Ḥadīth 6.

<sup>320</sup> **Masā'il 'Alī ibn Ja'far:** 154/210, **Qurb al-Isnād:** 290/1146, **Wasā'il al-Shī'a** 5:213, Chapter on Mosque Rulings, Section 13, Ḥadīth 2.

<sup>321</sup> **Masā'il 'Alī ibn Ja'far:** 229/529 and 131/121, **Qurb al-Isnād:** 290/1147, **al-Faqīh** 1:153/711, **Wasā'il al-Shī'a** 5:291, Chapter on Mosque Rulings, Section 65, Ḥadīth 2.

<sup>322</sup> **Masā'il 'Alī ibn Ja'far:** 229/530, **Qurb al-Isnād:** 290/1148, **Wasā'il al-Shī'a** 5:215–216, Chapter on Mosque Rulings, Section 15, Ḥadīth 3.

<sup>323</sup> **Masā'il 'Alī ibn Ja'far:** 230/533, **Qurb al-Isnād:** 290/1149, **Wasā'il al-Shī'a** 5:215–216, Chapter on Mosque Rulings, Section 15, Ḥadīth 3.

**258 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a place where one bathes for major ritual impurity (janabah) or urinates—can it be used to spread a mat for prayer?

He (**Musa ibn Ja‘far**) said: “**Yes, that is permissible if it is dry.**” <sup>324</sup>

٢٥٩ - مسألة: قال: وسألته عن الرجل يقعد في المسجد ورجله خارج منه، أو أسفل من المسجد وهو في صلاته، أ يصلح له؟ قال: «لا بأس» (١).

**259 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man sitting in the mosque with his feet outside it, or lower than the level of the mosque, while praying—can he do so?

He (**Musa ibn Ja‘far**) said: “**There is no harm.**” <sup>325</sup>

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<sup>324</sup> **Masā’il ‘Alī ibn Ja‘far:** 154/213, **Qurb al-Isnād:** 291/1150, **Wasā’il al-Shī‘a** 3:443, Chapter on Impurities, Section 26, Ḥadīth 11 — and in it: “Yes, if...” instead of “Yes, that is valid...”.

<sup>325</sup> **Masā’il ‘Alī ibn Ja‘far:** 207/153, **Qurb al-Isnād:** 804/207, **Wasā’il al-Shī‘a** 5:357, Chapter on What Is Prostrated Upon, Section 8, Ḥadīth 2.

## **Chapter Twenty-Two: On the Prayer of the Sick**

عبد الله بن الحسن العلوي، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: سأله، عن المريض الذي لا يستطيع القعود ولا إلا يماء، كيف يصلي وهو مضطجع؟ قال: «يرفع مروحة إلى وجهه، ويوضع على جبينه، ويكبر هو» (١).

**Abdullah ibn al-Hasan al-'Alawi**, from his grandfather **Ali ibn Ja'far**, from his brother **Musa ibn Ja'far**, said: I asked him about the sick person who cannot sit up or even gesture—how does he pray while lying down?

He (**Musa ibn Ja'far**) said: **“He should raise a fan to his face, place it on his forehead, and make the takbeer himself.”**<sup>326</sup>

٢٦٠ - مسألة: قال: وسألته، عن المريض إذا كان لا يستطيع القيام، كيف يصلّي؟

قال: «يصلّي النافلة وهو جالس، ويحسب كل ركعتين بركعة، وأما الفريضة فيحسب كل ركعة بركعة وهو جالس، إذا كان لا يستطيع القيام» (٢).

**260 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about the sick person who cannot stand—how should he pray?

He (**Musa ibn Ja'far**) said: **“He should pray the supererogatory prayers while sitting, counting every two rak'ahs as one. As for the obligatory prayers, he counts each rak'ah as one while sitting, if he cannot stand.”**<sup>327</sup>

٢٦١ - مسألة: قال: وسألته عن رجل نزع الماء من عينه، أو يشتكي عينه ويشق عليه السجود، هل يجزيه أن يومي وهو قاعد، أو يصلّي وهو مضطجع؟ قال: «يومي وهو قاعد» (٣).

**261 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man whose eye has been treated with water, or whose eye causes him pain making it difficult to prostrate—can he gesture while sitting, or pray while lying down?

He (**Musa ibn Ja'far**) said: **“He should gesture while sitting.”**<sup>328</sup>

٢٦٢ - مسألة: قال: وسألته عن المريض يغمي عليه أيامًا، ثم يفيق ما عليه من قضاء ما ترك من الصلاة؟ قال: ليقض صلاة ذلك اليوم الذي أفاق فيه» (٤).

**262 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a sick person who is unconscious for several days, then regains consciousness—what must he do to make up the prayers he missed?

<sup>326</sup> **Masā'il 'Alī ibn Ja'far:** 543/234, **Qurb al-Isnād:** 834/213, **Wasā'il al-Shī'a** 5:487, Chapters on Standing for Prayer, Section 1, Hadīth 21.

<sup>327</sup> **Masā'il 'Alī ibn Ja'far:** 171/294, **Wasā'il al-Shī'a** 5:493–494, Chapters on Standing for Prayer, Section 5, Hadīth 5. It contains: “fayahtasib” instead of “fayahsib.”

<sup>328</sup> **Masā'il 'Alī ibn Ja'far:** 545/234, **Qurb al-Isnād:** 835/213, **Wasā'il al-Shī'a** 5:496, Chapters on Standing for Prayer, Section (unspecified), Hadīth 2.

He (**Musa ibn Ja‘far**) said: “He should make up the prayers for the day in which he regained consciousness.”<sup>329</sup>

٢٦٣ - مسألة: قال: وسألته عن المريض يكوى، أو يسترقى؟ قال: «لا بأس إذا استرقى بما يعرفه» (١).

**263 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a sick person who is cauterized or seeks spiritual healing.

He (**Musa ibn Ja‘far**) said: “**There is no harm if he seeks spiritual healing with what is known.**”<sup>330</sup>

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<sup>329</sup> **Masā’il ‘Alī ibn Ja‘far:** 544/234, **Qurb al-Isnād:** 836/213, **Wasā’il al-Shī‘a** 8:264, Chapters on Qadā’ of Prayers, Section 3, Hadīth 25 — contains “yaqđī” instead of “līyaqđī.”

<sup>330</sup> **Masā’il ‘Alī ibn Ja‘far:** 337/179, **Qurb al-Isnād:** 837/213, **Wasā’il al-Shī‘a** 6:239, Chapters on Reciting the Qur’ān, Section 41, Hadīth 12.

## Chapter Twenty-Three: On the Friday and Eid Prayers

٢٦٤ - مسألة: قال: وسألته عن الإمام إذا خرج يوم الجمعة، هل يقطع خروجه الصلاة، أو يصلّي الناس وهو يخطب؟ قال: «لا تصلح الصلاة والإمام يخطب إلا أن يكون قد صلى ركعة فيضيف إليها أخرى، ولا يصلّي حتى يفرغ الإمام من خطبته» (١).

**264 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the imam when he comes out on Friday—does his coming out break the prayer, or do people continue praying while he delivers the sermon? He (Musa ibn Ja‘far) said: **“Prayer is not valid while the imam is delivering the sermon, except if he has already prayed one rak‘ah, in which case he may add another; otherwise, he should not pray until the imam finishes his sermon.”**<sup>331</sup>

٢٦٥ - مسألة: قال: وسألته عن القراءة في الجمعة، بما يقرأ؟ قال: «بسورة الجمعة و إذا جاءك المُنَافِقُونَ (٢)، وإن أخذت في غيرها وإن كان قُلْ هُوَ اللَّهُ أَحَدٌ (٣) فاقتصرها من أولها وارجع إليها» (٤).

**265 - Issue:** He (Ali ibn Ja‘far) said: I asked him about what should be recited in the Friday prayer. He (Musa ibn Ja‘far) said: **“Surah al-Jumu‘ah and Surah al-Munāfiqūn.”**<sup>332</sup> If you begin reciting something else—even if it is Qul Huwa Allahu Ahad<sup>333</sup>—stop it at its start and go back to the proper recitation.”<sup>334</sup>

٢٦٦ - مسألة: قال: وقال أخي: «يا علي بما تصلي ليلة الجمعة؟ قلت: بسورة الجمعة وإذا جاءك المُنَافِقُونَ، فقال: رأيت أبي يصلّي في ليلة الجمعة بسورة الجمعة وقل هُوَ اللَّهُ أَحَدٌ، وفي الفجر بسورة الجمعة وسبّح اسْمَ رَبِّكَ الْأَعْلَى (٥)، وفي الجمعة بسورة الجمعة وإذا جاءك المُنَافِقُونَ (٦) )

**266 - Issue:** He (Ali ibn Ja‘far) said: My brother said: **“O Ali, what do you recite on the night of Friday?”** I said: **“Surah al-Jumu‘ah and Surah al-Munāfiqūn.”** He said: **“I saw my father reciting on the night of Friday Surah al-Jumu‘ah and Qul Huwa Allahu Ahad,”**<sup>335</sup> and in the Fajr prayer, he recited Surah al-Jumu‘ah and Sabbih isma rabbika al-A‘la, and in the Friday prayer Surah al-Jumu‘ah and Surah al-Munāfiqūn.”<sup>336</sup>

٢٦٧ - مسألة: قال: وسألته عن الزوال يوم الجمعة ما حده؟ قال: «إذا قامت الشمس صل الركعتين، فإذا زالت الشمس فصل الفريضة، وإذا زالت الشمس قبل أن تصلي الركعتين فصلهما بعد الفريضة» (١).

**267 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the midday (zawal) prayer on Friday—when does it begin? He (Musa ibn Ja‘far) said: **“When the sun reaches its zenith,**

<sup>331</sup> **Masā’il ‘Alī ibn Ja‘far:** 577/245, **Qurb al-Isnād:** 838/214, **Wasā’il al-Shī‘a** 7:417, Chapters on Friday Prayer, Section 58, Ḥadīth 2.

<sup>332</sup> **Sūrat al-Munāfiqūn:** Verse 1.

<sup>333</sup> **Sūrat al-Ikhlas:** Verse 1.

<sup>334</sup> **Masā’il ‘Alī ibn Ja‘far:** 580/245, **Qurb al-Isnād:** 839/214, **Wasā’il al-Shī‘a** 6:153, Chapters on Recitation in Prayer, Section 69, Ḥadīth 4.

<sup>335</sup> **Sūrat al-A‘lā:** Verse 1.

<sup>336</sup> **Masā’il ‘Alī ibn Ja‘far:** 583/246, **Qurb al-Isnād:** 844/215, **Wasā’il al-Shī‘a** 6:121, Chapters on Recitation in Prayer, Section 49, Ḥadīth 9.

**pray two rak'ahs; when it declines, pray the obligatory prayer. If it declines before you have prayed the two rak'ahs, pray them after the obligatory prayer.”**<sup>337</sup>

٢٦٨ - مسألة: قال: وسألته عن ركعتي الزوال يوم الجمعة قبل الأذان، أو بعده؟ قال: «قبل الأذان» (٢).

**268 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the two rak'ahs at midday on Friday—should they be prayed before or after the call to prayer? He (Musa ibn Ja‘far) said: “Before the call to prayer.”<sup>338</sup>

٢٦٩ - مسألة: قال: وسألته عن رجل صلى العيدین وحده أو الجمعة، هل يجهر فيها بالقراءة؟ قال: «لا يجهر إلا الإمام» (٣).

**269 - Issue:** He (Ali ibn Ja‘far) said: I asked him about a man who prays the Eid prayers or Friday prayer alone—should he recite aloud? He (Musa ibn Ja‘far) said: “Only the imam should recite aloud.”<sup>339</sup>

٢٧٠ - مسألة: قال: وسألته، عن القعود في الجمعة والعيدین والإمام يخطب، كيف أصنع؟ أستقبل الإمام، أو أستقبل القبلة؟ قال: «استقبل الإمام» (٤).

**270 - Issue:** He (Ali ibn Ja‘far) said: I asked him about sitting during the Friday and Eid sermons—should I face the imam or the qiblah? He (Musa ibn Ja‘far) said: “Face the imam.”<sup>340</sup>

٢٧١ - مسألة: قال: وسألته عن الصلاة في العيدین، هل من صلاة قبل الإمام أو بعده؟ قال: «لا صلاة إلا ركعتين مع الإمام» (٥).

**271 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the prayer in the Eid prayer—should there be any prayer before or after the imam’s prayer? He (Musa ibn Ja‘far) said: “No prayer except the two rak'ahs with the imam.”<sup>341</sup>

<sup>337</sup> **Masā’il ‘Alī ibn Ja‘far:** 584/246, **Qurb al-Isnād:** 840/214, **Wasā’il al-Shī‘a** 7:326, Chapters on Friday Prayer, Section 11, Hadīth 16 — with slight variations.

<sup>338</sup> **Masā’il ‘Alī ibn Ja‘far:** 578/245, **Qurb al-Isnād:** 841/214, **Tahdhīb al-Āḥkām** 3:247/677, **Wasā’il al-Shī‘a** 7:326, Chapters on Friday Prayer, Section 11, Hadīth 17.

<sup>339</sup> **Qurb al-Isnād:** 842/215, **Wasā’il al-Shī‘a** 6:162, Chapters on Recitation in Prayer, Section 73, Hadīth 10.

<sup>340</sup> **Masā’il ‘Alī ibn Ja‘far:** 239/159–160, **Qurb al-Isnād:** 843/215, **Wasā’il al-Shī‘a** 7:407, Chapters on Friday Prayer and Its Etiquettes, Section 53, Hadīth 2 — contains “yastaqbil” instead of “istaqbal.”

<sup>341</sup> **Masā’il ‘Alī ibn Ja‘far:** 582/246, **Qurb al-Isnād:** 845/215, **Wasā’il al-Shī‘a** 7:431, Chapters on ‘Id Prayer, Section 7, Hadīth 12.

## **Chapter Twenty-Four: On the Prayer of Travelers**

٢٧٢ - مسألة: قال: وسألته عن المكارين الذين يختلفون إلى النيل، هل عليهم إتمام الصلاة؟ قال: «إذا كان مختلفهم فليصوموا، وليتموا الصلاة إلا أن يجد بهم السير فليفطروا وليقصروا» (١).

**272 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about the boatmen who travel frequently to the Nile—do they have to complete their prayers? He (**Musa ibn Ja‘far**) said: “**If their traveling is frequent, they should fast and complete the prayer unless they are taken by the journey—then they may break their fast and shorten the prayer.**”<sup>342</sup>

٢٧٣ - مسألة: قال: وسألته عن إمام مقيم أم قوماً مسافرين، كيف يصلّي المسافرون؟ قال: «رکعتين ثم يسلمون ويقعدون، ويقوم الإمام فيتم صلاته، فإذا سلم وانصرف انصرفا» (٢).

**273 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a resident imam leading a group of travelers—how should the travelers pray? He (**Musa ibn Ja‘far**) said: “**They should pray two rak‘ahs, then offer salām and remain seated, and the imam should stand and complete his prayer. When he finishes and departs, they may leave as well.**”<sup>343</sup>

٢٧٤ - مسألة: قال: وسألته عن الرجل يكون في السفر فيترك النافلة - وهو يجمع أن يقضى إذا أقام، هل يجزيه تأخير ذلك؟ قال: «إن كان ضعيفاً لا يستطيع القضاء أجزاء ذلك، وإن كان قوياً فلا يؤخره» (٣).

**274 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man who is traveling and skips the voluntary prayers, intending to make them up once he settles—does delaying them suffice? He (**Musa ibn Ja‘far**) said: “**If he is weak and cannot make them up, delaying them is acceptable. But if he is strong, he should not delay them.**”<sup>344</sup>

٢٧٥ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يصلّي في السفينة الفريضة وهو يقدر على الجد؟ قال: «نعم لا بأس» (٥).

**275 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man—can he pray the obligatory prayer on a boat even though he can row?<sup>345</sup> He (**Musa ibn Ja‘far**) said: “**Yes, there is no harm.**”<sup>346</sup>

٢٧٦ - مسألة: قال: وسألته عن الرجل قدم مكة قبل التروية بأيام، كيف يصلّي إذا كان وحده، أو مع إمام فيتم أو يقصر؟ قال: «يقصر إلا أن يقيم عشرة أيام قبل التروية» (١).

**276 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him about a man who arrives in Mecca a few days before the Day of Tarwiyah—how should he pray if he is alone or with an imam? Should he

<sup>342</sup> **Masā’il ‘Alī ibn Ja‘far:** 115/46, **Wasā’il al-Shī‘a:** 491, Chapters on Prayer of the Traveller, Section 13, Hadīth 5.

<sup>343</sup> **Masā’il ‘Alī ibn Ja‘far:** 620/258, **Qurb al-Isnād:** 846/216, **Wasā’il al-Shī‘a** 8:331, Chapters on Congregational Prayer, Section 18, Hadīth 9.

<sup>344</sup> **Masā’il ‘Alī ibn Ja‘far:** 593/250, **Qurb al-Isnād:** 848/216, **Wasā’il al-Shī‘a** 4:77, Chapters on Number of Obligatory Prayers, Section 18, Hadīth 6.

<sup>345</sup> **al-Jaddad:** solid and level land – **Lisān al-‘Arab** 2:200, under root J-D-D.

<sup>346</sup> **Masā’il ‘Alī ibn Ja‘far:** 224/506, **Qurb al-Isnād:** 849/216–217, **Wasā’il al-Shī‘a** 5:508, Chapters on Standing for Prayer, Section 14, Hadīth 13.

complete or shorten? He (**Musa ibn Ja'far**) said: “**He should shorten unless he intends to stay for ten days before the Day of Tarwiyah.**”<sup>347</sup>

٢٧٧ - مسألة: قال: وسألته عن الرجل كيف يصلّي وأصحابه بمنى، أيقصر أم يتم؟ قال: «إن كان من أهل مكة أنت، وإن كان مسافراً قصر على كل حال، مع الإمام أو غيره» (٢).

**277 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man and his companions while they are in Mina—should they shorten or complete? He (**Musa ibn Ja'far**) said: “**If he is from the people of Mecca, he should complete; if he is traveling, he should shorten in all cases, whether with the imam or without him.**”<sup>348</sup>

## **Chapter Twenty-Five: On the Prayer of Fear**

٢٧٨ - مسألة: قال: وسألته عن الرجل يلقاء السبع وحضرت الصلاة فلا يستطيع المشي مخافة السبع، وإن قام يصلّي خاف في ركوعه أو سجوده، والسبع أمامه على غير القبلة، فإن توجه الرجل أمام القبلة خاف أن يثب عليه الأسد، كيف يصنع؟ قال: «يتقبل الأسد و يصلّي ويوميء إيماء برأسه وهو قائم، وإن كان الأسد على غير القبلة» (١).

**278 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who meets a wild beast while the prayer time comes in, but he cannot move because of his fear of the beast. If he stands to pray, he fears in his bowing or prostration, and the beast is in front of him, not facing the qiblah. If he faces the qiblah, he fears the lion will leap upon him—what should he do? He (**Musa ibn Ja'far**) said: “**He should face the lion and pray, gesturing with his head while standing—even if the lion is not in the direction of the qiblah.**”<sup>349</sup>

٢٧٩ - مسألة: عبد الله بن الحسن، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: سأله عن صلاة الخوف كيف هي؟ قال: «يقوم الإمام فيصلّي ببعض أصحابه ركعة، ويقوم في الثانية، ويقوم أصحابه، ويصلّون الثانية، ويخفون وينصرفون، ويأتي أصحابهم الباقيون فيصلّون معه الثانية، فإذا قعد في التشهد قاموا فصلوا الثانية لأنفسهم، ثم يقعدون فيتشهدون معه، ثم يسلم وينصرفون معه» (٢).

**279 - Issue:** Abdullah ibn al-Hasan narrated from his grandfather Ali ibn Ja'far, from his brother Musa ibn Ja'far: He said: I asked him about the prayer of fear—how is it? He (**Musa ibn Ja'far**) said: “**The imam stands and prays with a group of his companions one rak'ah. Then he stands for the second rak'ah while his companions stand and pray their second rak'ah quickly and leave. Then the other group of his companions come and pray with him the second rak'ah. When he sits for the tashahhud, they stand and pray their second rak'ah, then sit and recite the tashahhud with him. Then he offers salām and they leave with him.**”<sup>350</sup>

<sup>347</sup> **Masā'il 'Alī ibn Ja'far:** 622/258, **Qurb al-Isnād:** 851/217 — contains “qaṣara” instead of “yaqṣuru”, **Wasā'il al-Shī'a:** 503, Chapters on Traveler's Prayer, Section 15, Ḥadīth 19.

<sup>348</sup> **Masā'il 'Alī ibn Ja'far:** 621/258, **Qurb al-Isnād:** 852/217, **Wasā'il al-Shī'a** 8:537, Chapters on Traveler's Prayer, Section 27, Ḥadīth 2.

<sup>349</sup> **Masā'il 'Alī ibn Ja'far:** 302/173, **al-Kāfi** 3:459/7, **Tahdhīb al-Āḥkām** 3:300/915, **Wasā'il al-Shī'a** 8:439–440, Chapters on Prayer of Fear, Section unspecified, Ḥadīth 2 — contains: “bi-ra'sihī īmā” instead of “īmā' bi-ra'sihī”.

<sup>350</sup> **Masā'il 'Alī ibn Ja'far:** 11/107, **Qurb al-Isnād:** 859/220 — contains: “thumma yaq' udūna ma'ah” instead of “thumma yaq' udūna fayatashahhadūna”, **Wasā'il al-Shī'a:** 437, Chapters on Prayer of Fear and Pursuit, Section 2, Ḥadīth 5.

٢٨٠ - مسألة: قال: وسألته عن صلاة المغرب في الخوف؟ قال: «يقوم الإمام ببعض أصحابه فيصلي بهم ركعة، ثم يقوم في الثانية، ويقومون فيصلون لأنفسهم ركعتين، ويخفون وينصرفون، ويأتي أصحابه الباقون فيصلون معه الثانية، ثم يقوم بهم في الثالثة فيصلي بهم، فيكون للإمام الثالثة وللقوم الثانية، ثم يعودون فيشهدون معه، ثم يقوم أصحابه والإمام قاعد فيصلون الثالثة ويشهدون معه، ثم يسلم ويسلمون» (١).

**280 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the Maghrib prayer in the time of fear. He (Musa ibn Ja‘far) said: “The imam leads a group of his companions in one rak‘ah, then stands for the second rak‘ah while they complete their remaining two rak‘ahs quickly and leave. Then the second group of his companions come and pray with him the second rak‘ah. Then he stands with them in the third rak‘ah and prays with them, so that for the imam it is his third rak‘ah and for the group it is their second. Then they sit and recite the tashahhud together. Then his companions stand and pray their third rak‘ah while he remains seated, and they recite the tashahhud with him. Then he offers salām and they all leave together.”<sup>351</sup>

## **Chapter Twenty-Six: On the Eclipse Prayer**

٢٨١ - مسألة: قال: وسألته عن صلاة الكسوف ما حدتها؟ قال: «متى أحب، ويقرأ ما أحب غير أنه يقرأ ويركع أربع ركعات، ثم يسجد في الخامسة، ثم يقوم، فيفعل مثل ذلك» (١).

**281 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the eclipse prayer—what is its form? He (Musa ibn Ja‘far) said: “Whenever he wishes, he should recite what he wishes, except that he should recite and bow four times, then prostrate in the fifth, then stand and repeat the same.”<sup>352</sup>

٢٨٢ - مسألة: قال: وسألته عن القراءة في صلاة الكسوف؟ قال: «يقرأ في كل ركعة بفاتحة الكتاب». قال: «إذا ختمت سورة وقرأت في أخرى فاقرأ بفاتحة الكتاب، وإن قرأت سورة في ركعتين أو ثلث فلا تقرأ بفاتحة الكتاب حتى تختم السورة، ولا

الله لمن حمده في شيء من ركوعك إلا الركعة التي تسرد فيها» (٢). تقول: سمع

**282 - Issue:** He (Ali ibn Ja‘far) said: I asked him about the recitation in the eclipse prayer. He (Musa ibn Ja‘far) said: “In each rak‘ah, he should recite the Opening Chapter (al-Fātiḥah).” He also said: “If you finish a sūrah and start another, begin it with the Opening Chapter. If you recite the same sūrah in two or three rak‘ahs, do not recite the Opening Chapter again until you finish the sūrah. And do not say ‘Sami‘a Allahu liman hamidah’ in any of the bowings except in the rak‘ah in which you will prostrate.”<sup>353</sup>

٢٨٣ - مسألة: قال: وسألته عن صلاة الكسوف، هل على من تركها قضاء؟ قال: إذا فاتتك فليس عليك فيها قضاء» (٣).

<sup>351</sup> **Masā’il ‘Alī ibn Ja‘far:** 12/107, **Qurb al-Isnād:** 860/220, **Wasā’il al-Shī‘a** 8:437–438, Chapters on Prayer of Fear and Pursuit, Section 2, Ḥadīth 6.

<sup>352</sup> **Masā’il ‘Alī ibn Ja‘far:** 408/194, **Qurb al-Isnād:** 856/219, **Wasā’il al-Shī‘a** 7:496, Chapters on Prayer of Eclipse and Signs, Section 7, Ḥadīth 12 — with slight variation.

<sup>353</sup> **Masā’il ‘Alī ibn Ja‘far:** 586/248, **Qurb al-Isnād:** 857/219, **Wasā’il al-Shī‘a** 7:497, Chapters on Prayer of Eclipse and Signs, Section 13 — with slight variation.

**283 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about the eclipse prayer—if someone misses it, must they make it up? He (**Musa ibn Ja'far**) said: “**If you miss it, there is no obligation to make it up.**”<sup>354</sup>

## **Chapter Twenty-Seven: On the Funeral Prayer**

٢٨٤ - مسألة: قال: وسألته عن الصلاة على الجنازة إذا احمرت الشمس، أتصفح؟

قال: «لا صلاة إلا وقت صلاة، فإذا وجبت الشمس فصل المغرب، ثم صل على الجنازة» (١).

**284 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about the funeral prayer if the sun turns red—can it be offered then? He (**Musa ibn Ja'far**) said: “**No prayer except at the appointed prayer times. When the sun has set, pray Maghrib, then pray over the deceased.**”<sup>355</sup>

٢٨٥ - مسألة: قال: وسألته عن الرجل يصلي، أله أن يكبر قبل الإمام؟ قال: «لا يكبر إلا مع الإمام، فإن كبر قبله أعاد التكبير» (٢).

**285 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who begins the funeral prayer—can he say the takbīr (Allāhu Akbar) before the imam? He (**Musa ibn Ja'far**) said: “**He should not say the takbīr except with the imam. If he says it before the imam, he should repeat it.**”<sup>356</sup>

٢٨٦ - مسألة: قال: وسألته عن رجل يدرك تكبيرة، أو ثنتين على ميت، كيف يصنع؟

قال: «يتم ما بقي من تكبيرة، ويبادر الرفع (٣) ويخفف» (٤).

**286 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a man who catches one or two takbīrs for a deceased person—what should he do? He (**Musa ibn Ja'far**) said: “**He should complete the remaining takbīrs quickly<sup>357</sup> and lightly.**”<sup>358</sup>

٢٨٧ - مسألة: قال: وسألته عن قوم كبروا على جنازة تكبيرة، أو تكبيرتين ووضع معها أخرى؟ قال: «إن شاعوا تركوا الأولى حتى يفرغوا من التكبير على الأخيرة، وإن شاعوا رفعوا الأولى وأتموا التكبير على الأخيرة، كل ذلك لا بأس به» (١).

**287 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a group who recited one or two takbīrs over a deceased person, and then another deceased person is brought in—what should they do? He (**Musa ibn Ja'far**) said: “**If they wish, they may leave the first until they finish the**

<sup>354</sup> **Masā'il 'Alī ibn Ja'far:** 587/248, **Qurb al-Isnād:** 858/219, **Tahdhīb al-Āḥkām** 3:453/1756, **Wasā'il al-Shī'a** 7:501, Chapters on Prayer of Eclipse and Signs, Section 10, Ḥadīth 7. Also found in **al-Istibṣār** 884/292.

<sup>355</sup> **Masā'il 'Alī ibn Ja'far:** 331/178, **Qurb al-Isnād:** 853/218, **Tahdhīb al-Āḥkām** 3:320/996, **al-Mustadrak** 2:277, **Wasā'il al-Shī'a:** Chapters on Funeral Prayer, Section 18, Ḥadīth 3.

<sup>356</sup> **Masā'il 'Alī ibn Ja'far:** 455/211, **Qurb al-Isnād:** 854/218, **Wasā'il al-Shī'a** 3:101–102, Chapters on Funeral Prayer, Section 16, Ḥadīth 1.

<sup>357</sup> In the original manuscript: “*an rafa'a*” is written; what we established is from the source.

<sup>358</sup> **Masā'il 'Alī ibn Ja'far:** 117/53, **Wasā'il al-Shī'a** 3:104, Chapters on Funeral Prayer, Section 17, Ḥadīth 7 — contains “*wayubādiru bi-rafihi*” instead of “*wayubādir an rafa'*”.

**takbīrs over the second, and if they wish, they may remove the first and complete the takbīrs over the second. There is no problem in any of this.”**<sup>359</sup>

٢٨٨ - مسألة: قال: وسألته، عن الصبي يصلي عليه إذا مات وهو ابن خمس سنين؟ قال: «إذا عقل الصلاة فصل عليه. (٢)

**288 - Issue:** He (Ali ibn Ja‘far) said: I asked him about a boy who dies at the age of five years—should the funeral prayer be performed for him? He (Musa ibn Ja‘far) said: “**If he has understood prayer, then the funeral prayer should be performed for him.**”<sup>360</sup>

## **Chapter Twenty-Eight: On the Funeral Prayer**

٢٨٩ - مسألة: قال: وسألته عن المرأة تؤم النساء، ما حد رفع صوتها بالقراءة؟

قال: «قدر ما تسمع» (١).

**289 - Issue:** He (Ali ibn Ja‘far) said: I asked him about a woman who leads other women in prayer—what is the limit of raising her voice in recitation? He (Musa ibn Ja‘far) said: “**As much as she herself can hear.**”<sup>361</sup>

٢٩٠ - مسألة: قال: وسألته عن النساء هل عليهن الجهر بالقراءة في الفريضة والنافلة؟

قال: «لا، إلا أن تكون امرأة تؤم النساء فتجهر بقدر ما تسمع قراءتها» (٢).

**290 - Issue:** He (Ali ibn Ja‘far) said: I asked him whether women are obligated to recite aloud in obligatory and supererogatory prayers. He (Musa ibn Ja‘far) said: “**No—unless a woman is leading other women, in which case she recites aloud to the extent that they can hear her recitation.**”<sup>362</sup>

٢٩١ - مسألة: قال: وسألته عن النساء، هل عليهن افتتاح الصلاة، والتشهد والفتور، والقول في صلاة الرزوال، وصلاة الليل، ما على الرجال؟ قال: «نعم» (٣).

**291 - Issue:** He (Ali ibn Ja‘far) said: I asked him about women—are they obligated to begin prayer with the opening takbir, to recite the tashahhud and qunut, and to recite in the midday prayer and night prayer as men do? He (Musa ibn Ja‘far) said: “**Yes.**”<sup>363</sup>

٢٩٢ - مسألة: قال: وسألته عن النساء هل عليهن صلاة العيددين والتكبير؟ قال: «نعم» (٤).

<sup>359</sup> **Masā’il ‘Alī ibn Ja‘far:** 457/211, **al-Kāfi** 3:190/1, **Tahdhīb al-Āhkām** 3:327/1020, **Wasā’il al-Shī‘a** 3:129, Chapters on Funeral Prayer, Section 34, Hadīth 1 — with slight variation.

<sup>360</sup> **Masā’il ‘Alī ibn Ja‘far:** 456/211, **Qurb al-Isnād:** 355/218, **Tahdhīb al-Āhkām** 3:199/458, **Wasā’il al-Shī‘a** 3:96, Chapters on Funeral Prayer, Section 13, Hadīth 4 — with slight variation.

<sup>361</sup> **Masā’il ‘Alī ibn Ja‘far:** 614/255, **Qurb al-Isnād:** 866/223, **al-Faqīh** 1:263/1201, **Tahdhīb al-Āhkām** 3:278/815, **Wasā’il al-Shī‘a** 6:95, Chapters on Recitation in Prayer, Section 31, Hadīth 2.

<sup>362</sup> **Masā’il ‘Alī ibn Ja‘far:** 552/236, **Qurb al-Isnād:** 867/223, **Wasā’il al-Shī‘a** 6:95, Chapters on Recitation in Prayer, Section 31, Hadīth 3

<sup>363</sup> **Masā’il ‘Alī ibn Ja‘far:** 596/250, **Qurb al-Isnād:** 868/223, **Wasā’il al-Shī‘a** 5:473, Chapters on Acts within the Prayer, Section 1, Hadīth 19.

**292 - Issue:** He (**Ali ibn Ja'far**) said: I asked him whether women are required to attend the Eid prayers and to recite the takbir. He (**Musa ibn Ja'far**) said: “**Yes.**”<sup>364</sup>

٢٩٣ - مسألة: قال: وسألته عن النساء، هل عليهن من صلاة النافلة، وصلاة الليل، وصلاة الزوال، والكسوف ما على الرجال؟ قال: «نعم» (١).

**293 - Issue:** He (**Ali ibn Ja'far**) said: I asked him whether women are obligated in the supererogatory prayers, the night prayers, the midday prayer, and the eclipse prayer as men are. He (**Musa ibn Ja'far**) said: “**Yes.**”<sup>365</sup>

٢٩٤ - مسألة: قال: وسألته عن النساء، هل عليهن من صلاة العيددين والجمعة ما على الرجال؟ قال: «نعم» (٢).

**294 - Issue:** He (**Ali ibn Ja'far**) said: I asked him whether women are obligated in the Eid and Friday prayers as men are. He (**Musa ibn Ja'far**) said: “**Yes.**”<sup>366</sup>

٢٩٥ - مسألة: قال: وسألته عن النساء، هل عليهن التكبير أيام التشريق؟ قال: «نعم، ولا يجهرن به» (٣).

**295 - Issue:** He (**Ali ibn Ja'far**) said: I asked him whether women are required to recite the takbir during the Days of Tashreeq. He (**Musa ibn Ja'far**) said: “**Yes, but they should not raise their voices with it.**”<sup>367</sup>

٢٩٦ - مسألة: قال: وسألته عن النساء، هل عليهن من التطيب والتزيين في الجمعة والعيددين ما على الرجال؟ قال: «نعم» (٤).

**296 - Issue:** He (**Ali ibn Ja'far**) said: I asked him whether women are required to use perfume and adorn themselves on Fridays and Eid days as men are. He (**Musa ibn Ja'far**) said: “**Yes.**”<sup>368</sup>

٢٩٧ - مسألة: قال: وسألته عن المرأة إذا سجدت يقع بعض جبهتها على الأرض وبعض يغطيه الشعر، هل يجوز؟ قال: «لا ، حتى تضع جبهتها على الأرض» (٥).

**297 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a woman who, when prostrating, has part of her forehead on the ground while part is covered by hair—is this permissible? He (**Musa ibn Ja'far**) said: “**No—she must place her entire forehead on the ground.**”<sup>369</sup>

<sup>364</sup> **Masā'il 'Alī ibn Ja'far:** 579/245, **Qurb al-Isnād:** 869/223, **Bihār al-Anwār** 87:353/4.

<sup>365</sup> **Masā'il 'Alī ibn Ja'far:** 597/250, **Qurb al-Isnād:** 870/223, **Wasā'il al-Shī'a** 7:487, Chapters on Prayer of Eclipse and Signs, Section 3, Ḥadīth 1.

<sup>366</sup> **Masā'il 'Alī ibn Ja'far:** 581/246, **Qurb al-Isnād:** 871/224, **Wasā'il al-Shī'a** 7:338, Chapters on Friday Prayer, Section 18, Ḥadīth 2.

<sup>367</sup> **Masā'il 'Alī ibn Ja'far:** 244/161, **Qurb al-Isnād:** 872/224, **Tahdhīb al-Āḥkām** 5:481/1708, **Wasā'il al-Shī'a** 7:463, Chapters on Eid Prayer, Section 22, Ḥadīth 3.

<sup>368</sup> **Masā'il 'Alī ibn Ja'far:** 240/160, **Qurb al-Isnād:** 873/224, **Wasā'il al-Shī'a** 7:396, Chapters on Friday Prayer, Section 47, Ḥadīth 4 — and it contains (al-īb) instead of (al-taṭayyub).

<sup>369</sup> **Masā'il 'Alī ibn Ja'far:** 560/239, **Qurb al-Isnād:** 874/224, **Tahdhīb al-Āḥkām** 2:313/1276, **Wasā'il al-Shī'a** 5:363, Chapters on What is Prostrated Upon, Section 14, Ḥadīth 5 — and it contains: (about the woman whose hair is long).

٢٩٨ - مسألة: قال: وسألته عن المرأة الحرة، هل يصلح لها أن تصلي في درع ومقعنة؟ قال: «لا يصلح لها إلا في ملحفة، إلا أن لا تجد بدا».

**298 - Issue:** He (Ali ibn Ja'far) said: I asked him about a free woman—may she pray wearing only a shift and a headscarf? He (Musa ibn Ja'far) said: **“It is not proper for her to pray except in a cloak, unless she has no alternative.”**

٢٩٩<sup>٣٧٠</sup> - مسألة: قال: وسألته عن المرأة، هل يصلح لها أن تصلي في ملحفة ومقعنة ولها درع؟ قال: «لا يصلح إلا أن تلبس درعها».(١)

**299 - Issue:** He (Ali ibn Ja'far) said: I asked him about a woman—may she pray in a cloak and headscarf if she has a shift? He (Musa ibn Ja'far) said: **“It is not proper except that she wear her shift.”**<sup>٣٧١</sup>

٣٠٠ - مسألة: قال: وسألته عن المرأة، هل يصلح لها أن تصلي في إزار وملحفة ومقعنة ولها درع؟ قال: «إذا وجدت فلا يصلح لها الصلاة إلا وعليها درع».(٢).

**300 - Issue:** He (Ali ibn Ja'far) said: I asked him about a woman—may she pray in a wrap, cloak, and headscarf if she has a shift? He (Musa ibn Ja'far) said: **“If she has it, then it is not proper for her to pray except while wearing her shift.”**<sup>٣٧٢</sup>

٣٠١ - مسألة: قال: وسألته عن المرأة ، هل يصلح لها أن تصلي في إزار وملحفة تقع بها ولها درع؟ قال: «لا يصلح لها أن تصلي حتى تلبس درعها».(٣).

**301 - Issue:** He (Ali ibn Ja'far) said: I asked him about a woman—may she pray in a wrap and a cloak, covering herself with them, if she has a shift? He (Musa ibn Ja'far) said: **“It is not proper for her to pray until she puts on her shift.”**<sup>٣٧٣</sup>

٣٠٢ - مسألة: قال: وسألته عن الأمة، هل يصلح لها أن تصلي في قميص واحد؟  
قال: «لا بأس».(٤).

**302 - Issue:** He (Ali ibn Ja'far) said: I asked him about a female slave—may she pray in a single shirt? He (Musa ibn Ja'far) said: **“There is no harm.”**<sup>٣٧٤</sup>

٣٠٣ - مسألة: قال: وسألته عن المرأة تكون في صلاة الفريضة ولدها إلى جنبها فيكي، وهي قاعدة، هل يصلح لها أن تتناوله فتقعده في حجرها وتسكته وترضعه؟ قال: «لا بأس».(٥).

<sup>٣٧٠</sup> **Masā'il 'Alī ibn Ja'far:** 486/219, **Qurb al-Isnād:** 875/224, **Wasā'il al-Shī'a** 4:408, Chapters on the Garments of One Praying, Section 28, Hadīth 14.

<sup>٣٧١</sup> **Masā'il 'Alī ibn Ja'far:** 113/33, **Wasā'il al-Shī'a** 4:408, Chapters on the Garments of One Praying, Section 28, Hadīth 15.

<sup>٣٧٢</sup> **Masā'il 'Alī ibn Ja'far:** 113/34, **Wasā'il al-Shī'a** 4:408, Chapters on the Garments of One Praying, Section 28, Hadīth 16.

<sup>٣٧٣</sup> **Masā'il 'Alī ibn Ja'far:** 113/35, **Wasā'il al-Shī'a** 4:408–409, Chapters on the Garments of One Praying, Section 28, Hadīth 17.

<sup>٣٧٤</sup> **Masā'il 'Alī ibn Ja'far:** 475/216, **Qurb al-Isnād:** 876/224, **Wasā'il al-Shī'a** 4:412, Chapters on the Garments of One Praying, Section 29, Hadīth 10.

**303 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a woman who is performing an obligatory prayer while her child is beside her crying, and she is seated—may she take him and place him in her lap to quiet him and nurse him? He (**Musa ibn Ja'far**) said: “**There is no harm.**”<sup>375</sup>

٤ - مسألة: قال: وسألته عن المرأة تكون في صلاتها قائمة يبكي ابنها إلى جنبها، هل يصلح لها أن تتناوله فتحمله وهي قائمة؟ قال: «لا تحمله وهي قائمة».

**304 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a woman in her prayer, standing while her child cries beside her—may she pick him up while standing? He (**Musa ibn Ja'far**) said: “**She should not carry him while she is standing.**”<sup>376</sup>

٥ - مسألة: قال: وسألته عن النضوح (١) يجعل فيه النبيذ، أ يصلح أن تصلي المرأة وهو في رأسها؟ قال: «لا، حتى تغسل منه» (٢).

**305 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a vessel (sprinkler)<sup>377</sup> in which wine has been placed—may a woman pray while it is on her head? He (**Musa ibn Ja'far**) said: “**No, not until she has washed it off.**”<sup>378</sup>

٦ - مسألة: قال: وسألته عن المرأة التي ترى الصفرة أيام طمثها، كيف تصنع؟

قال: «تترك لذلك الصلاة بعد أيامها التي كانت تقع في طمثها، ثم تغسل وتصلي، فإن رأي صفرة بعد غسلها فلا غسل عليها، يجزيها الموضوع عند كل صلاة تصلي» (٣).

**306 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a woman who sees yellowish discharge during her menstrual days—what should she do? He (**Musa ibn Ja'far**) said: “**She should leave the prayer for the same number of days she usually sits out for her menses, then she should bathe and pray. If she sees yellowish discharge after she has bathed, there is no further bathing upon her—it suffices for her to perform ablution for every prayer she prays.**”<sup>379</sup>

٧ - مسألة: قال: وسألته عن المرأة ترى الدم في غير أيام طمثها فتراه اليوم، واليومين والساعة، ويدعوه مثل ذلك، كيف تصنع؟ قال: «تترك الصلاة إذا كانت تلك حالها وإذا دام الدم، وتغسل كلما انقطع عنها».

قلت: كيف تصنع؟ قال: ما دامت ترى الصفرة فلتتوضاً من الصفرة وتصلي، ولا غسل عليها من صفرة تراها إلا صفرة تراها في أيام طمثها تركت الصلاة، فإن رأي صفرة في أيام طمثها تركت الصلاة كتركها للدم» (٤).

**307 - Issue:** He (**Ali ibn Ja'far**) said: I asked him about a woman who sees blood outside her menstrual days—she sees it for a day or two or an hour, and then it goes away in a similar

<sup>375</sup> **Masā'il 'Alī ibn Ja'far:** 267/165, **Qurb al-Isnād:** 877/225, **Wasā'il al-Shī'a** 7:280, Chapters on Invalidators of Prayer, Section 24, Hadīth 2.

<sup>376</sup> **Wasā'il al-Shī'a:** 280, Chapters on Invalidators of Prayer, Section 24, Hadīth 3.

<sup>377</sup> **al-Naḍūḥ:** A type of perfume with a very strong fragrance. **Lisān al-'Arab** 14:175 – root *Naḍāḥa*.

<sup>378</sup> **Masā'il 'Alī ibn Ja'far:** 200/151, **Qurb al-Isnād:** 878/225, **Wasā'il al-Shī'a** 3:473, Chapters on Impurities, Section 38, Hadīth 15.

<sup>379</sup> **Masā'il 'Alī ibn Ja'far:** 454/210, **Qurb al-Isnād:** 879/225, **Wasā'il al-Shī'a** 2:280, Chapters on Menstruation, Section 4, Hadīth 7

manner—what should she do? He (**Musa ibn Ja‘far**) said: “**She should leave the prayer when that is her condition and when the blood continues. She should bathe whenever the bleeding stops.**”

I (**Ali ibn Ja‘far**) said: How should she act? He (**Musa ibn Ja‘far**) said: “**As long as she sees yellowish discharge, let her perform ablution from that and pray—there is no bathing upon her for the yellowish discharge she sees, except the yellowish discharge seen during her menstrual days for which she leaves the prayer. If she sees yellowish discharge during her menstrual days, she should leave the prayer just as she does for blood.**”<sup>380</sup>

## **Continuation in some women's conditions**

٣٠٨ - مسألة: قال: وسألته عن الخلاخل هل يصلاح لبسها للنساء والصبيان؟

قال: «إن كن صماً فلا بأس، وإن كان لها صوت فلا» (٥).

**308 - Issue:** He (**Ali ibn Ja‘far**) said: I asked him (**Musa ibn Ja‘far**) about anklets—may women and boys wear them? He (**Musa ibn Ja‘far**) said: “**If they are silent, there is no harm; but if they make a sound, then no.**”<sup>381</sup>

٣٠٩ - مسألة: قال: وسألته عن الدبياج، هل يصلاح لبسه للنساء؟ قال: «لا بأس» (١).

**309 - Issue:** He said: I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about wearing brocade—may women wear it? He said: “**There is no harm.**”<sup>382</sup>

٣١٠ - مسألة: قال: وسألته عن المرأة تحفَّ (٢) الشعر من وجهها؟ قال: (٣) «لا بأس

**310 - Issue:** He said: I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about a woman removing hair from her face. He said: “**There is no harm.**”<sup>384</sup>

٣١١ - مسألة: قال: وسألته عن المرأة العاصية لزوجها ، هل لها صلاة، وما حالها؟ قال: «لا نزال عاصية حتى يرضى عنها» (٤).

<sup>380</sup> **Qurb al-Isnād:** 880/225, **Wasā’il al-Shī‘a** 2:280–281, Chapters on Menstruation, Section 4, Hadīth 8, with slight variation.

<sup>381</sup> **Masā’il ‘Alī ibn Ja‘far:** 148/138, **Qurb al-Isnād:** 881/226, **al-Kāfi** 3:404/33, **Wasā’il al-Shī‘a** 4:463, Chapters on the Garments of One Praying, Section 62, Hadīth 1 — and in it: “If she is deaf” instead of “If they are deaf.”

<sup>382</sup> **Masā’il ‘Alī ibn Ja‘far:** 147/138, **Qurb al-Isnād:** 882/226, **Wasā’il al-Shī‘a** 4:380–381, Chapters on the Garments of One Praying, Section 16, Hadīth 9.

<sup>383</sup> “She shaved (ḥaffa) her face” — from the verb pattern *fa‘ala*, referring to beautification by hair removal; similarly, “ḥaffa” for the mustache means to trim or conceal it. (**al-Miṣbāḥ al-Munīr** 1:142 – *ḥaffa*). (*Footnote in the manuscript*)

<sup>384</sup> **Masā’il ‘Alī ibn Ja‘far:** 111/129, **Qurb al-Isnād:** 883/226, **Wasā’il al-Shī‘a** 17:133, Chapters on Livelihood and Earning, Section 19, Hadīth 8.

**311 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a woman who is disobedient to her husband—does she have any prayer and what is her state? He said: “**She remains disobedient until he is pleased with her.**”<sup>385</sup>

٣١٢ - مسألة: قال: وسألته عن المرأة هل لها أن تعطي من بيت زوجها بغير إذنه؟ قال: «لا، إلا أن يحلها» (٥).

**312 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) whether a woman can give something from her husband’s house without his permission. He said: “**No, unless he permits her.**”<sup>386</sup>

٣١٣ - مسألة: قال: وسألته عن المرأة لها أن تخرج من بيت زوجها بغير إذنه؟

قال: «لا

**313 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) whether a woman can leave her husband’s house without his permission. He said: “**No.**”<sup>387</sup>

٣١٤ - مسألة: قال: وسألته عن المرأة لها أن يحجمها رجل؟ قال: «لا» (٧).

**314 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) whether a woman may be cupped by a man. He said: “**No.**”<sup>388</sup>

٣١٥ - مسألة: قال: وسألته عن المرأة يكون بها الجرح في فخذها أو عضدها،

هل يصلح للرجل أن ينظر إليه ويعالجه؟ قال: «لا» (١).

**315 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a woman who has a wound in her thigh or upper arm—may a man look at it and treat it? He said: “**No.**”<sup>389</sup>

٣١٦ - مسألة: قال: وسألته عن الرجل يكون بأصل فخذه أو إلته الجرح، هل يصلح للمرأة النظر إليه أو تداويه؟ قال: «إذا لم يكن عوره فلا بأس» (٢).

**316 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man who has a wound on his upper thigh or buttock—may a woman look at it or treat it? He said: “**If it is not the private area, there is no harm.**”<sup>390</sup>

<sup>385</sup> **Masā’il ‘Alī ibn Ja‘far:** 364/185, **Qurb al-Isnād:** 884/226, **Wasā’il al-Shī‘a** 20:162, Chapters on Marriage Etiquette and Introduction, Section 80, Ḥadīth ... — with (the woman who angers her husband) instead of (the disobedient one).

<sup>386</sup> **Masā’il ‘Alī ibn Ja‘far:** 231/158, **Qurb al-Isnād:** 885/226, **Tahdhīb al-Āḥkām** 6:346/974, **Wasā’il al-Shī‘a** 17:270, Chapters on Livelihood and Earning, Section 82, Ḥadīth 1.

<sup>387</sup> **Masā’il ‘Alī ibn Ja‘far:** 333/179, **Qurb al-Isnād:** 886/226, **Wasā’il al-Shī‘a** 20:159, Chapters on Marriage Etiquette and Introduction, Section 79, Ḥadīth 5.

<sup>388</sup> **Qurb al-Isnād:** 887/227, **Bihār al-Anwār** 101:8/33.

<sup>389</sup> **Masā’il ‘Alī ibn Ja‘far:** 268/166, **Qurb al-Isnād:** 888/227, **Wasā’il al-Shī‘a** 20:233, Chapters on Marriage Etiquette and Introduction, Section 130, Ḥadīth 3.

<sup>390</sup> **Masā’il ‘Alī ibn Ja‘far:** 269/166, **Qurb al-Isnād:** 889/227, **Wasā’il al-Shī‘a** 20:233, Chapters on Marriage Etiquette and Introduction, Section 130, Ḥadīth 4.

٣١٧ - مسألة: قال: وسألته عن الرجل ما يصلاح له أن ينظر إليه من المرأة التي لا تحل؟ قال: «الوجه، والكتف، وموضع السوار» (٣).

**317 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) what a man is permitted to look at of a woman who is not lawful for him. He said: “**The face, the hands, and the area of the bracelet.**”<sup>391</sup>

٣١٨ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يقبل قبل المرأة؟ قال: لا بأس» (٤).

**318 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) whether a man may kiss a woman’s face. He said: “**There is no harm.**”<sup>392</sup>

٣١٩ - مسألة: قال: وسألته عن العجوز والعاشق (٥) هل عليهما من التزيين والتطيب في الجمعة والعيددين، ما على الرجال؟ قال: «نعم»

**319 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) whether an old woman and a young maiden<sup>393</sup> must adorn and perfume themselves on Fridays and the two Eids like men. He said: “**Yes.**”<sup>394</sup>

٣٢٠ - مسألة: قال: وسألته عن المرأة المغاضبة زوجها، هل لها صلاة أو ما حالها؟ قال: لا تزال عاصية حتى يرضى عنها» (٧).

**320 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a woman who is angry with her husband—does she have any prayer and what is her state? He said: “**She remains disobedient until he is pleased with her.**”<sup>395</sup>

<sup>391</sup> **Masā’il ‘Alī ibn Ja‘far:** 487/219, **Qurb al-Isnād:** 890/227, **Bihār al-Anwār** 101:11/34.

<sup>392</sup> **Masā’il ‘Alī ibn Ja‘far:** 688/276, **Qurb al-Isnād:** 891/227, **al-Kāfi** 5:497/4, **Tahdhīb al-Āhkām** 7:413/1650, **Wasā’il al-Shī‘a** 20:110, Chapters on Marriage Etiquette and Introduction, Section 51, Hadīth 1.

<sup>393</sup> **al-‘Ātiq:** A young woman at the beginning of her maturity. **Lisān al-‘Arab** 9:36 – root ‘-t-q.

<sup>394</sup> **Masā’il ‘Alī ibn Ja‘far:** 240/160, **Wasā’il al-Shī‘a** 7:396, Chapters on Friday Prayer and its Etiquettes, Section 47, Hadīth 4.

<sup>395</sup> **Masā’il ‘Alī ibn Ja‘far:** 364/185, **Qurb al-Isnād:** 884/226 — and it contains: (the disobedient one) instead of (the one who angers her husband), **Wasā’il al-Shī‘a** 20:162, Chapters on Marriage Etiquette and Introduction, Section 80, Hadīth 8.

## Chapter Twenty-Nine: On Zakat (From al-Ja‘fariyyat)

٣٢١ - مسألة: قال: وسألته عن الصدقة، فيما هي؟ قال: «قال رسول الله عليه وسلم : في تسعة: الحنطة والشعير والتمر والزبيب، والذهب والفضة، والإبل والبقر والغنم، وعفا عما سوى ذلك» (١).

**321 - Issue:** He (Ali ibn Ja‘far) said: I asked him (Musa ibn Ja‘far) about charity (sadaqah)—what is it on? He (Musa ibn Ja‘far) said: “**The Messenger of Allah** ﷺ said: It is on nine things—wheat, barley, dates, raisins, gold, silver, camels, cattle, and sheep. And he excused everything besides that.”<sup>396</sup>

٣٢٢ - مسألة: قال: وسألته عن الزكاة، هل هي لأهل الولاية؟ قال: «قد بين ذلك لكم في طائفة من الكتاب» (٢).

**322 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) whether zakat is for the people of the wilayah. He said: “**That has already been explained to you in a section of the Book.**”<sup>397</sup>

٣٢٣ - مسألة: قال: وسألته عن زكاة الحلي؟ قال: «إذن لا يبقى، ولا تكون زكاة في أقل من مائتي درهم، والذهب عشرون ديناراً، فما سوى ذلك فليس عليه زكاة» وقال: ليس على المملوك زكاة إلا بإذن مواليه». وقال: «ليس على الدين زكاة إلا أن يشاء رب الدين أن يزكيه» (٣).

**323 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about zakat on jewelry. He said: “**Then nothing would remain! There is no zakat on less than 200 dirhams, or 20 dinars of gold; and whatever is below that, there is no zakat on it.**” He also said: “**There is no zakat on the wealth of a slave except with the permission of his master.**” And he said: “**There is no zakat on a debt except if the creditor wishes to pay it.**”<sup>398</sup>

٣٢٤ - مسألة: قال: وسألته عن الرجل يكون عليه الدين؟ قال: «يُزكي ماله، ولا يُزكي ما عليه من الدين، إنما الزكاة على صاحب المال» (٤).

**324 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man who has debt on him. He said: “**He pays zakat on his wealth, but he does not pay zakat on what he owes in debt. Zakat is only on the one who owns the wealth.**”<sup>399</sup>

٣٢٥ - مسألة: قال: وسألته عن الدين يكون على القوم الميسير إذا شاء قبضه صاحبه هل عليه زكاة؟ قال: «لا، حتى يقبضه ويحول عليه الحول» (١).

<sup>396</sup> **Masā'il 'Alī ibn Ja‘far:** 116/49, **Wasā'il al-Shī'a** 9:60, Chapters on What Requires and Encourages Zakāt, Section 8, Hadīth 17.

<sup>397</sup> **Masā'il 'Alī ibn Ja‘far:** 624/259, **Qurb al-Isnād:** 892/228, **Wasā'il al-Shī'a** 9:225, Chapters on Those Entitled to Zakāt, Section 5, Hadīth 15.

<sup>398</sup> **Masā'il 'Alī ibn Ja‘far:** 627–260/259, **Qurb al-Isnād:** 893/228, **Bihār al-Anwār** 37:1, 6/31.

<sup>399</sup> **Qurb al-Isnād:** 894/228, **Wasā'il al-Shī'a** 9:104, Chapters on Those Obligated to Pay Zakāt, Section 9, Hadīth 10.

**325 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a debt that is owed by people of means—if the creditor wants to take it, does he have to pay zakat on it? He said: “**No, not until he receives it and a year has passed on it.**”<sup>400</sup>

٣٢٦ - مسألة: قال: وسألته عن الرجل يعطي عن زكاته عن الراهن دنانير، وعن الدنانير راهن بالقيمة، أيحل ذلك؟ قال: «لا بأس». (٢)

**326 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man who pays his zakat on dirhams with dinars, and on dinars with dirhams at equivalent value—is this permissible? He said: “**There is no harm.**”<sup>401</sup>

٣٢٧ - مسألة: قال: وسألته عن الزكاة في الغنم؟ قال: «من كل أربعين شاة شاة، وفي كل مائة شاة، وليس في الغنم كسور» (٣).

**327 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about zakat on sheep. He said: “**For every forty sheep, one sheep. And for every hundred sheep. There is no zakat on fractions of sheep.**”<sup>402</sup>

٣٢٨ - مسألة: قال: وسألته عن الزكاة، أيعطاه من له المائة؟ قال: «نعم، ومن له الدار والعبد، فإن الدار ليس نعدها مالاً» (٤).

**328 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about zakat—may it be given to someone who owns a hundred sheep? He said: “**Yes, and to someone who owns a house or a slave, because we do not count a house as wealth.**”<sup>403</sup>

٣٢٩ - مسألة: قال: وسألته عن الملوك يعطي من الزكاة؟ قال: «لا» (٥).

**329 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about giving zakat to a slave. He said: “**No.**”<sup>404</sup>

٣٣٠ - مسألة: وسألته عن الضرورة (٦)، يحجه الرجل من الزكاة؟ قال: «نعم» (٧).

**330 - Issue:** He said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man performing Hajj on behalf of a person who has never performed it (a *ṣarūra*)<sup>405</sup>—may he use zakat funds for it? He said: “**Yes.**”<sup>406</sup>

<sup>400</sup> **Masā’il ‘Alī ibn Ja‘far:** 179/335 and 259/625, **Qurb al-Isnād:** 228/895, **Wasā’il al-Shī‘a** 9:100, Chapters on Zakat Obligations, Chapter 6, Hadith 15.

<sup>401</sup> **Masā’il ‘Alī ibn Ja‘far:** 125/92, **Qurb al-Isnād:** 229/896, **al-Kāfi** 3:559/2, **al-Faqīh** 2:16/51, **Tahdhīb al-Āhkām** 4:95/272, **Wasā’il al-Shī‘a** 9:167, Chapters on Zakat of Gold and Silver, Chapter 14, Hadith 2—all except the first say: “There is no harm in it.”

<sup>402</sup> **Masā’il ‘Alī ibn Ja‘far:** 259/626, **Qurb al-Isnād:** 229/897, **Wasā’il al-Shī‘a** 9:117, Chapters on Zakat of Livestock, Chapter 6, Hadith 3.

<sup>403</sup> **Masā’il ‘Alī ibn Ja‘far:** 165/142, **Wasā’il al-Shī‘a** 9:237, Chapters on Zakat Recipients, Chapter 9, Hadith 5—it contains “the mount” instead of “the hundred.”

<sup>404</sup> **Masā’il ‘Alī ibn Ja‘far:** 167/143, **Wasā’il al-Shī‘a** 9:294, Chapters on Zakat Recipients, Chapter 44, Hadith 4.

<sup>405</sup> **al-Ṣūra:** one who has never performed Hajj; **Lisān al-‘Arab** 11:354 – Ş-R-R.

<sup>406</sup> **Masā’il ‘Alī ibn Ja‘far:** 168/143, **Wasā’il al-Shī‘a** 9:291, Chapters on Zakat Recipients, Chapter 42, Hadith 4.

## Chapter Thirty: On Fasting

٣٣١ - مسألة: قال: وسألته عن الرجل يرى الهلال في شهر رمضان وحده لا يبصره غيره، أَلَّا أَنْ يَصُوم؟ قال: «إِذَا لَمْ يَشْكُ فِيهِ فَلِيَصُومْ، وَلَا فَلِيَصُومْ مَعَ النَّاسِ» (١).

**331 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who sees the crescent in Ramadan by himself while no one else sees it—should he fast? He said: “**If he has no doubt about it, let him fast; otherwise, let him fast with the people.**”<sup>407</sup>

٣٣٢ - مسألة: قال: وسألته عن الغلام، متى يجب عليه الصوم والصلوة؟ قال: «إِذَا رَاهَنَ الْحَلَمْ وَعَرَفَ الصَّوْمَ وَالصَّلَاةَ» (٢).

**332 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a boy—when does fasting and prayer become obligatory on him? He said: “**When he reaches puberty and knows fasting and prayer.**”<sup>408</sup>

٣٣٣ - مسألة: قال: وسألته عن حد ما يجب على المريض ترك الصوم؟ قال: «كُلُّ شَيْءٍ مِّنَ الْمَرْضِ أَضَرُّ بِهِ الصَّوْمَ، فَهُوَ يَسْعَهُ تَرْكَ الصَّوْمِ» (٣).

**333 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the limit for a sick person to leave fasting. He said: “**Anything from the illness that harms him if he fasts, he is permitted to leave fasting.**”<sup>409</sup>

٣٣٤ - مسألة: قال: وسألته عن كفارة صوم اليدين، أيصومها جميعاً، أو يفرق بينها؟ قال: «يصومها جميعاً» (٤).

**334 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the expiation fast for an oath—must he fast them all consecutively or can he separate them? He said: “**He must fast them all consecutively.**”<sup>410</sup>

٣٣٥ - مسألة: قال: وسألته عن المرأة أَلَّا أَنْ تَصُومَ بِغَيْرِ إِذْنِ زَوْجِهَا؟ قال: «لَا بَأْسَ»

**335 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman—may she fast without her husband's permission? He said: “**There is no harm.**”<sup>411</sup>

٣٣٦ - مسألة: من (الجعفريات)، قال: وسألته عن رجل نكح امرأته [٦] وهو صائم رمضان، ما عليه؟ قال: «عليه القضاء وعتق رقبة، فإن لم يجد فصيام شهرين متتابعين، فإن لم يستطع فإطعام ستين مسكيناً، فإن لم يجد فليستغفر الله» (١).

<sup>407</sup> **Masā'il 'Alī ibn Ja'far:** 149–150/193, **Qurb al-Isnād:** 231/904, **al-Faqīh** 2:77/341, **Wasā'il al-Shī'a** 10:261, Chapters on the Rules of Ramadan, Chapter 4, Hadith 2 — with slight variation in both.

<sup>408</sup> **Masā'il 'Alī ibn Ja'far:** 172/297, **Tahdhīb al-Ahkām** 2:380/1587, **al-Istibṣār** 1:408/1559, **Wasā'il al-Shī'a** 10:235, Chapters on Who is Valid for Fasting, Chapter 29, Hadith 6.

<sup>409</sup> **Masā'il 'Alī ibn Ja'far:** 171/295, **Wasā'il al-Shī'a** 10:222, Chapters on Who is Valid for Fasting, Chapter 20, Hadith 9.

<sup>410</sup> **Masā'il 'Alī ibn Ja'far:** 312/175, **Wasā'il al-Shī'a** 22:377, Chapters on Expiations, Chapter 12, Hadith 8.

<sup>411</sup> **Masā'il 'Alī ibn Ja'far:** 334/179, **Wasā'il al-Shī'a** 20:159, Chapters on Marriage Etiquettes and Preparations, Chapter 79, Hadith 5.

**336 - Issue (from al-Ja'fariyyāt):** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who has intercourse with his wife<sup>412</sup> while fasting in Ramadan—what is upon him? He said: **“He must make up the fast and free a slave. If he cannot find that, then he must fast two consecutive months. If he is unable to, then he must feed sixty poor people. If he cannot find that, let him seek Allah's forgiveness.”**<sup>413</sup>

٣٣٧ - مسألة: قال: وسألته عن الرجل، هل يصلح له - وهو صائم في رمضان - أن يقلب الجارية فيضرب على بطنها وفخذها وعجزها؟  
قال: «إن لم يفعل ذلك لشهوة فلا بأس به، فاما للشهوة فلا يصلح» (٢).

**337 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—while fasting in Ramadan—may he fondle a maidservant, touching her belly, thigh, and backside? He said: **“If he does not do so out of lust, there is no harm. But if it is out of lust, then it is not permissible.”**<sup>414</sup>

٣٣٨ - مسألة: قال: وسألته عن المرأة، هل يحل لها أن تعتنق الرجل في شهر رمضان وهي صائمة فتقبل بعض جسده من غير شهوة؟  
قال: «لا بأس» (٣).

**338 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman—may she embrace a man in Ramadan while she is fasting and kiss parts of his body without lust? He said: **“There is no harm.”**<sup>415</sup>

٣٣٩ - مسألة: قال: وسألته، عن الصائم، هل يصلح له أن يصب في أنه الدهن؟  
قال: «إن لم يدخل حلقه فلا بأس» (٤).

**339 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a fasting person—may he pour oil into his ear? He said: **“If it does not reach his throat, there is no harm.”**<sup>416</sup>

٣٤٠ - مسألة: قال: وسألته عن الرجل يستاك وهو صائم فقيء، ما عليه؟ قال: إن كان تقلياً متعمداً فعليه قضاوه، وإن لم يكن تعمداً ذلك فليس عليه شيء» (٥).

**340 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man using a tooth-stick (siwāk) while fasting and then he vomits—what is upon him? He said: **“If he vomited deliberately, he must make it up; if it was not deliberate, there is nothing upon him.”**<sup>417</sup>

٣٤١ - مسألة: قال: وسألته عن صوم المحرم في شهر رمضان، هل له أن يتحجج وهو صائم؟ قال: «نعم».

<sup>412</sup> In the manuscript: "woman," we have corrected it according to the source.

<sup>413</sup> **Masā'il 'Alī ibn Ja'far:** 47/116, **Wasā'il al-Shī'a** 10:48, Chapters on What Invalidates Fasting and Its Timing, Chapter –, Hadith 9.

<sup>414</sup> **Masā'il 'Alī ibn Ja'far:** 48/116, **Wasā'il al-Shī'a** 10:101, Chapters on What Invalidates Fasting and Its Timing, Chapter 33, Hadith 19 — with slight variation.

<sup>415</sup> **Masā'il 'Alī ibn Ja'far:** 21/110, **Wasā'il al-Shī'a** 10:101, Chapters on What Invalidates Fasting and Its Timing, Chapter 33, Hadith 18.

<sup>416</sup> **Masā'il 'Alī ibn Ja'far:** 23/110, **Wasā'il al-Shī'a** 10:73, Chapters on What Invalidates Fasting and Its Timing, Chapter 24, Hadith 5.

<sup>417</sup> **Masā'il 'Alī ibn Ja'far:** 55/117, **Wasā'il al-Shī'a** 10:89, Chapters on What Invalidates Fasting and Its Timing, Chapter 29, Hadith 10.

**341 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a fasting pilgrim in Ramadan—may he be cupped (for bloodletting) while fasting? He said: "Yes." <sup>418</sup>

٣٤٢ - مسألة: قال: وسألته، عن رجل صام من ظهار ثم أيسر، وقد بقي عليه من صومه يومان أو ثلاثة، كيف يصنع؟ قال: «إن صام شهراً ودخل في الثاني أجزاء الصوم ويتم صومه، ولا عنق عليه» (١).

**342 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man fasting an expiation for ẓīhār, who then became well-off, while two or three days of fasting remained—what should he do? He said: "If he fasted a month and entered the second month, it suffices him, and there is no need to free a slave." <sup>419</sup>

٣٤٣ - مسألة: قال: وسألته عن الرجل والمرأة يصلح لها أن يستدلا الدواء وهم صائمان؟ قال: «لا بأس» (٢).

**343 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man and woman—may they use medicine internally while fasting? He said: "There is no harm." <sup>420</sup>

٣٤٤ - مسألة: قال: وسألته عن الصائم يذوق الطعام والشراب يجد طعمه في حلقه؟

قال: «لا يفعل». قلت: فإن فعل فما عليه؟ قال: «لا شيء عليه، ولكن لا يعود» (٣).

**344 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a fasting person who tastes food or drink and finds its taste in his throat. He said: "He should not do so." I said: What if he does? He said: "There is nothing upon him, but let him not repeat it." <sup>421</sup>

٣٤٥ - مسألة: قال: وسألته عن الصيام في الحضر؟ قال: «ثلاثة أيام في كل شهر: الخميس في جمعة، والأربعاء في جمعة، والخميس في جمعة» (٤).

**345 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about fasting while residing (not traveling). He said: "Three days each month: Thursday in one week, Wednesday in another week, and Thursday in another week." <sup>422</sup>

٣٤٦ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يُقبل، ويُلمس، وهو يقضى شهر رمضان؟ قال: «لا» (٥).

**346 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—may he kiss and touch while making up missed fasts of Ramadan? He said: "No." <sup>423</sup>

<sup>418</sup> *Masā'il 'Alī ibn Ja'far*: 388/197.

<sup>419</sup> *Masā'il 'Alī ibn Ja'far*: 105/6, *Qurb al-Isnād*: 256/1013, *Wasā'il al-Shī'a* 22:366, Chapters on Expiations, Chapter 5, Hadith 3

<sup>420</sup> *Masā'il 'Alī ibn Ja'far*: 261/630, *Qurb al-Isnād*: 230/898, *al-Kāfi* 4:110/5, *Tahdhīb al-Āhkām* 4:325/1005, *Wasā'il al-Shī'a* 10:41, Chapters on What Invalidates Fasting... Chapter 5, Hadith 1.

<sup>421</sup> *Masā'il 'Alī ibn Ja'far*: 261/629, *Qurb al-Isnād*: 231/907, *Tahdhīb al-Āhkām* 4:325/1004, *Wasā'il al-Shī'a* 10:106, Chapters on What Invalidates Fasting... Chapter 37, Hadith 5.

<sup>422</sup> *Masā'il 'Alī ibn Ja'far*: 183/147, *Wasā'il al-Shī'a* 10:427, Chapters on Recommended Fasts, Chapter 7, Hadith 29.

<sup>423</sup> *Masā'il 'Alī ibn Ja'far*: 150/195, *Qurb al-Isnād*: 232/909, *Wasā'il al-Shī'a* 10:101, Chapters on What Invalidates Fasting and Its Timing, Chapter 33, Hadith 20.

٣٤٧ - مسألة: قال: وسألته عن الرجل [يدركه] (٦) شهر رمضان في السفر فيقيم الأيام في المكان، هل عليه صوم؟ قال: «لا، حتى يجمع على مقام عشرة أيام، فإذا أجمع على مقام عشرة أيام صام وأتم الصلاة» (١).

**347 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who reaches Ramadan while traveling and stays days in a place<sup>424</sup>—must he fast? He said: “**No, not until he has decided to stay there for ten days. When he has decided to stay for ten days, he must fast and complete the prayer.**”<sup>425</sup>

٣٤٨ - مسألة: قال: وسألته عن الرجل عليه الأيام من شهر رمضان وهو مسافر، هل يقضى إذا أقام الأيام في المكان؟  
قال: «لا حتى يجمع على مقام عشرة أيام» (٢).

**348 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who owes days from Ramadan while traveling—does he make them up if he stays days in a place? He said: “**No, not until he has decided to stay for ten days.**”<sup>426</sup>

٣٤٩ - مسألة: قال: وسألته، عمن كان عليه يومان من شهر رمضان، كيف يقضيهما؟  
قال: «يفصل بينهما بيوم، فإن كان أكثر من ذلك فليقضه متواالية» (٣).

**349 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about someone who owes two days from Ramadan—how does he make them up? He said: “**He should separate them by a day. If it is more than that, let him make them up consecutively.**”<sup>427</sup>

٣٥٠ - مسألة: قال: وسألته عن رجل تتبع عليه رمضانان لم يصح فيهما، ثم صح بعد ذلك، كيف يصنع؟ قال: يصوم الأخير، ويتصدق عن الأول بصدقة كل يوم مد من طعام لكل مسكين» (٤).

**350 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who missed two consecutive Ramadans due to illness, and then recovered—what should he do? He said: “**He must fast the last one and give charity for the first one—each day a measure of food for a poor person.**”<sup>428</sup>

٣٥١ - مسألة: قال: وسألته عن رجل مرض في شهر رمضان، فلم يزل مريضاً، حتى أدركه شهر رمضان، فيبراً فيه، كيف يصنع؟  
قال: «يصوم الذي برأ فيه، ويتصدق عن الأول، كل يوم مد من طعام» (٥).

**351 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who was sick in Ramadan and stayed sick until the next Ramadan, then recovered in it—what should he do? He

<sup>424</sup> In the manuscript: "He leaves it", we have restored the source version.

<sup>425</sup> **Masā'il 'Alī ibn Ja'far:** 261–262/632, **Qurb al-Isnād:** 230/902, **al-Kāfi** 4:133/2, **Wasā'il al-Shī'a** 8:498, Chapters on the Prayer of the Traveler, Chapter 15, Hadith 1.

<sup>426</sup> **Masā'il 'Alī ibn Ja'far:** 262/633, **Qurb al-Isnād:** 231/903, **al-Kāfi** 4:133/2, **Wasā'il al-Shī'a** 10:193, Chapters on Valid Fasts, Chapter 8, Hadith 1.

<sup>427</sup> **Masā'il 'Alī ibn Ja'far:** 157/229, **Qurb al-Isnād:** 231/906, **Wasā'il al-Shī'a** 10:343, Chapters on Ramadan Laws, Chapter 26, Hadith 12 — both say: "then she should make it up" instead of "then he should make it up."

<sup>428</sup> **Masā'il 'Alī ibn Ja'far:** 105/7, **Qurb al-Isnād:** 232/910, **Wasā'il al-Shī'a** 10:338–339, Chapters on Ramadan Laws, Chapter 25, Hadith 9.

said: “**He must fast the one in which he recovered and give charity for the first one—each day a measure of food for a poor person.**”<sup>429</sup>

٣٥٢ - مسألة: قال: وسألته عن الرجل ينتف إبطه، وهو في شهر رمضان، وهو صائم؟ قال: «لا بأس» (١).

**352 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who plucks his armpit hair while fasting in Ramadan? He said: “**There is no harm.**”<sup>430</sup>

٣٥٣ - مسألة: قال: وسألته عناه، عن الرجل يصب من فيه الماء يغسل به الشيء يكون في ثوبه، وهو صائم؟ قال: «لا [بأس [٢]]. (٣)

**353 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who pours water from his vessel to wash something on his garment while fasting? He said: “**There is no harm.**”<sup>431 432</sup>

٣٥٤ - مسألة: قال: وسألته عن رجل جعل عليه أن يصوم بالكوفة شهرًا، أو بالمدينة شهرًا، أو بمكة شهرًا، فصوم أربعة عشر يوماً بمكة، الله أن يرجع إلى أهله فيصوم ما عليه بالكوفة؟ قال: «نعم لا بأس، وليس عليه شيء» (٤).

**354 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who is obligated to fast a month in Kufa, or a month in Medina, or a month in Mecca, and he fasted fourteen days in Mecca. Is he allowed to return to his family and fast what he owes in Kufa? He said: “**Yes, there is no harm, and he owes nothing else.**”<sup>433</sup>

٣٥٥ - مسألة: قال: وسألته عن الرجل يكون عليه صيام الأيتام من قبل شهر (٥)

رمضان يصومها قضاء، وهو في شهر لم يصم أيامه؟ قال: «لا بأس».

**355 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who owes fasting the orphans' days before <sup>434</sup> Ramadan as make-up, and he fasts them in a month but not all the days. Is that valid? He said: “**There is no harm.**”<sup>435</sup>

٣٥٦ - مسألة: قال: وسألته عن الرجل يؤخر صوم الأيام الثلاثة من كل شهر، حتى يكون في الشهر الآخر، فلا يدركه الخميس ولا جمعة مع الأربعاء، يجزيه ذلك؟ قال: «لا بأس» (١).

<sup>429</sup> **Masā'il 'Alī ibn Ja'far:** 261/631, **Qurb al-Isnād:** 232/911, **Wasā'il al-Shī'a** 10:339, Chapters on Ramadan Laws, Chapter 25, Hadith 10.

<sup>430</sup> **Masā'il 'Alī ibn Ja'far:** 108/15, **Qurb al-Isnād:** 232/912, **Wasā'il al-Shī'a** 10:110, Chapters on What Invalidates Fasting and Its Timing, Chapter 41, Hadith 1.

<sup>431</sup> From the source.

<sup>432</sup> **Masā'il 'Alī ibn Ja'far:** 16/108, **Qurb al-Isnād:** 232/913, **Wasā'il al-Shī'a** 10:107, Chapters on What Invalidates Fasting and Its Timing, Chapter 37, Hadith 8.

<sup>433</sup> **Masā'il 'Alī ibn Ja'far:** 187/374, **Qurb al-Isnād:** 232/908, **Wasā'il al-Shī'a** 10:386, Chapters on Remaining Obligatory Fasts, Chapter 13, Hadith 1.

<sup>434</sup> In **al-Ja'fariyyāt:** "Each month should he fast it?" (margin note of the manuscript).

<sup>435</sup> **Masā'il 'Alī ibn Ja'far:** 189/383, **Qurb al-Isnād:** 230/899 — with slight variation — **Wasā'il al-Shī'a** 10:431, Chapters on Recommended Fasts, Chapter 9, Hadith 6.

**356 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who delays fasting the three days<sup>436</sup> of each month until the next month, so he never fasts Thursday or Friday with Wednesday. Is this acceptable? He said: "There is no harm."<sup>437</sup>

٣٥٧ - مسألة: قال: وسألته عن صيام الأيام الثلاثة من كل شهر يكون على الرجل، يصومها متواالية، أو يفرق بينها؟ قال: «أي ذلك أحب» (٢).

**357 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about fasting the three days of each month: should a man fast them consecutively or spread them out? He said: "Either way is better."<sup>438</sup>

٣٥٨ - مسألة: قال: وسألته عن قيام شهر رمضان، هل يصلح؟ قال: «لا يصلح إلا بقراءة تبدأ فقرأة فاتحة الكتاب، ثم تنتهي لقراءة الإمام، فإذا أراد الركوع قرأ: (قُلْ هُوَ اللَّهُ أَحَدٌ) (٣) أو غيرها، ثم ركعت أنت إذا ركع، فكبر أنت في ركوعك وسجودك كما تفعل إذا صلحت وحدك، وصلاتك وحدك أفضل» (٤).

**358 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about praying Qiyam (night prayers) in Ramadan—is it valid? He said: "It is only valid if you start by reciting Al-Fātiḥah, then listen to the Imam's recitation attentively. When the Imam intends to bow, you recite: 'Say, He is Allah, the One' (Qul huwa Allahu ahad)<sup>439</sup> or other verses, then you bow. You say the takbīr (Allāhu akbar) in your bowing and prostration as you do when praying alone. Praying alone is better."<sup>440</sup>

٣٥٩ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يصلّي أو يصوم عن بعض موته؟ قال: «نعم، فيصلّي ما أحب، ويجعل ذلك للميت، فهو للميت إذا جعل ذلك له» (٥).

**359 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether a man may pray or fast on behalf of some of his deceased? He said: "Yes, he may pray whatever he likes and dedicate it to the deceased; it counts for the deceased if he intends it for them."<sup>441</sup>

## Continuation regarding the Fitrah of Ramadan

قال: وسألته، عن فطرة شهر رمضان، على كلّ إنسان هي، أو على من صام وعرف الصلاة؟ قال: «هي على كلّ كبير وصغير من يعول»

<sup>436</sup> In *al-Ja'fariyyāt*: "If the last Thursday of the month is missed, he should combine it with the following Wednesday." (manuscript margin note).

<sup>437</sup> *Masā'il 'Alī ibn Ja'far*: 189/384, *Qurb al-Isnād*: 230/900, *Wasā'il al-Shī'a* 10:431, *Abwāb al-Ṣawm al-Mandūb*, Bāb 9, Ḥadīth 7.

<sup>438</sup> *Masā'il 'Alī ibn Ja'far*: 189/385, *Qurb al-Isnād*: 130/901, *Wasā'il al-Shī'a* 10:432, *Abwāb al-Ṣawm al-Mandūb*, Bāb 9, Ḥadīth 7

<sup>439</sup> *Sūrat al-Ikhlas*: 1.

<sup>440</sup> *Masā'il 'Alī ibn Ja'far*: 37/114, *Biḥār al-Anwār* 85:89 – 53/90.

<sup>441</sup> *Masā'il 'Alī ibn Ja'far*: 429/199, *Wasā'il al-Shī'a*: 277, *Abwāb Qaḍā' al-Ṣalawāt*, Bāb 12, Ḥadīth 2.

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the obligatory charity (Fitrah) of Ramadan—is it on every person or only on one who fasts and knows prayer? He said: “**It is obligatory on every adult, big or small, who has dependents.**”<sup>442</sup>

## Chapter Thirty-One: On Hajj (From al-Ja'fariyyat)

٣٦٠ - مسألة: قال: وسألته عن المتعة في الحج، من أين إحرامها وإحرام الحج؟

قال: «قد وقت رسول الله لأهل العراق من العتيق، ولأهل المدينة وما يليها من الشجرة، ولأهل الشام وما يليها من الحجفة، ولأهل الطائف من قرن، ولأهل اليمن من يلملم، فليس ينبغي لأحد أن يعدو هذه المواقت إلى غيرها» (١).

**360 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the Muṭ'ah (temporary marriage) in Hajj—where is its Ihram, and where is the Ihram of Hajj?

He said: “**The Messenger of Allah ( عليه وآله وسالم ) designated the Miqats: for the people of Iraq from al-'Atīq, for the people of Medina and its surroundings from al-Shajarah, for the people of Sham and its surroundings from al-Ḥujfah, for the people of Ta'if from Qarn, and for the people of Yemen from Yalamlam. No one should exceed these Miqats to others.**”<sup>443</sup>

## (From al-Kadhimiyyat)

٣٦١ - مسألة: قال: وسألته عن إحرام أهل الكوفة وأهل خراسان ومن يليهم، وأهل السنن، وأهل مصر، من أين هو؟ قال: «إحرام أهل العراق من العتيق، ومن ذي الحليفة، وأهل الشام من الحجفة، وأهل اليمن من قرن، وأهل السنن من [البصرة] (٢)، أو مع أهل البصرة (٣).

**361 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the Ihram of the people of Kufa, Khurasan and their neighbors, Sindh, and Egypt—where is it from?

He said: “**The Ihram of the people of Iraq is from al-'Atīq and from Dhul Ḥulayfah, the people of Sham from al-Ḥujfah, the people of Yemen from Qarn, and the people of Sindh from [Basrah]**”<sup>444</sup>, or with the people of Basrah.<sup>445</sup>

٣٦٢ - مسألة: قال: وسألته عن أهل مكة، هل يجوز لهم المتعة؟ قال: «لا؛ وذلك لقول الله تبارك وتعالى: ( ذلِكَ لِمَنْ لَمْ يَكُنْ أَهْلَهُ حَاضِرٍ فِي المسْجِدِ الْحَرَامِ ) (٤) (٥) )

**362 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the people of Mecca—are they allowed Muṭ'ah?

<sup>442</sup> **Masā'il 'Alī ibn Ja'far:** 260/628, **Qurb al-Isnād:** 231/905, **Wasā'il al-Shī'a** 9:331, **Abwāb Zakāt al-Fitrā**, Bāb 5, Ḥadīth 14.

<sup>443</sup> **Masā'il 'Alī ibn Ja'far:** 107/13, **Qurb al-Isnād:** 244/970, **Wasā'il al-Shī'a** 11:310, **Abwāb al-Mawāqīt**, Bāb 1, Ḥadīth 9.

<sup>444</sup> In the manuscript: (al-Baqara), and we adopted what's in the source.

<sup>445</sup> **Masā'il 'Alī ibn Ja'far:** 267/648, **Qurb al-Isnād:** 235/918, **Wasā'il al-Shī'a** 11:309, **Abwāb al-Mawāqīt**, Bāb 1, Ḥadīth 8

He said: “No; because of the statement of Allah the Exalted: )That is for those whose people are not present at the Sacred Mosque(.”<sup>446 447</sup>

٣٦٣ - مسألة: قال: وسألته عن الحج مفرداً، أهو أفضل أو الإقران؟ قال: «إقران الحج أفضل من الإفراد» (١).

**363 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about Hajj al-Mufrad (single Hajj)—is it better or is it better to combine (Iqrān)?

He said: “Combining (Iqrān) is better than performing single (Mufrad).”<sup>448</sup>

٣٦٤ - مسألة: قال: وسألته عن المتعة والحج مفرداً أو عن الإقران، أية أفضل؟ قال: «الممتنع أفضل من الإفراد، ومن القارن السائق».

الله والله ثم قال: «إن المتعة هي التي في كتاب الله، والتي أمر بها رسول الله ﷺ»، ثم قال: «إن المتعة دخلت في الحج إلى يوم القيمة، ثم شبك أصابعه بعضها في بعض، قال: [كان] (٢) [كان] (٢)

عبد الله بن عباس: يقول: «من أبي حالفته» (٣).

**364 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about Muṭ'ah, single Hajj, or combining—which is better?

He said: “Al-Mutmaṭṭi (the one who does Muṭ'ah) is better than al-Mufrad (single), and al-Qārīn (combiner) is inferior.”

Then he said: “Indeed, Muṭ'ah is what is in the Book of Allah and what the Messenger of Allah ﷺ commanded.”

Then he said while interlacing his fingers: “Muṭ'ah will remain in Hajj until the Day of Resurrection.”<sup>449</sup>Abdullah ibn 'Abbās used to say: “Whoever opposes this has lied.”<sup>450</sup>

٣٦٥ - مسألة: قال: وسألته عن الممتنع يقدم يوم التروية قبل الزوال، كيف يصنع؟

قال: «يطوف ويحل، فإذا صلى الظهر أحرم» (٤).

**365 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the Muṭ'af (one who performs Muṭ'ah) who enters the Day of Tarwiyah before midday—what should he do?

He said: “He should perform Tawaf and then come out of Ihram. When Dhuhra prayer time arrives, he should assume Ihram again.”<sup>451</sup>

<sup>446</sup> **Sūrat al-Baqara:** 196.

<sup>447</sup> **Masā'il 'Alī ibn Ja'far:** 637/265, **Qurb al-Isnād:** 244/967, **Tahdhīb al-Āḥkām** 5:32/97, **al-Istibṣār** 2:157/515, **Wasā'il al-Shī'a** 11:259, Abwāb Aqṣām al-Hajj, Bāb 6, Ḥadīth 2, with slight variations.

<sup>448</sup> **Masā'il 'Alī ibn Ja'far:** 28/111, **Wasā'il al-Shī'a** 11:253, Abwāb Aqṣām al-Hajj, Bāb 4, Ḥadīth 24.

<sup>449</sup> From the source.

<sup>450</sup> **Masā'il 'Alī ibn Ja'far:** 111–29/112, **Wasā'il al-Shī'a** 11:253, Abwāb Aqṣām al-Hajj, Bāb 4, Ḥadīth 24, with slight variation.

<sup>451</sup> **Masā'il 'Alī ibn Ja'far:** 264/165, **Wasā'il al-Shī'a** 11:295–296, Abwāb Aqṣām al-Hajj, Bāb 20, Ḥadīth 17.

٣٦٦ - مسألة: قال: وسألته عن الرجل إذا هم بالحج، يأخذ من شعر رأسه وشاربه ولحيته ما لم يحرم؟ قال: «لا بأس» (٥).

**366 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who, before Ihram, cuts some hair from his head, mustache, or beard—does it matter?

He said: "There is no harm."<sup>452</sup>

٣٦٧ - مسألة: قال: وسألته عن الإحرام عند الشجرة، هل يحل لمن أحرم عندها ألا يلبى حتى يعلو البيداء، عند أول ميل؟، فاما عند الشجرة فلا يجوز التلبية» (٧).

**367 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about Ihram at al-Shajarah (the tree)—is it permissible for one who entered Ihram there not to say Talbiyah (the invocation) until he reaches the desert at the first mile?

He said: "Yes<sup>453</sup>, it is permissible at al-Shajarah, but at the desert (al-Bidā'), Talbiyah is obligatory."<sup>454</sup>

٣٦٨ - مسألة: قال: وسألته، عن عمرة رجب، ما هي؟ قال: «إذا أحرمت في رجب، وإن كان في يوم واحد منه، فقد أدركت عمرة رجب، وإن قدمت في شعبان، فإنّها عمرة رجب أن تحرم في رجب» (١).

**368 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about performing Umrah in Rajab—what is its ruling?

He said: "If one assumes Ihram in Rajab, even if only on one day of it, he has performed Umrah of Rajab. If he enters Ihram in Sha'bān, it counts as Umrah of Rajab if the Ihram was made in Rajab." <sup>455</sup>

٣٦٩ - مسألة: قال: وسألته عن رجل أعتمر في رجب، ورجع إلى أهله، هل يصلح له - إن هو حج - أن يتمتع بالعمرة إلى الحج؟ قال: «لا يعدل بذلك» (٢).

**369 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who performed Umrah in Rajab, returned to his family, and then wants to perform Hajj—can he perform Mu'tah of Umrah to Hajj?

He said: "No, that does not count."<sup>456</sup>

٣٧٠ - مسألة: قال: وسألته عن رجل ترك الإحرام حتى انتهى إلى الحرم، كيف ٣٧٠ يصنع ؟

قال: «يرجع إلى ميقات أهل بلده الذي يحرمون منه، فيحرم» (٣).

<sup>452</sup> **Masā'il 'Alī ibn Ja'far:** 176/319, **Wasā'il al-Shī'a** 12:320, Abwāb al-Ihrām, Bāb 4, Ḥadīth 6.

<sup>453</sup> From the source.

<sup>454</sup> **Masā'il 'Alī ibn Ja'far:** 267–650/268, **Qurb al-Isnād:** 242/960, **Wasā'il al-Shī'a** 12:371, Abwāb al-Ihrām, Bāb 34, Ḥadīth 8.

<sup>455</sup> **Masā'il 'Alī ibn Ja'far:** 266/641, **Qurb al-Isnād:** 241/951, **Wasā'il al-Shī'a** 14: 303, Chapters on 'Umrah, Chapter 3, Hadith 14.

<sup>456</sup> **Masā'il 'Alī ibn Ja'far:** 266/642, **Qurb al-Isnād:** 241/954, **Wasā'il al-Shī'a** 11: 250, Chapters on Types of Hajj, Chapter 4, Hadith 13.

**370 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who delayed Ihram until he reached the Haram (sanctuary)—what should he do?

He said: “**He should return to the Miqat of the people of his land and assume Ihram there.**”<sup>457</sup>

٣٧١ - مسألة: قال: وسألته عن رجل ترك الإحرام حتى انتهى إلى الحرم، فأحرم

قبل أن يدخله؟ قال: «إن كان فعل ذلك جاهلاً فليبيه مكانه؛ ليقضي، فإن ذلك يجزيه، وإن رجع إلى الميقات الذي يحرم منها أهل بلده فهو أفضل» (٤).

**371 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who delayed Ihram until he reached the Haram and assumed Ihram before entering it—what then?

He said: “**If he did that out of ignorance, he should relax and make up for it later, and that is acceptable. However, returning to the Miqat of his people to assume Ihram is better.**”<sup>458</sup>

٣٧٢ - مسألة: قال: وسألته عن رجل قَدِيمَ ممتعًا، ثم أحل قبل، أَلَّهُ الخروج؟ قال: «لا يخرج حتى يحرم بالحج، ولا يجاوز الطائف وشبيهها» (٥).

**372 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who arrived performing Muṭ'ah, then exited Ihram early—does he have to exit?

He said: “**He should not exit until he assumes Ihram for Hajj and should not go beyond Tā'if and its surroundings.**”<sup>459</sup>

٣٧٣ - مسألة: قال: وسألته عن رجل قَدِيمَ مكة ممتعًا، فأحل فيه، أَلَّهُ أن يرجع؟

قال: «لا يرجع حتى يحرم بالحج، ولا يجوز الطائف وشبيهها مخافة إلا بدرك الحج، فإن أحب أن يرجع إلى مكة رجع، وإن خاف أن يفوته الحج مضى على وجهه إلى عرفات» (١).

**373 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who arrived in Mecca as a Mutamatti' (one performing the lesser pilgrimage before the Hajj), and he released himself from Ihram there. Is it permissible for him to return (to his homeland)?

He said: “**He should not return until he has entered the state of Ihram for Hajj. It is not permitted for him to go to al-Tā'if or similar places fearing that he might miss Hajj. If he wishes, he may return to Mecca, but if he fears missing the Hajj, he should proceed directly to 'Arafāt.**”<sup>460</sup>

<sup>457</sup> **Masā'il 'Alī ibn Ja'far:** 266/644, **Qurb al-Isnād:** 241/955, **Wasā'il al-Shī'a** 11: 331, Chapters on Mīqāt (Timings), Chapter 14, Hadith 9.

<sup>458</sup> **Masā'il 'Alī ibn Ja'far:** 268/654, **Qurb al-Isnād:** 242/956, **Wasā'il al-Shī'a** 11: 331, Chapters on Mīqāt, Chapter 14, Hadith 10 – and in it: “for it is better” is stated instead of “so it is better”.

<sup>459</sup> **Masā'il 'Alī ibn Ja'far:** 267/647, **Qurb al-Isnād:** 242/957, **Wasā'il al-Shī'a** 11: 304, Chapters on Types of Hajj, Chapter 22, Hadith 11.

<sup>460</sup> **Masā'il 'Alī ibn Ja'far:** 266/643, **Qurb al-Isnād:** 243/962, **Wasā'il al-Shī'a** 11: 305, Chapters on Types of Hajj, Chapter 22, Hadith 12.

٣٧٤ - مسألة: قال: وسألته عن رجل أحرم بالحج والعمرة جميعاً، متى يحل ويقطع التلبية؟ قال: «يقطع التلبية يوم عرفة إذا زالت الشمس، ويحل إذا ضحى» (٢).

**374 - Issue:** I asked him about a man who entered into Ihram with the intention of both Hajj and 'Umrah. When should he discontinue the Talbiyah and when should he be released from Ihram?

He said: “**He discontinues the Talbiyah on the Day of 'Arafah when the sun has passed the zenith, and he will be released from Ihram when he offers the sacrifice.**”<sup>461</sup>

٣٧٥ - مسألة: قال: وسألته عن الإحرام بحجة، ما هي؟ قال: «إذا أحرم» فقال :

حجّة فهي عمرة يحل بالبيت فتكون عمرة كوفية، وحجّة مكية» (٣).

**375 - Issue:** I asked him about the Ihram for Hajj — what is it?

He said: “**When he enters Ihram, saying: ‘For Hajj,’ it counts as ‘Umrah; he will be released from Ihram at the House (Ka’bah), so it will be a Kufa-style ‘Umrah and a Meccan-style Hajj.**”<sup>462</sup>

٣٧٦ - مسألة: قال: وسألته عن العمرة، متى هي؟ قال: «يعتمر فيما أحب من الشهور» (٤).

**376 - Issue:** I asked him about 'Umrah — when is it (performed)?

He said: “**One can perform ‘Umrah whenever he wishes, in any month.**”<sup>463</sup>

٣٧٧ - مسألة: قال: وسألته عن الرفت، والفسوق، والجادل، ما هو وما على من فعله ؟

قال: «الرفت: جماع النساء، والفسوق الكذب والمفاحرة، والجادل: قول الرجل: لا والله، وبلى والله فمن رفت فعله بذاته ينحرها، فإن لم يجد فشاة، وكفارة الجadal والفسوق شيء يتصدق به، إذا فعله وهو محرم» (٥).

**377 - Issue:** I asked him about al-rafath (obscene talk or actions), al-fusūq (disobedience), and al-jidāl (argumentation). What are they, and what is required of one who does them?

He said: “**Al-rafath is sexual intercourse with women. Al-fusūq is lying and boasting. Al-jidāl is for a man to say, ‘No, by Allah,’ and ‘Yes, by Allah.’ Whoever engages in rafath must offer a camel to be slaughtered. If he cannot, then a sheep. The expiation for al-jidāl and al-fusūq is to give something in charity if he did them while in Ihram.**”<sup>464</sup>

<sup>461</sup> **Masā’il ‘Alī ibn Ja’far:** 266–267/646, **Qurb al-Isnād:** 234/914, **Wasā’il al-Shī’ā** 12: 393, Chapters on Ihram, Chapter 44, Hadith 6.

<sup>462</sup> **Masā’il ‘Alī ibn Ja’far:** 285/169, **Wasā’il al-Shī’ā** 11: 253–254, Chapters on Types of Hajj, Chapter 4, Hadith 24.

<sup>463</sup> **Masā’il ‘Alī ibn Ja’far:** 286/169, **Wasā’il al-Shī’ā** 14: 309, Chapters on ‘Umrah, Chapter 6, Hadith 10.

<sup>464</sup> **Masā’il ‘Alī ibn Ja’far:** 272–273/675, **Qurb al-Isnād:** 234/915, **Tahdhīb al-Āḥkām** 5:297/1005,

**Wasā’il al-Shī’ā** 12: 465, Chapters on Prohibitions During Ihram, Chapter 32, Hadith 4.

٣٧٨ - مسألة: قال: وسألته عن دخول الكعبة، أواجب هو على كل من حج؟ قال:

هو واجب أول حجة، ثم إن شاء فعل، وإن شاء ترك» (١).

**378 - Issue:** I asked him about entering the Ka'bah — is it obligatory for everyone who performs Hajj?

He said: “**It is obligatory for the first Hajj. After that, if he wishes, he may enter, and if he wishes, he may leave it.**”<sup>465</sup>

٣٧٩ - مسألة: قال: وسألته عن الرجل يطوف بالبيت وهو جنب، فيذكر وهو في طوافه؟

قال: «يقطع طوافه، ولا يعتد بشيء مما طاف» (٢).

**379 - Issue:** I asked him about a man who was performing Ḥajj of the House while in a state of major ritual impurity (junub), and he remembered this during his Ḥajj. What should he do?

He said: “**He must discontinue his Ḥajj, and none of what he has done counts.**”<sup>466</sup>

٣٨٠ - مسألة: قال: وسألته عن رجل دخل قبل التروية بيوم، فأراد الإحرام بالحج يوم التروية، فأخطأ قبل العمرة، ما حاله؟ قال: «ليس عليه شيء، فليعتد الإحرام بالحج» (٣).

**380 - Issue:** I asked him about a man who arrived the day before the Day of Tarwiyah (8th of Dhū al-Hijjah), and he wanted to enter Ihram for Hajj on the Day of Tarwiyah, but he mistakenly entered it before performing 'Umrah. What is his situation?

He said: “**There is nothing upon him; let him continue with the Ihram for Hajj.**”<sup>467</sup>

٣٨١ - مسألة: قال: وسألته عن المملوك الموسر، أذن له مولاه في الحج، هل عليه أن يذبح؟ وهل له أجر؟ قال: «نعم، فإن عتق أعاد الحج» (٤).

**381 - Issue:** I asked him about a wealthy slave whose master permitted him to perform Hajj. Is it required of him to offer a sacrifice, and does he get the reward for it?

He said: “**Yes, he is required to offer a sacrifice, and if he is freed afterward, he must repeat the Hajj.**”<sup>468</sup>

٣٨٢ - مسألة: قال: وسألته عن تجريد الصبيان في الإحرام، من أين هو؟ قال: كان أبي يجردهم من فح (٥).

<sup>465</sup> **Masā'il 'Alī ibn Ja'far:** 274–275/685, **Qurb al-Isnād:** 234/916, **Wasā'il al-Shī'a** 13: 274, Chapters on Preparations for Ḥajj, Chapter 35, Hadith 5.

<sup>466</sup> **Masā'il 'Alī ibn Ja'far:** 190/389, **Qurb al-Isnād:** 234/917, **al-Kāfi** 4:420/4, **Tahdhīb al-Āḥkām** 5:117/381, **Wasā'il al-Shī'a** 13: 375, Chapters on Ḥajj, Chapter 38, Hadith 4.

<sup>467</sup> **Masā'il 'Alī ibn Ja'far:** 268–269/655, **Qurb al-Isnād:** 235/919, **Tahdhīb al-Āḥkām** 5:169/562, **Wasā'il al-Shī'a** 12: 354, Chapters on Ihram, Chapter 22, Hadith 8.

<sup>468</sup> **Masā'il 'Alī ibn Ja'far:** 263–264/636, **Qurb al-Isnād:** 235/920, **Wasā'il al-Shī'a** 11: 51–52, Chapters on Obligation and Conditions of Hajj, Chapter 16, Hadith 10.

**382 - Issue:** I asked him about undressing the boys (for Ihram) — where is this done?

He said: “**My father used to undress them at Fakh.**”<sup>469</sup> <sup>470</sup>

٣٨٣ - مسألة: قال: وسألته عن الصبيان، هل عليهم إحرام؟ وهل يتغون ما ينقى الرجال؟ قال: «يحرمون، ويُنْهَوْنَ عن الشيء يصنعونه مما لا يصلح للمحرم أن يصنعه، وليس عليهم فيه شيء» (١).

**383 - Issue:** I asked him about the boys — are they required to enter into Ihram, and do they have to avoid what men avoid?

He said: “**They enter into Ihram and are prevented from doing what is forbidden for a Muhrim to do, but nothing is required of them (as a penalty if they do something wrong).**”<sup>471</sup>

٣٨٤ - مسألة: قال: وسألته عن المحرم، هل يصلح له أن يطرح الثوب على وجهه من الذباب فينام؟ قال: «لا بأس» (٢).

**384 - Issue:** I asked him about the Muhrim (pilgrim in Ihram) — is it permissible for him to place a cloth over his face while sleeping to protect from flies?

He said: “**There is no harm in it.**”<sup>472</sup>

٣٨٥ - مسألة: قال: وسألته عن المحرم يكون به البثرة تؤديه، هل يصلح له أن يقطع رأسها؟ قال: «لا بأس» (٣).

**385 - Issue:** I asked him about the Muhrim who has a boil that is causing him pain — is it permissible for him to cut off its head?

He said: “**There is no harm in doing so.**”<sup>473</sup>

٣٨٦ - مسألة: وقال: «المحرم لا يصلح له أن يعقد إزاره على رقبته، ولكن يثنيه على عنقه، ولا يعقد» (٤).

**386 - Issue:** And he said: “**It is not permissible for the Muhrim to tie his waist-wrapper around his neck, but he may fold it around his neck without tying it.**”<sup>474</sup>

٣٨٧ - مسألة: قال: وسألته عن المحرم ، هل يصلح له أن يعقد إزاره على عنقه في صلاته؟ قال: «لا يصلح أن يعقد إزاره على رقبته ، ولكن يثنيه على عنقه ولا يعقد» (٥).

<sup>469</sup> Fakhkh: a valley in Mecca, said to be the Valley of al-Zāhir – **Mu‘jam al-Buldān** 4:237.

<sup>470</sup> **Masā’il ‘Alī ibn Ja’far:** 268/651, **Qurb al-Isnād:** 238/937, **Tahdhīb al-Āḥkām** 5:409/1422, **Wasā’il al-Shī‘a** 11: 336, Chapters on Mīqāt, Chapter 18, Hadith 1.

<sup>471</sup> **Masā’il ‘Alī ibn Ja’far:** 269/656, **Qurb al-Isnād:** 239/938, **Wasā’il al-Shī‘a** 11: 336–337, Chapters on Mīqāt, Chapter 18, Hadith 2.

<sup>472</sup> **Masā’il ‘Alī ibn Ja’far:** 273/680, **Qurb al-Isnād:** 239/939, **Wasā’il al-Shī‘a** 12: 510, Chapters on Prohibitions During Ihram, Chapter 59, Hadith 3.

<sup>473</sup> **Masā’il ‘Alī ibn Ja’far:** 273/677, **Qurb al-Isnād:** 241/952, **Wasā’il al-Shī‘a** 12: 531, Chapters on Prohibitions During Ihram, Chapter 70, Hadith 9.

<sup>474</sup> **Masā’il ‘Alī ibn Ja’far:** 273/678, **Qurb al-Isnād:** 241/953, **Wasā’il al-Shī‘a** 12: 503, Chapters on Prohibitions During Ihram, Chapter 53, Hadith 5.

**387 - Issue:** I asked him about the Muḥrim — is it permissible for him to tie his waist-wrapper around his neck while praying?

He said: “**It is not permissible for him to tie it around his neck, but he may fold it over his neck<sup>475</sup> without tying it.**”<sup>476</sup>

٣٨٨ - مسألة: قال: وسألته عن الرجل، هل يصلح أن يجمع طرفي ردائه على يساره؟ قال: «لا يصلح جمعهما على اليسار، ولكن إجمعهما على يمينك، أو دعهما متفرقين» (١).

وقال: «من أراد الحج فلا يأخذ من شعره إذا مضت عشرة من شوال» (٢).

**388 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man—does it befit him to gather the two ends of his cloak on his left side?

He said: “**It is not proper to gather them on the left, but gather them on your right, or let them hang separately.**”<sup>477</sup>

He said: “**Whoever intends Hajj should not cut his hair once ten days of Shawwāl have passed.**”<sup>478</sup>

٣٨٩ - مسألة: قال: وسألته عن المحرم، هل يصلح له أن يحتجم؟ قال: «نعم، ولكن لا يحلق مكان المحاجم، ولا يجزه» (٣).

**389 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the Muḥrim—may he perform cupping?

He said: “**Yes, but he should neither shave the area of the cupping nor cut it.**”<sup>479</sup>

٣٩٠ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يغسل رأسه يوم النحر بخطمي (٤) قبل أن يحلقه؟ قال: «كان أبي ينهى ولده عن ذلك» (٥).

**390 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man—does it befit him to wash his head on the Day of Sacrifice with *khitmī*<sup>480</sup> (a cleansing plant) before he shaves it?

He said: “**My father used to forbid his sons from doing so.**”<sup>481</sup>

٣٩١ - مسألة: قال: وسألته عن المحرم أ يصلح له أن يلبس الثوب المشبع بالعصفر (٦)؟

<sup>475</sup> From the source.

<sup>476</sup> **Masā’il ‘Alī ibn Ja‘far:** 114/42, **Qurb al-Isnād:** 241/953, **Wasā’il al-Shī‘a** 12: 503, Chapters on Prohibitions During Ihram, Chapter 53, Hadith 5.

<sup>477</sup> **Masā’il ‘Alī ibn Ja‘far:** 115/1/43, **Tahdhīb al-Āhkām** 2:373/1551, **Wasā’il al-Shī‘a** 4:400–401, Chapters on Prayer Clothing, Chapter 25, Hadith 7.

<sup>478</sup> **Masā’il ‘Alī ibn Ja‘far:** 269/660, **Qurb al-Isnād:** 235/922, **Wasā’il al-Shī‘a** 12: 317, Chapters on Ihram, Chapter 2, Hadith 8.

<sup>479</sup> **Masā’il ‘Alī ibn Ja‘far:** 273/676, **Qurb al-Isnād:** 240/946, **Wasā’il al-Shī‘a** 12: 514–515, Chapters on Prohibitions During Ihram, Chapter 62, Hadith 11.

<sup>480</sup> Al-Khaṭmī: a type of plant used for washing – **Lisān al-‘Arab** 4:147 – “Khaṭm”.

<sup>481</sup> **Masā’il ‘Alī ibn Ja‘far:** 274/682, **Qurb al-Isnād:** 238/936, **Wasā’il al-Shī‘a** 14:240, Chapters on Shaving and Trimming, Chapter 17, Hadith 3.

قال: «إذا لم يكن فيه طيب فلا بأس» (٧).

**391 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the Muhrim—may he wear a garment dyed with safflower?<sup>482</sup>

He said: "If it does not have perfume in it, then there is no harm." <sup>483</sup>

٣٩٢ - مسألة: قال: وسألته عن الرجل يطوف بالبيت وهو جنب، فيذكر وهو في طوافه؟

قال: «يقطع طوافه ولا يعتد بشيء مما طاف» (١).

**392 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man performing ṭawāf of the Ka'bah while in a state of janābah (major impurity), and he remembers during the ṭawāf.

He said: "He should cut off his ṭawāf, and none of what he has done counts." <sup>484</sup>

٣٩٣ - مسألة: قال: وسألته عن رجل طاف بالبيت، وذكر أنه على غير وضوء، كيف يصنع؟ قال: «يقطع طوافه ولا يعتد بشيء مما طاف، وعليه الوضوء» (٢).

**393 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who did ṭawāf of the Ka'bah, then remembered that he was not in a state of wuḍū'—what should he do?

He said: "He should cut off his ṭawāf, and none of what he has done counts. He should then perform wuḍū'." <sup>485</sup>

٣٩٤ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يطوف الطوافين والثلاثة ولا يفرق بينهما بالصلة، ثم يصلّي لهما جمیعاً؟ قال: «لا بأس، غير أنه يسلم في كل ركعتين» (٣).

وقال: (رأيت أخي مرّة طاف ومعه رجل من بنى العباس، فقرن ثلاثة أسبعين لم يقف فيها، فلما فرغ من الثالث وفارقه العباسى وقف بين الباب والحجر قليلاً [٤]، ثم تقم فوقف قليلاً ، حتى فعل ذلك ثلاثة مرات) (٥).

قال: (ورأيت أخي يطوف السبعين، والثلاثة يقرنها، غير أنه يقف في المستجار فيدعوه في كل أسبوع، ويأتي الحجر فيستلمه ثم يطوف) (٦).

**394 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—may he perform two or three ṭawāfs without praying in between them, and then pray for all of them together?

He said: "There is no harm, but he should offer the final salām in every two rak'ahs." <sup>486</sup>

<sup>482</sup> 'Uṣfur: a plant in Arabia used as dye – *Lisān al-'Arab* 9:242 – "'Uṣfur".

<sup>483</sup> *Masā'il 'Alī ibn Ja'far*: 202/152, *Qurb al-Isnād*: 236/926, *Tahdhīb al-Āḥkām* 5:67/217, *al-Istibṣār* 2:165/540, *Wasā'il al-Shī'a* 12:480, Chapters on Prohibitions During Ihrām, Chapter 40, Hadith 4.

<sup>484</sup> *Masā'il 'Alī ibn Ja'far*: 190/389, *Qurb al-Isnād*: 234/917, *al-Kāfi* 4:420/4, *Tahdhīb al-Āḥkām* 5:117/381 and 470/1648, *Wasā'il al-Shī'a* 13:375, Chapters on ṭawāf, Chapter 38, Hadith 4.

<sup>485</sup> *Masā'il 'Alī ibn Ja'far*: 150/194, *Qurb al-Isnād*: 236/923, *al-Kāfi* 4:420/4, *al-Istibṣār* 2:222/765, *Wasā'il al-Shī'a* 13:375, Chapters on ṭawāf, Chapter 38, Hadith 4.

<sup>486</sup> *Masā'il 'Alī ibn Ja'far*: 269/657, *Qurb al-Isnād*: 239/940, *Wasā'il al-Shī'a* 13:372, Chapters on ṭawāf, Chapter 36, Hadith 9.

He said: “I once saw my brother perform ٰتَّوَافَ with a man from Banī al-‘Abbās; they combined three sets of seven rounds without stopping. When he finished the third set and parted from the ‘Abbāsid, he paused between the door and the ٰهِيْر briefly,<sup>487</sup> then stepped forward a little and paused again, repeating this three times.”<sup>488</sup>

He said: “I saw my brother combine two and three sets of seven rounds, but he would pause at al-Mutazam to supplicate in every set, and he would go to the ٰهَاجَر (black stone) to touch it before resuming his ٰتَّوَافَ.”<sup>489</sup>

٣٩٥ - مسأله: قال: وسألته عن رجل يطوف بعد الفجر، فيصلٰي الركعتين خارجاً من المسجد؟ قال: «يصلٰي بمكّة ولا يخرج منها، إلا أن ينسى فيخرج فيصلٰي إذا رجع إلى المسجد - أي ساعة أحب - ركعتي ذلك الطواف» (٢).

**395 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who performs ٰتَّوَافَ after the dawn prayer—does he pray the two rak'ahs outside the mosque?

He said: “He should pray them in Mecca and not leave, unless he forgets and goes out; in that case, he should pray them whenever he returns to the mosque—at any hour he likes—two rak'ahs of that ٰتَّوَافَ.”<sup>490</sup>

٣٩٦ - مسأله: قال: وسألته عن الرجل يطوف الأسبوع والأسبوعين فلا يصلٰي ركعتيه، حتى يبدو له أن يطوف أسبوعاً، أ يصلح ذلك؟ قال: «لا، حتى يصلٰي ركعتي الأسبوع الأول، ثم ليطوف ما أحب» (٣).

**396 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who performs one or two sets of ٰتَّوَافَ but does not pray their two rak'ahs until he decides to perform another set—may he do so?

He said: “No, not until he has prayed the two rak'ahs of the first set, then he may perform as many sets as he wishes.”<sup>491</sup>

٣٩٧ - مسأله: قال: وسألته عن الرجل يطوف الأسبوع ولا يصلٰي ركعتيه حتى يبدو له أن يطوف أسبوعاً آخر، أ يصلح ذلك؟ قال: «لا، حتى يصلٰي ركعتي الأسبوع الأول، ثم ليطف إن شاء إذا أحب»

قال أبو الحسن علي بن جعفر، عن أخيه موسى: «يضم أسبوعين وثلاثة، ثم يصلٰي لها ولا يصلٰي عن أكثر من ذلك» (٥).

**397 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who performs a set of ٰتَّوَافَ and does not pray its two rak'ahs until he decides to perform another set—may he do so?

<sup>487</sup> From the source.

<sup>488</sup> **Masā'il 'Alī ibn Ja'far:** 265/639, **Qurb al-Isnād:** 242/959, **Wasā'il al-Shī'a** 13:372, Chapters on ٰتَّوَافَ, Chapter 36, Hadīth 11.

<sup>489</sup> **Masā'il 'Alī ibn Ja'far:** 265/638, **Qurb al-Isnād:** 241/950, **Wasā'il al-Shī'a** 13:372, Chapters on ٰتَّوَافَ, Section 36, Hadīth 10.

<sup>490</sup> **Masā'il 'Alī ibn Ja'far:** 158/232, **Qurb al-Isnād:** 212/832, **Wasā'il al-Shī'a** 13:427, Chapters on ٰتَّوَافَ, Section 73, Hadīth 4.

<sup>491</sup> **Masā'il 'Alī ibn Ja'far:** 158/233, **Qurb al-Isnād:** 212/833, **Wasā'il al-Shī'a** 13:371, Chapters on ٰتَّوَافَ, Section 36, Hadīth 8, with slight variation in both.

He said: “**No, not until he has prayed the two rak‘ahs of the first set; then, if he wishes, he may perform more ̄awāf as he likes.**”<sup>492</sup>

Abū al-Hasan ‘Alī ibn Ja‘far narrated from his brother Mūsā: “**He may combine two or three sets of seven, then pray for them—but not for more than that.**”<sup>493</sup>

٣٩٨ - مسألة: قال: وسألته عن رجل ترك طوافاً، أو نسي من طواف الفريضة، حتى ورد بلاده وواقع أهله، كيف يصنع؟ قال: يبعث بهديه، إن كان تركه من حج فبدنة في حج، وإن ترك في عمرة فبدنة في عمرة، وكل من يطوف عنه ما كان تركه من طوافه» (١).

**398 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who leaves out a ̄awāf—whether due to forgetting or deliberate omission of the obligatory ̄awāf—until he returns to his homeland and has relations with his wife.

He said: “**He should send a sacrificial offering: if he left it out during Hajj, then a camel for Hajj; if during ‘Umrah, then a camel for ‘Umrah. And he should appoint someone to perform the ̄awāf on his behalf for what he missed.**”<sup>494</sup>

٣٩٩ - مسألة: قال: وسألته، عما يؤكل من اللحم في الحرم؟ قال: «كان رسول الله لا يحرم الإبل والبقر والغنم والدجاج» (٢).

**399 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the meats that can be eaten in the ḥaram.

He said: “**The Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) did not prohibit eating camel, cow, sheep, or chicken in the ḥaram.**”<sup>495</sup>

٤٠٠ - مسألة: روى عليّ بن جعفر بن محمد، عن أخيه موسى بن جعفر قال: سألت أبي جعفر بن محمد عن رجل واقع امرأته قبل طواف النساء متعمداً، ما عليه؟ قال: «يطوف، وعليه بذنة» (٣).

**400 - Issue:** ‘Alī ibn Ja‘far ibn Muḥammad narrated from his brother Mūsā ibn Ja‘far. He said: I asked my father, Ja‘far ibn Muḥammad, about a man who has intercourse with his wife intentionally before performing the ̄awāf of women—what is upon him?

He said: “**He should perform the ̄awāf, and a camel is due upon him.**”<sup>496</sup>

٤٠١ - مسألة: قال: وسألته عن رجل ترك طواف فريضة حتى قدم بلده وواقع النساء، كيف يصنع؟ قال: يبعث بذنة إن كان تركه من حجّ بعث بها في حج، وإن كان تركه من عمرة بعث في عمرة، وكل من يطوف عنه ما كان تركه من طوافه» (٤).

**401 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who leaves out the obligatory ̄awāf until he returns to his homeland and has relations with women—what should he do?

<sup>492</sup> **Masā’il ‘Alī ibn Ja‘far:** 233/158, **Bihār al-Anwār** 10:272.

<sup>493</sup> **Masā’il ‘Alī ibn Ja‘far:** 336/179, **Wasa’il al-Shī‘a** 13:373, Chapters on ̄awāf, Section 36, Hadīth 13.

<sup>494</sup> **Masā’il ‘Alī ibn Ja‘far:** 9/106, **Qurb al-Isnād:** 244/969, with variation, **Tahdhīb al-Āḥkām** 5:128/421, and **al-Istibṣār** 2:228/788.

<sup>495</sup> **Masā’il ‘Alī ibn Ja‘far:** 271/671, **Qurb al-Isnād:** 240/944, **Wasa’il al-Shī‘a** 12:549–550, Chapters on the Prohibitions of Iḥrām, Section 82, Hadīth 6.

<sup>496</sup> **Masā’il ‘Alī ibn Ja‘far:** 1/103, **Qurb al-Isnād:** 243/963, **Wasa’il al-Shī‘a** 13:125, Chapters on the Expiations of Enjoyment, Section 10, Hadīth 7.

He said: “He should send a camel: if it was left out during Hajj, send it for Hajj; if during ‘Umrah, send it for ‘Umrah. And he should appoint someone to perform on his behalf whatever ȝawāf he left out.”<sup>497</sup>

٤٠٢ - مسألة: قال: وسألته عن الضرورة، يحجه الرجل من الزكاة؟ قال: «نعم» (٥).

**402 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the poor man performing Hajj for the first time—may he take from zakāt for that?

He said: “Yes.”<sup>498</sup>

٤٠٣ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يقف بعرفات على غير وضوء؟

قال: «لا يصلح إلا وهو على وضوء» (١).

**403 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man—does it suffice for him to stand at ‘Arafāt without ablution (Wuḍū‘)?

He said: “It does not suffice except that he be in a state of ablution.”<sup>499</sup>

٤٠٤ - مسألة: قال: وسألته عن الرجل، هل له أن يقف على شيء من المشاعر،

وهو على غير وضوء؟ قال: «لا يصلح إلا على وضوء» (٢).

**404 - Issue:** I asked him about a man—does he have permission to stand on any of the sacred sites while he is without ablution?

He said: “It does not suffice except that he be in a state of ablution.”<sup>500</sup>

٤٠٥ - مسألة: قال: وسألته عن الرجل، هل يصلح أن يقضى شيئاً من المناسك،

وهو على غير وضوء؟ قال: «لا يصلح إلا على وضوء» (٣).

**405 - Issue:** I asked him about a man—does it suffice for him to complete any of the pilgrimage rituals while he is without ablution?

He said: “It does not suffice except that he be in a state of ablution.”<sup>501</sup>

٤٠٦ - مسألة: قال: وسألته، عن رجل خرج بطير من مكة حتى ورد به الكوفة، -

<sup>497</sup> **Masā’il ‘Alī ibn Ja‘far:** 106/9, **Tahdhīb al-Āḥkām** 5:128/421, **al-Istibṣār** 2:228/788, **Wasā’il al-Shī‘a** 13:405, Chapters on Tawāf, Section 58, Hadīth 1.

<sup>498</sup> **Masā’il ‘Alī ibn Ja‘far:** 168/143, **Wasā’il al-Shī‘a** 9:291, Chapters on Zakat Recipients, Section 42, footnote to Hadīth 4.

<sup>499</sup> **Masā’il ‘Alī ibn Ja‘far:** 158–159/234, **Tahdhīb al-Āḥkām** 5:479/1700, **Wasā’il al-Shī‘a** 13:555, Chapters on the Iḥrām of Hajj and Standing at ‘Arafah, Section 20, Hadīth 1.

<sup>500</sup> **Masā’il ‘Alī ibn Ja‘far:** 235/159.

<sup>501</sup> **Masā’il ‘Alī ibn Ja‘far:** 236/159, **Wasā’il al-Shī‘a** 13:495, Chapters on Sa‘ī, Section 15, Hadīth 8.

كيف يصنع؟ قال: يرده إلى مكة، وإن مات يتصدق بثمنه» (٤) (٥).

**406 - Issue:** I asked him about a man who took a bird from Mecca until he arrived with it in Kufa—what should he do?

He said: “**He should return it to Mecca, and if it dies, he should give its value in charity.**”<sup>502</sup>

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٤٠٧ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يصيد حمام الحرم في

الحل، فيدخله في الحرم فيأكله؟ قال: «لا يصلح أكل حمام الحرم على (حال (٦)

**407 - Issue:** I asked him about a man—does it suffice for him to hunt the pigeons of the sanctuary outside of it, slaughter them, and bring them into the sanctuary to eat?

He said: “**It is not permissible to eat the pigeons of the sanctuary in any situation.**”<sup>504</sup>

٤٠٨ - مسألة: قال: وسألته عن رجال ونساء محرمين اشتروا ظبياً، فأكلوا منه جمِيعاً، ما عليهم؟ قال: على كل من أكل منه فداء الصيد، كل إنسان على حدته فداء صيد كاملاً» (١).

**408 - Issue:** I asked him about men and women in a state of *Ihrām* who bought a gazelle and all of them ate from it—what is required of them?

He said: “**Each person who ate from it must offer the expiation of hunting—each one individually must offer a complete hunting expiation.**”<sup>505</sup>

٤٠٩ - مسألة: قال: وسألته عن رجل رمى صياداً، وهو محرم فكسر يده أو رجله، فمضى الصيد على وجهه، ولم يدر الرجل ما صنع؟ قال: «عليه الفداء كاملاً إذا مضى الصيد على وجهه ولم يدر الرجل ما صنع» (٢).

**409 - Issue:** I asked him about a man who shot game while in a state of *Ihrām* and broke its leg or arm, then the animal ran off and the man did not know what became of it—what is required of him?

<sup>502</sup> **Masā'il 'Alī ibn Ja'far:** 105–106/8, **Qurb al-Isnād:** 244/968, **Tahdhīb al-Āḥkām** 5:464/1620, **Wasā'il al-Shī'a** 13:37, Chapters on Expiation for Hunting, Section 14, Hadīth 1.

<sup>503</sup> Reported by al-Sindī ibn Muhammad, from Yūnus ibn Ya'qūb, who said: I sent someone to Abū al-Hasan saying: My brother bought some doves in Madinah, we took them with us to Makkah, performed 'Umrah, stayed there, then brought the doves with us from Makkah to Kūfah — is anything required from us in this case? He told the messenger: "I think they were fancy birds. Tell him: he must sacrifice a sheep for each bird." From **Qurb al-Isnād:** [314/1221]. (Manuscript margin).

<sup>504</sup> **Masā'il 'Alī ibn Ja'far:** 108/14, **Qurb al-Isnād:** 278/1103, **Wasā'il al-Shī'a** 12:422, Chapters on the Prohibitions of *Ihrām*, Section 4, Hadīth 2.

<sup>505</sup> **Masā'il 'Alī ibn Ja'far:** 272 / 672, **Qurb al-Isnād:** 243 / 964, **Tahdhīb al-Āḥkām** 5:351 / 1221, **Wasā'il al-Shī'a** 13:44, **Abwāb Kaffārāt al-Šayd**, Bāb 18, Hadīth 2 — and in it: "a group (qawm)" appears instead of "men and women in *ihrām*."

He said: “**He must offer a complete expiation if the animal ran off and he does not know what became of it.**”<sup>506</sup>

٤٠ - مسألة: قال: وسألته عن رجل رمى صيداً وهو محرم، فكسر يده أو رجله، ثم تركه يرعى، ومضى ما عليه؟ قال: «عليه دفع الفداء» (٣).

**410 - Issue:** I asked him about a man who shot game while in Ihram and broke its leg or arm, then let it graze and left—what is required of him?

He said: “**He must pay the expiation.**”<sup>507</sup>

٤١ - مسألة: قال: وسألته عن الرجل يكسر بيض الحمام أو بعضه، وفي البعض فراخ تتحرّك، ما عليه؟ قال: يتصدق عما تحرّك منه شاة، يتصدق بلحماها إذا كان محرماً، وإن لم يتتحرّك الفراخ تصدق بثمنه دراهم أو شبهه، أو يشتري به علف الحمام» (٤).

في (الكافظيات): «يتصدق عن كل ما تحرّك منه شاة».

**411 - Issue:** I asked him about a man who breaks the eggs of pigeons, some of which have moving chicks inside—what is required of him?

He said: “**He must give in charity for each moving chick a sheep, and give its meat in charity if he is in Ihram. If the chick is not moving, he must give its value in dirhams or similar, or buy feed for the pigeons with it.**”<sup>508</sup>

In (al-Kāzīmiyyāt): “**He must give in charity for each moving chick a sheep.**”

٤٢ - مسألة: قال: وسألته عن رجل محرم أصاب بيض نعام فيه فراخ قد تحرّك، ما عليه؟ قال: «لكل فراخ بغير ينحره بالمنحر» (٥).

**412 - Issue:** I asked him about a man in Ihram who harms ostrich eggs containing moving chicks—what is required of him?

He said: “**For every chick, he must slaughter a camel at the designated slaughter site.**”<sup>509</sup>

٤٣ - مسألة: قال: وسألته عن البدنة، كيف ينحرها، قائمة أو باركة؟ قال: يعقلها، إن شاء قائمة، وإن شاء باركة» (٦).

**413 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the camel (badnah)—how should it be slaughtered: standing or kneeling?

<sup>506</sup> *Masā’il ‘Alī ibn Ja‘far*: 272 / 673, *Qurb al-Isnād*: 243 / 965, *Tahdhīb al-Āḥkām* 5:359 / 1246, *Wasā’il al-Shī‘a* 13:61, *Abwāb Kaffārāt al-Šayd*, Bāb 27, Ḥadīth 1.

<sup>507</sup> *Masā’il ‘Alī ibn Ja‘far*: 272 / 674, *Qurb al-Isnād*: 243 / 966, *Tahdhīb al-Āḥkām* 5:359 / 1247, *al-Istibṣār* 2:205 / 698, *Wasā’il al-Shī‘a* 13:63, *Abwāb Kaffārāt al-Šayd*, Bāb 28, Ḥadīth 1 — and in all except the first: “quarter (rub‘)” appears instead of “payment (daf‘)”.

<sup>508</sup> *Masā’il ‘Alī ibn Ja‘far*: 151 / 198, *Qurb al-Isnād*: 236 / 924, *Tahdhīb al-Āḥkām* 5:358 / 1244, *al-Istibṣār* 2:205 / 697, *Wasā’il al-Shī‘a* 13:59, *Abwāb Kaffārāt al-Šayd*, Bāb 26, Ḥadīth 1 — with variations.

<sup>509</sup> *Masā’il ‘Alī ibn Ja‘far*: 151 / 199, *Qurb al-Isnād*: 236 / 925, *Tahdhīb al-Āḥkām* 5:355 / 1234, *al-Istibṣār* 2:203 / 688, *Wasā’il al-Shī‘a* 13:54–55, *Abwāb Kaffārāt al-Šayd*, Bāb 24, Ḥadīth 1.

He said: “**He should tie its legs. If he wishes, he may slaughter it while it is standing, or if he wishes, while it is kneeling.**”<sup>510</sup>

٤٤ - مسألة: قال: وسألته عن رجل محرم أصاب نعامة، ما عليه؟ قال: «عليه بذلة، فإن لم يجد فليتصدق على ستين مسكيناً، فإن لم يجد فليصم ثمانية عشر يوماً» (٢).

**414 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man in Ihrām who harmed an ostrich—what is required of him?

He said: “**He must offer a camel. If he cannot find one, he should give in charity to sixty poor people. If he cannot find that, he must fast eighteen days.**”<sup>511</sup>

٤٥ - مسألة: قال: وسألته عن محرم أصاب بقرة، ما عليه؟ قال: «عليه بقرة، فإن لم يجد فليتصدق على ثلاثين مسكيناً، فإن لم يجد فليصم تسعة أيام» (٣).

**415 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man in Ihrām who harmed a cow—what is required of him?

He said: “**He must offer a cow. If he cannot find one, he should give in charity to thirty poor people. If he cannot find that, he must fast nine days.**”<sup>512</sup>

٤٦ - مسألة: قال: وسألته عن محرم أصاب طبيأً، ما عليه؟ قال: «عليه شاة، فإن لم يجد فليتصدق على عشرة مساكين، فإن لم يجد فليصم ثلاثة أيام» (٤).

**416 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man in Ihrām who harmed a gazelle—what is required of him?

He said: “**He must offer a sheep. If he cannot find one, he should give in charity to ten poor people. If he cannot find that, he must fast three days.**”<sup>513</sup>

٤٧ - مسألة: قال: وسألته عن المحرم، هل يصلح له أن يصارع؟ قال: «لا يصلح [له] (٥)؛ مخافة أن يصيبه جرح، أو يقع بعض شعره».

**417 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man in Ihrām—does it suffice for him to wrestle?

<sup>510</sup> **Masā'il 'Alī ibn Ja'far:** 271 / 667, **Qurb al-Isnād:** 235 / 921, **Wasā'il al-Shī'a** 14:150, **Abwāb al-Dhabh**, Bāb 35, Ḥadīth 5.

<sup>511</sup> **Masā'il 'Alī ibn Ja'far:** 66 / 120, **Wasā'il al-Shī'a** 13:10, **Abwāb Kaffārāt al-Šayd**, Bāb 2, Ḥadīth 6.

<sup>512</sup> **Masā'il 'Alī ibn Ja'far:** 67 / 120, **Wasā'il al-Shī'a** 13:10–11, **Abwāb Kaffārāt al-Šayd**, Bāb 2, Ḥadīth 7.

<sup>513</sup> **Masā'il 'Alī ibn Ja'far:** 68 / 120, **Wasā'il al-Shī'a** 13:11, **Abwāb Kaffārāt al-Šayd**, Bāb 2, Ḥadīth 8.

He said: “It does not suffice for him; for fear that he may be injured or some of his hair may fall out.”<sup>514</sup> <sup>515</sup>

٤١٨ - مسألة: قال: وسألته عن المحرم، هل يصلح له أن يستاك؟ قال: «لا بأس، ولا ينبغي أن يدمي فمه» (٧).

**418 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man in Ihram—does it suffice for him to use the tooth-stick (siwāk)?

He said: “There is no harm, but he should not cause his mouth to bleed.”<sup>516</sup>

٤١٩ - مسألة: قال: وسألته، عما يوكل من اللحم في الحرم؟ قال: «كان رسول الله عليه وسلم لا يحرم الإبل والبقر والغنم والدجاج» (١).

**419 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the meat that may be eaten in the Haram?

He said: “The Messenger of Allah (عليه وسلم) did not prohibit camels, cows, sheep, or chickens.”<sup>517</sup>

٤٢٠ - مسألة: وقال أخى موسى : إنى كنت مع أبي بمنى، فأتى جمرة العقبة، فرأى الناس عندها وقوفاً، فقال الغلام له - يقال له: سعيد : نادى الناس: أن جعفر بن محمد يقول: ليس هذا موضع وقوف، فارموا وامضوا، فنادى سعيد» (٢).

**420 - Issue:** And my brother (Mūsā ibn Ja'far) said: “I was with my father (Ja'far ibn Muḥammad) at Minā, and he came to the Jamarah of al-'Aqabah and saw people standing there. So the boy who was with him—his name was Sa'īd—my father said to him: ‘Call out to the people that Ja'far ibn Muḥammad says: This is not a place for standing. Cast your pebbles and proceed.’ So Sa'īd called out.”<sup>518</sup>

٤٢١ - مسألة: قال: وسألته عن جمرة العقبة أول يوم يقف من رماها؟ قال: «لا يقف أول يوم، ولكن ليرم ولينصرف» (٣).

**421 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the Jamarah of al-'Aqabah on the first day—does one stand after stoning it?

He said: “One does not stand on the first day, but should cast and then leave.”<sup>519</sup>

٤٢٢ - مسألة: قال: وسألته عن الأضحية؟ قال: «ضج بكبش أملح أقرن فحلاً سميناً، فإن لم تجد كبشًا سميناً فمن فحولة المعزى، أو موجاً (٤) من الصأن أو المعزى، فإن لم تجد فنوجة من الصأن سمينة» (٥).

<sup>514</sup> From the source.

<sup>515</sup> **Masā'il 'Alī ibn Ja'far:** 266 / 645, **al-Kāfi** 4:367 / 10, **Wasā'il al-Shī'a** 12:563, **Abwāb Turūk al-Ihrām**, Bāb 94, Ḥadīth 2 — and in both: “wound (jirāh)” instead of “injury (jarh).”

<sup>516</sup> **Masā'il 'Alī ibn Ja'far:** 60 / 118, **Wasā'il al-Shī'a** 12:534, **Abwāb Turūk al-Ihrām**, Bāb 73, Ḥadīth 5.

<sup>517</sup> **Masā'il 'Alī ibn Ja'far:** 271 / 671, **Qurb al-Isnād:** 240 / 944, **Wasā'il al-Shī'a** 12:549–550, **Abwāb Turūk al-Ihrām**, Bāb 82, Ḥadīth 6.

<sup>518</sup> **Masā'il 'Alī ibn Ja'far:** 270 / 662, **Qurb al-Isnād:** 240 / 945, **Wasā'il al-Shī'a** 14:66, **Abwāb Ramy Jamrat al-'Aqaba**, Bāb 10, Ḥadīth 6 — and in it: “Indeed this is not” instead of “This is not.”

<sup>519</sup> **Masā'il 'Alī ibn Ja'far:** 270 / 665, **Qurb al-Isnād:** 243 / 961, **Wasā'il al-Shī'a** 14:66–67, **Abwāb Ramy Jamrat al-'Aqaba**, Bāb 10, Ḥadīth 7.

**422 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the sacrifice (uḍḥiyah)?

He said: “Sacrifice a white ram with horns, strong and fat. If you cannot find a fat ram, then a strong goat or an average sheep or goat.<sup>520</sup> If you cannot find that, then a fat ewe from the sheep.”<sup>521</sup>

٤٢٣ - مسألة: قال: وسألته عن الجذور والبقرة، عن كم يضحي بها؟ قال: «يسمي رب البيت نفسه، وهو يجزي عن أهل البيت إذا كانوا أربعة أو خمسة (٦).

**423 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the camel and cow—how many people can they suffice for?

He said: “The head of the household names himself, and it suffices for the members of his household if they are four or five.”<sup>522</sup>

٤٢٤ - مسألة: وكان علي يقول: «ضح بثني (٧) فصاعداً، إذا اشتراه سليم الأذنين والعينين، واستقبل القبلة، وقل حين تريد أن تذبح وجهت وجهي للذى فطر السماوات والأرض حنيفاً [مسلمأ] (١) وما أنا من المشركين إن صلاتي ونسكري ومحبادي ومماتي الله رب العالمين، لا شريك له وبذلك أمرت وأنا من المسلمين، اللهم منك ولك، اللهم وتقبل الله الذي لا إله إلا هو والله أكبر، وصلى الله على محمد وعلى أهل بيته، ثم كل مني بسما وأطعم» (٢).

**424 - Issue:** And ('Alī ibn Abī Tālib) used to say: “Sacrifice an animal that is at least two years old<sup>523</sup> or older, if it was bought in good condition with intact ears and eyes, and face the qiblah. Say at the moment you want to slaughter: ‘I have turned my face towards the One who created the heavens and the earth, inclining towards the truth, a Muslim,<sup>524</sup> and I am not of those who associate partners with Allah. Truly my prayer, my sacrifice, my life and my death are for Allah, the Lord of the Worlds, with no partner. By this I have been commanded and I am of the Muslims. O Allah, from You and to You. O Allah, accept it. There is no deity but Allah, and Allah is the Greatest. May Allah bless Muhammad and his family.’ Then eat from it and feed others.”<sup>525</sup>

٤٢٥ - مسألة: قال: وسألته عن التكبير في أيام التشريق؟ «يوم النحر صلاة الأولى إلى آخر أيام التشريق من صلاة العصر، يكبر يقول: الله أكبر، الله أكبر، لا إله إلا الله والله أكبر وله الحمد، الله أكبر على ما هدانا الله أكبر على ما رزقنا من بهيمة الأنعام (٣).

**425 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the takbīr (saying Allahu Akbar) during the days of tashrīq (days after 'Īd)?

He said: “On the day of sacrifice, from the first prayer until the last prayer of the days of tashrīq after 'aṣr, one should say: 'Allāhu Akbar, Allāhu Akbar, Lā ilāha illā Allāh,

<sup>520</sup> al-Mawja': the castrated one. *Lisān al-'Arab* 15:214 – under root *w-j-*.

<sup>521</sup> *Masā'il 'Alī ibn Ja'far*: 161 / 141, *Wasā'il al-Shī'a* 14:207, *Abwāb al-Dhabh*, Bāb 60, Ḥadīth 12.

<sup>522</sup> *Masā'il 'Alī ibn Ja'far*: 322 / 176, *Wasā'il al-Shī'a* 14:123, *Abwāb al-Dhabh*, Bāb 18, Ḥadīth 22.

<sup>523</sup> *al-Thāni*: one who enters the third year (of age). *Majma' al-Bahrayn* 1:77 – under entry *th-n-y*.

<sup>524</sup> From the source.

<sup>525</sup> *Masā'il 'Alī ibn Ja'far*: 161 / 141 with slight variation, *Wasā'il al-Shī'a* 14:207, *Abwāb al-Dhabh*, Bāb 60, Ḥadīth 12 — and in both: “and he bought it” instead of “if he bought it.”

**wa-Allāhu Akbar wa-lillāh al-ḥamد, Allāhu Akbar for what He has guided us to, Allāhu Akbar for what He has provided us from the livestock animals.”**<sup>526</sup>

٤٢٦ - مسألة: قال: وسألته عن الرجل يذبح على غير قبلة؟ قال: «لا بأس إذا لم يتعمد، وإن ذبح ولم يسم، فلا بأس أن يسمى إذا ذكر بسم الله على أوله وآخره، ثم يأكل» (٤).

**426 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who slaughters an animal not facing the qiblah—what is the ruling?

He said: “**There is no harm if he did not intend it. And if he slaughtered without mentioning Allah's name, there is no harm if he remembers to mention Allah's name at the beginning or end, and then he may eat.”**<sup>527</sup>

٤٢٧ - مسألة: قال: وسألته عن الضحية يشتريها الرجل عوراء، لا يعلم بها، إلا بعد شرائها، هل تجزي عنه؟ قال: «نعم إلا أن يكون هدية، فإنه لا يجوز في (الهدي) (٥) (٦).

**427 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who buys an animal for sacrifice that is blind in one eye and he did not know this until after purchase—does it suffice for him?

He said: “**Yes, unless it is for a pilgrimage offering (hady), in which case it is not permissible for the hady.”**<sup>528 529</sup>

٤٢٨ - مسألة: قال: وسألته عن الضحية يخطيء الذي يذبحها الذي فيسمى غير أصحابها، تجزي صاحب الضحية؟ قال: «نعم، إنما له ما نوى» (١).

**428 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the sacrificial animal if the one who slaughters it mistakenly mentions someone other than the owner's name—does it count for the owner?

He said: “**Yes, for the owner has the intention.”**<sup>530</sup>

٤٢٩ - مسألة: قال: وسألته عن جلود الأضاحي، هل يصلح لمن ضحى بها أن يجعلها جراباً؟ قال: «لا يصلح أن يجعلها جراباً إلا أن يتصدق بشمنه» (٢).

**429 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the skins of sacrificial animals—can the one who sacrificed them make a bag out of them?

<sup>526</sup> **Masā'il 'Alī ibn Ja'far:** 162 / 141, **Wasā'il al-Shī'a** 7:462–463, **Abwāb Ṣalāt al-Īd**, Bāb 21, Ḥadīth 15.

<sup>527</sup> **Masā'il 'Alī ibn Ja'far:** 164 / 142, **Wasā'il al-Shī'a** 28 / 24, **Abwāb al-Dhabā'ih**, Bāb 14, Ḥadīth 5.

<sup>528</sup> In *al-Ja'fariyyāt*: “For it is not permissible to offer an incomplete sacrifice.” (*al-Ja'fariyyāt*, manuscript footnote).

<sup>529</sup> **Masā'il 'Alī ibn Ja'far:** 162–163 / 255, **Qurb al-Isnād:** 239 / 941, **al-Faqīh** 2:295 / 1463, **Tahdhīb al-Āḥkām** 5:213 / 719, **Wasā'il al-Shī'a** 14:130, **Abwāb al-Dhabāh**, Bāb 24, Ḥadīth 2 — and all but the first contain variations.

<sup>530</sup> **Masā'il 'Alī ibn Ja'far:** 162 / 254, **Qurb al-Isnād:** 239 / 942, **al-Faqīh** 2:296 / 1469, **Tahdhīb al-Āḥkām** 5:222 / 748, **Wasā'il al-Shī'a** 11:189, **Abwāb al-Niyāba fī al-Hajj**, Bāb 16, Ḥadīth 7.

He said: “**No, he cannot make a bag out of it unless he donates its price in charity.**”<sup>531</sup>

٤٣٠ - مسألة: قال: وسألته عن الأضحى، كم هو بمنى؟ قال: «أربعة أيام» (٣).

**430 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the sacrifice days in Mina—how many are they?

He said: “**Four days.**”<sup>532</sup>

٤٣١ - مسألة: قال: وسألته عن الأضحى في غير أيام منى؟ قال: «ثلاثة أيام» (٤).

**431 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the sacrifice days outside of Mina—how many are they?

He said: “**Three days.**”<sup>533</sup>

٤٣٢ - مسألة: قال: وسألته عن رجل مسافر قدم بعد الأضحى بيومين، أ يصلح أن يضحى في اليوم الثالث؟ قال: «نعم» (٥).

**432 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a traveler who arrived two days after the Day of Sacrifice—can he sacrifice on the third day?

He said: “**Yes.**”<sup>534</sup>

٤٣٣ - مسألة: قال: وسألته عن رجل بات بمكة حتى أصبح في ليالي منى؟ قال: إن كان أتاها نهاراً فبات حتى أصبح فعليه دم شاة بهريقه، وإن كان خرج من مني بعد نصف الليل فأصبح بمكة فليس عليه شيء» (٦).

**433 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who spent the night in Mecca until dawn during the nights of Mina.

He said: “**If he came to Mecca during the day and spent the night until morning, he must offer a sheep as a blood sacrifice. But if he left Mina after midnight and then reached Mecca by dawn, there is nothing upon him.**”<sup>535</sup>

٤٣٤ - مسألة: قال: وسألته عن التكبير أيام التشريق، هل ترفع فيه الأيدي أم لا؟

قال: «ترفع يدك شيئاً أو تحركها» (١).

<sup>531</sup> *Masā’il ‘Alī ibn Ja‘far*: 166 / 271, *Tahdhīb al-Āḥkām* 5:228 / 773, *al-Istibṣār* 2:276 / 982, *Wasā’il al-Shī‘a* 14:174, *Abwāb al-Dhabh*, Bāb 43, Ḥadīth 4.

<sup>532</sup> *Masā’il ‘Alī ibn Ja‘far*: 126 / 96, *Qurb al-Isnād*: 240 / 947, *al-Faqīh* 2:291 / 1439, *Tahdhīb al-Āḥkām* 5:202 / 673, *al-Istibṣār* 2:264 / 930, *Wasā’il al-Shī‘a* 14:91–92, *Abwāb al-Dhabh*, Bāb 6, Ḥadīth 1.

<sup>533</sup> *Masā’il ‘Alī ibn Ja‘far*: 127 / 97, *Qurb al-Isnād*: 240 / 948, *al-Faqīh* 2:291 / 1439, *Tahdhīb al-Āḥkām* 5:202 / 673, *al-Istibṣār* 2:264 / 930, *Wasā’il al-Shī‘a* 14:91–92, *Abwāb al-Dhabh*, Bāb 6, Ḥadīth 1.

<sup>534</sup> *Masā’il ‘Alī ibn Ja‘far*: 127 / 98, *Qurb al-Isnād*: 241 / 949, *Tahdhīb al-Āḥkām* 5:202 / 673, *al-Istibṣār* 2:264 / 930, *Wasā’il al-Shī‘a* 14:91–92, *Abwāb al-Dhabh*, Bāb 6, Ḥadīth 1.

<sup>535</sup> *Masā’il ‘Alī ibn Ja‘far*: 270 / 663, *Qurb al-Isnād*: 242 / 958, *Tahdhīb al-Āḥkām* 5:257 / 873, *Wasā’il al-Shī‘a* 14:258, *Abwāb al-‘Awda ilā Minā*, Bāb 1, Ḥadīth 23.

**434 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about raising the hands during takbīr on the Days of Tashrīq—should the hands be raised or not?

He said: “Raise your hand a little or move it.”<sup>536</sup>

٤٣٥ - مسألة: قال: وسألته عن التكبير أيام التشريق، أواجب هو؟ قال: «يستحب، فإن نسيه فليس عليه شيء» (٢).

**435 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether takbīr is obligatory during the Days of Tashrīq.

He said: “It is recommended; if one forgets, there is nothing upon him.”<sup>537</sup>

٤٣٦ - مسألة: قال: وسألته عن النساء هل عليهن التكبير أيام التشريق؟

قال: «نعم، ولا يجهرن به» (٣).

**436 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) whether women should also recite takbīr during the Days of Tashrīq.

He said: “Yes, but they should not raise their voices.”<sup>538</sup>

٤٣٧ - مسألة: قال: وسألته عن الرجل يدخل مع الإمام وقد سبقه برکعة، فيكبر الإمام إذا سلم أيام التشريق، كيف يصنع الرجل؟ قال: «يقوم فيقضي ما فاته من الصلاة، فإذا فرغ كبر» (٤).

**437 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who joins the prayer late with the imam, having missed one rak'ah, and the imam says takbīr at the end of the prayer during the Days of Tashrīq—what should the man do?

He said: “He should stand and complete what he missed of the prayer, and when he finishes, he should say takbīr.”<sup>539</sup>

٤٣٨ - مسألة: قال: وسألته عن الرجل يصلّي وحده أيام التشريق، هل عليه تكبير؟ قال: «نعم، وإن نسيه فلا بأس» (٥).

**438 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who prays alone during the Days of Tashrīq—should he say takbīr?

He said: “Yes, and if he forgets, there is no problem.”<sup>540</sup>

<sup>536</sup> **Masā'il 'Alī ibn Ja'far:** 160 / 242, **Qurb al-Isnād:** 221 / 861, **Wasā'il al-Shī'a** 7:464, **Abwāb Ṣalāt al-'Id**, Bāb 22, Ḥadīth 5.

<sup>537</sup> **Masā'il 'Alī ibn Ja'far:** 160 / 243, **Tahdhīb al-Āḥkām** 5:488 / 1745, **Wasā'il al-Shī'a** 7:464, **Abwāb Ṣalāt al-'Id**, Bāb 23, Ḥadīth 1 — with slight variation in both.

<sup>538</sup> **Masā'il 'Alī ibn Ja'far:** 161 / 244, **Qurb al-Isnād:** 224 / 872, **Tahdhīb al-Āḥkām** 5:481 / 1708, **Wasā'il al-Shī'a** 7:463, **Abwāb Ṣalāt al-'Id**, Bāb 22, Ḥadīth 3.

<sup>539</sup> **asā'il 'Alī ibn Ja'far:** 161 / 245, **Qurb al-Isnād:** 221 / 863, **Wasā'il al-Shī'a** 7:466, **Abwāb Ṣalāt al-'Id**, Bāb 24, Ḥadīth 3.

<sup>540</sup> **Masā'il 'Alī ibn Ja'far:** 161 / 246, **Qurb al-Isnād:** 221 / 864, **Wasā'il al-Shī'a** 7:464, **Abwāb Ṣalāt al-'Id**, Bāb 22, Ḥadīth 4 — and in both: “he forgot (nasīh)” instead of “he forgot it (nasīh).”

٤٣٩ - مسألة: قال: وسألته عن القول أيام التشريق، ما هو ؟ قال: «يقول: الله أكبر، الله أكبر، لا إله إلا الله والله أكبر، الله أكبر وله الحمد الله أكبر على ما هدانا، الله أكبر على ما رزقنا من بهيمة الأنعام» (١).

**439 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about what one says during the Days of Tashrīq.

He said: “**He says: 'Allāhu Akbar, Allāhu Akbar, Lā ilāha illa Allāh, wa-Allāhu Akbar, Allāhu Akbar wa-lillāhi-l-hamد. Allāhu Akbar for what He has guided us to, Allāhu Akbar for what He has provided us from the cattle of livestock.'**”<sup>541</sup>

٤٤٠ - مسألة: قال: وسألته عن النوافل أيام التشريق، هل فيها تكبير ؟ قال: «نعم، وإن نسي فلا بأس» (٢).

**440 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether the supererogatory (nafl) prayers during the Days of Tashrīq include takbīr.

He said: “**Yes, and if one forgets, there is no harm.**”<sup>542</sup>

٤٤١ - مسألة: قال: وسألته عن صوم الثلاثة أيام في الحج والسبعة، أيصومها متواالية أو يفرق بينها ؟ قال: يصوم الثلاثة لا يفرق بينها [ والسبعة لا يفرق بينها ] (٣). ولا يجمع السبعة والثلاثة معاً» (٤). (٣).

**441 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about fasting the three days of Hajj and the seven—should they be done consecutively or can they be separated?

He said: “**Fast the three days consecutively [and the seven also consecutively], but do not combine the seven and the three together.**”<sup>543 544</sup>

٤٤٢ - مسألة: روى عبد الله بن الحسن العلوي، عن جده علي بن جعفر، عن أخيه موسى ابن جعفر ، قال: وسألته عن رجل جعل ثمن جاريته هدياً للكعبة.

قال: «إن أبي أتاه رجل قد جعل جاريته هدياً للكعبة [ (٥) ].

قال له أبي [ : من مناديًّا يقوم على الحجر فينادي: ألا من قصرت به نفقة، أو نفقة طعامه، فليأت فلان بن فلان، وأمره أن يعطي أو لاً فأولاً، حتى ينفد ثمن الجارية» (٧) ].

**442 - Issue:** 'Abd Allāh ibn al-Hasan al-'Alawī narrated from his grandfather 'Alī ibn Ja'far, from his brother Mūsā ibn Ja'far. He said:

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who dedicated the price of his female slave as an offering for the Ka 'bah.<sup>545</sup>

<sup>541</sup> **Masā'il 'Alī ibn Ja'far:** 161/247; **Qurb al-Isnād:** 221/865; **Wasā'il al-Shī'a** 7: 461, Bāb Ṣalāt al-'Id, Chapter 21, Ḥadīth 11.

<sup>542</sup> **Masā'il 'Alī ibn Ja'far:** 248/161; **Wasā'il al-Shī'a** 7: 467, Bāb Ṣalāt al-'Id, Chapter 25, Ḥadīth 3.

<sup>543</sup> From the source.

<sup>544</sup> **Masā'il 'Alī ibn Ja'far:** 175/311; **Tahdhīb al-Āhkām** 4: 315/957; **al-Istibṣār** 2: 281/999; **Wasā'il al-Shī'a** 14: 200, Bāb al-Dhabh, Chapter 55, Ḥadīth 2, with slight variation.

<sup>545</sup> From the source.

He said: “**My father**<sup>546</sup> was approached by a man who dedicated his female slave as an offering for the Ka‘bah. My father ordered a crier to stand upon the stone and proclaim: ‘Whoever’s provisions are cut off, or is stranded, or has run out of food, let him come to so-and-so.’ Then he ordered that it be given to the needy one by one until the price of the slave was spent.”<sup>547</sup>

٤٤٣ - مسألة: قال: وسألته عن رجل يقول: هو يهدي كذا أو كذا، ما عليه؟ قال: «إذا لم يكن نذراً فلا شيء عليه» (١).

**443 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who says he will offer such and such—what is upon him?

He said: “**If it was not a vow, then nothing is upon him.**”<sup>548</sup>

٤٤٤ - مسألة: قال: وسألته عن الرجل يقول: هو أهدي كذا وكذا ما لا يقدر عليه؟ قال: «إذا كان جعله نذراً شَوْلَا يملكه فلا شيء عليه، وإن كان مما يملك غلام أو جارية أو شبهه، باعه وشتري بثمنه طيباً، فطيب به الكعبة، وإن كان دابة فليس عليه شيء» (٢).

**444 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who says he vowed to give something that he does not possess.

He said: “**If it was a vow for Allah and he does not own it, there is nothing upon him. But if it is something he owns, like a servant or slave girl, he should sell it and use the money to perfume the Ka‘bah. But if it is an animal, then there is nothing upon him.**”<sup>549</sup>

٤٤٥ - مسألة: قال: وسألته عن رجل جعل ثلث حجته لميت، وثلاثها لحي؟

قال: «للميت [نعم]، فأما للحي فلا» (٣). وقال: «لكل شيء خرجت من حجتك فعليك

فيه دم تهريقه حيث شئت» (٤).

**445 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who dedicated a third of his Hajj for a deceased person and two-thirds for a living one.

He said: “**For the deceased—yes; but for the living—no.**”<sup>550</sup>

<sup>546</sup> From the source.

<sup>547</sup> **Masā’il ‘Alī ibn Ja‘far:** 274/683; **Tahdhīb al-Āhkām** 5: 440/1529, 483/1719; **Wasā’il al-Shī‘a** 19: 392, Bāb al-Waṣāyā, Chapter 60, Ḥadīth 1. In it: “al-awwal fa-al-awwal” instead of “awwalan fa-awwalan”.

**Wasā’il al-Shī‘a** 21: 214/843.

<sup>548</sup> **Masā’il ‘Alī ibn Ja‘far:** 306/774; **Qurb al-Isnād:** 246/972; **Wasā’il al-Shī‘a** 13: 248, Bāb Muqaddimāt al-Ṭawāf, Chapter 22, Ḥadīth 2.

<sup>549</sup> **Masā’il ‘Alī ibn Ja‘far:** 174/306; **al-Faqīh** 3: 235/1112; **Tahdhīb al-Āhkām:** 55/194; **Wasā’il al-Shī‘a** 23: 321, Kitāb al-Nadhr wa al-Ahd, Chapter 18, Ḥadīth 1, with slight variation.

**al-Istibṣār** 4: 310/1150.

<sup>550</sup> **Masā’il ‘Alī ibn Ja‘far:** 187/373; **Qurb al-Isnād:** 236/927; **Wasā’il al-Shī‘a** 11: 198–199, Bāb al-Niyāba fī al-Ḥajj, Chapter 25, Ḥadīth 198.

And he said: “**For everything that comes out of your Hajj, you must offer a blood sacrifice wherever you wish.**”<sup>551</sup>

٤٤٦ - مسألة: قال: وسألته عن مكة لم سميت ببكة؟ قال: «لان بعضهم يبكي ببعضًا بالأيدي، يعني [يدفع] [٥] بعضهم ببعضًا ولا يكون إلا في المسجد حول الكعبة»

**446 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about why Mecca is called Bakkah.

He said: “**Because some people push one another there with their hands (i.e., crowding), and that does not happen except in the mosque around the Ka'bah.**”<sup>552</sup>

٤٤٧ مسألة: قال: وسألته عن استلام الحجر لم يستلم؟ قال: «لأن الله تبارك -وتعالى علوًا كبيرًا أخذ مواثيق العباد، ثم دعا الحجر من الجنة، فأمره فالتقم الميثاق، فالمواافقون شاهدون بيعتهم» (١).

**447 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the reason for touching the Black Stone.

He said: “**Because Allah (the Exalted, the Most High) took the covenant of the servants, then He called the Stone from Paradise and ordered it to swallow the covenant—so those who fulfill the covenant are witnessed by the Stone.**”<sup>553</sup>

٤٤٨ - مسألة: قال: وسألته عن التروية لم سميت تروية؟ قال: «إله لم يكن يعرفات ماء، وإنما كان يحمل الماء من مكة، فكان ينادي بعضهم ببعضًا يوم التروية، حتى يحمل الناس ما يرويهم، فسميت التروية بذلك» (٢).

**448 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about why the Day of Tarwiyyah is named as such.

He said: “**Because there was no water at 'Arafāt, so water had to be brought from Mecca. They used to call out on the Day of Tarwiyyah to gather water, so it was named for that.**”<sup>554</sup>

٤٤٩ - مسألة: قال: وسألته عن السعي بين الصفا والمروة؟ فقال: «جعل لسعى إبراهيم (٣).

**449 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the sa'y (ritual running) between al-Ṣafā and al-Marwah.

He said: “**It was made as a commemoration of the sa'y of Ibrāhīm ('alayhi al-salām).**”<sup>555</sup>

<sup>551</sup> **Masā'il 'Alī ibn Ja'far:** 273/679; **Qurb al-Isnād:** 237/928. In it: “jaraḥt” instead of “kharajt”; **Wasā'il al-Šī'a** 13: 158, Bāb Baqiyat Kaffārāt al-Ḥarām, Chapter 8, Ḥadīth 5.

<sup>552</sup> From the source.

<sup>553</sup> **Masā'il 'Alī ibn Ja'far:** 274/684; **Qurb al-Isnād:** 237/929; **Tafsīr al-'Ayyāshī** 1: 98/211.

<sup>554</sup> **Masā'il 'Alī ibn Ja'far:** 269/659; **Qurb al-Isnād:** 237/930. In it: “fa-al-wāqifūn shāhidūn bi-bay' atihim” instead of “fa-al-muwāfūn shāhidūna bay'ahum”; **Wasā'il al-Šī'a** 13: 322, Bāb al-Ṭawāf, Chapter 13, Ḥadīth 18.

<sup>555</sup> **Masā'il 'Alī ibn Ja'far:** 269–270/661; **Qurb al-Isnād:** 237/931.

<sup>556</sup> **Masā'il 'Alī ibn Ja'far:** 269/659; **Qurb al-Isnād:** 237/932; **Wasā'il al-Šī'a** 13: 471, Bāb al-Sa'y, Chapter 1, Ḥadīth 16.

٤٥٠ - مسألة: قال: وسألته عن التلبية لم جعلت؟ قال: «لأن إبراهيم صلوات الله عليه حين قال الله تبارك وتعالى: (وَأَذْنَ فِي النَّاسِ بِالْحَجَّ يَأْتُوكُمْ رِجَالًا) (٤) نادى فأسمع، فاقبل الناس من كل وجه يلبون، فلذلك جعلت التلبية» (٥).

**450 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the talbiyah—why was it legislated?

He said: “Because when Allah (the Exalted) said: {Proclaim the Hajj to the people; they will come to you on foot} (Qur'ān 22:27)<sup>557</sup>, Ibrāhīm called out, and the people responded from every direction saying the talbiyah. So it was legislated for this reason.”<sup>558</sup>

٤٥١ - مسألة: قال: وسألته عن رمي الجمار لم جعل؟ قال: «لأن إبليس كان يتراءى الإبراهيم في موضع الجمار، فرجمه إبراهيم، فجرت به السنة»

**451 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about why the stoning of the pillars (jamarāt) was legislated.

He said: “Because Iblīs appeared to Ibrāhīm at those places, so Ibrāhīm stoned him, and the practice was established.”<sup>559</sup>

٤٥٢ - مسألة: قال: وسألته عن جياد لم سمى جياداً؟ قال: «إن الخيل كانت وحشاً، فاحتاج إليها إسماعيل ، فدعا الله تبارك وتعالى أن يسخرها له، فأمره فصعد على أبي قبيس، ثم نادى: ألا هلا ألا هلم، فاقبضت حتى وقفت بجياد، فنزل إليها فأخذها، فلذلك سميت جياداً» (١).

**452 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about why the place is called Ji'yād.

He said: “Because horses were once wild, and Ismā'īl needed them, so he prayed to Allah (the Exalted) to subdue them. Allah commanded him to climb Abu Qubays and call out, ‘Come!’ So the horses came and stopped at Ji'yād. Ismā'īl descended and took them. Therefore, it was called Ji'yād.”<sup>560</sup>

٤٥٣ - مسألة: قال: وليس ينبغي لأحد من أهل مكة يمنع الحاج شيئاً من الدور ينزلونها» (٢).

**453 - Issue:** I ('Alī ibn Ja'far) said: “No one in Mecca should prevent the pilgrims from lodging in any of the houses.”<sup>561</sup>

٤٤ - مسألة: وقال علي بن جعفر : خرجنا مع أخي موسى في أربع عمر يمشي فيها إلى مكة بعياله وأهله، واحدة منهن تمشي فيها ستة وعشرين يوماً، وأخرى خمسة وعشرين يوماً، وأخرى أربعة وعشرين يوماً، وأخرى أحد وعشرين يوماً (٣).

<sup>557</sup> Sūrat al-Hajj: 27.

<sup>558</sup> **Masā'il 'Alī ibn Ja'far:** 267/649; **Qurb al-Isnād:** 237–238/933; **Wasā'il al-Shī'a** 12: 377, Bāb al-Ḥarām, Chapter 36, Ḥadīth 8.

<sup>559</sup> **Masā'il 'Alī ibn Ja'far:** 270/664; **Qurb al-Isnād:** 238/934; **'Ilal al-Sharā'i'** 2: 143, Chapter 177, Ḥadīth 1; **Wasā'il al-Shī'a** 14: 264, Bāb al-'Awda ilā Minā, Chapter 4, Ḥadīth 7.

<sup>560</sup> **Masā'il 'Alī ibn Ja'far:** 271/668; **Qurb al-Isnād:** 238/935; **Wasā'il al-Shī'a** 11: 468, Bāb Aḥkām al-Dawwāb, Chapter 2, Ḥadīth 6.

<sup>561</sup> **Masā'il 'Alī ibn Ja'far:** 143/168; **Wasā'il al-Shī'a** 13: 270, Bāb Muqaddimāt al-Ṭawāf, Chapter 32, Ḥadīth 8.

**454 - Issue:** 'Alī ibn Ja'far said: "We went out with my brother Mūsā on four 'umrah journeys to Mecca with his family and dependents: one took twenty-six days, another twenty-five days, another twenty-four days, and another twenty-one days."<sup>562</sup>

## Chapter Thirty-Two: On Hiring (Ijārah)

٤٥٥ - مسألة: قال: وسألته عن رجل استأجر دابة إلى مكان، فجاز ذلك المكان، فنفقت الدابة، ما عليه؟ قال: «إذا كان جاز المكان الذي استأجر إليه فهو ضامن (١).»

**455 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who hired an animal to go to a certain place but then went beyond that place, and the animal died. What is his liability?

He said: "If he exceeded the place for which he hired it, he is liable."<sup>563</sup>

٤٥٦ - مسألة: قال: وسألته عن رجل استأجر دابة فأعطها غيره، فنفقت (٢)، ما عليه؟ قال: «إن كان شرط أن لا يركبها غيره فهو ضامن لها، وإن لم يسم فليس عليه شيء» (٣).

**456 - Issue:** I asked him about a man who hired an animal and then let someone else ride it, and it died. What is his liability?<sup>564</sup>

He said: "If it was a condition that no one else should ride it, he is liable for it. If it was not specified, then there is nothing upon him."<sup>565</sup>

٤٥٧ - مسألة: قال: وسألته عن رجل استأجر دابة فوُقعت في بئر، فانكسرت ما عليه؟  
قال: «هو ضامن، كان نوله (٤) عليه أن يستوثق منها، وإن أقام البينة أنه ربطها واستوثق منها، فليس عليه شيء» (٥).

**457 - Issue:** I asked him about a man who hired an animal and it fell into a well and broke its leg. What is his liability?

He said: "He is liable because he should have <sup>566</sup> secured it properly. If he brings proof that he tied it and secured it properly, then there is nothing upon him."<sup>567</sup>

<sup>562</sup> **Masā'il 'Alī ibn Ja'far:** 310/783; **Qurb al-Isnād:** 299/1175; **Wasā'il al-Shī'a** 14: 317, Bāb al-'Umrah, Chapter 10, Ḥadīth 1.

<sup>563</sup> **Masā'il 'Alī ibn Ja'far:** 413/195; **Wasā'il al-Shī'a** 19: 122, Kitāb al-Ijārah, Chapter 17, Ḥadīth 6.

<sup>564</sup> "Nafaqat mātāt" – **Lisān al-'Arab** 14: 242 – root: ن. ف. ق.

<sup>565</sup> **Masā'il 'Alī ibn Ja'far:** 414/196; **al-Kāfi** 5: 291/7; **Tahdhīb al-Āhkām** 7: 215/942; **Wasā'il al-Shī'a** 19: 118, Kitāb al-Ijārah, Chapter 16, Ḥadīth 1.

<sup>566</sup> "Nawlak an taf'ala kadhā wa nawāluka wa manwāluka wa mā nawāluka mā yanbaghī laka an tanālahu." — **al-Qāmūs** [4:82], Bāb al-Lām – Faṣl al-Nūn – al-Nawāl (marginal note in the manuscript).

<sup>567</sup> **Masā'il 'Alī ibn Ja'far:** 415/196; **Wasā'il al-Shī'a** 19: 156, Kitāb al-Ijārah, Chapter 32, Ḥadīth 4.

## Chapter Thirty-Three: On Selling (Bay')

٤٥٨ - مسألة: عبد الله بن الحسن العلوي عن جده علي بن جعفر، عن أخيه موسى ابن جعفر قال: وسألته عن القعدة والقيام على جلود السباع وركوبها وبيعها، أيصلح ذلك؟ قال: «لا بأس ما لم يسجد عليها» (١).

**458 - Issue:** 'Abd Allāh ibn al-Hasan al-'Alawī narrated from his grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far): I asked him about sitting and standing on the skins of predatory animals, riding on them, and selling them. Is it permissible?

He said: “**There is no harm in it as long as one does not prostrate on them.**”<sup>568</sup>

٤٥٩ - مسألة: قال: وسألته، عن بيع الولاء؟ قال: «لا يحل» (٢).

**459 - Issue:** I asked him about selling loyalty (walā').

He said: “**It is not permissible.**”<sup>569</sup>

٤٦٠ - مسألة: قال: وسألته عن حمل المسلمين إلى المشركين التجارة؟ قال: «إذا لم يحملوا سلاحاً فلا بأس» (٣).

**460 - Issue:** I asked him about Muslims carrying merchandise to the polytheists.

He said: “**If they do not carry weapons, there is no harm.**”<sup>570</sup>

٤٦١ - مسألة: قال: وسألته عن حب دهن ماتت فيه فأر؟ قال: «لا تذهب به، ولا تبعه من مسلم» (٤).

**461 - Issue:** I asked him about oil in which a mouse died.

He said: “**Do not use it to anoint yourself, and do not sell it to a Muslim.**”<sup>571</sup>

٤٦٢ - مسألة: قال: وسألته عن فأرة وقعت في حب دهن، فأخرجت قبل أن تموت، أبيبعله من مسلم؟ قال: «نعم، ويدهن به» (٥).

**462 - Issue:** I asked him about a mouse that fell into a pot of oil and was removed before it died. May one sell it to a Muslim?

He said: “**Yes, and it can be used to anoint oneself.**”<sup>572</sup>

٤٦٣ - مسألة: قال: وسألته عن الرجل يشتري المتع وزناً في الناسية [١].

<sup>568</sup> **Masā'il 'Alī ibn Ja'far:** 382/189; **Qurb al-Isnād:** 261/1032; **al-Mahāsin** 2: 471/106 — question differs slightly; **Wasā'il al-Shī'a** 17: 172, Bāb Mā Yuktasabu bih, Chapter 37, Ḥadīth 5.

<sup>569</sup> **Masā'il 'Alī ibn Ja'far:** 303–304/769; **Tahdhīb al-Āḥkām:** 258/937; **al-Istibṣār** 4: 25/79; **Wasā'il al-Shī'a** 23: 74–75, Kitāb al-'Itq, Chapter 42, Ḥadīth 1.

<sup>570</sup> **Masā'il 'Alī ibn Ja'far:** 176/320; **Qurb al-Isnād:** 264/1047; **Wasā'il al-Shī'a** 17: 103, Bāb Mā Yuktasabu bih, Chapter –, Ḥadīth 6.

<sup>571</sup> **Masā'il 'Alī ibn Ja'far:** 214/465; **Qurb al-Isnād:** 261/1033; **Wasā'il al-Shī'a** 17: 100, Bāb Mā Yuktasabu bih, Chapter –, Ḥadīth 5.

<sup>572</sup> **Masā'il 'Alī ibn Ja'far:** 214/464; **Qurb al-Isnād:** 261/1034; **Tahdhīb al-Āḥkām** 1: 419/1326; **Wasā'il al-Shī'a** 17: 101, Bāb Mā Yuktasabu bih, Chapter 7, Ḥadīth 6.

والجواليق (٢)؟ فيقول: ارفع للناسية رطل أو أقل أو أكثر من ذلك، أighل ذلك البيع؟ قال: «إذا لم يعلم وزن الناسية والجواليق فلا بأس إذا تراضيا» (٣).

**463 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who buys merchandise by weight, including the **nāsi'ah** (measured container) and the **jawāliq** (sack), and he says, "Increase or decrease a pound for the **nāsi'ah**," is this sale permissible?

He said: "If the weight of the **nāsi'ah**<sup>573</sup> and the **jawāliq**<sup>574</sup> is unknown, there is no harm if both parties consent."<sup>575</sup>

٤٦٤ - مسألة: قال: وسألته عن رجل له على دنانير، فأخذ بسعها ورقاً؟ قال: «لا بأس» (٤).

**464 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who has dinars (gold coins) owed to him by another man—can he take their equivalent in silver (dirhams) at the going exchange rate?

He said: "There is no harm."<sup>576</sup>

٤٦٥ - مسألة: قال: وسألته عن الفضة في الخوان والقصعة والسيف والمنطقة والسرج واللجام بباع بدراهم أقل من الفضة أو أكثر، يحل؟ قال: «تباع الفضة بدنانير، وما سوى ذلك بدراهم» (٥).

**465 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about silver items such as trays, bowls, swords, belts, saddles, and bridles being sold for dirhams—less or more than their silver content. Is this permissible?

He said: "Silver should be sold for dinars (gold coins). Other items besides silver should be sold for dirhams (silver coins)."<sup>577</sup>

٤٦٦ - مسألة: قال: «إن العباس كان ذا مال كثير، وكان يعطي ماله مضاربة، ويشتري طعاماً أن لا ينزلوا بطن واد ولا يشتروا كبدًا رطبة، وإن يهريق الماء على الماء، فمن خالف عن شيء مما أمرت فهو له ضامن» (٦).

روى الكليني في الكافي) محمد بن يحيى، عن العمركي بن علي، عن علي بن جعفر، عن أخيه أبي الحسن الله قال في المضاربة: «ما أنفق في سفره فهو من

جميع المال، وإذا قدم بلدتهم بما أنفق فهو من نصبيه» (١).

**466 - Issue:** He ('Alī ibn Ja'far) said: "Al-'Abbās was a wealthy man. He used to invest his wealth as a partnership (muḍārabah) but would stipulate that they should not descend

<sup>573</sup> In the manuscript: "al-Bāsiyah," and what we have affirmed is from the source.

<sup>574</sup> **al-Jawāliq**: A container; plural is **jawāliq** (with fathā) and also **jawālīq**. Refer to **al-Ṣīḥāḥ**, 4:1454 – Bāb al-Qāf, Fasl al-Jīm.

<sup>575</sup> **Masā'il 'Alī ibn Ja'far**: 301/760, **Qurb al-Isnād**: 261/1035, **Wasā'il al-Shī'a** 17:367, Bāb of Sales Contracts and Their Conditions, Chapter 20, ḥadīth 3.

<sup>576</sup> **Masā'il 'Alī ibn Ja'far**: 301/761, **Qurb al-Isnād**: 262/1036, **Wasā'il al-Shī'a** 18:174, Chapter on Exchange, Chapter 3, ḥadīth 7.

<sup>577</sup> **Masā'il 'Alī ibn Ja'far**: 153/208, **Qurb al-Isnād**: 262/1038, **Wasā'il al-Shī'a** 18:201, Chapter on Exchange, Chapter 15, ḥadīth 11.

**into any valley bottom, nor buy fresh liver, nor pour water upon water. Whoever acted contrary to what I commanded was liable.”**<sup>578</sup>

It was narrated by al-Kulaynī in *al-Kāfi* from Muḥammad ibn Yahyā, from al-‘Umrankī ibn ‘Alī, from (‘Alī ibn Ja‘far) from his brother (Abū al-Ḥasan) (peace be upon him). He said in a partnership: “**Whatever is spent during travel is from the whole capital. When they reach their town, whatever is spent is from his share.**”<sup>579</sup>

٤٦٧ - مسألة: قال: وسألته عن قوم كانت بينهم قناة ماء، لكل أنس منهم شرب معلوم فباع، أحدهم شربه بدرهم أو بطعم، هل يصلح ذلك؟ قال: «نعم، لا بأس» (٢).

**467 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about people who share a water channel, each with a known share. One of them sells his share for dirhams or food—is that permissible?

He said: “**Yes, there is no harm.**”<sup>580</sup>

٤٦٨ - مسألة: قال: وسألته عن الرجل يسلم في الفلوس، أ يصلح له أن يأخذ كفلاً؟ قال: «لا بأس» (٣).

**468 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who pays in advance (salam) using copper coins—is it permissible for him to take a guarantor?

He said: “**There is no harm.**”<sup>581</sup>

٤٦٩ - مسألة: قال: وسألته عن رجلين اشتركا في السلم، أ يصلح لهم أن يقتسما قبل أن يقبضا؟ قال: «لا بأس» (٤).

**469 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about two men who entered into a salam transaction together—is it permissible for them to divide their shares before taking possession of the goods?

He said: “**There is no harm.**”<sup>582</sup>

٤٧٠ - مسألة: قال: وسألته عن الحيوان بالحيوان بنسبيّة وزيادة دراهم، ينقد

الدرهم ويؤخر الحيوان، أ يصلح؟ قال: «إذا تراضيا فلا بأس» (٥).

<sup>578</sup> **Masā’il ‘Alī ibn Ja‘far:** 312/790, **Qurb al-Isnād:** 262/1037, **Mustadrak al-Wasā’il** 13:456, Book of *Muḍārabah*, Chapter 1, ḥadīth 4.

<sup>579</sup> **Masā’il ‘Alī ibn Ja‘far:** 312/791, **al-Kāfi** 5:241/5, **Tahdhīb al-Āḥkām** 7:191/847, **Wasā’il al-Shī‘a** 19:24, Chapter on *Muḍārabah*, Chapter 6, ḥadīth 1.

<sup>580</sup> **Masā’il ‘Alī ibn Ja‘far:** 302/764, **Qurb al-Isnād:** 262/1039, **Wasā’il al-Shī‘a** 25:418–419, Book of *Reviving Dead Land*, Chapter 6, ḥadīth 3 – in which the word (‘Insān) is used instead of (‘Anās).

<sup>581</sup> **Masā’il ‘Alī ibn Ja‘far:** 72/121, **Wasā’il al-Shī‘a** 18:430, Book of *Guarantee*, Volume 2 – where (yusallaf fī al-qāmūs) is used instead of (yusallim fī al-fulūs).

<sup>582</sup> **Masā’il ‘Alī ibn Ja‘far:** 122/77, **Qurb al-Isnād:** 263/1040, **Wasā’il al-Shī‘a** 18:371, Chapters of *Debt and Loan*, Chapter 29, ḥadīth 2.

**470 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about exchanging livestock for livestock, on credit, with an additional payment in dirhams. The dirhams are paid immediately, but the livestock is delayed— is that permissible?

He said: “If both parties consent, there is no harm.”<sup>583</sup>

٤٧١ - مسألة: قال: وسألته عن السلم في الدين؟ قال: «إذا قال: اشتريت منك كذا وكذا فلا بأس» (٦).

**471 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about salam (advance payment) in debts.

He said: “If he says, ‘I bought from you such-and-such for such-and-such,’ there is no harm.”<sup>584</sup>

٤٧٢ - مسألة: قال: وسألته عن بيع النخل، أيحل إذا كان زهوا؟ قال: «إذا استبان البسر (١) من الشيص (٢) حل بيده وشراؤه (٣).

**472 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about selling date palms when they have become *zahū* (early stage of ripening).<sup>585</sup>

He said: “If the distinction between the ripe *busr*<sup>586</sup> and the immature *shīš*<sup>587</sup> is clear, it is permissible to sell and buy them.”<sup>588</sup>

٤٧٣ - مسألة: قال: وسألته عن الرجل يسلم في النخل قبل أن يطلع؟ قال: «لا يصلح السلم في النخل» (٤).

**473 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about salam for date palms before the dates emerge.

He said: “Salam in date palms is not permissible.”<sup>589</sup>

٤٧٤ - مسألة: قال: وسألته عن السلم في النخل؟ قال: «لا يصلح، وإن اشتريت هذا النخل فلا بأس، أي كيلاً مسمى بعينه» (٥).

**474 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about salam in date palms.

He said: “It is not permissible, but if he buys the date palms themselves, specifying the measure and price, there is no harm.”<sup>590</sup>

<sup>583</sup> **Masā'il 'Alī ibn Ja'far:** 122/78, **Qurb al-Isnād:** 263/1041, **Wasā'il al-Shī'a** 18:160, Chapters of Usury, Chapter 17, ḥadīth 17.

<sup>584</sup> **Qurb al-Isnād:** 263/1042, **Wasā'il al-Shī'a** 18:299, Chapter on Advance Payment, Chapter –, ḥadīth 3.

<sup>585</sup> In the manuscript: It says, "If it is ripened and evident...", and what we affirmed is from the source.

<sup>586</sup> *al-Busr*: dates before ripening. **Lisān al-'Arab** 1:404 – Entry “B-S-R”.

<sup>587</sup> *al-Shīš*: dates that have no pits. **Lisān al-'Arab** 7:256 – Entry “Sh-Y-S” (Manuscript footnote).

<sup>588</sup> **Masā'il 'Alī ibn Ja'far:** 221–222/74, **Qurb al-Isnād:** 263/1043, **Wasā'il al-Shī'a** 18:216, Chapter on Fruit Sale, Chapter 1, ḥadīth 17.

<sup>589</sup> **Masā'il 'Alī ibn Ja'far:** 121/73, **Qurb al-Isnād:** 263/1044, **Wasā'il al-Shī'a** 18:216, Chapter on Fruit Sale, Chapter 1, ḥadīth 18.

<sup>590</sup> **Masā'il 'Alī ibn Ja'far:** 121–122/74, **Wasā'il al-Shī'a** 18:216, Chapter on Fruit Sale, Chapter 1, ḥadīth 20.

٤٧٥ - مسألة: قال: وسألته عن السلم في البر، أيصلح؟ قال: «إذا اشتري منك كذا وكذا برأ لا بأس» (٦).

**475 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about salam in wheat—is it permissible?

He said: “If he buys from you such-and-such amount of wheat, there is no harm.”<sup>591</sup>

٤٧٦ - مسألة: قال: وسألته عن شراء النخل سنتين أو أربعة، أيحل؟ قال: «لا بأس،

يقول: إن لم يخرج العام شيئاً أخرج القابل إن شاء الله» (٧).

**476 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about buying date palms for two or four years—is it permissible?

He said: “There is no harm if he says, ‘If there is no yield this year, there will be next year, if Allah wills.’”<sup>592</sup>

٤٧٧ - مسألة: قال: وسألته عن شراء النخل سنة واحدة، أيصلح؟ قال: «لا يُشتري حتى يبلغ» (٨).

**477 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about buying date palms for one year—is it permissible?

He said: “They should not be bought until they have ripened.”<sup>593</sup>

٤٧٨ - مسألة: قال: وسألته عن الرجل الجحود، أيحل أن يجحده مثل ما جحد؟ قال: «نعم، ولا يزداد» (١).

**478 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who is dishonest (denying a rightful claim)—is it permissible for him to deny just as he was denied?

He said: “Yes, but he must not go beyond that.”<sup>594</sup>

٤٧٩ - مسألة: قال: وسألته عن رجل اشتري عبداً مشركاً وهو في أرض الشرك، فقال العبد: لا أستطيع المشي، وحاف المسلمين أن يلحق العبد بالعدو، أيحل قتله؟

قال: «إذا خاف حل قتله» (٢).

**479 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who bought a slave who is a polytheist in the land of disbelief, and the slave said: “I cannot walk,” and the Muslims feared that the slave would flee to the enemy—does it become permissible to kill him?

<sup>591</sup> **Masā'il 'Alī ibn Ja'far:** 122/75, **Wasā'il al-Shī'a** 18:216, Chapter on Fruit Sale, Chapter 1, ḥadīth 19, with slight variation.

<sup>592</sup> **Masā'il 'Alī ibn Ja'far:** 283/169, **Wasā'il al-Shī'a** 18:216, Chapter on Fruit Sale, Chapter 1, ḥadīth 21, which does not mention “(or four)”.

<sup>593</sup> **Masā'il 'Alī ibn Ja'far:** 284/169, **Wasā'il al-Shī'a** 18:217, Chapter on Fruit Sale, Chapter 1, ḥadīth 22.

<sup>594</sup> **Masā'il 'Alī ibn Ja'far:** 302/765; **Qurb al-Isnād:** 263/1045; **Wasā'il al-Shī'a** 17:276, Abwāb Mā Yuktasabu Bihi, Bāb 83, ḥadīth 13 — and in it: “ajihadahu” is used instead of “yajihadahu”.

He said: “**If he fears it, then it is permissible to kill him.**”<sup>595</sup>

٤٨٠ - مسألة: قال: وسألته عن الرجل يشتري الجارية فيقع عليها، أ يصلح بيعها من الجد؟ (٣) قال: «لا بأس» (٤).

**480 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who buys a slave-girl and has intercourse with her—does it become permissible to sell her to his grandfather?

He said: “**There is no harm in that.**”<sup>596</sup>

٤٨١ - مسألة: قال: وسألته عن الرجل يشتري الجارية فيقع عليها، أ يصلح أن يبيعها مرابحة؟ قال: «لا بأس» (٥).

**481 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who buys a slave-girl and has intercourse with her—does it become permissible to sell her as a Murabaha sale (profit-sharing resale)?

He said: “**There is no harm in that.**”<sup>597</sup>

٤٨٢ - مسألة: قال: وسألته عن رجل له على رجل آخر كر من حنطة، يأخذ بوزنها شعيراً أو تمراً؟ قال: «إذا تراضيا فلا بأس»

**482 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who has a debt of wheat upon another man—can he take its weight in barley or dates?

He said: “**If they are mutually content, there is no harm.**”<sup>598</sup>

٤٨٣ - مسألة: قال: وسألته عن رجل له على رجل آخر تمر أو حنطة أو شعير، يأخذ بقيمتها دراهم؟ قال: «إذا قومه دراهم فسد؛ لأن الأصل الذي اشتراه دراهم، فلا يصلح دراهم بدراهم» (١) (٢).

**483 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who has a debt of dates or wheat or barley upon another man—can he take its value in dirhams (silver coins)?

<sup>595</sup> **Masā'il 'Alī ibn Ja'far:** 178/328; **Qurb al-Isnād:** 264/1046; **Wasā'il al-Shī'a** 15:73, Abwāb Jihād al-'Adū, Bāb 23, Ḥadīth 4 — with slight variations between them.

<sup>596</sup> In the manuscript margin: “Thus: min al-ghad (from the next day).”

<sup>597</sup> **Qurb al-Isnād** 18:61; **Masā'il 'Alī ibn Ja'far:** 301/762; **Wasā'il al-Shī'a** 18:61, Abwāb Ahkām al-'Uqūd, Bāb 13, Ḥadīth 1 — and in it: “min al-ghad” is used instead of “min al-jadd”.

<sup>598</sup> **Masā'il 'Alī ibn Ja'far:** 123/81; **Qurb al-Isnād:** 264/1050; **Wasā'il al-Shī'a** 18:308–309, Abwāb al-Salaf, Bāb 11, Ḥadīth 13.

He said: “If he values it in dirhams, it becomes invalid because the original item he bought with was dirhams; thus, exchanging dirhams for dirhams is not allowed.”<sup>599</sup> <sup>600</sup>

٤٨٤ - مسألة: قال: وسألته عن رجل اشتري طعاماً، أ يصلح له أن يبولي (٣) منه قبل أن يقبضه؟ قال: «إذا ربح فلا يصلح حتى يقبضه، وإن كان يولي منه فلا بأس» (٤).

**484 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who bought food<sup>601</sup>—can he transfer (resell) it before taking possession?

He said: “If there is profit, it is not allowed until he takes possession; but if it is just transferring ownership, there is no harm.”<sup>602</sup>

٤٨٥ - مسألة: قال: وسألته عن الرجل يشتري الطعام، أ يحل له أن يولي منه قبل أن يقبضه؟ قال: «إذا لم يربح عليه شيء فلا بأس، وإن ربح فلا يصلح حتى يقبضه» (٥).

**485 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who buys food—can he transfer it before taking possession?

He said: “If he does not gain any profit on it, there is no harm; but if he profits, it is not allowed until he takes possession.”<sup>603</sup>

٤٨٦ - مسألة: قال: وسألته عن الرجل يشتري الطعام، أ يصلح له بيعه قبل أن يقبضه؟

قال: «إذا ربح لم يصلح حتى يقبض، وإن كانت تولية فلا بأس» (٦).

**486 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who buys food—can he sell it before taking possession?

He said: “If he profits, it is not allowed until he takes possession; but if it is a mere transfer, there is no harm.”<sup>604</sup>

<sup>599</sup> Shaykh (may Allah be pleased with him) narrated this report in **al-Istibṣār** as follows: Muḥammad ibn Aḥmad ibn Yaḥyā, from Banān ibn Muḥammad, from Mūsā ibn al-Qāsim, from 'Alī ibn Ja'far. I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who is owed dates, barley, or wheat by another—can he take the equivalent value in dirhams? He replied: “If he evaluates it in dirhams, it becomes invalid, because the original transaction was made with dirhams, so it is not permitted to exchange dirhams for dirhams.” The version transmitted by Shaykh is preferred. (**al-Istibṣār**: 246/74, manuscript margin)

<sup>600</sup> **Masā'il 'Alī ibn Ja'far**: 123/82; **Qurb al-Isnād**: 265/1051 — in which it says “dirham bi-dirham” instead of “dirāhim bi-dirāhim”; **Tahdhīb al-Āḥkām** 7:30/129; **Wasā'il al-Shī'a** 18:308, Abwāb al-Salaf, Bāb 11, Ḥadīth 12.

<sup>601</sup> **Tawliyah** (resale at cost): transferring what one acquired through the first contract at the same original price without increase. See **al-Qāmūs al-Muḥīṭ** 4:584 – entry “al-Walī”.

<sup>602</sup> **Masā'il 'Alī ibn Ja'far**: 84/124; **Qurb al-Isnād**: 265/1052; **Tahdhīb al-Āḥkām** 7:36/153; **Wasā'il al-Shī'a** 18:67, Abwāb Āḥkām al-‘Uqūd, Bāb 16, Ḥadīth 9 — with slight variations except the second part.

<sup>603</sup> **Masā'il 'Alī ibn Ja'far**: 123–124/83; **Tahdhīb al-Āḥkām** 7:36/153; **Wasā'il al-Shī'a** 18:67, Abwāb Āḥkām al-‘Uqūd, Bāb 18, footnote to Ḥadīth 9 — in which it reads “bay” instead of “yaṣluḥ”.

<sup>604</sup> **Masā'il 'Alī ibn Ja'far**: 124/84; **Tahdhīb al-Āḥkām** 7:36/153; **Wasā'il al-Shī'a** 18:67, Abwāb Āḥkām al-‘Uqūd, Bāb 18, Ḥadīth 9 — in both of which “kāna yuwallīhi” is used instead of “kānat tawliyah”.

٤٨٧ - مسألة: قال: وسألته عن رجل اشتري سمناً ففضل له فضل (٧)، أيحل له أن يأخذ مكانه رطلاً أو رطلين زيناً؟ قال: «إذا اختلفا وتراضيا فلا بأس» (١).

**487 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who bought fat (clarified butter, etc.)<sup>605</sup> and it had some leftover—can he take a pound or two of oil in exchange?

He said: “**If they are different (commodities) and they mutually agree, there is no harm.**”<sup>606</sup>

٤٨٨ - مسألة: قال: وسألته عن رجل استأجر أرضاً أو سفينة بدرهمين فاجر بعضها بدرهم ونصف، وسكن فيما بقي، أيصلح ذلك؟ قال: «لا بأس» (٢).

**488 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who rented land or a boat for two dirhams, then he sublet part of it for one and a half dirhams and stayed in the remainder—does this become permissible?

He said: “**There is no harm.**”<sup>607</sup>

٤٨٩ - مسألة: قال: وسألته عن رجل استأجر بيته عشرة دراهم فتأهله الخياط أو غير ذلك فقال: أعمل فيه والأجر بيني وبينك، وما ربحت فلي ولك، فربح أكثر من أجر البيت، أيحل ذلك؟ قال: «نعم، لا بأس» (٣).

**489 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who rented a house for ten dirhams, then a tailor or someone else came and said: “Let me work here and the profit is shared between us, and whatever I earn more than the rent is split between us”—is this allowed?

He said: “**Yes, there is no harm.**”<sup>608</sup>

٤٩٠ - مسألة: قال: وسألته عن رجل أعطى رجلاً مائة درهم، على أن يعطيه خمسة دراهم أو أكثر أو أقل؟ قال: «هذا الربا المغضون» (٤).

**490 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who gave another man one hundred dirhams, on the condition that he would give him back five dirhams more or less—does this become permissible?

He said: “**This is pure usury (ribā).**”<sup>609</sup>

٤٩١ - مسألة: قال: وسألته عن رجل قال الرجل: علمني علمك وأعطيك ستة دراهم، وشاركتني؟ قال: «إذا رضي فلا بأس» (٥).

<sup>605</sup> Variant: “ratl” (mentioned in the manuscript margin).

<sup>606</sup> **Masā'il 'Alī ibn Ja'far:** 124/85; **Qurb al-Isnād:** 265/1053; **Wasā'il al-Shī'a** 18:148, Abwāb al-Ribā, Bāb 13, Ḥadīth 11.

<sup>607</sup> **Masā'il 'Alī ibn Ja'far:** 124/86; **Wasā'il al-Shī'a** 19:131, Kitāb al-Ijārah, Bāb 22, Ḥadīth 8.

<sup>608</sup> **Masā'il 'Alī ibn Ja'far:** 125/88; **Qurb al-Isnād:** 265/1054; **Wasā'il al-Shī'a** 19:131, Kitāb al-Ijārah, Bāb 22, Ḥadīth — in which it reads “lā ba's” instead of “na'am, lā ba's”.

<sup>609</sup> **Masā'il 'Alī ibn Ja'far:** 125/90; **Qurb al-Isnād:** 265/1055; **Wasā'il al-Shī'a** 18:359, Abwāb al-Dayn wa al-Qurūd, Bāb 19, Ḥadīth 18.

**491 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who said to another: "Teach me your knowledge and I will give you six dirhams and share with me"—is this allowed?

He said: "If he is content, there is no harm." <sup>610</sup>

٤٩٢ - مسألة: قال: وسألته عن رجل أعطى عبده عشرة دراهم على أن يؤدي إليه العبد كل شهر عشرة دراهم، فيحل ذلك؟ قال: «لا بأس»

**492 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who gave his slave ten dirhams on the condition that the slave would give him back ten dirhams each month—does this become permissible?

He said: "There is no harm." <sup>611</sup>

٤٩٣ - مسألة: قال: وسألته عن [١) رجل يبيع السلعة، ويشترط أن له نصفها، ثم يبيعها مرابحة، أيحل ذلك؟ قال: «لا بأس» (٢)].

**493 - Issue:** I ('Alī ibn Ja'far) asked him<sup>612</sup> (Mūsā ibn Ja'far) about a man who sells a commodity but stipulates that he keeps half of it, then sells it as a Murābahah (profit-sharing resale). Is that permissible?

He said: "No problem." <sup>613</sup>

٤٩٤ - مسألة: قال: وسألته عن رجل استأجر دار سنتين مسماتين، على أن عليه بعد ذلك تطيبينها وإصلاح أبوابها، أيحل ذلك؟ قال: «لا بأس» (٣).

**494 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who rents a house for two named years, with the condition that after that he has to plaster it and repair its doors. Is that permissible?

He said: "No problem." <sup>614</sup>

٤٩٥ - مسألة: قال: وسألته عن رجل باع بيعاً إلى أجل، فجاء الأجل والبيع عند صاحبه، فأتاه البائع، فقال: يعني الذي اشتريت مني، وأحطط عنك كذا وكذا، وأفلاط بمالي عليك، أيحل ذلك؟ قال: «إذا تراضياً فلا بأس» (٤).

**495 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who sells a sale on credit. When the term is due, and the item is still with the buyer, the seller comes to him and says, "Sell me what you bought from me, and I will reduce such-and-such from your debt, and I will offset it against what I have with you." Is that permissible?

<sup>610</sup> **Masā'il 'Alī ibn Ja'far:** 125/89; **Qurb al-Isnād:** 266/1056; **Wasā'il al-Shī'a** 18:359, Abwāb al-Dayn wa al-Qurūd, Bāb 19, Ḥadīth 19 — in both of which "amalaka" is used instead of "ilmaka".

<sup>611</sup> **Masā'il 'Alī ibn Ja'far:** 125/91; **Qurb al-Isnād:** 266/1057; **al-Faqīh** 3:178/806; **Wasā'il al-Shī'a** 18:136, Abwāb al-Ribā, Bāb 7, Ḥadīth 6.

<sup>612</sup> From the original source.

<sup>613</sup> **Masā'il 'Alī ibn Ja'far:** 126/93; **Qurb al-Isnād:** 266/1058; **Wasā'il al-Shī'a** 18:60, Abwāb Aḥkām al-'Uqūd, Bāb 12, Ḥadīth.

<sup>614</sup> **Masā'il 'Alī ibn Ja'far:** 126/94; **Qurb al-Isnād:** 266/1059; **Wasā'il al-Shī'a** 19:107, Abwāb al-Ijārah, Bāb —, Ḥadīth.

He said: “**If they both agree, no problem.**”<sup>615</sup>

٤٩٦ - مسألة: قال: وسألته عن رجل كان له على رجل آخر عشرة دراهم فقال: اشترا لي ثوباً فبعته، واقبض ثمنه، فما وضعت فعلي، أيحل ذلك؟ قال: «إذا تراضيا فلا بأس» (٥).

**496 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who has ten dirhams with another man and says, “Buy me a garment, sell it, and whatever you make on it is yours.” Is that permissible?

He said: “**If they both agree, no problem.**”<sup>616</sup>

٤٩٧ - مسألة: قال: وسألته، عن رجل باع ثوباً بعشرة دراهم إلى أجل، ثم اشتراه بخمسة دراهم، أيحل ؟ قال: «إذا لم يشترط ورضيا فلا بأس».

**497 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who sold a garment for ten dirhams on credit, then bought it back for five dirhams. Is that permissible?

He said: “**If it was not stipulated and they both agreed, no problem.**”<sup>617</sup>

٤٩٨ - مسألة: قال: وسألته عن رجل اشتري بيعاً كيلاً أو وزناً، هل يصلاح بيعه مرابحة ؟

قال: «إذا تراضيا - البيعان - فلا بأس، فإن سمي كيلاً أو وزناً، فلا يصلاح بيعه حتى يكيله أو يزنها (١).

**498 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who bought a commodity by measure or weight. Is it permissible to sell it as a Murābahah sale?

He said: “**If they both agree—the two parties—no problem. But if he mentioned a measure or weight, then it is not valid to sell it until he measures or weighs it.**”<sup>618</sup>

## On the stolen slave girl

٤٩٩ - مسألة: وسألته عن رجل سرق جارية، ثم باعها، يحل فرجها لمن اشتراها؟ قال: «إذا أتبأهم أنها سرقة فلا تحل، وإن لم يعلم فلا بأس» (٢).

**499 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who stole a slave girl, then sold her. Is her private part permissible for the one who bought her?

<sup>615</sup> **Masā'il 'Alī ibn Ja'far:** 126/95; **Qurb al-Isnād:** 266/1060; **Wasā'il al-Shī'a** 18:71, Abwāb Aḥkām al-'Uqūd, Bāb 16, Ḥadīth 23.

<sup>616</sup> **Masā'il 'Alī ibn Ja'far:** 127/99; **Qurb al-Isnād:** 266/1061; **Wasā'il al-Shī'a** 18:71, Abwāb Aḥkām al-'Uqūd, Bāb 16, Ḥadīth 24.

<sup>617</sup> **Masā'il 'Alī ibn Ja'far:** 127/100; **Qurb al-Isnād:** 267/1062; **Wasā'il al-Shī'a** 18:42, Abwāb Aḥkām al-'Uqūd, Bāb 5, Ḥadīth 6.

<sup>618</sup> **Masā'il 'Alī ibn Ja'far:** 301 / 759, **Qurb al-Isnād:** 267 / 1063, **Wasā'il al-Shī'a** 18:70, Bāb Aḥkām al-'Uqūd, Bāb 16, Ḥadīth 22, with minor variations.

He said: “If he informs them that she is stolen, then she is not permissible. But if they do not know, no problem.”<sup>619</sup>

٥٠٠ - مسألة: قال: وسألته عن رجلين نصراين باع أحدهما خنزيراً أو خمراً إلى أجل، فأسلمما قبل أن يقبضنا الثمن، هل يحل لهم ثمنه بعد الإسلام؟ قال: «إنما له الثمن فلا بأس أن يأخذ» (٣).

**500 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about two Christian men, one of whom sold pork or wine on credit, then they converted to Islam before receiving the payment. Is it permissible for them to take its price after Islam?

He said: “It is only the price, so no problem in taking it.”<sup>620</sup>

### On cutting off the tails of sheep

روى الكليني عن الحسين بن محمد، عن علي بن محمد، عن الحسن بن علي قال: سألت أبا الحسن فقلت: جعلت فداك: إن أهل الجبل تقل عندهم إليات الغنم فيقطعنها؟ فقال: «حرام هي». فقلت: جعلت فداك فيصطبح بها؟ فقال: «أما علمت أنه يصيب اليد والثوب وهو حرام؟» (٥).

Al-Kulaynī narrated from al-Husayn ibn Muḥammad, from 'Alī ibn Muḥammad, from al-Hasan ibn 'Alī, who said: I asked Abū al-Hasan, saying: “May I be your ransom! The people of the mountains find the tails of sheep to be burdensome<sup>621</sup>, so they cut them off?”

He said: “It is ḥarām.”

I said: “May I be your ransom! Do they use them for oiling (as in using the fat for lamps)?”

He said: “Do you not know that it touches the hand and clothing, and it is ḥarām?”<sup>622</sup>

٥٠١ - مسألة: قال: وسألته عن الرجل يكون له الغنم، يقطع من إياتها، وهي أحياء، أ يصلح أن يبيع ما قطع؟ قال: «نعم، يذببها ويسرج بها، ولا يأكلها، ولا يبيعها» (٢).

**501 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who owns sheep and cuts off their tails while they are alive<sup>623</sup>. Is it permissible to sell what is cut off?

He said: “Yes, he may melt it down and use it as lamp oil, but he must not eat it nor sell it.”<sup>624</sup>

<sup>619</sup> **Masā'il 'Alī ibn Ja'far:** 132–133 / 126, **Qurb al-Isnād:** 267 / 1064, **Wasā'il al-Shī'a** 17:338, Bāb 'Aqd al-Bay' wa-Shurūtuh, Bāb 1, Ḥadīth 12.

<sup>620</sup> **Masā'il 'Alī ibn Ja'far:** 134 / 130, **Qurb al-Isnād:** 267 / 1065, **Wasā'il al-Shī'a** 17:234, Bāb Mā Yuktasabu bih, Bāb 61, Ḥadīth 1.

<sup>621</sup> “Yustaṣbahū bih, yusrāj bih.” **Al-Sīhāḥ** 1:380 – Bāb al-Ḥā’, Faṣl al-Ṣād – Ṣabḥ.

<sup>622</sup> **Al-Kāfi** 6:255 / 3, **Wasā'il al-Shī'a** 24:71, Bāb al-Dhabā'ih, Bāb 30, Ḥadīth 2, with slight variation.

<sup>623</sup> rom the source.

<sup>624</sup> **Masā'il 'Alī ibn Ja'far:** 301–302 / 763, **Qurb al-Isnād:** 268 / 1066, **Wasā'il al-Shī'a** 24:72, Bāb al-Dhabā'ih, Bāb 30, Ḥadīth 4.

## On the skin of a dead animal

قال: وسألته، عن الماشية تكون للرجل فيموت بعضها، يصلح له أن يبيع جلودها ودباغها وليبسها ؟ قال: «لا، وإن لبسها فلا يصل فيها» .<sup>(٣)</sup>

قال: وسألته، عن رجل كانت له غنم وكان يعزل من جلودها الذكي من الميت، فاختلطت فلم يعرف الذكي من الميت، هل يصلح له بيعه ؟ قال: «بيعه ممن يستحل بيع الميت منه، ويأكل ثمنه فلا بأس» .<sup>(٤)</sup>

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about livestock that die. Is it permissible for him to sell their skins, tan them, and wear them?

He said: “**No. And if he wears them, he should not pray in them.**”<sup>625</sup>

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who had sheep and separated the tanned skins from those of dead animals, but then they got mixed up and he could not tell which was which. Is it permissible for him to sell them?

He said: “**He should sell them to someone who considers it permissible to sell the dead animal's skin and he can take the price with no problem.**”<sup>626</sup>

٥٠٢ - مسألة: قال: وسألته عن الرجل يعطي الأرض على أن يعمرها ويكتري أنهارها بشيء معلوم؟ قال: «لا بأس» .<sup>(٥)</sup>

**502 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who gives land to another on the condition that he develops it and irrigates its canals for a known wage. Is that permissible?

He said: “**No problem.**”<sup>627</sup>

٥٠٣ - مسألة: في كتابة القرآن بالأجر قال: وسألته، عن الرجل يكتب المصحف بالأجر ؟

قال: «لا بأس» .

**503 - Issue:** On writing the Qur'an for a wage

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who writes the Muṣḥaf (Qur'an) for a wage.

He said: “**No problem.**”<sup>628</sup>

<sup>625</sup> **Masā'il 'Alī ibn Ja'far:** 139 / 151, **Qurb al-Isnād:** 268 / 1067, **Wasā'il al-Shī'a** 17:96, Bāb Mā Yuktasabu bih, Bāb 5, Hadīth 17 – it has “walaw” instead of “wa-in”.

<sup>626</sup> **Masā'il 'Alī ibn Ja'far:** 20 / 109, **Wasā'il al-Shī'a** 17:100, Bāb Mā Yuktasabu bih, Bāb 7, end of Hadīth 2.

<sup>627</sup> **Masā'il 'Alī ibn Ja'far:** 149 / 189, **Wasā'il al-Shī'a** 19:43, Kitāb al-Muzāra'a wa-al-Musāqāt, Bāb ..., Hadīth 11.

<sup>628</sup> **Masā'il 'Alī ibn Ja'far:** 300 / 757, **Qurb al-Isnād:** 268 / 1068, **Wasā'il al-Shī'a** 17:161, Bāb Mā Yuktasabu bih, Bāb 3, Hadīth 12.

## Chapter Thirty-Four: On Writing & Emancipation

عبدالله بن الحسن العلوى، عن جده على بن جعفر، عن أخيه موسى بن جعفر ، قال: وسألته عن مكاتب قوم، أعتق بعضهم نصبه، ثم عجز المكاتب بعد ذلك، ما حاله؟ قال: عتق بما عتق منه، ويستنسع فيما بقي» (١).

Abdullah ibn al-Hasan al-Alawi, from his grandfather 'Alī ibn Ja'far, from his brother Mūsā ibn Ja'far, said:

I asked him about the mukātab (contracted slave) of some people who freed part of his portion, then after that the mukātab became unable (to pay the rest). What is his ruling?

He said: **“He is freed by what he has freed from, and the rest is to be ransomed (paid for).”**<sup>629</sup>

٤٥٠ - مسألة: قال: وسألته عن رجل كاتب مملوكة، فقال بعد ما كاتبه: هب لي بعضاً وأعجل لك مكاتبتي، أيلح ذلك؟ قال: «إن كان هبة فلا بأس، وإن قال: تحط عني وأعجل لك فلا يصلح» (٢).

**504 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who wrote a contract of manumission (mukātab) for his slave, then after the contract said: “Gift me some [money] and I will hasten your manumission.” Is that permissible?

He said: **“If it is a gift, there is no harm; but if he said: ‘Cancel it for me and I will hasten your manumission,’ then it is not permissible.”**<sup>630</sup>

٤٥٠٥ - مسألة: قال: وسألته عن مكاتب أدى نصف مكاتبته أو بعضها، ثم مات وترك ولداً وملاً كثيراً؟ قال: «إذا أتى النصف عتق، وتوئى عنه مكاتبته من ماله، وميراثه لولده» (٣).

**505 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a mukātab who paid half or some of his contract, then died leaving children and much wealth?

He said: **“If he has paid half, he is free, and his contract is to be paid from his wealth, and the inheritance goes to his children.”**<sup>631</sup>

٤٥٠٦ - مسألة: قال: وسألته عن المكاتب [ هل [ (٤) عليه فطرة شهر رمضان أو على من كاتبه، وهل تجوز شهادته؟ قال: «لا تجوز شهادته، والفطرة عليه» (١).

<sup>629</sup> **Masā'il 'Alī ibn Ja'far:** 136 / 139, **Qurb al-Isnād:** 287 / 1133, **Wasā'il al-Shī'a** 143:23, Bāb al-Mukātaba, Bāb ..., Hadīth 11, with slight variation.

<sup>630</sup> **Masā'il 'Alī ibn Ja'far:** 136 / 140, **Qurb al-Isnād:** 287 / 1134, **Al-Kāfi** 6:188 / 15, **Al-Faqīh** 3:74 / 259, **Tahdhīb al-Āhkām** 8:276 / 1004, **Wasā'il al-Shī'a** 23:156, Bāb al-Mukātaba, Bāb 13, Hadīth 1 – except the first, the rest say “hātt” instead of “tuhātt”.

<sup>631</sup> **Masā'il 'Alī ibn Ja'far:** 136 / 141, **Qurb al-Isnād:** 287 / 1135, **Wasā'il al-Shī'a** 23:143–144, Bāb al-Mukātaba, Bāb 4, Hadīth 12.

**506 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the mukātab<sup>632</sup>: does fasting Ramadan obligation fall on him or on the one who contracted with him? And is his testimony permissible?

He said: “His testimony is not permissible, and the obligation (fasting) is on him.”<sup>633</sup>

٥٠٧ - مسألة: قال: وسألته عن مكاتب جنی جنایة، على من هي؟ قال: «على المكاتب» (٢).

**507 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a contractual manumission (mukātab) who committed a crime; on whom does the responsibility fall?

He said: “It is on the mukātab (the one under the contract).”<sup>634</sup>

٥٠٨ - مسألة: قال: وسألته عن امرأة أرضعت مملوكها، ما حاله؟ قال: «إذا أرضعته عتق» (٣).

**508 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who breastfed her slave; what is his status?

He said: “If she breastfed him, he is freed.”<sup>635</sup>

٥٠٩ - مسألة: قال: وسألته عن رجل يكتب مملوكه على وصيف، أو يضمن عنه غيره، أ يصلح ذلك؟ قال: «إذا قال: خماسياً أو رباعياً أو غير ذلك، فلا بأس» (٤).

**509 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who contracts with his slave on a deferred payment (wasāf), or someone else guarantees on his behalf. Is that valid?

He said: “If he says: five installments or four or any other number, there is no harm.”<sup>636</sup>

٥١٠ - مسألة: قال: وسألته عن رجل أعتق نصف مملوكه وهو صحيح، ما حاله؟ قال: «يعتق النصف، ويستبعى في النصف الآخر، يقوم قيمة عدل» (٥).

**510 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who freed half of his slave, and he was sane. What is his status?

He said: “He frees half, and the other half remains under contract (must be ransomed), and its value is calculated fairly.”<sup>637</sup>

<sup>632</sup> From the source.

<sup>633</sup> *Masā'il 'Alī ibn Ja'far*: 137 / 144, *Qurb al-Isnād*: 287 / 1136, *Al-Faqīh* 2:502 / 117, *Tahdhīb al-Āhkām*: 277 / 1007, *Wasā'il al-Shī'a* 23:167, Bāb al-Mukātaba, Bāb 22, Ḥadīth 2, with some changes in order except the first.

<sup>634</sup> *Masā'il 'Alī ibn Ja'far*: 137 / 143, *Qurb al-Isnād*: 288 / 1137, *Wasā'il al-Shī'a* 23:144, Bāb al-Mukātaba, Bāb 4, Ḥadīth 13.

<sup>635</sup> *Masā'il 'Alī ibn Ja'far*: 25 / 111, *Wasā'il al-Shī'a* 20:407, Bāb Mā Yurmaḍu bi-al-Riḍā', Bāb 17, Ḥadīth 4.

<sup>636</sup> *Masā'il 'Alī ibn Ja'far*: 303 / 768, *Qurb al-Isnād*: 288 / 1139, *Wasā'il al-Shī'a* 23:144, Bāb al-Mukātaba, Bāb 4, Ḥadīth 14.

<sup>637</sup> *Masā'il 'Alī ibn Ja'far*: 137 / 145, *Qurb al-Isnād*: 288 / 1138, *Wasā'il al-Shī'a* 23:102, Kitāb al-'Itq, Bāb 64, Ḥadīth 8.

٥١١ - مسألة: قال: وسألته عن رجل قال: إذا مات ففلانة جاريتي حرة، فعاش حتى ولدت الجارية أولاداً ثم مات ما حالهم؟ قال: «عنت الجارية، وأولادها مماليك» (٦).

**511 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who said: "If I die, then such-and-such slave girl of mine is free." She lived until the slave girl bore children and then he died. What is their status?

He said: "**The slave girl is freed, but her children remain slaves.**"<sup>638</sup>

٥١٢ - مسألة: قال: وسألته عن الرجل يقول: المملوكة يا أخي، أو يابني، أ يصلح ذلك؟  
قال: «لا بأس» (١).

**512 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who says to his slave woman, "O my brother," or "O my son" — is that permissible?

He said: "**No harm in that.**"<sup>639</sup>

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<sup>638</sup> **Masā'il 'Alī ibn Ja'far:** 188 / 377, **Qurb al-Isnād:** 283 / 1120, **Wasā'il al-Shī'a** 23:124, Bāb al-Tadbīr, Bāb 5, Ḥadīth 6.

<sup>639</sup> **Masā'il 'Alī ibn Ja'far:** 379 / 188, **Wasā'il al-Shī'a** 23:124, Abwāb al-Tadbīr, Bāb 5, Ḥadīth 7.

## Chapter Thirty-Five: On What is Permissible

عبد الله بن الحسن، عن جده علي بن جعفر، عن أخيه موسى بن جعفر ، قال: وسألته، عن الغناء هل يصلح في الفطر والأضحى والفرح؟ قال: «لا بأس به ما لم يعص به (١)».

قال: وسألته عن الرجل يتعمّد الغناء يجلس إليه؟ قال: «لا» (٢).

Abdullah ibn al-Hasan, from his grandfather 'Alī ibn Ja'far, from his brother Mūsā ibn Ja'far, said:

I asked him about singing — is it permissible during Fitr, 'Aḍḥā, and celebrations?

He said: “**It is permissible as long as it is not done in disobedience.**” <sup>640</sup>

I asked him about a man who deliberately sings and someone sits with him — is that allowed?

He said: “**No.**” <sup>641</sup>

٥١٣ - مسألة: قال: وسألته عن الكبائر التي قال الله عز وجل: (إِن تَجْتَنِبُوا كَبَائِرَ مَا تُنْهَوْنَ عَنْهُ يُكَفَّرُ عَنْكُمْ سَيِّئَاتُكُمْ) (٣). قال: «التي أوجب الله عليها النار» (٤).

**513 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the major sins about which Allah, the Mighty and Majestic, said:

(إِن تَجْتَنِبُوا كَبَائِرَ مَا تُنْهَوْنَ عَنْهُ يُكَفَّرُ عَنْكُمْ سَيِّئَاتُكُمْ)

<sup>642</sup>He said: “**They are those for which Allah has prescribed the Fire.**” <sup>643</sup>

٥١٤ - مسألة: قال: وسألته، عن النوح فكرهه (٥).

قال: وسألته: عن المريض يكتوي أو يسترقي. قال: «لا بأس إذا استرقى بما

يعرف» (٧).

**514 - Issue:** I ('Alī ibn Ja'far) was asked about crying, and he disliked it.<sup>644</sup>

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a sick person who cauterizes or seeks ruqyah (spiritual healing).<sup>645</sup>

<sup>640</sup> **Masā'il 'Alī ibn Ja'far:** 219 / 156, **Qurb al-Isnād:** 294 / 1158, **Wasā'il al-Shī'a** 17:122, Abwāb Mā Yuktasab Bihi, Bāb 15, Ḥadīth 5.

<sup>641</sup> **Masā'il 'Alī ibn Ja'far:** 186 / 148, **Wasā'il al-Shī'a** 17:312, Abwāb Mā Yuktasab Bihi, Bāb 99, Ḥadīth 32.

<sup>642</sup> **al-Nisā':** 31.

<sup>643</sup> **Masā'il 'Alī ibn Ja'far:** 191 / 149, **Wasā'il al-Shī'a** 15:326, Abwāb Jihād al-Nafs wa Mā Yunāsibuh, Bāb 46, Ḥadīth 21.

<sup>644</sup> **Masā'il 'Alī ibn Ja'far:** 221 / 156, **Qurb al-Isnād:** 294 / 1159, **Wasā'il al-Shī'a** 17:129, Abwāb Mā Yuktasab Bihi, Bāb 14, Ḥadīth 17.

<sup>645</sup> **Ruqyah:** An incantation used for treating ailments such as fever, epilepsy, or other afflictions — see **Lisān al-'Arab:** 293, entry “Raqā.”

He said: “**No harm if the ruqyah is with something known (permissible).**”<sup>646</sup>

٥١٥ - مسألة: قال: وسألته عن الرجل يجامع، ويدخل الkinif وعليه الخاتم، فيه ذكر الله، أو الشيء من القرآن، أيصلح ذلك؟ قال: «لا». (١).

**515 - Issue:** He was asked about a man who has intercourse and inserts his finger (kinif) while wearing a ring inscribed with the remembrance of Allah or something from the Qur'an — is that permissible?

He said: “**No.**”<sup>647</sup>

٥١٦ - مسألة: قال: وسألته عن الرجل أيحل له أن يكتب القرآن في الألواح والصحيفة، وهو على غير وضوء؟ قال: «لا». (٢).

**516 - Issue:** He was asked about a man, is it permissible for him to write the Qur'an on tablets or paper while he is not in a state of wudu (ritual purity)?

He said: “**No.**”<sup>648</sup>

٥١٧ - مسألة: قال: وسألته عن كسب الحجام؟ قال: «إن رجلاً أتى رسول الله عليه وسلم فسأله عنه، فقال له: هل لك ناضح (٣)؟ قال: نعم قال: احله إياه» (٤).

**517 - Issue:** He was asked about the earnings of a cupping practitioner (hajjām).<sup>649</sup>

He said: “**A man came to the Messenger of Allah (صلَّى اللهُ عَلَيْهِ وَسَلَّمَ) and asked him about it. He said to him: ‘Do you have a milch (milk-producing) animal?’ He said: ‘Yes.’ He said: ‘Then feed it with it.’**”<sup>650</sup>

٥١٨ - مسألة: قال: وسألته عن الرجل يصرم (٥) أخاه، أو ذا قرابته ممن لا يعرف الولاية؟

قال: «إن لم يكن عليه طلاق أو عنق فليكلمه (٦).

**518 - Issue:** He was asked about a man who severs (şaram)<sup>651</sup> his brother or a relative from those who do not have guardianship.

He said: “**If there is no divorce or manumission upon him, then let him talk to him.**”<sup>652</sup>

٥١٩ - مسألة: قال: وسئل: عن رجل يمر على ثمرة، فيأكل منها؟ قال: «نعم، نهى رسول الله أن تستر الحيطان برفع بنائها» (٧).

<sup>646</sup> **Masā'il 'Alī ibn Ja'far:** 337 / 179, **Qurb al-Isnād:** 837 / 213, **Wasā'il al-Shī'a** 6:239, **Abwāb Qirā'at al-Qur'ān**, Bāb 41, Ḥadīth 12 — and in it: “ya 'rifuhu” appears instead of “ya 'rif.”

<sup>647</sup> **Masā'il 'Alī ibn Ja'far:** 381 / 188, **Qurb al-Isnād:** 293 / 1157, **Wasā'il al-Shī'a** 1:333, **Abwāb Aḥkām al-Khalwa**, Bāb 17, Ḥadīth 10.

<sup>648</sup> **Masā'il 'Alī ibn Ja'far:** 278 / 168, **Tahdhīb al-Aḥkām** 1:345 / 127, **Wasā'il al-Shī'a** 1:384, **Abwāb al-Wuḍū'**, Bāb 12, Ḥadīth 4.

<sup>649</sup> **Nāḍīḥ:** A camel, bull, or donkey used to draw water — **Lisān al-'Arab** 14:174, under root “Naḍāḥ.”

<sup>650</sup> **Masā'il 'Alī ibn Ja'far:** 185 / 148, **Wasā'il al-Shī'a** 17:107, **Abwāb Mā Yuktasab Bihi**, Bāb 11, Ḥadīth 9 — and in both: “yas'alu” appears instead of “fasā'alu.”

<sup>651</sup> **Şarama-hu şarman:** To cut off someone in speech — **Lisān al-'Arab** 7:332, under root “Ş-R-M.”

<sup>652</sup> **Masā'il 'Alī ibn Ja'far:** 192 / 149, **Wasā'il al-Shī'a** 23:222, **Abwāb al-Aymān**, Bāb 11, Ḥadīth 15.

**519 - Issue:** He was asked about a man who passes by a fruit and eats from it.

He said: “**Yes, the Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ)** forbade covering walls by raising their height.”<sup>653</sup>

٥٢٠ - مسألة: قال: وسألته عن رجل أكل رباً لا يرى إلا أنه حلال؟ قال: «لا يضره حتى يصيبه متعمداً فهو ربا» (١).

**520 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who consumed interest (ribā) but did not realize it except that it seemed lawful to him.

He said: “**It does not harm him until he knowingly consumes it; then it is ribā.**”<sup>654</sup>

٥٢١ - مسألة: قال: وسألته عن الرجل، أ يصلح أن يركب الدابة عليها الجبل؟ قال: «إن كان له صوت فلا، وإن كان أصم فلا بأس» (٢).

**521 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—whether it is permissible for him to ride a beast of burden that has bells on it?

He said: “**If it has sound, then no; but if it is deaf (the bells make no sound), then there is no harm.**”<sup>655</sup>

٥٢٢ - مسألة: قال: وسألته عن الدابة، أ يصلح أن يضرب وجهها أو يسمها (٣) بالنار؟ قال: «لا بأس» (٤).

**522 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a beast of burden—whether it is permissible to strike its face or to brand it with fire?<sup>656</sup>

He said: “**There is no harm.**”<sup>657</sup>

٥٢٣ - مسألة: قال: وسألته عن الرجل، أ يصلح أن يأخذ من لحيته؟ قال: «أما من عارضيه فلا بأس، وأما من مقدمها فلا يأخذ» (٥).

**523 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—whether it is permissible for him to take (cut) from his beard?

He said: “**As for the sides of the beard, there is no harm; but as for the front part, he should not cut it.**”<sup>658</sup>

٥٢٤ - مسألة: قال: وسألته عن أخذ الشارب، أسنة هو؟ قال: «نعم»

<sup>653</sup> Wasā'il al-Shī'a 18:226, Abwāb Bay' al-Thimār, Bāb 8, Ḥadīth 2.

<sup>654</sup> Masā'il 'Alī ibn Ja'far: 180 / 147, Wasā'il al-Shī'a 18:131, Abwāb al-Ribā, Bāb 5, Ḥadīth 9.

<sup>655</sup> Masā'il 'Alī ibn Ja'far: 149 / 138, Wasā'il al-Shī'a 11:498, Abwāb Aḥkām al-Dawwāb, Bāb 22, Ḥadīth 1.

<sup>656</sup> Wasm: Branding an animal with a hot iron — Lisān al-'Arab 15:302, under "W-S-M".

<sup>657</sup> Masā'il 'Alī ibn Ja'far: 152 / 139, Qurb al-Isnād: 294–295 / 1162, Wasā'il al-Shī'a 11:484, Abwāb Aḥkām al-Dawwāb, Bāb 10, Ḥadīth 14.

<sup>658</sup> Masā'il 'Alī ibn Ja'far: 153 / 139, Wasā'il al-Shī'a 2:112, Abwāb Ādāb al-Ḥammām, Bāb 63, end of Ḥadīth 5.

**524 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about trimming the mustache—whether it is a Sunnah (recommended act).

He said: “**Yes.**”<sup>659</sup>

٥٢٥ - مسألة: قال: وسألته عن النوم بعد الغدوة؟ قال: «لا، حتى تطلع الشمس» (٧).

**525 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about sleeping after the morning time (after al-ghuduwwah).

He said: “**No, not until the sun rises.**”<sup>660</sup>

٥٢٦ - مسألة: قال: وسألته عن قتل النملة؟ قال: «لا تقتلها إلا أن تؤذيك» (٨).

**526 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about killing an ant—is it permissible?

He said: “**Do not kill it unless it harms you.**”<sup>661</sup>

٥٢٧ - مسألة: قال: وسألته عن قتل الهدد، أصلح؟ قال: «لا تؤذيه، ولا تقتله، ولا تذبحه، فنعم الطير هو» (١).

**527 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about killing the hoopoe bird—is it permissible?

He said: “**Do not harm it, do not kill it, and do not slaughter it, for it is a good bird.**”<sup>662</sup>

٥٢٨ - مسألة: قال: وسألته عن جعل الأبق والضالة؟ قال: «لا بأس» (٢).

**528 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about offering a reward for a runaway slave or a lost item.

He said: “**There is no problem with it.**”<sup>663</sup>

٥٢٩ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يكتب المصحف بالأحمر؟ قال: «لا بأس» (٣).

**529 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—whether it is permissible for him to write the Qur'an in red ink.

<sup>659</sup> **Masā'il 'Alī ibn Ja'far:** 154 / 139, **Qurb al-Isnād:** 296 / 1168, **al-Kāfi** 6:487 / 7, **Wasā'il al-Shī'a** 2:114, Abwāb Ādāb al-Ḥammām, Bāb 66, Ḥadīth 1.

<sup>660</sup> **Masā'il 'Alī ibn Ja'far:** 169 / 143, **Wasā'il al-Shī'a** 6:498, Abwāb al-Ta'qīb, Bāb 36, Ḥadīth 10.

<sup>661</sup> **Masā'il 'Alī ibn Ja'far:** 225 / 157, **Qurb al-Isnād:** 294 / 1160, **Wasā'il al-Shī'a** 24:149, Abwāb al-Atīma al-Muḥarrama, Bāb 17, Ḥadīth 5.

<sup>662</sup> **Masā'il 'Alī ibn Ja'far:** 226 / 157, **Qurb al-Isnād:** 294 / 1161, **Wasā'il al-Shī'a** 24:149, Abwāb al-Atīma al-Muḥarrama, Bāb 17, Ḥadīth 5.

<sup>663</sup> **Masā'il 'Alī ibn Ja'far:** 156 / 140, **Qurb al-Isnād:** 294 / 1163, **al-Kāfi** 6:201 / 9, **Wasā'il al-Shī'a** 23:86, **Kitāb al-Itq**, Bāb 50, Ḥadīth 1.

He said: “**There is no problem with it.**”<sup>664</sup>

٥٣٠ - مسألة: قال: وسألته عن ا ، عن الرجل يكتب المصحف بالأجر؟ قال: «لا بأس» (٤).

**530 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who writes the Qur‘an for a wage—is it permissible?

He said: “**There is no problem with it.**”<sup>665</sup>

٥٣١ - مسألة: قال: وسألته عن التماثيل، هل يصلح أن يلعب بها؟ قال: «لا» (٥).

**531 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about statues—is it permissible to play with them?

He said: “**No.**”<sup>666</sup>

٥٣٢ - مسألة: قال: وسألته عن القرطاس تكون فيه الكتابة، فيه ذكر الله، يصلح

احراقه بالنار؟ فقال: «إن تحوقت فيه شيئاً فأحرقه، فلا بأس» (٦).

**532 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a paper that has writing on it, which includes the mention of Allah—is it permissible to burn it with fire?

He said: “**If you fear something regarding it, then burn it—there is no harm in that.**”<sup>667</sup>

٥٣٣ - مسألة: قال: وسألته عن الكحل، يصلح أن يعجن بالنبيذ؟ قال: «لا» (٧).

**533 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about kohl—is it permissible to mix it with nabīdh (fermented drink)?

He said: “**No.**”<sup>668</sup>

٥٣٤ - مسألة: قال: وسألته عن أخذ الشراب، أسنة هو؟ قال: «نعم» (٨).

**534 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about trimming the mustache—is it Sunnah (recommended practice)?

<sup>664</sup> **Masā’il ‘Alī ibn Ja‘far:** 300 / 758, **Qurb al-Isnād:** 295 / 1164.

<sup>665</sup> **Masā’il ‘Alī ibn Ja‘far:** 300 / 757, **Qurb al-Isnād:** 268 / 1068, **Wasā’il al-Shī‘a** 17:161, **Abwāb Mā Yuktasabu Bih, Bāb 3, Hadīth 12.**

<sup>666</sup> **Masā’il ‘Alī ibn Ja‘far:** 294 / 751, **Qurb al-Isnād:** 295 / 1165, **al-Mahāsin** 2:458 / 2579, **Wasā’il al-Shī‘a** 17:298, **Abwāb Mā Yuktasabu Bih, Bāb 94, Hadīth 10.**

<sup>667</sup> **Masā’il ‘Alī ibn Ja‘far:** 295 / 752, **Qurb al-Isnād:** 295 / 1166, **Wasā’il al-Shī‘a** 12:142, **Abwāb Aḥkām al-‘Ashra, Bāb 99, Hadīth 8.**

<sup>668</sup> **Masā’il ‘Alī ibn Ja‘far:** 201 / 151, **Qurb al-Isnād:** 295 / 1167, **al-Kāfi** 6:414 / 9, **Wasā’il al-Shī‘a** 25:348, **Abwāb al-Ashriba al-Muḥarrama, Bāb 20, Hadīth 15.**

He said: “**Yes.**”<sup>669</sup>

٥٣٥ - مسألة: قال: وسألته عن الرجل، هل له أن يأخذ من لحيته؟ قال: «أما من عارضه فلا بأس، وأما من مقدمه فلا» (١).

**535 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man: is it permissible for him to trim his beard?

He said: “**There is no harm if he trims from the sides (the cheeks), but as for the front (the chin), he should not trim it.**”<sup>670</sup>

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<sup>669</sup> **Masā'il 'Alī ibn Ja'far:** 154 / 139, **Qurb al-Isnād:** 296 / 1168, **Wasā'il al-Shī'a** 2:114, **Abwāb Ādāb al-Hammām**, Bāb 66, Ḥadīth 1.

<sup>670</sup> **Masā'il 'Alī ibn Ja'far:** 153 / 139, **Qurb al-Isnād:** 296 / 1169, **Wasā'il al-Shī'a** 2:111, **Abwāb Ādāb al-Hammām**, Bāb 63, Ḥadīth 5, *with slight variation*.

## **Chapter Thirty-Six: On What is Permissible to use of gold and silver**

عبد الله بن الحسن، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: وسألته، عن الرجل يلبس الخاتم في اليمين؟ قال: «إن شئت في اليمين، وإن شئت في الشمال» (١).

**'Abdullah ibn al-Hasan**, from his grandfather **'Alī ibn Ja'far**, from his brother **Mūsā ibn Ja'far**, said:

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man wearing a ring on his right hand?

He said: "If you wish, on the right hand, and if you wish, on the left." <sup>671</sup>

٥٣٦ - مسألة: قال: وسألته عن أهل الذمة [ (٢) أنأكل في إنائهم إذا كانوا يأكلون

المينة والخزير؟ قال: «لا، ولا في آنية الذهب والفضة» (٣).

**536 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the People of the Covenant (ahl al-dhimmah):<sup>672</sup> Is it permissible to eat from their utensils if they eat dead animals (carrion) and pork?

He said: "No, nor from utensils of gold and silver." <sup>673</sup>

٥٣٧ - مسألة: قال: وسألته عن الرجل، هل يصلح الخاتم الذهب؟ قال: «لا» (٤).

**537 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man: Is a gold ring permissible?

He said: "No." <sup>674</sup>

٥٣٨ - مسألة: قال: وسألته عن المرأة، هل يصلح العمل بها إذا كانت لها حلقة فضة؟

قال: «نعم، إنما كره ما شرب فيه أن يستعمل» (٥).

**538 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a mirror: Is it permissible to use it if it has a silver frame?

He said: "Yes, only what is disliked is drinking from it and using it." <sup>675</sup>

<sup>671</sup> **Masā'il 'Alī ibn Ja'far:** 480 / 217–218, **Qurb al-Isnād:** 293 / 1153, **al-Kāfī** 6 / 469 / 9, **Wasā'il al-Shī'a:** 80–81, Abwāb Ahkām al-Malābis, Bāb 48, Ḥadīth 6.

<sup>672</sup> In the manuscript: "al-ard (the ground)", and we have affirmed it from the source.

<sup>673</sup> **Masā'il 'Alī ibn Ja'far:** 190 / 149, **Biḥār al-Anwār** 77 / 51 / 17, **Mustadrak al-Wasā'il** 2: 597, **Kitāb al-Ṭahāra**, Bāb 42, Ḥadīth 3

<sup>674</sup> **Masā'il 'Alī ibn Ja'far:** 251 / 162, **Qurb al-Isnād:** 293 / 1154, **Wasā'il al-Shī'a** 4: 415, Abwāb Libās al-Muṣallī, Bāb 30, Ḥadīth 10.

<sup>675</sup> **Masā'il 'Alī ibn Ja'far:** 277 / 167, **Qurb al-Isnād:** 293 / 1155, **Wasā'il al-Shī'a** 3: 511, Abwāb al-Najāsa, Bāb 67, Ḥadīth 5, with slight variation in both.

٥٣٩ - مسألة: قال: وسألته عن السرج واللجام فيه الفضة، أيركب به؟ قال: «إن كان مموهاً مما لا يقدر أن ينترع منه فلا بأس» (١).

**539 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a saddle and bridle containing silver, is it permissible to ride with them?

He said: "If it is covered so that it cannot be pulled out, then no problem." <sup>676</sup>

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<sup>676</sup> **Masā'il 'Alī ibn Ja'far:** 209 / 153–154, **Qurb al-Isnād:** 293 / 1156, **al-Kāfī** 6: 541 / 3, **Tahdhīb al-Āḥkām** 6: 166 / 313, **Wasā'il al-Shī'a** 3: 511, Abwāb al-Najāsa, Bāb 67, Ḥadīth 6 — *in all except the first: "alā nazhihi" (upon draining it) instead of "an yuntaza'a minhu" (that it be extracted from it).*

## Chapter Thirty-Seven: On Oaths and Testimonies

عبد الله بن الحسن العلوي، عن جده علي بن جعفر، عن أخيه موسى بن جعفر ، قال : وقال: «لا تحلف إلا بالله، فاما قوله: بل شانيك، فإنه من قول أهل الجاهلية، ولو حلف بهذا وشبهه ترك أن يحلف بالله. وأما قول الرجل: ياهناه، فإنما طلب الاسم، وأما قول الرجل: لعمر الله، وما الله فإنما هو بالله» (١).

I ('Abdullāh ibn al-Hasan al-'Alawī) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far), and he said:

**“Do not swear except by Allah. As for the phrase: ‘bal shānik’ (Rather, I curse you), it is from the sayings of the people of ignorance (Jāhiliyyah), and if someone swears by this or similar expressions, he should abandon swearing by Allah. As for a man saying: ‘Yā hanāh’ (O happiness), he is merely seeking a name. And as for a man saying: ‘La ‘umr wa-llāh’ or ‘Wa-llāh,’ it is indeed by Allah.”**<sup>677</sup>

٥٤٠ - مسألة: قال: وسألته عن رجل يقول لامراته: أنت علي حرام؟ قال: «هي يمين يكفر بها، قال الله لمحمد : (يَا أَيُّهَا النَّبِيُّ لَمْ تُحَرِّمْ مَا أَحَلَ اللَّهُ لَكَ تَبَّاعِي مَرِضَاتٍ أَزْوَاجِكَ وَاللَّهُ عَفُورٌ رَّحِيمٌ \* قَدْ فَرَضَ اللَّهُ لَكُمْ تَحْلِلَةً أَيْمَانَكُمْ وَاللَّهُ مَوْلَيْكُمْ ) (٢) فجعلها يميناً، فكفر بها النبي الله »

وسأله، بما يكفر يمينه؟ قال: «إطعام عشرة مساكين». فقلت: بكم إطعام كل مسكون؟ قال: «مد مد» (٤).

وسأله، عن هذه الآية أو كسوتهم (٥) للمساكين؟ قال: «ثوب يواري عورته» (٦). وفي (الكافي) مسندأ، عن زرار، عن أبي جعفر قال: سأله، عن رجل

قال: لامرأته أنت [علي] (١) حرام؟ فقال لي: «لو كان لي عليه سلطان لأوجعت رأسه».

وقلت له: الله أحلها لك، فما حرمها عليك؟ إنه لم يزد على أن كذب، فزعم أن ما أحل الله له حرام، ولا يدخل عليه طلاق، ولا كفارة، فقلت: قول الله عز وجل: يَا أَيُّهَا النَّبِيُّ لَمْ تُحَرِّمْ مَا أَحَلَ اللَّهُ لَكَ ) (٢) فجعل فيه الكفارة.

قال: «إنما حرم عليه جاريته مارية، وحلف أن لا يقربها، فإنما جعل عليه الكفاره في الحلف، ولم يجعل عليه في التحرير» (٣).

وفي (الكافي) أيضاً بطريق حسن إلى محمد بن قيس قال: «أبو جعفر

قال الله عز وجل لنبيه : يَا أَيُّهَا النَّبِيُّ لَمْ تُحَرِّمْ مَا أَحَلَ اللَّهُ لَكَ ... قَدْ فَرَضَ اللَّهُ لَكُمْ تَحْلِلَةً أَيْمَانَكُمْ ) (٤) فجعلها يميناً، وكفر بها رسول الله ل

قلت: بما كفر؟ قال: «أطعما عشرة مساكين، لكل مسكون مد».

قلنا: فمن وجد الكسوة؟ قال: ثوب يواري به عورته» (٥)، وروى أيضاً ثوبان فالثوب مجز والثوبان أفضل. (٦)

**540 - Issue:** I ('Abdullāh ibn al-Hasan al-'Alawī) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who says to his wife: "You are forbidden to me (ḥarām 'alayya)."

He said: "It is an oath (yamīn) that can be expiated. Allah said to Muhammad (عليه وسلام): 'O Prophet! Why do you forbid what Allah has made lawful for you, seeking to please your wives? And Allah is Forgiving, Merciful. Allah has ordained for you the expiation of your oaths;

<sup>677</sup> Masā'il 'Alī ibn Ja'far: 306 / 773, Qurb al-Isnād: 292 / 1151, Bihār al-Anwār 101: 207 / 4.

and Allah is your Guardian.\*\*\*<sup>678</sup>

So he considered it an oath, and the Prophet (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ)<sup>679</sup> expiated it."\*\*\*

I asked him, "How is the oath expiated?"

He said: **"By feeding ten poor people."**

I asked, "How much for feeding each poor person?"

He said: **"A mudd (a measure) for each."**<sup>680</sup>

I asked him about this verse or the clothing (kiswatuhum)<sup>681</sup> for the poor?

He said: **"A garment that covers their private parts."**<sup>682</sup>

And in **Al-Kāfi**, narrated from **Zurarah** from **Abū Ja‘far**: I asked him about a man who says to his wife: "You are forbidden to me (ḥarām ‘alayya)."<sup>683</sup>

He said to me: **"If I had authority over him, I would hurt his head."**

I said to him: **"Allah has made her lawful for you, so why did he forbid her to you?"**

He did nothing but lie, claiming what Allah made lawful to him is forbidden, and that divorce and expiation do not apply to him.

I said: **"Allah the Exalted said: ‘O Prophet! Why do you forbid what Allah has made lawful for you?’**<sup>684</sup> so He ordained expiation for it."

He said: **"He only forbade his concubine Māriyah and swore not to approach her; the expiation was only prescribed for the oath, not for the prohibition."**<sup>685</sup>

Also in **Al-Kāfi**, through a good chain to **Muhammad ibn Qays**, it is reported that **Abū Ja‘far** said:

**"Allah the Exalted said to His Prophet: ‘O Prophet! Why do you forbid what Allah has made lawful for you? ... Allah has ordained for you the expiation of your oaths.’**<sup>686</sup> So he considered it an oath, and the Messenger of Allah (صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ) expiated it."

I asked: "How was it expiated?"

He said: **"By feeding ten poor people, each given a mudd."**

We asked: "What if one finds the clothing (kiswah)?"

He said: **"A garment to cover his private parts."**<sup>687</sup>

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<sup>678</sup> **Sūrat al-Tārīm:** Āyāt 1–2.

<sup>679</sup> **Masā’il ‘Alī ibn Ja‘far:** 178 / 146, **Wasā’il al-Shī‘a** 22: 40, Abwāb Muqaddimāt al-Ṭalāq wa Sharā’iṭih, Bāb 15, Ḥadīth 9.

<sup>680</sup> **Masā’il ‘Alī ibn Ja‘far:** 179 / 136, **Wasā’il al-Shī‘a** 22: 40, Abwāb Muqaddimāt al-Ṭalāq wa Sharā’iṭih, Bāb 15, Ḥadīth 9.

<sup>681</sup> **Sūrat al-Mā’idah:** Āyah 89.

<sup>682</sup> **Masā’il ‘Alī ibn Ja‘far:** 181 / 147, **Wasā’il al-Shī‘a** 22: 40, Abwāb Muqaddimāt al-Ṭalāq wa Sharā’iṭih, Bāb 15, Ḥadīth 9.

<sup>683</sup> In the manuscript: "⟨‘alayhi⟩", and what we have affirmed is based on the source.

<sup>684</sup> **Sūrat al-Tārīm:** Āyah 1.

<sup>685</sup> **al-Kāfi** 6: 134 / 1, **Wasā’il al-Shī‘a** 22: 38, Abwāb Muqaddimāt al-Ṭalāq wa Sharā’iṭih, Bāb 15, Ḥadīth 2.

<sup>686</sup> **Sūrat al-Tārīm:** Āyāt 1–2.

<sup>687</sup> **al-Kāfi** 7: 452 / 4, **Tahdhīb al-Āḥkām:** 295 / 1093, **Wasā’il al-Shī‘a** 22: 380, Abwāb al-Kaffārāt, Bāb 14, Ḥadīth 1.

It is also narrated from **Thawbān** that the garment (thawb) is sufficient, and the double garment (thawbān) is better.<sup>688</sup>

٥٤١ - مسألة: قال: وسألته عن الرجل يحلف على اليمين وينسى ما قاله؟ قال: هو على ما نوى» (٧).

قال: وسألته، عن الرجل يحلف على اليمين ويستثني، ما حاله؟ قال: «هو على ما استثنى» (١).

**541 - Issue:** I ('Abdullāh ibn al-Hasan al-'Alawī) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who swears an oath but forgets what he said.

He said: “**He is judged according to what he intended.**”<sup>689</sup>

عبد الله بن الحسن، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: وسألته، عن رجل قال: إذا من فجاريتي فلانة حرّة، فعاش حتى ولدت الجارية أولاداً، ثم مات ما حالها؟ قال: «عنت الجارية، وأولادها مماليك» (١).

I ('Abdullāh ibn al-Hasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who said: "If one of my slave-girls is free," and she lived until she gave birth to children and then died—what is her legal status?

He said: “**The slave-girl is freed, and her children remain slaves (mamlūks).**”<sup>690</sup>

٥٤٢ - مسألة: قال: وسألته عن رجل يقول: علي نذر، ولا يسمى شيئاً؟ قال: «ليس بشيء» (٢).

وفي (الكافي) «إن أمير المؤمنين سُئل عن رجل نذر ولم يسم شيئاً؟ قال: إن شاء صلى ركعتين، وإن شاء صام يوماً، وإن شاء تصدق برغيف» (٣).

أقول: قوله في الحديث الأول: «ليس بشيء» أي ليس بشيء يلزم به حتماً، وإن الزم به استحباباً صلاة ركعتين أو صوم يوم أو صدقة برغيف، أو ما شاء من أفعال البر.

**542 - Issue:** I ('Abdullāh ibn al-Hasan al-'Alawī) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who says: “I have made a vow (nadr),” but does not specify what it is.

He said: “**It is nothing (not binding).**”<sup>691</sup>

In *al-Kāfi* it is narrated: The Commander of the Faithful was asked about a man who made a vow but did not specify anything. He said: “**If he wishes, he may pray two rak'ahs; if he wishes, he may fast one day; and if he wishes, he may give charity of a loaf of bread.**”<sup>692</sup>

<sup>688</sup> *al-Kāfi*: 452 / 4, *Tahdhīb al-Āḥkām*: 320 / 1187, *Wasā'il al-Shī'a* 22: 385, *Abwāb al-Kaffārāt*, Bāb 15, Ḥadīth — with a slight variation in the chain of transmission.

<sup>689</sup> *Masā'il 'Alī ibn Ja'far*: 306 / 771, *al-Faqīh* 3: 233 / 1100, *Wasā'il al-Shī'a* 23: 288, *Kitāb al-Aymān*, Bāb 50, Ḥadīth 1.

<sup>690</sup> *Masā'il 'Alī ibn Ja'far*: 113 / 130, *Qurb al-Isnād*: 292 / 1152, *Wasā'il al-Shī'a* 23: 256, *Kitāb al-Aymān*.

<sup>691</sup> *Masā'il 'Alī ibn Ja'far*: 147 / 182, *Wasā'il al-Shī'a* 23: 297, *Kitāb al-Nadhr wa al-'Ahd*, Bāb 2, Ḥadīth 6.

<sup>692</sup> *al-Kāfi* 7: 463 / 18, *Wasā'il al-Shī'a* 23: 296–297, *Kitāb al-Nadhr wa al-'Ahd*, Bāb 2, Ḥadīth 2 & 3.

I say: His statement in the first hadith, "It is nothing," means it is not something necessarily obligatory. However, it is recommended (mustahabb) for the man to perform two rak'ahs prayer, or fast a day, or give charity of a loaf of bread, or perform any other righteous act he wishes.

٥٤٣ - مسألة: قال: وسألته عن ولد الزنا ، هل تجوز شهادته؟ قال: «لا تجوز شهادته ولا يوم» (٤) .

**543 - Issue:** I ('Abdullāh ibn al-Hasan al-'Alawī) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a child born out of adultery—whether his testimony is valid.

He said: **"His testimony is not valid, nor may he lead the prayer."**<sup>693</sup>

٤٥ - مسألة: قال: وسألته عن السائل بكفه، تجوز شهادته؟ فقال: «كان أبي يقول: لا تجوز شهادة السائل في كفه» (٥) .

**544 - Issue:** I ('Abdullāh ibn al-Hasan al-'Alawī) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a person who begs with his right hand (i.e., is right-handed in begging)—is his testimony valid?<sup>694</sup>

He said: **"My father used to say: The testimony of a person who begs with his right hand is not accepted."**<sup>695</sup>

## Chapter Thirty-Eight: On The Will

٥٤٥ - مسألة: قال: وسألته عن رجل اعتقل لسنه عند الموت - أو المرأة - فجعل بعض أهاليها يسائله : أعتقت فلاناً وفلاناً، في يومي برأسه - أو تومي برأسها - في بعض: نعم، وفي بعض: لا، وفي الصدقة مثل ذلك ، هل يجوز ذلك؟ قال: «نعم، هو جائز» (٢) .

**545 - Issue:** I ('Abdullāh ibn al-Hasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who said: "If one of my slave-girls is free," and she lived until she gave birth to children and then died—what is her legal status?<sup>696</sup>

He said: **"The slave-girl is freed, and her children remain slaves (mamlūks)."**

٥٤٦ - مسألة: قال: وسألته عن رجل عليه عتق نسمة، أيجزي عنه أن يعتق أعرج أو أشل ؟ قال: «إذا كان ممن يبتاع أجزأ عنه، إلا أن يكون وقت على نفسه شيئاً فعليه ما وقت» (٣) .

<sup>693</sup> **Masā'il 'Alī ibn Ja'far:** 191 / 391, **Qurb al-Isnād:** 298 / 1171, **Wasā'il al-Shī'a** 27: 377, *Kitāb al-Shahādāt*, Bāb 31, Ḥadīth 8.

<sup>694</sup> **Masā'il 'Alī ibn Ja'far:** 728 / 287, **Qurb al-Isnād:** 298 / 1172, **al-Kāfi** 7: 397 / 14, **Wasā'il al-Shī'a** 27: 383, *Kitāb al-Shahādāt*, Bāb 35, Ḥadīth 3 — and both contain "with his palm (bi-kaffih)" instead of "in his palm (fī kaffih)".

<sup>695</sup> **Masā'il 'Alī ibn Ja'far:** 377 / 188, **Qurb al-Isnād:** 283 / 1120, **Wasā'il al-Shī'a** 23: 124, *Abwāb al-Tadbīr*, Bāb —, Ḥadīth 6.

<sup>696</sup> **Masā'il 'Alī ibn Ja'far:** 775 / 308, **Qurb al-Isnād:** 283 / 1121, **Wasā'il al-Shī'a** 19: 374, *Kitāb al-Waṣāyā*, Bāb 49, Ḥadīth 2.

**546 - Issue:** I ('Abdullāh ibn al-Ḥasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who has an obligation to free a soul—does it suffice for him to free a lame (a'raj) or paralyzed (ashall) slave?

He said: “**If it is someone who can be bought and sold (a tradable slave), it is sufficient, unless he had specified something in his vow, in which case he must fulfill what he specified.**”<sup>697</sup>

٥٤٧ - مسألة: قال: وسألته عن رجل عليه عتق رقبة، أيهما أفضل أن يعتق شيخاً كبيراً أعين أو شاباً جلداً؟ قال: «أعتق من أغنى نفسه الشيخ الضعيف أفضل من الشاب الجل» (١).

**547 - Issue:** I ('Abdullāh ibn al-Ḥasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who has to free a slave—who is better to free: an old weak man or a young strong man?

He said: “**Free the one who enriches himself (who benefits most from freedom); the old weak man is better than the strong young man.**”<sup>698</sup>

٥٤٨ - مسألة: قال: وسألته عن رجل كانت عنده وديعة لرجل فاحتاج إليها، هل يصلاح له أن يأخذ منها، وهو مجمع أن يردها بغير إذن أصحابها؟ قال: «إذا كان عنده فلا بأس أن يأخذ ويرده» (٢).

**548 - Issue:** I ('Abdullāh ibn al-Ḥasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who has a deposit (wadi'ah) for another man and he becomes in need of it—can he take from it, intending to return it later, without the owner's permission?

He said: “**If he has it with him, there is no harm in taking it and returning it.**”<sup>699</sup>

٥٤٩ - مسألة: قال: وسألته عن اليتيم، متى ينقطع يتمه؟ قال: «إذا احتم وعرف الأخذ والإعطاء» (٣).

**549 - Issue:** I ('Abdullāh ibn al-Ḥasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about an orphan—when does his status as an orphan end?

He said: “**When he reaches puberty and understands taking and giving.**”<sup>700</sup>

<sup>697</sup> **Masā'il 'Alī ibn Ja'far:** 70 / 121, **Qurb al-Isnād:** 283 / 1122, **Wasā'il al-Shī'a** 23: 46, **Kitāb al-'Itq**, Bāb 23, Ḥadīth 8 — and it contains “*mimmā*” instead of “*mimman*”.

<sup>698</sup> **Masā'il 'Alī ibn Ja'far:** 766 / 303, **Qurb al-Isnād:** 283 / 1123, **al-Kāfi** 6: 196 / 10, **al-Faqīh** 3: 312 / 85, **Tahdhīb al-Āḥkām:** 8: 230 / 833, **Wasā'il al-Shī'a** 23: 31, **Abwāb al-'Itq**, Bāb 15, Ḥadīth 2 — with slight variation among them.

<sup>699</sup> **Masā'il 'Alī ibn Ja'far:** 770 / 305, **Qurb al-Isnād:** 284 / 1124, **Wasā'il al-Shī'a** 19: 86, **Kitāb al-Wadī'a**, Bāb 8, Ḥadīth 2 — with slight variation.

<sup>700</sup> **Masā'il 'Alī ibn Ja'far:** 776 / 308, **Qurb al-Isnād:** 284 / 1125, **Wasā'il al-Shī'a** 1: 44, **Abwāb Muqaddimah al-'Ibādāt**, Bāb 4, Ḥadīth 6 — and in it: “*al-'atā'*” appears instead of “*al-i'tā'*”.

## Chapter Thirty-Nine: What was said about the parents

عبد الله بن الحسن، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: وسألته، عن رجل تصدق على ولده بصدقه، ثم بدا له أن يدخل فيه غيره مع ولده، أ يصلح ذلك؟ قال: «نعم، يصنع الوالد بمال ولده ما أحب، والهبة من الوالد بمنزلة الصدقة من غيره» (١).

I ('Abdullāh ibn al-Hasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who gave a charitable donation to his child, then decided to include someone else with his child—does that work?

He said: “**Yes, the father can do as he wishes with his child’s wealth, and the gift from the father is like a charity from someone else.**” <sup>701</sup>

٥٥٠ - مسألة: قال: وسألته عن الرجل يتصدق على ولده، أ يصلح له أن يردها؟

قال: «قال: رسول الله ﷺ : الذي يتصدق بصدقه، ثم يرجع فيها مثل الذي يفي ثم يرجع في فيتها» (٢).

**550 - Issue:** I ('Abdullāh ibn al-Hasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who gives charity to his child—can he take it back?

He said: “**The Messenger of Allah ﷺ said: ‘The one who gives charity and then takes it back is like someone who vomits and then eats his vomit.’**” <sup>702</sup>

٥٥١ - مسألة: قال: وسألته عن الصدقة يجعلها الرجل مبتوطة، هل له أن يرجع فيها؟

**551 - Issue:** I ('Abdullāh ibn al-Hasan) asked my grandfather ('Alī ibn Ja'far) from his brother (Mūsā ibn Ja'far) about a man who gives charity and says it is absolutely final (unconditionally made for Allah)—can he take it back?

٥٥٢ - مسألة: قال: وسألته عن الصدقة إذا لم تقبض، هل تجوز لصاحبها؟

قال: «إذا جعلها الله فهي للمساكين وابن السبيل، فليس له أن يرجع فيها» (٣).

إذا كان أب تصدق بها على ولد صغير فإنها جائزه؛ لأنه يقبض لولده إذا كان صغيراً، وإذا كان ولداً كبيراً فلا يجوز له حتى يقبض» (٤).

<sup>701</sup> **Masā'il 'Alī ibn Ja'far:** 129 / 133, **Qurb al-Isnād:** 285 / 1126, **Wasā'il al-Shī'a** 19: 184–185, **Kitāb al-Wuqūf wa al-Ṣadaqāt**, Bāb \_\_\_, Ḥadīth 5 — and in it: “**wa-al-hiba min al-walad**” appears instead of “**wa-al-hiba min al-wālid**”.

<sup>702</sup> **Masā'il 'Alī ibn Ja'far:** 148 / 187, **Wasā'il al-Shī'a** 19: 211, **Kitāb al-Wuqūf wa al-Ṣadaqāt**, Bāb 14, Ḥadīth 2.

**552 - Issue:** I ('Abdullāh ibn al-Ḥasan) asked him (Mūsā ibn Ja'far) about charity that has not yet been received—does it belong to its owner?

He said: “**If he has given it to Allah, then it is for the poor and the traveler, and he has no right to take it back.**”<sup>703</sup>

I said: What if it is a father who gives charity on behalf of his young child?

He said: “**It is valid because he takes possession on behalf of the young child, but if it is a grown child, then it is not valid until he takes possession himself.**”<sup>704</sup>

٥٥٣ - مسألة: قال: وسألته عن رجل تصدق على رجل بصدقة فلم يجزها، هل يجوز ذلك؟ قال: «هي جائزة حيزت أو لم تجز» (١).

**553 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who gave charity to another man, but the latter did not take possession of it—does this make it valid?

He said: “**It is valid whether he has taken possession or not.**”<sup>705</sup>

٥٥٤ - مسألة: قال: وسألته عن الرجل يأخذ من مال ولده؟ قال: «لا، إلا بإذنه، أو يضطر فيأكل بالمعروف، أو يستقرض منه حتى يعطيه إذا أيسر، ولا يصلح للولد أن يأخذ مال والده إلا بإذن والده» (٢).

**554 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who takes from his child's money—does this permit him?

He said: “**No, except with the child's permission, or if he is in dire need and eats in a proper way, or if he borrows from him and repays when it becomes easier. It is not permissible for a child to take his father's money except with the father's permission.**”<sup>706</sup>

٥٥٥ - مسألة: قال: وسألته عن الرجل يحل له أن يفضل بعض ولده على بعض؟ قال: «قد فضلت فلاناً على أخيه ولدي فلا بأس» .(٣)

**555 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether a man is allowed to prefer some of his children over others.

<sup>703</sup> **Masā'il 'Alī ibn Ja'far:** 199 / 428, **Wasā'il al-Shī'a** 19: 236, *Kitāb al-Hibāt*, Bāb 5, Hadīth 5.

<sup>704</sup> **Masā'il 'Alī ibn Ja'far:** 195 / 411, **Wasā'il al-Shī'a** 19: 236, *Kitāb al-Hibāt*, Bāb 5, Hadīth 5.

<sup>705</sup> **Masā'il 'Alī ibn Ja'far:** 195 / 412, **Wasā'il al-Shī'a** 19: 236, *Kitāb al-Hibāt*, Bāb 5, Hadīth 5.

<sup>706</sup> **Masā'il 'Alī ibn Ja'far:** 686 / 275, **Qurb al-Isnād:** 285 / 1127, **al-Kāfi** 5: 135 / 2, **Tahdhīb al-Āḥkām** 6: 344 / 963, **Wasā'il al-Shī'a** 17: 264, *Abwāb Mā Yuktasabu Bih*, Bāb 78, Hadīth 6 — and in all except the first source, there are slight variations.

He said: “I have preferred so-and-so over my family and children, and there is no harm in that.”<sup>707</sup>

٥٥٦ - مسألة: قال: وسألته عن رجل مسلم وأبواه كفراً، هل يصلح له أن يستغفر لهما في الصلاة؟ قال: «إن كان فارقهما وهو صغير لا يدرى أسلاماً أم لا، فلا بأس، وإن عرف كفراًهما فلا يستغفر لهما، وإن لم يعرف فليدع لهما» (٤).

**556 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a Muslim whose parents are disbelievers—can he seek forgiveness for them during prayer?

He said: “If he left them while still a child and did not know whether they were Muslims or not, there is no harm. But if he knows they are disbelievers, he should not seek forgiveness for them. If he does not know, then he may pray for them.”<sup>708</sup>

٥٥٧ - مسألة: قال: وسألته عن نصراني يموت ابنه وهو مسلم، هو يرث؟ قال: «لا يرث أهل ملة» (٥).

**557 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a Christian whose son dies while being Muslim—does he inherit?

He said: “Those of different faith do not inherit from each other.”<sup>709</sup>

## Chapter Forty: On Marriage

٥٥٨ - مسألة: قال: وسألته عن خصي دلس نفسه لامرأة، ما عليه؟ قال: «يُوجع ظهره، ويفرق بينهما، وعليه المهر كاملاً إن دخل بها، وإن لم يدخل بها فعليه نصف المهر» (١).

**558 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a castrated man who deceived himself into marrying a woman, what is his ruling?

He said: “His back will be pained, they will be separated, and he owes the full dowry if he consummated the marriage; if not, he owes half the dowry.”<sup>710</sup>

٥٥٩ - مسألة: قال: وسألته عن خنثى دلس نفسه لامرأة ما عليه؟ قال: «يُوجع ظهره وأنيق تمهيناً (٢)، وعليه المهر كاملاً إن كان دخل بها، وإن لم يكن دخل بها فعليه نصف المهر» (٣).

<sup>707</sup> **Masā'il 'Alī ibn Ja'far:** 104 / 128, **Qurb al-Isnād:** 286 / 1129, **Wasā'il al-Shī'a** 19: 245, *Kitāb al-Hibāt*, Bāb 11, Hadīth 6.

<sup>708</sup> **Masā'il 'Alī ibn Ja'far:** 563 / 240, **Qurb al-Isnād:** 286 / 1131, **Wasā'il al-Shī'a:** 181–182, *Abwāb al-Dhikr*, Bāb 28, Hadīth 1.

<sup>709</sup> **Masā'il 'Alī ibn Ja'far:** 129 / 109, **Qurb al-Isnād:** 286 / 1132, **Wasā'il al-Shī'a** 26: 18, *Abwāb Mawāni' al-Irth min al-Kufr*, Bāb 1, Hadīth 24.

<sup>710</sup> **Masā'il 'Alī ibn Ja'far:** 3 / 104, **Qurb al-Isnād:** 248 / 982, **Wasā'il al-Shī'a** 21: 228, *Abwāb al-'Uyūb wa al-Tadlīs*, Bāb 13, Hadīth 5.

**559 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a hermaphrodite who deceived himself into marrying a woman, what is his ruling?

He said: “**His back will be pained, he will be subjected to two humiliations**<sup>711</sup>, and he owes the full dowry if he consummated the marriage; if not, he owes half the dowry.”<sup>712</sup>

٥٦٠ - مسألة: قال: وسألته عن عَنِين دَلَسْ نَفْسَه لِامْرَأَةٍ مَا حَالَهُ؟ قال: «عَلَيْهِ الْمَهْرُ وَيُفْرَقُ بَيْنَهُمَا، وَعَلَيْهِ الْمَهْرُ كَامِلًا إِذَا عَلِمَ أَنَّهُ لَا يَأْتِي النِّسَاءَ» (٤).

**560 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who is sexually impotent ('annīn) and deceived himself into marrying a woman, what is his ruling?

He said: “**He owes the dowry and they will be separated; if he is known to be unable to approach women, he owes the full dowry.**”<sup>713</sup>

٥٦١ - مسألة: قال: وسألته عن امرأة دلست نفسها لرجل وهي رقيقة (٥)؟ قال: يُفْرَقُ بَيْنَهُمَا، وَلَا مَهْرُ لَهَا» (٦).

**561 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who deceived herself into marrying a man while she was a wet nurse (ratqā')?<sup>714</sup>

He said: “**They will be separated and she is not owed any dowry.**”<sup>715</sup>

٥٦٢ - مسألة: قال: وسألته عن رجل زنى بامرأتين، أله أن يتزوج بواحدة منها، أي ابنتها؟ قال: «نعم، لا يحرم حلالاً حرام» (١).

**562 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who committed adultery with two women, can he marry one of them or her daughter?

He said: “**Yes, lawful things are not made unlawful.**”<sup>716</sup>

٥٦٣ - مسألة: قال: وسألته عن رجل زنى بامرأة، هل يحل لابنه أن يتزوجها؟ (٢) «قال: لا

<sup>711</sup> He struck him due to his profession, al-Qāmūs al-Muhiṭ 4: 387 – under the root **m-h-n** (profession).

<sup>712</sup> Masā'il 'Alī ibn Ja'far: 104 / 3, Wasā'il al-Shī'a 21: 228, Abwāb al-'Uyūb wa al-Tadlīs, Bāb 13, at the end of Ḥadīth 5.

<sup>713</sup> Masā'il 'Alī ibn Ja'far: 690 / 276, Qurb al-Isnād: 249 / 983, Wasā'il al-Shī'a 21: 232, Abwāb al-'Uyūb wa al-Tadlīs, Bāb 14, Ḥadīth 13 – the word “kāmilan” (complete) does not appear in either source.

<sup>714</sup> A woman described as “ratqā” is one whose vaginal opening is sealed such that intercourse is not possible; this condition is referred to as “ritāq”, Lisān al-'Arab 5: 132 – under the root **r-t-q**.

<sup>715</sup> Masā'il 'Alī ibn Ja'far: 691 / 276, Qurb al-Isnād: 249 / 984, Wasā'il al-Shī'a 21: 214, Abwāb al-'Uyūb wa al-Tadlīs, Bāb 2, Ḥadīth 8.

<sup>716</sup> Masā'il 'Alī ibn Ja'far: 698 / 278, Qurb al-Isnād: 247 / 973, Wasā'il al-Shī'a 20: 435, Abwāb Mā Yuharram bil-Muṣāharah wa Nahwiḥā, Bāb 11, Ḥadīth — both sources read: “bi-wāḥidatin minhumā” (by either of the two) instead of “bi-wāḥidatin minhā: ayy ibnatahā” (by either of them, i.e., her daughter).

**563 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who committed adultery with a woman, is it permissible for his son to marry her?

He said: "No." <sup>717</sup>

٥٦٤ - مسألة: قال: وسألته عن رجل تزوج بامرأة ولم يدخل بها، ثم زنى، ما عليه؟ قال: «يجلد الحد ويطلق رأسه، وينفي سنة» (٣).

**564 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who married a woman but did not consummate the marriage, then committed adultery, what is his ruling?

He said: "He receives the prescribed lashes, his head is shaved, and he is exiled for a year." <sup>718</sup>

٥٦٥ - مسألة: قال: وسألته عن امرأة بلغها أن زوجها توفي فاعتنت وتزوجت، فبلغها بعد أن زوجها حتى، هل تحل للأخر؟ قال: «لا» (٤).

أقول: هذا محمول - عند الأصحاب - على ما إذا كان تزويجها بمجرد سمعها الخبر، لا بحكم الحاكم، فإنه إذا كان التزويج بحكم الحاكم، فإنها تكون حلالاً على الآخر (٥).

**565 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who was informed that her husband died, so she observed 'iddah (waiting period) and remarried, then later heard that her first husband was alive; is she lawful for the second husband?

He said: "No." <sup>719</sup>

I say: This is understood — according to the companions — to apply if she remarried just upon hearing the news, not by a judicial ruling; if the remarriage was by judicial ruling, then she would be lawful for the second husband. <sup>720</sup>

٥٦٦ - مسألة: قال: وسألته عن امرأة تزوجت قبل أن تنتهي عدتها؟ قال: «يفرق بينها وبينه، ويكون خاطباً من الخطاب» (٦).

أقول: حلها له بعد العقد في الحديث، مشروط بعدم الدخول وعدم العلم، وكذلك في الحديث السابق بتقدير عدم الدخول، مشروط بعدم العلم؛ لورود الأخبار المفصلة لذلك (١).

<sup>717</sup> **Masā'il 'Alī ibn Ja'far:** 697 / 278, **Qurb al-Isnād:** 247 / 974, **Tahdhīb al-Āḥkām** 7: 282 / 1195, **al-Istibṣār** 3: 163, **Wasā'il al-Shī'a** 20: 431, *Abwāb Mā Yuharram bil-Muṣāharah wa Nahwiḥā*, Bāb 9, Ḥadīth 2.

<sup>718</sup> **Masā'il 'Alī ibn Ja'far:** 735 / 289, **Qurb al-Isnād:** 247 / 975, **al-Faqīh** 3: 262 / 1251, **Tahdhīb al-Āḥkām:** 489 / 1966, **Wasā'il al-Shī'a** 21: 236, *Abwāb al-'Uyūb wa al-Tadlīs*, Bāb 17, Ḥadīth 2 — with variations in all sources except the first.

<sup>719</sup> **Masā'il 'Alī ibn Ja'far:** 339 / 180, **Qurb al-Isnād:** 247 / 976, **Wasā'il al-Shī'a** 20: 449, *Abwāb Mā Yuharram bil-Muṣāharah wa Nahwiḥā*, Bāb 16, Ḥadīth 9.

<sup>720</sup> I say: This should be interpreted as referring to the other one — from "B".

**566 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who married before her 'iddah was completed?

He said: “**They are separated, and the one who married her is considered among those who commit forbidden acts.**”<sup>721</sup>

I say: She becomes lawful for him after the contract, provided there was no consummation and no knowledge of the prior marriage. The same applies to the previous case assuming no consummation and lack of knowledge, as detailed in other reports.<sup>722</sup>

٥٦٧ - مسألة: قال: وسألته عن امرأة توفى زوجها وهي حامل، فرضعت وتزوجت قبل أن تمضي أربعة أشهر وعشراً، ما حالها؟ قال: «لو كان دخل بها زوجها فرق بينهما، فاعتنت ما بقي عليها من زوجها، ثم أعتنت عدة أخرى من الزوج الآخر، ثم لا تحل له أبداً، وإن تزوجت غيره ولو لم يكن دخل بها فرق بينهما فاعتنت ما بقي عليها من المتوفى عنها، وهو خاطب من الخطاب» (٢).

**567 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman whose husband died while she was pregnant, then she gave birth and married another man before the completion of four months and ten days; what is her ruling?

He said: “**If her husband had consummated the marriage with her, then the two periods of 'iddah are separated: she completes the 'iddah remaining from her deceased husband, then completes another 'iddah for the new husband, and thereafter she is never lawful for him. But if she married someone else without consummation, the two periods are separated; she completes the 'iddah remaining from the deceased husband, and the new husband is considered a suitor in the marriage proposal.**”<sup>723</sup>

٥٦٨ - مسألة: قال: وسألته عن امرأة أسلمت ثم أسلم زوجها، أتحل له؟ قال: «هو أحق بها ما لم تتزوج، ولكنها تخير فلها ما اختارت .(٣)

**568 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who embraced Islam, then her husband also embraced Islam; is she lawful for him?

He said: “**He has more right to her as long as she has not married someone else, but she has the option to choose, and she may choose as she wishes.**”<sup>724</sup>

<sup>721</sup> **Masā'il 'Alī ibn Ja'far:** 107 / 128, **Qurb al-Isnād:** 248 / 978, **Wasā'il al-Shī'a** 20: 456, **Abwāb Mā Yuharram bil-Muṣāharah wa Nāḥwiḥā**, Bāb 17, Hadīth 19.

<sup>722</sup> I say: It became lawful for him after... hence the ruling, from “B”.

<sup>723</sup> **Masā'il 'Alī ibn Ja'far:** 109 / 17, **Qurb al-Isnād:** 249 / 986, **Wasā'il al-Shī'a** 20: 456, **Abwāb Mā Yuharram bil-Muṣāharah wa Nāḥwiḥā**, Bāb 17, Hadīth 20.

<sup>724</sup> **Masā'il 'Alī ibn Ja'far:** 132 / 124, **Qurb al-Isnād:** 250 / 987, **Wasā'il al-Shī'a** 20: 548, **Abwāb Mā Yuharram bil-Kufr wa Nāḥwiḥā**, Bāb 9, Hadīth 10.

٥٦٩ - مسألة: قال: وسألته عن امرأة أسلمت قبل زوجها وتزوجت غيره، ما حالها؟ قال: «هي للذي تزوجت ولا ترد على الأول» (٤).

**569 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who embraced Islam before her husband and then married another man; what is her ruling?

He said: "She belongs to the one she married and is not returned to the first." <sup>725</sup>

٥٧٠ - مسألة: قال: وسألته عن رجل مسلم تحته يهودية أو نصرانية فقذفها، هل عليه لعان؟ قال: «لا» (٥).

**570 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a Muslim man who has a Jewish or Christian concubine and accused her of immorality; is he liable to perform the ritual of *la'n* (mutual cursing)?

He said: "No." <sup>726</sup>

٥٧١ - مسألة: قال: وسألته عن رجل قال لآخر : هذه الجارية لك حياتك، أيحل فرجها؟ قال: «يحل له فرجها ما لم يدفعها إلى الذي تصدق بها عليه، فإذا تصدق بها حرمت عليه» (١).

**571 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who said to another: "This slave-girl is yours for your lifetime. Is it permissible for him to have sexual relations with her?"

He (Mūsā ibn Ja'far) said: "It is permissible for him to have sexual relations with her as long as he does not hand her over to the one he gave her to in charity. Once he gives her in charity, she becomes forbidden to him." <sup>727</sup>

## From (Al-Ja'fariyyat)

٥٧٢ - مسألة: قال: وسألته عن رجل قال لآخر : هذه الجارية لك خيرتك، هل يحل فرجها؟ قال: «إن كان حلّ له بيعها حلّ له فرجها، وإنما فلا يحلّ له فرجها» (٢).

**572 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who said to another: "This slave-girl is yours at your discretion. Is it permissible for him to have sexual relations with her?"

<sup>725</sup> **Masā'il 'Alī ibn Ja'far:** 132 / 123, **Qurb al-Isnād:** 250 / 988, **Wasā'il al-Shī'a** 20: 549, **Abwāb Mā Yuharram bil-Kufr wa Nāḥwih**, Bāb 9, Ḥadīth 11.

<sup>726</sup> **Masā'il 'Alī ibn Ja'far:** 135 / 137, **Qurb al-Isnād:** 250 / 989, **Tahdhīb al-Āḥkām:** 189 / 658, **al-Istibṣār** 3: 374 / 1337, **Wasā'il al-Shī'a** 22: 423, **Kitāb al-La'ān**, Bāb —, Ḥadīth 5/1.

<sup>727</sup> **Masā'il 'Alī ibn Ja'far:** 277 / 693, **Qurb al-Isnād:** 250 / 990, **Wasā'il al-Shī'a** 19: 210 – **Kitāb al-Wuqūf wa al-Ṣadaqāt**, Bāb 14, Ḥadīth 1.

He (**Mūsā ibn Ja'far**) said: “If it is lawful for him to sell her, then it is lawful for him to have sexual relations with her. Otherwise, it is not lawful.”<sup>728</sup>

٥٧٣ - مسألة: قال: وسألته عن الرجل يتصدق على الرجل بجارية، هل يحل فرجها له ما لم يدفعها إلى الذي تصدق بها عليه؟ قال: «إذا تصدق بها حرمت عليه» (٣).

**573 - Issue:** I ('Alī ibn Ja'far) asked him (**Mūsā ibn Ja'far**) about a man who gives a slave-girl in charity to another man—does it remain permissible for him to have sexual relations with her as long as he does not hand her over to the one he gave her to?

He (**Mūsā ibn Ja'far**) said: “When he gives her in charity, she becomes forbidden to him.”

<sup>729</sup>

٥٧٤ - مسألة: قال: وسألته عن مملوكة بين رجلين زوجها أحدهما والأخر غائب، هل يجوز النكاح؟ قال: «إذا كره الغائب لم يجز النكاح» (٤).

**574 - Issue:** I ('Alī ibn Ja'far) asked him (**Mūsā ibn Ja'far**) about a slave-girl owned jointly by two men—if one of them marries her while the other is absent, is the marriage valid?

He (**Mūsā ibn Ja'far**) said: “If the absent partner objects, the marriage is not valid.”<sup>730</sup>

## From (Al-Ja'fariyyat)

٥٧٥ - مسألة: قال: وسألته عن الرجل يموت، وله أم ولد، وله معها ولد، أ يصلح رجل أن يتزوجها؟ قال: أخبرك ما أوصى علي في أمهات الأولاد؟ قلت: نعم. قال: إن علي بن أبي طالب الله أوصى أيمما امرأة منهن كان لها ولد وهي من نصيب ولدها (١).

**575 - Issue:** I ('Alī ibn Ja'far) asked him (**Mūsā ibn Ja'far**) about a man who dies leaving an *umm walad* (a slave-girl who bore him a child), and he has a child with her—can anyone marry her?

He (**Mūsā ibn Ja'far**) said: “Shall I tell you what 'Alī (peace be upon him) instructed about *ummuhāt al-awlād* (mothers of children)?”

I said: “Yes.”

<sup>728</sup> **Masā'il 'Alī ibn Ja'far:** 69 / 120, **Wasā'il al-Shī'a** 21: 127, *Abwāb Nikāḥ al-'Abīd wa al-Imā*, Bāb 31, Ḥadīth 9.

<sup>729</sup> **Masā'il 'Alī ibn Ja'far:** 178 / 330, **Wasā'il al-Shī'a** 19: 211, *Kitāb al-Wuqūf wa al-Ṣadaqāt*, Bāb 14, continuation of the ḥadīth.

<sup>730</sup> **Masā'il 'Alī ibn Ja'far:** 124 / 87, **Qurb al-Isnād:** 250 / 991, **Tahdhīb al-Āḥkām:** 200 / 704, **Wasā'il al-Shī'a** 21: 190, *Abwāb NikāḤ al-'Abīd wa al-Imā*, Bāb 70, Ḥadīth 1.

He said: “‘Alī ibn Abī Ṭālib (peace be upon him) instructed that whichever of these women has a child, she belongs to her child’s share.”<sup>731</sup>

٥٧٦ - مسألة: قال: وسألته عن رجل حرّ وتحته مملوكة بين رجلين، أراد أحدهما نزعها منه، هل له ذلك؟ قال: «الطلاق إلى الزوج لا يحل لواحد من الشركين أن يطلقها فيستخلفها أحدهما» (٢).

**576 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a free man who is married to a slave-girl jointly owned by two men—if one of them wants to remove her from him, can he do that?

He (Mūsā ibn Ja‘far) said: “Divorce is in the hands of the husband. It is not permissible for either of the partners to divorce her or take her back; that is for the husband alone.”

<sup>732</sup>

٥٧٧ - مسألة: قال: وسألته عن رجل تحته مملوكة بين رجلين، فقال أحدهما: قد بدا لي أن أنزع جاريتي منك وأبيع نصبي، فباعه، فقال المشتري: أريد أن أقبض جاريتي، هل تحرم على الزوج؟ قال: «إذا اشتراها غير الذي كان أنكحها إياه، فالطلاق بيده إن شاء فرق بينهما، وإن تركها معه، فهي حلال لزوجها، وهما على نكاحهما حتى ينزعها منه المشتري، وإن أنكحها إياه نكاحاً جديداً فالطلاق إلى الزوج، وليس إلى السيد الطلاق» (٣).

**577 - Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who is married to a slave-girl jointly owned by two men. One of them says: ‘I have decided to take back my share and sell it.’ So he sells it. The buyer says: ‘I want to take my slave-girl back.’ Does she become forbidden to the husband?

He (Mūsā ibn Ja‘far) said: “If she is bought by someone other than the one who had married her to him, the power of divorce is in the husband’s hand. If the buyer wants to separate them, he may do so, and if he leaves her with him, she remains lawful to her husband, and their marriage continues until the buyer removes her from him. If the buyer marries her to him again with a new marriage, then divorce is again in the husband’s hand, not the master’s.”<sup>733</sup>

٥٧٨ - مسألة: قال: وسألته عن الرجل يحتاج إلى جارية ابنه فيطوه، إذا كان الابن لم يطأها، هل يصلح ذلك؟ قال: «نعم، هي له حلال إلا أن يكون الأب موسراً، فيقوم الجارية على نفسه قيمة ثم يرد القيمة على ابنه» (٤).

<sup>731</sup> **Masā’il ‘Alī ibn Ja‘far:** 184 / 147, **Wasā’il al-Shī‘a** 23: 177, **Abwāb al-Istilād**, Bāb 6, Ḥadīth 5.

<sup>732</sup> **Masā’il ‘Alī ibn Ja‘far:** 419 / 197, **Wasā’il al-Shī‘a** 21: 157, **Abwāb Nikāḥ al-‘Abīd wa al-Imā‘**, Bāb 48, Ḥadīth 2 — in it: “aw yastaqlis” appears instead of: “fayustahlafuḥā”.

<sup>733</sup> **Masā’il ‘Alī ibn Ja‘far:** 196–417 / 197, **Wasā’il al-Shī‘a** 21: 157, **Abwāb NikāḤ al-‘Abīd wa al-Imā‘**, Bāb 48, Ḥadīth 2.

**578 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who needs his son's slave-girl and has sexual relations with her, while the son has not had relations with her—is it permissible?

He (Mūsā ibn Ja'far) said: “**Yes, she is lawful to him, unless the father is well-off. In that case, he must pay her value to himself and then return the value to his son.**”<sup>734</sup>

٥٧٩ - مسألة: قال: وسألته عن الرجل يكون لولده الجارية أطيئها؟ قال: إن أحب أن يقورها على نفسه قيمة، ويشهد شاهدين على نفسه، فيطؤها إن أحب وإن كان لولده مال وأحب أن يأخذ منه فليأخذ، وإن كانت الأم حية فلا أحب أن تأخذ منه شيئاً إلا قرضاً «(١)».

**579 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man whose son owns a slave-girl—may the man have relations with her?

He (Mūsā ibn Ja'far) said: “**If he wishes, he may purchase her at her value for himself and have two witnesses testify to that. Then he may have relations with her if he wishes. If the son has wealth and he (the father) wishes to take it from him (as payment), he may do so. But if the mother is alive, I do not like that he should take anything from her except as a loan.**”<sup>735</sup>

٥٨٠ - مسألة: قال: وسألته عن رجل زوج ابنه وهو صغير، فدخل الابن بامرأته، على من المهر؟ على الأب أو على الابن؟ قال: «المهر على الغلام، وإن لم يكن له شيء فهو على الأب، يضمن ذلك عن ابنه، وإن كان لولده مال وأحب ضمن أو لم يضمن إذا كان هو أنكحه وهو صغير (٢)».

**580 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who marries off his young son, and the son consummates the marriage—on whom is the dowry: the father or the son?

He (Mūsā ibn Ja'far) said: “**The dowry is upon the son. If the son has nothing, then it is upon the father to guarantee it for his son. But if the son has wealth and the father wishes to guarantee it or not, the dowry is still due because he (the father) married him off while he was still a minor.**”<sup>736</sup>

<sup>734</sup> **Masā'il 'Alī ibn Ja'far:** 277 / 692, **Qurb al-Isnād:** 286 / 1130, **Wasā'il al-Shī'a** 20: 423, **Abwāb Mā Yuharram bi al-Muṣāharah wa Naḥwihā**, Bāb 5, Ḥadīth 5.

<sup>735</sup> **Masā'il 'Alī ibn Ja'far:** 163 / 142, **Wasā'il al-Shī'a** 17: 266, **Abwāb Mā Yuktasabu Bih**, Bāb 78, Ḥadīth 10 — with minor variation.

<sup>736</sup> **Masā'il 'Alī ibn Ja'far:** 418 / 197, **Wasā'il al-Shī'a** 21: 288–289, **Abwāb al-Muhūr**, Bāb 28, Ḥadīth 4 — with differences in both.

٥٨١ - مسألة: قال: وسألته عن رجل تزوج جارية أخيه أو عمه أو ابن أخيه فولدت ما حاله؟ قال: «إذا كان الولد يرث شيئاً من يملكه عنق» (٣).

**581 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who marries the slave-girl of his brother, his paternal aunt, his paternal uncle, or his brother's son—and she bears him a child—what is the ruling of the child?

He (Mūsā ibn Ja'far) said: “If the child would inherit anything from the one who owns her, he (the child) becomes free.”<sup>737</sup>

٥٨٢ - مسألة: قال: وسألته عن رجل قال لأمه - وأراد أن يعتقها ويتزوجها -: أعتقك وجعلت صداقك عنق؟ قال: «عنتق، وهي بال الخيار إن شاءت تزوجته، وإن شاءت فلا، وإن تزوجته فليعطيها شيئاً، وإن قال: تزوجتك وجعلت مهرك عنق، كان النكاح واجباً إلى أن يعطيها شيئاً» (٤)

**582 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who says to his slave-girl—intending to free and marry her—‘I have freed you and made your dowry your freedom.’

He (Mūsā ibn Ja'far) said: “She is free and has the choice: if she wishes, she may marry him, and if she wishes, she may not. If she marries him, he must give her something. If he said, ‘I have married you and made your dowry your freedom,’ the marriage is binding until he gives her something.”<sup>738</sup>

٥٨٣ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يتزوج المرأة متعدة بغير بينة؟ قال: «إذا كانا مسلمين مأمونين فلا بأس» (٥).

**583 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) whether it is permissible for a man to contract a temporary marriage (*mut'ah*) without witnesses.

He (Mūsā ibn Ja'far) said: “If they are both trustworthy Muslims, there is no harm.”<sup>739</sup>

٥٨٤ - مسألة: قال: وسألته عن رجل تزوج امرأة متعدة، كم مرة يردها ويعيد التزويج؟

قال: «ما أحب» (١).

<sup>737</sup> **Masā'il 'Alī ibn Ja'far:** 108 / 129, **Qurb al-Isnād:** 251 / 992, **Tahdhīb al-Āhkām:** 242 / 876, **al-Istibṣār** 4: 16 / 52, **Wasā'il al-Shī'a** 23: 28, **Kitāb al-'Itq**, Bāb 13, Ḥadīth 2 — with slight variation in both.

<sup>738</sup> **Masā'il 'Alī ibn Ja'far:** 135–136 / 138, **Qurb al-Isnād:** 251 / 993, **al-Faqīh** 3: 261 / 1244, **Tahdhīb al-Āhkām:** 201 / 710, **Wasā'il al-Shī'a** 21: 98–99, **Abwāb Nikāḥ al-'Abīd wa al-Imā**, Bāb 12, Ḥadīth 1 — all except the first differ slightly.

<sup>739</sup> **Masā'il 'Alī ibn Ja'far:** 277 / 695, **Qurb al-Isnād:** 251 / 994, **Wasā'il al-Shī'a** 20: 99, **Abwāb Muqaddimāt al-Nikāḥ wa Ādābih**, Bāb 43, Ḥadīth 9.

**584 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who contracts a temporary marriage—how many times may he repeat and renew the marriage?

He (Mūsā ibn Ja'far) said: "As much as he likes." <sup>740</sup>

٥٨٥ - مسألة: قال: وسألته عن رجل تخته امرأة متعة، أراد أن يقيم عليها وبمهرها، متى يفعل بها ذلك؟ قبل أن ينقضى الأجل، أو من بعده؟ قال: «إن هو زادها قبل أن ينقضى الأجل لم يرد بينة، وإن كانت الزيادة بعد انقضاء الأجل فلا بد من بينة» (٢).

**585 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who has a temporary wife (*mut'ah*) and wishes to continue with her and give her a dowry—when should he do so? Before the end of the term or after it?

He (Mūsā ibn Ja'far) said: "If he increases the dowry before the term ends, no witness is required. But if the increase is after the term has ended, then witnesses are required." <sup>741</sup>

٥٨٦ - مسألة: قال: كنت مع أخي في طريق بعض أمواله، وما معنا غير غلام [له] (٣)، فقال له: «تح يا غلام، فإني أريد أن أتحدث، فقال لي: ما تقول في رجل تزوج امرأة في هذا الموضع أو في غيره بلا بينة ولا شهود؟ فقلت: يكره ذلك، فقال لي: «بلى فانكحها في هذا الموضع وفي غيره بلا شهود ولا بينة» (٤).

**586 - Issue:** I ('Alī ibn Ja'far) said: I was with my brother on the way to some of his properties, and no one was with us except a slave of his. My brother said to the slave, "Move away, slave, for I want to talk." <sup>742</sup>

Then he said to me: "What do you say about a man who marries a woman in this place or elsewhere without witnesses or evidence?"

I said: "It is disliked."

He said to me: "No, rather marry her in this place or elsewhere without witnesses or evidence." <sup>743</sup>

٥٨٧ - مسألة: قال: وسألته عن الرجل، هل يصلاح له أن يزوج ابنته بغير إذنها؟ قال: «نعم، ليس يكون للولد مع الوالد أمر إلا أن تكون امرأة قد دخل بها قبل ذلك، فتاك لا يجوز نكاحها إلا أن تستأمر» (٥).

<sup>740</sup> **Masā'il 'Alī ibn Ja'far:** 276 / 689, **Qurb al-Isnād:** 251–252 / 995, **Wasā'il al-Shī'a** 21: 60, **Abwāb al-Mut'ā, Bāb 26**, Ḥadīth 3.

<sup>741</sup> **Masā'il 'Alī ibn Ja'far:** 277–278 / 696, **Qurb al-Isnād:** 252 / 996, **Wasā'il al-Shī'a** 21: 65, **Abwāb al-Mut'ā, Bāb 31**, Ḥadīth 5.

<sup>742</sup> From the same source.

<sup>743</sup> **Masā'il 'Alī ibn Ja'far:** 277 / 694, **Qurb al-Isnād:** 252 / 997, **Wasā'il al-Shī'a** 20: 99, **Abwāb Muqaddimāt al-Nikāh wa Ādābih, Bāb 43**, Ḥadīth 10 — with the variant: "tazawwajah" instead of "fankihhā".

**587 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man—may he marry off his daughter without her permission?

He (Mūsā ibn Ja'far) said: “**Yes, the son has no authority when the father is alive, except if she is a woman who has already been married before—such a woman cannot be married off except with her consent.**”<sup>744</sup>

٥٨٨ - مسألة: قال: وسألته عن رجل أتاه رجلان يخطبان ابنته، فهو الجد أن يزوج أحدهما، وهو أبوها الآخر، أيهما أحق أن ينكح؟  
قال: «الذي هو الجد أحق بالجارية؛ لأنها وأبها لجدها» (١).

**588 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man to whom two men came to ask for the hand of his daughter—one was favored by the grandfather and the other by the father. Who has more right to marry her off?

He (Mūsā ibn Ja'far) said: “**The one the grandfather favors has more right to marry her, because she and her father belong to her grandfather.**”<sup>745</sup>

٥٨٩ - مسألة: قال: وسألته عن رجل وطيء جاريته فباعها قبل أن تحيض، فوطئها الذي اشتراها في ذلك الطهر فولدت له لمن الولد؟  
قال: «الولد الذي هي عنده، فليصر إلى قول رسول الله عليه وسلام : الولد للفراش» (٢).

**89 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who had relations with his slave-girl, then sold her before she menstruated, and the buyer had relations with her in that same period of purity—if she gives birth, whose child is it?

He (Mūsā ibn Ja'far) said: “**The child belongs to the one in whose possession she was when she gave birth, in accordance with the saying of the Messenger of Allah (عليه وسلام): ‘The child belongs to the bed (of the husband).’**”<sup>746</sup>

٥٩٠ - مسألة: قال: وسألته، إن زوج بنتي غلام فيه لين وأبويه [ لا بأس به ]؟ قال: «لا بأس به إذا لم تكن فاحشة فزوجه يعني الخنز .(٣)

**590 - Issue:** I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who married his daughter to a boy with some effeminacy while his father was [considered] acceptable.

<sup>744</sup> **Masā'il 'Alī ibn Ja'far:** 31 / 112, **Wasā'il al-Shī'a** 20: 286, *Abwāb 'Aqd al-Nikāh wa Awliyā' al-'Aqd*, Bāb 9, Ḥadīth (unlisted).

<sup>745</sup> **Masā'il 'Alī ibn Ja'far:** 109 / 19, **Wasā'il al-Shī'a** 20: 291, *Abwāb 'Aqd al-Nikāh wa Awliyā' al-'Aqd*, Bāb 11, Ḥadīth — and in it: "il-jadd" (for the grandfather) is recorded instead of "li-jaddiha" (for her grandfather).

<sup>746</sup> **Masā'il 'Alī ibn Ja'far:** 110 / 24, **Wasā'il al-Shī'a** 21: 175, *Abwāb Nikāh al-'Abīd wa al-Imā*, Bāb 58, Ḥadīth 7 — and in it: "fal-yaṣbir" instead of "fal-yaṣir".

He said: “**There is no problem with him if there is no indecency. He means the effeminate one (al-khunthā).**”<sup>747</sup>

٥٩١ - مسألة: قال: وسألته عن رجل زوج ابنته غلاماً فيه لين وأبوه لا بأس به ؟

قال: «إن لم يكن به فاحشة في زوجه يعني الخنز (٤).»

يحرم تزويج المرأة على عمتها أو خالتها (٥)

**591 - Issue:** I (‘Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about a man who married his daughter to a boy with some effeminacy while his father was acceptable.

He said: “**If there is no indecency in him, then he may marry him. He means the effeminate one (al-khunthā).**”<sup>748</sup>

It is forbidden to marry a woman alongside her paternal or maternal aunt.<sup>749</sup>

٥٩٢ - مسألة: قال: وسألته عن المرأة تتزوج على عمتها وخالتها؟ قال: «لا» (٦) (٧).

أقول: أفتى الصدوق (١) - الله - بمضمون هذا الخبر، بل حرم الجمع بينهما سواء كان الداخلة بنت الأخ أو الأخت أو بالعكس، وعند أكثر علمائنا (٢) أن التحريم مشروط بعدم رضا العمة والخالة، إما بإذنهما قبل النكاح أو إجازتهما بعده؛ للأخبار المفصلة (٣).

جواز تفضيل بعض النساء في القسم ما لم يكن أربعاً

**592 - Issue:** I (‘Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about a woman who marries while her paternal or maternal aunt is also married to the same man.

He said: “**No.**”<sup>750</sup> <sup>751</sup>

I say: al-Ṣadūq (may Allah have mercy on him)<sup>752</sup> issued a fatwa according to the content of this report, and in fact prohibited combining them—whether the second wife was the niece of the first (sister’s daughter or brother’s daughter) or the reverse. According to most of our scholars<sup>753</sup>, the prohibition is conditional on the lack of consent of the paternal or maternal aunt, either by

<sup>747</sup> Masā’il ‘Alī ibn Ja‘far, via Bihār al-Anwār from Qurb al-Isnād: 100: 372, Wasā’il al-Shī‘a 20: 81, Abwāb Muqaddimāt al-Nikāh wa Ādābih, Bāb 30, Ḥadīth 2.

<sup>748</sup> Masā’il ‘Alī ibn Ja‘far: 375 / 187, Qurb al-Isnād: 247–248 / 77, Wasā’il al-Shī‘a 20: 81, Abwāb Muqaddimāt al-Nikāh wa Ādābih, Bāb 30, Ḥadīth — with slight textual differences.

<sup>749</sup> “It is forbidden to marry ... her maternal aunt” — from version **B**.

<sup>750</sup> In version **A** and the copy of Wasā’il, it is recorded: “lā ba’s” (there is no harm).

<sup>751</sup> Masā’il ‘Alī ibn Ja‘far: 130 / 112, Tahdhīb al-Āhkām 7: 333 / 1368, al-Istibṣār 3: 177–178 / 645, Wasā’il al-Shī‘a 20: 487–488, Abwāb Mā Yuḥarram bil-Muṣāḥara wa Naḥwihā, Bāb 30, Ḥadīth 3.

<sup>752</sup> al-Muqni’: 328.

<sup>753</sup> al-Intiṣār: 278 – Mas’ala 154; al-Khilāf 4: 296; Tadhdhīb al-Fuqahā’ 2: 638 (old edition).

their explicit permission before the marriage or by their subsequent approval; this is due to the detailed reports <sup>754</sup>

It is permissible to favor some wives in distribution as long as they are not four.

٥٩٣ - مسألة: قال: وسألته عن رجل له امرأتان، هل يصلاح له أن يفضل إحداهما على الأخرى؟ قال: «له أربع، فليجعل لواحدة ليلة، والأخرى ثلاثة ليال» (٤).

**593 - Issue:** I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who has two wives—can he favor one of them over the other?

He said: “**He may have up to four, so he should allot one night to one and three nights to the other.”** <sup>755</sup>

٥٩٤ - مسألة: قال: وسألته عن رجل له ثلاثة نسوة، هل يصلاح أن يفضل إحداهم؟  
قال: «له أربع [نسوة] (٥)! فليجعل لواحدة إن أحب ليلتين، وللآخرين لكل واحدة ليلة، وفي النفقة والكسوة مثل ذلك» (٦).

جواز إسقاط المرأة للمرأة حقها من القسم

**594 - Issue:** I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who has three wives—can he favor one of them?

He said: “**He may have up to four [wives]** <sup>756</sup>, **so he may allot two nights to one if he wishes, and to the other two each one night; similarly, in financial support and clothing.”**  
<sup>757</sup>

It is permissible for a woman to forfeit her night's turn in favor of another wife.

٥٩٥ - مسألة: قال: وسألته عن رجل له امرأتان قالت إحداهما: ليتني ويومي لك، يوماً أو شهراً أو ما كان نحو ذلك، أيجوز ذلك؟  
قال: «إذا طابت نفسها أو اشتري ذلك منها فلا بأس» (١).

في الرجل له أربع نسوة فتموت إحداهم فيتزوج قبل انقضاء العدة (٢)

<sup>754</sup> See Wasā'il al-Shī'a 20: 487–488, *Abwāb Mā Yuharram bil-Muṣāḥara wa Naḥwihā*, Bāb 30, Ḥadīth 1, 2.

<sup>755</sup> **Masā'il 'Alī ibn Ja'far:** 276 / 687, **Qurb al-Isnād:** 248 / 980, **Wasā'il al-Shī'a** 21: 347, *Abwāb al-Qism wa al-Nushūz wa al-Shiqāq*, Bāb 9, Ḥadīth 1.

<sup>756</sup> From the source.

<sup>757</sup> **Qurb al-Isnād:** 248 / 981, **Wasā'il al-Shī'a** 21: 347, *Abwāb al-Qism wa al-Nushūz wa al-Shiqāq*, Bāb 9, Ḥadīth 2.

**595 - Issue:** I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who has two wives, and one of them says: 'My night and my day are yours,' for a day or a month or whatever it may be. Is this permissible?<sup>758</sup>

He said: "If she consents willingly or he buys it from her, then there is no problem." <sup>759</sup>

في الرجل له أربع نسوة فتموت إحداهن فيتزوج قبل انقضاء العدة

٥٩٦ - مسألة: قال: وسألته عن رجل كانت له أربع نسوة فماتت إحداهن، هل يصلح له أن يتزوج في عدتها أخرى قبل أن تنتهي عددة المتوفاة (٣)؟ قال: «إذا ماتت فليتزوج متى أحب» (٤).

A man has four wives, one of them dies, and he marries before the waiting period expires.<sup>760</sup>

**596 - Issue:** I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who has four wives and one of them dies—can he marry another during her waiting period ('iddah) before it ends?<sup>761</sup>

He said: "If she dies, he may marry whenever he wishes." <sup>762</sup>

في العقيقة وحلق الرأس والصدقة بوزن شعر المولود والتسمية

روى عبد الله بن الحسن العلوي، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: سأله عن العقيقة عن الغلام والجارية، ما هي (٦)؟ قال: «سواء، كيش كيش، ويحلق رأسه ويتصدق بوزن شعره ذهباً أو ورقاً، فإن لم يجد رفع الشعر وعرف وزنه، فإذا أيسر تصدق به» (٧).

In regards to the 'Aqīqah, shaving the newborn's head, and giving in charity the weight of the hair:<sup>763</sup>

'Abd Allāh ibn al-Hasan al-'Alawī narrated from his grandfather 'Alī ibn Ja'far, from his brother Mūsā ibn Ja'far. He said: I asked him about the 'Aqīqah for a boy and a girl—what is it?<sup>764</sup>

He said: "It is the same for both: one ram for a boy, one ram for a girl. The baby's head is shaved, and its weight in hair is given in charity in gold or silver. If he cannot afford it, he

<sup>758</sup> From the source.

<sup>759</sup> **Masā'il 'Alī ibn Ja'far:** 174 / 307; **Tahdhīb al-Aḥkām** 7: 474 / 1902; **Wasā'il al-Shī'a** 21: 344, *Abwāb al-Qism wa al-Nushūz wa al-Shiqāq*, Bāb 6, Ḥadīth 2.

<sup>760</sup> Regarding the man... during 'iddah. From version "B".

<sup>761</sup> From version "B".

<sup>762</sup> **Masā'il 'Alī ibn Ja'far:** 106 / 10; **Qurb al-Isnād:** 249 / 985; **Wasā'il al-Shī'a** 20: 521–522, *Abwāb Mā Yuharram bi-Istifā' al-'Adad*, Bāb 3, Ḥadīth 7.

<sup>763</sup> And shaving the head... and naming. From version "B".

<sup>764</sup> From version "B".

**should weigh the hair and know its weight, and when he becomes able, he should give it in charity.”**<sup>765</sup>

(الجعفريات): قال: وسألته عن مولود ترك أهله حلق رأسه في اليوم السابع، هل عليه بعد ذلك حلقه والصدقة بوزنه؟ قال: «إذا مضى سبعة أيام فليس عليهم

حلقه، إنما الحلق والعقيقة والاسم في اليوم السابع» (١).

**(al-Ja‘fariyyāt):** He said: I asked him about a newborn whose family did not shave his head on the seventh day—are they still obligated to shave it and give in charity the weight of the hair after that?

He said: “**If seven days have passed, they are no longer obligated to shave it. Shaving, the ‘Aqīqah, and naming take place on the seventh day.**”<sup>766</sup>

٥٩٧ - مسألة: قال: وسألته عن المرأة، هل يصلح لها أن تأكل من عقيقة ولدها؟

قال: «لا يصلح لها الأكل منه فلتتصدق بها كلها» (٢).

**597 - Issue:** I (‘Alī ibn Ja‘far) said: I asked him (Mūsā ibn Ja‘far) about a woman—can she eat from the ‘Aqīqah of her child?

He said: “**It is not proper for her to eat from it; rather, she should give it all in charity.**”<sup>767</sup>

(الكافي) مسندًا إلى علی بن يقطین قال: سألت أبا الحسن عن ختان الصبي لسبعة أيام من السنة هو أو يؤخر ، فائيهما أفضل؟ قال: «لسبعة أيام من السنة، وإن آخر فلا بأس» (٣).

(From al-Kāfi, as narrated by ‘Alī ibn Yaqtīn)

I asked Abū al-Hasan about circumcision of a boy at seven days—is it Sunnah to do it then, or may it be delayed? Which is better?

He said: “**It is Sunnah to circumcise at seven days. But if delayed, there is no harm.**”<sup>768</sup>

ومسندًا بطريق حسن إلى جميل بن دراج قال: سألت أبا عبدالله ال عن العقيقة والحلق والتسمية، بأيها يبدأ؟ قال: يصنع ذلك كله في ساعة واحدة يطلق ويدبح ويسمى» (٤).

<sup>765</sup> **Masā’il ‘Alī ibn Ja‘far:** 155 / 217; **Qurb al-Isnād:** 297 / 1170; **Wasā’il al-Shī‘a** 21: 411, **Abwāb Aḥkām al-Awlād**, Bāb 36, Ḥadīth 17 — with slight variation.

<sup>766</sup> **Masā’il ‘Alī ibn Ja‘far:** 111 / 27; **al-Faqīh** 3: 316 / 1533; **Tahdhīb al-Aḥkām** 7: 446 / 1786; **Wasā’il al-Shī‘a** 21: 445, **Abwāb Aḥkām al-Awlād**, Bāb 60, Ḥadīth 3.

<sup>767</sup> **Masā’il ‘Alī ibn Ja‘far:** 111 / 26; **Biḥār al-Anwār** 10: 252.

<sup>768</sup> **al-Kāfi** 6: 36 / 7; **Wasā’il al-Shī‘a** 21: 438–439, **Abwāb Aḥkām al-Awlād**, Bāb 54, Ḥadīth 1.

And from a reliable chain to *Jamīl ibn Darrāj*:

I asked *Abū 'Abd Allāh* about the 'Aqīqah, shaving the head, and naming—where should one begin?

He said: “Do them all at the same time: shave, sacrifice, and name.”<sup>769</sup>

وبطريق آخر قال: الصادق : تبدأ بمني بالذبح قبل الحلق وفي العقيقة بالحلق قبل الذبح » (٥).

ومنه مسنداً إلى عمار بن موسى، عن أبي عبدالله عليهما السلام قال: سأله عن العقيقة عن المولود، كيف هي؟ قال: «إذا أتى للمولود سبعة أيام سمي بالاسم الذي سماه الله عزّ وجلّ به، ثم يحلق رأسه ويتصدق بوزن شعره ذهباً أو فضة، ويذبح عنه كبش، وإن لم يوجد كبش أجزاء ما يجزي في الأضحية وإلا فحمل أعظم ما يكون من حملان السنة ويعطى القابلة ربها، وإن لم تكن قابلة فلا فلامه تعطيها من شات، وتطعم . منه عشرة من المسلمين، فإن زادوا فهو أفضل، ويأكل منه، والعقيقة لازمة إن كان غنياً أو فقيراً إذا أيسر فعل، وإن لم يعف عنه حتى ضحى فقد أجزأته الأضحية، وقال: إن كانت القابلة يهودية لا تأكل من ذبيحة المسلمين، أعطيت قيمة ربع الكبش» (١).

And narrated with a chain to 'Ammār ibn Mūsā, from *Abū 'Abd Allāh* (peace be upon him).<sup>770</sup>

I asked him about the 'Aqīqah for a newborn—how is it to be done?

He said: “When the child is seven days old, he should be named with the name that Allah, Mighty and Majestic, has given him. Then his head is shaved, and its weight in gold or silver is given in charity. A ram is slaughtered for him. If a ram cannot be found, then whatever suffices for the sacrifice (*Uḍḥiyah*) will suffice. Otherwise, he may offer the largest of the year-old lambs. The midwife is given one-fourth of it. If there is no midwife, then his mother should give some of it to a woman. Ten Muslims should be fed from it; if they are more, that is better. He himself may eat from it. The 'Aqīqah is obligatory for the rich and the poor; if he becomes able later, he must do it. If no 'Aqīqah was done until he sacrificed for *Eid al-Adḥā*, the Eid sacrifice suffices. And he said: If the midwife is Jewish and does not eat from the meat of Muslims, she should be given the monetary value of one-fourth of the ram.”<sup>771</sup>

تكلمة عن الختان من كتاب (من لا يحضره الفقيه روى عن مرازم بن حكيم الأزدي، عن أبي عبد الله في الصبي إذا ختن قال: «تقول: اللهم إن هذه سنتك وسنة نبيك صلواتك عليه وأللهم، واتباع منا لك وكتبك بمشيتك وباراتك وقضائك لأمر أردته وقضاء حتمته وأمر أفذته، فأذقته حر الحديد في ختنه، وحجامته الأمر [أنت] (٢) أعرف به مني، اللهم فطهره من الذنوب وزد في عمره، وادفع الآفات عن بدنه والأوجاع عن جسمه، وزده من الغنى، وادفع عنه الفقر، فإنك تعلم ولا نعلم».

Continuation about circumcision from the book “*Man lā Yāḥḍuruhu al-Faqīh*” (by *al-Ṣadūq*):

<sup>769</sup> *al-Kāfi* 6: 33 / 4; *Wasā'il al-Shī'a* 21: 420, *Abwāb Aḥkām al-Awlād*, Bāb 44, Ḥadīth 2.

<sup>770</sup> *al-Kāfi* 4: 498 / 7; *Wasā'il al-Shī'a* 14: 155, *Abwāb al-Dhabḥ*, Bāb 39, Ḥadīth 3.

<sup>771</sup> *al-Kāfi* 6: 28–29 / 9; *Wasā'il al-Shī'a* 21: 421, *Abwāb Aḥkām al-Awlād*, Bāb 44, Ḥadīth 4.

Narrated from Murāzim ibn Ḥakīm al-Azdī, from Abū ‘Abd Allāh (peace be upon him), about the circumcision of a boy.

He said: “**Say: O Allah, this is Your practice and the practice of Your Prophet—peace and blessings be upon him and his family—following You, Your Book, by Your will, Your desire, and Your decree for a matter You intended, a judgment You have decided, and a command You have implemented. So make him taste the heat of iron in his circumcision and cupping, which You know better than me**<sup>772</sup>. **O Allah, purify him from sins, increase his lifespan, ward off afflictions from his body and sickness from his flesh, increase him in wealth, and protect him from poverty. Truly, You know while we do not.”**

قال أبو عبد الله : «أي رجل لم يقلها عند ختان ولده فليقلها عليه من قبل أن يختلم، فإن قالها كفي حرّ الحديد من قتل أو غيره» (٣).

Abū ‘Abd Allāh (peace be upon him) said: “**Whoever does not say this invocation at the circumcision of his son should say it before the boy reaches puberty. If he says it, it will suffice him from the heat of iron—whether from killing or otherwise.**” <sup>773</sup>

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<sup>772</sup> From the source.

<sup>773</sup> **al-Faqīh** 3: 315 / 1530; **Wasā’il al-Shī‘a** 21: 444, *Abwāb Aḥkām al-Awlād*, Bāb 59, Ḥadīth 1.

And it has doors

## Chapter Forty-One: On Divorce

الأول: في شرط صحته، وهو الخلو من الحيض وعدم وطء الزوج في ذلك الطهر، وأن الطلاق بيد الزوج (١).

### **First: On the condition of its validity**

— that it be free from menstruation and without the husband having intercourse with her in that period of purity, and that divorce is in the husband's hand. <sup>774</sup>

عن عبد الله بن الحسن العلوي، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: سأله عن الطلاق، ما حده؟ وكيف ينبغي للرجل أن يطلق؟ قال: السنة أن يطلق عند الطهر واحدة، ثم يدعها حتى تمضي عدتها، فان بدا له أن يراجعها قبل أن تبين، أشهد على رجعتها وهي امرأته، وإن تركها حتى تبين فهو خاطب من الخطاب، إن شاءت فعلت، وإن شاءت لم تفعل» (٢).

From 'Abd Allāh ibn al-Ḥasan al-‘Alawī, from his grandfather 'Alī ibn Ja'far, from his brother Mūsā ibn Ja'far, he said:

I asked him about divorce—what is its proper limit? How should a man divorce?

He said: “**The Sunnah is that he divorces her once in a period of purity and then leaves her until her waiting period ('iddah) ends. If he wishes to take her back before she becomes independent (before the end of the 'iddah), he should bear witness to her return, and she is his wife. But if he leaves her until her 'iddah ends, then he is just one of the suitors; if she wishes, she may accept him, and if she wishes, she may refuse.**” <sup>775</sup>

قال: وسألته، عن الرجل يطلق امرأته في غير عدة؟ فقال «إن ابن عمر طلق امرأته على عهد رسول الله عليه وسلم وهي حانص فأمره رسول الله عليه وسلم أن يرجعها، ولم يحسب تلك التطليقة» (٣).

He said: I asked him about a man who divorces his wife while she is not in her waiting period (while she is menstruating)?

He said: “**Ibn 'Umar divorced his wife in the time of the Messenger of Allah (peace be upon him and his family) while she was menstruating, so the Messenger of Allah (peace**

<sup>774</sup> Regarding divorce... the husband — from "B".

<sup>775</sup> **Masā'il 'Alī ibn Ja'far:** 712 / 282–283; **Qurb al-Isnād:** 998 / 253; **Wasā'il al-Shī'a** 22: 124, *Abwāb Aqṣām al-Talāq*, Bāb 5, Ḥadīth 2.

be upon him and his family) commanded him to take her back, and he did not count that as a divorce.”<sup>776</sup>

الثاني: أنه لا يقع بأنك على حرام (٤).

علي بن جعفر، عن أخيه موسى بن جعفر ، قال: سألت أبي جعفر بن محمد عن الرجل يقول لامراته: أنت على حرام، قال: «هي يمين يكفرها، قال الله لمحمد : (يَا أَيُّهَا النَّبِيُّ لَمْ تُحِرِّمْ مَا أَحَلَّ اللَّهُ لَكَ تَبَغِي مَرْضَاتَ أَزْوَاجِكَ وَاللَّهُ غَفُورٌ رَّحِيمٌ \* قَدْ فَرَضَ اللَّهُ لَكُمْ تَحْلِيَةً أَيْمَانَكُمْ وَاللَّهُ مُوْلَكُمْ ) (١)، وجعلها يميناً، وكفرهانبي الله الله (٢).

**Second: It does not occur with the phrase 'You are forbidden to me' (anti 'alayya ḥarām).**

<sup>777</sup>

From 'Alī ibn Ja'far, from his brother Mūsā ibn Ja'far, he said:

I asked my father, Ja'far ibn Muḥammad, about a man who says to his wife: "You are forbidden to me."

He said: "It is an oath (yameen), and he must atone for it. Allah said to Muhammad (peace be upon him and his family): {O Prophet! Why do you forbid what Allah has made lawful for you, seeking the approval of your wives? And Allah is Forgiving, Merciful. Indeed, Allah has ordained for you the dissolution of your oaths. And Allah is your protector...} (Qur'ān 66:1–2)<sup>778</sup>. He made it an oath, and the Prophet (peace be upon him and his family) atoned for it."<sup>779</sup>

وسأله بما يكفر بيمنه؟ فقال: «إطعام عشرة مساكين» قال: كم إطعام كل

مسكين؟ فقال: «مد مد» (٣).

I asked him what expiation should be made for that oath?

He said: "Feeding ten needy people."

I said: How much is to be given to each needy person?

<sup>776</sup> **Masā'il 'Alī ibn Ja'far:** 177 / 146; **Wasā'il al-Shī'a** 22: 18, *Abwāb Muqaddimāt al-Talāq wa Sharā'iṭihī*, Bāb 7, Ḥadīth 12.

<sup>777</sup> Second: That it is not effective... ḥarām — from "B".

<sup>778</sup> **Tahrīm** 1–2.

<sup>779</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — **Masā'il 'Alī ibn Ja'far:** 146 / 178; **Wasā'il al-Shī'a** 22: 40, *Abwāb Muqaddimāt al-Talāq wa Sharā'iṭihī*, Bāb 15, Ḥadīth 9.

He said: “One mudd for each person.”<sup>780</sup>

الثالث: في نفقة المطلقة.

علي بن جعفر، عن أخيه موسى بن جعفر ، قال: سأله أبي جعفر بن محمد (4) عن المطلقة لها نفقة على زوجها حتى تنقضي عدتها؟ قال: «نعم» (٥).

### Third: On the maintenance of a divorced woman

From ‘Alī ibn Ja‘far, from his brother Mūsā ibn Ja‘far, he said:

I asked my father, Ja‘far ibn Muḥammad<sup>781</sup>, about whether a divorced woman has maintenance due to her from her husband until her ‘iddah ends?

He said: “Yes.”<sup>782</sup>

الرابع: في عدة المطلقة.

علي بن جعفر عن أخيه، موسى بن جعفر قال: سأله عن المطلقة، كم عدتها؟ قال: «ثلاث حيض، تعتد أول تطليقة» (٧).

### Fourth: On the ‘iddah of a divorced woman

From ‘Alī ibn Ja‘far, from his brother Mūsā ibn Ja‘far, he said:

I asked him<sup>783</sup> about a divorced woman—how long is her ‘iddah?

He said: “Three menstrual cycles (three ḥayḍ), starting from the first divorce.”<sup>784</sup>

الخامس: في نوادر الطلاق (٨).

### Fifth: Concerning Rare Issues of Divorce<sup>785</sup>

٥٩٨ - مسألة: قال: وسألته عن المطلقة، لها أن تكتحل، وتختصب وتلبس ثوباً مصبوغاً؟ قال: «لا بأس، إذا فعلته من غير سوء» (١).

<sup>780</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā’il ‘Alī ibn Ja‘far**: 179 / 146–147; **Wasā’il al-Shī‘a** 22: 40, *Abwāb Muqaddimāt al-Talāq wa Sharā‘ihi*, Bāb 15, Ḥadīth 9.

<sup>781</sup> Third: Regarding the maintenance... Muḥammad — from "B".

<sup>782</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā’il ‘Alī ibn Ja‘far**: 338 / 179–180; **Qurb al-Isnād**: 1002 / 202; **Wasā’il al-Shī‘a** 21: 522, *Abwāb al-Nafaqāt*, Bāb 8, Ḥadīth 11.

<sup>783</sup> Fourth: Regarding the waiting period ('iddah)... peace be upon him — from "B".

<sup>784</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā’il ‘Alī ibn Ja‘far**: 409 / 194; **Qurb al-Isnād**: 1000 / 253; **Wasā’il al-Shī‘a** 22: 203, *Abwāb al-‘Iddah*.

<sup>785</sup> Fifth: Regarding the rare rulings of ṭalāq — from "B".

**598 - Issue:** I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a divorced woman: may she use kohl, apply henna, and wear dyed clothes? He (Musa ibn Ja‘far) said:

“**There is no harm if she does it without bad intention.**”<sup>786</sup>

٥٩٩ - مسألة: قال: وسألته عن الرجل يطلق تطليقة أو تطليقتين، ثم يتركها حتى تنتهي عدتها، ما حالها؟ قال: «إذا تركها على أنه لا يريد لها بانت منه، فلم تحل له حتى تنكح زوجاً غيره، وإن تركها على أنه يريد مراجعتها، ومضى لذلك سنة، فهو أحق برجعتها» (٢).

صلى علي أقول: هذا حديث في غاية الإشكال، فيجب التوقف فيه، ورد حكمه إلى العالم من آل محمد ، وقوله : « ثم مضى لذلك سنة يحتمل أن يكون بالسنين ثم النون، بمعنى: حول، ويحتمل أن يكون بالسنين ثم بالثانية الفوقيانية، وحينئذ يكون المضاف إليه محفوظ، أي: ستة أشهر.

وهذا المعنى أرجح، ولعل هذا المعنى الأخير هو الذي فهمه الشيخ من الحديث، حيث أورد بعده - بلا فصل - رواية عمار السباطي، عن أبي عبد الله أنه سأله عن رجل طلق امرأته تطليقتين للعدة، ثم تركها حتى مضى لها قرءها، قال: «إن كان تركها على أن لا يراجعها، فقد بانت منه، ولا تحل له حتى تنكح زوجاً غيره وإن كان رأيه أن يرجعها، ثم يتركها ستة أشهر، فلا بأس أن يرجعها» (٣) (٤).

**599 - Issue:** I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man who divorced his wife once or twice, then left her until her waiting period (‘iddah) ended—what is her status? He (Musa ibn Ja‘far) said:

“**If he left her intending not to take her back, then she is separated from him and is not lawful for him until she marries another husband. But if he left her intending to take her back, and a year passes, then he has the right to take her back.**”<sup>787</sup>

I (Ali ibn Ja‘far) say: This ḥadīth is extremely problematic, so caution is required, and its ruling must be referred to the scholar from the family of Muhammad (peace be upon them). The phrase “ثم مضى لذلك سنة” (then a year passes for that) could be read with a “sīn” then “nūn” (سنة: year), meaning a year, or with a “sīn” then “tā” (ستة: six), meaning six months.

The latter meaning is more likely, and it seems that this is what the Shaykh understood, for immediately after it (without interruption) he mentioned the narration of ‘Ammār al-Sābāṭī from Abū ‘Abd Allāh (peace be upon him) that he (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man who divorced his wife twice for the waiting period, then left her until her waiting periods (menstrual cycles) had passed. He (Musa ibn Ja‘far) said:

“**If he left her intending not to take her back, then she is separated from him and is not**

<sup>786</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā’il ‘Alī ibn Ja‘far**: 707 / 281; **Qurb al-Isnād**: 999 / 253; **Wasā’il al-Shī‘a** 22: 218, **Abwāb al-‘Iddah**, Bāb 21, Ḥadīth 6.

<sup>787</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā’il ‘Alī ibn Ja‘far**: 410 / 194–195; **Qurb al-Isnād**: 1001 / 253; **Tahdhīb al-Āḥkām** 8: 279 / 82; **al-Istibṣār** 3: 331 / 1179; **Wasā’il al-Shī‘a** 22: 208, **Abwāb al-‘Iddah**, Bāb 15, Ḥadīth 17.

**lawful for him until she marries another husband. But if he intended to take her back and then left her for six months, there is no harm in taking her back.”**<sup>788 789</sup>

٦٠٠ - مسألة: قال: وسألته عن رجل طلق امرأته قبل أن يدخل بها، فادع特 أنها حامل، ما حالها؟ قال: «إذا أقمت بينة على أنه أرخى سترًا، ثم أنكر الولد لاعنها، ثم بانت منه، وعليه المهر كاملاً» (١).

**600 - Issue:** I (Ali ibn Ja'far) asked him (Musa ibn Ja'far) about a man who divorced his wife before consummation, and she claimed she was pregnant. What is her status? He (Musa ibn Ja'far) said:

**“If she provides evidence that he secluded himself with her, and then he denies the child, they perform mutual cursing (li'ān), then she is separated from him, and he must pay the full mahr (dowry).”**<sup>790</sup>

٦٠١ - مسألة: قال: وسألته عن رجل قذف امرأته، ثم طلقها، فطالبت بعد الطلاق قذفه إياها؟ قال: «إن هو أقر جلد الحد، وإن كانت في عدتها لاعنها» (٢).

**601 - Issue:** I (Ali ibn Ja'far) asked him (Musa ibn Ja'far) about a man who accused his wife of adultery and then divorced her, and she demands punishment for his accusation after the divorce. He (Musa ibn Ja'far) said:

**“If he confesses, he is flogged with the ḥadd punishment. If she is still in her waiting period, they perform mutual cursing (li'ān).”**<sup>791</sup>

٦٠٢ - مسألة: قال: وسألته عن رجل له أربع نسوة فطلق واحدة، هل يصلح له أن يتزوج أخرى قبل أن تنتهي عدة التي طلق؟ قال: «لا يصلح له أن يتزوج أخرى قبل أن تنتهي عدة التي طلق» (٣). قال: «لا يصلح حتى تنتهي عدة المطلقة» (٤).

**602 - Issue:** I (Ali ibn Ja'far) asked him (Musa ibn Ja'far) about a man who has four wives and divorces one of them. Is it permissible for him to marry another woman before the waiting period of the divorced wife ends? He (Musa ibn Ja'far) said:

<sup>788</sup> I say: This ḥadīth... that he may take her back — from “B”.

<sup>789</sup> **Tahdhīb al-Āhkām** 8: 280 / 82; **al-Istibṣār** 3: 332 / 1180; **Wasā'il al-Shī'a** 22: 209, **Abwāb al-‘Iddah**, Bāb 15, Ḥadīth 18.

<sup>790</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā'il ‘Alī ibn Ja‘far**: 132 / 134; **Qurb al-Isnād**: 1003 / 254; **al-Kāfi** 6: 165 / 12; **Tahdhīb al-Āhkām**: 677 / 193; **Wasā'il al-Shī'a** 22: 412, **Abwāb al-La‘ān**, Bāb 2, Ḥadīth 1.

<sup>791</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā'il ‘Alī ibn Ja‘far**: 704 / 280–281; **Qurb al-Isnād**: 1006 / 255 — with the variation: “‘iddatuhā (her waiting period)” instead of “‘iddatuhā (his waiting period)”; **Wasā'il al-Shī'a** 22: 427, **Abwāb al-La‘ān**, Bāb 7, Ḥadīth 2.

**“It is not permissible for him to marry another woman before the waiting period of the divorced wife ends.”**<sup>792</sup>

He (**Musa ibn Ja‘far**) also said:

**“It is not permissible until the waiting period of the divorced wife ends.”**<sup>793</sup>

٦٠٣ - مسألة: قال: وسألته، عن رجل قال لامرأته: إنني أحببت أن تبني، فلم تقل شيئاً حتى افترقا، ما عليه؟ قال: «ليس عليه شيء، وهي امرأته» <sup>(٥)</sup>.

**603 - Issue:** I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about a man who said to his wife, “I want you to separate from me (become separated),” and she did not say anything until they parted—what is his obligation? He (**Musa ibn Ja‘far**) said:

**“He is not liable for anything; she remains his wife.”**<sup>794</sup>

٦٠٤ - مسألة: قال: وسألته عن المتوفى عنها زوجها، كم عدتها؟ قال: «أربعة أشهر وعشراً»

**604 - Issue:** I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about the waiting period for a woman whose husband has died—how long is it? He (**Musa ibn Ja‘far**) said:

**“Four months and ten days.”**<sup>795</sup>

٦٠٥ - مسألة: قال: وسألته عن امرأة بارأت زوجها على أن له الذي لها عليه، ثم بلغها أن سلطاناً إذا رفع ذلك إليه، وكان ذلك بغير علم منه، أبى ورد عليها ما أخذ منها، كيف يصنع؟ قال: فليشهد عليها شهوداً على مباراته إياها، أنه قد دفع إليها الذي لها، ولا شيء لها قبله» <sup>(١)</sup>.

**605 - Issue:** I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about a woman who bartered (mubārā‘ah) with her husband on the basis that he owes her what she owes him. Then it reaches her that if this case is taken to a ruler, and he had no knowledge of it, he would return to her what she had given him—what should she do? He (**Musa ibn Ja‘far**) said:

<sup>792</sup> I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) — **Masā’il ‘Alī ibn Ja‘far**: 713 / 283; **Wasā’il al-Shī‘a** 20: 522, *Abwāb Mā Yuharramu Bisti‘fā’ al-‘Adad*, Bāb 3, Hadīth 8.

<sup>793</sup> **Qurb al-Isnād**: 1007 / 255; **Wasā’il al-Shī‘a** 20: 522, *Abwāb Mā Yuharramu Bisti‘fā’ al-‘Adad*, Bāb 3, Hadīth 8 — with minor variation between them.

<sup>794</sup> I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) — **Masā’il ‘Alī ibn Ja‘far**: 703 / 280; **Qurb al-Isnād**: 1008 / 255; **Wasā’il al-Shī‘a** 22: 97, *Abwāb Muqaddimāt al-Talāq wa Sharā‘i‘h*, Bāb 41, Hadīth 19.

<sup>795</sup> I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) — **Masā’il ‘Alī ibn Ja‘far**: 708 / 281; **Qurb al-Isnād**: 1009 / 255; **Wasā’il al-Shī‘a** 22: 238, *Abwāb al-‘Iddah*, Bāb 30, Hadīth 6.

**“He should have witnesses testify that he has indeed bartered with her and has given her what is hers. She has no claim over him.”**<sup>796</sup>

٦٠٦ - مسألة: قال: وسألته عن الظهار، هل يجوز فيه عنق صبي؟ قال: «إذا كان مولوداً ولد في الإسلام أجزاء» (٢).

**606 - Issue:** I (Ali ibn Ja'far) asked him (Musa ibn Ja'far) about zihār (a form of divorce by analogy): can a child be freed in expiation? He (Musa ibn Ja'far) said:

**“If the child was born a Muslim, it is valid.”**<sup>797</sup>

٦٠٧ - مسألة: قال: وسألته عن رجل لا عن إمراته، فلطف أربع شهادات ثم نكل عن الخامسة؟ فقال: «إن نكل عن الخامسة فهي امرأته وجلد الحد، وإن نكلت المرأة عن ذلك - إذا كانت اليمين عليها - فعليها مثل ذلك». وقال: «الملائكة وما أشبهها من قيام» (٣).

وسألته عن رجل مسلم تحته يهودية أو نصرانية أو أمة نفى ولدتها وقذفها، هل عليه لعان؟ قال: «لا» (٤) (٥).

**607 - Issue:** I (Ali ibn Ja'far) asked him (Musa ibn Ja'far) about a man who performed mutual cursing (li'ān) with his wife, swearing four times, and then refused to swear the fifth. He (Musa ibn Ja'far) said:

**“If he refuses the fifth, she remains his wife and he is flogged with the ḥadd punishment. If the woman refuses the fifth (when the oath is upon her), she also is punished similarly.”**

He (Musa ibn Ja'far) also said:

**“Mutual cursing (li'ān) and similar cases (are matters requiring standing up).”**<sup>798</sup>

I (Ali ibn Ja'far) also asked him (Musa ibn Ja'far) about a Muslim man who has a Jewish or Christian wife or a slave woman, and he denies her child and accuses her of adultery. Is mutual cursing (li'ān) required of him? He (Musa ibn Ja'far) said:

**“No.”**<sup>799</sup> <sup>800</sup>

٦٠٨ - مسألة: قال: وسألته عن هذه الآية: (أوكسونُهُمْ) (٦) للمساكين؟ قال: «ثوب يواري به عورته» (٧).

**608 - Issue:** I (Ali ibn Ja'far) asked him (Musa ibn Ja'far) about this verse (Qur'an 2:184):<sup>801</sup>

<sup>796</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — **Masā'il 'Alī ibn Ja'far**: 714 / 283; **Qurb al-Isnād**: 1010 / 255-256; **Wasā'il al-Shī'a** 22: 301, *Kitāb al-Khul' wa al-Mubārah*, Bāb 14, Ḥadīth 1.

<sup>797</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — **Masā'il 'Alī ibn Ja'far**: 767 / 303; **Qurb al-Isnād**: 1011 / 256; **Wasā'il al-Shī'a** 22: 371, *Abwāb al-Kaffārāt*, Bāb —, Ḥadīth 9.

<sup>798</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — **Masā'il 'Alī ibn Ja'far**: 701 / 280; **Qurb al-Isnād**: 1012 / 256; **al-Kāfi** 6: 165 / 12; **Wasā'il al-Shī'a** 22: 415, *Kitāb al-La'ān*, Bāb —, Ḥadīth 3.

<sup>799</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — variation noted from version "B": begins with: «Wasaltuhu 'an rajulin...», ending with «Lā».

<sup>800</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — **Masā'il 'Alī ibn Ja'far**: 135 / 137; **Tahdhīb al-Āḥkām** 7: 476 / 1912 and 8: 189 / 658; **al-Istibṣār** —; **Wasā'il al-Shī'a** 22: 422, *Kitāb al-La'ān*, Bāb 5, Ḥadīth 14.

<sup>801</sup> **The Qur'ān**, al-Mā'idah (5): 89.

“or clothing them” (أَوْ كِسْوَتُهُمْ) — what does it mean for the needy? He (**Musa ibn Ja‘far**) said:

“A garment that covers his private parts.”<sup>802</sup>

٦٠٩ - مسألة: قال: وسألته عن رجل يقول: إن اشتريت فلاناً فهو حر، وإن اشتريت هذا الثوب فهو صدقة، وإن نكحت فلانة فهي طلاق؟ قال: «ليس ذلك بشيء» (١).

**609 - Issue:** I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about a man who says, “If I buy such-and-such a person, he is free. If I buy this garment, it is charity. If I marry so-and-so, she is divorced.” He (**Musa ibn Ja‘far**) said:

“None of that has any effect.”<sup>803</sup>

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<sup>802</sup> I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) — **Masā’il ‘Alī ibn Ja‘far**: 147 / 181; **Wasā’il al-Shī‘a** 22: 40, *Abwāb Muqaddimāt al-Talāq wa Sharā‘iḥih*, Bāb 15, Ḥadīth 9.

<sup>803</sup> I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) — **Masā’il ‘Alī ibn Ja‘far**: 146 / 176; **Wasā’il al-Shī‘a** 23: 17, *Kitāb al-‘Itq*, Bāb 5, Ḥadīth 7.

## Chapter Forty-Two: Concerning Found Items (Luqatah) and What Is Permissible of Them

عبد الله بن الحسن العلوى، عن جده على بن جعفر، عن أخيه موسى بن جعفر قال: سأله، عن اللقطة إذا كانت جارية، هل يحل فرجها لمن التقطها؟ قال: «لا، إنما يحل له بيعها بما أنفق عليها» (١).

وهذا الحديث مشكل جداً، لدلالة الأخبار (٢) على تحريم بيع اللقطة، ولأنه مضطرب المتن؛ لأنه إذا أحل البيع حل الفرج؛ لأن البيع فرع الملك؛ إذ لا يجوز بيع غير المملوك، وإذا كانت مملوكة حل فرجها؛ لقوله تعالى: (إِلَّا عَلَى أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ) (٣) وغيرها من الآيات (٤).

**Abd Allāh ibn al-Hasan al-‘Alawī** narrated from his grandfather **Ali ibn Ja‘far**, from his brother **Musa ibn Ja‘far**. He (**Ali ibn Ja‘far**) said:

I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about a found girl (*luqatāh*): Is her private part lawful for the one who finds her? He (**Musa ibn Ja‘far**) said:

“No, it is only lawful for him to sell her for what he spent on her.”<sup>804</sup>

This ḥadīth is extremely problematic because the reports<sup>805</sup> indicate that it is prohibited to sell a foundling; and because the text is confused: if the sale is permitted, then so too is sexual access, since sale is a branch of ownership—selling what one does not own is invalid. If she is owned, her private part is lawful according to the verse:

(إِلَّا عَلَى أَزْوَاجِهِمْ أَوْ مَا مَلَكَتْ أَيْمَانُهُمْ)<sup>806</sup>

and similar verses.<sup>807</sup>

610 - مسألة: قال: وسألته، عن رجل أصاب شاة في الصحراء، هل تحل له؟ قال:

«قال رسول الله ﷺ: هي لك، أو لأخيك، أو للذئب فخذها وعرفها حيث أصبتها، فإن عرفت فردها إلى صاحبها، وإن لم تعرف فكلها، وأنت ضامن لها إن جاء صاحبها يطلب ثمنها، أن تردها عليه» (٥).

**610 - Issue:** He (**Ali ibn Ja‘far**) said: I (**Ali ibn Ja‘far**) asked him (**Musa ibn Ja‘far**) about a man who found a sheep in the desert—does it become lawful for him? He (**Musa ibn Ja‘far**) said:

<sup>804</sup> I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) — **Masā’il ‘Alī ibn Ja‘far**: 724 / 286; **Qurb al-Isnād**: 1069 / 269; **Tahdhīb al-Āḥkām** 6: 397 / 1198; **Wasā’il al-Shī‘a** 25: 443, *Kitāb al-Luqṭa*, Bāb 2, ḥadīth (unnumbered here).

<sup>805</sup> **Wasā’il al-Shī‘a** 25: 467–468, *Kitāb al-Luqṭa*, Bāb 22.

<sup>806</sup> **Sūrat al-Mu’minūn (23):** Verse 6.

<sup>807</sup> *Wa-hādhā al-ḥadīth mushkil...* ("This ḥadīth is problematic...") — from manuscript "B".

“The Messenger of Allah ﷺ said: It is yours, or your brother’s, or the wolf’s—so take it, and announce it where you found it. If you recognize its owner, return it to him; if you do not, eat it, but you are liable if its owner comes seeking its price to return it to him.” <sup>808</sup>

٦١١ - مسألة: قال: وسألته عن اللقطة يصيبها الرجل؟ قال: «يعرفها سنة، ثم هي

كسائر ماله». و قال: «كان علي بن الحسين يقول لأهله: لا تمسوها» (١).

**611 - Issue:** He (Ali ibn Ja‘far) said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about found items that a man finds. He (Musa ibn Ja‘far) said:

“He must announce it for a year, then it is like the rest of his wealth.”

He (Musa ibn Ja‘far) also said:

“Ali ibn al-Husayn used to say to his family: Do not touch it.” <sup>809</sup>

٦١٢ - مسألة: قال: وسألته عن اللقطة يجدها الفقير، هل هو فيها بمنزلة الغني؟

قال: «نعم» (٢).

**612 - Issue:** He (Ali ibn Ja‘far) said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a poor man who finds a found item—does he have the same status in it as a wealthy man? He (Musa ibn Ja‘far) said:

“Yes.”<sup>810</sup>

٦١٣ - مسألة: قال: وسألته عن الرجل يصيب اللقطة دراهم أو ثوباً أو دابة كيف يصنع؟

قال: «يعرفها سنة، فإن لم يعرف صاحبها حفظها في عرض ماله، حتى يحل (٣)

صاحبها فيعطيها إياه، وإن مات أوصى بها، فإن أصحابها شيء فهو ضامن» (٤).

**613 - Issue:** He (Ali ibn Ja‘far) said: I (Ali ibn Ja‘far) asked him (Musa ibn Ja‘far) about a man who finds coins, or cloth, or a beast—what should he do? He (Musa ibn Ja‘far) said:

<sup>808</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — Masā’il ‘Alī ibn Ja‘far: 5 / 104–105; Qurb al-Isnād: 1086 / 273; Wasā’il al-Shī‘a 25: 459–460, Kitāb al-Luqṭa, Bāb 13, Ḥadīth 7.

<sup>809</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — Masā’il ‘Alī ibn Ja‘far: 726 / 286; Qurb al-Isnād: 1070 / 269; al-Faqīh 3: 186 / 840; Wasā’il al-Shī‘a 25: 444, Kitāb al-Luqṭa, Bāb 2, Ḥadīth 12.

<sup>810</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — Masā’il ‘Alī ibn Ja‘far: 725 / 286; Qurb al-Isnād: 1071 / 269; al-Faqīh 3: 186 / 840; Wasā’il al-Shī‘a 25: 461, Kitāb al-Luqṭa, Bāb 16, Ḥadīth 1.

**“He must announce it for a year; if he does not find the owner, he keeps it with the rest of his wealth until its owner comes, and then he must give it to him.<sup>811</sup> If he dies, he must bequeath it; and if anything happens to it, he is liable.”<sup>812</sup>**

٦١٤ - مسألة: قال: وسألته عن الرجل يصيّب الفضة فيعرفها سنة ثم يتصدق بها، فيأتي صاحبها، ما حال الذي تصدق به (١)؟ ولمن الأجر؟ هل عليه أن يردها على صاحبها أو قيمتها؟ قال: هو ضامن لها، والأجر له، إلا أن يرضى صاحبها بقيمتها، والأجر له» (٧).

وقال علي: أخبرتني جارية لأبي الحسن موسى ، كانت توضيّه، وكانت خادمًا صادقًا، قالت: وضيّته بقيمة (١) وهو على منبر، وأنا أصب عليه الماء، فجري الماء على التراب، فإذا قرطان من ذهب فيهما در، ما رأيت أحسن منه، فرفع رأسه إلى.

قال: «هل رأيت؟» فقلت: نعم. قال: «خرمي بالتراب، ولا تخبرين به أحدًا». قال: فعلت وما أخبرت به أحدًا حتى مات صلّى الله عليه، وعلى آبائه السلام عليهم ورحمة الله وبركاته (٢).

**614 - Issue:** He (**Ali ibn Ja'far**) said: I (**Ali ibn Ja'far**) asked him (**Musa ibn Ja'far**) about a man who finds silver<sup>813</sup> and announces it for a year, then gives it in charity—and then the owner comes—what is the ruling for the one who gave it in charity<sup>814</sup>? Who receives the reward? Must he return the item itself or its value? He (**Musa ibn Ja'far**) said:

**“He is liable for it, and the reward is his, unless the owner is content and leaves it, then the reward belongs to him (the original owner).”<sup>815</sup>**

Ali said: A maid of **Abū al-Hasan Musa**, who used to wash him, and was a trustworthy servant, told me:

I washed him once with a small basin<sup>816</sup> while he was on the pulpit, and I poured water for him. The water ran onto the ground and there were two gold earrings with pearls, the most beautiful I had seen. He raised his head to me and said:

**“Did you see?”**

I said: Yes. He said:

**“Cover them with dust and tell no one.”**

<sup>811</sup> In one manuscript: “**yajī**” [he comes] — (Footnote from Manuscript “A”).

<sup>812</sup> I (**‘Alī ibn Ja’far**) asked him (**Mūsā ibn Ja’far**) — **Masā’il ‘Alī ibn Ja’far**: 265 / 165; **Qurb al-Isnād**: 1072 / 269–270; **Tahdīb al-Āḥkām** 6: 397 / 1198; **al-Faqīh** 3: 186 / 840; **Wasā’il al-Shī‘a** 25: 444, **Kitāb al-Luqṭa**, Bāb 2, Ḥadīth 13 — and in it: “**yajī ṭālibuhā**” [its claimant comes] instead of “**yahillu sāhibuhā**” [its owner is permitted].

<sup>813</sup> In **al-Ja’fariyyāt**: the chapter title is **al-Luqṭa** — (Footnote from Manuscript “A”).

<sup>814</sup> In one manuscript: “**bihā**” — (Footnote from Manuscript “A”).

<sup>815</sup> I (**‘Alī ibn Ja’far**) asked him (**Mūsā ibn Ja’far**) — **Masā’il ‘Alī ibn Ja’far**: 266 / 165; **Qurb al-Isnād**: 1073 / 270 — and in it: “**al-fidda**” [silver] instead of “**al-luqṭa**” [lost property]; **Wasā’il al-Shī‘a** 25: 445, **Kitāb al-Luqṭa**, Bāb 2, Ḥadīth 14.

<sup>816</sup> [*al-Qudayd: A water source in Hijāz. It is also said to be a place between Makkah and Madīnah — Lisān al-‘Arab* 11:54, entry: **q-d-d** \*] (Footnote from manuscript “A”).

She said: I did so and never told anyone until he passed away—may Allah send blessings upon him and his forefathers and grant them peace and mercy.<sup>817</sup>

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<sup>817</sup> I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) — **Masā'il 'Alī ibn Ja'far**: 787 / 311; **Qurb al-Isnād**: 1074 / 270; **Wasā'il al-Shī'a** 25: 445, *Kitāb al-Luqṭa*, Bāb 2, Ḥadīth 15 — in which it is written “al-mīzāb” instead of “al-turāb.”

## **Chapter Forty-Three: Concerning Foods and Drinks**

عبدالله بن الحسن العلوى، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: وسألته عن الثوم والبصل يجعل في الدواء قبل أن يطبخ؟ قال: «لا بأس» (١).

**‘Abd Allāh ibn al-Hasan al-‘Alawī**, from his grandfather **Ali ibn Ja‘far**, from his brother **Mūsā ibn Ja‘far** said:

I (Ali ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about putting garlic and onions in medicine before it is cooked? He said:

“No harm.”<sup>818</sup>

٦١٥ - مسألة: في قدر قد وقع فيها دم أو خمر ، قال الشيخ في (النهاية): (القدر إذا كانت تغلي على النار... فإن حصل فيها شيء من الدم، وكان قليلاً، ثم على جاز أكل ما فيها؛ لأن النار تحيل الدم، وإن كان كثيراً، لم يجز أكل ما وقع فيه) (٢)، فاعتبر الشيخ القلة.

وأما شيخنا المفید له فقال: (وإن وقع دم في قدر تغلي على النار جاز أكل ما فيها بعد زوال عين الدم وتفرّقها بالنار، وإن لم يزل عين الدم منها حرم ما خالطه الدم، وحلّ منها ما أمكن غسله بالماء) (٣)، ولم يعتبر القلة (٤).

وكذا سلار (١) وأبو الصلاح (٢) أطلق القول بتحريم كل طعام شيب بشيء من المحرمات أو النجاسات. وقال ابن البراج: (فإن وقع فيها دم وكان قليلاً وغلى جاز أكل ما فيها بعد أن يغلي، فإن كان كثيراً لم يجز أكل شيء منها، وقيل: إن هذا إنما جاز في الدم بغير غسل اللحم؛ لأن النار تحيل الدم؛ ولأن اللحم لا يكاد يعرى منه، وقد جاز أكله بعد الغسل مع أنه كذلك). قال: والأحوط عندي في الوجهين جميعاً أن لا يؤكل من ذلك شيء) (٣).

وقال ابن ادريس في سرائره: (ما ذكره شيخنا في نهاية رواية شاذة مخالفة لأصول المذهب، أوردها في كتابه إيراداً ولا يرجع عن الأدلة القاهرة إلا بمتلها، قوله: (فإن كان قليلاً ثم على جاز أكل ما فيها؛ لأن النار تحيل الدم) (٤) قول عجيب، [هـ] (٥)، أن النار أحالته المائع الذي قد وقع فيه أليس قد نجسه وقت وقوعه فيه؟! والنار، لعمري ما أذهبت جميع المرق وما عهدنا، ولا ذهب أحد من أصحابنا إلى أن المائع النجس بالغليان يطهر إلا ما خرج بالدليل من العصير، إذا ذهب بالنار والغليان ثلثا، فقد طهر وحلّ الثلث الباقي على ما يأتي ببيانه) (٦)، انتهى.

وقال العلامة له في (المختلف): (والمعتمد أنه لا يحل أكل اللحم والتواابل حتى يغسل).

لنا: أنه نجس بمقابلات النجاسة له، فلا يطهر بدون الغسل، كغيره من الأعian النجسية بالمجاورة.

احتج الشيخ بما رواه سعيد الأعرج عن الصادق قال: سأله، عن قدر فيها جزور وقع قدر أوقية من دم، أيُؤكل؟ قال: «نعم، فإن النار تأكل الدم» (١).

<sup>818</sup> I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) — **Masā’il ‘Alī ibn Ja‘far**: 719 / 284; **Qurb al-Isnād**: 1075 / 271; **Wasā’il al-Shī‘a** 25: 215–216, *Abwāb al-At‘ima al-Mubāḥa*, Bāb 128, Ḥadīth 6.

وعن زكريا بن آدم (٢) قال: سألت الرضا عن قطرة خمر أو نبيذ مسكر قطرات في قدر فيها لحم ومرق كثير؟ قال: يهراق المرق أو يطعمه لأهل الذمة أو الكلاب واللحم فاغسله وكله قلت: فإن قطر فيه الدم، قال: «الدم تأكله النار، إن شاء الله» (٣) (٤).

أقول: ويمكن أن يستدل للشيخ الله أياً بما روى علي بن جعفر، عن أخيه موسى ابن جعفر، عن أبيه جعفر بن محمد، قال: سأله، عن قدر فيها ألف رطل ماء، فطبخ فيها لحم، وقع فيها أوقية دم، هل يصلح أكله؟ قال: «إذا طبخ فكل، فلا بأس» (٥).

وأجاب العلامة الله في (المختلف) عن الدم بحمله على دم السمك وشبيهه، مما ليس بنجس، وضعف سند الرواينين الأولين: (فإن سعيد الأعرج لا أعرف حاله والاحتاج به يتوقف على معرفة عدالته، وفي طريق الثانية محمد بن موسى،

لنا: أنه نجس بمقابلات النجاسة له، فلا يطهر بدون الغسل، كغيره من الأعيان النجسة بالمجاورة.

احتاج الشيخ بما رواه سعيد الأعرج عن الصادق قال: سأله، عن قدر فيها جزور وقع قدر أوقية من دم، أيؤكل؟ قال: «نعم، فإن النار تأكل الدم» (١).

وعن زكريا بن آدم (٢) قال: سألت الرضا عن قطرة خمر أو نبيذ مسكر قطرات في قدر فيها لحم ومرق كثير؟ قال: يهراق المرق أو يطعمه لأهل الذمة أو الكلاب واللحم فاغسله وكله قلت: فإن قطر فيه الدم، قال: «الدم تأكله النار، إن شاء الله» (٣) (٤).

أقول: ويمكن أن يستدل للشيخ الله أياً بما روى علي بن جعفر، عن أخيه موسى ابن جعفر، عن أبيه جعفر بن محمد، قال: سأله، عن قدر فيها ألف رطل ماء، فطبخ فيها لحم، وقع فيها أوقية دم، هل يصلح أكله؟ قال: «إذا طبخ فكل، فلا بأس» (٥).

وأجاب العلامة الله في (المختلف) عن الدم بحمله على دم السمك وشبيهه، مما ليس بنجس، وضعف سند الرواينين الأولين: (فإن سعيد الأعرج لا أعرف حاله والاحتاج به يتوقف على معرفة عدالته، وفي طريق الثانية محمد بن موسى،

فإن كان هو ابن عيسى أبو جعفر السمان، فقد طعن القميون فيه، وتكلموا فأكثروا.

قاله ابن العصائرى، وقال النجاشى: محمد بن موسى بن عيسى أبو جعفر الهمданى السمان ضعفه القميون بالغلو، وكان ابن الوليد يقول: إنه كان يضع الحديث (١) فسقط الاستدلال بالخبرين.

قال الشيخ في (النهاية): وإذا كانت القدر تعلق على النار، فوقع فيها شيء من الخمر أهرق ما فيها من المرق وغسل اللحم، وأكل بعد ذلك (٢).

وقال ابن البراج: إذا كانت القدر على نار، وهي تغلي فوقها خمر، وكان قليلاً، فإنه يهراق ما فيها، ويجوز غسل اللحم وأكله بعد ذلك، فإن كان كثيراً، فإنه يهراق ما فيها، ولا يؤكل شيء منه، والأحوط في الوجهين أن لا يؤكل من ذلك شيء على وجه (٣).

والمعتمد ما قاله الشيخ. لنا: أنه محل قابل للتطهير بالغسل، فيطهر بفعله، ويزول المانع من تناوله) (٤) ورواية زكريا بن آدم السابقة، ورواية السكونى، عن أبي عبدالله عليه السلام قال: «أن أمير المؤمنين صلوات الله عليه سُئل عن قدر طبخت، وإذا في القدر فارة، قال: يهراق مرقها، وينغسل اللحم، ويؤكل»

ورواية إسماعيل بن مرار، عن يونس عنهم الله أجمعين قال: سُئل عن حنطة مجموعة ذاب عليها شحم الخنزير، قال: «إن قدرها على غسلها أكلت، وإن لم يقدروا على غسلها لم تؤكل» (١)، وقيل: تبذر حتى تنتت (٢).

## 615 - Issue:

Regarding a pot into which blood or wine has fallen: The Shaykh said in *An-Nihāyah*:  
**“If the pot is boiling on the fire, and a small amount of blood falls into it, then it is permissible to eat what is in it, because the fire transforms the blood; but if the amount is large, then it is not permissible to eat what it contains.”**<sup>819</sup>

However, our Shaykh al-Mufid said:

**“If blood falls into a pot boiling on the fire, it is permissible to eat from it after the visible blood has disappeared and dispersed by the fire; but if the visible blood does not disappear, what has been mixed with the blood is forbidden, and what can be washed away with water is permissible.”**<sup>820</sup> He did not consider the quantity.<sup>821</sup>

Similarly, Sulār<sup>822</sup> and Abū aş-Şalāḥ<sup>823</sup> ruled that any food contaminated by impermissible substances or impurities is forbidden. Ibn al-Barāj said:

**“If blood falls in and is little and it boils, it is permissible to eat after boiling; if much, nothing from it is permissible. It is said this applies only when the blood is without washing the meat, because fire transforms blood, and meat is barely freed from blood; but it is permissible to eat after washing anyway. The safest is to avoid eating in both cases.”**<sup>824</sup>

Ibn Idrīs in *Sarā’ir* said:

**“What our Shaykh mentioned in his *Nihāyah* is a rare narration against the principles of the school. He cited it but did not abandon the strong proofs except with its like. Saying: 'If little, then it is permissible because fire transforms blood' is strange<sup>825</sup>. Suppose fire transformed the fluid containing impurity<sup>826</sup>, was it not impure at the time it entered? Fire does not remove all broth as known, and none of our scholars said that boiling purifies**

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<sup>819</sup> *al-Nihāyah*: 588.

<sup>820</sup> *al-Muqni’ā*: 582.

<sup>821</sup> *The fire purifies whatever is in the pot of meat, spices, and broth, if it is boiling and a small amount (an ounce) of blood falls into it — due to a sound narration (al-Kāfi 6: 235 / 1; al-Faqīh 3: 216 / 1005; Wasā’il al-Shī’ā 24: 196–197, Abwāb al-At’ima al-Mubāḥa, Bāb 44, Ḥadīth 2).* Shaykh Abū Ja’far al-Thānī stated this in *al-Nihāyah*: 588 and in other works of his. This view is also held by a group among our scholars — see: *al-Muqni’ā*: 582; *al-Marāsim*: 210; *al-Mukhtalif*: 347, *Mas’ala* 45; *Nuzhat al-Nāzir*, in *Silsilat al-Yanābī’ al-Fiqhiyya*, 26: 227.

And *al-Shāhīd* said in *al-Durūs al-Shar’iyya* (3: 20): *“Broth that has become impure due to a small amount of blood becomes pure again through boiling — according to the famous opinion.”* — (Footnote “A”).

<sup>822</sup> *al-Marāsim fī al-Fiqh al-Imāmī*: 210.

<sup>823</sup> *al-Durūs al-Shar’iyya* 3: 20; *al-Kāfi fī al-Fiqh*: 278.

<sup>824</sup> *al-Muhaḍḍhab* (by Ibn al-Barrāj) 2: 431.

<sup>825</sup> *al-Nihāyah*: 588.

<sup>826</sup> From the source.

impure liquids except what is exuded by juice, where two-thirds evaporate by fire and boiling, so what remains is pure and permissible to eat, as will be explained.”<sup>827</sup>

The scholar also said in *Al-Mukhtalaf*:

**“The established ruling is that meat and spices are not permissible until washed.”**

We say: It is impure by contact with impurity and is not purified except by washing, like other tangible impurities from contact.

The Shaykh used as evidence what Sa’īd al-A’raj narrated from al-Ṣādiq who said:

I asked him about a pot in which some marrow fell and about an ounce of blood—can it be eaten? He said:

**“Yes, for fire consumes blood.”<sup>828</sup>**

And from Zakariyyā ibn Ādam<sup>829</sup> who said:

I asked al-Riḍā about drops of wine or intoxicating grape juice falling in a pot containing much meat and broth. He said:

**“Pour out the broth or feed it to the people of the dhimmah or dogs, wash the meat and eat it.”** I said: What if blood falls in? He said:

**“Fire consumes blood, God willing.”<sup>830 831</sup>**

I say: One can also support the Shaykh’s view with what ‘Alī ibn Ja’far narrated from his brother Mūsā ibn Ja’far, from their father Ja’far ibn Muhammad, who said:

I asked him about a pot containing a thousand pounds of water in which meat was cooked and an ounce of blood fell—can it be eaten? He said:

**“If cooked, eat it, no harm.”<sup>832</sup>**

The scholar answered in *Al-Mukhtalaf* regarding blood by interpreting it as fish blood or similar, which is not impure, and weakened the chains of the first two narrations:

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<sup>827</sup> **al-Sarā’ir** 3: 120–121.

<sup>828</sup> *al-Kāfi* 6: 235 / 1, *al-Faqīh* 3: 216 / 1005, *Wasā’il al-Shī’ā* 24: 196–197, *Abwāb al-At’īma al-Muḥarrama*, Bāb 44, Ḥadīth 2.

<sup>829</sup> It was said by some commentators of *Mafātiḥ* regarding the narration of al-Kūfī and Zakariyyā ibn Ādam: “Both are explicit, well-known, and practiced by the scholars without any opposition. They are in accordance with the foundational principle, and supported by what is narrated in *al-Kāfi* from Sa’īd al-A’raj, and by al-Ṣadūq in an authenticated (mawthūq) report from al-Ṣādiq (peace be upon him).” (Footnote of “A”).

<sup>830</sup> *al-Kāfi* 6: 422 / 1, *Wasā’il al-Shī’ā* 25: 358, *Abwāb al-Ashribah al-Muḥarrama*, Bāb 26, Ḥadīth 1.

<sup>831</sup> *Mukhtalif al-Shī’ā* 8: 346 – al-Mas’ala 45.

<sup>832</sup> *Wasā’il ‘Alī ibn Ja’far* 421 / 197, *Wasā’il al-Shī’ā* 24: 197, *Abwāb al-At’īma al-Muḥarrama*, Bāb 44, Ḥadīth 3.

Sa'īd al-A'raj's reliability is unknown, and relying on him depends on confirming his trustworthiness. In the second chain is Muḥammad ibn Mūsā—

We say: It is impure by contact with impurity and is not purified except by washing, like other tangible impurities from contact.

The Shaykh cited what Sa'īd al-A'raj narrated from al-Ṣādiq as mentioned before .

Regarding Zakariyyā ibn Ādām's narration and the previous ones, it is reported that the *Qumī* scholars criticized Muḥammad ibn Īsā Abū Ja'far al-Sammān, claiming exaggeration and unreliability, as Ibn al-Ghaḍā'irī and al-Najāshī said. Ibn al-Walīd said he fabricated ḥadīths<sup>833</sup>, so these two narrations are weak.

The Shaykh said in *An-Nihāyah*:

**“If the pot boils on the fire and wine falls into it, pour out the broth, wash the meat, and then eat.”**<sup>834</sup>

Ibn al-Barāj said:

**“If a pot boiling on fire has wine fall in and it is little, pour out what is in it, wash the meat and eat; if much, pour out all and do not eat anything. The safest is to avoid eating either way.”**<sup>835</sup>

The established ruling is what the Shaykh said.

We say: The pot is a place that can be purified by washing, so it becomes pure through washing, removing the obstacle to consumption.<sup>836</sup>

Zakariyyā ibn Ādām's narration, and al-Sukūnī's narration from Abū 'Abdillāh عليه وسلم who said: **“Amīr al-Mu'minīn (peace be upon him) was asked about a pot in which a mouse had fallen. He said: Pour out its broth, wash the meat, and eat it.”**<sup>837</sup>

And the narration of Ismā'īl ibn Murrār from Yūnus from them all, who was asked about wheat soaked in pig fat:

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<sup>833</sup> *Rijāl al-Najāshī* 338 / 905

<sup>834</sup> *al-Nihāyah* (by al-Ṭūsī): 588

<sup>835</sup> *al-Muhaḍhdhab* (by Ibn al-Barrāj) 2: 231

<sup>836</sup> *Mukhtalif al-Shī'a* 8: 346–347 – *Mas'ala* 45, 46

<sup>837</sup> *al-Kāfi* 6: 261 / 3, *Wasā'il al-Shī'a* 24: 196, *Abwāb al-At'īma al-Muḥarrama*, Bāb 44, ḥadīth 1

“If it can be washed, it is edible; if not, it is not eaten.”<sup>838</sup> It is also said it should be scattered until it sprouts<sup>839</sup>

٦١٦ - مسألة: قال: وسألته عن اللحم الذي يكون في أصداف البحر والفرات، أيُؤكل؟

قال: «ذلك لحم الضفادع فلا يحل أكله» (٣).

قال: وسألته عن بيض أصابعه رجل في أجمة، لا يدرى بيض ما هو؟ هل يصلح أكله؟ قال: «إذا اختلف رأساه فلا بأس، وإن كان الرأسان سواء فلا يحل أكله» (٤).

#### 616 - Issue:

He said: I asked him about meat that is in the shells of the sea and the Euphrates—does it become lawful to eat?

He said:

“That is frog meat, so it is not lawful to eat.”<sup>840</sup>

He said: I asked him about eggs found by a man in a marsh, not knowing what kind of eggs they were—are they fit to eat?

He said:

“If the eggs have two different heads, then no harm; but if the two heads are the same, it is not lawful to eat.”<sup>841</sup>

٦١٧ - مسألة: قال: وسألته عن أكل السلحفاة والسرطان والجري، أيُحل أكله؟ قال: «لا يحل أكل السلحفاة والسرطان والجري» (٥).

قال: وسألته عن الجري يحل أكله؟ قال: «إنا وجدناه في كتاب علي أمير المؤمنين: حرام»

من (الجعفريات) وسألته عن الضب واليربوع، أتحل؟ قال: «لا» (٧).

617 - Issue: I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about eating turtle, crab, and jerī (a kind of lizard or small reptile). Is it permissible to eat them?

He said: “It is not permissible to eat turtle, crab, or jerī.”<sup>842</sup>

<sup>838</sup> **al-Kāfi** 6: 262 / 2, **Wasā'il al-Shī'a** 24: 203, *Abwāb al-At'īma al-Muḥarrama*, Bāb 50, Ḥadīth 1.

<sup>839</sup> It is inferred in **Mir'āt al-'Uqūl** 22: 60 that the phrase "it was said (qīla)" is from the narrator himself.

<sup>840</sup> **Masā'il 'Alī ibn Ja'far**: 131 / 119, **Qurb al-Isnād**: 279 / 1109, **al-Kāfi** 6: 221 / 11, **Tahdhīb al-Āḥkām** 9: 12–13 / 46, **Wasā'il al-Shī'a** 24: 146, *Abwāb al-At'īma al-Muḥarrama*, Bāb 16, Ḥadīth 1.

<sup>841</sup> **Masā'il 'Alī ibn Ja'far**: 285 / 720, **Qurb al-Isnād**: 279 / 1110, **Wasā'il al-Shī'a** 24: 157, *Abwāb al-At'īma al-Muḥarrama*, Bāb 20, Ḥadīth 10.

<sup>842</sup> **Masā'il 'Alī ibn Ja'far**: 131 / 118, **Qurb al-Isnād**: 279 / 1108, **al-Kāfi** 6: 221 / 11, **Tahdhīb al-Āḥkām** 9: 12 / 46, **Wasā'il al-Shī'a** 24: 146, *Abwāb al-At'īma al-Muḥarrama*, Bāb 16, Ḥadīth 1.

He said: I asked him about jerī; is its eating allowed? He said: “**We found it in the book of ‘Alī, the Commander of the Faithful: it is forbidden.**”<sup>843</sup>

From (al-Ja‘farīyyāt), I asked him about the dhabb (spiny-tailed lizard) and the jerbū‘ (gerboa), are they lawful? He said: “**No.**”<sup>844</sup>

٦١٨ - مسألة: قال: وسألته عن أكل الثوم والبصل بالخل؟ قال: «لا بأس» (١).

**618 - Issue:** I asked him about eating garlic and onions with vinegar.

He said: “**There is no harm.**”<sup>845</sup>

٦١٩ - مسألة: قال: وسألته عن الزبيب، هل يصلح أن يطبخ حتى يخرج طعمه، ثم يؤخذ ذلك الماء فيطبخ حتى يذهب ثلاثة ويبقى الثالث، ثم يرفع فيشرب منه السنة؟ قال: «لا بأس» (٢).

**619 - Issue:** I asked him about raisins: is it permissible to cook them until their flavor is released, then take that water and cook it until two-thirds evaporate and one-third remains, and then drink from it as a Sunnah?

He said: “**There is no harm.**”<sup>846</sup>

٦٢٠ - مسألة: قال: وسألته عن رجل يصلّي إلى القبلة، لا يوثق به، أتني بشراب فزعم أنه على الثالث، أيحل شربه؟ قال: «لا يصدق، إلا أن يكون مسلماً عارفاً» (٣).

**620 - Issue:** I asked him about a man who prays toward the Qiblah but is not trustworthy. He is offered a drink and claims it is one-third (diluted). Is it permissible to drink it?

He said: “**He should not be trusted, unless he is a knowledgeable Muslim.**”<sup>847</sup>

٦٢١ - مسألة: قال: وسألته عن المسلم العارف يدخل بيت أخيه، فيسقيه النبيذ أو الشراب (٤) لا يعرفه، هل يصلح له شربه من غير أن يسأل عنه؟ قال: «إذا كان مسلماً عارفاً فاشرب ما أتاك به، إلا أن تكره» (٥).

<sup>843</sup> *Masā’il ‘Alī ibn Ja‘far*: 44 / 115, *Wasā’il al-Shī‘a* 24: 136, *Abwāb al-At‘ima al-Muḥarrama*, Bāb 9, Ḥadīth 21.

<sup>844</sup> *Masā’il ‘Alī ibn Ja‘far*: 228 / 157, *Bihār al-Anwār* 10: 271.

<sup>845</sup> *Masā’il ‘Alī ibn Ja‘far*: 284 / 718, *Qurb al-Isnād*: 271 / 1076, *Wasā’il al-Shī‘a* 25: 215, *Chapters on Permissible Foods*, Chapter 128, continuation of hadīth 6.

<sup>846</sup> *Masā’il ‘Alī ibn Ja‘far*: 285 / 722, *Qurb al-Isnād*: 271 / 1077, *al-Kāfi* 6: 421 / 10, *Tahdhīb al-Āḥkām* 9: 121 / 522, *Wasā’il al-Shī‘a* 25: 295, *Chapters on Forbidden Beverages*, chapter [unspecified], ḥadīth 2.

<sup>847</sup> *Masā’il ‘Alī ibn Ja‘far*: 285 / 721, *Qurb al-Isnād*: 271 / 1078, *Tahdhīb al-Āḥkām* 9: 122 / 528, *Wasā’il al-Shī‘a* 25: 294, *Chapters on Forbidden Beverages*, chapter [unspecified], ḥadīth 7.

**621 - Issue:** I asked him about a knowledgeable Muslim who enters his brother's house, and is given wine or a drink<sup>848</sup> he does not recognize. Is it permissible for him to drink it without asking about it?

He said: “**If he is a knowledgeable Muslim, then drink what is given to you, unless you dislike it.**”<sup>849</sup>

٦٢٢ - مسألة: قال: وسألته عن شاة يستخرج من بطنها ولد بعد موتها حيأ، هل يصلح أكله؟ قال: «لا بأس».

**622 - Issue:** I asked him about a sheep from whose womb a live offspring is taken after its death. Is it permissible to eat it?

He said: “**There is no harm.**”<sup>850</sup>

٦٢٣ - مسألة: قال: وسألته عن الخبز أ يصلح أن يلت بالسمن؟ قال: «لا بأس» (١).

**623 - Issue:** I asked him about bread: is it permissible to dip it in ghee?

He said: “**There is no harm.**”<sup>851</sup>

٦٢٤ - مسألة: قال: وسألته عن المسك والعنبر وغيره من الطيب، يجعل في الطعام؟ قال: «لا بأس» (٢).

**624 - Issue:** I asked him about musk, ambergris, and other perfumes being put in food.

He said: “**There is no harm.**”<sup>852</sup>

٦٢٥ - مسألة: قال: وسألته عن المسك يصلح في الدهن؟ قال: «إني لأضيفه في الأصل (٣) ولا بأس» (٤).

**625 - Issue:** I asked him if musk is suitable to be used in ointments.

He said: “**I add it originally,<sup>853</sup> and there is no harm.**”<sup>854</sup>

<sup>848</sup> In the original: “a drink (sharāban)”, and we have corrected it based on the source.

<sup>849</sup> **Masā’il ‘Alī ibn Ja’far:** 161–162 / 250, **Qurb al-Isnād:** 274 / 1092, **Wasā’il al-Shī‘a** 25: 292, *Chapters on Forbidden Beverages*, Chapter 6, ḥadīth 1.

<sup>850</sup> **Masā’il ‘Alī ibn Ja’far:** 284 / 716, **Qurb al-Isnād:** 272 / 1079, **Wasā’il al-Shī‘a** 24: 36, *Chapters on Slaughtered Animals*, Chapter 18, ḥadīth 14.

<sup>851</sup> **Masā’il ‘Alī ibn Ja’far:** 135 / 133, **Wasā’il al-Shī‘a** 25: 107 / 6, **Bihār al-Anwār** 10: 262, and in it: “he smears (yuṭīn)” instead of “he kneads (yalt)”.

<sup>852</sup> **Masā’il ‘Alī ibn Ja’far:** 317 / 176, **Wasā’il al-Shī‘a** 2: 150, *Chapters on Bathhouse Etiquettes*, Chapter 95, ḥadīth 9.

<sup>853</sup> In one version: “oil (al-duhn).”

<sup>854</sup> **Masā’il ‘Alī ibn Ja’far:** 318 / 176, **Wasā’il al-Shī‘a** 2: 150, *Chapters on Bathhouse Etiquettes*, Chapter 95, ḥadīth 10, with minor variations between them.

٦٢٦ - مسألة: قال: وسألته عن الإقران بين التين والتمر وسائر الفاكهة؟ قال: «نهى رسول الله عن الإقران، فإن كنت وحدك فكل كيف شئت، وإن كنت مع قوم مسلمين فلا تقرن [إلا بإذنهم]

**626 - Issue:** I asked him about combining figs, dates, and other fruits together.

He said: “**The Messenger of Allah (عليه وسلم)** forbade combining [fruits]. If you are alone, eat as you wish; but if you are with a group of Muslims, do not combine them except with their permission.”<sup>855</sup>

٦٢٧ - مسألة: قال: وسألته عن ألبان الأنثى أشرب لدواء أو يجعل لدواء؟ قال: «لا بأس

**627 - Issue:** I asked him about donkey milk<sup>857</sup>: is it permissible to drink for medicine or to use as medicine?

He said: “**There is no harm.**”<sup>858</sup>

٦٢٨ - مسألة: قال: سأله عن النثار: السكر واللوز وغيره، أيحل أكله؟

قال: «يكره أكل النثار» (١).

**628 - Issue:** I asked him about *nithār*: sugar, almonds, and the like—is it permissible to eat them?

He said: “**It is disliked to eat *nithār*.**”<sup>859</sup>

٦٢٩ - مسألة: قال: وسألته عن الشرب في الإناء يشرب فيه الخمر، فدح عيدان أو باطية (٢)، أيشرب فيه؟ قال: «إذا غسل فلا بأس» (٣).

**629 - Issue:** I asked him about drinking from a vessel in which wine was drunk, such as a *qadah* ‘*Idān* or a *bātiyah*<sup>860</sup>. Is it permissible to drink from it?

<sup>855</sup> From **Masā’il ‘Alī ibn Ja’far**.

<sup>856</sup> **Masā’il ‘Alī ibn Ja’far**: 153 / 206, **Qurb al-Isnād**: 272 / 1080, **Ilal al-Sharā’i** 2: 235, Chapter 294, ḥadīth 1, **Wasā’il al-Shī’ā** 24: 430, *Chapters on Dining Etiquette*, Chapter 111, ḥadīth 1.

<sup>857</sup> *al-Atān*: the female donkey. **Lisān al-‘Arab** 1: 63 – root “-t-n”.

<sup>858</sup> **Masā’il ‘Alī ibn Ja’far**: 154 / 211, **Qurb al-Isnād**: 272 / 1081, **Wasā’il al-Shī’ā** 25: 117, *Chapters on Permissible Foods*, Chapter 60, ḥadīth 6.

<sup>859</sup> **Masā’il ‘Alī ibn Ja’far**: 139–140 / 155, **Qurb al-Isnād**: 273 / 1087, **al-Kāfi** 5: 123 / 7, **al-Faqīh** 3: 97 / 373, **Tahdhīb al-Āḥkām** 6: 370 / 1072, **Wasā’il al-Shī’ā** 17: 168, *Chapters on Livelihood*, Chapter 36, ḥadīth 2. In all sources except the first: “that which is looted (ma intuhiba)” is recorded instead of “looting (al-nahb).”

<sup>860</sup> *al-Bātiyya*: a large container filled with drink, placed among drinkers who ladle from it and drink. **Lisān al-‘Arab** 1: 437 – root “b-ṭ-w”.

He said: “**If it is washed, there is no harm.**”<sup>861</sup>

٦٣٠ - مسألة: قال: وسألته عن الخمر يكون أوله خمراً، ثم يصير خلأً، أيأكل؟ قال: «نعم، إذا ذهب سكره فلا بأس» (٤).

**630 - Issue:** I asked him about wine that was originally wine but then turned into vinegar. Is it permissible to eat it?

He said: “**Yes, if its intoxication has gone, there is no harm.**”<sup>862</sup>

٦٣١ - مسألة: قال: وسألته عن حبّ الخمر ، أيجعل فيه الخل أو الزيتون أو شبهه؟ قال: «إذا غسل فلا بأس» (٥).

**631 - Issue:** I asked him about wine grains (the residue), if vinegar or olives or the like are put in it.

He said: “**If washed, there is no harm.**”<sup>863</sup>

٦٣٢ - مسألة: قال: وسألته عن شارب الخمر، ما حاله إذا سكر منه؟ قال: «من سكر من الخمر ثم مات بعده بأربعين يوماً لقي الله عز وجل كعابد وثن»

**632 - Issue:** I asked him about a drinker of wine—what is his state if he becomes intoxicated from it?

He said: “**Whoever becomes intoxicated by wine and dies within forty days thereafter, will meet Allah Almighty as a worshipper of idols.**”<sup>864</sup>

٦٣٣ - مسألة: قال: وسألته عن الطعام يوضع على سفرة أو خوان، قد أصابه الخمر، أيأكل عليه؟ قال: «إذا كان الخوان يابساً فلا بأس» (٧).

**633 - Issue:** I asked him about food placed on a table or cloth that was touched by wine. Is it permissible to eat from it?

He said: “**If the cloth is dry, there is no harm.**”<sup>865</sup>

<sup>861</sup> **Masā’il ‘Alī ibn Ja‘far:** 154 / 212, **Qurb al-Isnād:** 272 / 1082, **Wasā’il al-Shī‘a** 25: 369, *Chapters on Prohibited Beverages*, Chapter 3, ḥadīth 5.

<sup>862</sup> **Masā’il ‘Alī ibn Ja‘far:** 155 / 216, **Qurb al-Isnād:** 272 / 1083, **Wasā’il al-Shī‘a** 25: 372, *Chapters on Prohibited Beverages*, Chapter 31, ḥadīths 9 and 10.

<sup>863</sup> **Masā’il ‘Alī ibn Ja‘far:** 216 / 115, **Qurb al-Isnād:** 273 / 1084, **Wasā’il al-Shī‘a** 25: 369, *Chapters on Prohibited Beverages*, Chapter 30, ḥadīth 6. In both sources: “jar (dann)” is recorded instead of “jug (hubb).”

<sup>864</sup> **Masā’il ‘Alī ibn Ja‘far:** 156 / 220, **Qurb al-Isnād:** 273 / 1085, **Wasā’il al-Shī‘a** 25: 322, *Chapters on Prohibited Beverages*, Chapter 13, ḥadīth 18.

<sup>865</sup> **Masā’il ‘Alī ibn Ja‘far:** 130 / 117, **Qurb al-Isnād:** 274 / 1088, **Wasā’il al-Shī‘a** 24: 233, *Chapters on Prohibited Foods*, Chapter 62, ḥadīth 4.

٦٣٤ - مسألة: قال: وسألته عن الفارة والكلب إذا أكلَا من الخبز وشبيهه، أيحل أكله؟

قال: «يطرح منه ما أكل، ويؤكل الباقي» (١).

**634 - Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a mouse and a dog if they ate from bread or similar food. Is it permissible to eat it?

He said: “Remove what they ate, and the rest is permissible to eat.”<sup>866</sup>

٦٣٥ - مسألة: قال: وسألته عن فارة أو كلب شربا من زيت أو سمن أو لبن؟

قال: إن كان جرة أو نحوها فلا تأكله، ولكن ينتفع به السراج أو نحوه، وإن كان أكثر من ذلك فلا بأس بأكله، إلا أن يكون صاحبه موسراً يحتمل أن يكون يهريقه فلا ينتفع به في شيء» (٢).

**635 - Issue:** I asked him about a mouse or a dog that drank from oil, ghee, or milk?

He said: “If it is a jar or something similar, do not eat it, but it can be used for lighting a lamp or the like. If it is more than that, then it is permissible to eat it, unless the owner is wealthy and might waste it without benefit.”<sup>867</sup>

٦٣٦ - مسألة: قال: وسألته عن المسلم، أله أن يأكل مع المجوسي في قصعة واحدة، أو يقعد معه على فراش، أو في المسجد، أو يصاحبه؟ قال: «لا» (٣).

في (الكافي) وسألته عن مأكلة المجوسي في قصعة واحدة، وأرقد معه على فراش وأصافحه؟ فقال: «لا» (٤).

**636 - Issue:** I asked him about a Muslim: is it permissible for him to eat from the same dish with a Magian, or sit with him on a bed, or in the mosque, or befriend him?

He said: “No.”<sup>868</sup>

In (al-Kāfī) I asked him about sharing a dish with a Magian, lying with him on a bed, and shaking hands?

He said: “No.”<sup>869</sup>

<sup>866</sup> **Masā'il 'Alī ibn Ja'far:** 213 / 462, **Qurb al-Isnād:** 274 / 1089, **Wasā'il al-Shī'a** 24: 198, *Chapters on Prohibited Foods*, Chapter 45, ḥadīth 2. In it: “and it is permissible (wa-yahillu)” is recorded instead of “and it is eaten (wa-yu'kalu).”

<sup>867</sup> **Masā'il 'Alī ibn Ja'far:** 133 / 128, **Qurb al-Isnād:** 274 / 1090, **Wasā'il al-Shī'a** 24: 198, *Chapters on Prohibited Foods*, Chapter 45, ḥadīth 3.

<sup>868</sup> **Masā'il 'Alī ibn Ja'far:** 137 / 142, **Qurb al-Isnād:** 274 / 1091, **Wasā'il al-Shī'a** 24: 207, *Chapters on Prohibited Foods*, Chapter 52, ḥadīth 4.

<sup>869</sup> **Masā'il 'Alī ibn Ja'far:** 137 / 142, **Qurb al-Isnād:** 274 / 1091, **al-Kāfī** 6: 264 / 7, **Tahdhīb al-Āhkām** 9: 87 / 366, **Wasā'il al-Shī'a** 24: 206, *Chapters on Prohibited Foods*, Chapter 52, ḥadīth 1.

٦٣٧ - مسألة: قال: وسألته عن الدقيق فيه خراء الفار، هل يصلح أكله إذا عجن مع الدقيق؟ قال: «إذا لم تعرفه فلا بأس، وإن عرفته فلنطرحه» <sup>(٥)</sup>.

**637 - Issue:** I asked him about flour that contains mouse droppings. Is it permissible to eat if it is kneaded with the flour?

He said: “**If you do not recognize it, there is no harm. But if you recognize it, then throw it away.**” <sup>870</sup>

٦٣٨ - مسألة: قال: وسألته عن لحوم الحمر الأهلية، أتؤكل؟ قال: «نهى رسول الله عنه عنها، وإنما نهى عنها أنهم كانوا يعملون عليها فكره أن يفنوها» <sup>(١)</sup>.

**638 - Issue:** I asked him about the meat of domestic donkeys. Is it permissible to eat?

He said: “**The Messenger of Allah ( عليه وآله وسلام ) forbade it, and he forbade it because people were using them as beasts of burden and he disliked that they should perish.**” <sup>871</sup>

٦٣٩ - مسألة: قال: وسألته عن الرجل المسلم، هل يصلح له أن يسترطع لولده اليهودية والنصرانية، وهن يشربن الخمر؟ قال: «امنعوا هن شرب الخمر ما أرضعن لكم» <sup>(٢)</sup>.

**639 - Issue:** I asked him about a Muslim man: is it permissible for him to have a Jewish or Christian woman breastfeed his child, if they drink wine?

He said: “**Prevent them from drinking wine while they are breastfeeding your child.**” <sup>872</sup>

٦٤٠ - مسألة: قال: وسألته عن المرأة ولدت من زنا، هل يصلح أن يسترطع بلبنها؟ قال: «لا، ولا ابنتها التي ولدت من الزنا» <sup>(٣)</sup>.

**640 - Issue:** I asked him about a woman born from fornication. Is it permissible for her milk to be used for breastfeeding?

He said: “**No, nor her daughter who was born from fornication.**” <sup>873</sup>

٦٤١ - مسألة: قال: وسألته عن اليهودي والنصراني يشرب من الدورق، أيسيرب منه المسلم؟ قال: «لا بأس» <sup>(٤)</sup>.

<sup>870</sup> **Masā’il ‘Alī ibn Ja‘far:** 166 / 270, **Qurb al-Isnād:** 275 / 1093, **Wasā’il al-Shī‘a** 24: 236, *Chapters on Prohibited Foods*, Chapter 64, ḥadīth 3.

<sup>871</sup> **Masā’il ‘Alī ibn Ja‘far:** 129 / 110, **Qurb al-Isnād:** 275 / 1096, **Wasā’il al-Shī‘a** 24: 120, *Chapters on Prohibited Foods*, Chapter 4, ḥadīth 10.

<sup>872</sup> **Masā’il ‘Alī ibn Ja‘far:** 282 / 710, **Qurb al-Isnād:** 275 / 1097, **Wasā’il al-Shī‘a** 21: 465, *Chapters on Rulings Regarding Children*, Chapter 76, ḥadīth 7. In both sources: “prevent them from drinking (imna‘ūhunna min shurb)” is written instead of “prevent them drinking (imna‘ūhunna shurb).”

<sup>873</sup> **Masā’il ‘Alī ibn Ja‘far:** 282 / 711, **Qurb al-Isnād:** 276 / 1098, **Wasā’il al-Shī‘a** 21: 465, *Chapters on Rulings Regarding Children*, Chapter 76, ḥadīth 7.

**641 - Issue:** I asked him about a Jew or Christian who drinks from a jug. Is it permissible for a Muslim to drink from it?

He said: “**There is no harm.**”<sup>874</sup>

٦٤٢ - مسألة: في الشرب من قبل العروة، قال: وسألته، عن الكوز والدورق والقدح والزجاج والعيدان، أيشرب منه من قبل عروته؟ قال: «لا يشرب من قبل عروته كوز ولا إبريق، ولا قدح، ولا ينوضاً من قبل عروته» (٥).

**642 - Issue:** About drinking from before the ‘urwah (a custom in drinking vessels). I asked him about the *kūz* (pitcher), jug, cup, glass, and straws—is it permissible to drink from them before ‘urwah?

He said: “**It is not permitted to drink before ‘urwah from a pitcher, ewer, or cup, nor is it permitted to perform ablution before ‘urwah.**”<sup>875</sup>

٦٤٣ - مسألة: في الإنفة والبيضة من الميّة من (الكافي): عده. من أصحابنا، عن أَحْمَدَ بْنَ مُحَمَّدَ بْنَ خَالِدٍ، عَنْ مُحَمَّدِ بْنِ عَلَىٰ، عَنْ مُحَمَّدِ بْنِ النَّضِيلِ، عَنْ أَبِي حَمْزَةِ الْتَّمَالِيِّ قَالَ: كُنْتُ جَالِسًا فِي مَسْجِدِ الرَّسُولِ عَلَيْهِ السَّلَامُ، إِذْ أَقْبَلَ رَجُلٌ فَسَلَمَ،

فَقَالَ: مَنْ أَنْتَ يَا عَبْدَ اللَّهِ؟ قَالَ: رَجُلٌ مِّنْ أَهْلِ الْكُوفَةِ.

فَقَالَ: مَا حاجْتَكَ؟ قَالَ لَيْ: أَتَعْرِفُ أَبَا جَعْفَرَ مُحَمَّدَ بْنَ عَلَىٰ؟ قَالَ: نَعَمْ، فَمَا حاجْتَكَ إِلَيْهِ؟ قَالَ: هَيَّأْتُ لَهُ أَرْبَعِينَ مَسْأَلَةً أَسْأَلَهُ عَنْهَا، فَمَا كَانَ مِنْ حَقِّ أَخْذِتَهُ، وَمَا كَانَ مِنْ بَاطِلٍ تَرَكْتَهُ.

قَالَ أَبُو حَمْزَةَ: فَقَالَ لَهُ: هَلْ تَعْرِفُ مَا بَيْنَ الْحَقِّ وَالْبَاطِلِ؟ قَالَ: نَعَمْ.

فَقَالَ لَهُ: مَا حاجْتَكَ إِلَيْهِ إِذَا كُنْتَ تَعْرِفُ مَا بَيْنَ الْحَقِّ وَالْبَاطِلِ؟

فَقَالَ لَيْ: يَا أَهْلَ الْكُوفَةِ أَنْتُمْ قَوْمٌ مَا تَطَافِقُونَ، إِذَا رَأَيْتُ أَبَا جَعْفَرَ فَأَخْبَرْنِي، فَمَا انْقَطَعَ كَلَامُهُ حَتَّى أَقْبَلَ أَبُو جَعْفَرٍ وَحَوْلَهُ أَهْلُ الْخَرَاسَانِ وَغَيْرُهُمْ يَسْأَلُونَهُ عَنْ مَنَاسِكِ الْحَجَّ، فَمَضَى حَتَّى جَلَسَ مَجْلِسَهُ وَجَلَسَ الرَّجُلُ قَرِيبًا مِّنْهُ.

قَالَ أَبُو حَمْزَةَ: فَجَلَسْتَ حِيثُ أَسْمَعَ الْكَلَامَ وَحَوْلَهُ عَالَمَ مِنَ النَّاسِ، فَلَمَا قَضَى حَوَاجِهِمْ وَانْصَرَفُوا التَّفَتَ إِلَى الرَّجُلِ.

فَقَالَ لَهُ: «مَنْ أَنْتَ؟» قَالَ: أَنَا قَتَادَةُ بْنُ دَعَامَةَ الْبَصْرِيِّ.

فَقَالَ لَهُ أَبُو جَعْفَرٍ: «أَنْتَ فَقِيهُ أَهْلِ الْبَصْرَةِ؟» قَالَ: نَعَمْ.

فَقَالَ لَهُ أَبُو جَعْفَرٍ وَيَحْكُمُ يَا قَتَادَةَ إِنَّ اللَّهَ جَلَ وَعَزَ خَلَقَ خَلْقًا مِّنْ خَلْفِهِ فَجَعَلَهُمْ حَجَّاً عَلَىٰ خَلْقِهِ، فَهُمْ أَوْتَادُ فِي أَرْضِهِ، قَوْمٌ بِأَمْرِهِ، نَجَابَهُ فِي عِلْمِهِ، اصْطَفَاهُمْ قَبْلَ خَلْقِهِ أَظْلَلَهُ عَنْ يَمِينِ عَرْشِهِ».

<sup>874</sup> **Masā'il 'Alī ibn Ja'far:** 292 / 171.

<sup>875</sup> **Masā'il 'Alī ibn Ja'far:** 293 / 171, **Wasā'il al-Shī'a** 25: 258, *Chapters on Permissible Drinks*, Chapter 14, ḥadīth 8.

قال: فسكت قنادة طويلاً، ثم قال: أصلحك الله، والله لقد جلست بين يدي الفقهاء، وقدام ابن عباس، فما اضطرب قلبي قدام واحد منهم ما اضطرب قدامك.

قال له أبو جعفر: ويحك [ (١) أتدرى أين أنت بين يدي بيوت أذن الله أن ترفع (١) ]

ويذكر فيها اسمه يسبح له فيها بالغدو والأصال رجال لا تلهيهم تجارة ولا بيع عن ذكر الله وإقام الصلاة وإيتاء الزكاة (١)؟ فأنت ثم ونحن أولئك».

قال له قنادة: صدقت والله جعلني الله فداك، والله ما هي بيوت حجارة ولا طين.

قال قنادة: فأخبرني عن الجن؟ فتبرس أبو جعفر، ثم قال: «رجعت مسائلك إلى هذا».

قال: ضلت على.

قال: «لا بأس به».

قال: إنه ربما جعلت فيه إنفحة الميت.

قال: «ليس بها بأس، إن الإنفحة ليس لها عروق، ولا فيها دم، ولا لها عظم، إنما تخرج بين فرث ودم». ثم قال: «وإن الإنفحة بمنزلة دجاجة ميتة خرجت منها بيضة، فهل توكل

ذلك البيضة؟»؟ قال قنادة: لا، ولا أمر بأكلها.

قال له أبو جعفر: «ولم؟». قال: لأنها من الميتة.

قال له: «فإن حضنت تلك البيضة فخرجت منها دجاجة، أتأكلها؟»؟ قال: نعم.

قال: «فما حرم عليك البيضة وحل لك الدجاجة؟»؟ ثم قال: «كذلك الإنفحة مثل

البيضة، فاشترى الجن من أسواق المسلمين، من أيدي المصلين (٢)، ولا تسأل عنه إلا أن يأتيك من يخبرك عنه (٣)».

#### 643 - Issue: About *'Infahah* and the egg of a dead animal from (al-Kāfi):

Narrated from the companions of ours, from Aḥmad ibn Muḥammad ibn Khālid, from Muḥammad ibn 'Alī, from Muḥammad ibn al-Fuḍayl, from Abū Ḥamzah al-Thumālī:

I was sitting in the Mosque of the Messenger of Allah (عليه وسلم) when a man approached and greeted, then said: "Who are you, O 'Abdullāh?"

I said: "A man from the people of Kūfah."

He said: "What do you need?"

I said: "Do you know Abū Ja‘far Muḥammad ibn ‘Alī?"

He said: "Yes, what do you want from him?"

He said: "I prepared forty questions to ask him. What was true I took, and what was false I left."

Abū Ḥamzah said: I said to him: "Do you know the difference between truth and falsehood?"

He said: "Yes."

I said: "Then why do you need him if you know the difference between truth and falsehood?"

He said: "O people of Kūfah, you are unbearable. When you see Abū Ja‘far, tell him for me."

His speech was not finished before Abū Ja‘far came, surrounded by the people of Khurāsān and others asking about the rites of Hajj. He went to his place and the man sat near him.

Abū Ḥamzah said: I sat where I could hear their talk, surrounded by scholars. When he finished their needs and they left, he turned to the man.

He said to him: "**Who are you?**"

He said: "**I am Qatādah ibn Du‘āmah al-Baṣrī.**"

He said to him: "**Are you the jurist of the people of Basra?**"

He said: "**Yes.**"

Abū Ja‘far said: "**Woe to you, Qatādah! Indeed Allah, Glorious and Exalted, created a people among His creation and made them proofs over His creation; they are the pegs in His earth, the upholders of His command, noble in His knowledge. He chose them before His creation as shadows on the right side of His Throne.**"

Qatādah was silent for a long time, then said: "**May Allah reform you. By Allah, I have sat before jurists and before Ibn ‘Abbās, but my heart was never troubled before any of them like it was before you.**"

Abū Ja‘far said to him: "**Woe to you <sup>876</sup>, do you know where you are before the houses which Allah has permitted to be raised and in which His name is remembered morning**

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<sup>876</sup> From the source.

and evening by men who are not distracted by trade or sale from the remembrance of Allah, the establishment of prayer, and giving zakāh<sup>877</sup>? You are then, and we are those.”

Qatādah said: “You have spoken the truth, by Allah. May Allah make me your ransom. Those are not houses of stone or mud.”

Qatādah said: “Tell me about cheese?”

Abū Ja‘far smiled, then said: “You return your questions to this?”

He said: “They confused me.”

He said: “There is no harm in it.”

He said: “It may contain *infahah* of the dead.”

He said: “There is no harm in it. *Infahah* has no veins, no blood, and no bones; it only comes out between excrement and blood.” Then he said: “And *infahah* is like a dead chicken from which an egg came out. Is that egg eaten?”

Qatādah said: “No, and there is no command to eat it.”

Abū Ja‘far said to him: “Why?”

He said: “Because it is from the dead.”

He said: “If you incubated that egg and a chicken came out of it, would you eat it?”

He said: “Yes.”

He said: “Why then is the egg forbidden to you, but the chicken is permissible?” Then he said: “*Infahah* is like the egg. Buy cheese from the markets of the Muslims, from the hands of the praying,<sup>878</sup> and do not ask about it except if someone comes to inform you about it.”<sup>879</sup>

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<sup>877</sup> Reference to verses 36–37 of **Sūrat al-Nūr**.

<sup>878</sup> From the source; in the manuscript: “the hands of the Muslims.”

<sup>879</sup> **Al-Kāfi** 6:256–257 / 1, **Wasā’il al-Shī‘a** 24:179, **Kitāb al-At‘īma al-Muḥarrama**, Chapter 33, Hadīth 1.

## Chapter Forty-Four: On Hunting

عبد الله بن الحسن العلوى، عن جده علي بن جعفر، عن أخيه موسى بن جعفر قال: وسألته عن الجراد تصيبه ميتاً في الصحراء أو في الماء، أيأكل؟ قال: «لا تأكله» (١).

‘Abdullāh ibn al-Hasan al-‘Alawī narrates from his grandfather ‘Alī ibn Ja‘far, who said:

I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about locusts that are found dead in the desert or in water—can they be eaten?

He (Mūsā ibn Ja‘far) said: “Do not eat them.”<sup>880</sup>

٦٤٤ - مسألة: قال: وسألته عن الجراد تصيبه فيموت بعدها نصيده، أيأكل ؟ قال: «لا بأس

**644 – Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about locusts that we catch and then they die after we catch them—can they be eaten?

He (Mūsā ibn Ja‘far) said: “There is no harm.”<sup>881</sup>

٦٤٥ - مسألة: قال: وسألته عن الجراد تصيبه ميتاً في البحر أو في الصحراء، أيأكل ؟ قال: «لا تأكله» (٣).

**645 – Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about locusts found dead in the sea or in the desert—can they be eaten?

He (Mūsā ibn Ja‘far) said: “Do not eat them.”<sup>882</sup>

٦٤٦ - مسألة: قال: وسألته عن الدب (٤) من الجراد، أيأكل؟ قال: «لا، حتى يستنقذ

بالطيران» (٥).

**646 – Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about *dabbā*’ (immature locusts)<sup>883</sup>—can they be eaten?

He (Mūsā ibn Ja‘far) said: “No, not until they become able to fly on their own.”<sup>884</sup>

<sup>880</sup> **Masā’il ‘Alī ibn Ja‘far:** 192 / 396; **Qurb al-Isnād:** 277 / 1100; **Al-Kāfi** 6:222 / 3; **Tahdhīb al-Āḥkām** 9:62 / 264; **Wasā’il al-Shī‘a** 24:87, **Kitāb al-Dhabā’ih**, Chapter 37, Hadīth 1.

<sup>881</sup> **Masā’il ‘Alī ibn Ja‘far:** 192 / 395; **Qurb al-Isnād:** 277 / 1100; **Wasā’il al-Shī‘a** 24:87, **Kitāb al-Dhabā’ih**, Chapter 37, Hadīth 2.

<sup>882</sup> **Masā’il ‘Alī ibn Ja‘far:** 396 / 192; **Wasā’il al-Shī‘a** 24:87, **Kitāb al-Dhabā’ih**, Chapter 37, Hadīth 1 — with “al-mā” (water) in place of “al-bahr (sea).”

<sup>883</sup> **Al-dabā’:** locust before it flies; **Al-Sīhāh** 6:2333 — entry: *d-b-y*.

<sup>884</sup> **Masā’il ‘Alī ibn Ja‘far:** 109 / 18; **Qurb al-Isnād:** 277 / 1101; **Al-Kāfi** 6:222 / 3; **Tahdhīb al-Āḥkām** 9:62 / 264; **Wasā’il al-Shī‘a** 24:87, **Kitāb al-Dhabā’ih**, Chapter 37, Hadīth 1.

٦٤٧ - مسألة: قال: وسألته عن سمكة وثبت من النهر، فوقعت على الجد

فماتت، هل يصلاح أكلها؟ قال: «إن أخذتها قبل أن تموت فكلها، وإن ماتت قبل أن تأخذها فلا تأكلها» (١).

**647 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a fish that leaped from the river and landed on the bank and died—can it be eaten?<sup>885</sup>

He (Mūsā ibn Ja'far) said: “**If you caught it before it died, then eat it. But if it died before you caught it, do not eat it.**”<sup>886</sup>

٦٤٨ - مسألة: قال: وسألته عما حسر عنه الماء من صيد البحر وهو ميت، أيحل أكله؟ قال: «لا» (٢).

قال: وسألته عن صيد البحر، يحبسه فيمومت في مصيبيته؟ قال: «إذا كان محبوساً فكل، فلا بأس» (٣).

قال: وسألته عن ظبي أو حمار وحش أو طير، صرעהه رجل، ثم رماه بعدها صرעהه غيره فمات، أيؤكل؟ قال: «كله مالم يتغير (٤) إذا سمى ورمى» (٥).

**648 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about sea game that becomes exposed when the water recedes, and it is dead—can it be eaten?

He (Mūsā ibn Ja'far) said: “**No.**”<sup>887</sup>

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about sea game that is caught and then dies in its trap—can it be eaten?

He (Mūsā ibn Ja'far) said: “**If it was trapped, then eat it—there is no harm.**”<sup>888</sup>

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a gazelle or wild donkey or a bird that a man brought down, then another person struck it after it was already down, and it died—can it be eaten?

He (Mūsā ibn Ja'far) said: “**Eat it, as long as it has not changed**<sup>889</sup>, **provided that the name of Allah was invoked and it was struck.**”<sup>890</sup>

٦٤٩ - مسألة: قال: وسألته عن الرجل يلحق الظبي أو الحمار فيضره بالسيف فيقطعه نصفين، هل يحل أكله؟ قال: «نعم إذا سمى»

<sup>885</sup> *Al-judad*: flat and solid ground; **Lisān al-'Arab** 2:200 — entry: *j-d-d*.

<sup>886</sup> **Masā'il 'Alī ibn Ja'far**: 285 / 723; **Qurb al-Isnād**: 277 / 1102 — with *al-jurf* in place of *al-jadd*; **Al-Kāfi** 6:218 / 11; **Tahdhīb al-Āhkām** 9:23 / 7; **Al-Istibṣār** 4:113 / 61; **Wasā'il al-Shī'a** 24:81, **Kitāb al-Dhabā'ih**, Chapter 34, Hadīth 1.

<sup>887</sup> **Masā'il 'Alī ibn Ja'far**: 323 / 177; **Qurb al-Isnād**: 278–279 / 1107; **Wasā'il al-Shī'a** 24:144, **Kitāb al-Āṭ'ima al-Muḥarrama**, Chapter 13, Hadīth 7.

<sup>888</sup> **Masā'il 'Alī ibn Ja'far**: 324 / 177; **Wasā'il al-Shī'a** 24:144, **Kitāb al-Āṭ'ima al-Muḥarrama**, Chapter 13, Hadīth 8.

<sup>889</sup> In one manuscript: “*yataghayyab* (disappears).” (Footnote A)

<sup>890</sup> **Masā'il 'Alī ibn Ja'far**: 325 / 177; **Qurb al-Isnād**: 278 / 1105 — with *yataghayyab* in place of *yataghayyar*; **Wasā'il al-Shī'a** 25:51, **Kitāb al-Āṭ'ima al-Mubāḥa**, Chapter 19, Hadīth 5.

**649 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who catches a gazelle or donkey and strikes it with a sword, cutting it in half—can it be eaten?

He (Mūsā ibn Ja'far) said: “Yes, if the name of Allah was invoked.”<sup>891</sup>

٦٥٠ - مسألة: قال: وسألته عن رجل يلحق حماراً أو ظبياً فيضر به بالسيف فيصرعه، أيؤكل؟ قال: «إن أدرك ذكته ذكاء، وإن مات قبل أن يغيب عنه أكله» (٧).

**650 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who catches a donkey or gazelle and strikes it with a sword, causing it to fall down—can it be eaten?

He (Mūsā ibn Ja'far) said: “If he reached its soul and slaughtered it, then eat it. But if it died before it disappeared from him (his sight), eat it.”<sup>892</sup>

٦٥١ - مسألة: قال: وسألته عن أكل السلحافة والسرطان والجري، أيحل أكله؟ قال: «لا يحل أكل السلحافة والسرطان والجري» (١).

**651 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about eating the tortoise, crab, and catfish—does it become permissible?

He (Mūsā ibn Ja'far) said: “It is not permissible to eat the tortoise, crab, or catfish.”<sup>893</sup>

٦٥٢ - مسألة: قال: وسألته عن الصيد يحبسه فيموت في مصيّته، أيحل أكله؟ قال: «إذا كان محبوساً فكل، فلا بأس» (٢).

**652 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about game that is caught and kept in a trap and then dies in that trap—can it be eaten?

He (Mūsā ibn Ja'far) said: “If it was trapped, then eat it—there is no harm.”<sup>894</sup>

٦٥٣ - مسألة: قال: وسألته عن الغراب الأبع (٣) والأسود، أيحل أكله؟ فقال: لا يحل شيء من الغربان، زاغ ولا غيره» (٤).

**653 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the pied crow (gray-and-black)<sup>895</sup> and the black crow—can they be eaten?

<sup>891</sup> *Masā'il 'Alī ibn Ja'far*: 326 / 177; *Qurb al-Isnād*: 278 / 1104; *Wasā'il al-Shī'a* 25:51, *Kitāb al-At'ima al-Mubāha*, Chapter 19, Ḥadīth 6 — without the phrase “Yes.”

<sup>892</sup> *Masā'il 'Alī ibn Ja'far*: 327 / 177; *Qurb al-Isnād*: 278 / 1106 — with *akala* (ate) in place of *dhakkāh* (slaughtered); *Wasā'il al-Shī'a* 25:52, *Kitāb al-At'ima al-Mubāha*, Chapter 19, Ḥadīth 7.

<sup>893</sup> *Masā'il 'Alī ibn Ja'far*: 131 / 118; *Qurb al-Isnād*: 279 / 1108; *Al-Kāfi* 6:221 / 11; *Tahdhīb al-Āḥkām* 9:46 / 12; *Wasā'il al-Shī'a* 24:146, *Abwāb al-At'ima al-Muharrama*, Chapter 16, Ḥadīth 1 — in all sources except the first, the question is not mentioned.

<sup>894</sup> *Masā'il 'Alī ibn Ja'far*: 177 / 324; *Qurb al-Isnād*: 279 / 1111; *Wasā'il al-Shī'a* 24:85–86, *Abwāb al-Dhabā'ih*, Chapter 35, Ḥadīth 6.

<sup>895</sup> *al-Abqa'*: an animal whose white is mixed with another color — *Lisān al-'Arab* 1:461, root *b-q-*.

He (**Mūsā ibn Ja‘far**) said: “**None of the crows is permissible to eat, whether it’s the jackdaw or otherwise.**”<sup>896</sup>

٦٥٤ - مسألة: قال: وسألته عن السمك يصاد ثم يوثق، فيرد إلى الماء، حتى يجيء من يشتريه، فيموت بعضه، أيحل أكله؟ قال: «لا، لأنه مات في الذي فيه حياته» (٥).

**654 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about fish that is caught and then tied up and returned to the water until someone comes to buy it, and some of it dies—can it be eaten?

He (**Mūsā ibn Ja‘far**) said: “**No, because it died in what contains its life (i.e., water).**”<sup>897</sup>

٦٥٥ - مسألة: قال: وسألته عن ذبيحة اليهود والنصارى، هل تحل؟ قال: «إذا ذكر اسم الله».

**655 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about the slaughtered animals of the Jews and Christians—are they permissible?

He (**Mūsā ibn Ja‘far**) said: “**If the name of Allah was mentioned (during slaughter), yes.**”<sup>898</sup>

٦٥٦ - مسألة: قال: وسألته عن ذبائح نصارى العرب؟ قال: «ليس هم بأهل كتاب، فلا تحل ذبائحهم» (١).

**656 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about the slaughtered animals of the Christian Arabs—are they permissible?

He (**Mūsā ibn Ja‘far**) said: “**They are not People of the Book, so their slaughtered animals are not permissible.**”<sup>899</sup>

٦٥٧ - مسألة: قال: وسألته، عما أصاب المجروس من الجراد والسمك، أيحل أكله؟ قال: «صيده ذكاته، لا بأس» (٢).

**657 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about what the Magians (Zoroastrians) catch of locusts and fish—can they be eaten?

<sup>896</sup> **Masā’il ‘Alī ibn Ja‘far:** 174 / 310; **Al-Kāfi** 6:245 / 8; **Tahdhīb al-Ahkām** 9:18–19 / 73; **Al-Istibṣār** 4:65 / 236; **Wasā’il al-Shī‘a** 24:126, **Abwāb al-At‘īma al-Muharrama**, Chapter 7, Hadīth 3

<sup>897</sup> **Masā’il ‘Alī ibn Ja‘far:** 284 / 715; **Qurb al-Isnād:** 280 / 1112; **Wasā’il al-Shī‘a** 24:80, **Abwāb al-Dhabā’ih**, Chapter 33, Hadīth 6 — with *lam yūthaq* (was not trusted) instead of *yūthaq* (is trusted).

<sup>898</sup> **Masā’il ‘Alī ibn Ja‘far:** 104 / 4; **Qurb al-Isnād:** 275 / 1094; **Wasā’il al-Shī‘a** 24:56, **Abwāb al-Dhabā’ih**, Chapter 27, Hadīth 14.

<sup>899</sup> **Masā’il ‘Alī ibn Ja‘far:** 284 / 717; **Qurb al-Isnād:** 275 / 1095; **Wasā’il al-Shī‘a** 24:56–57, **Abwāb al-Dhabā’ih**, Chapter 27, Hadīth 15.

He (**Mūsā ibn Ja‘far**) said: “**Their catching it counts as their slaughter—there is no harm.**”

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٦٥٨ - مسألة: قال: وسألته عن ذبيحة اليهودي والنصراني، هل تحل؟ قال: «كل ما ذكر الله عليه» (٣).

**658 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about the slaughtered animals of the Jews and Christians—are they permissible?

He (**Mūsā ibn Ja‘far**) said: “**Eat whatever the name of Allah was mentioned upon.**” <sup>901</sup>

٦٥٩ - مسألة: قال: وسألته عن ذبيحة الجارية، هل تصلح؟ قال: «إذا كانت لا تخنع، ولا تكسر الرقبة فلا بأس». وقال: «قد كانت لأهل علي بن الحسين جارية تذبح لهم» (٤).

**659 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about the slaughter of a female servant (bondwoman)—does it count as valid?

He (**Mūsā ibn Ja‘far**) said: “**If she does not flinch or break the neck (improperly), then it is fine.**” And he (**Mūsā ibn Ja‘far**) said: “**The household of ‘Alī ibn al-Husayn had a bondwoman who used to slaughter for them.**” <sup>902</sup>

٦٦٠ - مسألة: قال: وسألته عن قتل الهدده؟ قال: «لا تؤذه ولا تذبحه، فنعم الطير هو

**660 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about killing the hoopoe bird—he said: “**Do not harm it or slaughter it; it is a good bird.**” <sup>903</sup>

٦٦١ - مسألة: قال: وسألته عن قتل النملة، أ يصلح؟ قال: «لا تقتلها إلا أن تؤذيك» (١).

**661 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about killing an ant—he said: “**Do not kill it unless it harms you.**” <sup>904</sup>

٦٦٢ - مسألة: قال: وسألته عن رجل ذبح، فقطع الرأس قبل أن تبرد الذبيحة، كان ذلك منه خطأ، أو سبقه السكين، أيؤكل ذلك؟ قال: «نعم، ولكن لا يعود» (١).

<sup>900</sup> **Masā’il ‘Alī ibn Ja‘far:** 279 / 168; **Wasā’il al-Shī‘a** 24:77–78, **Abwāb al-Dhabā’ih**, Chapter 32, Hadīth 8.

<sup>901</sup> **Masā’il ‘Alī ibn Ja‘far:** 104 / 4; **Qurb al-Isnād:** 275 / 1094; **Wasā’il al-Shī‘a** 24:56, **Abwāb al-Dhabā’ih**, Chapter 27, Hadīth 14.

<sup>902</sup> **Masā’il ‘Alī ibn Ja‘far:** 65 / 119; **Wasā’il al-Shī‘a** 24:44, **Abwāb al-Dhabā’ih**, Chapter 23, Hadīth 4.

<sup>903</sup> **Masā’il ‘Alī ibn Ja‘far:** 157 / 226; **Qurb al-Isnād:** 294 / 1161; **Wasā’il al-Shī‘a** 11:536, **Abwāb Aḥkām al-Dawābb**, Chapter 47, Hadīth 6.

<sup>904</sup> **Masā’il ‘Alī ibn Ja‘far:** 157 / 225; **Qurb al-Isnād:** 294 / 1160; **Wasā’il al-Shī‘a** 11:535, **Abwāb Aḥkām al-Dawābb**, Chapter 47, Hadīth 5.

**662 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who slaughters an animal and cuts off its head before it has cooled (stopped moving)—was it an error or did the knife slip? Can it be eaten?

He (Mūsā ibn Ja'far) said: "Yes, it can be eaten, but he should not repeat it." <sup>905</sup>

## **Chapter Forty-Five: The Book of Hudud (Legal Punishments)**

الأول: في حد الزنا، وهو قسمان: رجم وجلد.

الأول الرجم، وشرطه الإحسان (١).

**First: The punishment for fornication (zinā), which has two parts: stoning and flogging.**

The first is stoning, and its condition is marital status. <sup>906</sup>

٦٦٣ - مسألة: قال: وسألته عن الحر تحته المملوكة، هل عليه الرجم إذا زنى؟

«قال: «نعم

**663 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a free man who has a slave woman as his wife—if he commits fornication, is stoning prescribed for him?

He (Mūsā ibn Ja'far) said: "Yes." <sup>907</sup>

٦٦٤ - مسألة: قال: وسألته عن رجل طلق أو بانت أمرأته ثم زنى، ما عليه؟

قال: «الرجم» (٣).

**664 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who divorced or separated from his wife and then committed fornication—what is his punishment?

He (Mūsā ibn Ja'far) said: "Stoning." <sup>908</sup>

٦٦٥ - مسألة: قال: وسألته عن امرأة طلقت فزنلت بعدها طلقت بسنة، هل عليها

الرجم؟ قال: «نعم» (٤).

<sup>905</sup> **Masā'il 'Alī ibn Ja'far:** 296 / 172; **Wasā'il al-Shī'a** 24:19, **Abwāb al-Dhabā'ih**, Chapter 9, Ḥadīth 7.

<sup>906</sup> From the book *Kitāb al-Hudūd*, section on **al-Iḥṣān**, manuscript "B".

<sup>907</sup> **Masā'il 'Alī ibn Ja'far:** 71 / 121; **Wasā'il al-Shī'a** 28:72, **Abwāb Hadd al-Zinā**, Chapter 2, Ḥadīth 11.

<sup>908</sup> **Masā'il 'Alī ibn Ja'far:** 190 / 386; **Qurb al-Isnād:** 254 / 1004; **Wasā'il al-Shī'a** 28:75, **Abwāb Hadd al-Zinā**, Chapter 6, Ḥadīth 1.

أقول: العمل بظاهر هذين الحديثين مشكل جداً<sup>(٥)</sup>.

**665 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a woman who was divorced and then, a year later, committed fornication—does she face stoning?

He (Mūsā ibn Ja'far) said: "Yes." <sup>909</sup>

—I say: Acting upon the apparent meaning of these two narrations is very problematic. <sup>910</sup>

٦٦٦ - مسألة: قال: وسألته عن رجل شهد عليه ثلاثة رجال أنه زنى بفلانة، وشهد الرابع أنه زنى، ثم قال: لا أدرى بما زنى بفلانة أو غيرها؟ قال: «ما حال الرجل إذا كان أحصن أو لم يحصن...» (١). لم يتم الحديث.

**666 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man against whom three witnesses testified that he committed fornication with a specific woman, but the fourth witness said: "I do not know whether he fornicated with that woman or another"—what is the ruling?

He (Mūsā ibn Ja'far) said: "What is the condition of the man—whether he is married or not..." <sup>911</sup>

—The narration is incomplete.

الثاني: الجلد.

علي، عن أخيه، عن أبيه قال: سأله عن رجل تزوج ولم يدخل بها، فزنى، ما عليه؟ قال: «يجلد الحد، ويحلق رأسه ويفرق بينه وبين أهله، وينفي سنة» (٢) (٣).

### **Second: The punishment of flogging (fornication if the condition of stoning is not met)**

'Alī, from his brother, from his father: He ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about a man who married but did not consummate the marriage, then committed fornication—what is his punishment?

<sup>909</sup> **Masā'il 'Alī ibn Ja'far:** 190 / 387; **Qurb al-Isnād:** 254–255 / 1005; **Wasā'il al-Shī'a** 28:76, **Abwāb Hadd al-Zinā**, Chapter 6, Hadīth 2.

<sup>910</sup> I say: Acting upon this... is very problematic — from manuscript "B".

<sup>911</sup> **Masā'il 'Alī ibn Ja'far:** 134 / 131; **Bihār al-Anwār** 10:262 — it seems that the narration in the source is incomplete. A similar narration is attributed to al-Šādiq (peace be upon him) wherein he was asked about this matter and replied: "He is neither subjected to hadd nor to stoning." See also: **al-Kāfi** 7:210 / 3; **al-Faqīh** 4:28 / 71; **Tahdhīb al-Āḥkām** 10:25 / 75; **al-Istibṣār** 4:218 / 817.

He (**Mūsā ibn Ja‘far**) said: “**He is flogged the prescribed number of lashes, his head is shaved, he is separated from his family, and exiled for a year.**”<sup>912 913</sup>

٦٦٧ - مسألة: قال: وسألته عن رجل وقع على صبيّة، ما عليه؟ قال: «الحد» (٤).

**667 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about a man who has intercourse with a young girl—what is his punishment?

He (**Mūsā ibn Ja‘far**) said: “**The legal punishment (hadd).**”<sup>914</sup>

٦٦٨ - مسألة: قال: وسألته عن صبي وقع على امرأة؟ قال: «تجلد المرأة، وليس على الصبي شيء» (٥).

وقال: «إن رسول الله عليه وسلم أتى بامرأة مريضة، ورجل أجرب قد بدأ عروق فخذيه، قد فجر بامرأة، فقالت المرأة لرسول الله عليه وسلم: أتيته فقلت له: أطعني واسقني فقد جهدت.

قال: لا، حتى أفعل بك. فعل، فجلده رسول الله الله بغير بينة مائة شمراح، ولم يضرب

المرأة» (١)، وقال: «يجلد الزاني أشد الجلد، وجلد المفترى بين الجلدين» (٢). قال رسول الله عليه وسلم: «لا يزني الزاني وهو مؤمن» (٣).

**668 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about a boy who has intercourse with a woman—what is the ruling?

He (**Mūsā ibn Ja‘far**) said: “**The woman is flogged, but there is no punishment on the boy.**”<sup>915</sup>

And he (**Mūsā ibn Ja‘far**) said:

“**The Messenger of Allah** عليه وسلم **was brought a sick woman and a man afflicted with leprosy whose thigh veins were showing, and he had committed fornication with a woman. The woman said to the Messenger of Allah** عليه وسلم: ‘I came to him and said: Feed me and give me drink, for I am in need.’

**He said: ‘No, not until I do (fornicate) with you.’ So he did it. The Messenger of Allah** عليه وسلم **ordered that he be flogged with one hundred twigs (as a single punishment) without evidence and did not punish the woman.**”<sup>916</sup>

And he (**Mūsā ibn Ja‘far**) said:

<sup>912</sup> **Masā’il ‘Alī ibn Ja‘far:** 289 / 735; **al-Faqīh** 3:262 / 1251; **Tahdhīb al-Āḥkām** 7:489 / 1966 and 10:125 / 36; **Wasā’il al-Shī‘a** 21:236, Chapter 17, Ḥadīth 2.

<sup>913</sup> The second: “He is to be lashed... and exiled for one year.” — from manuscript “B”.

<sup>914</sup> **Masā’il ‘Alī ibn Ja‘far:** 731 / 288; **Qurb al-Isnād:** 257 / 1014; **Wasā’il al-Shī‘a** 28:83, **Abwāb Hadd al-Zinā**, Ḥadīth 4.

<sup>915</sup> **Masā’il ‘Alī ibn Ja‘far:** 747 / 292; **Qurb al-Isnād:** 257 / 1015; **Wasā’il al-Shī‘a** 28:83, **Abwāb Hadd al-Zinā**, Ḥadīth 5.

<sup>916</sup> **Masā’il ‘Alī ibn Ja‘far:** 734 / 289; **Qurb al-Isnād:** 257 / 1016; **Wasā’il al-Shī‘a** 28:31, **Abwāb Muqaddimāt al-Hudūd wa Āḥkāmihā al-‘Āmma**, Bāb 13, Ḥadīth 9.

**“The fornicator is flogged the most severe flogging, and the false accuser is flogged with a flogging in between the two.”** <sup>917</sup>

The Messenger of Allah ﷺ said:

**“The fornicator does not fornicate while he is a believer.”** <sup>918</sup>

### **Second: The punishment for false accusation (qadhf)**

الثاني: في حد القذف

٦٦٩ - مسألة: قال: وسألته عن رجل قذف امرأته ثم طلقها، فطالبت بعد الطلاق قذفه إليها؟ قال: إن هو أقر جلد الحد، وإن كانت في عدتها لاعنها» (٤).

**669 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who accused his wife of fornication, then divorced her, and after the divorce she demanded the punishment for his false accusation—what is the ruling?

He (Mūsā ibn Ja'far) said: **“If he confesses, he is flogged the prescribed punishment; and if she is still in her waiting period ('iddah), they undergo the process of mutual imprecation (li 'ān).”** <sup>919</sup>

الثالث: حد السرقة ونصاب القطع (٥).

### **Third: The punishment for theft and the threshold for amputation** <sup>920</sup>

٦٧٠ - مسألة: قال: وسألته، عن حد ما يقطع فيه السارق؟ قال: «قال أمير المؤمنين

عليه السلام: عن بيضة حديد بدر همين أو ثلاثة» (٦).

وسألته: عن الصبي يسرق ما عليه؟ قال: «إذا سرق وهو صغير عفي عنه، وإن عاد قطعت أنامله، وإن عاد قطع أسفل من ذلك [٧] أو ما شاء الله» (٨).

**670 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the amount at which a thief's hand is cut—what is it?

He (Mūsā ibn Ja'far) said:

<sup>917</sup> **Masā'il 'Alī ibn Ja'far:** 741 / 291; **Qurb al-Isnād:** 257 / 1017; **Wasā'il al-Shī'a** 28:31, *Abwāb Muqaddimāt al-Hudūd wa Aḥkāmihā al-Āmma*, Bāb 13, Ḥadīth 10.

<sup>918</sup> **Masā'il 'Alī ibn Ja'far:** 746 (footnote) / 292; **Qurb al-Isnād:** 258 / 1021; **Wasā'il al-Shī'a** 15:318, *Abwāb Jihād al-Nafs wa mā Yunāsibuhu*, Bāb 45, Ḥadīth 9.

<sup>919</sup> **Masā'il 'Alī ibn Ja'far:** 135 / 131; **Wasā'il al-Shī'a** 22:427, *Kitāb al-La 'ān*, Bāb ..., Ḥadīth 2.

<sup>920</sup> The third: “The ḥadd of theft... is amputation.” — from manuscript “B”.

“Amīr al-Mu’minīn (‘Alī ibn Abī Ṭālib) said: ‘It is for an iron egg (like a metal pot or tool) worth two or three dirhams.’”<sup>921</sup>

I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a boy who steals—what is the ruling?

He (Mūsā ibn Ja‘far) said:

“If he steals when he is a child, he is forgiven; but if he repeats the theft, his fingertips are cut off; and if he repeats again, a portion below that is cut off<sup>922</sup>, or whatever Allah wills.”<sup>923</sup><sup>924</sup>

الرابع: في اجتماع الحدود (١)

#### Fourth: On the Concurrence of Hudud (Legal Punishments)<sup>925</sup>

٦٧١ - مسألة: قال: وسألته عن رجل أخذ وعليه ثلاثة حدود: الخمر، والزنا، والسرقة، بأيهمما يبدأ به من الحدود؟ قال: «يبدأ بحد الخمر، ثم السرقة، ثم الزنا» (٢).

#### 671 – Issue:

I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a man who was apprehended while liable for three punishments: drinking wine, fornication, and theft. Which of the punishments should be administered first?

He (Mūsā ibn Ja‘far) said: “The punishment for drinking wine first, then theft, then fornication.”<sup>926</sup>

الخامس: في حد المرتد (٣)

#### Fifth: On the Punishment for Apostasy<sup>927</sup>

علي، عن أخيه، عن أبيه عليه السلام قال: سأله عن مسلم تنصر، قال: «يقتل ولا يستتاب» قلت: نصراني أسلم ثم ارتد عن الإسلام؟، قال: «يستتاب فإن رجع، وإلا قتل» (٤)

<sup>921</sup> **Masā’il ‘Alī ibn Ja‘far**: 125 / 132 and 749 / 293; **Qurb al-Isnād**: 259 / 1027; **Wasā’il al-Shī‘a** 28:248, *Abwāb Ḥadd al-Sariqa*, Bāb 2, Ḥadīth 22.

<sup>922</sup> **Masā’il ‘Alī ibn Ja‘far**: 280 / 168; **Wasā’il al-Shī‘a** 28:298, *Abwāb Ḥadd al-Sariqa*, Bāb 28, Ḥadīth 16.

<sup>923</sup> From the source.

<sup>924</sup> And I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about the child... or whatever Allah wills — from manuscript “B”.

<sup>925</sup> The fourth: “On the conjunction of ḥudūd (legal punishments)” — from manuscript “B”.

<sup>926</sup> **Masā’il ‘Alī ibn Ja‘far**: 2 / 104; **Qurb al-Isnād**: 258 / 1023; **Wasā’il al-Shī‘a** 34:28, *Abwāb Muqaddimāt al-Ḥudūd wa Aḥkāmihā al-‘Āmma*, Bāb 15, Ḥadīth 3.

<sup>927</sup> The fifth: “Concerning the ḥadd... otherwise he is to be killed” — from manuscript “B”.

‘Alī ibn Ja‘far, from his brother, from his father (peace be upon him) said: I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a Muslim who became a Christian.

He (Mūsā ibn Ja‘far) said: “**He is to be killed and not given an opportunity to repent.**”

I (‘Alī ibn Ja‘far) said: What about a Christian who accepted Islam and then apostatized from Islam?

He (Mūsā ibn Ja‘far) said: “**He is to be given a chance to repent. If he returns (to Islam), (it is accepted); otherwise, he is to be killed.**”<sup>928</sup>

كتاب القصاص والديات

### **The Book of Retaliation (Qisas) and Blood Money (Diyat)<sup>929</sup>**

٦٧٢ - مسألة: قال: وسألته عن قوم اجتمعوا على قتل آخر، ما حالهم؟ قال: يقتلون به» (٦).

**672 – Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a group of people who gathered together and killed another person—what is their ruling?

He (Mūsā ibn Ja‘far) said: “**They are to be killed for him.**”<sup>930</sup>

٦٧٣ - مسألة: قال: وسألته عن قوم أحرار ومالوك اجتمعوا على قتل مملوك، ما حالهم؟ قال: يقتل من قتله من المالك، ويديه الأحرار» .(٧)

**673 – Issue:** I (‘Alī ibn Ja‘far) asked him (Mūsā ibn Ja‘far) about a group of freemen and slaves who together killed a slave—what is their ruling?

He (Mūsā ibn Ja‘far) said: “**Whoever among the slaves killed him is to be killed, and the freemen must pay compensation.**”<sup>931</sup>

٦٧٤ - مسألة: قال: وسألته عن أقوام أحرار اجتمعوا على قتل حر، ما حالهم؟ يؤذون ثمنه» (١).

وقال: «إن من شرب الخمر فاجلدوه، فإن عاد فاجلدوه، فإن عاد فشربها الثالثة فاقتلوه» (٢).

<sup>928</sup> **Masā’il ‘Alī ibn Ja‘far:** 292 / 743; **al-Kāfi** 7:257 / 10; **Tahdhīb al-Āḥkām** 10:138 / 548; **al-Istibṣār** 4:254 / 963; **Wasā’il al-Shī‘a** 28:325, *Abwāb Ḥadd al-Murtadd*, Bāb 1, Ḥadīth 5.

<sup>929</sup> *Kitāb al-Qaṣāṣ wa al-Diyāt* — from manuscript “B”.

<sup>930</sup> **Masā’il ‘Alī ibn Ja‘far:** 128 / 105; **Tahdhīb al-Āḥkām** 10:244 / 966; **Wasā’il al-Shī‘a** 29:44, *Abwāb al-Qaṣāṣ fī al-Nafs*, Bāb 12, Ḥadīth 10.

<sup>931</sup> **Masā’il ‘Alī ibn Ja‘far:** 376 / 188; **Qurb al-Isnād:** 257–258 / 1018; **Wasā’il al-Shī‘a** 29:99, *Abwāb al-Qaṣāṣ fī al-Nafs*, Bāb 40, Ḥadīth 11 — and in it: “and he contracts for emancipation (tukātib)” instead of “and his hands (yadayh)”.

**674 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a group of freemen who together killed a freeman—what is their ruling?

He (Mūsā ibn Ja'far) said: “They must pay his value (compensation).”<sup>932</sup>

He (Mūsā ibn Ja'far) also said: “Whoever drinks wine, flog him. If he repeats it, flog him. If he drinks it a third time, then kill him.”<sup>933</sup>

٦٧٥ - مسألة: قال: وسألته عن رجل شهر (٣) إلى صاحبه بالرمح والسكنين؟ فقال: إن كان يلعب فلا بأس «(٤)».

وقال: ابتدأ الناس إلى قراب سيف رسول الله الله بعد موته، فإذا صحيفه صغيرة وجدوا فيها من أوى محدثاً فهو كافر، ومن تولى غير مواليه فعليه لعنة الله، ومن أعتى الناس على الله عز وجل من قتل غير قاتله أو ضرب غير ضاربه»<sup>(٥)</sup>.

**675 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who brandished a spear<sup>934</sup> or a knife at his companion—what is his ruling?

He (Mūsā ibn Ja'far) said: “If he was playing, there is no harm.”<sup>935</sup>

He (Mūsā ibn Ja'far) also said: “The people rushed to the scabbard of the sword of the Messenger of Allah after his death, and they found a small scroll in it, in which was written: ‘Whoever shelters an innovator is a disbeliever. Whoever allies with other than his own allies, upon him is the curse of Allah. And the most defiant of people against Allah, Mighty and Exalted, is he who kills other than his killer or strikes other than his striker.’”<sup>936</sup>

٦٧٦ - مسألة: قال: وسألته عن الرجل قتل مملوكاً، ما عليه؟ قال: «يعنق رقبة،

ويصوم شهرين متتابعين، ويطعم ستين مسكيناً»<sup>(٦)</sup>.

**676 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a man who killed a slave—what is upon him?

<sup>932</sup> **Masā'il 'Alī ibn Ja'far:** 106 / 128; **Qurb al-Isnād:** 259 / 1026; **Tahdhīb al-Āhkām** 10:244 / 966; **Wasā'il al-Shī'a** 29:101, *Abwāb al-Qaṣāṣ fī al-Nafs*, Bāb 41, Ḥadīth 10.

<sup>933</sup> **Masā'il 'Alī ibn Ja'far:** 732 / 288; **Qurb al-Isnād:** 258 / 1022; **Wasā'il al-Shī'a** 28:237, *Abwāb Hadd al-Sukr*, Bāb 11, Ḥadīth 15.

<sup>934</sup> In one version: “(he pointed)” — from manuscript “A”.

<sup>935</sup> **Masā'il 'Alī ibn Ja'far:** 748 / 293; **Qurb al-Isnād:** 258 / 1019; **Wasā'il al-Shī'a** 28:315, *Abwāb Hadd al-Muḥārib*, Bāb 2, Ḥadīth 4.

<sup>936</sup> **Masā'il 'Alī ibn Ja'far:** 746 / 292; **Qurb al-Isnād:** 258 / 1020; **Wasā'il al-Shī'a** 29:23, *Abwāb al-Qaṣāṣ fī al-Nafs*, Bāb 4, Ḥadīth 10.

He (**Mūsā ibn Ja‘far**) said: “**He must free a slave, fast for two consecutive months, and feed sixty poor people.**”<sup>937</sup>

٦٧٧ - مسألة: قال: وسألته عن الرجل هل يصلح له أن يضرب مملوكه في الذنب يذنبه؟

قال: «يضربه على قدر ذنبه؛ إن زنى جلده، وإن كان على غير ذلك فعلى قدر ذنبه السوط والسوطين وشبيهه، ولا يفرط في العقوبة» .<sup>(١)</sup>

**677 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about whether it is permissible for a man to strike his slave for a sin he commits.

He (**Mūsā ibn Ja‘far**) said: “**He may strike him according to the measure of his sin. If he committed fornication, he should be lashed. If it is something other than that, then according to the gravity of the sin: one or two lashes or the like. He should not exceed in punishment.**”<sup>938</sup>

٦٧٨ - مسألة: قال: وسألته عن دية اليهودي والمجوس والنصراني، كم هي؟

سواء؟ قال: «ثمانمائة [ثمانمائة] (٢) كل رجل منهم» (٣).

**678 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about the blood money (diyah) of a Jew, a Magian (Zoroastrian), and a Christian—how much is it? Is it equal?

He (**Mūsā ibn Ja‘far**) said: “**Eight hundred (dirhams)<sup>939</sup> for each of them.**”<sup>940</sup>

٦٧٩ - مسألة: قال: وسألته عن يهودي أو نصراني أو مجوس أو أخذ زانياً أو شارب خمر، ما عليه؟ قال: «يقام عليه حدود المسلمين إذا فعلوا ذلك في مصر من أمصار المسلمين، أو في غير أمصار المسلمين، إذا رفعوا إلى [حكم] (٤) المسلمين» (٥).

**679 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about a Jew, a Christian, or a Magian who seizes an adulterer or a drinker of wine—what is the ruling?

<sup>937</sup> **Masā’il ‘Alī ibn Ja‘far:** 729 / 288; **Qurb al-Isnād:** 259 / 1024; **Wasā’il al-Shī‘a** 29:99, *Abwāb al-Qaṣāṣ fī al-Nafs*, Bāb 40, Hadīth 12.

<sup>938</sup> **Masā’il ‘Alī ibn Ja‘far:** 733 / 289; **Qurb al-Isnād:** 1028 / 259; **Wasā’il al-Shī‘a** 28:52, *Abwāb Muqaddimāt al-Hudūd*, Bāb 30, Hadīth 8.

<sup>939</sup> From the original source.

<sup>940</sup> **Masā’il ‘Alī ibn Ja‘far:** 744 / 292; **Qurb al-Isnād:** 1029 / 259–260; **Wasā’il al-Shī‘a** 29:218, *Abwāb Diyāt al-Nafs*, Bāb 13, Hadīth 6.

He (**Mūsā ibn Ja‘far**) said: “The punishments of the Muslims are carried out upon them if they do that in a Muslim city, or even outside Muslim cities, if they are brought before the judges<sup>941</sup> of the Muslims.”<sup>942</sup>

٦٨٠ - مسألة: قال: وسألته عن رجل ضُرب بعزم [في أنفه] فادعى أنه لا يسمع ؟ قال: «إذا كان الرجل مسلماً صدق» (٧).

**680 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about a man who was struck on his ear with a bone<sup>943</sup> and claimed he could no longer hear—what is the ruling?

He (**Mūsā ibn Ja‘far**) said: “If the man is a Muslim, he is to be believed.”<sup>944</sup>

٦٨١ - مسألة: قال: وسألته عن بختي مغتلم قتل رجلاً، فقام أخو المقتول فعقر البختي وقتلها، ما حالهم؟ قال: على صاحب البختي دية المقتول، ولصاحب البختي ثمن بختيه على الذي عقر بختيه» (٨).

**681 – Issue:** I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about a (ferocious) Bactrian camel that killed a man, and then the brother of the slain man came and hamstrung the camel and killed it—what is the ruling for them?

He (**Mūsā ibn Ja‘far**) said: “The owner of the camel owes the blood money for the slain man, and the owner of the camel is entitled to the value of the camel from the one who hamstrung and killed it.”<sup>945</sup>

علي، عن أخيه، عن أبيه، قال: سأله عن مكاتب فقا عين مكاتب، أو كسر سنه، ما عليه ؟ قال: «إن كان أدى نصف مكاتبته فديته دية حرّ، وإن كان دون النصف فبقدر ما أعنق، وكذلك لو فقا عين حر» (١).

‘Alī ibn Ja‘far, from his brother, from his father (peace be upon him), said: I (**‘Alī ibn Ja‘far**) asked him (**Mūsā ibn Ja‘far**) about a contractually manumitted slave (mukatab) who gouged out the eye of another mukatab or broke his tooth—what is upon him?

He (**Mūsā ibn Ja‘far**) said: “If he has paid half of his contract, his blood money is that of a free man; if less than half, then in proportion to what he has been freed. And the same applies if he gouges out the eye of a free man.”<sup>946</sup>

<sup>941</sup> From the original source.

<sup>942</sup> **Masā’il ‘Alī ibn Ja‘far:** 730 / 288; **Qurb al-Isnād:** 1030 / 260; **Wasā’il al-Shī‘a** 28:50, *Abwāb Muqaddimāt al-Hudūd wa Aḥkāmuha al-‘Āmma*, Bāb 29, Ḥadīth 1.

<sup>943</sup> From the original source.

<sup>944</sup> **Masā’il ‘Alī ibn Ja‘far:** 115 / 45; **Wasā’il al-Shī‘a** 29:363, *Abwāb Diyāt al-Manāfi‘*, Bāb 3, Ḥadīth 4.

<sup>945</sup> **Masā’il ‘Alī ibn Ja‘far:** 196 / 416; **Wasā’il al-Shī‘a** 29:251, *Abwāb Mūjibāt al-Damān*, Bāb 14, Ḥadīth 4.

<sup>946</sup> **Masā’il ‘Alī ibn Ja‘far:** 736–737 / 289–290; **Tahdhīb al-Āḥkām** 10:795 / 201; **al-Istibṣār** 4:277 / 1049; **Wasā’il al-Shī‘a** 29:213, *Abwāb Diyāt al-Nafs*, Bāb 10, Ḥadīth 3.

وسألته عن حرّ فقاً عين مكاتب، أو كسر سنّه ما عليه؟ قال: «إذا أدى نصف مكاتبته تقأ عين الحرّ أو ديته، إن كان خطأ، وهو بمنزلة الحر، وإن كان لم يؤد النصف قوم وادي ما أعتق منه» (٢) وسألته عن المكاتب إذا أدى نصف ما عليه؟ قال: «هو بمنزلة الحر في الحدود، وغير ذلك من قتل أو غيره» (٣).

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a free man who gouges out the eye of a mukatab or breaks his tooth—what is upon him?

He (Mūsā ibn Ja'far) said: “If the mukatab has paid half of his contract, the free man’s eye is to be gouged or the blood money paid, if it was accidental, because he is treated as a free man. If the mukatab has not paid half, he is to be appraised and the compensation paid according to what has been freed.”<sup>947</sup>

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about the mukatab if he has paid half of what he owes—what is his status?

He (Mūsā ibn Ja'far) said: “He is treated as a free man in legal punishments (hudud) and in matters of killing or other such matters.”<sup>948</sup>

وسألته عن مكاتب فقاً عين مملوك، وقد أدى نصف مكاتبته؟ قال: «يقوم المملوك، ويؤدي المكاتب إلى مولى المملوك نصف ثمنه» (٤) .(٥)

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about a mukatab who gouged out the eye of a slave and has paid half of his contract—what is upon him?

He (Mūsā ibn Ja'far) said: “The slave is to be appraised, and the mukatab is to pay half of his value to the owner of the slave.”<sup>949 950</sup>

<sup>947</sup> **Masā'il 'Alī ibn Ja'far:** 737 / 290; **Tahdhīb al-Āhkām** 10:795 / 201; **al-Istibṣār** 4:277 / 1049; **Wasā'il al-Shī'a** 29:214, *Abwāb Diyāt al-Nafs*, Bāb 10, Ḥadīth 3.

<sup>948</sup> **Masā'il 'Alī ibn Ja'far:** 738 / 290; **Tahdhīb al-Āhkām** 10:795 / 201; **al-Istibṣār** 4:277 / 1049; **Wasā'il al-Shī'a** 29:214, *Abwāb Diyāt al-Nafs*, Bāb 10, Ḥadīth 3.

<sup>949</sup> 'Alī (ibn Ja'far) from his brother (Mūsā ibn Ja'far): *I asked him about a mukātib (contracted slave) who is killed before he pays half of his price... — from manuscript "B".*

<sup>950</sup> **Masā'il 'Alī ibn Ja'far:** 739 / 290; **Tahdhīb al-Āhkām** 10:795 / 201; **Wasā'il al-Shī'a** 29:214, *Abwāb Diyāt al-Nafs*, Bāb 10, Ḥadīth ...

## A comprehensive chapter

من (روضة الكافي) محمد بن أبي عبد الله، عن موسى بن عمران، عن عمّه الحسين بن عيسى بن عبد الله، عن علي بن جعفر، عن أخيه أبي الحسن موسى عليه وسلم قال: «أخذ أبي بيدي، ثم قال: يابني، إن أبي محمد بن علي أخذ بيدي كما أخذت بيدي و قال: إن أبي علي بن الحسين أخذ بيدي وقال: يا بني، افعل الخير إلى كل من طلبه منك، فإن كان من أهله فقد أصبت موضعه، وإن لم يكن من أهله كنت أنت من أهله، وإن شئت رجل عن يمينك ثم تحول إلى يسارك فاعتذر إليك، فاقبل عذرها» (١).

From (Rawdat al-Kāfī): **Muhammad ibn Abī 'Abd Allāh**, from **Mūsā ibn 'Imrān**, from his uncle **al-Husayn ibn 'Isā ibn 'Abd Allāh**, from **'Alī ibn Ja'far**, from his brother **Abū al-Hasan Mūsā** عليه وسلم. He (Mūsā ibn Ja'far) said:

**“My father took me by the hand, then said: ‘O my son, indeed my father Muhammad ibn 'Alī took me by the hand as I have taken your hand and said: ‘My father 'Alī ibn al-Husayn took me by the hand and said: O my son, do good to everyone who asks it of you. If he is worthy of it, you have placed it in its rightful place. And if he is not worthy of it, you are worthy of it yourself. And if a man insults you on your right, then turns to your left and apologizes to you, accept his excuse.”** <sup>951</sup>

٦٨٢ - مسألة: قال: وسألته عن الحديث بعدهما يصلّي العشاء الآخرة؟ قال: «لا بأس» (٢).

**682 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about speaking after praying the night prayer ('Ishā').

He (Mūsā ibn Ja'far) said: **“There is no harm in it.”** <sup>952</sup>

٦٨٣ - مسألة: قال: وسألته عن الرجل، أ يصلح له أن ينام في البيت وحده؟ قال: يكره الخلوة وما أحب أن يفعل» (٣).  
قال: وسألته، عن الرجل أ يصلح له أن يقبل الرجل، والمرأة تقبل المرأة؟ قال: الأخ والابن والأخت والابنة ونحو ذلك فلا بأس» (٤).

**683 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether it is proper for a man to sleep in a house alone.

He (Mūsā ibn Ja'far) said: **“It is disliked to be alone, and I do not like that he should do so.”** <sup>953</sup>

<sup>951</sup> **Masā'il 'Alī ibn Ja'far:** 843 / 342; **al-Kāfī** 8:152–153 / 141; **Wasā'il al-Shī'a** 16:294–295, *Abwāb Fi'l al-Ma'rūf*, Bāb 3, Ḥadīth 3.

<sup>952</sup> **Masā'il 'Alī ibn Ja'far:** 173 / 304.

<sup>953</sup> **Masā'il 'Alī ibn Ja'far:** 175 / 314; **Wasā'il al-Shī'a** 5:333, *Abwāb Aḥkām al-Masākin*, Bāb 20, Ḥadīth 15.

I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about whether it is proper for a man to kiss another man, or for a woman to kiss another woman.

He (Mūsā ibn Ja'far) said: “**The brother, the son, the sister, the daughter, and the like—there is no harm.**”<sup>954</sup>

٦٨٤ - مسألة: قال: وسألته عن الرجل المسلم هل يصلح له أن يسبح في الأرض أو يترهب في بيت لا يخرج منه؟ قال: «لا» (١).

#### 684 – Issue:

I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether it is proper for a Muslim man to wander the earth or seclude himself in a house and never leave.

He (Mūsā ibn Ja'far) said: “**No.**”<sup>955</sup>

٦٨٥ - مسألة: قال: وسألته عن الرجل، هل يصلح له أن يتختم بالذهب؟ قال:

قال: وسألته عن اللعب بأربعة عشر وشبيهها، هل يصلح؟ قال: «لا يستحب شيئاً من اللعب غير الرهان والرمي» (٣).

**685 – Issue:** I ('Alī ibn Ja'far) asked him (Mūsā ibn Ja'far) about whether it is proper for a man to wear a gold ring. He (Mūsā ibn Ja'far) said: “No.”<sup>956</sup>

He said: I asked him about playing with fourteen (pieces in a game) and similar games—whether it is proper.

He (Mūsā ibn Ja'far) said: “**None of these games are liked except for racing (with animals) and archery.**”<sup>957</sup>

قال: وسألته عن اليهود والنصارى والمجوس، هل يصلح أن يسكنوا في دار الهجرة؟ قال: «أما أن يسكنوا فلا يصلح، ولكن ينزلوا بها نهاراً ويخرجوا منها ليلاً» (٤).

I ('Alī ibn Ja'far) said: I asked him (Mūsā ibn Ja'far) about the Jews, Christians, and Magians—whether it is proper for them to live in the city of migration (Madīnah).

<sup>954</sup> **Masā'il 'Alī ibn Ja'far:** 175 / 313; **Wasā'il al-Shī'a** 12:235, *Abwāb Aḥkām al-'Ashara*, Bāb 133, Ḥadīth 8.

<sup>955</sup> **Masā'il 'Alī ibn Ja'far:** 116 / 50; **Wasā'il al-Shī'a** 11:345, *Abwāb Ādāb al-Safar*, Bāb 1, Ḥadīth 7.

<sup>956</sup> **Masā'il 'Alī ibn Ja'far:** 162 / 251; **Qurb al-Isnād:** 293 / 1154; **Wasā'il al-Shī'a** 4:415, *Abwāb Libās al-Muṣallī*, Bāb 30, Ḥadīth 10.

<sup>957</sup> **Masā'il 'Alī ibn Ja'far:** 162 / 252; **Wasā'il al-Shī'a** 17:315, *Abwāb Mā Yuktasabu bih*, Bāb 100, Ḥadīth 14.

He (**Mūsā ibn Ja‘far**) said: “**For them to reside (permanently) is not proper, but they may stay there by day and leave it by night.**” <sup>958</sup>

قال: وسألته عن الوباء يقع في الأرض، هل يصلح للرجل أن يهرب منه؟ قال: يهرب منه ما لم يقع في مسجده الذي يصلي فيه، فإذا وقع في أهل مسجده الذي يصلي فيه فلا يصلح له الهرب منه» (٥).

I (**‘Alī ibn Ja‘far**) said: I asked him (**Mūsā ibn Ja‘far**) about a plague that strikes the land—whether it is proper for a man to flee from it.

He (**Mūsā ibn Ja‘far**) said: “**He may flee from it as long as it has not reached the mosque in which he prays. But if it has reached the people of the mosque where he prays, then it is not proper for him to flee from it.**” <sup>959</sup>

وذكر ذا القرنين قلت: عبداً كان أم ملكاً؟ فقال: «عبد أحب الله فأحبه الله، ونصح الله فنصحه الله» (٦).

I (**‘Alī ibn Ja‘far**) said: I asked him (**Mūsā ibn Ja‘far**) about **Dhu’l-Qarnayn**—was he a servant (slave) or a king?

He (**Mūsā ibn Ja‘far**) said: “**He was a servant who loved Allah and Allah loved him. He advised Allah (in His cause) and Allah advised him.**” <sup>960</sup>

٦٨٦ - مسألة: قال: وسألته عن الاختلاف في القضاء عن أمير المؤمنين في أشياء منها (٧) العروق إنه لم يأمر بها ولم ينه عنها ، إلا أنه نهى عنها نفسه وولده، فقلت: كيف يكون ذلك؟ قال: «أحلتها آية، وحرمتها آية».

وقلت: هل يصلح أن يأخذ بهما منسوبة؟ أم هما محكمتان ينبغي أن تعمل بهما؟ قال: «قد بين إن نهى نفسه وولده».

قلت له: فما منع شيعته أن يتبعن للناس؟ قال: «خشى أن لا يطاع، ولو أن أمير المؤمنين ثبتت قدماء أقام كتاب الله كله والحق كله»،  
وصلّى حسن وحسين وراء مروان ونحن نصلّى معهم» (١).

**686 – Issue:** I (**‘Alī ibn Ja‘far**) said: I asked him (**Mūsā ibn Ja‘far**) about the differences in rulings reported from the Commander of the Faithful (**‘Alī ibn Abī Tālib**) in some matters, <sup>961</sup>including cupping (*‘irq*) blood-letting: that he did not command it nor forbid it, except that he forbade it for himself and his children.

I (**‘Alī ibn Ja‘far**) said: How can that be?

<sup>958</sup> **Masā’il ‘Alī ibn Ja‘far:** 296 / 753; **Qurb al-Isnād:** 260 / 1031; **Tahdhīb al-Āhkām** 8:277 / 1008; **Wasā’il al-Shī‘a** 15:133, *Abwāb Jihād al-Adū wa Mā Yunāsibuh*, Bāb 52, Ḥadīth 3 (with slight variation).

<sup>959</sup> **Masā’il ‘Alī ibn Ja‘far:** 117 / 54; **Wasā’il al-Shī‘a** 2:431, *Abwāb al-Iḥtiḍār*, Bāb 20, Ḥadīth 5.

<sup>960</sup> **Masā’il ‘Alī ibn Ja‘far:** 144 / 172; **Bihār al-Anwār** 10:266.

<sup>961</sup> In one version: "(min)" — from (footnote A).

He (**Mūsā ibn Ja‘far**) said: “One verse permitted it and another verse forbade it.”

I (**‘Alī ibn Ja‘far**) said: Should one take from the abrogated verse or are they both valid and must be acted upon?

He (**Mūsā ibn Ja‘far**) said: “He clarified that he forbade it for himself and his children.”

I (**‘Alī ibn Ja‘far**) said: So why did he not make that clear to his followers?

He (**Mūsā ibn Ja‘far**) said: “He feared that they would not obey him. If the Commander of the Faithful had been able to remain firm, he would have established the entire Book of Allah and the entire truth. Hasan and Husayn prayed behind Marwān and we used to pray with them.”<sup>962</sup>

ورواه الشيخ في (التهذيب) عن معمر بن يحيى بن سالم هكذا: قال: سأله أبا جعفر عما يروي الناس عن أمير المؤمنين ، عن أشياء من الفروج لم يكن يأمر بها ولا ينهى عنها، إلا نفسه وولده، فقال: كيف يكون ذلك؟ فقال: «أحلتها آية وحرمتها آية أخرى فقلنا: هل لا يكون أحدهما نسخة الأخرى أم هما محكمتان، ينبغي أن يعمل بهما؟ قال: «قد بين لهم أنه نهى نفسه وولده» فقلنا: ما منعه أن يبين ذلك للناس؟ قال: «خشى أن لا يطاع، فلو أن أمير المؤمنين عليه وسلام ثبتت قدماته أقام كتاب الله كله، والحق كله» (٢).

It was also narrated by al-Shaykh in **al-Tahdhīb** from **Mu‘ammar ibn Yaḥyā ibn Sālim** in a similar way:

He said: I asked **Abū Ja‘far** about what people narrate from the Commander of the Faithful about certain things concerning private parts, that he neither commanded them nor forbade them except for himself and his children.

We said: How can that be?

He (**Abū Ja‘far**) said: “One verse permitted it and another forbade it.”

We said: Shouldn’t one of them have abrogated the other, or are they both valid and to be acted upon?

He (**Abū Ja‘far**) said: “He clarified to them that he forbade it for himself and his children.”

We said: What prevented him from making it clear to the people?

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<sup>962</sup> **Masā’il ‘Alī ibn Ja‘far**: 144 / 173; **Wasā’il al-Shī‘a**: 30:301, *Abwāb Ṣalāt al-Jamā‘a*, Bāb 5, Ḥadīth 9; *Bihār al-Anwār* 10:266.

**He (Abū Ja‘far) said: “He feared that they would not obey him. If the Commander of the Faithful had remained firm, he would have established the entire Book of Allah and the entire truth.”**<sup>963</sup>

أقول: لعل المراد من هذين الحديثين الجمع بين اثنتين من ولد فاطمة في النكاح، يدل على ذلك ما رواه الشيخ في التهذيب) عن علي بن الحسن، عن السندي بن الربيع، عن محمد بن أبي عمير، عن رجل من أصحابنا، قال: سمعته يقول: «لا يحل لأحد أن يجمع بين اثنتين من ولد فاطمة، إن ذلك يبلغها فيشق عليها» يبلغها؟ قال: «أي والله» (١).

**I say:** It is likely that the intent of these two hadiths is about marrying two daughters of Fātimah at once in marriage, as is indicated by what is narrated by al-Shaykh in **al-Tahdhīb** from ‘Alī ibn al-Ḥasan, from **al-Sindī ibn al-Rabī‘**, from **Muhammad ibn Abī ‘Umayr**, from a man among our companions.

He said: I heard him say: **“It is not permissible for anyone to marry two of the daughters of Fātimah at the same time, because that would reach her and be hard upon her.”**

I said: Would it reach her?

He said: **“Yes, by Allah.”**<sup>964</sup>

قال شيخنا العبد الصالح الشيخ عبد الله بن صالح في كتاب (منية الممارسين في جوابات الشيخ ياسين)، حيث قال: (هل يجوز الجمع بين فاطميتين، أم لا؟ ذهب أصحابنا إلى جواز الجمع بينهما، ولم اعرف من أحد منهم خلافاً، إلا من شيخنا العلامة المحدث الشيخ محمد بن الحسن بن علي الحر العاملبي، فإنه ذهب إلى التحريم (٢)، وكان شيخنا عالمة الزمان الله يتوقف في هذه المسألة، ويأمر بالاحتياط فيها، حتى إني سمعت من ثقة من أصحابنا أنه أمره بطلاق واحدة من نسانه، لأنه كان تحته فاطميتان. ونقل عنه أنه يرى التحريم إلا أنني لم أعرف منه غير التوقف) (٣).

**Our virtuous Sheikh, the pious servant, Sheikh Abdullah bin Salih, said in his book “Minyat al-Mumarisin fi Jawabat al-Sheikh Yasin”:**

**He said:** “Is it permissible to marry two women from the descendants of Fatimah (peace be upon her) at the same time or not?

Our scholars have held that it is permissible to combine them in marriage, and I have not known anyone among them to differ on this except our eminent Sheikh, the scholar and hadith expert, Sheikh Muhammad ibn al-Hasan ibn Ali al-Hurr al-Amili, for he maintained that it is prohibited <sup>965</sup>

<sup>963</sup> **Masā’il ‘Alī ibn Ja‘far:** 173 / 144; **Tahdhīb al-Āḥkām** 7:463 / 1856; **Wasā’il al-Shī‘a** 20:397, **Abwāb Mā Yuharramu bi-l-Ridā‘**, Bāb ..., Hadīth 8.

<sup>964</sup> **Tahdhīb al-Āḥkām** 7:463 / 1855; **Wasā’il al-Shī‘a** 20:503, **Abwāb Mā Yuharramu bi-l-Muṣāharah wa Naḥwi-hā**, Bāb 40, Hadīth 1.

<sup>965</sup> See: **Bidāyat al-Hidāya:** 124.

Our master, the great scholar of our time — may Allah prolong his life — was hesitant in this matter and recommended caution, to the point that I heard from a trustworthy companion that he ordered someone to divorce one of his wives because he had married two women from the descendants of Fatimah. It was also transmitted from him that he believed in the prohibition, though I personally only knew of his hesitation.”<sup>966</sup>

ثم استدل للشيخ محمد الحرّ بمرسلة ابن أبي عمير، وهي الثالثة من الروايات المذكورة، قال: وجه الاحتجاج من وجهين:

الأول: أن نفي التحليل صريح في المنع، وأن النكارة في سياق النفي تقيد العموم.

الثاني: التعليل بكونه يبلغ فاطمة فيشق عليها، ولا شك أن الأمر الذي يشق عليها يؤذيها، وإيذاؤها حرام؛ لقوله : «فاطمة بضعة مني، ومن أذاها فقد أذاني»(4). ولقوله تعالى: (إِنَّ الَّذِينَ يُؤْذِنُونَ اللَّهُ وَرَسُولُهُ لَعَنْهُمُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ) (٥).

فيكون المؤدي إلى إيذائها حراماً، فيكون الجمع بين فاطميتين حراماً بنص الكتاب والسنة.

He then brought evidence for Sheikh Muhammad al-Hurr's view with the **mursal narration of Ibn Abi Umayr**, which is the third among the aforementioned reports. He said:

“The evidence for the prohibition comes from two angles:

**First:** The explicit negation of permissibility in the report, since an indefinite noun in a negative context implies generality.

**Second:** The reasoning given in the narration — that it would reach Fatimah and cause her distress, and there is no doubt that what causes her distress is harmful to her. Harming her is forbidden by the Prophet's saying:

*'Fatimah is a part of me; whoever harms her has harmed me'*<sup>967</sup>,

and by Allah's words:

*'Indeed, those who harm Allah and His Messenger — Allah has cursed them in this world and the Hereafter.'*<sup>968</sup>

Thus, that which causes her harm is prohibited by the Qur'an and Sunnah, and combining two women from the descendants of Fatimah becomes prohibited accordingly.

<sup>966</sup> **Minyat al-Mumārisīn** (manuscript): 555.

<sup>967</sup> **Yanābi' al-Mawadda** 2:931 / 322.

<sup>968</sup> **Al-Ahzāb** (33): 57.

ثم أورد موثقة معمر بن يحيى بن سام المذكورة؛ فقال: (إن إيراد الشيخ هذا الحديث - يعني موثقة معمر بن يحيى - بعد الحديث، المذكور سابقاً بلا فصل يعني مرسلة ابن أبي عمير - كأنه قد فهم أنه في حكمه، ولعل الجمع بين الفاطميتين كان عند الأئمة الله محرماً ، ولم ينوهوا عنه شيئاً إلا نادراً، فلم يشتهر عند الشيعة لموضع التقىة).

He then mentioned the **trusted narration of Mu‘ammar ibn Yahya ibn Sam** that was cited, saying:

“When the Sheikh presented this narration (the trusted report of Mu‘ammar ibn Yahya) directly after the earlier mursal narration (of Ibn Abi Umayr) without any separation, it is as though he understood it to have the same legal weight.

It may be that combining two Fatimiyyat in marriage was indeed prohibited by the Imams (peace be upon them), but they only rarely forbade it to their followers, so it did not become widely known among the Shi'a due to the circumstances of taqiyya (precautionary dissimulation).”

وبالجملة: فصريح الحديث يعطي أن شيئاً من الفروج منهى عنه، وإنما لم ينه عنه؛ لعدم المكنته، ولم نعرف أن شيئاً من الفروج منهى عنه، ولم يشتهر بين الناس غير هذا الحكم، فيكون فيه تأييداً لما قبله) (١).

**In summary:**

“The explicit wording of the narration indicates that there is something forbidden among the women to be married — it was not prohibited openly only because of lack of ability to declare it. We do not know of any other category of women whose marriage is prohibited that was not widely known among people besides this ruling. This supports the previous position”<sup>969</sup>

ثم قال بعد كلام طويل: إلا أنني بعد عندي نوع اضطراب، ودغدغة وارتياح، فأنا في المسألة متوقف، والاحتياط عندي فيها لازم، وقد سألني بعض الإخوان المتورعين عن هذه المسألة سابقاً، وكان مبتنى بها، حيث إنه جامع بين فاطميتين، فكتبت له جواباً يشعر بالتوقف، والأمر بالاحتياط، فامتثل ما كتبته فطلق واحدة منهما (٢) انتهى كلامه - زيد إكرامه، وخلدت أعوامه - ملخصاً (٣).

Then he said after lengthy discussion:

“However, I still have a kind of uncertainty and hesitation in this matter, so I remain cautious and recommend precaution. One of the pious brothers once asked me about this issue because he was facing it — he was married to two women from the descendants of Fatimah. So I wrote him a reply that reflected hesitation and called for precaution, and he complied with what I wrote and divorced one of them ”<sup>970</sup>

<sup>969</sup> **Minyat al-Mumārisīn** (manuscript): 557.

<sup>970</sup> Same source (**al-maṣdar al-sābiq**): 569.

Thus ends his statement — may Allah increase his honor and prolong his years — in summary form <sup>971</sup>

(٤) قال: وسألته، عنمن يروي عنكم تفسيرًا أو [رواية عن رسول الله عليه وسلم في قضاء أو طلاق، أو على في شيء لم نسمعه قط من مناسك أو شبهه من غير أن يسمى لكم عدواً، أيسعنا أن نقول في قوله: الله أعلم إن كان آل محمد يقولونه؟  
قال: «لا يسعكم حتى تستيقنوا» (١).

He said:<sup>972</sup>

“I asked him (the Imam) about someone who narrates to us a tafsir (interpretation) or a report from the Messenger of Allah عليه وسلم regarding a judicial ruling or divorce or from Ali (peace be upon him) in something that we have never heard before — something from the rites or similar matters — and he does not name any known enemy of the family of Muhammad. Is it permissible for us to say in response: ‘Allah knows best,’ as if the family of Muhammad would say that?”

He said:

“No, it is not permissible until you have certainty”<sup>973</sup>

قال: وسألته، عن نبي الله هل كان يقول على الله شيء قط، أو ينطق عن هو، أو يتكلف؟ فقال: «لا». فقلت: أرأيتك قوله لعلي: «من كنت مولاه فعلي مولاه»، الله أمره به؟ قال: «نعم». قلت: فأبرأ إلى الله منمن أنكر ذلك منذ يوم أمر به رسول الله عليه وسلم؟ قال: «نعم».  
قلت: هل تسلم الناس حتى يعرفوا ذلك؟ قال: «لا، إِلَّا الْمُسْتَضْعَفُينَ مِنَ الرِّجَالِ  
وَالنِّسَاءِ وَالْوَلَدَانِ الَّذِينَ لَا يَسْتَطِيْعُونَ حِيلَةً وَلَا يَهْتَدُوْنَ سَبِيلًا» (٢)).

قلت: من هو؟ قال: «أرأيتم خدمكم ونساءكم لمن لا يعرف ذلك، أقتلون خدمكم وهم مقرون لكم؟»  
وقال: «من عرض ذلك عليه فأنكره فأبعده الله وأسحقه لا خير فيه» (٣).

He also said:

“I asked him: Did the Prophet of Allah ever say anything of his own accord or speak from desire or make anything up?

He said: ‘No.’

So I asked him: Did you see the Prophet’s statement to Ali: ‘Whoever I am his master, Ali is his master’ — was that from Allah?

<sup>971</sup> And it was narrated by Shaykh in **Tahdhīb al-Āḥkām**... “and his years will be prolonged” — in summarized form, from manuscript “B”.

<sup>972</sup> From the source; and in the manuscript: *its reward (thawābuḥu)*.

<sup>973</sup> **Masā’il ‘Alī ibn Ja’far**: 145 / 174, **Bihār al-Anwār** 10: 266.

He said: 'Yes.'

I asked: 'Then I disassociate from those who deny it from the day the Messenger of Allah ﷺ commanded it?'

He said: 'Yes.'

I said: 'Will people be accepted until they acknowledge that?'

He said: 'No, except for the weak among men, women, and children who do not have the means or guidance <sup>974</sup>.'

I said: 'Who are they?'

He said: 'Consider your servants and your women — if they do not know that, would you kill your servants who acknowledge your authority?'

He said: 'Whoever is presented with this matter and denies it, may Allah cast him far and crush him — there is no good in him <sup>975</sup>.'"

وَسَأَلْتَهُ، عَنْ قَوْلِ اللَّهِ عَزَّ وَجَلَّ: «اَذْكُرُوا اللَّهَ ذِكْرًا كَثِيرًا» (٤).

قَالَ: قَلْتَ: مَنْ ذَكَرَ اللَّهَ مَائِتَيْ مَرَّةً، كَثِيرًا هُوَ؟ قَالَ: «نَعَمْ» (٥).

He said:

"I asked him about Allah's words:

'Remember Allah with much remembrance' <sup>976</sup>.

I said: 'If someone remembers Allah two hundred times, is that considered much remembrance?'

He said: 'Yes' <sup>977</sup>."

قَالَ: وَسَأَلْتَهُ، عَنِ الرَّجُلِ يَدْعُو وَحْولَهِ إِخْرَانَهُ أَيْجَبُ عَلَيْهِمْ أَنْ يَؤْمِنُوا؟ قَالَ: إِنْ شَأْوُا فَعَلُوا، أَوْ إِنْ شَأْوُا سَكَنُوا، فَإِنْ دَعَا بِحَقِّ، وَقَالَ لَهُمْ: أَمْنُوا وَجْبُ عَلَيْهِمْ أَنْ يَفْعُلُوا» (٦).

He also said:

"I asked him about a man who supplicates while his brothers are around him — are they obligated to say 'Ameen'?

He said: 'If they want, they can say it or remain silent. But if he supplicates for something rightfully and says to them "Say Ameen," then they must do so' <sup>978</sup>."

<sup>974</sup> **Sūrat al-Nisā'**: 98.

<sup>975</sup> **Masā'il 'Alī ibn Ja'far**: 145–175 / 146, **Bihār al-Anwār** 10: 266.

<sup>976</sup> **Sūrat al-Ahzāb**: 41.

<sup>977</sup> **Masā'il 'Alī ibn Ja'far**: 169 / 143, **Wasā'il al-Shī'a** 6: 498, **Bāb al-Ta'qīb**, Chapter 36, ḥadīth 10.

<sup>978</sup> **Masā'il 'Alī ibn Ja'far**: 155 / 218, **Qurb al-Isnād**: 1173 / 298, **Wasā'il al-Shī'a** 7: 105, **Bāb al-Du'ā'**, Chapter 39, ḥadīth 4, with minor variations between the two.

قال: وسمعت أخي موسى بن جعفر يقول: «من أبلغ سلطاناً حاجة من لا يستطيع إبلاغها أثبت الله عز وجل قدميه على الصراط» (١).

He said:

“I heard my brother Musa ibn Ja‘far say:

‘Whoever conveys a need of someone who cannot convey it to the ruler, Allah will firmly establish his feet on the Sirat (Bridge on the Day of Judgement) <sup>979</sup>.’”

قال: وكان يقول قبل أن يؤخذ بسنة إذا اجتمع عنده أهل بيته: «ما وکد الله على العباد في شيء ما وکد عليهم بالإقرار بالإمامية، وما جحد العباد شيئاً ما جحدوها» (٢).

He also said:

“He used to say before he was taken (by the authorities) one year, when his family gathered around him:

‘Allah has not emphasized anything upon the servants more than acknowledging the Imamate, and nothing has been more rejected by the servants than this <sup>980</sup>.’”

قال: وكان أخي يقول كثيراً: «الحمد لله الذي بنعمته تتم الصالحات» (٣).

He said:

“My brother often said:

‘Praise be to Allah, by whose blessing good deeds are completed <sup>981</sup>.’”

قال: وقال أخي: «قال رسول الله ﷺ: لا يزني الزاني وهو مؤمن، ولا يسرق السارق وهو مؤمن» (٤).

He also said:

“My brother said:

‘The Messenger of Allah ﷺ said: “The adulterer is not a believer while he is committing adultery, and the thief is not a believer while he is stealing” <sup>982</sup>.’”

وقال: جاء رجل لأخي الله فقال له: جعلت فداك، إني أريد الخروج فادع إليني.

قال: ومن تخرج؟ قال: يوم الإثنين، فقال له: ولم تخرج يوم الإثنين؟ قال: أطلب فيه البركة؛ لأن رسول الله ﷺ ولد يوم الإثنين.

<sup>979</sup> **Masā’il ‘Alī ibn Ja‘far**: 842 / 342, **Qurb al-Isnād**: 1174 / 298–299, **Bihār al-Anwār** 72: 2 / 384.

<sup>980</sup> **Masā’il ‘Alī ibn Ja‘far**: 320–804 / 321, **Qurb al-Isnād**: 1180 / 300, **Bihār al-Anwār** 23: 5 / 69.

<sup>981</sup> **Masā’il ‘Alī ibn Ja‘far**: 780 / 309, **Qurb al-Isnād**: 1179 / 300, **Bihār al-Anwār** 90: 2 / 210.

<sup>982</sup> **Masā’il ‘Alī ibn Ja‘far**: 312 / 788, **Qurb al-Isnād**: 1176 / 299, **Wasā’il al-Shī‘a** 28: 242, **Bāb Ḥadd al-Sariqa**, Chapter 1, hadīth 4.

قال: «كذبوا، ولد رسول الله يوم الجمعة، وما من يوم أعظم شؤماً من يوم الإثنين، يوم مات فيه رسول الله عليه وسلم وانقطع فيه وحي السماء، وظلمنا فيه حقنا، ألا أدلك على يوم سهل لين لأن الله تبارك وتعالى فيه لداود الحديد؟». فقال الرجل: بلى جعلت فداك. قال: «خرج يوم الثلاثاء» (٥).

He also said:

“A man came to my brother — may Allah protect him — and said:  
 ‘May I be your ransom, I want to travel, so pray for me!’  
 My brother asked: ‘When are you leaving?’  
 The man said: ‘On Monday.’  
 He said: ‘Why are you traveling on Monday?’  
 The man said: ‘I seek its blessing because the Messenger of Allah عليه وسلم was born on a Monday.’  
 He said: ‘They lied! The Messenger of Allah عليه وسلم was born on Friday, and there is no day more ominous than Monday: it is the day the Messenger of Allah عليه وسلم passed away, the day the revelation of the heavens was cut off, and the day we were deprived of our rights. Should I tell you of a better, easier day when Allah softened the iron for David?’  
 The man said: ‘Yes, may I be your ransom.’  
 He said: ‘Travel on Tuesday’ <sup>983</sup>”

قال: وأتى رجل آخر، فقال له: جعلت فداك أريد وجهه كذا وكذا فلعلني استخاره، إن كان ذلك الوجه خيرة لي أن يبسره الله لي، وإن كان شرآً صرفه الله عني؟

قال له: «وتحب أن تخرج في ذلك الوجه؟»؟ فقال له الرجل: نعم.

قال: «قال: اللهم قدر لي كذا وكذا، واجعله خيراً لي، فإنك تقدر على ذلك» (١).

He (the narrator) said:

“Another man came to him and said: ‘May I be your ransom! I want to travel to such-and-such a place, so teach me an *istikhara* (prayer for seeking good), so that if that direction is good for me, Allah will make it easy, and if it is bad, Allah will turn it away from me.’

So he (the Imam) said to him: ‘And do you desire to go to that direction?’

The man replied: ‘Yes.’

<sup>983</sup> **Masā'il 'Alī ibn Ja'far:** 340 / 836, **Qurb al-Isnād:** 1177 / 299, **Wasā'il al-Shī'a** 11: 352, Bāb Ādāb al-Safar, Chapter 4, hadīth 3.

He (the Imam) said: 'Then say: "O Allah, ordain for me such-and-such and make it good for me, for You have power over all things" <sup>984</sup>''

أحمد بن إسحاق قال: حدثني بكر بن محمد الأزدي، عن أبي الحسن الأول قال: كان يقول: «اللهم إنك أخذت بناصيتي وقلبي، فلم تملكي منهما شيئاً، فإذا فعلت ذلك بهما فأنت وليهما، فاهادهما إلى سواء السبيل بارب يارب، ما أدركك على تعويض كل من كانت له قبلني تبعة، وتغفر لي، فإن مغفرتك للظالمين» (٢).

Ahmad ibn Ishaq said:

"Bakr ibn Muhammad al-Azdi narrated to me from Abu al-Hasan the First (peace be upon him). He used to say: 'O Allah, You have taken hold of my forelock and my heart, so You have not given me control over either of them. If You have done so, then You are their guardian. Guide them to the straight path, O Lord, O Lord, O Lord! How capable You are of compensating anyone who has a claim against me and of forgiving me, for Your forgiveness encompasses the wrongdoers <sup>985</sup>.'"

محمد بن عبد الحميد قال : أخبرني عبد السلام بن سالم عن الحسن بن سالم، قال: بعثني أبو الحسن موسى الله إلى عمنه يسألها شيئاً كان لها تعين به محمد بن جعفر في صداقه، فلما قرأت الكتاب ضحك، ثم قالت لي: قل له: بأبي أنت وأمي الأمر إليك، فاصنع ما ترید في ذلك، فقلت لها: فديتك أيس كتب إليك؟

قالت لي: يهدي إليك قدر برام (٣) أخبرك به.

قلت: نعم، فأعطيتني الكتاب، فقرأه فإذا فيه: «إن الله ظلاً تحت يده يوم القيمة لا يستظل تحته إلا نبي، أو وصي نبي، أو مؤمن أعتقد مؤمناً، أو مؤمن قضى غرم مؤمن أو مؤمن كف أيماء مؤمن» (٤).

Muhammad ibn Abd al-Hamid said:

"Abd al-Salam ibn Salim narrated to me from al-Hasan ibn Salim. He said: Abu al-Hasan Musa (peace be upon him) sent me to his aunt, asking her for something she possessed that could help Muhammad ibn Ja'far with his dowry. When she read the letter, she laughed and said to me: 'Say to him: May I be your ransom! The matter is in your hands, do as you wish.'

I said to her: 'May I be your ransom! What did he write to you?'

She said to me: 'He has sent you a "qadar baram" <sup>986</sup> and I will tell you about it.'

I said: 'Yes, please do.' So she gave me the letter, and I read it. In it was written:

'Indeed, Allah has a shade under His hand on the Day of Resurrection. No one will

<sup>984</sup> **Masā'il 'Alī ibn Ja'far**: 338–339 / 834, **Qurb al-Isnād**: 1178 / 300, **Mustadrak al-Wasā'il** 6: 254–255, **Kitāb al-Ṣalāh**, Chapter 4, ḥadīth 1.

<sup>985</sup> **Qurb al-Isnād**: 1219 / 314, **Bihār al-Anwār** 92: 1 / 341.

<sup>986</sup> **al-Burmah**: A pot made of stone. **Lisān al-'Arab** 1: 392 – under the root *brm*.

be shaded under it except a Prophet, or the successor of a Prophet, or a believer who freed a believing slave, or a believer who paid the debt of another believer, or a believer who took care of the loneliness of another believer <sup>987</sup>.”

أقول: (اليد: القدرة، والغرم الدين، وما يلزم أداؤه، والأيممة: الغربية، والأيم من لا زوج له رجلاً كان أو امرأة).

محمد بن عيسى، عن علي بن يقطين - أو، عن يزيد ، عن علي : بن يقطين أنه - كتب إلى أبي الحسن موسى : إن قلبي يضيق مما أنا عليه من عمل السلطان - وكان وزيرًا لهارون - فإن أذنت لي جعلني الله فداك هربت منه، فرجع الجواب: «لا آذن لك بالخروج من عملهم، واتق الله» أو كما قال (١).

I say: (The term *al-yad* means power; *al-ghurm* means debt and what one must repay; *al-ayma* is alienation or being without a spouse — whether man or woman.)

Muhammad ibn Isa, from Ali ibn Yaqtin — or from Yazid, from Ali ibn Yaqtin — said:

“He wrote to Abu al-Hasan Musa (peace be upon him): ‘My heart is distressed by my involvement in the service of the ruler (he was a minister of Harun al-Rashid), so if you permit me — may Allah make me your ransom — I will leave it and flee.’

The reply came: ‘I do not permit you to leave their service. Fear Allah,’ or something like that <sup>988</sup>.

ومن (المهج) لابن طاووس له مسندًا إلى أبي الوضاح محمد بن عبيد الله بن زيد النهشلي قال: أخبرني أبي قال: سمعت الإمام أبي الحسن موسى بن جعفر ال يقول: «التحدث بنعم الله شكر، وترك ذلك كفر، فارتبطا نعمت ربكم بالشكر وحسنوا أموالكم بالزكاة، وادفعوا البلاء بالدعاء، فإن الدعاء وجلة منجية ترد البلاء وقد أبرم إبراماً».

And from *al-Mahaj* of Ibn Tawus, narrated with a chain to Abu al-Waddah Muhammad ibn Ubayd Allah ibn Zayd al-Nahshali:

“My father told me that he heard Imam Abu al-Hasan Musa ibn Ja'far (peace be upon him) say:

‘Speaking about the blessings of Allah is an act of gratitude, while ignoring them is a form of disbelief. Therefore, bind the blessings of your Lord with thankfulness, protect your wealth with zakat, and repel afflictions with supplication — for supplication is a protective shield that saves, and it repels afflictions even if they have been decisively decreed.’”

<sup>987</sup> **Qurb al-Isnād**: 1185 / 301–302, **Wasā'il al-Shī'a** 46: 20–47, *Abwāb Muqaddimāt al-Nikāḥ wa Ādābih*, Chapter 12, ḥadīth 6.

<sup>988</sup> **Qurb al-Isnād**: 1198 / 305–306, **Wasā'il al-Shī'a** 17: 198, *Abwāb Mā Yuktabu bih*, Chapter 46, ḥadīth 16 — and in both sources, it mentions (Zayd) instead of (Yazid).

قال أبو الوضاح وأخبرني أبي قال: لما قتل الحسين بن علي صاحب فخ - وهو الحسين بن علي بن الحسن - بفخ (٢) وتفرق الناس عنه حمل رأسه والأسرى من أصحابه إلى موسى بن المهدى، فلما بصر بهم أنساً يقول مُمثلاً:

Abu al-Waddah also said:

"My father told me that when al-Husayn ibn Ali, the master of Fakh — and he was Husayn ibn Ali ibn al-Hasan ibn al-Hasan — was killed at Fakh<sup>989</sup> and the people scattered from him, his head and the captives from his followers were carried to Musa ibn al-Mahdi. When he saw them, he began to recite poetry, saying in a sorrowful tone:

دفنتم بصحراء العميم القوافيا

بني عمنا لا تنتطقو الشعر بعدما

فقبل ضيماً أو حكم قاضيا

فلسنا كمن كنتم تصيبون سلَّةً (٣)

فترضى إذا ما أصبح السيف راضيا

ولكن حكم السيف فينا مسلط

بني عمنا لو كان أمراً مدانيا

وقد ساندي ما جرت الحرب بيتنا

ظلمنا ولكننا أسلنا التقاضيا

إلن قلتم إنا ظلمنا فلم نكن

O our cousins, do not recite poetry after  
you buried the verses in the desert of al-Ghameem.  
For we are not like those from whom you would take a share<sup>990</sup>,  
accepting humiliation or submitting to a judge.  
But the rule of the sword is imposed upon us,  
so we are content when the sword itself is content.  
And it has saddened me what war has caused between us,  
O our cousins, if only it had been a close matter.  
And if you say that we have been wronged, then know  
we were not wronged — but we mishandled our case.

<sup>989</sup> *Fakhkh*: A location near Makkah on the road to Madinah. (Manuscript margin), from copy "A".

<sup>990</sup> *Ataynāhum 'inda al-sallah* — meaning, "when the swords were being drawn." *al-Šiħāħ* 5: 1730 — under the root *s-l-l* (margin of copy "A").

ثم أمر برجل من الأسرى فوبخه، ثم قتله، ثم صنع مثل ذلك بجماعة من ولد أمير المؤمنين علي بن أبي طالب - صلوات الله عليه - وأخذ من الطالبيين، وجعل ينال منهم، إلى أن ذكر موسى بن جعفر - صلوات الله عليه - فقال منه، ثم قال: والله ما خرج حسين إلا عن أمره ولا أتبع إلا محبته؛ لأنه صاحب الوصية في أهل هذا البيت، فتلمي الله إن أبقيت عليه.

قال له أبو يوسف يعقوب بن إبراهيم القاضي وكان جرياً عليه: أقول ألم أسكط؟

Then he (the ruler) ordered a man from among the prisoners to be rebuked, and then he killed him. He did likewise with a group of the descendants of the Commander of the Faithful, Ali ibn Abi Talib—peace be upon him—taking some of the Talibis, harming them, until he mentioned Musa ibn Ja‘far—peace be upon him—saying against him: “By God, Husayn did not rise except by his command, nor did he follow anyone but out of his love, for he (Musa ibn Ja‘far) is the one with the testament (wasiyya) in this family. May God kill me if I spare him!”

Then Abu Yusuf Ya‘qub ibn Ibrahim the judge, who was accustomed to speaking frankly with him, said: “Shall I speak or remain silent?”

قال: قتلتني الله إن عفوت عن موسى بن جعفر، ولو لا ما سمعت من المهدى فيما أخبر به المنصور ما كان به جعفر من الفضل المبرز عن أهله في دينه وعلمه وفضله، وما بلغني عن السفاح فيه من تقويضه وتفضيله لنبيت قبره، وأحرقه بالنار إحرقاً.

He replied: “May God kill me if I forgive Musa ibn Ja‘far. Had I not heard from al-Mahdi what al-Mansur had reported of the exceptional merit of Ja‘far (al-Sadiq)—his preeminence over his family in religion, knowledge, and virtue—and what I had heard from al-Saffah of his esteem and preference for him, I would have exhumed his grave and burned him with fire, consuming him entirely.”

قال أبو يوسف: نساوه طوالق، وعنق جميع ما يملك من الرقيق، وتصدق بجميع ما يملك من المال، وحبس دوابه وعليه المشي إلى بيت الله الحرام إن كان مذهب موسى بن جعفر الخروج، ولا يذهب إليه ولا مذهب أحد من ولده، ولا ينبغي أن يكون هذا منهم، ثم ذكر الزيدية وما ينتحلون فقال: وما كان بقى من الزيدية إلا هذه العصابة الذين كانوا قد خرجوا مع حسين، وقد ظفر أمير المؤمنين بهم، ولم يزل يرافق به حتى سكن غضبه.

Abu Yusuf said: “His wives are thereby divorced, and all his slaves are freed, and all his wealth is given in charity, and his animals are dedicated to pious causes—and he is obliged to travel on foot to the House of God—if the doctrine of Musa ibn Ja‘far truly is rebellion, and he does not share in it, nor should any of his children. Nor ought this to be their way. Then he mentioned the Zaydis and their beliefs, saying: ‘There remains of the Zaydis only this band who went out with Husayn, whom the Commander of the Faithful has overcome, and he has been gentle with him until his anger subsided.’”

قال: وكتب علي بن يقطين إلى أبي الحسن موسى بن جعفر بصورة الأمر فورد الكتاب، فلما أصبح أحضر أهل بيته وشيعته، فأطلعهم أبو الحسن على ما ورد من الخبر، وقال لهم: «ما تشيرون في هذا؟».

It was said that Ali ibn Yaqtin wrote to Abu'l-Hasan Musa ibn Ja'far about the matter in detail. The reply came back, and when morning came, Abu'l-Hasan gathered his family and close followers. He read to them the news that had come and said: "What do you advise in this matter?"

قالوا: نشير عليك أصلحك الله وسلامنا معك أن تباعد شخصك عن هذا الجبار ، وتعجب شخصك دونه، فإنه لا يؤمن شره وعاديته وغشمته، سيما وقد توعدك وإيانا معك، فتبسم موسى ، ثم تمثل بيبيت كعب بن مالك أخوبني سلمة شعرأ:

زعمت سخينة أن ستغلب ربها فليغلب مغلب الغلاب

They said: "We advise you—may God preserve you and us with you—to distance yourself from this tyrant, to hide yourself from him, for there is no trusting his evil, his hostility, or his tyranny, especially as he has threatened you and us alongside you."

Musa—peace be upon him—smiled, and then he recited a verse of poetry by Ka'b ibn Malik of Banu Salamah:

**"Sukhaynah claims she will overcome her Lord,  
But He who overcomes all will overcome her."**

ثم أقبل على من حضر من مواليه وأهل بيته، فقال: «ليفرح روعكم أنه لا يرد أول كتاب من العراق إلا بموت موسى بن المهدى وهلاكه».

قالوا: وما ذاك أصلحك الله.

Then he turned to those present—his family and followers—and said: "Let your fears be put to rest. For the first news to come from Iraq will be the death of Musa ibn al-Mahdi and his ruin."

They said: "And how so, may God preserve you?"

قال: «قد - وحرمة هذا القبر - مات في يومه هذا، والله إنه لحق مثل ما أنكم تتطقون سأخبركم بذلك بين ما أنا جالس في مصلاي بعد فراغي من وردي، وقد هومت عيناي إذ

سنج لي جدي رسول الله عليه وسلم في منامي، فشكوت إليه موسى بن المهدى، وذكرت ما جرى منه في أهل بيته، وأنا مشقق من غواشه، فقال لي: لتطب نفسك يا موسى فما جعل الله لموسى عليك سبيلاً، فبينما هو يحدثني إذ أخذ بيدي وقال لي: قد أهلك الله آنفأ عدوك، فليحسن الله شكرك».

قال: ثم استقبل أبو الحسن القبلة، ورفع يديه إلى السماء يدعو.

قال أبو الوضاح: فحدثني أبي قال : كان جماعة من خاصة أبي الحسن من أهل بيته وشيعته يحضرون مجلسه ومعهم في أكمامهم ألواح آبنوس لطاف وأمياں، فإذا نطق أبو الحسن الله أو أفتى في نازلة أثبت القوم ما سمعوا منه في ذلك، قال: سمعناه وهو يقول في دعائه: «شكراً لله جلت عظمته، إلهي كم من عدو انتصري على سيف عدوته، وشحذ لي طبلة مدينته، وأرْهَفَ لي شبا حَدَّه، ودافَ لي قوائل سُموِّمه، وسَدَّ نَحْوي صوابِ سهامِه، ولم تَنَمْ عَنِ عَيْنِ حِرَاسَتِه، وأضْمَرَ أَنْ يَسْوَمِنِي الْمُكْرُوهُ وَيُجَرِّ عَنِ الْمُعْافَ مَرَارَتِه، فَنَظَرَتِ إِلَيَّ ضَعْفِي عَنِ الْحِتْمَالِ الْفَوَادِحِ وَعَجْزِي عَنِ الْإِنْتِصَارِ مَمْنَ قَصَدَنِي بِمُحَارَبَتِه، وَوَحْدَتِي فِي كَثِيرٍ عَدَّهُ مَنْ نَوَانِي وَإِرْصَادَهُمْ لِي فِيمَا لَمْ أَعْمَلْ فَكْرِي فِي الْإِرْصَادِ لَهُمْ بِمُنْهُ، فَأَيَّدَنِي بِقُوَّتِكَ وَسَدَّدَتِ أَرْبِي بِنَصْرِكَ، وَفَلَّتِ لِي شَبَّا حَدَّه، وَخَلَّتِ لَهُ بَعْدَ جَمْعِ عَبِيدِه وَحَشَدِه، وَأَعْلَيَتِ كَعْبِي عَلَيْهِ، وَوَجَهَتِ مَا سَدَّدَ إِلَيَّ مِنْ مَكَابِدِه إِلَيَّهِ، وَرَدَدَتِه عَلَيْهِ، لَمْ يَسْفِ غَلِيلَهُ، وَلَمْ تَبْرُدْ حَرَارَةُ عَيْنِهِ، وَقَدْ عَصَنَ عَلَى أَنَامِلِهِ، وَأَدَبَرَ مُؤْلِيَّهُ فَأَحْفَقَتْ (١) سَرَايَاهُ، فَلَكَ الْحَمْدُ يَارَبُّ مِنْ مُقْدِرٍ لَا يُغَلِّبُ، وَذَي أَنَّا لَا يَعْجَلُ، صَلَّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكَ مِنَ الشَّاكِرِينَ وَلَا لِلَّاكَ مِنَ الْذَّاكِرِينَ. إِلَهِي وَكُمْ مِنْ بَاغِ بَغَانِي بِمَكَانِهِ، وَنَصَبَ لِي أَشْرَاكَ مَصَابِدِهِ، وَوَكَلَ لِي تَفَقَّدَ رَعَايَتِهِ، وَأَضَبَّ إِلَيَّ إِضَبَّ السَّبِيعَ لِفَرِسَتِهِ، انتظاراً لِانْتِهَازِ فُرْسَتِهِ، وَهُوَ يُظْهِرُ لِي بَشَاشَةَ الْمَلْقِ وَبَيْسُطُ لِي وَجْهَهُ غَيْرَ طَلِيقٍ، فَلَمَّا رَأَيْتَ دَغَلَ سَرِيرَتِهِ، وَفَجَحَ مَا انْطَوَى عَلَيْهِ لِشَرِيكِهِ فِي مُلْهَى وَأَصْبَحَ مُخْلِبَاً (٢) لِي فِي بَعْدِهِ أَنْ كَسَنَتَهُ لَامْ رَأْسِهِ، وَأَتَيْتَ بُنْيَانَهُ مِنْ أَسَاسِهِ، فَصَرَّعَهُ فِي زُبْيَتِهِ (٣)، وَأَرْدَيْتَهُ فِي مَهْوِي حُفْرَتِهِ، وَجَعَلْتَ خَدَّهُ طَبِيقاً لِتَرَابِ رِجْلِهِ، وَشَعَلَتَهُ فِي بَدَنِهِ، وَرَمَيْتَهُ بِحَجَرِهِ، وَخَنَقَتَهُ بِوَتْرِهِ، وَذَكَيْتَهُ بِمَشَاقِصِهِ، وَكَيْتَهُ لِمَنْفِرِهِ، وَرَدَدَتْ كَيْدُهُ فِي نَفْرِهِ، وَوَنَقَتْهُ بِنَدَامِتِهِ، وَقَتَّاهُ بِحَسْرَتِهِ، فَاسْتُخْدِلَ وَاتَّسَعَهُ بَعْدَ نَحْوَتِهِ، وَانْفَمَعَ بَعْدَ اسْتِطَالِتِهِ ذَلِيلًا مَأْسُورًا فِي رِبْقِ حَبَائِلِهِ التَّيْ كَانَ يُؤْمِلُ أَنْ يَرَانِي فِيهَا يَوْمَ سَطُوتِهِ، وَقَدْ كَدَتْ يَا رَبْ لَوْلَا رَحْمَتُكَ يَحْلُّ بِي مَا حَلَّ بِسَاحَتِهِ.

He (Imam Musa ibn Ja'far) said:

“Indeed—by the sanctity of this grave—he has died on this very day! By God, it is as certain as your own speech. I shall tell you: while I was sitting in my prayer place after completing my devotional recitation, my eyelids grew heavy and sleep overcame me. Then my grandfather, the Messenger of God ﷺ, appeared to me in my dream. I complained to him about Musa ibn al-Mahdi and what he had done to the members of his family. I was fearful of his treachery and his overwhelming oppression. He (the Prophet) said to me: ‘Let your heart be at ease, O Musa, for God has given no power over you to Musa ibn al-Mahdi.’ While he was speaking to me, he took my hand and said: ‘God has just now destroyed your enemy. So give thanks to God!’”

He (the narrator) said:

Then Abu'l-Hasan (Musa ibn Ja'far) faced the qiblah and raised his hands to the sky in supplication.

Abu'l-Waddah said: My father told me that a group of Abu'l-Hasan's closest family members and followers used to attend his gathering. They would carry with them thin ebony tablets and writing materials hidden in their sleeves. Whenever Abu'l-Hasan spoke of God or issued a religious ruling on a case, they would record what they heard. My father said: I heard him saying in his supplication:

“Thanks be to God, whose greatness is exalted.

My God, how many an enemy has drawn the sword of enmity against me,  
Honed the blade of his dagger for me,

Sharpened the edge of his weapons,  
And prepared deadly poisons to kill me.  
He aimed his arrows at me,  
And his vigilant eye never slept in guarding me.  
He intended to subject me to misery  
And to force the bitterness of his venom upon me.  
But You looked upon my weakness to bear these tribulations,  
And my inability to take vengeance on those who attacked me.  
I was alone while they were many in number,  
Their traps ready, while I had no time to devise counter-traps.  
So You strengthened me with Your might,  
Supported me with Your victory,  
Blunted the edge of his sword,  
And humiliated him after he had gathered his armies.  
You lifted me above him,  
Turned back the plots he aimed at me,  
And sent them back upon him.  
His anger was not appeased,  
And the heat of his rage did not cool.  
He bit his fingers in regret,  
Fled in defeat,<sup>991</sup>  
His forces in ruin.  
To You be the praise, O Lord—  
The Omnipotent who is never overcome,  
The patient who never rushes.

Send blessings upon Muhammad and the family of Muhammad,  
And make me among those who give thanks for Your blessings,  
And who remember Your favors.

My God, how many an oppressor has plotted against me with his schemes,  
Set for me the snares of his traps,  
Appointed watchmen to spy on me,  
Lurked for me like a beast of prey for its victim,  
Waiting for his opportunity.  
While outwardly he showed me a friendly face,

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<sup>991</sup> *Akhfaqat*: Meaning, “she failed” or “was unsuccessful.” (Margin of copy “A”).

Inwardly his heart was not at peace.  
 When You saw the evil of his secret,  
 And the foulness of what he concealed for his confederate,  
 And he exposed his aggression against me,<sup>992</sup>  
 You brought him down upon his own head,  
 Toppled his edifice from its foundations,  
 Cast him down into his own pit,<sup>993</sup>  
 Hurled him into the depths of his own trap.  
 You made his cheek rub the dust under his feet,  
 Occupied him with his own suffering,  
 Struck him with his own weapon,  
 Choked him with his own bowstring,  
 Pierced him with his own arrows,  
 Tripped him by his own nostrils,  
 Returned his plot into his own throat,  
 Bound him with the cords of his own remorse,  
 Smote him with the agony of his own regret.  
 He was humbled, diminished after his pride,  
 Brought low after his arrogance—  
 A captive in the very snares he had woven to capture me on the day of his might.  
 Had it not been for Your mercy, O my Lord,  
 I would have suffered what he suffered in his own courtyard!"

فَلَكَ الْحَمْدُ يَارَبُّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ ، وَذَي أَنَّةٍ لَا يَعْجَلُ صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ وَاجْعَلْنِي لِأَنْعُمَكَ مِنَ الشَّاكِرِينَ وَلَا لِأَنَّكَ مِنَ الْمَاكِرِينَ.

إِلَهِي وَكَمْ مِنْ حَاسِدٍ شَرَقَ بِحَسَدِهِ، وَشَجِي بِغَيْظِهِ، وَسَاقَنِي بِحَدٍ لِسَانِهِ، وَوَخَرَنِي بِمُوقِعِ عَيْنِهِ، وَجَعَلَ عَرْضِي غَرْضًا لِمَرَامِيهِ، وَفَلَدَنِي حَلَالًا لَمْ تَرَنْ فِيهِ، فَنَادَيْتُكَ يَارَبَّ مُسْتَحِيرًا بِكَ، وَأَنْقَأْتُسُرْعَةً إِجَابَتِكَ، مُتَوَكِّلًا عَلَى مَا لَمْ أَرَنْ أَعْرَفُهُ مِنْ حُسْنِ دِفَاعَكَ، عَالِمًا أَنَّهُ لَنْ يُضْطَهَ مِنْ أَوْى إِلَى ظَلَّ كَفِكَ، وَلَنْ تَقْرَعَ الْفَوَادِحُ مِنْ لَجَأَ إِلَى مَعْقِلِ الْإِنْتِصَارِ بِكَ، فَحَصَنْتُنِي مِنْ بَأْسِهِ بِقُدْرَتِكَ.

فَلَكَ الْحَمْدُ يَارَبُّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ وَذَي أَنَّةٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكَ مِنَ الشَّاكِرِينَ وَلَا لِأَنَّكَ مِنَ الْمَاكِرِينَ.

<sup>992</sup> *Mujalliyan* — with a **yā'** (ي) (i.e., *yā' al-muthannā al-taḥtiyya*): meaning “making me leave my house.” And with a **bā'** (ب) (i.e., *yā' al-muwaḥḥada*): meaning “gathering his troops and plotting against me.” (Margin of copy “A”).

<sup>993</sup> *al-Zubyā*: A raised mound that water does not reach.

**al-Ṣiḥāḥ** 6: 2366 — under the root *z-b-y* (margin of the manuscript, from copy “A”).

إِلَهِي وَكَمْ مِنْ سَحَابَيْ مَكْرُومٍ جَلَّتِهَا وَسَمَاءٌ نَعْمَةٌ أَمْطَرْتَهَا وَجَدَأْلِي كَرَامَةً أَجْرَيْتَهَا وَأَغْيَنَ أَحَدَثِ طَمْسَتَهَا، وَنَائِشَةً رَحْمَةً نَسْرَتَهَا، وَجَنَّةً عَافِيَةً الْبَسْتَهَا، وَغَوَامِرِ كُرْبَاتِ كَشْفَتَهَا، وَأَمْوَارِ جَارِيَةٍ قَدَرَتَهَا، لَمْ تُعْجِزْكِ إِذْ طَلَبَتَهَا، وَلَمْ تَمْتَنِعْ عَلَيْكِ إِذْ أَرَدَتَهَا.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَّا لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكِ مِنَ الشَّاكِرِينَ وَلَا لَايَكِ مِنَ الْمُذَكَّرِينَ.

إِلَهِي وَكَمْ مِنْ ظَلَّ حَسَنٌ حَقَّتَ، وَمِنْ غُمٌ إِمْلَاقٌ جَبْرَتَ، وَمِنْ مَسْكَنَةٍ فَادِحَةٌ حَوْلَتَ، وَمِنْ صَرْعَةٍ مُهْلَكَةٌ أَنْعَشَتَ، وَمِنْ مَشْفَةٍ أَرْحَتَ لَا تُسْأَلُ يَا سَيِّدِي عَمَّا تَقْعَلُ، وَهُمْ يُسْأَلُونَ،

وَلَا يَنْقُصُكَ مَا أَنْفَقْتَ، وَلَقَدْ سُلِّتَ فَأَعْطَيْتَ، وَلَمْ تُسْأَلْ فَأَبْلَغْتَ، وَاسْتُمْيَحَ بَابُ فَضْلِكَ فَمَا أَكْدَيْتَ، أَبْيَتِ إِلَّا إِنْعَامًا وَامْتَنَانًا، وَلَا تَنْطُلُ يَارَبَّ وَاحْسَانًا وَأَبْيَتِ يَارَبَّ إِلَّا انتَهَاكَ حُرْمَاتِكَ وَاجْتِزَاءَ عَلَى مَعَاصِيكَ وَتَعْدِيَا لِحُدُودِكَ، وَغَفْلَةً عَنْ وَعِدِكَ، وَطَاغَةً لِعَدُوِّي وَعَدُوكَ، لَمْ يَمْنَعَكَ يَا إِلَهِي وَنَاصِرِي إِخْلَالِي بِالشَّكْرِ عَنْ إِتَّمَ إِحْسَانِكَ، وَلَا حَجَزَنِي ذَلِكَ عَنْ ارْتِكَابِ مَسَخِطِكَ.

اللَّهُمَّ وَهَذَا مَقَامُ عَنِّي دَلِيلٌ اعْتَرَفْتُ لَكَ بِالْتَّوْحِيدِ، وَأَفَرَّ عَلَى نَفْسِي بِالْنَّفْسِيِّ فِي أَدَاءِ حَقَّكَ، وَسَهَّدْ لَكَ بِسُبُّوْعِ نِعْمَتِكَ عَلَيْهِ وَجَمِيلِ عَادَاتِكَ عِنْدَهُ، وَإِحْسَانِكَ إِلَيْهِ، فَهَبْ لِي يَا إِلَهِي وَسَيِّدِي مِنْ فَضْلِكَ مَا أَرْبَدُ سَبَبًا [١) إِلَى رَحْمَتِكَ، وَأَتَخْدُهُ سُلْمًا أَعْرُجْ فِيهِ إِلَى مَرْضَاتِكَ، وَأَمَّنْ بِهِ مِنْ سَخْطِكَ، بِعَزْتِكَ وَطَوْلِكَ وَبِحَقِّ نَبِيِّكَ مُحَمَّدٍ وَالْأَئِمَّةَ صَلَوَاتُ اللَّهِ عَلَيْهِ وَعَلَيْهِمْ أَجَعَّينَ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَّا لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكِ مِنَ الشَّاكِرِينَ وَلَا لَايَكِ مِنَ الْمُذَكَّرِينَ.

إِلَهِي وَكَمْ مِنْ عَنِّي أَمْسَى وَأَصْبَحَ فِي كَرْبِ الْمَوْتِ، وَحَسْرَجَةَ الصَّدْرِ، وَالنَّظَرِ إِلَى مَا تَشَعَّرُ مِنْهُ الْجُلُوُّ، وَتَفَرَّغَ لِهِ الْفُلُوُّ، وَأَنَا فِي عَافِيَةٍ مِنْ ذَلِكَ كُلِّهِ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَّا لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكِ مِنَ الشَّاكِرِينَ وَلَا لَايَكِ مِنَ الْمُذَكَّرِينَ.

إِلَهِي وَسَيِّدِي وَكَمْ مِنْ عَنِّي أَمْسَى وَأَصْبَحَ سَقِيمًا مُوجَعًا مُذِنِفًا فِي أَنَّيْنِ وَعَوِيلِ، يَتَقَلَّبُ فِي غَمِّهِ وَلَا يَجِدُ مَحِيصًا وَلَا يُسِيغُ طَعَامًا، وَلَا يَسْتَعْذِبُ شَرَابًا، وَأَنَا فِي صِحَّةٍ مِنَ الْبَنِينَ، وَسَلَامَةٌ مِنَ الْعَيْشِ، كُلُّ ذَلِكَ مِنْكَ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَّا لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكِ مِنَ الشَّاكِرِينَ وَلَا لَايَكِ مِنَ الْمُذَكَّرِينَ.

إِلَهِي وَكَمْ مِنْ عَنِّي أَمْسَى وَأَصْبَحَ خَائِفًا مَرْعُوبًا مُسْهَدًا مُشْفَقًا، وَحِيدًا وَجَلًا، هاربًا طَرِيدًا، أَوْ مُنْحَرِرًا فِي مُضِيقٍ، أَوْ مَخْبَأٍ مِنَ الْمَخَابِيْ قَدْ ضَاقَتْ عَلَيْهِ الْأَرْضُ بِرُحْبِهَا، لَا يَجِدُ حِيلَةً وَلَا مَنْجَى وَمَأْوَى وَلَا مَهْرَبًا، وَأَنَا فِي أَمْنٍ وَطَمَانِيَّةٍ وَعَافِيَةٍ مِنْ ذَلِكَ كُلِّهِ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَّا لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمَكِ مِنَ الشَّاكِرِينَ وَلَا لَايَكِ مِنَ الْمُذَكَّرِينَ.

إِلَهِي وَسَيِّدِي وَكَمْ مِنْ عَنِّي أَمْسَى وَأَصْبَحَ مَغْلُولًا مُكْبَلًا بِالْحَدِيدِ بِأَيْدِيِ الْعَدَاةِ لَا يَرْحَمُونَهُ، فَقِيدًا مِنْ أَهْلِهِ وَوَلَدِهِ، مُنْقَطِعًا مِنْ إِخْوَانِهِ وَبَلَدِهِ، يَقْوِقُ كُلَّ سَاعَةٍ بِلَيْلَةٍ قُتْلَهُ يُقْتَلُ، وَبِأَيِّ مُثَلَّةٍ يُمَثَّلُ بِهِ، وَأَنَا فِي عَافِيَةٍ مِنْ ذَلِكَ كُلِّهِ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَاءٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمْكَ مِنَ الشَّاكِرِينَ، وَلَا لِأَنْكَ مِنَ الْمَذَكُورِينَ.

إِلَهِي وَسَيِّدِي وَكَمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ يُفَاسِي الْحَرْبَ، وَمُبَاشِرَةُ الْقِتَالِ بِنَفْسِهِ قَدْ عَشَيْتُهُ الْأَعْدَاءَ مِنْ كُلِّ جَانِبٍ وَالسَّيُوفُ وَالْحَرْبُ، يَنْقَعِقُ فِي الْحَدِيدِ مَلْأَعَ مَجْهُودِهِ، لَا يَعْرُفُ حِيلَةً وَلَا يَهْتَدِي سَلَّاً، وَلَا يَجِدُ مَهْرَبًا، قَدْ اذْتَفَ بِالْجَرَاحَاتِ، أَوْ مَتَشَحَّطًا بِدَمِهِ تَحْتَ السَّدَابِكِ وَالْأَرْجُلِ، يَمْنَى شَرْبَهُ مِنْ مَاءِ أَوْ نَظْرَهُ إِلَى أَهْلِهِ وَوَلْدِهِ، وَلَا يَفْدُرُ عَلَيْهَا، وَأَنَا فِي عَافِيَةٍ مِنْ ذَلِكَ كُلَّهُ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَاءٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمْكَ مِنَ الشَّاكِرِينَ، وَلَا لِأَنْكَ مِنَ الْمَذَكُورِينَ.

إِلَهِي وَكَمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ فِي ظُلْمَاتِ الْبِحَارِ، وَعَوَاصِفِ الْرِّياحِ وَالْأَهْوَالِ وَالْأَمْوَاجِ، يَتَوَقَّعُ الْغَرَقُ وَالْهَلَكَ، لَا يَفْدُرُ عَلَى حِيلَةٍ، أَوْ مُبْنَى بِصَاعِقَةٍ، أَوْ هَدْمٍ أَوْ عَرْقٍ أَوْ شَرَقٍ أَوْ حَرْقٍ أَوْ خَسْفٍ أَوْ مَسْخٍ أَوْ قَنْفٍ، وَأَنَا فِي عَافِيَةٍ مِنْ ذَلِكَ كُلَّهُ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَاءٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمْكَ مِنَ الشَّاكِرِينَ، وَلَا لِأَنْكَ مِنَ الْمَذَكُورِينَ.

إِلَهِي وَكَمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ مُسَافِرًا شَاخِصًا عَنْ أَهْلِهِ وَوَطْنِهِ وَوَلْدِهِ، مُتَحِيرًا فِي الْمَفَاوِزِ تَانِهَا مَعَ الْوُحُوشِ وَالْبَهَانِ وَالْهَوَامِ، وَحِيدًا فَرِيدًا لَا يَعْرُفُ حِيلَةً وَلَا يَهْتَدِي سَبِيلًا، أَوْ مُتَذَلِّي بَيْرِدٍ أَوْ حَةً أَوْ حُوَّعً أَوْ عُرْيٍ أَوْ غَيْرِهِ مِنَ السَّدَابِكِ مَمَّا أَنَا مِنْهُ خَلُرٌ فِي عَافِيَةٍ مِنْ ذَلِكَ كُلِّهِ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَاءٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمْكَ مِنَ الشَّاكِرِينَ، وَلَا لِأَنْكَ مِنَ الْمَذَكُورِينَ.

إِلَهِي وَكَمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ فَقِيرًا عَالِيًا عَارِيًا مُمْلَقًا مُخْفِقًا (١) مَجْهُودًا خَائِفًا جَائِعًا ظَمَانًا، يَنْتَظِرُ مَنْ يَعُودُ عَلَيْهِ بِقُضْلٍ، أَوْ عَبْدٍ وَجِيهٍ هُوَ أَوْجَهُ مَنِي عِنْدَكَ وَأَشَدُ عِبَادَةً لَكَ،

مَعْلُولاً مَفْهُورًا، قَدْ حُمِّلَ تِقْلًا مِنْ تَعْبِي الْعَنَاءِ وَشَدَّةِ الْعُبُودِيَّةِ وَكُلْفَةِ الرِّقِ وَتَقْلِ الْمُسْرِبِيَّةِ أَوْ مُبْنَى بِبَلَاءِ شَدِيدٍ لَا قَبْلَ لَهُ بِهِ إِلَّا بِمَنْكَ عَلَيْهِ، وَأَنَا الْمَخْدُومُ الْمُنْعَمُ الْمُعَافِي الْمَكَرُومُ فِي عَافِيَةٍ مِمَّا هُوَ فِيهِ.

فَلَكَ الْحَمْدُ يَارَبَّ مِنْ مُقْتَدِرٍ لَا يُعْلَبُ، وَذِي أَنَاءٍ لَا يَعْجَلُ صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِأَنْعُمْكَ مِنَ الشَّاكِرِينَ، وَلَا لِأَنْكَ مِنَ الْمَذَكُورِينَ.

إِلَهِي وَمَوْلَايَ وَسَيِّدِي وَكَمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ طَرِيدًا شَرِيدًا حَيْرَانًا مُتَحِيرًا حَاسِرًا فِي الصَّحَارِيِّ وَالْبَرَارِيِّ، قَدْ أَحْرَقَهُ الْحَرُّ وَالْبَرْدُ وَهُوَ فِي ضُرُّ مِنَ الْعَيْسِ وَضُنْكَ مِنَ الْحَيَاةِ، وَذُلُّ مِنَ الْمَقَامِ يَنْتَظِرُ إِلَى نَفْسِهِ حَسْرَةً لَا يَفْدُرُ لَهَا عَلَى ضُرٍّ وَلَا نَفْعٍ، وَأَنَا خَلُرٌ مِنْ ذَلِكَ كُلِّهِ بِجُودِكَ وَكَرَمِكَ.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God, how many an envious one has choked on his own envy against me, and how many a spiteful one has been consumed with his own rage against me. How many have lashed me with the sharpness of their tongues, and pierced me with the venom of their glances. How many have made my honor a target for their slander, and hung upon me faults that never truly existed. So I called upon You, O my Lord, seeking refuge in You, confident in the speed of Your answer, relying on what I have always known of Your noble defense. I know that no one is ever oppressed who takes refuge in the shade of Your protection, and no calamities ever befall one who has sought safety in the fortress of Your help. And You, with Your power, have shielded me from his harm.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God, how many clouds of trouble have You driven away, how many skies of blessings have You poured down, how many rivers of honor have You let flow, and how many eyes of misfortune have You blinded. How many new mercies have You spread wide, how many shields of well-being have You clothed me in, how many deep sorrows have You lifted away, and how many affairs have You managed for me that did not weigh You down nor were beyond Your power to fulfill.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.<sup>994</sup>

My God, how many good expectations have You fulfilled for me, how many states of poverty have You remedied, how many crushing humiliations have You turned away, and how many deadly falls have You revived me from. How many hardships have You removed. You, my Master, are never asked about what You do while they are asked. Nothing You spend ever diminishes You. You have been asked and You have given; You have not been asked and You have initiated; the door of Your bounty was sought and You never withheld, You refused nothing but more generosity and graciousness, nothing but more kindness and favor, while I refused nothing but to violate Your sacred bounds, to rush headlong into disobedience of You, to trespass beyond Your limits, heedless of Your threats, obeying my enemy and Yours.

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<sup>994</sup> From the source.

But my Lord, none of this stopped You from completing Your kindness to me, nor did it prevent me from plunging into that which angers You.

O Allah, here I stand, the station of a humble servant, who acknowledges Your oneness and admits his own shortcoming in fulfilling Your due. I witness to Your immense favors upon me and Your beautiful ways with me and Your constant kindness toward me. So bestow on me, O my God and Master, from Your bounty what will draw me closer to Your mercy, and make it a means by which I climb to Your pleasure and find safety from Your wrath, by Your power and might, and by the right of Your Prophet Muhammad and the Imams—may Your blessings be upon him and upon them all.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God and Master, how many a servant has passed the night and entered the morning in the throes of death, gasping for breath, staring upon what makes the skins shiver and the hearts tremble, while I, by Your mercy, am in well-being from all of that.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God and Master, how many a servant has passed the night and entered the morning in pain, sick and tormented, moaning and wailing, turning in anguish with no escape, unable to taste food or find any sweetness in drink, while I am in sound health of body and in the ease of life—all of this from You.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God and Master, how many a servant has passed the night and entered the morning fearful, terrified, sleepless and anxious, lonely and uneasy, fleeing in fear, hiding away in some narrow hiding place. The wide earth has become strait for him, he finds no way out and no refuge, no escape or deliverance—while I am in security and peace, in well-being from all of that.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God and Master, how many a servant has passed the night and entered the morning shackled and bound in iron chains by the hands of his enemies who have no mercy on him, cut off from his family and children, separated from his brothers and his homeland, dreading every hour how he might be killed or how he might be mutilated—while I am in well-being from all of that.

So to You belongs the praise, O my Lord, from One Mighty Who is never overpowered, and from One Patient Who is never hasty. Send blessings upon Muhammad and the family of Muhammad, and make me among those who give thanks for Your bounties and remember Your favors.

My God and Master, how many a servant has passed the night and entered the morning grappling with the war, face to face with battle in his very self, surrounded by enemies on all sides, swords and weapons crashing down upon him. He rattles in his armor, striving to the limits of his strength, knowing no trick nor finding any refuge, unable to flee. Perhaps he has been worn down by wounds or lies prostrate in his blood beneath the hooves and feet—while I am in well-being from all of that.

فَلَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَدِرٍ لَا يُغْلِبُ، وَذِي أَنَّةٍ لَا يَعْجَلُ صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعُلْنِي لِأَنْعُمَكَ مِنَ الشَّاكِرِينَ، وَلَا لَيْكَ مِنَ الْذَّاكِرِينَ إِلَيْهِ وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

مَوْلَايَ وَسَيِّدِي وَكُمْ مِنْ عَبْدٍ أَمْسَى وَاصْبَحَ عَلِيًّا مَرِيضاً سَقِيَمَاً مُدِنِفَاً عَلَى فُرْشِ الْعَلَةِ وَفِي لِيَاسِهَا يَنْقَلِبُ يَمِينًا وَشِمَالًا، لَا يَعْرِفُ شَيْئًا مِنْ لَذَّةِ الطَّعَامِ وَلَا مِنْ لَذَّةِ الشَّرَابِ، يَنْتَرُ إِلَى نَفْسِهِ حَسْرَةً لَا يَسْتَطِيعُ لَهَا ضَرًّا وَلَا نَفْعاً، وَأَنَا خَلُرٌ مِنْ ذَلِكَ كُلِّهِ بِجُودِكَ وَكَرْمِكَ، فَلَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَدِرٍ لَا يُغْلِبُ، وَذِي أَنَّةٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِهِ مُحَمَّدٍ، وَاجْعُلْنِي لِأَنْعُمَكَ مِنَ الشَّاكِرِينَ وَلَا لَيْكَ مِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

مَوْلَايَ وَسَيِّدِي وَكُمْ مِنْ عَبْدٍ أَمْسَى وَاصْبَحَ قَدْ دَنَا يَوْمُهُ مِنْ حَقْقِهِ، وَقَدْ أَحْدَقَ بِهِ مَلَكُ الْمَوْتَ فِي أَعْوَانِهِ يُعَالِجُ سَكَرَاتِ الْمَوْتِ وَحِيَاضَهُ، تَدُورُ عَيْنَاهُ يَمِينًا وَشِمَالًا يَنْتَرُ إِلَى أَجَيَانِهِ وَأَوْدَائِهِ وَأَخْلَائِهِ، قَدْ مُنْعَ مِنَ الْكَلَامِ وَحُجَّبَ عَنِ الْخَطَابِ يَنْتَرُ إِلَى نَفْسِهِ حَسْرَةً فَلَا يَسْتَطِيعُ لَهَا ضَرًّا وَلَا نَفْعاً، وَأَنَا خَلُرٌ مِنْ ذَلِكَ كُلِّهِ بِجُودِكَ وَكَرْمِكَ.

There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad. Make me among the grateful for Your blessings and among those who remember Your favors. My God, have mercy on me through Your mercy, O Most Merciful of the merciful.

My Master and my Lord! How many a servant has ended his day and begun his morning in sickness, ill, weakened<sup>995</sup>, languishing upon the bed of affliction, turning about on it to the right and to the left, unable to taste any pleasure in food or drink! He looks upon himself with regret, unable to bring himself harm or benefit. And I am safe from all of that through Your generosity and Your bounty. There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad. Make me among the grateful for Your blessings and among those who remember Your favors. Have mercy on me through Your mercy, O Most Merciful of the merciful.

My Master and my Lord! How many a servant has ended his day and begun his morning while his appointed day of death is at hand, and the Angel of Death has surrounded him with his helpers, wrestling with the agonies and pangs of death. His eyes roll to the right and the left as he looks upon his loved ones, his close friends, and his companions. He is unable to speak and prevented from addressing them, looking upon himself with regret, unable to bring himself harm or benefit. And I am safe from all of that through Your generosity and Your bounty.

فَلَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَدِرٍ لَا يُغْلِبُ، وَذِي أَنَّةٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعُلْنِي لَكَ مِنَ الْعَابِدِينَ وَلِنُعْمَانِكَ مِنَ الشَّاكِرِينَ وَلِلَايَنِكَ مِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

مُولَّايَ وَسَيِّدِي وَكُمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ فِي مَضَائقِ الْحُبُوسِ وَالسُّجُونِ وَكَرْبَهَا وَذُلُّهَا وَحَدِيدَهَا تَنَادِيَهُ أَعْوَانُهَا وَرَبَانِيَّهَا، فَلَا يَدْرِي أَيِّ حَالٍ يُفْعَلُ بِهِ، وَأَيِّ مُثْلٍ يُمْثَلُ بِهِ، فَهُوَ فِي ضُرٍّ مِنَ الْعَيْشِ، وَضَنْكٌ مِنَ الْحَيَاةِ، يَنْتَظِرُ إِلَى نَفْسِهِ حَسْرَةً لَا يَسْتَطِعُ لَهَا ضَرَّاً وَلَا نَفْعاً، وَأَنَا خَلُّ مِنْ ذَلِكَ كُلِّهِ بِجُودِكَ وَكَرْمِكَ.

فَلَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَدِرٍ لَا يُغْلِبُ، وَذِي أَنَّةٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِهِ مُحَمَّدٍ، وَاجْعُلْنِي لَكَ مِنَ الْعَابِدِينَ وَلِنُعْمَانِكَ مِنَ الشَّاكِرِينَ وَلِلَايَنِكَ مِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

سَيِّدِي وَمُولَّايَ وَكُمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ قَدْ اسْتَمَرَ عَلَيْهِ الْعَضَاءُ وَأَحْدَقَ بِهِ الْبَلَاءُ، وَفَارَقَ أَوْدَاءُهُ وَأَحِبَّاءُهُ وَأَخْلَاءُهُ، وَأَمْسَى حَقِيرًا أَسِيرًا ذلِيلًا فِي أَيْدِي الْكُفَّارِ وَالْأَعْدَاءِ يَنَادِي لُونَهُ يَمِينًا وَشِمَالًا، قَدْ حُمِّلَ فِي الْمَطَامِيرِ وَفُلِّقَ بِالْحَدِيدِ، لَا يَرَى شَيْئًا مِنْ ضِيَاءِ الدُّنْيَا وَلَا مِنْ رُوحَهَا، يَنْتَظِرُ إِلَى نَفْسِهِ حَسْرَةً لَا يَسْتَطِعُ لَهَا ضَرَّاً وَلَا نَفْعاً، وَأَنَا خَلُّ مِنْ ذَلِكَ كُلِّهِ بِجُودِكَ وَكَرْمِكَ.

فَلَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَدِرٍ لَا يُغْلِبُ، وَذِي أَنَّةٍ لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعُلْنِي لَكَ مِنَ الْعَابِدِينَ وَلِنُعْمَانِكَ مِنَ الشَّاكِرِينَ وَلِلَايَنِكَ مِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad, and make

<sup>995</sup> Abū 'Ubayd said: **Lisān al-‘Arab** 4: 159 – *Khaffaqa*: al-*lhqāq* is when a military detachment goes on an expedition but returns without any spoils. Likewise, anyone who seeks something and fails to obtain it is said to have *akhaq*. A hunter who misses his prey is also said to have *akhaq*. (Margin of copy "A").

me among Your devoted servants, among the thankful for Your blessings, and among those who remember Your favors. Have mercy on me through Your mercy, O Most Merciful of the merciful.

My Master and my Lord! How many a servant has ended his day and begun his morning in the tightness of prisons and jails, in their hardship, humiliation, and iron shackles, handled by their guards and overseers, not knowing what will be done to him or what torment will be inflicted upon him. He lives in harm and the distress of life, looking upon himself with regret, unable to bring himself harm or benefit. And I am safe from all of that through Your generosity and Your bounty.

There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad, and make me among Your devoted servants, among the thankful for Your blessings, and among those who remember Your favors. Have mercy on me through Your mercy, O Most Merciful of the merciful.

My Master and my Lord! How many a servant has ended his day and begun his morning with the decree against him continuing and afflictions surrounding him, having been separated from his loved ones, dear friends, and close companions. He has become lowly, captive, and humiliated in the hands of the disbelievers and enemies, passed around to the right and to the left. He has been thrown into the dark dungeons and burdened with iron shackles, seeing nothing of the light of the world or its comforts. He looks upon himself with regret, unable to bring himself harm or benefit. And I am safe from all of that through Your generosity and Your bounty.

There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad, and make me among Your devoted servants, among the thankful for Your blessings, and among those who remember Your favors. Have mercy on me through Your mercy, O Most Merciful of the merciful.

مُولَّايَ وَسَيِّدي وَكُمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ قَدْ اشْتَاقَ إِلَى الدُّنْيَا لِلرَّغْبَةِ فِيهَا إِلَى أَنْ خَاطَرَ بِنَفْسِهِ وَمَالِهِ حَرْصًا مِنْهُ عَلَيْهَا، قَدْ رَكِبَ الْفَلَكَ وَكُسِّرَتْ بِهِ فَهُوَ فِي آفَاقِ الْبَحَارِ وَظَلَّمَهَا، يَنْتَظِرُ إِلَى نَفْسِهِ حَسْرَةً لَا يَغْدُرُ أَهْمَاهَا عَلَى ضُرٍّ وَلَا نَفْعٍ، وَأَنَا خَلُّرُ مِنْ ذَلِكَ كُلُّهُ بِجُودِكَ وَكَرِمِكَ.

فَلَا إِلَهَ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَرٍ لَا يُغْلِبُ وَذِي أَنَّاءٍ لَا يُجْحِلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لَكَ مِنَ الْعَابِدِينَ وَلِلْعَمَائِكَ مِنَ الشَّاكِرِينَ وَاللَا إِلَهَ كَمِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

مُولَّايَ وَسَيِّدي وَكُمْ مِنْ عَبْدٍ أَمْسَى وَأَصْبَحَ قَدْ اسْتَمَرَ عَلَيْهِ الْقَضَاءُ وَأَحْدَقَ بِهِ الْبَلَاءُ وَالْخُفَّارُ وَالْأَعْذَاءُ، وَأَخْذَنَهُ الرَّماحُ وَالسَّيْفُ وَالسَّهَامُ، وَجُدَّلَ صَرِيعًا، وَقَدْ شَرَبَتِ الْأَرْضُ مِنْ دَمِهِ وَأَكَلَتِ السَّبَاغُ وَالْطَّيْرُ مِنْ لَحْمِهِ، وَأَنَا خَلُّرُ مِنْ ذَلِكَ كُلُّهُ بِجُودِكَ وَكَرِمِكَ، لَا بِاستِحْقَاقِ مِنِّي.

يَا لَهُ إِلَّا أَنْتَ سُبْحَانَكَ مِنْ مُقْتَدِرٍ لَا يُغْلِبُ، وَذِي أَنَّا لَا يَعْجَلُ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِنْعَمَانِكَ مِنَ الشَّاكِرِينَ وَلَا لَكَ مِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ.

My Master and my Lord! How many a servant has ended his day and begun his morning, having longed for the world out of desire for it, until he risked his own self and wealth out of eagerness for it. He has embarked upon the ship, which then broke upon him, leaving him in the depths and darkness of the seas. He looks upon himself with regret, unable to bring himself harm or benefit. And I am safe from all of that through Your generosity and bounty.

There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad, and make me among Your devoted servants, among those who are grateful for Your blessings, and among those who remember Your favors. Have mercy on me through Your mercy, O Most Merciful of the merciful.

My Master and my Lord! How many a servant has ended his day and begun his morning, with destiny persisting upon him and affliction surrounding him, with the disbelievers and enemies attacking him. Spears, swords, and arrows have struck him down, and he has been laid out slain. The earth has drunk of his blood, and beasts and birds have eaten of his flesh. And I am safe from all of that through Your generosity and bounty, not through any merit of my own.

There is no god but You. Glory be to You, O Mighty One who cannot be overcome, and O Patient One who does not hasten. Bless Muhammad and the family of Muhammad, and make me among those who are grateful for Your blessings, and among those who remember Your favors. Have mercy on me through Your mercy, O Most Merciful of the merciful."

وَعِزْنَكَ وَجَلَالَكَ يَا كَرِيمُ الْأَطْبَلَنَ مَمَّا لَدِيكَ، وَلِلْحَنْ عَلَيْكَ وَلِلْجَانِ إِلَيْكَ وَلَامْدَنَ بَدَيَ نَحْوَكَ مَعَ جُرْمَهَا إِلَيْكَ فَبِمَنْ أَعُوذُ يَارَبَ وَبِمَنْ أَلُوذُ  
لَا أَحَدٌ لِي إِلَّا أَنْتَ، أَفَتَرُنِي وَأَنْتَ مُعَوْلِي وَعَلَيْكَ مُنْكَلِي، أَسْلَكَ بِاسْمِكَ الَّذِي وَضَعْتَهُ عَلَى السَّمَاءِ فَاسْتَنَقَتْ، وَعَلَى الْأَرْضِ فَاسْتَنَقَرَتْ،  
وَعَلَى الْجِبَالِ فَرَسَتْ، وَعَلَى اللَّيْلِ فَأَظْلَمَ، وَعَلَى النَّهَارِ فَاسْتَنَارَ، أَنْ تُصَاصِي عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَأَنْ تَضْصِي لِي جَمِيعَ حَوَالِي، وَتَغْزِي  
لِي دُنْوِي كُلُّهَا صَغِيرَهَا وَكَبِيرَهَا، وَتُوَسِّعَ عَلَيَّ مِنَ الرِّزْقِ مَا تُبْلِغُنِي بِهِ شَرَفُ الدِّنِيَا وَالْآخِرَةِ يَا أَرْحَمَ الرَّاحِمِينَ.

مَوْلَايِ يَكِ اسْتَعْنُتُ فَصَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ وَاغْتَنَيِ، وَأَغْنَتِي بِطَاعَتِكَ عَنْ طَاعَةِ  
عِبَادِكَ، وَبِمَسَأَلَتِكَ عَنْ مَسْأَلَةِ حَلْفَكَ، وَأَنْقَلَنِي مِنْ ذُلُّ الْقَفْرِ إِلَى عَزِّ الْغَنَى، وَمِنْ ذُلُّ الْمَعَاصِي إِلَى عَزِّ الطَّاعَةِ، فَقَدْ فَضَلْتَنِي عَلَى كَثِيرٍ مِنْ  
حَلْفَكَ جُودًا مِنْكَ وَكَرَمًا، لَا بِاسْتِحْفَاقٍ مِنِّي.

إِلَهِي فَلَكَ الْحَمْدُ عَلَى ذَلِكَ كُلِّهِ، صَلَّى عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ، وَاجْعَلْنِي لِنْعَمَانِكَ مِنَ الشَّاكِرِينَ وَلَا لَكَ مِنَ الْذَّاكِرِينَ، وَارْحَمْنِي بِرَحْمَتِكَ يَا  
أَرْحَمَ الرَّاحِمِينَ.

By Your Might and Majesty, O Generous One, I will indeed ask from what is with You. I will persist in beseeching You and I will take refuge in You. I will stretch forth my hands toward You, even with all the sins they have committed against You. So to whom can I turn, my Lord? And in whom can I seek refuge? I have no one but You. Will You turn me away when You are my reliance and upon You I have placed my trust?

I ask You by the name You placed upon the heavens so they rose up, upon the earth so it became settled, upon the mountains so they were rooted, upon the night so it became dark, and upon the day so it became bright, to bless Muhammad and the family of Muhammad, to fulfill all my needs, to forgive all my sins, small and great, and to expand for me my sustenance in a way that raises me to the honor of this world and the Hereafter, O Most Merciful of the merciful.

My Master, it is by You that I have sought aid, so bless Muhammad and the family of Muhammad and enrich me. It is by You that I have sought protection, so bless Muhammad and the family of Muhammad and grant me refuge. Rescue me by Your obedience from the obedience of Your servants, and by asking of You from asking of Your creation. Transfer me from the humiliation of poverty to the honor of wealth, and from the humiliation of sin to the honor of obedience, for You have favored me above many of Your creation out of Your generosity and bounty, not because of any worthiness on my part.

O my God, all praise belongs to You for all of this. Bless Muhammad and the family of Muhammad, and make me among those who are grateful for Your blessings and who remember Your favors. Have mercy on me by Your mercy, O Most Merciful of the merciful.

قال: ثم أقبل علينا مولانا أبو الحسن ، قال: «سمعت أبي جعفر بن محمد يحدث عن أبيه، عن أبيه علي بن الحسين عن أبيه، عن جده أمير المؤمنين - عليه وعليهم السلام - أنه سمع رسول الله الله يقول : اعترفوا بنعم الله ربكم عز وجل، وتابوا إلى الله من جميع ذنوبكم، فإن الله يحب الشاكرين من عباده». ثم قمنا إلى الصلاة، وتفرق القوم فما اجتمعوا إلا لقراءة الكتاب الوارد بموت موسى بن المهدى لبيعة هارون الرشيد (١).

He said: *Then our master Abu al-Hasan turned to us and said: "I heard my father, Ja'far ibn Muhammad, narrate from his father, from his father, Ali ibn al-Husayn, from his father, from his grandfather, the Commander of the Faithful (peace be upon them all), that he heard the Messenger of Allah (peace be upon him and his family) say: 'Acknowledge the blessings of your Lord, the Almighty and Majestic, and repent to Allah from all your sins, for Allah loves those of His servants who are grateful.'"*

Then we rose for the prayer, and the people dispersed, not gathering again except to read the letter announcing the death of Musa ibn al-Mahdi and the pledge of allegiance to Harun al-Rashid.<sup>996</sup>

تعزية موسى الكاظم العلا للخيزران أم هارون الرشيد بابنها موسى بن المهدى، وبهنيها بخلافة ابنها هارون.

محمد بن عيسى عن بعض من ذكره أنه كتب أبو الحسن موسى إلى الخيزران أم أمير المؤمنين يعزّيها بموسى ابنها وبهنيها بهارون ابنها.

## Condolence of Musa al-Kazim (peace be upon him)

**to al-Khayzuran for the Death of Her Son Musa ibn al-Mahdi, and His Congratulations for the Caliphate of Her Son Harun al-Rashid**

Muhammad ibn 'Isa narrated from someone he mentioned that Abu al-Hasan Musa (peace be upon him) wrote to al-Khayzuran, the mother of the Commander of the Faithful, offering her condolences for the death of her son Musa (ibn al-Mahdi) and congratulating her for the caliphate of her son Harun.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

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

للخيزران أم أمير المؤمنين.

من موسى بن جعفر بن محمد بن علي بن الحسين.

أما بعد:

أصلحك الله، وأمتع بك وأكرمك وحفظك الله، وأتم النعمة والعافية في الدنيا والآخرة لك برحمته، ثم إن الأمور - أطال الله بقاءك كأنها بيد الله عز وجل يمضيها وبقدرها بقدرته فيها والسلطان عليها، توكل بحفظ ماضيها، وتمام باقيها، فلا مقدم لما أخر منها، ولا مؤخر لما قدم، استأثر بالبقاء، وخلق خلقه للبقاء، أسكنهم دنياً سريع زوالها قليل بقاها، وجعل لهم مرجعاً إلى دار لا زوال لها ولا فناء، وكتب الموت على جميع خلقه، وجعلهم أسوة فيه، عدلاً منه عليهم عزيزاً وقدرة منه عليهم، لا مدفع لأحد منه ولا محicus له عنه، حتى يجمع الله تبارك وتعالى بذلك إلى دار البقاء خلقه، ويرث به أرضه ومن عليها، وإليه يرجعون.

بلغنا - أطال الله بقاءك - ما كان من قضاء الله الغالب في وفاة أمير المؤمنين موسى - صلوات الله عليه ورحمته وغفرنته ورضوانه

<sup>996</sup> *Muhaj al-Da'awāt*: 266-275.

وَإِنَّا لَهُ وَإِنَّا إِلَيْهِ رَاجِعُونَ، إِعْظَامًاً لِمَصْبِبِتِهِ وَإِجْلَالًا لِرَزْئِهِ وَفَقْدِهِ، ثُمَّ إِنَّا لَهُ وَإِنَّا إِلَيْهِ رَاجِعُونَ، صَبِرًا لِأَمْرِ اللهِ عَزَّ وَجَلَّ وَتَسْلِيمًا لِقَضَائِهِ،  
ثُمَّ إِنَّا لَهُ وَإِنَّا إِلَيْهِ رَاجِعُونَ؛ لِشَدَّةِ مَصْبِبِتِكَ عَلَيْنَا، وَبِلُوغِهَا مِنْ حَرْ قُلُوبِنَا، وَنَشُوزِ أَنْفُسِنَا.

To al-Khayzuran, mother of the Commander of the Faithful.

From Musa ibn Ja‘far ibn Muhammad ibn ‘Ali ibn al-Husayn.

After praising God:

May Allah set your affairs right, grant you delight, honor you, and protect you. May He complete for you His blessings and well-being in this world and the next, by His mercy.

Then, know that all matters—may Allah prolong your life—are in the hands of Allah, Mighty and Majestic, and proceed according to His decree and power. He alone has authority over them, preserving what has passed and completing what remains. None can hasten what He delays, nor delay what He hastens. He alone possesses eternal existence, and He created His creatures for mortality. He made them dwell in a world that is swift in vanishing and brief in duration. He appointed for them a return to a dwelling where there is no disappearance and no extinction. He decreed death for all His creation, making them equal in that fate, as a manifestation of His justice and might over them—no one can ward it off, nor escape it—until Allah, Exalted and Majestic, gathers His creation in the eternal abode, inherits His earth and those upon it, and to Him they shall return.

We have been informed—may Allah prolong your life—of the prevailing decree of Allah in the passing of the Commander of the Faithful, Musa (may Allah’s prayers, mercy, forgiveness, and pleasure be upon him).

Indeed, we belong to Allah and to Him we shall return, in recognition of this immense loss and out of reverence for this grave calamity and absence. Again, we belong to Allah and to Him we shall return, in patient acceptance of Allah’s command and in submission to His decree. And again, indeed, we belong to Allah and to Him we shall return, for your sorrow weighs heavily upon us, reaching into the depths of our hearts and unsettling our souls.

We ask Allah to send His blessings upon the Commander of the Faithful, to have mercy on him, to join him with His Prophet (peace and blessings be upon him and his family) and the righteous predecessors, and to make what he has gone to better than what he has left behind.

نَسَأَلُ اللهَ أَنْ يَصْلِي عَلَى أَمِيرِ الْمُؤْمِنِينَ، وَأَنْ يَرْحَمَهُ وَيُلْحِقَهُ بِنَبِيِّهِ صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ، وَبِصَالِحِ سَلْفِهِ، وَأَنْ يَجْعَلَ مَا نَقَلَهُ إِلَيْهِ خَيْرًا  
مَا أَخْرَجَهُ مِنْهُ.

ونسأل الله أن يعظم أجرك - أمنع الله بك - وأن يحسن عقباك، وأن يعوضك من المصيبة بأمير المؤمنين - صلوات الله عليه - أفضل ما وعد الصابرين من صلواته ورحمته وهداه.

ونسأل الله أن يربط على قلبك، ويحسن عزاك وسلوتك والخلف عليك، ولا يرتكب بعده مكروراً في نفسك ولا في شيء من نعمته عليك.

وأسأل الله أن يهنيك خلافة أمير المؤمنين، أمنع الله به وأطلاه بقاءه، ومد في عمره وأنسا في أجله، وأن يسوغكما بأتم النعمة، وأفضل الكرامة، وأطول العمر، وأحسن الكفاية، وأن يمتعك وإيانا خاصة وال المسلمين عامة بأمير المؤمنين، حتى تبلغ به أفضل الأمل فيه لنفسه ومنك - أطلاه الله بقاءك - ومنا له.

لم يكن - أطلاه الله بقاءك - أحد من أهلي وقومك وخاصتك وحرمتك كان أشد لمصيتك إعظاماً وبها حزناً ولك بالأجر عليها دعاء، وبالنعمه التي أحدث الله للأمير المؤمنين - أطلاه الله بقاءه - دعاء بتمامها ودوامها وبقائها، ودفع المكروره فيها مني.

والحمد لله لما جعل الله عليه بمعرفتي بفضلك والنعمة عليك، وشكري بلاعك، وعظيم رجائي لك، أمنع الله بك وأحسن جزاءك . إن رأيت - أطلاه الله بقاءك - أن تكتب إلى بخبرك في خاصة نفسك، وحال جزيل هذه المصيبة وسلوتك عنها، فعلت، فإني بذلك متهم إلى ما جاءني من خبرك وحالك فيه متطلع، أتم الله لك أفضل ما عودك من نعمه، واصطفع عندك من كرامته، والسلام عليك ورحمة الله وبركاته».

وكتب يوم الخميس لسبعين ليل خلون من شهر ربيع الآخر سنة سبعين ومائة [١].

We ask Allah to send His blessings upon the Commander of the Faithful, to have mercy on him, to join him with His Prophet (peace and blessings be upon him and his family) and the righteous predecessors, and to make what he has gone to better than what he has left behind.

And we ask Allah to magnify your reward—may Allah grant you delight—and to grant you the best of outcomes. May He compensate you for this calamity—the passing of the Commander of the Faithful, peace be upon him—with the best of what He has promised to the patient: His prayers, His mercy, and His guidance.

We ask Allah to strengthen your heart, to grant you beautiful patience and solace, and to replace your loss with what is good. May He never show you anything unpleasant in yourself or in any of His blessings upon you.

And I ask Allah to bless you with the caliphate of the Commander of the Faithful—may Allah grant you delight through him and prolong his life, extend his years, and lengthen his lifespan. May He perfect the blessing for you both, grant you the finest honor, the longest life, and the best sufficiency. May He grant you and us in particular—and the Muslims in general—the joy of the Commander of the Faithful, until we attain through him the highest hopes for him, for you—may Allah prolong your life—and for us as well.

—There has been no one—may Allah prolong your life—from among my family, your people, your close ones, and your household, who was more magnifying of your calamity, more saddened by it, more devoted in prayer for your reward for it, and more devoted in prayer for the blessing that Allah has renewed for the Commander of the Faithful—may Allah prolong his life—asking for its perfection, continuation, and preservation, and for the repulsion of all harm from it, than me.

Praise be to Allah for what He has given me of knowledge of your virtue, the blessings He has bestowed upon you, my thankfulness for your trials, and my great hope for you. May Allah grant you delight and reward you with the best reward. If you—may Allah prolong your life—should see fit to write to me with news of yourself, how you have borne this great calamity, and your state of solace, I would be grateful, for I am eager to hear of your well-being and your state in this matter. May Allah perfect for you the best of what He has accustomed you to of His blessings, and grant you a special place of honor with Him.

Peace be upon you, and the mercy of Allah and His blessings.

This letter was written on Thursday, seven nights remaining of the month of Rabi' al-Akhir, in the year one hundred and seventy.<sup>997</sup>

الحسن بن ظريف، عن معمر ، عن الرضا، عن أبيه موسى بن جعفر . قال:

كنت عند أبي عبد الله ذات يوم - وأنا طفل خماسي - إذ دخل عليه نفر من اليهود فقالوا: أنت ابن محمد هذه الأمة، والحجارة على أهل الأرض؟ قال لهم: نعم.

قالوا: إننا نجد في التوراة أن الله تبارك وتعالى آتى إبراهيم ال وولده الكتاب والحكم والتبعة، وجعل لهم الملك والإمامية، وهكذا وجدنا ذريعة الأنبياء لا تتعادهم النبوة والخلافة والوصية، فما بالكم قد تدعواكم ذلك وثبتت في غيركم ولنلقاكم مستضعفين مقهورين لا ترقب فيكم ذمة نبيكم؟!

فدمعت عيناً أبي عبد الله الله، ثم قال: نعم، لم تزل أمناء الله مضطهدة مقهورة مقتولة بغير حق، والظلمة غالبة، وقليل من عباد الله الشكور.

قالوا: فإن الأنبياء وأولادهم علموا من غير تعليم، وأتوا العلم تلقيناً، وكذلك ينبغي لأنتمهم وخلفائهم وأوصيائكم، فهل أورتبتم ذلك؟

قال أبو عبد الله لادن يا موسى فدنوت فمسح يده على صدري، ثم قال: اللهم أいで بنصرك بحق محمد وآلها. ثم قال: سلوه عما بدا لكم.

<sup>997</sup> Omitted in the original manuscript—amounting to no less than a full page. What we have restored is taken from the source: **Qurb al-Isnād**: 1202 / 306–308.

قالوا: وكيف نسأل طفلاً لا يفقه؟ قلت: سلوني تقهاً ودعو العنت.

قالوا: أخبرنا عن الآيات التسع التي أوتتها موسى بن عمران قلت: العصا، وإخراجه يده من جيبه بيضاء، والجراد والقمل والضفادع والدم ورفع الطور والمن والسلوى آية واحدة وفق البحر.

قالوا: صدقت، فما أعطيتنيكم من الآيات الالتي نفت الشك عن قلوب من أرسل إليهم.

Al-Hasan ibn Zhurayf, from Mu'ammar, from al-Riḍā, from his father Mūsā ibn Ja'far, who said:

I was once with my father Abū 'Abd Allāh (peace be upon him) when I was a child of five years old. A group of Jews came to him and said: **"Are you the son of Muḥammad of this nation and the proof over the people of the earth?"** He said to them: **"Yes."**

They said: **"We find in the Torah that Allah, blessed and exalted, gave to Ibrāhīm and his descendants the Book, wisdom, and prophethood, and granted them sovereignty and leadership. Thus, we find that the progeny of the prophets inherit prophethood, leadership, and succession. So how is it that this has passed beyond you and been established with others, and we find you to be weakened, oppressed, and disregarded—no one respecting the covenant of your Prophet for you?"**

Tears welled up in the eyes of Abū 'Abd Allāh (peace be upon him), and he said: **"Yes, the trustees of Allah have always been persecuted, oppressed, and unjustly killed, while the tyrants have prevailed. And few among the servants of Allah are truly grateful."**

They said: **"The prophets and their children knew without being taught, and they were given knowledge directly by Allah. Thus it should be for their imams, successors, and trustees. Have you been granted this?"**

Abū 'Abd Allāh said: **"Draw near, O Mūsā."** So I drew near, and he wiped his hand over my chest and said: **"O Allah, strengthen him with Your help by the right of Muḥammad and his family."** Then he said to them: **"Ask him whatever you wish."**

They said: **"How can we question a child who does not comprehend?"** I said: **"Ask me so that you may gain understanding, and leave aside seeking to trap me."**

They said: **"Tell us about the nine signs that were given to Mūsā ibn 'Imrān."**

I said: **"The staff, his drawing out of his hand from his bosom white, the locusts, the lice, the frogs, the blood, the raising of the Mount (over them), the manna and quails (as one sign), and the splitting of the sea."**

They said: "You have spoken the truth. Now tell us what was given to your Prophet from the signs that dispelled doubt from the hearts of those to whom he was sent."

أما أول ذلك: أنتم تقرؤن [ (١) أن الجن كانوا يسترّون السمع قبل مبعثه، فمنعت في أوان رسالته بالرجوم وانقضاض النجوم، وبطلان الكهنة والسحرة.

ومن ذلك : كلام الذئب يخبر بنبوته، واجتماع العدو والولي على صدق لهجته، وصدق أمانته، وعدم جهله أيام طفولته، وحين أيف وفته وكهلاً لا يعرف له شكل، ولا يوازيه مثل.

ومن ذلك أن سيف بن ذي يزن حين ظفر بالحبشة، وفدى عليه وفد قريش، فيهم عبد المطلب، فسألهم عنه ووصف لهم صفتة، فأقرّوا جميعاً بأن هذه الصفة في محمد. فقال: هذا أوان مبعثه، ومستقره أرض يثرب وموته بها.

ومن ذلك أن أبرهة بن يكسوم قاد الفيل إلى بيت الله الحرام؛ ليهدمه قبل مبعثه.

قال عبد المطلب: إن لهذا البيت رباً يمنعه، ثم جمع أهل مكة فدعا، وهذا بعد ما أخره سيف بن ذي يزن، فأرسل الله تبارك وتعالى عليهم طيراً أبابيل، ودفعهم عن مكة وأهلها.

ومن ذلك: أن أبي جهل عمرو بن هشام المخزومي أتاه - وهو نائم خلف جدار - ومعه حجر يريد أن يرميه، فالتتصق بكتفه.

ومن ذلك: أن أعرابياً باع داراً له من أبي جهل، فمطله بحقه فأتاها قريشاً، فقال: ادعوني على أبي الحكم فقد لوى حقي، فأشاروا إلى محمد، وهو يصلي في الكعبة فقالوا: أنت هذا الرجل فاستعد به عليه، وهم يهزوون بالأعرابي، فأتاه.

قال له: يا عبد الله أدعني على هشام، فقد منعني حقي.

قال: نعم. فانطلق معه فدق على أبي جهل بابه، فخرج إليه متغيراً. قال له: حاجتك؟ قال: إعط الأعرابي حقي.

قال: نعم.

As for the first of these signs: "You acknowledge<sup>998</sup> that the jinn used to eavesdrop (on the heavenly assembly) before his mission, but they were prevented at the time of his prophethood by the shooting stars and meteors, and the (false claims of) soothsayers and magicians were invalidated."

"Among these signs was the speech of the wolf, which testified to his prophethood; and the unity of enemies and allies in testifying to the truthfulness of his speech, his honesty in trust, and his lack of ignorance from childhood to youth to manhood—no one found any flaw in him or anyone comparable to him."

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<sup>998</sup> From the source

"Also, when Sayf ibn Dhī Yazan defeated the Abyssinians and the delegation of Quraysh came to him, including 'Abd al-Muṭṭalib, he asked them about him and described his attributes to them. They all confirmed that these attributes were present in Muḥammad. He said: 'This is the time of his mission, and his place of settlement will be the land of Yathrib, and he will die there.'"

"Also, that Abraha ibn Yaksūm led the elephant to the Sacred House of Allah to destroy it before his mission. 'Abd al-Muṭṭalib said: 'This House has a Lord who will protect it.' Then he gathered the people of Mecca and prayed—this was after Sayf ibn Dhī Yazan had informed him. Allah, blessed and exalted, sent upon them the birds of Abābīl and drove them away from Mecca and its people."

"Also, that Abū Jahl 'Amr ibn Hishām al-Makhzūmī came to him while he was sleeping behind a wall, with a stone in his hand intending to throw it at him, but it became stuck to his palm."

"Also, that a Bedouin sold his house to Abū Jahl, but Abū Jahl delayed giving him his due. The Bedouin went to Quraysh and said: 'Help me against Abū al-Ḥakam, for he has withheld my right.' They pointed him to Muḥammad, who was praying in the Ka'ba, and said mockingly: 'Go to this man and seek his help against him.' So he went to him."

"He said: 'O servant of Allah, help me against 'Amr ibn Hishām, for he has denied me my right.'"

"He said: 'Yes.' Then he went with him and knocked on Abū Jahl's door. Abū Jahl came out to him, visibly changed in demeanor. He said: 'What is your need?' He said: 'Give the Bedouin his due.'"

"He said: 'Yes.'"

وجاء الأعرابي إلى قريش فقال: جزاكم الله خيراً، انطلق معى الرجل الذي دللتمنى عليه، فأخذ حقى.

وجاء أبو جهل فقالوا: أعطيت الأعرابي حقه، قال: نعم، قالوا: إنما أردنا أن نغريك بمحمد، ونهرأ بالأعرابي، فقال: ما هو إلا دق بابي، فخرجت إليه، فقال: أعط الأعرابي حقه، وفرقه مثل الفحل، فاتحًا فاه كأنه يريدني، فقال: أعطيه حقه، فلو قلت: لا. لابتلع رأسي، فأعطيته.

ومن ذلك أن قريشاً أرسلت النضر بن الحرت وعلقمة بن أبي معيط بيثرب إلى اليهود، وقالوا لهما: إذا قدمتما عليهم فاسألوهم عنه، وهم قد سألوهم عنه.

فقالا: صفووا لنا صفتهم؟ فوصفوه. فقالوا: ومن تبعه منكم؟ قالوا: سفلتنا، فصاح حبر منهم فقال: هذا النبي الذي نجد نعنه في التوراة، ونجد قومه أشد الناس عداوة له.

ومن ذلك أن قريشاً أرسلت سراقة بن جعشن حتى خرج إلى المدينة في طلبه فلحق به فقال صاحبه: هذا سراقة يابني الله.

قال: اللهم اكفيه، فساخت قوائم ظهره، فناداه يا محمد، خل عني بمونق أعطيكه أن لا أناصح غيرك، وكل من عادك لا أصالح.

ذلك. صلى الله عليه الله قال النبي عليه وسلم: اللهم إن كان صادق المقال فأطلق فرسه، فانطلق فوقى وما انتهى بعد ومن ذلك: أن عامر بن الطفيلي وأربد بن قيس أتيا النبي عليه وسلم فقال عامر الأربد: إذا أتنيه فأنا أشاغله عنك فاعله بالسيف، فلما دخل عليه قال عامر: يا محمد حال قال: لا، حتى تقول لا إله إلا الله، وأتني رسول الله، وهو ينظر إلى أربد وأربد لا يغير شيئاً، فلما طال ذلك نهض وخرج.

وقال لأربد: ما كان أحد على وجه الأرض أخوف على نفسي فتكاً منك، ولعمري لا أحافك بعد اليوم.

قال له أربد: لا تعجل، فإني ما هممت بما أمرتني به، إلا دخل الرجال بيدي وبينك حتى ما أبصر غيرك فاضربك.

ومن ذلك: أن أربد بن قيس والنصر بن الحرت اجتمعا على أن يسألانه عن الغيوب فدخل عليه، فأقبل النبي عليه وسلم على أربد.

قال: يا أربد أتذكري ماجئت له يوم كذا؟ ومعك عامر بن الطفيلي وأخبر بما كان منهمما.

قال أربد: والله ما حضرني وعامراً أحد، وما أخبرك بهذا إلا ملك السماء، وأنا أشهد أن لا إله إلا الله وحده لا شريك له وأنك رسول الله.

ومن ذلك: أن نفراً من اليهود أتواه وقالوا لأبي الحسن جدي: استأذن لنا على ابن عمك نسأل.

قال: فدخل علي فأعلمه.

قال النبي عليه وسلم: وما يريدون مني؟ فإني عبد من عبيد الله، لاعلم إلا ما علمني ربى، ثم مواليهم قال: اذن لهم، فدخلوا.

قال: أتسللوني بما جئت له أم أتبئكم؟

قالوا: نبئنا. قال: جئتكم تسألوني عن ذي القرنين. قالوا: نعم. قال: كان غلاماً من أهل الروم، ثم ملك وأتى مطلع الشمس ومغربها، ثم بنى السد. قالوا: نشهد أن هذا كذا.

ومن ذلك: أن وابصة بن معبد الأسدية أتاه فقال: لا أدع من البر والإثم شيئاً إلا سأله عنه، فلما أتاه قال له بعض أصحابه إليك يا وابصة عن رسول الله عليه.

قال النبي عليه وسلم: أدنه يا وابصة فدنوت.

**The Bedouin came to Quraysh and said: “May God reward you with goodness. The man you directed me to came with me and took back my due.”**

Then Abu Jahl came, and they said to him: “Did you give the Bedouin his due?”

He said: “Yes.”

They said: “We only wanted to provoke you against Muhammad and mock the Bedouin.”

He said: “He merely knocked on my door, and I came out to him. He said: ‘Give the Bedouin his due,’ and above him was one like a stallion, mouth open as if to devour me.

**He said: 'Give him his due,' and had I said no, he would have swallowed my head. So I gave it to him."**

Among these incidents is that Quraysh sent al-Nadr ibn al-Harith and 'Alqamah ibn Abi Mu'ayt to Yathrib (Medina) to the Jews, and they said to them: "**When you reach them, ask them about him.**"

So they did, and they asked them about him.

They said: "**Describe him to us,**" and the Jews described him.

They said: "**Who among you has followed him?**"

They replied: "**Our lowliest people.**"

Then one of their rabbis shouted: "**This is the Prophet whose description we find in the Torah, and whose people we find to be the most hostile to him.**"

Another incident: Quraysh sent Suraqah ibn Ju'sham, who set out to Medina in pursuit of him.

When he caught up with him, his companion said: "**This is Suraqah, O Prophet of God.**"

He said: "O God, suffice me against him," and the legs of Suraqah's horse sank into the ground.

Suraqah called out: "**O Muhammad, release me and I give you a binding promise that I will never plot against you, and that I will never make peace with anyone who is your enemy.**"

The Prophet ﷺ said: "**O God, if he is truthful in his words, then release his horse.**"

His horse was freed, and Suraqah honored his promise and never wavered after that.

**Another incident:** 'Amir ibn al-Tufayl and Arbad ibn Qays came to the Prophet ﷺ, and 'Amir said to Arbad: "**When we meet him, I will keep him occupied, and you strike him with the sword.**"

**When they entered upon him, 'Amir said: "O Muhammad, enough!"**

The Prophet ﷺ said: "**No, not until you say: 'There is no god but Allah and I am the Messenger of Allah.'**"

He was looking at Arbad, who was silent and motionless.

When it went on for a while, they got up and left.

'Amir said to Arbad: "**There was no one on the face of the earth whom I feared more for my life than you, but by my life, I will never fear you after today.**"

Arbad replied: "**Do not be hasty. By God, I never intended what you ordered me to do. But men came between you and me so that I could see no one but you, and I could not strike you.**"

Another incident: Arbad ibn Qays and al-Nadr ibn al-Harith agreed to ask him about matters of the unseen. They entered upon him, and the Prophet ﷺ turned to Arbad and said: "**O Arbad,**

**do you remember what you came for on such-and-such a day? With you was 'Amir ibn al-Tufayl.'**

He informed him of what had occurred between them.

Arbad said: **"By God, no one was with 'Amir and me, and no one has told you this except the Angel of Heaven. I testify that there is no god but Allah alone, with no partner, and that you are the Messenger of Allah."**

Another incident: A group of Jews came to him and said to my grandfather Abu al-Hasan: **"Ask your cousin to permit us to see him so we can ask him."**

He entered upon him and informed him.

The Prophet ﷺ said: **"What do they want from me? I am but a servant of the servants of God. I have no knowledge except what my Lord has taught me. Let them in."**

They entered and he said: **"Will you ask me about what you came for, or shall I inform you?"**

They said: **"Inform us."**

He said: **"You came to ask me about Dhu al-Qarnayn."**

They said: **"Yes."**

He said: **"He was a young man from the people of Rome. He became a king and reached the place of the sun's rising and its setting, and then he built the dam."**

They said: **"We testify that this is indeed the truth."**

Another incident: Wabisah ibn Ma'bad al-Asadi came to him and said: **"I will not leave out a single matter of piety or sin without asking him about it."**

When he approached him, some of his companions said: **"Move aside, O Wabisah, from the Messenger of Allah."**

The Prophet ﷺ said: **"Come close, O Wabisah."**

So he came close.

قال: أتسأل عما جئت له أو أخبرك؟ قال: أخبرني. قال: جئت تسأل عن البر والإثم.

قال: نعم، فضرب بيده على صدره، ثم قال: يا وابصة البر: ما اطمأنت به النفس، والبر: ما اطمأن به الصدر، والإثم ما تردد في الصدر وجال في القلب، وإن أفتاك الناس وأفتك.

ومن ذلك أنه أتاه وفدي عبد القيس فدخلوا عليه فلما أدركوا حاجتهم عنده.

قال: ائتوني بتمر أهلكم مما معكم، فأتاه كل رجل منهم بنوع منه.

صلى الله علي مواله فقال النبي ﷺ : هذا يسمى كذا، وهذا يسمى كذا.

قالوا: أنت أعلم بتمر أرضنا؟ فوصف لهم أرضهم.

قالوا: أدخلتها؟ قال: لا، ولكن فسح لي فنظرت إليها.

قام رجل منهم فقال: يا رسول الله هذا خالي و به خبل فأخذ بردائه، ثم قال: اخرج عدو الله - ثلاثة - ثم أرسله فبراً، وأنوته بشاة هرمة، فأخذ أحد أدنيها بين أصابعه، فصار لها ميسماً، ثم قال: خذوها، فإن هذه السمة في آذان ما تلد إلى يوم القيمة، فهي توالد، وتلك - في آذانها معروفة غير مجهولة.

ومن ذلك: أنه كان في سفر فمر على بعير قد أعيى، وقام منزلاً على أصحابه، فدعا بماء فتمضمض منه في إناء وتوضأ، وقال: افتح فاه وصبه في فيه فمر ذلك الماء على رأسه وحاركه (١) ثم قال: اللهم احمل خلاداً وعمرأً ورفيقهما - وهم صاحبا الجمل - فركبوه وإنه ليهتز بهم أمام الخيل.

ومن ذلك أن ناقة لبعض أصحابه ضلت في سفر كانت فيه، فقال أصحابها: لو كان نبياً لعلم أين الناقة، بلغ ذلك النبي الله فقال: الغيب لا يعلمه إلا الله، انطلق يا فلان، فإن ناقتك بموضع كذا وكذا، قد تعلق زمامها بشجرة. فوجدها كما قال.

ومن ذلك: أنه مر على بعير ساقط فصيص (٢) له فقال: إله ليشكو شر ولاية أهله له، ويسأله أن يخرج عنهم، فسأل عن صاحبه فأتاه فقال بعه وأخرجه عنك، فأناخ البعير يرغو، ثم نهض، وتبع النبي الله فقال: يسألني أن أتولى أمره، فباعه من على ، فلم يزل عنده إلى أيام صفين.

ومن ذلك أنه كان في مسجده إذ أقبل جمل ناد حتى وضع رأسه في حجره، ثم صلى الله خر خر (٣) فقال النبي عليه وسلم: يزعم هذا أن صاحبه يريد أن ينحره في وليمة على ابنه، فجاء عليه والله يستغيث.

قال رجل: يا رسول الله هذا لفلان وقد أراد به ذلك، فأرسل إليه، وسأله أن لا ينحره ففعل.

ومن ذلك: أنه دعا على مصر فقال: اللهم أشدد وطأتك على مصر، واجعلها عليهم كستين يوسف، فأصحابهم سنون، فأتاه رجل فقال: فوالله ما أتتكم حتى لا يخطر لنا فحل، ولا يتردد منا رائح، فقال رسول الله عليه وسلم : اللهم دعونك فأجبتني، وسألتك فأعطيتني، اللهم فأسقنا غيثاً مغيثاً، مريضاً سرياً طيباً سجلاً عاجلاً غير رايث نافعاً غير ضار . فما قام حتى ملأ كل شيء .

ودام عليهم جمعة فأتوه قالوا: يا رسول الله انقطعت سبلنا وأسواقنا، فقال النبي عليه وسلم :

حوالينا ولا علينا فانجابت (٤) السحابة عن المدينة، وصار فيما حولها وأمطروا شهراً.

ومن ذلك: أنه توجه إلى الشام قبل مبعثه مع نفر من قريش، فلما كانوا بحصار الراهب نزلوا بفناء ديره، وكان عالماً بالكتب، وقد كان قرأ في التوراة مرور النبي عليه وسلم وعرف أوان ذلك فأمر فدعى إلى طعامه، فأقبل يطلب الصفة في القوم، فلم يجدها.

قال: هل بقي في رحلكم أحد؟

قالوا: غلام يتيم.

He said: “Do you ask about what you came for, or shall I inform you?”

He said: “Inform me.”

He said: “**You came to ask about righteousness and sin.**”

He said: “**Yes.**”

Then he placed his hand on his chest and said: “**O Wabisah, righteousness is what the soul feels at ease with, and righteousness is what brings peace to the chest. Sin is what wavers in the chest and unsettles the heart, even if people give you opinions and verdicts.**”

Among these incidents: a delegation from ‘Abd al-Qays came to him. They entered upon him, and when they got what they needed from him, he said: “**Bring me some of the dates of your land that you have with you.**”

So each of them brought him a kind of date.

**He said: “This one is called such-and-such, and this one is called such-and-such.”**

They said: “**Are you more knowledgeable about the dates of our land than us?**”

He described their land to them.

They said: “**Have you been there?**”

**He said: “No, but it was unfolded to me, so I saw it.”**

Then a man from them stood and said: “**O Messenger of God, this is my uncle, and he is afflicted.**”

He took hold of his cloak and said: “**Come out, enemy of God – three times!**”

Then he released him and he was cured.

They brought him a decrepit sheep. He took one of its ears between his fingers, and it became a mark.

**He said: “Take it, for this brand will remain in the ears of its offspring until the Day of Resurrection. They will reproduce, and this mark will be known and not hidden.”**

Another incident: while traveling, he passed by a camel that had grown weary and was lying down. He dismounted and asked for water, rinsed his mouth in a vessel, and performed ablution.

**He said: “Open its mouth and pour it therein.”**

So they poured that water over its head and along its backbone.<sup>999</sup>

**Then he said: “O God, carry Khallad, ‘Amir, and their two companions – who were the owners of the camel.”**

They mounted it, and it carried them, swaying before the horses.

Another incident: one of his companions lost his she-camel on a journey, and he said: “**If he were truly a prophet, he would know where my she-camel is!**”

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<sup>999</sup> *al-Hārik*: The upper branches of the shoulders. **al-Šihāḥ** 4: 1579 – under the root *ḥ-r-k*.

That reached the Prophet ﷺ, and he said: “**The unseen is known only to God. Go, so-and-so, for your she-camel is at such-and-such a place, its rope caught in a tree.**” He found it just as he had said.

Another incident: he passed by a fallen camel and looked at it, then said: “**It complains of the cruelty of its master’s treatment and asks me to release it from him.**”

He asked about its owner, and when he was brought to him, he said: “**Sell it and let it go free!**”

The camel knelt down,<sup>1000</sup> braying, then rose and followed the Prophet ﷺ.

**He said: “It is asking me to take charge of it.”**

He bought it from him for ‘Ali, and it remained with ‘Ali until the days of Siffin.

Another incident: while in his mosque, a camel approached him crying until it placed its head in his lap.<sup>1001</sup>

**The Prophet ﷺ said: “It claims that its owner wants to slaughter it for his son’s feast.”**

A man came and said: “**O Messenger of God, this camel belongs to so-and-so, and he intends to do just that.**”

He sent for him and asked him not to slaughter it, and he complied.

Another incident: he prayed against Mudar, saying: “**O God, intensify Your punishment upon Mudar and make it like the years of Joseph.**”

They were struck with famine.

A man came to him and said: “**By God, I did not come to you until no stallion moved in our fields and no scent of livestock remained among us.**”

**The Prophet ﷺ said: “O God, I called upon You, and You answered me; I asked of You, and You granted it to me. So now, O God, give us rain – a rescuing rain, nourishing, abundant, quick, sweet, flooding, soon, not delayed, beneficial and not harmful.”**

He had not yet stood up when everything was filled with rain.

The rain continued for a week, and they came to him and said: “**O Messenger of God, our roads and markets have been cut off.**”

**The Prophet ﷺ said: “Around us and not upon us.”**

The clouds split away from Medina and rained on the surrounding areas<sup>1002</sup>, and it rained for a month.

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<sup>1000</sup> In one manuscript: *fatabaṣṣaṣ* (Margin of the manuscript), from copy “A”.

<sup>1001</sup> *al-Kharkhara*: The sound made by a sleeping person or one who is choking. **Lisān al-‘Arab** 4: 57 – under the root *kh-r-r*.

<sup>1002</sup> *Injāb al-saḥāb*: meaning “the clouds cleared away.”

**al-Miṣbāḥ al-Munīr**: 113 – under the root *j-w-b* (Margin of copy “A”).

Another incident: he traveled to Syria before his mission with a group of Quraysh. When they reached the area of Bahira the monk, who was knowledgeable in the scriptures and had read of the coming of the Prophet ﷺ in the Torah and knew that the time had come, he invited them to a meal.

He began to look for the signs of the Prophet among them, but he did not find them.

**He said: "Is there anyone left in your caravan?"**

They said: "A young orphan boy."

فقال: فقام بحيرا، فاطلع فإذا هو برسول الله ﷺ نائم، وقد أظلته سحابة.

قال للقوم: ادعوا هذا اليتيم، ففعلوا وبحيرا مشرف عليه، وهو يسير والسحابة قد أظلته، فأخبر القوم بشأنه، وأنه سيبعث فيهم رسولاً، ويكون من حاله وأمره، فكان القوم بعد ذلك يهابونه ويجلونه، فلما قدموا أخبروا قريشاً بذلك، وكان عند خديجة بنت خويلد فر غبت في تزووجه، وهي سيدة نساء قريش، وقد خطبها كل صنديد ورئيس قد أبتهم فزوجته نفسها للذى بلغها من خبر بحيرا.

ومن ذلك: أنه كان بمكة قبل الهجرة أيام أبىت عليه قومه وعشائره، فأمر عليه أن يأمر خديجة أن تتخذ له طعاماً ففعلت، ثم أمره أن يدعوه له أقرباءه من بني عبد المطلب فدعا أربعين رجلاً، فقال لهم: هل طعاماً يا على فاتاه بثريدة وطعام يأكله الثلاثة والأربعة، فقدمه إليهم، وقال: كلوا وسموا فسمى ولم يسم القوم فأكلوا وصدروا شبعى.

قال أبو جهل: جاد ما سحركم محمد بطعم من طعام ثلاثة رجال أربعين رجلاً، هذا والله السحر الذي لا بعده.

قال علي: ثم أمرني بعد أيام فاتخذت له مثله، ودعوتهم بأعيانهم فطعموا وصدروا.

ومن ذلك: أن علي بن أبي طالب قال: دخلت السوق فابتعدت لحماً بدرهم، وذرّة بدرهم، فأتتني به فاطمة ، حتى إذا فرغت من الخبر والطبخ.

قالت: لو أتيت أبي فدعونه، فأتته وهو مضطجع، وهو يقول: أعود بالله من الجوع ضجيعاً.

فقلت له: يا رسول الله إنّ عندنا طعاماً فقام واتّكأ على ومضينا نحو فاطمة ، فلما دخلنا قال: هل طعامك يا فاطمة، فقدمت إليه البرمة والقرص، فغطى القرص، وقال: اللهم بارك لنا في طعامنا، ثم قال: أغرف في لعائشة فغرفت، ثم قال: أغرف في لأم سلمة فما زالت تعرف حتى وجهت إلى نسائه التسع قرصاً ومرقاً، ثم قال: أغرف في لابنيك وبعلك، ثم قال: أغرف في وكلّي وأهدي لجارينك فعلت، وبقي عندهم أياماً يأكلون.

ومن ذلك البراء امرأة عبد الله بن مسلم أنته بشاة مسمومة، ومع النبي ﷺ بشر ابن البراء بن عازب، فتناول النبي الله الذراع، وتناول بشر الكراع، فأما النبي ﷺ فلأكلها ولفظها، وقال: إنها لتخبرني أنها مسمومة، وأما بشر فلأكل المضجة وابتلعها فمات، فأرسل إليها، فأقررت وقال: ما حملك على ما فعلت؟ قالت: قتلت زوجي وأشراف قومي .

فقلت: إن كان ملكاً قتلته، وإن كاننبياً فسيطّلّعه الله تبارك وتعالى على ذلك.

ومن ذلك أن جابر بن عبد الله الأنصاري قال: رأيت الناس يوم الخندق يحفرون وهم خماس، ورأيت النبي ﷺ يحفر وبطنه خميس، فأتت أهلي فأخبرتها، قالت: ما عندنا إلا هذه الشاة ومحرز من ذرة [قال: ] (١) فأخبزي. وذبح الشاة، وطبوخوا شقها وشروا الباقي، حتى إذا أدرك أتى النبي الله فقال: يا رسول الله اخترت طعاماً، فأنت أنت ومن أحببت،

فشبك أصابعه في يده، ثم نادى: لا إن جابرأ يدعوكم إلى طعامه.

فأتى أهله مذعوراً خجلاً، فقال لها: هي الفضيحة، فدخل بهم أجمعين.

قالت: أنت دعوتهم أم هو ؟ قال: هو. قالت: فهو أعلم بهم.

فلما رأى أنا أمر بالأنطاع، فبسطت على الشوارع، وأمرنا بجمع التواري - يعني قصاعاً كانت من خشب - والجفان ثم قال: ما عندكم من الطعام فأعلمته، فقال عطوا السدانة والبرمة والتتر، واغرفوا واحرجوا الخبز واللحم، وغطوا فما زالوا يغرفون وينقلون، ولا يرون أنه ينقص شيئاً حتى شبع القوم، وهم ثلاثة ألف ثم أكل جابر وأهله، وأهدوا، وبقي عندهم أياماً.

الله ومن ذلك: أن سعد بن عبادة الأنصاري أتاه عشية وهو صائم، فدعاه إلى طعامه، ودعا معه علي بن أبي طالب فلما أكلوا قال النبي :نبي ووصي يا سعد، أكل طعامك الأبرار، وأفطر عندك الصائمون وصلت عليك الملائكة.

فحمله سعد على حمار قطوف (٢) والقى عليه قطيفة فرجع الحمار وإنه لهملاج (٣) ما يساير.

ومن ذلك أنه أقبل من الحديبية وفي الطريق ماء يخرج من وشل بقدر ما يروي الراكب والراكيين فقال: من سبقنا إلى الماء فلا يستقين منه.

فلما انتهى إليه دعا بقدر فتمضمض فيه، ثم صبه في الماء، ففاض الماء فشربوا وملؤوا أدواتهم ومباصيهم وتوضؤوا.

صلى الله فقال النبي : لئن بقيتم، أو بقي منكم ليتسعن بهذا الوادي بسقي ما بين يديه من كثرة مائة، فوجدوا ذلك كما قال.

ومن ذلك أخباره عن الغيوب وما كان وما يكون، فوجد ذلك موافقاً لما يقول.

ومن ذلك: أنه أخبر صبيحة الليلة التي أسرى به بما رأى في سفره، فأنكر ذلك بعض وصدقه بعضهم، فأخبرهم بما رأى من المارة والممتارة وجباتهم ومنازلهم، وما معهم من الأمة، وأنه رأى عيراً أمامها بغيراً أورق، وأنه يطلع يوم كذا من العقبة مع طلوع الشمس، فغدوا يطلبون تكذيبه للوقت الذي وقته لهم، فلما كانوا هناك طلعت الشمس، فقال بعضهم: كذب الساحر، وبصر آخرون بالغير قد أقبلت يقدمها الأورق، قالوا: صدق، هذه نعم قد أقبلت.

ومن ذلك أنه أقبل من تبوك فجهدوا عطشاً، وبادر الناس إليه، يقولون: الماء الماء يارسول الله لأبي هريرة هل معك من الماء شيء؟.

قال: كقدر قدر في ميضاي.

قال: هل ميضاي، فصب ما فيه في قدر ودعا وأعاده، وقال: ناد: من أراد الماء.

فأقبلوا يقولون: الماء يارسول الله. فما زال يسكب وأبو هريرة يسقي حتى روى القوم أجمعون وملؤوا ما معهم، ثم قال لأبي هريرة: اشرب، فقال: بل آخركم شرباً فشرب رسول الله الله ، وشرب.

ومن ذلك: أن أخت عبد الله بن رواحة الأنباري مرت به أيام حفرهم الخندق، فقال لها: أين تريدين؟ قالت: إلى عبد الله بهذا التمرات.

قال: هاتيهن فنثرت في كفه، ثم دعا بالأنطاع وفرقها عليها، وغطاها بالأزر، وقام وصلى، ففاض التمر على الأنطاع، ثم نادى هلموا وكلوا، فأكلوا وشبعوا وحملوا معهم، ودفع ما بقي إليها.

ومن ذلك: أنه كان في سفر فأجهدوا جوعاً، فقال: من كان معه زاد فليأتنا به. فأتاه نفر منهم بمقدار صاع، فدعا بالأزر والأنطاع، ثم وضع التمر عليها، ودعا ربها، فأكثر الله ذلك التمر حتى كان زادهم إلى المدينة.

ومن ذلك: أنه أقبل من بعض أسفاره فأتاه قوم، فقالوا: يارسول الله إن لنا بئراً، إذا كان القبيط اجتمعنا عليها، وإذا كان الشفاء افترقنا على مياه حولنا، وقد صار من حولنا عدواً لنا، فادع الله في بئرنا، فتقل الله في بئرنا، ففاضت الماء المغيبة، فكانوا لا يقروا لا يقدرون أن ينظروا إلى قعرها - بعد - من كثرة مائها.

بلغ ذلك مسلمة الكذاب، فحاول مثله عن قلبي قليل مأوه فتقل الأئك في القلب فغار مأوه وصار كالجحوب (١).

ومن ذلك: أن سراقة بن جعشن حين وجهه قريش في طلبه، ناوله نبلاً من كنانته، وقال له: ستمر برعاتي فإذا وصلت إليهم فهذا علامتي، أطعم عندهم وأشرب، فلما انتهى إليهم أتوه بعنز حائل، فمسح الله ضرعها، فصارت حاملة ودرت حتى ملؤوا الأناء وارتواه ارتواه.

ومن ذلك : أنه نزل بأم شريك فاتته بعكة فيها سمن يسير، فأكل هو وأصحابه، ثم دعا لها بالبركة، فلم تزل العكة تصب سمناً أيام حياتها.

ومن ذلك: أن أم جميل امرأة أبي ل heb أنته حين نزلت سورة (تبت) (١) ومع النبي الله أبو بكر بن أبي قحافة فقال: يا رسول الله هذه أم جميلة محفظة - أي مغيبة - ومعها حجر تزيد أن ترميك به. فقال: إنها لا تراني، فقالت لأبي بكر أين صاحبك؟ قال: حيث شاء الله، قال: لقد جئتني ولو أرآه لرميته، فإنه هجاني واللات والعزى، إني الشاعرة، فقال أبو بكر: يارسول الله لم ترك؟ قال: لا، ضرب الله بيبي وبيتها حجاباً.

ومن ذلك: كتابه المهيمن الباهر لعقول الناظرين مع ما أعطي من الخلال التي إن

ذكرناها لطلات، فقالت اليهود وكيف لنا بأن نعلم هذا كما وصفت؟

قال لهم موسى : وكيف لنا أن نعلم ما تذكرون من آيات موسى على ما نصفون ؟

قالوا: علمنا ذلك بنقل البررة الصادقين.

قال لهم: فاعلموا صدق ما أنبأتم به بخير طفل لقنه الله من غير تلقين، ولا معرفة عن  
الناقلين.

قالوا: نشهد أن لا إله إلا الله، وأن محمداً رسول الله، وأنكم الأئمة القادة والحجج من عند الله على خلقه.

فوثب أبو عبد الله فقبل بين عيني، ثم قال: أنت القائم بعدي، فلهذا قالت الواقفة: أنه حي، وأنه القائم، ثم كسامم أبو عبد الله ووهب لهم وانصرفوا مسلمين» (٢).

**He (the narrator) said:** So Bahira rose and peered out, and he saw the Messenger of Allah صلوات الله عليه وسلم sleeping, with a cloud shading him.

He said to the people, “**Call this orphan,**” and they did so, while Bahira watched over him. As he walked, the cloud continued to shade him. Bahira then informed the people of his affair—that he would be sent among them as a Messenger, and of his state and his command. After this, the people held him in awe and respect.

When they arrived, they informed Quraysh of this. Khadijah bint Khuwaylid heard about it and wished to marry him. She was the foremost of the women of Quraysh. Every noble and chief had proposed to her, but she had rejected them. Yet she married him because of what she had heard of Bahira’s account.

**Among these reports is** that in Mecca before the Hijra, during the days when his people and his clan rose up against him, he ordered Ali to tell Khadijah to prepare some food for him. She did so. Then he ordered him to invite his relatives from the sons of Abdul Muttalib. Ali summoned forty men.

He said to them: “**Come to the food, O Ali.**” Ali brought him a dish of tharid (bread and meat stew), enough for three or four men. The Prophet صلوات الله عليه وسلم placed it before them, saying: “**Eat and say the Name (of Allah).**” The Prophet صلوات الله عليه وسلم said the Name, but the people did not, and they ate until they were full.

Abu Jahl said: “**By Allah, what has bewitched you, O Muhammad! You feed forty men with food meant for three. This is truly magic, the likes of which none can surpass!**”

Ali said: Then, after a few days, he ordered me again, and I prepared the same. I invited them by name. They ate and were satisfied.

**Among these accounts is** that Ali ibn Abi Talib said:

I entered the market and bought meat for a dirham and some grain for a dirham. I brought it to Fatimah. When she was done baking and cooking, she said: “**If only you went to my father to invite him.**”

So I went to him, and he was lying down, saying: “**I seek refuge with Allah from hunger, for it is a vile companion.**”

I said to him: “**O Messenger of Allah, we have some food.**” He stood, leaning on me, and we went to Fatimah. When we entered, he said: “**Bring your food, O Fatimah.**” She presented to him a pot and a loaf. He covered the loaf, saying: “**O Allah, bless our food!**”

Then he said: “**Serve to Aisha,**” and she served her. Then he said: “**Serve to Umm Salama,**” and she served her. She continued serving until she had sent bread and broth to his nine wives.

Then he said: “**Serve your two sons and your husband.**” Then he said: “**Serve and eat, and give some to your maidservant,**” and she did so. The food remained with them for days, and they ate from it.

**Among these accounts is that** al-Bara’, the wife of Abdullah ibn Muslim, brought him a poisoned sheep. With the Prophet ﷺ was Bishr ibn al-Bara’ ibn Azib. The Prophet ﷺ took a foreleg, and Bishr took the hind leg. The Prophet ﷺ chewed it and spat it out, saying: “**It tells me that it is poisoned.**” But Bishr swallowed the morsel and died.

He (the Prophet ﷺ) sent for her and she confessed. He asked her: “**What made you do this?**”

She said: “**You killed my husband and the nobles of my people. I thought: if he is a king, I have rid us of him; and if he is a Prophet, Allah will inform him of it.**”

**Among these accounts is that** Jabir ibn Abdullah al-Ansari said:

I saw the people digging the trench (at Khandaq), hungry, and I saw the Prophet ﷺ digging with them, his belly shrunken. I went to my wife and told her. She said: “**We only have this small sheep and a measure of barley.**” <sup>1003</sup>She said: “**Bake the bread,**” and I slaughtered the sheep and cooked half and roasted half.

When the food was ready, I went to the Prophet ﷺ and said: “**O Messenger of Allah, we have prepared food—come with whoever you wish.**”

He interlaced his fingers in my hand and called out: “**O people of the trench, Jabir has prepared food—come to it!**”

I went home, ashamed and fearful, and told my wife: “**It is a scandal!**” She said: “**Did you invite them, or did he?**” I said: “**He did.**” She said: “**Then he knows best.**”

When they arrived, he ordered that leather sheets be spread in the streets. He ordered us to gather wooden bowls and vessels. He asked: “**What do you have of food?**” I told him, and he said: “**Cover the pot and the oven. Serve bread and meat.**” They kept serving and carrying food out, and they did not see it diminish, until the people—three thousand of them—were filled. Then Jabir and his family ate, and they gave some to their neighbors, and the food remained with them for days.

**Among these accounts is that** Sa’d ibn Ubadah al-Ansari invited him at night while the Prophet ﷺ was fasting. He invited Ali ibn Abi Talib with him. When they ate, the Prophet ﷺ said: “**O Sa’d, may the righteous eat your food, may the fasting break their fast with you, and may the angels pray for you.**”

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<sup>1003</sup> From the source.

Then Sa'd carried him on a docile donkey<sup>1004</sup>, and he threw over it a cloak. The donkey trotted briskly,<sup>1005</sup> barely to be caught up.

**Among these accounts is** that he was returning from Hudaybiyyah. On the way, they found only a small spring, enough for one or two riders. He said: “**Whoever reaches it before us, let him not drink from it.**”

When they arrived, he took a cup, rinsed his mouth in it, and poured it into the water. The water surged, and they drank, filled their vessels, and performed ablution.

The Prophet ﷺ said: “If you remain, or some of you remain, this valley will overflow with water in abundance.” They later found it exactly as he said.

**Among these accounts is** that he informed them of the unseen, of what was and what would be, and it came exactly as he said.

**Among these accounts is** that on the morning of the night he was taken on the Night Journey (Isra), he informed them of what he saw on his journey. Some denied it, while others believed him. He described to them the caravans, their goods, their stations, and what they carried. He said he saw a caravan led by a grey camel that would appear at a certain day at sunrise. They rose early, seeking to prove him wrong, but when the sun rose, some said: “**The sorcerer has lied!**” Others saw the caravan led by the grey camel and said: “**He spoke the truth! Here come the goods!**”

**Among these accounts is** that he was returning from Tabuk when they suffered greatly from thirst. The people rushed to him, crying: “**Water, water, O Messenger of Allah!**”

The Prophet ﷺ said to Abu Huraira: “**Do you have any water?**”

Abu Huraira said: “**A small measure, enough to fill a cup.**”

He said: “**Bring your water-skin.**” The Prophet ﷺ poured the water into a cup, prayed over it, then returned it to the water-skin and said: “**Call out: whoever wants water, come!**”

The people came, crying: “Water, O Messenger of Allah!” Abu Huraira kept pouring, and the Prophet ﷺ kept giving, until they all drank and filled their vessels. Then he said to Abu Huraira: “**Drink.**” Abu Huraira said: “**No, you are the last to drink.**” So the Prophet ﷺ drank, and then Abu Huraira drank.

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<sup>1004</sup> al-Fārābī said: *al-Quṭūf* from animals and other things refers to slow movement. Ibn al-Qīṭṭā' said: *Qaṭafa al-dābbah* means to urge the animal to move faster with shortened, quickened steps.

**al-Miṣbāḥ al-Munīr:** 509 – under the root *q-t-f* (Margin of copy “A”).

<sup>1005</sup> (3) *al-Hamlajah*: The graceful gait of an animal.

**al-Miṣbāḥ al-Munīr:** 641 – under the root *h-m-l-j*.

**Among these accounts is** that the sister of Abdullah ibn Rawaha passed by him during the digging of the trench. He asked her: “**Where are you going?**”

She said: “**To Abdullah, with these few dates.**”

He said: “**Give them to me.**” She poured them into his palm. He ordered leather sheets to be spread, covered them with cloths, stood up and prayed. The dates multiplied until they overflowed on the sheets. He said: “**Come, eat!**” They ate, were satisfied, and carried some away, and he returned what was left to her.

**Among these accounts is** that they were in a journey and suffered from hunger. He said: “**Whoever has any provision, let him bring it.**” A few men brought about a sa’ (measure) of dates. He spread them on sheets and mats, prayed over them, and Allah increased them so that it became their provision until they reached Medina.

**Among these accounts is** that he returned from one of his journeys. Some people came to him and said: “**O Messenger of Allah, we have a well. In summer we gather at it, but in winter we scatter to other water sources. Now an enemy has come near us—pray for our well.**” The Prophet ﷺ spat into it, and the water rose and flowed until they could not see its bottom. When Musaylima the Liar heard of this, he tried to do the same with a little well. He spat into it, and the water dried up and the well turned to a pit.<sup>1006</sup>

**Among these accounts is** that when Suraqah ibn Ju’sham was sent by Quraysh to pursue him, the Prophet ﷺ gave him an arrow from his quiver and said: “**When you reach my shepherds, show them this. Eat and drink with them.**”

When Suraqah reached them, they brought him a barren goat. The Prophet ﷺ had touched its udder, and it became full and milked enough to fill vessels and quench their thirst.

**Among these accounts is** that he stayed with Umm Shuraik. She brought a small container of ghee, and he and his companions ate from it. Then he prayed for blessing for her, and the container kept pouring ghee for the rest of her life.

**Among these accounts is** that when the chapter “**Perish the hands of Abu Lahab**” (Sura Tabbat)<sup>1007</sup> was revealed, Umm Jamil, the wife of Abu Lahab, came to him while he was with Abu Bakr. She was enraged, holding a stone to throw at him. Abu Bakr said: “**O Messenger of Allah, she is coming.**”

He said: “**She will not see me.**”

She said to Abu Bakr: “**Where is your companion?**” He said: “**Wherever Allah wills.**”

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<sup>1006</sup> *al-Jubūb*: the surface of the ground (i.e., dry land with no water).

**Lisān al-‘Arab** 2: 162 – under the root *j-b-b*.

<sup>1007</sup> **Sūrat al-Masad**: verse 1.

**She said: “I came to him. Had I seen him, I would have stoned him, for he has satirized me and my gods! I am a poetess!”**

After she left, Abu Bakr said: **“O Messenger of Allah, why did she not see you?”**

**He said: “Allah placed a barrier between me and her.”**

**Among these accounts is** his mighty, overwhelming Book, which stuns the minds of those who contemplate it, along with the character traits he was given. If we were to recount them, it would be too long.

The Jews said: **“How can we know this is as you described?”**

Musa said to them: **“How did we know the signs of Moses as you describe them?”**

They said: **“We knew by the truthful transmission of the righteous.”**

He said: **“So know the truth of what I have informed you of, by the report of a child whom Allah taught without a teacher, nor did he learn it from any transmitter.”**

They said: **“We bear witness that there is no god but Allah, and that Muhammad is the Messenger of Allah, and that you (the Imams) are the leaders and proofs of Allah over His creation.”**

Then Abu Abdullah rose and kissed my forehead and said: **“You are the one who will rise after me.”**

This is why the Waqifiyya (a sect) said that he is alive and that he is the one who will rise (al-Qa'im).

Then Abu Abdullah clothed them and gifted them, and they left as Muslims.<sup>1008</sup>

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<sup>1008</sup> **Qurb al-Isnād:** 1228 / 317–330.

## Narration of Abu al-Hasan Musa ibn Ja'far (peace be upon him)

عده من أصحابنا، عن سهل بن زياد، عن إسماعيل بن مهران، عن محمد بن منصور الخزاعي، عن علي بن سعيد، ومحمد بن يحيى، عن محمد بن الحسين، عن محمد بن إسماعيل بن بزيع، عن عمه حمزة بن بزيع، عن علي بن سعيد والحسن بن محمد، عن محمد بن أحمد النهدي، عن إسماعيل بن مهران، عن محمد بن منصور، عن علي بن سعيد قال : كتبت إلى أبي الحسن موسى وهو في الحبس كتاباً أسأله عن حاله، وعن مسائل كثيرة، فاحتبس الجواب علي، ثم أجابني بجواب هذه نسخته:

«بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله العلي العظيم الذي بعظمته ونوره أبصر قلوب المؤمنين، وبعظمته ونوره عاده الجاهلون، وبعظمته ونوره ابتعى من في السموات ومن في الأرض، إليه الوسيلة بالأعمال المختلفة، والأديان المتضادة، فمصيب ومحظى وضال ومهتد، وسميع وأصم، وبصیر وأعمى حيران.

صلى الله فالحمد لله الذي عرف ووصف دينه محمد.

أما بعد:

فإنك أمرتني أنزلك الله من آل محمد بمنزلة خاصة وحفظ مودة ما استرعاك من دينه، وما ألهماك من رشدك، وبصرك في أمر دينك بتفضيلك إياهم وبردك الأمور إليهم. كتبت تسلاتي عن أمور كنت منها في تقية، ومن كتمانها في سعة، فلما انقضى سلطان الجبارية، وجاء سلطان ذي السلطان العظيم، بفرق الدنيا المذمومة إلى أهلها، العناة على خالقهم، رأيت أن أفسر لك ما سألتني عنه مخافة أن تدخل الحيرة على ضعفاء شيعتنا من قبل جهالتهم، فاتق الله جل ذكره، وخص بذلك الأمر أهله، واحذر أن تكون سبب بلية الأوصياء أو حارشاً عليهم بإفشاء ما استودعتك، وإظهار ما استكتمت، ولن تفعل إن شاء الله.

إن أول ما أنهى إليك أني أنهى إليك نفسي في ليالي هذه، غير جازع ولا نادم، ولا شاك فيما هو كان، مما قد قضى الله جل وعز وحتم فاستمسك بعروة الدين - آل محمد والعروة الوثقى الوصي بعد الوصي، والمسالمة لهم والرضا بما قالوا، ولا تلتمس دين من ليس من شيعتك، ولا تُحبّن دينهم، فإنهم الخائنون الذين خانوا الله ورسوله وخانوا أماناتهم، وتدرى ما خانوا أماناتهم، اثنتوا على كتاب الله فحرفوه، وبدلواه، ودلوا على ولادة - الأمر منهم فانصرفوا عنهم، فأداقهم الله لباس الجوع والخوف بما كانوا يصنعون.

وسألت عن رجلين اغتصبا رجلاً مالاً كان ينفقه على الفقراء والمساكين وأبناء السبيل وفي سبيل الله، فلما اغتصبا ذلك لم يرضيا حيث غصبوا حتى حملاه إياه كرها فوق رقبته إلى منزلهما، فلما أحرازاه توليا إنفاقه، أبلغان بذلك كفراً، فلعمري لقد نافقا قبل ذلك وردا على الله جل وعز كلامه، وهزءا برسوله الله، وهم للكافران عليهم لعنة الله والملائكة والناس أجمعين، والله ما دخل قلب أحد منهما شيء من الإيمان منذ خروجهما من من حاليهما، وما ازدادا إلا شكاً كانوا خداعين مرتادين منافقين حتى توفقا ملائكة العذاب إلى محل الخزي في دار المقام.

وسألت عن حضر ذلك الرجل وهو يغصب ماله ويوضع على رقبته منهم عارف ومنكر، فأولئك أهل الردة الأولى من هذه الأمة، فعليهم لعنة الله والملائكة والناس أجمعين.

وسألت عن مبلغ علمنا وهو على ثلاثة وجوه ماضٍ، وغابرٍ، وحدثٍ، فأما الماضي فمفسرٌ، وأما الغابر فمزبورٌ، وأما الحادث فقذفٌ في القلوب، ونقرٌ في الأسماع وهو أفضل علمنا، ولا نبي بعد نبينا.

وسألت عن أمهات أولادهم، وعن نكاحهم، وعن طلاقهم، فأما أمهات أولادهم فهن عواهر إلى يوم القيمة نكاح بغير ولدٍ، وطلاق في غير عدة، فأما من دخل في دعوتنا فقد هدم إيمانه ضلاله ويفينه شكه.

وسألت عن الزكاة فيهم فما كان من الزكوات، فلأنتم أحق به، لأننا قد أحطنا ذلك لكم من كان منكم، وأين كان.

وسألت عن الضعفاء، فالضعيف من لم يرفع إليه حجة، ولم يعرف الاختلاف، فإذا عرف الاختلاف فليس بضعف.

وسألت عن الشهادات لهم، فأقم الشهادة الله عز وجل ولو على نفسك والوالدين والأقربين فيما بينك وبينهم، فإن خفت على أخيك ضيماً فلا، وادع إلى شرائط الله عز ذكره بمعرفتنا من رجوت إجابته، ولا تحضن حضن زنا، ووال آن محمد ولا نقل لما بلغت (١) عنا ونسبي إلينا هذا باطل، وإن كنت تعرف منا خلافه فإنك لا تدري لما فلانه، وعلى أي وجه وضعناء، آمن بما أخبرك ولا تفتش بما (٢) استكتمناك من خبرك، إذ (٣) من واجب حق أخيك أن لا تكتمه شيئاً تتفقه به لأمر دنياه وآخرته، ولا تحدق عليه وإن أساء، وأجب دعوته إذا دعاك، ولا تخل بيته وبين عدوه من الناس، وإن كان أقرب إليه منك، وعده في مرضه . ليس من أخلاق المؤمنين الغش، ولا الأذى ولا الخيانة ولا الكبر ولا الخناء ولا الفحش ولا الأمر به، فإذا رأيت المشوه الأعرابي في جحفل جرار، فانتظر فرجك ولشيعتك المؤمنين، فإذا انكسفت الشمس فارفع بصرك إلى السماء، وانظر ما فعل الله عز وجل بال مجرمين، فقد فسرت لك جمالاً مجملًا، وصلى الله على محمد وآلـهـ الأـخـيـارـ» (٤).

A group of our companions, from Sahl ibn Ziyād, from Ismā‘il ibn Mihrān, from Muḥammad ibn Maṇṣūr al-Khuzā‘ī, from ‘Alī ibn Suwayd — and Muḥammad ibn Yaḥyā, from Muḥammad ibn al-Ḥusayn, from Muḥammad ibn Ismā‘il ibn Buzay‘, from his uncle Ḥamzah ibn Buzay‘, from ‘Alī ibn Suwayd — and al-Ḥasan ibn Muḥammad, from Muḥammad ibn Aḥmad al-Nahdī, from Ismā‘il ibn Mihrān, from Muḥammad ibn Maṇṣūr, from ‘Alī ibn Suwayd, who said:

I (‘Alī ibn Suwayd) wrote to Abū al-Ḥasan Mūsā (peace be upon him) while he was imprisoned, asking him about his condition and many matters. The reply was delayed, and then he answered me with a letter, the text of which is as follows:

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### In the name of Allah, the Most Gracious, the Most Merciful

All praise is due to Allah, the Most High, the Most Great, by whose greatness and light the hearts of the believers are enlightened, and by whose greatness and light the ignorant oppose Him, and by whose greatness and light those in the heavens and the earth seek nearness to Him through various deeds and differing religions—some succeed, some fail, some are misguided, and some are rightly guided; some hear, and some are deaf; some see, and some are blind and bewildered.

Blessings be upon Muḥammad—for all praise is due to Allah who has introduced and described His religion through Muḥammad.

As for what follows:

Indeed, you are a man whom Allah has granted a special position among the family of Muḥammad, and He has preserved in you the affection of what He has entrusted you with of His religion, and what He has inspired you of guidance, and granted you insight into your religion through your preference for them and your referring matters back to them.

You wrote asking me about matters which I had concealed out of **taqiyyah**, and about which I was at liberty to keep hidden. But when the rule of the tyrants passed and the rule of the One with Great Authority approached—through a departure from this blameworthy world to its rebellious people—I saw that I should clarify for you what you asked about, fearing that confusion may affect the weak among our Shi‘ah due to their ignorance.

So fear Allah—exalted be His mention—and entrust this matter only to its people. Beware of being a cause of affliction for the **awṣiyā’ (successors)** or an instigator against them by exposing what I have entrusted to you or revealing what I have asked you to keep hidden—and, God willing, you will not do so.

The first thing I inform you of is that I foretell my death to you within these nights—without grief, regret, or doubt about that which has already been decreed and destined by Allah, Mighty and Majestic. So hold firmly to the rope of religion—the Family of Muḥammad—and the firmest handhold: the successor after the successor, peaceful submission to them, and contentment with what they say.

Do not seek religion from those who are not your Shi‘ah, and do not love their religion. For they are the traitors who betrayed Allah, His Messenger, and their trusts. And do you know what their betrayal of the trusts is? They were entrusted with the Book of Allah, but they distorted it, altered it, and diverted people away from its rightful guardians. So Allah made them taste the garment of hunger and fear due to what they had done.

You asked about two men who usurped wealth from a man who used to spend it on the poor, the needy, the travelers, and in the way of Allah. When they seized that wealth, they were not content with merely taking it, but they forced him to carry it upon his neck to their homes. When they had secured it, they took charge of spending it. Do they fall into disbelief because of that? By my life, they were already hypocrites before that. They rejected the words of Allah, mocked His Messenger, and they are both disbelievers. Upon them is the curse of Allah, the angels, and

all people. By Allah, not an atom of faith has ever entered the heart of either of them since they left their original state. They only increased in doubt. They were deceitful, skeptical hypocrites until the angels of punishment seized them to a place of disgrace in the eternal abode.

You also asked about those who were present when that man was being forced and his wealth placed upon his neck—among them were those who recognized the truth and those who denied it. Those individuals are the people of the **first apostasy** of this ummah. Upon them be the curse of Allah, the angels, and all people.

You asked about the extent of our knowledge. It is of three types: past, recorded (inherited), and immediate (current). As for the past, it is explained; the recorded is documented; and the current is inspiration cast into the hearts and whispered into the ears—and it is the best of our knowledge. And there is no prophet after our Prophet.

You asked about their slave-women, their marriages, and their divorces. As for their slave-women, they are fornicators until the Day of Judgment—married without a guardian and divorced without a waiting period. But whoever has entered our invitation, his error has been overturned by his faith, and his doubt has been replaced by certainty.

You asked about **zakāh** with respect to them. Whatever is part of zakāh—you are more entitled to it. For we have made it permissible for you, wherever you are, and whoever among you may be.

You asked about the weak. The weak is the one to whom the **hujjah (proof)** has not been conveyed and who does not know about the differences (among people). But once he becomes aware of the differences, he is no longer considered weak.

You asked about testifying for them. Establish testimony for the sake of Allah—Mighty and Majestic—even if it be against yourself, your parents, or your close relatives, in matters between you and them. But if you fear harm for your brother, then do not testify. Invite people to the laws of Allah, Mighty and Majestic, through our recognition—if you expect a response from them.

Do not harbor fornication in your protection. Be loyal to the Family of Muḥammad. Do not say regarding<sup>1009</sup> what you have heard from us and what is attributed to us: “This is false.” Even if you know something seemingly contrary from us, for you do not know the context in which we said it or for what purpose we placed it. Believe in what we tell you, and do not disclose what<sup>1010</sup>

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<sup>1009</sup> In one copy: “**balagak**” instead. From manuscript “A”.

<sup>1010</sup> In one copy: “**mā**” instead. From manuscript “A”.

we have entrusted you with of your own news. For <sup>1011</sup> it is your obligation toward your brother not to hide anything that would benefit him in his worldly life and afterlife. Do not bear grudges against him even if he wrongs you. Accept his invitation if he invites you. Do not abandon him before his enemy, even if his enemy is closer to you. Visit him when he is sick.

Among the traits not befitting a believer are: deception, harm, betrayal, arrogance, obscenity, indecency, and encouraging such behavior.

So if you see the disfigured Bedouin leading a massive army, then await your relief and that of your believing Shi‘ah.

And if the sun is eclipsed, raise your eyes to the heavens and see what Allah, Mighty and Majestic, does to the criminals.

I have explained to you in summary what was once veiled.

**And may blessings be upon Muḥammad and his pure family. (4)<sup>1012</sup>**

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<sup>1011</sup> In one copy: “**inna**” instead. From manuscript “A”.

<sup>1012</sup> **al-Kāfi**: 95 / 1: 107–109; **Bihār al-Anwār** 48: 242 / 51–242 — and there are variations between the two.

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١٩ - ذکری الشیعیة الشهید (أبو عبد الله محمد بن مکی العاملی، ت ٧٨٦ هـ) - تحقیق: مؤسسة آل البيت الله لإحیاء التراث (قم: ١٤١٩ هـ) ط ١ .

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ونشر: مؤسسة النشر الإسلامي ١٤١٧ هـ ، ط ٤ .

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٢٣ - الصاح: تاج اللغة وصحاح العربية: الجوهرى (إسماعيل بن حماد، ت ٣٩٣ هـ) تقديم الملك فهد، تحقيق: أحمد عبد الغفور عطار (بيروت: دار العلم للملاتين، ١٩٩٠ م) ط ٤ .

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٢٤ - طبقات أعلام الشيعة: (الكواكب المنتشرة في القرن الثاني بعد العشرين): آقا بزرگ الطهراني (محمد محسن ت ١٣٨٩ هـ تحقيق: علي نقى منزوی طهران: انتشارات دانشگاه طهران (١٣٧٢ هـ) ط ١ .

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٢٧ - الفهرست: الطوسي ( محمد بن الحسن، ت (٤٦٠ قم، تحقيق: مؤسسة نشر الفقاهة ١٤١٧ هـ ، ط ١ .

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٢٩ - قرب الإسناد: الحميري (أبو العباس عبد الله بن جعفر، ق: ٣) تحقيق ونشر: مؤسسة آل البيت لـإحياء التراث (قم: ١٤١٣ هـ) ط ١ .

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٣٤- المحسن: البرقي (أبو جعفر أحمد بن محمد بن خالد، ت ٢٧٤ أو ٢٨٠ هـ ) تحقيق: مهدي الرجائي (قم : المجمع العالمي لأهل البيت ، ١٤١٣ هـ ) ط ١.

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٥٠ - النهاية في مجرد الفقه والفتاوي الطوسي (أبو جعفر محمد بن الحسن، ت

٤٦٠ هـ) (بيروت: دار الكتاب العربي ١٣٩٠ هـ) ط ١.

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4 - Al-Ijaza al-Kabira: Al-Samahiji (Abdullah ibn Salih al-Bahrani, d. 1135 AH) Edited by: Mahdi al-'Awazim al-Qatifi (Qom: al-Matba'a al-'Ilmiyya 1419 AH) 1st Edition.

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