

# **A Selection of Islamic Laws**

**Based on the verdicts of  
Grand Ayatollah Yousof Saanei**

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## Translator's Preface

This book is a translated version of the book, “Muntakhab-ul-Masaa'il” based on the verdicts of His Eminence Grand Ayatollah Saanei. A brief glance at His Eminence's verdicts would suffice to acknowledge Him as to be among the few Islamic jurists who, along with fidelity to the basics and principles of rule deduction (Ijtihad), have devoted special attention to the two elements of time and space as well as the needs of the new age and thus paved the way for the practicality of Islam's jurisprudential rulings. In this regard, seeing masculinity as not being a condition for serving as judges, religious jurists, and in other ruling positions, equality between men and women and also between Muslims and non-Muslims in compensation, blood money, and retaliation, considering music as to be generally legal except for the music containing laxity and immorality, establishing the age of puberty for girls as to begin at thirteen lunar years of age (in the absence of the signs of puberty), giving mothers priority over paternal grandfathers in taking custody and guardianship of children in the absence of their fathers, counting all human beings as pure except for obstinate unbelievers who deny the truth despite knowing it, and taking merely the interest paid on depreciation as illegal usury but the one resulting from gainful employment of the principal as legal etc., are all indicative of His Eminence's novel way of thinking and are worth mentioning.

Experts in the field would, no doubt, confirm how demanding and challenging the task of translating religious texts and books is. Nevertheless, I tried my best and hardest as to the fidelity of the translation to the original text, particularly in the case of those verdicts whose explanations had been presented together with jurisprudential principles and reasoning, and which contained lots of specialist jurisprudential, logical, and philosophical terms. The unavailability of the relevant references even added to the heaviness of the responsibility to convey the concepts in question. After all, with the help of Allah the Almighty, I managed to assume the responsibility and finish the work.

Finally, I would appreciate any enlightening and scholarly criticism and guidance by the experts in the field of translation which would definitely be helpful both in correcting the possible defects and to the betterment of the entire work.

Muhammad Yasser Kimyaei Far  
March, 2007

**In The Name Of Allah  
The Compassionate, The Merciful**

The practical laws of Islam which determine what Muslims must do or avoid doing, are called “religious laws”.

Whatever a person does follows a specific law in Islam. Islamic laws are categorized into five categories as follows:

1- **Wajib**: an obligation which must be done and whose avoidance leads to punishment; e.g., praying and fasting.

2- **Haraam**: an illegal and forbidden act which must be avoided, otherwise it leads to punishment; e.g., telling a lie or oppressing.

3- **Mustahab**: a recommended act which brings a reward, but avoiding it does not bring a punishment; e.g., greeting and alms-giving.

4- **Makruh**: a legally disapproved act which is better to avoid doing and the avoidance brings a reward, but it will not lead to punishment if done; e.g., blowing on the food, eating hot food.

5- **Mubaah**: an act which deserves neither a reward nor a punishment, and it is equal whether to do it or avoid it; e.g., sitting and walking.

In the Name of Allah The Beneficent  
The Merciful, and benediction and peace  
be upon God's best creature,  
His Holiness Muhammad and His pure  
Progeny, and May His curse be on all  
Their enemies from now until the Judgment Day

## Ijtihad (Rule Deduction) and Taqleed (Imitation)

A Muslim can practice the religious laws through “Ijtihad” or “Taqleed”.

“Ijtihad” is the exertion of deducing the religious laws from the relevant sources and evidence. A person, who is capable of doing this, is referred to as “Mujtahid”.

“Taqleed” is to follow and imitate a Mujtahid, that is, to practice the religion based on the religious edicts (Fatwas) issued by a Mujtahid.

**Issue 1:** A Mujtahid who is imitated and followed by others, is referred to as “Marja'-e-Taqleed” (a religious jurist), and one who imitates a Mujtahid, is referred to as “Muquallid” (imitator).

**Issue 2:** A person, who is not a Mujtahid, and thus not able to deduce the divine laws and rules from the relevant sources must imitate a Mujtahid.

**Issue 3:** Most people have to practice the religion through imitation, because few people are capable of Ijtihad, i.e., deducing the religious laws.

**Issue 4:** Imitation of religious laws is practicing a Mujtahid's Fatwas, and one must imitate a Mujtahid who is sane, mature, twelve-Imam Shi'ah (Shi'ah ithna-ashari), of legitimate birth, just and living. The Mujtahid must also be the most learned one among others, and as an obligatory precaution, they must not be greedy for mammon.

**Issue 5:** If the Mujtahid whom a person is imitating dies, provided that they have imitated some of their Fatwas, it is allowable for them to remain imitating the deceased Mujtahid in all issues even the ones they have not practiced before.

**Issue 6:** The “most learned” Mujtahid is one who is the most capable of understanding the divine laws among the Mujtahids of the time.

**Issue 7:** There are three ways of identifying a qualified Mujtahid who is the most learned one.

1- When a person him or herself makes certain that a Mujtahid is a qualified and the most learned one. For this, the person him or herself must be learned and able to identify the most learned qualified Mujtahid.

2- When two reliable and learned people who are capable of identifying the most learned Mujtahid, confirm that a Mujtahid is the most learned qualified one, provided that their confirmation is not contradicted by two other reliable learned people.

3- When a number of learned people who are capable of identifying the most learned Mujtahid, certify that a particular Mujtahid is the most learned qualified one, provided that one is satisfied by their statement.

**Issue 8:** There are three ways to obtain the Fatwas of a Mujtahid.

1- To hear the Mujtahid talk about his or her views and Fatwas.

2- To hear a reliable and honest person who him or herself has heard the Mujtahid issue the Fatwas.

3- To See the Fatwas in the Mujtahid's written treatise (Resale-ye-Amalyeh) provided that its reliability is certain.

**Issue 9:** If the Fatwa of a Mujtahid on a particular issue changes, the imitator must practice the new Fatwa and it is not allowable to act on the previous Fatwa; but if one is not certain about the change in the Mujtahid's Fatwa, they must act on what is written in the Mujtahid's treatise and there is no need to find out about a change which is likely to have been made.

**Issue 10:** It is obligatory for a Muslim to learn the issues which are of frequent use and day to day importance.

## **The Difference between Ihtiyat-ul-Wajib (obligatory precaution) And Ihtiyat-ul-Mustahab (recommended precaution)**

**Issue 11:** A recommended precaution always accompanies a Fatwa, that is, in that particular issue, the Mujtahid observes a precaution which is stated before or after the Fatwa itself, and the imitator can act on either the Fatwa or the precaution and they are not allowed to refer to another Mujtahid in that issue. The following issue is an example of a recommended precaution:

“If an unclean vessel is washed once in Kurr water, it will be clean, although the precaution is to wash it three times”.

An obligatory precaution does not accompany a Fatwa and the imitator must act on the precaution and is allowed to practice the Fatwa of another Mujtahid in that particular issue. For example, “The precaution is to avoid prostrating on vine leaves if they are fresh and green”.

**Q12:** Is it obligatory that one's belief in the fundamentals of religion be based on one's own understandings and findings, or does it suffice to imitate a Mujtahid in this regard?

**A:** To believe in the fundamentals of religion, one can take any path. The very belief that Muslim people hold and share, which is the origin of all goodness, worship, Jihad and martyrdom suffices, and ordinary people are not supposed to have a deeper look into the fundamentals of religion.

**Q13:** Is it allowable for a person who is imitating a living Mujtahid, to change their source of imitation if they want?

**A:** It is not allowable to turn to another Mujtahid when the Mujtahid whom a person is imitating, is living, unless it is proved that the other Mujtahid is more learned.

**Q14:** What is the verdict on the prayers and fasts of a person who has not been imitating any Mujtahids since their puberty?

**A:** If their practices conform to the verdicts of the Mujtahid whom they are going to imitate, they are valid.

**Q15:** Is it allowable for those who reach puberty after the death of Imam Khomeini, to imitate him?

**A:** It is not permissible to begin imitation upon the Fatwas of a deceased Mujtahid.

## **Signs of Puberty**

**Issue 16:** Each of the following signs can indicate boys' puberty:

- 1- Growing thick pubic hair
- 2- Seminal effusion
- 3- Fifteen complete lunar years of age.

**Issue 17:** The growing of thick hair on the face and above the lips, in the chest and armpits, a harsh voice and the like, are not considered as signs of puberty but each a means of making sure about it.

**Issue 18:** Each of the following signs can indicate girls' puberty:

- 1- Growing thick pubic hair.
- 2- Seminal effusion despite the belief that women's semen is not effused.
- 3- Discharging menstrual blood

4- In case none of the aforementioned signs is seen, the criterion will be to complete thirteen lunar years of age.

**Issue 19:** When a girl is not certain whether she has completed thirteen lunar years of age, and she discharges some blood which does not bear any sign of menstruation, then the blood is not considered menstrual blood, but if the blood has some signs of menstruation and she is certain about that, it will be menstrual blood, and this indicates that she has reached puberty.

**Q20:** Based on your verdict, the age of puberty for girls is thirteen years of age. Are veiling, covering and all other obligations seen as obligatory for girls of thirteen who imitate you from the same age?

**A:** Yes. They must observe all issues including obligations. But in the case of women's veiling and covering, their chastity and social modesty, and the corresponding social conventions are such important issues whose observation is as necessary for immature girls.

**Q21:** If a girl has been imitating Imam Khomeini (PBUH) or one of the grand religious jurists who consider the age of puberty to be nine years of age, is she allowed to follow your verdict on the age of puberty in practicing her Quada prayers and fasts?

**A:** If despite knowing that they have been obligatory to her, she has abandoned practicing prayers and fasts since she was nine, she must practice those obligations according to the verdicts of the Mujtahid whom she has already been imitating.

## Rules of Purity and Impurity (Tahaarat and Nijaasat)

### Rules Which Must Be Observed While Relieving Oneself (Takhallee)

**Issue 22:** It is obligatory to conceal one's private parts while relieving oneself and in any other situation, from mature people even if they are one's sister etc., and also from those insane people and children who can discern the difference between good and evil; But it is not obligatory for man and wife to conceal their private parts from each other.

**Issue 23:** While relieving oneself, one's front or back part of the body must not face the Quiblah (the direction of the Holy Ka'bah)

**Issue 24:** There are four places where it is forbidden to relieve oneself.

- 1- In alleys and paths because it causes persecution of the passers-by and inflicts harm on them.
- 2- On the property (land) of a person who has not given the permission for excretion.
- 3- At a place which has been dedicated to a particular group of people like some schools.
- 4- On the graves of the believers in case it means disrespect to those believers.

**Issue 25:** As an obligatory precaution, the urinary organ can not be made pure with things other than water, and it suffices if it is washed once after urine has passed out from the body; but for those with abnormal urinary outlets, the recommended precaution is to wash the outlet twice. However, if one uses any sort of water other than Qualeel water, like tap water, it absolutely suffices to wash the outlet once.

**Issue 26:** If stool is removed from anus with stone, clod, and the like, then the anus will be pure.

### Istibra' (Confirmation of Emptiness)

**Issue 27:** Istibra' is a recommended act for men to do after urinating and it can be done in different ways the best of which is that after urinating, first one must purify their anus if it is impure and then press the part between anus and the root of penis by the help of the middle finger of the left hand three times. Thereafter, they must place their thumb on and the fore finger below the penis and press it three times up to the point of circumcision. Finally, they must press the head of the penis three times.

**Issue 28:** The moisture which is at times discharged by men during wooing and playing with their wives is called "Mathi". Mathi is pure and so is the liquid which is at times discharged after ejaculation. The latter is called "Wathi". Similarly, the liquid which at times comes out after urine is called "Wadi" and it is pure provided that urine has not reached it. If a person performs Istibra' after urinating, and then discharges a liquid about which they doubt whether it is urine or one of the above-mentioned liquids, that liquid is pure.

## Purity (Tahaarat)

Tahaarat or purity of body and the environment, in which one lives, is of great importance in Islam. A Muslim must avoid eating and drinking impure things (Najis), and their body and clothes must be clean and pure for praying (Salaat) which is the best way to worship Allah the Almighty, and it is even better to wear their cleanest clothes. Thus, it is necessary for everyone to learn and know about the impure things and the ways to purify them.

**Issue 29:** Every thing in this world is pure, except the following eleven things which are referred to as “impurities” and also the things which become impure in case of coming into contact with these impurities:

## Impurities (Nijaasaat):

- 1- Urine
- 2- Stool
- 3- Semen
- 4- Dead body
- 5- Blood
- 6- Dogs
- 7- Pigs
- 8- Obstinate infidels (Kafir-ul-Mu'anid)
- 9- Wine and any other intoxicating drink
- 10- Beer
- 11- The sweat of a camel which eats impure things like stool

**Issue 30:** Urine and stool of human being and of the animals whose meat is illegal to eat and whose blood gushes out forcefully when their jugular veins are slit are impure.

**Issue 31:** The urine and stool of the animals whose meat is legal (Halaal) to eat, like cows and sheep, and whose blood does not gush out forcefully when their jugular veins are slit, are pure.

**Issue 32:** The urine and stool of the animals such as donkeys and horses, whose meat is Makruh (legally disapproved) to eat, are pure.

**Issue 33:** Droppings of the birds, whose meat is illegal, like crows, are pure.

**Issue 34:** The urine and stool of the animals which eat impurities and of those which have been subjected to copulation by human being, and also of those fed and grown on pig's milk are impure.

**Issue 35:** Semen of human being and of those animals, whose blood gushes out forcefully when their jugular veins are slit, is impure.

**Issue 36:** An animal which has died a natural death is called a “dead” animal.

**Issue 37:** The dead body of an animal whose blood does not gush out when its jugular vein is slit, such as fish, is pure.

**Issue 38:** The lifeless parts of the dead body of animals with gushing blood (when their jugular veins are slit) such as hair and horn are pure provided that the animal is not one which is basically impure, i.e., a dog or a pig. However, the living parts of such animals, like their flesh and skin, are impure.

**Issue 39:** The small pieces of skin, which peel from lips and other parts of the body of human being, are pure.

**Issue 40:** Liquid medicines, perfumes, ghee, soap and wax polishes which are imported from non-Islamic countries are pure if one is not certain of their being impure.

**Issue 41:** Meat, ghee, or hide of an animal which is likely to have been slaughtered according to the Islamic laws, is pure and permissible (Halaal) to eat. However, if such things are obtained from an infidel (Kafir) or a Muslim who him or herself has obtained it from an infidel and has not investigated whether the animal was slaughtered according to the Islamic laws, it is forbidden to eat them although they are considered pure. If such things are obtained from Muslim markets, or from a Muslim, but we are not certain whether they themselves have got these things from an infidel, or if it is likely that they have

investigated about the animal whether it was slaughtered according to the Islamic laws, it will be permissible to eat the meat etc., even if it is obtained from an infidel, provided that the Muslim who obtains the meat etc., handles it the way legal (Halaal) meat is handled, for instance, sells it for the purpose of eating.

**Issue 42:** The dead body of a human being (except for the lifeless parts such as hair, nails and teeth) is impure even if they have just died and the body is not cold yet.

**Issue 43:** The dead body of a human being will be pure when given a ritual bath (Ghusl).

**Issue 44:** One who battles in the way of Allah to safeguard Islam, and is killed in the battlefield and departures at the same place, their dead body is pure and does not need ritual bathing and shrouding.

**Issue 45:** The blood of a human being and of every animal whose blood gushes out forth when its jugular vein is cut, for instance, of a sheep or chicken, is impure.

**Issue 46:** The blood of an animal, whose blood is not such gushing kind as mentioned in the previous issue, as of fish or mosquitoes is pure.

**Issue 47:** If an animal whose meat is allowed (Halaal) to eat, is slaughtered according to the Islamic laws, and its blood flows out as to the usual amount, the remaining blood in its body is pure, but if the blood flows back into the body of the animal because of breathing or its head being in a higher position, it will be impure.

**Issue 48:** If a very small drop of blood falls into a boiling food, the whole dish and the contents are impure. Boiling, fire and heat do not purify impurities.

**Issue 49:** The blood seen in some eggs, is not impure, but the obligatory precaution is to avoid eating those eggs; and if the blood is vanished while beating the yolk or otherwise, it is allowable to eat the yolk.

**Issue 50:** A Kafir (infidel) is one who denies God (an atheist), or one who ascribes partners to God and denies the uniqueness of Allah (a poly theist), or does not believe in the Holy Prophet Muhammad (PBUH), being God's messenger, or doubts any of these. Obstinate infidels are absolutely impure; but the infidels who are not obstinate (including most of the infidels) are pure, and the same is the case with those infidels who fight with Muslims for reasons other than Islam and Islamic beliefs, that is, they are not obstinate<sup>1</sup> infidels and religious antagonists, so they are pure.

**Issue 51:** If parents and grand parents of an immature child are obstinate infidels, that child is also impure, and if one of these is a Muslim, the child will be pure.

**Issue 52:** Even the hair, bones, nails, paws, and any moisture and liquid substance of the body of a dog or a pig, which lives on the land is impure.

However, seals and porpoises are pure.

**Issue 53:** Wine or any other beverage, which causes intoxication, is impure, but things like hemp and hashish are pure even if they are diluted with a liquid.

**Issue 54:** All types of alcohol that are used for industrial purposes and in medical treatments, or those we doubt whether they are intoxicating beverages, or we doubt it whether their formulas contain any intoxicating agents, are pure and there is no need for investigation.

**Issue 55:** "Beer" which is prepared from barely, is impure, but the non-alcoholic beverage which is prepared from barely under the supervision of the specialists and is called "barely water", is pure.

**Issue 56:** The sweat of the body of a person who has had an orgasm or become Junub through a forbidden act is not impure. However, the obligatory precaution is to avoid saying prayers with clothes or body which is contaminated with that sweat.

**Issue 57:** If a man has sexual intercourse with his wife at a time when it is forbidden (for instance, while fasting in Ramadhan), the obligatory precaution is to avoid saying prayers in the sweat of his body.

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1- By obstinate infidel we mean one who denies Islam despite knowing that Islam is the true religion, or doubts its rightfulness, intentionally and antagonistically refuses to investigate it and denies Islam.

## Ways to Prove Impurity

**Issue 58:** There are three ways to prove the impurity of something:

- 1- When a person, him or herself makes certain that something is impure; but if they doubt it whether something is impure, it is not necessary to avoid it. So, eating and drinking is allowed at stalls and guesthouses where people with no scruples about impurity frequent to eat, provided that one is not certain about the impurity of the food being served-and this is usually the case.
- 2- When someone who possesses or handles something, says that it is impure. For instance, if one's wife or a cook says that a particular cooking utensil or any thing they handle is impure, then it is impure.
- 3- When two reliable people confirm that something is impure, and even if only one reliable person confirms an impurity, it must be avoided.

## How a Pure Thing Becomes Impure

**Issue 59:** If a pure thing touches an impure thing and if either or both of them are so wet that the wetness of one reaches the other, the pure thing will be impure.

**Issue 60:** If one does not know whether or not a pure thing has become impure, then it is pure. There is no need for examining and checking it, even if they can determine the purity or impurity of that thing.

**Issue 61:** If the ground, cloth, and such things are wet, then only the part where impurity reaches becomes impure, and the rest remains pure. The case is the same with cucumber, melon and the like.

**Issue 62:** If a fly or the like, sits on wet impure things, and then sits on a wet pure thing, the pure thing will be impure, provided that one is sure that the fly was carrying the impurity with it, otherwise it remains pure.

**Issue 63:** If a needle, a knife, or any medical instrument, is inserted into the body, but one is not sure whether blood has reached it, it is pure, and so is it if one is certain that blood has reached it, but there is no trace of blood when the object is pulled out of the body. The same is the case with saliva and mucus of the nose, if they contact blood within the body, but have no trace of it when they come out.

**Issue 64:** It is forbidden to make the script, pages, and the special cover of the Holy Quran impure, and if it becomes impure, it must be immediately purified with water.

**Issue 65:** Giving the Holy Quran to an infidel is allowable per se.

**Issue 66:** It does not matter if the buyer or borrower of an impure thing which can be purified with water is not notified of the impurity of that thing, but if one knows that the buyer or the borrower wants to eat that thing or drink it, they must be notified about the impurity.

**Issue 67:** It is forbidden to drink or eat an impure thing.

**Q68:** Sometimes a viscous liquid similar to semen comes out after urinating and during Istibra', which does not smell of the usual semen. Is this liquid considered as semen?

**A:** What comes out during Istibra', is considered urine, but after Istibra', any liquid coming out of the urinary outlet, is not considered as semen, is pure and does not invalidate Wudhu (ablutions)

**Q69:** What is the verdict on the small amount of liquid which is splashed on one's clothes in the toilet?

**A:** It is pure, unless one is certain that the liquid is a splash of the impurity itself.

**Q70:** What is the verdict on the moisture which reaches the socks from under the shoes, in which there is no observable impurity?

**A:** Because it is not certain that the moisture is impure, then it is pure, and so are the socks and shoes.

**Q71:** What is the verdict on peeling the skin of the body or a wound, removing a tooth etc.? Are these peelings impure?

**A:** If it does not involve any glaring harm, it is not forbidden. Small and tiny peelings are not impure, but the big ones are.

**Q72:** What is your view on purity or impurity of the People of the Book? Is it allowable for Muslims to socialize, make friends, and eat with them?

**A:** Obstinate infidels are absolutely impure, but the infidels who are not obstinate, including almost all of the infidels are pure, and socializing with them is permissible. If a person wants to eat with them, and the meal includes meat and its derivatives, care must be taken to make sure whether the animal has been slaughtered in God's name, i.e., after saying "Bismillah".

**Q73:** What is your view on shaking hands with or touching the wet body of infidels? Is there any difference between the People of the Book and other infidels in this regard? What about their dry body?

**A:** The infidels, who are not obstinate, are absolutely pure. As for the obstinate infidels, if the moisture of their body reaches one's body, then their body will be impure, but merely coming into contact with them, does not make one's body impure, and there is no difference between the People of the Book and other infidels in this regard.

**Q74:** What is the verdict on socializing, eating, and sharing pensions, kitchen utensils and bathrooms with infidels?

**A:** It does not matter to share or use non-Muslim's tools and facilities, and despite the view of impurity of infidels, the impurity of their tools and facilities is not certain regarding the condition of impurity- especially at our time when gloves, washing machines, dish washers and tap water are in use; and according to my recent view of purity of the infidels who are not obstinate, it will not be problematic.

Moreover, most and almost all of the infidels, even those who fight with Muslims for reasons other than Islam and Islamic beliefs, are not viewed as obstinate infidels and are pure. Of course, the animals slaughtered in infidels' territories, are considered illegal (Haraam), and it is not permissible to eat their meat etc., unless it is certain that the act of slaughtering has been done in the name of God, that is, after saying "Bismillah", and according to other Islamic rules as well. It is better to avoid eating and drinking in dishes which are likely to have been used for eating and drinking impure things like wine etc.

**Q75:** What is the verdict on using eau de colognes which are manufactured in other countries and whose applied formulas and producers we do not know?

**A:** Since we do not know the formulas and whether or not they have come into contact with impure things, they are pure and there is no need for investigation.

**Q76:** Is it forbidden to use toilets whose constructions directly face the Quiblah? Sometimes, some people who do not know about this use such toilets. Is it necessary to notify them of that, or must these toilets be destroyed and redesigned?

**A:** It is forbidden to face the Quiblah while relieving oneself, and it is obligatory for one who wants to use the toilet, to redesign it if it faces the Quiblah provided that they can afford it, and the people in charge must be notified; But it is not obligatory to notify others of the problem, and this notification must even be avoided if it is likely to put them to any inconvenience.

**Q77:** I have burned most of my frontal hair and referred to hair specialists for hair repair using artificial hair which is imported from foreign countries. Is such artificial hair pure?

**A:** It is pure.

**Q78:** If one's whole body is wet and part of their body reaches impurity, will the whole body be impure and have to be washed and purified with water, or will that suffice to wash the contact point?

**A:** The whole body will not be impure, so it suffices to wash the contact point, unless the impurity has reached the other parts of the body through the moisture.

**Q79:** Your view on obsession is that an obsessive person must not care about their obsession. Is blood or urine impure for an obsessive person?

**A:** An obsessive person must not care for their certainty, and even if they are certain about the impurity caused by blood or urine, it is pure for them, unless others warn them of such impurity.

**Q80:** What is the verdict on an obsessive person's notification about purity or impurity of things (especially impurity)?

**A:** An obsessive person's statement and notification does not deserve any care and attention.

## Mutahiraat (Purifiers)

**Issue 81:** Mutahiraat purify impurities. Below is the list of the main purifiers:

- 1- Water
- 2- Earth
- 3- The sun
- 4- Islam
- 5-Removal of the original impurity (Najis-ul-ayn) the way it will be explained later
- 6- Transformation (Istihala)
- 7- Transfer

## Rules of Water

There are different types of water, learning about which would help us better learn the related issues.

**Issue 82:** Water is either “Mudhaf” or “Mutlaq”.

“Mudhaf” water refers to the juice or extract of something like melon juice or rose-water, or water which contains some substance mixed in it like muddy water.

“Mutlaq” water is pure and unmixed.

**Issue 83:** Mudhaf water might clean dirt, but never purifies the impurities; hence it is not a purifier.

If Mudhaf water reaches any impurity, it will become impure, even if the impurity is small and the Mudhaf water is large in amount, and the smell, color or the taste of the water does not change.

-Ablutions (Wudhu) and ritual bathing (Ghusl) performed with Mudhaf water, is void.

Mutlaq water has five different types:

- 1- Qualeel (under-Kurr) water
- 2- Running water
- 3- Well water
- 4- Kurr water
- 5- Rain water

-Rain water is the water which falls as rain from the sky.

-Running water is the water which gushes forth from and flows out of the earth, like spring water or the running water in a subterranean canal. If the gushing water does not flow on or under the surface of the earth, it is accounted well water.

-The water which neither gushes forth from the earth nor falls from the sky can be either Kurr or Qualeel water depending on its quantity.

**Issue 84:** Kurr water is the amount of water which fills a container with length, breadth and depth of three and a half spans each, i.e., 42.5 cubic spans in dimension, and weighs nearly 377.419 kilos.

## Qualeel (Under-Kurr) Water

**Issue 85:** Qualeel water becomes impure as it reaches any impurity, unless the impurity is washed with Qualeel water at high pressure. Thus, only the part which reaches the impurity, is impure, and the part above it and the rest in the container is pure.

**Issue 86:** If running water or Kurr water reaches and mixes with impure Qualeel water, the Qualeel water becomes pure, and if it smells, tastes, or carries the color of the impurity, it must be mixed with running or Kurr water so much as to remove the smell, taste, or color of the impurity.

## Kurr, Running, Well and Rain Water

**Issue 87:** All types of Mutlaq water except Qualeel water are pure when they reach any impurity, unless the smell, taste, or the color of the water changes, and if the smell, taste, or color of the water changes due to its contact with impurity, it becomes impure.

**Issue 88:** The tap water in buildings which is connected to a source of Kurr water is considered Kurr water.

**Issue 89:** Some of the characteristics of rain water:

- If rain falls once on an impure thing which does not contain the original impurity itself (something which is impure per se like blood or urine), it becomes pure.
- If rain falls on impure carpets or clothes, they become pure and it does not need to be at high pressure.
- If rain falls on an impure piece of land, it becomes pure.
- If rain water collects some where, even if the amount is less than a Kurr, any impure thing which is washed in it, becomes pure provided that it is washed while it is raining, and the water does not assume the smell, taste, or color of the impurity.

## How to Purify Impurities with Water

**Issue 90:** To purify impurities, first, the very original impurity must be removed.

**Issue 91:** A utensil which is used for eating or drinking can be purified after the removal of the original impurity in one of the following ways:

1- With Kurr water: dip the utensil in Kurr water once and take it out.

2- With Qualeel water: fill it up with water and empty it three times, or pour some water in it, shake the dish so that the water reaches the impure parts and empty the utensil. This should be done three times.

**Issue 92:** If solid things other than eating and drinking utensils become impure with urine, to purify them, it suffices to pour water once provided that it flows off the impure thing and removes all traces of urine, and it makes no difference whether the urine is wet or has dried up, whether it is the urine of a human being or of an animal whose meat is illegal to eat, and if the impurity is something other than urine, it will be pure after removing the traces of the original impurity.

**Issue 93:** Things such as carpets, clothes etc., which absorb water while purification, must be squeezed or moved in such a way that the water inside is removed.

**Issue 94:** If the exterior of wheat, rice, soap etc., becomes impure, it will be pure by dipping in Kurr or running water, but if the interior becomes impure, it can not be purified.

**Issue 95:** No impure thing becomes pure, unless the original impurity is removed, but it does not matter if the color or the smell of the impurity remains in it. So, if blood is removed from some clothes and then the clothes are washed, the clothes will be pure even if the color of the blood remains on it; but if on account of the color or smell, one makes certain or thinks it is likely that some traces of the impurity are still present, it will remain impure.

## Earth

**Issue 96:** Solid things, into which impurity can not penetrate, if impure, can be purified by walking on or rubbing against earth, provided that the original impurity is removed, earth is pure, and it is not muddy.

**Issue 97:** Carpets, grass, tarmac and wooden or tiled floor can purify impure things just as does earth.

**Issue 98:** For the sole of one's impure foot or shoe to be purified, it is not necessary to be wet, and it can be made pure by walking even if it is dry.

## The Sun

**Issue 99:** Earth and the things on/in it, like plants, building, and the building parts and materials are made pure by the sun provided that the conditions in the following issue are observed.

**Issue 100:** The sun is considered a purifier under the following conditions:

1- The impure thing must be wet so much as to wet the things in contact with it.

2- The sun must dry the impure thing by itself, that is, it must not be dried with the help of the wind for instance.

3- The sun must strike the impure thing directly not through things like clouds or curtains, unless, in the case of the clouds, they are so thin that they do not block out the sun.

4- If the original impurity is there, it must be removed before it is touched by the sun.

5- The sun must dry up the impure exterior and interior parts of a wall or earth all at once, so if the exterior is dried on one day and the interior is dried on the next day for instance, only the exterior will be pure and the interior will remain impure.

6- There must not be any air or any other pure thing between the exterior and interior of earth or a building which is struck by the sun.

**Issue 101:** When earth and the like are impure but not wet, if they are made wet with some water or anything else and then they are touched by the sun, they will be pure.

## Islam

**Issue 102:** If obstinate infidels pronounce the “Shahadatayn”, that is, “**Ash hadu anla ilaha illallah wa ash hadu anna Muhammadan Rasulallah**”, which means to testify the uniqueness of Allah and the Prophethood of Muhammad the Prophet (PBUH), they become Muslims, and their bodies, saliva, sweat and mucus of the nose will be pure afterwards. Also if they give up their enmity towards Islam, even though they have not become Muslims, they will be pure.

**Q103:** If after long discussions and considerable attempts a Christian is ready to accept Islam and pronounce the Shahadatayn (see the above issue), does it matter if they say them in any language other than Arabic or must they be said in Arabic?

**A:** In whatever language he pronounces the Shahadatayn, he will be considered and treated as a Muslim.

## Removal of the Original Impurity (Najis-ul-Ayn)

**Issue 104:** Impure solids into which impurity can not penetrate will be pure if the original impurity is removed, and it is not necessary to wash them or purify them with other purifiers (Mutahirat); But in cases where there is a special way offered by the sacred law of Islam to purify something such as eating and drinking utensils, the urinary outlet, the utensils licked by dogs and pigs or the ones in which they drink water, the impure thing can not be purified by the mere removal of the original impurity.

**Q105:** If the Holy Quran becomes impure, and we know that it will be destroyed if it is washed, then what must be done?

**A:** In the given situation, washing the Quran is obligatory.

**Q106:** Because of the application of chemical substances like chlorine, sometimes tap water looks white and milky and it becomes clear after a while. What is the verdict on performing ablutions with it? Is it considered Mudhaf water?

**A:** This water is Mutlaq water because if it is taken to any one, they would say that they brought us some water, or if any one sees it, they would say that it is water, and given this quality, people would not say that they do not have water or water is not available. Furthermore, if one doubts about the water being Mutlaq, because it had been Mutlaq water before adding the substance, it is considered as Mutlaq water and it is not different from other Mutlaq waters.

**Q107:** In your Towdhih-ul-Masa'il you have stated, “The blood which dribbles from the gums into the saliva and thus vanishes is pure”. Does this rule include other bloods in the mouth like the blood from the tongue or from the interior of the cheeks?

**A:** Any blood which comes from the inside of the mouth and vanishes at the same place is pure.

**Q108:** While having injections, there is usually some blood in the place of injection which is removed by a piece of alcohol-soaked cotton. Is the spot impure and must it be washed?

**A:** It is not necessary to wash it and it will be pure after the removal of the original impurity (Najis-ul-Ayn), i.e. blood in this case.

## Istihalah (transformation)

**Issue 109:** If an impure thing undergoes such changes that it assumes the category of pure things, it will be pure. For example, if an impure piece of wood burns and is reduced to ashes, or when a dog falls in a salt marsh and transforms into salt, it will be pure. But a thing will not be purified if the essence or the category does not change. For example, when impure wheat is ground into flour, or is baked as bread, it will not be pure.

**Issue 110:** If wine turns into vinegar spontaneously or by adding some things like salt and vinegar to it, it will be pure.

## Intiqal (Transfer)

**Issue 111:** If the blood of a human being or of an animal whose blood gushes forth when its large vein is cut, is transferred to the body of an animal whose blood does not gush out forth when its large vein is cut, and thus it is considered as the latter animal's blood, it will be pure. This is referred to as transfer. So, when a leech sucks the blood of a human being, because it is not considered as the blood of the leech itself, and is accounted the blood of the human being, the blood will be impure.

**Issue 112:** If one kills a mosquito sitting on their body and blood comes out of its body, the blood will be pure if they are not sure whether it is their blood or the mosquito's, and so is the blood if they know that the blood is theirs but now it is considered part of the mosquito's body. But if the gap between the mosquito's sucking and its being killed is so short that it is accounted the blood of that person, or if it is not certain whether it is that person's or the mosquito's, it will be impure.

**Q113:** Is an organ which is transplanted from someone into someone else pure? If impure, what is the verdict on praying with it?

**A:** If it is commonly considered as a part of the body, because after connecting, it joins the body, then it is treated as other parts of the body.

## Rules of Utensils

**Issue 114:** It is forbidden to eat or drink in gold or silver utensils or generally use them in one way or another for any purpose; but it is not forbidden to keep and use them as decoration.

**Issue 115:** Making gold and silver utensils and the money earned in that way is not illegal.

**Issue 116:** If the cup holder of a cup is made of gold or silver, and it can be considered separately as a utensil itself, it is forbidden to use it with or without the cup, but if it is not accounted as a utensil itself, it is not forbidden.

**Issue 117:** It is not forbidden to use gold-plated or silver-plated utensils.

## Ablutions (Wudhu)

To say prayers, one must first perform ablutions (Wudhu) and prepare for this great worship. In some cases, they must perform Ghusl (ritual bathing), that is, they must wash their whole body and whenever they can not perform Wudhu or Ghusl, they must perform Tayammum instead, all of which are explained in the following.

### How to perform Wudhu

**Issue 118:** To perform Wudhu, one must first wash their face, then the right and the left hands respectively, and finally with the remaining moisture on the palm of the hands they must wipe (Mas'h) their head, right and left feet respectively.

**Issue 119:** To perform Wudhu, one must first wash their face from the upper part of the forehead where hair grows, up to the lowest end of the chin and to make sure that the prescribed part has been thoroughly washed, one should also wash a bit of the adjacent parts.

**Issue 120:** It is an obligatory precaution to wash the face downwards.

**Issue 121:** After washing the face, first the right and then the left hand must be washed from the elbows to the tips of the fingers.

**Issue 122:** To make sure that the elbow has been washed thoroughly, one should also wash some portion above the elbow.

**Issue 123:** Even one who has washed his hands up to the wrists before washing his face, must wash their hands up to the tips of their fingers while performing Wudhu, and if they wash them only up to the wrists, their ablution will be void.

**Q124:** People usually wash their face using one hand when they perform Wudhu. Is there any difference between using one hand and both hands in this regard? Is it recommended for men to wash their hands from posterior of elbows?

**A:** There is no difference and what is obligatory in Wudhu, is washing the face and there is no reliable evidence on the manner of doing it, that is, whether to use one or both hands. Yes, it is necessary to wash the hands downwards and it is recommended for men to wash the hands from the posterior of elbows.

**Issue 125:** The place on the head to be wiped (Mas'h) is one fourth of the head which is above the forehead.

**Q126:** Must we wipe the front part of the head? Must the movement of the hand be forwards while wiping the head? Must we wipe the head with the right hand? Is it necessary to wipe the feet one after the other or is it allowable to wipe them both at once?

**A:** The place to be wiped is one fourth of the head which is above the forehead, and it suffices to wipe any part of that place to any length and breadth. Wiping the head backwards is not forbidden although the recommended precaution is to wipe the head forwards. It is not necessary to wipe the head with the right hand. It is not forbidden to wipe both feet at once but wiping the left foot before the right one is not allowed.

**Issue 127:** One must wipe the head to the extent that any observer considers it as a wiping action if they see it.

**Issue 128:** It is recommended to wipe the head to the length of one finger and the breadth of three joined fingers.

**Issue 129:** It is not necessary to wipe the skin of the head, and wiping the front hair, too, will be correct, unless the hair is so long that when combed, it falls on the face. In this latter case, one must wipe the skin of the head or the roots of the hair.

**Issue 130:** After wiping the head, using the remaining moisture on the palms of the hands, one must wipe their feet from the tip of one of the toes up to the insteps (the part between the ankle and the toes).

**Issue 131:** In wiping the head and the feet, the hand must move while wiping and if one holds the hand still and moves the head or feet against it, their Wudhu will be void.

**Issue 132:** If there is not enough moisture on the palms of the hands to perform the wiping, one can not wet them with any additional fresh water, but they must wet their palms from the wetness of the other parts involved in Wudhu and then do the wiping.

**Issue 133:** The palms of the hands must be wet enough to affect the head and the feet.

**Issue 134:** The place to be wiped on the head and feet must be dry. So if it is wet, it must be dried first. But if the existing wetness is so little that the moisture observable after wiping can be accounted as the result of the wetness of the palms, it is not forbidden.

**Issue 135:** Nothing like a veil, socks, shoes, or hats is allowed to intervene between the hands and head or feet while wiping, even if it is very thin and the moisture can reach the skin through it, unless having those things on is inevitable, for example, for fear of thieves or predators.

**Issue 136:** The place to be wiped must be pure. If it is impure, and one can not purify it, they must perform Tayammum.

## Conditions of Wudhu

**Issue 137:** the following conditions determine the correctness and validity of Wudhu and even if one of them is not observed, the Wudhu will be void:

1. The water must be pure.
2. The water must be permissible to use (Mubah; not usurped)
3. The water must be Mutlaq (not Mudhaf)

**Issue 138:** The Wudhu performed with impure water is void, even if one does not know or has forgotten that the water is impure, and if they have said prayer with that Wudhu, they must perform it with a correct Wudhu again.

4. The parts of the body involved in Wudhu must be pure.
5. Anything which may prevent the water from reaching the parts involved must be removed.

**Q139:** Because of their jobs, some people (like painters, auto mechanics and carpenters) are involved in handling paints, glues, grease and the like, and sometimes some traces of these things, do not wash off

despite the careful wash before performing ablutions. What is the verdict on this?

**A:** If it does not prevent the water from reaching the skin, it does not matter.

**Q140:** I have burned my frontal hair and I wear artificial hair. What are the verdicts on wiping and the Ghusl of such artificial hair?

**A:** In this case, one must wipe the skin, and if any intervening thing like artificial hair prevents the water from reaching the skin, the wiping and the Ghusl will be void, but if the artificial hair is planted in the skin so that it is impossible or difficult to remove it, it is considered a case of Jabeerah (bandage or splints and the like used to protect or support the injured parts).

**Q141:** What is the verdict on the Wudhu or Ghusl of those who have tattoos on their body?

**A:** Tattoos and whatever under the skin do not invalidate the Wudhu or Ghusl.

**6.** One must perform Wudhu with the intention of Qurbah (obeying and worshipping Allah) and with no intention of hypocrisy.

**7.** Wudhu must be performed the way it was explained earlier.

**8.** To perform Wudhu, the acts must be done in the prescribed sequence one after the other with no time gap in between. Walking while performing Wudhu is not forbidden. So, if one takes some steps after washing their face and hands and then wipes their head and feet, their Wudhu will be correct.

**9.** A person performing Wudhu must wash their face and hands and wipe their head and feet themselves without any help of others. If anyone helps them in performing Wudhu, i.e., in pouring water on their hands and face and wiping their head and feet so that they both wash and wipe together, the Wudhu will be void; but holding the water container or hose pipe for a person performing Wudhu and even pouring water on their hands do not invalidate the Wudhu provided that the person him or herself does the washing and wiping acts. The sort of help which invalidates the Wudhu is that which is a help with the Wudhu itself so that observers would say that someone else performed the Wudhu for them.

**10.** One must have enough time to perform Wudhu and say prayers.

## The Explanation of the Conditions of Wudhu

**Issue 142:** The Wudhu performed with impure water is void, although one does not know or has forgotten about its being impure, and if they have said their prayer with that Wudhu, they must perform it again with a correct and valid Wudhu.

**Issue 143:** The Wudhu performed with Mudhaf water is void, but if one did not know or had forgotten about its being Mudhaf, and then they performed their Wudhu with that, their Wudhu would be valid.

**Issue 144:** The water used for performing Wudhu must be legally permissible to use. So, in the following cases Wudhu will be void:

**1.** Performing Wudhu with the water whose owner has not consented to the use of it and their disagreement is obvious.

**2.** Performing Wudhu with the water whose owner's consent we are not certain about.

**3.** Performing Wudhu with the water which has been dedicated exclusively to particular people is not permissible for others. For instance, one can not perform Wudhu in the pool dedicated to the students of a school or at the Wudhu room of a mosque which has been dedicated exclusively to the people who say prayers there.

**Issue 145:** Performing Wudhu in canals and streams is not forbidden, even if one does not know whether the owner consents to it. But if the owner does not consent to the use of that water, the obligatory precaution is to avoid performing Wudhu with that water.

**Issue 146:** If the water for performing Wudhu is in a usurped container, and there is no other source of water available, one must perform Tayammum and if they perform their Wudhu with that water, it will be void if it is an Irtimasi Wudhu (immersion of the parts involved in Wudhu in water), and if with the intention of Wudhu they pour water on their body with the container or by taking some handfuls of water out of that container and thus perform their Wudhu, they have committed a sin, but their Wudhu is not void. However, it is a recommended precaution to perform the Wudhu again.

**Issue 147:** The parts of the body involved in Wudhu, i.e., face, hands and feet must be pure while washing and wiping.

- Issue 148:** If parts of the body other than the ones involved in Wudhu are impure, Wudhu will be valid. But if anus or the urinary outlet is impure, it is better to purify it first and then perform Wudhu.
- Issue 149:** If there is anything on the face or hands, which prevents water from reaching them, it must be removed before performing Wudhu.
- Issue 150:** If there is anything on the head or feet, it must be removed, even if it does not prevent water from reaching them, since there must not be anything intervening between the palm of the hand and the part to be wiped.
- Issue 151:** Ink, grease, cream, and paint stains (provided that the paint does not leave any incrustations) are not considered as intervening things, but if there is any incrustation on the skin, it must be removed first.
- Issue 152:** If one knows that there is something stuck to the parts involved in Wudhu, but they do not know whether it would prevent water from reaching that part, they must remove it, or make water reach underneath it.
- Issue 153:** the tasks of Wudhu must be done as follows:  
One must first wash their face, then the right hand, then the left hand and then they must wipe their head and feet respectively. The obligatory precaution is that one must not wipe their left foot before the right one, but if they are both wiped at once, the Wudhu will be valid.
- Issue 154:** Muwallaat refers to the tasks of Wudhu being done one after the other without any time gap.
- Issue 155:** If the time gap between the tasks of Wudhu is so long that when one washes or wipes one part, the wetness of the preceding washed or wiped parts has dried up, the Wudhu will be void.
- Issue 156:** If after performing Wudhu, one finds something on the parts involved in Wudhu which prevents water from reaching them and they do not know whether it was present at the time of Wudhu or whether it has appeared later, their Wudhu will be valid.
- Issue 157:** One, who can perform Wudhu him or herself, must not receive any help from others. So, if someone else washes their face and hands or wipes their head for them, their Wudhu will be void.
- Issue 158:** one who can not perform Wudhu him or herself must perform it with the help of someone else, but they must make the intention (Niyyat) themselves.
- Issue 159:** If a person can not perform Wudhu themselves, they must appoint someone to assist them, and if that person demands any payment for what they do, they must be paid, provided one can afford; but the intention of performing Wudhu must be made by them themselves, and they must do the wiping using their own hands if possible. Otherwise the assistant may help them move their hands and do the wiping and if this is also impossible for them, their assistant must do the wiping using the wetness of the palms of the person being helped themselves.
- Issue 160:** Wudhu must be performed with the intention of Qurbah, that is, they must perform it to obey the order of God and it is not necessary to verbalize the intention (Niyyat) or mentally notice it, because intention here refers to the drive and desire to do something to worship and obey Allah, and it suffices that they know they are performing Wudhu so that if they were asked what they were doing they would say they were performing Wudhu.
- Issue 161:** If the time is so short that by performing Wudhu, the entire prayer or a part of it will have to be offered after its time, one must perform Tayammum, but if they feel that the time required for performing Tayammum would be the same length as the time for Wudhu, they must perform Wudhu.
- Q162:** If after performing ablutions or ritual bathing (Wudhu or Ghusl), a person doubts whether they have done some parts of it or have completed it, then what will the verdict be on such ablutions or ritual bathing?
- A:** They must ignore their doubt, because it is a case of Feragh and Tajavoz (doubting the correctness of an action after it is done).

## Jabeerah Wudhu

Jabeerah refers to all sorts of bandages or splints that help to protect or support wounds, injured and broken

parts of the body and also to the medications applied to a wound etc.

**Issue 163:** If one has any wounds or broken parts on their Wudhu parts, and they can still perform Wudhu in the usual manner, they must do it. For example, if it is an open wound on which water does not inflict any harm, or if it is a bandaged wound but it is possible to open it and water is not harmful to it, one must perform the usual Wudhu.

**Issue 164:** If one has an open wound in his face or hand and if water is harmful to it, it suffices to wash the adjoining parts, but if touching it with a wet hand is harmless, it is better to do so.

**Issue 165:** In performing Jabeerah Wudhu one must perform Wudhu as in the usual manner on parts which are possible to be washed or wiped, and touch the Jabeerah parts with their wet hands where it is not possible to perform the usual Wudhu.

**Issue 166 :** If there is an open wound in the front part of the head or on the foot, and one can not wipe it, they must put a piece of pure cloth on it and then wipe the cloth with the wetness of Wudhu on their palm.

**Issue 167:** If there is more than one Jabeerah on the face or hands, one must wash the parts between them and wipe the Jabeerahs, and if the Jabeerahs are on their head or feet, they must wipe the Jabeerahs and the parts between them.

**Issue 168:** One who has a Jabeerah on their palms or fingers, and has wiped it with their wet hands, may use the wetness on the Jabeerah to wipe their head and feet or get some wetness from the other Wudhu parts.

**Issue 169:** If Jabeerah has covered the entire surface of the face or of a hand, Jabeerah Wudhu would still suffice.

**Issue 170:** If Jabeerah has covered the entire breadth of a foot, but a part from the side of the toes and a part from the upper part of the foot are open, one must wipe the open parts as well as the Jabeerah.

**Issue 171:** If Jabeerah has covered the parts around a wound more than the common extent, and it not possible to remove it, it must be treated as Jabeerah and the recommended precaution is to perform Tayammum as well, but if it is possible to remove the Jabeerah, they must do so.

**Issue 172:** If some thing has stuck to the Wudhu or Ghusl parts, which is impossible to remove, or to remove which is so difficult and painful that one can not bear, it must be treated as Jabeerah.

**Issue 173:** If the Jabeerah is impure or one can not wipe it with a wet hand, for instance, it is a medication which sticks to the hand, it must be first covered with a piece of pure cloth and then wiped with a wet hand.

**Issue 174:** Jabeerah Ghusl (ritual bathing) is the same as the Jabeerah Wudhu, but the recommended precaution is to perform it in the sequential manner (Tarteebee) and not in the immersion manner (Irtimasi), and if the immersion Ghusl is harmful to a person or causes the impurity to reach the other parts of the body, performing it in the sequential manner is a must.

## Things for Which Wudhu Is Obligatory

**Issue 175:** In the following cases, one must perform Wudhu as on obligation:

To say prayers (except the prayers for dead or Namaaz-e-Mayyit)

- To perform the prostrations and Tashahuds [testifying the uniqueness of Allah and the Prophethood of Muhammad the Prophet (PBUH)] which one has forgotten to perform during their prayers.
- To perform the vows, pledges or promises one has made.
- To perform the obligatory circumambulation of the Holy Ka' bah.
- To touch or to come into contact with the script of the Holy Quran and the name of Allah with any part of the body.

**Issue 176:** The prayers or the obligatory Circumambulation of the Holy Ka'bah offered without performing Wudhu, is void.

**Issue 177:** It is forbidden for one who has not performed Wudhu to come into contact with the following cases with any part of their body:

- 1- The script of the Holy Quran, but to touch its translation without Wudhu is not forbidden.

2- The name of Allah in whatever language it is written, such as “Allah” “Khoda” and “God”.

3- The names of the Holy Prophet, Imams and Her Holiness Fatima Zahra (PBUT) as an obligatory precaution.

**Issue 178:** If a person performs Wudhu or Ghusl before the time of prayers with the intention of being in a state of purity or preparing for prayers, it is considered valid and they can say their prayers with the same Wudhu or Ghusl when it is time for prayers.

**Issue 179:** It is recommended to perform Wudhu for the following purposes:

1- Entering a mosque or the shrines of the Holy Prophet and Imams (PBUT).

2- Reading, reciting or writing the Holy Quran.

3- Keeping the Holy Quran with oneself.

4- Touching or coming in contact with the Holy Quran or its cover with any part of the body.

5- Visiting the graves.

6- Performing the prayers for dead (Namaaz-e-Mayyit)

7- Sleeping

## How Wudhu Becomes Void

**Issue 180:** One's Wudhu will be void if any of the following cases occurs:

1- Passing urine or stool out from the body or releasing the air from the bowels through the anus

2- Sleeping such that neither the ears hear nor the eyes see anything

3- Things which cause one to lose reason and sense and bring about insanity, drunkenness and anesthesia

4- Women's Istihadha (irregular discharges) which will be explained later

5- Things such as Janabah, which necessitate a Ghusl

**Q181:** Will one's Wudhu be void if the wetness from wiping the head reaches the wetness of the face?

**A:** It does not matter and the Wudhu will not be void.

**Q182:** Is it allowable to wipe the head and feet twice?

**A:** It does not matter, but it should be avoided, and if it leads to obsession, it is forbidden.

**Q183:** What is the verdict on one's Wudhu if someone else pours water on their hand with a ewer and they perform Wudhu, since they have broken their hand and it is in a plaster cast?

**A:** Given the above case, it does not matter, provided that one does the washing of their face and hands themselves.

**Q184:** What is the verdict on women's performing Wudhu in public places where they may be at the sight of Non-Mahram people?

**A:** It is obligatory for women to cover their bodies so as to keep them from the sight of Non-Mahrams. However, the Wudhu will be valid.

## Rules Concerning the Holy Quran

**Issue 185:** The Holy Quran must always be kept pure and clean; it is illegal to make the script and the pages of the Holy Quran impure, and if it becomes impure, it must be rinsed and purified.

**Issue 186:** If the special cover of the Holy Quran becomes impure, it must be purified with water.

## Touching the Scripts of the Holy Quran

**Issue 187:** Touching the scripts of the Holy Quran with any part of one's body is illegal for a person who has not performed ablutions.

**Issue 188:** In touching the scripts of the Holy Quran, there is no difference between verses and words and even letters and pronunciation indicators (E'rab).

**Issue 189:** It does not make any difference whether the scripts of the Holy Quran have been written on paper,

earth, walls, or cloth.

**Issue 190:** It does not make any difference whether the scripts of the Holy Quran are written in ink or with chalk, or printed etc.

**Issue 191:** Even if the script of the Holy Quran is written somewhere other than in the Holy Quran itself, it is illegal to touch it without Wudhu; thus, if a verse of the Holy Quran is written in some other book, or even if a word of it is written on a piece of cloth, or half a word of it has been cut off a page of the Holy Quran or some other book, it is illegal to touch it without Wudhu.

**Issue 192:** The following are cases which are not considered as touching the script of the Holy Quran and thus are not deemed illegal:

1- Touching it from behind a glass or plastic.

2- Touching a page of the Holy Quran, its cover and the spaces around the scripts (although it is legally disapproved, i.e., Makruh)

3- Touching the translation of the Holy Quran in any language, except for the name of Allah whose translation in any language must be touched while being in the state of purity (having performed Wudhu), for instance, to touch the word “khoda”, which is the Persian equivalent for “God” without Wudhu is illegal; as an obligatory precaution, so is the case with the names of the Holy Prophet, Imams, and Her Holiness Fatima Zahra (PBUT).

**Issue 193:** In the case of those words which are common between Quranic and non-Quranic scripts and writings, such as the words, “Mu’min” and “Al-Ladheena”, it is illegal to touch them without Wudhu if the writer has written them with the intention of quoting the Holy Quran.

**Issue 194:** It is illegal for a Junub person to touch the lines and scripts of the Holy Quran.

**Issue 195:** A Junub person must not recite those chapters of the Holy Quran which include obligatory prostrations.

**Q196:** Is burning God’s name legally problematic?

**A:** It is not permissible to do so and to prevent any possible disregard concerning God’s name, papers which bear His name should be buried; it is also permissible to throw it into water, and it is even extolled.

**Q197:** What is the verdict on writing verses of the Holy Quran with chalk on a board and rubbing it out?

**A:** Providing that the chalk and the duster are pure, it will be permissible.

**Q198:** What is the verdict on one’s going to toilet while having the Holy Quran in their pocket?

**A:** If it does not involve disregarding and desecrating the Holy Quran, it will be permissible.

**Q199:** What is the verdict on sitting on newspapers which might bear some verses of the Holy Quran or some traditions, regarding the fact that such newspapers are sometimes thrown away to the streets and paths?

**A:** In case it is not certain, it will not be illegal to sit on such newspapers, but if one is certain that a newspaper bears some Quranic verses, it will be illegal to sit on it since it will be deemed as desecration of the Holy Quran.

## Ghusl (Ritual Bathing)

Sometimes, to say prayers and perform other religious worships which necessitate performing Wudhu, it is obligatory to perform Ghusl.

### How to Perform Ghusl

**Issue 200:** In Ghusl, the whole body, the neck and the head must be washed, whether it is an obligatory Ghusl like Janabah or a recommended one like Friday Ghusl. In other words, all Ghusls are performed in the same way but differ in intention (Niyyat).

**Issue 201:** Ghusls can be performed in two ways, sequential (Tarteebee) and immersion (Irtimasi).

In sequential Ghusl, first, one must wash their head and neck and then the rest of the body.

In immersion Ghusl, one must immerse their whole body gradually or at once in water. To do so, the water must be so much as to submerge the whole body.

**Issue 202:** In Ghusl, all visible parts of the body must be washed, but it is not obligatory to wash the invisible parts like the ear canal or the nostril.

- Issue 203:** Anything which prevents water from reaching the body must be removed, and if one performs Ghusl before they make certain that it has been removed, the Ghusl will be void.
- Issue 204:** If a Hadath-ul-Asghar (any of the things which invalidate Wudhu and necessitate performing it again) occurs while performing Ghusl, the Ghusl will not be void, but it is not permissible to say prayers with that Ghusl, and to say prayers they must perform Wudhu.
- Issue 205:** If one thinks that they have enough time to perform Ghusl and their prayers, and thus perform Ghusl to say prayers, but after performing Ghusl they find out that they have not had enough time for Ghusl, their Ghusl will be valid.
- Issue 206:** If one who is in the state of Janabah doubts whether he or she has performed Ghusl, the prayers they have offered are correct and valid but for the next prayers to be said, they must perform Ghusl.
- Issue 207:** If one is in the state of Janabah, touching the Name of Allah or a verse of the Holy Quran written or tattooed on their body is forbidden, and if he or she wants to perform Ghusl, they must wash the body in such a way that the above-mentioned written or tattooed words are not touched.
- Issue 208:** A person, who has performed Janabah Ghusl, does not need to perform Wudhu for prayers; just as they are allowed to say prayers with other Ghusls and it is not necessary to perform Wudhu in the latter cases either.

## Conditions under Which Ghusl Is Valid

- Issue 209:** All conditions which were considered necessary for Wudhu to be valid are also accounted as requisites for the validity of Ghusl, except for Muwalaat (time succession). It is not necessary to wash the body downwards either.
- Issue 210:** A person, who must perform more than one obligatory Ghusl for different reasons and purposes, is allowed to perform one Ghusl intending it to represent all the others or perform them one by one.
- Q211:** Is it permissible to offer prayers with recommended Ghusls like Friday Ghusl etc. or with obligatory Ghusls other than Janabah Ghusl, and is this sufficiency of Ghusl for prayers specifically appertained to Janabah Ghusl as it is mentioned in Ibn-e-Abi Omayr's Mursalat, "Every Ghusl must be preceded by Wudhu except Janabah Ghusl", or his other Mursala, which means, "There is Wudhu in every Ghusl except Janabah"?
- A:** It is unnecessary to perform Wudhu after any Ghusl and it does not appertain to Janabah Ghusl and as it is mentioned in Muhammad-ibne-Muslim's Sahiha (a reliable tradition), "Ghusl is a more pure wash than Wudhu, therefore it is sufficient for prayers, and Wudhu is unnecessary when Ghusl is performed". To explain this, since a Sahiha is more reliable than a Mursala, it is preferred, and in case there seems to be a contradiction, it is considered primary, as it is then obviated by a careful common consideration of both traditions.
- Issue 212:** In immersion Ghusl, the entire body must be pure, but in sequential Ghusl, it is not necessary for the entire body to be pure; thus, it suffices to purify each part before performing the Ghusl of that part.
- Q213:** When one performs Ghusl, is it allowable that they perform the Ghusl of an impure part of the body by the time they are purifying that part from impurity?
- A:** It is not allowable to purify and perform Ghusl at once with a single rinse, unless it is intended that they use some of the water for purification and the rest for performing the Ghusl of that part, that is, they must do them in two stages.
- Issue 214:** Jabeerah Ghusl is similar to Jabeerah Wudhu.
- Issue 215:** A person who is keeping an obligatory fast is not allowed to perform immersion Ghusl because it is not allowed to immerse one's head in water while fasting; but if one performs immersion Ghusl in such a situation due to forgetting, it is valid.
- Issue 216:** While performing Ghusl, it is not necessary to wash the body rubbing the hands against it, and it suffices if mere water reaches all parts of the body.

## Obligatory Ghusls

**Issue 217:** There are seven obligatory Ghusls:

- 1- **Janabah Ghusl** (Ghusl for sexual intercourse and/or orgasmic discharges)
- 2- **Mayyit Ghusl** (Ghusl for a dead body)
- 3- **Mass-e-Mayyit** (Ghusl for touching a dead body)
- 4- **Haydh** (Ghusl for Menstruation)
- 5- **Nifas** (Ghusl for afterbirth bleeding)
- 6- **Istihadha** (Ghusl for women's irregular discharges)
- 7- **Ghusl** which becomes obligatory on accounts of a vow or an oath.

## Rules of Janabah Ghusl

**Issue 218:** A person enters the state of Janabah in any of these two ways:

- 1- Sexual intercourse
- 2- Discharge of semen while sleeping or when awake, little or much, lustfully or with no lust, voluntarily or involuntarily.

One in the state of Janabah, who is referred to as Junub, must perform Ghusl for saying prayers and performing other things for which purity is obligatory.

**Issue 219:** When semen moves from its place (where it is synthesized and accumulated), but it is not discharged, the state is not considered as Janabah.

**Issue 220:** One who knows that they have discharged semen or knows what they have discharged is semen, they are Junub, i.e., in the state of Janabah and they must perform Ghusl.

**Issue 221:** If a healthy man discharges some moisture, but he is not certain whether it is semen, urine or something else, it is considered semen if:

- 1- It spouts, that is, it is discharged with force.
- 2- It is discharged lustfully.
- 3- Body becomes languid after the discharge.

But it is not accounted semen if it has none or lacks some of these signs. In the case of an ill person, if the moisture is discharged lustfully, it is considered semen and languor is not a necessary condition, but the other two are.

**Q222:** What is the verdict on the moisture which a man discharges while playing with and touching his wife without having sexual intercourse? Is it pure or impure?

**A:** If he is certain that the moisture is semen, performing Ghusl will be obligatory; otherwise, it must indicate all the three signs mentioned above, so that one ascertains that it is semen and needs a Ghusl. In case of doubt about the presence of some of these signs or if the moisture certainly lacks some of them, it is not considered semen, and therefore it is not the state of Janabah. So, the moisture is pure. As for a woman, if it is not certain that the moisture is semen, then it is not semen and she is not Junub.

**Q223:** One of the contraceptive devices used in family planning is condom (a thin rubber bag) which men wear to prevent a woman having a baby. Hence, after the sexual intercourse semen is discharged into the condom and not into the woman's vagina. Will Ghusl be obligatory for the woman in this case?

**A:** Yes. Ghusl will be obligatory for both, the man and the woman, and Janabah caused by sexual intercourse is not conditional on ejaculation, nor is it conditional on not wearing a condom or the like, that is, sexual intercourse leads to Janabah by itself.

**Q224:** Sometimes one becomes Junub while playing with and touching their wife's body without having sexual intercourse. Is this legally forbidden? If so, what must they do if they have done such a thing?

**A:** It is not forbidden, because playing with one's wife is permissible, and it is not a case of masturbation which is illegal. In case of ejaculation, Ghusl will be obligatory, and all rules of a legal Janabah will be applicable to it.

**Q225:** Regarding the fact that women's sex organs basically lack any semen synthesizing section, what do you mean by women's discharge of semen? If by this, you mean the vaginal secretion which lubricates the vagina and thus facilitates the intercourse, it must be said that neither its chemical composition nor the

way it is discharged resemble those of semen, and if by this you mean the alternative orgasmic movements of the vaginal muscles, no particular liquid has been approved to be discharged from women's sex organs.

**A:** Mere sexual intercourse causes women to be Junub and so does a woman's certainty about her discharge of semen whereas such certainty does not usually occur.

**Issue 226:** It is recommended to urinate after the discharge of semen and if one does not do so, in case they discharge any moisture after Ghusl, of which they are not certain whether it is semen or some other moisture, it is considered semen.

**Q227:** What is the verdict on the worships (prayers and fasts) offered by one who did not know that they should have performed Ghusl after masturbation (he masturbated for two years and did not perform Ghusl unless he was Junub, i.e., ejaculated)?

**A:** If masturbation leads to ejaculation, one must perform Ghusl, and if they did not know this for a while and they were Junub, they must offer Quadha prayers (compensatory prayers), because purity is a necessary condition for prayers, but as for the fasts, they are valid and correct, because they were not Junub intentionally and since they performed Ghusl, they have been pure and not Junub and that would suffice.

## Things Which Are Forbidden for a Junub Person

**Issue 228:** There are five things which are legally forbidden for a person who is in the state of Janabah (Junub):

- 1- Touching the script of the Holy **Quran** or the Name of Allah as well as the names of the Holy Prophet, Imams and Her Holiness Fatima Zahra (PBUT) with any part of the body.
- 2- Going to Masjid-ul-Haram and Masjid-ul-Nabee even if one enters through one entrance and exits through the other, i.e., they do not stay there.
- 3- Staying in other mosques, but when one enters through one entrance and exits through the other or enters the mosque to take something out, it does not matter if he is Junub. As an obligatory precaution one must not stay in or enter Imams' holy shrines either.
- 4- Putting or leaving something in a mosque.
- 5- Reading or reciting those chapters (Suras) of the Holy **Quran** which necessitate obligatory prostrations and those Chapters are:

The thirty second chapter (Sajdah), the forty first chapter (Fussilat), the fifty third chapter (Najm), the ninety sixth chapter (Alaq), and it is even forbidden to read or recite a verse of these four chapters.

**Issue 229:** If a person allocates a place in his house (or office etc) to saying prayers, it is not treated like a mosque.

**Issue 230:** It is not forbidden for a Junub person to stay in the shrines of the off springs of the Holy Imams, but it is forbidden to stay in the mosques usually built next to them.

**Q231:** Is it permissible for a person who is not Junub to perform Janabah Ghusl as a recommended worship? Is it allowable to say obligatory prayers with such a Ghusl?

**A:** It is not permissible to perform Janabah Ghusl and if it is performed as a precaution, one must perform Wudhu for offering prayers.

**Q232:** If urine is discharged while performing Ghusl, will the Ghusl be valid or invalid? If valid, is it permissible to offer prayers with that Ghusl or is it obligatory to perform Wudhu for that?

**A:** The Ghusl will be valid, but it is not permissible to offer prayers with it and to do so, one must perform wudhu.

**Q233:** What is meant by ear canal where it is not obligatory to wash while performing Ghusl?

**A:** It is the invisible part of the ears.

**Q234:** What will the verdict be if one discharges a liquid while sleeping, and if they cannot recognize the triple sign of ejaculation while sleeping or after waking up?

**A:** As long as the triple sign is not recognized, the person is not Junub and there is no need for investigation.

## Rules Related to a Dying Person

**Issue 235:** A dying Muslim, whether a man or a woman, whether old or young, must be laid on their back in such a way that the soles of their feet would face the Quiblah, and if it is not possible to lay them in this manner thoroughly, as an obligatory precaution, the instructions must be followed to the possible extent, and if it is completely impossible to lay them so, as an obligatory precaution they must be seated facing the Quiblah, and if this is also impossible, the obligatory precaution is to lay them on their right or left side in such a way that they face the Quiblah.

**Issue 236:** It is recommended that the Shahadatayn as well as the acknowledgement of the Twelve Imams and other tenets of faith be inculcated to a dying person in such a way that they would understand. It is also recommended to repeat these until they die.

**Issue 237:** It is Makruh (legally disapproved) to leave a dying person alone, or to place a heavy thing on their stomach, or to be by their side in the state of Janabah or menstruation, to chatter or cry beside them, or to let only women remain with them.

## Rules to be followed after the death of a Muslim

### Mayyit Ghusl (Ghusl for a dead body)

**Issue 238:** When a Muslim dies, they must be given a Ghusl, shrouded, prayed for, and then buried.

**Issue 239:** Giving a dead Muslim a Ghusl, shrouding, praying for and burying their body is obligatory for any Mukallaf Muslim, and if some of the Mukallaf Muslims shoulder this responsibility, then it will not be obligatory for others, and if no one takes the responsibility, they will be all sinners.

**Issue 240:** If someone undertakes to manage a dead Muslim's affair, it will not be obligatory for others to do so but if it remains unfinished, others must finish it.

**Issue 241:** If one is certain that the Ghusl giving, shrouding, praying or burying done for a dead Muslim is invalid and incorrect, they must redo it, but if they doubt the validity of what is done, it is not obligatory to redo it.

**Issue 242:** There are three obligatory Ghusls for a dead body:

- 1- Ghusl with water mixed with Cedar-leaf powder.
- 2- Ghusl with water mixed with camphor.
- 3- Ghusl with pure Mutlaq water.

**Issue 243:** The quantity of the Cedar-leaf powder and camphor must neither be so much as to make the water Mudhaf nor so little as to seem that no Cedar-leaf powder and camphor has been added to the water.

**Issue 244:** If there is not enough Cedar-leaf powder and camphor available, the obligatory precaution is to add the available quantity to the water.

**Issue 245:** If there is no Cedar-leaf powder and camphor available, or the use of the Cedar-leaf powder and camphor is not permissible, for instance, if it is usurped, the dead body must be given a Ghusl with pure Mutalq water instead of each impossible Ghusl.

**Issue 246:** One who gives Ghusl to a dead body, must be a sane and mature Ithna' Ashari Muslim, and must know the rules of the Ghusl.

**Issue 247:** It is obligatory to give Ghusl to the dead body of a Muslim's child even if the child is illegitimate. But Ghusl giving, shrouding and burying of the dead body of an infidel and their children is not permissible. The dead body of one who has been insane since their childhood and has reached puberty while being insane, must be given the Ghusl if both or one of their parents is Muslim, otherwise it is not permissible to give Ghusl to their dead body.

**Issue 248:** If a man gives Ghusl to the dead body of a woman or vice versa, the Ghusl will be void. However, a man and wife can give Ghusl to the dead body of each other, although the recommended precaution

is to avoid doing so.

**Issue 249:** If there is no man to give Ghusl to the dead body of another man, the kinswomen who are his Mahram, like his mother, sister, maternal or paternal aunt, or those women who become one's Mahram by suckling are allowed to give Ghusl to his dead body. Similarly, if there is no woman to give Ghusl to the dead body of another woman, her kinsmen who are her Mahram by suckling, are allowed to give Ghusl to her dead body from under her dress.

**Issue 250:** Mayyit Ghusl is the same as Janabah Ghusl, and the obligatory precaution is to perform it in the sequential manner (Tarteebee) as long as it is possible, otherwise it may be performed in the immersion manner (Irtimasi). In the case of the sequential Ghusl, the recommended precaution is to avoid immersing each of the three parts of the body but pour water on it.

## Ghusl for Touching a Dead Body

**Issue 251:** If one comes into contact with a cold dead body which has not been given a Ghusl, they must perform Ghusl for that.

**Q252:** Is Ghusl obligatory for one who uses gloves giving Ghusl to a dead body?

**A:** In the given case, Ghusl is not obligatory because they have not touched the dead body.

## Rules Regarding Shroud

**Issue 253:** The dead body of a Muslim must be shrouded in three pieces of cloth: a loincloth, a shirt or tunic, and overalls.

**Issue 254:** The loincloth must be in such a size that any observer would approve its being a loincloth and so must the shirt or tunic, and as a recommended precaution the loincloth must be long enough to cover the body from the navel up to the knees, better still if it covers the body from the chest up to the feet. As a recommended precaution, the shirt must be long enough to cover the whole body from the top of the shoulders up to the middle of the calves. The overalls must be so long as to allow both ends to be tied, and so wide as to allow one side to overlap the other.

**Issue 255:** The obligatory portion of the loincloth is that which covers from the navel up to the knees, and the obligatory portion of the shirt is that which covers from the top of the shoulders up to the middle of the calves, and whatever was mentioned over and above this is the recommended part of the shroud.

**Issue 256:** As an obligatory precaution, none of the three pieces of the shroud can be of a see-through quality, that is, the dead body must not be visible.

**Issue 257:** It is not permissible to shroud a Muslim in a usurped shroud, even if there is no other thing available. A usurped shroud, whose owner does not give their consent for it to be used, must be removed, even if the dead body has already been buried. It is not permissible to shroud a dead body in the skin of a dead animal either.

**Issue 258:** It is not permissible to shroud a dead body in an impure shroud, or to use a shroud made of pure silk or gold-woven material, unless there is no alternative to be used.

**Issue 259:** It is not permissible to shroud a dead body in a cloth made of the fur of an animal whose meat is forbidden, unless there is no other alternative to be used. If the skin of an animal whose meat is legal to eat is made into cloth, it can be used as a shroud. A shroud made of the fur of an animal whose meat is legal to eat, is also permissible, although as a recommended precaution, the dead body should not be shrouded in the two latter materials (skin and fur).

**Issue 260:** If the shroud becomes impure owing to some impurity from the dead body itself or otherwise, the impure part of the shroud must be washed or cut off, but if the dead body has been placed in the grave, it should be cut off and if taking the dead body out of the grave is considered as an insult to its dignity, it is obligatory to cut the impure part off. If washing or cutting the impure part of the shroud off is not possible, it must be changed if possible.

## Rules of Hunut (Embalment)

**Issue 261:** After Ghusl, it is obligatory to embalm the dead body, that is, to apply camphor to the forehead, the palms, the knees and the big toes of the dead body, and it is recommended to apply camphor to its nose as well. The camphor must be fresh and in the form of powder, and if it is so stale that has lost its fragrance, it will not suffice.

**Issue 262:** It is better to embalm the dead body before shrouding, although it does not matter if embalment occurs while or after shrouding.

## Rules of Prayer for the Dead

**Issue 263:** It is obligatory to pray for a dead Muslim, even if it is a child. In the latter case, the dead child must have completed six years of age, and one or both of their parents must be Muslims.

**Issue 264:** The prayer must be offered, after Ghusl, embalment and shrouding the dead body, and if it is offered before or during these, it will not suffice, even if it is due to forgetting or not knowing the rule.

**Issue 265:** To offer prayer for the dead, it is not necessary to perform Wudhu, Ghusl, or Tayammum. It is not necessary to be pure or to have pure clothes on either. It does not even matter if one's clothes are usurped ones. Although as a recommended precaution, one should observe all the rules which are necessary for other prayers.

**Issue 266:** A person, who offers prayer for a dead body, must face the Quiblah. It is obligatory to lay the dead body on its back before those who are praying in such a way that the head of the dead body is placed to their right and its feet are placed to their left.

**Issue 267:** To pray for a dead body, one must stand before it, but if it is offered in the form of a congregation and the line of the people extends from both sides of the dead body, the prayer offered by those who are not before the dead body is also valid.

**Issue 268:** There must not be any curtains or walls or the like between the dead body and the one(s) offering the prayer, but it does not matter if the dead body is in a coffin or the like.

**Issue 269:** While offering the prayer, the private parts of the dead body must be concealed and if it is not possible to shroud the dead body, the private parts must be somehow covered, even with a board, brick or any similar thing.

**Issue 270:** A person, who wants to offer the prayer for a dead body, must stand upright while offering the prayer with the intention of Qurbah, and while making the intention, they must specify the dead person, for instance, they may make such an intention: "I am offering prayer for this dead person seeking to grow closer to God".

**Issue 271:** If a dead body is buried without offering the special prayer intentionally or due to forgetting, or for any other excuse or if after the burial it is revealed that the prayer offered for the dead body has been void and incorrect, it is obligatory to offer the prayer on the grave observing all the aforementioned conditions.

**Q272:** Must the prayer for the dead be offered immediately after the burial, or is it possible to offer it later?

**A:** What is considered obligatory is that the prayer must be offered for a dead body and it is not necessary to offer it immediately after the burial.

## How to Say the Prayer for the Dead

**Issue 273:** There are five Takbeers (saying Allahu Akbar which means Allah is the most glorious and greater than any description) in the prayer for the dead, and it suffices if these Takbeers are said in the following order:

First, one must make the intention and pronounce the first Takbeer and then say, "**Ash hadu anla ilaha illallah wa anna Muhammadan Rasulullah**", (I bear witness that there is no god but Allah and that Muhammad is Allah's Messenger).

After the second Takbeer they must say, "**Alla humma salli ala Muhammadwa Ali Muhammad**", (O'

Lord! Bestow peace and blessing upon Muhammad and His Progeny).

And after the third Takbeer they must say, “**Alla hummaghfir lil mu'minina wal mu'minat**”, (O'Lord! Forgive all believers, men and women).

After the fourth Takbeer if the dead person is a man, they must say, “**Alla hummaghfir li hathal mayyit**”, (O' Lord! Forgive this dead person):

But if the dead person is a woman, they must say, “**Alla hummaghfir li hathi hil mayyit**”.

And finally they must pronounce the fifth Takbeer. However, it is better if they pronounce the Takbeers in this order:

After the first Takbeer they pronounce, “**Ash hadu anla ilaha illallah wahdahu la sharika lah wa Ash hadu anna Muhammadan Abduhu wa Rasuluh, arsalahu bilhaqqi bashiran wa nathiran bayna yada yis sa ah**”.

After the second they pronounce, “**Alla humma salli ala Muhammadin wa Ali Muhammad wa barik ala Muhammadin wa Ali Muhammad warham Muhammadan wa Ala Muhammadin ka afdhali ma sallayta wa barakta wa tarahhamta ala Ibrahima wa Ali Ibrahima innaka Hamidun Majidun wa salli ala jamee il anbiya iwal mursalina wash'shohada'i was'seddiqina wa jamee'i ibadilla hissalihin**”.

After the third Takbeer they pronounce, “**Alla hummaghfir lil mu'minina wal mu'minat wal muslimina wal muslimat, al ahya'i minhum wal amwat, tabi' baynana wa baynahum bil khayrati innaka Mujibud da awati innaka ala kulli shay in Quadir**”.

And after the fourth Takbeer they must say, “**Alla humma inna hatha abduk wabnu abdik wabnu amatik nazala bika wa anta khayru manzulin bihi, Allahumma inna la na'lamu minhu illa khayran wa anta aa'lamu bihi minna, Allahumma in kana muhsinan fazed fee ihsanihi wa in kana musi an fatajawaz anhu waghfir lahu, Allahummaj alhu indaka fee a'la illiyyin wakhluf ala ahlihi fil ghabirina war ham hu birahmatika ya Arhamar rahimin**”.

And finally they must pronounce the fifth Takbeer. But if the dead person is a women, after the fourth Takbeer they must say, “**Allahumma inna hathihi amatok wabnatu abdik wabnatu amatik, nazalat bika wa anta khayru manzulin bihi, Allahumma inna la na'lamu minha illa khayran wa anta aa'lamu biha menna, Allahumma in kanat muhsinatan fazed fee ihsaniha wa in kanat musi atan fatajawaz anha waghfirlaha, Allahummaj alha indaka fee aa'la illiyyin wakhluf ala ahliha fil ghabirina warhamha bi rahmatik ya Arhamar rahimin**”.

**Q274:** When one can not pronounce the words of the prayer for the dead in Arabic, will that suffice if they just pronounce the five Takbeers? And if they can pronounce them in Arabic, is it sufficient just to pronounce the five Takbeers?

**A:** Given the above case, one must recite the translation of the prayer in the same order as it is offered, otherwise it will suffice to pronounce the five Takbeers, however, as an obligatory precaution, as soon as it is possible to perform the prayer in correct Arabic after the burial, that is, as soon as a person with such ability is available, it must be done.

**Q275:** If there in no man who can perform the prayer for the dead, is it allowable that a woman takes care of it?

**A:** It is allowable.

## Rules of Burial

**Issue 276:** As an obligation, a grave must be so deep as to not allow the smell of the dead body to float out, and not allow predators to dig it out either. However, if there are no such concerns about the smell or the threat of the predators, it would suffice just to bury the dead body irrespective of the depth of the grave, although the recommended precaution is to dig the grave as deep as it was mentioned above; And if the threat of the predators' digging out the dead body is still a matter of concern, the grave must be reinforced with bricks and the like.

**Issue 277:** If it is not possible to bury the dead body in the ground, it can be placed in a coffin or into a construct.

**Issue 278:** The dead body must be placed in the grave on its right side in such a way that it faces the Quiblah.

- Issue 279:** If one dies on a ship and there is no fear of its getting decayed and it does not cause any problems if it is kept on the ship, it must be kept until they get to the land and bury it in the ground, otherwise after giving it a Ghusl, embalming, shrouding and praying for it, it must be lowered into the sea in a vessel of clay or with a weight tied to its feet and if possible, it must be lowered into the sea at a point where it will not be eaten up immediately by the sea predators.
- Issue 280:** If it is feared that an enemy may dig up the grave and exhume the dead body and cut off its ears, nose or other limbs, if possible, it must be lowered into the sea the way it was instructed in the forgoing rule.
- Issue 281:** When an infidel woman dies with a dead or soulless fetus in her womb, if the father is a Muslim, the dead woman must be laid in the grave on her left side with her back towards the Quiblah so that the child would face the Quiblah.
- Issue 282:** It is not allowed to bury the dead body of a Muslim in the cemetery of infidels or vice versa.
- Issue 283:** It is not permissible to bury the dead body of a Muslim in a place where it is considered as disrespect to the Muslim, like places where garbage is thrown.
- Issue 284:** It is not allowed to bury the dead body of a Muslim in a usurped place, in a place which has been dedicated to purposes other than burial, or in mosques.
- Issue 285:** It is not permissible to bury a dead body in the grave of another dead person before the corpse of the first dead person is totally decomposed and disintegrated.
- Issue 286:** Anything which is separated from the body of a dead person, even if it is the hair, nail or teeth, must be buried with the dead body itself, but if the separated part is found after the burial, as a precaution, it must be avoided to dig the grave again, and the part must be buried in a different place. It is also recommended to bury the nails or teeth of a living person.
- Issue 287:** When a woman dies with a living baby in her womb, the baby must be taken out-even if there is no hope for its survival- from any side of her and then her womb and belly must be stitched up. But, regarding the baby's health, if it does not differ as to whether to take the baby out from the left or the right side of her, as an obligatory precaution, it must be taken out from her left side. This must be done by her husband if he is skilled at this and if not, by a skilled woman and if such a skilled woman is not available, by a skilled man among her Mahrams, otherwise any skilled man must take care of it. But if no skilled person is there to do this, it must be done by any available person, even if they are unskilled.

## Prayer of Fear (Wahshat Prayer)

- Issue 288:** It is recommended to offer two Rak'ats of such a prayer for a dead person on the first night after the burial. This prayer is offered as follows:
- In the first Rak'at, after reciting the Al-Hamd chapter, one must recite Al-kursee verse once, and on the second Rak'at, Al-Qadr chapter must be recited ten times after the Al-Hamd chapter; and after the salutation they must pronounce, “**Allahumma salli ala Muhammadin wa ali Muhammad wab'ath thawabaha ila qabri....**”(Here the name of the dead person must be mentioned). The other parts of this prayer are performed the same way as the parts of obligatory prayers.
- Issue 289:** Wahshat prayer can be offered at any time of the first night after the burial, but it is better to offer it within the early hours of the night after evening (Isha') prayers.

## Exhumation (Nabsh-ul-Quabr)

- Issue 290:** It is forbidden to exhume the dead body of a Muslim, that is, to open their grave even if it belongs to a child or an insane person. However, it does not matter to do so if the dead body has been decomposed and turned into dust.
- Issue 291:** To exhume the dead body of a Muslim is not forbidden in the following cases:
- 1- When the dead body has been buried in a usurped land whose owner does not consent for the dead body to be buried there.
  - 2- When the shroud or any other thing buried with the dead body is a usurped property whose owner

does not consent for it to remain with the dead body in the grave. Similarly, when any part of the dead person's legacy for his heirs or heiresses is buried in the grave and the heirs and heiresses do not consent to let it remain with the dead body in the grave, but if the legacy is not considerable and costly, for instance, a ring and the like, especially if it does not inflict any considerable harm to the heirs and heiresses to let it remain with the dead body, it will be a case of Ta'ammul and Ishkaal, (i.e., a case of precaution not to do it). However, if the dead person has willed some certain written prayer, the Holy **Quran**, or a ring of theirs to be buried with their dead body, it is not permissible to open the grave in order to take these things out provided that the willed thing to remain with the dead body do not exceed one-third of their property.

3- When the dead body has been buried without the obligatory Ghusl or without a shroud; or when others learn that the Ghusl given to the dead body has been void or the dead body has not been shrouded according to religious rules, or when it is learned that the dead body has not been placed in the grave facing the Quiblah.

4- When it is necessary to see the dead body in order to defend a right.

5- When the dead body has been buried in a place where it is seen as disrespect to the dead person, for instance, in a place where garbage is thrown.

6- When it is the matter of a legal purpose which is considered more important than exhumation, for instance, to open the grave in order to take a living baby out of the womb of a dead woman who has been buried.

7- When it is feared that a predator would tear up the dead body or it will be taken away by flood or exhumed by enemies.

8- To bury a part of a buried dead body, but as an obligatory precaution, it must be placed in the grave in such a way that the dead body is not seen.

**Q292:** What must be done if a person has willed to be buried in a certain place such as the Lofty Karbala, but now, it is not possible to transfer their dead body to that place? Is it allowable to keep the dead body in a place, or must it be buried and then exhumed when the transfer is possible?

**A:** If one has willed so, and they have been buried in a different place, the exhumation is permissible; but if they are planning to transfer the dead body to sacred places, it is better to lay the dead body in a coffin and bury the coffin in the grave, because it will lead to the least if any violation of the legal rules in this way.

**Q293:** What is your view on the exhumation of a dead body for the purpose of taking out a piece of the skeleton for scientific use of the students of medical sciences?

**A:** It is permissible to do so, but it is also necessary to arrange with the legal authorities about the exhumation in advance, and to exhume the dead body surreptitiously and to retain the outward shape and appearance of the grave.

**Q294:** Does it bring heavenly remuneration to provide bouquet of flowers, a video camera, and musical instruments etc, for a funeral?

**A:** Whatever is done to commiserate with the mourners is recommended and this commiseration deserves the remuneration.

**Q295:** Is it allowable to use the blood from a dead body to give a patient an emergency blood transfusion? If yes, then does it entail any compensation (Diyat)?

**A:** Given the above situation, it is allowable with the permission of the guardians of the dead person, and in any case, it does not entail any Diyat (money paid as compensation for having killed or injured a person), but the guardians can ask for money for the blood and donate to charity on behalf of the dead person.

## Ghusls for Girls and Women

**Issue 296:** There are three Ghusls which are only obligatory for girls and women because of the blood coming out of their wombs. These Ghusls are, "Haydh", "Istihadha", and "Nifaas", each of which must be

treated in a different way.

## 1- Haydh Ghusl (Ghusl for Menstruation)

“Haydh” is the blood which is normally discharged every month from the womb of a woman for a few days. As long as the menstrual blood is discharged, the woman is called “Haa' idh”.

**Issue 297:** When menstruation ends, the woman must perform Ghusl for saying prayers and doing other things which necessitate purity.

**Issue 298:** Menstruation does not occur before the age of nine, and if a girl discharges any blood before that, it is not accounted menstruation.

**Issue 299:** It is possible that a pregnant woman or a breast feeding one menstruate.

**Issue 300:** If a woman discharges any blood, of which she is not certain whether it is menstrual blood or the blood from her hymen, she must examine herself with a piece of cotton. That is, she must insert a piece of cotton into her vulva and wait for sometime. Then if the sides of the cotton are stained with the blood, it is from her hymen, but if the blood has soaked the cotton completely, it is accounted menstrual blood.

**Issue 301:** The period of menstruation is not less than three days, so, if the flow of blood stops before the third day is completed, it is not accounted menstruation.

**Issue 302:** The period of menstruation lasts no longer than ten days and if bleeding lasts longer than ten days, it will not be considered as menstruation after ten days.

**Issue 303:** Menstrual blood is usually thick, warm and dark, and it is discharged with pressure and a little irritation.

**Q304:** Is it allowable for women to take pills which prevent menstruation?

**A:** It is allowable.

**Issue 305:** A Haa'idh (menstruating woman) must avoid the following things:

1- Offering prayers and other acts of worship which necessitate Wudhu, Ghusl, or Tayammum, but it does not matter if she performs other acts of worship which do not require Wudhu, Ghusl, or Tayammum, such as prayers for the dead.

2- All what is forbidden for a person in the state of Janabah (see Janabah Ghusl).

3- Anal or vaginal intercourse for both men and women, even if just the head of the penis penetrates into the vagina (i.e., up to the point of circumcision), and even if semen is not discharged. As an obligatory precaution, penetration must be avoided, even if it is to an extent lesser than the point of circumcision.

**Issue 306:** Sexual intercourse is forbidden on the days when menstruation is not certain, but a woman must legally account them as days of her period. Thus, a woman whose period lasts longer than ten days and as it will be explained later, she must resort to the menstrual periods of her relatives as to determine the days of her period, must avoid sexual intercourse with her husband on those days.

**Issue 307:** If a man has sexual intercourse with his wife while menstruation, he must atone for that. The atonement for such an illegal act is to give Kaffara (alms given to the poor as atonement for a sin).

Thus, the number of the days of a woman's period must be divided by three. If a man has sexual intercourse with his wife during the first fraction, as a recommended precaution, he should give 3.457 grams of gold as Kaffara.

If he has sexual intercourse with his wife during the second and the third fractions, he should give 1.729 and 0.865 grams of gold as Kaffarah respectively. For example, when a woman's period lasts for six days, if her husband has sexual intercourse with her during the first and second days or nights, he should give 3.457 grams of gold as Kaffara. But if he does so on the third and the fourth days or nights, he should give 1.729 grams of gold as Kaffara and as for the fifth and the sixth days or nights; 0.865 grams of gold should be given as Kaffara.

**Issue 308:** If while having sexual intercourse, a man learns that his wife is menstruating, he must immediately stop doing that, and if he does not stop doing that, as a recommended precaution, he should give Kaffara.

**Issue 309:** To divorce a woman while she is menstruating is void.

**Issue 310:** If a woman's menstruation starts while she is offering prayers, her prayers will be void.

**Issue 311:** It is legally disapproved (Makruh) for a menstruating woman to read the Holy Quran, or to keep it with herself, or to touch the margins and spaces between the lines of the Holy Quran with any part of her body. It is also legally disapproved for her to dye her hair with henna and the like while menstruating.

**Q312:** What must a woman do if her menstruation starts when she is in a mosque?

**A:** It is obligatory for her to get out of the mosque.

**Q313:** Is it permissible for a woman to have sexual intercourse with her husband after her menstruation finishes but before performing the obligatory Ghusl for menstruation?

**A:** It is not forbidden; however, as a recommended precaution, she should first perform the obligatory Ghusl for menstruation, and then have sexual intercourse with her husband.

**Q314:** Must a girl perform any Ghusl for the one or two-day bleeding after being penetrated by her husband for the first time?

**A:** No, this bleeding does not entail a Ghusl, and after performing Janabah Ghusl (for the intercourse), she must purify herself for offering prayers.

**Q315:** When a woman ignorantly or intentionally hides her being menstruating from her husband, but after the sexual intercourse her husband becomes certain that the woman has been menstruating, does this entail giving Kaffara? If so, is it the man, the wife, or both of them who must take charge of the Kaffara?

**A:** Since the man has not known about her being menstruating, he does not need to give Kaffara, and as for the wife, because she has known her being menstruating but still hidden it from her husband, she has committed a sin, but she does not need to give Kaffara either.

**Q316:** What must a person do if they have not known any thing about the issue of Haydh Ghusl and its being obligatory and thus have offered their prayers and fasts without any Ghusls for a while?

**A:** As long as they have performed Janabah Ghusl, it has been sufficient and their prayers and fasts have been valid and correct, because Janabah Ghusl is an inclusive one which, when performed, would suffice for all other purposes as well (even if the Ghusls for other purposes have not been performed because of ignorance, forgetting, or disregarding). Thus, since one has performed Janabah Ghusl, their prayers have been valid as long as they have not been in a state of impurity (Hadath) again, and since they entered a state of impurity such as Haydh again for which they have not performed a Ghusl, their prayers must be offered as Quadha prayers, because this is one of the cases which necessitates Quadha prayers, i.e., redoing the prayers.

**Issue 317:** Offering prayers and fasting is forbidden during menstruation, and the prayers do not need to be done as Quadha, but the fasts must be kept as compensation.

**Issue 318:** There is no difference between Hydth Ghusl and Janabah Ghusl but in the intention.

**Q319:** Is it permissible for a menstruating woman to go to the Holy shrines of the immaculate Imams on pilgrimage?

**A:** The obligatory precaution is to avoid that.

**Q320:** Is it illegal for a menstruating woman to read the Holy Quran?

**A:** Reading the Holy Quran is legally disapproved but permissible for a menstruating woman as well as the one in the state of Janabah, but reading even a single verse of the chapters (Surahs) which entail obligatory prostrations, is forbidden.

**Issue 321:** The sufficiency of a Ghusl for prayers, and the fact that Wudhu is not necessary for offering prayers after a Ghusl, is a general rule and includes all obligatory and recommended Ghusls and it does not exclusively appertain to Janabah Ghusl.

## 2- Istihadha Ghusl (Ghusl after Uterine Irregular Discharges)

**Issue 322:** One other type of blood which a girl or a woman discharges is Istihadha.

**Issue 323:** Istihadha blood is often yellow and cold, and it is discharged with no pressure and irritation. It is not thick either. However, it might sometimes be dark or red, warm and thick and discharged with pressure and irritation.

**Issue 324:** Regarding the amount of the blood discharged, there are three kinds of Istihadha, viz. little Istihadha, medium Istihadha, and big Istihadha. Little Istihadha (Qualeela) refers to the amount of blood which is so little as to just remain on the surface of the cotton, pad, etc., (placed on a woman's private part), but does not penetrate into the cotton.

Medium istihadha (Mutawassita) refers to the amount of blood which penetrates into the cotton, pad, etc., but does not soak the cloth on the outer side.

Big Istihadha (Katheerah) refers to the amount of blood which soaks the cotton, pad, etc., and the cloth on the outer side of it.

**Issue 325:** In the case of little Istihadha, a woman must perform separate Wudhu for each prayer, and wash the surface of her private part if blood has reached it. She must also change the cotton (or whatever), or purify it with water.

**Issue 326:** If a woman discharges medium Istihadha before or while saying prayers, she must perform Ghusl for that prayer, and the Ghusl would suffice for offering prayers, so she would not need to perform Wudhu for that. It is neither necessary to perform Ghusl for other prayers of that day, but she must change the cotton, pad etc., or purify it with water and also purify the surface of her private part for each prayer.

**Issue 327:** In the case of big Istihadha, besides what was mentioned above for medium Istihadha, a woman must perform a Ghusl for midday and afternoon prayers and a separate Ghusl for sunset and evening prayers, and she must not allow any time gap between midday and afternoon prayers, or between sunset and evening prayers, otherwise she must perform a different Ghusl for the afternoon and evening prayers respectively, and performing these Ghusls, she would not need to perform Wudhu for saying prayers.

**Issue 328:** After medium and big Istihadha finishes, i.e., the bleeding stops, one must perform Ghusl, but if she is certain that bleeding has stopped since she performed Ghusl for her last prayer, she does not need to perform Ghusl again.

**Q329:** Is it a necessary condition to perform Ghusl if a woman whose Istihadha has stopped wants to have sexual intercourse with her husband? If so, is it also necessary in the case of little Istihadha, or does it suffice to perform Wudhu?

**A:** In the case of little Istihadha, Ghusl is not obligatory and Wudhu would suffice for praying. Wudhu has nothing to do with sexual intercourse. As for sexual intercourse, just in case a woman has been discharging medium or big Istihadha, the necessary condition is to perform Ghusl first.

**Q330:** Nowadays, some physicians prescribe special pills for menopausal women to prevent the menopausal symptoms. These pills regulate their periods in such a way that, like the time before the menopause, they discharge blood at a certain date, for a certain period every month. What is the legal case of such blood? Is it accounted Haydh or Istihadha?

**A:** Given the above situation, it must be considered and treated as Istihadha.

**Q331:** Regarding the fact that, in most treatises of Islamic laws Sayyid women become menopausal at the age of sixty whereas the non-Sayyid women become menopausal at the age of fifty, what would the rulings be on the following cases?

1) The time for the beginning of menstrual periods is not the same in all girls, and it varies from one girl to the other within the range of nine to eighteen years of age. Hence, how is it possible to calculate the age of menopause so exactly and with such certainty?

2) What would the ruling be if, even after these certain ages (60 & 50 as mentioned above), there is no change in the length of the time between menstrual periods, or in the length of menstruation itself, in the type of blood, or in the amount of blood discharged?

3) If a woman's mother is Sayyid but her father a non-Sayyid, regarding the fact that man inherits some dominant characteristics genetically from both parents, can we say that, if the gene controlling menstruation in a woman inherited from her Sayyid mother is dominant, and thus, in this very case, she

takes after her mother, then she should be treated like a Sayyid woman? For instance, my wife's mother was a Sayyid and she began menstruating when she was seventeen. Now that she is fifty one, she still menstruates and there has been no change concerning the length of her periods, and the type and amount of the blood discharged. Thus, what would the ruling be on her prayers, fasts, matrimonial relations, and other religious obligations? Should she act as a menstruating woman or as one with irregular blood discharges (a Mustahadha)?

**A:** Generally, even after the age of fifty, the blood a woman discharges is considered menstrual blood provided that she is certain the blood has not changed in nature and that it still has all signs of menstrual blood; however, if she doubts whether the blood is menstrual or else, then it will no more be considered as menstrual blood and it should be taken as irregular discharges (Istihadha)? Therefore, in all women-whether Sayyid or non-Sayyid, whether with Sayyid parents or with just one Sayyid parent (still whether paternal or maternal), whether they began menstruating before the age of eighteen or after that- fifty lunar years of age is considered as a legal evidence to indicate that the blood discharged should not be considered as menstruation unless a woman is certain that it is menstrual blood, and wherever there is certainty, legal evidence for speculative reasoning does not apply.

### 3- Nifaas (Afterbirth Bleeding)

**Issue 332:** Nifaas Ghusl is for the women's bleeding after they give birth to their babies and such blood is not discharged at any other time.

**Issue 333:** From the very beginning of the time when a pregnant mother starts giving birth to her baby, she starts bleeding and this blood is called 'Nifaas' provided that it stops within ten days. A woman discharging Nifaas is referred to as "Nafsa".

**Issue 334:** The blood discharged before the appearance of the first limb of the baby who is being born, is not considered as Nifaas.

**Issue 335:** It is not necessary that the baby is fully grown. Even if an incomplete fetus or a blood clot comes out of the womb of a pregnant woman and the woman herself knows that if it remained in her womb, it would develop into a baby, or if four midwives approve such a thing, then the blood discharged within the first ten days is considered Nifaas.

**Issue 336:** Nifaas may be discharged just for a moment, but it would never exceed ten days.

**Issue 337:** When a woman doubts whether she has aborted something, or whether the aborted thing would develop into a baby if it remained in her womb, it is not necessary for her to investigate, and the blood discharged, is not considered Nifaas.

**Issue 338:** Halting in a mosque and touching the scripts of the Holy Quran with any part of the body is illegal for a Nifaas discharging woman. Whatever is considered illegal, obligatory or legally disapproved for a menstruating woman, also applies to a Nifaas-discharging woman.

**Issue 339:** To divorce a Nifaas-discharging woman is void. It is also illegal to have sexual intercourse with her, and if a man does so, as a recommended precaution he must give Kaffara as it was instructed in the case of having sexual intercourse with a menstruating woman.

**Q340:** What is the blood discharged after a pregnant woman's baby is born by Caesarean section? Is it Nifaas or Istihadha?

**A:** The blood which is discharged naturally immediately after child's birth is considered Nifaas, even if the child has been born by Caesarean section, but the bleeding caused by cutting the opening in the woman's body is not accounted Nifaas.

**Q341:** What is the blood discharged from a woman's vaginal passage whose womb has been removed by surgery? Is it considered Haydh, Istihadha, or is it considered as neither Haydh nor Istihadha but bleeding from a wound?

**A:** It is neither Haydh nor Istihadha, but the bleeding from a wound.

# Tayammum (Dry Ablution)

**Issue 342:** One must perform Tayammum instead of Ghusl and Wudhu in the following cases:

1- When there is no water available.

**Q343:** In prison, sometimes prisoners need to perform Janabah Ghusl, but it is not possible to do so. What must such prisoners do for their prayers and other acts of worship?

**A:** They must perform Tayammum and if it is even not possible to do so, as an obligatory precaution, they must offer their prayers without Ghusl and Tayammum, but offer the Quadha prayers when possible.

2- When water is harmful to a person, for instance, when it would cause an illness, or an already existing illness would grow worse, or when it would prolong the treatment and delay the recovery, or using water would make it hard to cure a disease; however, if warm water is not harmful to a person in such situations, they must perform Ghusl or Wudhu with warm water.

3- When a person or their companions develop an illness or die of thirst if they use the available water for Wudhu or Ghusl, or when using the water would leave them with intense thirst which would be difficult to bear.

4- When a person's body or clothes are impure and the available water is just enough to purify them, and they have no other clothes to wear.

5- When the time left for prayer is so little that if one performs Wudhu or Ghusl, they will have to offer all or a part of the prayer after its prescribed time.

**Q344:** Is it allowable for a person with injured Wudhu parts, who has no way other than perform Tayammum, to perform tayammum with the intention of keeping pure until it is time for prayers (despite the fact that the time for prayers has not come yet), and then to offer their prayers with that, or must they renew their Tayammum when it is time for prayers?

**A:** It does not matter to Perform Tayammum with the intention of keeping pure, and it is a favorable act, and according to the tradition, "soil is one of the two purifiers and it would suffice to use it as a purifier even for ten years if necessary", with the same Tayammum performed before the time of prayer one can offer their prayers, provided that the cause of Tayammum is still there.

**Q345:** Is it legally permissible to offer prayers with the Tayammum which has been performed instead of Ghusl while being short of time before the morning Adhaan in Ramadhan-ul-Mubarak (when Muslims are supposed to prepare for keeping obligatory fasts), or must one renew their Tayammum?

**A:** Tayammum performed because of being short of time is only valid for the purpose which it was performed for, and it would not suffice for other prayers and purposes.

## Instructions on Tayammum

**Issue 346:** There are five obligatory steps in performing Tayammum:

1- Making intention

2- Tapping both palms at the same time on a thing which Tayammum is valid on it.

3- Stroking the entire forehead with both palms, from the spot where one's hair grows down to the eyebrows and above the nose.

4- Passing the palm of one's left hand over the back of the right hand.

5- Passing the palm of one's right hand over the back of the left hand ("palm" in such rules refers to the inner surface of the hand including the fingers)

**Issue 347:** To make certain that one has wiped the entire surface of the back of their hands, they must do the wiping from slightly above the wrist, but it is not necessary to wipe the surface in between the fingers.

**Issue 348:** To perform Tayammum, one must take off their rings and remove any thing which may intervene between the palms and the surface to be stroked.

**Issue 349:** All the above mentioned steps of Tayammum must be performed with the intention of Tayammum and obeying the order of God. The intention must also specify whether the Tayammum is being offered instead of a Wudhu or a Ghusl, and if it is offered instead of a Ghusl, then what Ghusl it is. This is the way to make one's intention for Tayammum.

## Things on which Tayammum Is Valid

**Issue 350:** Tayammum is valid on soil, pebbles, clod, stones, baked clay like bricks, baked lime or plaster, provided that they are pure.

**Issue 351:** Tayammum is also valid on limestone, gypsum, basalt and other types of stones, but it is not valid on jewels such as agate or turquoise.

**Issue 352:** If the above mentioned things on which Tayammum is valid are not available, one must perform Tayammum on the dust gathered on carpets, clothes, and the like, but not the dust which has penetrated into these things, unless one moves or touches the object in such a way that the dust lies on its surface, and then performs their Tayammum. If there is even no dust, one must perform their Tayammum on mud, and if there is no mud, then one must offer their prayers without Tayammum and offer the Quadha prayers later.

**Issue 353:** If a person is certain that Tayammum is valid on something and performs Tymmum on it, but then they learn that Tayammum has been void on it, they must say those prayers again.

**Q354:** Is it permissible to perform Tayammum on beach sands? What would the case be if the sands are wet?

**A:** It is permissible.

**Q355:** If one has a blood clot on their palm which is not possible to purify, is it permissible to remove the blood clot and then perform Taymmum using their back of the hands.

**A:** In my recent view, to purify one's palm in such a case, it suffices to remove the blood clot, however, despite the fact that the purity of the wiping part (i.e., palms in this case) is not a necessary condition, as a recommended precaution it should be maintained, and if it is not possible to purify the palm even by the removal of the blood clot, one can perform Tyammum with the same palm (without purification), because the impurity will not be transmitted to the back of the hands.

**Q356:** Is it permissible to perform Tayammum on paper?

**A:** It is absolutely not permissible, but to prostrate on it is allowed.

## Rules of Tayammum

**Issue 357:** There is no difference between the Tayammum performed instead of Wudhu and the one performed instead of Ghusl.

**Issue 358:** Things which invalidate Wudhu, also invalidate the Tayammum performed instead of Wudhu.

**Issue 359:** Things which invalidate a Ghusl, also invalidate the Tayammum performed instead of it; for instance, if one performs Tayammum instead of Janabah Ghusl, and after a while they become Junub again, their Tayammum will be void.

**Issue 360:** Tayammum will be valid only if performing Wudhu or Ghusl is not possible. So, if one performs Tayammum with no excuse, it will not be valid. Nor will it be valid if the excuse to perform Tayammum is no longer there, for example, if water has not been available, but now it is.

**Issue 361:** If a person performs Tayammum instead of Janabah or any other Ghusl, they will not need to perform Wudhu for prayers.

**Q362:** Is it permissible to enter a mosque and attend the congregational prayers having performed Tayammum instead of Janabah Ghusl?

**A:** As long as the excuse to perform Tayammum (except for the case of being short of time) is there, it is permissible.

**Q363:** Is it permissible for soldiers who are guarding a place and have not performed Wudhu, and it is still not possible for them to perform Wudhu or Tayammum, to say prayers without Wudhu or Tayammum? If so, must they offer the Quadha prayers later?

**A:** In such a situation, as an obligatory precaution, they must say their prayers without Wudhu and Tayammum, and offer the Quadha prayers later.

# Prayer

Prayer is the most important of all religious acts, and if it is accepted by Allah the Almighty, other acts of worship will also be accepted, and if prayer is not accepted by Allah, other acts of worship will not be accepted either.

Just as washing the body five times a day every day cleans all the dirt and grime off, offering prayers five times a day everyday purifies human beings of all sins.

It is befitting that one should offer their prayers at its prime time. A person, who considers prayers as unimportant, is just like the one who does not offer prayers at all.

His Holiness, Prophet Muhammad (PBUH) stated, "One, who disregards and disrespects prayers, deserves the punishment of the hereafter".

It is befitting that one should avoid doing the things which diminish the heavenly rewards for prayers, for instance, they must avoid offering prayers drowsily, or avoid looking at the sky while praying.

Rather, one should do the things which enhance the heavenly rewards for prayers, for instance, they should have pure and clean clothes on, perfume themselves, brush their teeth and comb their hair, to prepare for offering prayers.

**Q364:** Is a person legally allowed to stay up late at night, or to study etc. until late at night while it is certain or very likely that if they do such things, they will have to say their prayers after the legally prescribed time, that is to offer the *Quadhā* prayers?

**A:** When it is certain that one will have to offer the *Quadhā* prayers in the morning, they are not allowed to stay up late at night, and if this happens, they have committed a sin and it is seen as intentional abandonment of an obligatory act. However, notifying people of such certainties as issues which involve the right of Allah is not obligatory, and in the case of advisable acts such as mourning for His Holiness Imam Hussain (PBUH) or studying religious and Islamic books, it is not desirable but is even blameworthy to notify someone.

**Q365:** What is the case of socializing with a woman who has intentionally abandoned prayers, treats Mahram and Non-Mahram in the same way, does not veil herself and enjoining the good has no influence on her?

**A:** Such a person must be enjoined the good and forbidden from doing evils in any possible way, even if it entails shunning and ignoring her.

**Q366:** Is the obligation of offering prayers obviated while fighting in war, drowning, being involved in a fire holocaust, lack of the two purifiers (water and soil) or their being harmful to one's health, dissimulating, being paralytic, tied to the bed at the hospital, being a disabled person and even unable to turn their eyes etc.?

**A:** The obligation of offering prayers is never obviated and prayer must be offered even by turning the eyes, moving one's head up and down, or in any possible way, and when one offers prayers in any of the possible ways, the obligation is fulfilled, except for the case of lack of the two purifiers (water and soil), in which, as an obligatory precaution, one must offer both the prayers, and the *Quadhā* prayers for those.

## Types of prayer

There are two main types of prayer, viz. "Obligatory" and "recommended" prayers. Obligatory prayers are of two types, viz. "daily" prayers which must be offered at prescribed times every day, and some other obligatory prayers which must be offered on special occasions and situations.

## Obligatory Prayers

There are six obligatory prayers:

- 1- Daily Prayers
- 2-Prayer of signs (*Ayaat*)
- 3- Prayer for the dead (*Mayyit*)
- 4- Prayer of obligatory circumambulation round the Holy Ka'ba (*Tawaaf*)
- 5- *Quadhā* Prayers of a deceased father which must be offered by his oldest son

6- Prayers which become obligatory on accounts of a hire, vow, or oath.

## Obligatory Daily Prayers

**Issue 367:** There are five obligatory daily prayers, viz. dawn prayer (2 Rak'ats), midday and afternoon prayers (4 Rak'ats each), sunset prayer (3 Rak'ats) and evening prayer (4 Rak'ats).

## Time for Daily Prayers

**Issue 368:** The time for dawn prayer is from the morning Adhaan until sunrise during which the prayer must be offered. The closer it is offered to Adhaan, the better.

**Issue 369:** Just before dawn, a column of whiteness rises upwards in the East which is called the "first dawn". When this whiteness spreads, it is called the "second dawn", the prime time for dawn prayer.

**Issue 370:** As an obligatory precaution, a blind person or one who is in jail, must not offer their prayers as long as they are not certain whether it is time for prayers, but if because of clouds, dust, smog and the like a person can not make certain whether the time for prayers has set in, they can offer their prayers if they think that the time has come.

**Issue 371:** If a person is certain that the time for prayers has set in, and they begin offering prayers, their prayers will be void if while praying they doubt whether it is time for prayers or not. If while praying they are certain that it is time for prayers, but doubt whether the part they have already offered, has been in time, their prayers will be valid.

## Time for Midday and Afternoon Prayers

The time for midday and afternoon prayers is legal noon until sunset, the beginning of which appertains to midday prayer whose length is as long as it is enough for offering a four-Rak'at prayer, and the end of which appertains to afternoon prayer with the same length.

**Issue 372:** If a stick or the like is made to stand on a level ground (which acts as an indicator of the legal noon and is referred to as "Shakhis"), its shadow will fall westwards when the sun rises in the morning, and the higher the sun climbs in the sky, the smaller will be the size of the shadow, and at noon time it is either the shortest in length or totally disappears in some cities like Mecca. Then, the shadow falls eastwards, and the more the sun moves westwards, the longer gets the shadow. When the shadow is the shortest or totally disappears and then again it appears and/or begins to get longer, it is the legal midday.

**Issue 373:** Midday and afternoon prayers each have a special time, and they also share a common time. The special time for midday prayer starts from the legal midday long enough to offer the midday prayer, and the special time for afternoon prayer starts at the beginning of the time before the sunset which is long enough to offer such prayer, and if one does not offer their midday prayer until it is the special time for afternoon prayer, their midday prayer will be *Quadha*, and they must offer their afternoon prayer first, so that the afternoon prayer will not be *Quadha*. The common time for midday and afternoon prayers starts right after the special time for midday prayer and ends right before the special time for afternoon prayer. If a person offers midday prayer in the special time for afternoon prayer or vice versa, their prayer will be void.

**Issue 374:** If a person unintentionally starts offering their afternoon prayer before the midday prayer and during the prayer they realize that they have committed a mistake, they must change intention to midday prayer, i.e., they must make the following intention:

"Whatever I have offered so far, what I am offering right now and from now onwards, will be my midday prayer".

After finishing midday prayer, they must offer their afternoon prayers.

## Time for Sunset and Evening Prayers

The time for sunset and evening prayers is from sunset till midnight.

The special time for sunset prayer starts at sunset and is long enough to offer such a three-Rak'at prayer, and the special time for evening prayer starts at the beginning of the time before midnight which is long enough to offer such a four-Rak'at prayer.

**Issue 375:** The legal sunset is the same common sunset when the sun sets in the West, and it is not necessary that the redness in the east is cleared.

**Issue 376:** The sunset and evening prayers each have a special time, and they also share a common time. The special time for sunset prayer starts at sunset and is long enough to offer such a three-Rak'at prayer.

If a person unintentionally offers their whole evening prayer in the time for sunset prayer, their prayer will be void, and they must redo their evening prayer after their sunset prayer.

The special time for evening prayer starts at the beginning of the time before midnight which is long enough to offer such a four-Rak'at prayer, and if one intentionally postpones their sunset prayer until it is time for evening prayer, they must first offer their evening prayer and then their sunset prayer.

The common time for the sunset and evening prayers starts right after the special time for sunset prayer and ends right before the special time for evening prayer, and if in this very time, one offers the evening prayer before their sunset prayer by mistake and after completing the prayer they take notice of this, their prayer will be valid and they must offer their sunset prayer afterwards.

**Issue 377:** The length of the special as well as the common time for prayer differs depending on the situation.

For a traveler, for instance, the special time for midday prayer starts at midday and is long enough for offering a two-Rak'at prayer and then they enter the common time, but for someone who is not a traveler, the time is long enough for offering a four-Rak'at prayer.

**Issue 378:** If a person unintentionally begins offering their evening prayer before their sunset prayer, but while praying, they realize that they have made a mistake, if they have not yet gone into the bowing of the fourth Rak'at they must revert their intention to the intention for sunset prayer and finish their prayer and then offer their evening prayer, but if they have gone into the bowing of the fourth Rak'at, they must finish the prayer and then offer their sunset prayer; But the recommended precaution is to offer the sunset and evening prayers after finishing such evening prayer, and observing such precaution is very good.

**Issue 379:** The end of the time for evening prayer is considered midnight in normal circumstances, but for constrained people, that is, for those who have not offered their prayers before midnight because of forgetting, sleeping, menstruation etc., the time will extend to dawn.

**Issue 380:** To calculate the time of midnight when it is the end of time for evening prayer, the length of the time between sunset and dawn must be divided by two.

## Rules Regarding the Time of Prayers

**Issue 381:** Prayers other than the daily prayers, do not have special time, and depend on the cause which obliges such prayers, as "Ayaat" prayer which becomes obligatory when an earthquake, eclipse, etc., happens, or as prayer for the dead which becomes obligatory when a Muslim dies.

**Issue 382:** If the whole prayer is offered before its time, or if one intentionally begins offering prayers before its time, the prayers will be void, but if while praying, they realize that the time has set in, or after finishing the prayers, they realize that the time has set in during the prayers, the prayers will be valid.

**Issue 383:** Everyone must offer their prayers in its prescribed time, and if they intentionally avoid doing so, they have committed a sin.

**Issue 384:** It is recommended that one should offer their prayers in its prime time, and the closer it is to the prime time, the better, unless it would be better in one way or another if it is offered later, for instance, if one delays the prayer in order to offer it in congregation.

**Q385:** Due to their working hours, bank clerks are busy and obliged to work at midday time and have to serve clients. Thus, they cannot offer their prayers at its prime time. Is this accounted as disrespect to

- prayers or does it not matter if they carry out their duties?
- A:** They must observe their working rules and while being at work, the clerks' time is in the hands of the employer, so they are not allowed to spend that time on their personal businesses in the case of such a recommended act.
- Issue 386:** When the time left for prayer is so little that if one performs some recommended acts of prayer, then an obligatory part of the prayer will fall beyond the prescribed time, they must avoid those recommended acts. For example, if on account of offering their Qunut (Personal supplication), a part of the prayer will lapse beyond time, one must skip Qunut.
- Issue 387:** If one has enough time for offering only one Rak'at of their prayers, they must offer their prayers, as Ada' (that is, to offer something in its time) and it will not be Quadha, but they must not intentionally delay their prayers to such a time.
- Issue 388:** If a person who is not a traveler has enough time, before sunset, to offer five Rak'ats of prayer, they must offer both their midday and afternoon prayers, but if the time is less than that, they must only offer their afternoon prayer and later, offer the Quadha prayer for their midday prayer. Similarly, if one who is not a traveler, has enough time before midnight, to offer five Rak'ats, they must offer both their sunset and evening prayers, but if they have less time and have sinfully delayed their prayers, they must first offer their evening prayer and then their sunset prayer without making an intention of Ada' (being in time) or Quadha.
- Issue 389:** If one who is a traveler has enough time, before sunset, to offer three Rak'ats, they must offer both their midday and afternoon prayers, but if they have less time, they must only offer their afternoon prayer and then offer the Quadha prayer for their midday prayer. Similarly, if they have enough time, before midnight, to offer four Rak'ats, they must offer both their sunset and evening prayers, but if they have less time, and have sinfully delayed their prayers, they must only offer their evening prayers, and then offer their sunset prayers without making an intention of Ada' (being in time) or Quadha. However, if after offering the evening prayers in such a situation, one realizes that they still have enough time before midnight, to offer one Rak'at they must immediately begin offering their sunset prayer with the intention of Ada' (being in time).
- Issue 390:** If while offering afternoon prayer one becomes certain that they have not offered their midday prayer, and thus changes their intention to midday prayer and then enters the next element (Rukn) of their prayer, and at this time they remember that they have offered their midday prayer, their prayer will be void and they must offer their afternoon prayer again. But if before entering the next element (Rukn) of their prayer, they remember that they have offered their midday prayer, they must revert their intention to the afternoon prayer again and repeat what they have offered with the intention of midday prayer, again with the intention of afternoon prayer and thus their prayer will be valid.
- Issue 391:** If while offering afternoon prayer, one doubts whether they have offered their midday prayer, they must change their intention to midday prayers, but if the time is so little that after finishing midday prayer, the sun will set, they must finish their prayer with the intention of afternoon prayer and they will not need to offer Quadha prayer for their midday prayer.
- Issue 392:** It is not permissible to change one's intention from Quadha prayers to Ada' prayers, or from recommended prayers to obligatory prayers.
- Issue 393:** If a person has enough time to offer their prayers within the time, they can, while offering their prayers, change their intention to Quadha prayers, provided that it is possible to do so. For example, if they are offering midday prayer, they can change to the Quadha of dawn prayer, only when they have not entered the third Rak'at.

## Prayers Which Must Be Offered In Sequence

- Issue 394:** One must always offer their afternoon prayer after their midday prayer and their evening prayer after their sunset prayer. If one intentionally offers their afternoon prayer before their midday prayer, or

their evening prayer before their sunset prayer, their prayer will be void.

## Rules of the Quiblah

**Issue 395:** The Quiblah is the Holy Ka'bah which is situated in Mecca, and one must offer their prayers facing it. However, one who is far from it, it would suffice if they stand in such a direction that any observer would say they are praying facing the Quiblah. This also applies to other acts which must be performed facing the Quiblah, like slaughtering the animals.

**Issue 396:** One, who is offering their obligatory prayers in a standing position, must stand in such a direction that people would say they are facing the Quiblah.

**Issue 397:** One may offer the recommended prayers while walking or riding, and they do not need to face the Quiblah in such cases.

**Issue 398:** If one does not have any means of determining the Quiblah, or in spite of their efforts, they cannot guess the direction of the Quiblah, as a recommended precaution, they should offer the same prayers four times, each time facing one of the four directions, although they are allowed to offer their prayers once in any direction.

**Issue 399:** One, who is not certain about the direction of the Quiblah, must act upon their calculated guess as to which direction it is if they want to do things other than prayers which must be done facing the Quiblah such as slaughtering an animal, and if they cannot make a guess, they are allowed to act in any direction and it will be valid.

**Q400:** To what extent does deviation from the direction of the Quiblah invalidate prayers?

**A:** If one deviates from the direction of the Quiblah intentionally, their prayers will absolutely be void. If after investigation and calculation, one determines the Quiblah, but later they realize that they have deviated from the direction of the holy Quiblah, it does not matter.

**Q401:** What must a person do about the Quiblah if they want to offer their prayer on a plane or a ship whose position is always changing?

**A:** As long as one can even guess the direction of the Quiblah, they must keep the Quiblah by turning towards it silently and slowly while the plane or ship is changing its position, but if they cannot determine the Quiblah, it will not be necessary to face the Quiblah and they can pray in any direction.

## Covering the Body in Prayers

**Issue 402:** Boys and Men must cover their private parts while offering prayers and it is better to cover their bodies from the navel up to the knees.

**Issue 403:** Girls and women must cover their entire body while offering prayers; but it is not necessary that they cover their hands up to the wrists, their feet up to the ankles, and the part of the face which is washed while performing Wudhu. However, it does not matter if they cover these latter parts as well.

**Issue 404:** If a person intentionally avoids covering their private parts while offering prayers, their prayers will be void. And even if they do not cover their private parts because of ignorance, or because of having neglected to learn the issue, the obligatory precaution is to redo their prayers.

**Issue 405:** If while offering prayers, one realizes that their private parts are not covered, they must immediately cover them, and if it takes a long time to cover the private parts, as a recommended precaution, they should finish their prayers and offer it again. If after offering prayers, one realizes that their private parts have not been covered during the prayers, their prayers will be valid.

**Q406:** Must women cover the soles of their feet while offering prayers?

**A:** No. It is not necessary for women to cover their soles while offering prayers.

**Q407:** Sometimes, women's clothes are such that a shadow of their hair or bodies is visible. Does it matter if they offer prayers in such clothes?

**A:** If the covering is such that the body is seen, it will not suffice.

**Q408:** Is veiling a necessary condition for women offering prayers, or is it allowable to offer their prayers in coats and scarves? Does this differ between solitary and congregational prayers?

**A:** What is considered necessary for women while praying is to cover their entire body except their hands up to the wrists and feet up to ankles? However, veil is the best covering for women.

## Body and Covering While Offering Prayers

**Issue 409:** The covering of the body of a person, who is offering prayers, must comply with the following conditions:

1- It must be pure.

**Issue 410:** If one offers their prayers in impure clothes or with impure body because of ignorance about the issue or having neglected to learn the issue, their prayers will be void.

**Issue 411:** If one does not know that their body or clothes are impure and after offering prayers they realize that, their prayers will be valid, but as a recommended precaution, they should redo the prayers if they have time.

**Issue 412:** If a person forgets that their body or clothes are impure, and remembers that while or after praying, they must redo their prayers, and if the time for prayers has passed, they must offer the *Quadha* prayers.

**Issue 413:** In these cases, the prayers offered by a person will be valid even if their body or clothes are impure:

**A:** If their clothes or body is stained with the blood discharged from a wound or abscess on their body, and it is difficult to wash or change it.

**B:** If the blood stain is smaller in size than a Dirham (a coin whose diameter is nearly two centimeters)

**C:** If they have no alternative but to offer prayers with an impure body or in impure clothes. For example when there is no water to wash it.

**D:** If they do not know that their clothes or body is impure, but after praying they realize that.

2- It must be *Mubah*, i.e., not usurped.

**Issue 414:** While praying, one's covering must be *Mubah*, and one who knows that it is illegal to wear usurped clothes, must redo their prayers in *Mubah* coverings if they intentionally pray in usurped clothes.

**Issue 415:** If a person does not know or forgets that their covering is an appropriated one and prays in it, their prayers will be valid, and it makes no difference whether they have appropriated it themselves or someone else has done that.

3- It must not be made of the parts of the body of a dead animal.

**Issue 416:** While praying, a person's covering must not be made of the parts of the dead body of an animal whose blood gushes out forcefully when its jugular vein is slit. As an obligatory precaution, even clothes made of the parts of the dead body of an animal whose blood does not gush out forcefully when its jugular vein is slit, like a dead fish, must be avoided while praying.

**Issue 417:** Wearing things or clothes made of the lifeless parts such as hair or wool of the dead body of an animal whose meat is legal to eat, or taking such things with them while praying is not forbidden.

4- It must not be made of the parts of the body of the animals whose meat is illegal to eat. For example, it must not be made of the skin of a fox or a leopard.

**Issue 418:** As an obligatory precaution, while praying, one must avoid even taking things made of the living parts such as the meat or skin of the body of a dead animal with them, let alone wearing clothes made of such things.

**Issue 419:** If the saliva, or mucus of the nose, or any other moisture of an animal whose meat is illegal to eat, like that of a cat, is on one's body or clothes, their prayers will be void if it is wet, but valid if it has dried up and the substance is removed.

**Issue 420:** If a person doubts whether their clothes are made of the parts of the body of an animal whose meat is legal to eat, their prayers in those clothes will be valid, irrespective of whether it is a local or imported product.

**Issue 421:** Praying in clothes made of the skin of a squirrel or of fur is not forbidden.

**Issue 422:** If a person offers prayers in clothes which they do not know or have forgotten is made of the parts of the body of an animal whose meat is illegal to eat, their prayers will be valid.

5- A man must not wear gold-woven or pure silk clothes while praying.

**Issue 423:** It is forbidden for a man to wear things made of gold, like a gold necklace, ring, watch or glasses, and if they pray wearing such things, their prayers will be void.

**Issue 424:** If a person, who knows that their clothes or body is impure, forgets that and offers their prayers with the impure body or clothes, their prayers will be void.

**Issue 425:** Not only a person's clothes, but also their body must be pure while praying.

**Q426:** My cellmates in the prison in a non-Islamic country are not Muslims and the prison cell is small, and it is not possible for us to use pure personal ground, clothes etc. What is the case of my prayers in this situation?

**A:** It must be taken into consideration that in such a situation, it is usually not certain that the ground, carpet or clothes are impure such that one's prayers will be invalid. Furthermore, in such situations, one's prayers are valid despite the impurities. However, it is good and even necessary to decrease the impurity as much as possible, that is, if they are wearing many impure things, they should decrease the number of those things while offering prayers.

**Q427:** Is it allowable to offer prayers in a place which is impure but dry?

**A:** It is allowable, but the point of prostration, that is, where one places their forehead like the Muhr (clay disc), must be pure.

**Q428:** What is the case of covering women's artificial hair while praying and in other situations? Must they cover it? What is the case of men's looking at such hair?

**A:** Looking at or touching artificial hair which is not part of their body, is not forbidden. Nor is it necessary to cover it while praying, but care must be taken to cover those parts of the head and the neck which are not covered by such artificial hair.

**Issue 429:** It is illegal for men and women to wear each other's clothes or other things with no reasonable purpose, but to look like the opposite sex, and as a recommended precaution, one should avoid wearing the clothes of the opposite sex; however, prayers offered in such clothes is not void.

**Issue 430:** If one's small pieces of clothing like socks and gloves are impure, or if they have an impure handkerchief in their pocket, it does not matter to pray with them, provided that they are not made of the parts of the dead body of an animal or of the body of an animal whose meat is illegal to eat.

**Issue 431:** It is recommended to wear shoulder-cloaks, white clothes, one's best and cleanest clothes, agate rings, and perfume, while offering prayers.

**Issue 432:** It is legally disapproved to wear black clothes, dirty clothes, tight clothes, clothes with portraits, and clothes with undone buttons, while offering prayers.

**Q433:** What is the case of praying with blood in one's nose which does not come out, but can be seen with the help of a mirror?

**A:** It does not matter.

**Q434:** What is the case of men's adorning with gold and silver ornaments? What about a man's prayers while having such things on?

**A:** It is illegal for a man to adorn himself with gold ornaments, and his prayers offered while having these things on, will be void, but it is not forbidden for men to wear and pray with silver ornaments.

## Place where Prayer Must Be Offered

**Issue 435:** There are six conditions for the place where one offers their prayers:

1- It must be Mubah (not usurped). So, one who offers their prayers in a usurped place, even if it is on a carpet, a bed etc., their prayers will be void. However, offering prayers under a usurped ceiling or in a usurped tent is not forbidden.

**Issue 436:** Prayers offered in a place whose benefits belong to a person who has not consented to the use of their property, is void. For example, in a rented house, the prayers of the owner of the house or anyone else without the permission of the tenant is void, and so is the prayers of a person in a place where

someone else has a legal right. For example, if a dead person has stated in his will to spend one-third of their property on a special purpose, it is not allowable to offer prayers on their property, as long as they have not executed their will.

2- It must be motionless and not moving. For example, it cannot be a car.

3- It must not be cramped. Nor must the ceiling be too low so that one can stand, bow, and prostrate properly.

4- The point where they place their forehead in prostration must be pure.

5- If the place is pure, it must not be so wet that the wetness would reach their body or clothes.

6- The point where they place their forehead in prostration must not be lower or higher than four attached fingers, compared to the place where they put their knees, and as an obligatory precaution, compared to the place where they put the tips of their big toes. However, it does not matter if the ground slopes slightly.

## Rules Regarding the Place Where Prayer Is Offered

**Issue 437:** Praying in/on moving vehicles like trains or planes, in cramped places, in places with low ceilings like war trenches, and on slopes, is not forbidden when there is no other alternative.

**Issue 438:** One must avoid offering prayers ahead of the graves of the Holy Prophet and Imams (PBUT), and if it is considered as disrespect to them, it will be illegal and void to pray ahead of their graves.

**Issue 439:** It is recommended that one should offer their obligatory prayers in a mosque, and this has been strongly recommended in Islam.

**Issue 440:** It is forbidden for a woman and a Non-Mahram man to be alone in one place, and as a precaution, they must avoid praying in such a place. However, if they offer their prayers in such a situation, the prayers will not be void.

**Q441:** what is the case of praying in a place where the radio or TV is broadcasting such exciting dance music?

**A:** Praying in a place where it entails committing an illegal act is not allowed and it entails punishment.

## Rules of Mosques

**Issue 442:** it is illegal to make the ground, ceiling, roof, and inner walls of a mosque impure, and when a person learns that any of these parts has become impure, they must immediately make it pure. As an obligatory precaution, the outer walls of a mosque must not be made impure either, and if they become impure, they must be made pure, unless the person, who has dedicated that mosque, has not appointed them as parts of the mosque.

**Issue 443:** If one cannot make the mosque pure, or needs help to purify it, but they do not find any help, it is not obligatory for them to make the mosque pure, but if it is seen as a disrespect towards the mosque, as an obligatory precaution, they must ask someone who can make the mosque pure to take care of it.

**Issue 444:** Carrying the original impurity like blood to a mosque is illegal if it is considered as disrespect to the mosque, and so is the case of an impure thing.

**Issue 445:** The following statements show the significance of going to and praying in mosques:

- It is recommended to frequent mosques.
- It is recommended to go to a mosque where few people go for offering prayers.
- It is legally disapproved for a person neighboring a mosque to offer their prayers in places other than the mosque with no excuse.
- It is recommended that one should avoid eating or, consulting with, and neighboring a person who does not go to mosques. They should also avoid marrying the girls of such a family and letting the boys of such a family marry their girls.

**Issue 446:** There are illegal acts regarding mosques:

- As an obligatory precaution, it is illegal to adorn a mosque with gold.

- To sell a mosque, although it has been destroyed.
- To make a mosque impure, and if it becomes impure, it must be made pure immediately.

**Issue 447:** There are some recommended acts regarding mosques:

- To enter the mosque earlier and leave there later than others
- To illuminate the mosque
- To clean the mosque
- To put one's right foot first when stepping into the mosque.
- To put one's left foot first when stepping out of the mosque.
- Offering a two-Rak'at recommended prayer as greetings to the mosque.
- To wear perfume as well as one's best clothes when going to the mosque.

**Issue 448:** There are legally disapproved acts regarding mosques:

- To pass through the mosque (as a path) without offering prayers there.
- To spit or throw one's mucus of the nose in the mosque
- To sleep in the mosque, unless one is helpless
- To shout or raise one's voice, except for Adhaan
- To buy or sell things and transact deals
- To talk about worldly affairs
- To go to a mosque, having eaten garlic or onions whose smell in one's breath would bother others

**Issue 449:** **It is recommended to build or renovate a dilapidated mosque, and if a mosque is so ruined that it is not possible to repair it, then it can be demolished and rebuilt. Even a mosque which is not ruined can be demolished for extension, when people need a bigger mosque.**

**Q450:** Is the attendance of the People of the Book in a mosque seen as disrespect to the mosque?

**A:** It is not considered as disrespect towards the mosque.

## **Adhaan (Call to Prayers) and Iqamah (Preparation for Entering Prayers)**

**Issue 451:** It is recommended that one should say Adhaan and Iqamah before offering daily prayers. To do this, Adhaan is said first, then Iqamah is pronounced, and then they enter prayers.

**Issue 452:** Adhaan consists of the following eighteen statements:

“**Allahu Akbar**” (four times): Allah is greater than any description.

“**Ash hadu anla ilaha illallah**” (two times): I testify that there is no god but Allah.

“**Ash hadu anna Muhammadan Rasulallah**” (two times): I testify that Muhammad is Allah's Messenger.

“**Hayya alas salah**” (two times): Hasten to prayers.

“**Hayya alal falah**” (two times): Hasten to deliverance.

“**Hayya ala khayril amal**” (two times): Hasten to the best act.

“**Allahu Akbar**” (two times): Allah is greater than any description.

“**La ilaha illallah**” (two times): There is no god but Allah.

Iqamah consists of seventeen statements. In Iqamah, the beginning “**Allahu Akbar**” is reduced to twice, and the ending “**La ilaha illallah**” is reduced to once, and after “**Hayya ala khayril amal**”, the statement, “**Qad qa matis salah**” (i.e. the prayers has certainly been established) must be added two times.

**Issue 453:** “**Ash hadu anna Amir al-Mu'minin Aliyyan Walayyullah**” (i.e. I testify that the Commander of the believers, Imam Ali (A.S.) is the vicegerent of Allah) is not part of either Adhaan or Iqamah, but it is preferable that one pronounces that after “**Ash hadu anna Muhammadan Rasulallah**”, with the intention of closeness to God.

## **Rules of Adhaan and Iqamah**

**Issue 454:** Adhaan and Iqamah must be said after the time of prayers has set in and if intentionally or

because of forgetting, one pronounces them before the time has set in, they will be void.

**Issue 455:** Iqamah must be pronounced after Adhaan, and if one says that before Adhaan, it will not be valid.

**Issue 456:** There must not be any unusual interval between the statements of Adhaan or Iqamah, and if an unusual gap is allowed between them, the Adhaan or Iqamah must be repeated.

**Issue 457:** If Adhaan and Iqamah have been pronounced for congregational prayers, a person joining that congregation should not pronounce Adhaan and Iqamah for their prayers.

**Issue 458:** If one goes to a mosque to join the congregational prayer, but they find that the prayer is over, they may not pronounce Adhaan and Iqamah for their prayers as long as the lines have not broken up and the people have not dispersed.

**Issue 459:** Recommended prayers do not have Adhaan and Iqamah.

**Q460:** What is the case of saying Adhaan and Iqamah with the intention of closeness to God before recommended prayers? What about before Quada and Ayaat prayers as well as prayer of fear?

**A:** Saying Adhaan and Iqamah before obligatory daily prayers and the corresponding Quada prayers is recommended, but for recommended prayers, it is illegal to say Adhaan and Iqamah. In the case of Ayaat prayer, it is recommended to say “Assallat” (i.e. prayers) three times before entering the prayer instead of Adhaan and Iqamah, with the intention of gaining a heavenly reward.

**Issue 461:** It is recommended to pronounce Adhaan in the right ear and Iqamah in the left ear of a newborn baby on the day of its birth.

**Issue 462:** **It is recommended that a person, who is appointed to pronounce Adhaan and Iqamah, should be a just person, with the knowledge of timings and a loud voice.**

## Acts of Prayer

**Issue 463:** Prayer starts with the pronunciation of “Allahu Akbar” and ends with “Salaam” (salutation).

**Issue 464:** What is performed in prayer is either an obligatory or a recommended act.

**Issue 465:** There are eleven obligatory acts for prayer, some of which are elemental and the others are non-elemental.

## Obligatory acts of Prayer

1. The intention (Niyyat)
2. The pronunciation of “**Allahu Akbar**” → (Takbeerat-ul-ihram)
3. The standing position → (Quiyam)
4. The recitation of Al-Hamd and another chapter → (Quira’ah)
5. The bowing → (Ruku’)
6. The prostrations → (Sujdah)
7. The testimony to Allah’s uniqueness and the Prophet hood of Muhammad (PBUH) → (Tashahud)
8. The salutation → (Salaam)
9. The sequence → (Tarteeb)
10. The time succession → (Muwalaat)
11. The words of Remembrance (Dhikr)

## The Elements of Prayer

The intention

The pronunciation of “Allahu Akbar”

The standing upright while pronouncing the beginning “Allahu Akbar” as well as reciting the Al-Hamd and the other chapter before bowing.

The bowing  
The prostrations

## The Difference between the Elements (Rukn) and Non-elements of Prayer

**Issue 466:** The Elements are the basic and necessary parts of prayer, and if one skips or avoids one of them, or performs an extra one, even if it is due to forgetting, their prayer will be void. The non-elements, too, are obligatory parts which are necessary to be performed but if one forgets to perform one of them or performs an extra one by mistake; their prayer will not be void. However, if one intentionally avoids performing a non-element or performs an extra one, their prayer will be void.

## Rules regarding the Obligatory Acts of prayers

### 1-The intention

**Issue 467:** A person must be aware and conscious of the prayer they are offering from the beginning till the end, and must offer it in order to comply with the orders of Allah.

**Issue 468:** It is not necessary for the intention to be verbalized or to cross one's mind, but it does not matter if one verbalizes their intention.

**Issue 469:** Prayer must be merely offered to execute the order of Allah, and one must not pray for hypocrisy, and if all or a part of prayer is offered for purposes other than obeying the order of Allah, the prayer will be void, whether that part is an obligatory one like the chapter of the Holy Quran, or a recommended one like the personal supplication (Qunut).

**Issue 470:** Prayer must be merely offered to execute the order of Allah, so the prayer of a hypocrite who offers prayer for the purpose of showing off, their prayer will be void, whether it is just offered as to show off or both to show off and to obey the order of God.

### 2- To Pronounce the beginning "Allahu Akbar" (Takbeerat-ul-ihram)

**Issue 471:** Pronouncing "Allahu Akbar", the prayer starts, and this is referred to as "Takbeerat-ul-ihram", which means that many things which were allowable and legal before entering prayer become illegal and forbidden for the person who begins praying, for instance, eating, drinking, laughing and crying. To say this "Allahu Akbar" at the beginning of prayer is obligatory and considered as an element.

**Issue 472:** To pronounce "Allahu Akbar" at the beginning of every prayer is obligatory and considered as an element, and it is necessary that the letters and the full words are uttered in proper succession and pronounced in correct Arabic.

If one pronounces these words in an incorrect Arabic or pronounces the translation, it will not be valid.

**Issue 473:** While pronouncing the Takbeerat-ul-ihram, one must stand still and if they intentionally pronounce it when their body is in motion, it will be void, but if they move unintentionally, as a recommended precaution, they should first do something which invalidates the prayer, and then pronounce the Takbeerat-ul-ihram again and a better precaution is to finish that prayer and redo it afterwards.

**Issue 474:** One must pronounce the Takbeerat-ul-ihram, Al-Hamd, the chapter of the Holy Quran, the words of Remembrance, and their personal supplication in a manner that they should at least hear the whisper themselves, and if they cannot hear themselves because of deafness or too much noise, they must pronounce them in such a manner that they would be able to hear if there were no impediment.

**Issue 475:** When a person doubts whether they have said the "Takbeerat-ul-ihram" or not, they must ignore their doubt if they have started the recitation of Al-Hamd, but if they have not, they must repeat the Takbeer.

### 3- Standing Upright

- Issue 476:** One must stand still while pronouncing the Takbeerat-al-ihram reciting the Al-Hamd and the other chapter of the Holy Quran after Al-Hamd.
- Issue 477:** If one forgets to bow after the recitation of Al-Hamd and the chapter, and sits down to enter the prostrations, but before entering the prostrations, they remember that they have not performed the bow; they must stand upright again, perform the bow, and then enter their prostrations.
- Issue 478:** A disabled person who can by no means stand upright, even with the help of a stick or a crutch or leaning against a wall, they must sit facing the Quiblah and offer their prayers, and if this is also impossible, they must lie down and offer their prayers.
- Issue 479:** One must stand on their both feet while offering prayers, but it is not necessary that the weight of their body should be on their both feet, that is, it does not matter if the weight of their body is on one of their feet.
- Issue 480:** It is obligatory to stand upright and still after bowing, and then kneel down for prostrations, and if one intentionally avoids this standing, their prayers will be void.
- Issue 481:** When a person wants to move backwards, forwards, to the left or right while praying, they must stop pronouncing their prayers, and continue the pronunciation after moving. But "Bi haw lillahi wa quwwatihi aqumu wa aq ud" must be pronounced while rising for one's next Rak'at. One must avoid moving their body and must keep still while saying any obligatory word of remembrance (dhikr) in prayers, and as an obligatory precaution, their body must also be still while pronouncing the recommended words of remembrance.

#### 4- Recitation

- Issue 482:** One must recite Al-Hamd and after that a complete chapter of the Holy Quran (e.g. Al-Towheed), in the first and second Rak'ats of the daily obligatory prayers.

##### Al-Hamd

- "**Bismillahi rahmaanir rahim**": In the name of Allah, the beneficent, the merciful.
- "**Alhamdu lillahi rabbil aalamin**": Praise is to Allah, Lord of the worlds.
- "**Arrahman irrahim**": The Beneficent, the Merciful.
- "**Maliki yaw middeen**": Owner of the Day of Judgment.
- "**Iyyaka na'budu wa iyyaka nasta'een**": The (alone) we worship, Thee (alone) we ask for help.
- "**Ihdi nassiratal mustaqueem**": Show us the straight path
- "**Siraatal Ihdina an'amta alayhim ghayyiril magh dhubi alayhim wa ladhaalleen**": The path of those whom Thou hast favored; not (the path) of those who earn Thine anger, nor of those who go astray.

##### Al-Towheed

- "**Bismillahi rahmaanir rahim**": In the name of Allah the beneficent, the merciful.
- "**Qul huwallahu ahad**": Say: He is Allah, the one!
- "**Allahussamad**": Allah, the eternally besought of all!
- "**Lam yalid wa lam yulad**": He begetteth not, nor was begotten.
- "**Wa lam yakun lahu kofu'an ahad**": And there is none comparable unto him.
- In the third and fourth Rak'ats of the daily obligatory prayers, one must recite only the Al-Hamd chapter or pronounce the "Tasbeehat-ul-Arba'ah", that is, the Four Remembrances three times. It will also suffice if one pronounces the Four Remembrances once.

##### Tasbeehat-ul-Arba'ah (the Four Remembrances)

- "**Sobhanallahi wal hamdu lillahi wa la ilaha illallahu wallahu Akbar**": Glory is to Allah, and Praise is to Allah, and there is no God but Allah, and Allah is greater than any description.

#### Rules of Quira'at (Recitation)

**Issue 483:** The Al-Hamd or the Four Remembrances must be pronounced quietly in the third and fourth Rak'ats.

**Issue 484:** In midday and afternoon prayers, the recitation of the first and second Rak'ats must also be performed quietly.

**Issue 485:** It is obligatory for boys and men to recite the Al-Hamd and the other chapter loudly when offering dawn prayer as well as the first and second Rak'ats of sunset and evening prayers. Girls and women are allowed to do so only if no Non-Mahram may hear their voice, and as an obligatory precaution, they must offer their prayers quietly.

**Issue 486:** If a person intentionally recites their prayer loudly when they must recite it quietly or vice versa, their prayer will be void, but if one does so due to forgetting or ignorance about the issue, their prayer will be valid.

**Issue 487:** If while reciting the Al-Hamd and the other chapter, one realizes that have, by mistake, recited the verses loudly where as they have had to recite quietly or vice versa, it is not necessary to redo the recitation of the verses they have already recited.

**Issue 488:** Every Muslim must learn how to pronounce the verses and the Remembrances of prayers, such that they do not pronounce them incorrectly, and if one is by no means able to learn how to pronounce them correctly, they must pronounce them any way they can, and as a recommended precaution, such a person should join congregational prayers for offering their prayers.

**Q489:** Is it allowable for Non-Arabs for whom it is difficult to pronounce the words of prayers in Arabic, to recite the translation of those words in their own languages as long as they have not learned Arabic, but to offer the corresponding Quada prayers in Arabic later when they learn Arabic?

**A:** It is not permissible for anyone to recite the words of their prayers in any language other than Arabic, and such prayers will be void. Such a person must pronounce the Arabic words in any way which is possible for them, and they are not required to do more than what they can undertake.

**Q490:** Which vocalization (Tajweed) of the words of prayers is legally valid?

**A:** Vocalizing and pronouncing the words the way Muslim do, is permissible.

**Q491:** How many times must one pronounce the Four Remembrances (Tasbeehat-ul-Arba'ah) in prayers? Is one allowed to pronounce it once when they are in a hurry?

**A:** To pronounce it once will suffice and the prayer will be valid.

**Q492:** What is exactly meant by reciting the Al-Hamd and the other chapter loudly in Jahriyah prayers (dawn, sunset and evening prayers), and reciting them quietly in midday and afternoon prayers? Will that suffice if the words pass through one's mind?

**A:** By reciting loudly, it is meant that one's natural tone of voice must be clear and recognizable, but in the case of those prayers whose Al-Hamd and the other chapter must be recited quietly, the natural tone of one's voice is not recognizable. It is not sufficient for the words of prayers to pass through one's mind.

## 5- Bowing (Ruku')

**Issue 493:** A person offering prayers, must, after reciting the Al-Hamd and the other chapter, bow to the extent that they are able to rest their hands on their knees, and this is referred to as "Ruku'" and it is obligatory to say a Remembrance (dhikr) when one bows.

**Issue 494:** Any Remembrance would suffice for bowings of prayers, but it is obligatory that it must not be shorter than three times "Subhanallah", or once "Subhana Rabbiyal adhimi wa bihamdih".

**Issue 495:** While saying the Remembrance in bowing, one's body must be still.

**Issue 496:** If one intentionally says the Remembrance while bowing, before they completely bend and before their body is still, their prayers will be void.

**Issue 497:** If one intentionally raises their head from bowing before finishing their obligatory Remembrance, their prayers will be void, but if one does so unintentionally, and before rising from the bow they remember that they have not finished saying the Remembrance, while their body is still, they must say the Remembrance again, and if after rising from the bow they remember that they have not finished the Remembrance, their prayer will be valid.

**Issue 498:** A person who performs the bowing in a sitting position, must bow down such that any observer

would confirm they are bowing in a sitting position, and it is not necessary that their face be parallel to their knees, and it is better to bow down to the extent that one's face reaches near the point of prostration, i.e., where they place their foreheads.

**Issue 499:** The Remembrance of bowing must be uttered in succession and in correct Arabic, and it is recommended that it should be uttered, three, five, seven, or even more times.

## 6-Prostrations

**Issue 500:** One must perform two prostrations after bowing in every Rak'at of a recommended or obligatory prayer.

**Issue 501:** To perform prostrations, one must place their forehead, palms, knees and the tips of their big toes on the ground and it is obligatory to say a Remembrance when they prostrate. These two prostrations are accounted as an element (Rukn) of the prayer.

**Issue 502:** Any remembrance would suffice for prostrations, but it must not be shorter than three times "Subhanallah", or once "**Subhana Rabbiyal aa'la wa bihamdih**".

**Issue 503:** While saying the remembrance of the prostration, one's body must be still.

**Issue 504:** If one intentionally says the remembrance of the prostration before their body is still and their forehead reaches the ground, their prayer will be void, and if one does so due to forgetting, they must say the remembrance again when their body is still.

**Issue 505:** After the remembrance of the first prostration is completed, one must rise from prostration and sit still, before they perform the second prostration.

**Issue 506:** If a person intentionally raises their head from prostration before the remembrance is completely said, their prayer will be void.

**Issue 507:** If one intentionally lifts one of their seven limbs from the ground while pronouncing the remembrance of the prostration, their prayer will be void, but when they are not reciting the remembrance, if they raise any of these limbs except their forehead, and place them back on the ground, their prayers will not be void.

**Issue 508:** If one places their toes, or their insteps on the ground along with the tips of their big toes while prostrating, or if the tips of the big toes do not rest on the ground due to very long nails, their prayer will be void.

**Issue 509:** In prostration, one must place their forehead on the ground or on what grows from the earth which is neither clothing nor an edible staff, like leaves of the trees and wood.

**Issue 510:** To prostrate on minerals like gold, silver, agate and turquoise is not valid. But it does not matter to use mineral stones like marble and black stones.

**Issue 511:** To prostrate on the things which grow from the earth and serve as fodder for animals, like grass and hay is valid.

**Issue 512:** To prostrate on paper is valid, even though it is made out of cotton and the like.

**Issue 513:** The soil of the grave of Imam Al-Hossain (PBUH) is the best thing for prostration, and after that, there stand soil, stone and grass in order of priority.

**Issue 514:** If the clay disk (Muhr) sticks to the forehead in the first prostration, it should be removed from the forehead before performing the second prostration; otherwise the prayer will be void and must be redone.

**Issue 515:** The point where one places his/her forehead in prostration must not be more than four attached fingers higher or lower, compared to the point where they put their knees, and as an obligatory precaution, compared to the point where they place the tips of their toes.

**Issue 516:** Nothing must intervene between one's forehead and the thing on which they perform the prostration. So, if the clay disk is so dirty that one's forehead does not reach the clay, the prostration will be void, but if the color of the clay disk has changed, the prostration will not be void.

**Issue 517:** A person who is offering prayers, must place their big toes on the ground, and it will suffice to put

the big toes on the ground in any position, but the recommended precaution is to put only the tips of the big toes on the ground, and if they put their other toes or insteps on the ground or if their big toes do not reach the ground due to very big nails, the prayer will be void.

**Issue 518:** The clay disk or whatever the prostrations are performed on, must be pure, but if one puts the clay disk on an impure carpet or if they place their forehead on the pure side of a clay disk whose other side is impure, their prostration will be valid.

**Issue 519:** Where it is necessary to dissimulate, that is, to hide one's thoughts and true beliefs because of their life being in danger, they can prostrate on carpets and the like, and it is not necessary to go to a different place for prostration.

#### Things to Be Done When Usual Prostration Is Not Possible

**Issue 520:** One who cannot make their forehead reach the ground, must bend as much as they can, and put the clay disk or whatever prostration is valid on, high on something and place their forehead on it such that any observer would confirm they are prostrating, but they must put their palms, knees and big toes on the ground as usual.

**Issue 521:** One, who cannot bend down for prostration, must sit down and bend their head, but the obligatory precaution is to lift the clay disk as high as they are able to bend their forehead on it.

**Q522:** Sometimes, while in the first prostration, one's forehead touches the clay disk twice. Are these touches accounted as two prostrations?

**A:** It is accounted one prostration, because the second touch has not been intentional and voluntary, so it is not taken into consideration.

**Q523:** Sometimes, there appears some acne on the forehead which causes pain while prostrating. Is it allowable to lean one's forehead on the clay disk in such a situation?

What is the case of the prayer of a person with such acne, if after raising their head they see that the blood from those acnes has stained the clay disk?

**A:** While prostrating, it is not necessary to put one's entire forehead on the clay disk or any thing else on which prostration is valid, and it would suffice to put just a part of it on the clay disk; But it will not suffice if one puts any part of the body other than their forehead on the clay disk, so to put their foreheads in a sloping position on the clay disk is not forbidden. When the clay disk becomes impure with blood stains, it is not permissible to prostrate on it, because it is a necessary condition for the place of prostration to be pure.

The blood which comes out of a wound, does not invalidate the prayer provided that the stain is smaller in size than a dirham (a coin with a diameter of nearly two centimeters), but if it makes the place impure for the next prostration, one is not allowed to pray with that, because the place of prostration must be pure.

**Q524:** Is it allowable to prostrate on one's nails if while praying they lose the thing on which prostrating is valid and do not find such a thing again?

**A:** If they have enough time for offering prayers, they must cut their prayers and find something on which prostrating is valid, and then redo their prayer, but if they have little time, or if despite cutting their prayer, they do not find any thing on which prostration is valid, they should prostrate on their clothes; if this is not possible either, they should prostrate on the back of their hands and if this is also not possible they can use any mineral stone such as agate rings etc.

**Q525:** What is the case of prostrating on cement, tile, baked lime or gypsum? What about performing Tayammum on them?

**A:** It is not valid to prostrate on cement, tile, and the like, which have undergone lots of changes and they cannot be accounted as earth, but as for baked lime, back gypsum, and the like, such as raw lime and gypsum, prostrating on them is permissible, and Tayammum is treated like prostration in all these cases.

#### The Obligatory Prostrations of the Holy Quran

**Issue 526:** In each of the four chapters, "Al-Sajdah", "Fussilat", "Al-Najm", and "Al-Alaq", there is a verse, the recitation or hearing of which obliges a prostration which must be performed immediately after the

verse is finished, and if one forgets to do that, they must perform it as soon as they remember that.

**Issue 527:** The verses which oblige prostration are listed below:

- 1- "Al-Sajdah" (chapter 32), verse 15
- 2- "Fussilat" (chapter 41), verse 37
- 3- "Al-Najm", (chapter 53), verse 62
- 4- "Al-Alaq" (chapter 96), verse 19

**Issue 528:** If a person hears the verses which oblige prostration from the radio, tape etc., it is not obligatory for them to perform a prostration.

**Issue 529:** If a person hears the verses which oblige prostration from devices like loud speaker which broadcasts the voice of the person reciting the Holy Quran, it will be obligatory for them to offer a prostration.

**Issue 530:** To pronounce a remembrance in a prostration performed after hearing the verses which oblige such a prostration, is not obligatory, but is recommended.

**Issue 531:** It is not allowed to perform a prostration which becomes obligatory due to hearing or reciting the verses of the Holy Quran, on edible or clothing staff. It is not necessary to observe the other conditions which are attached to the prostrations offered in prayers.

## 7- Testimony (Tashahud)

**Issue 532:** In the second Rak'at of all obligatory prayers, in the third Rak'at of sunset prayers, and in the fourth Rak'at of midday, afternoon and evening prayers, one must sit still after the second prostration and pronounce the testimony, that is, they must say, "**Ashhadu anla ilaha illallah, wa ash hadu anna Muhammadan abduhu wa Rasuluh, Alla humma salli ala Muhammadin wa ali Muhammad**".

**Q533:** What must a person do if in the third Rak'at of prayers, while or after bowing, one realizes that they have not performed the testimony of the second Rak'at?

**A:** After finishing the prayer and before one turns their face away from the Quiblah, they must perform the Quadha testimony, and after that they must perform two "Sahv" prostrations (prostrations performed as compensation for an unintentional fault).

**Q534:** If one forgets to perform the testimony of their prayer, and after finishing the prayer, performs the Quadha testimony, is it also necessary to pronounce the salutations (Salaam) again?

**A:** It is not necessary to pronounce the salutations in such a case.

**Q535:** Is it permissible to offer one's personal supplications in Persian or any language other than Arabic, after the pronunciation of the remembrance of the bow or prostrations, or in Qunut?

**A:** To offer one's personal supplications in the above mentioned manner is allowed, but it will not suffice for a person to offer their personal supplications in their mother tongue (i.e. any language other than Arabic) while performing Qunut.

## 8- Salutation of Prayers (Salaam)

**Issue 536:** After offering the testimony (Tashahud) of the last Rak'at of prayer, it is obligatory to sit still and offer the salutation, i.e., "**Assalaamu Alaykum**" and as a recommended precaution, they should add, "**warah matullahi wa barakaatuh**", or to say, "**Assalamu alayna wa ala ibadilla hissalihin**", and as a recommended precaution, they should, after the testimony and before salutation, say, "**Assalaamu alayka ayyu hannabiyyu wa rah matullahi wa barakatuh**".

**Issue 537:** If a person forgets to pronounce the salutation, but before changing the posture of praying, they remember that, they must pronounce the salutation and their prayer will be valid, provided that they have not, intentionally or unintentionally, done anything which would invalidate the prayer, such as turning one's face away from the Quiblah.

**Q538:** What is the case of returning one's greeting while offering prayers? What kind of greeting is considered as to not invalidate prayers? For instance, sometimes people say, "salaam Alaykum", or

sometimes they say "Salaamun Alaykum". "Alayk" is sometimes pronounced with Arabic "Alif" and not Arabic "Ayn".

**A:** To return a person's greeting in any of the first two mentioned manners is obligatory, but in the third manner which is incorrect, it is not allowed and will invalidate the prayer.

**Issue 539:** To return greetings immediately is obligatory, whether one is praying or otherwise, and if intentionally or due to forgetting, one delays the returning such that if they return one's greeting, it will not be accounted as the return to his/her greeting, they must avoid returning the greeting if they are praying and if not, it is not obligatory to return the greeting with delay in such a case.

## 9- Sequence (Tarteeb)

**Issue 540:** Prayers must be offered in this sequence, Takbeerat-ul-ihram, recitation, bowing and prostrations; after the second prostration of the second Rak'at there is testimony and in the last Rak'at, there is salutation after the testimony.

**Issue 541:** If a person intentionally changes the sequence of the prayers, for example, if they recite the other chapter before reciting Al-Hamd, or if they perform the two prostrations before bowing, their prayers will be void.

**Issue 542:** If a person forgets a non-elemental part of the prayers, that is, a part which is not a Rukn and then performs a Rukn which comes after it, for instance, if they forget to recite Al-Hamd and then enter the bowing, their prayer will be valid.

**Issue 543:** When a person forgets a part of the prayer which is not a Rukn, and performs the next part which is not a Rukn either, for example, when they forget to recite Al-Hamd and recite the other chapter, if after entering the next Rukn they remember that they have forgotten that non-elemental part, they must continue their prayers and the prayers will be valid, and if they have not entered a Rukn yet, they must perform what they have forgotten and then perform the part which they mistakenly performed earlier.

## 10- Succession (Muwalaat)

**Issue 544:** Muwalaat means to perform the parts of the prayers one after the other and not to allow any time gap between them so that the continuity is maintained.

**Issue 545:** If a person allows such gaps between different acts of their prayers that they do not seem to be praying, their prayers will be void.

**Issue 546:** To lengthen the bow or the prostrations and to recite long chapters of the Holy Quran does not violate the succession of prayer.

## Personal Supplication (Qunut)

**Issue 547:** It is recommended to recite Qunut before the bow of the second Rak'at in all obligatory and recommended prayers. To do so, one must hold out their hands in front of their face and recite their Remembrance or supplication.

**Issue 548:** Any Remembrance would suffice for Qunut, even if one says, "subhanallah" only once, They can also recite, "**Rabbana aatina Fiddunya hasanatan wa fil aakhirati hassanatan wa quina adha bannar**"

## Supplementary Acts Following the Prayers (Ta'queebaat)

"Ta'queeb" means to read or recite some verses or chapters of the Holy Quran, or any supplication, or to pronounce words of Remembrance after the salutation of any prayer.

**Issue 549:** It is better to face the Qiblah while offering Ta'queebaat.

**Issue 550:** It is not necessary that the Ta'queebaat be recited in Arabic; however, it is better to recite those supplications which have been recommended in the books of supplications.

**Issue 551:** Among the things which have been considerably recommended as Ta'queebaat, are the words of

Remembrance offered by Her Holiness Fatimat-at-Zahra (PBUH) as follows:

- To say "Allahu Akbar" thirty four times
- To say "Alhamdu lillah" thirty three times
- To say "Subhanallah" thirty three times

## Translation of Prayers

### 1- Translation of Takbeerat-ul-ihram

"Allahu Akbar": Allah is greater than any description.

### 2- Translation of Al-Hamd chapter

"**Bismillahir Rahmanir Raheem**": I commence in the Name of Allah-in whom excellences are combined and who is free from all defects; the compassionate-one whose blessings are extensive and unlimited; the Merciful-one whose blessings are inherent and eternal.

"**Alhamdu lillahi Rabbil aalameen**": Special praise due to Allah, the sustainer of the creation and the lord of the words.

"**Arrahmanir Rahim**": The Compassionate, the Merciful.

"**Maliki yaw middin**": The Master of the Judgment Day.

"**Iyyaka na'budu wa iyyaka nasta'een**": Thee alone we worship, and thee alone we ask for help.

"**Ihdinas siraatal mustaqeem**": Guide us to the straight path.

"**Siraatal latheena an'amta alayhim**": The path of those whom thou have bestowed and favored.

"**Ghayril maghdhubi alayhim waladh dhaaleen**": Not of those who incur thine anger and wrath, or of those who go astray.

### 3- Translation of Al-Ikhlaas chapter (Al-Towheed)

"**Bismillahir Rahmanir Rahim**": I commence in the Name of Allah, the Compassionate, and the Merciful.

"**Qul huwallahu Ahad**": Say, Allah is One, the eternal being.

"**Allahus samad**": Allah is He Who is independent of all beings.

"**Lam yalid wa lam yulad**": He begot none, nor was He begotten.

"**Wa lam yakullahu Kufuwan ahad**": And there is none in the creation comparable unto Him.

### 4- Translation of the Remembrance Pronounced in the Bow

"**Subhana Rabbiyal adheemi wa bihamdih**": Glory is to my High Sustainer and I praise Him.

### 5- Translation of the Remembrance Pronounced in Prostrations

"**Subhana Rabbiyal Aa'la wa bihamdih**": Glory is to my Great Sustainer, Most High, and I praise Him.

### 6- Translation of the Four Remembrances (Tasbeehat-ul-Arba'ah)

"**Subhanallahi wal hamdu lillahi wa la ilaha illa; ahu wallahu Akbar**": Glory be to Allah, and all praise due to him, and there is no God but Allah, and He is Greater than any description.

### 7- Translation of Testimony and Salutation

"**Alhamdu lillah, ash hadu anla ilaha illallahu wahdahu la shareeka lah**": All praise is due to Allah, and I testify that there is none worth worshipping but the Almighty Allah, Who is One and has no partner.

"**Wa ash hadu anna Muhammadan abduhu wa Rasuluh**": And I testify that Muhammad is His servant and the messenger due to Him.

"**Allahumma salli ala Muhammadin wa ali Muhammad**": Allah! Shower your blessings upon Muhammad and His progeny.

"Assalamu alayka ayyuhan Nabiyyu wa rehmatullahi wa barakatuh": O prophet! May Allah's peace, blessings and grace be upon you!

"Assalamu alayna wa ala ibadillahis salihin": May Allah's peace is on us, those offering prayers and upon all pious servants of Allah!

"Assalamu alaykum wa rahmatullahi wa barakatuh": May Allah's peace, blessings and grace be upon you believers!

## Things Which Invalidate Prayers (Mubtilaat)

**Issue 552:** From the time when a person pronounces Takbeerat-ul-ihram and while being praying till the end, some things become forbidden for them to do, and if they do one of those things, their prayer will be void.

There are twelve things which invalidate prayers, and they are called "Mubtilaat".

1- If any of the requisites of prayers ceases to exist while one is in prayer; for instance, if while praying one comes to know that the place where they are praying is a usurped one.

2- If a person, intentionally or unintentionally, or uncontrollably commits an act which invalidates their Wudhu or Ghusl.

3- If a person talks while praying, their prayers will be void.

4- If a person laughs while praying, their prayers will be void.

5- If a person weeps while praying, their prayers will be void.

6- If while praying, a person turns their face away from the Quiblah their prayers will be void.

7- If while praying, a person eats or drinks something, their prayers will be void.

8- If one's figure and form of praying changes, their prayers will be void.

9- If a person omits one of or adds to the elements (Rukns) of prayers, their prayers will be void. (See issues 361 and 362)

10- If a person offers their prayers arms crossed, like some Muslims who are not Shi'ite, their prayers will be void.

11- If a person says "Amen" after reciting Al-Hamd, their prayers will be void; But if this is done by mistake, or while dissimulating (Pretending to have certain beliefs of one's life or property being in danger), their prayers will not be void.

**Q553:** What is the case of praying with arms crossed?

**A:** If it is not due to dissimulating, it is illegal and the prayers will be void.

12- If while praying a person doubts about the number of the Rak'ats they have offered of a two-Rak'at or three Rak'at prayer, or about the first two Rak'ats of a four Rak'at prayer, their prayer will be void.

## Rules regarding the Things which Invalidate Prayers Talking

**Issue 554:** If a person intentionally utters a word, by which they intend a meaning, their prayers will be void, even if the word is meaningless.

**Issue 555:** If a person utters a word of two or more letters, even if they do not intend a meaning, as an obligatory precaution, they must redo their prayers.

**Issue 556:** If due to forgetting, a person talks while praying, for instance, if a person absent-mindedly forgets that they are praying and talks while being in prayer, their prayers will not be void.

**Issue 557:** Coughing and sneezing do not invalidate prayers.

**Issue 558:** One must avoid greeting others while praying, but to return other's greetings while praying is obligatory, and in doing so, the word "Salaam" must precede other words of greeting, for instance, they must say, "Salaam-un-Alaykum", and not "Alaykum-al-salaam".

## Laughing and Weeping

**Issue 559:** If a person makes a sound of laughing intentionally while praying, their prayers will be void.

**Issue 560:** To smile while praying, does not invalidate prayers.

**Issue 561:** If a person intentionally weeps aloud over worldly matters, their prayers will be void, but if they weep silently, their prayers will not be void.

**Issue 562:** If a person weeps loudly or silently with the fear of Allah or for the Here after, their prayers will not be void, and in fact it is among the best acts.

## Turning Away From the Quiblah

**Issue 563:** If due to forgetting, or intentionally, a person turns to the left or right side of the Quiblah, or turns his back on the Quiblah, and even if they just deviate-and not completely turn-to the left or right intentionally in such a way that they do not seem to be facing the Quiblah, their prayers will be void.

**Issue 564:** If one turns their face completely to the left or right of the Quiblah unintentionally, as an obligatory precaution, they must redo their prayer; but if one, intentionally or unintentionally turns their face slightly away from the Quiblah, their prayer will not be void.

## Eating and Drinking

**Issue 565:** If, while praying, a person swallows the bits of food which come out from between their teeth, their prayer will not be void, but if things like sugar remained in one's mouth melt gradually and go down the throat, their prayers will be void.

**Issue 566:** As an obligatory precaution, one must avoid eating and drinking while offering prayers, whether this eating or drinking violates the succession of prayers or not, and whether they seem to be praying or not.

## Violating the Figure and Form of Prayers

**Issue 567:** If while praying, a person commits an act like clapping, jumping etc., which violates the figure of prayers, their prayer will be void, even if this violation of figure is due to forgetting.

**Issue 568:** If a person remains silent for so long that they do not seem to be praying, their prayer will be void.

**Issue 569:** Breaking obligatory Prayers is illegal, unless it is for the purpose of protecting one's life and property, or preventing any physical or financial harm.

**Q570:** Does hearing songs render one's prayers void?

**A:** Hearing songs does not render one's prayers void.

**Q571:** Will one's acts of worship including their prayers offered in forty days really be void if they intentionally or unintentionally drink alcoholic beverages and then repent that?

**A:** Their prayers will not be void, but they will have to ask Allah to accept their acts.

**Issue 572:** Breaking one's prayers for a worthless property is legally disapproved (Makruh).

**Issue 573:** Under these conditions it does not matter if one breaks their prayer to pay their debts:

1- When one cannot pay their debt while praying.

2- When the creditor demands to be paid.

3- When enough time is left for offering prayers so that the debtor can offer their prayers within the time after paying their debt.

**Q574:** Some soldiers have to guard at their post on duty from the time of dawn Adhaan till sunrise, and because of ignorance about the issue, their dawn prayer is rendered Quadha. Are they allowed to offer their prayers with their boots on?

**A:** If it is not possible for them to take off their boots, it is allowable.

## Some of the Things which are legally disapproved while Praying

1- Shutting one's eyes

- 2- Playing with one's fingers and hands
- 3- Keeping silent in order to listen to a conversation
- 4- Committing any act which disturbs humility
- 5- Turning one's face slightly to the left or right (and if one turns their face completely to the left or right, their prayers will be void)

**Q575:** Is it allowable that one says "wa ajjil farajahum" (and hasten their advent) after pronouncing the blessing "Salawat" upon the Prophet (PBUH) in the testimony (Tashahud) of daily prayers?

**A:** As an obligatory precaution, it must be avoided.

**Q576:** Will one's prayer be valid if while praying, they shut their eyes in order to concentrate more on their praying?

**A:** Their prayer will be valid.

## Doubts Aroused while Praying

Sometimes, it is possible that a person doubts over performing a part of their prayers, for example, they doubt whether they have pronounced Tashahud, or doubt whether they have performed one prostration or two, and at times this doubt is aroused over the number of the Rak'ats one has been offering, for instance, they doubt whether they are offering the third Rak'at or the fourth.

Regarding such doubts, there are special laws and it is not possible to list and explain them all here; however, a brief explanation on the kinds of doubt and the corresponding rules comes below:

## Doubts over the Parts of Prayers

**Issue 577:** When a person doubts over performing a part of their prayers, that is, they doubt whether they have performed that part, if they have not entered the next part yet, that is, if the time sequence for performing that part has not passed yet, they must perform it, but if the doubt has been aroused after entering the next part of the prayers, that is, if the time and sequence for performing that part has passed, such a doubt must be ignored and one must continue their prayers, and their prayers will be valid.

**Issue 578:** If, after performing a part of prayers, a person doubts about its correctness, that is, they doubt whether they have performed that part correctly, they must ignore their doubt and consider it as valid and correct, and continue their prayers. Such prayers will be valid.

## Doubts which Invalidate Prayers

**Issue 579:** If a person doubts over the number of the Rak'ats of a two-Rak'at or three-Rak'at prayer such as dawn prayer, travelers' prayer and sunset prayer, their prayer will be void.

**Issue 580:** In a four-Rak'at prayer, if a person doubts whether they have performed one Rak'at or more, their prayer will be void.

**Issue 581:** If before finishing the second prostration of a four-Rak'at prayer a person doubts whether they have offered two Rak'ats or more, their prayers will be void.

**Issue 582:** If a person doubts whether they have offered two Rak'ats or five, or if they doubt whether they have offered two Rak'ats or more than five Rak'ats, their prayer will be void.

**Issue 583:** If a person doubts whether they have offered three Rak'ats or six Rak'ats, or if they doubt whether they have offered three Rak'ats or more than six Rak'ats, their prayer will be void.

**Issue 584:** If a person does not know how many Rak'ats they have already offered, their prayers will be void.

**Issue 585:** If, while praying, a person has any one of the doubts which render prayers invalid, they are not allowed to break their prayer as soon as the doubt is aroused; Rather, they have to think for a while so as to remember what they have performed, and if they fail to remember that, they are allowed to break their prayers.

## Doubts Which Must Be Ignored

- 1- Doubts aroused in recommended prayers.
- 2- Doubts aroused in congregational prayers.
- 3- Doubts aroused after salutation (salaam).
- 4- Doubts aroused after the prescribed time for prayers.
- 5- Doubts of a person who doubts too often (kathree-ul-shak)

**Issue 586:** If a person happens to doubt three times in one prayer, or to doubt in three successive prayers, such as in down, midday and afternoon prayers, they are considered Katheer-ul-Shak (i.e., one who doubts too often), and if their doubts are not due to anger, fear, or absent-mindedness, they must ignore their doubts.

**Issue 587:** When a Katheer-ul-Shak doubts about performing a part of prayer, if performing it does not invalidate prayer, they must consider it as performed; For example, if they doubt whether they have performed a bow, they must ignore such doubt and consider the bow as performed; And if performing something renders prayers void, they must ignore their doubt and consider that act as not performed; For instance, if they doubt whether they have performed one or more bows, they must ignore such doubt and assume that they have not performed more than one bow, because performing extra bows invalidates prayers.

6- Doubts over a part whose time and sequence of performance has passed; For example, if, while bowing, a person doubts whether they have recited the Al-Hamd, this doubt must be ignored.

**Issue 588:** If a person doubts over the number of the Rak'ats of a recommended prayer, they must assume it to be the second Rak'at, because all recommended prayers but "Witr" and "Aa'raabee" prayers are two-Rak'at prayers. So, if they doubt whether they have performed one or two Rak'ats, or if they doubt whether they have performed two or more Rak'ats, they must assume that they have performed two Rak'ats, and their prayer will be valid.

**Issue 589:** If the leader of congregational prayers doubts about the number of the Rak'ats of the prayer, but the follower (Ma'mum) does not have such doubt and makes the leader realize which Rak'at it is that they are performing, then the leader must ignore his doubt. Similarly, if the follower has such doubt but the leader does not, he/she must follow the leader and do whatever he/she does and their prayer will be valid.

**Issue 590:** If a person doubts, after the salutation of the prayer, whether their prayer has been valid, their doubt must be ignored; For instance, if one doubts whether they have performed a bow, or if, after the salutation of a four-Rak'at prayer they doubt whether they have performed four or five Rak'ats, they must ignore their doubt; But if both sides of this doubt render the prayer invalid, for instance, if, after the salutation of a four-Rak'at prayer they doubt whether they have performed three Rak'ats or five, their prayer will be void.

**Issue 591:** If, after the time for some prayer has passed, a person doubts whether they have offered their prayer or not, or if they suspect that they have not offered it, it is not necessary for them to offer it; However, if, before the time is over, they have such doubt, they must offer that prayer, even if they think they have performed it but they are not sure.

**Q592:** What must a person do if after rising from a prostration they doubt whether it has been the first prostration or the second, but they guess at one of them as to be more likely to have been offered?

**A:** They must assume that they have offered the first prostration.

**Q593:** What must a person do if they are engaged in different kinds of doubt regarding their religious and non-religious matters and at times encounters unprecedented doubts?

**A:** They must ignore their doubts.

## Ihtiyat Prayer (Precautionary Prayer)

**Issue 594:** When Ihtiyat prayer becomes obligatory, like in the case of the doubt between 3 and 4, one must,

without violating the figure of praying, or without doing things which invalidate prayers, stand up, make the intention for offering such prayers, say the Takbeerat-ul-Ihram and offer Ihtiyat prayer, without pronouncing Adhaan and Iqamah.

**Issue 595:** The differences between Ihtiyat prayer and other prayers are as follows:

- 1- The intention must not be verbalized.
- 2- It does not have the Quranic chapter recited after the Al-Hamd; nor does it have any personal supplications, even when it is offered in two Rak'ats.
- 3- As an obligatory precaution, the Al-Hamd must be recited quietly but it is recommended to pronounce the "bis millahir Rahmanir Rahim" loudly.

## Table of Correct Doubts

	The case Of doubt	Position and situation	What Must be Done
1	2 and 3	Sitting (after the obligatory remembrance of the second prostration)	They must consider it as the third Rak'at and finish their prayer after the fourth, but they have to offer one Rak'at of Ihtiyat prayer in standing position or two Rak'ats of such prayer in sitting position.
2	2 and 4	Sitting (after the obligatory remembrance of the second prostration)	They must consider it as the fourth Rak'at and finish their prayer, and after that they have to offer two Rak'ats of Ihtiyat prayer in standing position.
3	2 and 3 and 4	Sitting (after the obligatory remembrance of the second prostration)	They must account it as the fourth Rak'at and after finishing their prayer they have to offer four Rak'ats of Ihtiyat prayers: two in standing position and two in sitting position.

Note:

If any of the three above-mentioned doubts is aroused after the first prostration or before the obligatory remembrance of the second prostration is finished, one is allowed to abandon that prayer and offer it agai

## Table of Correct Doubts, continued

	The case Of Doubt	Position and situation	What Must be Done
4	4 and 5	Sitting (after the obligatory remembrance of the second prostration)	They must account it as the fourth Rak'at and finish their prayer, then they have to offer two Sahv prostrations (See glossary for Sahv)
5	3 and 4	Any time while praying	They must consider it as the fourth Rak'at and finish their prayer, and then they have to offer one Rak'at of Ihtiyat prayer in standing position or two in sitting position.
6	4 and 5	Standing	They must sit still, say their testimony (Tashahud) and salutation, and after finishing their prayers, they have to offer one Rak'at of Ihtiyat prayer in standing position or two Rak'ats of such prayer in sitting position.
7	3 and 5	Standing	They must sit still and say their testimony and salutation and after that they have to offer two Rak'ats of Ihtiyat prayers in standing position.
8	3 and 4 and 5	Standing	They must sit still and say their testimony and salutation and after that they must offer four Rak'ats of Ihtiyat prayers, two in standing position and two in sitting position.
9	5 and 6	Standing	They must sit still and say their testimony and salutation and after finishing the prayers, they must perform two Sahv prostrations.

**Issue 596:** If a person has to offer one Rak'at of Ihtiyat prayer, they must pronounce the testimony as well as the salutation after the second prostration of such prayer, but if he/she has to offer two Rak'ats of Ihtiyat prayer, must not perform the testimony and salutation in the first Rak'at, but offer them after performing the second Rak'at (without Takbeerat-ul-Ihram).

**Q597:** Does it matter if a person pronounces three Takbeers after finishing their salutation and before performing the Ihtiyat prayer or the Sahv prostration? If so, then what will the case of those previous prayers offered in this manner be?

**A:** As for their previous prayers, it does not matter due to their ignorance about the issue. Regarding Ihtiyat prayer, nothing -even three Takbeers- must cause to allow a time gap between one's prayer and the corresponding Ihtiyat prayer.

**Issue 598:** The rules of doubt, forgetting and guess, apply to all obligatory prayers, whether daily or other; For instance, if one doubts whether they have offered one or two Rak'ats of Ayaat prayer, since it is a case of doubt over a two-Rak'at prayer, their prayer will be void.

## Sahv Prostration (Prostration of Inadvertence)

**Issue 599:** In four cases, it becomes obligatory for a person to perform two Sahv prostrations after the salutation of their prayer:

1-When a person talks unintentionally while praying.

2- When a person performs the salutation at a wrong time and order, for instance, when one pronounces the salutation in the first Rak'at of their prayer.

3- When a person forgets to perform the testimony (Tashahud).

4- When, in a four-Rak'at prayer, one doubts, after the second prostration, whether they have offered four Rak'ats or five.

- In two cases, it is a recommended precaution to offer two Sahv prostrations:

1- When a person forgets to perform a prostration while praying.

2- When, by mistake, a person sits down where as they must stand up or vice versa; For instance, when they sit down mistakenly while reciting the Al-Hamd and the other chapter.

**Issue 600:** If, at a wrong time and order, one inadvertently pronounces, "**Assalamu alayna wa ala ibadillahis salihien**", or pronounces, "**Assalamu alaykum**", they must perform two Sahv prostrations; However, if they pronounce just a part of any of these salutations mistakenly, or if they pronounce, "**Assalamu alayka ayyuhan nabiiyyu wa rahmatullahi wa barakatuh**", it will be a recommended precaution to perform two Sahv prostrations.

**Issue 601:** To perform Sahv prostration, one must, immediately after the salutation of their prayer, make their intention for Sahv prostration, and place their forehead on something which prostration is valid on, and then they must pronounce, "**Bismillahi wa billahi wa sallallahu ala Muhammadin wa Ali Muhammad**", or pronounce, "**Bismillahi wa billahi allahumma salli ala Muhammadin wa Ali Muhammad**"; But it is better to say, "**Bismillahi wa billahi assalamu alayka ayyuhan nabiiyyu wa rahmatullahi wa barakatuh**". Then they must sit and prostrate again, and pronounce one of the above remembrances, sit again, and finally pronounce the testimony and salutation.

**Q602:** It is said that when a person forgets to perform Sahv prostration, they must perform it as they remember that. Does this mean that we are allowed to perform it in any given state or situation, for instance, without Wudhu, covering or a suitable place for prostration?

**A:** The conditions and rules of prayer and the corresponding prostration do not apply to Sahv prostration. So, one can even perform it without Wudhu, but as a precaution, they should observe those rules. Sahv prostrations are two in all cases.

**Q603:** Should all the three salutations be pronounced after the testimony of Sahv prostration, or does it suffice if only the last salutation, i.e., "**Assalamu alaykum wa Rahmatullahi wa barakatuh**", is pronounced?

**A:** The last salutation suffices.

**Q604:** What must a person do if due to forgetting but not doubting the number of Rak'ats, one stands up after the last testimony (i.e. when they must pronounce the salutation and finish their prayer)?

**A:** Sitting down when one must stand or vice versa does not invalidate prayers provided that they happen due to forgetting; however, as a precaution, they should perform Sahv prostrations in such cases.

## The Quadha of Forgotten Prostrations and Testimony

**Issue 605:** To offer the Quadha of a forgotten prostration or testimony after the prayers, one must observe all the rules and conditions of prayers such as the purity of the body and covering, facing the Quiblah etc.

**Issue 606:** If a person forgets to perform prostrations more than once in a prayer, for example, if they forget to prostrate once in the first Rak'at and once in the second Rak'at, they must perform the Quadha of both of them as well as the corresponding Sahv prostrations after the prayer, and it is not necessary to determine the correspondence between the forgotten prostrations and the ones they perform as Quadha or Sahv (i.e. which is for which).

**Issue 607:** If a person doubts whether they have performed the Quadha of a forgotten prostration or testimony after their prayers, they must perform it if the time for that prayer has not passed yet; and as a recommended precaution, they must do the same when the time for that prayer has passed.

## Prayers of a Traveler (Musafir)

**Issue 608:** A traveler must reduce his/her midday, afternoon and evening prayers in the number of Rak'ats, that is, they must perform two Rak'ats instead of four provided that their journey is not shorter than eight leagues (about 45 kilometers). A legal league is about 5.6 kilometers.

**Issue 609:** A traveler whose journey from the place where they must offer complete prayers to their destination and back is at least a four-league journey and a four-league back (which makes eight leagues), must also reduce their Rak'ats by two.

**Issue 610:** One, who goes on a journey, must perform reduced prayers only when they are so far from their departure point as to not hear the sound of Adhaan from that place and not see the walls of the building of that place, and if they intend to offer their prayers before they are as far as this, they must offer complete prayers.

**Issue 611:** If a traveler can get to their destination through two different routes, one of which is shorter than eight leagues but the other equals or exceeds eight leagues, they must only reduce their prayers if they take the route which equals or exceeds eight leagues, and if they take the shorter route, their prayers are complete. For example, if a person leaves home for a village which has two different routes, one of which is a four-league route and the other a three-league one, and then returns home, they must reduce their prayers when being on the way to the village and also in the village if they take the four-league route, but if they take the three-league route on their outward as well as return journey, or if they take one route outward and the other homeward, whose sum will be shorter than eight leagues, their prayers will be complete and not reduced.

**Issue 612:** If a person frequents between two places which are less than four leagues apart, they must offer complete prayers, even if the total distance covered by him/her equals eight leagues.

**Q613:** Where is the departure point for a person who journeys from one city to another? Where is to be considered as journey's end such that one must reduce their prayers provided that the legal distance is covered?

**A:** One must consider the outskirts of the city as the departure point, and their final destination in the other city will be the journey's end. For instance, if a person intends to leave their home city to go to a hospital in another city, the hospital will be the journey's end, and if they intend to go to another city on pilgrimage or vacation, the entrance of that city will be the journey's end.

**Q614:** In your opinion, what is the criterion for the reduction of a traveler's prayers? Is there any difference between megalopolises and other cities or towns regarding travelers' prayers?

**A:** The prayers of an oft-traveler who does not stay in one place for at least ten days, are complete and their fasts are also valid, even on the journeys which are not related to the previous ones regarding one's business and affairs. However, the case of megalopolises is different; but even a city like the Great Tehran is not considered a megalopolis, and regarding this issue, there is no difference between Tehran and other cities in Iran.

**Issue 615:** A traveler's prayers are also complete in the following cases:

- 1- When a person passes through their hometown before the eight-league journey is covered, or when they stays somewhere on the way for 10 days before they complete an eight-league journey.
- 2- When a person does not intend to go on an eight-league journey at first, and they cover this distance without a primary intention. For instance, when a person is looking for a lost person or thing, and they have no idea how far they have to journey.

**Issue 616:** A person who does not know how many leagues their journey is going to be, for example, one who is on a journey for finding a lost person or thing and does not know how far they have to journey to find that lost person or thing, must offer complete prayers; But if their way back home or back to a place where they intend to stay for ten days, is eight leagues or longer, they must reduce their prayers. Similarly, if while on the way, they decide to journey and return a distance so long as to make eight

leagues at the end, their prayers must be reduced.

3- When a traveler on the way, reverses their decision to journey and changes their mind before they have covered four leagues.

**Issue 617:** If a traveler reverses their decision to journey when they have covered four leagues, they have to offer complete prayers provided that they intend to stay there for at least ten days, or hesitate between going back and staying.

4- One who is an oft-traveler, that is, who travels too often. Hence, a cameleer, a chauffeur, a herdsman, a sailor and the like, must offer complete prayers; however, on their first journey, they must reduce their prayers even if it lasts long.

**Issue 618:** One who is an oft-traveler must offer complete prayers even if they travel for a purpose other than their business, for instance, on pilgrimage; and all their journeys are treated in the same way as their business trips. For example, if a driver hires out his/her vehicle for pilgrimage, and he/she too, happens to perform pilgrimage him/herself, he/she must offer complete prayers.

**Issue 619:** A person who tours different cities and has not adopted a homeland to live in, must offer complete prayers.

**Q620:** Who is referred to as an oft-traveler? What is the case of the prayers of an oft-traveler if they stay in their homeland or elsewhere for ten days?

**A:** An oft-traveler is one who travels too often, i.e., who at least has to go on an eight-league trip before a ten-day stay in a place is over; If such a person stays in a place for ten days, for the first time, they have to reduce their prayers, but for the next times, they have to offer complete prayers.

**Q621:** Is it necessary that the purposes of the journeys of an oft-traveler be occupational ones, or is it just the frequency of traveling which is accounted as the criterion?

**A:** The criterion is the frequency and not the purpose.

**Q622:** What is the case of the prayers and fasts of those soldiers who cannot make any intention to stay in their place of service for ten days, because they have to leave the place before a ten-day stay is over and then be back to that place, and in case they know that they are not going to stay in that place for more than three months? To consider a person an oft-traveler, how many months must the frequency of their journeys be maintained?

**A:** In case they regularly have such an eight-league trip before a ten-day stay is over, and do not have a ten-day stay in a certain place, they are considered oft-travelers, they have to offer complete prayers and their fasts are valid, even if this is just going to be the case for three months. To account a person as an oft-traveler, a three-month such trend would suffice.

5- A person, who, at least, has one regular journey before he completes a ten-day stay in a place; For example, a student who goes to another town or city on education and returns home every Friday.

6- A person whose journey is illegal; For instance, a person whose journey causes their parents any annoyance; A person who travels to do something illegal, such as theft, must offer complete prayers; Also a person whose journey is an illegal one per se, for instance, if their journey would harm them in one way or another, or when a wife travels without the permission of her husband for a journey which is not obligatory upon her.

And so is the case if the wife's journey violates the familial dignity of her husband, or if she leaves home to object on a family problem, or when her leaving leads to the violation of the husband's legal rights which are obligatory upon her; However, if a wife goes on an obligatory journey such as Hajj, she must offer reduced prayers.

**Issue 623:** A person, whose journey is not illegal per se and one, who does not travel for an illegal purpose must offer complete prayers, even if they commit a sin such as back biting or drinking wine while on the trip.

**Issue 624:** One who has traveled for committing a sin, while being back home, if they have repented their sin, they must offer complete prayers, but if they have not repented the sin, and if their return journey is still seen as part of their sinful journey, they must offer complete prayers and as a recommended precaution they should offer both reduced and complete prayers.

**Issue 625:** In the following places, prayers must be complete:

1- In one's home

2- In a place where one intends to stay for at least ten days.

3- In a place where one has hesitantly stayed for thirty days, being uncertain whether they would stay or leave throughout these days; In this case, they must offer complete prayers after these thirty days are over.

**Issue 626:** A traveler is allowed to offer complete prayers in "Masjid-ul-Haram" (the Holy Ka'bah), "Masjid-ul-Nabi" (the Holy Mosque of the Prophet) and "Kufe Mosque", and so are a traveler's prayers in Mecca and Medina; But if they want to offer their prayers in places which were not formerly considered as parts of these mosques or cities and are extensions added to these places later, as a recommended precaution, they should offer reduced prayers, although complete prayers offered in those extensions are valid. A traveler is also allowed to offer complete prayers in the shrine, its porches, and even in the mosque attached to the shrine of His Holiness Sayyid-ul-Shuhada' (Imam-ul-Hussain) (PBUH).

**Issue 627:** If a traveler does not know that they must offer reduced prayers and thus offers complete prayers, their prayers are valid.

**Issue 628:** When a person forgets that they are a traveler, and offers complete prayers, if they remember this within the time of those prayers, they must offer reduced prayers, but if they realize this after the time of such prayers, it is not obligatory to offer the corresponding Quadha prayers.

**Issue 629:** If, before the time of prayers lapses, a traveler who has not yet offered their prayers arrives in their hometown or a place where they intend to stay for at least ten days, they must offer complete prayers; And if a person who is not on a journey, does not offer their prayers until they set off on a journey, they must offer reduced prayers when on the journey.

**Issue 630:** If the midday, afternoon, or evening prayers of a traveler, who must offer reduced prayers becomes Quadha, they must offer their Quadha prayers in reduced forms, even if they perform these Quadha prayers in their hometown or in a place where they intend to stay for ten days; And if a person, who is not on a journey makes any of the above prayers Quadha, they must offer complete Quadha prayers, even if they offer the Quadha prayers when on a journey.

## Where is Considered One's Home?

**Issue 631:** "Home" is the place which a person adopts for their living, irrespective of whether they were born there, or whether it is the home of their parents, or whether they themselves choose to live there.

**Issue 632:** The home of a child is the home of his/her parents as long as they live with their parents, even if they were not born there; and when they become independent and adopt a different place for permanent living, the new place will be their home. Thus, for example, if a couple from Isfahan move to Shiraz on business and their child is born there, when they move back to Isfahan which is their home, the child too, must offer complete prayers because it is also his/her home as long as he or she lives with his/her parents.

**Issue 633:** Unless for a permanent living, a place where a person lives in for rather a long time, is not considered their home; however, they have to offer complete prayers.

**Issue 634:** If a person intends to stay in a place other than their home for rather a long time, and then move to another place, that place is not considered their home; however, in that place, they are not accounted as travelers and must offer complete prayers.

**Issue 635:** If a person goes to a place which was formerly their home, but they have abandoned it for ever, they must not offer complete prayers there, even if they have not adopted a new home yet.

**Issue 636:** A traveler returning to their home town must offer complete prayers as they reach so close to their hometown that can see the walls of the houses and can hear the sound of Adhaan.

**Q637:** Is a wife subject to her husband regarding the adoption of their home town?

**A:** She is not subject to her husband; however, a wife normally has the same intention regarding the adoption of home as her husband does.

**Q638:** A woman from Tehran is married to a man from Isfahan and they live in Isfahan now, but she has not intended to abandon Tehran as her original home. What is the case of her prayers and fasts in the following cases?

1- When she resides in Isfahan and travels to Tehran for a period of less than ten days.

2- When she resides in Isfahan, and goes to Isfahan from another place, intending to leave Isfahan before a ten-day stay is over.

3- When she temporarily goes to Tehran to reside there for a purpose like her husband's education but still intends to return to Isfahan, and during their stay in Tehran they occasionally travel to Isfahan for periods of less than ten days.

**A:** Being their residence and place of living, Isfahan is their home, and in all given cases, they have to offer complete prayers there as long as they live there, but if they leave Isfahan to live elsewhere, they have to offer reduced prayers whenever they go to Isfahan. One's place of birth and their former hometown are not considered their home as they move to another town etc and do not commonly intend to live there anymore; Love of one's hometown is not taken into consideration as a criterion regarding abandonment of the home town and adoption of a new one.

**Q639:** A person, who once lived in a village, lives in Tehran now, but to visit their relatives and to take care of some financial affairs and their property, they go to the village for a few days every year. Is this village considered their home? What will be the case be if they have offered complete prayers and kept their fasts there so far?

**A:** In the given case, since they are not going to return and live there, the village is not accounted their home anymore, and when they go there, they are considered travelers. Owning property, visiting and commuting to one's previous hometown are not the criteria based on which they can account the town as their hometown; As for the prayers and fast done there, they should, as a precaution, do the corresponding Qudha prayers and fasts gradually so that they make sure they have offered the least of what they should have; That is to offer reduced prayers as Qudha and keep the fasts again, of course, gradually with a minimum of inconvenience.

**Q640:** A person has two hometowns, one as their place of birth and the other as their permanent residence, and for occupational purposes, they move to a third town to live there for some years, and they are not sure when they return to their previous hometowns. Besides, they cannot make any intention to stay for at least ten days in their hometowns for occupational reasons. What is the case of their prayers and fasts?

**A:** They must offer complete prayers in the three towns, because the three of them are considered their homes.

**Q641:** I am a member of the military. I was born in Tehran and live in a state house in the suburbs of Karaj. Can I consider Karaj as my hometown? If so, can my family also consider Karaj as their second hometown? It is about thirty kilometers from my new residence to my work place. What is the case of my prayers and fasts then? What is the case of my prayers and fasts if I travel to Tehran on some affairs? What if I am sent to Tehran on official missions?

**A:** A place in which a person plans to live for rather a long time on business, education etc, just like Qum or Najaf for the students of the seminary, or like universities for university students, or work places for government officials, is considered as their home. So, in the given case, the state house in the suburbs of Karaj is their home, and they must offer complete prayers and their fasts are valid there, just as it is the case in their original hometown, and they do not need to make any intentions of residing there; As it is mentioned above, the person is an oft-traveler because he/she commutes frequently to and from his/her work place and also to Tehran. So, his/her prayers are complete and his/her fasts are valid. To adopt a hometown is based upon the living situation and conditions as well as one's intentions regarding their place of living.

## The Ten-Day Intention

**Issue 642:** If a traveler who has decided to stay in a place for ten days stays there longer, they must offer complete prayers as long as they have not left that place on a journey, and they do not need to make a

new intention for another ten-day stay.

**Issue 643:** If a traveler who has intended to stay in a place for ten days abandons the idea, they must act as follows:

A- If they abandon the intention before offering a four-Rak'at prayer, they must offer reduced prayers.

B- If they abandon the intention after offering a four-Rak'at prayer, they must offer complete prayers as long as they stay there.

**Q644:** What is the case of the prayers of a person, who travels to another city for a twenty-day mission and knows that this mission will be extended if they offer complete prayers from the beginning and they have no idea whether they would stay there longer after the extension?

**A:** To offer complete prayers, the criterion is to make sure of staying for ten days or more, and as a person makes sure of that, they must offer complete prayers.

**Q645:** A person has intended to stay in a place for five days, but as they get there, they forget their intention and decide to stay there for ten days. Is this latter decision (or intention) valid?

**A:** Yes, the intention is valid, because the person has made it since they got there.

**Q646:** A person intends to stay in a place for ten days, but once he decides to have a journey out of that place which is more than four leagues. Does the journey invalidate the intention for the ten-day stay?

**A:** If the journey is shorter than four leagues, it does not invalidate the intention, but if they are going to stay out of a place even for one night, their intention for the ten-day stay in that place will not be valid.

## Quadha Prayers

"Quadha Prayer" is the prayer which is offered after the legally prescribed time.

**Issue 647:** A person must offer their prayers within the prescribed time, and if their prayers become Quadha with no excuse, they will be sinners and they must repent it and offer the Quadha prayers.

**Issue 648:** In two cases, it is obligatory to offer Quadha prayers:

1- When a person has not offered some obligatory prayers within the prescribed time.

2- When after the prescribed time for some obligatory prayers a person realizes that the prayers they have offered have been void.

**Issue 649:** A person who must offer some Quadha prayers must avoid neglecting them, although it is not obligatory to offer them immediately.

**Issue 650:** It is not necessary to observe the succession and the sequential order in offering the Quadha of the daily prayers. For example, if a person has not offered their afternoon prayers one day and their midday prayers the next day, it is not necessary to offer the Quadha of the afternoon prayers first and then the midday prayers.

**Issue 651:** A person, who is certain that they have to offer some Quadha prayers, but doubts the number of them, for instance, they doubt whether they must offer four prayers or five, it will suffice if they offer four prayers, that is, as many as the smaller number.

**Issue 652:** If a person forgets the number of the Quadha prayers they must offer, it will suffice if they offer as many as the smallest number of prayers they guess they should have offered.

**Issue 653:** Quadha prayers can be offered in congregation, irrespective of whether the prayers of the Imam are Ada or Quadha. It is not necessary that both of them should be offering the same prayers. For instance, it does not matter if a person offers the Quadha of their dawn prayer with the midday or afternoon prayers of the Imam.

**Issue 654:** If the midday, afternoon, or evening prayers of a traveler who must offer reduced (two-Rak'at) prayers become Quadha, they must offer two-Rak'at prayers as the Quadha, even if they offer them when they are no longer on a journey.

**Issue 655:** While on a journey, a person is not allowed to fast even as Quadha, but they are allowed to offer Quadha prayers.

**Issue 656:** If a person is willing to offer the Quadha of some complete prayers (which have become Quadha while at home), they must offer four-Rak'at prayers as the Quadha of midday, afternoon, and evening

prayers.

**Issue 657:** Quadha prayers can be offered at any time, i.e. one can offer dawn prayer at noon or night.

**Q658:** I have some Quadha prayers to offer, but I do not know the exact number of them, and I even became fussy about the number.

What must I do about this?

**A:** You must offer the Quadha of the least and certain number of them.

**Q659:** A person has a stroke and suffers mental disorder such that they fail to discern between good and evil or to realize the exact quantity of something. This person cannot observe the succession of the prayers they offer and sometimes finishes the prayers when they must not, or after finishing some prayers, they start to recite Al-Hamd and the other chapter again. After four years of being in such state, they die. Is it obligatory to offer the Quadha prayers for them?

**A:** It is not obligatory for a person suffering mental disorder to offer prayers or to fast, and such religious duties lapse, because one necessary condition for carrying out one's religious duties is to be mentally healthy. Thus, as it has not been obligatory for the person to offer their prayers and fast, it is not obligatory for the heirs or heiresses to offer the Quadha.

**Q660:** Despite knowing that it is forbidden for a man to wear gold rings, a man offers their prayers having a gold ring on while being on a journey. What is the case of his prayers? Must he offer the Quadha of such prayers? If so, must he offer reduced prayers?

**A:** His prayers have been void, and if he has been on the journey through out the prescribed time for prayers and the time has passed now, he must offer reduced prayers, and if he arrives in time at his hometown or any place where his prayers are complete, but still his prayers become Quadha for some reason, then he must offer complete prayers. In such cases, the criterion is where a person is before the time for prayers lapses.

**Q 661:** Is it permissible to offer just the Quadha of dawn prayer for one year, then midday prayers for one year the next year, afternoon prayers for one year and so on, such that after five years a person will have completed the Quadha prayers of one whole year?

**A:** It is permissible to do so for morning prayers, but for the other daily prayers, one must observe the sequential order. To do this, they can offer midday and afternoon prayers for one year, and then the next year they should offer sunset and evening prayers.

**Q662:** What is to be done if a person has offered complete prayers instead of reduced prayers and vice versa?

**A:** Reduced prayers offered instead of complete prayers must be redone in complete form, but for the complete prayers offered instead of reduced prayers, if it has been due to ignorance about the issue of travelers' prayers, they should not offer the Quadha, and if they have known the issue, but due to ignorance about the details they have offered complete prayers, they have to offer the corresponding Quadha prayer.

## The Quadha Prayers of Parents Obligatory for the Oldest Son

**Issue 663:** As long as a person is alive, it is not permissible for others to offer his/her Quadha prayers, even if he/she is disabled.

**Issue 664:** If a parent has not offered his/her prayers, after his/her death it is obligatory for his/her oldest son to offer his/her Quadha prayers or to hire someone to offer the Quadha prayers for the parent provided that the parent has not deliberately abandoned the act of praying and he/she could have offered the Quadha him/herself.

**Issue 665:** If the oldest son doubts whether his father or mother has had any Quadha prayers to offer or any Quadha fasts to keep, he is not obliged to do anything.

**Issue 666:** If it is not known and clear who the oldest son is, offering the Quadha prayers and keeping the Quadha fasts of the parents is not obligatory for any one of the sons, but as a recommended precaution, they should share the Quadha prayers and fasts or they may draw lots for that.

**Issue 667:** If a person has made a will to hire somebody for his/her Quadha prayers and fasts, and then his/her Quadha prayers and fasts are done by the hired person correctly, the son will no more be obliged to shoulder this responsibility.

**Q668:** Who must offer the Quadha prayers and fasts of a dead father if his oldest son is suffering any mental disorders or insanity at the time of his death?

**A:** The son must offer them when he recovers from insanity, and if he dies before recovery, the second son is not obliged to offer them.

**Q669:** If a father dies and he has not made a will, and his oldest son is not religious, is the younger brother allowed to take care of the prayers and fasts of the deceased father?

**A:** Although it is not obligatory for the younger brother to should this responsibility, he can take care of that.

**Q670:** To determine the older son, must we consider the oldest son at the time of the father's death, or does it mean the son who was born first to a family?

**A:** The son who is the oldest at the time of the father's death is meant.

## Hiring a Person for Offering Prayers

**Issue 671:** After the death of a person, it is allowed to hire someone to offer the prayers and other acts of worship which the deceased person did not offer during his/her lifetime, that is, to pay someone to do them on behalf of the deceased person, and if there is someone who agrees to do them for free, it will also be in order.

**Issue 672:** One can be hired to do some recommended acts such as visiting the shrines of the Holy Prophet and Imams (PBUT) on behalf of living people; He/she may also perform some recommended acts and dedicate the heavenly rewards to a living or dead person.

**Issue 673:** At the time of making an intention, the hired person must specify the dead person, but it is not necessary for him/her to know the name of the dead person. Hence, it suffices if he/she intends, "I am offering these prayers on behalf of the dead person I was hired for".

**Q 674:** Is it permissible to offer the prayers and keep the fasts of a dead person while being on a journey?

**A:** While being on a journey, it is permissible to offer the prayers of a deceased person, but it is not allowed to keep their fasts and these fasts are treated just like other fasts on a journey and are void.

**Q675:** If a person is hired to perform the acts of worship for a deceased person, and the dead person has never offered "Ayat" prayers, then how many Ayat prayers must the hired person offer on behalf of him/her? Is offering four Ayat prayers for each year considered as an obligatory precaution or a recommended one? Does it suffice to specify two of them for eclipse and the rest for earthquake in the intention?

**A:** To acquit a deceased person of his/her obligatory prayers, the hired person - or anyone else- must offer the Quadha of as many Ayat prayers on his/her behalf as they think he/she should have offered. Thus, one can make certain that all his/her obligatory Ayat prayers have been offered; and about a doubtful Ayat prayer, the Quadha must be offered with the intention of a precautionary prayer. However, to meet one's obligatory duty regarding the dead person, it would suffice if the least but certain number of prayer is offered.

**Q676:** Is it obligatory that a man who is hired to offer the Quadha prayers of a woman perform the recitation quietly as women must do?

**A:** The hired person must carry out the duty as he/she is normally obliged to do it and not based on the conditions of the dead person.

## Congregational Prayer

The unity of Islamic Ummah (nation) is one of the issues which are of considerable significance in Islam, and to preserve and promote this unity, Islam has special programs one of which is "congregational prayer".

Besides the many traditions speaking of the great heavenly rewards and remunerations for such prayers, one can find out, through a careful look at some Islamic rules and issues, how important and significant this worship is. Some of these issues are as follows:

**Issue 677:** As quoted in a tradition, "If one person follows the Imam (Prayer leader), every single Rak'at of

such prayer is worth one hundred and fifty Rak'ats of solitary prayers, and if two people follow the congregation leader, every Rak'at of their prayers is worth six hundred Rak'ats of solitary prayers, and the reward increases as the members of the congregation increase until they are ten people, and when the number of the members of the congregation exceeds ten people, if all the skies turn into paper, and the seas into ink, and the trees into pen, and if all genies, humans and angels become scribes, they will not even manage to write the rewards for one Rak'at of such prayer".

**Issue 678:** It is recommended for every one, especially the neighbors of the mosques, to attend the congregational prayer.

**Issue 679:** It is recommended to defer one's prayers so that they can offer their prayers in congregation.

**Issue 680:** Delayed congregational prayers are preferred to solitary prayers offered at the primetime.

**Issue 681:** A short congregational prayer is better than a prolonged solitary prayer.

**Issue 682:** It is not right to abandon congregational prayers without a justifiable excuse.

**Issue 683:** It is not permissible to absent oneself from congregational prayers ignorantly and unduly.

**Q684:** Is it obligatory for those people whose recitation of prayers is wrong but can correct it, to attend congregational prayers when they have no difficulty and distress?

**A:** What is obligatory in such a case is to correct their recitation, not to attend the congregational prayers, but if they do not correct their recitations, it will be wise to attend the congregational prayers so that they will not need to redo or Qudha those prayers later.

**Q685:** What will the case be when primary school students join the lines of the congregation?

**A:** If they are considered discerning children, their prayers will be valid.

**Q686:** Will the prayers of a woman offered in congregation be valid if she attends the congregational prayers while her husband does not consent to it?

**A:** The prayers will be valid.

**Q687:** What will the case be if because of personal disputes with the Imam some people offer solitary prayers in a mosque while congregational prayers are being offered? Obviously such acts will be the source of discord.

**A:** If the purpose of the solitary prayers is to attribute profligacy to the Imam (congregation leader), their prayers will be void, and whenever there is congregational prayer, they must not deprive themselves of the blessings.

## Rules of Congregational Prayer

**Issue 688:** To offer congregational prayer, the following conditions must be fulfilled:

1- The members of the congregation must not stand ahead of the congregation leader, and as a recommended precaution, they should stand behind him.

2- The place where the Imam stands must not be higher than place where the members of the congregation stand.

3- The distance between the Imam and the followers and also between the lines must not be long; If the distance is longer than three feet, the prayers of the followers will be considered as solitary prayers but they will be valid.

4- No obstruction must be there between the Imam and the followers and also between the lines. Obstruction in this case, refers to things like walls or curtains through which objects cannot be seen. However, it does not matter to hang curtains between the line of men and the line of woman.

**Issue 689:** If the congregation leader is in the prayer niche (Mihraab) of the mosque, and nobody is praying right behind him, those followers who are praying at the sides of the niche and because of the niche walls cannot see the Imam, they cannot follow the Imam in prayers, but if someone stands right behind the Imam and thus can see him praying, the prayers of those standing at the sides of the niche will be in order.

**Issue 690:** If some of the followers standing in the first row cannot see the Imam because of the line being very long, they can still follow him in prayers. Similarly, if the followers standing in one row cannot see the followers in their front row due to the length of their own line, they can still follow the congregation.

## Joining a Congregation

**Issue 691:** To join a congregation is only allowed during the recitation or while bowing. So, if a person misses the bow of the Imam, they must join the congregation in the next Rak'at, and even if a person joins the congregation while bowing, it will be accounted as one Rak'at.

**Issue 692:** There are different ways to join a congregation:

### Joining in the First Rak'at

1- During recitation: the follower must not recite the Al-Hamd and the other chapter but must perform the other parts following the Imam.

2- While bowing: the follower must perform the bow and the other parts following the Imam.

### Joining in the Second Rak'at

1- During recitation: the follower must not recite the Al-Hamd and the other chapter, but must perform the personal supplication, the bow and prostrations following the Imam, and when the Imam is pronouncing the testimony, as an obligatory precaution, they must offer one solitary Rak'at and finish their prayer, and if it is a three or four-Rak'at prayer, in their second Rak'at which is the third Rak'at of the congregation, they must recite the Al-Hamd and the other chapter even if the Imam pronounces the Four Remembrances (Tasbeehat-ul-Arba'ah), and when the Imam finishes his third Rak'at and stands up for the fourth Rak'at, the follower must pronounce the testimony after performing two prostrations and stand up to offer their third Rak'at, and in the last Rak'at when the Imam finishes his prayers with the testimony and salutation, they must offer one more Rak'at.

2- While bowing: the follower must perform the bow following the Imam and the rest must be offered as explained above.

### Joining in the Third Rak'at

1- During the recitation: the follower should join the congregation in this stage only if they think they will have enough time to recite the Al-Hamd and the other chapter or at least the Al-Hamd, but if they think they will not have enough time to do this, as an obligatory precaution, they must wait until the Imam pronounces the Takbeer of the bow or enters the bow and then they can join the congregation.

2- While bowing: if the follower joins the congregation after the Takbeer of the bow or while bowing, they must perform the bow with the congregation and perform the rest as explained earlier.

### Joining in the Fourth Rak'at

1- During the recitation: it is treated as in the third Rak'at and when the Imam sits, in the last Rak'at, to pronounce the testimony and salutations, the follower can stand up and continue his/her praying alone, or they can sit crouched until the Imam finishes his prayers and then stand up.

2- After the Takbeer of the bow or while bowing:

They must perform the bow and prostrations following the Imam and perform the rest as explained earlier.

## Qualifications of the Congregation Leader (the Imam)

**Issue 693:** The Imam must be sane, just, of legitimate birth, twelve-Imam Shi'ite (Shi'ah ithna-ashari) and as a recommended precaution, a mature person, and must be able to offer the prayers correctly. As a recommended precaution, if the followers are males, the Imam should also be a male; but to follow a child who is not a discerning and discriminating child is not right.

**Issue 694:** A person who once knew an Imam to be just, can still follow that Imam if he/she doubts the Imam's being just.

**Issue 695:** One, who offers prayers in standing position, cannot follow a person who offers prayers in sitting or lying positions; Similarly, one who offers prayers in sitting position, as an obligatory precaution, cannot follow a person who offers prayers in lying position.

**Issue 696:** If for any reason, the Imam offers prayers with Tayammum or Jabeerah Wudhu, or offers prayers in impure clothes, others are allowed to follow him.

**Q697:** Sometimes, the Sunnite Imams, recite those chapters which entail obligatory prostrations while offering prayers, and the followers prostrate and stand up again during the Imam's recitation. What will the case be if a person intentionally or unintentionally avoids such a prostration?

And what if they ignorantly prostrate and stand up again?

**A:** In the case of following Sunnite Imams, one must dissimulate and follow the congregation. But generally when a person hears a verse of the Holy Quran which entails an obligatory prostration, they must prostrate just by moving their head down and then perform the prostration after the prayer is finished, but to avoid such a prostration while praying does no harm to the prayers and is just a case of ignoring a religious duty; However, to add a bow invalidates one's prayers, since it is an elemental part of prayers and increasing or decreasing the number of the elements, whether intentionally or unintentionally renders the prayers void.

**Q698:** Regarding the fact that one of the Imam's qualities is to be a just person, what are the criteria to ensure such a thing?

**A:** To ensure that the Imam of the congregation is a just person one can consider the following criteria:

- 1- One's own certainty about that.
- 2- The Imam's having an acceptable appearance.
- 3- The approval of two persons.
- 4- The Imam's being known and famed for good qualities.
- 5- The Imam's being followed by some of the local people.

**Q699:** If at the time of prayers we reach a mosque or some other place where congregational prayers are being offered, are we allowed to follow that congregation without investigating the Imam?

**A:** You do not need to investigate the Imam, and as some believers and local people follow him, if their following the Imam ensures his/her being a just person, it will suffice.

**Q700:** Is it permissible for the Imam to offer midday and afternoon prayers three times but with three different groups of people in the same place with the intention of Ada' (Prayers offered within the prescribed time)?

**A-** It is permissible.

**Q701:** What is the case of following an Imam who is not a just person in the eyes of the follower, but is followed from expediency?

**A:** In such a case, the follower's prayer is not valid; However if he/she follows that Imam, to preserve the unity of Islamic Ummah, it will be admirable and they must redo their prayers later.

**Q702:** Is it allowable to follow an Imam who has a hump on his/her back?

**A:** It is allowable.

**Q703:** Is it allowable for a person with physical disability who is unable to use one of their hands or legs properly but still can stand on their legs to be the Imam of a congregation?

**A:** It is permissible and to follow such people in prayers is the same as following other qualified Imams, because the prayers of the Imam will be valid regarding his/her religious duty and such disabilities do not violate the way people follow him and also do not violate the form of the congregation.

**Q704:** Is it obligatory for an Imam with an amputated limb to let the followers know about the amputation?

**A:** If regarding the principles of imitation, the Imam considers his/her prayers valid, it will not be necessary to notify others of the amputation, and the followers will not need to redo their prayers if they learn about it later.

## Rules of Congregational Prayer

- Issue 705:** If the Imam of the congregation is offering one of the daily prayers, one can follow him/her for offering any of the daily prayers. Thus, if the Imam is offering afternoon prayer, the follower can follow him/her for offering midday prayer, and if this follower finishes his/her midday prayer, and there is another congregation, he/she can join the latter congregation to offer his/her afternoon prayers following the Imam while the Imam is offering midday prayers.
- Issue 706:** When the Imam is offering *Ada'* prayers, one can follow him/her for offering *Quadha* prayers, even if it is the *Quadha* of other daily prayers than the one the Imam is offering; For example, one can offer the *Quadha* of his/her dawn prayer following an Imam who is offering *Ada* midday prayer.
- Issue 707:** Congregational prayer is held by, at least, two participants, an Imam and a follower, except for the cases of Friday prayers and the prayer of "*Fitri*" and "*Qurban*" Festivals (*Eid-ul-Fitr* and *Eid-ul-Qurban*).
- Issue 708:** Recommended prayers cannot be offered in congregation, except "*Istisqa*" prayer (a prayer for rain).
- Issue 709:** The follower must not pronounce the *Takbeerat-ul-ihram* before the Imam, and as an obligatory precaution, they must pronounce it when the Imam's pronunciation of *Takbeer* is completed.
- Issue 710:** If after the *Takbeer* of the Imam, the followers in the front row are about to pronounce their *Takbeers* and start prayers, those in the back row can say their *Takbeers* but as a recommended precaution, they should wait till all the people in the front row complete their pronunciation of *Takbeer*.
- Issue 711:** A follower must pronounce all the Remembrances and words of prayers him/herself, except the *Al-Hamd* and the other chapter; however, if their first or second *Rak'at* coincides with the third or fourth *Rak'at* of the Imam, they must recite the *Al-Hamd* and the other chapter themselves.
- Q712:** Is it allowable for a Shiite to follow a Sunnite Imam?  
**A:** If it is necessary to dissimulate even for the purpose of being on good terms with Sunnite people, it is permissible to follow a Sunnite Imam.
- Q713:** Is it permissible to offer Friday prayers in congregation in Islamic countries where the Imam of Friday prayers is not appointed by the ruling jurisprudent?  
**A:** It is permissible, and during the occultation of the twelfth Imam, it is not necessary for the Imam of Friday prayers to be appointed by the ruling jurisprudent.

## Friday Prayer

One of the weekly gatherings of Muslims is the "Friday Prayer", and on Fridays they can offer Friday prayer instead of midday prayer; however, as a precaution, it is better if they also offer midday prayer.

- Issue 714:** During the occultation of the twelfth Imam (*Aj*), offering Friday prayer is an optional obligation, that is, one can either offer midday or Friday prayer.
- Issue 715:** It is not obligatory for one who has offered Friday prayer to offer midday prayer too, but as a recommended precaution they should do that.

## How to Perform Friday Prayer

- Issue 716:** Friday prayer, just like dawn prayer, consists of two *Rak'ats*, but it has two sermons which must be preached by the Imam of Friday prayer.
- Issue 717:** It is recommended that the Imam of Friday prayer should recite the *Al-Hamd* and the other chapter loudly.
- Issue 718:** It is recommended to recite the "*Jumu'ah*" chapter after the *Al-Hamd* of the first *Rak'at* and the "*Al-Munafiqun*" chapter after the *Al-Hamd* chapter of the second *Rak'at*.
- Issue 719:** There are two strongly recommended personal supplications (*Qunut*) in Friday prayer, one of which must be offered before the bow of the first *Rak'at* and the other must be performed after the bow of the second *Rak'at*.

## Conditions of Friday Prayer

**Issue 720:** In Friday Prayer, the following conditions must be fulfilled:

- 1- All necessary conditions for congregational prayers are also necessary and applicable to Friday prayer.
- 2- It must be offered in congregation and it is not valid if offered in the form of a solitary prayer.
- 3- The number of the members of the congregation must be five at least, including the Imam.
- 4- There must be a distance of at least one league (3 miles) between the two places where Friday prayer is offered.

## What the Followers Must Do in Friday Prayer

**Issue 721:** It is obligatory that they listen to the sermons preached by the Imam.

**Issue 722:** As a recommended precaution, they must avoid talking.

**Issue 723:** As a recommended precaution, the audience should sit facing the Imam while the sermons are being given, and avoid looking around them.

**Issue 724:** If a person misses the first Rak'at of Friday prayer, he/she can join the congregation in the second Rak'at, and even if he/she catches the bow, his/ her prayer will be valid, and then he/she can offer the second Rak'at him/herself.

## "Ayat" prayer (Prayer of Signs)

**Issue 725:** Ayat prayer -which will be explained later- becomes obligatory due to four things:

- 1- Solar eclipse
- 2- Lunar eclipse
- 3- Earthquake even if nobody is frightened.
- 4- Thunder and lightning, red and black cyclones and the like, in case most people are frightened; and as an obligatory precaution, terrestrial events such as landslides and cracks if most people are frightened.

## How to Offer Ayat Prayer

**Issue 726:** Ayat prayer consists of two Rak'ats each of which has five bows; After making the intention, one must pronounce the Takbeer and recite one Al-Hamd and one entire chapter and then bow and rise, and recite one Al-Hamd and one entire chapter and again bow and rise, and do this five times; after rising from the fifth bow, they must perform two prostrations and stand up to perform the second Rak'at in the same order as the first Rak'at; finally they must pronounce the testimony and the salutation to finish their prayer; It is also permissible that after the Al-Hamd of each Rak'at, one breaks a chapter into five parts and recites one of the parts before each bow; For example, after reciting the Al-Hamd, they make their intention for the recitation of the "Ikhlās" chapter, they recite, "Bis millahir Rahmanir Rahim" which is accounted a verse itself, and then bow and rise, and go on, "Qul huwallahu Ahad" and bow and rise, then recite, "Allahus Samad" and bow and rise, then say, "Lam yalid wa lam yulad" and bow rise, and finally they pronounce, "wa lam yakan lahu kufuwan ahad" and perform the fifth bow, rise and sit down for prostrations; again, they must stand up and repeat this for the second Rak'at.

## Rules of Ayat Prayer

**Issue 727:** Offering Ayat prayer is only obligatory for the residents of the town etc where the event takes place and it is not obligatory for the residents of other towns etc unless these towns are so close to the site where the event takes place that they are accounted to be in one site.

**Issue 728:** If in one Rak'at of Ayat prayer, a person recites the Al-Hamd and an entire chapter five times, and

in the other Rak'at they recite one Al-Hamd and then break one chapter into five parts to recite in five stages, their prayer will be valid.

**Issue 729:** It is recommended to offer personal supplication (Qunut) before the second, fourth, sixth, eighth and tenth bows; however, if only one Qunut is offered before the tenth bow, it will suffice.

**Issue 730:** Each of the bows in Ayat prayer is considered an elemental part and if the number of them is intentionally or unintentionally decreased or increased, the prayer will be void.

**Issue 731:** Ayat prayer can be offered in congregation and in this case, only the Imam must recite the Al-Hamd and the other chapter.

**Q732:** In the past, the causes of many of natural events were not discovered and known. Thus, when such events took place, people were frightened and used to attribute the events to superstitious causes. Based on this, can we assume that the obligation of Ayat prayer has been due to the people's lack of knowledge of the causes and thus being frightened by lunar or solar eclipse, so that following the order of the Holy Prophet (PBUH) to overcome their fear by remembering God, they were obliged to offer such prayer? If so, must this order not be canceled? Thus, is it possible to issue a Fatwa so as to cancel the obligation of Ayat prayer in this day and age?

**A:** Certainly, in the cases of lunar or solar eclipse, the issue of fear was not the main concern, and apparently the issue in focus, was their erroneous beliefs and mistaken worships against which a campaign was necessary so that guided worship of Allah instead of any other being could be achieved. Furthermore, the mysteries of the universe have not yet been discovered and solved by the human beings and even in our age despite the application of hundreds of thoughts, philosophies, and causes to the issuance of laws and rules, they cancel and annul their laws after a short while. Hence, how is it possible to find out all causes or reasons behind the divine laws considering that these laws may be interrelated with all rules of the universe? Besides, all what is said and heard about the causes and justifications of the laws extracted and derived from the Book, Tradition and reason is defective and imperfect, and is just one of the thousands of mysteries of creation. This imperfect knowledge derived from the Book and Tradition helps us learn about the issue of the time and place so that doubts would not surround our thoughts and beliefs, and is considered a legal proof which conforms to the creation, and wisdom and reason may justify some but not all parts of it, and wisdom would never believe that the Holy Prophet, His Pure Progeny and the Immaculate Imams may have made any mistakes regarding the fact that the proportion of our knowledge to our unknown aspects of the world is the same as the proportion of a drop of water to a vast ocean.

**Q733:** Is it obligatory to offer Ayat prayer for thunder and lightning? Is it allowable to offer Ayat prayer in congregation?

**A:** Thunder and lightning and any other sign among the terrestrial and celestial signs which frightens the mass of the people, obliges the Ayat prayer. Ayat prayer can be offered in congregation.

## Recommended Prayers (Nafilah)

**Issue 734:** There are many recommended prayers the explanation of all of which is beyond the capacity of this writing.

However, some of the more important ones are explained as follows:

## Prayers of the Festivals (Eid-ul-Fitr and Eid-ul-Qurbaan)

**Issue 735:** At the presence of the Imam (A.S.), it is obligatory to offer special prayers on the Fitr and Qurbaan Festivals, and these prayers must be offered in congregation; but at our time when the Imam is in the state of occultation, it is recommended to offer such prayers and as a precaution, it should be offered in congregation.

## Time for the Prayers of Festivals

**Issue 736:** The time for Prayers of festivals is from sunrise to midday.

**Issue 737:** On the Fitr festival, it is recommended to have a breakfast after sunrise, pay the alms for breaking the fasts (zakaat-ul-Fitra), and then offer the prayer of the festival.

## How to offer the Prayers of Festivals

**Issue 738:** The prayer of festival consists of two Rak'ats and nine personal supplications (Qunuts) which must be performed as follows:

1- In the first Rak'at, after the recitation of the Al-Hamd and the other chapter, one must pronounce five Takbeers, and after each of these Takbeers, one Qunut must be offered; after the fifth Qunut, another Takbeer must be pronounced and then the bow and prostrations must be performed.

2- In the second Rak'at, there are four Takbeers to be pronounced after the recitation of the Al-Hamd and the other chapter; after each Takbeer one Qunut is offered and after the fourth Qunut one more Takbeer is pronounced; then, there is the bow, prostrations, testimony and salutation.

3- Any supplication or Remembrance would suffice for the Qunut in the prayers of the festivals, but it is better if the following supplication is pronounced with the intention of obtaining the blessings:

"Allahumma ahlal kibria iwal adhama wa ahlal judi wal jabarut wa ahlal afwi war rahma wa ahlal taquwa wal maghfira as'aluka bi hadhal yawmil ladhee ja'altahu lil Muslimina eidan wa li Muhammadin sallallahu alayhi wa Alihi dhukhran wa sharafan wa karaamatan wa mazidan an tosalliya alaa Muhammadin wa Ali Muhammad wa an todkhilani fee kulli khayrin adkhalta feehi Muhammadan wa Ala Muhammadin wa an tokhrijani min kulli su'in akhrajta minhu Muhammadan wa Ala Muhammadin salawatoka alayhi wa alayhim Allahumma innee as'aluka khayra ma sa'alaka bihi ibaadukas salihuna wa a'udhu bika mimmas ta'aadha minhu ibaadukal mukhlasun".

## Daily Recommended Prayers

There are thirty four Rak'ats of daily recommended prayers to be offered everyday except Friday; among these prayers are the midnight prayers (eleven Rak'ats), dawn recommended prayer (two Rak'ats), and evening recommended prayer (two Rak'ats), all of which bring lots of heavenly rewards.

**Issue 739:** There are many recommended prayers which are referred to as "Nafilah" and among which daily recommended prayers have been stressed more; the daily recommended prayers to be offered every day except Friday are thirty four Rak'ats as follows:

- Midday recommended prayers (eight Rak'ats)
- Afternoon recommended prayers (eight Rak'ats)
- Sunset recommended prayers (four Rak'ats)
- Evening recommended prayer (two Rak'ats)
- Midnight recommended prayers (eleven Rak'ats)
- Dawn recommended prayer (two Rak'ats)

-As an obligatory precaution, the evening recommended prayer must be offered in sitting position. So the two Rak'ats are accounted as one. On Friday, four Rak'ats are added to the recommended prayers of midday and afternoon.

**Issue 740:** All recommended prayers may be offered in sitting position; however, it is better if two Rak'ats of such prayers in sitting position are accounted as one in the standing position; for example, if a person wants to offer midday recommended prayers which are eight Rak'ats, it is better to offer sixteen Rak'ats if they offer then in sitting position and if they want to offer "witr" recommended prayer in sitting position, they should offer two one-Rak'at prayers.

**Q741:** Is it allowable to offer all recommended prayers-even the midnight Nafilah- while being in motion? If so, how should one perform the bows and prostrations?

**A:** All recommended prayers are permissible to be offered in motion, and to perform the bows and prostrations, one can move their head down and up.

**Q742:** If a person wants to recite a chapter after the Al-Hamd of a recommended prayer, must they recite the whole chapter or is it permissible just to recite a part of it?

**A:** Reciting a part of a chapter would suffice for the recommended prayers, unless for a specific prayer, one is required to act in a different way; for instance, in the recommended prayer for the opening of a month, one should recite the “Ikhlaas” chapter thirty times in the first Rak'at and the “Quadr” chapter thirty times in the second.

**Q743:** On Friday, the midday and afternoon recommended prayers are twenty Rak'ats, that is, four extra Rak'ats should be offered; how should these four Rak'ats be offered? Should they be added to the midday recommended prayers or to those of the afternoon? Is it permissible to divide them between the midday and afternoon Nafilas?

**A:** Two Rak'ats of them should be added to the midday Nafilas and the other two should be added to the afternoon Nafilas. There is another possible order which is explained in comprehensive books on jurisprudence.

**Q744:** Should a person pronounce all the prescribed supplications in the Qunut (personal supplication) of Witr Nafilah, or does it suffice if it is pronounced to any possible extent? Is the Qunut necessary to be offered at all?

**A:** Offering the Qunut in Witr Nafila as it is prescribed, causes to grow closer to Allah and brings more blessings. It is not befitting that one who offers midnight recommended prayers, abandons the Qunut, since the Qunut is strongly recommended; however, offering the Qunut is not a condition for the validity of midnight Nafilas.

## Midnight Recommended Prayers

**Issue 745:** Midnight recommended prayers consist of eleven Rak'ats which should be offered as follows:

Four two-Rak'at prayers with the intention of midnight prayer

Two Rak'ats with the intention of Shaf' prayer

One Rak'at with the intention of Witr (or Watr) prayer

## Time for Midnight Recommended Prayers

**Issue 746:** The time for midnight recommended prayers is from midnight until the dawn Adhaan and it will be of more blessing if it is offered close to the dawn Adhaan.

**Issue 747:** A traveler or anyone for whom it is difficult to offer the midnight recommended prayers after midnight may offer them within the early hours of night.

## Ghufaylah Recommended Prayer

**Issue 748:** One of the recommended prayers is Ghufaylah prayer which is of two Rak'ats and should be offered between sunset and evening prayers. The time for offering this prayer is from after sunset prayer until the redness in the West vanishes.

To offer Ghufaylah prayer one should, after the Al-Hamd of the first Rak'at, pronounce this verse, “**wa dhannuni idh dhahaba mughhaadhiban fa dhanna al lan naqdira alayhi fanada fidh dhulumati al la ilaha illal laha illa anta subhannaka inni kuntu minadh dhalimeena fastajabna lahu wa najjaynahu minal ghammi wa kadhalike nunjil mu'mineen**”

After the Alhamd of the second Rak'at they should pronounce, “**wa indahu mafatihul ghaybi la ya'lamuha illa huwa wa ya'lamu ma fil barri wal bahri wa ma tasqutu min waraqatin illa ya'lamuha wa la habbatin fi dhulumatil ardhi wala ratbin wa la yabisin illa fil kitabim mubeen**”

To perform the Qunut in Ghufaylah prayer, one should say, “**Allahuma inni as'aluka bi mafatihil ghaybil lati la ya'lamuha illa ant an tusalliya ala Muhammadin wa Ali Muhammadin [wa an taghfira lee dhunubee] Allahumma anta waliyyu ni'matee wal qadiru ala talibati ta'lamu hajatee fa as'aluka bihaqqi Muhammadin wa Ali Muhammadin alyhi wa alayhimus salaamu lamma quadhaytaha lee**”

In the above supplication for Qunut, one may, instead of “**an taghfira lee dhunubee**”, ask God for any thing else they wish.

**Q749:** Should we offer the Quadha of those recommended prayers which are not namely referred to as Nafilah (e.g., Ghufaylah, the prayer for the beginning of a lunar month, etc.) if they are not offered within their prescribed times?

**A:** Those recommended prayers which are confined to a specific prescribed time, (such as the ones mentioned in the question) should not be offered in the form of Quadha if not offered within their prescribed times, because the prayers which are offered later lack the necessary time condition, they are not considered as the Quadha of the original prayers. Furthermore, there is contrast and contrariety between a confined issue and an unconfined one; however, for those Nafilahs with time limitation (such as daily Nafilahs) the Quadha will be legally valid.

## Fasting

Fasting is among Islamic obligations and yearly programs for building up Muslims’ self-restraint and continence. To fast, one must avoid some things (which will be explained later) for obedience to God’s order.

### The intention for Fasting

**Issue 750:** Fasting is among worships and must be done for obedience to God’s order and this obedience is the intention for fasting.

**Issue 751:** One can make an intention, every night throughout Ramadhaan, for the fasting on the following day, and it is better to make an intention for all fasts through out Ramadhan on the first night of the month.

**Issue 752:** It is not necessary to pass the intention for fasting through one’s mind or to verbally pronounce, “I will go on fasting tomorrow”. It will just suffice if they decide to keep fast and avoid the things which invalidate fasts for obedience to God from the dawn Adhaan until sunset.

**Issue 753:** The time for making the intention for recommended fasts is from the beginning of night until the time before the following sunset which is long enough for making an intention, provided that one has not done any such things that invalidates the fast.

**Issue 754:** If a person sleeps before the dawn Adhaan without making any intention for fasting, their fast will only be valid if they wake up before the midday and make the intention for fasting, whether it is an obligatory or a recommended fast, and in the case of an obligatory fast, it will not be in order if they wake up after the midday time.

**Issue 755:** If a person intends to keep any fast other than the fasts of Remadhaan, they must specify the fast. For instance, they must make their intention for a Quadha fast or a fast to fulfill a vow; But in Ramadhaan, it is not necessary to make an intention to observe a fast, and if a person is not aware or forgets that it is the month of Ramadhaan and makes an intention to go on some other fast, it will count as a fast of Ramadhaan.

**Issue 756:** If a person makes their intention for fasting before the dawn Adhaan and becomes unconscious and regain their senses during the day, they must, as an obligatory precaution, complete the fast of that day, and if they do not complete it, they will have to perform the Quadha.

**Issue 757:** If a person makes an intention for fasting and then gets intoxicated and comes to senses during the day, they must, as an obligatory precaution, complete the fast of that day and keep the Quadha as well.

**Issue 758:** If a person makes an intention for fasting before the dawn Adhaan and then goes to sleep and wakes up after sunset, their fast will be valid.

**Issue 759:** If an ill person recovers from their illness before midday in Ramadhaan, and if they have not done any thing to invalidate the fast, they must make their intention and go on fasting, but if they recover after midday, it will not be obligatory for them to fast on that day.

### Things which Invalidate a Fast

**Issue 760:** One, who goes on fasting, must avoid doing some things and if they do one of these things, their fast will be void. There are nine things which invalidate fasts:

- 1- Eating and drinking
- 2- Having sexual intercourse
- 3- Masturbating
- 4- Attributing lies and falsity to God and the Holy Prophet and His successors
- 5- Swallowing thick dust
- 6- Immersing one's entire head in water
- 7- Remaining in the state of Janabah (as a result of sexual intercourse, having an orgasm or ejaculation), or menstruation, or after-birth bleeding until the dawn Adhaan.
- 8- Having an enema with liquids
- 9- Vomiting

Rules regarding the above-mentioned things are as follows:

### 1- Eating and drinking

**Issue 761:** If a person who is fasting eats or drinks something intentionally, their fast will be void.

**Issue 762:** If a person observing fast intentionally swallows something which comes from between his/her teeth, his/her fast will be void.

**Issue 763:** If, while eating or drinking, a person realizes that dawn has come, he/she must throw that thing out of his/her mouth, and if he/she swallows it intentionally, his/her fast will be void and he/she will have to give Kaffarah (atonement) as it will be explained later.

**Issue 764:** Swallowing one's saliva does not invalidate one's fast, even if the amount is large.

**Issue 765:** Swallowing one's saliva does not invalidate one's fast, even if it collects in his/her mouth due to thinking of sour things and the like.

**Issue 766:** It does not matter if a person swallows his/her phlegm or mucus from the head or lungs as long as it does not come up to one's mouth; however, if it reaches one's mouth, the obligatory precaution is to avoid swallowing it back.

**Issue 767:** If a person observing fast becomes so thirsty that he/she fears he/she may die of thirst, he/she can drink as much water as would ensure the fear is averted and he/she would not die of thirst; however, his/her fast becomes void, and if it is the month of Ramadhaan, he/she must avoid the things which invalidate the fast for the rest of the day.

**Issue 768:** Chewing food in order to feed a child or a bird and tasting food etc., which does not go down the throat will not invalidate one's fast, even if it happens to reach there inadvertently; but if a person knows that the act of chewing or tasting will lead to swallowing the food etc., his/her fast will be void if it is swallowed, and he/she must observe the Quadha and give Kaffarah as well.

**Issue 769:** If a person who is fasting, eats or drinks ignorantly (i.e., he/she does not know he/she is fasting), his/her fast will be not void.

**Issue 770:** It is not allowed to break or abandon one's fast on account of weakness; however, if the weakness is to such an extent that fasting becomes totally unbearable, he/she is allowed to break his/her fast.

**Q771:** Is it allowable for a pilgrim on the lesser pilgrimage to break his/her fast with Sunnite Muslim due to dissimulation?

**A:** Based on my recent view, it is allowable to break the fast when the sun sinks below the horizon, and one does not need to dissimulate breaking his/her fast.

### Injection

**Issue 772:** As a recommended precaution, one must avoid having any injection of tonics; but it is allowable to receive a drug or an anesthetic by injection; it is allowed to be put on a drip (liquid food) on the basis of an obligatory precaution.

**Q773:** Does it harm the fast to take spray drugs for those with pulmonary diseases?

**A:** Apparently, spray drugs used for pulmonary diseases do not render one's fast void, because it is not considered eating or drinking.

**Q774:** Is it allowable for a fasting person, who is ill to receive tonics by injection in Ramadhaan?

**A:** As a precaution, injections must be avoided; however, they are not considered to be among the things which invalidate one's fast; nor is an injection accounted as a case of eating or drinking; but as an obligatory precaution, one must refrain from being put on a drip of liquid food.

**Q775:** Will it render one's fast void if they take any medical drops like eye drops?

**A:** It will not invalidate the fast but it will be legally disapproved if the smell or taste reaches one's throat.

## 2- Sexual Intercourse

**Issue 776:** Sexual intercourse invalidates the fast, even if the penetration is as little as the point of circumcision (the head of male sex organ), and even if there has been no ejaculation.

**Issue 777:** If the penetration is less than the head of male sex organ and if no ejaculation takes place, the fast does not become invalid; but the fast of a man whose part of the sex organ has been cut off will be void in case of penetration, regardless of the amount of penetration.

**Issue 778:** If a fasting person doubts whether the penetration has been up to the point of circumcision, his fast will be valid; similarly, the fast of person whose part of the sex organ has been cut off will be valid if he doubts whether penetration has taken place.

**Issue 779:** If a person forgets that they are fasting, and has sexual intercourse, or is compelled to have sexual intercourse helplessly, his fast will not be void; however, if he remembers he is fasting, or ceases to be helpless while having sexual intercourse, he must immediately abandon the sexual intercourse, and if he does not, his fast becomes void.

**Q780:** Will one's fast be void if he inevitably puts his hand in a pregnant woman's womb for medical examination?

**A:** What renders one's fast void is sexual intercourse not putting one's hand or other parts than the sex organ in the woman's womb.

**Q781:** What is the case of having sexual intercourse with a pregnant woman in Ramadhan?

**A:** Having sexual intercourse in Ramadhan is legally forbidden for a man and wife both or either of whom is fasting and it invalidates their fasts.

Generally, having sexual intercourse with a pregnant woman is allowable, but it should be avoided if it is likely to do any harm on the woman.

## 3- Masturbation (Istimna')

**Issue 782:** If a person, who is observing fast, masturbates, his/her fast becomes void. Masturbation refers to any sort of action which leads to ejaculation.

**Issue 783:** If a person discharges semen involuntarily, his fast will not be void, but if he does something which leads to an involuntary ejaculation, his fast will be void.

**Issue 784:** When a person knows that if he sleeps during the day, he will be Junub while sleeping, it is permissible for him to sleep, and if he sleeps and becomes Junub, his fast will be valid.

**Issue 785:** If a person who is observing fast wakes up from sleep while ejaculation is taking place, it is not obligatory for him to stop it.

**Issue 786:** If a person who is observing fast intentionally does something to ejaculate, but ejaculation does not take place, his fast will not be void.

**Q787:** Will it be obligatory for a person who masturbates while fasting in Ramadhan to make the full atonement for that, i.e., to give the full Kaffarah (kaffarat-ul-jam')?

**A:** Yes, he will be obliged to make the full atonement.

## 4- Attributing lies and falsities to Allah and the Holy Prophet (PBUH)

**Issue 788:** If a person, who is observing fast, intentionally attributes lies to Allah, the Holy Prophet and his vicegerents (PBUT), verbally or in writing or by making allusions and the like, their fast will be void, even if they retract at once and say that they were lying or if they repent of it; and as a recommended

precaution, they should also refrain from ascribing lies to Her Holiness Fatimat-Al-Zahra (PBUT), all other prophets and their successors.

**Issue 789:** If a person quotes something as the words of Allah or the Holy Prophet with the belief that it is true, but later, realizes that it has been false, their fast will not be void.

**Issue 790:** If a person ascribes to Allah or the Holy Prophet or the successors of the Holy prophet, a falsehood fabricated by some other person, his/her fast becomes void, but if he quotes the person who has fabricated that falsehood, his/her fast will not be void.

## 5- Letting thick dust reach one's throat

**Issue 791:** Allowing thick dust to reach one's throat makes one's fast void, whether the dust is of something which is legally permissible to eat, like flour, or of something which is forbidden to consume.

**Q792:** What is the case of smoking cigarettes, tobacco and the like for a person observing fast?

**A:** As an obligatory precaution, the smoke of cigarettes, tobacco and the like renders the fast void.

**Q793:** Is it permissible for a person observing fast in Ramadhan to take a bath? What will the case of breathing in the bathroom be if it is very steamy?

Does a dense steam count as water in such a case?

**A:** Dense steam in the bathroom does not invalidate one's fast, but as an obligatory precaution one must refrain from allowing dense steam to reach one's throat.

**Q794:** What is the case of fasting in cities where air pollution is high and reaches one's throat while breathing?

**A:** As in other cities, it is obligatory for the dwellers of such cities to observe fasts and they must prevent thick dust and smoke from reaching their throats using special masks and their fasts will be valid; generally, dense air and environmental pollution, is accounted as thick dust and smoke.

**Q795:** Does it invalidate one's fast to use medical inhalers?

**A:** If the inhaler is not thick it will not invalidate one's fast, but if it contains thick steam, it must not reach one's throat on the basis of obligatory precaution; it does not matter if it reaches one's nose or mouth, but if the gas or steam collects in the mouth in the form of water, one must avoid swallowing it, or one's fast will be void because it is considered water from an external source.

## 6- Immersing one's head in water

**Issue 796:** If a fasting person intentionally immerses their entire head in water, their fast will be void, even if the rest of their body remains out of the water.

**Issue 797:** If a person, who is fasting, doubts whether they have immersed their entire head in water, their fast will be valid.

**Issue 798:** If a person has knows that their head is immersed in water whenever they fall into water, their fast will be void if despite knowing this, they throw themselves in water and their head is immersed.

**Issue 799:** If a person, who is observing fast forgets that he/she, is fasting and immerses his/her head in water with the intention of performing Ghusl, his/her fast and Ghusl will be valid.

**Issue 800:** If a person immerses his/her head in water in order to save someone from drowning, his/her fast will be void even if saving that person is considered an obligation.

**Issue 801:** If a person, who is fasting falls into water involuntarily and thus his head is immersed in the water, or if he/she forgets he/she is fasting and immerses his/her in the water, his/her fast will not be void; however, he/she must immediately raise his/her head out of the water as soon as he/she realizes he/she is fasting.

**Q802:** Does it invalidate the fast if a person covers his/her head with a covering which does not attach to his/her head like the things divers wear, and then immerse his/her head in water in Ramadhan?

**A:** In such cases, the fast will not be void, because one's head is not directly immersed in water.

## 7- Remaining in the state of Janabah, menstruation or after-birth bleeding till the dawn Adhaan

**Issue 803:** If a person remains Junub and intentionally avoid performing Ghusl until the time of dawn Adhaan, or if they must perform Tayammum but intentionally avoid performing it until the time of dawn Adhaan, their fast will be void.

**Issue 804:** If a person who is Junub and is willing to observe an obligatory fast like the fasts of Ramadhan, whose time is specified and fixed, does not perform Ghusl intentionally until the time is too short to perform Ghusl, they can perform Tayammum and observe their fast and their fast will be valid; but if such a Junub person intends to observe any fast other than the fasts of Ramadhan and the corresponding Quadha fasts, and intentionally avoids performing Ghusl or tayammum until the dawn Adhaan, their fast will be valid.

**Issue 805:** If a Junub person forgets to perform Ghusl in Ramadhan, and remembers that after one day, they must observe the Quadha fast for that day, and if they remember it after some days, they must observe the Quadha fasts of as many days as they are certain they have been Junub; for instance, if they do not know whether they have been Junub for three days or four, they must observe three Quadha fasts.

**Issue 806:** When a person has time neither for Ghusl nor for Tayammum on a Ramadhan night, their fast will be void if they make themselves Junub, and they must observe the Quadha and atone for it as well; but if they have time for Tyammum, and they make themselves Junub, their fast will be valid; however, they will be considered sinners.

**Issue 807:** If a woman becomes pure from menstruation or after-birth bleeding before the time of dawn Adhaan, but she intentionally avoids performing Ghusl, or if she is obliged to perform Tayammum and she intentionally avoids it, her fast will be void.

**Issue 808:** If a woman becomes pure from menstruation or after-birth bleeding before the dawn Adhaan, and she does not have enough time to perform Ghusl, she must perform Tayammum if it is the fast of Ramadhan or the Quadha of such a fast and her fast will be valid; and if the fast is a recommended one or an obligatory fast other than the fasts of Ramadhan, like those obliged based on a vow or atonement (kaffarah), her fast will be valid if she does not perform Tayammum, but as a recommended precaution, she should perform Tayammum.

**Issue 809:** One who has touched a dead body, is allowed to observe fast without performing the required Ghusl, and if they touch a dead body while fasting, their fast will not be void.

**Q810:** What must a person do if they become Junub while sleeping on a Ramdhan night and have little time before the down Adhaan to perform Ghusl?

**A:** When a person is short of time, they must perform Tyammum and their fast will be valid.

**Q811:** What is the case of a woman who begins menstruating before the sunset in Ramadhan?

**A:** Her fast will be void, even if she begins menstruating a moment before the sunset.

**Q812:** Before I got married, I had my menstrual period for three years, but I did not know that I had to perform Ghusl. I just used to take a shower and pronounce the remembrance of blessings for the Holy Prophet and His vicegerents (salawat) and observe the fasts. Now, is it a must for me to observe Quadha fasts and perform Quadha prayers for those years?

**A:** Although the showers apparently count as Ghusls as they have all had the intention of Qurbah (coming close to Allah) on the one hand, and on the other the ignorance about the issue has been due to an unintentional negligence and thus the obligation has been removed, it will be desirable if the Quadha prayers are gradually offered with the minimum of inconvenience as a precaution, and this is not a must; and as for the fasts, they have been valid and you do not need to observe the Quadha fasts.

**Q813:** What is the case of the fast of a person who becomes Junub before the dawn Adhaan of Ramadhan and realizes that in the afternoon on the same day?

**A:** The fast will be valid and the person does not need to observe the Quadha. What entails the observation of a Quadha fast and atonement is remaining in the state of Janabah intentionally; but if a person forgets to perform Ghusl before the dawn Adhaan, they must observe the Quadha.

**Q814:** What is the case of the fast if a person wakes up after the dawn Adhaan and finds out that they have become Junub while sleeping?

**A:** In such a case, the fast will not be void regardless of whether it is an obligatory fast or a recommended one and one must purify themselves for offering their dawn prayer; however, if a person is willing to go on a *Quadha* fast of Ramadhan, and they have time to observe it some other day, and provided that they are certain they became *Junub* before the dawn *Adhaan*, the fast will not be valid and they must observe it some other day.

**Q815:** Will one's fast be valid if they make themselves *Junub* before the dawn *Adhaan* in Ramadhan, and intentionally avoid performing *Ghusl*, but after eating and before the *Adhaan*, while being short of time for performing *Ghusl*, they perform *Taymmum* and then after the *Adhaan* they perform the *Ghusl*?

**A:** Although they are considered sinners, their fast will be valid.

## 8- Enema

**Issue 816:** If any liquid enema is taken by a fasting person, their fast will be void even if they are obliged to do that for medical treatment; but taking suppositories for treatment does not invalidate one's fast, and as an obligatory precaution, one must avoid taking suppositories with nutritional purposes.

## 9- Vomiting

**Issue 817:** If a person observing fast vomits intentionally, their fast will be void, even if it is due to illness.

**Issue 818:** If a person observing fast does not know they are fasting and vomits, or if they vomit involuntarily, their fast will not be void.

**Issue 819:** If a fasting person belches and something comes up to their throat or mouth, they must throw it out, and if it is swallowed involuntarily, the fast will be valid.

**Issue 820:** If something is forcibly dropped into the throat of a fasting person, or his head is forcibly immersed in water, their fast will be valid; but if they are compelled to break their fast, for instance, when they are told to do so or their life or property will be in danger and at risk, and they do so to avert the danger, their fast will be void on the basis of an obligatory precaution.

**Q821:** Will one's fast be void if they swallow the phlegm in their throat?

**A:** Swallowing the phlegm in one's throat does not invalidate one's fast as long as it has not come up to one's mouth.

**Q822:** Is it permissible to abandon fasting on account of weakness?

**A:** Fasting entails weakness and if this weakness is bearable and common, one is not allowed to abandon fasting.

**Q823:** Will the fast of a *Junub* person be valid if they are not able to perform *Ghusl* due to the unavailability of a bathroom, but perform *Tayammum* before the dawn *Adhaan* and perform *Ghusl* later?

**A:** If they perform *Tayammum* due to being short of time and enter the dawn time with *Tayammum*, their fast will be valid.

## Quadha Fasts and Fast Atonement (Kaffarah)

### Quadha Fasts

**Issue 824:** If a person does not observe the fasts of Ramadhan in their prescribed time, or if they make the fasts void in one way or another, they must observe the corresponding *Quadha* fasts after Ramadhan.

### Fast Atonement

**Issue 825:** One, who makes their fast void in one way or another without a valid excuse, must observe the *Quadha* and make the atonement for it as well.

To do so, they may have one of the following choices:

1- Emancipating a slave

2- Observing fasts for two month thirty one of which must be successively observed.

3- Feeding sixty poor people to their fill or giving each as much as 750 grams of food-stuff, like wheat, barely, bread, etc.

One, who is obliged to atone for the abandonment of the fasts of Ramadhan, must do one of the above-mentioned atonements; as it is not possible nowadays to find slaves (as they are defined in the Islamic Jurisprudence), the second and third choices are usually made; however, if one is not able to make any of these atonements, they many give some food-stuff to the poor and if this is also impossible, they must seek forgiveness of Allah the Almighty and say, “Astaghfir ullah”

**Issue 826:** If a person breaks their fast with some forbidden thing, whether it is forbidden per se, like wine or adultery, or has become illegal due to some reason, like having sexual intercourse with one’s menstruating wife, they will have to make the full atonement (Kaffarat-ul-Jam’), that is , they must make all the three above-mentioned atonements; so, they must set a slave free, fast for two months, and feed sixty poor people or give each 750 grams of food-stuff like wheat, barely, bread and the like; if it is not possible for them to make all the three atonements, they must make anyone of them which they can afford.

**Issue 827:** If a man who is fasting in Ramadhan has sexual intercourse with his fasting wife, and if he compels her to do so, he must make the atonements for his fasts as well as his wife’s, but if the wife willfully consents to the sexual intercourse, each will have to make their own atonement for their fast.

**Issue 828:** If a woman compels her fasting husband to have sexual intercourse with her, she must make the atonement for the husband’s fast.

**Issue 829:** If a person observing the Quadha of Ramadhan fasting intentionally breaks his fast in the afternoon, they must give food to ten poor people, each 750 grams; and if they cannot do this, they must, as an obligatory precaution, observe fasts for three successive days.

## Rules of Quadha Fasts and Fast Atonement

**Issue 830:** It is not necessary to observe the Quadha fasts immediately after Ramadhan; but they must be observed before the next Ramadhan comes.

**Issue 831:** If an insane person recovers and becomes sane, it will not be obligatory for him/her to observe the Quadha of those fasts which he/she did not observe when he/she was insane.

**Issue 832:** If an unbeliever becomes a Muslim, it is not obligatory for him/her to observe the Quadha of the fasts which he/she did not observe when he/she was an unbeliever; but if a Muslim becomes an unbeliever and then a Muslim again, they must observe the Quadha of the fasts which they did not observe when they were an unbeliever.

**Issue 833:** The Quadha of those fasts which once became void due to being intoxication must be observed, even if the intoxication has been due to the consumption of some medicine for a medical purpose; and if the person makes the intention for fasting and then gets intoxicated and remains fasting which being intoxicated until the intoxication evaporates, as an obligatory precaution, they must complete the fast of that day and observe the Quadha later.

**Issue 834:** If a person postpones the observation of the Quadha fasts of Ramadhan for some years, they must observe the Quadha fasts and give 750 grams of food-stuff to the poor for each day.

**Issue 835:** One should not be negligent about atoning for the abandonment of their fasts; however, it is not necessary to make the atonements immediately and the atonements will not increase if made after some years.

**Issue 836:** If a person does not observe fasts in Ramadhan due to some excuse like being on a journey and their excuse is removed after Ramadhan, yet they do not observe the Quadha fasts intentionally until the next Ramadhan, they must observe the Quadha fasts and give 750 grams of food-stuff to the poor for each day.

**Issue 837:** If a person is not able to observe fasts due to some illness and they remain ill until the next Ramadhan, it will no more be obligatory for them to observe the Quadha of those fasts, but they will

have to give 750 grams of food-stuff to the poor for each day.

**Q838:** What must a person do if they did not observe fasts in the first year they became mature owing to ignorance or not being able to fast? Will that suffice if the Quadha fasts are observed or will it also be necessary to make atonements? And what if it has not been due to negligence?

**A:** If they knew the issue and were able to fast but did not observe the fasts, they must atone for the abandonment of the fasts, but if they did not fast because of ignorance or not being able to fast, they have to observe the Quadha. If the observation of the Quadha fasts is postponed, they will be obliged to give 750 grams of food-stuff for each day.

## Fasting by a Traveler

**Issue 839:** A traveler who must reduce their four-Rak'at prayers to two-Rak'at ones, must not fast; however, a traveler who offers full prayers, like a person who is an oft-traveler or who goes on a journey for an illegal purpose, must fast while being on the journey.

**Issue 840:** If a person who is fasting travels after midday, they must complete their fast and the fast will be valid.

**Issue 841:** If a fasting person wants to travel longer than a legal distance before midday, they must reverse their intention of fasting when they reach the limit of permission, that is, to reach the point where no longer the sound of Adhaan can be heard from the city, nor the walls of the city can be seen; however, if they break their fast before they reach such a point, as an obligatory precaution, they must not only observe the Quadha fast but also make the atonement.

**Issue 842:** It does not matter to travel in Ramadhan, but it is legally disapproved to travel in Ramadhan to evade fasting.

**Issue 843:** If a traveler arrives, before the midday, in their hometown or in a place where they intend to stay for at least ten days, they should complete the fast of that day provided that have not done anything to break their fast; but if they have done such a thing, they are not obliged to fast on that day and they will have to observe the Quadha later.

**Issue 844:** If a traveler arrives, after the midday, in their hometown or in a place where they intend to stay for at least ten days, they must not go on fasting on that day.

**Issue 845:** A traveler is allowed to keep recommended fasts for three days in Medina for the purpose of asking God for something.

**Issue 846:** The fast of a person will be void if they do not know that the fasts of a traveler are void, and thus fast while being on a journey, but learn about the issue during the day; however, if they learn about the issue after the sunset, their fast will be valid.

**Issue 847:** It is legally disapproved for a traveler and for a person who has an excuse to abandon fasting to have sexual intercourse in Ramadhan or to eat and drink to their fill.

## Those for Whom Fasting Is Not Obligatory

**Issue 848:** Fasting is not obligatory for a person who is not able to fast due to aging or for whom there is harm and hardship in fasting; however, in the latter case, they must give 750 grams of food-stuff such as wheat, barely etc. to the poor for each fast.

**Issue 849:** If a person, who has not kept the fasts of Ramadhan due to aging, becomes able to fast after the Ramadhan, it will not be obligatory for them to observe the Quadha of those fasts.

**Issue 850:** Fasting is not obligatory for a pregnant woman in advanced stages of pregnancy, for whom or for whose fetus fasting is harmful; however, if fasting is harmful to her fetus but not for her, she must give 750 grams of food-stuff such as wheat, barely and the like to the poor for each day, and in both cases, she must observe the Quadha.

**Issue 851:** If a woman suckles a baby and her quantity of breast milk is small, whether she is the mother of that baby, a nurse, or one who suckles the baby for no charge, and if fasting is harmful to her or to the

baby, it will not be obligatory for her to fast; but if it is only harmful to the baby, she must give 750 grams of food-stuff such as wheat, barely and the like to the poor for each day and in both cases, she must observe the Quadha fasts; however, if there is a woman who agrees to suckle the baby for payment by the parents or anyone else, or if she agrees to suckle the baby for no charge, as an obligatory precaution, the mother should give the baby to her and observe her fasts.

**Q852:** What must an old woman do if she has not observed her obligatory fasts due to old age, illness, weakness and owing to the advice of the physicians, and to whom fasting will be harmful hereafter? Will she have to make any atonement?

**A:** It is not obligatory for the elderly to observe their fasts if they are not able to fast or if it is harmful and causes any hardship to them, and they are not physically able to fast; they are not obliged to make any atonement either.

**Q853:** Is it obligatory for a woman who has broken her fasts of Ramadhan due to pregnancy or suckling, and then kept the Quadha of those fasts, to make any atonement?

**A:** If the fasts were only harmful to the baby, they must give 750 grams of food-stuff to the poor for each day, and if they do not keep the Quadha fasts until the next Ramadhan, they will have to give twice as much of food-stuff to the poor for each day.

## How to Ascertain the Frist Day of a Lunar month

**Issue 854:** The first day of a lunar month is established in one of the following four ways:

- 1- If a person him/her self sights the moon.
- 2- If a number of reliable people, whose words count as ascertaining evidence confirm that they have sighted the moon; similarly, any thing else which assures about the moon having been sighted.
- 3- If two just (Adil) people say that they have sighted the moon; however, the first day of the month will not be established if their reports are contradictory, or contrary to reality; for instance, if they say that the inner circle of the moon faced the horizon, their report will not be reliable; but if their reports just differ in some details, for instance, if one of them says that the moon was high but the other disagrees about that, the first day of the month will be established.
- 4- If 30 days pass from the first of Sha'ban, the first day of Ramadhan will be established and similarly, if 30 days pass from the first of Ramadhan, it will be the first day of Shawwal the following day.

**Issue 855:** The first day of a lunar month may not be established upon the verdict of the ruler, and everyone must have their own legal evidence concerning the sight of the moon and the first day of the month.

**Issue 856:** The first day of a lunar month may not be established upon the predictions made by astronomers, but if a person derives certitude from their findings and reports on the issue, they must act upon it.

**Issue 857:** If the moon is high up in the sky, or sets late, it will not be an indication of that night being the second night of the month and thus the previous night being the first.

**Q858:** In the case of locating the new moon and the confirmation of this by the Islamic authority and the establishment of Fitr Festival (Eid-ul-Fitr), and suppose the new moon is seen in the West of Iran, then is it possible to act upon this observation and its confirmation in other Islamic countries and count it as the beginning of Shawal?

**A:** Even though the edict of the Islamic authority is not valid upon such an issue (the observation of the new moon and declaration of the first day of a lunar month), based on my latest view, the observation of the new moon in a Muslim country can also count as a satisfactory proof to apply in other countries with nearly the same time zones ( $\pm 3$  hours time difference).

## Forbidden and Legally Disapproved Fasts

**Issue 859:** It is forbidden to fast on Fitr and Qurban Festivals (Festival of Fast and Festival of Sacrifice). It is forbidden to fast on the day of which one is not certain whether it is the last day of Sha'ban or the first day of Ramadhan.

**Issue 860:** If a woman violates her husband's rights by keeping recommended fasts, she must avoid keeping

such fasts; and as a recommended precaution, if her husband does not allow her to observe recommended fasts (not for causing annoyance), she must avoid observing such fasts.

**Issue 861:** If a person knows that fasting is not harmful to them, they must observe their fasts, even if the physicians say that fasting is harmful to them; and if a person is certain or feels that fasting is harmful to them, they must not observe fasts, even if the physicians say, fasting is not harmful to them, and if they fast, their fasts will not be valid.

**Q862:** What is the case of fasting on Ashura (the tenth of Muharram) and Festival of Sacrifice?

**A:** It is forbidden to fast on the Festival of Sacrifice but legally disapproved (Makruh) to fast on Ashura.

**Q863:** If fasting does not cause any ocular pain or discomfort but shortens one's eyesight, will it still be obligatory for them to fast?

**A:** Fasting must be avoided, because if it is likely for fasting to be harmful to a person, it will no more be obligatory for them to fast, let alone the fasting which is certainly harmful to a person; unless the harm done to the eyes is so subtle that can be ignored.

**Q864:** Does breaking one's fast of Ramadhan due to illness depend on the physician's diagnosis and permission, or is it possible for the person to make decisions based on their own feelings and rationalistic probabilities concerning the harm?

**A:** The criterion is the person's feelings and findings regarding the probable harms. Thus, if they think that fasting is harmful to them, and if the probability is rationalistic and common, for instance, if it is based on the physician's diagnosis and the person's own experience, fasting will not be obligatory for them and they must break their fast.

## Zakat-ul-Fitra (Zakat-ul-Fitrah)

**Issue 865:** At the end of Ramadhan, on the Feast of Fast (Eid-ul-Fitr), one should give alms as Zakat-ul-Fitra (Zakat-ul-Fitrah) to the poor.

**Issue 866:** One who fails to manage their own annual needs as well as their family's, and has no business and occupation to earn living for their family, is considered a poor person and it is not obligatory for them to give Zakat-ul-Fitra.

**Issue 867:** If one's child is born after the sunset on the Eve of Feast of Fast, or if someone is accounted his/her dependent, it will not be obligatory for him/her to give Zakat-ul-Fitra on behalf of them; however, it is a recommended precaution to give Zakat-ul-Fitra on behalf of those who are accounted one's dependents after the sunset on the eve of Feast of fast, till before the midday of the Feast of Fast.

**Issue 868:** A person, whose Zakat-ul-Fitra are obligatory for someone else to pay is not obliged to pay it him/herself.

**Issue 869:** If it is obligatory for a person to pay the Zakat-ul-Fitra of another person, this obligation will not be eliminated if the latter him/herself pays his/her own alms.

**Issue 870:** A person, who is not a Sayyid (a descendant of the Holy Prophet), is not allowed to give their alms to a Sayyid; even if one's dependent is a Sayyid; one is not allowed to give their alms to another Sayyid.

## The Amount of Zakat-ul-Fitra

**Issue 871:** One must give about three kg of wheat or barely or dates or raisins or rice or corn etc. per person as Zakat-ul-Fitra to the poor; It will also be sufficient if one pays the price of any of the above items in cash. As mentioned earlier, one is in charge of the payment of alms on one's own behalf and also on behalf one's family members and dependents.

**Q872:** Who will be in charge of the payment of Zakat-ul-Fitra for a guest who comes to one's home with one's consent before the sunset on the Eve of Feast of Fast?

**A:** It will be the guest him/herself who pays the Zakat-ul-Fitra, unless he/she intends to stay there for several days so that he/she would count as the host's dependent.

**Q873:** Is it allowable to give the Zakat-ul-Fitra to the poor Sayyids? If yes, then what is the procedure?

**A:** A Sayyid is allowed to give their alms to other Sayyids, but non-Sayyids are not allowed to give their alms to Sayyids.

**Q874:** Is it allowable to spend the Zakat-ul-Fitra on the reconstruction of mosques or other religious purposes like religious celebrations, etc.?

**A:** It is allowable to do that, but it is better to give it to the poor.

**Issue 875:** Zakat-ul-Fitra may be used in any one of the eight ways which will be explained later on the alms of property, but as a recommended precaution, it should be paid to the poor Shiites.

**Issue 876:** It is not necessary for the poor who receive the Zakat-ul-Fitra to be just; however, as a recommended precaution, the Zakat-ul-Fitra should not be given to those who drink alcoholic beverages or to those who openly commit mortal sins.

**Issue 877:** It is recommended that one should, in giving the Zakat-ul-Fitra, give priority to their own poor relatives over others; then, their poor neighbors and the poor scientists will take precedence respectively over others; however, if others have any possible advantage, it is recommended that they should be given priority over the ones mentioned above.

**Issue 878:** Not anyone who claims to be poor can be given the Zakat-ul-Fitra, unless it is made certain through their appearance and overall condition that they are poor, or unless one is certain that the person was poor someday.

## Miscellaneous Rules of the Zakat-ul-Fitra

**Issue 879:** The Zakat-ul-Fitra must be given with the intention of Qurbah (growing closer to Allah), that is, to obey the orders of Allah, and while giving it away they must make the intention for it.

**Issue 880:** It is not valid to give the Zakat-ul-Fitra before the month of Ramadhan; however, it will be in order if it is paid within Ramadhan; when a person lends some money to the poor before Ramadhan, and after Ramadhan they become obliged to give away the Zakat-ul-Fitra, it will be in order if they count the money as such alms paid to the poor by canceling the debt.

**Issue 881:** It will not suffice if the Zakat-ul-Fitra is given away out of defective property.

**Issue 882:** If a person is willing to offer the prayer of Fitr festival, they should give the Zakat-ul-Fitra before offering such prayer as an obligatory precaution; however, if they are not willing to offer the prayer of Fitr festival, they can postpone the giving away of the alms up until noon on Fitr festival.

**Issue 883:** If a person saves some property as the Zakat-ul-Fitra, they are not allowed to spend that property and give the alms out of some other property.

**Issue 884:** If a person allocates some of their own property to Zakat-ul-Fitra, and if there are some poor people in their own neighborhood who deserve to receive such alms, as an obligatory precaution, they must not give it away in some other place, and if they take it to some other place to give it away and doing this it is lost, they will have to compensate.

## Religious Seclusion (I'tikaf)

Religious seclusion means to stay in a mosque with the intention of worshiping Allah the Almighty and growing closer to Him; it will also suffice if a person just intends to stay (and not necessarily perform worships) in a mosque to grow closer to Allah, although one should make the intention of performing the worships as a precaution.

Religious seclusion will be valid whenever fasting is valid, and the best time for that is within the last ten days of Ramadhan. Generally, secluding in a mosque for the purpose of ritual worship is a recommended act, and one may lead such seclusion on one's own behalf or on behalf of any dead or living person; however, it is a recommended precaution to do it on behalf of living people with the hope of enjoying the heavenly rewards and blessings.

## Conditions of Religious Seclusion

There are eight conditions for the validity of religious seclusion:

- 1- Faith
- 2- Wisdom
- 3- The intention of growing closer to Allah
- 4- Fasting
- 5- Staying for at least three days
- 6- Secluding in Masjid-ul-Haram, Masjid-ul-Nabee, Kufa mosque Basra mosque, or in any cathedral mosque.
- 7- Husband's permission for a secluding woman.
- 8- Not leaving the mosque through out the seclusion.

**Issue 885:** Religious seclusion by insane or drunken people is void.

**Issue 886:** There is no specific time for making the intention of religious seclusion, and one may make their intention at any time before the dawn Adhaan, just as it is the case with the intention of fasting in Ramadhan.

**Issue 887:** The fasts observed in religious seclusion should not necessarily be specified for the purpose of

seclusion; rather, one may observe any obligatory or recommended fast while seclusion, whether it is their own fasts or they fast on behalf of others.

**Issue 888:** Religious seclusion will not be valid if, for any reason, fasting is not valid, for instance, one, who is unable to fast or must not fast—such as an ill person, a traveler, a menstruating woman who is on her after-birth bleeding—is not allowed to seclude in a mosque; similarly, it will not be valid when fasting is forbidden, like fasting on Feast of Fast and Festival of Sacrifice.

In the case of an after-birth bleeding or menstruating woman, they are not allowed to stay in a mosque due to their impurity either.

**Issue 889:** Those travelers, who are willing to enter the religious seclusion should make a vow of observing recommended fasts while being on the journey so that their religious seclusion will be along with fasting and thus valid.

**Issue 890:** One must, at least, stay in a mosque for three days on seclusion; they may, however, stay longer if they wish. If a secluding person stays in a mosque for five days, they will have to stay there for the sixth day as well.

**Issue 891:** If it is not possible for a person to seclude in Masjid-ul-Haram, Masjid-ul-Nabee, Kufa Mosque, or Basra Mosque, one may also enter religious seclusion in any cathedral mosque with the hope of getting the heavenly rewards and blessings. Cathedral mosque refers to the main and crowded mosques where many people go to.

**Issue 892:** Leaving the mosque while religious seclusion voluntarily or intentionally renders the seclusion void, whether it is due to ignorance or negligence.

**Issue 893:** It is allowable to leave the mosque for purposes like relieving one self, performing Janabah Ghusl, and the like. It is also allowable to leave the mosque while religious seclusion to do favorable legal things which involve getting out of the mosque, such as visiting an ill person, helping the oppressed, seeing a Muslim off, taking part in a funeral, and offering prayer for a dead person.

**Issue 894:** What matters and suffices in religious seclusion is to stay in a mosque and not leave there; no matter where in the mosque, and in what position—sitting, standing, walking or sleeping—one secludes.

**Q895:** What is meant by cathedral mosques for religious seclusion? Is it possible that a city has many cathedral mosques?

**A:** A cathedral mosque is a public mosque where many people from different parts of a city gather to perform worship and it does not belong to a specific group or neighborhood; nor is it specified for specific times. A city may have many cathedral mosques.

**Q896:** Is it allowable for a secluding person to leave the mosque to perform a recommended Ghusl?

**A:** It is allowable to do so.

## The One Fifth Levy (Khums)

One of the economic duties of Muslims is to pay the one fifth levy (Khums) which is one fifth of one's revenues paid to a qualified jurist to be spent on specific purposes.

**Issue 897:** The one fifth levy is obligatory on seven things as follows:

- 1- Profit or gain from one's business
- 2- Mines
- 3- Treasure troves
- 4- Spoils of war
- 5- Gems obtained through sea diving
- 6- Legal wealth amalgamated with illegal wealth
- 7- A piece of land which a Dhimmi infidel purchases from a Muslim.

**Issue 898:** Paying the one fifth levy is an obligation like praying and fasting and every sane and mature person who owns any one of the seven above-mentioned things must pay it to a qualified jurist.

**Q899:** Who is a Dhimmi infidel?

**A:** Dhimmi infidel refers to any Christian, Jew, or Zoroastrian who pledges a certain levy to the ruler of the Islamic society and in return, the Islamic society guarantees the protection of their life and property; there are, of course, some other terms and conditions within such treaty.

One of the cases which is applicable to most members of the society is the one fifth levy paid out of one's annual revenues earned from one's business provided that the revenues exceed one's own and family's annual charges.

Islam respects people's occupations and business, and gives the supply of their needs priority over the payment of the one fifth levy (khums hereafter). Therefore, everyone can cover their yearly living expenses with their annual earnings and if no extra money is left in the end, it will not be obligatory for them to pay khums; but if, having incurred the yearly expenses through out the year without going to extremes, there remains some extra money, one fifth of that money must be paid to a qualified jurist to be spend on some particular purposes, and four fifths of the money will still remain theirs as savings.

## Rules of Khums

**Issue 900:** If a person earns money from business, industry or any other way of earning, even by offering prayers and fasts of a dead person, and if the earnings exceed their own as well as their family's annual living expenses, they must pay one fifth of the earnings as Khums, according to the rules which will be explained later.

**Issue 901:** If a person acquires some wealth without having worked for it, for instance, if it is given to them as a gift, it will not be obligatory for them to pay the Khums for it; however, it is a recommended precaution to pay the Khums of it if it exceeds their yearly expenses.

**Issue 902:** There is no Khums liability on the money (or any other sort of property) which the bride receives from the bridegroom as her marriage portion (Mahriyyeh); the same rule also applies to the property which one inherits; but if a person inherits some property from a distant relative whom they do not know, as a recommended precaution they should pay the Khums if it exceeds their yearly expenses.

**Issue 903:** If a person inherits some property whose khums they know that has not been paid, they will have to pay the Khums; and if that property is itself not liable for Khums, but the inheritor knows that the person from whom they have inherited that property owed some Khums, they should pay it from the legacy.

**Issue 904:** One, whose expenses are undertaken by someone else, must pay the Khums of all what they earn; but if such a person spends some of their earnings on pilgrimage or any other legal common expenses, they will just have to pay the Khums of the portion left.

**Issue 905:** What ever a person spends on a vow or atonement is accounted as a part of their yearly expenses; similarly, what a person gives away as a gift or a prize to some one else, is accounted as a part of their annual expenses provided that it is not beyond their status.

**Issue 906:** If a person cannot provide their daughter with all the dowry she needs at the time of her marriage, and has to prepare it gradually over a few years, or if they live in a city where it is customary to prepare the dowry of a girl over a few years and if in such a case it will count as a fault when the dowry is not prepared over some years, they will not have to pay Khums; This rule will also apply to the savings deposited over a few years for such a purpose if they know that they will not be able to afford the dowry at once without having savings.

**Issue 907:** If a person earns gold, silver, lead, copper, iron, oil, coal, turquoise, agate, alum, salt or any other mineral through mining, they must pay the Khums if the mineral mined is as much as the prescribed quantity liable for Khums.

**Issue 908:** The prescribed limit of a mineral which is liable for Khums is, as a precaution, roughly 75 grams of gold (15 Mithquals) or 525 grams of silver (105 Mithquals), that is, if the mineral mined is worth as much as 75 grams of gold or 525 grams of silver, the owner will have to pay the Khums after deducting the costs.

**Issue 909:** If a person finds a treasure trove in a land which does not belong to any one, they can take

possession of the treasure trove and must pay the Khums.

**Issue 910:** The prescribed limit for a treasure trove which is liable for Khums is roughly 75 grams of gold or 525 grams of silver, that is, if the treasure trove is worth as much as 75 grams of gold or 525 grams of silver, they must pay the khums after deducting the costs.

**Issue 911:** If legal property is amalgamated with illegal property in a manner that it is not possible to identify each from the other, and neither the owner nor the quantity of the illegal property is known, one must pay the Khums of all such property and then the rest will be legal.

**Issue 912:** If some legal property is mixed some illegal property and the quantity of the illegal property is known, but the owner is unknown, one must give the illegal part away as alms to the poor on behalf of the owner, and as an obligatory precaution they should also obtain the permission of the religious jurist whom they imitate.

**Issue 913:** If pearl, corals or other gems are obtained from the sea by diving, whether it is a mineral or a growth, if it is worth 3.51 grams of gold in value, they must pay the Khums after deducting the costs, whether they have obtained them through one single dive or more, and whether they are all of the same material or of different materials; but if many people share the diving activity to obtain gems, those whose shares are worth 3.51 grams of gold in value, must pay the Khums.

**Issue 914:** If Muslims fight against infidels at the command of the Holy Imam (PBUH), and obtain some valuable things in war, those things are referred to as the spoils of war; Out of the spoils of war, a part must be spent on particular purposes at the discretion of the Imam; also the part which is particularly allocated to the Imam must be set aside; finally, they must deduct the costs of protection and transportation etc. and then pay the Khums.

**Issue 915:** If a Dhimmi infidel purchases a piece of land from a Muslim, they must pay the Khums out of the same piece of land and if they pay the value in cash, it will also be in order; but if they are willing to give any other thing than money, it must be with the permission of a qualified jurist; similarly, if a Dhimmi infidel purchases a store or a house from a Muslim, and price the land of that property to sell it separately, they must pay the Khums after they sell it, but if they sell the store or the house as one lot (including the land and the construction), it will not be obligatory for them to pay the Khums; paying the Khums of such a piece of land one need not make the intention of Qurbah (seeking to grow close to Allah), nor will the qualified jurist who receives such Khums need to make such an intention.

**Issue 916:** If it is obligatory for a person to pay the Khums of their property, they will not be allowed to take possession of it as long as they have not paid the Khums, even if they intend to pay it; for instance, if they want to buy some clothing or food-stuff, they are not allowed to buy it with the money the Khums of which they have not paid.

**Issue 917:** If a person purchases provisions for their use through out the year with their annual earnings, and a part of it remains unused at the end of the year, they will have to pay the Khums of the remaining part.

**Issue 918:** If an immature child has some property out of which he obtains some profit, and if this property is still there when the child reaches puberty, the child must, as an obligatory precaution, pay the Khums after they reach puberty.

**Issue 919:** If a person builds up some savings through financial savings and a frugal style of living, it will not be obligatory for them to pay the Khums of it, because it counts as their yearly expenses.

**Q920:** Some brothers work together and make a profit of a million Rupees; to make a greater profit, they build a house although they already possess their own houses; will they have to pay the Khums of the new house considering it as exceeding their needs and expenses?

**A:** All the profit which is made on one's business and exceeds one's yearly expenses is liable for Khums, whether it is a house or any other property, so they will have to pay the Khums of that house.

**Q921:** I am studying abroad and every six month I receive some scholarship from the ministry of higher education in return for which I have made a commitment to working for them two times as long as my education period after my graduation: will the excessive part of such money be liable for Khums?

**A:** If the money you receive counts as a student loan, you will not have to pay the Khums of it, but if it is a scholarship, you will have to pay the Khums of the excessive part.

## Expenditure of Khums

**Issue 922:** Khums must be divided into two portions. One portion is of the Imam's (PBUH) which must, in our time, be paid to a qualified jurist or their agents and representatives. The other portion belongs to Sadaat (the descendants of the Holy Prophet (PBUT)) which must also be delivered to a qualified jurist, or with their permission, given to a poor Sayyid, an orphan Sayyid or a Sayyid who is in need for money to continue their journey.

**Issue 923:** The orphan Sayyid, who receives Khums, must be poor, but a Sayyid on a journey who has no money to complete their journey is liable for Khums even if they are not considered poor people in the place where they live.

**Issue 924:** It is permissible to give the Khums to a Sayyid who is not just (Adil) but it is not allowable to give the Khums to a Sayyid who does not follow the twelve Imams (Ithna ashari).

**Q925:** Is it obligatory to pay the Khums in the following cases if they remain unused through out a year?

- 1- Things which might be used in future (such a cassettes, books, pamphlets).
- 2- Things which a boy collects for his future life.
- 3- Things which a person used to wear etc. but they do not use any more.

**A:** Khums is not obligatory on the above-mentioned things.

**Q926:** I am a girl and I have prepared some home appliances and household goods as my dowry out of my own salary. Do I have to pay Khums on these things? What about the things I have provided for living in the village where I have to do my service?

**A:** One's dowry is considered as one's expenses and Khums is not obligatory on it; even if some one else provides the dowry, it is not obligatory to pay the Khums on it, let alone your dowry which you have prepared yourself; Khums is neither obligatory on the things which you have provided for living in your place of service.

**Q927:** I have inherited two million Rials. Do I have to pay the Khums on it?

**A:** One's legacy is not liable to Khums unless one is certain that the legacy was liable to Khums but the dead person did not pay it.

**Q928:** Is it obligatory to pay Khums on the money which is given to a child as a prize?

**A:** Prizes which one receives through some business such as banking prizes, are liable to Khums, otherwise Khums is not obligatory.

**Q929:** Does the tax which people pay to Islamic ruling system count as Khums?

**A:** Taxes are included in one's expenses and they do not count as Khums.

**Q930:** Is it allowable for those who imitate a religious jurist to pay their Khums to another jurist?

**A:** If it is certain that they spend the Khums qualitatively and qualitatively in the same way, and if their edicts on Khums and its conditions are the same, it will be allowable.

## Alms (Zakat)

Another important duty of Muslims is to pay Zakat. To show how important Zakat is, it would suffice if it is mentioned that Zakat has always followed prayers in the Holy Quran and it is accounted as a means by which one can attain salvation and it also counts as an indicator of faith. As it is quoted in many traditions from the Infallible Imams, "One who prevents others from paying Zakat is not considered a Muslim any more".

Zakat has, like Khums, certain kinds. One of them is considered as the tax for one's "body and life" which is paid once a year on the Feast of Fast (Eide-ul-Fitr), and is only obligatory for those who can financially afford it.

The other kind of Zakat is the Zakat of property, but not all of one's property is liable to Zakat.

**Issue 931:** There are only nine things on which one is obliged to pay Zakat:

- 1- Wheat
- 2- Barely

- 3-Dates
- 4- Raisins
- 5- Gold
- 6- Silver
- 7- Camel
- 8- Cow
- 9- Sheep

**Issue 932:** Zakat will be obligatory only if one's property reaches the prescribed taxable limit; the limits for each of the above-mentioned things are listed below:

	Property	Taxable limit	The amount of Zakat
1	Wheat	847.207 kilograms	1- If the trees are irrigated with rain water or river water, the payable Zakat will be 10 percent of the crops.  2- If the field or the trees are irrigated with buckets of water, or with a water pump, the payable Zakat will be 5 percent of the crops.  3- If the irrigation is done jointly in both ways, the payable Zakat will be 7.5 per cent of the crops.
2	Barely		
3	Dates		
4	Raisins		
5	Camels	5 camels 5-25 camels 26 camels	1 sheep 1 sheep for every 5 camels 1 camel
6	Cows	30 cows	1 One-year old calf
7	Sheep	40 sheep	1 sheep
8	Gold	75 grams	1.875 grams of gold
9	Silver	525 grams	13.125 grams of silver

**Note:**

For the Zakat on camels, cows and sheep, there are other prescribed limits which are accessible in the resources of jurist prudence.

## Rules of Zakat

### Conditions Where Zakat Becomes Obligatory

**Issue 933:** Zakat becomes obligatory only if one's value of property reaches a certain prescribed amount (which will be detailed later) and the owner of such property must be a sane adult who can take possession of their property of their free will.

**Issue 934:** Zakat will be payable if a person retains the ownership of cows, camels, sheep, gold and silver for twelve months; however, from the beginning of the twelfth month, they cannot handle the property in such a way that the property is lost and ruined, and if such loss of the property occurs, they will be liable; If, unwillingly, some of the conditions for the payment of Zakat are removed, it will no more be obligatory to pay Zakat.

**Issue 935:** If the owner of some cows, sheep, camels, gold and silver reaches puberty within the financial year at the end of which Zakat is payable, it will not be obligatory for them to pay Zakat.

**Issue 936:** Zakat will be obligatory on wheat, barely and raisins when they are recognized as wheat, barely and raisins; as for raisins, Zakat will also be obligatory on them when they are still in the form of sour grapes as a recommended precaution; Zakat becomes obligatory on dates when they are dried to some extent so that they are called Tamar. The time for paying the Zakat payable on wheat and barely is when they are threshed and the chaff is separated from the grains. The time for paying the Zakat payable on dates and raisins is when they are dried.

**Issue 937:** If the owner of wheat, barely, raisins, and dates is pubescent at the time when Zakat becomes

obligatory on these items as mentioned above, they must pay the Zakat.

## The Zakat Payable on Wheat, Barely, Dates, and Raisins

- Issue 938:** If a person and members of their family consume or give the poor, the grapes after they turn into raisins, or the dates after they turn into Tamar, or wheat and barely after they are recognized as wheat and barely before they pay the Zakat on them, they must pay the Zakat on the quantity used.
- Issue 939:** If the owner of wheat, barely, dates and raisins dies after it becomes obligatory for them to pay the Zakat on them, the Zakat must be paid out of their estate, but if they die before it becomes obligatory for them to pay the Zakat on these items, each of the heirs whose share reaches the prescribed limit must pay the Zakat on their share of the estate.
- Issue 940:** If the payment of Zakat becomes obligatory after a person takes over the ownership of date palms and grapevines or a farm of wheat or barely, they must pay the Zakat.
- Issue 941:** If fresh wheat, barely, raisins, or dates weigh about 847 kilograms and reduce after they are dried, it will not be obligatory to pay Zakat on them.
- Issue 942:** If wheat, barely, date palms, or grapevines are watered both with rain water and water supplied with buckets etc. in such a way that it is commonly said that they are watered with bucket water, the Zakat payable on them will be 5%, and if it is commonly said that they are watered with rain water, the Zakat payable on them will be 10%.
- Issue 943:** The expenses incurred on the production of wheat, barely, dates, and grapes can be deducted before the Zakat on them is paid, and these expenses may even include the decreased value of the work suits and tools utilized in the production process, and if, before deducing these expenses, the crop weighs about 847 kilograms, the Zakat will be payable on the remainder after deducing the expenses.
- Issue 944:** If a person purchases the grapevines or date palms, the money paid for them cannot be included in the expenses incurred on production, but if they purchase the dates or grapes (crops) before they are picked, the money paid for them can be included in the production expenses.
- Issue 945:** If a person who is in debt while having some property on which they are obliged to pay Zakat dies, before repaying their debt, the Zakat on their property must be paid out of the same property.

## The Zakat Payable on Gold and Silver

- Issue 946:** Zakat will only be payable on gold and silver if they are coined and used as currency; and the Zakat will be payable even if the coins are ruined.
- Issue 947:** The coined gold or silver used as ornamental jewelry by women is not liable to Zakat, unless it is used as currency; the same also applies to Bahar-e-Azadi gold coins (nowadays popular in Iran) and the like which are not used as currency.

## The Zakat Payable on Camels, Sheep, and Cows

- Issue 948:** Besides others, there are two additional conditions for the Zakat on camels, sheep, and cows; firstly, the animal must have been idle through out the year; however, if it has worked only for a couple of days, the Zakat will still be obligatory and payable; secondly, the animal must have grazed in the open fields. Thus, if it is fed on cut or plucked grass, or if it grazes on a farm owned by its owner or somebody else for the whole or part of the year (whether during the day or night), Zakat will not be obligatory on it; however, if it feeds on its owner's grass only for a couple of days during the year, the owner must pay the Zakat on it.
- Issue 949:** If a person purchases or rents a natural pastureland for their camels, sheep, or cows to graze on, they must pay the Zakat on these animals.
- Issue 950:** If the number of sheep, camels, or cows reaches the prescribed limit for Zakat, the owner must pay

the Zakat, irrespective of the animals being all male or female or some male and some female.

**Issue 951:** Regarding Zakat, there is no difference between cows and buffalos, or between Arabian camels and non-Arabian ones, or between goats, sheep and lambs.

**Issue 952:** If a person keeps cows, camels, or sheep in different places and the number of them altogether reaches the prescribed limit for Zakat, they must pay the Zakat on them.

**Issue 953:** Even if the camels, sheep, or cows a person owns are ill or defective, they must pay the Zakat on them.

**Issue 954:** If one's camels, cows, or sheep are all ill, defective or old, they can pay the Zakat out of the same animals, but if they are all healthy, young and with no defects, the owner cannot pay the Zakat out of the ill, defective, or old ones; even if some of the animals are ill and some healthy, or if some of them are defective and some with no defects, or if some of them are young and some old, the obligatory precaution is to pay the Zakat out of the ones which are healthy, young and with no defects.

## Those Who Are Entitled to Receive Zakat

**Issue 955:** The person who receives Zakat must not be an obstinate infidel or an obstinate or negligent non-Shiite, and if, in one way or another especially through religious procedures, one makes certain that the person who is receiving the Zakat is neither such an obstinate infidel nor an obstinate or negligent non-Shiite, and thus gives them the Zakat and they use it up, but later it is revealed that this person has been an obstinate infidel or negligent non-Shiite, it will not be necessary for the giver to pay Zakat again.

**Issue 956:** It is not permissible to pay the expenses of one's dependents like their children out of Zakat; but the dependents may receive Zakat from others.

**Issue 957:** A father can give Zakat to his son in order for him to get married; similarly, a son can pay Zakat to his father so that he can get married.

## The Intention of Zakat

**Issue 958:** Zakat must be paid with the intention of Qurbah, that is, to obey the order of Allah the Almighty, and making such an intention, the giver of Zakat must specify whether it is the Zakat of their property or the Zakat of fast-breaking; however, if, for instance, they are obliged to pay the Zakat of wheat or barely, it is not necessary to specify whether it is the Zakat of wheat or of barely.

## Miscellaneous Rules of Zakat

**Issue 959:** When wheat or barely is separated from the chuff, and when dates and grapes are being dried, the Zakat must be paid or separated from the property; as for gold, silver, camels, cows, and sheep, the Zakat must be paid or separated from such properties when the twelve-month period of ownership of them is over; however, after the Zakat is separated from their property, they can keep it for sometime (even for some months) if they are willing to wait until they can pay it to a certain poor person or to a poor person who, in some way, takes precedence over others.

**Issue 960:** It is not necessary to pay the Zakat to the poor immediately after it is separated from one's property; however, if there is someone who deserves to receive it, it is a recommended precaution to pay it and not postpone it.

**Issue 961:** If a person separates the Zakat from their property, they can take possession of the rest of the property, and if they separate the Zakat from their other property, they can take possession of their entire property afterwards.

**Issue 962:** It is not permissible to use Zakat which one has separated from their property and then replace it with some other property.

**Issue 963:** One may take the Zakat of their property to some other town to give it to the poor despite knowing that there are some deserving poor people in their own hometown, but they will have to pay the expenses of this transfer out of their property and not out of the Zakat, and if doing this the Zakat is

lost, they will be liable, unless they do this with the permission of a qualified religious jurist.

**Issue 964:** One who is obliged to pay, out of their property, Zakat, Khums, Kaffara, as well as for their vows, covenants and the like while being in debt, and if they cannot afford to pay all of them, there will be two possible assumptions: If the property (on which Zakat is obligatory) is not lost, they must pay the Zakat as well as Khums, and if the property is lost, they can pay any of the above-mentioned liabilities.

## Zakat Expenditure

**Issue 965:** Zakat can be spent on the following eight expenditures:

- 1- It may be given to the poor. A poor person is one who cannot afford their own as well as their family's yearly expenses (one who owns some property, industry, or capital through which they can make their yearly expenses is not considered poor).
- 2- It may be given to the destitute. A destitute person leads even a harder life than a poor person does.
- 3- It may be given to the person appointed by the Holy Imams or their deputies to collect, keep, spend and keep the accounts of the Zakat they collect, and to deliver it to the poor or to the Holy Imams.
- 4- It may be given to the non-Muslims who will, as a result, convert to Islam, or assist the Muslims in war.
- 5- It may be spent on the emancipation of slaves, that is, to buy them and set them free.
- 6- It may be given to an indebted person who is unable to repay their debts.
- 7- It may be spent in the way of Allah, that is, to build a mosque or a bridge, or to resurface the roads etc. for the common benefit of Muslims or Islam in any possible way.
- 8- It may be given to a needy traveler.

**Issue 966:** As an obligatory precaution, the poor or the destitute should not receive Zakat more than they need to cover their yearly expenses and also those of their family, and if they already have some money or commodities to use during the year, they should just receive Zakat as much as they need to cover the shortfall.

**Issue 967:** If it is not difficult for a poor person to learn some art or profession, they must learn it and must not be dependent on Zakat; however, they can receive Zakat as long as they are learning.

**Issue 968:** It is not necessary for the person who gives the Zakat to mention to the poor that it is Zakat that they are receiving. In fact, if it is probable that the poor person becomes ashamed of receiving the Zakat, it is recommended that the giver gives it as a gift; however, they must have the intention of paying Zakat.

**Issue 969:** A creditor can cancel the debt of a debtor who is unable to repay their debt, and count it as Zakat which they are obliged to pay, even though the debtor may not be poor.

**Issue 970:** A traveler who has run out of money or whose means of transport is not working may receive Zakat provided that they are not traveling for a sinful purpose, and that they are unable to get to their destination taking a loan or selling some property. Such a traveler may receive Zakat even if they are not poor in their hometown. But if they can provide money to meet their traveling expenses through taking some loan or selling some property in some other place, they should just receive as much Zakat as they need to get to that very place.

## Rules of Pilgrimage (Hajj)

**Issue 971:** Pilgrimage (Hajj) means to visit the House of Allah (Ka'bah) and to perform all those worships which have been ordered to be performed there. It only becomes obligatory to a person once in their lifetime if they fulfill the following conditions:

- 1- They must be mature.
- 2- They must be sane and free.
- 3- They must not commit an illegal act or abandon an obligatory one whose commitment or abandonment count as more important than the Hajj itself, in order to make a pilgrimage to Mecca.
- 4- They must be capable of performing the Hajj.

**Issue 972:** Factors which indicate one's capability for Hajj are as follows:

- 1- One must possess provisions and necessities and means of transportation, or have enough money to provide them.
- 2- One must be healthy and strong enough to go to Mecca and perform the acts of worship.
- 3- There must be no obstacle on the way. If the way is blocked, or if one fears that they will lose their

life or reputation, or if they fear that they will be robbed of their property, it will not be obligatory for them to go on the pilgrimage; but if they can take another route to Mecca, they should take it even if it is a longer one; however, the other route should not cause a lot of hardship and it should not be very uncommon.

4- They must have enough time to perform all the acts of worship.

5- They must have sufficient money to meet the needs and expenses of their dependents whose expenses are obligatory for them to undertake, such as one's wife and children as well as who are known by people as to be liable for such payments.

6- They must have some means of making their living like one's making profit from one's property, farming etc. so that they may not lead a life of hardship when they return home Hajj.

**Issue 673:** If a wife can go to Mecca on pilgrimage, but she does not have any property herself to make her living on it, and her husband is so poor so that he cannot provide her subsistence, and she has to lead a life of hardship when she comes back from Hajj, it will not be obligatory for her to go on pilgrimage.

**Issue 974:** If a person becomes capable of going on pilgrimage but they don't go to Mecca and then become poor, they should go on pilgrimage against all odds; and if they cannot go on pilgrimage at all, and if someone hires them for the Hajj, they should go to Mecca and perform the worships on behalf of that person and stay there for a year if possible and make their own pilgrimage; but if they are hired and paid in cash to make the pilgrimage on behalf of a person who agrees about their pilgrimage to be made the next year, they should, in the first year, make their own pilgrimage and then make the pilgrimage on behalf of the person who has hired them for that the next year.

**Issue 975:** If a person does not go on pilgrimage the first year they become capable of making it, and then they cannot make it due to old age, weakness, or illness, and do not hope that, in the future, they are able to make it, they should send someone else to Mecca to make the pilgrimage on their behalf; it is also a recommended precaution to do so if they can financially afford the pilgrimage but cannot go to Mecca due to old age, illness or weakness, and they do not lose hope to make it later.

**Issue 976:** It is recommended for a person who goes on pilgrimage to go to Medina to visit the shrines of the Holy Prophet(A.S.) Her Holiness Fatimat-al-Zahra (A.S.) And graves of the Holy Imams (A.S) buried in Baqee' Cemetery, and the other sacred places. There is a quotation from His Holiness Imam Sadiq (A.S) which says", anyone of you that makes pilgrimage may end it with a visit to our graves and this visit counts as the complement to Hajj."

**Issue 977:** It is a recommended precaution to pay a visit to the shrines and graves of the Holy prophet and the Infallible Imams, and it does not matter if it is from far or near, or if it is short (e.g. saying, "Assalamu alayka ya Rasulallah") or lengthy (e.g. reciting the prescribed salutes and prayers); it is also recommended to offer two Rak'ats of prayers at the same place (the Holy shrine or Grave); however, it will also suffice if they offer such prayer elsewhere.

**Q978:** Is it allowable to sell and transfer one's Hajj registration bill if one who has registered for Hajj a few years ago (when they could afford the pilgrimage), but now that their turn has come, they are not able to afford it?

**A:** Such people are not considered capable of going on Hajj anymore. Therefore, it is allowable for them to sell their registration bill to someone else. However, if once they were capable of going on Hajj, and the government offered them the means and facilities to do so, but they did not make it, it will remain obligatory for them to go on Hajj even if they suffer many hardships.

**Q979:** A woman has some ornamental jewelry selling which she can afford to go on Hajj. Is she considered capable of making the pilgrimage?

**A:** Ornamental jewelry does not count for a woman's capability to go on Hajj.

## Enjoining the Good and Forbidding the Evil

**Issue 980:** Enjoining the good and forbidding the evil is a collective duty and if one of those who are legally

obliged and responsible (Mukallaf) undertakes it, others will no more be responsible to undertake it; and if in doing so, it is necessary that a group of obliged and responsible people act together, it will be obligatory for them to collaborate on it.

**Issue 981:** The purpose of enjoining the good and forbidding the evil is to enforce the religious obligations and prohibit the illegal acts; thus, in doing so, the intention of Qurbah (growing close to Allah) is not valid.

**Issue 982:** If some people undertake to enjoin the good and forbid the evil in some case, but they do not prove effective, and if some others think that they will likely be effective in doing so, it will be obligatory for the latter to undertake it.

**Issue 983:** Enjoining the good and forbidding the evil become obligatory under the following conditions:

1- The person who intends to undertake it should know that what the obliged person is avoiding or abandoning is an obligation, and/or what they are doing is illegal and must be stopped; thus, it will not be obligatory for them to undertake it if they do not have the knowledge of religious obligations and prohibitions.

2- The person who intends to undertake it should know that they will likely be effective in doing that, and if they are sure that they will not be effective, it will not be obligatory to do it.

3- The person who intends to undertake it should be certain that the sinner is determined to repeat the sin; therefore, if one knows or reasonably guesses or thinks that it is a reasonable probability that the sinner does not intend to repeat the sin, it will not be obligatory for them to do it.

4- There should not be any corruption in enjoining the good forbidding the evil which would matter more than the avoidance of the good or doing the evil; therefore, if one knows or guesses reasonably or if it is a rational probability that enjoining the good and/or forbidding the evil may inflict any considerable physical or economic harm on someone, their relatives, or some of the believers, or if it may lead to the destruction of their reputation, it will not be obligatory for one to undertake to enjoin the good or forbid the evil, and it is even legally forbidden in many such cases.

**Issue 984:** If there is a reasonable probability that silence may lead others to take the good as the evil or vice versa, it will be obligatory especially for great learned Muslim scholars to recognize, exercise and assert the rights, and it is not permissible for them to remain silent.

**Issue 985:** There are some stages in enjoining the good and forbidding the evil and if it is likely that a lower stage is effective, it will not be permissible to act through the upper stages.

**Issue 986:** The first stage is to treat the sinner in such a way that they understand they are being treated like that for the sin they committed; for example, one may turn their face away from the sinner or frown and glare at them. One may also stop socializing with the sinner in a manner that they understand all this is done to stop them committing that sin.

**Issue 987:** The second stage, in enjoining the good and forbidding the evil is to talk with the sinner. So, if it is likely that it is effective, and if the other conditions exist, it will be obligatory to talk with the sinner in order to make them stop committing the sin or to take on the obligation which they have abandoned.

**Issue 988:** If one knows that advice is not effective in some case, and if they think that ordering the sinner to stop committing the sin or to take on the obligation which they have abandoned is likely to be effective, it will be obligatory to give such orders, and if orders are also likely to be ineffective, they should speak with the sinner harshly and severely and threaten him; however this severity must not lead to any sort of annoyance and disturbance and one must avoid lying or committing any other sin in doing this.

**Issue 989:** It is not permissible to commit a sinful act like lying or insulting to stop a sin, unless the sin is one of crucial importance to the Saint Legislator such that they would, by no means, consent to it, for instance, when it is the case of an illegal murder; in the latter cases, it is permissible to take action in any possible way to stop the sin.

**Q990:** What is the case of waking the children up for dawn prayer while they would never wake up to offer their prayer themselves?

**A:** If it does not lead to the depreciation of prayer, and if the children do not consent to be woken for prayer, it will not be allowable to wake them up.

**Q991:** What should a man do if his wife, despite being religious and offering her prayers, doubts some of the Quranic verses on women's share of inheritance, women's testimony (the testimony of two women is worth one of a man), the one fifth levy (khums) etc., and even disseminates her ideas and thoughts such that her children share the same beliefs and refuse to accept any reason and evidence concerning those issues? And what will the father of a family be obliged to do if the children offer their prayers indolently while their mother offers her prayers but often within the last minutes of the prescribed time?

**A:** In all of the above cases, the husband or the father just has to advise them to the extent that it would not harm their family life.

**Q992:** As you know, based on the Islamic laws, Muslims should not only try to protect the sinners' reputation, but also avoid beating or inflicting any harm on them or even avoid taking any sort of verbal action against them (unless it is the case of retaliation (Quisas) for something which is determined by the Islamic court), particularly, when it is the case of a person whose sinful act has not been proven yet? What is your view on beating, inflicting severe physical punishments and damaging the reputation of those who are just suspects and not proven guilty yet, which sometimes takes place in some state sectors? Are such actions approved by Islam?

**A:** It is not permissible to inflict any physical harm on some one to damage one's reputation before one's being guilty is proven by the competent court, and it is legally forbidden to oppress or torture others; even when someone is proven guilty, they should be punished according to the verdict of a competent court and also according to the Islamic laws. This is the general rule concerning your question and I do not know about particular personal cases.

## Rules regarding Giving Alms and Charities

Anything which is given away gratuitously with the intention of growing close to Allah (Qurbah) is referred to as alms (Sadaqa), and there is no certain limit to it.

Alms-giving protects its giver against different disasters and damages such as illnesses, fires, accidents, drowning, destruction, insanity, and sudden tragic deaths and repels all of them. In this regard, the Holy Prophet has enumerated as many as seventy damages which are repelled by alms-giving and has stated that this is beside the huge heavenly rewards for alms-giving.

Unlike other things which are received by those appointed by Allah, alms and charities are received by Allah the Almighty directly as it is said in the Holy Quran, "Do they not know that it is Allah who accepts the repentance of His servants and receives the charities, and that it is Allah who is the All-clement, the All-merciful?" (Repentance, 9:104); the necessary condition for the validity of charity is to give it with the intention of growing close to Allah.

### Some Miscellaneous Issues on Alms-giving

- 1- It must be out of the purest, the most legal and the most likable part of one's property.
- 2- It must be given away secretly.
- 3- The person who receives the charity should pray for the donor.
- 4- An ill person should give the charity to the receiver him/herself.

### Some Situations in which Charity Is Particularly Regarded

- 1- The beginning of the day and the beginning of the night.
- 2- While setting off on a journey.
- 3- Within blessed times such as on Fridays, on Arafah (Dhil-Hajjah, the 9th), and in Ramadhan.
- 4- While being ill.

**Q993:** What are the best charities?

**A:** The best charities are as follows:

- 1- Charity given by a rich person;
- 2- To throw parties;
- 3- Charity given to one's relatives;
- 4- Charity given to the scientists, scholars, and students;
- 5- Charity given to the descendants of the Holy Prophet;
- 6- To slake others' thirst;
- 7- Charity given on behalf of the dead;
- 8- To give gifts to one's religious brethren.

**Q994:** Is there any charity considered as illegal in Islam?

**A:** Yes, there are some charities which count as illegal; some of these are as follows:

- 1- Charity given out of illegal property or out of people's property.
- 2- Charity which inflicts serious harm on one's body when given away.
- 3- Charity which is given while reminding the receiver of their indebtedness and along with damaging their dignity and reputation.

## Miscellaneous Issues

### Profane songs and Music

**Q995:** In your view, what is the case of listening to profane songs and what songs are considered illegal?

**A:** In my opinion, following some of the most learned religious jurists (May Allah sanctify their souls), what makes songs and music illegal is the content, and any sound, song and music which popularizes immoralities and depravity, or which is used to entertain irresponsible selfish and debauched people, or which is used to popularize falsehood and to divert people's thoughts from the truth, or which is used to give an unrealistic and unpleasant expression of Islam and to introduce Islam as to be too rigid and difficult to practice or to stand against justice etc., both the song and the music will be illegal, and the performers, the singer, and the listeners all have committed two sins; and even if a Quranic verse is sung with the intention of encouraging others to do illegal things, the song will be illegal, let alone the song and music performed vis-à-vis the tradition and other Islamic issue.

**Q996:** What is the case of a doubtful song?

**A:** If a song is doubtful, it will not be illegal.

**Q997:** What is your view on listening to songs?

**A:** Listening to any vulgar song is illegal.

**Q998:** What is the case of trading musical instruments?

**A:** All tools and instruments whose applications are generally illegal are illegal to trade.

**Q999:** What is the case of trading those instruments which are exclusively used for illegal purpose and also of those which can be used for either illegal or legal purposes?

**A:** To trade those instruments which are exclusively used for illegal purposes is illegal and not permissible, but to trade those instruments which can be used for either legal or illegal purposes will be permissible provided that one trades them with the intention of using them for legal purposes.

### Dancing and Clapping

**Q1000:** What is the general case of clapping? What about clapping in wedding celebrations and the birthday celebrations held for the Holy Prophet and His Immaculate Progeny?

**A:** Clapping is not illegal per se, but it is not good to overdo it and if it is along with any illegal thing, it will certainly be illegal.

**Q1001:** What is the case of dancing in wedding celebrations and elsewhere?

**A:** Dancing like clapping in wedding celebrations, is not illegal per se, provided that no illegal things such as encouraging in profane and void things or dancing of women together with men are done along with it.

**Q1002:** Is it illegal for a woman to dance for her Mahram men and other women? What about the dance of

man for his Mahram women and other men?

**A:** Dancing is not illegal per se.

**Q1003:** Considering how ambiguous the definitions for “gatherings for debauchery” are, would you please give a clear definition of the term along with an example?

**A:** All gatherings which include illegal things such as gambling, drinking alcohol etc. are referred to as “debauchery gatherings” which are illegal to attend.

## Gambling

**Q1004:** What is the case of trading cards, playing them, and watching others playing them?

**A:** Following some of the most learned religious jurists, I believe that playing with gambling instruments with no intention of gambling and with the purpose of playing and amusing oneself is legal, but if the purpose is to gamble at cards, it will be certainly illegal.

**Q1005:** What is the case of the money earned through gambling? And what if the money is given to charity?

**A:** The money earned through gambling is illegal, whether it is little or a lot, whether one uses it him/herself or gives it to charity, as gambling itself is illegal; it must be notified that fire (here the illegal act and the illegal money) does not extinguish fire (here divine punishment), as it is said in the Holy Quran, “and Allah accepts the good from the God-fearing and the Righteous”.

## Contest and Shooting

**Q1006:** What kinds of the common contests are considered legal according to the Islamic rules?

**A:** Generally, any game, contest etc., with gambling instruments will be illegal if it is along with gambling and betting, but if it is just some kind of amusement, such as soccer, volleyball, skiing etc., it will not be illegal, and there is no evidence to render the prizes which are prepared through Mubah acts for such matches illegal, and they are basically legal and permissible; and in such cases, there is no difference between the prizes awarded by others and the one’s which are prepared by the players themselves, and even in the latter case, it is not accounted as gambling; therefore, it is not illegal.

## Sculpture and Painting

**Q1007:** What is your view on the art of sculpture and on trading the works of sculpture? What is the case of painting and drawing in general?

**A:** Sculpture for reasonable purposes, is not illegal; Painting or drawing will be legal and permissible if it does not include vulgar and nasty figures and does not encourage depravity and immorality.

**Q1008:** What is your view on miniatures which often include the covered figure of a woman? Is it permissible to trade such painting?

**A:** Miniature and other paintings which do not popularize depravity and moral corruption are legal and it is legal to trade them.

**Q1009:** What kind of punishment does it deserve to keep painting, pictures and movies which popularize immoralities, for the purpose of trading? What is the case of the money earned in this way?

**A:** If the punishment has not been specified by law, the person must suffer a discretionary punishment according to the Islamic laws, and anything earned through an illegal act is illegal, as anything which does not generate legal common profit is illegal; a tradition quoted from the Holy Prophet says, “When Allah renders something illegal, He also renders the profit earned through its trading illegal”.

## Bribery

**Q1010:** In some non-Islam countries, bribery is very common and it is impossible for a Muslim to gain their rights such as getting one’s documents of property and driver’s license without bribing. What is the case of bribing in such societies?

**A:** Given the above condition in non-Islamic countries, it will not be illegal to pay such money.

**Q1011:** What is the case of the percentage offered to the state purveyors according to the Islamic laws?

**A:** Since a state purveyor is considered a state employee, they should follow the state rules and circulars, and even if the rules allow them to receive such money, the total should not exceed the current price of the goods purchased.

**Q1012:** Will that count as bribery if a person gives a gift or makes a payment to someone who is in charge of their business to prevent any harm or to accelerate the task?

**A:** Bribery is absolutely illegal; but in the given situation, it is difficult to decide whether it is a case of bribery; however, it is not permissible to make any payment because the person is considered an employee of that sector, organization etc., and thus hired him/herself out to that sector etc., and is not allowed to receive any payment for what they do during the working hours; If a person is made to make such payments, it will not be illegal for them to do that, although it will be illegal to the person who receives the payment.

## Misleading Books

**Q1013:** Is it permissible to trade misleading books?

**A:** It is not permissible to trade such books unless it is done for researchers with the purpose of reading them and providing the answers to their inquiries.

**Q1014:** Is it against the Islamic laws to read the books on Hypnotism and séance? Why or why not?

**A:** Since such books are likely to lead people astray, and to make them tell lies etc., one should avoid reading them.

## Authors' Fees

**Q1015:** Should the author of a book or the creator of a painting, drawing, calligraphy, computer software etc which are all works of the creators' minds and senses reserve the right to publish and reproduce or to prevent the reproduction of their works for ever? What if they do not reserve the right?

**A:** One is allowed to prevent the reproduction and publication of their works for ever, because such works are considered as their property, and they have the right to handle it as they wish; and it will be illegal for others to publish or reproduce one's work of art etc. without their permission because this counts as taking the possession of their personal property; one's work is seen as valuable and respectable and many a private individual or public body decide to reserve the rights for the publication of such works in order to keep them unique; even if the author has not reserved the right but it is understood, based on the common laws of a society, that such works should not be published without the permission of the author, it will not be permissible to publish their works, and common conventions and laws establish the rights for authors.

**Q1016:** What is the case of publishing foreign books without any alterations and changes, and publishing the translated versions of such books without the permission of their authors?

**A:** If the author has not reserved the rights, it will be permissible to do so, unless the government of the Islamic Republic prevents the publishers from doing so due to their commitment to some international conventions.

## Shaving One's Beard and Hairdressing

**Q1017:** Is it permissible to shave one's beard with a razor or a shaver?

**A:** In my view, it is not clear whether it is illegal to shave the beard or not and it does not seem to be illegal, although it is better to avoid it as a precaution.

**Q1018:** Having her husband's permission, a woman works as a hairdresser and earns livelihood. Are the job and the earnings legal?

**A:** The job and the earnings are legal.

**Q1019:** If a hairdresser knows that the woman on the face of whom she is putting make-up, intends to show herself off to some non-Mahram men, will the payment made by such a woman be legal?

**A:** If the hairdresser is certain that her client is putting on make-up just to show off to non-Mahrams and to do illegal things, she must avoid putting make-up on her face and the payment made by such a person will be illegal as a precaution.

**Q1020:** Is it permissible for a Muslim woman to go to a hairdresser or dress-maker who is one of the People of the Book?

**A:** In this regard, there is no difference between a Muslim woman and a non-Muslim one; but it is better to avoid going to non-Muslim hairdressers for make-up, because they might tell their husbands about the characteristics of Muslim women.

## Resemblance to Infidels

**Q1021:** Recently, some young people adapt the hair style and put on clothes which have been taken from foreign countries; Considering the fact that such clothes and make-up styles are commonly considered as to be among the cases of resemblance to infidels, are they legally forbidden or not?

**A:** If it is a case of popularizing the culture of the enemies of Islam and of those who wage war against Islam, it is illegal and not permissible.

**Q1022:** Some of Iranian Shiites immigrate to the US or Canada and become citizens of these countries. Is it permissible for a Muslim to become the citizen of another country?

**A:** If the immigrant Muslim is not under their domination and if the government of the Islamic Republic has not forbidden this kind of immigration, it will be permissible to immigrate to those countries.

## Backbiting

**Q1023:** Is listening to backbiting accounted as sinful as backbiting itself?

**A:** The listener is accounted a sinner too.

## Slander

**Q1024:** Do slander and accusation of clergymen and others count as evil-doing and deviant behavior?

**A:** Slandering any believer counts as evil-doing and the doer will no more be considered just, particularly if the slandered people are clergymen. There is a quotation from His Holiness Imam Sadiq (PBUH) which says”, one who makes a false spoken statement against a believer intending to damage their reputation and the good opinion people have of them and to discredit them, will be excluded from the guardianship of Allah and included in the Devil’s guardianship, and even the Devil refuses to accept them.”

## Inquisition

**Q1025:** Is it permissible to be inquisitive about the moral corruptions in one’s own family?

**A:** Inquisitions are illegal and not permissible.

## Lying

**Q1026:** Having repented of the lies one has told one’s friends, what should one do if the friends ask them whether there is truth in those matters?

**A:** If they have lied about a person intending to damage their reputation and the good opinion people have of them, they should tell their friends that they have lied about that person, so that their reputation would be restored.

## Drugs

**Q1027:** What is the case of consuming drugs such as bhang, cannabis, opium, heroin, morphine etc.?

**A:** It is illegal to consume such drugs in any way; some of them, like bhang, are forbidden due to their intoxicating effects; others are forbidden because they are rationally and commonly considered as harmful and damaging.

**Q1028:** What is the case of consuming opium in such a way that it neither leads to addiction nor inflicts any harm to one's body and health?

**A:** It is illegal and troublesome any way.

## Tormenting the Animals

**Q1029:** What is the case of taking out a beehive and gathering the honey in such a way that nothing remains there and most of the bees die?

**A:** It is obligatory for everybody to pay the costs of the husbandry of those animals which are under their control, and it would be desirable to be not only just but also fair regarding such matters.

**Q1030:** What is the case of killing those cats which are disturbing and troublesome?

**A:** Killing the cats is illegal and not permissible as a matter of obligatory precaution, even if they prove disturbing and damaging; instead, they should frighten them or remove them in one way or another.

## Dreaming

**Q1031:** Does dreaming count as a legal proof? Are the dreams about the infallible Imams valid and reliable?

**A:** Dreams are not reliable, especially if one dreams too often and about different things.

## Rules of Trading

**Issue 1032:** It is obligatory for a businessman to learn the necessary rules of trading.

**Issue 1033:** It is illegal to sell or rent out one's house or anything else to be used for an illegal purpose.

**Issue 1034:** Trading, keeping, writing, reading and teaching misleading books are forbidden, except for the researchers who would do such things in order to answer the inquiries.

**Issue 1035:** It will be illegal to sell something which has been mixed with something else if the latter is not distinguishable and the seller does not tell the buyer about it (this is referred to as fraud and adulteration); for instance, if milk is mixed with water and the seller does not tell the buyer about it, it will be illegal to sell the milk.

**Issue 1036:** While trading something, the qualities and specifications of that thing must be made known to the buyer, but it is not necessary to tell them about those qualities which are of no influence on their willingness to buy that thing.

**Issue 1037:** It is illegal and void to trade intoxicants and the things which are utilized for illegal purposes.

**Issue 1038:** It is recommended that the seller should treat all their customers in the same way regarding the price of the things and should not be rigid and inflexible regarding the prices, and they should accept to cancel the transactions.

**Issue 1039:** Swearing to somebody or on something while trading is considered as disapproved if it is true, but it will be illegal if it is not true.

## Void Transactions

**Issue 1040:** Transactions are void in some cases as follows:

- 1- To trade original impurities (Najis-ul-Ayn) such as urine and stool or intoxicant, unless it is for a legal purpose.
- 2- To trade a usurped property, unless the owner consents to it;
- 3- To trade the things which are not accounted as one's property;
- 4- To trade things such as gambling tools which are usually and commonly utilized for illegal purposes
- 5- To conduct a transaction which involves usury; it is also illegal to make a transaction which involves fraud and adulteration, that is, to sell something which is made less pure by adding another substance

to it, when the latter is not distinguishable and the seller avoids telling the buyer about it; for example, to sell some oil which has been mixed with sheep tallow. In this regard, there is a quote from the Holy prophet (PBUH) which says, “one, who deceives Muslim by making transactions involving adulteration, or who puts them to a loss is not accounted as my follower and if one commits adulteration in the course of a transaction with their brethren, Allah will deprive them of the Blessings in their livelihood, block the way in which they make living, and will leave them on their own.”

**Issue 1041:** Trading blood for legal purposes is permissible; for instance, to sell one’s blood to be used for patients and injured is legal but to trade blood for the purpose of drinking is illegal.

**Issue 1042:** It is permissible to use medical instruments to transfuse one’s blood into the body of someone else, but it should be weighed and the receiver should pay the giver for that, unless they should make a compromise.

**Issue 1043:** It is permissible to trade oils, liquid medications, and perfumes which are imported from non-Islamic countries if it is not certain whether they are pure or not; but as for the oil which is obtained from slaughtered animals, if acquired from an infidel in their town and if it belongs to an animal whose blood gushes out when its jugular vein is slit, it will be pure but illegal to eat and void to trade due to its being not slaughtered according to the Islamic laws, unless it is used for a legal purpose; such oil will be pure and legal if it is acquired in Muslim’s towns or countries and if it is certain that it has been acquired from a Muslim.

**Issue 1044:** It is permissible to trade the meat and tallow acquired from a Muslim, but if one is certain that the Muslim him/herself has acquired it from a non-Muslim without investigating whether or not the animal has been slaughtered according to the laws, It will be illegal to trade it and the transaction will be void, unless it is for any legal purpose other than eating.

**Issue 1045:** It is illegal to trade intoxicants and the transaction will be void.

**Issue 1046:** It is void to trade usurped property and the seller must return the money to the buyer.

**Issue 1047:** If something which can be used for legal purposes is sold to be used for an illegal purpose, for instance, if grapes are sold to be used for producing wine, the transaction will be illegal and void.

**Issue 1048:** It is illegal to purchase something which has been obtained through gambling, theft, or a legally invalid transaction and one must avoid taking possession of such a thing, and if anyone buys such property, they must return it to its original owner.

**Q1049:** Regarding the issue that wearing gold ornaments is illegal for men, what will the case of making and selling men’s gold ornaments be?

**A:** It is illegal to sell men’s ornaments which are commonly and illegally used by men, and such a transaction will be void; however, if it is common in a society to give gold ornaments to men to be kept as souvenirs, or if the buyer is a particular person whose purpose we know is to buy the gold for a man as a souvenir, it will be permissible to trade men’s gold ornaments.

**Q1050:** Is it permissible to sell illegal fish or any other illegal animal than the originally impure ones to those who do not care about legality or illegality of these, or to non-Muslims for their consumption?

**A:** It is permissible.

## Canceling a Transaction

**Issue 1051:** In some cases, the seller or the buyer can cancel a transaction. These are referred to as “options”. Some of these are as follows:

- 1- If the seller or the buyer has been cheated; this is referred to as “option of lesion”.
- 2- If it is agreed and mentioned in the contract that either or both of the parties have the right to cancel it up to a stipulated time; for instance, they may stipulate that any of the parties can cancel the contract within three days from after the contract. This is referred to as “option of conditions”.
- 3- If the seller and the buyer have not parted from each other since they made their deal; for instance, when one has bought something in a store, they can return that thing if they have not left the store yet; this is referred to as “option of meeting place”.

4- If the purchased thing is defective and the buyer learns about it after the deal is made. This is referred to as “option of defect”.

5- If the seller describes the commodity-which the buyer has not seen- as to have certain qualities, but then it is revealed that the commodity lacks those qualities; for instance, when the seller promises to supply two hundred-sheet notebooks, but later it is revealed that the notebooks supplied, have less sheets. This is referred to as “option of inspection”.

**Issue 1052:** If a person comes to know about some defect in the commodity after the deal is made, but does not cancel the contract immediately, they will not have the right to cancel it anymore.

**Q1053:** Is a letter of promise (provisional agreement) legally valid? Will such letter suffice as a contract?

**A:** If the contract is made within such a letter, and if the commodity and its price are stipulated and other conditions are fulfilled, and if there is no uncertainty and ignorance in it, the parties must carry out the contract.

**Q1054:** In some businesses such as in confectionaries, it is common to weigh the container box together with the pastry and thus the buyer is charged for both the pastry and the container box at the same price. Is it legally permissible to do that? And is the money earned in this way considered legal?

**A:** If the customer knows about that and consents to it, it will be in order.

**Q1055:** I sell spare parts and whenever I sell something in installments, I make an extra charge for the installments. What is the case of such an extra charge?

**A:** Selling things in installments for a higher price than in cash payments, does not render a contract void and it will be valid, even if the extra charge to be made later is calculated at the time of contract.

## Rules of Partnership

**Issue 1056:** When two people want to go into partnership, their partnership will be valid if before or after pronouncing the formula of the contract, they amalgamate their property such that each party’s share would not be distinguishable, and if they pronounce the formula of the contract in Arabic or in any other language, or do something which would indicate their willingness to be partners.

**Issue 1057:** If two people go into partnership on the terms that each of them would purchase some commodity on credit and therefore be responsible to pay for it, but they would share the profit they earn from that commodity, such partnership will not be valid; however, if each of them makes the other their agent to purchase goods and commodities on credit on their behalf so that each party would purchase things on their own and their party’s behalves and they would be both responsible for the repayment of the debts, such a partnership will be valid.

**Issue 1058:** Those who go into a partnership by means of a contract, must be sane adults, and become partners of their own volition; they must also be capable of taking possession of their property; therefore, if a feeble-minded person, who spends their wealth imprudently goes into partnership with some other person, the partnership will not be valid because such a person has no right to take possession of their property.

**Q1059:** One who has 500,000 tomans goes into partnership with some one else who has 50,000 tomans for a one-year period, on the terms that the first party is exempted from doing anything, and the second party would be responsible to invest the money and the profit would be shared equally. What is the case of such a partnership? And what if the second party goes into such a partnership on behalf of three other people?

**A:** The partnership will be in order in both cases, because despite the fact that the profit made through a partnership should be shared proportionally, such a partnership will also be in order if the party who shoulders the responsibility of investing the money, receives a bigger share of the profit; but if the party who is not the agent for investing the money receives a bigger share, it will not be in order; however, in my view this latter case may also be valid since it is neither illegal nor harmful to the basic rules of contract, and it is just violates the generalities of partnership.

**Q1060:** Should there be anyone to act as a witness to a partnership contract if it is signed between a man and wife?

**A:** Witness is not a necessary condition for validity of a partnership, just as it is not necessary for validity of a will.

**Q1061:** A car factory receives 20,000,000 Rials from the clients and pays a 24 percent monthly interest on it and at the time of delivery of the car, gives a discount of 3,000,000 Rials on the full price. What is the case of this?

**A:** It is considered as a partnership and therefore it is permissible.

**Q1062:** Some people buy stocks from different companies under the contract of these companies which operate according to the commercial code; but they do not know about the partners, the main activity and the kind of the company in some cases; will that suffice if there is no risk and uncertainty in such cases?

**A:** It will suffice if one consents to a partnership in any known business or activity, even if it is based on the commercial code; such uncertainties do not inflict any harm to a partnership, but are considered harmful to some contracts and transactions such as sale.

## Rules of Compromise

“Compromise” is an agreement made between two people in which one side gives a part of one’s property, or part of the profit gained on it, to the other side, or waives one’s rights or financial claims, whether it involves a recompense or not.

**Issue 1063:** The two sides of a compromise must be sane adults, and not compelled to make it; nor should they be forbidden to take possession of their property by the Islamic judge; they should have the intention to make the compromise.

**Q1064:** A person gave away part of his property to his sons, and they took possession of the property; after some years, the person gave away the property to some other people; now that the person has passed away, these latter people have brought an ownership claim for the property. Is such claim legally valid?

**A:** Since a compromise is an irrevocable contract, it can not be cancelled, and one who has given away their property to someone else through a compromise is not allowed to take possession of it again.

**Q1065:** Will the compromise be valid if a person donates their property to some relatives on condition that they return it whenever the donor is in need for it? Will the tradition, “believers must fulfill their conditions” apply to such a case?

**A:** This is a case of valid compromise and all the related rules apply to it.

**Q1066:** Does a compromise necessarily entail taking possession of the property?

**A:** To take possession is not a necessary condition for a compromise.

**Q1067:** My father transferred a piece of land with the area of 750 square meters to me through a registered contract in 1349; but after his death it was revealed that the compromise contract had been cancelled without notifying me. Is such a contract revocable?

**A:** A compromise contract is irrevocable and as the property had been donated to a relative, it is irrevocable.

**Q1068:** A living father has transferred a part of his property to some of his children such that they can take possession of it after his death, and has kept the other part for his livelihood. Is such a compromise valid and permissible?

**A:** If the legal compromise has been made, but he has reserved the right of benefit as long as he is alive, such a compromise will be valid, and after his death no one can claim rights over the compromised property.

## Rules Regarding Lease

“Lease” refers to an agreement that allows one to use someone else’s property in return for money or any other specified thing.

**Issue 1069:** The lessor and the lessee must both be sane adults and enter into the lease of their own volition,

and must be capable of taking possession of their property.

**Issue 1070:** It is not necessary for the lessor and the lessee to pronounce the formula in Arabic, and the lease will be valid if the lessor says to the lessee, "I leased out my property to you", and the lessee says "I accepted".

**Issue 1071:** If a person rents a house, store, or a room and the owner imposes the condition that the lessee must use the property him/herself, then the lessee can not lease out that property to a third person; but if the owner of the property does not lay down such a condition, the lessee can lease the property out to another person.

## Conditions regarding the Property Given on Lease

**Issue 1072:** There are certain conditions on which some property should be leased and also the way it should be used. Some of these are as follows:

- 1- The property must be specified
- 2- It must be possible to deliver the property.
- 3- The property must not be something capable of being consumed, depleted, or used up, such as bread and fruit.
- 4- The property must be legally permissible to use.
- 5- The period of the lease must be specified.

**Issue 1073:** It is permissible to give a tree on lease for the use of its fruit.

**Issue 1074:** There are four conditions on which one can use a rented property as follows:

- 1- The lease must be for a legal purpose. Therefore, the lease will not be valid if for instance, a store is leased out to be used as a bar or as a place for storing alcoholic beverages, or if an animal is rented out for carrying wine.
- 2- Paying for the rented property should not be deemed futile by others.
- 3- If the property which is being leased out can be put into various uses, then the use which should be made by the lessee must be specified; for instance, if an animal, which can be used for both riding and carrying things is leased out, it should be specified at the time of concluding the contract, whether the lessee may use it for riding, or for carrying things, or for all possible purposes.
- 4- The period of the lease must be specified; however, it will also suffice if the period is not specified while the course of action is; for instance, one may arrange with a dress-maker to make a specified dress in a special way.

**Issue 1075:** When the period of a lease of premises expires, it is illegal for the tenant to stay there longer without the permission of the owner, and the premises must be quit immediately in case of the owner's disagreement, otherwise they will be deemed a usurper and responsible for the premises and the payment of the actual rent and legally have no rights over them, whether the period of the lease is short or long, and whether their stay has led to the rise of the value of the premises or not, and whether quitting the premises would lead to the collapse or loss of their business or not, unless there are some conditions as integral parts of the lease contract.

**Q1076:** A lessor has signed a lease contract while being ill and not able to hear the clauses of the contract; nor have others recited the contract to them; while the previous lease had been concluded for a one-year period, the current was signed as a two-year lease. Is it possible for the lessor -now that they have recovered- to claim on the period of the lease or to increase the rent after one year?

**A:** If the lessor has been sane and in their senses while signing the lease contract, their signature will be legally binding and the contract must be executed.

**Q1077:** What will the verdict be if a lessee does not quit the rented premises after the lease contract has been expired, regarding the fact that based on the current civil law of the Islamic system, if the lessor does not personally need the premises, rights will be given to the lessee, even if the lessor disagrees and does not consent to it?

**A:** When the period of the lease is expired, the lessee has to quit the rented premises and if they stay there longer, it will be deemed forcible possession of the property; however, particular rules and conventions must be obeyed if they conform to the Shari'ah rules.

**Q1078:** I share 50% of the ownership of a car with a person, and pay 13000 tomans a month as the rent for the other share to my partner, on condition that they do not get involved in the earnings from and expenditure for the car. One month before the cancellation of the contract, I bought a set of tires and we will not be allocated a quota on car tires for one year. Should I share the profit made on selling the tires with my partner?

**A:** If based on the contract, the lessee can benefit from these kinds of profits, and it is also deemed right in the view of other car owners and car renters, the purchased tires which have been purchased with the lessee's money, and of which the lessee has taken delivery before the cancellation of the contract, will be the lessee's; otherwise, they will have to share the profit.

**Q1079:** The rent payable for a house is 20,000 tomans monthly, but if the lessee pays a deposit to the lessor, the rent will reduce by 50 percent. Is such a lease valid?

**A:** Paying a refundable deposit on a house for which the owner of the house may be in need, or as a backing fund for the rent, or for any other purpose, such that the owner agrees to reduce the rent to an amount less than the common rent, is permissible; Also excessive demands in return for the deposits given to the lessor such as demanding substantial reduction on the rent payable for a house will be permissible if they do not lead to economic depression, owner's bankruptcy, things commonly taken as evil and void, and oppression of the owner.

**Q1080:** Once I paid for the good will of a store to the owner and also paid considerable costs for the supply of water, power, gas, pavement tiles, business license, etc; but after more than ten years, the heirs have claimed on the property. Who is legally considered as the owner? If it is their right to take possession of it, then should they pay me back for the goodwill based on the common current rate?

**A:** Since paying for the goodwill is commonly taken as buying the right to manage and possess the store, neither the owner nor their heirs have the right to transfer the store to anyone else, or to take possession of it themselves, and they cannot evict the lessee without their consent. If the lessee is to leave the store, the rent and the goodwill must be paid based on the common rate and the specified clauses of the contract.

## Those Who Have No Right of Possession over Their Property

**Issue 1081:** A child who has not reached puberty, and a child who has reached puberty but is not discerning, are not legally allowed to take possession of their own property; therefore, to take possession of one's property, two conditions must be fulfilled; to ensure one's puberty, any one of the four signs listed below would suffice:

- 1- Growing thick pubic hair;
- 2- Discharging semen, although some believe that women do not discharge semen;
- 3- Discharging menstrual blood (for women);
- 4- If none of the above signs is observed, then the criterion will be completion of fifteen lunar years of age for men and thirteen lunar years of age for women.

**Issue 1082:** Growing thick hair on the face, above the lips, on the chest and in the armpits, and the voice breaking etc. are not considered as signs of puberty, but means to ensure one has reached puberty.

**Issue 1083:** An insane or a feeble-minded person who squanders their property on futile things and for useless purposes, do not have the right of possession over their property.

## Rules of Mudharabah (Commandite)

**Q1084:** Is it permissible for us to give our property to a businessman to do some business with it on condition that the businessman pays us a specified share of the profit, just as it is common in the banking system that people are paid a specified share of profit on their bank deposits? If not, then how is it possible for us

to invest our money in such a framework?

**A:** It must be in the framework of a Mudharabah to which special conditions apply as follows:

- 1- The period of the contract must be specified;
- 2- The proportion of the share of profit for each party must be specified;
- 3- The agent who receives the property should put it to a business.

It is recommended that they lay down a condition as an integral part of the contract that if the agent comes to any harm concerning their business and partnership, they should compensate it with their own money and pay a specified amount of money as partial payments to the owner of the invested money monthly until its time for their settlement.

**Q1085:** Regarding the fact that the profits earned on a Mudharabah contract must be shared in terms of specified percentages or proportions, and that in some businesses it is not possible to figure out the exact amount of the profits, is it permissible to specify the shares of profit based on a certain minimum profit which is expected to be made? For instance, if the business is expected to make a minimum of 5 units of profit, then they can share it in such a manner that one receives 3 and the other receives 2 units of the profit.

**A:** Such a contract is valid; however, it must be mentioned in the contract that the remaining 2 units belong to the other party, and as it is difficult to settle their accounts annually, it will be best for them to reach a compromise at the time of concluding the contract, concerning the shares of profit, that is, the one who is likely to receive a bigger share, should come to an agreement with the other party so that they reach a compromise. Such a contract is permissible.

**Q1086:** A person has given their savings to a businessman or producer so that the latter invests it in the business and pays a monthly share of profit to the investor; the amount of the profit gained is figured out by the investor through the bills and documents. Is earning such a monthly profit permissible?

**A:** If it is in the framework of Mudharabah or a partnership, it is permissible.

**Q1087:** If two people conclude a Mudharabah contract and after some time it is revealed that the agent has paid a specified share of profit to the investor without having invested the money in business, and has gone bankrupt due to the payment of such profits, then what will the verdict be on the profits received by the investor? Should they be returned to the agent?

**A:** Since the profits that the agent has paid to the investor have been along with the agent's consent, this is considered as one's making others dominant over one's property in return for no charge, and therefore is not liable to be recompensed; hence, it is not obligatory to return the profits.

**Q1088:** If a person goes bankrupt due to the payment they have made to the investors in a Mudharabah contract without having invested their money in a business, and the investors have received as much money as the amounts they invested or even more than their investments, then what will the verdict be on the investments?

**A:** The agent still owes the investments to the investor, since the payments they have made to the investors have been along with their consent and are deemed as one's making others dominant over one's property free of charge.

## Rules Regarding Loan

To give a believer a loan is among the recommended acts on which enormous stress has been laid in the Holy Quran and the traditions. In this regard, there is a quotation from the Holy Prophet (PBUH) which says, "to give one's brethren a loan flourishes one's wealth and the angels ask for the Divine mercy for them, and those who treat their debtors leniently will pass the Bridge (the Siraat) swiftly and those who deny giving their brethren a loan, will be forbidden from going to Heaven".

### Kinds of loan

Loans are of two kinds regarding their repayment periods:

- 1- Loan with a specified due date; while granting such loans the due date is specified.
- 2- Loan without a specified due date whose due date is not specified when being granted.

## Rules of Loan and Debt

**Issue 1089:** If a due date is specified for the repayment of a loan, the creditor cannot claim the repayment before it is due.

**Issue 1090:** If there is no specified due date for the repayment of a loan, the creditor may demand the repayment at anytime.

**Issue 1091:** If a creditor demands the repayment of the credit, and the debtor can repay it, it must be paid immediately, and if it is delayed, the debtor will be deemed a sinner.

**Issue 1092:** If a person who gives somebody a loan lays down the condition that the debtor will have to repay more than what they are given, and if the loan is advanced for producing and trading purposes (not for one's livelihood, subsistence, or repayment of debts), it will be legal and permissible since it does not lead to the prohibition of the good and is considered as a means of helping business and economy flourish, although it is desirable to take precautionary actions so as to avoid taking such interests; however, if the loan is to be paid back with interest, and if the loan is taken out to satisfy one's living needs and subsistence, it will be deemed illegal and taken as fighting against God and the Holy Prophet and nothing would justify it; for instance, if a person gives 3 kilos of wheat to a person and stipulates that they should return 3.5 kilos of that, or gives 10 eggs and demands 11 eggs in return, it will count as usury and therefore it will be considered illegal; even if a person stipulates that the borrower will have to do something for them, or to return what they borrow along with something else, for instance, if they lay down the condition that the borrower will have to return the sum of money they borrow along with a box of matches, it will be accounted as usury and thus illegal; also, if the lender stipulates that the borrower should return what they borrow in a particular form and shape, for instance, if they lend a quantity of gold and demand golden ornaments in return, it will be considered as usury and thus illegal; however, if no such condition is imposed by the lender and the borrower willingly returns what they borrow along with something else, it will not count as illegal and it is even recommended to do so.

**Issue 1093:** In the cases of those loans given to fulfill the borrower's living needs, if the lender imposes the condition that they will take an extra amount of money in return after some time or that the borrower will have to do something for the lender, for instance, if they lend the borrower 100,000 tomans and stipulate that the borrower will have to repay 120,000 tomans after one year, it will be considered a usury and thus illegal.

**Issue 1094:** If the lender does not lay down any condition so as to take back extra credit, but the borrower willingly repays more than what they borrow, it will be in order, and it is even recommended to do so.

**Q1095:** Does the interest received on the bank deposits count as usury?

**A:** If they act according to the rules of the Islamic Republic, it is not considered usury.

**Q1096:** Is the case of a usury contract between a father and his daughter just as it is between a father and his son?

**A:** Whatever the case, if the money is borrowed to cover one's living expenses and subsistence, it will be illegal.

**Q1097:** A person has signed a contract with an Indian Sikh in one of the Arab countries. After some years they came to know that they own the Sikh as many as 1000 Dirhams, but cannot find the Sikh to repay them and do not know where they are. What will the verdict be on such a debt?

**A:** It is permissible to give alms with that money on behalf of the Sikh, that is, to give it to the poor so that the blessings will be the Sikh's.

**Q1098:** Does passage of time abolish one's legal rights, or does the debtor have to repay their debts despite passage of a long time?

**A:** One's legal demands and right may not be abolished due to one's ignorance about their legal rights or due to passage of time, and it must be said that it is illegal and sinful to delay one's repayment of debts.

**Q1099:** If a person borrows some money, and at the time of the repayment it is revealed that, due to inflation, the value of the money has reduced such that the lender would come to some harm, will the lender have

the right to ask the borrower for the amount to which the value of the money has reduced? If yes, then may the criterion be the value of gold at the time of borrowing? What will the verdict be if a debtor ignores the repayment of their debt at the due time? Will such a person be subject to compensation of the reduced value of the money they have borrowed?

**A:** One may, at the time of lending, lend the value of their money to the borrower, considering how much it is worth of gold or something else, for instance, the may say, "I will lend you this money which is worth 2.5 grams of gold, such that you will have to repay me the same value in cash currency at the due time". In case the debtor delays the repayment of the debt, the lender can claim the delay provided that they have laid down the condition while concluding the contract, for instance, the lender may say, "If you do not repay the money at the due time, you will be subject to compensation"; and if, without having laid down such a condition, the lender claims the compensation for the delay which is revealed to have been due to negligence and time killing despite the borrower's being able to afford the repayment, it will also be permissible to claim the compensation.

**Q1100:** There is a fund which grants some people loans for one-year periods with the agreement of the board of directors, so that the borrowers may invest the loans in business; the borrowers are not asked for payment of any fixed interest, but are supposed to willingly pay as much interest as they want; the borrowers usually invest the loans in construction work or use the loans to pay the deposits for purchasing houses and goods. Are all these cases considered as business investments? Is the interest paid in this manner legal?

**A:** The interest which people willingly pay under no obligation is permissible, even if they have not fulfilled the terms of the contract, because their willingness to pay such interests and the agreement of the lenders serve as satisfactory reasons to render such contracts legal. In short, from the most pessimistic perspective, one may consider such contracts and the act of taking possession of such loans by the borrowers as void which itself would be resolved through the satisfaction of both the lenders and the members of the fund, i.e., as for the interest the borrowers pay, since they are not obliged to pay a fixed rate at the time of concluding the contract and the interest is then willingly paid by the borrowers, it is deemed permissible and legal.

**Q1101:** In some Muslim countries, loans are of two kinds, namely, production loans and consumption loans, so that a person may not borrow any money to cover their living expenses and subsistence or for the repayment of their debts (which are examples of consumption), but to invest in some business and gain some profit on it. Can we conclude that all the legal evidence on usury is to address consumption loans and not the production loans?

**A:** Production loans with interest are not considered illegal as they do not lead to prohibition of the good and they even lead to a booming and healthy economy; however, as a precaution, it is desirable to take any sort of action which would help to avoid such interest; and the evidence concerning the illegality of this kind of interest is not as considerable as it is in other cases. "Riba" means "extra", and of course it is not just this sense which leads to illegality of usury and there must be a particular intended sense which is, along with the concerning tradition and evidence, taken as usury and this applies to those cases which are referred to as consumption loans for the repayment of which, some debtors would-we seek refuge in God- compel their mother, sisters, and daughters to commit deadly sins; the well-known tradition, "A Dirham gained on usury is more deadly a sin than is committing seventy cases of incest", is apparently relevant to such cases"(Wasaa'il-ul-Shiite: Vol. 18: Baab 1, Abwab-ul-Riba,Hadith 1).

**Q1102:** To take out housing loans from some financial institutions, people are required to pay deposits as interest-free deposits. Does the tradition, "any loan which brings gain is a case of usury", indicate that all cases of giving and taking interest are deemed illegal even if it is agreed by both sides of contract?

**A:** It is not illegal in such a case, and the illegality concerning interest loans applies to consumption loans; the tradition quoted in the question is a general tradition quoted from the Holy Prophet and there is no general rule to indicate the illegality of interest for all people and in all cases.

**Q1103:** Is it permissible to impose the condition while loaning someone that they should loan you in return?

**A:** It is permissible, and is not considered as a case of usury.

**Q1104:** A businessman has purchased 500,000 Rupees worth of carpets and other goods, and sold them on

credit to get paid eight months later. Then he has learned that he will come to financial harm if he waits for the payments until the due date. Is he allowed to borrow someone that sum of money and pay interest on it?

**A:** The illegality of consumption interest loans remains there and one is not allowed to use such loans due to economic and financial problems and losses.

**Q1105:** I was a government official in Turkey for two years and I had a deposit in Bank Mellat (Ankara Branch) on which some interest was paid. Regarding the fact that Bank Mellat gives these deposits as interest loans to other banks in Muslim and non-Muslim countries, is such interest legal and permissible?

**A:** Regarding the fact that banks do not come to any economic and financial harm through payment of such interests, and that these payments of interest do not lead to their bankruptcy, and that both sides benefit from such loans, the contracts are considered as reasonable, and the interests are not deemed illegal; and there is no difference between Islamic and non-Islamic banks in this regard.

## Banks, Trading Cash and Checks

**Issue 1106:** What a person receives from banks as loan or other contracts will be legal and permissible if the contract is legally concluded, even if they know that there are sums of illegal money in those banks and it is likely that the money they have received is paid from an illegal resource; but if they are certain that the money they have received is itself an illegal money, or a part of it is illegal, it will not be permissible to take possession of it and if they can not find the owner, they should, with the permission of a religious jurist treat it as a property whose owner is unknown, and there is no difference between foreign and domestic, or state and private banks.

**Issue 1107:** Interest received on Bank deposits which are lent to the banks by the clients are permissible and legal since the borrower is the bank; the banks can take possession of such deposits; such interests are legal for two reasons: first, some of these banks are supposed to pay interests on the deposits through investing them in legal transactions; second, a bank is not like a bankrupt and miserable person who would borrow money to repay their debts, but is a major active investor itself, so the illegality of interest does not apply to the ones received from such banks.

**Q1108:** Do the benevolent funds and cooperatives or banks have the right to charge people for the delay and commission of loan repayments?

**A:** If the commissions remain fixed for all loans, or if they charge in proportion to the amount of work they should do (like the increase of the number of promissory notes and other documents), it will be permissible, but if they change in proportion to the amount of the money which is being borrowed, it will be illegal as it is accounted neither a commission nor a fee. Obviously service fees do not change in proportion to the amount of the money being borrowed; as for the delay, if it is included in the contract, the lender may claim the compensation.

**Q1109:** What will the verdict be if one makes short-term or long-term deposits in banks to earn interest on them?

**A:** Since banks invest the deposits in legal transactions and commandites, the interest earned on such deposits is legal and permissible.

**Q1110:** How are the prizes awarded by banks regarded in jurisprudence?

**A:** They are regarded as gifts; besides, any person has the legal authority over their personal property and thus can transfer it to someone else in return for no charge if they wish, although this is not among the common contracts.

**Q1111:** What is the verdict on trading bills, checks and promissory notes?

**A:** If it is due to compulsion and out of necessity, it is considered as usury and thus illegal, and nothing would justify it, but if it is done for the purpose of handling one's business so that it would cause economic dynamism, and if both sides benefit from such transactions, one should, as a precaution, take any justifiable course of action to avoid making such transactions, and basically such interest transactions are not permissible.

**Q1112:** A person holding a 100,000-toman check is in need for cash. Is it permissible to cash their timed check drawn for a distant time to come?

**A:** If the person holding the check does this as a business out of which they make a gain, or at least they do not get involved in paying illegal interest, it is permissible; but if the seller of the check does this to get rid of their financial problems and to alleviate their misery, they must know that such things would make things worse and are by no means legal and permissible; such things cannot justify usury; and how is it possible to deem such an illegal act exchanging Dirham of which is more deadly a sin than is committing seventy cases of incest beside ka'aba legal? Generally speaking, receiving interest from a person who is in misery and deserves help and charity is certainly considered illegal and unjustifiable; but to receive interest from those who make reasonable and financial gains out of the money they borrow is not considered a case of illegal usury and due to the satisfaction of both sides of the contract, it is permissible.

## Rules Regarding Surety

**Issue 1113:** If a person wishes to act as surety for someone else, it will be in order only when they tell the creditor, in any language, that they undertake the responsibility for the repayment of the debt, and the creditor expresses their agreement. The debtor's agreement is not a necessary condition.

**Issue 1114:** Both the creditor and the surety must be sane adults and not compelled to do so; Nor must they be such feeble-minded people who would squander their property on futile things; the creditor must not be such a bankrupt person who has been judged by any legal authority to be forbidden to take possession of their personal property.

**Issue 1115:** If a surety lays down a condition, for instance, if they say, "I will repay the debt if the debtor does not pay it", the guarantee will be valid.

**Issue 1116:** One, for whom a person acts as surety, should not necessarily be already in debt; therefore, it is also permissible to act as surety for a person who intends to borrow someone a sum of money.

**Issue 1117:** The guarantor and the creditor can lay down the condition that they may cancel the guarantee whenever they wish to do so.

**Q1118:** If a person acts as surety for someone's debt and then the creditor receives a check from one of the debtor's relatives, will the guarantor be released from obligation?

**A:** Regarding the fact that the person who draws the check does not act as surety and that gives the check to the creditor as a document for the debt, the guarantor will not be released from the obligation.

**Q1119:** Contrary to the rules and regulations of municipality, a person has built a balcony on top of their house whose wall reaches the city power cable and based on the announcement of the Power Supply Organization they have trespassed on the area of the power cables. The owner of this house rents it out to his brother-in-law once, the lessee invites the lessor and his wife to a party and the guests (the lessor and his wife) entrust their five-year old child with the lessee's wife to go out for some hours; playing in the balcony, the child touches the power cable and dies. The lessee claims that the owner of the house is guilty in this regard, since he has acted against the rules of municipality and thus trespassed on the area of the power cables; but, having paid the penalty for the construction of the balcony to the municipality, the owner of the house believes the lessee's wife is guilty. Regarding the fact that the child was entrusted with the lessee, who would be pleaded guilty? Would it be the owner of the house, the municipality that has not destroyed the balcony, the lessee with whom the child was entrusted, or the parents who have abdicated their responsibility for taking care of the child?

**A:** If the guest has entrusted their child with the lessee and the lessee has accepted to shoulder such a responsibility, the lessee will be responsible for the loss, unless they have not been careless of taking care of the child, so that the death is not due to their carelessness. The municipality will also be deemed responsible if they have abdicated their duty to destroy the balcony. Therefore, both the municipality and the lessee will be responsible for the death of the child, in the case of the former being due to the carelessness of contingency and the latter being due to the abdication of their responsibility; The mother will also be deemed responsible due to entrusting the child with others, if it is rationally and commonly

taken as failing to undertake her responsibility for taking care of her child. Thus, they will all have to pay compensation for the loss in proportion to their share of responsibility and guilt.

**Q1120:** A person takes hold of a fragile utensil in a store to see it and it suddenly drops and breaks. Who is responsible for that?

**A:** If the client has not gone to the extremes to keep hold of the utensil, and if they have picked it with the permission of the owner, they will not be responsible since they are considered trustworthy and not a usurper.

## Rules Regarding Trust

When a person gives their property to someone and asks them to keep it in trust, and the trustee accepts that, the trustee will be committed to the rules of trust.

**Issue 1121:** One, who cannot look after a trust property, should not accept it.

**Issue 1122:** One, who keeps something in trust with a person, may take it back whenever they wish, and one, who accepts a trust property, may return it to the owner whenever they wish.

**Issue 1123:** If one, who accepts a trust property does not have a suitable place to keep it, they should provide such a place for the safe keeping; for instance, if the trust property is a sum of money and they cannot keep it safe at home, they should deposit it in a bank.

**Issue 1124:** A trustee should keep the trust property in such a way that they do not seem to be in breach of trust or to be neglecting the trust property.

**Issue 1125:** If people's trust property is destroyed:

1- The trustee must give the depositor the consideration if the destruction of the trust property is due to the trustee's negligence.

2- The trustee will not be responsible for and do not need to pay anything in consideration of the trust property if they have not neglected it, or if it has been destroyed accidentally, for instance, by flood.

**Issue 1126:** A trustee is not allowed to put a trust property to use unless it is with the permission of the owner.

**Q1127:** Can a trustee lay down the condition that they will not be responsible if the trust property is destroyed owing to their extravagant handling and use of it?

**A:** It is apparently permissible.

## Rules of Lending and Borrowing

Lending (Ariyah) refers to one's giving their property to someone else to use it and return it later for no consideration; for instance, to lend one's bicycle to someone to go home and come back with it.

**Issue 1128:** A lender may take back their property whenever they wish to, and the borrower may return the lender's property whenever they wish to.

**Issue 1129:** If the property which one has borrowed is destroyed or damaged, the borrower will not be responsible if they have not neglected it or if they have not used it extravagantly.

**Issue 1130:** If they have agreed that the borrower would be responsible for any damage to the property, the borrower must compensate for damages.

**Issue 1131:** One is not allowed to lend or rent out the property which they have borrowed themselves.

## Lost and Found

**Issue 1132:** If a person finds something but does not pick it up, they will not have to undertake any responsibility towards that.

**Issue 1133:** If a person finds something and picks it up, they will be committed to the following rules:

1- If the thing does not bear any properties which can help find its owner, the finder should, as an obligatory precaution, give it to charity on behalf of the owner.

2- If it bears some properties which can help find the owner, and it is worth less than 18.9 grams of coined silver, but the owner is unknown, the finder may take possession of it.

3- If it is worth as much as or more than 18.9 grams of coined silver, and bears some properties with the help of which the owner may be found, the finder must announce it everyday for a week and then once a week until one year. If the owner is not found after a year, the finder may take possession of it with the intention of returning it to the owner when they are found; however, as a matter of recommended precaution, the finder should give it to charity on the owner's behalf after one year.

**Issue 1134:** If a person finds something which is perishable, such as fruit etc., they must keep it as long as possible and if the owner is still not found, they may take it for its current price or sell it and keep the money until the owner is found.

## Having One's Shoes Taken for Other's

**Issue 1135:** If a person takes some shoes for their own shoes and thus takes them away, and if there is another pair of shoes left, the person whose shoes have been mistakenly taken away can have the latter if they are certain that they belong to the person who has taken their shoes away, and if they fail or find it difficult to find that person; however, if the latter are worth more than their own shoes, they should pay the balance to the owner if they finally manage to find them and if they lose hope to find the owner. They should, with the permission of a qualified jurist, give the balance to charity on the owner's behalf.

**Issue 1136:** If it is likely that the remaining shoes do not belong to the person who has taken one's shoes away, and they are not accessible, one must look for the owner and if they lose hope to find them, they should give it to charity on their behalf.

## Rules of Marriage

**Issue 1137:** If a man gets entangled in illegal acts owing to his not having a wife, it will be obligatory for him to get married.

**Issue 1138:** Pronouncing the marriage formula, the relationship between the man and the woman becomes legal and lawful. There are two kinds of marriage: Permanent Marriage and Temporary Marriage.

“Permanent marriage” refers to a marriage whose period is indefinite and unlimited. The woman with whom such a marriage is concluded is referred to as “Diemah” (Permanent wife).

“Temporary marriage” refers to a marriage whose period is fixed. The woman with whom such a marriage is concluded is referred to a “Mut’ah” or “Seeghah” (temporary wife); for instance, a woman whom one marries for an hour, a day, a month, a year, or longer.

**Issue 1139:** In matrimony, whether permanent or temporary, the formula must be pronounced; mere consent of the man and the woman does not suffice; the formula may be pronounced by the man and the woman themselves or by their representatives appointed by them to do that on their behalf.

**Issue 1140:** It is not necessary to appoint male representatives and women may also be appointed to represent the man and woman who want to get married and pronounce the formula on their behalf.

**Issue 1141:** In permanent marriage, the contract will be valid if first the woman pronounces, “zawwajtuka nafsee alas-sadaquil ma'lum” (i.e. I married myself to you on the agreed marriage portion), and the man immediately responds, “Quabiltut-tazweej” (i.e. I accepted the marriage); and if they appoint representatives to pronounce the formula on their behalf, the contract will be valid if they proceed as follows:

Suppose the man's name is Ahmad and the woman's name is Fatima. First, the woman's representative pronounces, “Zawwajtu muwakkilatee Fatimata muwakkilaka Ahmada alas-sadaquil ma'lum” (i.e. I married my client Fatima to your client Ahmad upon the agreed marriage portion), and the man's representative immediately responds, “Quabiltut tazweej li muwakkilee Ahmada alas-sadaq” (i.e. I accepted the marriage for my client Ahmad upon the agreed marriage portion).

**Issue 1142:** If the man and the woman wish to pronounce the formula of a temporary marriage themselves,

having agreed on the period and the dower, the woman pronounces, “Zawwajtuka nafsee fil muddatil ma’lumati alal mahril ma’lum” (i.e. I married myself to you for the agreed period and dower), and the man responds, “Quabiltu” (i.e. I accepted). Thus the marriage contract will be in order. If the man and the woman have appointed representatives to pronounce the formula of a temporary marriage on their behalf, the contract will be valid if first, the woman’s representative pronounces to the man’s representative, “Matta’tu muwakkilatee muwakkilaka fil muddatil ma’lumati alal mahril ma’lum”(i.e. I married my client to your client for the agreed period and dower), and the man’s representative immediately responds, “Quabiltu li muwakkilee hakadha” (I accepted the marriage for my client this way).

**Issue 1143:** If, while pronouncing the marriage formula, even one single sound is pronounced incorrectly such that it changes the meaning, the contract will be void.

**Issue 1144:** A virgin girl who has reached puberty and is mature enough to decide her interests and benefits, is allowed to enter into a permanent marriage without the permission of her father or paternal grand father; although as a precaution, she should get their permission in advance; but it is not necessary to get the permission of her brother and mother; however, for a temporary marriage, it is necessary for a virgin girl to get the permission of her father or paternal grand father.

**Issue 1145:** If a woman, who enters into a temporary marriage lays down the condition that the man should not have sexual intercourse with her, the marriage contract will be valid, and the man will just be allowed to take other kinds of pleasure in her company, but if she consents to having sexual intercourse with the man later, they can get sexual pleasures as well.

**Issue 1146:** If a man fornicates a woman who does not have a husband and is not in her Iddah (see the glossary), it will be permissible for him to marry her later, but the recommended precaution is to wait until the woman has her period and marry her when her period stops, and this precaution should not be ignored as far as possible. This will also be the case if any other man wishes to marry such a woman.

**Issue 1147:** If a man marries a woman who is in the Iddah of another man, and if either or both of them know about this and also know that it is illegal to marry a woman in her Iddah, and if their marriage has been a consummated marriage, the woman will become illegal for him; although as a recommended precaution, this will also be the case if their marriage has been an unconsummated one.

**Issue 1148:** If a man marries a woman and later it is revealed that she has been in her Iddah, and if neither of them had known about that and about the fact that it is illegal to marry a woman in her Iddah, the woman will not become illegal for the man, even if their marriage has been a consummated one; however, their marriage contract will be void.

**Issue 1149:** If a man marries a woman while he knows she has a husband, he must divorce her, and if their marriage is consummated, he cannot marry her later either.

**Q1150:** A boy wishes to get married and knows that if he does not get married, he will be entangled in illegal things, but his parents have told him that he will not be allowed to get married until after 5 years. Regarding all these facts, the boy knows that it will annoy his parents if he gets married. Will it be legally valid if the boy gets married in such a case?

**A:** For a boy to get married, his parents’ consent is not considered as a necessary condition, but the marriage must be registered in a notary public’s office.

**Q1151:** Is it permissible for a man who already has a wife to marry another woman?

**A:** If he fears that he may not be able to treat them equitably and fairly, he is not allowed to do that, and he must ascertain his capability to treat them equitably and fairly, and even if he doubts whether he would be able to do so, it will not be permissible for him to marry a second woman.

**Q1152:** What is your view of marriage contracts by deed? I mean is the criterion for legality of a marriage contract simply pronouncing the words “Ankahtu”, or does it suffice if both sides have the intention and the consent to enter into marriage? If the criterion is to simply pronounce the formula, then will that suffice for the legality of a marriage? And if the criterion is their real intention and agreement to enter into marriage, then what is the necessity of uttering those special words? Besides, a couple may also indicate

their assent through their behaviors and movements.

**A:** The mutual consent of a couple and the pronouncement of the marriage formula are both necessary conditions for legality of a marriage, and it will not be valid by deed; common consensus exists among religious jurists over the illegality of marriage contracts by deed; even rationalistic beliefs disapprove of such contracts, and what Imam Khomeini (S.A) has stated in jurisprudential discussions, deals with the theoretical possibility of the fact and not its practical possibility.

**Q1153:** Regarding different contracts, such as contract of sale, marriage contract, lease contract, etc, the Fatwa of religious jurists is that both sides of the contract should pronounce the formulas for those contracts, that is, to utter the words which express their offer and acceptance, and formula here refers to those words and clauses which convey those intentions and meanings. Thus, wisdom suggests that the formula should be pronounced in a language which is known to the contract sides and also the witnesses. The question is what the necessity of pronouncing the marriage formula in Arabic is while every one can make themselves understood much more efficiently in their mother tongue?

**A:** It is necessary to pronounce the marriage formula in Arabic over which there exists common consensus among Islamic jurists and since it is in an unquestioning obedience to Allah; it must be done in that manner, since the Legislator, Allah the Almighty has validated it in this manner. Mean while, wisdom and logic too approve such a fact, since just as national anthem of every country must be performed and sung in their own language, pronouncing the marriage formula in Arabic would be considered as singing an Islamic international hymn and in fact it should be pronounced in the language of Islam, the Holy Quran, and the Holy Prophet.

**Q1154:** In temporary marriage, the man can annul the marriage before the end of the fixed date. To do this, will that suffice if this is verbally agreed in Persian or must they pronounce some Arabic formula? Is it necessary for the annulment to be verbally agreed or will the intention of annulment suffice? Is it necessary for the woman who has been married to the man to be present for the annulment?

**A:** It will suffice if the annulment is pronounced in Persian and it is not necessary for the woman to be present.

**Q1155:** Is it possible to refer to the Islamic judge so that they would compel a man to annul a temporary marriage due to distress and constriction, just as it is the case with a permanent marriage?

**A:** In the case of distress and constriction, there is no difference between permanent and temporary marriages, and it is applicable to both cases. Thus, the man has the authority to annul the marriage before the expiration of the fixed period as long as there is no distress and constriction. In case of distress and constriction, the Islamic judge must compel the man to dispense with the remaining term of the temporary marriage and if the man refuses to do that, the Islamic judge should dispense with the remaining term of the marriage through their legal authority, and all rules and regulations of divorce by the legal authority of the Islamic judge apply to this dispensation of the term.

**Q1156:** What are the responsibilities of the parents towards a child born out of a temporary marriage? Are the rights of such a child different from those of a child born out of a permanent marriage? Does it make any difference if the mother is a non-Muslim woman?

**A:** A child born out of a temporary marriage is regarded and treated exactly in the same way as a child born out of a permanent marriage. In this regard, there is no difference between a Muslim and a non-Muslim mother.

**Q1157:** Do a virgin girl and a girl from the People of the Book need the permission of their fathers to get married?

**A:** In the case of a virgin girl who is not mentally immature, the permission of her father as her guardian is a necessary condition, but the case of a mentally mature girl who has reached puberty is different (see issue 805). In any case, there is no difference between a father from the people of the Book and his daughter on the one hand and a Muslim father and his daughter on the other; however, an obstinate infidel does not have legal authority of guardianship over his mentally and physically mature Muslim girl.

**Q1158:** Does a girl who has lost her virginity through fornication need to obtain her father or guardian's permission to enter into temporary marriage?

**A:** Since she has not lost her virginity in marriage, she counts as a virgin and her father or guardian's permission is still a necessary condition for her to enter into temporary marriage.

**Q1159:** Is it necessary to divorce a permanent wife if the husband wants to enter into a temporary marriage with her? If yes, is it necessary for the woman to keep her Iddah to do so?

**A:** The husband must divorce her, but it is not necessary for the woman to keep her Iddah before they can enter into their temporary marriage.

**Q1160:** What is the verdict on entering into temporary marriage with non-Muslim women such as Catholic Christians, Buddhists, and those with unknown faiths?

**A:** In case of a Muslim man's need and necessity in such countries and in case Muslim women or those from the People of the Book are not available, it will be permissible provided that the Muslim man makes certain they will not become pregnant, and that it will be for such a short time that he will not be influenced by the woman's atheistic thoughts and beliefs which deserve loss and punishment. Basically, Islam regards temporary marriage as a means of satisfying men's needs while being in hardship and under the pressure of sexual desires, but not as some sort of legal debauchery and extramarital sex. Therefore, those who have wives with whom they can satisfy their sexual desires should not enter into temporary marriage even with Muslim women, otherwise they would ruin their family life, their tranquility and comfort, and would suffer hundreds of other losses.

**Q1161:** Is it necessary for a girl who has reached puberty to obtain her father or guardian's permission to enter into a permanent or temporary marriage?

**A:** Her father or guardian's permission is a necessary condition for a temporary marriage and the marriage contract will not be valid without their permission, and so is case with a permanent marriage just as it is necessary and obligatory to register a marriage contract at notary public's as a rule of the state, and failing to do this is considered as a sin and would entail dangerous consequences.

**Q1162:** What is the verdict on temporary marriage in Islam?

**A:** It is viewed by Shiite Muslims as certainly legal while being driven by necessity such as the time when in along war, and it prevents corruption and debauchery; however, what really prevents a person from getting entangled in moral corruptions and evil things is offering prayers, as the Holy Quran says, "Indeed the prayer prevents indecencies and wrongs"; Also good training and encouraging permanent marriage are among the other preventing factors. In my view, temporary marriage cannot prevent moral corruptions and in fact, if it is applied to other cases than necessity and hardship, and thus becomes some sort of extramarital pleasure, it will be really damaging to family life and the depravity lead by that will cause the society to collapse. If all of these corruptions and difficulties arise due to disobedience of Islamic rules concerning marriage, the corruption can be prevented through exercising the rules and encouraging the right culture, and also enlightening people's minds about the rules. But if the corruption and difficulties root in other problems, such as unemployment and a weak economy, such corruptions will not be removed even if the right rules and culture concerning marriage dominate the society. To resolve the latter problems, the government of the Islamic Republic, in its general term, should shoulder the responsibility. To facilitate marriage, irrational rigidities must be put aside, and affluent families should provide the youth with the necessities and pay their living expenses so that they can complete their educations.

**Q1163:** Based on an official document, a woman was married to a man for 18 months and having his permission, she went abroad alone for some months. Regarding the fact that she had been a virgin at the time of her marriage with this man, she divorced her husband after some time. Then, she changed her national identity card on the pretext of changing the ending part of her last name; hence, she managed to hide her first marriage and married another man. Making different excuses she refused to have sexual intercourse with the second man and claimed that she had lost her virginity in the course of some medical operation by a gynecologist. She also confirmed that her second husband did not have sexual intercourse with her, and this is also approved by the husband. Now, regarding her first marriage having been hidden from her second husband and also from the legal contract concluder, and that she surrendered a national

identity card which did not bear the information of her first marriage and divorce, can we say that she has committed misrepresentation? And is the man allowed to annul this marriage as soon as he comes to know about this and within the legal period of annulment?

**A:** Misrepresentation refers to practically or verbally claiming to have any attribute of perfection such as virginity, not being consummated, or not being divorced while a woman lacks such attributes, provided that the marriage contract has been concluded verbally, practically and commonly based on the condition that such attributes should exist. In such a case, the deceived person has the right to annul the marriage as soon as they learn about the misrepresentation and in case of the ignorance about the issue, this right will remain there until they come to know about it.

**Q1164:** A man marries a corrupt woman. Is this marriage valid? Where as such women are considered sinners, is it necessary to investigate whether they are Muslims before marrying them?

**A:** The marriage will be valid, and the woman's being corrupt does not violate the validity of a marriage contract. To see whether they are Muslim, a man and woman may pronounce the testimony (Shahadatayn) and that would suffice.

## Defects Due to Which Marriage Can Be Annulled

**Issue 1165:** If a man comes to know, after the conclusion of their marriage contract, that his wife has any of the following seven defects, he can annul the marriage.

1- Insanity

2- Leprosy

3- Vitiligo

4- Blindness

5- Lameness which can be noticed

6- Having her perineum lacerated such that her urinary and menstrual outlets or her menstrual and fecal outlets have amalgamated into one; however, in the latter case, i.e. the amalgamation of menstrual and fecal outlets, one should not annul their marriage as a matter of precaution;

7- Presence of a bone or tumor in the woman's vagina which would obstruct sexual intercourse.

**Issue 1166:** If a woman comes to know, after their marriage, that her husband is insane, or does not have a sex organ, or is impotent and thus cannot have sexual intercourse with her, or has been castrated, she can annul the marriage; and so will the case be if the husband suffers from Vitiligo, leprosy, and other contagious diseases which are hard to cure and would cause her considerable hardship and distress.

**Issue 1167:** If a man or woman annuls their marriage owing to any one of the above-mentioned defects, they should separate without getting divorced.

**Q1168:** Is it permissible to annul the marriage contract if a man deceives a woman or vice versa in the course of getting married, or if they intentionally refuse to reveal something about themselves which is considered as a must for one party to know about the other before making decisions?

**A:** This is called "Tadlis" (misrepresentation) in technical terms. In such a case, the deceived party can annul the marriage contract. For instance, the case of a man who introduces himself as to be educated, or of any given social or economical status, or refuses to reveal any flaws and defects in him, and after getting married it is revealed that he has deceived the woman. In all such cases, based on the "Ghorur" and "Tadlis" principle, rule of deception and misrepresentation (accepted by all Fiqaha), the deceived party has the right to annul the marriage, whether or not it (the right to annul) is mentioned in the contract, and whether or not it is a physiological or physical defect or any flaws in character. To annul such a marriage, the presence of two just men (Adlain) is not necessary. Nor is it necessary for the woman to have remained unpenetrated after her last menstruation and it doesn't matter if they have had sexual intercourse before the annulment. In any case, the deceived party can annul the marriage, and this annulment is different from divorce and both parties have equal rights and choices.

**Q1169:** Is it permissible to marry a Muslim girl to a man who is suffering from AIDS? Can she annul the marriage if she learns about that later?

**A:** Regarding how fatal this contagious disease is, and that it can inflict serious and irreparable harm on her, if it existed at the time of marriage and was not mentioned to the girl, the wife can annul the

marriage. In fact, the harm and loss caused by these kinds of diseases is much greater and more serious than impotence and eunuch.

## Women Forbidden For a Man to Marry

- Issue 1170:** Matrimonial relation is forbidden with women who are considered one's Mahram, for instance, mother, sister, and mother-in-law.
- Issue 1171:** If a man marries a woman, then, her mother, her maternal grandmother, her paternal grandmother, and all ascendants along these lines are his Mahram, even if he has not had sexual intercourse with his wife after their marriage.
- Issue 1172:** If a man marries a woman, and has sexual intercourse with her, the daughters and granddaughters (daughters of sons or of daughters) of the wife and all their descendants become his Mahram, whether they exist at the time of marriage or be born later.
- Issue 1173:** If a man marries a woman, he can not marry her daughter as long as they are married, even if he does not have sexual intercourse with her.
- Issue 1174:** The paternal and maternal aunts of a man, the paternal and maternal aunts of his father, the paternal and maternal aunts of his paternal grandfather, the paternal and maternal aunts of his mother, the paternal and maternal aunts of his maternal grandmother, and so forth as the line ascends, are all his Mahram.
- Issue 1175:** The husband's father and grandfather and all his ascendants along this line and the husband's sons and grandsons and all descendants along this line are the wife's Mahram, whether they exist at the time of marriage or be born later.
- Issue 1176:** Whether it is a permanent or a temporary marriage, as long as a man and a woman are married, the man can not marry the wife's sister (i.e. sister-in-law).
- Issue 1177:** If a man divorces his wife (within the rules governing divorce, explained later), he can not marry her sister during the Iddah, if it is the case of a revocable divorce. In the case of an irrevocable divorce, the recommended precaution is that one should not marry the sister of the wife during Iddah.
- Issue 1178:** It is not permissible for a man to marry his wife's niece without his wife's permission, and if he does so, and later his wife consents to it, it will be in order.
- Issue 1179:** If the wife learns that her husband has married her niece and remains silent, but later does not consent to that marriage, the marriage contract will be void. Even if her silence on the subject is taken as her consent to it, it will be an obligatory precaution for the husband to divorce her niece, unless she consents.
- Issue 1180:** If before marrying his aunt's daughter, a man commits incest with her mother, he will not be allowed to marry her any more.
- Issue 1181:** If a man marries his aunt's daughter and before having sexual intercourse with her, he commits incest with her mother; their marriage contract will not be void.
- Issue 1182:** If a man commits fornication with a woman other than his aunt, as a precaution, he should not marry her daughter; although it is permissible. If a man marries a woman and has sexual intercourse with her, and later fornicates her mother, the woman will not be illegal for him, and so will the case be if before having sexual intercourse with his wife, a man commits fornication with her mother; however, in the latter case, it is a recommended precaution for the man to divorce his wife.
- Issue 1183:** If a man commits fornication with a woman who is in the Iddah of a temporary marriage, an irrevocable divorce, or her previous husband's death, he will be allowed to marry her later, although it is a recommended precaution not to marry her; also if a man commits fornication with a woman who is married or in the Iddah of a revocable divorce, she will not be illegal for him, especially if the man did not know about her being in the Iddah at the time of fornication.
- Issue 1184:** If a man marries a woman despite knowing that she is already married to another man, they must separate and he can not marry her later if they have had sexual intercourse.
- Issue 1185:** If a married woman commits adultery, she will not be illegal for her husband, and if she does not

repent of her sin, and persists in her action, it will be better for the husband to divorce her; however, he must pay her marriage portion.

**Issue 1186:** If a divorced woman or a woman whose period of temporary marriage has ended or who has been dispensed with the remaining term of a temporary marriage marries a man after some time and later she doubts whether the Iddah for her first husband had ended at the time of her second marriage, she should ignore her doubt.

**Issue 1187:** If a man commits sodomy with an immature boy, the boy's mother, sister and daughter will be illegal for the man, and so is the case if they are both adult, as a precaution; but if one suspects or doubts whether penetration occurred or not, or whether the subject or the object was adult, the mother, sister and daughter of the object of sodomy will not be illegal for the subject, and if the subject does not know that committing such a sin will lead to the illegality of those women for him, they will not be illegal for him.

**Issue 1188:** If a man marries the mother, or sister, or daughter of a man, and after getting married, commits sodomy with him, they will not become illegal for him.

**Q1189:** Is it permissible for a man to marry his wife's sister if his wife is ill and gives the permission?

**A:** It is illegal, and against the explicit wording of the Holy Quran and contrary to the necessary premises of Islamic laws.

**Q1190:** A girl marries a man and after a month she learns that her husband is one of the Deifiers of Ali? Is their marriage contract valid? What is the verdict on the rest of their married life?

**A:** It is permissible to marry those who believe in different Islamic sects, who confess the testimony (Shahadatayn) of Islam, whose slaughtered animals are legal, and who are considered pure, since the criterion for the applicability of these rules is just to confess the Islamic testimony, and that will suffice, and if one doubts their beliefs, this does not mean that they are not accounted as Muslims, and it is neither necessary nor, in some cases, favorable to put their beliefs to inquisition.

**Q1191:** For the mere purpose of becoming Mahram to a girl (i.e. not for having sexual intercourse), a man enters into a temporary marriage with her. After the expiry of the marriage period, a son of that man decides to marry the same girl. Regarding the fact that the father's temporary marriage to the girl has merely been for the purpose of becoming Mahram to her, is it permissible for the son to marry the girl?

**A:** It is not permissible for the sons of the man to marry the girl and she becomes illegal for them for ever, since she is considered their stepmother; this illegality applies to all kinds of marriage such as permanent or temporary, consummated or unconsummated, and this can be derived from the noble Quranic verse, "and do not marry any of the women whom your fathers had married" (Nisaa': 22).

**Q1192:** Is one's stepmother considered Mahram to them? What about the mother of one's step mother?

**A:** One's stepmother is considered their Mahram, but this is not the case with the mother of their stepmother.

**Q1193:** After divorcing my first husband, I married another man within the Iddah of divorce. Because of some illness, I had a portion of my uterus excised, and I can never bear children any more; but I still have my periods. I married the second man without waiting for Iddah to end regarding the above facts. We have entered into a temporary marriage for a 99-year period. Is it permissible for me to enter into a permanent marriage with this man after the Iddah for my previous husband ends?

**A:** Getting married while being in Iddah will not cause a woman to become permanently illegal for a man if it is due to ignorance about the issue, even if they have had sexual intercourse; and it should be said that a 99-year temporary marriage is void per se; therefore, as a precaution, she should keep the Iddah for her first husband to the end before marrying a second man.

**Q1194:** Will that suffice for marrying a woman if she says that she is not married to or in relationship with another man, or should we investigate the truth of her claim?

**A:** Her oral statement will suffice.

**Q1195:** A family has adopted a boy from the Life Improvement Organization; but they did not do anything to make the boy Mahram to his adoptive mother at the time of adoption. Now that the boy is six or seven years old, is it possible to make the boy Mahram to his adoptive mother?

**A:** If they do not have a girl, there is no such way as to make the boy Mahram to his adoptive mother if they are older than the age of suckling; but since such acts are among good and benevolent deeds particularly towards orphans and helpless children, and are recommended desirable thing which deserve heavenly remunerations and beatitude, and because of the hardships in fostering and upbringing such children due to not being their Mahram suffered by their adoptive mothers, and to prevent other problems and difficulties such as telling the child about their being an adoptive child etc, the boy will be Mahram to his adoptive mother; hardship, distress, and constriction remove illegalities and we must know that Islam is an easy faith.

## Rules Regarding Touching and Looking at Non-Mahram and Veiling

**Issue 1196:** It is illegal for a man to look at the body of non-Mahram women, whether it is for pleasure or not; It is also illegal for a man to look at the hands and face of a non-Mahram woman for pleasure, but it will not be illegal if it is not for pleasure; similarly, it is forbidden for a woman to look at the body of a non-Mahram man; It is permissible to look at the hair and body of an immature girl if it is not for pleasure and if the man knows that he would not be entangled in any sinful act by looking at the girl; however, as a precaution, a man should avoid looking at immature girls' body parts such as thighs and stomachs which they usually cover.

**Issue 1197:** It is not forbidden to look at the body, hair, hands and fact of those non-Muslim women whose bareness is common and to whom giving advice will be of no benefit and use, provided that one does not interned to derive pleasure and that they know they will not be entangled in any illegal act by looking at them.

**Issue 1198:** It is forbidden to look at the private parts of a pubescent person, even through a glass or in a mirror or in clear water and the like. As an obligatory precaution, it is also illegal to look at the private parts of a discerning child.

**Issue 1199:** If a man and woman who are Mahram to each other do not intend to derive sexual pleasure, they can look at the entire bodies of each other excepting their private parts.

**Issue 1200:** If it is inevitable for a man to look at the body of a non-Mahram woman or to touch her body in order to cure her illness, it will be permissible to do so, but if the man can cure her by merely looking at her body, he should avoid touching her body and if he can cure her illness by merely touching her body, he should avoid looking at her body.

**Q1201:** My family and I live in the US. Sometimes, in social occasions and relations it happens to shake hands with the opposite sex. What is your Fatwa on this issue? It should be explained that shaking hands when you meet someone for the first time is a part of their social etiquette.

**A:** Although it is illegal per se for two non-Mahram people to shake hands willingly, it is permissible in case of necessity even if it is a social necessity, and to determine this necessity is up to the legally obliged adult him/herself.

**Q1202:** What is the verdict on the hair which grows in a woman's forehead and is part of her hair on the head, which is difficult to veil. Should this hair be treated in the same way as the hair on one's head?

**A:** Since it is apparently part of one's facial appearance, it is not necessary to veil it, especially if it causes her any hardship; After all, Islam is an easy faith.

**Q1203:** Muslims who live in the US and wear scarves to veil themselves, have been encountering two difficulties since September 11: first, they are accused of being terrorist; second, regarding the dominant public circumstances, Muslim women's veiling leads to the attraction of their attentions and consequently entails their negative behavior and reflections towards Muslim women. Hence, as your imitators, we would like to know what the legal and right thing is to do.

**A:** If the common veiling causes women like you any severe hardship, you can any alternative covering such as hair-piece, which would both help you get ride of those difficulties and veil your hair; of course, this might entail some difficulties which man must bear for the satisfaction of the Creator and beatitude.

**Q1204:** What is the verdict on shaking hands with and kissing irreligious women or those who are among the People of the Book in ceremonial occasions?

**A:** It is forbidden.

**Q1205:** What is the verdict on looking at women in non-Islamic coverings and clothes in other Islamic countries than Iran, without having the intention of deriving sexual pleasure?

**A:** If these women are Muslims, looking at their bodies and whatever entails illegalities and corruption, is forbidden; but looking at their faces in an ordinary way without the intention of deriving sexual pleasure is not illegal.

**Q1206:** What is the verdict on looking at non-Muslim foreign women or their pictures or watching their movies?

**A:** If it is not for sexual pleasure, and if their bareness is to the common extent, it will not be illegal to look at them.

**Q1207:** Are using kohl around a woman's eyes, plucking eyebrows, wearing gold rings, and using henna on her hands considered as adornments which must be covered?

**A:** A woman's hands and face do not count as parts which would be adorned for attraction; but it is forbidden for a woman to wear make-up in order to attract the attention of non-Mahram men which would lead to the corruption of the society.

**Q1208:** What is your view on boy's ideal clothing and is veiling regarded as the only acceptable way of covering a girl's body or are they also allowed to wear coats and overalls?

**A:** Regarding public chastity and social discipline, and to prevent social corruptions, it is obligatory for men to cover their bodies and its boundaries follow the mentioned criteria; as for women, it is obligatory to cover their entire body except their faces, hands up to the wrists and feet up to the ankles.

## Rules Regarding Offspring

### Prevention of Pregnancy

**Q1209:** Is it permissible to prevent pregnancy before conception in any one of the different ways which doctors suggest these days?

**A:** It is permissible to prevent pregnancy, but it is not permissible to make one infertile if the couple do not have any children; however, if they already have children, it is permissible.

**Q1210:** Nowadays, for the purpose of family planning, women undergo surgeries to make themselves permanently infertile. Is it permissible to do so if a couple both agree on it, and if they do not want to have any children?

**A:** It is permissible provided that they already have some children, and this is to prevent any hardship concerning women's pregnancies.

### Circumcision

**Q1211:** If it is impossible to circumcise a boy, then what will he have to do concerning his legal obligations such as Hajj and marriage?

**A:** Circumcision is not a necessary condition for marriage, but for the circumambulation of the Holy Kaaba, he should both perform it himself and have someone perform it on their behalf as a precaution.

**Q1212:** I am an 18-year old boy who has not been circumcised due to being hemophiliac, because if I receive any wound or injury, my blood will not coagulate and I will bleed to death. What shall I do concerning my religious obligations such as praying, fasting and marriage?

**A:** Circumcision is a divine obligation and any obliged adult boy must be circumcised, but in case of such a hardship mentioned in the question, it is not obligatory, and owing to its being fatal and harmful to you,

it is even illegal and sinful, and if it causes a person to die, it is considered as homicide; circumcision is not a necessary condition for the validity of one's worship and marriage, except for the circumambulation in Hajj; after all, you should, at the time of marriage, inform the girl's family of your disease.

## Sacrifice Offered for a Newborn Baby (Aqiqah)

**Q1213:** What is the verdict on sacrificing a sheep? What are the responsibilities to be undertaken by the parents in this regard?

**A:** It is recommended and emphasized to offer a sacrifice for one's offspring so much so that even if an old person learns that their parents have not offered a sacrifice for them, they can offer it themselves; What is central to this recommended act, is the slaughtering of a sheep whose meat the child's parents and also the other dependents of the parents should not eat and it is viewed as legally disapproved act; they should recite the especial prayer and give the meat to the believers.

**Q1214:** What is the especial prayer for Aqiqah?

**A:** As quoted by Ammar from His Holiness Imam Sadiq (PBUH), one should, at the time of slaughtering the sheep recite, “ya qowmi innee baree un mimma tushrikun, innee wajjahtu wajhiya lelladhee fataras-samawati wal ardhi hanifan musliman wa ma ana minal mushrikeena inna salatee wa nusukee wa mahyaya wa mamatee lellahi rabbil alameena la sharika lahu wa bidhalika umirtu wa ana minal muslimaena allahumma minka wa laka bismillahi wa billahi; wallahu akbaru allahumma salli ala Muhammadin wa Ali Muhammad wa taquabbal min folan ibni folan”, and they should say the name of the child instead of “folan ibni folan”. There is also another tradition which recommends this prayer to be recited: “Bismillahi wa billahi allhumma aqiqatun an folan (instead of folan, the name of the child must be said here), lahmuha bilahmihee wa damuha bidamihee wa adhmuha bi adhmihee allahummaj-alha wiqua'an li Ali Muhammadin sallallahu alayhi wa alayhim”; after reciting these prayers, one should slaughter the sheep.

**Q1215:** How should the meat of Aqiqah be consumed? Some people believe that the bones and hide of the animal should be put in a bag and buried somewhere? Is this not wasting the property and illegal per se?

**A:** Having slaughtered the Aqiqah, it suffices to give its cooked or uncooked meat to the believers, or to serve the meat in religious ceremonies, and it is recommended to give one of its legs to the midwife who has helped the woman to give birth to the child; it would be better not to break the bones before they are cooked; there is no justification for putting the bones and the hide in a bag and burying the bag somewhere, and it is accounted as wasting the property and thus it is deemed illegal; it is even not approved to bury the bones in terms of a recommended act.

## Custody of Children

**Q1216:** Should, after divorce, the custody of a 3-year old girl be given to such a sexually perverted mother who has been convicted of liaison and thus sentenced to flogging?

**A:** The custody of a child should not be given to a mother who is not physically or morally and mentally qualified for that.

**Q1217:** I am a divorced woman with a 9-year old son. We divorced when I was carrying a two-month old fetus, and I have lived and brought up my son in my father's house ever since. My ex-husband has repeatedly declared that he does not want to get the custody of the child and besides that, the child is not interested in him. Taking all these into consideration and that my ex is a perverted man, do I have the right to take the child abroad with me? Can I gain the permanent custody of the child or will it be given to his father as his legal guardian?

**A:** In my view, the custody of children, irrespective of their gender, must be given to their mother until the age of seven; the natural guardian of children is their father or paternal grand father or the children's mother from a legal point of view; in case the father is not present, according to the noble Quranic verse, “but the blood relatives are more entitled to inherit from one another” (Al-Anfal:8:75), the mother should

be given priority over the paternal grandfather, and if the mother is not present either, the custody should be given to the paternal grandfather whose guardianship is permanent and constant, unless the Islamic judge determines that he does not maintain the child's interests, considerations and well-being and would cause the child moral corruption, and financial, physical or physiological damages; In this latter case, the Islamic judge removes the guardian and gives the custody of the child to someone else.

## **Insemination, Abortion, and Sex Change**

**Issue 1218:** To inseminate a woman artificially with her husband's sperm is permissible, but doing this, any illegal preliminary must be avoided; for instance, the person who carries out the insemination must not be a non-Mahram etc; and even if the preliminaries are illegal, the zygote and the child will be legal and belongs to the man and his inseminated wife and all rules regarding offspring apply to the child.

**Issue 1219:** It is permissible to externally fertilize an ovum from a woman other than one's wife with his sperm and then put the zygote into his wife's uterus, or the same woman's, or any other woman's; since it is considered neither adultery nor inseminating a woman other than one's wife, and if a child is born in this manner, it will be the man's; the mother of such a child is the woman whose ovum was fertilized based on her willingness provided that she has not waived her rights concerning the ovum (like putting in a bank to be used by others).

**Issue 1220:** It is permissible to reinforce a husband's sperm with that of another man's (known or unknown), and to put such reinforced sperm into the womb of his wife provided that it is just considered as strengthening the husband's sperm with that man's sperm as a tonic, in such a manner that the man's sperm merges into the husband's so that it is the husband's sperm which is taken as the origin of the child.

**Q1221:** Is it permissible for hermaphrodites and also for those men or women who despite showing obvious male or female characteristics respectively but see in themselves some of the characteristics of the opposite sex to change their sex or to reduce the signs and characteristics of the opposite sex in them?

**A:** Despite the difficulties and corruptions caused by sex-changing, it is not considered as illegal per se, and it is seen as a scientific evolution; and when such a change occurs in a person, they will have to follow all the rules and obligations concerning their new sex; that is, if they were men but now they have really become women, they should follow the rules and obligations of women; however, one must, before changing their sex, consider the issue from other different perspectives such as moral and personality matters, and one's own as well as others' rights in the society etc. changing sex is usually, if not always, deemed illegal due to its legal issues and consequent corruptions, and it causes a variety of difficulties. Hence, one must consider the issue from all perspectives and even thought it is not forbidden to change one's sex per se (since it is a case of manipulating a creature not the creation), it cannot be considered as permissible due to the said consequences and corruptions: But an affirmative change is permissible, that is, to change, for instance, the sex of a person who shows the signs and characteristics of a man but based on physicians' diagnosis, they are actually and basically a woman. Such a change is not only permissible but also necessary and obligatory for the protection of their rights and observation of the rules which they are obliged to observe. In fact, this latter case is not considered as a change but as affirmation of a reality, and since such changes lead to the identification of the real sex of a hermaphrodite, and that it does not involve any corrupt consequences, it cannot be deemed illegal.

**Q1222:** Among religious minorities, it is permissible to have abortion. What is our duty as Muslim physicians towards them in this regard?

**A:** Muslim physicians must avoid carrying out such abortions that are considered illegal in Islam.

**Issue 1223:** If a woman should become pregnant from committing adultery, it is not permissible for her to have abortion; however, if this should be done before the fourth month of pregnancy, and in order to protect her reputation, it cannot be considered as illegal; rather, so as to ward off the distress and hardship associated with the loss of her integrity, and particularly with the assumption of repentance, it is permissible to have abortion.

**Issue 1224:** Should the existence of a fetus result in the mother's death, such as having an illness which may contaminate the mother and cause her death, in order to prevent the death of the mother and on

condition that abortion is the only way to save the mother's life, she is allowed to abort the fetus, even after the soul has entered its body. Of course, it must be taken into consideration that deliberate and direct abortion of a fetus should always be regarded as the last solution, and so far as it is possible, the death and abortion of the fetus should be done through taking medication by the mother, along with her treatment.

**Issue 1225:** Should the fetus in a mother's womb cause the death of the mother and the fetus both, abortion of the fetus which would save the mother's life, even at the expense of taking the fetus out and causing its death, abortion is permissible and in such a case, it makes no difference whether the fetus is taken out before it is four months old, that is, before the soul has entered its body or after that.

**Q1226:** If it is diagnosed by a physician that leaving the fetus in the mother's womb would cause the death of the mother, then please explain:

- 1- Is it permissible to destroy the fetus in the mother's womb in order to save the mother's life?
- 2- Is it permissible to leave the mother in her condition in order to save the fetus while leaving the mother to die?
- 3- What will the ruling be if it is likely that leaving the mother in her condition should entail the death of both the mother and the fetus?

**A:** 1 and 2- If the existence of the fetus should cause the death of the mother, such as a case where an illness can contaminate and kill the mother, in order to save the mother, and on condition that abortion is the only possible way to do so, the mother is allowed to abort the fetus, even after the soul has entered its body.

3- If leaving the fetus in the mother's womb should cause both the mother and the fetus to die, an abortion which would save the life of the mother (even be it at the cost of the death of the fetus) is permissible and in this case it makes no difference whether or not the soul has entered the body of the fetus.

**Q1227:** What is the verdict on the abortion of a fetus after the soul has entered its body?

**A:** Killing and destroying the fetus after the soul has entered its body (after four months of age) is a case of murder and its blood money is payable in full; such an abortion cannot be considered as permissible and is forbidden, even though there should be doubt as to the death of the mother or the fetus and in neither of the two cases does there seem to be a preference and priority. However, in case the mother should be sick, she can undergo treatment, even if it may lead to the abortion of the fetus.

**Q1228:** According to the physician treating the case, the child will be born with an incurable lifelong handicap. Is it permissible to abort the fetus in such a case?

**A:** If the parents should become concerned about the future and the fate of their child based on the physician's predicaments, and if their concern and anguish is such that it leads to unbearable mental pressures, this would be a case of distress and constriction where abortion cannot be deemed illegal as long as it is done before the fetus is four months old; but after the fetus is four months old, abortion will be illegal and by no means permissible, since it is a case of murder.

## Ruling on Breastfeeding

**Issue 1229:** If a woman breastfeeds a child according to the conditions which are explained in issue 2505 of the book "Religious Laws" (of Grand Ayatollah Saanei), that child will be considered as Mahram of the following people, that is, as their immediate family member:

- 1- The woman herself who is referred to as "foster mother".
- 2- The husband of that woman to whom the milk belongs, who is referred to as "foster father".
- 3- The parents of that woman and their ascendants along these lines, even though they may be her foster parents.
- 4- The woman's children whether they have already been born or they will be.
- 5- The children of that woman's children, as far down the line as they may go, whether born of her

children or have been breastfed by them.

6- The woman's brothers and sisters, even though they are her foster brothers and sister, that is, they have become her brothers and sisters through having been breastfed by the same woman as this woman herself has.

7- The woman's paternal uncles and aunts, even foster uncles and aunts.

8- The woman's maternal uncle and aunts, even foster uncles and aunts.

9- The children of that woman's husband to whom her milk belongs, and their descendants along this line, even if they are his foster children.

10- The parents of the woman's husband to whom her milk belongs and their ascendants along these lines.

11- The brothers and sisters of the husband to whom the milk belongs even if they are his foster brothers and sisters.

12- The paternal and maternal aunts and uncles of the husband, to whom the milk belongs, and also their ascendants along these lines, even though they may be his foster aunts and uncles.

There are also certain other people who will be discussed in the forthcoming issues, and who can become Mahram through breast feeding.

**Issue 1230:** Breastfeeding brings about becoming Mahram under eight conditions:

1- The child should drink the milk of a live woman. Therefore, if he/she sucks at the breast of a dead woman, it will not bring about being Mahram.

2- The milk of that woman should not be produced as a result of any illegal act; hence, if a baby feeds on the milk belonging to a child who has been born out of an adulterous relationship, he/she will not become Mahram of anyone.

3- The child should suck at the breast directly. So, if the milk is poured down its throat, or fed to it by a bottle or other means, it will not lead to the child's becoming Mahram.

4- The milk should be pure and not mixed with any other substance.

5- The milk should be from one husband. Therefore, if a feeding mother divorces her husband and then marries another man and becomes pregnant from him, and if the milk from her first pregnancy still continues from her breasts till she gives birth to the baby of her second husband, and suppose that she feeds a child eight times on the milk from her pregnancy from her first husband and seven times on the milk from her pregnancy from her second husband, the child will not become Mahram to anyone.

6- The baby should not vomit the milk due to any illness, and if he/she does, as an obligatory precaution, those who would become his/her Mahram through breastfeeding should neither marry him/her nor look at him/her as though they were true Mahrams.

7- The baby should suckle fifteen times or one full day and night-as will be discussed in the next issue-to its fill or as much as it can be said that the baby's bones have been strengthened and it has put on flesh through drinking that milk; and even if baby is fed on a woman's milk for ten times, as a recommended precaution, those who would become his/her Mahram through breastfeeding should neither marry him/her, nor look at him/her as though they were true Mahrams.

8- The baby should not have reached the age of two, and if it is fed after its completion of two years of age, it will not become Mahram to anyone, even if it has been fed on a woman's milk fourteen times before reaching two years of age and once after that, it will not become Mahram to anyone either. But if two years have passed from the time when the feeding mother gave birth to her baby and her breasts still continue to produce milk, and if she feeds a baby on her milk, the baby will become Mahram to those mentioned earlier.

**Issue 1231:** The baby should not be fed on any other food or on another woman's milk during that one full day and night, but if the amount of that food is such that it cannot be said the baby has actually fed on it, it will not raise any problems; the baby should be fed fifteen times successively on the milk of the same woman and should not drink the milk of any other woman during this; and each time, the baby's sucking at the breasts of the feeding woman should be continuous without any time intervals; however, if it pauses for breath while sucking at the breast, such that from the time it takes the breast until it is fed to its fill should count as one feeding time, then it will be in order.

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## Rules Concerning Divorce

**Issue 1232:** A man who divorces his wife, should be sane and as an obligatory precaution, he should be an adult; however, a divorce by a discerning ten-year-old child is also valid; he should divorce his wife voluntarily and if he is coerced into divorcing his wife, that divorce will be void; he should also have the intention to divorce his wife and the divorce will not be valid if he pronounces the formula of divorce in jest; the divorce should take place in the presence of two just men.

**Issue 1233:** At the time of divorce, the wife should be pure from menstruation and after-birth bleeding, and her husband should not have indulged in intercourse with her in her state of cleanliness, or during the menstruation or after-birth bleeding before this state of cleanliness. These two conditions will be explained later.

**Issue 1234:** Divorcing a woman while having her menstrual period or after-birth bleeding is valid in three cases:

- 1- When her husband has not had intercourse with her after their marriage.
- 2- When she is pregnant; and if it is not certain whether she is pregnant, and the husband divorces her while menstruating, but later he comes to know that she has been pregnant, the divorce will be valid.
- 3- When it is difficult or impossible for the husband, due to his absence, to ascertain whether she is in the state of purity.

**Issue 1235:** If a man should have intercourse with his wife in her state of purity from menstruation and after-birth bleeding, and then he wishes to divorce her, he must wait until she has her period and becomes pure gain; but if after having intercourse he should wish to divorce a woman who has not reached puberty or one who is pregnant, the divorce will be valid. The same applies to a menopausal woman, that is, a woman of more than sixty lunar years of age if she is Sayyidah (of the descendants of the Holy Prophet) and one of more than fifty lunar years of age if she is not Sayyidah.

**Issue 1236:** The formula of divorce must be pronounced in correct Arabic and two just men must hear it; and if the husband himself should wish to pronounce the formula of divorce and his wife's name is, for example, Fatima, he must say, "Zawjatee Fatimatu taaliquun" (i.e. my wife, Fatima, is free), and if he should authorize another person to represent him, the representative should say, "Zawjatu muwakkilee Fatimatu taaliquun" (i.e. the wife of my representee, Fatima, is free).

**Q1237:** If a man divorces his wife without the real intention of doing so, but so that she can take the advantage of that status as a legal means for obtaining certain benefits, for example, to obtain a piece of land from her employers, then will such a divorce be religiously valid?

**A:** In divorce, there exists the condition of intent on the part of the divorcer, otherwise, if it is done without a real intention, (e.g. as a jest or simply as a formality), then the divorce will not take place.

**Q1238:** If there exists no just man in a city, and a couple has agreed on divorce, and that has no choice but divorce, what is to be done? The verdict on divorce issued by Sunnite jurists is such that the person executing the divorce asks the husband in Persian, "did you triply divorce your wife?", and he then answers in Persian, "yes". How does this work?

**A:** Since in divorce, in addition to other conditions, the presence of two just men is necessary, they have to go to other cities where they may find two just men to witness their divorce. As for the second part of your question, a Shiite is not allowed to divorce his wife as the Sunnite do. However, we consider the divorces which take place among the Sunnite themselves as valid divorces.

**Q1239:** How is the justness of the two men whose presence is viewed as necessary in the procedure of divorce proven? Should the divorcer and the two just witnesses know one another? Should the two just witnesses be clergymen?

**A:** The proof of their justness is obtained in their refined appearance, or through having had prior association with them. It is not necessary for the divorcer and the two just witnesses to know one another, and it will suffice if the divorcer just knows that he is divorcing his wife at the presence of two just

characters, even though they may not be identifiable among other present people, this is why at times the executors of divorce carry out its procedures in religious assemblies and among the lines of congregational prayers so that it will be certain that, at least, there exist two just men in such communities. It is not necessary that these two just men should be clergymen.

**Q1240:** In the notary public offices of Sunnis, they will divorce Shiite clients too, and it is not clear whether this is done according to the Shiite formula, or the Sunni formula; what is our duty?

**A:** If a Shiite man divorces his wife according to the Sunni custom, the divorce is void and the wife remains in her status, but if the husband is Sunni and his wife albeit being Shiite is divorced, the divorce stands as valid.

## **Iddah of Divorce and Death (The waiting period following a divorce or death)**

**Issue 1241:** A wife who has not yet reached puberty and also a menopausal wife are not required to observe Iddah (a waiting period). It means that, even if the husband has had sexual intercourse with her, she can remarry immediately after being divorced.

**Issue 1242:** If a wife who has reached puberty and is not menopausal is divorced by her husband after sexual intercourse, it is necessary for her to observe the waiting period of divorce, that is, after getting divorced during the time of her purity from menstruation, she should wait till she has her menstrual period twice and becomes purified again, and thereafter, as soon as she has her menstruation for the third time, her Iddah will be over and she can remarry. If, however, a husband divorces his wife before having sexual intercourse with her, there is no waiting period for her and she can remarry another man immediately after being divorced.

**Issue 1243:** If a woman, who does not menstruate in spite of being at the age when women normally menstruate, is divorced by her husband after having sexual intercourse, she should observe Iddah for three months after divorce.

**Issue 1244:** If a pregnant woman is divorced, her Iddah lasts till the time of her baby's birth or abortion. Hence, if, for example, she gives birth to a child one day after being divorced, her Iddah will be over.

**Issue 1245:** If a woman who has reached puberty and is not menopausal, enters into a contract of temporary marriage (for example, for one month or one year) and her husband has intercourse with her, and the period of her temporary marriage comes to an end, or her husband exempts her from the remaining period, she should observe Iddah. If she menstruates, to keep the Iddah, she should have two menstrual periods, and if she does not menstruate, she should wait for forty five days before remarriage.

**Issue 1246:** A woman whose husband is dead, if she is not pregnant, she should keep Iddah for four months and ten days, that is, she should not marry during that period even if she is menopausal or if their marriage has been a temporary marriage, or if he may not have had sexual intercourse with her. If, however, she is pregnant, she should observe the waiting period till the birth of the child; but if the child is born before the end of four months and ten days from the death of her husband, she should wait till the expiry of that period. This period is called the Iddah (waiting period) of death, and during this period, the expenses of the woman should be taken out of the deceased husband's estate.

**Issue 1247:** It is illegal for a woman who is observing the Iddah of death to wear make up and any sort of adornment, even if it is just limited to wearing colorful dresses and using kohl around their eyes.

**Issue 1248:** The Iddah of death begins from the time when the wife learns about her husband's death; however, it can also be considered as to begin from the time when he actually dies, just as it is the case with the Iddah of divorce.

## **Irrevocable and Revocable Divorce**

**Issue 1249:** Irrevocable divorce is that after divorce, the husband is not entitled to take back his wife, that is, he is not entitled to take her as his wife without marriage.

This divorce is of five kinds, namely:

- 1 The divorce of a woman who has not yet reached puberty;
  - 2- The divorce of a menopausal woman [i.e. she should have more than sixty lunar years of age if she is Sayyidah (of the holy prophet's descendents), and more than fifty lunar years of age if she is not Sayyidah];
  - 3 The divorce of a woman whose husband has not had sexual intercourse with her after their marriage;
  - 4 The third divorce of a woman by the same man, who has been already divorced two times;
  - 5 The divorces of Khola' and Mubarat;
- Rules pertaining to these kinds of divorce will be detailed later; divorces other than these are revocable, in the sense that as long as the wife is observing the Iddah, her husband can take her back without the procedures of marriage.

**Issue 1250:** In the case of revocable divorce, a man can take his wife back in two ways:

- 1 By telling her words which would mean that he wants her again as his wife.
- 2- By acting in a manner which would convey his intention to take her back. And taking her back will also be established by sexual intercourse, although the man may not have intended it.

**Issue 1251:** If a man divorces a woman twice and takes her back, or divorces her twice and after each time remarries her, she becomes illegal for him after the third divorce. But if she marries another man after the third divorce, she becomes legal for the first husband on the fulfillment of four conditions, and only then he can remarry her:

- 1 The marriage with the second person should be of permanent nature. If he contracts with her a temporary marriage for a month or a year, and then divorces her, the first husband cannot remarry her.
- 2- The second husband should have reached puberty and should have sexual intercourse with her, and the obligatory precaution is that the sexual intercourse should lead to ejaculation.
- 3- The second husband divorces her or dies.
- 4 The waiting period (Iddah) of divorce or (Iddah) of death of the second husband should come to an end.

## Khula' Divorce and Mubarat

**Issue 1252:** The divorce of a wife who develops an aversion towards her husband and hates him, and forgoes her marriage portion or gives him some other property of hers so that he may divorce her, is referred to as Khula' divorce.

**Issue 1253:** If the husband should wish to pronounce the formula of divorce himself, and if his wife's name is, for example, Fatima, he should say, "Zawjati Fatimatu Khala' tuha alaa ma badhalat hiya taliqun", (i.e. I have given Khula' divorce to my wife, Fatima, and she is free).

**Issue 1254:** If the husband and the wife develop mutual aversion and hatred and the woman gives some property to the man so that he may divorce her, this divorce is called "Mubarat".

**Issue 1255:** If during the waiting period of Kula' or Mubarat divorce the wife changes her mind and does not give her property to the husband, he can take her back as a wife without reciting the formula of marriage.

**Q1256:** If a woman who has developed an aversion towards her husband and agrees to return her marriage portion which has been fully paid to her, or to give it up if she has not received it yet, or otherwise release him from all his debts and obligations concerning her marriage portion, so as to convince the husband to divorce her (this divorce is referred to as Khula' divorce in Islam), then is it obligatory for the husband to divorce her?

**A:** Yes, it is obligatory for the husband to divorce her in such a condition. Because to consider it as merely permissible but not obligatory for the husband to divorce his wife in such a condition (with the assumption that all her marriage portion is returned to him, or she gives it all up, and regarding the fact that the authority to divorce is with the husband and he can and is permissible to divorce his wife whenever he wishes to do so), rationally, sensibly and commonly entails injustice and discrimination. Therefore, it is not right just to account it as permissible and it must be considered as an obligation so that

such discrimination and injustice which are rationally, traditionally, and according to the Holy Quran negated and rejected, “And the word of your Lord has been fulfilled in truth and justice” (The Holy Quran: Al-An'aam: 115); and how would one explain that a religion whose all ordinances are decreed on the basis of justice and negation of oppression, gives the husband the right to annul a binding contract like permanent marriage at any time he wishes, but the same religion has not obliged this man to divorce his wife who has developed an aversion towards him so much so that she agrees to return all her marriage portion- which she receives in return for sleeping with him- to him and thus give up both the husband and the marriage portion and set her self free? And if in such a case, Islam says that the husband still has the right not to divorce his wife, and thus gives him the option in such cases in addition to the option concerning divorce in general, then is this decree not unjust and discriminatory? And is it possible to not consider such a divorce as obligatory despite the fact that depriving the wife of such a right involves injustice and discrimination which are rejected by the Holy Quran, traditions and rationality. It should be said that Sheikh-ul-Ta'ifah, Quadhee-ibni-Barraj and some others believed that Khula' divorce is even obligatory in cases where there is the fear and the probability of the wife's indulging in sinful acts even if the sin is mere disobedience concerning sexual intercourse and also in all cases where obedience is obligatory; and when such fear and probability is materialized, which is often the case in the given assumption, this itself will confirm the necessity of such an obligation concerning Khula' divorce. It should be said that based on its being obligatory, if the husband refuses to divorce his wife, the judge will authoritatively divorce her on behalf of the husband and the other conditions of Khula' divorce, such as the ones concerning the two arbiters, are similar to those of ordinary divorce.

## Miscellaneous Rules of Divorce

**Issue 1257:** When a man commits adultery with a woman knowing that she is not his wife, she should observe Iddah as an obligatory precaution if she does not know that the man is not her husband.

**Q1258:** A woman whose uterine has been excised by surgery, and whose tubes have been closed, and who is, from a medical point of view, definitely and certainly incapable of becoming pregnant, if she should get divorced, is it obligatory for her to keep Iddah, or does she come under the same ruling as a woman of under nine years of age or a menopausal woman?

**A:** A woman whose uterine has been excised at a menstruating age should keep Iddah after divorce, even if she is certain that she will not get pregnant.

**Q1259:** A woman who has got a revocable divorce or an irrevocable divorce while foregoing her marriage portion claims that due to the conflicts which she has had with her husband from six months before their divorce up until the actual time of divorce she has not had sexual intercourse with her husband. Is it obligatory for her, under such circumstances, to keep Iddah after divorce? In case the woman does not see herself under any obligation to observe the Iddah of her divorce and one month after her divorce, goes into a contract of temporary marriage with another man, what will the ruling be on her second marriage? Assuming that keeping Iddah has been obligatory for her, will she be infinitely illegal to her second husband or not?

**A:** It is obligatory to keep Iddah after divorce, even though there may not have been sexual intercourse for some months prior to divorce, and getting married while another person's Iddah should be kept, though be it a temporary marriage, is forbidden.

If a man marries a woman and then it becomes evident that she had been in her Iddah for some other man, as long as neither knew that the woman was in Iddah, or did not know that going into a marriage contract during Iddah is illegal, that woman will not become illegal to the man, even though they may have had sexual intercourse; however, their marriage contract is in any case void.

**Q1260:** A woman goes into a contract of temporary marriage with a man for one night, and on the same night, they have sexual intercourse and using a contraceptive pill, the woman assures that she is not going to be pregnant and then after having her first menstruation and a week before her second, she enters into a permanent marriage with some other man.

What would the ruling be on this? Is her second marriage considered as valid? Is it permissible for the woman to go into a permanent marriage contract with the same person after having two other menstrual

periods? With regard to the fact that the man was not aware of the woman's being in her Iddah, is it obligatory for any third person, who knows about this to inform the husband while knowing that this would lead to the ruination of their marriage?

**A:** To keep the Iddah of a temporary marriage, a woman who has her regular periods, has to wait so as to have two menstrual periods after the end of the period of the marriage contract, or after being dispensed with the remaining term of the temporary marriage; and the menstrual period which a woman has at the time when the marriage contract ends, or when she is dispensed with the remaining term of the temporary marriage, does not count as one of the menstrual periods which she should have in her Iddah. As for a woman who is at an age when she must be menstruating, but she does not have her periods, she must keep a forty five-day Iddah; and marriage while being in the Iddah of another man, even be it the Iddah of a temporary marriage, is void.

If a man marries a woman and then it becomes evident that she had been in her Iddah for some other man, as long as neither knew that the woman was in Iddah, or did not know that going into a marriage contract during Iddah is illegal, that woman will not become illegal to the man, even if they may have had sexual intercourse; however, their marriage is in any case void, and informing the husband of the woman's Iddah is not obligatory, since it's declaration is among divine rights, and it is even illegal and forbidden and must be avoided by a true Muslim if it would lead to the ruination of their married life and their reputation and to other corruptions.

**Q1261:** With regard to the fact that today doctors are able to excise a portion of a woman's uterine tubes and thus prevent her from becoming pregnant, is it still necessary for divorced women of such kind to keep Iddah? If yes, then will the period of the Iddah remain unchanged?

**A:** Having had sexual intercourse Sayyid women (descendants of the Holy Prophet) must keep Iddah until sixty lunar years of age and non-Sayyid women must do so until fifty lunar years of age, even if they have had their entire uterine excised, let alone in other cases; and those women who do not menstruate, must keep a three-month Iddah after permanent marriage and a forty-five day Iddah after a temporary marriage.

**Q1262:** Having had anal intercourse with his wife after marrying her, the husband divorces her and she marries another man before her Iddah is completed. What is the verdict on the woman's second marriage?

**A:** I believe that anal intercourse does not necessitate keeping Iddah; however, it is a recommended precaution to keep Iddah in such a case too; it should be said that even if we consider Iddah as obligatory in such a case and thus believe that her second marriage has been illegal, it is unnecessary to notify others of such things and even forbidden to do so in some cases.

**Q1263:** What is the verdict on entering into a temporary marriage with women who are known as prostitutes and do not keep Iddah?

**A:** It is permissible to marry them temporarily but they must keep the Iddah; the only case which does not involve Iddah is the case of adultery.

**Q1264:** A man divorces his wife twice and he knows that if he marries her and divorces her for a third time, he will not be allowed to marry her again, unless he does so according to the rules mentioned in treatise of Islamic laws. Is it permissible for such a man to marry her temporarily after their second divorce and remit her marriage period?

**A:** What has been mentioned in treatise of Islamic laws is appertained to women who are divorced by a man for three times, and completion or remission of the period of a temporary marriage is not considered as divorce.

**Q1265:** Without any official registration, a person concluded a marriage between a boy and a girl five years ago. After a while, the girl felt that she disliked the husband and left him and never went back to him again. She also agreed to renounce her rights provided that the husband divorced her in return. Now, the husband has got married and he does not agree to divorce his first wife. Legally and religiously speaking, is it permissible for the Islamic judge to divorce this woman authoritatively?

**A:** In cases where marriage is seen as causing a woman distress and constriction which is proved to the Islamic judge, even through the oral expression of "I waive my marriage portion in return for getting

divorced”, that is to renounce all her rights in order to satisfy the husband to divorce her, the Islamic judge must first advise and encourage the husband to divorce the wife, and if it does not work, the Islamic judge must compel him to divorce her; however, if due to the judge's not being powerful enough, or to the husband's not being persuaded to do so the husband refuses to divorce the wife, the Islamic judge can authoritatively divorce the woman and if she has agreed to remit her marriage portion, the Islamic judge can authoritatively accept this remission and this will be a Khula’ divorce and after getting divorced by the Islamic judge, the woman can not change her mind concerning the renouncement of her rights in order to change the divorce into a revocable kind.

## Usurpation

“Usurpation” refers to unjustly taking possession or control of others’ properties or rights, and it is among cardinal sins and one who commits it will be subjected to severe chastisement on the Judgment Day. There is a quotation from the Holy Prophet which says, “One who usurps a span of someone else’s land, the seven layers of that land will be put around their neck like a necklace on the Judgment Day”.

**Issue 1266:** If a person usurps something, they have committed a forbidden act, and they will have to return it to the owner, and if it is ruined or lost, the usurper will have to compensate for that.

**Issue 1267:** If the usurped property is ruined or wrecked down, the usurper will have to pay the balance to the owner.

**Issue 1268:** If the usurper makes some changes to the usurped property so that it becomes better than it was, for instance, if the usurper fixes and repairs a usurped wrecked bicycle, and the owner of the bicycle asks them to give back the property in the same condition (i.e. changed), the usurper must do so and they cannot claim any charges from the owner for the labor; nor is the usurper allowed to make, without the permission of the owner, any changes to the property in order to return it to its first condition.

**Q1269:** Is trading stolen property considered void or is it deemed as invalid?

**A:** It is deemed as invalid and it becomes valid with the permission of the owner.

**Q1270:** Is it permissible for one of the heirs who legally purchases the shares of an inherited house belonging to some of the heirs, to simply reside in that house without the consent of other heirs? If yes, what will the case of praying, fasting and performing other acts of worship be in such a house? And regarding the fact that visiting blood relatives is among strongly recommended acts, is it permissible for those relatives who are aware of the discontent of some of the heirs concerning the ownership of the house, to enter such a house for visiting the dwellers?

**A:** Taking possession, by one of the heirs, of an inherited property which must be shared among all heirs, is like taking possession of one’s partner’s property without their permission, and it is illegal and not permissible; and praying and performing other acts of worship in such a place will be void since it is a case of taking possession of one’s property without their permission; Visiting one’s blood relatives is not a permit to authorize such a possession.

**Q1271:** What is the verdict on using stolen cars discovered by the police with the permission of a judge but without their owner’s awareness of the issue? It should be said that if such cars are not used and simply kept in open air, it will lead them to break down and become old and useless.

**A:** In the given case, it is not permissible to use the cars, unless protection of the property is merely dependent on using and handling it; in the latter case, one must, accepting the liability to recompense any possible losses and also providing that they can afford to recompense the losses and if it is certain that the authorities are able to acquire the recompense from the person who takes possession of the property, it will be permissible with the permission of a judge; In any case, this is a matter of necessity and taking possession of such properties must be done as is deemed necessary and observing precautions concerning others’ properties and rights is a favorable act and in some cases obligatory as well.

**Q1272:** A person took part in a robbery nearly seventy years ago and got a share of about sixty Tomans. Now, his son intends to release his father from debt. What is to be done? It is worth noting that his son has charged a sum of 2400 Tomans to the account for the compensation of unlawful gaining (Rad-e-

Madhalim) for this purpose.

**A:** If you know the owner of that property, you must give it back in its current value to them or their heirs, otherwise pay the same value to charity on their behalf; it should be said that you are just liable to recompense the value of his share.

**Q1273:** What will the verdict be if a person mistakenly or forgetfully takes possession of one's property and the property is ruined or lost?

**A:** One, who mistakenly or forgetfully takes possession of people's properties, is legally liable to recompense the loss.

**Issue 1274:** If a person finds some property which bears some marks on it and whose value is less than the value of 18.9 grams of coined silver, they cannot take it without the permission of its owner if the owner is known and if the finder is not certain whether the owner will consent to it or not, but if the owner is unknown, they can take it and possess it and they do not need to recompense for it if it is damaged; nor will they be liable to recompense the loss if they have not had the intention to take possession of the property and the property is damaged in one way or another without them being guilty and ignorant in this regard.

**Q1275:** Some of my friends' books have been left with me and I do not know whose books they are, since I have forgotten the owners; besides, I do not have their addresses. What is to be done?

**A:** You should pay the value to charity on their behalf.

**Q1276:** We are some students residing in Qom in a house belonging to an old man who has no wife and offspring and there is lots of idle furniture in his house. Is it permissible for us to use this furniture?

**A:** It is not permissible to use the furniture without his permission.

**Q1277:** What will the verdict be if a discerning child ruins people's properties?

**A:** He will be liable to recompense the loss when he reaches puberty.

**Q1278:** A person has given a usurped ring to another person as a gift and the latter has been wearing the ring ever since. Now, the giver regrets what he has done but cannot take back the ring from that person? Will that be necessary to pay the value to the owner if the usurper knows them? Is it permissible for the usurper to pay the value to charity on behalf of the owner if they fear that their reputation will be damaged or for any other social consideration?

**A:** Since the owner of the ring is known, it must be given back to them, or their consent must be obtained.

**Q1279:** What is the verdict on darkening the walls, porticos, and burial chambers of the shrines of the Holy Imams (PBUT) with the smoke and soot of candles or other things? Is it permissible to take away something, like a candle which belongs to a Holy Shrine, as blessing?

**A:** It is not permissible to darken the walls etc. of a Holy Shrine; and taking away the things which belong to a Holy Shrine, even a candle or part of it, is considered as usurpation and is legally forbidden; but the drops of a burning candle on one's clothes or on the ground are Mubah if taken away.

**Q1280:** I am a bus driver and I work out of town. Sometimes passengers leave their things in the bus and I do not know the owners of those things. What is to be done?

**A:** If there is a place specified for that purpose, you should leave the things you find at such places so that the owners would be found; but if you lose hope to find the owner of a thing; you should give it to charity on their behalf.

**Q1281:** Is it permissible to take away the property which belongs to infidels (including People of the book and others)?

**A:** It is not permissible and must be avoided.

## Eating and Drinking

Allah the Almighty has favored man with the gift of beautiful nature, animals, fruits and vegetables, so that they can make use of them for meeting their eating, drinking, clothing, housing, and other needs; however, for the protection of men's lives, and healthiness of their bodies and souls, and survival of generations and to

respect others' rights, Allah has ordained some rules and laws concerning these issue some of which are pointed out as follows:

**Issue 1282:** It is illegal to eat things which are harmful to man.

**Issue 1283:** It is illegal to eat and drink impure things.

**Issue 1284:** It is illegal to eat mud.

**Issue 1285:** Eating a small amount of the earth of His Holiness Sayyid-ul-Shuhada (PBUH) as a cure is permissible, and so is eating Daghistan or Armenian clay as a cure if there is no alternative.

**Issue 1286:** It is obligatory for every Muslim to save the life of another Muslim, who may be dying of hunger or thirst by providing them enough things to eat or drink.

## Eating Etiquette

**Issue 1287:** There are some recommended things concerning eating to be observed which are as follows:

- 1- Washing one's hands before and after eating.
- 2- Saying "Bismillah" before starting to eat, and saying "Alhamdu lillah" after eating.
- 3- Eating with one's right hand.
- 4- Taking small bites of food.
- 5- Chewing the things well and thoroughly.
- 6- Washing fruits before eating.
- 7- If some people are eating together, every one should partake of the food placed in front of them.
- 8- A host should always be the first one to start and the last one to finish eating.

**Issue 1288:** The following are some legally disapproved things concerning eating which should be avoided:

- 1- Eating while one is not hungry.
- 2- Eating too much.
- 3- Looking at other people in the face while they are eating.
- 4- Eating hot food.
- 5- Blowing on food before eating it.
- 6- Cutting bread with a knife.
- 7- Placing a loaf of bread under a dish of food.
- 8- Throwing a fruit away before having thoroughly consumed it.

## Etiquette of Drinking Water

**Issue 1289:** The following are recommended things concerning drinking water which should be observed by a Muslim:

- 1- During the day, one should drink water in standing position.
- 2- One should say "Bismillah" before and "Allahamdu lillah" after drinking water.
- 3- One should drink water in three sips.
- 4- After drinking water, one should remember Imam Hossein (PBUH) and His family and followers and curse His enemies.

**Issue 1290:** The following are some legally disapproved things concerning drinking water which Muslims should avoid:

- 1- Drinking too much water.
- 2- Drinking water after having a greasy food.
- 3- Drinking water using one's left hand.
- 4- Drinking water in standing positing during the night.

**Q1291:** Some people believe that the right part of the body of a wolf or a rabbit is legal and the left one is illegal to eat. Is this true?

**A:** Wolves' and rabbits' meat is illegal and it does not make any difference whether it is of the left or the right part of their bodies.

## Rules of Slaughtering Animals

**Issue 1292:** If the four main blood vessels of a halal meat animal are cut from below the knot of the throat according to the rules which will be explained below, its meat will be pure and halal.

### Conditions of Slaughtering Animals

**Issue 1293:** There are five conditions for slaughtering an animal as follows:

- 1- The person who slaughters the animal must not be an obstinate infidel or one who declares enmity towards the Holy Prophet's Progeny (PBUT).
- 2- The animal must be slaughtered with a tool made of iron.

**Q1294:** What is the verdict on slaughtering an animal with a steel knife?

**A:** Slaughtering with steel while iron is not available is apparently sufficient although steel is not iron, but when it is available, slaughtering will only be in order if it is done with iron; according to common belief, and apparently, if a magnet attracts it, people will know it as iron.

3- While being slaughtered, the animal's face, legs, and stomach must be facing the Quiblah.

4- When a person wants to slaughter an animal, they must, with the intention of slaughtering, utter the name of Allah, and it will suffice if they only say "Bismillah".

**Q1295:** Will that suffice if one says, "Ailamdu lillah", "Allahu Akbar", "Subhanallah" or other remembrances which include His names of glory or their translations such as "Allah is pure and beautiful" instead of "Bismillah"?

**A:** Saying "Alhamdu lillah", "Allahu Akbar", "Subhanallah", or the translation of any one of them will suffice, but to say "Allah" alone will not suffice.

**Q1296:** If with the press of a button one can slaughter tens of sheep, chickens, and cows at once, would the utterance of just one "Bismillah" be sufficient?

**A:** In case there is continuity in their slaughter and the time lapsed is not long, there will not be any problem in that, otherwise "Bismillah" must be said once for each of the animals being slaughtered.

5- The animal must make some movement after being slaughtered, to show that it was alive before being slaughtered.

**Issue 1297:** The dead body of an animal, whose meat is illegal to eat and whose blood does not gush out forcefully when slaughtered, like a snake, is pure but such an animal does not become halal by slaughtering.

**Issue 1298:** Dogs and pigs do not become pure and halal by slaughtering and hunting and it is also illegal to eat their meat, but as for a flesh-eating animal whose meat is illegal to eat, like a wolf or a leopard, their dead body will be pure if slaughtered in the manner which will be explained later or if hunted by means of a bullet etc, but their meat will be illegal to eat, and if such animals are hunted with the help of hunting dogs, their dead body cannot be considered as pure.

**Issue 1299:** The dead body of animals like elephants, bears, monkeys, mice, snakes and lizards which live in holes under the ground, will be impure if they have gushing blood and die by themselves and their bodies will not be pure if they are slaughtered, except for weasels and alligators which become pure by slaughtering according to the Islamic laws.

**Issue 1300:** If a dead young is born from the body of a living animal, or is taken out of it, it will be illegal to eat its meat.

**Issue 1301:** Slaughtering animals using the machines which have recently become popular in some countries will be in order if the conditions of slaughtering (such as saying "Bismillah" etc.) are fulfilled according to the Islamic laws, and the slaughtered animals will be halal.

**Issue 1302:** Slaughtered meat and poultry which comes from non-Muslim countries will be illegal to eat if it cannot be known whether it has been slaughtered by Muslims or not.

**Issue 1303:** If, after slaughtering an animal, it becomes evident that one of its main four blood vessels has not

been cut, or if there is doubt whether all the four blood vessels have been cut completely, the meat will be illegal to eat.

**Q1304:** What would the verdict be if instead of cutting the head of small animals and birds, the head is pulled off by hand?

**A:** In the case of small animals or even small birds like sparrows, if the head is pulled off, it will be illegal to eat and unclean (Najis).

**Q1305:** What would the verdict be like if a person, in non-Muslim countries, prepares kebab from meat which is not slaughtered according to the Islamic laws and sells this to the People of the Book and to those who accept the animals slaughtered by the People of the Book as halal? And what will the edict be if a person sells wine to the People of the Book with the pretence that they sell bottles?

**A:** Selling what is slaughtered by the People of the Book to the People of the Book and to those who accept their slaughtered animals as halal is in order; but selling wine with the intention of selling bottles does not render the deal valid and permissible.

**Q1306:** Is it permissible to eat the meat of animals slaughtered by the People of the Book?

**A:** Animals slaughtered by the People of the Book are illegal to eat unless it is certain that they have slaughtered the animals after saying "Bismillah", and in this regard, there is no difference between the Book inhabitants and other non-Muslims and unbelievers, and apparently as it is evident in the Holy Quran and the sayings of the Holy Prophet's Progeny, the criterion for the meat of an animal to be halal is to be slaughtered along with saying "Bismillah". However, it is favorable to observe precaution on the animals slaughtered by all non-Muslims.

**Q1307:** I have a question to ask you; a question whose answer will solve the problem of many families like mine and will prevent many of escapism from religion.

In the city where I live, there is no halal meat available. There are some Shiite Muslims in this city some of whom have been members of the Islamic Society, and from the very beginning they have tried to prepare Islamic halal meat, but they have not been able to do so for the following reasons:

It is illegal in the U.S.A to kill animals and in case it should be seen, a heavy fine must be paid. In the U.S. sheep are rarely bred, and it is more of the cows that are available which are difficult to slaughter and also expensive. Concern about the situation and about the healthiness of the available cows and sheep on the black market has discouraged people trying to obtain their desired choice of Islamic meat. On the other hand, there is packaged meat available whose label contains all the necessary information about the date of slaughtering, part of the body from which that meat was cut, and the percentage of protein and fat. There is not even one single drop of blood in these packages. These packages bear the expiry date of the meat and above all these points; the meat sold in this manner is also cheap. Our Sunni brothers here usually purchase this kind of meat and only utter "Bismillah" before cooking or eating it. Others try to obtain meat from Jewish people, because their rulings on the method of slaughtering are very similar to those of Muslims, but before consumption, they utter the name of Allah, and they consider it sufficient in this manner. During my short stay here, I have obtained sheep twice from distant areas and slaughtered them myself. This is against the laws of my host country and doing this left me with an uncomfortable feeling; besides, since I do not know how to slaughter a sheep, a lot of the meat was contaminated and wasted. Considering the time consumed and the stress I underwent, this cost me a lot. With respect, I wish Your Eminence would take into consideration the conditions of our time, and our belief that Shiite is capable of answering all the needs of people and updating the rulings as it becomes necessary. Is it not easier to encourage people to follow their religious laws by simplifying them to a greater extent? I personally think that one of the reasons why our Sunni brothers do their religious duties is because their religious jurists try to simplify the conditions of worship. If one of our religious leaders had to live in the U.S. for a long period and experienced the situation here, wouldn't their verdicts on worldly duties change in keeping with the times?

I would ask Your Eminence to answer my question on consumption of meat, and at the same time, I would like to ask you what our duty is in this changing world while it is not possible for respectable religious jurists to experience the day difficulties people like me face in different foreign countries?

With regard to the tough conditions of living, I do not really know how long my family and I will go on

performing our religious duties.

**A:** Although the necessary condition for the meat of slaughtered animals is to utter “Bismillah” before slaughtering, as the Holy Quran says, “Don't eat from animals slaughtered where the name of God has not been uttered at the moment of slaughtering” (Al-An'aam:121), and hence one must abstain from such meat and avoid its consumption, it is possible that leaving out the utterance of “Bismillah” before slaughtering by those who do not believe in it - but not by those who obstinately stand against God, Islam and Muslims-by itself, does not necessarily cause the meat to be illegal to eat. and with ignoring this possibility, I believe that all the verses and sayings related to illegality of the meat of the animal whose slaughtering has not been along with “Bismillah”, is exclusive to cases where both slaughtered meat with and without “Bismillah” are available at the same time, and not as in the case in question where only one kind, that is, the slaughtered meat without the utterance of “Bismillah” is available, since the generality of this ruling would cause, in some cases as in the one in question, distress and hardship (as indicated in the question) and according to the proofs and arguments of negation of distress and constriction, and regarding the fact that Islam is an easy faith, the generality of the rule is removed and the meat in question will be halal and permissible to eat because of the said difficulties, although the same meat will be illegal and sinful to eat elsewhere if the said difficulties do not exist and where foregoing consumption does not raise any hardship.

**Q1308:** What is the verdict on rabbits' meat? Is it legal or illegal to eat? If illegal, then is it permissible to consume it as much as necessary for medical purposes? It is commonly believed that rabbit's meat is helpful in curing sore legs especially to the elderly.

**A:** Eating rabbits' meat is illegal and it is not permissible to be consumed; however, if a physician's diagnosis is that one's cure of their disease is exclusively dependant on consumption of rabbit's meat, it will be permissible if it is consumed as much as necessary.

**Q1309:** Is the slaughtering of animals by Muslims other than twelve-Imam Shiites considered as religiously legal and acceptable?

**A:** If they observe the conditions of slaughtering, it will suffice and will be legal, unless it is done by Nawasib, i.e., the enemies of the Holy Prophet's Progeny, whose slaughtered animals are deemed as dead animals and thus considered as illegal.

## Rulings on Hunting with Weapons

**Issue 1310:** If a legal-flesh wild animal is hunted with a weapon, it will be legal and pure if the following five conditions are fulfilled:

- 1- The weapon used for hunting must be able to cut through like a knife or a sword, or it must be sharp like a spear or an arrow, so that due to its sharpness, it may tear the body of the animal. If an animal is hunted with a trap, or hit by a piece of wood or a stone, and it dies before being slaughtered, it will not become pure and its meat will be illegal to eat.
- 2-The hunter must not be an unbeliever or one, who is the enemy of the Holy Prophet's Progeny (PBUT).
- 3- The hunter must aim the weapon for hunting the particular animal. Therefore, if a person takes an aim at some target and kills an animal accidentally, that animal will not be pure and it will be illegal to eat the meat.
- 4- While using the weapon, the hunter must recite the name of Allah before the target hits. If the hunter does not recite the name of Allah intentionally, that animal will not be legal to eat. There is, however, no harm if he fails to do so due to forgetting.
- 5- The animal will be legal to eat if the hunter reaches it when it is already dead, or if it is alive, the hunter must not have any time left to slaughter it; and if despite having enough time to slaughter it, they don't do so till it dies, it will be illegal to eat its meat.

**Issue 1311:** If a hunting dog hunts a wild animal whose meat is legally permissible to eat, the following six conditions should be fulfilled so that it will be pure and legal:

1- The hunting dog should be trained in such a way that when it is commanded to catch the prey, it goes after it and when told to stop, it stops; but if after having seen the prey and come close to it, it does not stop despite being told to stop, there will be no harm; and as an obligatory precaution, it should not have the habit to eat the prey before the arrival of its master; however, if once the hunting dog eats the prey accidentally before its master arrives, there will be no harm.

2- The hunting dog should be directed by its master, and if it hunts of its own accord and preys upon an animal, it will be illegal to eat the meat of that animal. In fact, if the hunting dog follows a prey on its own accord, and later its master calls out to encourage it to reach the prey faster, even if it may quicken its pace because of its master's cry, eating the meat of that prey should be avoided as an obligatory precaution.

3- The person, who directs the hunting dog -whether a man or a woman-must not be classified as an obstinate unbeliever or an enemy of the Holy Prophet's Progeny (PBUT), that is, they must not be of Nawasib. A child can also direct a hunting dog if he/she is a discerning child, that is, if they can distinguish between good and evil.

4- While sending the dog out to hunt, the hunter should recite the name of Allah, and if they do not recite the name of Allah intentionally, the meat of the hunted animal will not be legal to eat, but if they do not recite the name of Allah due to forgetting, there will be no harm. If they do not recite the name of Allah intentionally but before the dog reaches the prey they do so, as an obligatory precaution, they should avoid eating the meat of that animal.

5- The prey should die as a result of the wound inflicted by the dog's teeth. Therefore, if the dog suffocates the prey to death, or the prey dies because of running or fear, it will not be legal to eat the meat of that prey.

6- The hunter who sends the dog to catch the prey should reach the spot when the animal is dead, or if it is alive, there should not be enough time to slaughter it. But if they reach the prey while there is enough time to slaughter it, for instance, when the prey still moves its eyes, legs, or tail, yet they do not do so allowing it to die by itself, the prey will not be legal.

**Issue 1312:** If a locust is caught alive by hand or by any other contrivance, it will be legal to eat after it dies, and it is not necessary that the person catching it should be a Muslim, or should have uttered the name of Allah while catching it. But if a non-Muslim is holding a dead locust in their hand and it is not known whether or not they have caught it alive, it will be illegal to eat, even if they claim that they have caught it alive.

**Issue 1313:** Eating a young locust which has not developed wings and cannot fly is illegal.

## Fishing

**Issue 1314:** If a fish whose skin is covered by scales is caught alive in water and it dies out of the water thereafter, it will be legal to eat; and so will it be if it is caught alive in water but dies in the fisherman's net; however, if a fish dies as a result of any event other than fishing, it will be pure but illegal to eat.

**Issue 1315:** A fish whose skin is not covered by scales is illegal to eat even if it is caught in water alive and dies out of the water afterwards.

**Issue 1316:** It is not necessary for a person who catches fish to be a Muslim; nor will it be necessary to utter the name of Allah before catching fish.

**Issue 1317:** It is legal to eat a live fish.

**Issue 1318:** If a fish is roasted alive, or is killed in or out of water before it dies naturally, it will be legal to eat.

**Q1319:** Some fishers recount that they catch fish in the sea through the use of explosives or different kinds of poison or other equipment which naturally and traditionally do not count as fishing instruments. Are such fish legal to eat? And what is the verdict on their way of fishing?

**A:** If a fish whose skin is covered by scales has not died by itself but caught in water, it will be legal to eat and it does not make any difference what sorts of tools and methods are used to catch fish; nor does it make any difference whether the fish dies in or out of water.

**Q1320:** Will the fish be legal to eat if a Muslim sees that an unbeliever takes the fish out of water, or sees that waves have thrown the fish onto shore?

**A:** For a fish to be halal and legal to eat the necessary condition is that it must have been caught live in water, and it is neither necessary for the fisher to be a Muslim nor to utter the name of Allah before catching fish, and seeing of a Muslim is only one of the ways to ascertain the fish being caught alive in water; and as for the fish thrown out of water onto shore by waves, it will be halal if we know that it has been thrown out of water alive.

**Q1321:** Will a fish be halal and legal to eat if it throws itself out of water?

**A:** If it is certain that the fish has thrown itself out of water, it will be legal to eat.

## Method of Slaughtering a Camel

**Issue 1322:** To slaughter a camel so that it becomes legal and pure to eat its meat after it has died, it is necessary to follow the above-mentioned conditions for slaughtering animals and also to thrust a knife or any other sharp implement made of Iron into the hollow between its neck and chest.

**Issue 1323:** It is better to slaughter a camel while it is standing, but if it kneels down, or lies on its side in such a way that the front part of its body faces the Quiblah, it will also be in order.

**Issue 1324:** If, instead of thrusting a knife into the hollow between its neck and chest, a camel is slaughtered through cutting its head, or if cows, sheep and the like are slaughtered through thrusting a knife into the depth of their necks, it will be illegal to consume their meat; but if the four blood vessels of a camel are cut and a knife is then thrust into the depth of its neck while being still alive, it will be legal to eat its meat. Similarly, if a knife is thrust into the depth of the neck of a cow, a sheep or the like, and its head is then cut while it is still alive, the meat will be legal and pure.

## Rules Concerning Food and Drink

**Issue 1325:** Eating the meat of birds like falcons which have claws is illegal; and eating the meat of swallows and hoopoes is legally disapproved.

**Issue 1326:** If a living part of the body of a live animal is cut off, for example, if a piece of fat or flesh is cut off the body of a live sheep, it will be impure and legally forbidden to eat.

**Issue 1327:** There are fourteen parts of the body of legal-meat animals which are illegal to eat:

- 1-Blood
- 2-Excrement
- 3 and 4- Male and female genitals
- 5- Womb
- 6- Glands
- 7- Testicles
- 8- Pituitary gland
- 9- Spinal cord inside the spine
- 10- Vertebral ligaments (the two yellow bands connecting the spinal vertebrae together)
- 11- Gall bladder
- 12- Spleen
- 13- Urinary bladder
- 14- Eye lens and pupil

**Issue 1328:** Eating anything which is harmful to human beings is illegal.

**Issue 1329:** Eating the meat of horses, mules and donkeys is legally disapproved and if a person has sexual intercourse with these animals, their meat and milk will be illegal and such animals should be taken to some other city to be sold there.

**Issue 1330:** Drinking alcoholic beverages is illegal and according to some traditions, it is considered as the most cardinal sin and if anyone should take it as a legal and permissible act while knowing that the

necessary condition for such a perception is to deny Allah and His Holy Prophet (PBUT), they will be accounted as an unbeliever. As quoted from Imam Ja'far Sadiq (PBUT), "Alcohol is the root of evils and sins, and one who drinks alcohol, loses their sanity, and then they will not know Allah and will not fear committing any sin, they will not respect others' rights, will not refrain from committing open evils; the spirit of faith and piety departs from them and only the impure and vicious spirit, which is far from the mercy of Allah remains in their body. Allah, His angels, His Prophets and the true believers will curse such a person. Their daily prayers will not be accepted for forty days, and their face will be dark on the Judgment Day, their tongue will come out of their mouth on that Day and their saliva will fall on their chest and they will desperately complain of thirst.

**Issue 1331:** To eat at a table at which others are drinking alcohol will be illegal and as an obligatory precaution, one should avoid sitting at such a table if they should be considered as one of those people.

**Q1332:** Is it illegal to eat the testicles of sheep and in this regard, does it differ in what manner it is processed?

**A:** Eating the testicles of sheep and any other animal is illegal and it does not make any difference in what way it is processed; but it is permissible to use it for any other purpose than eating.

**Q1333:** What is the definition for "intoxicant" (Muskir)? Do you consider all intoxicants as illegal? Is a person with a high capacity and resistance towards intoxicants and whose mind stays intact using them allowed to use them? Does it differ whether they are used much or little?

**A:** Anything which usually causes states like drunkenness is referred to as intoxicating (Muskir) and is illegal; its illegality is independent of the quantity used even if the user does not become drunk and intoxicated despite of excessive use or due to any other reason.

**Q1334:** What will the verdict be on eating fast foods and ready-to-eat foods such as sandwiches, canned meat and fish?

**A:** If such foods are bought in Muslim markets, it will be permissible to eat them, but if they are obtained from markets of unbelievers (kafirs) or provided through their hands, they will be deemed as impure (Najis) and illegal to eat, except for fish and its canned products, as long as it is certain that the fish has been caught and not found dead in water and in this case it does not matter if the fish has been caught by an unbeliever; hence, the fish will be legal and it is not necessary that it should have died out of the water.

**Q1335:** What is your view on eating the meat of hedgehogs and does it affect one's prayers and fasts?

**A:** Eating the meat of hedgehogs is illegal, and just like eating any other illegal food, has its natural effects on one's heart and soul which they should suffer, but it has no special effect on the actual validity and correctness of their religious practices such as prayers and fasts.

**Q1336:** What will the verdict be on eating lobsters or crabs?

**A:** Eating lobsters or crabs -which are also referred to as "cancers" (Al-Saratan) in Arabic- is illegal.

**Q1337:** It is said that the meat of some illegal-flesh animals is helpful in curing some diseases. While there is no valid scientific or religious documentation on this issue, what will the ruling be on hunting and using the meat or blood of such animals?

**A:** Eating the meat of illegal-flesh animals is illegal and forbidden, but if a Physician's diagnosis is that the cure for a certain disease is exclusively dependent on eating the meat of an illegal-flesh animal, it will be permissible to consume it provided that it is consumed as much as necessary; however to purify it despite its illegality, the animal must at least, be slaughtered according to the Islamic laws.

**Q1338:** My spouse is committed to religious duties, and recently he/she has been suffering from renal stone and the doctor has prescribed drinking barely water for him/her. What will the verdict be on this?

**A:** The beverage in question which is extracted from barely under the supervision of experts and is called barely water (Ma'-ul-sha'eer) is most definitely legal and permissible to drink.

**Q1339:** As written on their labels, some beverages which are imported from foreign countries contain two percent alcohol. Would it be legal to drink them?

**A:** If it is certain that the beverages contain intoxicating alcohol, they will be impure and illegal to drink, but if there is doubt as to that alcohol's being intoxicating, it will be pure and legal to drink.

**Q1340:** Is it permissible to use the gelatin prepared from the bone marrow of pigs or of cows which have not been slaughtered according to the Islamic laws in producing foodstuffs such as candy, yogurt, etc., and as

capsules for medicines?

**A:** If the bone marrow -of pigs and of cows which have not been slaughtered according to the Islamic laws- undergoes a total and qualitative transformation in the process of producing gelatin, just as a the body of a dog turns into salt in a salt marsh, then the gelatin will be pure and permissible to be used, otherwise it will be impure and it will be forbidden to use such gelatin, unless for medical treatments where necessary; the confirmation as to whether such a said transformation has taken place will be up to the obliged user him/herself.

## Vow and Covenant

Vow (Nadhr) is that a person binds themselves in doing a good deed or in refraining from an act which is better not done, for the sake of Allah.

**Issue 1341:** While making a vow, a formula must be pronounced, though it should not necessarily be in Arabic. So, if, for example, a person says, "If I recover from illness, there will be an obligation upon me to pay ten Tomans to the poor for the sake of Allah", their vow will be in order.

**Issue 1342:** The person making a vow must be a sane adult, and must make the vow of their own free will and intention. Thus, if a person is compelled to make a vow, or if, owing to some state of anger or excitement, they make a vow out of their volition; their vow will not be valid.

**Issue 1343:** The vow of a wife will not be valid without the permission of her husband if it violates, in any way, the rights of the husband such as his benefiting from the wife as to the common extent.

**Issue 1344:** One can only make a vow which is possible for them to fulfill. Therefore, if they are not capable of traveling to Karbala' on foot, their vow will not be valid if they make such a vow as to go there on foot.

**Issue 1345:** If a person makes a vow that they will perform an illegal or legally disapproved act, or that they will refrain from an obligatory or recommended act, their vow will not be valid.

**Q1346:** I have made a vow so as to fast for fourteen months if what I have in mind is realized. But up to now I have not done so despite the fulfillment of my wish. Will I be committed to this vow while I have not actually pronounced the formula for it?

**A:** It will be favorable if such vows are kept as far as one can undertake to do so, and the person will be rewarded and blessed.

**Q1347:** I have vowed to provide the local mosque with a kitchen implement each year. Is it permissible for me to buy books for the mosque library instead?

**A:** Just keep your vow.

**Q1348:** A woman's daughter fell ill. She vowed that if her daughter recovered from the illness and regained her health, then half of her marriage portion would be pledged for His Holiness Abulfadhl (PBUT), and she made this vow along with the pronunciation of its religious formula. Is such a vow valid?

**A:** Since the vow was made for the sake of another person, the person, who made it, would not be obliged to keep it; however, if the daughter herself is willing to keep this vow, she can fulfill it, although it is not necessary.

**Q1349:** What will a woman be obliged to do if she has vowed to perform the Jumu'ah (Friday) Ghusl for four successive weeks, but she should come to have her monthly periods?

**A:** Since Ghusls such as Friday Ghusl are valid even during menstruation, she should keep her vow.

**Q1350:** A person vows that, in the event of the fulfillment of a wish, they would pronounce one hundred salutations for the Holy Prophet and His Progeny (Salawat) everyday for the period of one year. In the case of breaking the vow, will that suffice if they make one single atonement (Kaffara) for it or will it be necessary to pay an individual atonement for each of the days separately?

**A:** One Kaffara will be sufficient.

# Rulings on Swearing an Oath

**Issue 1351:** If a person swears an oath so as to do something or refrain from doing it, for instance, to fast or not use tobacco, but later violates the oath intentionally, they must atone for it, that is to give Kaffara, they will have to emancipate a slave or to feed ten poor men or to clothe them, and if they are unable to do these, they must keep three fasts which should, as an obligatory precaution, be kept on three successive days.

**Issue 1352:** There are some conditions for validity of an oath:

1- One who swears an oath must be a sane adult, and if they want to swear an oath staking their property, they must not be feeble-minded and must do so of their volition and with their own clear intention. Hence, an oath by a minor, an insane person, an intoxicated or drunk person, or a person who is compelled to do so, will not be valid; nor will an oath be valid if a person swears it while being angry without any intention.

2- What a person swears to do must not be an illegal or legally disapproved act, and what they swear to avoid doing, must not be an obligatory or recommended act, and when they take an oath to do some usual and normal act (Mubah), it will be valid provided that avoiding that act is not preferable to doing it in the eye of sensible people; similarly, if a person should take an oath to avoid some act, it will only be valid if, in the view of sensible people, doing it is not preferable to avoiding it.

3- The oath must be sworn using one of the names of Allah the Almighty which are exclusively used for Him (e.g. Allah); it will also be valid if they swear to a name which is used for other beings, but due to its extensive use for Him, it reminds of Him alone whenever uttered, for example, if one swears to Khaliq (The Creator), or to Raziq (The Sustainer), the oath will be valid; and even if a person swears to a name, which does not remind of Allah, but they intend it to mean so, as a precaution, they should keep that oath.

4- The oath should be uttered in words and it will not be valid if it is written or passed through one's mind, but if a dumb person takes an oath by making signs and points, it will be valid.

5- It should be possible for the person, who takes an oath to keep their oath and act upon it; and if, at the time of taking the oath, it is possible for them to act upon it but later they become incapable of acting upon it, or if they should suffer hardship later (before the due time comes), the oath will be nullified from the time they become incapable.

**Issue 1353:** It is legally disapproved to swear in order to confirm the truth; and it is illegal to take an oath to confirm a lie and in fact it is a cardinal sin. However, if a person takes an oath in order to save him/herself or another Muslim from the torture of an oppressor, there will be no harm, and in fact, at times it becomes obligatory to do so, and swearing an oath in this manner is different from what was discussed in the previous section

## Rules regarding Waqf (Endowment)

“Waqf” is the keeping of a property in its original form and spending its proceeds on the expenses of some person(s), or on any other use as may be specified, such as allocating a piece of land for a mosque, school, husseiniyyah, or to the poor.

Waqf is of two kinds: “Private” and “Public”. “Private” Waqf refers to the endowment one allocates to their children. “Public” Waqf is the endowment allocated for a mosque, a school, a husseiniyyah or to the poor.

**Issue 1354:** If a person endows something, it ceases to be their property, and neither they nor anybody else can either gift or sell it to anyone, and no one can inherit that property anymore. There is, however, no harm in selling it in certain circumstances explained in jurisprudential books and references.

**Issue 1355:** It is not necessary to utter the formula of endowment in Arabic, and it will be valid if, for example, a person says, “I endowed my house” and it does not require a formal acceptance even in the case of private endowment.

**Issue 1356:** Endowment is not necessarily established from the time of making the formal dedication by

pronouncing the formula. Hence, if some one should say that a certain property of theirs will be endowed after their death, it will be valid; however, since the endowed property has not been taken over, the inheritors can cancel the endowment.

**Issue 1357:** The person making the endowment must be a sane adult and should be doing so of their own free will and intention -although an endowment made by a discerning ten-year-old child who is mature and sane will also be acceptable- and the person should legally have the right to take possession of their own property. Thus, endowments made by a feeble-minded person who does not have the right to take possession of their own property are not valid.

**Issue 1358:** When a person endows a property to a particular group like their descendants, so that every generation should benefit from it successively and the trustee of the endowment leases the property out and then dies, the lease will not become void if the interests of the endowment itself and of the next generation have been taken into account; but when the endowment has no trustee, and one generation, to which the property has been endowed, leases it out and then dies while the lease is still in effect, the lease will be void if the next generation does not endorse it, and if the lessee has paid the rent for the entire period of the lease, they will be entitled to receive the refund of the rent which covers the period from the time of their death till the end of the period.

**Issue 1359:** If an endowed property is ruined, its position as endowment will not be affected.

**Q1360:** With respect to the importance of centers for higher education and research in today's world, and in line with fulfilling that mission, and with regard to the fundamental need of these centers for private helps and funding and considering the importance of the favorable tradition of endowment, I beg to have your Honor's opinion on endowments made for such centers.

**A:** Endowment made for universities and research, scientific, training and educational centers in the Islamic republic is not only a favored tradition and a fair method, but also highly regarded as a religious virtue which deserves the greatest of rewards since it is in line with the safekeeping and strengthening and scientific integrity of the country.

**Q1361:** While in the state of anger in a quarrel with my children, I endowed my house, but after a while I regretted that decision. Of course, the formula of endowment had been pronounced and the deed of endowment had been registered and issued in the name of the relevant authorities. Is such an endowment valid?

**A:** The condition for validity of an endowment is that the endowed property should be handed over to the trustee or to the party in favor of whom it is endowed. Thus, as long as the trustee or the party to the benefit of whom the property is endowed has not taken the possession of the property, the endowment can be cancelled and if the person who makes the endowment regrets before the property is handed over, the endowment will be void.

**Q1362:** When I went to the Holy Mecca, I gave my agate ring to one of the servants of the Masjid-ul-Haram (the Holy Kaa'ba) as a gift and, he, in return, gave me a valuable copy of the Holy Quran. After looking over the said Quran, I observed a small hallmark which showed that in fact that Quran had been endowed to the Masjid-ul-Haram. I asked the servant about this and he said that if a large hallmark was put on the first page of that Quran, it would be indicative of that Quran having been endowed to the mosque. I therefore took the Quran to Iran with me. Now I would like to know whether it is necessary for me to take this book back to the Masjid-ul-Haram.

**A:** As a precaution, to say the least, you should return the Quran to the Masjid-ul-Haram, because even if it is not an endowment, the fact that its ownership has been given up has not been proven.

**Q1363:** There are a number of Qurans in a mosque which are valuable due to their antiquity and therefore open to danger. With regard to the fact that they are not in regular and frequent use, and that they are endowed properties, is it possible to take them to a museum or some other place, where they could be kept safe from possible theft and destruction?

**A:** With regard to the fact that using these kinds of Qurans merely for reading causes damage and is rather wasteful, they should be presented to the Organization of Cultural Heritage and the Organization of

Endowments of the Islamic Republic; and then, in the name of the original endowers, some other Qurans should be provided for use in that mosque and those precious Qurans should be kept in a suitable place equipped for the safekeeping of such Qurans and old texts, so that it would help both realizing the tradition, “endowments should be used in the same manner and condition that they have been endowed”, and preventing the wastage of such properties.

**Q1364:** A person endowed two sixths of their house in Tehran to a mosque, and another two sixths to a husseiniyyah in the provinces, and now he is dead. Is it permissible to pull down the whole house and build a husseiniyyah? What about pulling down the whole house, building a husseiniyyah and from its rent, paying two sixths to the mosque and two sixths to the husseiniyyah in question?

**A:** It is not permissible for the endower, let alone others, to make any changes to the endowed property when those, to the benefit of whom the property has been endowed, have taken the possession of it.

However, if something has not been endowed but willed to be endowed, and if it is the remainder of the property after one third has been taken away, this remainder will belong to the heirs and is their possession.

## Rules Regarding Will

A will is made to direct that after one’s death, a certain task be done for them, or that a portion of their property be given in ownership to someone, or that they appoint someone as the guardian of their children and dependents. A person who makes a will is called “legator” or “testator” (and “testatrix” for females), and one who is appointed to give effect to a will is referred to as “executor” (Wasee).

**Issue 1365:** A person who makes a will (Musee) must be a sane adult, but a will made by a discerning ten-year-old child will also be valid provided that they make a will for good acts and purposes such as building a mosque or a school. A will must be made with a free will and choice and the person making a will must not be feeble-minded.

**Issue 1366:** The executor of a will must be a sane and trustworthy adult Muslim.

**Issue 1367:** If a person who is on their deathbed, bestows a part of their property as a gift to a certain person and makes a will so that after their death, another part of their property be given to another person, both the part which they give away as a gift while still alive, and the part which they give away in their will must be calculated and paid out of one third of their property, and if the sum of these two parts exceeds the one third, then the excess must be paid with the permission of the heirs.

**Issue 1368:** The expenses of the performance of an unperformed obligatory Hajj and the debts and dues like the one fifth levy (Khums), alms, and any unlawful gaining of a dead person which are obligatory to pay, must be paid from the estate of the deceased, even if they may not have directed in their will for these cases.

**Q1369:** Should a will necessarily be made in writing? Under what condition is an oral will acceptable? In the case of an oral will, should the witnesses have heard it directly from the deceased, or is it permissible to accept a quotation by others?

**A:** That which is necessary to observe is the attainment of the will as honestly as would please Allah; therefore, it is not necessary to take into consideration whether the will has been made orally or in writing. Hence, in whichever form it is attained, it must be executed; however, if it is in writing, it can be as a proof in bringing an action to court in case needed; and it is not necessary for any witness to state in what way a will has been obtained, and they can simply state that they witness that the deceased has willed such and such.

**Q1370:** If a person wills to be buried at a particular place, for example, at the place of their birth, and if, to execute this should cause no hardship and difficulty to the executor, what will the ruling be if the executor breaks the will?

**A:** With the said assumption, breaking the will is illegal and the executor has the right of exhumation with the permission of the relevant authorities.

**Q1371:** Is it permissible for a Muslim to will so as to be cremated and not buried after death, as is customary with the followers of some other religions?

**A:** Such a will is illegal, since a Muslim is respectable and their burial is obligatory, and if a person should make such a will and commit such a sin, it will be up to other Muslims to bury their dead body.

**Q1372:** If someone should will that after their death, their eyes, lungs, heart, or any other organ of their body be transplanted into other people who are in need of them, is such a will valid?

**A:** Such a will is permissible because what the person wills to be done is permissible. However, as a precaution, the permission of the heirs should be obtained as well.

**Q1373:** A person has willed that they have already given all that would have been due to their elder daughter from their estate at the time of her marriage, and that she has no right to claim for on the other heirs. In such a case, what are the other heirs obliged to do in executing the will? Is such a will religiously and legally valid? In case the other heirs are obliged to give her share of the property, then should it be given out of the whole legacy like the shares of other heirs or out of one third of it?

**A:** A will is only valid on one third of one's property and a person cannot deprive their heirs of their shares of inheritance. The executor and the heirs must execute the will on one third of the dead person's property. Thus, their elder daughter receives no share out of one third of the legacy, but inherits her share of the rest of the property.

**Q1374:** If a couple has some children including an adopted child, and if they have willed the adopted child one third of their property, then should this one third be calculated before sharing the whole legacy or after that?

**A:** If the parents have willed the adopted child one third of the property, then the one third must first be given to them; but if the parents have not willed the adopted child the one third, the child will have no right in it.

**Q1375:** A person died six years ago. This person had willed that one third of their property should be paid for performing their prayers and fasts and also returning their unlawful gaining. A part of their property is a residential house with the area of 440 square meters and one third of it makes 146 square meters which is nowadays worth 18000 Tomans per square meter, but the heirs only consent to 8000 Tomans per square meter. Is it permissible for the executor to sell the house to the heirs themselves for the price they suggest, i.e. 8000 Tomans per square meter?

**A:** With the given assumption, the property should be sold for its actual price and in this regard, it makes no difference whether the buyers are the heirs or others.

## Rules Concerning Inheritance

**Issue 1376:** Those who may inherit through family ties are divided into three groups:

1- The first group consists of the dead person's parents and children and in the absence of children, the children's children, as this line descends among whom whoever is closer to the deceased inherits their property, and as long as even a single person from this group is present, people belonging to the next (second) group do not inherit anything.

2- The second group consists of paternal and maternal grandfather and grandmother, brothers, sisters and so forth as these lines ascend, as well as brothers and sister and in case of the absence of brothers and sisters, their children among whom whoever is nearer to the deceased will inherit their legacy, and as long as even a single person from this group is present, people belonging to the next (third) group will not inherit anything.

3- The third group consists of paternal and maternal uncles and aunts and their ascendants, as well as their children and their descendants, and as long as even one of the paternal and maternal uncles or aunts is alive, their children will not inherit anything, but if the deceased has a living paternal great uncle and a male cousin from both paternal and maternal sides but no other heir except them, then their inheritance will go to the cousin of both paternal and maternal sides and the paternal great uncle will not inherit anything.

**Issue 1377:** If the deceased's own paternal and maternal aunts and uncles and their children and grandchildren

are not present, then the deceased's paternal and maternal great aunts and great uncles will inherit their legacy, and if these are not present either, their children will be the inheritors; and in the absence of these, the deceased's paternal and maternal grandparents' uncles and aunts will be the inheritors and if these are also absent, the legacy will go to their descendants.

**Issue 1378:** If the deceased's only inheritor is one of the first group, such as their father, mother, a son, or a daughter, then he/she will inherit the whole legacy, and if the deceased has more than one son or daughter, the legacy will be shared among all of them; if the dead person has one son and one daughter, then the property must be divided by three shares two of which go to the son and one to the daughter; if the dead person has more than one son and/or one daughter, then the legacy must be shared in such a way that each son inherits twice the share of each daughter.

**Issue 1379:** A Muslim inherits from an unbeliever, but an obstinate unbeliever does not inherit from a Muslim, even if they are the father or the son of that Muslim.

**Issue 1380:** If a person kills one of their relatives intentionally and unjustly, they will not inherit from them, but if they are killed due to some error, for example, if a person throws a stone in the air and it accidentally hits one of their relatives and kills them, they will inherit from them, but they will not inherit from the blood money payable to the family of the murdered person.

**Q1381:** A girl was born before the completion of a full-term pregnancy. Does she inherit from the deceased?

**A:** She will inherit from the deceased and an incomplete period of pregnancy does not deprive the child of the inheritance.

**Q1382:** If it should be the case that through the sperm of the husband and an external fertilization, a child should be born and such an external fertilization takes place, but before conception the husband dies, or in cases where the husband dies immediately after intercourse and the conception has taken place, is it just and fair that, based on the principles of jurisprudence, this child is deprived of inheritance after having been born, but his/her paternal cousin who is among the second class relatives inherits the legacy?

**A:** If the external fertilization is with the permission of the husband and also based on his willing to do so, in order to have a child, the child born in this way will be his, and all rules concerning paternity including inheritance etc. will pertain to him. Thus, the ruling on the second assumption will be clear through that same answer.

**Q1383:** If someone has willed that in addition to their daughter's dowry, they have given her an amount of property in lieu of some of her rights and she has no more rights to claim over their heirs, then is such a will valid?

**A:** Regarding the fact that a will is only valid over one third of one's property, she will be deprived of her share within one third of the legacy; but the rest of the legacy will be shared among all the heirs including that daughter.

**Q1384:** After selling a property, a person has passed away, and now the heirs intend to annul the transaction. Will the right to annul a transaction be passed on as inheritance?

**A:** Just as one's property, the rights of option in favor of the deceased are also inherited, unless it is an irrevocable contract which could not have been broken by the deceased themselves, let alone the heirs; and in the case of the rights of option, there is no difference between actual and potential options, that is, if there has been defect or lesion (even though the deceased had not noticed), the heirs can annul the contract due to the same defect or lesion.

**Q1385:** If a Muslim passes away, and some of their heirs are Kafir (unbelievers), will their Kafir heirs inherit from them?

**A:** If not a non-Muslim who is not a denier, to say the least, a Kafir, who is a denier of the principles of faith while having the knowledge about them, will not inherit from a Muslim; since as Sheikh Saduq says in his book, "Man la Yahdhuruhu Al-Faqueeh", the fact that a Kafir does not share in the inheritance, is the retribution of their blasphemy, and in this regard, it makes no difference whether the person who leaves the inheritance is a Muslim, or a non-Muslim who is not a denier. In any case, there is no doubt that a Kafir (who denies the principles of faith while having the knowledge about them) does not inherit from a Muslim and the existing traditions on this issue are so compelling and over-whelming (Mutadhafira and Mustafeedha) as to satisfy the measure of certainty by general consensus.

In sum, blasphemy like murder, is among cases where heirs are prevented from obtaining their share of inheritance and there exists a common consensus among the Prophet's Companions over this fact; as for non-Muslims, that is, the majority of non-Muslims whose blasphemous beliefs are due to their negligence and unawareness but not to their obstinate disagreement about the truth, they are not obliged to follow this rule and are not to blame for their negligence, since to oblige a negligent person is not only a case of imposing an impossible obligation but also a case of impossible obligation itself; and even if we presume that it is possible to legally impose such an obligation, and that such an impossibility should be treated in a case-specified manner, such negligent non-Muslims are absolutely excused (as our great magister Imam Khomeini approves it), preventing such non-Muslims from obtaining their shares of inheritance comparing Muslims is against the generalities of inheritance, and from among nearly thirty relevant traditions compiled by Sheikh Tusee in his book "Al-Tahdheeb" -which is the most comprehensive jurisprudential compilation of traditions among "the Four Books" (Kutub-il-Arba'ah)- only two traditions might be taken as implicitly indicative of inclusion of such non-Muslims in the class of those who cannot inherit from Muslims, and the rest either approve of the above-said facts regarding non-Muslims or discuss the minor rules concerning blasphemy and lack of faith in Islam, and they do not discuss the principle of prevention concerning the said issues, and a jurisprudential flair of tradition would not allow reasoning based on those two traditions while all other traditions including the one quoted by the devoted traditionist Sheike Saduq in his book "Man La Yahdhuru-hu-al-Faqueeh"; approve of the other side; and even if we deny that the two said traditions too, specify obstinate infidels who deserve other-worldly punishment, to say the least, it is forbidden to trust them as satisfactory resources so as to issue such an edict. Even if all traditions on this issue indicate that lack of faith in Islam would lead to the absolute prevention of inheritance from Muslims, they cannot act as compelling and convincing evidence so as to issue such a Fatwa since, in my view, such a rule would be discriminatory and unjust if we say that Muslims can inherit from non-Muslims but non-Muslims cannot inherit from Muslims; thus such a rule would be against the Holy Quran and must be ignored and put aside; and such rulings are certainly against the Holy Quran since it forbids us from oppression and discrimination as it says, "The word of your Lord has been fulfilled in truth and justice...", and in some other verse we read, "And your Lord is not tyrannical to the servants..."; it also says in verse 44 of chapter Younes, "Indeed, Allah does not wrong people in the least, rather, it is people who wrong themselves". After all, although this issue needs to be discussed more, this much seems to be satisfactory.

**Q1386:** A person born to Muslim parents has then become a Marxist. Does such a person inherit from their parents?

**A:** If their blasphemy is despite their knowledge about the truth of faith, they cannot inherit from their Muslim parents and if they have become apostate, other rules concerning apostasy apply to them as well.

**Q1387:** In life insurance, the insurer promises to pay a sum of money to the insured person or persons after their death. If the insured party has some debts which exceed the value of their legacy, do their creditors have the right to claim their money out of the life insurance of the deceased person? Does such payment as life insurance count as one's Legacy?

**A:** The money paid as life insurance to the insured parties by insurance companies counts as their property and legacy; hence, the debts of the deceased person must be paid out of their legacy and the rest will be the heirs'.

**Q1388:** Regarding the issue of inheritance, it is commonly discussed that a wife does not inherit any immovable property and land from her husband. What is your opinion in this regard?

**A:** A wife does not inherit any land or other immovable property from her deceased husband, but inherits the price of any building, trees etc on his lands, and so is the case with the price of the land itself; however, as a precaution, they should reach a compromise on the land particularly if it is the land on which a house has been constructed and more particularly if the wife is one who does not have any children from her deceased husband, and this is in fact, acting upon a Fatwa issued commonly by Shiite jurists.

**Q1389:** If a man passes away and his wife is the only one to inherit his legacy, then how much of the legacy will the wife inherit?

**A:** If the husband has no other inheritor than his wife, as a precaution, the wife will inherit his entire legacy.

**Q1390:** In a temporary marriage, will the wife inherit the husband's legacy?

**A:** In a temporary marriage, the wife does not inherit the husband's legacy.

**Q1391:** If a man dies before penetrating his wife, then will the wife inherit his legacy? If yes, then how much of the legacy will she inherit?

**A:** If the marriage is permanent, she will inherit his legacy and there is no difference between a consummated and an unconsummated one in this regard.

**Q1392:** After my mother's death, my father remarried and after a while they left the village and came to live in the town. I, too, got married and dwelled in some other place. My father and his new wife bought a piece of land, built a house there and had six children. My father died five years ago. Now, my stepmother and her children have sold the house and shared it among themselves. Do I have any right in that house regarding the fact that my stepmother had registered the house in her own name?

**A:** If your father has given the house or his share of it as a gift to his second wife before his death, or if he has compromised with them on it, you will not have any right in that house, but if you can prove that your father has not made a gift of the house to them before his death, you can claim your share of the house.

**Q1393:** A man, his wife, and their child died in an accident; and it was revealed that the husband had died earlier than the others. In this case, do the wife's heirs inherit from the husband's heirs? Can the wife's heirs claim her marriage portion from the husband's heirs?

**A:** The man's legacy belongs to his heirs including his wife and child; as for the wife, we have two assumptions: first, we assume that he has died before her child, and in this case her legacy belongs to her heirs including her child. Second, we assume that she has died after her child. In this latter case, the mother receives her share of the child's legacy. In any case, since they are both dead, their shares will belong to their heirs. Before dividing the inheritance, the wife's marriage portion must be paid out of the husband's legacy and then be share among her heirs like the rest of her legacy.

## Miscellaneous Issues

### The Holy Imams

**Q1394:** With regard to the fact that the birthdays of our infallible Imams are held through staging celebrations and ceremonies, the question is whether the Holy Imams themselves held such ceremonies for their immaculate forefathers, and if they did so, what was the quality of such affairs like? For example, what were the characteristics of such ceremonies?

**A:** The Progeny of the Holy Prophet (PBUT) most definitely were happy and joyous on the occasion of religious festivities and birthdays, but as to the how of such celebrations, we have to refer ourselves to historical records.

**Q1395:** what is the philosophy of mourning for our Holy Imams (PBUT) in Islam?

**A:** Keeping alive the memory of those great people and being reminded of their and their forefather's innocence and infallibility in the face of decadence and Godlessness of their times, and the shedding of tears and mourning shows that we share in their misery and wish to keep alive their spirit of innocence and also the duty they burdened.

**Q1396:** What is the difference between God and the Infallible Prophet and His Progeny (PBUT)? Is it right to say that God is the Creator and they are His Creatures and there is no other difference except that?

**A:** All creatures are created by God, and all human beings are His servants, and in this regard, there is no difference between the Prophet and His Pure Progeny (PBUT) on the one hand and other human beings on the other, except that each occupies their own place in the measure of adoration and servitude, where the Ahl-ul-Bayt hold the highest ranks, and God has made them the mediators of His emanation towards other creatures.

**Q1397:** Is it permissible to beat oneself with chains, hit oneself in the face or pound one's chest, which leads to the tearing and injuring of the skin etc, while mourning for Imam Hussein (PBUH)?

**A:** It is permissible and it is considered as included in generalities of weeping, making others weep, and the veneration of sacraments, and that which is illegal in mourning and other acts is to cause grievous harm to the body, not actions whose harmfulness is not clear, and which, in the view of their advocates, do not count as harmful, let alone self-inflicted injury and cruelty. In addition, it seems that the mourners of Imam Hussein (PBUH) perform such actions because their love and affection for His Holiness takes the control out of their hands and they are thus rewarded.

## Rules Concerning Governments and Ruling Systems

**Q1398:** Are we obliged to act upon those international rules and conventions which different governments have signed among themselves?

**A:** Yes, It is obligatory to do so, and as a humane right, irrespective of the question of obligation to protect our system, it is obligatory for us to fulfill our commitments.

**Q1399:** Is it obligatory to take on commitment to the conventions and contracts which Muslims make in economic, cultural, and political fields with non-Muslims or non-Muslim countries, on behalf of Islamic ruling system or any natural or legal person?

**A:** Yes, It is obligatory to do so, and to fulfill our commitments is obligatory per se as it is considered a humane right, irrespective of the fact that we have to meet our commitments for the protection of our ruling system which is an obligation itself. In fact, this has been stipulated and stressed in Islamic traditions and texts that there are three things which cannot be excused if not done, kindness to one's parents, keeping a promise, and returning a trust property.

**Q1400:** Is it necessary for Muslims residing in non-Muslim countries for short periods and for Muslims who are foreign nationals to some non-Muslim countries to respect and observe all the rules and regulations of these countries (so long as they are not in contradiction to the principles of Islam)? And if a Muslim commits a financial crime in these countries, will he be held liable, or since the crime has been committed towards a non-Muslim, there will be no legal liability even though the authorities of that country may not call one to account for their actions?

**A:** All the rules and regulations of those countries which are not in total and apparent contradiction to Islamic rules and principles must be respected and observed, since these rules and regulations pertain to the keeping of law and order in the society which itself is legally and rationally obligatory to be maintained.

**Q1401:** Is it religiously permissible to cause any obstruction or nuisance in public paths and ways, which is against the civil law?

**A:** Causing a blockage in traffic and creating public nuisance in paths which should be used by public is illegal and religiously forbidden as implied by reason, rationality and traditions.

## Insurance

**Issue 1402:** "Insurance" is a contract between the insurer (an insurance company) and the insured (a company, institution, or an individual) who accepts this contract, and like other contracts it involves offer and acceptance, and all conditions concerning the sides of the contract and the contract itself apply in these contracts as in other contracts, and they can be concluded in any language.

**Q1403:** In a majority of instances, the insured does not get anything in return for the money that they leave with the insurance company; while this is the case, will the insurance contract be valid? Is it not a case of making illegal money?

**A:** These are new types of contract and are subject to the applicability of "remain faithful to your promises" and also "commerce should be done with consent". Therefore, such contracts are not void.

**Q1404:** With regard to the fact that having the right to act upon one's free will is a necessary condition for

validity of a contract, what is the ruling on obligatory insurance fees which the government forces the insured parties in the name of protecting and maintaining social order?

**A:** This obligation is not of the kind that would nullify a contract; moreover, in some cases, such obligations do not cause a deprivation of liberties.

**Q1405:** What is the verdict on some people's using others' insurance booklets for both the owner and the borrower?

**A:** They both have committed an illegal act and will be liable.

## Cloning

**Q1406:** Cloning is a technology in which through the use of cells from the body of a living organism, another living organism may be created which resembles its origin exactly in terms of genetics. Is it permissible and acceptable to clone a human being from a religious point of view?

**A:** The normalization and facilitation of its public use in the sense of putting it on the same par as having children through marriage is definitely unsavory to the religious taste and is illegal; it is considered a great sin and entails legal, social and genetic corruptions which are necessary to avoid, and due to its illegality and the consequent corruptions, it is legally and rationally obligatory to reject, avert, prevent and forbid the action and also to penalize and punish the instigators and those who aid them, and this obligation should be assumed by all human being particularly those who have political, administrative authority. However, its practicality in itself and its use in rare and critical conditions, where the interests of all human societies are concerned, or in cloning human body parts for treatments and rational purposes, or in cloning animals are all different matters whose rulings and permissibility have been discussed in my book "Religious laws concerning medical issues".

**Q1407:** With regard to the advancements made in medical sciences and genetics, and also man's success in cloning sheep, mice etc., and the fact that cloning is also applicable in human non-sexual reproduction and in producing body parts, please explain:

1- Is it religiously and legally right to clone a complete human being?

2- Is it religiously permissible to produce human body parts and organs through cloning?

3- With the assumption that some human beings are reproduced through cloning outside of Islamic countries, is it permissible for such a being to take up the true religion of Islam?

**A:** 1- Due to its legal, social, genetic, moral and other corruptions, it is illegal; and it is obligatory to reject and avert it, and the instigators would collapse of justice and deserve discretionary punishment.

2- If it does not involve cloning a complete human being, and only body parts or organs are produced, it can not be considered illegal.

3- Yes, such a person can become a Muslim, and in this regard, what is of prime importance is that a being should have the capacity for spiritual perfection, and regarding one's acts the important point is their legality and permissibility.

## Visiting Blood Relatives

**Q1408:** If, for certain reasons such as avoiding certain sins a person minimizes their relations with their blood relatives, will that count as severing blood relations?

**A:** It will not count as severing blood relations, since concerning blood relations, no particular quality has been stated, and even if it is through telephone conversation, it will suffice; however, if one sees to their relatives' needs, it will be favorable.

**Q1409:** What is one's duty vis-à-vis their blood relatives who believe in Bahai faith, with regard to the emphasis that is put on blood relations in Islam? Do such people count as blood relatives at all?

**A:** Visiting them as blood relatives is the same as visiting others, and concerning blood relations, no particular quality has been specified, and it will suffice even if the contact with one's blood relatives is through telephone conversations, particularly if one knows that they can have positive influence on their Bahai relatives; but if this contact leads to one's deviation from the truth or skepticism in one's beliefs, such a relation must be severed as an obligation.

**Q1410:** A person has severed their blood relations with their cousins, uncle and aunt, since the uncle and aunt, despite knowing that the cousins have misappropriated his inheritance, have remained silent and refused to defend him against this unlawful and unjust violation of his rights. Now, who is considered the actual cause of this severance of blood relations?

**A:** The actual cause of this severance is the one, who has done their relatives injustice or despite having the authority and power to stand up against the violation of their relatives' rights, has refused to do so and remained silent; In any case, although it would be difficult, having blood ties, visiting and helping blood relatives who are unjust and hostile towards a person, brings even more rewards and blessings (as long as it does not lead to increase their injustice and hostility).

## Seeking Divine Guidance (Istikhara)

**Q1411:** Is it permissible to seek divine guidance with the help of prayer beads or the Holy Quran in any given situation and case or does it appertain to those cases where there is hesitation and no preference?

**A:** Apparently, Istikhara appertains to the cases where there is hesitation and confusion, that is, where one fails to decide what they should do despite consulting others and exercising wisdom and knowledge, and where there is no preference.

**Q1412:** Is it valid and correct to do Istikhara with the help of the Holy Quran, prayer beads, etc? If yes, then which is preferable?

**A:** Istikhara is valid with both the Holy Quran and prayer beads, and I have not found any priority and preference of any one of them over the other.

## Repentance

**Q1413:** What is your definition for repentance?

**A:** Repentance refers to regretting one's sins, performing the obligations one has not performed, repaying one's debts and doing good acts.

**Q1414:** will one's repentance be accepted if they commit a sin which deserves punishment, but they are not punished because no one has noticed them commit the sin?

**A:** In the case of those sins which are accounted as divine rights, it will not be necessary to refer to the judge if one commits them and no one notices them, and it is even unfavorable, and it will suffice if they repent and regret their sin; It is worth mentioning that revealing one's sins is in fact, propagation of evil and corrupt things and is a sin itself.

**Q1415:** Because of my being nervous and touchy, I sometimes quarreled with my father, and with regard to the emphasis put on children's respecting parents in Islam, are my sins forgivable?

**A:** God the Almighty would accept any repentance, and just as you regret and repent your sins and ask His forgiveness, there is hope that you are forgiven.

**Q1416:** What will happen to one's other-worldly punishment if they undergo the punishment of their sins and immoralities deservedly in this world as specified and determined by law?

**A:** If they repent the sins, they will not undergo any other-worldly punishment, and Allah the Almighty is more perfect and merciful than to punish a sinner twice for a sin.

**Q1417:** What is the criterion for distinguishing cardinal sins from lesser ones?

**A:** There are four ways to identify a cardinal sin:

- 1- Having been explicitly specified in traditions
- 2- Existence of explicit or implicit threat of punishment for those sins in the Holy Quran and traditions
- 3- Having been accounted even more mortal than a cardinal sin in traditions
- 4- Having been identified as a cardinal sin by Muslims and through their inferences made from Islam.

## Miscellaneous Queries

**Q1418:** What is the verdict on the plastic surgery which some men or women undergo in order to reshape their noses?

**A:** Such surgeries are permissible per se.

**Q1419:** Is dreaming a legal proof? Is dreaming of the Infallible Imams valid and trustworthy?

**A:** Dreaming is not regarded as reliable and trustworthy, particularly if one dreams frequently and of different things.

**Q1420:** Is it obligatory to return a visit just as it is obligatory to return a greeting?

**A:** Returning visits is not obligatory for everyone, and it varies with respect to different people, and can be considered as an obligatory, illegal, recommended, disapproved, or an ordinary act.

**Q1421:** If a person asks people to pray for some dead person(s) and recite the Al-Hamd for them, and some of the hearers refuse to do that, then will they count as sinners?

**A:** If a person asks others to pray for a dead person, and a hearer refuses to do so, they have just abandoned an act which is preferable to do, but if they have been invited to such a ceremony merely for the purpose of praying for a dead person and particularly if the guests are offered some thing as refreshments etc. out of the host's property, it will be necessary for them to pray for the dead person, otherwise, they have committed an illegal act.

**Q1422:** What is the verdict on piercing one's ears or nose for wearing earrings and other ornaments?

**A:** Piercing one's nose and ears for the given purposes is permissible if done to a baby as long as it is in the interest of them, but for a religiously and legally obliged person it should be done with their consent; otherwise it will not be permissible.

**Q1423:** In some cultures it is customary that if before one is setting off on a trip or before commencing some action, a person sneezes, then they should abandon that trip or action. Is this a real and noticeable fact?

**A:** Sneezing is good and blessed per se and is a gift of God, and it is not right to divine the future as to be ominous because of sneezing by someone; however, since some cultures have a negative and ominous attitude towards sneezing, it will be up to them, their determination, their living plans and their spiritual condition as to how to treat it.

**Q1424:** What are the most efficient and helpful ways to get rid of Satan (the devil) and to invoke Allah the Almighty and grow closer to Him?

**A:** The best way to grow closer to Allah the most merciful is to avoid illegalities and assume obligations.

**Q1425:** Is it obligatory to return the greeting of an immoral person whose greeting suggests depravity and debauchery?

**A:** It is not obligatory to return the greeting of such a person, since it is not a message of good wishes for your health and happiness.

## Glossary

**Ajnabiyyah:** a non-Mahram woman; a woman whom a man is allowed to marry

**Aquiquah:** sheep and the like sacrificed in a special manner and offered to Allah for the well-being of a child after it is born

**Ayat prayer:** prayer of divine signs which becomes obligatory when things such as solar or lunar eclipse or earthquake happen.

**Diyyah:** 1- compensation for injury; 2- blood money

**Ghusl:** ritual bathing or washing of one's body for the purpose of religious purification

**Hadath-ul-Akbar:** any of the things such as wet dream or sexual intercourse which necessitate performing Ghusl

**Hadath-ul-Asghar:** any of the things which invalidate Wudhu and necessitate performing it again; e.g. urinating or sleeping.

**Hajj:** pilgrimage to the Holy Mecca to visit the Holy Kaaba for religious purposes

**Halal:** lawful; permissible; legal

**Haraam:** an illegal and forbidden act which must be avoided, otherwise it leads to punishment; e.g., telling a lie or oppressing; illegal and unlawful.

**Haydh:** Menstruation

**Hunut:** embalment

**Husseiniyyeh:** a sacred place built for mourning ceremonies held for His Holiness Imam Hussein (PBUH).

**Iddah:** waiting period or term before a divorced or widowed woman is legally allowed to remarry

**Ihtiyat-ul-Mustahab:** a recommended precaution which is not a religious jurist's decree but recommended by them

**Ihtiyat-ul-Wajib:** an obligatory precaution issued and deduced by a religious jurist which an imitator can either act upon or refer to another religious jurist who is the most learned among others

**Ijtihad:** the exertion of deducing the religious laws from the relevant sources and evidence.

**Intention of Qurbah:** the intention of growing closer to Allah and seeking His blessings

**Irtimasi:** washing through immersion in water

**Istibra':** a man's act of emptying his urinary outlet completely to confirm its emptiness which is done in a special manner as a recommended act

**Istihalah:** transformation; a complete change in the nature of something

**Istihadha:** women's irregular discharges

**Ithna' Ashari Shiite:** a Shiite Muslim who follows and believes in the Twelve Imams

**Jabeerah:** all sorts of bandages or splints that help to protect or support wounds, injured and broken parts of the body and also to the medications applied to a wound etc.

**Janabah:** state of having had sexual intercourse and/or orgasmic discharges and ejaculation.

**Junub:** a person who has already had sexual intercourse and/or ejaculation.

**Kaffarah:** atonement; ransom; religious expiation

**Kaffarat-ul-jam':** feeding sixty poor people to their fill, keeping sixty fasts and setting a slave free altogether as to make atonement for a sin

**Kafir:** one who denies God (an atheist), or one who ascribes partners to God and denies the uniqueness of Allah (a poly theist), or does not believe in the Holy Prophet Muhammad (PBUH), being God's messenger, or doubts any of these.

**Kafir-ul-Mu'anid:** one who denies Islam despite knowing that Islam is the true religion, or doubts its rightfulness, and intentionally and antagonistically refuses to investigate it and denies it obstinately.

**Katheer-ul-shak:** a person who doubts too often

**Khums:** the one fifth levy payable on certain items and under certain conditions

**Kula' divorce:** divorce granted at a woman's request in return for giving up her marriage portion and any other sort of agreed compensation

**Kurr water:** the amount of water which fills a container with length, breadth and depth of three and a half spans each, i.e., 42.5 cubic spans in dimension, and weighs nearly 377.419 kilos.

**Mahram:** one's close relatives such as sister, mother etc., whom they are not allowed to marry

**Makruh:** a legally disapproved act which is better to avoid doing and the avoidance brings a reward, but it will not lead to punishment if done; e.g., blowing on the food, eating hot food.

**Mass-ul-Mayyit:** touching a dead body

**Mayyit:** a dead person; a dead body.

**Mubaah:** an act which deserves neither a reward nor a punishment, and it is equal to do it or avoid it; e.g., sitting and walking.

**Mudhaf water:** the juice or extract of something like melon juice or rose-water, or water which contains some substance mixed in it like muddy water.

**Mudharabah:** commandite; a limited partnership where one party makes the investment and the other party handles the business and then the profit and loss will be shared as agreed

**Mujtahid:** a religious jurist who is capable of deducing the religious rules out of the relevant resources and references

**Mukallaf:** a legally mature person who is obliged and liable for what they do, and has to observe religious obligations and avoid illegalities.

**Murtad:** apostate

**Muskir:** intoxicating

**Mustahab:** a recommended act which brings a reward, but avoiding it does not bring a punishment; e.g., greeting and alms-giving.

**Mutahirat:** purifiers such as water with the help of which one can purify themselves

**Mutlaq water:** pure water which has no other substance mixed in it.

**Muwalaat:** succession

**Najis-ul-Ayn:** original impurity; source of impurity

**Nifas:** women's afterbirth bleeding

**Niyyat:** intention

**Non-Mahram:** anyone other than one's close relatives; those whom a person can marry

**Quadha:** due prayers or fasts performed outside of their prescribed times

**Quiblah:** the direction of the Holy Kaaba to which Muslims offer their prayers

**Quisas:** retaliation; blood vengeance

**Rajm:** stoning to death

**Riba:** usury

**Rukn:** any of the basic elements of prayer

**Shahadatayn:** “**Ash hadu anla ilaha illallah wa ash hadu anna Muhammadan Rasulullah**”, which means, “I testify the uniqueness of Allah and the Prophethood of Muhammad the Prophet (PBUH)”.

**Taharat:** state of becoming pure as a result of any ritual washing such as ablutions (Wudhu or Ghusl)

**Takbeer:** saying Allahu Akbar which means Allah is the most glorious and greater than any description.

**Taqleed:** to follow and imitate a Mujtahid, that is, to practice the religion based on the religious edicts (Fatwas) issued by a Mujtahid.

**Tasbeehaat-ul-arba'ah:** the four remembrances pronounced in the third or fourth Rak'at of an obligatory daily prayer, that is, “**subhanallahi wal-hamdu lillahi wa la ilaha illallahu wallahu Akbar**”

**Tasmiyyah:** saying “Bismillah” before killing an animal for the consumption of its meat etc.

**Tawaaf:** the circumambulation of the Holy Kaaba

**Tazkiyah:** the act of killing an animal according to Islamic rules

**Wajib:** an obligation which must be done and whose avoidance leads to punishment; e.g., praying and fasting.

**Waquf:** endowment

**Wasee:** testamentary executor

**Wudhu:** ablutions performed in a special manner for the purpose of offering prayers

**Zabehah:** an animal killed for consumption

**Zakat:** alms payable when one's value of certain properties reaches a prescribed limit

**Zakat-ul-Fitrah:** alms payable on the occasion of Fitrah festival (Festival of Fast)