# TRANSLITERATION

The following system of Transliteration has been followed in the present English Translation:

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- **aw**: as "ow" in "cow"
- **a**: a long "a" as in American pronunciation of "all", "call"
- **ay**: as "ay" in "day"
- **i**: i long "i" as "ee" in "seen"
- **ai**: as "a" in "cash"
- **u**: u long "u" as "oo" in "noon"
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INTRODUCTION

Imām Rouhollāh Khomeinī, May his soul rest in Peace, as a consequence of strict adherence to the principles and teachings of the holy Prophets and Imāms, was blessed with a personality of variegated and multifarious splendour. On the one hand, he was among the most outstanding teachers and highly reputed Mujtahids of the Islamic Seminary, known for their erudition in the field of Islamic Jurisprudence and Principles of Jurisprudence, who have to their credit the honour of injecting fresh blood in the veins of Islamic belief and guiding the caravan of the traditional jurisprudence to newer goals. On the other hand, he was an exquisite moral teacher who focused all his attention to fostering spiritual and intellectual training to the people.

In the field of philosophy, he is universally recognized as a great thinker, having his individual and unique ideas and views. Not only did he relieve the Islamic philosophy of its inertia, but also resuscitated the indolent and languid Islamic seminaries by infusing in them fresh activity and valour. In this mission, he had to endure untold trials and tribulations, whose pain pricked him incessantly in life, and which to some is extent reflected in his famous epistle: "The Spiritual Manifesto". At the same time, he enjoys a leading position in the field of theoretical and practical gnosticism, and is known as "The Father of Gnostics" of
his time. His great works are a living evidence of his mastery over the various branches of Islamic learning.

As regards his relentless struggle in the field of practical politics and his crusade against the Toghoots of the time through his clarion call for rising in defence of Truth, and his stupendous perseverance, dauntless courage and manliness and unflinching chivalry, they form a part of the revolution-evoking chapter which has already been acknowledged throughout the four corners of the world.

Imâm Khomeini's perfect grasp of the Islamic and human problems of today, his serious efforts, his dauntless policy and sincere leadership for their solution are self-evident truths and need no further proof. He conquered the hearts of all the people through exposing the satanic designs of their enemies and making prophetic campaign for materialization of the divine plans to frustrate them.

Unfortunately the depth and vastness of his knowledge and erudition has still not been fully introduced to the world. The stormy waves of his revolutionary struggle have touched even the farthest shores. His admirers have peeped into the mysteries of his personality, but alas! only a limited horizon has come in sight, and they have failed to have a profound comprehension of its hidden spheres. It has, therefore, been found necessary to introduce to all the segments of human society the thoughts and works of this conqueror of the hearts of the people, as he is the one who has inherited his pure personality by following in the footsteps of the prophets and the saints, whose powerful and pure ideas are considered a humanizing element for the society. This is one of the many steps taken for the fulfillment of the duties and functions of the Institute for Editing and Publication of Imâm Khomeini's works through scholarly and cultural endeavours.

The present English translation of Imâm Khomeini's well-known book: "Taḥfīr al-Vasūlah", consisting of his juristic verdicts, occupies an important place in the program for translating his works into English. At the time of embarking on this herculean, arduous, but at the same time a valuable venture, we have had the following objectives before us:
• Make accessible to the present and future English knowing scholars the Imām’s valuable verdicts in the field of Islamic jurisprudence.

• A large number of the English knowing people still follow the Imām in their daily pursuits of life. This book will fulfill their need of having detailed verdicts of the Imām on various problems of daily life.

It is an important fact that some of the individual exquisite judgements (Ijtihāds) of the Imām have left an indelible and far-reaching mark on the world of Ijtihād. The way he has given a new life to Jurists’ Rule theoretically and practically is quite obvious for all the intellectuals. Nevertheless, the Imām has always desired that this caravan of thoughts and views must march forward in conformity with the requirements of Time and Place, and this process should go on. The conditions he has enumerated for a jurist and a Mujtahid, though difficult to fulfill, are yet indispensable. His attitude towards the safeguard and exploitation of the great treasure of the predecessors, in view of its being balanced, shall always receive laurals by the pioneers of this field and those having a true understanding of Islam. In this regard, the following summary of his views incorporates some very important points:

"I believe in the traditional jurisprudence and the Jawāhiīn Ijtihād, and do not consider its violation to be permissible. This is the only correct way of Ijtihād. But it does not mean that there is no room for further development in the Islamic Jurisprudence. In Ijtihād, Time and Place occupy a decisive (fundamental) position. A Mujtahid should have all the problems of his time before him. An intelligent, wise and sagacious Mujtahid should have the competence to guide a great Islamic society, rather even a non-Muslim society. Sincerity, piety and abstinence which are the signs (or basic qualifications) of a Mujtahid should also be accompanied by the qualities of an administrator and an efficient manager.

"A true Mujtahid should have before him the whole corpus of Jurisprudence for judgment which comprehends all the sides of the practical philosophy.

"We should stand up to present the practical jurisprudence of Islam without being influenced by the deceitful West, transgressor East and the prevailing world diplomacy:
otherwise, as long as it is concealed in the books and the hearts of the 'Ulema, it shall pose any danger to the robbers.

*Ijtihād*, as used in today's technology, is not sufficient for administration of the society. The (Islamic Research) Centres and 'Ulema should always feel the pulse of the society thinking and its future requirements, and should be ready to react, taking a few steps forward before the occurrence of the events.

"It is not far from likelihood that the prevailing systems for the administration of the society may change, and the human societies may need the modern system of Islam for the solution of their problems. The great 'Ulema of Islam should be on the look-out for it right from now."

The English translation of *Tahrīr al-Vasīlah*, Vol. I of which is now being published has been accomplished by Dr. Sayyid Ali Reza Naqavi, former Professor of Shi'ah Jurisprudence, International Islamic University, Islamabad. Dr. Naqavi, who holds a Doctorate in Persian Language and Literature from Tehran University, has studied in the said discipline for about ten years, and has attended the classes of a number of prominent Professors of the University, such as Professors Forouzanfar, Jalāl Homā'ī, Pour-e Da'oud, Modarres Rezavi, Dr. Moqaddam, Dr. Khānlarī, Dr. Mo'īn, Dr. Yār Shāter, and Dr. Kiyā. During his stay in Iran he has also worked as a Sub-Editor in some of the leading English newspapers and magazines of Tehran. After his return to Pakistan, he has translated into English and published a number of important legal and juristic texts like Family Laws of Iran, Constitution of the Islamic Republic of Iran, Islamic Penal Laws of Iran, Interest-Free Banking Laws of Iran etc. He has compiled, single-handedly, the voluminous *Farhang-e Jāme'*, of Persian into English and Urdu. He has also translated *Iqtisādunā* (Vol. II), a monumental work on Islamic economic system by the late Allāmah Bāqir Şadr for Pakistan Institute of Development Economics, Quaid-i-Azam University, Islamabad. In view of these facts, there is no need to emphasize the competence, sincerity and commitment of Dr. Naqavi. Besides, his full command over English, Arabic, Persian and Urdu, his vast experience in research and teaching in the field of Shi'ah Jurisprudence, together with his special love and devotion for the late
Imām Khomeini, R.A., have served as the main stimuli for embarking on the colossal task of translating the works of the Imām into English. We pray to the Almighty Allāh for success in his important mission of introducing the valuable works of the Founder of the Islamic Republic of Iran to the universities and research centres of the English knowing world.

In the end, we request the honourable readers to let us benefit from their valuable views and suggestions for the collection, preservation, editing and translating the works of the Imām, particularly with regard to the present English translation of his Taḥnīr al-Vasīlah, as it is quite likely that even a single remark or opinion may serve as a source of guidance to a large number of people for time immemorial.

Sayyid Sirajuddin Mousavi,
Incharge-in-Chief,
International Affairs Wing,
Institute for Editing and Publication of Imām Khomeini’s Works
التقليد

إعلم أنه يجب على كل مكلف غير بالغ مرتبة الاجتهاد في غير الضروريات من عبادته و معاملاته ولو في المستحبات والمحابات أن يكون إما مقلداً أو معتقاً بشرط أن يعرف موارد الاحتياط، ولا يعرف ذلك إلا القليل، فعمل العلمي غير العارف بمواضع الاحتياط من غير تقليد باطل بتفصيل يأتي.

مسألة 1. يجوز العمل بالاحتياط ولو كان مستلزمًا للتكرار على الأقوى.

مسألة 2. التقليد هو العمل مستنداً إلى فتوى فقيه معين، وهو الموضوع للمسألتين الآتيتين، نعم ما يكون مصححاً للعمل هو صدوره عن حجة كفتي الفقيه وإن لم يصدق عليه عنوان التقليد، وسأني أن مجرد أنطقه عليه مصحح له.

مسألة 3. يجب أن يكون المرجع للتقليد عالماً عادلاً ورعاً في دين الله، بل غير مكب على الدنيا، ولا حريصًا عليها و على تحصيلها جاها و مالاً على الأحوط، و في الحديث «من كان من الفقهاء صائناً لنفسه حافظاً لديه مخالفاً لهواه مطيعاً لامرأ مولاه فللهيوم أن يقلدوه».

مسألة 4. يجوز العدول بعد تحقق التقليد من الحي الى الحي المساوي و يجب العدول إذا كان الثاني أعلم على الأحوط.
In the name of Allāh, the Compassionate, the Merciful.

SECTION ONE - RULES REGARDING TAQLID

Know that it is obligatory (Wājib) on a (Muslim) who is a Mukallaf (a sane and adult person bound to fulfil religious duties) and one who has not attained the status of a Mujtahid (a religious scholar who is competent to exercise his individual judgement on theological issues) to be a Muqallid (a Follower of a Mujtahid) or be a Muḥtāt (one exercising caution), provided that he has the knowledge about the cases in which caution is to be exercised, in matters other than essentials (Darūriyyāt) belonging to Ḳibārāt (matters of purely religious nature as prayers, fasting, Zakāt, Khums and Ḥajj) and Muāmalat (matters relating to public dealings), even if they belong to the category of Mustahabbāt (Desirable acts) or Mubāḥāt (Permissible acts), although there are a few who have knowledge of the cases of caution. So the acts of a person belonging to laity who has no knowledge of the cases where caution is to be exercised, except by way of following a Mujtahid, shall be void, according to the details given below.

Problem # 1. According to the stronger opinion, it is permissible to act cautiously, even if it requires the repetition of the act.

Problem # 2. Taqlīd means acting on the authority of the verdict of a particular jurist (Faqīh). It is used in this sense in the next two Problems. Indeed what bestows validity to an act is that it must be done on the basis of an authority, such as the verdict (Fatwā) of a jurist, even if the title of Taqlīd may not apply to it. It will presently follow that the mere correspondence of an act with the verdict of a jurist is sufficient to bestow validity to an act.

Problem # 3. The authority for Taqlīd must be a person who is learned (Ālim), Mujtahid, just (Ādil) and pious (Vāra) in matters regarding the divine faith, rather as a precaution, he must not be one, bowing himself before the world, nor avaricious of getting hold of mundane power and pelf. The (relevant) tradition says: « If a person from among the jurists is one protecting oneself (from evil), safeguarding the faith, resisting his temptations and submitting himself before the commandments of his Lord, then let the laity follow him."

Problem # 4. It is permissible to renounce the Taqlīd of one living (jurist) after adopting the Taqlīd of another living (jurist) of an equal status. To be more cautious, the renunciation is obligatory in case the latter is more learned (than the former).
مسألة 5 - يجب تقليد الأعلم مع الإمكان على الأحوط، و يجب الفحص عنه، وإذا تساوى المجتهدان في العلم أو لم يعلم الأعلم، فبإمكانه اختيار بينهما، وإذا كان أحدهما المنسي أو 개د أو أعدل فالواو والأحوط اختياره، وإذا ترد بين شخصين يحتل أعلمية أحدهما المنسي دون الآخر تقبله على الأحوط.

مسألة 6 - إذا كان الأعلم منحصراً في شخصين ولم يتمكن من تعيينه تعالى الأخذ بالاحتياط أو العمل بأحوط القولين منهما على الأحوط مع التمكن، ومع عدمه يكون غيرًا بينهما.

مسألة 7 - يجب على العامي أن يقلد الأعلم في مسألة وجوب تقليد الأعلم، فإن أنكر خشفه لا يجوز له تقليده غيره في المسائل الفرعية، وإن أنكر خشفه تقليد غيره غير بين تقليده و تقليده غيره، ولا يجوز له تقليد غير الأعلم إذا أقتني بعود وجوب تقليد الأعلم، نعم لا أنكره خشفه تقليد الأعلم يختبر الأخذ بقوله، لكن لامن جهة حجية قوله. بل يكون موقفاً للاحتياط.

مسألة 8 - إذا كان المجتهدان متساويين في العلم يختر العامي في الربوع إلى أيهما، كما يجوز له التباعض في المسائل بأخذ بعضها من أحدهما و بعضها من الآخر.

مسألة 9 - يجب على العامي في زمان الفحص عن المجتهد أو الأعلم أن يعمل بالاحتياط، و يكون في الفرض الثاني الاحتياط في فتوة الذين يحتل أعلميةهم، بأن يأخذ بأحوط أقوالهم.

مسألة 10 - يجوز تقليد المفضل في المسائل التي توافق فتوة فتوة الأفضل فيها، بل فيها لا يعلم تختلفها في الفتوة أيضاً.

مسألة 11 - إذا لم يكن للأعلم فتوة في مسألة من المسائل يجوز الرجوع في تلك المسألة إلى غيره مع رعاية الأعلم فلاالأعلم على الأحوط.

مسألة 12 - إذا قد من ليس له أهلية الفتوة ثم النفت وجب عليه العدول.
Problem #5. To be more cautious, as far as possible, it is obligatory to follow the most learned jurist (A'lam), and it is also obligatory to make a search for him. If two Mujtahids are equal in knowledge, and it is not known as to which one of them is more learned, one is free to select either of them. If one particular Mujtahid of the two is more pious or more just, then it would be more appropriate and more cautious to select him. In case a person has hesitation in making a choice between two persons, while there is likelihood of one of them being more learned than the other, then it would be more cautious to specify him for his Taqlid.

Problem #6. If two persons are exclusively more learned, and one is not able to determine (as to which one of them is more learned than the other), he should make a choice by way of caution, or it would be more cautious to act upon the more cautious opinion of the two (jurists) in case he is able to do so. In case of his inability to do so, he is at liberty to make a choice between both of them.

Problem #7. It is incumbent on a common man to follow the most learned jurist in so far as the obligation to follow the most learned jurist is concerned. So if the most learned jurist gives a verdict for the obligation of his Taqlid, it would not be permissible for the common man to follow another jurists in matters of secondary importance. In case, however, the most learned jurist gives verdict in favour of permissibility of following a jurist other than the most learned, then the common man would be at liberty to make a choice between his Taqlid and that of the other. It would, however, not be permissible for a common man to follow a jurist other than the most learned in case the jurist other than the most learned gives a verdict in favour of non-obligation of the Taqlid of the most learned jurist. Of course, if a jurist other than the most learned gives a verdict in favour of the obligation of Taqlid of the most learned, it would be permissible to act upon his opinion, but not as its being a (final) authority, but rather his opinion being in conformity with caution.

Problem #8. In case there are two Mujtahids of equal learning, the common man would be at liberty to refer to either of them (for guidance), as also it would be permissible for him to follow one of them in some cases and follow another in other cases.

Problem #9. It is obligatory for a common man to act with due caution during his search for the Mujtahid or an A'lam (the most learned jurist). In the second case (i.e. the search for an A'lam), it is sufficient to exercise caution while acting on the verdict of those in whose case there is likelihood of their being A'lam, and that he should accept their most cautious statements.

Problem #10. It is permissible to act upon the verdict of a non-A'lam Maljul,(one who is excelled by another), in matters where his verdict agrees with that of the A'lam ,but also in matters where he is not aware of any difference between the verdicts of the two.

Problem #11. If, in a matter, there is no verdict of an A'lam, it would be permissible to refer that matter to a Mujtahid other than the A'lam, however, observing the order of succession from the more learned to less learned.

Problem #12. If a person follows someone who is not competent to issue a verdict, and later comes to realise the fact, it would be obligatory on him to revert to someone who is competent. Similarly, if a person follows a non-A'lam, as a precaution, it would be obligatory on him to
و كذا إذا قلد غير الأعلم وجب العدول الي الأعلم على الأحوط و كذا إذا قلد الأعلم ثم صار غيره أعلم منه على الأحوط في المسائل التي يعلم تفصيلاً مخالفتها فيها في الفرضين.

مسألة 13 - لا يجوز تقليد الميت ابتداءاً، نعم يجوز البقاء على تقليده بعد تحقيقه بالعمل ببعض المسائل مطلقاً و لو في المسائل التي لم يعمل بها على الظاهر، و يجوز الرجوع إلى الحي الأعلم، والرجوع أحوط، ولا يجوز بعد ذلك الرجوع إلى فتوى الميت ثانياً على الأحوط، ولا إلى حي آخر كذلك إلا إلى أعلم منه، فإنه يجب على الأحوط، و يعتبر أن يكون البقاء بتقليد الحي، فلو بقي على تقليد الميت من دون الرجوع إلى الحي الذي يفيتي بجوز ذلك كان كمن عمل من غير تقليد.

مسألة 14 - إذا قلد مجدداً ثم مات فقد غيروه ثم مات فقلد في مسألة البقاء على تقليد الميت من يقل بوجب البقاء أو جوازه فهل يبق على تقليد المجتمد الأول أو الثاني ؟ الأظهر البقاء على تقليد الأول إن كان الثالث قالا بوجب البقاء، و يتخير بين البقاء على تقليد الثاني والرجوع الى الحي إن كان قائلًا بجوزه.

مسألة 15 - الماذون والوكيل عن المجتمد في التصرف في الأوقاف أو الوصايا أو في أموال القصر يعزل بوجب المجتمد، و أما المنصوب من قبل بأن نصبه متوليً للوقوف أو قا على المصر فلا يبعد عدم تعيينه، لكن لا ينبغي ترك الاحتفاظ بتحصيل الاجازة أو المنصب الجديد للمتصدرين من المجتمد الحي.

مسألة 16 - إذا عمل عملاً من عبادة أو عقد أو إبقاء على طبق فتوى من يقلده فات ذلك المجتمد فقلد من يقول ببطلانه يجوز له البقاء على صحة الأعمال السابقة، ولا يجب عليه إعادتها، ن وحث عليه فإنه يأتي العمل بفيض فتوى المجتمد الثاني.

مسألة 17 - إذا قلد مجدداً من غير فحص عن حاله ثم شك في أنه كان جامعاً للشروط وجب عليه الفحص، وكذا لوقطع بكونه جامعاً لها ثم شك في ذلك
revert to the *A‘lam*. As a precaution, the same would be the rule, if a person follows an *A‘lam*, and (later) someone else turns out to be more learned than that *A‘lam*, as regards matters in which the person has knowledge in detail of their disagreement in both cases.

**Problem # 13.** It is not permissible to follow initially a deceased (*A‘lam*). Of course, it is permissible to continue his *Taqīd* in some matters absolutely on which he has acted upon [during his lifetime], and apparently even in matters on which he has not acted upon [during his lifetime]. As a precaution, however, it is permissible to revert to a living *A‘lam*, and this reversion is in conformity with the most cautious opinion. As a precaution, it is not permissible subsequently to revert to the verdict of the deceased (*A‘lam*). Similarly, it is not permissible to revert to another living jurist, except when the latter is more learned than the former, because, according to the more cautious opinion, it is obligatory to shift over to the more learned (*Mujtahid*). It is (more) reliable for a person to continue to follow a living (*A‘lam*), [rather than to follow a deceased *A‘lam*]. If a person continues to follow a deceased *Mujtahid*, without shifting over to a living one, according to whose verdict it is permissible to continue to follow a deceased *Mujtahid*, it would be as if the person is acting without *Taqīd*.

**Problem # 14.** If a person adopts the *Taqīd* of a *Mujtahid*, and the *Mujtahid* dies, and then the person adopts the *Taqīd* of another *Mujtahid*, and he also dies, then as regards the problem of continuing to follow the deceased *Mujtahid* who favours the obligation or permissibility of continuing to follow the deceased *Mujtahid*, then would he continue to be under the *Taqīd* of the first or the second *Mujtahid*? Apparently, he would continue to be under the *Taqīd* of the first *Mujtahid* if the third *Mujtahid* is in favour of the obligation of the continuance [of the *Taqīd* of the first *Mujtahid*], or he may opt either to continue to follow the second *Mujtahid* or shift over to the living one, in case the (third) *Mujtahid* is in favour of its permissibility.

**Problem # 15.** If a person enjoys the permission or authority issued by a *Mujtahid* regarding the appropriation of property relating to [charitable] endowments or bequests or legally interdicted persons, he shall cease to enjoy the permission or authority following the death of the *Mujtahid*. If a person has been appointed a custodian of property belonging to a [charitable] endowment or an interdicted person, then it is not far from likelihood that he shall not be removed [from the custodianship], but it is a caution which should not be given up that a fresh permission must be obtained or a new appointment [of a custodian] made by a living *Mujtahid*.

**Problem # 16.** If a person acts according to the verdict of the *Mujtahid* whom he follows, in case of worship (*Ibādah*), contract or unilateral obligation, and then the *Mujtahid* (whom he followed) dies, and he adopts the *Taqīd* of another *Mujtahid*, according to whose verdict those acts are void, his former acts shall be valid on the basis of the validity of those acts, and he shall not be required to perform those acts again, though he shall be required to perform his future acts according to the verdicts of the second *Mujtahid*.

**Problem # 17.** If a person adopts the *Taqīd* of a *Mujtahid* without due investigation, and subsequently has doubts about the *Mujtahid*’s possessing all the necessary qualifications, it will be obligatory on him to carry out the necessary investigations. Similarly, if a person believes in
على الأحوط، وأما إذا أحرز كونه جامعاً لا شكل في زوال بعضها عنه كالعدلات والاجتهاد لا يجب عليه الفحص، ويجوز البناء على بقاء حالته الأولى. مسألة 18 - إذا عرض للمجتهد ما يوجب فقده للشرعات من فسق أو جنون أو نسيان يجب العدول إلى الجامع لها، ولا يجوز البقاء على تقليدها، كما أنه لوقل من لم يكن جامعاً للشرعات ومضى عليه برده من الزمان كان كمن لم يقلد أصلاً، فحالة حال الجاهل القاصر أو المقرر.

مسألة 19 - يثبت الاجتهاد بالاختبار وبالشبع الفيد للعلم وشهادة العدلين من أهل الخبرة، وعندما يلزم، ولا يجوز تقليده من لم يكلد بالمرتبة الاجتهاد وإن كان من أهل العلم، كما أنه يجب على غير المجتهد أن يقلد أو يحتاط وإن كان من أهل العلم وقريباً من الاجتهاد.

مسألة 20 - يوجب الجاهل القاصر المكتنف من دون تقليد بطل، إلا إذا أثبت به برجاء درك الواقع وانطباق عليه أو على فتوى من يجوز تقليده وفروض عمل الجاهل القاصر أو المقرر الغافل مع تقديم قصد القرية صحيح إذا طابق الواقع أو فتوى المجتهد الذي يجوز تقليده.

مسألة 21 - كيفية أخذ المسائل في المجتهد على أ numérique ثلاثة.

مسألة 22 - إذا اختالف ناقلاً في نقل فتوى المجتهد فالأقوى تساقطها مطلقاً، سواء تساوا في الوثيقة أم لا، فإذا لم يكن الرجوع إلى المجتهد أو رسالته يعمل بها وافق الاحترام من الفتوين أو يعمل بالاحترام.

مسألة 23 - يجب تعلم مسائل الشك والجهد وغيرها مما هو محل الابتلاء غالبًا، إلا إذا أطمأن من نفسه بعدم الابتلاء بها، كما يجب تعلم أجزاء العبادات.
full competence of a Mujtahid, and later starts doubting it, it shall be obligatory on him to make necessary investigations. Likewise, if a person believes in full competence of a Mujtahid and then, as a precaution, starts doubting the comprehensiveness of his competence, or when he believes him to be fully competent, and later starts suspecting him to have lost some of the qualities, like honourable record (Adālat) and Ijtihād (competence to issue verdict in religious matters), it shall not be obligatory on him to make necessary investigation, and it shall be permissible for him to continue according to his previous position.

Problem # 18. If the Mujtahid suffers something which leads to the loss of qualification for issuing verdict, such as moral depravity (Fisq), insanity, or amnesia (Nisyān), it is obligatory on his followers to shift over to a Mujtahid who possesses those qualities, and it is not permissible for them to continue his Taqīd, because it would be as if a person had been following someone devoid of full competence and continued to do so for some time, so that he would be like one who has not adopted Taqīd of any Mujtahid at all, and his position would be like one who is negligent deliberately or inadvertently.

Problem # 19. Ijtihād (Competence to issue verdicts in religious matters) is established by personal investigation, favourable reputation about the person’s erudition and by the testimony of two well informed persons or experts. The same rule applies to the establishment of an Aā lam. It is not permissible to adopt the Taqīd of a person about whom there is no knowledge of his having attained the status of a Mujtahid, even if he is one of the learned persons, in the same way as it is obligatory on a person other than a Mujtahid to follow a Mujtahid or act upon caution, even though he be one of the learned persons or close to Ijtihād (or competence to issue verdicts in religious matters).

Problem # 20. The acts of a deliberately negligent person without following [a Mujtahid], who is conscious of his negligence, are void, except with the hope that he would attain the factual position, or his acts happen to be in accordance with the factual position or the verdict of a person whom it is permissible to follow. The same rule applies to the acts of a negligent person acting deliberately or inadvertently with the intention of reaching close to the correct position, in case they are in accordance with the factual position or the verdict of a Mujtahid whom it is permissible to follow.

Problem # 21. There are three ways of adopting the opinion of a Mujtahid on different issues:

1. Listening to the opinion from the Mujtahid himself.

2. Narration by one or two morally sound (Adl) persons about the Mujtahid’s opinion or about [his opinion given in] his Risālah (the booklet containing the Mujtahid’s verdicts on different issues), provided that it is free from [typing] errors; rather, the narration by a single person would be sufficient, if he happens to be one whose statement is relied upon.

3. Consulting the Mujtahid’s Risālah, provided that it is free from [typing] errors.

Problem # 22. If two narrators disagree while narrating the verdict of a Mujtahid, then, according to the stronger opinion, the statements of both of them should be dropped absolutely, irrespective of the fact whether both of them were equal in trustworthiness or not. If it is not possible to refer to the Mujtahid himself or his Risālah, the person should act according to what is in conformity
و شرائحها وموانعها ومقدماتها، نعم لعلماء أقامه أن عمله واجب لجميع الأجزاء والشرائط وواقف للموانع صح وإن لم يعلم تقضياء.

مسألة 24 - إذا علم أنه كان في عباداته بلا تقليد مدة من الزمان ولم يعلم مقداره فان علم بكيفيتها وموافقتها لفتوة المجتهذ الذي رجع إليه أو كان له الرجوع إليه فهو، إلا يقضي الأعمال السابقة بقuard المعلم بالاشتغال، وإن كان الأحمر أن يقضي بأقدار يعلم منه بالقراءة.

مسألة 25 - إذا كان أعماله السابقة مع التقليد ولا يعلم أنها كانت عن تقليد صحيح أم فاسد بني على الصحة.

مسألة 26 - إذا مضت مدة من بلوغه وشك بعد ذلك في أن أعماله كانت عن تقليد صحيح أم لا يجوز له البناء على الصحة في أعماله السابقة وفي اللاحظة يجب عليه التنصيف فعلاً.

مسألة 27 - يعتبر في المفتى والقاضي العدالة، وثبت بشهادة عدل، و بالمعاشرة المفيدة للعلم أو الاطمئنان، و بالشائع المفيد للعلم، بل تعرف بحسن الظاهر و مواطنة على الشرعيات والطاعات و حضور الجماعات و نحوها، والظاهر أن حسن الظاهر كافى تعبي ولا يدخل منه الظن أو العلم.

مسألة 28 - العدالة عبارة عن ملكة راسخة باعثة على ملازمة التقوى من ترك الخمور والفعل الواجب.

مسألة 29 - تزول صفة العدالة حكماً بارتكاب الكبائر أو الاصرار على الصغر، بل بارتكاب الصغر على الأحمر، و تعود بالتوية إذا كانت الملكة المذكورة باقية.

مسألة 30 - إذا نقل شخص فتوى المجتهذ خطأ يجب عليه إعلام من تعلم منه.

مسألة 31 - إذا اتفق في أثناء الصلاة مسألة لا يعلم حكماً ولم يتمكن حينئذ من استعمالها به على أحد الطرفين بقصد أن يسأل عن الحكم بعد الصلاة و أن
with caution in both the verdicts, or should himself act cautiously.

Problem # 23. It is obligatory to have knowledge about the problems of doubts, omissions, and the like, which occur generally, except when one is sure of not facing such problems, in the same way as it is obligatory to have the knowledge of the different constituents, conditions, obstacles and preliminaries of Ḳādāt (religious observances). Of course, it would be all right if a person knows in short that his act contains all the necessary elements, fulfills all the conditions and is free from all the obstacles, even if he has not a detailed knowledge.

Problem # 24. If a person knows that for some time he had performed his Ḳādāt (acts of worship) without following a Mujtahid, but does not know the exact period of time, if he knows the nature of the Ḳādāt (acts of worship) and their agreement with the verdict of the Mujtahid to whom he has referred, or to whom he intends to refer, then it would be all right; otherwise, he shall be required to make up for his previous acts as far as he knows about their performance, though it would be more cautious if he makes up to the extent that he is convinced of his full atonement.

Problem # 25 If his previous acts were performed by way of Taqffid, but he does not know whether it was a valid or invalid Taqffid, they would be considered to have been performed by way of a valid Taqffid.

Problem # 26. If a period of time has passed since a person has attained legal maturity (Bulugh), and he has doubts whether his acts had been performed by way of a valid Taqffid or not, his previous acts shall be considered valid, though he shall be required to perform his future acts in the valid way.

Problem # 27. ʿAdālat (Moral soundness) is a condition for a Mufti (one giving a Fatwâ or a formal legal opinion) and a Qāṭi (Magistrate, or Judge). It is established by the testimony of two morally sound persons, association producing knowledge and confidence, or favourable reputation about his knowledge; rather, a man may be known by his good appearance and his regularity in the performance of the acts required by the Islamic canon law (Shariʿat), obedience to divine commands (Ṭāʿat), attendance in social gatherings, and the like. Apparently a good appearance is an unquestionable sign of moral uprightness, though it does not produce (good)opinion or (absolute) knowledge.

Problem # 28. ʿAdālat consists of a permanent trait of character which produces constant adherence to piety through avoidance of what is forbidden and performance of what is obligatory.

Problem # 29. The quality of ʿAdālat is virtually lost by commission of the major sins and persistence in the commission of the venial sins; rather, according to the more cautious opinion, even by the commission of the venial sins. However it is restored by resorting to penitence if the said trait of character subsists.

Problem # 30. If a person erroneously narrates the verdict of a Mujtahid, it is obligatory on him to inform all those to whom he had narrated the verdict [about his error].

Problem # 31. If a problem crops up during the performance of prayers, the actual rule about which is not known to the person, and it is not possible for him to enquire about it at that time, he
يذهبًا إذا ظهر كون المتأتي به خلاف الواقع، فلو فعل كذلك فظهرت الطابقة صحت صلاته.

مسألة 37 - الوكل في عمل عن الغير كإجراء عقد أو إيقاع أو أداء خمس أو زكاة أو كفارة أو نحوها يجب عليه أن يعمل بقتضى تقليد الموكل لا تقليد نفسه إذا كانا مخاطبين، وأما الأجيز عن العصي أو الوالي في إيتان الصلاة و نحوها عن الميت فالآقوصي لزوم مراعاة تقليده لا تقليد الميت ولا تقليدها، وكذا لو أتي الوصي بحالة أو استيجارًا يجب عليه مراعاة تقليديه لا تقليد الميت، وكذا الوالي.

مسألة 37 - إذا وقعت معاملة بين شخصين وكان أحدهما مقلاً من يقول بصحبه والآخر مقلاً من يقول ببطلانها يجب على كل منهما مراعاة فتوى محتدها، فلو وقع النزاع بينها يترافعان عند أحد المجتهدين أو عند مجتهد آخر، فبحكم بينهما على طبق فتواه وينفذ حكمه على الطرفين، وكذا الحال فيما إذا وقعت إيقاع متعلق بشخصين كالطلاق والعتق و نحوهما.

مسألة 34 - الاحتياط المطلق في مقام الفتوى من غير سابق فتوى على خلافه أو حكمه كذلك لا يجوز تركه، بل يجب إما العمل بالاحتياط أو الرجوع إلى الغير الأعلم فلاعلم، وأما إذا كان الاحتياط في الرسائل العملية مسوباً بالفتوه على خلافه كما لو قال بعد الفتوى في المسألة: و إن كان الأحوط كذا، أو ملحوظة بالفتوه على خلافه كأن يقول: الأحوط كذا و إن كان الحكم كذا أو و إن كان الأقوى كذا، أو كان مقروناً بما يظهر منه الاستجواب كأن يقول: الأول والأحوط كذا جاز في المواد الثلاثة ترك الاحتياط.
shall act according to one of the two alternatives [i.e., discontinue the prayers or complete it] with the intention of enquiring about the actual rule after the prayers. Now, if it turns out that he has not acted according to the actual rule, he shall be required to perform the prayer again, but if it transpires that he had acted upon the actual rule, his prayers shall be considered valid.

**Problem # 32.** It is obligatory on an agent acting on behalf of another in acts like a contract, unilateral obligation, payment of Khums, Zakāt, or expiation, or the like to act in the way required according to the Taqlīd (of the Mujtahid) of his client and not according to the Taqlīd (of his own Mujtahid), in case they are following different Mujtahids. As regards a person hired by an executor or administrator for offering prayers or the like on behalf of the deceased, according to the stronger opinion, it is necessary for him to observe what is required by the Taqlīd (of his own Mujtahid) and not that of the deceased, nor according to the Taqlīd (of the Mujtahid) of the executor or administrator. In like manner, if the executor does something voluntarily or on hire, it is obligatory on him to comply with the conditions of the Taqlīd (of his own Mujtahid) and not that of the deceased. The same rule shall apply in case of an administrator (who does something on behalf of the deceased).

**Problem # 33.** If a transaction takes place between two persons, one of the parties to which is a follower of a Mujtahid in whose opinion such transaction is valid, while the other party follows a Mujtahid in whose opinion it is void, it is obligatory on both of them to follow the opinion of their respective Mujtahids. If a dispute takes place between the two parties, the issue shall be referred to one of their two Mujtahids or a third one, who will decide the matter according to his own verdict, and his judgement shall be accepted by both the parties. The same rule shall apply in case of a unilateral obligation belonging to two parties, such as a dissolution of marriage or manumission (of a slave), or the like.

**Problem # 34.** An absolute caution is not permissible to be dropped in case of a verdict before which a verdict in favour or against it has not been issued. Rather, it is obligatory to act by way of caution, or refer the matter to another Mujtahid in order of succession according to his superiority in knowledge. If, however, in the Rasa’il-e Āmalīyyah (Instruction Books of Mujtahids for their respective Followers) the word “Caution” has been used after a verdict which is contrary to the verdict, for example, if, after the verdict on a matter, it is said: “Though it is more cautious to do so and so:”, or subsequent to a verdict it is said, contrary to the verdict: “The more cautious opinion is such and such, although the rule in this case is such and such”, or “though the stronger opinion in this case is such and such”, or close to the verdict there are words carrying approbation (Istihbāb), as (for example) it is said: “The better or more cautious opinion is such and such”, in all these three cases, it is permissible to drop caution.
كتاب الطهارة
فصل في المياه
الماء إما مطلق أو مضاف كالمعتصر من الأجسام، كياء الرقيق والرمز، والممزوج بغيره مما يخرج عن صدق اسم الماء، كياء السكر والملح والمطلق.
أقسام: الجاري والتتابع غير جريان والبئر والطير والواقف، ويقال له: الراكد. 
مسألة ۱ - الماء المضاف طاهر في نفسه، وغير مظهر لا من الحديث ولا من الحنين، ولولا ꝱقرأ نفیاً ينجس جميعه ولو كان ألف كر، نعم إذا كان جارياً من العالي إلى السفلي، ولو بنحو الأخدار مع الدفع بقوة ولا في أسفله النجاسة تختص بوضع الملاقاة وما دونه، ولا تسري إلى الفوق.
مسألة ۲ - الماء المطلق لا يخرج بالتصعيد عن الاظلاق، نعم لو مزج معه غيره وصدرب را بصر مضافاً، كياء الورد ونحوه، كما أن المضاف المصعد قد يكون مضافاً، والنماط هو حال الاجتماع بعد التصعيد، فربما يكون المصعد الأجزاء المائية وبعد الاجتماع يكون ماءاً مطلقاً، وربما يكون مضافاً.
مسألة ۳ - إذا شك في مائع أنه مطلق أو مضاف فان علم حالته السابقة يبنى عليها إلا في بعض الفروض، كالشبهة المفهومة والشك في بقاء الموضوع، وإن لم يعلم حالته السابقة فلا يرفع حدثاً ولا خبثاً، وإذا لاقى النجاسة فان كان قليلاً
SECTION TWO - DEALING WITH CLEANLINESS (TAHĀRAT)

Chapter on Water

Water is either Pure (Unmixed) or Mixed.

A Mixed water is the water which is extracted from something else, such as a watermelon or a pomegranate, or water mixed with something else in a way that it ceases to be called water, like water mixed with sugar or salt.

A Pure water has the following kinds: running water, water gushing forth [from a spring] but not flowing, well water, rain water and standing water called stagnant water.

**Problem # 1.** A mixed water itself is clean, but does not clean [anything spoiled by] feces or refuse, and if some unclean thing is mixed with it, it becomes totally unclean, even if it was itself in a quantity of a thousand Kurs.

Of course, if a mixed water falls down with force from upward even if the place is in the form of a slope (or ditch) and something unclean unites with it in the lower part, the uncleanness shall be limited exclusively to (the water in) that place of union without affecting the upper part.

**Problem # 2.** A pure water does not cease to be pure by evaporation. Indeed, if something else like rose water or the like, is mixed with it, and then it evaporates, sometimes it becomes mixed, in the same way as a mixed water continues to be mixed water even after evaporation. The criterion in such cases is the condition the mixed water takes once it sets in again after the evaporation, so that sometimes the evaporating water consists of constituents of water, and so after setting in again, it becomes pure water, while at times it becomes mixed water.

**Problem # 3.** If there is some doubt about a liquid as to its being pure or mixed, then if its previous condition is known, it will continue to be so, except in some cases, as the doubt about its sense or the doubt about the continuity of the condition. If its previous condition is not known, it shall clean neither (things spoiled by) feces nor by refuse. If it is mixed with something unclean, then, if it is in a small quantity, it will become totally unclean, but if the [original] liquid is in a large quantity, then apparently it shall fall under the category of clean.
ينجس قطعاً، وإن كان كثيراً فالأظهر أنه يحكم بطهارته.

مسألة 4 - الماء المنطق يجمع أقسامه ينجلس في إذا تغير بسبب ملاقاة النجاسة أحد أوصافه: اللون والطعم والرائحة. لا ينجلس فيها إذا تغير بالمجاورة كا إذا كان قريباً من جبله فصار جافاً، نعم إذا وقعت الجيفة خارج الماء.

وقع جزء منها فيه وتغير بسبب المجموع من الداخل والخارج ينجلس.

مسألة 5 - يعتبر تأخر الماء بأوصاف النجاسة لا ينجلس، فإذا أحضر الماء بالبق المتنجس لا ينجلس إذا كان كرآ أو جارياً أو نعوها.

مسألة 6 - المناط تغير أحد الأوصاف الثلاثة بسبب النجاسة، وإن كان من غير شنخ النجس، فلو صغر الماء مثلًا بوقوع الدم فيه ينجلس.

مسألة 7 - لو وقعت في الماء المعتصم منتجلس حامل لوصف النجس بوقوعه فيه ففيت بوصف النجس لم ينجلس على الأقوى، كما إذا وقعت ميتة في ما ففيت ريجه ثم أخرجته منه وصب ذلك الماء في كر فيت ريجه، نعم لوح منتجلس أجزاء النجس فتغيّر المعتصم بها ينجلس.

مسألة 8 - الماء الجاري وهو النابع السائل لا ينجلس مثل ملاقاة النجس كثيراً كان أو قليلاً، يليح به النابع الواقف كبعض العيون، وكذلك البهر على الأقوى، فلا ينجلس الماء المزبورة إلا بالغيث.

مسألة 9 - الراشد المتصل بالجري حكمة حكمة الجاري، فالغيث المتصل بالنهر بساقية ونحوها كالنهر، وكذا أطراف النهر وإن كان ماؤها واقفاً.

مسألة 10 - يظهر الجاري وما في حكمة لو ينجلس بالغيث إذا زال تغيره ولو من قبل نفسه وامتزاج المعتصم.

مسألة 11 - الراشد بلا مادة ينجلس مثل ملاقاة النجاسة إذا كان دون الكر، سواء كان وارداً عليها أو موروداً، يظهر بالامتزاج بالجراء معتصم كالجري والكر وما المطر، والأقوى عدم الاكتفاء بالاتصال بلا امتزاج.
Problem # 4. A pure water of any kind shall become unclean if any of its properties like colour, taste or odour is changed as a result of being mixed with something unclean. But if the change takes place due to the proximity of something unclean, as due to the proximity of a dead body it starts stinking, it shall not become unclean. Of course, if the dead body falls outside the water, and a part of it falls into the water, and consequently the entire interior and exterior of the water is changed, it will become unclean.

Problem # 5. The criterion is the influence of the characteristics of pollution on the water, and not the polluting thing, so that if the water turns red due to the polluting brazilwood, it does not become unclean if it is in the quantity of a Kur, or it is running water, or the like.

Problem # 6. The condition is the change of one of the three characteristics due to pollution, even if it is not one of the originally unclean objects, so that if the water becomes yellow due to falling of blood into it, it would become unclean.

Problem # 7. If something polluted which possesses the characteristic of being unclean due to falling into it falls into clean water so that it changes the water by the characteristic of being unclean, it does not become unclean according to the stronger opinion, as, for example, if some dead body falls into the water changing its odour, and then the dead body is taken out of water, then the water is thrown into a Kur changing its odour. If, however, the polluted thing carries pieces of the unclean thing and consequently the clean water is changed thereby, it would become unclean.

Problem # 8. A running water which is a springing, flowing water, does not become unclean by encountering something unclean whether it is in a small or large quantity.

The same rule applies to the springing, standing water, such as some spring. The same rule shall also apply to a well, according to a stronger opinion.

In all the above cases, the water does not become unclean except when it is changed (due to uncleanness).

Problem # 9. A stagnant water, connected with a running water, shall be governed by the rule applicable to a running water, so that a pool connected with a river by a waterway or pipe or the like is like the river.

The same rule shall apply to the banks of the river, even if their water is standing.

Problem # 10. A running water or what falls under its category becomes clean even if it becomes unclean by change, when its change is removed, whether by itself or by mixing with clean water.

Problem # 11. A stagnant water without a source becomes unclean by encountering something unclean if it is in a quantity less than a Kur, whether water enters the unclean thing or the unclean thing enters it. But it shall become clean by mixing with clean water like running water, water in the quantity of a Kur or rain water.

According to the stronger opinion, mere union without mixture is not sufficient.
مسألة ١٣ - إذا كان الماء قليلًا و شك في أن له مادة أم لا فإن كان في السابق ذا مادة و شك في انقطاعها يبنى على الحالة الأولى، و إلا فلأ، لكن مع ملاقاتة للнежاسة يحكم بتطهيره على الأقوى.

مسألة ١١ - الراكد إذا بلغ كرآ لا ينجس بالملاقاة إلا بالتغيير، و إذا تغير بعضه فان كان الباقى مقدار كر يبقى غير المتغير على طهارته، و يظهر المتغير إذا زال تغيره بالامتزاج بالكر الباقى، وإذا كان الباقى دون الكر ينجس الجميع.

مسألة ١٤ - للكر تقديران: أحدهما يحسب الوزن، و هو ألف و مائتا رطل عراقي، و هو يحسب حصة كر بلاء والنفع المفردتين. و هي عبارة عن تسعة أمتار و ثلاتين متقالاً و ثلث متقال - خمس و ثمانون مثقال وربع ونصف وربع بقالي و متقالان ونصف مثقال صغير، و يحسب حصة إسلامبول - هي مائتان وثمانون متقالاً - مائتان حصة واثنتان وتسعون حصة ونصف حصة، و يحسب المائة الشاهى - هو ألف و مائتان وثمانون متقالاً - يصير أربعة وستين مناً إلا عشرين متقالاً، و يحسب المائة الترابي يصير مائة وثمانية وعشرين مناً إلا عشرين متقالاً، و يحسب من البحري - هو أربعون سيراً، و كل سير سنة متقالاً - يصير تسعة وعشرين مناً وربع من و يحسب الكيلو المتعارف.

١٣٨٤ (الآعشرين متقالاً) و ١٢٥٣٩٠٦٩٣٨٣ غراماً على الأقرب.

ثانيهما: يحسب المساحه، وهو ما بلغ ثلاثين وأربعين شباراً إلا ثمين شبر على الأحواط، بل لا يخلو من قوة.

مسألة ١٥ - الماء المشكوك كرته إن علم حالته السابقة يبنى على تلك الحالة، و إلا فالأقوى عدم نجسه بالملاقاة وإن لم يجر عليه سائر أحكام الكر.

مسألة ١٦ - إذا كان الماء قليلًا فصار كراً وقد علم ملاقاته للنجاسة ولم يعلم سباق الملاقاة على الكرة أوالعكس يحكم بتطهيره، إلا إذا علم تاريخ الملاقاة دون الكرة، وأما إذا كان كراً فصار قليلًا وقد علم ملاقاته للنجاسة ولم يعلم
Problem # 12. If there is a little water [i.e., in a lesser quantity than a Kur], and there is doubt whether it had some source or not, so if it had previously a source, and now there is doubt about its disconnection, it shall be governed by its previous position, otherwise not.

If, however, the little water receives something unclean, according to the stronger opinion, it shall be treated as clean.

Problem # 13. A stagnant water which reaches the quantity of a Kur shall not become unclean by encountering something unclean, except when it is changed. If, however, it is partly changed, then, if what remains unchanged is in a quantity of a Kur, it shall remain clean, and the changed part shall also become clean by mixing with the remaining unchanged part that is in a quantity of a Kur.

If what is left is not upto the quantity of a Kur, the whole shall be rendered unclean.

Problem # 14. A Kur is measured in the following two ways:

Firstly, by weighing, so that it is one thousand and two hundred Iraqi Ra‘îs, or eighty five Hûqqahs of Karbala’ and Najaf (a Hûqqah of Karbala and Najaf=933 1/3 Mithqâls), or ¾ Baqqâls, or 2 ¼ Shayrâf Mithqâls, or 292 ¼ Hûqqahs of Istambûl (a Hûqqah of Istambûl = 280 Mithqâls), 64 Shâhî Maunds – 20 Mithqâls (A Shâhî Maund = 1280 Mithqâls), or 128 Tabrizî Maunds – 20 Mithqâls, or 29 1/4 Maunds of Bombay (a Bombay Maund = 40 Seers, a Seer = 70 Mithqâls), or 384 Kilograms of today – 20 Mithqâls or 383906.25 grams approximately.

Secondly, measuring by volume, so that a Kur = 43 7/8 spans of the hand, according to the more cautious opinion; rather the opinion is not without force.

Problem # 15. If there is doubt about an amount of water being upto the quantity of a Kur, then if there is knowledge about its previous position, it shall continue to enjoy the same position.

In case its previous position is not known, according to the stronger opinion, it shall be rendered unclean by uniting with something unclean, even if all the rules of a Kur water are not applicable to it.

Problem # 16. If the water is little (less than the quantity of a Kur), and then attains the quantity of a Kur, and it is known that it has touched something unclean, but it is not known whether it touched the unclean thing before or after attaining the quantity of a Kur, it shall be declared clean, except when its date of pollution is known without the date of its attaining the quantity of a Kur.

[Conversely], if a water was upto the quantity of a Kur, and later it falls short of that quality, and it is known that it has touched something unclean, but it is not known whether it was prior or subsequent to its falling short of the quantity of a Kur, it shall be declared clean, even in case the date of its falling short of the quantity of a Kur is known.
سبق الملاقاة على القلة أو العكس فالاظاهر الحكم بطهارته مطلقاً حتى في إذا علم تاريخ القلة.

مسألة 17 - ماء المطر حال نزوله من السياء كالجاري فلا ينجب ما لم يتغير، والأحوط اعتبار كونه بقدر يجري على الأرض الصلبة، وإن كان كفاية صدق المطر عليه لا يخلو من قوة.

مسألة 18 - المراد باء المطر الذي لا ينجب إلا بالتغير القطرات النازلة والمجمع منها تحت المطر حال تقاطره عليه، وكذا المجمع المتصل بما يتقاطر عليه المطر، فالماء الجاري من الميزاب تحت سقف حال عدم انقطاع المطر كالماء المجمع فوق السطح المتقاطر عليه المطر.

مسألة 19 - يظهر المطر كل ما أصابه من المنتجات القابلة للتطهير من الماء والأرض والفرش والأواني، والأقوى اعتبار الامتزاج في الأول ولا يحتاج في الفرش و نحوه إلى العصر والتعدد، بل لا يحتاج في الأولي أيضا إلى التعدد، نعم إذا كان متنجاً بلوغ الكلب فالاوقى لزوم التعفير أولا. ثم وضع تحت المطر، فإذا نزل عليه يظهر من دون حاجة إلى التعدد.

مسألة 20 - الفراش النجس إذا وصل إلى جبعة المطر ونفذ في جبعة يظهر ظاهرا و باطناً، لو أصاب بعضه يظهر ما أصابه، لو أصاب ظاهره ولم ينفذ فيه يظهر ظاهره فقط.

مسألة 21 - إذا كان السطح نجسا فنفذ فيه الماء و تقاطر من السقف حال نزول المطر يكون ظاهراً وإن كان عين النجس موجوداً على السطح و كان الماء المتقاطر ماراً عليها، وكذلك المتقاطر بعد انقطاع المطر إذا احتتم كونه من الماء المحتبس في أعماق السقف أو كونه غير مار على عين النجس ولا على ما نتجس بها بعد انقطاع المطر، و أما لو علم أنه من المار على أحدها بعد انقطاعه يكون نجساً.
Problem #17. Rain water while raining from above is like running water, and so it does not become unclean, unless it changes [its colour, smell or taste], but it is more cautious that it should be in a quantity that it may flow on a hard ground, although the rule shall not lose its force in case it is sufficient to be called rain water.

Problem #18. Rain water means water which is not rendered unclean, except by the change (in colour, smell and taste) of the drops which come down, and the water which assembles at the time when it is raining.

Similar is the case with the water which assembles, and is connected with the water on which the rain falls. So the water running from a rain pipe down the roof at the time when the rain has not yet stopped is like the water which gathers over the rooftops, and on which rain continues falling.

Problem #19. Rain cleans every unclean thing on which it falls, and which can be cleaned, like water, carpets and utensils. According to the stronger opinion, it is necessary that they should be fully drenched with the rain water.

In case of the carpets and the like, it is not necessary to wring them or wash them several times. Rather, in case of utensils too it is not necessary to wash them several times.

Of course, when a utensil is rendered unclean due to licking by a dog, then, according to the stronger opinion, it would be necessary to first rub the utensil with dust, and then place it under the rain, so that when the rain falls on it, it would be rendered clean, without there being any need of washing it several times.

Problem #20. If the rain water drenches the whole unclean bed (or mattress), and penetrates into it thoroughly, it is rendered clean internally and externally. But if the rain water drenches it only partly, it would clean only that part of it which is drenched. [Similarly,] if the rain water reaches only its outer part, and does not penetrate into it, it would clean only the outer part of it.

Problem #21. If the roof is unclean, and rain water penetrates into it, and while it is raining, the rain drops start oozing from the roof, the drops would be clean, although the unclean object may still be lying on the roof, and the rain water may be passing from over it.

Similar shall be the case if some drops fall from the roof after the rain has stopped, when there is possibility of the drops being the unclean water inside the roof, or their not having passed through the unclean object itself, or through what has become unclean after the discontinuation of the rain.

If, however, it is known that these are the drops of the water that has passed through one of the two (unclean) objects after the discontinuation of the rain, the drops shall be [declared] unclean.
مسألة 22 - الماء الراكد النجس يظهر بنزول المطر عليه وامتزاجه به، والبالاتصال ببعا معتصم كالكر والجاري والامتزاج به، ولا يعتبر كيفية خاصة في الاتصال، بل المدار مطلقه ولوبساقية أو ثقب بينها، كما لا يعتبر علو المعتصم أو تسامه مع الماء النجس، نعم لو كان النجس جارياً من الفوق على المعتصم فالظاهر عدم الكفاية في طهارة الفوقاني في حال جريانه عليه.

مسألة 23 - الماء المستعمل في الوضوء لا إشكال في كونه طاهر وظروف الحدث والبحث، كما لا إشكال في كون المستعمل في رفع الحديث الأكبر طاهراً ومطهرًا للبحث، بل الأقوى كونه مطهرًا للحدث أيضاً.

مسألة 24 - الماء المستعمل في رفع الحبض السمي بالعسايلة نجس مطلقاً.

مسألة 25 - ماء الاستنجاء سواء كان من البول أو الغائط طاهر إذا لم يتغير أحد أوصافه الثلاثة، ولم يكن فيه أجزاء متميزة من الغائط، ولم يتعط فاحشاً على وجه لا يصدق معه الاستنجاء ولم تصل إليه نجاسة من خارج، ومنه ما إذا خرج من البول أو الغائط نجاسة أخرى مثل الدم حتى ما يعد جزءاً منها على الأحوض.

مسألة 26 - لا يشرط في طهارة ماء الاستنجاء سابق الماء على اليد وإن كان أحوض.

مسألة 27 - إذا اشتهي نجس بين أطراف مصارعة كاناء في عشرة بجب الاجتناب عن الجمع، وإذا لاقين بعض أطرافه شيء، وكانت الحالة السابقة في ذلك البعض النجسة فالحوض لكون النجاسة الحكم بنجاسة الملاقى، ومع عدمها ففيه تفصيل.

مسألة 28 - لوراء أحد الأدناءين المشتبهين بجب الاجتناب عن الآخر.
Problem # 22. An unclean stagnant water is rendered clean by the rain water falling on it, and mixing with it, or by its connection with pure water, like water in a quantity of a Kur, or running water when it mixes with it. There is no condition of a special nature in the connection; rather its basic factor is general, even if the connection takes place by means of a small canal or a hole, as it is not a condition for the pure water to be above or equal with the unclean water.

Of course, if the unclean water is running from above the pure water, then apparently it would not be sufficient to render the upper part clean, while the unclean water is running above the pure water.

Problem # 23. There is no objection in water used for ablution (Wuḍū) in being itself clean and a source for cleaning [objects polluted by] feces and refuse, in the same way as the water used for removing the major ritual pollution [i.e. the bath taken after the Ḷamābat, or pollution due to the ejaculation of sperm] shall itself be clean, and shall also clean (things polluted by) refuse; rather, according to the stronger opinion, it also cleans (objects polluted by) feces.

Problem # 24. The water used for cleaning [objects polluted by] refuse which is called Ghassālah is absolutely unclean.

Problem # 25. The water used for Istīnja’ [cleaning after urination or evacuation of bowels] is clean, whether it is used for cleaning after urination or evacuation of bowels, when any of its three characteristics [namely, colour, smell and taste] is not changed, and it does not contain any of the particles of feces, and the uncleanness should not have polluted [the parts urinating or excreting] in a way that the act of cleaning may not be called Istīnja’.

Nor anything unclean should have reached it, such as when some other unclean object should come out with urine or feces, like blood, to the extent that, according to the more cautious opinion, it should be considered a part of the urine or feces.

Problem # 26. It is not a condition in cleanliness of Istīnja’ water that the water should first fall on the hand, although it is more cautious.

Problem # 27. If it becomes doubtful in case of several confined objects as to which one of them is unclean, as in case of ten utensils [it is suspected that one of them is unclean, but it is not known which one is unclean], then it is obligatory to avoid using all of them.

So also if an object touches any of the utensils, which in its previous position was polluted, according to the more cautious, if not stronger, opinion, the object shall be declared unclean.

If the object in its previous position was not clean, then there is detailed verdict in its case.

Problem # 28. If water should spill out entirely from one of the two utensils suspected to be unclean, it would be obligatory to avoid the use of the other.
فصل في أحكام التخلي

مسألة 1 - يجب في حال التخلي كسائر الأحوال ستر العورة عن الناظر المحترم رجلاً كان أو امرأة حتى المجنون والطفل المميزين، كما يحرم النظر إلى عورة الغير لو كان المنظور مجنوناً أو طفلًا مميزًا، نعم لا يجب سترها عن غير المميز، كما يجوز النظر إلى عورة الطفل غير المميز، وهذا الحال في الزوجين والمالك ومملوكه ناظراً ومنظوراً، واما المالكإ وملموكها فلا يجوز لكل منها النظر إلى عورة الآخر، بل إلى سائر بدنها أيضاً على الأظهر، والعورة في المرأة هذا القبل والدبر، وفي الرجل هما مع البيضتين وليس منها الفخذان ولا الألتينان، بل ولا العناية ولا العجان، نعم في الشعر النبات أطراف العورة الأحوج الاجتناب ناظراً ومنظوراً، ويشتبه ستر السرة وركبة وما بينها.

مسألة 2 - يتكفي الستر بكل ما يستر ولو وراءه أو يد زوجته مثلاً.

مسألة 3 - لا يجوز النظر إلى عورة الغير من وراء الزجاج، بل ولا في المرأة والرجل الصافي.

مسألة 4 - لو اضطر إلى النظر إلى عورة الغير كما في مقام العلاج فالأحوج أن ينظر إليها في المرأة المقابلة لها إن اندفع الاضطرار بذلك و إلا فلا أسو.

مسألة 5 - يحرم في حال التخلي استدبار القبلة واستقبالها بمقام بدنها، وهي الصدر والبطن وإن أمال العورة عنها، والميزان هو الاستدبار والاستقبال العرفيان، والظاهرة عدم دخلي الركبتين فيها، والأحوج تركز الاستقبال بشعوره فقط وإن لم تكن مقدام بذنها إلاها، والأحوج حركتها حلال الاستبراء، بل الأقوى لوخرج منه القطرات، ولا ينبغي ترك الاحتياط في حال الاستنجاء وإن كان الأقوى عدم حرمتها فيه، ولو اضطر إلى أحدهما تغيير، والأحوج اختيار.
RULES OF EASING NATURE
(Urination and Defecation)

Problem #1. It is obligatory at the time of easing nature, as well as on other occasions, to cover one's private parts from every person for whom it is not permissible to see those parts, whether he is a man or woman, even if he is insane or a discreet child, in the same way as it is forbidden to look at the private parts of others, whether they are insane or discreet children.

Of course, it is not obligatory to cover the private parts from indiscreet children in the same way as it is permissible to look at the private parts of an indiscreet child.

The same rule applies to a husband and wife and a master and his slave-girl, in case of looking at each other.

As regards a lady owner and a [male] slave, it is not permissible for either of them to look at the private parts of the other, rather even at other parts of each other's body, according to the traditional authority.

Here the private parts of a woman include both the front as well as the hind part.

In case of a man, the private parts include both the front and hind parts as well as both the testicles. But his private parts do not include both the thighs, buttocks, rather not even the pubic region or the perineum. However, as regards the pubic hair, it would be more cautious to avoid looking at them, or allowing others to look at them. It is approved to cover the navel region and knees and the region lying between them.

Problem #2. It is sufficient to cover the private parts by anything that may cover them, including one's own hand or the hand of one's wife.

Problem #3. It is not permissible to look at the private parts of others even from behind a mirror, or even in a mirror or a clear water.

Problem #4. If, in case of an emergency, it is necessary to look at the private part of another person, as for the purpose of treatment, then it would be more cautious to look at it in a mirror placed in front of it, if it fulfils the necessity; otherwise, there will be no objection [in looking at the private part of a stranger].

Problem #5. At the time of easing nature, it is forbidden to place the front [or hind] parts of the body towards or against the Qiblah. They include the chest and stomach, even if the private part is twisted away from the Qiblah. The criterion in posing towards or against the Qiblah is what is customary in both cases. The direction of the knees is not concerned in both cases. It is more cautious to avoid simply one's private parts posing [towards or against] the Qiblah, even if the front parts of one's body do not pose towards the Qiblah. According to the more cautious opinion, it is forbidden to pose towards or against the Qiblah while performing Istibra', rather the opinion would be stronger in case some drops of urine also come out while performing Istibra'. Likewise, while performing Istinjää', caution should not be given up, although according to the stronger opinion, it is not forbidden to pose towards or against the Qiblah in its case. In case of an
في احكام الاستناء

الاستدعاء، ولو دار أمره بين أحدهما وترك السر على الناظر المحترم اختيار السرول، ولولا أشتهت القبلة بين الجهات ولم يكن له الفحص ويعتبر عليه التأخير إلى أن تنضح القبلة يتخبر بها ولا يبعد لزوم العمل بالظن لو حصل له.

فصل في الاستناء

ماضئة 1 - يجب غسل مخرج البول بالماء مرتين على الأحود، وإن كان الأقوى كفية الرئة في الرجل مع الخروج عن مخرجه الطبيعي، والأفضل ثلاث، ولا يجوز غسله، ويتميز في مخرج الغائر بين الغسل بالماء والمسح بشيء قليل للنجاسة كالحجر والمدر والحزق، وغيرها، والغسل أفضل، والجماع بينها أكمل، ولا يعتبر في الغسل التعدد، بل الحد النقاء بل الظاهرة في المسح أيضاً كذلك، وإن كان الأحود الثلاث وإن حصل النقاء الأقل، وإن لم يحصل بالثلاث فعلى النقاء، ويتميز في ما يمسح به الطهارة فلا يجوز النجاسة ولا المتنجس قبل تطهيره، ويتميز أن لا يكون فيه رطوبة سارية فلا يجوز الطين والحزق المبلولة، نعم لا تضر النداءة التي لا تسري.

ماضئة 2 - يجب في الغسل بالماء إزالة العين والأثر أعني الأجزاء الصغيرة التي لا ترى، و في المسح يكون إزالة العين، ولا يضر بقاء الأثر.

ماضئة 3 - إذا كنت في المسح إذا لم يعد المخرج على وجه لا يصدق عليه الاستناء، وأن لا يكون في المحل نجاسة من الخارج، حتى إذا خرج مع الغائر نجاسة أخرى كالدم يتعين الماء.

ماضئة 4 - يحرم الاستناء بالاخترامات، وكذا بالعظام والروح على الأحود، ولو فعل فحول الطهارة محل إشكال، خصوصاً في العظام والروح، بل حصول الطهارة مطلقاً حتى في الحج والمعي ومثل إشكال، نعم لا إشكال في العفو في غير
emergency, if a person is compelled to pose towards or against the Qiblah, he is free to choose either [to pose towards or against the Qiblah], although it would be more cautious to pose against the Qiblah. If a person is compelled either to pose towards or against the Qiblah, or cover his private parts from a person for whom it is forbidden to look at his private parts, he should opt for covering his private parts. If there is doubt about the direction of the Qiblah, and it not possible for him to make necessary enquiry about the direction of the Qiblah, while he is not able to wait till he comes to know about the correct direction of the Qiblah, he would be free to adopt either of the alternatives, although it is not far from likelihood that he should act according to his own assumption, if he has any.

Rules of Istinjā'

Problem #1. According to the more cautious opinion, it is obligatory to wash the exit for urine twice with water, although, according to the stronger opinion, it is sufficient for a man to wash it once, if urine has come out of the natural exit. However, it is preferable to wash it thrice. It is not permissible to use anything other than water, while cleaning after urination. While cleaning the anus (the exit of feces), one has the option to wash it with water, or rub it with some thing that removes the uncleanliness, like a stone, a clod of earth, or a shred of cloth, or the like. However, washing it (with water) is the best way, while adopting both methods is more comprehensive. While washing the anus, it is not a condition to repeat the act, rather it is sufficient to wash it to the extent that it is clean. Apparently, the same rule applies to the case of rubbing the anus (with something), although it is more caution to repeat the act thrice, even though it becomes clean by rubbing for lesser times. If it is not cleaned even by rubbing thrice, then it should be rubbed till it is cleaned. It is a condition for the rubbing object that it should be clean, so that it is not permissible to be unclean, nor should it be polluted before it is used for cleaning. It is also a condition that it should not contain permeating moisture, so that it is not permissible to clean with mud or wet cloth. However, there is no harm in cleaning with a damp thing which does not permeate.

Problem #2. At the time of washing with water, it is obligatory to remove the pollution and its adjuncts, i.e., the small invisible particles, while in case of rubbing the anus (with something), it is sufficient to remove the pollution itself, and there is no harm if the adjuncts still remain there.

Problem #3. It is sufficient to clean the anus by rubbing, when it is not polluted to the extent that it should not fall under the category of Istinjā'. It is also a condition that nothing from outside should have mingled with pollution of the anus, so that if some other polluted object, like blood, comes out with feces, it shall be indispensable to clean it only with water.

Problem #4. It is prohibited to use sacred things for Istinjā'. According to the more cautious opinion, the same rule applies to the use of bones and dung [for Istinjā'], so that if they are used [for Istinjā'], there shall be difficulty in accepting that cleanliness has been obtained thereby. The rule particularly applies to the use of bones and dung. Rather, there is difficulty generally in accepting that cleanliness has been obtained by [rubbing] even with a stone. However, it is excusable to use anything other than the things mentioned above [namely, sacred objects, bones and dung].
ما ذكر.

مسألة 5 - لا يجب الدلك باليد في خروج البول، نعم لو احتمل خروج المذي معه فالاحوط الدلك.

فصل في الاستبارة

و كيفيته على الأحوط الأولى أن يسمع بقوة ما بين المقعد وأصل الذكر ثلاثًا، ثم يضع سبابته مثلًا تحت الذكر وإنهامه فوقه، و يسمع بقوة إلى رأسه ثلاثًا، ثم يعصر رأسه ثلاثًا، فإذا رأى بعده رطوبة مشتبه لا يدري أنها بول أو غيره يحكم بظهارة و عدم ناقضته للاضواء، لو توضأ قبل خروجها، بخلاف ما إذا لم يستبери فإنه يحكم بنجاسة و ناقضته و هذا هو فائدة الاستبارة، و يلحق به في الفائدة المزورة على الأقوى طول المدة و كثرة الحركة بحيث يقطع بعدم بقاء شيء في المجرى و أن البال المشتبه نزل من الأعلى، فيحكم بظهارة و عدم ناقضته.

مسألة 1 - لا يلزم المباشرة في الاستبارة، فيكتن باشره غيره كزوجته أو مملوكته.

مسألة 2 - إذا شك في الاستبارة بني على عدها ولو مضت مدة وكان من عادته، نعم لو استبروا واشك بعد ذلك أنه كان على الوجه الصحيح أم لا بنى على الصحة.

مسألة 3 - إذا شك من لم يستبولي في خروج الرطوبة و عدمه بنى على عدها، كما إذا رأى في ثوبه رطوبة مشتبه لا يدري أنها خرجت منه أو وقعت عليه من الخارج، فيحكم بظهارتها و عدم انتقاص الوضع لها.

مسألة 4 - إذا علم أن الخارج منه مذى ولكن شك في أنه خرج معه بول -
Problem # 5. It is not obligatory to rub the passage of urine with the hand. If, however, there is likelihood of the discharge of Madhy with urine, then it is more cautious to rub it with the hand.

Rules Concerning Istibrā'

According to the more cautious opinion, the method of Istibrā’ is that one should rub thrice with force between anus and the root of penis, and then, for example, he should place his index finger under the penis and his thumb over it, and draw them with force [from the root of the penis] to its tip thrice, and then squeeze its tip thrice. After it, if he suspects that there is some moisture, which he does not know to be urine or something else, it shall be declared to be clean, and not nullifying the ablution, if he happens to have performed the ablution before the oozing out of the moisture.

Conversely, however, if he has not performed the Istibrā’ [and he suspects that there is some moisture], it shall be declared to be unclean and nullifying the ablution. This is the advantage of Istibrā’.

According to the stronger opinion, with it is added the advantage that, after the passage of long time and plenty of movement, in a way that it becomes certain that there is nothing left in the urinal passage, and some moisture is suspected to come out, even then it shall be declared to be clean, and shall not nullify ablution.

Problem # 1. It is not a condition to perform Istibrā’ personally, so that it would be sufficient if it is performed by some one else, like one’s wife or slave-girl.

Problem # 2. If a person doubts whether he has performed Istibrā’ or not, it shall be considered not to have performed it, even if some time has passed, and it was his habit to perform Istibrā’.

Of course, if he has performed Istibrā’ and later doubts whether it was performed in the correct manner or not, it may be considered to have been performed in the correct manner.

Problem # 3. If a person, who has not yet performed Istibrā’, doubts whether some moisture has come out or not, it shall be considered not to have come out, in the same way as when he finds some moisture on his garments, and does not know whether the moisture has come out from the garments, or it has come from outside, it shall be considered to be clean and would not nullify ablution.

Problem # 4. If a person knows that what has come out is Madhy, but doubts whether some urine has also accompanied it or not, it shall not be declared to be unclean and a source of nullifying ablution, except when it is a suspected moisture, so that he doubts whether it is entirely Madhy or Madhy mixed with urine.
في واجبات الوضوء
أم لا؟! لا يحكم عليه بالنجاسة ولا الناقضية، إلا أن يصدق عليه الرطوبة المشتبهة، كأن يكون في أن هذا الموجود هل هو بتمامه مذي أو مركب منه و من البول.

مسألة 5 - إذا بالوتوضاً ثم خرجت منه رطوبة مشتبهة بين البول والمني فإن استبارة بعد البول يجب عليه الاحتياط بالجمع بين الوضوء والغسل وإن لم يستبيرة فالأقوى جواز الانتفاء بالوضوء، وإن خرجت الرطوبة المشتبهة قبل أن يتوضأ يكتفي بالوضوء خاصة، ولا يجب عليه الغسل سواء استبراً البول أم لا.

فصل في الوضوء

والكلام في واجباته وشرائطه وموجباته وغايته وأحكامه الخلل:

القول في الواجبات

مسألة 1 - الواجب في الوضوء غسل الوجه واليدين ومسح الرأس والقدمين، والمراد بالوجه ما بين قصاص الشعر وطرف الذقنق طولاً وما دارت عليه الأبهام والوسطي من مناسب الأعضاء عرضًا، وغيره يرجع اليه، مما خرج عن ذلك لا يجب غسله، ينصح يخط غسل شيء مما خرج عن الحد المذكور مقدمة لتحصيل البقين غسل تمام ما اشتمل عليه الحد.

مسألة 2 - يجب على الأحوط أن يكون الغسل من أعلى الوجه، ولا يجوز على الأحوط الغسل منكوسة، نعم لورة الماء منكوسة، ولكن نوى الغسل من الأعلى برجوعه جاز.

مسألة 3 - لا يجب غسل ما استرسل من اللحية، أما ما دخل منها في
Problem # 5. If a man urinates and then performs ablution, and subsequently some moisture comes out about which he doubts whether it is urine or sperm, then if he has performed Istibā‘ after urination, it is obligatory on him to exercise caution by performing both ablution and ritual bathing.

If he has not performed Istibā‘, then it would be sufficient to perform ablution.

If the suspected moisture has come out before he performs ablution, it would be sufficient to perform ablution, and it would not be obligatory on him to perform the ritual bathing, regardless whether he has performed Istibā‘ after urination or not.

Rules Concerning Ablution (Wuḍū)

Following are the essentials, conditions, causes, objectives and rules of ablution (Wuḍū).

A - Essentials of Ablution

Problem # 1. It is obligatory in an Ablution (Wuḍū) to wash the face and both hands, and to rub the head and both feet (with wet hands). Face here means the part of the face which lies lengthwise between the hairline and where the chin ends, and widthwise the part of the face which may fall between the thumb and the middle finger in case of a person having proportionate body, while in case of a person whose body is not proportionate, he should follow a person having a proportionate body.

It is not obligatory to wash whatever lies beyond these limits. Of course, in order to obtain surety that whatever is within the prescribed limits has been washed entirely, it is obligatory to wash something more than the mentioned limits.

Problem # 2. According to the more cautious opinion, it is obligatory that the face and hands should be washed from above to below, and, according to the more cautious opinion, they should not be washed from below to above.

Of course, if a person throws water from below to above, but when it returns from above (downwards), he expresses his intention of washing, it would be permissible.

Problem # 3. Washing the part of beard which is beyond the limits of face is not obligatory, but washing its part which is included in the limits of face is obligatory.

It is obligatory to wash the apparent part of the beard, regardless whether the beard is thick or thin, when the hair have covered the skin of the face, though in case the beard is thin, it is more cautious to carry the water to the skin.
حذال وجه فيجب غسله، والواجب غسل الظاهر منه من غير فرق بين الكفيف والخفيف مع صدق احاطة الشعر بالبشرة وإن كان التخليل في الثاني أحوط، وأما اليدان فالواجب غسلهما من المرفقين إلى أطراف الأصابع وجب غسل شيء من العضد للمقدمة كالوجه، ولا يجوز ترك شيء من الوجه أواليدين بلا غسل ولو مقدار مكان شعرة.

مسألة ٤ - لا يجب غسل شيء من البواطن كالعين والأنف، وما لا يظهر من الشفتين بعد الانطباق، كما لا يجب غسل باطن الثقبة التي في الأنف موضع الحلقة سواء كانت الحلقة فيها أم لا.

مسألة ٥ - لا يجب إزالة الوسخ تحت الأظفار، إلا ما كان معدوداً من الظاهر، كما أنه لوقص أظفاره فصار ما تحتها ظاهر وجب غسله بعد إزالة الوسخ عنه.

مسألة ٦ - إذا انقطع لحم من اليدين أو الوجه وجب غسل ما ظهر بعد القطع، وجب غسل ذلك اللحم أيضاً وإن كان اتصاله بجلدة قريحة.

مسألة ٧ - الشقوق التي تحدث على ظهر الكف إن كانت وسيلة يرى جوفها وجب إيضاح الماء عليها، وإلا فلا.

مسألة ٨ - ما يعلو البشرة مثل الجدري عند الاحتراق مادام باقياً يكفي غسل ظاهره وإن اغبر، ولا يجب إيضاح الماء تحت الجلد، بل لوقعت بعض الجلدة وبيتا البعض الآخر يكفي غسل ظاهر ذلك البعض، ولا يجب نظفها بتمامها، ولو ظهر ما تحت الجلدة بتمامه لكن الجلدة متصلة قد تلتصق وقد لا تلتصق يجب غسل ما تحتها، وإن كانت لاصقة يجب رفعها أو قطعها.

مسألة ٩ - يصبح الوضوء بالارتدام مع مراعاة الأعلى فأعلى، لكن في اليد اليسرى لابد من أن يقصد الغسل حال الارتدام حتى لا يلزم المسح بما جديد، بل وكذا في اليمنى، إلا أن يبيتي شيئاً من اليسرى لغسل يليه باليمنى حتى يكون ما
As regards the two hands, it is obligatory to wash them from the elbow to the tips of the fingers, as in case of washing the face, to be certain, it is obligatory to wash some part of the upper arm. It is not permissible to leave any part of the face or both hands unwashed even to the extent of a hair.

**Problem # 4.** It is not obligatory to wash the internal part of the eyes and nose or the part of both lips which is not visible after closing them, in the same way as it is not obligatory to wash the inside of the hole in the nose meant for wearing a ring (by females), regardless whether the ring is in the hole or not.

**Problem # 5.** It is not obligatory to remove the dirt inside the nails, except what is apparent, in the same way as when a person cuts the nails and the dirt inside the nails becomes apparent, it is obligatory to wash the nails after removing the dirt.

**Problem # 6.** If some flesh has been cut from the two hands or the face, [and left attached with the hands or face], it is obligatory to wash what is apparent after the cut, and it is obligatory to wash the (attached) flesh, even if it is joined (with the hands or face) through a thin skin.

**Problem # 7.** If some crack is caused in the back of the hand, and it is so wide that its hollow part is visible, it is obligatory to put water into it; otherwise, if it is not visible, it is not obligatory.

**Problem # 8.** If some boil appears on the skin as a result of burning, as long as it is there, it is sufficient to wash its apparent (upper) part, even if it has burst open, but it is not obligatory to let the water reach under the skin.

If part of the skin has cracked, leaving the other intact, it is sufficient to wash its apparent part, and it is not obligatory to cut it entirely.

If the whole part under the skin has become apparent, but the attached skin sometimes sticks and sometimes does not, it is obligatory to wash the part under the skin, and if it is stuck, it is obligatory to remove it or cut it.

**Problem # 9.** It is right to perform ablution by dipping into the water, provided that the condition of trickling of the water from above to below is observed. But it is necessary to intend ablution while taking the left hand out of the water, so that it does not rub with fresh water.

Rather the same rule is applicable to the right hand too, except that so much of the left hand is to be left which may be washed with the right hand, so that the amount of water left in the right hand may be considered to be ablution water.
مسألة 10 - يجب رفع ما يمنع وصول الماء أو ترطيبه بحيث يصل الماء إلى ما تحته، ولو شك في وجود الحاجب لم يلتزف إذا لم يكن له منشأ عقلاني، ولو شك في شيء أنه حاجب وجب أزالته أو إيصال الماء إلى ما تحته.

مسألة 11 - ما ينجمد على الجرح عند البرء ويصير كالجلدة لا يجب رفعه، ويجزي غسل ظاهره وإن كان رفعه سهلاً، وأما الدواء الذي امتزج عليه فا دام لم يكن رفعه يكون منزلة الجبيرة يكفي غسل ظاهره وإن أمكن رفعه بسهولة.

مسألة 12 - لا يجب ازالة الوسخ على البشرة إن لم يكن جرمواً مرتانياً - وإن كان عند المسح بالكيس يجمع ويجسد كثيراً - ما دام يصدق عليه غسل البشرة، وكذا مثل البباض الذي يئن على اليد من الجسم، ونحوه مع صدق غسل البشرة، ولو شك في كونه حاجباً وجب ازالته.

وأما مسح الرأس فالواجب مسح شيء من مقدمه، والأحوزت عند الاجزاء بما دون عرض إصبع، وأحوز منه مسح مقدر ثلاثة أصابع مضمومة، بل الأولى كون المسح بالثالثة، والمرأة كالرجل في ذلك.

مسألة 13 - لا يجب كون المسح على البشرة، فيجوز على الشعر النابض على القدم، نعم إذا كان الشعر الذي مثبته مقدم الرأس طولًا بحيث يتجاوز منه عن حده لا يجب المسح على ذلك المقدار المتجاوز سواء كان مسترضاً أو مجتمعاً في القدم.

مسألة 14 - يجب أن يكون المسح ببطن الكف الأيمن على الأحوزات، وإن كان الأقوى جوزه بظاهرة، ولا يعين الأيمن على الأقوى، والجواز بالذراع لا يخلو من وجه، والأولى المسح بأصابع الأيمن، ويجزى أن يكون المسح بما بقي في يده من نداءةوضوء، فلا يجب استئناس ماء جديد.
Problem # 10. It is obligatory to remove the object which hinders the performance of ablution or move it in a way that water may reach the area under it.

If a man suspects some hindrance which has no rational existence, he should not pay heed to it.

If a man suspects some hindrance, it is obligatory on him to remove it or let water reach the area under it.

Problem # 11. It is not obligatory to remove the crust which covers the wound at the time of its healing, and takes the form of skin, and it is permissible to wash its apparent area, although it is easy to remove the crust.

Of course, in case of a medicine which congeals on a wound, as long as it is not possible to remove it, it is to be treated as a splint, and it is sufficient to wash its apparent area.

If, however, it may be removed easily, it would be obligatory to remove it.

Problem # 12. It is not obligatory to wash the dirt if it is not in a visibly solid form, as long as it is tantamount to washing the skin, even if it gathers as a result of rubbing the Turkish towel, and is in a large amount.

The same rule shall apply to the whiteness which appears on the hand as a result of touching gypsum or the like as long as it is tantamount to washing the skin.

If, however, a person suspects that the whiteness is a hindrance (in the way of ablution), it would be obligatory to remove it.

As regards the rubbing of the head with the fingers (Mash), it is obligatory to perform the rubbing of part of the front of the head, but it is more cautious to rub in the width of not less than one finger, while it is more cautious than that to rub in the width of three closed fingers; rather, it is better to rub with three fingers.

The rules applicable to a male are also applicable to a female.

Problem # 13. It is not necessary to rub the skin (of the head). So it is sufficient to rub the front hair. If the front hair are so long that, [if combed,] they exceed the limits of the head, it is not permissible to rub the excessive hair, regardless whether they are hanging, or have gathered in the front part of the head.

Problem # 14. To be more cautious, it is obligatory to rub (the head) with the palm of the right hand, though, according to the stronger opinion, it is also permissible to do so with its back.

According to the stronger opinion, it is not confined to perform the rubbing with the right hand only, [but it can also be done with the left hand]. The permission for rubbing from the elbows to the tips of the fingers is also not devoid of force. It is, however, better to rub with the fingers of the right hand.

It is obligatory to rub with the water remaining in one's hand out of the ablution, as it is not permissible to wet hands with fresh water.
مسألة ۱۵ - يجب جفاف الممسوح على وجه لا ينتقل منه أجزاء الماء إلى الماسح.
وأما مسح القدمين فالواجب مسح ظاهرها من أطراف الأصابع إلى المرفق على الأحوض طولاً، وإن كان الأقوى كفيته إلى الكعب، وهي قبة ظهر القدم، ولا تقدير للعرض، فيجري ما يتعلق به اسم المسح، والأفضل بل الأحوض أن يكون بتمام الكف، وما تقدم في مسح الرأس من جفاف الممسوح وكون المسح بما بقي في يده من نداوة الوضوء يجري في القدمين أيضاً.
مسألة ۱۶ - الأحوض المسح بباطن الكف، وإن تعذر مسح بظاهراً وإن تعذر مسح بذراعها، وإن كان الأقوى جوازه بظاهرها عن بالذراع اختباراً.
مسألة ۱۷ - إذا جفت رطوبة النسيب أحد من سائر مواضع الوضوء من حاجبه أو لحيته أو غيرهما ومسح به، وإن لم يكن الأخذ منها أعاد الوضوء، ولعند تنفيذ الإعادة من جهة حرارة الهواء أوالبدن بحيث كلها توضأ بشيء ماء وضوه مسح بالماء الجديد، والأحوض الجمع بين المسح باليد السفلية ثم بالماء الجديد ثم التيوم.
مسألة ۱۸ - لا بد في المسح من إمرار المسح على الممسوح، فلو عكس لم يجز، نعم لا تضر الحركة البسيطة في الممسوح.
مسألة ۱۹ - لا يجب في مسح القدمين وضع أصابع الكف مثلًا على أصابعها وجرها إلى الحد، بل يجوز أن يضع تمام كفه على تمام ظهر القدم ثم يجرها قليلاً بقدر هي صدق عليه المسح.
مسألة ۲۰ - يجوز المسح على القناع والخف والجورب وغيرها عند الضرورة من نقية أو برد أو سح أو عدو وحو ذلك مما يخاف بسببه من رفع الحائر، ويعتبر في المسح على الحائر كل ما اعتبر في مسح البشرة من كونه بالكف والبذادة الوضوء وغير ذلك.
Problem # 15. It is obligatory that the place of rubbing must be dry in a way that its water does not reach the rubbing part [i.e. the palm of the rubbing hand].

As regards the rubbing of both feet, it is obligatory, according to the more cautious opinion, to rub lengthwise their apparent parts from the tips of the fingers to the joint, though, according to the stronger opinion, it is sufficient to rub up to the ankle-bone, which is the dome-like formation on the back of the feet. There is no specified limit of rubbing widthwise. It is permissible to the extent that it may be treated as rubbing. It is, however, preferable, rather more cautious, to rub with the whole palm.

What has already been mentioned under the rubbing of the head, regarding the necessity of the place of rubbing to be dry, and the rubbing to be done with the water remaining out of ablution, is also applicable to rubbing the feet.

Problem # 16. It is more cautious to rub with the palm of the hand, but, if it is not practicable, it may be done with the back of the hand, and, if that is also not practicable, it may be done with the elbow, though, according to the stronger opinion, it is permissible to rub with the back of the hand or the elbow according to one’s own choice.

Problem # 17. If there remains no wetness on the palms, one must acquire wetness from the other limbs involved in ablution like the brows or beard, or the like, and perform the rubbing.

If it is not possible to acquire wetness from other limbs involved in ablution, one must perform ablution again.

If, however, even the repetition of ablution is of no avail due to the warmth of the weather or body, so that the more one performs ablution, the more its water dries, one may rub with fresh water.

It is more cautious first to rub with the dry hands, then with fresh water, and then perform Tayammum.

Problem # 18. While rubbing, it is indispensable to draw the rubbing limb on the limb rubbed. If it is reversed, it would not be valid. However, there will be no harm if the limb rubbed is moved a little.

Problem # 19. While rubbing both feet, it is not obligatory to put the fingers of the hands on the fingers of the feet, and draw them to the specified limit. Rather, it is permissible to put the whole palm on the whole back of the feet, and draw it a little in a way that it may be considered rubbing.

Problem # 20. If necessary, it is permissible to rub the masks or head veils, shoes or socks or stockings etc. due to fear of damage, cold, beasts, or enemies or the like, due to which one is afraid of removing the hindrance (from the head or feet).

All the conditions applicable in case of rubbing on the skin shall also apply to the rubbing on the obstacle, like rubbing with the palm, or the wetness remaining out of the water of ablution, etc.
المقال في شرائط الوضوء

مسألة 1: شرائط الوضوء أمور:
منها: طهارة الماء وطلقه و إباحته و طهارة المخل المغسل و الممسوح، ورفع الحاجب عنه، والأحوط اشترط إباحة المكان، أي الفضاء الذي يقع فيه الغسل والمسح، و كذا إباحة المصب إن عد الصب تصرفًا في المغصوب عرفًا أو جزءًا أخيرًا للعلة التامة، و إذا فأقوى عدم البطلان، بل عدم البطلان مطلقاً فيه، وفي غضبة المكان لا يخلو من قوة، و كذا إباحة الآنية مع الأخصار، بل ومع عدها أيضًا إذا كان الوضوء بالغمس فيها لا بالاختلاف منها، و عدم المانع من استعمال الماء من خوف مرض أو عطش على نفسه أو نفس محترمة، و نحو ذلك ما يجب معه التيمم، فلو توضأ و الحلال هذه بطل.

مسألة 2: المشتبه بالنجس بالشهية المحصورة كالنحاس في عدم جواز الوضوء به، فذا الأخصر الماء في المشتهين يتيهم للصلاة حتى مع إمكان أن يتوضأ بأخذهما و يصلي، ثم يغسل ناحي الوضوء بالآخر ثم يوضع له، و يعيد صلاته ثانياً.

مسألة 3: ولم يكن منعه إلا ماء مشكوك اضافته و إطلاقه فلو كان حاليه السابقة الاطلاق يتوضأ به، ولو كانت الاضافة تيمم، ولم يعلم الحالة السابقة يجب الاحتفاظ بالجميع بين الوضوء والتيمم.

مسألة 4: لو اشتبه مضاف في محصور ولم يكن منعه ماء آخر يجب عليه الاحتفاظ بتكرار الوضوء على نحو ممم الوضوء مطلق، و الضابط أن يزد عدد الوضوءات على عدد المضاف المسلم واحد.

مسألة 5: المشتبه بالغصب كالغصب لا يجوز الوضوء به، فإذا الأخصر الماء به تعين التيمم.
B - Conditions of Wuḍū (Ablution)

There are some conditions for Ablution (Wuḍū).

First Condition

Problem #1. Cleanliness, purity and lawfulness of water, cleanliness of the limbs to be washed and rubbed, and removal of any obstacles in the way of washing or rubbing, and, according to the more cautious opinion, it is also a condition that the place of ablution must also be permissible, i.e. the place where washing and rubbing are being performed. Likewise, lawfulness of the place where the water of ablution is to fall (is also a condition), when ablution may be considered customarily possessing a usurped place, or it may be considered finally to be a perfect or partial cause for usurped possession. Otherwise, [in case it is not considered so], then, according to the stronger opinion, the ablution shall not be void, rather even if it is considered so. But, in case the place is a usurped one, the invalidity of ablution is not devoid of force.

It is also a condition that the container of the water for ablution must be lawful (Mubah), if the water is confined to a single container, rather even in case there are several containers, or the ablution is performed by dipping [in a tank or pool] not (drawn) by handfuls from it.

Likewise, it is a condition that there must be no restriction in the use of the water for ablution, such as the fear of sickness or the thirst of oneself or some other honoured person, or the like, for which it is obligatory to perform Tayammum. If a person performs ablution in any of such conditions, the ablution shall be void.

Problem #2. In case of a confined suspicion, the suspected water is like an unclean water with which ablution cannot be performed. If the water is confined to two containers, one should perform Tayammum, even if he may perform ablution with the water in one of the containers and offer prayers, and then he performs the ablution with the water in the other container, and offers prayers again.

Problem #3. If a person has only some water about which there is doubt whether it is pure or mixed, then, if it was formerly pure, he may perform ablution with it. But, if it was formerly mixed, he must perform Tayammum. If, however, he is ignorant of its former condition, he must perform ablution with it, and also perform Tayammum.

Problem #4. If there is doubt about the purity of the water in a specific container (or containers), and a person has no other water with him, it is obligatory on him to observe caution by performing the ablution with it in a way that he may obtain certainty of having performed it with pure water.

The rule in such case is that he should perform the ablution one more time than the number of the doubtful containers, [so that if the container of the mixed water is one, he must perform ablution twice, and if the containers are two, he must perform ablution thrice].

Problem #5. The water which is suspected to be usurped is like usurped water with which it is not permissible to perform ablution. If the water is confined to the suspected water, he must perform Tayammum.
مسألة 6 - ظهارة الماء وإطلاقه شرط واقعي يستوي فيها العالم والجاهل بخلاف الاباحة، فلو توضأ باء مغصوب مع الجهل بصبيته أو نسيانها صحة وضوحا، حتى أنه لو التفت إلى الغصبية في أثناءها صح ما مضى من أجزائه ويتبع الباقى باء مباح، وإذا التفت إليها بعد غسل اليد البسيئ هل يجوز السحبا بما في يده من الرطوبة ويصح وضوحا أم لا؟ و جهان، بل قولان، ولا يعد التفصيل بين كون ما في اليد أجزاءً أُمَّية تعد ماءً عرفاً وكونه مخصوص الرطوبة التي كأنها من الكيفيات عرفاً، ففيه في الثاني دون الأول، وكذا الحال في إذا كان على مجال وضوحاً رطوبة من ماء مغصوب و أراد أن يتوضأ باء مباح قبل جفاف الرطوبة.

مسألة 7 - يجوز الوضوء والشرب وسائر التصرفات اليسيرة ماجرت السيرة عليه من الأنهار الكبيرة من القنوات وغيرها وإن لم يعلم رضا المالكين، بل وإن كان فيه الصغار والباقين، نعم مع النبي منهم أو من بعضهم يشكل الجواز، وإذا غضبها غاصب يفي الجوائز لغيره دونه.

مسألة 8 - لو كان ماء مباح في إنسان مغصوب لا يجوز الوضوء منه بالغمس فيه مطلقًا، وأما بالاعتراض منه فلا يصح مع الاختصار به وبتعين التهمم، نعم لو صبه في الإباضة المباح صح، ولا يمكن من ماء آخر مباح صح بالاعتراض منه وإن فعل حراماً من جهة التصرف في الإباضة.

مسألة 9 - يصح الوضوء تحت الخيمة المغصوبة، بل في البيت المغصوب إذا كانت أرضه مباحة.

مسألة 10 - لا يجوز الوضوء من حياء المساجد والمدارس و نحوهما في صورة الجهل بكيفية الوقف واحتمال شرط الوقف عدم استعمال غير المصلين والساكنين منها ولو لم يلزمهم نعم إذا جرت السيرة والعادة على وضع وجوه ومنها من غير مع منهم صح.
Problem # 6. The cleanliness and purity of water is an actual condition, so that it is equally applicable to an ignorant person as well as a person having knowledge.

However, the lawfulness of the water is not an actual condition, so that if a person is ignorant of the fact that the water is usurped, or has forgotten it, and then he performs ablution with it, his ablution will be valid, even if during the performance of ablution he comes to realise that the water is usurped, the amount of ablution already completed shall be valid, while he must complete the remaining ablution with lawful water.

After washing the left hand during the performance of ablution, if a person comes to realise that the water is usurped, whether it would be permissible for him to rub his head and feet with the wetness of the water, and whether his ablution would be valid, are questions which have two methods or two opinions, and it is not far from being likely for us to differentiate in detail when what has remained on the hand is a part of the water which is normally considered water, or its being just wetness which is usually considered one of the properties of water, then it would be valid in the latter case, while it would be void in the former.

The same rule shall also apply if a person has on the limbs involved in ablution some wetness, left with the usurped water, and he intends to perform ablution with lawful water before the wetness is dry.

Problem # 7. It is permissible to perform ablution, drink or make any other slight use according to the normal practice of the water of big rivers or canals etc. even without the knowledge of permission of their owners, or even when there are some minors or lunatics among the owners.

Of course, in case of absence of permission by them or some of them, there is difficulty in the validity of the use of the water [in the said acts].

If a person usurps the river or canal, etc., their water shall be lawful for all other than the usurer.

Problem # 8. If a usurped container has lawful water, it is not lawful to perform ablution with its water by dipping into it absolutely. Even the performance of ablution shall not be valid by taking the water bits by bits, when it is confined to that water alone, and it shall be indispensable to perform Tayammum. However, if the water is thrown into a lawful container, it would be valid.

If a person has access to lawful water, it would be lawful for him to take water from it with the usurped utensil, though he shall be considered to have committed an unlawful act as regards the use of the usurped utensil.

Problem # 9. It is valid to perform ablution in a usurped tent or house when its land is lawful.

Problem # 10. It is not permissible to perform ablution in the tanks of mosques, schools or the like when the person is ignorant of the nature of the endowment, so that there is likelihood that the person endowing it has stipulated that no person other than those offering prayers or studying in the school shall use the water of the tanks, even if he is not stopped by those [offering prayers in the mosques or studying in the schools]. If, however, it is a normal practice of the other people without any restriction from those offering prayers or the students, it would be lawful.
مسألة 11 - الوضوء من آنية الذهب والفضة كالوضوء من الآنية المغصوبة
على الأحوت، فيأتي فيها التفصيل المتقدم، ولو توضأ منها جهلا أو نسيانًا بل
مع الشك في كونها منها صح ولوبنحوالرس أو الاغتراف مع الاختصار.
مسألة 12 - إذا شك في وجود الحجاب قبل الشروع في الوضوء أو في الأثناء
لا يجب الفحص، إلا إذا كان منشأ عقلاني لإحتماله، و حينئذ يجب حتى
يضمئ بعده، وإذا يحب فيها إذا كان مسبوقًا بوجوده، ولومش مع الفراش في
أنه كان موجودًا أم لا؟ بني على عده وصحة وضوته و إذا كان موجودًا و
كان ملتفًا حال الوضوء أو احتمال الالتفات و شكل بعده في أنه أزاله أو أوصل
الماء تحته أم لا؟ بني على صحته، وإذا إذا علم بوجود الحجاب و شكل في أنه
كان موجودًا حال الوضوء أو طرأ بعده، نعم لو علم بوجود شيء في حال الوضوء
ما يمكن أن لا يصل الماء تحته وقد يصل وقد لا يصل كالحاتم، و قد علم أنه لم
يكن ملتفًا فيه حين الغسل أو علم أنه لم يحرم و مع ذلك شك في أنه وصل
الماء تحته من باب الاتفاق أم لا؟ يشكل الحكم بالصحة، بل الظاهر و جواب
الإعادة.
مسألة 13 - لو كان بعض حال الوضوء نحسًا فتوضأ و شك بعده في أنه طهير
قبل الوضوء أم لا؟ يحكم بصحته، لكن بني على بقاء نجاسة النحل، فيجب
غسله للأعمال الآنية، نعم لو علم بعدم تنظيم حال الوضوء يجب الاعادة
على الظاهر.
و منها - المباشرة اختيارًا، ومع الاضطرار جاز ب وجب الإستنابة،
فيوضع الغير وينوي هووضوء، و إن كان الأحوت نية الغير أيضاً، و في المسح
لابد من أن يكون بيد المنوب عنه و إمارت النائب، و إن لم يكن أخذ الرطوبة
التي في يده ومسح بها، والأحوت مع ذلك ضم التيمم لو أمكن.
و ومنها - الترتيب في الأعضاء، فيقدم الوجه على اليد اليمنى، و هي على
Problem # 11. According to the more cautious opinion, use of utensils made of gold or silver in ablution is like the use of usurped utensils. All the details mentioned before under the usurped utensils shall also apply to them. If, however, a person uses them without the knowledge that they are made of gold or silver or has forgotten it, or even if he has doubt about it, it would be valid, whether by dipping in the water or taking out the water by handfuls, in case the water is confined to that container [of gold or silver].

Problem # 12. If, before or during the performance of ablution, a person suspects the existence of some obstacle, it would not be obligatory on him to investigate about it, except when there is some reasonable cause for such suspicion. In such case, it would be obligatory to investigate until he is sure about its non-existence. Likewise, if the hurdle existed before the performance of ablution, even then the investigation shall be obligatory. After the performance of ablution, if a person doubts whether an obstacle existed or not, he would take it as if it did not exist, and treat ablution to be valid. Likewise, if an obstacle existed, and the person comes to realise about it during the performance of ablution, or there was likelihood of realising it, and then after the performance of ablution, he doubts whether he had removed the hurdle or not, or whether he had let the water reach under it or not, he shall take the ablution to be valid. So also the same rule shall apply when he comes to realise the existence of an obstacle, but doubts whether it existed during the performance of ablution or appeared subsequently. Of course, if he knows at the time of performing ablution there existed something under which water could not have reached, while it was something under which water sometime reaches sometime not, like a ring, and he knows that he did not realise its existence while performing ablution, or he knew that he did not move it, but at the same time doubted whether water reached under it by chance or not, there is difficulty in declaring the ablution valid. Rather it is obligatory to repeat the ablution.

Problem # 13. If some of the limbs involved in ablution were unclean, and a person performs ablution, and later doubts whether he had cleaned them before ablution or not, the judgement would be in favour of its validity, but that particular limb shall be considered unclean, and so it would be obligatory on him to clean it for performing future ablution. Of course, if he knows that he had not realised it while performing ablution, it is obligatory to repeat the ablution.

Second Condition

It is also a condition for ablution that a person must perform it personally, if he has the ability to do so, and, in case of his inability, it is permissible, rather obligatory to have an agent for its performance. In such case, the agent shall help him in the performance of ablution, and he shall express the intention (Niyayat), though it is more cautious that the agent should also express the intention. As regards the performance of rubbing [the head and the feet], it is indispensable for him to do it personally, and it must be repeated by the agent. If it is not possible, he should take the wetness from the agent's hand and rub [the head and the feet] with it. It is more cautious to add Tayammum with it, if possible.

Third Condition

It is also a condition that order of washing or rubbing the limbs involved in ablution and rubbing should also be maintained. So washing the face is to precede washing the right hand, and washing the right hand is to precede washing the left hand, and washing the left hand is to precede
لا يعتبر في النية التلفظ ولا الاخطار في القلب تفصيلاً بل يكفي
وعنوان الامتثال

وصولاً، ويجعل فيه الاخلاص، فلو ضم اليا ما ينافيه مطل خصوصاً البباء،
فانه إذا دخل في العمل على أي نحو أفسده، وأما غيره من الضمان فان كانت
راجحة لا يضر ضمها، إلا إذا كانت هي المقصودة بالأصل ويكون قصد امتثال
الأمر الوضعي تبعاً، أو ترك الداعي منها حيث يكون كل منها جزءاً للداعي،
و كما لو استقل الداعيان على الأحوال وإن كانت مباحة كالبتير ببطل بها، إلا
إذا دخلت على وجه التعبد و كان امتثال أمره هو المقصود الأصلي.

مسألة 18 - لا يعتبر في النية التلفظ ولا الاخطار في القلب تفصيلاً بل يكفي

ويستمد في حواء والرتوه، ومنها، ومسألة بين الأعضاء، يعني أن لا يؤخر غسل
العضو المتأخر بحيث يحصل بسبب جفاف جمع ما تقدم.

مسألة 14 - أما يضر جفاف الأعضاء السابقة إذا كان بسبب التأخر وطول
 الزمان، وأما إذا تابع عرضاً في الأفعال ومع ذلك حصل الجفاف بسبب حرارة
الهواء أو غيرها لم يبطل وضوؤه.

مسألة 15 - لولا يعتدي في الأفعال ومع ذلك بقيت الرتوه من جهة البرودة و
رتوه الهواء بحيث لوكان الهواء معتدلًا لاصح الجفاف صح، فالعبرة في صحه
الوضوء بأحد الأمرين: إما بقاء البل جساً أو المتابعة عرفًا.

مسألة 16 - إذا ترك المولاة نسياناً بطل وضوؤه، وكذا لو اعتقد عدم
الجفاف ثم تبين الخلاف.

مسألة 17 - لولا يعتدي من الرتوه إلا في اللحية المسترردة في كفائها إشكال،
و كذا إن بقيت في غيرها مما هو خارج عن الحد كالشعر فوق الجبهة، بل هو
أشكل.

ومنها، النية: وهي القصد إلى الفعل، ولابد من أن يكون بعنوان الامتثال
أو القربة، ويعتبر فيها الأخلاق، فلو ضم اليا ما ينافيه مطل خصوصاً الرياء،
فانه إذا دخل في العمل على أي نحو أفسده، وأما غيره من الضمان فان كانت
راجحة لا يضر ضمها، إلا إذا كانت هي المقصودة بالأصل ويكون قصد امتثال
الأمر الوضعي تبعاً، أو ترك الداعي منها حيث يكون كل منها جزءاً للداعي،
و كما لو استقل الداعيان على الأحوال وإن كانت مباحة كالبتير ببطل بها، إلا
إذا دخلت على وجه التعبد و كان امتثال أمره هو المقصود الأصلي.
rubbing the head, and that must precede rubbing the feet. It is more cautious that washing the right hand must precede washing the left hand, rather it is obligatory, and its preference is not devoid of force.

Fourth Condition

Performance of washing and rubbing continuously in their order is also one of the conditions of ablution, i.e., one must not delay washing any limb involved in ablution to the extent that it may cause all the other limbs, washed earlier to dry.

Problem #.14. The drying of the previously washed limbs is harmful for ablution, in case it is caused due to the delay and length of time. So if the person performs the parts of ablution one after another in the usual way, and the limbs become dry due to warm weather etc., the ablution shall not be rendered void.

Problem #.15. If a person fails to perform (the various stages of) ablution one after another, but despite it, the wetness remains on the hands due to cold and damp weather in a way that had the weather been moderate, the water would have dried up, the ablution shall be valid. The criteria for the validity of ablution are two things, namely, either there should be wetness to the extent that it can be felt, or there should be the usual sequence [in the performance of the various stages of ablution one after another].

Problem #.16. If a person fails to observe the sequence of the order in ablution due to forgetfulness, the ablution shall be void. The same rule shall apply if a person believes that the wetness has not dried up, but later it transpires otherwise.

Problem #.17. If wetness has remained only in the long beard, there is difficulty in considering it sufficient [for performing the rubbing of the head and the feet]. The same rule shall apply if the wetness has remained in the parts of the body which are outside the limits of ablution, like the hair on the forehead; rather in such case it is more difficult [to accept their wetness to be sufficient for performing the rubbing of the head and the feet].

Fifth Condition

One of the conditions for ablution is the intention (Niyyat), which means the intention to do an act. It is indispensable that it should be in fulfilment of Allâh’s Commands and for seeking closeness to Allâh. The criterion of intention is sincerity, so that if something negative accompanies it, particularly hypocrisy, it shall be void; because if it accompanies an act in whatever manner, it invalidates the act. But if some other things accompany the intention, their accompaniment does not harm the intention, provided that they are more preferable (Râjîh), except when they assume the principal position, and the fulfilment of Allâh’s command becomes subservient to them, or the objective of ablution comprises two things in a way that each of them becomes independent part of the objective or motive of ablution, [in which case the ablution shall be void]. According to more cautious opinion, the same rule shall apply if there are two independent motives for ablution. Even if the motive is lawful, such as getting cool, the ablution shall be void, except when it is secondary, and the principal motive is fulfilment of Allâh’s Command [in which case there shall be no harm in accompanying the intention].

Problem #.18. It is not a necessary condition for intention to pronounce it in words or recall it in the heart in detail; rather, it is sufficient to have a brief intention concentrated in the heart in a
في الأراده الإدجامية المرتكزة في النفس بجهاز لوسيل عن شغله يقول: أنتوأ، و
هذه هي التي يسمونها بالدعاية، نعم لشعبي في العمل ثم ذهل عنده وغفل بالمرة.
بجهاز لوسيل عن شغله بني متجمد ولا يدري ما يصنع يكون عملاً بلالبية.
مسألة 19 - كما تجب النية في أول العمل كذلك يجب استدامتها إلى آخره،
فلم ترد وأمئ العدوم وأتمه التوقيو على هذه الحال بطل، ولو عدل الى النية
الأولى قبل شوة المولاة وضم إلى ما أتى به مع النية بقية الأفعال صح.
مسألة 20 - يكني في النية قدس القرابة، فلا تجب نية الوجوب أو الندب لاإستفا ولا غابة، فلا يلزم أن يقصر أني أنتوأ جباء الوجوب الواجب على، بل لوئنو
الوجوب في موضع الوجب أو العكس أنشباه بعد ما كان قاصداً للقرية أو
الامتناع على أي حال كنف وضح.
مسألة 21 - لا يعتبر في صحة الوضوء نية رفع الحدث ولا نية استباحة الصلاة
وغيرها من الغايات، بل لوئنو التدبيد فتين كونه معةً صح الوضوء، ويجوز
معه الصلاة وغيرها، ويكني وضوء واحد عن الأسباب المختلفة و إن لم بلحظها
نانية، بل لو قد رفع حدث بعينه صح وترفع الجميع، نعم لو كان قدضه ذلك
على وجه التقيد بحيث كان من نيته عدم ارتفاع غيره في الصحة إشكال.

فصل في نواقض الوضوء وموجباته

مسألة 1 - الأحداث الناقضة للوضوء والوجبة له أمور: الأول والثاني: خروج
البول وما في حكمة كالبلد المشتهي قبل الاستقاء، وخروج العافي من الموضوع
الطبيعي، أو من غيره مع انسداد الطبيعي أو بدونه، كثيراً كان أو قليلًا وله
بصاحبة دود أو نواة هملاً. الثالث: خروج الريح عن الدرب إذا كان من العدة
أو الأمعاء، سواء كان له صوت ورائحة أم لا، ولا عبرة بما يخرج من قبل المرأة.
way that if the person is asked what he was doing, he may say that he was performing ablution. This is called the motive.

If, however, he starts performing ablution, and then forgets it completely in a way that if he is asked what he was doing, he would be perplexed, and would not know what he was doing, he shall be like one doing something without any intention.

Problem # 19. As it is obligatory to have intention in the beginning of an act, so also it is obligatory to persist up to the end. If he hesitates, or loses the intention, and completes ablution in such condition, it would be void.

If, however, before the discontinuation of the succession, he reverts to the first intention, and connects the remaining acts with his intention, the ablution shall be valid.

Problem # 20. It is sufficient for intention that it should be for seeking closeness to Allāh, and it is not obligatory to have the intention of obligation or preference in description or in purpose, so that it is not necessary that he should express the intention that he was performing ablution which is obligatory on him, rather, if he intends obligation in place of preference, or otherwise, erroneously, after he had intended to perform ablution for seeking closeness to Allāh or in fulfilment of Allāh’s Commands in whatever way, it would be sufficient.

Problem # 21. It is not a condition for the validity of ablution to intend the removal of uncleanness, nor to intend the lawfulness of prayers or other aims, but, if after renewing ablution, he comes to know that he was unclean, the ablution shall be valid, and it would be valid to offer prayers or other things with that ablution.

It is sufficient to have a single ablution for different purposes, even if a person did not have such intention.

If he intends the removal of a specific uncleanness, even then his ablution shall be valid, and it would remove all the causes of uncleanness. If, however, he intends to confine it to the non-removal of other unclean objects, then there would be difficulty in the validity of the ablution.

C - Things that Nullify Ablution & Their Causes

Problem # 1. There are several Unclean Things which nullify Ablution and cause the necessity for its repetition.

First & Second: Effusion of urine or what falls under its category, such as the suspected wetness coming out before Ḳibrā’ or excretion of feces from the natural or unnatural passage, regardless whether the natural passage is blocked or not, and whether its amount is large or small, and whether it is accompanied, for example, by worms or lumps.

Third: Passing out of wind from anus, if it comes out of the stomach or bowels, whether it is accompanied with sound and bad odour or not. But the wind that comes out of the front organ (vulva) of a woman, and not from the stomach or bowels is like the wind that enters from outside and then comes out. [So it will not nullify ablution].

Fourth: A sleep which overwhelms the senses of sight and hearing [i.e., as a result of which the eyes do not see, and the ears do not hear].
ولا ما لا يكون من المعدة أو الأمعاء، كما إذا دخل من الخارج ثم خرج. الرابع: النوم الغالب على حاضتي السمع والبصر. الخامس: كل ما أزال العقل مثل الجنون والغفاء والسكر و نحوها. السادس: الاستحاضة القليلة المتوسطة، بل الكثيرة على الأحوط، وإن أوجبت الفعل أيضاً. مسألة 2 - إذا خرج ماء الاحتقان ولم يكن معه شيء من الغائط لم ينتقض الوضوء، وكذا لواكك في خروج شيء معه، وكذلك الحال في إذا خرج دود أو نواة غير ملطخ بالغائط.

مسألة 3 - المحسوب والبطون إن كانت لها فترة تسع الطهارة والصلاة ولي الاقتصر على أقل واجباتها انتظارها وأوقعا الصلاة في تلك الفترة، وإن لم تكن لها تلك الفترة فاما أن يكون خروج الحد في اثناء الصلاة مرة أو مرتين أو ثلاث مثلاً بحيث لاخرج عليها في التوضوء والبناء، وإنما يكون متصلاً بحيث لم توضع بعد كل حدث وبنبأ لزم عليها الخرج، ففي الصورة الأولي يتوضأ البطون ويشتغل بالصلاة ويضع الماء قريبها منه، فإذا خرج منه شيء توضأ بان محلة وبنو على صلاته، والأحوط أن يصل صلاة أخرى بوضوء واحد، والأحوط للمحسوب عمل البطون، وإن كان جواز الاكتفاء به بوضوء واحد لكل صلاة من غير التجديد في الأذن لا يلقو من قوة.

وأما في الصورة الثانية فالاحوط أن يبوضي لكل صلاة، ولا يجوز أن ينصب صلاتين بوضوء واحد فريضة كانتا أو نافلة أو مختلفة، وإن لا يعدم لزوم التجديد للمحسوب إن لم يتقاطر منه بين الصلاتين، فيأتي بوضوء واحد صلوات كثيرة مال متقاطر في فأصلها وإن تباطر في أثناها لكن لا ينبغي ترك الاحتياط، والأقوى إلقاء محسوب الريح بالبطون، بل لا يعدم دخوله فيه موضوعاً.

مسألة 4 - يجب على المحسوب التحفظ من تعدي بويسه بكس فيه قطن و نحوه,
Fifth: Everything which stuns human reason such as insanity, swooning, drunkenness or the like.

Sixth: The minor or medium *lstihādah* (undue menstruation), rather to be more cautious, the abundant one too, though we have declared ritual bath to be obligatory in such cases.

Problem #2. If the water of enema comes out without being accompanied by something like feces, it would not nullify ablation.

Likewise, if there is suspicion of the water of enema being accompanied by something, or when some worm or lump comes out without being sullied by feces, [the ablation shall not be nullified].

Problem #3. If persons suffering from incontinence of urine or defecation have sufficient time for cleanliness and offering prayers, though confining themselves to the performance of minimum of what is obligatory [in cleanliness], they must wait for such time and offer their prayers at that time.

In case they have no such time, then either the polluting matter comes out, for example, once, twice or thrice during offering prayers in a way that it is not painful for them to perform ablation and restart prayers again, or it takes place repeatedly in a way that it is quite painful for them to perform ablation after every time of pollution, and offer prayers again, then in the former case a person suffering from incontinence of defecation shall perform ablation, and offer prayers, and place water close to himself, so that whenever something defecates, he should perform ablation immediately, and restart prayers, and to be more cautious, he should offer the next prayers with a single ablation.

It is more cautious for a person suffering from incontinence of urine to follow the example of one suffering the incontinence of defecation, though the permissibility of sufficiency of a single ablation for each prayers without renewing it every time is not devoid of force.

In the latter case, it is more cautious for both to perform ablation for each prayers, and it is not permissible for them to offer two prayers with a single ablation, regardless of their being compulsory or optional or mixed, even though it is not far from being likely that it is not necessary for a person suffering from incontinence of urine to renew ablation if the discharge of urine does not take place between two prayers, so he may offer several prayers with a single ablation as long as the discharge of urine does not take place between them, but he should not give up caution.

However, according to the stronger opinion a person suffering from incontinence of gas should be affiliated to a person suffering from incontinence of defecation, rather it is not far being likely that such person is treated at par with a person suffering from incontinence of defecation in view of their common subject.

Problem #4. It is obligatory for a person suffering from incontinence of urine to prevent his urine from permeation through a pouch full of cotton or the like. Apparently, it is not necessary for him to change the pouch or clean it for every prayer.
Fi Ghaibat al-Wusūw

والظاهر عدم وجوب تغييره أو تطهيره لكل صلاة، نعم الأحوط تطهير الحشفة إن أمكن من غير حرج، ويدب الحفظ ما أمكن على المبطون أيضاً، كما أن الأحوط له أيضاً تطهير المخرج إن أمكن من غير حرج. مسألة 5 - لا يجب على المسول والمطعون قضاء ما مضى من الصلوات بعد برتها، نعم الظاهر وجوب إعادتها إذا برء في الوقت واتسع الزمان للصلاة مع الطهارة.

فصل في غايته

غايات الوضوء ما كان وجوب الوضوء أو استحباءه لأجله من جهة كونه شرطاً لصحة الصلالعة، أو شرطاً لجوازه، أو عدم حرمته كمس كتابة القرآن، أو شرطاً لكماله كقراءته، أو لرفع كراحته كالأكل حال الجنابة فإنه مكروه، وتتمتع كراحته بالوضوء.

أما الأول: فهو شرط للصلاة فريضة كانت أو نافلة، أداءها أداة كانت أو قضاء، عن النفس أو الغير، ولأجزائها المنانية، وسجدي السهو على الأحوط وإن كان الأقوى عدم الاشتراع، وكذا شرط للطواب الذي هو جزء للحج أو العمرة الواجبة، والأحوط اشتراعه في المندوبين أيضاً.

وأما الثاني: فهو شرط لجواز مس كتابة القرآن، فيحرم مساها على المحدث، ولا فرق بين أيته وكلماته، بل والحرف والمد والتشديد وأعاريبها، يلحق بها أسماء الله وصفاته الخاصة، وفي إلحاق أسماء الأنبياء والأئمة عليهم السلام والملائكة تأمل وإشكال، والأحوط التجنب خصوصاً في الأولين.

مسألة 1 - لا فرق في حرمة المس بين أجزاء البدن ظاهراً وباطناً، نعم لا يبعد جواز المس بالشعر، كما لا فرق بين أنواع الخطوط حتى المهجور منها كالكوفي، و
Of course, it is more cautious for him to clean the glans penis, provided that it is not painful for him.

Likewise, as far as possible and without being painful, it is also obligatory for a person suffering from incontinence of defecation to prevent its permeation, as it is also more cautious for him to clean his anus if it is possible for him without being painful.

**Problem # 5.** It is not obligatory for persons suffering from incontinence of urine or defecation to make up for the previously omitted prayers after being cured (of the ailment).

Of course, apparently it is obligatory on him to offer prayers again if he recovers from his ailment at the time of prayers, and there is ample time for offering prayers with cleanliness.

### D - Purposes of Ablution (Wuḍū)

By purposes of Ablution are meant the things for which ablution is obligatory or approved in a way that either it is by canonical law (Ṣāri‘at) a condition for their validity like prayers, or a condition for its permissibility or absence of prohibition like touching the words of the Qur‘ān, or a condition for its accomplishment such as reciting the Qur‘ān, or a cause for removal of its abomination, such as eating in a state of pollution due to discharge of semen which is disapproved, and its disapproval is removed by means of ablution.

The purposes of ablution are as follows:

**First :** [A thing for the validity of which performance of ablution is a condition]. So it is a condition for offering prayers, whether compulsory or optional, on time or due, for oneself or on behalf of someone else, or for its omitted portion, and, to be more cautious for the two prostrations for omissions (in prayers), although, according to the stronger opinion, it is not a condition for the performance of the prostrations for omissions (in prayers).

Likewise, it is a condition for the performance of the circumambulation (tawāf) [of the Ka‘bah] which is part of compulsory Ḥajj or Umrah. According to the more cautious opinion, it is also a condition for the performance of voluntary Ḥajj or Umrah.

**Second :** [It is also a condition for the observation of regard or reverence of some things]. So it is a condition for touching the words of the Qur‘ān, as it is forbidden for an unclean person to touch it. There is no difference between the verses or the words of the Qur‘ān, rather even its letters, [the various symbols] like the symbol of madd (for lengthening the sound of a letter) or tashādud (for repeating the sound of a letter) or ṭā‘b (symbols of pronunciation or inflexion of letters), and to this are added the specific Names and Attributes of Allāh. However, there is hesitation and difficulty in including the names of the prophets and Imāms, Peace be upon them, and those of the angels under this category, though it is more cautious to avoid [touching the names of] specially the first two (i.e., the names of the prophets and Imāms, without having first performed ablution).

**Problem # 1.** As regards the prohibition of touching (venerable objects), it makes no difference whether the limbs are open or hidden. Of course, the permissibility of touching with hair is not far
ما بين أنواع الكتابة من الكتب بالقلم أو الطباع أو غير ذلك.

وأما الثالث فهو أقسام كثيرة لا يناسب ذكرها في هذه الوجيز، وفي كون الوضوء مستحبًا بنفسه تأمل.

مسألة 2 - يستحب للموضيء أن يجد وضوءه، والظاهر جوازه ثالثًا ورابعًا فصاعداً، ولو تبين مصادفته للحدث يرتفع به على الأقوي، فلا يحتاج إلى وضوء آخر.

القول في أحكام الخلل

مسألة 1 - لو تيقن الحديث وشك في الطهارة أو ظن بها تظهر، ولو كان شكه في أثناء العمل، فلو دخل في الصلاة وشك في أثناها في الطهارة يقطعها وينتهي، وأخوتة الاعتمار ثم الاستيناف بظهوره جديدة، ولو كان شكه بعد الفرع من العمل بني على صحته وتشير للعمل اللاحق، ولو تيقن الطهارة وشك في الحدث لم يلتفس، ولو تيقنها وشك في التأخر منها تظهر حتى مع علمه بتاريخ الطهارة على الأقوى، هذا إذا لم يعلم الحالة السابقة على البقين، إلا فالأقوى هو البناء على ضدها، لو تيقن الحديث قبل عروض الحالتين بني على الطهارة، ولو تيقن الطهارة بني على الحدث، هذا في مجهول التاريخ، وكذا الحال فيما إذا علم تاريخ ما هو ضد الحالة السابقة، وأما إذا علم تاريخ ما هو مثله ففني على المحدثة وينتهي، لكن لا ينبغي ترك الاحتياط في جميع الصور المذكورة، ولو تيقن ترك غسل عضو أو مسحه أتي به وما بعده ولم يحصل مفسد من فوات مسالة أو نحوه، إلا استناف، ولو شك في فعل شيء من أفعال الوضوء قبل الفرع منه أتي بما شكه، فيه مراعية للترتيب وال مواصلة وغيرها ما يعتبر فيه.

والظن هنا كالشوك، و كثير الشك لا عبرة بشكه، كا أنه لا عبرة بالشك.
from being likely, as also it makes no difference in case of various types of scripts, including even the scripts now in disuse, such as the Kufic script.

Similarly, it shall make no difference in case of various modes of writing, whether the words have been written by hand or have been printed, etc.

Third: There are several kinds of things which it is not proper to mention in this small book. In declaring ablution itself to be recommendable [or having a reward, without there being any purpose of it], there is hesitation.

Problem # 2. For a person who has already performed ablution, it is desirable to perform ablution again. Apparently, it is permissible to repeat ablution for a third or fourth or even more times.

If a person repeats ablution coincident with uncleanness, the same ablution shall be sufficient to remove the uncleanness and there is no need of a fresh repeat of it.

Rules regarding Damage to Ablution

Problem # 1. If a person is sure to be unclean, and then doubts whether he has attained cleanliness, or suspects he has attained cleanliness, then if the doubt has occurred during the performance of the act (like prayers), so that he has started offering prayers and, in the meantime, he doubts about his being clean, he must discontinue it, and obtain cleanliness. It is more cautious to complete the prayers, and then repeat it in a fresh (state of) cleanliness. If the doubt has occurred after the completion of the act (like prayers), he must treat it to have been valid, and should clean himself for future acts. If he is sure to have been clean, and then doubts about being clean, he must not pay any heed to his doubt. If he is sure of cleanliness and pollution both, but is ignorant as to which of them is subsequent, then, according to the stronger opinion, he must clean himself, even if he knows the exact time of cleanliness. This is the rule when he is ignorant of his condition prior to his being sure of clean and unclean; otherwise, according to the stronger opinion, he must decide contrary to his previous condition. If, however, he is sure of having been unclean before the occurrence of the doubt about his being clean or unclean, he shall decide in favour of his being clean. If, in the above case, he is sure of having been clean [prior to the occurrence of doubt], he shall decide in favour of being unclean. These are the rules where he is ignorant of exact times of his becoming clean or unclean. The same rule shall apply even if he knows the time of his condition contrary to the prior one. If, however, he knows the time of his condition contrary to the previous one, but when he knows the time of similar condition, then he shall decide in favour of uncleanness, and shall clean himself. Anyhow, in all the above mentioned cases, he should not give up caution. If he knows that he has not washed any limb [required in ablution], or has not performed its rubbing (Mash), he should do it and do what follows, if no harm is done by the omission of the succession of the acts, or the like; otherwise, he should repeat the act. If he doubts the omission of some of the stages of ablution before having completed it, he shall perform the omitted act at the same time observing the necessary succession and continuance of the various stages of ablution. Here suspicion is like doubt, while no heed is paid to the doubt of a person who is in the habit of doubting too often, in the same way as there is no importance of a doubt after the completion of an act, whether the doubt relates to some of the stages of ablution or about any of its conditions.
فصل في وضوء الجبيرة

مسألة 1- من كان على بعض أعضائه جبيرة فان أمكن نزعها نزعها أو غسل أو مسح
ما تحتها، ولم لا يتميز النزع لو كانت على محل الغسل، بل ما يجب هو إيصال الماء
تحتها على نحو يصلى مسمى الغسل بشرطه ولو مع وجود الجبيرة، نعم يجب النزع
عن محل المسح، وإن لم يمكن النزع فإن كان في موضع المسح مسح عليها، وإن
كان في موضع الغسل وأمكن إيصال الماء تحتها على نحو يصلى مسمى الغسل
بشرطه وجبه، إلا مسح عليها.

مسألة 2- يجب استيعاب المسح في أعضاء الغسل، نعم لا يلزم مسح ما يتعذر

مساءلة 3 - إذا توضأ وضوء وصلى صلاة واحدة أو متعددة بعدهما ثم تيقن
وقوع الحدث بعد أحدهما يجب عليه الوضوء للصلاة الآتية ويحكم بصحة
الصلاة التي أتي بها، وأما لو صلي بعد كل وضوء ثم علم بوقوع الحدث بعد
أحد الوضوءين أو الوضوءات قبل الصلاة يجب عليه إعادة الصلوات، نعم إذا
كانت الصلوات متفقتين في العدد كالظهرين فالظاهر كفاية صلاة واحدة
بقصد ما في الذمة وإن كانت اعادتها أخوها.

مساءلة 2 - إذا كان متوسطاً ووضوء للتجديد وصلي ثم تيقن بطلان أحد
الوضوءين لا أثر لهذا العلم الاجتمالي لا بالنسبة إلى الصلاة التي أوقعها ولا
بالنسبة إلى الصلوات الآتية، وأما إذا صلي بعد كل من الوضوءين ثم تيقن
بطلان أحدهما فالصلاة الثانية صحيحة قطعاً، كما أنه تصح الصلوات الآتية مالم
يتنقض الوضوء، ولا يبعد الحكم بصحة الصلاة الأولى، وإن كان الأخوة
اعادتها.
Problem # 2. If a person who has already performed ablution performs it again with the intention of renewing it, and then offers prayers, then becomes sure of invalidity of one of the two ablutions, this brief knowledge shall have no adverse effect whether on the prayers he has offered or those he is going to offer next. If, however, he has offered prayers after each of the two ablutions, and then becomes sure of invalidity of one of the two ablutions, then the second prayer shall be certainly valid, as also the next prayer shall also be valid as long as his ablution is not nullified. It is also not far from being likely that the former prayer was also valid, though it would be more cautious to repeat it.

Problem # 3. If a person performs two ablutions, and then offers one or several prayers, and then becomes sure of uncleanness after one of them, it would be obligatory on him to perform ablution for next prayers, while the prayers he has already performed shall be declared valid.

If, however, he has offered prayers after each ablution, then he comes to know of uncleanness after one of the two ablutions or more before offering prayers, it would be obligatory on him to repeat the prayers.

Of course, if both the prayers had the same number [of Rak'ats] like those of Zuhr and Asr, then according to the more prevalent opinion it would be sufficient if he offers one of them as what was due, though it would be more cautious to repeat both of them.

Rules of Wudū-ı Jabırah (Ablution despite one's having a Splint)

Problem # 1. If a person has a splint on some of his limbs (involved in ablution), then, if it is possible to remove it, he must remove it, and perform washing and rubbing of what is under it. Of course, it is not indispensable to remove it if it is placed on the part required to be washed (in ablution), but what is obligatory is to make the water reach the part under the splint in a way that it may be treated as washing it with the requisite conditions, even with the splint on it.

Of course, it is obligatory to remove the splint from the part involved in rubbing for performing the rubbing, even if it is not possible to remove the splint. If the splint happens to be placed on the part involved in rubbing, he must perform the rubbing on it.

If the splint is placed on the part involved in washing (for performing ablution), and it is possible to make the water reach the part under it in a way that it may be called washing with all the requisite conditions, it shall be obligatory to do so; otherwise, he shall perform the rubbing on it.

Problem # 2. It is obligatory to perform the whole rubbing on the limbs required to be washed (as part of ablution).

Of course, it is not necessary to perform rubbing on the parts on which it is not possible to perform the rubbing or which cannot be rubbed for being between the threads.

In case of the limbs involved in rubbing, the rubbing shall be performed on the splint as the rubbing on the limbs involved in rubbing as regards its amount and nature. So it is indispensable to perform the rubbing with the hand and with its wetness, contrary to what was the case in the parts involved in washing (for ablution).
أو يتعرض مسحه لما بين الخيوط، و أما في أعضاء المسح يكون حال المسح على الجبيرة كمسح عملها قدرًا و كيفية، فعتبر أن يكون باليد و نداها بخلاف ما كان في وضوء الغسل.

مسألة 3- الظاهرة جريان أحكام الجبيرة مع استياعها لعضو واحد خصوصاً مسح المسح، ولو كانت مستوعبة لمعظم الأعضاء لا يترك الاحتياط بالجمع بين عمل الجبيرة والتيمم إن أمكن ذلك فلا حائل. وإن لا تبعد كفاية التيمم، نعم إذا استوعب الحائل أعضاء التيمم أيضاً ولا يمكن التيمم على البشرة تعيين الوضوء على الجبيرة.

مسألة 4- إذا وقعت الجبيرة على بعض الأطراف الصحيحة فالمقدار المتعارف الذي يلزم شد غالب الجبار في الماء في الحكم، فيمسح عليه، وإن كان أزيد من ذلك المقدار فإن أمكن رفع هما وعمل المقدار الصحيح ثم وضعها ومسح عليها، وإن لم يكن ذلك مسح عليها، لا يترك الاحتياط بضم التيمم أيضاً.

مسألة 5- إذا لم يمكن المسح على الجبيرة من جهة النجاسة وضع خروقة فوقها على نحو تعد جزءاً منها ومسح عليها.

مسألة 6- الأقوى أن الجرح المعين الذي لا يمكن غسله يجوز الاكتفاء بغسل ما حوله، والاحوط مع ذلك وضع خروقة عليه ومسح عليها.

مسألة 7- إذا أضر الماء بالعضو من دون أن يكون جرح أو قرح أو كسر بعين التيمم، نعم لو أضر بعض العضو و أمكن غسل ما حوله لا يبعد جواز الاكتفاء بغسل وعده الاستقلال إلى التيمم، والأحوط مع ذلك ضم التيمم، ولا يترك هذا الاحتياط، واحوط منه وضع خروقة ومسح عليها ثم التيمم، وكذا يتبع التيمم إذا كان الكسر أو الجرح في غير مواضع الوضوء ولكن استعمال الماء في مواضع يضر بالكسر أو الجرح.

مسألة 8- في الرمذ الذي يضر به الوضوء يتبع التيمم، ومع إمكان غسل ما حول...
Problem # 3. According to the prevalent opinion, the rules of splint shall apply in case it covers a single limb, specially on the part involved in rubbing. If, however, the splint has covered most of the limbs involved in rubbing, caution must not be given up by performing the act as required in case of splint as well as Tayammum, if it is possible without any impediment, though it is not far from being sufficient to perform Tayammum.

If, however, the impediment has also covered the limbs involved in Tayammum, and it is not possible to perform Tayammum on the skin, the ablation shall be performed as required despite the splint on them.

Problem # 4. If the splint happens to be around some of the unaffected parts as is usually required for strengthening the splints, they shall be governed by the same rules [applied to the affected limbs under the splint], and so rubbing shall be performed on them.

If, however, the space exceeds the usual amount, then, if it is possible to remove the splint (from the unaffected area), the splint shall be removed from it, and the unaffected area shall be washed, and then the splint shall be replaced, and rubbing shall be performed on it.

If it is not possible, rubbing shall be performed on it, but caution shall not be given up by adding Tayammum too.

Problem # 5. If it is not possible to perform rubbing on the splint due to its uncleanness, a piece of cloth shall be placed on it in a way that it may be considered to be a part of it, and rubbing shall be performed on it.

Problem # 6. According to the stronger opinion, in case of an open wound which cannot be washed (for ablution), it shall be sufficient to wash the area around it, though it is more cautious to place a piece of cloth on it, and perform rubbing on it.

Problem # 7. If water is harmful for a limb without its having a wound, abscess or cut, Tayammum shall be resorted to.

Of course, if water is harmful for a part of the limb, and it is possible to wash the area around it, it is not far from being sufficient to wash that area without reverting to Tayammum, though it is more cautious to add Tayammum to it, and this caution must not be given up, but it is more cautious to place a piece of cloth on it, and then perform Tayammum.

Likewise, Tayammum shall be resorted to if the cut or wound is on a part not involved in ablution, but the use of water on it shall be harmful for the cut or wound.

Problem # 8. In case of eye-sore for which ablution is harmful, Tayammum shall be resorted to, and if possible, it is not far from being sufficient to wash the area around it without any harm, though there is some difficulty [in accepting it]. So caution must not be given up by adding Tayammum to it.

If, however, caution is observed by placing a piece of cloth on it, and then rubbing is performed on it, and then Tayammum is performed, it would be proper (ḥasan).
فصل في الإغسال

والواجب منها ستة: غسل الجنازة والحيض والاستحضاء والنفاس ومس الميت وغسل الأموات، والأقوى عدم الوجوب الشرعي في غير الأخير.
Problem # 9. If there is some impediment on the skin such as tar, and it is not possible to remove it, it shall be sufficient to perform rubbing on it. It is more cautious to perform the rubbing in a way that it may be at least called washing, though it is more cautious to add Tayammum to it.

Problem # 10. If a person has a splint on some of his limbs, and something takes place necessitating obligatory bath, he shall perform the rubbing on the splint and the unaffected parts observing the conditions mentioned under the ablution in case of having a splint, and it is more cautious to perform the obligatory bath by taking water bits by bits instead of dipping himself in the water.

Problem # 11. The ablution performed despite a splint and performing bath in case of having a splint do not only render it permissible to perform the necessary religious duties, but also remove uncleanness. The same is the case with Tayammum when one is bound to perform Tayammum.

Problem # 12. If a person is bound to perform Tayammum, and he has a splint on his limbs which cannot be removed, he shall perform the rubbing on it.

The same rule shall apply in case there is some other obstacle which cannot be removed.

Problem # 13. When the cause of excuse of a person having a splint is removed, it would not be obligatory for him to repeat the prayers he has already offered; rather apparently it would be permissible for him to offer next prayers with the same ablution or the like.

Problem # 14. It is permissible for a person having a splint to offer prayers at the beginning of their prescribed time in case he has lost hope of removal of the cause of excuse till the end of their prescribed time.

In case, however, he has not lost hope, it is more cautious to delay offering the prayers.

Chapter on the Kinds of (Obligatory) Baths

Six of the baths are obligatory, namely, the baths for discharge of semen, menstrual blood, undue menstruation, puerperal blood, touching a dead body and bathing the dead body. According to the stronger opinion, except for the last one the other baths are not obligatory.
فصل في غسل الجنازة
والكلام في سبيل الجنازة وأحكام الجدب وواجبات الغسل:
القول في السبب

مسألة 1 - سبب الجنازة أمران:
أحدهما: خروج المني وما في حمه من البل المشبه قبل الاستبزاء بالبول، كما يأتي في شاء الله تعالى، والسبب خروجه إلى الخارج، فلو تحرك من محله ولم يخرج لم يوجب الجنازة، كما أن العذر كونه منه، فلو خرج من المرأة من الرجل لا يوجب جنايتها إلا مع العلم باختلاط مخبرها، والمنى إن علم فلا إشكال، وإلا رفع الصحيح في معرفته إلى اجتماع الدفق والشهوة وفته الجسد، والظاهر كفاية حصول الشهوة للمرض والمرأة، ولا ينبغي ترك الاحتياط سبيلا في المرأة في وضعها إلى الغسل للاستحالة، بل الأخوة مع عدم اجتماع الثلاث الغسل والوضع إذا كان مسبقاً بالطهارة، بل الحديث الأصفر والغسل وحده إن كان مسبقاً بالطهارة.
ثانيهما: الجماع وإن لم ينزل، ويتحقق بغيظته الخشوة في القلب أو الدبر، وحصول مسمي الدخول من مقطوعها على وجه لا يخلو من قوة، فيحصل حينئذ وصف الجنازة لكل منها من غير فرق بين الصغير والمجتون وغيرهما، ووجب الغسل عليها بعد حصول شرائط التكليف، ويسح الغسل من الصبي المميز، فلو اعتنيل يرفع عنه حدث الجنازة.

مسألة 2 - لرأي في ثوبه مني وعلم أنه منه ولم يغسل بعده يجب عليه قضاء
Chapter on Bath for \textit{Janābat} (Pollution by Ejaculation of Semen)

Discussion about the Causes and Rules Concerning \textit{Janābat} and Obligations of Its Bath

\textbf{A - Causes of \textit{Janābat}}

\textbf{Problem \# 1}. There are two causes for \textit{Janābat}.

\textbf{The First Cause}: is the discharge of semen and what comes under its rules, such as doubtful moisture coming out before the performance of \textit{Istibrā'}, the details of which, God willing, shall follow.

The actual discharge of semen is a condition here. If it moves from its place, but does not actually come out, then there shall be no obligation for (bath due to) \textit{Janābat}, as it is also a condition that it should come out of [organ of] the man, so that if the semen of a man comes out of [the organ of] a woman, she shall not be obliged (to perform bath) for \textit{Janābat}, except when she is aware that her own semen has mixed with that of the man.

If a man is aware of semen, then there is no difficulty (in determining it as the cause for performing bath due to \textit{Janābat}); otherwise, (if the man is ignorant of it), then the criterion in case of a healthy person is its effusion with the existence of carnal appetite and sluggishness of the body.

In case of a patient or woman, the existence of carnal appetite is sufficient [for the cause of \textit{Janābat}]. Caution should, however, not be given up, specially in case of a woman by adding ablution to the obligatory bath if she has not already been clean; rather, in case all the three conditions are not there, even then it is more cautious for her to perform the obligatory bath as well as ablution if she has had the smaller uncleanness.

If, however, she has already cleaned herself, the performance of obligatory bath shall be sufficient.

\textbf{The Second Cause}: is sexual intercourse, even without the actual discharge of semen. It takes place with the disappearance of the glans penis in the front or back organ.

In case of a person whose penis has been chopped off due to some reason the occurrence of what is called penetration in anyway (whatsoever) is not free from force.

In both cases \textit{Janābat} shall take place, without any difference whether the person is minor or insane, or the like. They shall fall under the obligation to perform bath after the completion of the conditions for obligation. The obligatory bath performed by a discreet child is valid, so that if he performs the obligatory bath, the pollution of \textit{Janābat} is removed from him.

\textbf{Problem \# 2}. If a person finds semen on his garments, and is aware of its being his semen, but does not perform the obligatory bath, it is obligatory on him to make good for all the subsequent prayers offered by him. However, it is not obligatory to make good for the prayers which are likely to have been offered prior to the occurrence (of \textit{Janābat}).

If a person knows that it is his semen, but does not know whether it is prior to the \textit{Janābat} for which he has already performed the obligatory bath or the other \textit{Janābat} for which he
الصلاة التي صلها بعده، وأما التي يحتل وقوعها قبله فلا يجوز فضاؤها، ولوعل أنه منه ولم يعلم أنه من جنابة سابقة اغتسل منها أو جنابة أخرى لم يغتسل منها فالظاهر عدم وجوب الفضيل عليه وإن كان أحيوان.

مسألة 3، إذا تركّت النية عن مسلة في البقظة أو النوم بالاحتلال لا يجوز الفضيل مالما يخرج، فإن كان بعد دخول الوقت ولم يكن عنده ماء للغسل فلا يجوز عدم وجوه جنبيه، وإن لا يخلو من تأمل مع عدم التصرف به، فإذا خرج يتيمن للصلاة، نعم إذا لم يكن عنده ما يتيمن به أيضاً لا يجوز وجوه جنبيه إذا كان على ظهارة، إلا إذا تقصر به، وكذا الحال في إجبار نفسه اختياراً بعد دخول الوقت باتيان أهل الجماعة طلباً للزادة، فيجوز لهم لا ينفع عنده ماء الغسل دون ما يتيمن به، يخلو ما إذا لم يكن عنده ما يتيمن به أيضاً كما مر، وفي اتباعها لغير ما ذكر جوازه محل تأمل وين لا يجوز.

القول في أحكام الفضيل

منها: أنه يتوقف على الغسل من الجنابة أمور، يعني أنه شرط في صحتها: الأول، الصلاة بأقسامها عدا صلاة الجنازة، وكذا لأجزائها المنصبة، والأقوى عدم الاشترط في سجودي السهو، وإن كان أحيوان. الثاني، الطواف الواجب، بل لا يجوز الاشترط في المندوب أيضاً (الثالث) صوم شهر رمضان وقضاءه، يعني بطلانه إذا أصبح جنبياً معتمداً أو ناسياً للجنابة، وأما سائر أقسام الصيام فلا تبطل بالإباحة جنباً في غيرالواجب منها، ولا يترك الاحتياط في ترك تعمده في الواجب منها، نعم الجنابة العبدية في أثناء النهار تبطل جميع أقسام الصيام حتى المندوب منها، وغير العبدية كالاحتلال لا يضر بشيء منها حتى صوم شهر رمضان.
did not perform the bath, then apparently it shall not be obligatory on him to perform the bath for it, though it is more cautious to perform the bath.

**Problem # 3.** If the semen moves from its place while awake or asleep as nocturnal pollution (lḥtilām), bath shall not be obligatory unless the semen is discharged.

If it occurs when the prescribed time for prayers has reached, and water for performing bath is not available, it is not far from being obligatory to stop the discharge of semen, though, when stopping the discharge of semen is not harmful, it is not free from hesitation (not to declare it obligatory.) So if it is discharged, he shall perform Tayammum for prayers.

In case, however, he has not the things required for the performance of Tayammum, it shall not be far from being obligatory on him to stop discharge of semen, except when it is harmful for him to do so.

The same rule shall apply to a person who pollutes himself voluntarily after the prescribed time for offering prayers has reached by having intercourse with his wife for the sake of pleasure, so that it would be permissible for him [to enjoy his wife sexually], even if he has no water for performing the obligatory bath, excluding what is required for the performance of Tayammum, contrary to what would be the rule if he has also not the things required for the performance of Tayammum, as already mentioned before.

There is hesitation in permissibility of his sexual intercourse with his wife without what has been mentioned above [i.e. not for the sake of pleasure], though it is not far from being permissible.

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**B - Rules for Janābat (Pollution by Discharge of Semen)**

There are certain things which depend on the performance of obligatory bath, which means that their validity depends on its performance. **Firstly,** prayers with all its kinds, excluding the prayers for the dead, and same is the case with its omitted or forgotten pieces. According to the stronger opinion, it is not a condition required for the validity of the two prostrations for omission (Sajda-i Sahv), though it is more cautious (to include it in their case too). **Secondly,** obligatory circumambulation [of Ka'bah]; rather it is not far from being a condition for the validity of the optional circumambulation as well. **Thirdly,** Fasting during the month of Ramaḍān or fasting for making up for its omission, which means that it shall be rendered invalid by his becoming polluted [by discharge of semen] deliberately or ignorantly. As regards the case of other kinds of fasting, they are not rendered invalid by his becoming polluted (by discharge of semen) in case of fasting which is not obligatory. In case of the obligatory fasting, he should not give up caution by avoiding deliberate pollution (by discharge of semen). Of course, the deliberate pollution (by discharge of semen) during the day invalidates all kinds of fasting, including even the optional one. As regards the unintentional pollution (by discharge of semen), such as by lḥtilām (nocturnal pollution), it does no harm to fasting, including even fasting during Ramaḍān.
في حكم الجنب

ومنها أن يحرم حضور الجنب أمر: (الأول) مس كتابة القرآن على التفصيل المتقدم في الوضوء، ومسم اسم الله تعالى وسائر أسمائه وصفاته الخصبة، وكذا مسم أسماء الأنبياء والآلهة عليهم السلام على الأحوران، (الثاني) دخول المسجد الحرام ومسجد النبي صلى الله عليه وآله وصلى الله عليه وسلم، (الثالث) المكت في غير المساجد من المساجد، بل مطلة الدخول فيها إن لم يكن ماراً، بأن يدخل من باب ويفرج من آخر أو دخول فيها لأجل أخذ شيء منها، فإنها لا بأس بها، ويلحق بها المشاهد المشروفة على الأحوران، وأحوران من ذلك الحاقها بالمساجد، كما أن الأحوران فيها إلحاق الرواق بالرواق المشروفة.
(الرابع) وضع شيء في المسجد وإن كان من الخارج أو في حال العبور.
(الخامس) قراءة السور العظيمة الأربع - وهي: إقرأ والنجم والمتنزيل وحم.

السجدة - لو بعض منها حتى السجدة بقصد إحداها.

مسألة 1 إذا احتمل في أحد المساجد أو دخل فيها جنباً عرضاً أو جهنماً، يجب عليه التبيم للحروف، إلا أن يكون زمن الخروج أقصر من المكت.

MASS 2 لو كان جنباً و كان ما يعتن به في المسجد يجب عليه أن يتبيم ويدخل المسجد لأخذ الماء، ولا ينتقص التبيم بهذا الوجه إلا بعد الخروج مع الماء أو بعد الاغتسال، وهل يباح بهذا التبيم غير دخول المسجد؟ فيه تأمل وإشكال.

ومنها يكره على الجانب أمور: كلة الكل والشرب، ويرفع كراهته بالوضع الكامل، وتخفف كراهته بنقل اليد والوجه والمضمدة ثم غسل اليدين فقط، ودراية مازاد على سبع آيات من غير العظام، وتشتت الكراهية إن زاد على سبعين آية، وكم ما عدا خط المصحف من الجلد والورق والهامش:

وما بين الستور، وكالنوم، ويرفع كراهته بالوضع، وإن لم يجد الماء تبيم بدلًا.
[C - Things Forbidden for a Person Polluted by Discharge of Semen]

There are certain things which are forbidden for a person polluted (by discharge of semen). **Firstly**, Touching the words of the Qur'ân according to the detail already mentioned under the discussion on Ablution; touching the Name of Allâh, the Exalted and his other Names and His exclusive Attributes; likewise, to be more cautious, touching the names of the Prophets and the Imâms, Peace be upon them. **Secondly**, entering the Masjid-i Ḥarâm [the Holy Mosque in Mecca] and the Masjid al-Nabî, Allâh's Blessing be on him and his Posterity, [the Holy Mosque in Madinah], even with the intention of just passing through. **Thirdly**, Staying in Mosques besides the two Holy Mosques; rather entering them absolutely, except when a person passes through them, so that he enters from one door and exits from the other, or when he enters for fetching something from the mosque, in which case there is no objection. According to the more cautious opinion, to this are added the Holy shrines (of the Imâms), and more cautious than that is affiliating them with the two Holy Mosques, in the same way as the veranda (of the Holy Shriners) is treated at par with the Holy Mausoleum. **Fourthly**, placing something in the mosques, whether done from outside or while passing through. **Fifthly**, reciting any of the four Chapters (Sûrahs) of the Qur’ân [which make the performance of prostration obligatory], namely, Iqra', Al-Najm, Alîf Lâm Mîm Tanzîl and Hâ Mîm al-Sajdah, including even a part of these Chapters or even the Bismillâh with the intention of reciting any of them.

**Problem # 1.** If a person becomes polluted (due to discharge of semen) in any of the two Holy Mosques (in Mecca and Madinah), or enters them in a state of pollution deliberately, by mistake or ignorantly, it shall be obligatory for him to perform Tayammum for exit, except when the time required for exit is shorter than, or equal to, the one required for the performance of Tayammum, in that case, according to the stronger opinion, he may exit without performing Tayammum.

**Problem # 2.** If a person is in a state of pollution [due to discharge of semen], and the water required for performing bath [due to pollution] lies within the mosque, then it is obligatory on him first to perform Tayammum and then enter the mosque to fetch the water. The Tayammum shall not be rendered invalid by getting water except after exit from the mosque and performing the obligatory bath. Whether it is lawful by this Tayammum to do some other thing other than entering the mosque, and staying there as much as required, is a question in which there is hesitation and difficulty [in answering it in the affirmative].

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**D - Disapproved Things for a Person Polluted by Discharge of Semen**

There are certain things which are disapproved for a person polluted due to discharge of semen, such as eating and drinking, but their disapproval is removed by means of performing complete ablution, and their disapproval is diminished by washing the hands, face and rinsing, and then washing both the hands only. It is also disapproved [for such a person] to recite more than seven verses from the Chapters [of the Holy Qur‘ân] other than the four Chapters [whose recitation entails the obligation of performing prostration]. The disapproval becomes stronger by reciting more than seventy verses. Likewise, it is also disapproved to touch the binding cover, paper, margin and the space between the lines of the Qur‘ân, besides its words. It is also disapproved [for
عن الغسل أو عن الوضوء، وعن الغسل أفضل، وكالخضاب، وكذا إجنباء
المختصب نفسه قبل أن يأخذ اللون، وكالمجمع لوقل كان جنباً بالاحتلام، و
كحمل المصحف وتعليقه.

القول في واجبات الغسل

مسألة 1 - واجبات الغسل أمور: الأول - الرمية، ويعتبر فيها الأخلاص، ولا بد
من استدامتها ولو ارتكازاً.

مسألة 2 - لو دخل الحمام بنياء الغسل فان بقي في نفسه الداعي الأول، وكان
غمسه، واغتساه بذلك الداعي بحيث لو سئل عنه حين غمسه ما فعل؟ يقول:
اغسل فغسله صحيح، وقد وقع غسله مع النية، وأما إذا كان غافلاً بمرأة بحيث
لو قيل له ما تفعل؟ بقي متحيراً بطل غسله، بل لم يقع منه أصلاً.

مسألة 3 - لو ذهب إلى الحمام ليغسل، وبعدما خرج شكل في أنه اغسل أم
لا؟ بني على العدم، وأما لو علم أنه اغسل و لكن شك في أنه على وجه
الصحيح أم لا بني على الصحة.

الثاني - غسل ظاهر البشرة، فلا يجيز غيره، فيجب عليه حينئذ رفع
الجاجج وتخليل ما لا يصل الماء إليه إلآ بتخليله، ولا يجب غسل باتن العين
والأذن والأذن و غيرها حتى الثقبة التي في الأذن والأذن للقرط أو الحلقة،
إلا إذا كانت واسعة بحيث تعد من الظاهرة، والأحوض غسل ما شك في أنه من
الظاهرة أو البطن.

مسألة 4 - يجب غسل ما تحت الشعر من البشرة، وكذا الشعر الدقيق الذي
يعد من توابع الجسم، والأحوض ووجب غسل الشعر مطلقاً.

الثالث - الترتيب في الترتيب الذي هو أفضل من الارتداء الذي هو عبارة
such a person] to sleep, while its disapproval is removed by performing ablution. In case water is not available, the person must perform Tayammum in place of obligatory bath or ablution. It would be preferable if the Tayammum performed is in place of obligatory bath. It is also disapproved [for such a person] to apply dye to his hair, [while in a state of pollution]. The same rule applies to a person polluted [by discharge of semen] to again pollute himself [by discharge of semen] before removing the dye. Likewise, it is disapproved [for such a person] to have sexual intercourse, though he might have become polluted by ḫṭilām (or nocturnal pollution). It is also disapproved [for such a person] to carry the Qurʾān or hang it [on his neck or shoulders, etc.].

Chapter on Things obligatory for Performing Obligatory Bath

Certain things are obligatory for performing an obligatory bath.

Problem #1. Firstly, Intention, and it is a condition that there must be sincerity in it. It is also indispensable that the intention must continue till the end, even though by concentration.

Problem #2. If a person enters the public bath with the intention of performing the obligatory bath, then if he continues to have the same intention, and dips in the water, or washes himself in a way that if he is asked while dipping in the water as to what he was doing, he would say that he was performing bath, then his bath shall be valid, and his bath shall be considered to have taken place with intention. If, however, he becomes completely forgetful in a way that if he is asked as to what he was doing, he may be confused, his bath shall be void as if he has not performed the bath at all.

Problem #3. If a person enters the public bath with the intention of performing obligatory bath, and after performing the bath he doubts whether he has performed it or not, he should consider as if he has not performed the bath. But if he is certain that he has performed the obligatory bath, but he doubts whether it was valid or not, he should consider it to have been valid.

Secondly, it is obligatory to wash the apparent part of the skin, so that it is not sufficient to wash any other part [instead of the actual one]. So it is obligatory to remove the obstacle and run the finger through the part where water does not reach except by running the finger through it. It is not obligatory to wash inside the eyes, nose, ears, etc., including even the hole made in the ear or nose for wearing earring or ring (in the nose,) except when the hole is so large that it is considered a part of what is apparent. According to the more cautious opinion, one must wash the part about which he doubts whether it is an apparent part or a hidden one.

Problem #4. It is obligatory to wash the skin lying under the hair. Likewise, it is also obligatory to wash the small hair treated as part of the body. According to the more cautious opinion, it is obligatory to wash the hair absolutely [whether they are small or large].

Thirdly, it is also obligatory to observe the order which is required in a sequential obligatory bath performed bits by bits (Tarfībī) which is considered superior to the one performed by dipping in the water (Irtrimāṣī).
عن تغطية البدن في الماء مقارناً للنية، ويكون فيها استمرار القصد ولو ارتباك، والترتيب عبارة عن غسل تمام الرأس، ومنه العنق مدخلاً لبعض الجسد معه مقدمة، ثم تمام النصف الأيمن مدخلاً لبعض الأيسر وبعض العنق معه مقدمة، والأحوض الأول إدخال تمام الجانب الأيمن من العنق في النصف الأيمن، و إدخال بعض الرأس معه مقدمة، ثم تمام النصف الأيسر مدخلاً لبعض الأيمن والعنق معه مقدمة، والأحوض الأول إدخال تمام الجانب الأيسر من العنق في الجانب الأيسر، وإدخال بعض الرأس مقدمة، وتدخل العورة والسرة في التنصيف المذكور، فيغسل نصفها الأيمن مع الأيمن، ونصفها الأيسر مع الأيسر، إلا أن الأولى غسلها مع الجانين، واللازم استبعاد الأعضاء الثلاثة بالغسل بصمة واحدة أو أكثر بفرك أو ذلك أو غير ذلك.

مسألة 5 - لا ترتب في العضو، فيجوز غسله من الأسفل إلى الأعلى، وإن كان الأول الإبدا بأخي العضو بالأعلى، كما أنه لا كفية مخصوصة للغسل هنا، بل يكفي مسماء، فيجزي رمسي الرأس في الماء، ثم الجانب الأيمن ثم الأيسر، ويجزى أيضاً رمسي البعض والصب على آخر، ولو أرتفع ثلاث ارتفاعات ناوياً بكل واحد غسل عضو صحي، بل يتحقق مسماء بتحريك العضو في الماء على وجه يجري الماء عليه، فلا يتائج إلى إخراجه منه ثم غمسه فيه.

مسألة 6 - الظاهرة حصول الارتماسي بالغسل في الماء تدريجاً، واللازم على الأحوض أن يكون تمام البدن في الماء في آن واحد، فلو خرج بعض بدنه من الماء قبل أن يتغمس البعض الآخر لا يحقق الارتماسي نعم لا يضر دخول رجله في الطين يسيراً عند انغماسه للغسل، ففي الأنهار والجداول التي تدخل الرجل في الطين يسيراً يجوز الارتماسي، وإن كان الأحوض اختيار الترتيب، والأحوض أن يكون الغسل بالدفعة العرفية.

مسألة 7 - لو تبق عن الغسل عدم انغام جزء من بدنه وجبت إعادة الغسل.
An Irtrimāsi bath is performed by submerging the whole body in the water with the continuance of intention. The continuance of intention is sufficient, even though by concentration.

In a sequential obligatory bath, the order required is to wash the entire head and the neck with a part of the body, and then the entire half of the right side of the body including some part of the left side and the neck. It is preferably cautious to include the entire half side of the neck in the right half side of the body, and include a part of the head as well, and then to wash the entire half side of the body including a part of the right side and the neck. It is preferably cautious to include the entire left side of the neck as well as a part of the head on the left side.

The privy parts and umbilicus are to be included while washing half of the body mentioned here, so that half of them are washed while washing the half right side and the other half included while washing the left half side of the body, though it is preferable to wash them entirely simultaneously with each side of the body.

What is necessary is the inclusion of the entire three limbs in washing, whether it is by means of throwing water once or more, and whether by rubbing with the hand or passing the hand to them or the like.

Problem # 5. There is no condition of sequence in washing a limb. It is permissible to wash it from below upward, though it is preferable to start washing from uppermost part to the lower parts.

Likewise, there is no special procedure for performing the obligatory bath [by dipping] here, but what is treated as bath is sufficient, so that it is sufficient to dip the head in the water, then the right side and then the left side. It is also permissible to dip some of the limbs, and throw water on the other.

If a person dips in the water thrice, each time with the intention of dipping one of the limbs, it shall be valid. Rather the obligatory bath shall take place merely by moving the limb in the water in a way that it may be called bathing the limb. There is no need for taking the limb out, and then dipping it in the water.

Problem # 6. Apparently the performance of an obligatory bath by dipping in the water is fulfilled by dipping gradually in the water. To be more cautious, it is necessary that the whole body should be in the water all at once. If some parts of one's body are out of the water before the other parts are dipped in the water, the bathing by dipping shall not take place.

Of course, it is not harmful if one's foot penetrates slightly into the earth at the time of dipping in the water for the purpose of performing the obligatory bath, though it is more cautious to adopt the sequential bathing. It is also more cautious that the dipping must be done all at once in the usual way.

Problem # 7. After performing the bath, if a person is sure that a part of his body has not been washed, it would be obligatory on him to repeat it, in case the bath is done by dipping in water.
في الارتداسي، وأما في الارتداص فان كان ذلك الجزء من الطرف الأيسر يفتح غسل ذلك الجزء ولو استطالت المدة حتى جف تمام الأعضاء، ولا يحتاج إلى إعادة الغسل ولا إعادة غسل سائر أجزاء الأيسر، وإن كان من الأيمن يغسل خصوص ذلك الجزء ويعيد غسل الأيسر، وإن كان من الرأس يغسل خصوص ذلك الجزء ويعيد غسل الطرفين.

مسألة 8 لا يجب الموالاة في الارتداسي، فلو غسل رأسه ورقبته في أول النهار والأدين في وسطه والأيسر في آخره صح.

مسألة 9 يجوز الغسل تحت المطر تحت الميزاب ترتيباً لا ارتماساً.

الرابع: من الواجبات - إطلاق الماء وطهارته وإجراءاته، بل الأحواض إباحة المكان والصب والآنية، وإن كان عدم الاشتراك فيها لا يخلو من وجه ويعتبر أيضاً المباشرة اختياراً، وعند المائع من استعمال الماء لمرض ونحوه على مامر في الوضوء، وكذا طهارة الماء الذي يراد إجراء ماء الغسل عليه، فلو كان نجساً طهراً أولاً ثم أجرى الماء عليه للغسل.

مسألة 10 إذا كان قاصداً عدم إعطاء الأجرة للحمامي أو كان نماذج على إعطائها من الحرام أو على النسيدة من غير تحقق رضا الحمامي بطل غسله وين استرضاه بعد.

مسألة 11 يشكل الوضوء والغسل بالماء المسيل إلا مع العلم بعوم الاستحالة من مالكيه.

مسألة 12 الظاهر أن ماء غسل المرأة من الجنابة والحمض والنافس وكذا أجرة تسخينه إذا احتاج إليه على زوجها.

مسألة 13 يعين على الجنابة في ناهي شهرين رمضان أن يغسل ترتيباً فلو أغسله ارتماساً بطل غسله وصومه على الأحواض فيها.

مسألة 14 لو شك في شيء من أجزاء الغسل وقد فرغ من الغسل بع
In case the bath was sequential, and the part left unwashed happens to be on the left side, it is sufficient to wash that part alone, even if so much time has passed that the other parts of the body have become dry. So there is no need to repeat the bath, nor to wash the other parts of the left side again. If, however, the part is on the right side of the body, that specific part shall be washed, and then the left side of the body shall also be washed. If it is the head [which has been left unwashed], then the head shall be specifically washed, and both the sides of the body shall also be washed again.

**Problem #8.** In case of a sequential bath, it is not necessary to perform it without break, so that if a person washes his head in the first part of the day, the right part in the midday and the left in the last part of the day, it shall be valid.

**Problem #9.** It is permissible to perform the sequential bath in the rain and under a rain pipe, but not so a bath that is performed by dipping in water.

**Fourthly,** it is also obligatory [in the performance of an obligatory bath] that the water must be pure, clean and lawful; rather to be more cautious, the place of performance of the bath, the place where the water is falling and the container of the water must also be lawful, though the absence of such a condition is not far from being the case. It is also a condition that, if possible, the obligatory bath must be performed personally. It is also a condition that there must not be any restriction on the use of water due to sickness, as has been mentioned under the section on Ablution. Likewise, it is also a condition that the parts of the body from which water is to pass must be clean, so that if they happen to be unclean, he must first clean them, and then let the water for performing the obligatory bath pass from them.

**Problem #10.** If a person intends not to pay the charges to the owner of the public bath, or pay it from the money earned unlawfully, or does it on credit without first obtaining the consent of the owner of the bath, his bath shall be void, even though he may obtain the consent of the owner subsequently.

**Problem #11.** There is difficulty in performing ablution or an obligatory bath with the water of the public watering place on the roadsides (Sabīl), except when he knows that its owner has permitted it.

**Problem #12.** Apparently, it is the responsibility of the husband to provide water for the obligatory bath of the wife for pollution due to discharge of semen, menstruation and puerperal blood, and, likewise, the expenditure on heating it, if required.

**Problem #13.** It is indispensable for a man who becomes polluted [by discharge of semen] during the day in the month of Ramaḍān to perform the obligatory bath in the sequential manner, so that if he performs it by dipping in the water, according to the more cautious opinion, his bath and fast both would be rendered void.

**Problem #14.** After performing the obligatory bath, if a person doubts about some of the stages of the bath, it shall be declared valid. According to the stronger opinion, the same rule shall apply if he doubts about the first stage after having entered the second stage of performing the obligatory bath, although in case of such eventuality, it shall be more cautious to remove the doubt [by washing the doubtful part or parts of body].
على الصحة، و كذا لو شك فيه وقد دخل في جزء آخر على الأقوى و إن كان الأحوط في هذا. الفرض التدراك
مسألة 15 - ينبغي للمجنب إذا أنزل الاستبراء بالبول قبل الغسل، وليس هو شرطاً في صحة غسله، ولكن حالته أنه لو فعله واغتسل ثم خرج منه بين مشتبه لا يجب عليه إعادة الغسل، بخلاف ما لو اغتسل بدونه، فإن البلل المشتبه حينئذ محكوم بكونه مبتناً، سواء استبرأ بالخرزات لتغذر البول عليه أم لا، نعم لو اجتهد في الاستبراء بحيث قطع بنقاء الماء و عدم بقاء الماء في المجهر و احتمل أن يكون حادثاً لاتجب الإعادة على الأقوى، و كذا لو كان طول المدة منشأة لقطعه،
لكن الأحوط الإعادة في الصورتين.
مسألة 16 - المجنب بسبب الانزال لو اغتسل ثم خرج منه بين مشتبه بين المني والبول فان لم يستبرأ بالبول يحكم بكونه مبتناً، فيجب عليه الغسل خاصة، و إن بال و لم يستبرأ بالخرزات بعده يحكم بكونه بولاً، فيجب عليه الوضوء خاصة، ولا فرق في هاتين الصورتين بين احتمال غيرهما من المذي و غيره و عدمه، و إن استبرأ بالبول و بالخرزات بعده فإن احتمل غير البلل والماني أيضاً ليس عليه غسل ولا وضوء، و إن لم يحتمل غيرهما فإن وقع الأموين قبل الغسل و خرج البلل المشتبه بعده يجب الاحتياط بالجمع بين الغسل والوضوء، و إن أوقفها بعده ثم خرج البلل المزبور يكفي الوضوء خاصة.
مسألة 17 - لو خرجت بعد الانزال والغسل رطوبة مشتبه بين المني و غيره و شك في أنه استبرأ بالبول أم لا؟ بني على عدمه، فيجب عليه الغسل، ومع احتمال يكون بولاً الأحوط ضم الوضوء أيضاً.
مسألة 18 - يجزي غسل الجناية عن الوضوء لكل ما اشترط به.
مسألة 19 - لو أحدث بالأصغر في أثناء الغسل لم يبطل على الأقوى لكن يجب الوضوء بعده لكل ما اشترط به، والأحوط إنه بسبب الغسل قاصداً به
Problem # 15. A person who has been polluted due to the discharge of semen must perform Iṣṭibrā’ of urination before performing the obligatory bath, though it is not a condition for the validity of the obligatory bath, but its advantage is that if he performs the Iṣṭibrā’, and then performs the obligatory bath, and then some doubtful wetness comes out, it shall not be obligatory on him to repeat the obligatory bath. On the contrary, if he performs the obligatory bath without having Iṣṭibrā’ after urination, then the doubtful wetness [which comes out after the bath] shall be treated as semen, regardless whether the Iṣṭibrā’ has been performed by pulling with hand due to being unable to urinate or not. Of course, if a person tries to perform Iṣṭibrā’ in a way that becomes certain of the place being clean and there being no semen left in the passage, and he suspects that it could be fresh semen, according to the stronger opinion, it would not be obligatory to repeat [the obligatory bath]. The same rule shall apply if passage of time has been the cause of his certainty [that there has been no semen left in the passage]. It is, however, more cautious to repeat [the obligatory bath] in both the cases.

Problem # 16. If a person who has become polluted due to discharge of semen performs obligatory bath, and subsequently some moisture comes out which is doubted of being either semen or urine, then if he has not previously performed Iṣṭibrā’ after urination, it would be treated as semen, and so it shall be obligatory on him to perform the obligatory bath specifically. If a person urinates, but does not perform Iṣṭibrā’ by pulling with the hand subsequently, the doubtful moisture shall be treated as urine, and it shall be obligatory on him to perform ablation specifically. In both the cases, there shall be no difference if there is likelihood of the moisture being something other urine or semen, like Mādhī etc. or otherwise, [so that it shall not be obligatory on him to perform the obligatory bath and ablation both]. If, however, he has performed Iṣṭibrā’ for urination and subsequently [another Iṣṭibrā’] by pulling with the hand, then if there is likelihood of the moisture being something other than urine or semen, he shall be required neither to perform the obligatory bath nor ablation. If there is no likelihood of the moisture being other than either semen or urine, if both the things [namely, one Iṣṭibrā’ for urination and another by pulling with the hand] have happened before the performance of the obligatory bath, and the doubtful moisture has come out subsequently, it shall be obligatory on the person to observe caution by performing the obligatory bath and ablation both. If, however, both the things [namely, one Iṣṭibrā’ for urination and another by pulling with the hand] have happened subsequently, and then the moisture mentioned above has come out, only ablation performed specifically shall be sufficient.

Problem # 17. If, after the discharge of semen and performance of the obligatory bath, some moisture comes out which is suspected to be either semen or anything else, and he doubts whether he has performed Iṣṭibrā’ or not, it shall be decided in favour of its absence [i.e., not to have been performed], and so it would be obligatory on him to perform the obligatory bath. In case, however, it is likely to be urine, then it shall be more cautious to add ablation too.

Problem # 18. It is permissible to perform the obligatory bath for all those things for which the performance of ablation is a condition.

Problem # 19. If the smaller pollution [i.e. urination, etc.] takes place during the performance of the obligatory bath, according to the stronger opinion, it is not rendered void, but ablation is obligatory to be performed subsequently in all cases in which it is a condition. It is more cautious
ما يجب عليه من التمام أو الامام والوضوء بعده.

مسألة 20 - لو ارتمس في الماء بقصد الاغسل و شك في أنه كان ناوياً للغسل الارتماسي حتى يكون فارغاً أوالترطيب و كان ارتمسه بقصد غسل الرأس والرقبة و بقي الطرفان يختالط بغسل الطرفين، ولا يجب الإستياف، بل لا يكفي الارتماسي على الأحتوط.

مسألة 21 - لو صلى المجنب ثم شك في أنه اغسل من الجناية ام لا؟ بني على صحة صلاته، ولكن يجب عليه الغسل للأعمال الآتية، ولو كان الشك في أثناء الصلاة بطلت، والأحتوط إتمامها ثم إعادتها مع الغسل.

مسألة 22 - إذا اجتمع عليه أغسال متعددة واجبة أو مستحبة أو مختلفة كان نوى الجمع بغسل واحد صح و كنى عن الجمع مطلقًا، فإن كان فيها غسل الجناية لاحجاً إلى الوضوء المشروط به، و إلا يجب الوضوء قبل الغسل أو بعده، و مع علم نية الجمع في الكفية إشكال، فلا يترك الاحتياط، نعم لا يعد كفاية نية الجناية عن سائر الأغسال، لكن لا ينبغي ترك الاحتياط بنية الجمع.

فصل في الحيض

دم الحيض أحم يضرب إلى السواد، أو أحمر طري له دفع و حرقة و حرارة، و دم الاستحضة مقابلة في الأوصاف، و هذه صفات غالبية لما يرجع إليها في مقام التميز والشتبة في بعض المقامات، و ربما كان كل منها بصفات الأخر، و كل دم تراه الصبى قبل إكمال تسع سنين ليس بحيض و إن كان بصفات، و في كونه استحضة مع عدم العلم بغيرها ترد و كلما تراها المرأة بعد البأس ليس بحيض و في كونه استحضة مع احتمالها ترد و إن لا يبعد، و تيأس المرأة
to perform obligatory bath again with the intention that it was as a whole obligatory on him, or its completion was obligatory on him, and the person should also perform ablution subsequently.

Problem # 20. If a person dips in the water with the intention of performing obligatory bath, and then doubts whether at the time of diving in the water he had the intention of performing the obligatory bath by dipping in the water until he completed it, or of performing a sequential bath, while his dipping was done with the intention of washing the head and neck while both sides were still to be washed, then it shall be cautious for him to wash both the sides, and it would not be obligatory on him to repeat [what he had already done]; rather, according to the more cautious opinion, it shall not be sufficient to perform the bath by dipping.

Problem # 21. If a person, who had been polluted by discharge of semen, offers prayers, and then doubts whether he had performed the obligatory bath for pollution or not, he shall decide in favour of the validity of his prayers, but it would be obligatory on him to perform the obligatory bath for the future acts [of worship]. If, however, the doubt occurs during the performance of the prayers, the prayers would be void, though, it would be more cautious to complete the prayers, and then repeat it after performing the obligatory bath.

Problem # 22. If a person has to perform several baths, obligatory or commendable, or some obligatory and others commendable, then if, while performing a bath, he intends to perform the bath for fulfilling all the due baths through a single bath, it shall be valid, and it shall be sufficient for the due baths altogether. If the due baths include an obligatory bath for pollution due to discharge of semen, there shall be no need for performing ablution which is a condition [in the performance of the obligatory bath for pollution due to discharge of semen]. If the baths do not include an obligatory bath for pollution due to discharge of semen, it would be obligatory to perform ablution before or after the bath. If, [while performing the bath], he had no intention to perform it for all the due baths, there shall be difficulty in accepting it to be sufficient for all the due baths. So caution should not be given up [by performing the bath again for the unintended due baths]. Of course, the intention of performing an obligatory bath for pollution due to discharge of semen is not far from being sufficient for all the other baths, but one should not give up the caution of intending the performance of all the baths.

Chapter on Menstrual Discharge (Hayd)

The menstrual blood is of red colour inclining to a black shade or of fresh (or mild) red colour having a push, burning and warmth. The undue menstrual blood is just its opposite in characteristics. These major characteristics are considered while distinguishing between them and whenever there is some doubt about them. Sometimes one type of blood possesses characteristics of the other. Every blood coming out of a girl before completing the age of nine years is not menstrual blood, even though it may possess its characteristics. Whether it is undue menstrual blood is a question in which there is hesitation despite its being likely, though it is not far from accepting it to be such. Likewise, the blood coming out of a woman after the menopause is not menstrual blood. Whether it is an undue menstrual blood is a question in which there is hesitation despite its being likely, though it is not far from accepting it to be such. A Qureshi woman has menopause on completing her sixty years of age, and a woman other than Qureshi has it on the completion of her fifty years of age. If, in case of a woman there is
باكمال ستين سنة إن كانت قرشية و خمسين إن كانت غيرها، وفي الإحلال المشكوك كونها قرشية بغيرها إشكال، والمشكوك بلغها يحكم بعدهما، و كذلك المشكوك يأسها.

مسألة 1 - لو خرج من شك في بلوغها دم بصفات الحيض فان حصل الوثق ببحيضيته لا يبعد الحكم بها و بالبلوغ، ولا ق결 تأمل و إشكال.

مسألة 2 - الحيض يجمع مع الأرضاع، و في اجتماعه مع الحمل قولان، أقواها ذلك و إن ندر وقوده، فيحكم ببحيضية ماتراها الحامل مع اجتماع الشرائط والصفات ولو بعد استبانة الحمل، لكن لا ينبغي ترك الاحتفاظ لو رأت بعد العادة بعشرين يوماً بالجمع بين تروك الحائض و أعمال المستحامة.

مسألة 3 - لا إشكال في حدوث صفة الحيض و تربت أحكامه عند خروج دمه إلى الخارج ولو باصبع و نعو، وإن كان بمقدار رأس إبيرة، كما لا إشكال في أنه يكفي في بقائتها و استدامتها تلوث الباطن به ولو قليلاً بحيث يتلطخ به القطة لو أدخلتها، و أما إذا انصب من ملها في فضاء الفرج بحيث يمكن إخراجه بالاصبع و نحوه ولو خرج بعد فهل يحدث به صفة الحيض و يترتب عليه أحكامه أم لا؟ فيه تأمل و إشكال، فلا يترك الاحتفاظ بالجمع بين تروك الحائض و أعمال الظاهرة، ولا يبعد جواز إخراج الدم حينئذ و لو بالعلاج و إجراء أحكام الحائض.

مسألة 4 - لو شك في أصل الخروج حكم بعدهم، كا أنه لو شك في أن الخارج دم أو غيره من الفضلات حكم بالظهارة من الحدث واللحث ولو علم أنه دم و تردد بين كونه خارجاً من الموضع أو من غيره حكم بالظهارة من الحدث خاصة، ولا يجب عليها الفحص في الصور الثلاثة، ولو علمت خروج الدم و اشبه حاله فله صور يعرف حكمها في ضمن المسائل الآتية.

مسألة 5 - لو اشبهدم الحيض بدم البكارة كا إذا افتضت البكر فسجال دم
doubt about her being a Qureshi, whether she would be affiliated with the other category [of non-Qureshi women] is a question where there is difficulty [in answering it in the affirmative]. A woman, in whose case it is doubtful whether she has attained puberty or not, is to be treated as one who has not yet attained puberty. The same rule shall apply to a woman about whom there is doubt whether she has attained the age of menopause or not, [so that she shall be treated as one not having attained the age of menopause].

Problem # 1. If blood having characteristics of menstrual blood is discharged from a girl whose puberty is doubtful, and there is certainty of its being menstrual blood, then it is not far from declaring it to be menstrual blood and herself to have attained puberty. If, however, there is no certainty, then there would be hesitation and difficulty [in declaring it menstrual blood and herself to have attained puberty].

Problem # 2. A nursing woman may have menstrual blood. But whether a pregnant woman can also have menstrual blood is a question on which there are two opinions, the stronger being in favour [of the answer being in the affirmative], although it happens rarely. So if a pregnant woman has had blood possessing the conditions and characteristics of menstrual blood, it shall be declared to be such, even if it happens after the appearance of pregnancy, but if she has had the blood discharge after the lapse of twenty days of her regular routine [of menstruation], caution should not be given up by adding what is given up by pregnant women to what is done by women having undue menstruation.

Problem # 3. There is no difficulty in declaring a blood to be having the characteristic and rules of menstrual blood even if it is discharged by a finger or the like, and even if it is equal to the tip of a needle, in the same way as in the case of internal pollution of the woman with the blood, so that if cotton is penetrated [inside the woman's genital organ], it becomes soiled, there is no difficulty in its sufficiency to prove its subsistence and continuation. If, however, the [menstrual] blood has come from its place to the empty space of female organ (v.j.lva) in a way that it may be taken out by means of a finger or the like, but it has not yet come out, then has it assumed the characteristic of menstrual blood, and whether its rules would be applied to it or not, is a question in which there is hesitation and difficulty [in answering it in the affirmative]. So caution must not be given up by adding what is given up by a menstruating woman and what is done by a clean woman. In such a case, it is not far from being permissible to take out the blood by means of a tool, and apply to it the rules of menstrual blood.

Problem # 4. If a woman doubts the very discharge of menstrual blood, decision would be given in favour of its absence, in the same way when a woman doubts whether what has come out (of her vulva) is blood or any other excrement, she shall be declared to be clean of every pollution. If, however, a woman knows that the discharged matter is blood, but doubts whether it has come out of its [actual] place or some other place, decision shall be given specifically in favour of her being clean. In all the above three cases, it is not obligatory on the woman to make full investigation. If a woman has knowledge about the discharge of blood, but there is doubt about its actual position, then there would be several cases the rules of which will be known during the [discussion on] the forthcoming problems.
في الحيض

كثير لا ينقطع فشلك في أنه من الحيض أو البكارة أو منهما؟ يختبر بداخل قطنة والصبر قليلاً ثم إخراجها، والأحور الأولى إدخالها وتركها ملية ثم إخراجها رقيقة، فإن كانت مطوعة بالدم فهو من البكارة ولو كان بصفات الحيض، وإن كانت منغمضة به فهو من الحيض، والاختبار المذكور واجب، وأما كونه شرطاً لصحة عملها فهي معلوم، فالقوى صحته لو حصلت منها نية القرابة مع تبين عدم كونه حيضاً، ولو تذكر عليها الاختبار ترجع إلى الحالة السابقة من ظهر أو حيض فتبني عليها، ومع الجهيل بها تحات بالجمع بين تروك الحائض وأعمال الطاهرة.

مسألة 6 - الظاهرة أن التطويق والانغماس المذكورين علامات للبكارة والحيض مطلقة حتى عندالشك في البكارة والافضاض، ووجب الاختبار حينئذ أيضاً ليلخص من وجه.

مسألة 7 - لو استحقت دم الحيض بدم القرحة التي في جهتها لا يبعد وجب الاختبار، فإن خرج الدم من الجانب الأيسر فحيض، وإلا فلن القرحة، لكن لا ينبغي ترك الاحيانة ولهوم العلم بالحالة السابقة، نعم مع تعذر الاختبار تعمل بالحالة السابقة، ومع الجهيل بها تجمع بين أعمال الطاهرة وتروك الحائض.

مسألة 8 - أقل الحيض ثلاثة أيام، وأكثره كأقل الظهر عشرة، فكل دم تراه المرأة ناقصةً من الثلاثة أو زائداً على العشرة ليس حيض، وكدما تراه بعد انقطاع الدم الذي حكم حيضيته من جهة العادة أو غيرها من دون فصل العشرة ولم يكن حيضية الدم مع النقاء المخلل في بين يكون المجموع زائداً على العشرة ليس حيض بل هو استحالة كما إذا رأت ذات العادة سبعة أيام مثلاً في العادة ثم انقطع سبعة أيام ثم رأت ثلاثة أيام، فالتاني ليس حيض بل هو استحالة.

مسألة 9 - الأقوى اعتبار التوالي في الأيام الثلاثة، فلا يمكن كونها في ضمن العشرة، لأن رأت يوماً أو يومين وانقطع ثم رأت قبل انقضاء العشرة ما به يتم
Problem # 5. If the menstrual blood is suspected to be blood of deflowering, as when if a virgin woman is deflowered, and a large amount of blood comes out, and there is doubt whether it is menstrual blood or a blood due to deflowering, or of both, its nature shall be investigated, by penetrating cotton inside [the woman's genital organ], waiting for some time, and then taking it out. It is preferably more cautious to penetrate the cotton inside [the woman's organ], and leaving it there for a long time, and then take it out softly. Then if it is surrounded by rings of blood, it shall be deflowering blood, even if it has the characteristics of menstrual blood. If, however, the blood is immersed in the cotton, it would be menstrual blood.

It is obligatory to make the investigation [in the manner] mentioned above. It is, however, not known whether it is also a condition for the validity of the acts [of worship] performed by the woman. [Anyhow], according to the stronger opinion, if she performs the acts with the intention of closeness to Allāh, her acts shall be valid, provided that it transpires that the blood was not menstrual blood.

In case it is not possible for her to investigate, she may refer to her previous condition whether she was clean or menstruating, and decide accordingly. In case she is ignorant of her previous condition, she must be cautious by giving up the acts given up by a menstruating woman and perform the acts performed by a clean woman.

Problem # 6. Apparently the two signs mentioned above, [namely, the rings of blood appearing round the cotton or the blood being immersed in the cotton], are the absolute signs of the blood being due to deflowering or menses, even in case there is doubt about the deflowering or menstruation, though the obligation of investigation in such case is not far from being reasonable.

Problem # 7. If there is doubt between menstrual blood and blood of the abscess inside the female organ, it is not far from being obligatory to carry out investigation. If the blood comes out from the left side, it shall be menstrual blood; otherwise it would be blood of the abscess. Caution must, however, not be given up, even with the knowledge of her previous condition. If investigation is not possible, action will be taken according to her previous condition. In case her previous condition is not known, she must perform the acts performed by a clean woman and give up the things which are given up by a menstruating woman.

Problem # 8. The minimum period for menstruation is three days, while the maximum period is ten days like the period of clearness. So if a woman sees blood for less than three days or more than ten days, it shall not be menstrual blood. Likewise, if a woman sees blood after the disconnection of the blood declared to be menstrual blood due to her routine etc. without an interval of ten days, and it is not possible to declare it to be menstrual blood despite the intervening period of clearness due to the total being more than ten days, it shall not be menstrual blood; rather it would be undue menstrual blood, in the same way as a woman sees blood as a routine for seven days during the days of the routine, and then the blood discontinues, then she sees the blood for three days, then the second blood would not be menstrual blood; rather, it would be the undue menstrual blood.

Problem # 9. According to the stronger opinion, it is a condition for menstruation that it should be for three consecutive days, and it is not sufficient for it to be during the ten days in a way that she sees the blood for one or two days, and then it discontinues, and then sees it again before
مسألة 10 - المراة بالليل النهار، وهو ما بين طول الفجر إلى الغروب، فاليالي خارجة فإذا رأت من الفجر إلى الغروب وكأنها لم تتواجد ثم رأت يومين آخرين كذلك في ضمن العشرة كني عند من لم يعتبر التولي، نعم بناء على اعتباره كنا هو الأقوى يدخل الليلتان المتوسطتان خاصة لوكان بدأ الدم أول الليل، والليلي الثلاث لوكان مبدئه أول الليل، أو عند التلقيح كالمثال المتقدم.

مسألة 11 - الحيض إذا ذا العادة أو غيرها، والثانية إذا مبتدأ و هي التي لم ترحضا قط، وإما مضطربة وهي التي تكرر منها الحيض ولم يستقر لها عادة، وإما ناسية وهي التي نسيت عادتها، ونصير المرأة ذات عادة تكرر الحيض مرتين متواليتين متلفتين في الزمان أو العدد أو فيهما، وتصير بذلك ذلك عادة وقتية أو عددي أو وقتية و عددي، و لما كان تحقق العادة الوقتية فقط بل العددي فقط بالمرتين لا يخول من شوب إشكال، فلا ينبغي ترك الاحتياط.

مسألة 12 - لا إشكال في أنه لا تزول العادة بروة الدم على حلافها مرة، كما أنه لا إشكال في زواها بطرع غادة أخرى حاصلة من تكرر الدم مرتين متواترتين على خلافها، وفي زواها تتركه على حلافها لا على سو و حد بل مختلفًا قولان: أقولها ذلك في وقع التحليل مراوة كثيف بصفد في العرف أنها ليس لها أيام معلومة، وأما لو رأت مرتين غير متواترتين في بد العادة نام.

مسألة 13 - ذات العادة الوقتية - سواء كانت عددي أيضاً، لا يتحيز ب مجرد رؤية الدم في العادة، فترتك العبادة سواء كان صمه الحيض أعلا، أو كذا لو رأت قبل العادة أو بعدها يومين أو يومين أو أزيد مداد صدق عدد تعجيل
the lapse of ten days for a period completing three days. However, caution must not be given up by acting on the duties of the two types of women [namely, the menstruating and clean women].

The usual continuation of the discharge of menstrual blood is sufficient for the days to be considered consecutive, so that there is no harm in the intervals in the ordinary usual habits of women, in the same way as it is sufficient to piece up the days, as when she sees the blood from the midday [of the first day] to the midday of the fourth day.

Problem # 10. A day means the time between the dawn to the sunset, so that the nights are excluded. So if a woman sees blood from dawn to the sunset, and then it discontinues, and then she sees it in the same way again for two other days during ten days, it would be sufficient among those who do not consider succession of three days a condition for menstruation.

In case it is considered a condition that the menses must be for three consecutive days, as it is according to the stronger opinion, then the intervening two nights shall only be counted [among the three days], if the blood had started from the beginning of the day; otherwise, three nights shall be counted [among the three days], if the blood had started from the beginning of the night or by piecing together, as in the previous example.

Problem # 11. A menstruating woman is either regular or irregular in her habits of menses. An Irregular Woman is either a beginner who has not seen menses before, or one having disorderly menses (Muqtarabah), i.e. one who has had menses repeatedly, but has no regular habit of menses, or a forgetful woman (Nasiyah), i.e., who has forgotten about her periods. A woman who has menses repeatedly twice consecutively with equal number of days or times or both is called a woman having (regular) habits. Thus, she would be called a woman having regular habits in menses as regards the number of times or number of days or both. If a woman sees blood twice or for a definite number of days twice, she may not be free from disorder, and, therefore, she should not give up caution.

Problem # 12. There is no difficulty in declaring that if a woman has menses once against her usual habit, it would not mean the termination of her habit, in the same way as there is no difficulty in declaring that she has attained another habit and termination of disorderliness if she has menses twice both in a similar way against her [previous] regular habit. If, however, a woman has menses repeatedly against her [previous] habit, so that they are not only unequal as regards times and number of days but also different from one another, then it would be a case about which there are two opinions, the stronger opinion being in favour of declaring that her previous habit has terminated, when the variance has taken place several times in a way that it may be declared according to the prevalent custom that she has no definite days of menses. If, however, she has dissimilar menses twice [contrary to her habit], then there shall be hesitation in declaring that her previous habit still subsists.

Problem # 13. If a woman who has a regular habit of time sees blood [i.e. has discharge of blood from her genital organ], according to her habit, regardless whether she is also regular in number of days or not, she shall be declared to be a menstruating woman. So she shall give up her worship (Ibadat), no matter whether the blood has the characteristics of menses or not. The same rule shall apply in case the woman sees blood one, two or more days before or after her
في دم الحيض

الوقت والعادة و تأخرها، فإن اكتفश عليها بعد ذلك عدم كونه حيضاً لتكونه أقل من أجل تقضي ما تركته من العبادة، وأما غير ذات العبادة المذكورة فتتلمض أيضاً بمجرد الرؤية إن كان بصفات الحيض، ومع عدمه يتعاط بالجمع بين تروك الحائض وأعمال المستحاضة، فإن استمر إلى ثلاثة أيام تجعلها حيضاً، ولو زاد عليها إلى العشرة تجعل الزائد أيضاً حيضاً، فتكفي بوظيفة الحائض، ولا تحتاج إلى مراعاة أعمال المستحاضة، وإن كان ترك الاحتفاظ لا ينبغي.

مسألة 14 - ذات العبادة وقتية لو رأت في العبادة و قبلاً أو رأت فيها و بعدها أو رأت فيها وفي الطرفين فإن لم تتجاوز المجموع عن العشرة حصلت المجموع حصاً، وإن تجاوزها فالتلمض خصوص أيام العبادة، والزائد استحاضة.

مسألة 15 - إذا رأت المرأة ثلاثة أيام متواليات و انقطع بأقل من عشرة ثم رأت ثلاثة أيام أو أزيد فان كان مجموع الدمين والنقاء المتخلل في بين لا يزيد على العشرة كان الطرفان حيضاً، و يلحق بها النقاء المتخلل سواء كان الدمان أو أحدهما بصفة الحيض أم لا، سواء كانت ذات العبادة و صادف الدمان أو أحدهما العبادة أم لا، وإن تجاوز المجموع عن العشرة و كان كل واحد من الدمين والنقاء أقل منها فان كانت ذات عادة و كان أحد الدمين في العبادة جعلته خاصة حيضاً دون الآخر، وكذلك إذا وقع بعض أحدهما في العبادة دون الآخر تجعل ذلك حيضاً دون الآخر وكذلك لو كانت ذات عادة و كان أحد الدمين موفقياً لها تجعله حيضاً دون الآخر، ويتقدم على التمز على الأقوى، وإن لم تكن ذات عادة أو لم يتبع أحدها أو بعض أحدها في العبادة تجعل ما كان بصفة الحيض حيضاً دون الآخر، ولو كانت ذات عادة وقتية و عديمة و وقع بعض أحد الدمين في الوقت غير موفق للعدد و كان الآخر بمقدار العدد في غير الوقت تحاط في كليهما بالجمع بين تروك الحائض و أعمال المستحاضة ولو تساوا في
usual habit, so that it may be declared that the time of menstruation or her habit have hastened or delayed. If [subsequently] she learns that it was otherwise than menstruation due to its being for a period less than the minimum one, then she shall make up for the worship she has given up [due to being declared a menstruating woman]. A woman having habits contrary to those mentioned above shall be (declared) menstruating as soon as she sees blood, provided that it possesses the characteristics of menstrual blood. In case otherwise, she shall give up what is given up by a menstruating woman, and shall perform all the acts performed by a woman having undue menstruation (or a *Mustahāḍah*). In case the blood continues for three days, she shall treat it as menstrual blood. If the blood continues for more than three days up to ten days, she shall treat the rest too as menstrual blood, so that it shall suffice for her to perform the duties of a menstruating woman, and she shall not be required to observe the acts of a woman having undue menstruation (or *Mustahāḍah*), though caution should not be given up.

**Problem # 14.** If a woman having menses regularly in time sees blood according to her habit or before, or during her habit and after it, or during her habit and on both its sides [i.e., before and after it], then if the total does not exceed ten days, she shall treat the whole as period of menses. In case the total exceeds ten days, she shall treat the total period of menses [i.e., ten days] as that of menses and the rest as that of undue menstruation.

**Problem # 15.** If a woman sees blood consecutively for three days, and then it discontinues before the completion of ten days, and again she sees blood for three or more days, then if the total number of both bleeding days and the intervening period of cleanness does not exceed ten days, the total number of bleeding days lying on both the sides of the period of cleanness shall be treated as period of menses, and the period of cleanness shall also be attached with the period of menses, regardless whether either or both of the bloods possessed characteristics of menstrual blood or not, and whether she was regular in habits, and either or both the bleeding periods have coincided with her habit or not. If, however, the total exceeds ten days and each of the two bleeding periods and the period of cleanness is less than ten days, then if the woman was one having regular habits of menses, and one of the bleeding occurred during the period of habit to the exclusion of the other, that period alone shall be treated as period of menses to the exclusion of the other. Likewise, if the days of one of them have occurred during her habit, they shall be treated as the [days of] menses to the exclusion of others. Similarly, if a woman has regular numerical habit, and one of two bleeding periods has agreed with her habit, that period shall be treated as [the period of] menses to the exclusion of the other. In case the menstrual blood is determined according to its characteristics, according to the stronger opinion, the blood of the woman having numerical habit shall be given preference. If a woman has no habits, or one or some of the bleeding periods have not occurred during her habit, then she shall treat the blood having the characteristics of menstrual blood as menstrual blood to the exclusion of the other. If the woman has regular habit as regards the time and the number of days, and some of the bleeding days: one of the bleeding periods have occurred during the time disagreeing with the number, while the other corresponding with the number has occurred contrary to the time, the woman shall observe caution during both the bleeding periods by giving up what is given up by a menstruating woman and performing acts which are performed by a woman having undue
المستحِض في عادة فلن لا تتجاوز العشرة فالمجموع

مسألة 17 - إذا كانت عادتها في كل شهر مرة فرأت في شهر مرتين مع فصل أقل لانهار في اليدين فإن كان أحداها تتحمل حيضاً و كذلك الآخر فإن كان بصفة الحيض، في أن كانت بصفة الاستحاضة فتتحت بالجمع بين مراة الحيض وأعمال المستحِض، وإن كانا معًا في غير وقت عادة تجعلهما حيضاً سواء كانا واجدين لصفة الحيض أو فاقدين لها أو مختلفين، وإن كان الأحتياط في الدم الثاني في الصرفتين الثانية وفي الفاقدها في الثالثة لا ينبغي تركه.

مسألة 18 - المبتدأة واللضرة من كانت عادتها عشرة إذا انقطع عهن الدم في الظاهر قبل العشرة يمنع إظهار قهته بالباطن يجب عن الاستبراء بولاية قطعة و نحوها، والصرح هيئة ثم إخراجها، فإن خرجت نقية اغتسل في وصلين، وإلا خرجت مستطيات يوماً بالصرفة صبر حتى النقاء أو مضي عشرة أيام، فإن لم تتجاوز عن العشرة كان الكل حيضاً، و إن تجاوز عنها فسيأتي حكمه.

و ذات العادة التي عادتها أقل من عشرة إن انقطع عنها الدم ظاهراً استبرأت فإن نقيت أغتسلت وصلت، و إلا صبرت إلى إكمل العادة، فإن بقي الدم حتى كملت العادة و انقطع عليها بالمرة أغتسلت وصلت، وكذلك لو انقطع
menstruation (Mustahāqāh). If both the bloods are similar in characteristics, but none of them have occurred partially or entirely during the period of her habit, and they also do not agree with the number of her habit, then, according to the more cautious, if not according to the stronger opinion, she shall treat the first bleeding period, as the menstrual period and observe caution for the entire ten days, so that if she sees blood for three days, and has been clean for three days, and then sees blood for six days, she shall treat the first three days as the menstrual period, and observe caution during the rest of the days until the completion of ten days by giving up what is given up by a menstruating woman and performing the acts performed by a clean woman during the intervening period of cleanliness, and by giving up what is given by a menstruating woman and performing the acts performed by a woman having undue menstruation during the bleeding period until the completion of ten days.

Problem #16. If a woman having regular habit of menses sees blood exceeding her habit but not exceeding ten days, the entire period shall be treated as menstrual period.

Problem #17. If a woman has a habit of having menses once a month, but she happens to have menses twice in a month with an intervening minimum period of cleanliness, then, if one of them occurs during her period of habit, she shall treat it as the menstrual period, and so also the other period as menstrual period if its blood possesses the characteristics of menstrual blood. In case, however, it possesses the characteristics of the blood of undue menstruation, she shall observe caution by giving up what is given up by a menstruating woman and performing acts performed by a woman having undue menstruation.

If both the bleeding periods have occurred during a period beyond her period of habit, she shall treat both of them as menstrual periods, regardless whether their blood possessed the characteristics of menstrual blood, or were devoid of such characteristics, or were different from each other, though it would be cautious to act according to the second case in the second bleeding period, and in the third case with regard to the one devoid of the characteristics of menstrual blood, caution should not be given up.

Problem #18. In case of a beginner or a woman having disorderly periods or one who has a habit of having menstrual blood for ten days, if their blood discontinues apparently before ten days with the possibility of its continuation inside, it is obligatory upon them to perform Ḥistibra’ (or process of cleanliness) by penetrating cotton or the like, waiting for a while and then taking it out, then, if it comes out clean, they shall perform the bath [for cleanliness after menses] and may offer prayers. If, however, it comes out soiled [in blood], or even if [soiled] in yellow colour, they shall be required to wait until they attain the period of cleanliness or the lapse of ten days. If, however, the period does not exceed ten days, the whole period shall be treated as menstrual period. If the period exceeds ten days, its rules shall be as given below. In case of a woman having a habit of getting periods for less than ten days, if apparently her bleeding discontinues, she shall perform Ḥistibra’ [in the manner explained above], so that if she becomes clean [of menstrual blood], she shall perform the bath [required after the completion of menses], and may offer prayers; otherwise, she shall wait until the completion of the period of habit. If bleeding continues until the completion of the period of habit, and then discontinues entirely, she shall perform the bath [required after the completion of menses], and may offer prayers. The same rule shall apply if apparently the bleeding discontinues according to her habit and she performs the
في تجاوز الدم عن العشرة

الدم ظاهراً على العادة فاستبرأت فرأت نفسها نقيّة، ولو لم يتقاعس على الراحة وتجاوز عنها استبهرت بترك العبادة إلى العشرة استجابًا على الأقوى ولو كان بصفة الحيض، والأحواط ووجهه في يوم واحد، ولاينبغي ترك الاحتياط في الزائد بالجمع بين تروك الحائض وأفعال المستحاضة، فحينئذ إذا لم يتجاوز الدم عن العشرة كان الكل حيضاً، وسأتي حكم التجاوز.

مسألة 19. لو تجاوز الدم عن العشرة قلباً كان أو كثيراً فقد اختلط حيضها بظهراً، فان كان لها عادة معلومة من حيث الزمان والعدد تجعلها حيضاً وإن لم يكن بنفاسه، والبقية استحاضة وإن كان نصفه، ولو لم تكون لها عادة معلومة لا عددا ولا وقتا بأن كانت مبتدأة أو مصطربة وقتا وعدها ونسبة كذلك فان خالف لون الدم فبعضه أسود أو أكرير أو بعضه أقصر ترجع إلى النبيت، فتجعل ما بصفة الحيض حيضاً وغيره استحاضة، ينظر أن لا يكون مباينة الحيض أقل من ثلاثة ولا أزيد من عشرة، وان لا يعارضه دم آخر واحد لصفة الحيض مفصل بينه وبين الفاقع الذي يكون أقل من عشرة، كما إذا رأت خسأ أيام دما أسود ثم خسأ أيام أصغر ثم خسأ أسود، ولو كان ما بصفة الحيض أقل من ثلاثة أو أكثر من عشرة فالفاؤها مطلقا وصيرورها فافقتهم التماثل مثل إشكال، ولا يبعد لزوم الأخذ بالصفات في الدم الأول مثل في المثال، وتمنيه أو تنقية بما هو وظيفتها من الأخذ بالروايات أو عادة نسائها.

و إن كان الدم على لون واحد تكون فائقة التميز، فان لم تكون لها أقارب ذوات عادات متفرقات فالأحواط لول يكأل الأقوى أن تجعل سبيحة من كل شهرا حيضا والبقية استحاضة، وإن كانت لها أقارب من أم وأخت وحالة، وعمة و غيرهن مع انفاغهن في العبادة والعلم بعاهن ترجع المبتدأة إلى النبيت فتأخذ بها، وأما من لم تستقر لها عادة وكانت لها أقارب كما ذكرت فلا تترك الاحتياط فقا إذا كانت عادتها أقل من سبيحة أو أكثر بأن تجمع في مقدار التفاوت بين
Istibrâ’, and finds herself clean. If the bleeding does not discontinue according to her habit, and exceeds the period of her habit, then, according to the stronger opinion, she shall observe Istiṣḥâr by giving up worship for ten days by way of Istiḥbâb (approval), even if the blood has the characteristics of menstrual blood. According to the more cautious opinion, it is obligatory to observe Istiṣḥâr for a single day [after the lapse of the period of habit], while caution should not be given up during the days exceeding the period of habit by giving up what is given up by a menstruating woman and performing the acts performed by a woman having undue menstruation. In such case if the bleeding does not exceed ten days, the entire period shall be treated as menstrual period.

[Rules Concerning a Woman Having Menses for over Ten Days]

The rules concerning a woman having menses for a period exceeding ten days are given below.

Problem # 19. [In case of menses], if bleeding exceeds ten days, whether in a small or large quantity, it means that the menstrual blood of the woman has mingled with her period of cleanliness (Tuhri). Now, if she has a definite habit as regards time and the number of days, then she shall treat it as menses, even if the blood for that period does not possess the characteristics of menstrual blood, while the rest shall be treated as period of undue menstruation (Istiḥâdah), even if the blood of that period possesses the characteristics of menstrual blood. If the woman has not a definite habit, as regards time or the number of days, so that she happens to be a beginner, or one having disorderly periods in time and number of days, or, in the same way, a forgetful one, then if the blood has different colours, so that some of the blood is black, red, or yellow, it shall be determined by investigation. So the blood having the characteristic of menstrual blood shall be declared menstrual blood, while the other blood belonging to undue menstruation (Istiḥâdah), provided that what has the characteristic of menstrual blood has not been for less than three days, nor for more than ten days, and also provided that she does not see other blood possessing the characteristic of menstrual blood after the blood devoid of the characteristic of menstrual blood which continues for less than ten days, such as when she sees blood of black colour for five days, then yellow blood for five days, and again blood of black colour for five days, then if the blood possessing the characteristic of menstrual blood has been for less than three days or more than ten days, in that case there shall be difficulty in its absolute rejection or acceptance without proper investigation. It is also not far from the necessity of accepting it with the characteristics of the first blood in the last example and completing or reducing it according to her duty by acting upon the traditions or habit of women related to her. If the blood has a similar colour, so that it cannot be distinguished, then if, among her near relatives, she has no women having similar habits, according to the more cautious, if not stronger opinion, she shall treat seven days of each month as menstrual period and the rest as the period of undue menstruation. If among her near relatives like mother, sister, maternal and paternal aunts, etc. there are some women having similar habits, and there is knowledge about their position, a beginner shall follow their example. As regards a woman who has no definite habit, but has near relatives as mentioned above, she shall not give up caution, in case their habit is to have menstrual period for less than seven days or more, by observing the difference between the duties of a menstruating woman and one having undue menstruation (Istiḥâdah).
فإن حكم الحائض والمستحاضة.

مسألة ٢٠ - الأحورث إن لم يكن الأقوى أن تقبل فائدة التمييز التحضين في أول رؤية الدم، ففع فقد الأقارب بما ذكر في المسألة السابقة تحيضت سبعة، ومع وجودهن لا يبعد وجبة جعله بقمارهن عدأ، وعلى أي حال لو استمر الدم إلى أزيد من شهرا واحد يجب عليها الموافقة بين الشهور، فإن كان ابتداء الدم في الشهر الأول من أولى جلعتها في الشهر التالي أيضاً في أولاها، وإن كان في وسطها جعلتها في وسطها وهكذا.

مسألة ٢١ - ذات العادة الوقتية فقط لو تجاوز دمها العشرة ترجع في الوقت إلى عادتها، وأما في العده فإن كان لها تميز يمكن رعايتها في الوقت رجعت اليه، وإلا رجعت إلى أقاربها مع الوجدان بالشرط المتقدم، وإلا تحيضت سبعة أيام وجعلتها في وقت العادة، ذات العادة العددية فقط ترجع في العدد إلى عادتها، وأما بحسب الوقت فإن كان لها تميز يوافق العدد رجعت اليه، وكذا إن كان مخالفاً لها لكن تزيد مع نقصانه عن العدد بقماره وتنقص مع زيادة عليه، ومع عدم التميزة أصلاً تجعل العدد في أول الدم كما تقدم.

الفعل في أحكام الحائض.

ويهي أمرها - عدم جواز الصلاة والصيام والطوف والاعتكاف لها، ومنها - حرمة ما يحرم على مطلق المحدث عليها، وهي مسٍ إسم الله تعالى، وكذا مسٍ أسياء الأنبياء والائمات عليهم السلام على الأحورث، ومسٍ كتابة القرآن على التفصيل المتقدم في الوضوء، ومنها - حرمة ما يحرم على الجبن عليها، وهي قراءة السور العزائيم أو بعضها، ودخول المساجد ولبث في غيرها، ووضع شيء في المساجد على ما مر في الجنابة، فإن الحائض كالمجلس في جميع الأحكام، ومنها.
Problem # 20. It is more cautious, if not according to the stronger opinion, that as soon as a woman who cannot distinguish her blood sees blood, she should declare it menstrual blood. In case she has no near relatives mentioned in the previous Problem, she shall treat seven days as menstrual period. In case she has some near relatives, it is not far from being obligatory to declare her menstrual period equal to their habit in number of days. Anyhow, if the bleeding continues for more than a month, it shall be obligatory upon her to bring harmony among the months, so that if she has seen blood on the first of the first month, she should declare first of every succeeding month the beginning of her menstrual period, and if it is the middle of the first month, she should also declare the middle of every succeeding month the beginning of her menstrual period, and so on.

Problem # 21. If the bleeding of a woman having a regular habit in time only exceeds ten days, she shall decide about the time according to her habit. As regards the number of days, if it is possible to determine it in the observation of time, she shall decide accordingly, or she shall follow the habit of her near relatives if found, according to the condition mentioned before. Otherwise, [if she has no close relatives], she shall treat seven days as her menstrual period, and place them in the days of her habit. A woman having regular habit in number of days only shall make her habit the basis in determining the number of days [of her menstrual period]. As regards the time, if it is possible to determine it in conformity with the number, she shall decide it accordingly. The same rule shall apply if the number is not in conformity with the time, so that she shall add the difference if the number is less than her habit, and reduce where it exceeds her habit. In case she is not able to distinguish at all, as soon as she sees blood, she shall declare it menstrual blood, as mentioned before.

Rules Concerning a Menstruating Woman

There are several rules concerning a menstruating woman.

Firstly, it is not permissible for a menstruating woman to offer prayers, keep fast, perform circumambulation of Ka'bah (Tawâf) or sit in an uninterrupted seclusion (I'tikâf).

Secondly, everything that is prohibited for a ritually unclean person (Muḥdath) is also prohibited for a menstruating woman, which include touching the Names of Allâh, the Exalted, and likewise, according to the more cautious opinion, touching the names of the prophets and the Imâms, Peace be upon them, and touching the written words of the Qur'ân, the details of which have already been mentioned under [the Chapter on] Ablution.

Thirdly, everything that is prohibited for a person polluted due to discharge of semen is also prohibited for a menstruating woman, which include reading the Qur'anic Chapters containing Sajdah or some of them, entering the Two Mosques [namely, the Masjid al-Ḥarâm in Mecca and the Masjid-I Nabavi in Madinah], staying in mosques other than the Two Mosques, or keeping anything in the mosques, as mentioned under [the Chapter on] Janâbat, as a menstruating woman is like a person polluted due to discharge of semen as far as all the rules are concerned.

Fourthly, sexual intercourse through the front female organ (vulva) which is prohibited for both the man and the woman, though it is permissible to enjoy the menstruating woman in a way other than sexual intercourse through the front female organ, like kissing, or rubbing the male organ on
حرمة الوطء بها في القبل على الرجل وعليها، ويجوز الاستمتاع بغيره من التقبيل والتفحص وتغمه، حتى الوطء في دبرها على الأقوى، وإن كره كراهة شديدة، والأحوثي اجتنابه، وكذا يكره الاستمتاع بها بما بين السرة والركبة، واما تحرم المذكورات مع العلم بعيبها وجدانًا أو بالأمات الشرعية، كالعادة والتميز وتغمه، بل مع التحيض بسماة أيام أو الرجوع إلى عادة نسائها أيضاً، ولو جهل بعيبها وعلم به في حال المقاربة يجب المبادرة بالاخرج، وإذا لم تكن حائضًا فلا حاضت في حالها، وإذا أخبارت بالحيض أو ارتفاعها يسمع قولاها، فيحرم الوطء عند إخبارها به، ويجوز عند إخبارها بالارتفاع.

مسألة 1 - لا فرق في حرمات الوطء بين الزوجة الدائمة والمنقطعة والحرة والأمة.

مسألة 2 - إذا طهرت جزز لزوجها وطهر قبل الغسل على كراهة بل وقبل غسل فرجها، وإن كان الأحوثي اجتنابه قبله.

ومنها - ترتيب الكفارة على وطئها على الأحوثي، وهي في وطئ الزوجة دينار في أول الحيض ونصفه في وسطه وربعه في آخره، ولا كفارة على المرأة، وإن كانت مطارعة، وإنما يوجب الكفارة مع العلم بالحرمة وكونها حائضًا، بل ومع الجهله عن تقصير في بعض الموارد على الأحوثي.

مسألة 3 - المراد بأول الحيض ثلثه الأول، وبوسطه ثلثه الثاني، وباحره ثلثه الآخر ، فإن كان أيام حيضها ستة فكل ثلث يومان، أو سبعة أيامان وثلث.

هكذا.

مسألة 4 - لو وطأها معتقدًا حيضها فبان عدمه أو معتقدًا عدم الحيض فبان وجوده لا كفارة عليه.

مسألة 5 - لو اتفقت حيضها حال المقاربة ولم يبدأ في الافراج في ثبوت الكفارة إشكال والاحوثات ذلك.
the woman’s thighs, or the like, and even sexual intercourse with the woman through her backside (anus) though it is extremely abominable, and it is more cautious to abstain from it, and so it is abominable to enjoy her using what lies between her navel and knees. All these mentioned things are prohibited with the knowledge about her being in a state of menstruation according to his own finding or according to the signs given in the canonical law (Shari’at), like the woman’s habit or judgement, rather her treatment of seven days as menstrual period or also the basis of the habit of her closely related women. Even in case of his ignorance of her being in a state of menstruation, if a person comes to know of it during the sexual intercourse, he should withdraw. Similar is the case when she was not menstruating before the start of the sexual intercourse, but she starts menstruating during the act. Whenever, a woman informs about her being in a state of menstruation or its termination, her statement has to be relied upon, so that it is prohibited to have intercourse with her even when she has informed about her being in a state of menstruation. However, it is permissible to have intercourse with her when she informs about the termination of her periods.

Problem #1. There is no difference in the prohibition on sexual intercourse with a permanent or temporary wife and a free woman or a slave-girl.

Problem #2. When a woman becomes clean of menses, it is permissible for her husband to have sexual intercourse with her before her taking ritual bath (required after cleanliness from menses), though with an amount of abhorrence, rather [it is permissible] even before washing her front organ (vulva), though it is more cautious to abstain from doing so.

Fifthly, to be more cautious, expiation is due in case of having sexual intercourse with a wife [during her menstrual period]. The amount of expiation for sexual intercourse with one’s wife [during her menstrual period] is one Dinar at the first stage of the period, half a Dinar in its middle and a quarter of a Dinar in its last stage. The woman is not obliged to pay any expiation, even if the act was done with her consent. The expiation is obligatory in case the sexual intercourse has been performed with the knowledge of its prohibition and about her menstrual period, rather, according to the more cautious opinion, despite ignorance due to negligence in some cases.

Problem #3. Here the first stage means the first one-third, the second stage the second one-third and the last stage the last one-third of the menstrual period, so that if her entire menstrual period lasts for six days, each one-third will be equal to two days, and if it lasts for seven days then each one-third will be equal to 2 1/3 days, and so on.

Problem #4. If a husband has sexual intercourse with her wife despite the impression that she is menstruating, and later it transpires that she is not menstruating, or under the impression that she is not menstruating, but later it transpires that she was menstruating at the time of the intercourse, he shall not be liable for the payment of any expiation.

Problem #5. If the menstruation occurs during the intercourse, but he fails to withdraw, then there shall be difficulty in the establishment of the liability for the payment of expiation, though it is more cautious [to declare that the liability is established].
مسألة ٦ - يجوز إعطاء قيمة الدينار، والمعترف قيمة وقت الأداء.
مسألة ٧ - تعني الكفارة المذكورة لمسكن واحد كما تغطي لثلاثة مساكن.
مسألة ٨ - تتكرر الكفارة بتكرر الوطع لو قوى في أوقات مختلفة كما إذا وطأها في أوله وفي وسطه ففي آخره، فيكفر بدينار وثلاثة أرباع الدينار، وكذا لو تكرر في وقت واحد مع تخلل التكفير، وأما مع عدهه ففيه قولان أحدهما ذلك.
وفرها - بطلان طلاقها إن كانت مدخولاً بها ولم تكن حاملة وكان زوجها حاضراً أو يحكم، بأن يمكن من استعمال حالها به سهولة مع غيبته، فلولى تكن مدخولاً بها أو كانت حاملة أو كان زوجها غائباً أو يحكم بأن لم يكن متمكناً من استعمال حالها مع حضوره صبح طلاقها، وخصوصيات المسألة على آخر.
مسألة ٩ - لوان الزوج غائباً و وكل حاضراً متمكناً من استعمال حالها، لا يجوز له طلاقها في حال الحيض.
وبرنها - وجوب الفحل عند انقطاع الحيض لكل مشروط بالطهارة من الحدث الأكبر، وغسل كغسل الجنابة في الكيفية والأحكام، إلا أنه لا يجري عن الوضوء، فيجب الوضوء معه قبله أو بعده لكل مشروط به كالصلاة.
بخلاف غسل الجنابة كما مرت، ولو تعذر الوضوء فقط تغسل وتتيمم بدلاً عنه، ولو تعذر الغسل فقط تغسل وتتيمم بدلاً عنه، ولو تعذر أمرًا تتميم تيمممين أدحها بدلاً عن الغسل والآخر بدلاً عن الوضوء.
مسألة ١٠ - لو لم يكن عندها الماء إلا بقدر أحدهما تقدم الغسل على الأحوص.
مسألة ١١ - لو تيممت بدلاً عن الغسل ثم أحدثت بالصغر لم يبطل تيممها إلى أن تتمكَن من الغسل، والأحوص تجدته.
وبرنها - وجوب قضاء ما تركه في حال الحيض من الصيام واجب سواء كان صوم شهر رمضان أو غيره على الأقوي، وكذا الصلاة الواجبة غير اليومية، كالآيات و ركعتي الطواف والمنذرة على الأحوص بخلاف الصلاة اليومية، فانه لا يوجب
Problem # 6. It is permissible to pay the value of Dinar as it is at the time of the payment of the expiation;

Problem # 7. The expiation mentioned above shall be paid to a single poor person in the same way as it is paid to three poor persons.

Problem # 8. The expiation multiplies with the repetition of the act, though performed on different occasions. For example, if he performs the sexual intercourse with his menstruating wife in the first, middle and last stages of her menstrual period, he shall be liable for the payment of 1 ¾ Dinars. The same rule shall apply if he repeats the act at the same time with intervening payment of expiation. Otherwise, [if no payment has been made after such intercourse], there are two opinions, the more cautious being in favour of the multiplication of the expiation.

Sixthly, Divorce to a menstruating woman is void if she has been enjoyed sexually but has not conceived and her husband is present or like one present, so that in spite of being absent he is able to know easily about the actual position of the wife. If, however, the woman has not been enjoyed sexually by her husband, or is pregnant, or her husband is away or like one who is away, so that he is able to know about the actual position of his wife in spite of being present, divorce to her shall be valid. The details of this case shall be given at another place [under the Chapter on Divorce].

Problem # 9. If the husband is away from the wife, and he authorises another person who is able to obtain knowledge about the actual position of his wife, it shall not be permissible to divorce her while she is still menstruating.

Seventhly, after the discontinuation of the menses, it is obligatory to perform ritual bath for everything for which there is a condition for cleanliness from the major pollution [i.e., pollution due to easing nature, etc.]. The method and rules for the performance of the ritual bath for menses are the same as those for Janâbat [or pollution due to discharge of semen], with the exception that a ritual bath for menses does not replace ablation. So it is obligatory to perform ablation before or after it for everything for which there is a condition of performing ablation, such as the prayers, contrary to the obligatory bath performed for Janâbat, as mentioned before. In case it is not possible to perform ablation only, then the woman shall perform the ritual bath [for menses] and then perform Tayammum in place of ablation. In case it is not possible to perform the ritual bath [for menses] only, the woman shall perform ablation and Tayammum in its place. In case, however, it is not possible to perform the ritual bath [for menses] as well as ablation, she shall perform Tayammum twice, one in place of the ritual bath [for menses] and the other in place of Ablution.

Problem # 10. If the woman has not sufficient water except for either the ritual bath or ablation, according to the more cautious opinion, she shall perform the ritual bath [for menses].

Problem # 11. If a woman performs Tayammum in place of ritual bath [for menses], and then becomes polluted due to Minor Pollution [like urination, etc.], her Tayammum shall not be nullified until she is able to perform the ritual bath [for menses], though it is more cautious to perform Tayammum again.
على قضاء ما تركته في حال حيضها، نعم لو حاضرت بعد دخول الوقت وقد مضى منه مقدار أقل الواجب من صلاتها بحسب حاالها من البطء والسرعة والصحة والمرض والحضر والسفر ومقدار تحصيل الشرائح غير الحاصلة بحسب تكليفها الفعلي من الوضوء والغسل أو التيمم ولم تصل وجب عليها قضاء تلك الصلاة، بخلاف من لم تدرك من أول الوقت هذا المقدار، فإنه لا يجب عليها القضاء، والأحوزة القضاء لو أدركت مقدار أداء الصلاة مع الطهارة، وإن لم تدرك مقدار تحصيل سائر الشرائح، وإن كان الأقوى عدم وجوبه.

مسألة 12 - لو طهرت من الحيض قبل خروج الوقت فإن أدركت منه مقدار أداء ركعة مع إحرار الشرائح وجب عليها الأداء، ومع تركها القضاء، بل الأحوزة القضاء مع عدم سعة الوقت إلا للطهارة من الشرائح وادأ ركعة، وإن كان الأقوى عدم وجوبه.

مسألة 13 - لو ظنت ضيق الوقت عن أداء ركعة مع تحصيل الشرائح فتركت فبان السعة وجاب القضاء.

مسألة 14 - لو طهرت في آخر النهار وأدركت من الوقت مقدار أربع ركعات في الحضر أو ركعتين في السفر صلت العصر، وسقط عنها الظهر أداء أو قضاء، ولو أدركت مقدار خمس ركعات في الحضر أو ثلاث ركعات في السفر تجب عليها الصلاتان، وإن تركتها يجب قضاءهما، وأما العشاءان فانهم من آخر الليل أفر من مقدار خمس ركعات في الحضر أو أربع في السفر يجب عليها خصوص العشاء، وسقط عنها المغرب أداء أو قضاء؟

مسألة 15 - لو اعتقدت سعة الوقت للصلاتان فأتت بها ثم تبين عدمها وان وظيفتها خصوص الثانية صحت ولا شيء عليها، وكذا لو أتت بالثانية فتبين الضيق، ولو تركتها وجب عليها قضاء الثانية، وإن قدمت الثانية باعتقاد
Eighthly, according to the stronger opinion, it is obligatory on the woman to make up for the obligatory fasts which she had given up while menstruating, regardless of whether they belonged to the month of Ramāḍān or otherwise. The same rule applies to the prayers, with the exception of the daily [obligatory] prayers [offered five times a day], like Prayers for Āyāt, two Rak‘at prayers for circumambulation of the Ka‘bah, votive prayers, contrary to the daily prayers given up during her menstruating state as it is not obligatory on her to make up for them. Of course, if she starts menstruating after the arrival of the time of prayers, and so much of the time has passed in which she could perform the minimum obligatory prayers according to her condition, for example, slowly or quickly, in health or illness, while at home or during journey, and in consideration of the conditions not fulfilled by her despite being presently bound by them, like ablution, ritual bath or Tayammum, which she has not performed, then it shall be obligatory on her to make up for the [daily obligatory] prayers, contrary to the woman who has not had that much time for her from the start of the proper time for prayers [in a state of cleanliness], and so it shall not be obligatory on the latter woman to make up for such prayers. However, according to the more cautious opinion, she shall be required to make up for the prayers if she had had ample time for offering the prayers in a state of cleanliness, even if she has not sufficient time to fulfil other conditions, although in such a case, according to the stronger opinion, it shall not be obligatory on her to make up for the prayers.

Problem # 12. In case a woman becomes clean of menses before the expiry of the due time of prayers, then if there is still time left sufficient for offering a single Rak‘at (of prayers) with all the requisite conditions, it shall be obligatory on her to offer it. If, however, she fails to offer it, she shall be bound to make up for it. Rather, according to the more cautious opinion, she shall be bound to make up for it even if there no sufficient time left except for cleanliness with all the requisite conditions and offering a single Rak‘at (of prayers), though, according to the stronger opinion, it is not obligatory.

Problem # 13. If a woman assumes that the time is too short for offering even a single Rak‘at (of prayers) with the fulfilment of the requisite conditions, and so she gives up offering it, and later she learns that there was ample time, it shall be obligatory to make up for it.

Problem # 14. If a woman becomes clean of menses at the end of the day and finds time sufficient for offering four Rak‘ats (of prayers) while she is in her own place, or for offering two Rak‘ats while on journey, she shall offer the prayers for Āṣr, while offering the prayers for Zuhr shall be dropped whether on due time or after it. If, however, she finds time for offering five Rak‘ats (of prayers) while still in her own place, or for three Rak‘ats while on journey, it shall be obligatory on her to offer both the prayers [i.e., for Zuhr and Āṣr both], so that if she fails to offer them, it shall be obligatory on her to make up for both the prayers. As regards the prayers for Maghrib and Ishā‘, if from the end of the due time so much time is left as is sufficient for five Rak‘ats while she is in her own place or for four Rak‘ats while on journey, it shall be obligatory on her to offer the prayers for Ishā‘ alone, while the prayers for Maghrib shall be dropped in her case whether on due time or making up for it.

Problem # 15. If a woman assumes that there is time sufficient for two prayers, and offers them both, and later she learns otherwise, then if she was bound to offer only the second prayers, her prayers shall be valid, and she shall have no liability.
فصل في الاستحضافة

والكلام في دمها وأحكامها: من الاستحضافة في الأغلب أصفر بارد رقيق يخرج بغير قوة ودوع وحرة، وقد يكون بصفة الحيض كما مرّ، وليس لجليله ولا لكثيره حد، وكل دم تراه المرأة قبل بلوغها أو بعد ياسها أو أقل من ثلاثة ولم يكن دم قرح ولا جرح ولا نفاس فهو استحضافة على إشكال في الكلية، وكذا لعلم كونه من القرح أو الجرح إن لم تكون المرأة مقروحة أو مجرحة على الأحوج، وكذا لو تجاوز الدم عن عشرة أيام، لكن حينئذ قد امتنج حيضها بالاستحضافة، فلا بد في تعبيتها من أن ترجع إلى التفصيل الذي سبق في الحيض.

وأما أحكامها فهي ثلاثة أقسام: قليلة ومتوسطة وكثيرة، فالأولى: أن تتوثى القطنة بالدم من دون أن يثقبها و يظهر من الجانب الآخر، و حكمها ووجب الوضع لكل صلاة، و غسل ظاهر فرجها لولوث به، والأحوج تبدل القطنة أو تظهرها.

و الثانية: أن يثقب الدمع القطنة و يظهر من الجانب الآخر ولا يسيل منها إلى الحزقة التي فوقها، و حكمها مضافاً إلى ما ذكر أنه يجب عليها غسل واحد لصلاة الغدات، بل لكل صلاة حدثت قبلها أو في أثناها على الأقوى فإن حدثت بعد
The same rule shall apply if she offers the second prayers alone, and then she learns about the tightness of the time, then, if she fails to offer both, she shall be bound to make up for the second alone. If, however, due to tightness of the time she offers the second prayers, and then she learns about the sufficiency of the time, it shall be valid, and she shall be bound to offer the first prayers subsequently. If, however, she learns about the sufficiency of the time after the lapse of the due time, it shall be obligatory on her to make up for the first.

**Problem # 16.** It is recommended for a menstruating woman to change the cotton, and perform ablution at each time of prayers, and sit with her face towards the Qiblah up to the time required for offering each prayer, and invoke Allāh, the Exalted. It is abominable for a menstruating woman to dye her hair with henna, etc., to recite the Qur’ān even though less than its seven verses, to carry the Qur’ān even with its cover, or to touch the margin of the Qur’ān and the space between its lines.

**Rules Concerning Undue Menses (Istihāḍah)**

Here is a discussion about the blood of undue menses (Istihāḍah) and its rules.

The blood of the undue menses (Istihāḍah) is mostly of yellow colour, cool, thin and comes out without force, burning or pain. [Sometimes] it possesses the characteristics of menstrual blood, as mentioned before. There is no limit for its minimum or maximum amount. Every blood that a woman sees before her puberty, after her menopause, or in less than three days, provided that it is not the blood of an abscess or wound or puerperal period, it shall be the blood of Istihāḍah, though there is difficulty in its generality. The same is the case, according to the more cautious opinion, if it is not known to be of an abscess or wound when the woman has neither an abscess nor a wound. The same is the case if the bleeding (of menses) exceeds ten days. In such case, however, as the menstrual blood mixes up with that of Istihāḍah, therefore it is indispensable for its determination to adopt the method mentioned under [the Chapter on] Menstruation. As regards the rules of Istihāḍah, it has three kinds: Minor, Medium and Abundant.

The First category, namely, the Minor Istihāḍah, is when its blood soils the cotton from one side but does not pierce into it and appear from the other side. Its rule includes the obligation of ablution for each prayer, and washing the apparent part of the female organ (vulva), if soiled. It is more cautious to change the cotton or clean it.

The Second Category, namely, the Medium Istihāḍah is when the blood penetrates into the cotton from one side and appears from the other side, but does not flow up the cloth over the cotton. Its rules in what has been mentioned under the First Category [namely, the obligation of ablution] also include the obligation of performing a single ritual bath for the morning prayers, rather, according to the stronger opinion, for every prayers before or during which she becomes unclean [due to the blood of Istihāḍah]. So if she becomes unclean [due to the blood of Istihāḍah] after the morning prayers, it shall be obligatory to perform the ritual bath for the prayers of Zuhr and Asr, and if she becomes unclean [due to the blood of Istihāḍah] after the prayers for Zuhr and Asr, it is obligatory on her to perform the ritual bath for the prayers of Maghrib and Isha'.
صلاة الغداة يجب للظهرين، ولو حدثت بعدها يجب للعشاءين.

الثالثة: أن يتسل من القطعة إلى القطعة، وحكيها مضافًا لما ذكر و إلى تبديل الخزمة أو تطهيرها غسل آخر للظهرين تجمع بينهما، و غسل للعشاءين تجمع بينهما، هذا إذا حدث قبل صلاة الفجر، ولو حدثت بعدها يجب في ذلك اليوم غسلان غسل للظهرين و غسل للعشاءين، ولو حدثت بعد الظهرين يجب غسل واحد للعشاءين، والظاهر أن الجمع بين الصلاتين بفضل واحده مشروط بالجمع بينهما، و أنه رخصة لا عرفة فلو لم تجمع بينهما يجب الغسل لكل منها، فظهر مما ذكر أن الاستحباحة الصغرى حدث أصغر كالأبولة، فأن استمرت أو حدثت قبل كل صلاة من الصلوات الخمس تكون كالحدث المستمر مثل السلس، والسلي والكبرى حدث أصغر و أكبر.

مسألة 1 - يجب على المستحباحة على الأحوط اختبارها في وقت كل صلاة بداخل قطعة و نحوها، والصبر قليلاً لتعلم أنها من أي قسم من الأقسام لتعمل بمقتضى وظيفتها، ولا يكون الاختبار قبل الوقت إلا إذا علمت بعدم تغير حالها إلى ما بعد الوقعة، فلو لم تتمكن من الاختبار فإن كان لها حالة سابقة معلومة من القطرة أو الوسط أو الكثرة تأخذ بها و تعمل بمقتضى وظيفتها، و إلا فتأخذ بالقدر المتبقي، فإن ترددت بين القليلة و غيرها تعمل عمل القليلة، و إن ترددت بين المتوسطة والكثيرة تعمل عمل المتوسطة، والأحوال مراوعة أسوأ الحالات.

مسألة 2 - إذا يجب تجدید الوضوء لكل صلاة و الأعمال المذكورة لو استمرالدم، فلو فرض انقطاعه قبل صلاة الظهر يجب لها فقط، ولا يجب للعصر ولا للعشاءين، وإن انقطع بعد الظهر وجب للعصر فقط و هكذا، بل لو انتقص و توضأت للظهر و بيوضوها إلى المغرب والعشاء صلتها بذلك الوضوء، ولم تحتج إلى تجدیده.

مسألة 3 - يجب بعد الوضوء والغسل المبادرة إلى الصلاة لول يقطع الدم
The Third Category, namely, the Abundant *Istiḥāḍah* is when its blood flows from the cotton up to the cloth over it. Its rules, besides what has been mentioned before [under the first two categories] up to changing the cloth or cleaning it, include the performance of another ritual bath for the prayers of *Zuhr* and *Āṣr* and offer both these prayers together, and another for the prayers of *Maghrib* and *Ishā‘* and offer them both together. This is the case when she becomes unclean before the morning prayers. If, however, she becomes unclean after it, it is obligatory on her to perform two ritual baths, one for the *Zuhr* and *Āṣr* prayers and another for *Maghrib* and *Ishā‘* prayers. If a woman becomes unclean after the *Zuhr* and *Āṣr* prayers, it is obligatory on her to perform a single ritual bath for *Maghrib* and *Ishā‘* prayers. Apparently the permission to offer two prayers with a single ritual bath applies to the case when they are offered together, and this is permitted and is not obligatory, so that if she does not offer both the prayers together, it shall be obligatory on her to perform one ritual bath for each of the prayers. It is obvious that the Minor *Istiḥāḍah* is [identical with] a Minor Pollution, like urination. If it continues or occurs before each of the five prayers, it shall be like continuous uncleanness as in case of incontinence of urine, while the Medium and Abundant *Istiḥādahs* are [identical with] the Minor and Major Pollutions.

**Problem # 1.** According to the more cautious opinion, it is obligatory on a *Mustaḥāḍah* (a woman having *Istiḥāḍah*) to know about her actual position at every prayer time by penetrating cotton or the like (into her genital organ), and wait for some time in order to know as to which category of women she belongs, so that she may act according to the duties of that category. It is not sufficient to find out her position before the arrival of the due time for prayers, except when she knows fully well that her condition has not changed after that time. If it is not possible for her to know about her condition but she knows about it as its being Minor, Medium or Abundant *Istiḥāḍah*, she shall act on the basis of that previous condition, and act according to the duties of that category; otherwise, she shall act according to the extent she is certain. If she has doubt about its category belonging to the Minor or other categories, she shall act according to the Minor Category. Likewise, if she has doubt about its category belonging to the Medium or Abundant categories, she shall act according to the Medium Category. According to the more cautious opinion, she should act according to the more proper conditions.

**Problem # 2.** In case of continuance of bleeding, it is obligatory on the woman to repeat ablution and the acts mentioned before for every prayer. If, suppose, bleeding discontinues before the *Zuhr* prayers, she shall have ablution only for *Zuhr* prayers, and shall not be required to perform ablution for the *Āṣr*, *Maghrib* and *Ishā‘* prayers. Likewise, if bleeding discontinues after *Zuhr* prayers, it shall be obligatory to perform ablution for *Āṣr* prayers only, and so on. If, however, bleeding discontinues, and she performs ablution for *Zuhr* prayers, and her ablution continues intact up to *Maghrib* and *Ishā‘* prayers, she shall offer both those prayers with the same ablution, and shall not require to renew it.

**Problem # 3.** After the performance of the ablution and ritual bath, it is obligatory to hasten to offer prayers in case the bleeding has not discontinued after the ablution and ritual bath, or she apprehends that it will restart before or during the performance of prayers.
بعدها، أو خافت عودة بعدها قبل الصلاة أو في أثنائها، فنعى لو توضّت واغتصلت في أول الوقت مثلًا وانتقطع الدم حين الشروع في الوضوء والغسل ولو انقطاع فترة وعلمت بعد عودة إلى آخر الوقت جازها تأخير الصلاة.

مسألة 4: يجب عليها بعد الوضوء والغسل التحفظ من خروج الدم بعد خوف الضرر بجروح تجاعدة أو غيرها وشدتها بخفة، فإن خرج الدم لتقصر منها في التحفظ والشد أعادت الصلاة، بل الأحمر لوط ليومن الأقوى إعادة الغسل والوضوء أيضاً، نعى لو كان خروجها لغلبتها لا تقصير منها في التحفظ فلا بالأس.

مسألة 5: لو انتقلت الاستحضاء من الأدنى إلى الأعلى، كما إذا صارت إلى القليلة متوسطة أو كثيرة، أو المتوسطة كثيرة، فإنها إلى الصلاة التي صلتها مع وظيفة الأدنى لا أثر لهذا الانتقال، فلا يجب إعادتها، وأما بالنسبة إلى الصلوات المتأخرة فتعم عمل الأعلى، وكذا بالنسبة إلى الصلاة التي انتقلت من الأدنى إلى الأعلى في أثناها، فعليها الاستناد والعمل على الأعلى، فلو تبدلت القليلة بالمتوسطة أو再到 كثيره بعد صلاة الصحيح مضت صلاتها، و تكون بالنسبة إلى الظهرين والعشاءين كما إذا حدثها بعد الصلاة من دون سبق القلة، فتغسل غسلًا واحدًا للظهرين في الصورة الأولى، وغسلين لها ولهما في الثانية، بخلاف ما لتبديلت إليها قبل صلة الصحيح أو في أثناها، فإنها تغسل لها، بل لو توضّت قبل التبدل تتألف الوضوء، حتى لو تبدلت المتوسطة بالكثيرة بعد الاغتسال لصلاة الصحيح استأنفت الغسل، وعمل في ذلك اليوم عمل الكثيرة كما إذا لم تكن مسوبة بالوسط، وإن انتقلت من الأدنى إلى الأعلى، فلو تبدلت الكثيرة إلى القليلة قبل الاغتسال لصلاة الصحيح، واستمرت عليها، فاغستلت للصحب، وكتبت بالوضوء الباقي، ولو تبدلت الكثيرة إلى المتوسطة بعد صلاة الصحيح اغستلت للظهر واقتفت بالوضوء للفجر والعشاءين.
Of course, if she performs ablution and ritual bath, suppose, at the beginning of the due time for prayers and the bleeding discontinues during the start of the ablution and ritual bath, even for a short time, and she knows that it shall not return until the end of the prayer time, it shall be permissible for her to delay offering the prayers.

**Problem # 4.** After the performance of ablution and ritual bath, it is obligatory on the woman to prevent the discharge of the blood by penetrating cotton or the like, or binding some piece of cloth on her genital organ, unless there is fear of any harm in it. If the blood comes out due to her failure in preventing its discharge and in binding the piece of cloth, she shall be bound to offer the prayers again. Rather it shall be more cautious, if not according to the stronger opinion, also to repeat the ablution and the ritual bath. Of course, if the discharge of the blood has been due to excessive bleeding and not due to her mistake in preventing it, then there shall be no objection.

**Problem # 5.** If the *Istihâdah* shifts from lower to higher category, for example if the Minor Category shifts to Medium or Abundant one, it shall have no effect on the prayers she has already offered despite the duties of the lower category, and it shall not be obligatory on her to repeat the performance of prayers. But with regard to the next prayers, she shall have to perform acts according to the higher category. Likewise, with regard to the prayers during whose performance the category has shifted from the lower to the higher one, she shall have to recommence it and act according to the higher category. If the Minor Category has shifted to the Medium or Abundant category after the morning prayers, her prayers shall be valid, and with regard to the *Zuhr, Ašr* and *Maghrib* and *Ishâ'* prayers, the case shall be similar to what we have mentioned before as the *Istihâdah* has shifted to Medium or Abundant after the morning prayers, while it formerly belonged to Minor Category. So she shall perform a single ritual bath for *Zuhr* and *Ašr* prayers in the former case [i.e., in case of Medium Category], and two baths for both of them and for *Maghrib* and *Ishâ'* prayers in the latter case.[i.e. in case of the Abundant Category], contrary to case when the change would have taken place before or during the morning prayers, when she shall perform the ritual bath for it. Rather, if she has performed ablution before the change, she shall renew the ablution, even if the change has taken place from Medium to Abundant Category after performing the ritual bath for morning prayers. She shall repeat the bath, and shall act in that day according to the acts required for the Abundant Category, as if the *Istihâdah* did not formerly belong to the Medium Category. If the category has shifted from higher to lower, she shall act for one prayer according to the higher category and then according to the lower. If the Abundant category has changed into little Category before the ritual bath for morning prayers and continues in the little category, she shall perform the ritual bath for the morning prayers, and it shall be sufficient to perform ablution for the rest. If, however, the Abundant Category has shifted to the Medium Category after the morning prayers, she shall perform the ritual bath for the *Zuhr* prayers, and it shall be sufficient for her to perform ablution for the *Ašr, Maghrib* and *Ishâ'* prayers.
مسألة 6 - يصح الصوم من المستحاضة القليلة، ولا يشترط في صحته الوضوء، وأما غيرها فيشترط في صحة صومها الأغسال النهارية على الأقوى ولا يترك الاحتياط في الكثيرة بالنسبة إلى الليلية للليلة الماضية.

مسألة 7 - لو انقطع دمها فكان قبل فعل الطهارة أنت بها وصلت، وإن كان بعد فعلها وقبل فعل الصلاة أعادت وصلت إن كان الانقطاع لبره، وكذا لو كان لفترة واسعة للطهارة والصلاة في الوقت، وأنا لول تكن واسعة لها اكتفت بذلك الطهارة وصلت، وكذلك لو كانت شاقة في سعتها، والأحوط لم يعلمت بالسعة ولكن شكلت في أنه للبر أو الفترة إعادة الطهارة، ولو انقطع في أثناء الصلاة أعادت الطهارة والصلاة وإن كان لبر أو لفترة واسعة، وإن لم تكن واسعة أتمت صلاتها، ولو انقطع بعد فعل الصلاة فلا إعادة عليها على الأقوى وإن كان لبره.

مسألة 8 - قد تبين مما مر حكم المستحاضة وما لها من الأقسام ووظائفها بالنسبة إلى الصلاة والصيام، وأنا بالنسبة إلى سائر الأحكام فلا إشكال في أنه يجب عليها الوضوء فقط للطوات الواجب لو كانت ذات الصغرى، وهم مع الغسل لو كانت ذات الوسطى أو الكبرى، والأحوط عدم كفاية الوضوء الصلياني في الأولى مع استدامتها، ولا هو مع الغسل في غيرها، خصوصاً لو أوقفت ذات الوسطى الطوات في غير وقت الغداة، أو ذات الكبرى في غير الأوقات الثلاثة، فتوقف صحة طوافها على الوضوء والغسل له مستقلًا على الأحوط، وأما الطوات المستحب فحكي فيه كما يشترط فيه الطهارة من الحدث لا يحتاج إلى الوضوء ولا إلى الغسل من حيث هو، وإن احتاج إلى الغسل في غير ذات الصغرى من جهة دخول المسجد لوقنا به، وأما مس كتبة القرآن فلا إشكال في أنه لا يحل لها إلا بالوضوء فقط في ذات الصغرى، ومع الغسل في غيرها، والأحوط عدم الاكتفاء بجرد الاتيان بوظائف الصلاة، فتأتي في.
Problem # 6. The fast kept by a woman having *Istihâdah* of Minor Category is valid, and there is no condition of her performing ablation for its validity. In case of other Categories, however, according to the stronger opinion, there is a condition of her performing the ritual bath during the day for the validity of fast. In case of the Abundant Category, caution should not be given up by performing the ritual bath on the night before the fasting day.

Problem # 7. If bleeding discontinues before cleanliness (through performing ablution and ritual bath for *Istihâdah*), she shall clean herself [by performing ablution and ritual bath], and offer prayers. If, however, it occurs after the cleanliness but before offering prayers, she shall repeat the act of cleanliness for menses [through ablution and ritual bath], and offer prayers. The same rule shall apply if the interval is extensive enough for cleanliness and prayers. If, however, the interval is not extensive enough for both [cleanness and prayers], she shall suffice with the previous cleanness and offer prayers. The same rule shall apply if she has doubt as to the extensiveness of the interval, though it is more cautious to repeat the act of cleanliness [through ablution and ritual bath] for a woman who knows about the sufficiency of the time, but doubts about the discontinuation being a clearance of bleeding or an interval. If, however, the bleeding discontinues during the performance of the prayers, she shall repeat the act of cleanliness and offer prayers, in case the discontinuation was a clearance of the bleeding or an interval extensive enough for the performance of the cleanliness and offering prayers. In case the discontinuation of bleeding is not for a time extensive [enough for the performance of the cleanliness and offering prayers], the woman shall complete the same prayers. If, however, the bleeding discontinues after offering prayers, then, according to the stronger opinion, she shall not be bound to repeat the prayers even if the discontinuation was clearance of the bleeding.

Problem # 8. The rules concerning *Mustahâdah*, her categories and duties with regard to prayers and fasting have become clear from what has been mentioned before. Now as regards other rules, there is no difficulty in that it is obligatory on her to perform ablution for only the obligatory circumambulation of *Ka'bah* if the woman belongs to the category of Minor *Istihâdah*. In case, however, the *Istihâdah* happens to be of the Medium or Abundant Categories, it shall be with the addition of the ritual bath. According to the more cautious opinion, the ablution performed for the prayers is not sufficient for the obligatory circumambulation in the former case [i.e., in case of the Minor Category] even if the bleeding continues to be of the Minor Category, nor with the addition of the ritual bath in the other case, [i.e., in case of the *Istihâdah* of the Medium or Abundant Categories], specially when a woman having *Istihâdah* of the Medium Category performs the circumambulation at a time other than the morning, or the woman having *Istihâdah* of the Abundant Category performs the circumambulation at a time other than the three times [of prayers]. In all such cases, according to the more cautious opinion, the validity of the circumambulation depends on the performance of the ablution and ritual bath, specifically for the circumambulation. As regards the recommended circumambulation, there is no need of ablution or ritual bath, as the case may be, where there is no condition of being clean of ritual uncleanness, though in case other than the Minor Category, performance of ritual bath is required for entering the mosque, if we support such opinion. As regards touching the written words of the Qur'ân, there is no difficulty in declaring that it is not lawful for a woman having *Istihâdah*, except after performing ablution
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و هو دم الولادة معها أو بعدها قبل انتهاء عشرة أيام من حينها ولو كان سقطاً ولم تجل في الروح، بل ولو كان مضطّناً أو علقة إذا علم كونها مبدأ نشوة الولد، أو مع الشك لم يحكم بكونه نفاساً، وليس لأفلاه حد، فمكن أن يكون لحظة بين العشرة، ولو لم ترداً أصلاً أراءه بعد العشرة من حين الولادة فلا نفاس لها، وأكثر عشرة أيام، أو ابتداء الحساب بعد انفصال الولد، لا من حين الشروع في الولادة، وإن ولدت في أول النهار فالليلة الأخيرة خارجة، وأما الليلة الأولى فهي جزء النفاس وإن ولدت فيها وإن لم تتسب من العشرة، وإن ولدت في وسط النهار بلوق من اليوم الحادي عشر، ولو ولدت اثنين كان ابتداء نفاسها من الأول وبدا العشرة من وضع الثاني.

مسألة 1- لو انقطع دمها على العشرة أو قبلها فكلما رأته نفاس سواء رأت تمام العشرة أم بعضها، سواء كانت ذات عادة في حيضها أم لا، والبقاء المتخلص بين الدمين أوالدماء بحكم النفاس على الأقوى، فلو رأت يوماً بعد الولادة
only in case of Istihādah of Minor Category and with the addition of ritual bath in other cases [i.e., in case of Istihādah of the Medium or Abundant Categories]. To be more cautious, ablation performed for offering prayers [by a woman having Istihādah] is not sufficient for touching the written words of the Qur'ān, and she is bound to perform ablution or ritual bath specifically for it. Of course, apparently it is permissible to do so at the time of offering prayers for which she has performed cleanness [through ablution or ritual bath].

Is a woman having Istihādah of the Medium or Abundant Categories to be treated absolutely at par with a menstruating woman, so that everything that is prohibited for the latter without performing ritual bath shall be prohibited for the former or not? It is more cautious for the husband not to have sexual intercourse with her unless she has performed the ritual bath (for Istihādah), but it is not obligatory to add ablution, though it is more cautious to do so. The bath taken for offering prayers is sufficient for the sexual intercourse, provided that it is performed at the time of prayers before offering prayers. If, however, a man has sexual intercourse with his wife at a time other than the time of prayers, according to the more cautious opinion, he shall be required to perform obligatory bath separately for it, as we have mentioned under [the Chapter on] Circumambulation, as regards the permission for a woman having Istihādah to stay in the mosques or enter the Two Mosques [namely, the Masjid-i-Ḥarām in Mecca and Masjid-ī Nabavi in Madinah], according to the stronger opinion, she is permitted to do so without performing the ritual bath, though it is more cautious to abstain from it for offering prayers or having bath without performing the ritual bath separately for this purpose, as in case of sexual intercourse with one’s wife. As far as the validity of divorce to a woman having Istihādah is concerned, there is no difficulty in declaring that there is no condition for the performance of the ritual bath by the woman for the validity of the divorce to her.

**Rules Concerning Puerperal Blood (Nifās)**

Nifās is the blood seen by a woman any time within ten days before or after childbirth, even if it is an aborted child, and soul has not been breathed into it, and even if it is merely a lump of flesh or a clot, as it is known to be the beginning of the formation of a child. In case there is doubt about it, it shall not be declared puerperal blood. There is no limit for its minimum period, so that it may be for a moment during the ten days. In case a woman does not see any blood, or sees it ten days after the childbirth, it shall not be puerperal blood. Its maximum period is ten days, and it is counted from the completion of the childbirth, not from its beginning. If the childbirth takes place in the first part of the day, the last night shall be excluded. If the childbirth takes place in the first part of the night, it shall be part of the puerperal period, even if it is not counted among the ten days. If the childbirth takes place in the midday, so much of the day shall be taken out of the eleventh day. If there are twins, the beginning of the Nifās shall be counted from the birth of the first child, while the beginning of the ten days shall be counted from the delivery of the second.

**Problem #1.** If the bleeding discontinues on the tenth day or earlier, the entire blood seen by the woman shall be puerperal blood, regardless whether she has seen it throughout the ten days or some of the ten days, and whether she be one having a definite menstrual habit or not. According to the stronger opinion, the intervening interval between the two bleedings or several bleedings
لا يمكنني قراءة النص من الصورة.
shall be included in the puerperal period, so that if a woman sees blood for a single day after childbirth, and then the bleeding discontinues, and then again she sees the blood on the tenth day, the entire period shall be considered puerperal period. The same shall be the rule if she sees the blood day after day, but short of ten days. If, however, she has not seen the blood except on the tenth day, it shall be considered puerperal blood, while the previous cleanliness shall entirely be considered period of cleanliness. If she sees blood on the third day and then on the tenth day, the latter shall be considered puerperal blood.

Problem #2. If she sees blood throughout the ten days, and the bleeding continues till it exceeds [the limit of ten days], if she has a habit of definite number of days in menses, in her puerperal blood too she shall follow the number of days of her menses, regardless whether they are ten days or less than ten days, and shall subsequently act according to a woman having Istihâdâh. In case she has not the habit of a definite number of days in her menses, she shall consider ten days to be her puerperal period, and shall act according to a woman having Istihâdâh, though, to be cautious, she should observe the duties of a woman having puerperal blood as well as Istihâdâh for eighteen days, and this is a caution which she should not give up.

Problem #3. It is a condition that there should be an interval of minimum period of cleanliness, and that is ten days between the puerperal blood and the following menses. So if she sees blood since the childbirth until seven days, and then sees it again for three days or more after the lapse of ten days, it shall not be menstrual blood, but shall be the bleeding of Istihâdâh, though, to be more cautious, she should fulfil the duties of a woman having puerperal blood as well as one having Istihâdâh, in case she happens to be one not having a habit of definite number of days of menses, as mentioned before. According to the stronger opinion, it is not a condition that there should be an interval of minimum period of cleanliness between this period and the previous menses. So if a woman sees blood for three or more days uninterruptedly or intermittently before the childbirth within a period of less than ten days, it shall be specifically menstrual blood, in case it conforms to her habit.

Problem #4. If bleeding continues for more or less than one month, and the period of her habit has passed in case she happens to be one having a definite habit, or ten days have passed in case she happens to be one not having a definite habit, it shall be declared Istihâdâh. Of course, after the lapse of ten days since the puerperal bleeding, there is likelihood of its being menstrual blood. If, however, she happens to be one having a definite habit (of menses), and the bleeding coincides with the period of habit, it shall be declared menstrual blood. Otherwise, the matter shall be decided according to the characteristics found in the blood as well as discernment, or according to the habits of the close relatives of the woman, or lastly, seven days shall be considered menstrual while the rest puerperal period, according to the details already given under [the Chapter on] Menstruation,[q.v.]

Problem #5. If the puerperal bleeding discontinues apparently, it shall be obligatory on the woman to resort to Istižhâr, as had already been mentioned under [the Chapter on] Menstruation. If the bleeding has actually discontinued, it shall be obligatory on her to perform ritual bath like one having menses for all the things for which there is a condition of performing ritual bath.
فصل في غسل مس الميت

وسبب وجود مس ميت الإنسان بعد برد تمام جسده وقبل تمام غسله، لا بعده ولو كان غسلًا اضطرارياً، كي إذا كانت الأغشية الثلاثة بالماة القراح لفقد الخليلين، بل ولو كان الغسل كافياً لفقد المسلم المماثل وإن كان الأحويط عدم الاكتفاء به ويلحق بالغسل التيمم عند تعذره، وإن كان الأحويط عدمه، ولا فرق في الميت بين المسلم والكافر والكبر والصغير حتى السقط إذا تم له أربعة أشهر، كي لا فرق بين ما تعله الحياة وغيه، ماساً وممسوًة بعد صدق اسم المس، فيجب الغسل بمث الظهر، نعم لا يوجه مس الشعر ماساً وممسوًة.

مسألة 1 - القطعة المبانية من الحي يحكم الميت في وجب الغسل بسها إذا اشتملت على العظم، دون المجردة عنه والأحويط إلحاق العظم المجرد باللحم المشتمل عليه وان كان الأقوى عده، وأما القطعة المبانية من الديك فلا يكون غسله الغسل في حال الاتصال يكون كذلك حال الانفصال.

مسألة 2 - الشهيد كالمسن، فلا يوجد مسغسله، وكذا من وجب قتله قصاصًا أو حدا فأمر بتقدم غسله ليقتل.

مسألة 3 - لو مس ميتًا وشك أنه قيل برهه أو بعده لا يجب الغسل وكذا لو شك في أنه كان شهيدًا أو غيره، بخلاف ما إذا شك في أنه كان قبل الغسل أو بعده؟ فيجب الغسل.
Problem # 6. The rules for a woman having puerperal blood are similar to those of a woman having menses, so that it is prohibited to have sexual intercourse with her, a divorce to her is invalid [if given during Istihādah]. It is also prohibited for her to offer prayers or keep fast, and similarly touching the written words of the Qurʾān, or reading the Qurʾānic Chapters containing Sajdah, enter the Two Mosques [namely, the Masjid-I Ḥarām in Mecca and the Masjid-I Nabāvī in Madinah], or staying in other mosques, as well as it is obligatory on her to make up for the fasts but not the prayers [which she has given up during Istihādah], as well the other things the details of which have been mentioned under [the Chapter on] Menstruation.

Rules Concerning Obligatory Bath for Touching the Dead

Touching the dead body of a person after it becomes entirely cold and before it is ritually washed, but not after it, is a cause for making it obligatory for the touching person to perform obligatory bath, even if the bath of the dead body has been performed in emergency, as when the dead body has been washed all the three times with pure water in the absence of availability of the Two Mixtures [namely, the leaves of the Șidr or the Lotus Tree and camphor], or even if the dead body has been ritually washed by an infidel due to unavailability of a Muslim of the same gender, though according to the more cautious opinion, ritual washing the dead body by an infidel is not sufficient, and the ritual washing should be accompanied by Tayammum, in case of there being an excuse, though according to the more cautious opinion, it is otherwise. There is no difference if the dead body is that of a Muslim or an infidel, a minor or an adult, or even of an aborted child who has completed four months, whether it has been born alive or otherwise, whether it touches or is touched when the word touching is applied to it, so that the bath becomes obligatory even if the nail of a person touches the nail of the dead body. Of course, if the hair of the dead body touch or are touched by a person, it shall not make it obligatory on the latter to perform ritual bath.

Problem # 1. Touching a part of the body separated from a live person, falling under the category of the dead, makes it obligatory to perform the ritual bath, if it contains a bone. If however, it does not contain a bone, there shall be no obligation for a bath. It is more cautious to affiliate a bone without flesh to a part having flesh, though according to the stronger opinion, it is otherwise. However, touching any part of a dead body separated from it would entail the obligation for performing bath in case it happens to be one which would entail the obligation for bath had it been joined with the body.

Problem #2. A martyr is like the dead who has been washed, and so touching him does not entail the obligation for performing bath. Likewise, touching the dead body of a person who has been sentenced to death due to Qīṣāṣ [retaliation for murder] or Ḥadd [punishment by lash or death according to Islamic penal laws], so that he is ordered to be ritually washed before being punished by death.

Problem # 3. If a person touches a dead body, but doubts whether he has done it before or after it had become cold, it shall not be obligatory on him to perform the ritual bath. The same rule shall apply in case he doubts whether the dead was a martyr or otherwise, contrary to the case when he doubts whether he has touched the dead before it was ritually washed or not, in which case it shall be obligatory on him to perform the ritual bath.
فصل في أحكام الأموات

تعتبر صحة العين أو عضو من أعضاء الحياة خليقاً أو خالقاً، ورد الأمانات التي عنده، أو الإيضاء بها مع الأطمانيان باختصارها، وكذا يجب الإيضاء بالواجبات التي لا تقبل النية حال الحيازة كالصلاة والصوم والحج غالباً و نحوها إذا كان له مال، وفيما يجب على الوالي كالصلاة والصوم يتخير بين إعلامه والإيضاء به.
Problem # 4. If a limb of a live person dries up and it becomes entirely lifeless, touching it would not entail obligation for ritual bath as long as it is not separated from the body of the person. It shall be obligatory to perform the ritual bath if it is touched after the limb has been separated from the body of the person, provided that it contains a bone; otherwise, there is difficulty [in application of the rule to it].

Problem # 5. According to the more cautious opinion, touching the dead nullifies ablution, and this opinion is not devoid of force. Therefore, it is obligatory to perform ablution after the performance of the ritual bath [due to touching the dead] for all things for which the performance of ablution is a condition.

Problem # 6. According to the more cautious opinion, it is obligatory to perform the ritual bath for touching any thing for which there is a condition of being clean of Minor Pollution [like urination, etc.]. Rather it is not devoid of force, and it is a condition in all those things for which there is a condition of cleanliness, like prayers, obligatory circumambulation and touching the written words of the Qur’an. Rather, it is not devoid of force.

Problem # 7. It is permissible for a person who has touched the dead to enter the mosques and holy shrines or staying in them, or reading the Qur’anic Chapters containing Sajdah, and if she is a woman, it is permissible to have intercourse with her, so that touching the dead is like the Minor Pollution [i.e., urination, etc.], except that touching the dead makes it obligatory to perform the ritual bath for offering the prayers or the like.

Problem # 8. Repetition of touching does not make it obligatory to repeat the ritual bath, like other pollutions, even if there are several things (or dead bodies) touched.

Chapter on Rules Concerning the Dead

It is obligatory for a person on whom the signs of death are apparent to fulfill the rights of mankind and rights of Allāh and to return the things in his trust or to make a will in their respect with the assurance that it will be implemented. Likewise, if he has sufficient property, he should make will for the fulfillment of the obligations which cannot be fulfilled through an agent during one's life, like prayers, fasting and in most cases Ḥajj, or the like. It is up to the dying person to intimate the executor of his will of the matters which have to be performed by him on his behalf like prayers and fasting and make a will about them.
مسألة 1 – لا يجب عليه نصب القيم على أطفاله الصغار إلا إذا كان عدهم متصبغاً لهم وحقوقهم، فذا نصب فليكن منصبهم أميناً، و كذا من عيته لأداء الحقوق الواجبة.

مسألة 2 – يجب كفاية على الأحوطين أن لا يختبئ من قوة في حال الاحتضار والنزع، يرجحه السماح إلى القبلة، بأن يلق على ظهره ويعلق باباً قدمته ووجهه إلى القبلة، بحيث لو جلس كان وجهه إليها، رجلاً كان أو امرأة، صغيراً كان أو كبيراً، والأحوطين مراعاة الاستقبال بالكيفية المذكورة مالم ينقل عن حال الاحتضار، ولا مراعاته في جميع الحالات التي ما بعد الفراج من الغسل الأقوى عدم لزومه، والأحوطين مراعاته أيضاً، وأما ما بعد الغسل إلى حال الدفن فالأولى على الأحوطين وضعه بنحو ما يوضع حال الصلاة عليه.

مسألة 3 – يستحب تلقين الشهادات، والاتبار بالأثني عشر عليهم السلام، وكلمات الفرج، ونقله إلى مصلاه إذا اشتد نزعة بشرط أن لا يوجه أذهبه، وقراءة سورة يس؛ و البصائر عنده للتعجيل راحته، و كذا يستحب تغليض عينيه، و تطبيق في، وشد فكيه، و مديده إلى جنبه، و مدرجه، وتغليض به، والإسار عنده في الليل، وإعلام المؤمنين ليحضروا جنازته، والتعجيل في تجهيزه إلا مع اعتبار حاله، فينظر إلى حصول البقية في رحمة، و يكره مته في حال النزع، ووضع شيء تقيه على بطنه، و إبقاؤوه، و كذا يكره حضور الجانب والحائض عند حال الاحتضار.

القول في غسل الميت

يجب كفاية تغسيل كل مسلم، ولو كان مخالفاً على الأحوط فيه، كما أن الأحوط تغسيله بالكيفية التي عندنا و التي عندهم، ولا يجوز تغسيل الكافر.
Problem # 1. It is not obligatory [on a dying person] to appoint a Qayyim (administration) for his minor children, except when failure to do so would mean their loss, or the loss of their rights. If he appoints an administrator (for his children), the latter must be an honest person. Similarly, the person appointed by him for the fulfillment of obligatory rights must also be an honest person.

Problem # 2. According to the more cautious opinion it is obligatory collectively on all the duty-bound persons, if carried out by some, others are relinquished of it, and if carried out by none all are considered to have committed a sin. Rather it is not devoid of force, that a Muslim person who is close to death should be laid on his back with his face towards the Qiblah with the soles of his feet and face towards the Qiblah in a way that while sitting his face should be towards the Qiblah, regardless whether the dying person is a man or a woman, a minor or an adult. It is more cautious to keep him in such position facing the Qiblah as long as he is not shifted from his dying place.

As regards keeping the dead person in such a position in all circumstances, even after finishing his ritual washing, according to the stronger opinion, it is not necessary, though it is more cautious to keep him in such position even afterwards. It is, however, better, rather more cautious even after finishing the washing of the dead until shrouding him to place him in a position as he used to be while praying.

Problem # 3. It is recommended to recite the two formulas of testimony, [namely, There is no god but Allâh, and Muḥammad is His Servant and Messenger], acceptance of the Twelve Imâms, Peace be upon them (as the leaders), and words of relaxation, shift him to his place of offering prayers (Muṣâlâh) when his agony of death becomes intense, provided that it is not troublesome for him, and to recite the two Qur’ânic Chapters of Yâ Sîn and al-Ŝaffât near him to bring quick comfort to him. Likewise, it is recommended to close both his eyes and mouth, bind his chin, straighten his hands on both sides, straighten his legs, cover him with a cloth, light a candle near him at night and make an announcement to the believers to be present in his funeral, and make haste in preparing him for burial, except in case of suspicion about his position, in which case it may be delayed until certainty is obtained about his being dead. At the time of his death, it is abominable to touch him, place any heavy thing on his stomach and leave him alone. Likewise, it is disapproved to let a person in a state of Jânâbat (pollution due to discharge of semen) or a menstruating woman come close to him at the dying moments.

Rules Concerning the Ritual Washing of the Dead

According to the more cautious opinion, it is obligatory collectively on all duty-bound persons to ritually wash a dead Muslim, even if he belongs to the opposite sect [i.e. a non-Sîfâh], if carried out by some, others become relinquished of it and if carried out by none all are considered to have committed a sin, so that it is more cautious to wash the non-Sîfâh person according to our ritual method as well as his ritual method. It is not permissible to ritually wash infidels or those considered infidels from among the Muslims, like the Nawâṣîb [those openly hostile to Ahl al-Bayt] or Khawârij [those opposed to Imâm Ali], etc, whose details shall be given under [the Chapter on] Najâshât (Unclean things and persons).

The children of Muslim parents, including even the illegitimate ones born of Muslim parents, are governed by the rules applicable to Muslims, and it is obligatory to ritually wash their dead bodies. Rather it is obligatory to ritually wash even an aborted child, provided that it has completed four months [in its mother’s womb], and it is to be shrouded and buried in the usual way. If, however, the aborted child is less than four month, it is not obligatory to ritually wash it, and it is to be wrapped in a cloth and buried.
من حكم بكمه من المسلمين، كالمؤصبة والخروج والغير، على التفسير الآتي في النجاسات، واطفال المسلمين حتى ولدانا منهم، فجبهم تفسيلهم، بل يجب تفسيل السقط إذا تم له أربعة أشهر، ويفضف ويدفن على المتعارف، ولو كان له أقل من أربعة أشهر لا يجب غسله، بل يلف فيه خروجة ويدفن.

مسألة 1. يسقط الغسل عن الشهيد وهو المقتول في الجهاد مع الإمام على السلام أو نائبه الخاص بشرط خروج روحه في المعركة حين اشتعال الحرب أو في غيرها قبل إدراكه المسلمون حياً، وأما لو عثروا عليه بعد الحرب في المعركة وربط فيجب غسله وتخفيته على الأحويط لو خرج روحه فيها، ولو خرج خارجها فالأظهر وجوب غسله وتخفيته، وليحقق به المقتول في حفظ بيضة الإسلام، فلا يغسل ولا يحتط ولا يكفن، بل يدفن بثيابه، إلا إذا كان عارياً فيكفن، وكذا يسقط عمن وجب قتله برجم أو قصاص، فإن الإمام (ع) أو نائبه الخاص أو العالم بأمره بأن يغسل غسل الميت، ثم يكفت تكسيفه ويختم ثم يقتل وينص عليه ويدفن بلا تفسيل، والظاهرة أن نية الغسل من الأمور، وإن كان الأحويط نية الآخر أيضًا.

مسألة 2. القطع المنفصلة من الميت قبل الاغتصال إن لم تشمل على العظام لا يجب غسلها، بل تلف في خروجة ويدفن على الأحويط، وإن كان فيها عظام ولم تشمل على الصدر تنسى ويدفن بعدة لف في خروجها، ويلحق بها إن كانت عظماً مصدراً في الدفن، والأحويط الإلحاق في الغسل أيضًا، وإن كان عدمه لا يخلو من قوة، وإن كانت صدرًا أو اشتملت على الصدر أو كانت بعض الصدر الذي عل القلب في حال الحياة وإن لم يشتمل عليه فعلًا نفس وتدفن وتكفن ويدفن عليها وتدفن، ويجوز الالتزام في الكنف على الثوب واللقاء، إلا إذا كانت مشتملة على بعضعل المنذر أيضًا، ولو كان معها بعض المساجد يحتج ذلك البعض.
Problem # 1. The ritual washing of a martyr is dropped, because he is considered to have been killed during *Jihād* a’īn with the Imām, Peace be upon him, or his special deputy, provided that he has died in the battle-field while busy in fighting or otherwise, before the Muslims have found him alive. If, however, the Muslims have found him in the battle-field after the fight, and there was still a spark of life in him, according to the more cautious opinion, it shall be obligatory to ritually wash and shroud him if he has expired in the battle-field.

If he has died away from the battle-field, apparently it shall be obligatory to ritually wash and shroud him.

A person killed while defending the faith of Islam shall be affiliated with the martyrs, so that he shall neither be ritually washed, nor applied camphor or shrouded, but shall be buried in his own garments [which he wore at the time of death]. Of course, if he had no garments on his body [which were, for example, taken away by the enemy], then he shall be wrapped in a shroud.

Likewise, the ritual washing shall be dropped in case of a person who is to be killed by *Rajm* (stoning to death as a punishment for fornication) or *Qiṣāṣ* (in retaliation for murder), because the Imām, or his special or general deputy orders him to be ritually washed, shrouded and applied camphor like a dead person, and then killed, and then people offer prayers (as offered for the dead) and bury him without ritually washing him (again). Apparently the person ordered to ritually wash the person before being killed in punishment pronounces the *Niyyat* (ritual intention), although, according to the more cautious opinion, the person ordering the performance of the ritual washing should also pronounce the intention (*Niyyat*).

Problem # 2. It is not obligatory to ritually wash a part of the dead body if separated before the ritual washing, provided that it does not contain a bone, rather, according to the more cautious opinion, it shall be wrapped in a piece of cloth and buried.

In case the part contains a bone other than of the chest, it shall be washed and buried after being wrapped in a piece of cloth.

In case it is a bone alone (without flesh), it shall also be affiliated to it as regards burying; rather, according to the more cautious opinion, it shall also be affiliated to it as regards washing, though (an act) contrary to it shall not be devoid of force.

In case, it is a chest bone, or contains the chest-bone or a part of the chest which was the place of the heart when the person was alive, though not containing it now, it shall be ritually washed, shrouded, offered prayers and buried. It may be confined to be shrouded in a cloth and a wrapper. Except when it also contains a part of waist [it shall not suffice]. If it contains some parts which touch the ground in prostration, those parts shall be applied camphor.

If a part was separated from the body of the person when he was alive, there is difficulty in affiliating it with what has been mentioned before relating to the dead, though caution should not be given up by affiliating it with it and by dissociating with it as regards touching it after being washed in case it happens to be a bone or contains a bone.
وقال إنما ت필ح حال البيت في جميع ما تقدم إشكال، لا تترك الاحتياط بالانطلاق فيها وعدم الإطلاق في المس بعد الغسل في العظم أو المشمل عليه.

مسألة 3 - تسيل اللمت كمكفيته والصلاة عليه فرض على الكفاية على جميع المكلفين، وقيام بعضهم به يسقط عن الباقيين، وإن كان أولي الناس بذلك أولاهم مبرئته، بمعنى أن الأول لآوارد القيام به أو عين شخصاً لذلك لا يجوز مزاحيه، بل قيام الغير به مشروط باذنه على الأقوى فلا يجوز بدونه، فم تسقط شرطته مع امتئاه عنه وعن القيام به على الأقوى، إن كان الأحوز الاستذان من المرتبة المتأخرة، ولو كان الولي قاصراً أو غائباً لا يعبد وجب الاستذان من الحاكم الشرعي، والذين أعم من الصريع والفحوى وشاهد الحال القطعي.

مسألة 4 - المراد بالولي الذي لا يجوز مزاحيه أو يجب الاستذان منه كل من يرته نسب أو سبب، ويلزمه ولائتم على ترتيب طبقات الأثر، فالطبقة الأولى مقدمون على الثانية، وهي على الثالثة، فإذا فقدت الأرحام فالأحوز الاستذان من الموالافق ثم ضمان الجردة ثم الحاكم الشرعي، أما في نفس الطبقات فتقوم الرجال على النساء لا يخلو من وجه، لكن لا ينبغي ترك الاحتياط في الاستذان عنهن أيضاً، والبالغون مقدمون على غيرهم، ومن تقرب اللمت بالأب وابن أولى من تقرب إليه بأحدهما، ومن نتسب إليه بالأب أولي من نتسب إليه بالأم، وفي الطبقة الأولى الأب مقدم على الأم والأولاد، وهما على أولادهم، وفي الطبقة الثانية الجد مقدم على الآخوة على وجه، وإن لا يحلو من تأمل، وهما على أولادهم، وفي الثالثة العين مقدم على الحال وهو على أولادها.

مسألة 5 - الزوج أول يزوجه من جميع أقاربه إلى أن يضعها في قبرها دائمة كانت أو منقطعة، على إشكال في الأخيرة.

مسألة 6 - لو أوصى اللمت في تجهيزه إلى غير الولي فالأحوز الاستذان منه و
Problem #3. Ritual washing of the dead like his shrouding and offering prayers is the collective duty of all the duty-bound Muslims and if performed by some, it relinquishes the rest from their liability, though the foremost among the people are the foremost among the deceased's heirs, which means if the deceased guardian [or foremost heir] intends to carry out the duty or appoints a person for this purpose, it is not permissible to interrupt him. Rather if some other person acts in this respect, according to the stronger opinion, he shall be required to obtain prior permission of the deceased's guardian, and his action is not permissible without the guardian's permission. Of course, this condition drops in case of the guardian's abstention or failure to take action in this regard, though it is more cautious to obtain permission of the heir of the next degree.

In case of negligence or absence of the Wali [or guardian], it is not far from being obligatory to obtain the permission of the religious authority, and the permission includes clear or tacit approval or what is certain from the circumstantial evidence.

Problem #4. A Wali [or guardian] means a person inheriting the deceased through parentage or matrimonial relation who is not to be interrupted and whose permission is obligatory to be obtained. The guardianship right of such heirs is arranged according to the degrees of inheritors, so that the heirs of the first degree are to be preferred to those belonging to the second degree and those of the second degree are to be preferred to those of the third degree.

In absence of the relatives on the maternal side, it is more cautious to obtain the permission of the master who has emancipated the deceased, then the person who has stood guarantee against offence of the deceased, and lastly the religious authority.

Among the degrees of the heirs, it is not far from force to give preference to males over females, but caution should not be given up by obtaining permission from the female heirs too.

Among the heirs, the adult ones are to be preferred to the minors, and those who are related to the deceased through both the parents are to be given preference over those related through one of the parents, and the paternal relatives are to be preferred to the maternal ones. Among the first degree, the father is to be preferred to the mother and children, and the latter to their children.

Among the relatives of the second degree, the grandfather is to be preferred to brothers and sisters in one respect, though it is not free from hesitation. The brothers and sisters of the deceased are to be preferred to their own children.

Among the relatives of the third degree, the paternal uncles are to be preferred to the maternal uncles, and the latter are to be preferred to their own children.

Problem #5. A husband is to be preferred to all other relatives in placing the dead body of his wife in her grave, regardless whether she is a permanent or temporary wife, though there is difficulty in accepting this rule in case of the latter.

Problem #6 If the deceased has assigned some one other than the guardian for making arrangement for his burial, it shall be more cautious to obtain permission from him as well as the guardian.
مسألة 7 - يشترط المماثلة بين المغسل والميت في الذكورة والأنثى فلا يغسل الرجل المؤنة ولا العكس ولو كان من وراء السر و من دون لبس و نظر إلا الطفلك الذي لا يزيد عمره من ثلاث سنين، فيجوز لكل من الرجل والمرأة تغسيل تجريد ولومع وتغسيلها، ولا الزوجة تغسيلها ففي تغسيل الآخر ولومع وجود المماثل والتجرد، حتى أنه يجوز لكل منها النظر إلى عورة الآخر على كراهة، ولا فرق في الزوجة بين الحرة والأمة والدالة والمنعطة والملتقطة والملطبة الرجعية قبل انقضاء عدة الطلاق على إشكال في الأخيرتين.

مسألة 8 - لا إشكال في جواز تغسيل الرجل ممارسه بالعكس مع فقد المماثل حتى عارياً مع سيار العورة، و أما مع وجوده ففيه تأمل و إشكال فلا يترك الاحتباط.

مسألة 9 - يجوز للملولي تغسيل أمه إذا لم تكن مزوجة ولا معتدة ولا مبضة، بل ولا مكتوبة على الأحروط، و أما تغسيل الأمة مولاها فهي إشكال.

مسألة 10 - الميت المشتبه بين الذكر والأنثى ولو من جهة كونه خشي يغسله من وراء الثوب كل من الرجل والأنثى.

مسألة 11 - يعتبر في المغسل الإسلام، بل والإيمان في حال الاختيار فلو الأخصر المماثل في الكتابي أو الكتابية أمر المسلم الكتابي والمسلمة الكتابي أن يغسل أولئك ثم يغسل الميت، وإن أمكن أن لا يمس الماء وبدن الميت أو يغسل في الكر أو الجاري تعيين على الأحروط، ولو الأخصر المماثل في المخالف فكذلك، إلا أنه لا يحتاج إلى الاغتزال قبل التغسيل، ولا إلى عدم مس الماء وبدن الميت، ولا إلى الغسل في الكر والجاري، ولو الأخصر المماثل في الكتابي والمائم يقدم الثاني.

مسألة 12 - لولم يوجد المماثل حتى الكتابي سقط الغسل على الأقوى ولا يبعد
Problem # 7. It is a condition that the person washing the dead must be of identical sex, a male for a male and a female for a female, so that a male should not ritually wash the dead body of a female, and otherwise, although the washing is done behind the curtain and without touching, except in case of a child not exceeding three years of age, in which case a male or female can ritually wash the dead body of the opposite sex, even if the body is naked.

There is, however, an exception for the husband and wife, as either of them is allowed to ritually wash the dead body of the other, in spite of availability of a person of identical sex and despite the dead body being naked, even with the permission to each of them to look at the private parts of the other, though with some repugnance.

There is no difference whether the wife is a free woman or a slave, permanent or temporary, or divorced revocably before the expiry of the İddah for divorce, though there is difficulty in accepting the rule in respect of the last two.

Problem # 8. There is no difficulty in the permissibility of a man ritually washing the dead body of his close relatives within the prohibited degrees, or otherwise, provided that there is no person of identical sex available, even if the dead body is naked, provided that its private parts are covered.

In case, however, there is a person of identical sex available, there is hesitation and difficulty [in the application of this rule], and so caution must not be given up.

Problem # 9. A master can ritually wash the dead body of his slave girl, provided that she is not married [to some other man], nor is passing an İddah [for divorce given by some other man], nor Muba’aqah, or, according to the more cautious opinion, even a Mukâtibah.

As regards the ritual washing of the slave girl by her master, there is difficulty [in its permission].

Problem # 10. The dead body of a person of doubtful sex, in respect of being a male or female, due to its being a hermaphrodite, shall be ritually washed by a man or woman from behind a cloth [or curtain].

Problem # 11. It is a condition that the person ritually washing the dead body [of a Muslim] must be a Muslim, rather a Mu’min {i.e. a Shi’ah} in ordinary circumstances.

In case a washing person of identical sex available is confined to a Kitâbî [Ahl-i Kitâb: a Jew or a Christian] man or woman, he/she should be ordered first to perform ritual bath, and then ritually wash the dead body [of a Muslim], and, if possible, not to touch the water or the dead body, or must wash the dead body in water in quantity of a Kur or running water.

If the available washing person of identical sex is a Kitâbî or one belonging to the opposite [i.e., a non-Shi’ah] sect, the latter shall be preferred.

Problem # 12. If a person of identical sex, although a Kitâbî [i.e., Ahl-i Kitâb], is not available, according to the stronger opinion, the ritual washing of the dead body shall be dropped, and it is not far from being permissible to give up the ritual washing and bury the dead in its own clothes, in the same way as it is more cautious to dry up the dead body beforeburying it due to the possibility of some uncleanliness left on the body which may pollute its shroud.
ان يكون الأحوض ترك غسله ودفنه بثيابه، كما أن الأحوض أن ينسف بدنه قبل التكفين، لاحتمال بقاء نحاسته فيانجنس الكفن.

مسألة 13 - الأحوض اعتبار البلوغ في المغسل، فلا يجزي تغسيل الصبي المميز على الأحوض حتى بناء على صحة عباداته كما هو الأقوى.

القول في كيفية غسل الميت

يجب أولاً إزالة النجاسة عن بدنه، والأقوى كفية غسل كل عضو قبل تغسيلة، و إن كان الأحوض تظهر جميع الجسد قبل الشراع في الغسل، ويجب تغسيلة ثلاثة أقسام: أولاً غسل السدر ثم غسل الكافور ثم بالماء الخالص، ولو خالف الترتيب عاد إلى ما يحصل به باعادة ما حق التأخير وكيفية كل غسل من الأقسام الثلاثة كعمل الجنازة، فبدأ بغسل الرأس والرقبة ثم الطرف الأيمن ثم الأيسر، ولا يكون الارتداس في الأقسام الثلاثة على الأحوض، بأن يكون في كل غسل بارتماسة واحدة، نعم يجوز في غسل كل عضو من الأعضاء الثلاثة من كل غسل من الأقسام الثلاثة رممسه عضو في الماء الكثير مع مراعاة الترتيب.

مسألة 14 - يعتبر في كل من السدر والكافور أن يكون بمقدار يصدق أنه مخلوط بهم مع بقاء الماء على إطلاقه.

مسألة 2 - لو تمزح أحد الخليطين أو كلاهما غسل بالماء الخالص بدلاً عا تعد على الأحوض، بل وجبه لا يخلو من قوة قاصداً به البديلة مراياً للرتيب بتناية.

مسألة 3 - لم قدب الماء للغسل يجم ثلاث تيممات بدلاً عن الأقسام على الترتيب، والأحوض تيم آخر برصيدته من المجموع، وإن كان الأقوى عدم لزومه، و يجم أيضاً لوكان مروعاً أو مخافاً أو مجدوراً بحيث يخفف من تنازف جلده لغسل، ولا يترك الاحتياط بالتيم بماء الحي وبد الميت.
Problem # 13. According to the more cautious opinion, there is a condition that the person performing the ritual washing of the dead body should be an adult. So, according to the more cautious opinion, it is not permissible for a discreet minor to perform the ritual washing of a dead body, even if his prayers are considered valid, as is the case according to the stronger opinion.

**Procedure of Washing the Dead**

First of all it is obligatory to remove the uncleanness from the body of the dead. According to the stronger opinion, it is sufficient to wash each part of the body before performing its ritual washing, although it is more cautious to clean the entire body before beginning to perform its ritual bathing.

It is obligatory to ritually bathe the dead body thrice; firstly, with the water mixed with the leaves of the lotus tree (ṣīdīr); secondly with the water mixed with camphor; and thirdly with pure water.

If the above order has not been observed, it should be repeated in the above order so that the above order may be observed.

The procedure of each of the three baths shall be similar to that of an obligatory bath for ḥanābat [i.e., pollution due to discharge of semen].

The ritual bath of the dead body shall start from the head and the neck, then the right side, followed by the left side. According to the more cautious opinion, it is not sufficient to dip the body in water in the three baths, so that each time a single dipping may be sufficient. Of course, it is permissible in the three ritual baths to dip each part of the body in a large amount of water observing the necessary order.

Problem # 1. It is a condition in the leaves of the lotus tree and camphor each to be in such a quantity that the water may be considered to have been mixed with each of them, while the water may remain in a state of purity.

Problem # 2. If out of the leaves of the lotus tree and camphor any or both of them are not available, according to the more cautious opinion, the ritual bath of the dead body shall be performed with pure water in place of what is not available, rather its obligation is not devoid of force. The bath shall be performed with the intention of being compensatory, observing the necessary order.

Problem # 3. If water is not available, ṭayyāmum shall be performed thrice in place of the three baths in the necessary order, but, according to the more cautious opinion, another ṭayyāmum shall be performed with the intention of being in place of all, though, according to the stronger opinion, it is not necessary.

Ṭayyāmum shall also be performed if the dead person has been wounded, burnt or infected with small-pox in a way that there is fear that his skin will be split if washed. Caution should not be given up by performing the ṭayyāmum by the live person as well as with the hand of the dead person, if possible, though sufficiency of the ṭayyāmum being performed by the hand of the dead, if possible, is not far from being permissible. It is
ا.ق. ف. في كيفية غسل الميت مع الامكان، وإن لا يبعد جواز الاكتفاء بيد الميت إن أمكنا، ويفي ضربة واحدة للوجه واليدين، وإن كان الأحوج المتعدد.

مسألة 4 - لولم يكن عنده من الماء إلا بقدر غسل واحد غسل غسلًا واحدًا، ويميّمته تيمينًا، فإن كان عنده الخليطان أو السدر خاصة صرف الماء في الغسل الأول، ويممته للآخرين، وكذا إن لم يكون عنده على الأقوي، ويحمل بعيدًا وجوب صرفه لثلاثة وتيمم للأولين، وطريق الاحتياط في مراعاة الاحتمالين بأن ييمم تيمين بدلاً عن الغسلين الأولين على الترتيب احتياطًا، ثم غسل بالماء بقصد ما في الذمة مربداً بين كونه الغسل الأول أو الثلاث، ثم تيمم بنقصد الاحتياط أحدهما بدلاً عن الغسل الثاني والأخر بدلاً عن الثلاث، ولو كان عنده الكافور فقط صرفه في الغسل الأول ويميّم تيمين للثاني والثالث، ويعمل بعيدًا صرفه في الثاني والتيمم للأول والثالث، وأحوج أن ييمم أو لا بدلاً عن الغسل الأول، ثم غسل باء الكافور قاصداً به ما في الواقع من بدليته عن الغسل باء السدر أو كونه السدر الثاني ثم ييمم تيمين أحدهما بدلاً عن الغسل باء الكافور والثاني بدلاً عن الغسل بالماء الحلال، ولو كان ما عنده من الماء يكيّن لغسلين فإن كان عنده الخليطان صرفه في الأولين ويميّم للثاني، وكذا لو كان عنده أحد الخليطين أولم يكن شيء منها.

مسألة 5 - لو كان الميت محرماً يغسله ثلاثة أقسام كالماء، لكن لا يخلط الماء بالكافور في الغسل الثاني إلا أن يكون موته بعد التقصير في العمر، وبعد السعي في الحج، وكذلك لا يغسل بالكافور إلا بعدمها.

مسألة 6 - لو يجمع عند تغرس الغسل أو غسله بالماء الحلال لأجل تغرس الخليط ثم ارتفع الغسر فإن كان قبل الدفن يجب الغسل في الأول، وأحوج إعادته مع الخليط في الثاني، وإن كان بعده مشى.

مسألة 7 - لو كان على الميت غسل جنازة أو حيض أو نحوهما اجرأ عنها.
sufficient to strike the face and both hands (on the earth) once, though, to be more cautious, it should be done repeatedly.

**Problem # 4.** If there is no water except in a quantity that is sufficient for the performance of a single bath, the dead body shall be bathed once followed by two *Tayammums*.

If there are both the things to be mixed with the water,[namely, the leaves of the lotus tree and camphor] or the leaves of the lotus tree alone, the water shall be spent in the first bath followed by *Tayammum* for the other two baths.

According to the stronger opinion, the same shall be the case if both the things to be mixed with the water[namely, the leaves of the lotus tree and camphor] are not there, though it is a distant likelihood of being obligatory to use the water for the third bath, and perform *Tayammum* for the first two baths. The cautious way is to observe both the possibilities by performing *Tayammum* in place of the first two baths respectively by way of caution, and then two *Tayammums* should be performed with the intention of caution, one in place of the second bath and the other in place of the third. If there is camphor alone, it shall be used in the first bath, followed by two *Tayammums* for the second and third baths, though there is a distant likelihood of using the camphor for the second, and *Tayammum* should be performed for the first and the third baths. It is more cautious to perform *Tayammum* first in place of the first bath, then the bath should be performed with the water mixed with camphor with the intention of being a bath in place of the water mixed with the leaves of the lotus tree or its being the second bath. Then two *Tayammums* should be performed, one in place of the water mixed with camphor and the other in place of the bath with pure water. If there is water sufficient for two baths only, then if there are both the things required to be mixed with the water, they shall be used in the first two baths, and *Tayammum* shall be performed for the third bath. The same shall be the case if there were only one or none of the things required to be mixed with the water.

**Problem # 5.** If the dead person had tied *ihram* before death, he shall be bathed thrice like one who has not tied *ihram*, but the water shall not be mixed with camphor in the second bath, except when his death has occurred after having the shaving the head during *Umrah*, and after Sa'y during *Hajj*. Likewise, he shall not be applied camphor except after the two cases.

**Problem # 6.** If *Tayammum* has been performed due to inability to perform the ritual bath, or the dead body has been bathed with pure water due to unavailability of the things to be mixed with water [namely, the leaves of the lotus tree and camphor], and then the excuse is removed, then if it occurs before burial, it shall be obligatory to perform the ritual bath in the former case, and according to the more cautious opinion to repeat the bath after mixing the water with the things required to be mixed with it in the latter case. If, however, it has occurred after the burial, then it should be treated as something that has already passed.

**Problem # 7.** If the performance of the ritual bath for *Janâbat* (pollution due to discharge of semen), menses or the like has been due to be performed by the dead before his death, then the performance of the ritual bathing after death shall be sufficient.
مسألة 8 - لو دفن بلا غسل ولو نسياناً وجب نبشة لتغسيله فإن لم يكن فيه مخدر من هكذا حريمة الميت لأجل فساد جثته أو الخرج على الأحياء بواسطة رائحته أو تجقيقه، وكذا إذا ترك بعض أشياءه أو تبين بطلانه، وكذا إذا دفن بلا تكسين، وأما لو دفن مع القفنة الحمدي فإن لم يكن في النبش محدر يحب، وأما مع المخدور المتقدم ففيه إشكال، والأحوى للمغصوب منه أخذ قيمة الكفن، نعم لو كان الناصب هو الميت فالقوي جواز نبشة حتى مع الحلك، ولو تبين أنه لم يصل عليه أو تبين بطلانها لا يجوز نبشة، بل يبلع على قبره.

مسألة 9 - لا يجوز أخذ الأجرة على تغسيل الميت إلا إذا جعلت الأجرة في قبال بعض الأمور غير الواجبة، مثل تليين أصابعه وما يصل إليه، وغسل يديه قبل التغسيل إلى نصف الذراع، وغسل رأسه برغوة السدر أو الخنطي، وغسل ورجيه بالسدر والأشنان قبل التغسيل، وتنشيفه بعد الفراح بثوب نظيف، وغير ذلك.

مسألة 10 - لو تنفس بدن الميت بعد الغسل أو في أثاثه بخروج نجاسته أو نبضة خارجية لا يجب إعادة غسله حتى في خرج منه بول أو غائط على الأقوي، وإن كان الأحوى اعادته لو خرجا في أثاثه، نعم يجب إزالة الحبوب عن جسده، والأحوى ذلك ولو كان بعد وضعه في القبر، إلا مع التعذر ولا يستلزمه هتك حرمته بسبب الخروج.

مسألة 11 - اللوح أو السرير الذي يغسل عليه الميت لا يجب غسله بعد كل غسل من الأسجال الثلاثة، نعم الأحوى غسله لميت متاخر، وإن كان الأقوي أنه يظهر بالتعبيرية، وكذا الحال في الحرة الموضوعة عليه، فإنها أيضاً تظهر بالنضع.

مسألة 12 - الأحوى أن يوضع الميت حال الغسل مستقبل القبلة على هيئة المختصر، وإن كان الأقوي أنه من السن.

مسألة 13 - لا يجب الوضوء للميت على الأصح، نعم يقوى استحبابه بل هو
Problem # 8. If a dead person has been buried without the ritual bath or due to forgetfulness, it shall be obligatory to exhume the dead body for bathing it, if there is no excuse like dishonouring the dead due to the decomposition of the body, or harm to the living persons due to its stink or [the trouble caused by the necessary] arrangement of the bath and burial. The same rule shall apply in case some of the baths have been given up, or later it transpires that they were void. The same rule shall apply if the dead body has been buried without being duly shrouded. If the dead body has been buried with a usurped shroud, and there is no due excuse for exhuming the body, it shall be obligatory [to exhume and bury it with a lawful shroud]. If there is any of the excuses mentioned before, then there is difficulty [in permissibility of the exhumation]. According to the cautious opinion, the person from whom the shroud has been usurped shall receive its price. If, however, the usurper happens to be the dead person himself, then according to the stronger opinion, it shall be permissible to exhume his body even if it involves dishonour to the body. If, [after burial], it transpires that prayer has not been performed for the dead, or it is learnt that the prayer was invalid, it shall not be permissible to exhume the body; rather prayer shall be performed at his grave.

Problem # 9. It is not lawful to charge some remuneration for performing the bathing of the dead, except when the remuneration is charged for some things not obligatory, for example, softening the fingers and joints of the dead, washing both the hands of the dead up to half a cubit before the bath, washing the head of the dead with the lather of the leave of the lotus tree or marsh mallow, washing the private parts of the body of the dead with [the lather of] the leaves of the lotus tree or saltwort or drying up the body [after the completion of the ritual bathing] with clean cloth, or the like.

Problem # 10. If the body of the dead becomes unclean after the ritual bath or during its performance due to the discharge of unclean matter or due to some external unclean matter, according to the stronger opinion, it is not obligatory to repeat the bathing even in case of excretion of urine or feces, though it is more cautious to repeat it if it has occurred during the performance of the ritual bath. Of course, it is obligatory to remove the refuse from the body of the dead. It is more cautious to do so, even if it was after placing the dead body in the grave, except when there is some due excuse even if it causes dishonour to remove the dead body from the grave.

Problem # 11. It is not obligatory to wash the plank or cot on which the dead body has been ritually washed after the completion of each of the three baths. Of course, it is more cautious to wash it for bathing another dead body, though according to the stronger opinion it also becomes clean with the washing of the dead. The same rule applies to the cloth placed on the dead body, as it also becomes clean with the washing of the dead.

Problem # 12. It is more cautious to place the dead body facing the Qiblah at the time of the ritual bath in the same position as it was placed at the time of breathing the last, though, according to the stronger opinion, it is one of the Sunnah (recommended) practices.

Problem # 13. According to the most valid opinion, performance of ablution is not obligatory for the dead body. Of course, it is strongly recommended; rather it is more cautious, and it should precede the ritual bath.
الأحوط، و ينبني تقديمه على الغسل.

القول في آداب الغسل

و هي أمور وضعه على ساحة أو سرير، وأن ينزع قيضه من طرف رجليه و إن استلزم فتقه، لكن حينئذ يراعى رضا الورثة على الأحوبات، وأن يكون تحت الظلال من سقف أو خيمة أو نحوها، و ستير عورته و إن لم ينظر إليها، أو كان المغسل من يجوز له النظر إليها، و تليل إصابته و مفاصله برفق، و غسل يده قبل التغسيل إلى نصف الذراع و غسل رأسه برغوة السدر أو الحزمي، و غسل فرجيه بالسدر أو الأشراش أمام الغسل، و مسح بطنه برفق في الغسيل الأولين، إلا أن يكون الميت امرأة حاملاً، و تليل غسل اليدين و الفرجين. و تليل غسل كل عضو من كل غسل، و تصيب جميع الغسلات سبعاً و عشرين، و تنشف بدنه بعد الفرغ يثوب نظيف وغير ذلك.

مسألة - لو سقط من بدن الميت شيء من جلد أو شعر أو ظفر أو أنس يجل معه في كفنه و يدفن.

القول في تكفين الميت

و هو واجب كفائي كالغسيل، والواجب منه ثلاثة ألوان: مئزر يثرب بين السرة والركبة، و قيض يصل إلى نصف الساق لا أقل على الأحوبات، و إزار يغطي تمام البدن، فيجب أن يكون طوله زائداً على طول الجسد، و عرضه بقدر يمكن أن يوضع أحد جانبه على الآخر، و يلف عليه بحيث يستر جيب الجسد، و عند عذر الجمع أتي بما تيسر مقدماً للأشمل على غيره لدى الدوران، ولو لم
Etiquettes for Washing the Dead

The etiquettes of washing the dead include the following practices:

The dead body should be placed on a plank or cot, and its shirt should be removed from the side of the legs, though it may cause ripping it open, but at the time of removing it, to be more cautious the consent of the deceased's heirs must be kept in view; the dead body must be under a shade of roof, a tent or the like; the private parts of the dead body must be covered, even if no one is looking at them, or even if the bath is being performed by a person who is allowed to look at them; the fingers and joints of the dead body should be gently softened; both the hands of the dead must be washed up to half a cubit before the bath, and its head must be washed with the lather of the leaves of lotus tree or marsh mallow, both its private parts must be washed with [the lather of] the leaves of the lotus tree or saltwort before the ritual bath; the dead body must be rubbed gently in the first two baths, except when the dead body happens to be of a pregnant woman; in each bath, each of the parts of the dead body must be washed thrice, so that the total washing takes place twenty seven times; the dead body must be dried up with a clean cloth after completion [of the ritual bath], and the like.

Problem. If some thing falls from the body of the dead like [a piece of] skin, a hair, a nail or a tooth, it shall be placed with the dead body in its shroud and buried.

Rules Concerning Shrouding the Dead

Like the ritual washing of the dead, its shrouding is also a collective duty of all the Muslims [which if performed by some, relinquishes others from it, and if carried out by none, all are considered liable for the commission of the sin].

The shroud includes the following three obligatory things:

Firstly, an apron to cover the body from the navel to the knee;

Secondly, a shirt, according to the more cautious opinion, it must cover at least up to half of the shin; and

Thirdly, a loincloth to cover the entire body, so it is obligatory that its length must exceed the length of the body, and its width must be such that one of its side may be placed on the other and, when wrapped, may cover the entire body. In case it is not possible to provide all the pieces of the shroud, then whatever is possible maybe provided, so that if there are two pieces of cloth, the one having more covering capacity must be preferred. Even if only so much of the shroud is possible as may cover both the private parts, it shall be obligatory [to provide even that much].
يمكن إلا ستر العورة وجب.

مسألة 1 - لا يجوز التكفين بالمغصوب ولو في حال الاضطرار، ولا بالحرير الخالص وللطفل والمرأة، ولا بجلد المبتز ولا بالنفس حتى ما عني عنه في الصلاة، ولا بمن لا يكله جلداً كان أو شعرًا أو وراء، ولم يلد المأكول أيضاً على الأحذية. دون صوفه وشعره وبره، فإنه لا بأس به.

مسألة 2 - يختص عدم جواز التكفين بما ذكر فيها عدا المغصوب بالاختيار، فيجوز الجمع مع الاضطرار، بل لوعمل جلد المأكول على تحوصره عليه الثوب في حال الاختيار أيضاً، ومع عدم الصدق لا يجوز اختياراً، ومع الدوران يقدم النجس، ثم الحرير على الأحذية، ثم المأكول ثم غيره.

مسألة 3 - لو تنجز الكفن قبل الوضع في القبر وجبت ازالة لنجاسة عنه بفضل أو قرض غير قادح في الكفن، وإذا بعد الوضع فيه والأولى القرض في هذه الصورة، ولو تغذر غله ولو من جهة توفره على إخراجه تعيى القرض، كما أنه يتعين الغسل لو تغذر القدر ولو من جهة استلزمته زوال سائرة الكفن، فنعم لو توقف الغسل على إخراجه من القبر وتهتك فلا يجب، بل لا يجوز، ولا تذمر وجب التبديل مع الإمكان لولم يلزم الهتك، وإلا لا يجوز.

مسألة 4 - يخرج الكفن - عدا ما استثنى - من أصل التركية مقدماً على الديون والوصايا والمرایس، والظهور خروج ما هو التمتع للاقتصاد بكونه منه، وكذا سائر مؤن التجهيز، ولا ينفي ترك الاحتياط في الزائد على الواجب مع التحفظ على عدم إهانته، وكذا يخرج من الأصل الماء والصدور والكافور وقيمة الأرض وأجرة الحمال والحفرة والسرة من مؤن التجهيز، حتى ما تأخذه الحكومة للدفع في الأرض المباحة، ولو كانت التركية متعلقة حق الغير بسبب الفليس أو الرهان، فالظاهرة تقدم الكفن عليه، نعم في تقديره على حق الجناية إشكال، ولو لم تكن بركة مقدار الكفن دفن عرياناً، ولا يجب على المسلمين به بل يستحب.
**Problem # 1.** It is not permissible to use usurped shroud for the dead, even if in case of emergency, nor of cloth made of pure silk, even for a child or a woman, nor made of skin of a dead [animal], or made of an unclean thing, including even an unclean thing which is allowed in offering prayers, nor made of the skin, hair or fur of an animal whose meat is forbidden for eating, or, according to the more cautious opinion, even made of skin of an animal whose meat is allowed for eating, excluding its wool, hair and fur, as there is no objection [in using them for shroud].

**Problem # 2.** The absence of permissibility for what has been mentioned before except the usurped things is applicable particularly in case of option; otherwise, they are permissible in case of emergency; rather if the skin of an animal whose meat is allowed for eating is used in a way that it may be treated as a cloth, it is also permissible where there is an option.

In case, however, it is not treated [as a cloth], it cannot be used even in case of an option. [In case clean cloth is not available], unclean cloth shall be given preference over other things, then, according to the more cautious opinion, a silken cloth, and then the skin of an animal whose meat is allowed for eating, and then other things.

**Problem # 3.** If the shroud becomes unclean before the dead body is placed in the grave, it is obligatory to remove the unclean objects from the shroud by washing or cutting as much as may not cause any deficiency in the shroud.

The same rule shall apply even if the dead body is placed in the grave, in which case it is better to cut the unclean part of the shroud.

In case it is not possible to wash the unclean part of the shroud when it depends only on taking the dead body out of the grave, it shall be indispensible to cut the unclean part of the shroud, as also it shall be indispensible to wash the unclean part of the shroud if it is not possible to cut that part due to depriving the shroud of its purpose of covering the body of the dead.

Of course, if washing the unclean part of the shroud depends on taking the dead body out of the grave, causing thereby dishonour to it, then it shall not be obligatory [to wash the unclean part of the shroud]; rather it shall not be permissible [to do so].

In case both the things [namely, washing or cutting] are not possible, then the shroud shall be changed, if possible, when it does not cause dishonour to the dead body; otherwise, it shall not be permissible [to do so].

**Problem # 4.** The [expenses on the] shroud shall be taken out from the actual amount of inheritance, besides the other exceptional things, and given preference over the other dues, legacies, and [shares of the heirs in the] inheritance. Apparently an amount according to the prevalent custom which is in conformity with his social position shall be taken out, and so also the other expenses on the burial arrangement. Of course, caution should not be given up to avoid anything more than what is necessary at the same time preventing any dishonour to the dead.
مسألة 5 - كفن الزوجة وسائر مؤن تجهيزها على زوجها ولومع يسارها، كبيرة كانت أو صغيرة، بجوهرة أو عاقيا، حرة أو أمة، مدخلة أو غيرها، مطبعة أو ناشئة، وفي المنطقة إشكال سيا إذا كانت مدة نكاحها قصيرة جداً، لا يترك الاحتياط في المنطقة الرجعية، بل الظاهر كونه عليها.

مسألة 6 - لو بيع متبوع بكفنيها ولم يكن وحداً عليها، سقط عن الزوج.

مسألة 7 - لو مات الزوج بعد زوجته أو قبلها أو مقارنًا لها ولم يكن له مال إلا

немبردم كفني واحد قدام عليها.

مسألة 8 - لو كان الزوج معبضا فكفن الزوجة من تركتها، فلو أيسر بعد دفنتها ليس للورث مطالبة قيمته.

مسألة 9 - لا يلحق بالزوجة في وجوب الكفني من وجبت نفقتها من الأقرباء، نعم كفني الملوك على سيدها، إلا الأمة المزوجه، فعلت زوجها.

القول في مستحبات الكفني وآداب التكفين

يستحب الزيادة على القطع الثلاث في كل من الرجل والمرأة بخريطة الفخذين، طولاً ثلاثة أذرع ونصف، وعرضها شير إلى شير ونصف، تشد من الحقين ثم تلف على الفخذين لفًا مشيدًا على وجه لا يظهر منها شيء إلى أن تصل إلى الركبتين، ثم يخرج رأسها من تحت رجليه إلى جانب الأيمن، ثم يغمض في الموضع الذي انتهى إليه اللف، وجعل شيء من القطن بين الأنيتين على وجه يسر العورتين بعد وضع شيء من الذريرة عليه، ويتش مده بشيء منه إذا خشي خروج شيء منه، بل وقبل المرأة أيضاً، سيا إذا كان يخشى خروج دم التنفاس ونحوه منه، كل ذلك قبل اللف بالخريطة المذكورة، ولقافة أخرى فوق اللفافة الواجبة، والأفضل كونها برداً بانثياً، بل يقوم استحبا للفافة ثالثة سيا
Likewise, the expenses on the actual water, leaves of the lotus tree, camphor, price of land, wages of the porter, grave-digger, etc. shall be defrayed out of the amount earmarked for the burial arrangements, including even the amount charged by the government for burying the dead in the land belonging to none.

If the property left by the deceased belongs to some other persons due to insolvency of the deceased or its being mortgaged, even then apparently preference shall be given to the amount earmarked for his burial. Of course, there is difficulty in giving preference to it over the payment for the crime committed by the deceased [like compensation for murder by the deceased].

In case no property is left by the deceased to defray the burial expenses, he shall be buried naked [i.e., without shroud], and the Muslims shall not be bound to pay its expenses, though it is recommended to do so.

**Problem # 5.** The expenses on the shroud and other arrangements of burial of the wife are borne by her husband, although the wife may be quite well-off, regardless whether she was an adult or a minor, sane or insane, a free woman or a slave-girl, consummated or otherwise; obedient or contumacious.

In case of a temporary wife, there is difficulty [in declaring the husband responsible to bear the expenses of her burial], particularly if the term of the temporary marriage is too short.

Caution should not be given up in case of a revocably divorced wife; rather the expenses on her burial shall be borne by her husband.

**Problem # 6.** If the shroud for a dead woman is arranged by a person voluntarily without being a disgrace for her, her husband shall be absolved of its liability.

**Problem # 7.** If the husband dies after, before or with his wife, and has left property sufficient for meeting the burial expenses of a single person, then preference shall be given to meeting the expenses for the husband's burial over those of the wife.

**Problem # 8.** If the husband is in straightened circumstances, the burial expenses shall be defrayed from the property left behind by the wife.

If the husband becomes well off after the burial of the wife, her heirs shall not be entitled to demand the recovery of the expenses on her burial from him.

**Problem # 9.** It is not obligatory on a man to bear the expenses of the close relatives whose maintenance he is liable to pay other than his wife.

Of course, the burial expenses for the slave-girl are borne by the master, except the one who is married [to another man], in which case the expenses on her burial shall be paid by her husband.

**Recommended Things for the Shroud and its Etiquettes**

Besides the three obligatory pieces of shroud, it is recommended to cover [the dead body of] each man or woman up to the two thighs with a piece of cloth, the cloth being three and a half cubits long and one to one and a half span of the hand wide which should be bound strongly from both the loins, then wrapped very tightly on the two thighs in a way that nothing should be visible from them until it reaches both the knees, then its upper part should pass from
في المنزل، وفي الرجل خاصة بممارسة يقبله بأرجله بالتدوير، ويجعل طرفاها تحت الخنجر ويلقي فضلات الشق الأيمن على الأيسر والعكس، ثم يدان إلى صدره، وفي المرأة خاصة بمقنعة بدل العمامة، ولفافة يشد بها ثدياها إلى ظهرها، ويشتبث إجادة الكفن، وكونه من طهور المال لا يشوه شيبة، وأن يكون من القطن، وأن يكون أبيض عبادة الخمسة، فإن الأول أن تكون بردًا أحم، وأن يكون من ثياب أحمر فيها أو كان يلبس فيها، وأن يخاط على الأولى خيوطه إذا احتاج إلى الخياطة، وأن يلقي على كل ثوب منه شيء من الكافور والذرة، وأن يكون على حاشية جميع قطع الكفن على الجزائرين: "إن فلان بن فلان يشهد أن لا إله إلا الله وحده لا شريك له، وأن محمدًا رسول الله صلى الله عليه وآله، وأن عليًا وحسن والحسين - يعد الآثرة عليهم السلام إلى آخرهم - أن آمنه وسادته وقادته، وأن الاثنين والثواب والعقبات حق" وأن يكتب عليه الجوشن الكبير، بعم الأول بل الأحوزة، أن يكون ذلك كله في مقدم يودع عليه من النحاسة والقدرة، والأحوزة التكفين عن الكفية في المواضع التي تناقح احترامها عرفًا، والأولى للباشرة للتكفين لو كان هوالفهم الفعل من المسا والوضع قبل التكفين، وإذا كان غيره الطهارة من الحق بما لا كبر ولا أصغر.

المقول في الحنوط

وهو واجب على الأصح، صغيراً كان البيت أو كبيراً، ذكرًا كان أو أنثى، ولا يجوز تخزين الحموم كما تقدم، ويشترط أن يكون بعد الغسل أو التيمم، والأقوى جوازه قبل التكفين، وعده وفي الأثناء، وإن كان الأول أول. وكيفية أن يمس الكافور على مسبحة السبعة، يستحب إضافة طرف الأنف إليها، بل هو الأحوز، ولا يعد استحباب مسح إبطيه وليته وفاضلبه به.
under both the legs to the right side and placed at the place where the wrapping ends, then something of cotton be prepared and placed between both the buttocks in a way that it may cover both the private parts after sprinkling some fragrant powder on it. Before wrapping with the said piece of cloth some cotton must be placed inside the anus if there is fear of something coming out of it, and rather in the genital organ of the woman too, particularly when there is fear of discharge of puerperal blood or the like from it. Then another sheet in addition to the obligatory one must be placed over the body, which is preferably to be a Yemenese sheet, rather, according to the stronger opinion, it is recommended that there should be a third sheet, particularly for a woman.

For a man, there should be a turban bound round his head in a way that its two sides should pass from under his chin and its right end should fall on the left and vice versa, then both the ends should extend to his chest. For a woman particularly there should be a veil in place of a turban and a sheet to cover both the breasts up to her back. It is also recommended that the shroud should be new, made of a clean material without any suspicion [of uncleanness], and that it should be made of cotton. It should be of white colour except in case of the [Yemenese] shawl (Habararah). It is better that it should be red [Yemenese] sheet and that it should be made of the cloth which the person has used for ḥṭām or which he has used while praying. If the shroud is to be stitched, it should be stitched with the yarn of the shroud itself, and on each of the pieces of cloth some camphor and fragrant powder must be sprinkled. On edges of all the pieces of the shroud and both the palm branches [stripped of leaves] should be written [in Arabic] that: "Such person, son of such person, bears testimony that there is no god but Allāh. He is One. He has no Partner And Muḥammad is His Messenger. Allāh's Blessings be on him and his Posterity. And that Ali, Ḥasan, Ḥusayn [upto the last Imām] are his Imāms, his Masters and his Leaders. And that Resurrection, Reward and Punishment are True."

Similarly, it is also recommended that the Jowshan al-Kabīr should also be written on the shroud. Of course, it is better, rather more cautious that all these words should be written on what is certainly believed to be safe from uncleanness and filthiness. It is more cautious to avoid writing these words in places which according to the custom are considered repugnant to their honour. It is better that if the shrouding of the dead body is being done by the person who has ritually washed the dead, then, before shrouding the dead, he (or she) should perform bath for touching the dead body as well as ablution. In case, it is some one other [than the person who has ritually washed the dead body], then he should first clean himself of the Major and Minor Pollutions.

Rules of Camphorating (Ḥunūt) the Dead Body

Camphorating (anointing the dead body with camphor) is, according to the most authentic opinion, obligatory, regardless whether the dead person is an adult, a minor, male or female. As already mentioned, it is not permissible to camphorate a person who has tied ḥṭām [for Ḥajj or ʿUmraḥ]. It is a condition that the camphorating must be done after the performance of the ritual bath or Tayammum [of the dead]. It is permissible to camphorate before, during and after shrouding, though the first one is the most preferable.
والأولى الانتهان به رجاءً. ولا يقوم مقام الكافور طيب آخر حتى عند الضرورة.

مسألة ١ - لا يجب مقدار معين من الكافور في الحنوط، بل الواجب المسمى مباصرة معه المسح به، والأفضل الأول أن يكون سبعة مثقال صفرية، ودونه في الفضل أربعة مثقالين شرعيين ودونه أربعة دراهم، ودونه مثقال شرعي، ودونه درهم، ولو تعذر الجمع حتى المسمى منه دفن بغية حنوط.

مسألة ٢ - يستحب خلط كافور الحنوط بشيء من التربة الشريفة، لكن لا يمسح به المواضع المنافية لاحترامها كالابحاثين.

القول في الجريدتين

من السن الأكيدة وضع عودتين رطبتين مع الميت صغيراً أو كبيراً ذكرأا أو أنثى، ووضع مع الصغير رجاء أو الأفضل كونهما من جريد النخل، وإن لم تتسرب فن السدر إلا فن الخلاف وإلا فإن الرمان وإنما فن كل شجر رطب، والأول كونهما بقدر عظم الذراع والآخر أنجزا الأولى إلى شير والأكثر إلى ذراع، كل من الأول في كيفية وضعهما جعل أحدهما في جانب الأيمن من عند الترقوة حتى ما بلال ملصقاً بجلده، والآخر في جانب الأيسر من عند الترقوة حتى ما بلال فوق القميص تحت اللفافة.

القول في تشيع الجنازة

وفضله كثير وثوابه خطير حتى ورد في الخبر "من شيع جنازة فله بكل خطوة حتى يرجع مئة ألف حسنة، ويعني عنه مئة ألف ألف سنة، ويرفع له
Its procedure is that camphor is anointed on all the seven parts of the body used in prostration. It is recommended to add the side of the nose, rather it is more cautious to do so. It is not far from being recommended to camphorate both the armpits, chest and joints. It is preferable to do so with the intention of hope, and it cannot be replaced by any other fragrance, even if needed.

Problem # 1. No particular amount of camphor is obligatory while anointing, but what is obligatory is to use as much of camphor as may be called anointing with it. The most preferable is seven Mithqāls of treasurers [Ṣayrafi], inferior to it in degree of preference is four canonical (Sharī‘ī) Mithqāls, and then [weighing] four Dirhams, and then one canonical (Sharī‘ī) Mithqāl, and inferior to it is one Dirham [in weight]. If it is not possible even to the extent of being nominal, then the dead body shall be buried without camphorating it.

Problem # 2 It is recommended to mix the camphor with an amount of the holy dust [of Imām Husayn’s grave], but then it should not be anointed on places repugnant to its honour, like the two toes of feet.

Rules Concerning the Two Palm Branches

It is among the emphatically recommended things to place two fresh branches with the dead, irrespective of his being an adult or a minor, male or female. Placing them with a child is with the intention of hope [that it would be agreeable to Allāh]. It is most preferable that the two branches must be of a palm tree. In case they are not available, then of a lotus tree; otherwise, of a willow (tree), a pomegranate (tree), or any fresh tree. It is better that each of them should be equal to the arm bone in length, though the most permissible being at least of the span of the hand and at the most a cubit long. It is better to place one of them on his right side near his collarbone, sticking to his skin, and the other on the left side, close to the collarbone reaching above the shirt unto the covering sheet.

Rules Concerning The Funeral of the Dead

The attendance in the funeral of the dead has lot of virtue and reward. It has been said in a Tradition (of the Holy Prophet): “Whosoever participates in the funeral (procession) of the dead, for every steps he takes until he returns has (a reward) of a hundred billion (thousand thousand) good deeds and one hundred billion (thousand thousand) sins are forgiven, and his rank is elevated by a hundred billion (thousand thousand) degrees. If a man offers prayers for the dead, a billion (thousand thousand) angels shall accompany him and ask pardon for him. If a man attends the burial of the dead, Allāh appoints a hundred billion (thousand thousand) angels to ask pardon for him until he resurrects from his grave. Whoever offers prayer for the dead, Gabriel and seventy billion (thousand thousand) angels shall offer prayers for him, and all his previous sins shall be forgiven. If he stays there till the dead is buried, and throws dust on his grave, and returns from the burial, then for every steps he takes on returning to his house, he shall get a Kerat of reward, a Kerat being equal to Mount Uḥud which will be thrown in his account as a reward.”
مائة ألف ألف درجة، فإن صلى عليها يشبهه مائتا ألف ألف ملك كلهم يستغفرون له، فإن شهد دفنه، والله به مائتا ألف ألف ملك يستغفرون له حتى يبعث من قبله، و من صلى على ميت صلى عليه جبريل و سبعون ألف ألف ملك، وغير له ما تقدم من ذنبه، وإن أقام عليه حتى يدفنه و حتى عليه من التراب انقلب من الجنازة وله بكل قدم من حيث تبعها حتى يرجع إلى منزله قيراط من الأجر، والقيراط مثل جبل أحد يلق في ميزانه من الأجر.
و أما آدابه فهي كثيرة:
حميها - أن يقول حامل الجنازة حين حملها: "بسم الله و باني و صلى الله على محمد و آله محمده اللمام أغفر للمؤمنين والمؤمنات.
و منها - أن يجعلها على أكتافهم لا على الدابة و نحوها إلا لعذر كي بعد المسافة، لن لا يعودوا من فضي حملها على الأكتاف، و أما كراهية حملها على الدابة فهي معلومة.
و منها - أن يكون المشيع خشواً متفكراً متصوراً أنه هو المحمل وقد سأل الرجوع إلى الغني فأحبب.
و منها - المشي والركوب مكره إلا لعذر، نعم لا يكره في الرجوع.
و منها - المشي خلف الجنازة أو جانيها، والأخير أفضل.
و منها - التبديل، بمعنى أن يحمل الشخص الواحد جوانبها الأربعة، والأفضل أن يبتديء بمقدم السرير من طرف بين الميت فيضعه على عاتقه الأيمن، ثم يحمل مؤخره الأيمن على عاتقه الأيسر، ثم يؤخره الأيسر على عاتقه الأيمن، ثم ينتقل إلى المقدم الأيسر و يضعه على عاتقه الأيسر.
و منها - أن يكون صاحب المصيبة حافياً واضعاً رداءه أو مغيراً زيه على وجه آخر مناسب للمعنى حتى يعرف.
و يكره الضحك واللعب واللهو، و وضع الرياء لغير صاحب المصيبة.
[Etiquettes of the Funeral]

As regards the etiquettes of the funeral, they are also numerous.

Firstly, that those who carry the bier of the dead should recite [in Arabic]: "Bismillāh, wā Bīllāh, wā Sāllallāhu 'alā Muḥammadīn wā ṣl-i Muḥammadīn. Allāhummahfīr 'il-Mu'minīn wāl-Mu'mināt".

Secondly, that the dead body should be carried on the shoulders, not on a beast of burden, or the like, except due to some due excuse like (long) distance, so that they may not be deprived of the virtue of carrying the dead on the shoulders. It is, however, not known whether it is abominable to carry the dead on a beast of burden.

Thirdly, that one who participates in the funeral (procession) should fear God, pondering all the time and imagining as if it is he himself who is being carried, and he has asked for his own return to the world, and it has been granted.

Fourthly, that those participating in the funeral (procession) should walk on foot as riding is disapproved, except with due excuse. Riding, however, is not disapproved while returning after the funeral.

Fifthly, that one should walk behind the (bier of the) dead, or on its both sides, though it is more preferable to walk behind it.

Sixthly, a participant in the funeral (procession) of the dead should hold all the four ends of the bier (one by one). It is more preferable to start from the front of the bier on the right side of the dead and place it on his left shoulder, then place the other right side on his right shoulder, then the other left side on his left shoulder. Then he should shift to the front on the left side, and place it on his left shoulder.

Seventhly, the most grieved mourner of the deceased should walk barefooted, put aside his cloak or change his appearance in some other way, fit for the mourner, so that he could be (easily) recognised.

It is disapproved to laugh, engage in frolics, or for one other than the chief mourner of the dead to put aside his cloak, or walk quickly in a way that may be discourteous to the dead, particularly when it is the form of running; rather, those participating in the funeral (procession) should adopt moderation in walking. It is also disapproved to carry fire behind the bier, except a lamp, rather to carry (in the funeral procession) any lighted thing at all. It is also undesirable for a sitting person to stand up at the time the funeral (procession) is passing, except when the dead happens to be an infidel in which case a (sitting) person may stand up. It is better for women not to participate in the funeral procession, even if the dead were a woman. It is not far from being disapproved for young women to participate in the funeral (procession).
في الصلاة على الميت

والإسراع في المشي على وجه ينافي الرفق برفق الميت سيا إذا كان بالعدو، بل ينبغي الوسط في المشي، واتباعها بالنهار إلا المصباح، بل مطلق الضياء في الليل، والقيام عند مروها إذا كان جالساً، إلا إذا كان الميت كافراً فيقوم، والأول ترك النساء تشيع الجنازة حتى للنساء، ولا يبعد الكراهة للشابة.

القول في الصلاة على الميت

يجب الصلاة على كل مسلم وإن كان مخالفًا للحق على الأصح، ولا يجوز على الكافر بأقسامه حتى المرتد ومن حكم بكرهه من انتحل الإسلام كالناصب والخوارج، ومن وجد ميتاً في بلاد المسلمين يلحق بهم، و كذا لقيت دار الإسلام، وأما لقيت دار الكفر فإن وجد فيها مسلم يحتل كونه منه ففيه إشكال، واطفال المسلمين حتى ولدنا منهم بحكمهم في وجب الصلاة عليهم إذا بلغوا ست سنين، وفي الاستعجاب على من لم يبلغ ذلك الحد إذا ولد حيًا تأمل، وأما من ولد ميتًا فلا تستحب وإن ولد الروح قبل ولادته، وقد تقدم سابقاً أن حكم بعض البدن إن كان صدراً أو مشتملاً عليه أو كان بعض الصدر الذي ظل القلب و إن لم يشتمل عليه فعلاً حكم تمام البدن في وجب الصلاة عليه.

مسألة ١ - حمل الصلاة بعد الغسل والتكفين، فلا تجزي قبلها، ولا تسقط بتاعيرها، كأنه لا تسقط بتاعير الدهن أيضاً، فلو وجد في الفيلة ميت ولم يكن غسله وتكفنه ولا دفنه يصل عليه و يخلي، والحاصل أن كل ما تعذر من الواجبات يسقط، وكل ما يمكن يثبت.

مسألة ٢- يعتبر في المسقي على الميت أن يكون مؤمناً، فلا يجزي صلاة الميت فضلًا عن الكافر، ولا يعتبر فيه البلوغ على الأقوى، فتصبح صلاة الصبي المميز، لكن في إجزائه عن المكلفين البالغين تأمل، ولا يعتبر فيه الذكورة، فتصبح صلاة
Rules for the Prayer for the Dead

It is obligatory to offer prayer for every Muslim [dead person], even if he belongs to the opposite [non-Shī'ah] sect. However, if he is an infidel of any category whatsoever, even if he is an apostate, or one who is declared a non-Muslim even if he unduly assumes the title of Islam like Nawasib [i.e., those openly hostile to Ahl-i Bayt] or Khawārij [i.e., those who oppose Imām Ali], it is not permissible to offer prayers on their dead.

If a dead body is found in a Muslim town, he shall be affiliated to Muslims.

The same rule shall apply to a foundling who is found in a Muslim town.

If, however, a foundling is found in a town of the infidels where Muslims also reside, there is likelihood of its belonging to them, there is difficulty [in accepting this likelihood].

The children born of Muslim parents, as far as the obligation for offering prayers on their dead body is concerned, are treated as Muslims like their parents, even if they are illegitimate children born of Muslim parents, provided that they are six years old. In case of a child who was born alive, but who has not attained the age of six years, there is hesitation [in the application of this rule being desirable].

If a child is born dead, even if soul was breathed into it, [while still in its mother’s womb], it is not desirable [to offer prayers on its dead body].

It has already been mentioned that a part of the body, if it is chest or one containing the chest or part thereof which was the place of the heart, even if it does not contain it now, shall be treated as the whole body as far as the obligation for offering prayers on it is concerned.

Problem # 1. The time for offering the prayer for the dead body is after the completion of its washing and shrouding, and it is not lawful to offer the prayer before the completion of these two formalities.

The obligation for offering the prayer, does not drop even if it is not possible to wash and shroud the dead body, in the same way as it does not drop even if it is not possible to bury the dead body.

If a dead body is found in a waterless desert, and it is not possible to wash, shroud or bury it, prayer shall be offered for it, and it shall be left [in the desert]. The conclusion is that whatever is not possible from the obligatory things shall drop, and whatever is possible is established [as obligatory].

Problem # 2. It is a condition for the person offering prayer for the dead body [of a Shī'ah Muslim] that he should be a Mu'min [i.e., a Shī'ah], and the prayer of a person belonging to the opposite [non-Shī'ah] sect is not enough, not to speak of prayer offered by an infidel.

According to the stronger opinion, it is not a condition for a person offering prayer for the dead to be an adult, as a prayer offered by a discreet child is also valid, but there is hesitation in his prayer being sufficient without the participation of adult duty-bound (Mukallal) persons.
المرأة ولو على الرجل، ولا يشترط في صحتها عدم الرجال، ولكن ينبغي تقديفهم
مع وجودهم، بل هو أحوط.

مسألة 3 - الصلاة على الميت وإنه كان فرضًا على الكفاية إلا أنه كسائر أنواع
تهيجه أول الناس بها أوغيرهم بخبرته، فلو أراد المباشرة بنفسه أو عين شخصًا لها
لا يجوز مزاحته، بل الأقوى اشتراك إذنها في صحة عمل غيره، ولو أوصى الميت
بأن يصلي عليه شخص مميًا فالأحوط على الولي الأذن على الولي الأذن وعلى الوصي الاستيذان
منه.

مسألة 4 - يستحب فيها الجماعة، والأحوط اعتبار اجتماع شرائط الإمامة من
العدالة و نحوها هنا أيضًا، بل الأحوط اعتبار اجتماع شرائط الجماعة من عدم
الحائر و نحوه، وإن لابد بعدد اعتراش شيء من شرائط الإمامة والجماعة إلا
فيفيشترط في صدقها عرفًا تكمل البعد المفرط والخطر الغليظ، ولا يتحمل
الإمام هنا عن الأمومين شيئاً.

مسألة 5 - يجوز أن يصلي على ميت واحد في زمان واحد أشخاص متعددون
فراء، بل و بالجماعات المتعددة، و يجوز لكل واحد منهم قصد الوجوب مالم
يفرغ منها أحد، فإذا فرغ نوى الباقي الاستحساب أو القرية، وكذلك الحال في
المصين المتعددين في جمعة واحدة.

مسألة 6 - يجوز للماموم نية الافتراد في الأثنين، لكن بشرط أن لا يكون بعيدًا عن
الجنازة بما يضّر ولا خارجاً عن المحاذاة المعتبرة في المنفرد.

القول في كيفية صلاة الميت

وهي خمس تكرارات: يأتي بالشهادتين بعدهائين، والصلاة على النبي و آله
بعد الثانية، والدعاء للمؤمنين والمؤمنات بعد الثلاثة، والدعاء للميت بعد الرابعة،
It is also not a condition that the person offering the prayer for the dead must be a male, so that the prayer offered by a woman, even for a man, is valid. The absence of males is not a condition for the validity of the prayer offered by a female, but in the presence of males, they are to be preferred to the females; rather, it is more cautious [to do so].

**Problem # 3.** As regards offering prayer for the dead, though it is a collective duty of all the Muslims [which, if offered by some, its obligation is relinquished from others, but if carried out by none, it means commission of a sin by all], except that, like all the other funeral arrangements, here too preference is to be given to him who enjoys preference over others among the heirs of the dead, so that if he intends to do it by himself, or assigns the job to some one else, he is not to be opposed; rather the validity of an act performed by any other person requires his prior permission. If the deceased has willed that a particular person should offer prayers for him, his guardian must permit him to do so, and it is upon the person appointed by the deceased by will to perform the job after obtaining permission from the guardian of the deceased.

**Problem # 4.** It is recommended to offer the prayers collectively (al-Jamā‘ah). It is a condition that all the qualifications required in the person leading the other prayers (Imām), like moral soundness (ḥādīth) and the like, should also be found in the person leading the prayers for the dead; rather all the conditions required in a congregational prayer (al-Jamā‘at), like the absence of any obstacle, or the like, must also be found in the congregational prayer offered for the dead, though it is not far from being likely that none of the conditions required usually for the person leading the prayers and the congregational prayers are required here except what is required to treat them as such according to the custom, like absence of excessive distance or thick obstacle. [Contrary to the usual congregational prayer], the person leading the prayer for the dead does not recite anything in place of those following him in the prayer [so that those following him in the prayer have to recite every word of the prayer for the dead].

**Problem # 5.** It is permissible for several persons to offer prayer individually for a single dead person, or in the form of several congregational prayers, and it is permissible for each of them to intend offering the prayers as obligatory as long as none of them has finished the prayer; otherwise, the remaining persons should intend to offer the prayer as recommended one or for closeness [to Allāh]. The same rule applies in case there are several persons offering the prayer in a single congregational prayer (for the dead).

**Problem # 6.** It is permissible for a person standing behind the leader of the prayer (Imām) to intend to offer prayer individually during the prayer for the dead, provided that he is not at a distance from the dead body which is harmful for the prayer nor outside the limits required for the person offering individual prayer.

**Procedure for Offering Prayer for the Dead**

The prayer for the dead [is performed in Arabic and] consists of five Takbīr[s saying: “Allāh-o Akbar” (Allāh is the Greatest)]. The first Takbīr is followed by the two Testimonies, the second by sending Blessings on the Prophet and his Progeny, the third by praying for the believing men and believing women, the fourth by praying for the dead, the fifth by concluding the prayer.
ثم يكبر الخامسة و ينصيرف، ولا يجوز أقل من خمس تكبيرات إلا للتقية، وليس فيها آذان ولا إقامة ولا قراءة ولا ركوع ولا سجود ولا تشهد ولا سلام، ويكفي في الأدعية الأربعة مسماها، فيجيزي أن يقول بعد التكبيرة الأولى: «أشهد أن لا إله إلا الله وأشهد أن محمداً رسول الله» و بعد الثانية: «اللهم اغفر للمؤمنين والمؤمنات» و بعد الرابعة: «اللهم اغفر هذا الميت» ثم يقول: «الله أكبر» و ينصيرف، والثالثة أن يقول بعد التكبيرة الأولى: «أشهد أن لا إله إلا الله وحده لا شريك له إله وحيد حاصل و قد أпроизه في شيء صاحب، وكأنه وولد له ولربه و سله، أرسل بالإهدى و دين الحق ليظهره على الدين كله وكوكبه المشركين» و بعد الثانية: «اللهم اغفر للمؤمنين والمؤمنات وبارك علی محمد و آله محمد و ارحمه و آله محمد، و أرحب محمد و آله محمد» و بداركت و ترحمت على إبراهيم و آله إبراهيم و أثر محمد و آله محمد و ارحمه و آله محمد، و أرحب محمد و آله محمد و أرحبه و آله محمد» و بعد الرابعة: «اللهم إن هذا السبيٰ قدمنا عبدك و ابن عبدك و ابن أمتك، نزل بك وأنت خير منزول به، اللهم إنك قد بست روحك إلّك وقد احتفلت إلى رحمتك وأنت غني عن عذابه اللهم إنا لا نعلم منه إلا خيراً» و أنت أعلم به منه، ألهن إنا كان عسناً فزد في إحسانه، و إن كان مسيّناً فتجاوز عن سيئته، و اغفر لنا وله، اللهم احشره مع من يتوّلاه و يبطه، و أبعده عنهم، ممّا يتبرأ منه و يبعضه، اللهم الحقه بيني و عزّ بيته و بيته، و ارتحنا إذا توفيتنا يا إله العالمين، اللهم اكتبنا عندك في أعلى عليين، واخلي على عقبة في الغابرين، و اجعلنا من رفقاء محمد و آله الطاهرين، و أرحب و إيانا برحيمك يا أرحم الرحيمين، اللهم عفوك عفوكم وعفوكم».
Less than five Takbîrs are not permissible, except by way of Taqiyyah (dissimulation of one’s faith in the face of threatening death). The prayer for the dead has no Adhân (the Call for Prayer), no Iqâmat (the short Call just before beginning Prayer), no Qirâ’at, no “Rukû’” (Kneeling), no “Sajdahs” (Prostrations) and no “Tashahhud” (reciting the Two Testimonies) and no “Salâm” (i.e., the Three Salutations at the end of the usual Prayer). It is sufficient to name those referred to in the four Takbîrs. So after the first Takbîr one should say: “I bear witness to that there is no god but Allâh, and I bear witness to that Muḥammad is [His Servant and] His Messenger”; after the second Takbîr: “O Allâh, send Blessing on Muḥammad and the Progeny of Muḥammad”; after the third Takbîr: “O Allâh, Forgive the Believing Men and Believing Women”, and after the fourth Takbîr: “O Allâh, Forgive this dead person”. Then one should [recite the fifth Takbîr saying]: “Allâh-o Akbar” (Allâh is the Greatest), and [thereby] conclude [the prayer].

It is better that after the first Takbîr one should say (in Arabic) “I bear witness to that Allâh is One. He has no Partner. He is One god, the Matchless, the Eternal, the Single One, the Everlasting, the Endless, the Ever-Enduring. He has no Female Companion, nor a Child. And I bear witness to that Muhammad is His Servant and His Messenger. ‘He has sent him with Guidance and True Faith, so that he may make it prevail over all the beliefs, even if it be undesirable for the Polytheists.’ [See Sûrah Al-Ṣaff, verse No.9].”

After the second Takbîr one should say (in Arabic): “O Allâh, send Blessing on Muḥammad and the Progeny of Muḥammad, and send Benediction on Muḥammad and the Progeny of Muḥammad, and Have Mercy on Muḥammad and the Progeny of Muḥammad, even more than Thou sent Blessing and Benediction, and had Mercy on Abraham and the Progeny of Abraham. Certainly Thou art Praiseworthy and Glorified. And send Blessing on all the Prophets and Messengers.”

After the third Takbîr, [one should say in Arabic]: “O Allâh, forgive the believing men and believing women, and the Muslim men and the Muslim women. The living from among them and the dead. O Allâh, let them and us be followed by Virtues. Certainly thou hast Power over every thing.”

After the fourth Takbîr, [one should say in Arabic]: “O Allâh, this shrouded man in front of us is thy servant, son of thy servant and thy maid servant. He has come down to thee and thou art the best of those to whom one may come down. O Allâh, thou hast taken out his soul to thee. He needs thy Mercy, and thou art in no need to punish him. O Allâh, certainly we have no knowledge about him but of virtue, and thou hast better knowledge about him than ourselves. O Allâh if he was virtuous, then increase his good deeds. If he was an evil doer, forgive his evil deeds, and forgive us and him. O Allâh judge him among those who are friendly to him and love him and keep him away from those who keep away from him and who loathe him. O Allâh affiliate him with thy Prophet and introduce him to the Prophet and the Prophet to him, and have Mercy on us when we die, O Lord of the Universe. O Allâh write down his name among those having the highest status with thyself, appoint as his successor behind him those who are left behind, place him among the friends of Muḥammad and his purified Progeny, and Bless him and us with thy Mercy, O Most Merciful among the merciful. O Allâh, (we ask) thy Pardon, Thy Pardon, Thy Pardon.”
و إن كان الميت امرأة يقول بدل قوله: «هذا المسجدي» إلى آخره «هذا المسجدي» فليظرفة باستعينك و ابنته عبدك و ابنته امتك» وأقي بالضمانات المؤنثة، وإن كان الميت طفلاً دعا في الرابعة لأبوه بأن يقول:
«اللهم اجعله لأبوه ولنا سلما و فرحا و أجراً».

مسألة ١ - في كل من الرجل و المرأة يجوز تذكير الضمانات باعتبار أنه مس أو شخص، و تأتيها باعتبار أنه جنازة، فيسهل الأمر فيها إذا لم يعلم أن الميت رجل أو امرأة، ولا يحتاج إلى تكرار الدعاء أو الضمان.

مسألة ٢ - لو شو في الكبائر بين الأقل والأكثر فالأحمر الاتيان بوزيفة الأقل والأكثر رجاءً في الأدعة، فإذا شو بين الاثنين والثلاث مثلًا بني على الأقل، فأب بالصلاة على النبي و آله عليهم الصلاة السلام و دعا للمؤمنين والمؤمنات، و كبر و دعا للمؤمنين والمؤمنات و دعا للمنبر، و كبر و دعا له رجاءً و كبر.

القول في شرائط صلاة الميت

تبع فيها نبي القرن، و تعين الميت على وجه يرفع الابهام، ولو بأن يقصد الميت الجابرأ أو من عينه الإمام، واستقبال القبلة، و القيام، و أن يوضع الميت أمامه مستلقيًا على قفاه حاذًا بما إذا كان إمامًا أو مثملًا بخلاف ما إذا كان مامومًا في صف اتصال بين يدانيه، و أن يكون رأسه إلى يمين المصلي و رجله إلى يساره، و أن لا يكون بينه وبين المصلي حائل كسر أو جدار ما لا يصدق معه اسم الصلاة عليه، بخلاف الميت في النعش و نحوه ما هو بين يد المصلي، و أن لا يكون بينه بعد مفرط على وجه لا يصدق الوقوف عليه، إلا في الأمام مع اتصال الصفو، و أن لا يكون أحدهما على من الآخر علواً مفرطًا، و أن تكون
If the dead be a female, then in the above prayer, instead of the words: "This shrouded man ....thy maid servant", one must say: "This shrouded woman in front of us is thy maid servant, and the daughter of thy servant and maid servant", and instead of masculine pronouns use the feminine pronouns.

If the dead were a child, in the fourth part of the prayer, one must pray for its parents and say: "O Allāh make him for his parent and for us an excessive reward in advance."

Problem #1. The masculine pronouns can be used for both the males and females. Masculine pronoun may be used in view of the words for the dead and the person are masculine in Arabic, while the word "Janāzah" (meaning the bier or funeral procession) is a feminine noun in Arabic and so one can use feminine pronouns for it.

In case it is not known whether the dead is a male or female, it makes matters easy, and in that case there is no need of repeating the prayer and pronouns.

Problem #2. If a man doubts between the minimum and maximum Takbīrs in prayers for the dead, according to the more cautious opinion, he shall recite both the minimum and maximum Du‘ās with the intention of hope [that it would be desirable to Allāh]. If, for example, he doubts between two and three, he shall decide in four of the minimum [i.e., two], and send Blessing on the Prophet and his Progeny, Blessing and Peace be upon them and pray for the believing men and women, and then recite Takbīr and pray for the believing men and women, and pray the dead and recite Takbīr and with the intention of hope [that it would be desirable to Allāh], he shall pray for the dead and recite Takbīr.

Conditions for the Prayer for the Dead

In the prayer for the dead it is obligatory to have the intention of closeness [to Allāh] and specify the dead in a way that would remove confusion, even if he intends to offer the prayer for the dead lying before him and as specified by the person leading the prayer (Imām). It is also obligatory to face the Qiblah, stand up and place the dead in front lying on its back parallel to himself when a person is leading the prayer or is offering the prayer individually, contrary to the case when he is behind the person leading the prayer in the row parallel to him. It is also obligatory that the head of the dead should be on the right side of the person offering prayer and its legs on his left side, and that there should be no obstacle between the dead body and the person offering prayer like curtain or wall due to which the prayer offered by him may not be treated to have been offered for the dead body, except when the dead body is placed in a bier or the like lying before the person offering the prayer. It also obligatory that there should not be so much distance between the dead body and the person offering the prayer on it that the person offering the prayer may not be treated as one standing [for offering the prayer] for the dead body, except when he is offering the prayer behind another leading the prayer standing in rows joined with one another.

It is also obligatory that the dead body and the persons offering prayer should not be inordinately higher than each other. It is obligatory that the prayer should be offered after the completion of washing, shrouding and camphorating the dead, except in case of a person when they have been dropped, as in case of a martyr, or in case of a person for whom they are not possible (or available), so that in their case prayer shall be offered.
صلاة بعد التحسين والتكفير والخنوط، إلا فيمن سقط عنه ذلك كالشهيد، أو تزعم عليه فيصل عليه بدون ذلك، وأن يكون مستور العورة. ومن لم يكن له كفن أصلاً فإن أمكن ستر عورته بشيء قبل وضعه في القبر سترها وصل عليه، وإذا لم يحفر قبره ووضعه في حدة مستقيماً على قفاه ويوارى عورته بلبن أو أحجار أو تراب فيصل عليه، ثم بعد الصلاة عليه يضطجع على الهيئة المعهودة فيوارى في قبره.

مسألة 1 - لا يعتبر فيها الطهارة من الحدث والحبث، ولا سائر شروط الصلاة ذات الركوع والسجود، ولا ترك موائعها إلا مثل الققهة والتكلم، فإن الاحتياط فيه لا يترك، بل الأحوزة مراعاة جميع ما يعتبر فيها.

مسألة 2 - لولك الاستقبال أصلاً سقط، وإن أشتبت القبلة ولم يتمكن من تحصيل العلم بها وقدت الأمارات التي يرجع إليها عند فقد العلم يعمل بالظن مع إمكانيه، وإلا فتصل إلى أربع حداث.

مسألة 3 - لا يمكن بعد القيام ولم يوجد من يقدر على الصلاة قابلاً تعيين عليه الصلاة حالياً، ومع وجوده يجب عيناً على المتمن. ولا يجزئ عنه صلاة العاجر على الأظهر، لكن إذا عصى ولم يتم بوظيفته يجب على العجر القيام بوظيفته، ولو فقد المتمن وصل العاجر حالياً ثم وجد قبل أن بدف فالأحوز إعادة المتمن، وإن كان الإجزاء لا يخلو من وجه، نعم الأقوى عدهم فإذا اعتقد عدم وجوده ثم تبين خلافة وظهر كونه موجوداً من الأول.

مسألة 4 - من أدرك الإمام في أثناء الصلاة جاز له الدخول معه، وتابعه في التكبير، وجعل أول صلاته أولاً تكبيراته، فيأتي بوظيفته من الشهادات، فإذا كبر الإمام الثالثة مثلما كبر معه. وكانت له الثانية، فيأتي بالإصالة على النبي وعه (ص) فإذا فهو الإمام أتم ما عليه من التكبيرات مع الأدعية إن تمكن منها ولو مخففة، وإن لم يهلوه اقتصر على التكبير ولاً من غير دعاء في موقفه.
without the performance of the above formalities. It is also obligatory that the private parts of the dead body should be covered. Even in case of a person whom it has not been possible at all to shroud, if it is possible to cover his private parts with some thing before he is placed in the grave, they should be covered and then prayer offered on him. Otherwise, his grave shall be dug, and he shall be laid on his back, hiding his private part with unbaked bricks, stones or earth, and then prayer shall be offered on him. After the prayer he shall be laid in the way it is obligatory to do and buried in his grave.

Problem # 1. It is not a condition to be clean of ritual impurity and refuse in a prayer for the dead, nor other conditions required in prayer having kneeling and prostration necessary in it. It is also not a condition to remove other obstacles except those like laughter or speech, so that caution should not be given up in its case, rather it is more cautious to observe all the conditions required in usual prayer.

Problem # 2. If it is not possible at all to face the Qiblah, its condition shall be dropped. If the Qiblah becomes doubtful, and it is not possible to obtain knowledge about it and the signs which are referred to in absence of the knowledge are also not present, action shall be taken according to assumption, if possible. If it is not possible, prayer shall be offered in all the four directions.

Problem # 3. If the person offering prayer is not able to stand, and there is no person available who may offer prayer while standing, he shall be required to offer prayer while sitting. If there is some one who can offer prayer while standing, it shall be obligatory on him personally. Apparently his prayer shall not make good the one due to the incapable. If, however, the capable person commits disobedience, and does not perform his duty, then it shall be obligatory on the incapable person to perform his duty. In case of unavailability of a capable person, the incapable person offers prayer while sitting, then according to the more cautious opinion, the capable person shall repeat the prayer, though the sufficiency of the former is not devoid of significance. Of course, according to the stronger opinion, it would be otherwise, in case the incapable person believes that there is no capable person, then it transpires otherwise, and it appears that the capable person was already there.

Problem # 4. If a person finds out a person to lead the prayer during the performance of the prayer, it is permissible to let him enter along with him, and he shall follow the leader in the latter's Takbîr, and shall treat his first Takbîr the start of the prayer. So he shall recite the Two Testimonies. When the person leading the prayer, for example, recites the third Takbîr, he shall also recite it with him, and it shall be the third for him too. Then he shall send Blessing on the Prophet and his Progeny [Peace be upon them]. When the person leading the prayer finishes the prayer, he shall complete the Takbîrs with the Du'âs, if he is able to do, though in a brief way. If the people do not let him do so, he shall confine himself to the Takbîr without Du'â in the place where he happens to be standing.
مسألة 5 - لا تسقط صلاة الميت عن الكفرين مالم يأت به بعضهم على وجه صحيح، فادا شك في أصل الالتقى بني على العدم، وإن علم به وشك في صحة ما أتي به حمل على الصحة، وإن علم بفساده وجب عليه الالتقى وإن كان المصل قاطعاً بالصحة، نعم لو تختلف المصل مع غيره بحسب التقليد أو الاجتهاد بأن كانت صحيحة بحسب تقليد المصل أو اجتهاده فاسدة عند غيره يحسبها في الإجتازء بها وجه لا يخلو عن إشكال فلا يترك الاحتياط.

مسألة 6 - يجب أن يكون الصلاة قبل الدفن لا بعده، نعم لو دفن قبل الصلاة نسباً أو لعذر آخر أو نبتين فسادها لا يجوز نبئه لأن الصلاة بل يصل على قبره مراياً للشرائح من الاستقبال وغيره مولى فيما يصدقه فيها بيخ جز وصدق اسم الميت، بل من لم يدرك الصلاة على من صلى عليه قبل الدفن يجوز له أن يصل عليه بعدة أي يوم وليلة، وإذا مضى أزيد من ذلك فألأحذة الترك.

مسألة 7 - يجوز تكرار الصلاة على الميت على كراهية إلا إذا كان الميت ذا شرف ومنقية ومفضلة.

مسألة 8 - لو حضرت جنازة في وقت الفرضية فإن لم تزاحم الصلاة عليها الفرضية من جهة سعة وقتها ولم يخش من الفساد على الميت أو أنصت صلاته تخير بينها، والأفضل تقديم صلاته، ولو زاحمت وقت الفرضية في الترجيح إشكال وتأمل، ويجب تقديمها على الفرضية في سعة وقتها لو خفيف على الميت من الفساد إن أخرجت صلاته، كما أنه يجب تقديم الفرضية مع ضيق وقتها وعدم الخوف على الميت، وأما مع الخوف عليه وضيق وقت الفرضية فإن أمكان صوبه عن الفساد بوجه ولو بالدفن واتن الصلاة في وقتها ثم الصلاة عليه مدنياً تعين ذلك، وإن لم يكن ذلك بل زاحم وقت الفرضية الدفن الذي يصومه من الفساد فالأقوى أيضاً تقديم الفرضية مقتصرًا على أقل الواجب.

مسألة 9 - لو اجتمعت جنائز متعددة فالأول إنفراد كل منها بصلاة فإن لم يخش...
Problem # 5. The liability for prayer does not drop from the duty-bound, until some of them do not perform it in the proper way. In case there is doubt as to whether the prayer has been offered for the dead or not, judgement shall be given against it. If, however, it is known that the prayer has been offered, but there is doubt about its being valid or not, judgement shall be given in favour of its validity. If it becomes certain that the prayer offered has not been valid, it shall be obligatory to offer it again even if a person offering the prayer was sure of its validity. Of course, if a person offering the prayer differs from the other from the point of view of Taqlid or Ijtihad, so that he believes that the prayer was valid from the point of view of Taqlid and Ijtihad, while it was invalid according to the other from the point of view of both Taqlid and Ijtihad, then there is a significance for its being sufficient which is not free from difficulty. So caution should not be given up.

Problem # 6. It is obligatory to offer the prayer before burial and not after it. Of course, if a person was buried before the prayer due to omission or some other excuse, or the prayer transpires to be invalid, it shall not be permissible to exhume the dead body for the sake of offering prayer; rather, the prayer shall be offered on his grave, observing the necessary conditions like facing the Qiblah, etc. unless so much of time has not passed since the burial that it may no longer be considered to have died presently. Rather, if a person has not offered prayer for the dead person for whom prayer has been offered before his burial, it shall be permissible to offer prayer for him subsequently until the lapse of one day and night. If the time lapsed is longer than that, it would be more cautious to give up [offering prayer for that dead person].

Problem # 7. It is permissible to repeat prayer for the dead with an amount of disapproval, except when the person happens to be dignified, or having high status and honour.

Problem # 8. If a bier is brought for prayer at the time of the obligatory prayer, then in case the prayer for the dead does not interfere in the performance of the obligatory prayer due to sufficient time for it and there is also no fear of the decomposition of the dead body if the prayer for it is delayed, there shall be option to offer either of the prayers, though it is preferable to give priority to offering prayer for the dead. If, however, it interferes in the performance of the obligatory prayer at its preferable time, then there shall be difficulty and hesitation in giving priority to offering the prayer for the dead. It is obligatory to give priority to offering prayer for the dead if there is fear of its decomposition in case the prayer for it is delayed, in the same way as priority shall be given to offering the obligatory prayer in case there is not sufficient time left for offering it and there is also no fear of decomposition of the dead body. If there is fear of decomposition of the dead body and there is also insufficient time left for offering the obligatory prayer, then if it is possible to save the dead body from decomposition in any way even if by burying it, offering the obligatory prayer and then offering prayer for the dead already buried, this course shall be adopted.

In case it is not possible, but the time for offering the obligatory prayer would interfere in burying the dead which would save the dead body from decomposition, then also, according to the stronger opinion, priority shall be given to offering the obligatory prayer, confining it to offering the minimum obligatory prayer.
Alice in Wonderland

على بعضها الفساد من جهة تأخر صلاتها، ويجوز التشريك بينها في صلاة واحدة

وأن يؤتي الجميع قدم المصلي مع رعاية المراة، ويراعي في الدعاء لهم بعد

التكبير الرابع ما يناسبهم من تقنية الضمير أو بنية وذكره وتأتيه.

مسألة 10 لوحضرت جنازة أخرى في أثناء الصلاة على الجنازة كما بعد التكبيرة

الأولى يجوز تشريك الثانية مع الأولى في التكبيرات الباقية، فتكون ثانية الأولى

أولى الثانية، وثالثة الأولى ثانية الثانية وهكذا، فإذا تمت تكبيرات الأولى يأتي

بقيت تكبيرات الثانية، فأتي بعد كل تكبير مختص ما يقدمه من الدعاء، وبعد

التكبير المشترك يجمع بين الدعاءين، فأتي بعد التكبير الذي هو أول الثانية و

ثاني الأول بالشهادتين للثانية والصلاة على النبي وآله صلات الله عليهم للأول.

وهكذا.

قول في آداب الصلاة

وعلي أمورها: أنها أن يقال قبل الصلاة: "الصلاة" ثلاث مرات، وهي

منزلة الاقامة للصلاة، والأحواط الانتوان بها رجاءً.

ومنها: أن يكون المصلي على طهارة من هذه من الوضوء أو الغسل

أوالميم، ويجوز التميم بدل الغسل أو الوضوء هنا حتى مع وجود الماء إن

خاف فوت الصلاة لو توضأ أو اغتسل، بل مطلق.

ومنها: أن يقف الأمام أو المنفرد عند وسط الرجل، بل مطلق الذكر، وعند

صدرا المرأة، بل مطلق الأنثى.

ومنها: نزع النعل، بل يكره الصلاة بالحذاء، وهو النعل دون الحذاء

والجواب، وإن كان الحذاء لا يخلو من رجحان خصوصاً للامام.

ومنها: رفع اليدين عند التكبيرات ولا سيما الأولى.
Problem # 9. If several biers are brought (for offering prayer), then they shall be singled out for offering prayer if there is no fear of decomposition of some of them in case offering prayer is delayed for them, in which case it would be permissible to make them share a single prayer, in a way that all the biers shall be placed before those offering prayer observing the condition of [the rows] being parallel and also observing in the Du`ā for them after the fourth Takbīr what is suitable as regards the use of pronoun as Tathnīyah (dual number) or plural, and the masculine and feminine genders.

Problem # 10. If during the prayer for a dead another dead body is brought for prayer, suppose after the first Takbīr of the first dead body, it would be permissible to let the second share the prayer with the first in the remaining Takbīrs, so that the second Takbīr of the first shall be the first of the second, and the third Takbīr of the first shall be the second Takbīr of the second, and so on. When the Takbīrs of the first are over, the remaining Takbīrs of the first shall be recited, and with every Takbīr the particular Du`ā for each of them shall be recited and after the common Takbīr, both the Du`ās shall come together. So after the Takbīr which is the first of the second and the second of the first, the Two Testimonies shall be recited for the second and Blessing on the Prophet and his Progeny, Peace be upon them, for the first, and so on.

Etiquettes of Offering Prayer for the Dead

The Etiquettes of offering prayers for the dead include the following:-

Firstly, Before the prayer, the word "al-Ṣalāt" should be called out [loudly] thrice which is tantamount to Iqāmat in usual prayer, and, according to the more cautious opinion, it should be done with the intention of Riqā' (hope), [that it would be desirable to Allāh].

Secondly, The person offering the prayer must have performed ablution, ritual bath or Tayammum for the ritual impurity. Here it is permissible to perform Tayammum in place of ablution or ritual bath; even when water is available, but person fears loss of the prayer if he performs ablution or ritual bath, rather even otherwise.

Thirdly, the person leading the prayer or one offering the prayer alone shall stand in the middle of the dead body of a man, or generally the dead body of a male, while he shall stand in front of the chest of the dead body of a woman, or generally the dead body of a female.

Fourthly, the shoes should be taken off, rather it is undesirable to offer prayer wearing a sandal and that is a shoe without thick sole or socks, though it is preferable to be barefooted, particularly for the person leading the prayer.

Fifthly, raising the hands at the time reciting Takbīr, particularly while reciting the first Takbīr.

Sixthly, offering the prayer at the place reserved for the purpose of offering the prayer for the dead, and it is rationally preferable, but its preference from religious point of view is not established.
قال في الدفن

يجب كفاية دفن الميت المسلم ومن يحبه، وهو مواراته في حقيقة الأرض، فلا يجوز البناء عليه بأن يوضع على سطح الأرض فيبني عليه حتى يوارى، ولا وضعه في نابض ولو من صخر أو حديد مع القدرة على المواراة في الأرض، نعم لو تذرع الحفر لصلابة الأرض مثلاً أجزأ البناء عليها وضع فيه و نحو ذلك من أقسام المواراة، ولو أمكن نقله إلى أرض يمكن حفرها قبل أن يحدث بالذات شيء وجب، والأخطط كون الخفيرة بحيث ترس جثته من السباح، وتكون رائحته عن الناس، وإن كان الأقوى كفاية مجرد المواراة في الأرض مع الأمن من الأفامين، ولو من جهة عدم وجود السباح وعدم من يؤدبه رائحته من الناس أو البناء على قبره بعد مواراته.

مسألة 1 - راكب البحر مع تذرع إيصالة إلى البر خوف فساده أو لما أن هو آخر أو تعصره يغسل و يفنى و يختط ويصلع عليه و يوضع في خانة و نحوها، و يوكأ رأسها أو ينقل بحجر أو نحو في رجه و يلق في وجهه، والأخطط اختيار الأول مع الأمكان، ولو خفيف على ميت من بشر العدو قبره و نقل به أثقل في البحر بالكيفية المزورة.

مسألة 2 - يجب كون الدفن مستقبل القبلة، وأن يضعه على جنبه الأيمن بحيث يكون رأسه إلى المغرب و رجلاه إلى الشرق مثلاً في البلاد الشمالية، و
Seventhly, the prayer for the dead should not be offered in any mosque except the Masjid-i Harâm [in Mecca].

Eighthly, the prayer for the dead should [preferably] be offered collectively [with Jamâ‘at].

Rules for Burying the Dead

Burying the dead body of a Muslim, or one treated as a Muslim, is a collective duty of all the Muslims [which if performed by some, relinquishes others from the liability, and if performed by none, all are considered to have committed a sin]. Burying the dead means digging a pit in the ground and hiding the dead body in it. So it is not sufficient to place the dead body on the surface of earth and erect a structure on it unless the dead body is hidden.

It is also not sufficient to place the dead body in a bier, even if made of stone or iron despite capacity to hide it in the earth.

Of course, if it is not possible to dig the earth due to its hardness, it shall be sufficient to erect, for example, a structure on it and place the dead body in it, or do some other kind of things for concealing the dead body.

If it is possible to shift the dead body to the earth which can be dug before some thing happens to the dead body, it shall be obligatory to do so.

It is more cautious if the pit is such that may protect the dead body from beasts, and its bad odour is checked from the people, although, according to the stronger opinion, the mere concealment of the dead body in the earth shall be sufficient after acquiring satisfaction in respect of both the matters, whether it is due to absence of beasts or absence of people who would feel troubled due to the bad odour of the dead body, or erecting a structure on the grave of the dead after having concealed it.

Problem # 1. If a person dies while sailing in the sea, and it is not possible to take his dead body to the land for fear of its decomposition or some other obstacle, or when it is very troublesome, the dead body shall be washed, shrouded and camphorated and prayer shall be offered on it, and it shall be placed in a cask or the like, and its lid shall be strongly closed, or a stone or the like shall be fastened to its feet, and it shall be thrown into the sea. It shall be more cautious to adopt the first course, if possible.

In case it is feared that the enemy shall exhume the grave of the dead person and turn it into pieces, his dead body shall be thrown into the sea in the manner described above.

Problem # 2. It is obligatory to bury the dead body in a way that it should be facing the Qiblah, and it should be laid on its right side in a way that its head should be towards the west and its feet towards the east, for example, in the countries situated in the north [i.e., northern hemisphere], or in other words, his head should be on the right of the person standing with his face towards the Qiblah and his face should be on his left side.

The same rule shall apply if the dead body is without a head, or there is a head without the body, or there is a chest alone, except when the dead body belongs to an infidel woman who is pregnant with the child of a Muslim, in which case, she shall be buried on her left side with her back towards the Qiblah, so that the child [in her womb] should be facing the Qiblah.
عبارة أخرى يكون رأسه إلى يمين من يستقبل القبلة ورجله إلى يساره، وكدنا في دفن الجسد بلا رأس، بل في الرأس بلا جسد، بل في الصدر وحده، إلا إذا كان الولد كافراً حاملاً بولد مسلم، فإنها تدفن مستدبرة القبلة على جانبها.

مسألة 3 - مؤونة الدفن حتى ما يحتاج إليه لأجل استحكمه من القير والساروج وغير ذلك بل ما يأخذه الجائر للفنان في الأرض المباحة تخرج من أصل التركة، وكذا مؤونة الافلاق في البحر من الحجر أو الحديد الذي ينقل به الميت، أو الحافية التي وضع فيها.

مسألة 4 - لو أشتهيت القبلة فان أمكن تحسين العلم أو ما يجنيه وله بالتأخير على وجه لا يخفف على الولد ولا يضر بالباحثين وجب، وإلا فيعمل بالظن على الأحوط، ومع عدمه يسقط الاستقبال.

مسألة 5 - يجب دفن الأجزاء المباني من الميت، حتى الشعر والسورة والظهر والأحوج ل텀 يمكن الأقوى إلحاقها ببدن الميت، والدفن معه مام يستلزم النبش، وإلا ففيه تأمل.

مسألة 6 - لوات شخص في البئر ولم يكن إخراجه ولا استقباله يقلل على حاله، ويبطأ البئر ويجعل قبرًا له مع عدم لزوم مذكور، كون البئر ملكًا للغير.

مسألة 7 - لوات الجثة في بطن الحامل وخفيف عليها من بقائه يجب التوسل إلى إخراجه بكل حيلة ملاحظة للأمر فالقرق وله بتطبيه قطعة، و يكون المباشرين مع الامكان زوجها، و إلا فاننساء، و إلا فانحاره من الرجال، فان تعذر فالأجانب، وله مات الحامل و كان الجنين حياً وجب إخراجه ولو بشق بطنه، والأحوج شق جنبيها الأيسر مع عدم الفرق بينه وبين غيره من الموضع، و إلا فيش الموضع الذي يكون الخروج معه أسلم، ويجري الطفل ثم يخاط وتدفن، ولا فرق في ذلك بين رجاء بقاء الطفل بعد الإخراج وعده على
Problem # 3. The expenses on the burial of the dead, including even what is required for strengthening the grave and the building material, rather what is charged by an oppressor for burying the dead in a lawful land shall be defrayed from the actual property left by the dead.

Likewise, the expenses on throwing a dead body in the sea, like the cost of stone or iron fastened to the dead body or the cask in which it is placed.

Problem # 4. If there is confusion about the Qiblah, then if it is possible to obtain the knowledge or what is treated as such, although with some delay in a way that there is no fear against the dead nor is it troublesome for those present, it shall be obligatory to obtain the knowledge; otherwise, to be more cautious, action shall be taken according to the assumption. In its absence, the condition of facing the Qiblah shall be dropped.

Problem # 5. It is obligatory to bury the parts of the body separated from the dead, even including the hair, teeth and nails. It is more cautious, if not according to the stronger opinion, to attach them to the dead body and bury them with it as long as it does not require exhuming the dead body; otherwise, there shall be hesitation [in the application of this rule].

Problem # 6. If a person dies in a well, and it is not possible to take his dead body out of it, nor placing it facing the Qiblah, it shall be left where it is, and the well shall be covered and turned into its grave, provided that there is no other hindrance in it, as the well being the property of some one else.

Problem # 7. If a foetus has died in the womb of its mother, and there is fear for the woman in case it is left in her womb, it shall be obligatory to resort to some means for taking it out of the womb by whatever device by adopting the milder methods, even if it is done by cutting the dead baby into pieces, and, if possible, it should be done by the husband personally; otherwise, by women, or by those within prohibited degree for the woman. Even if this also is not possible, then it may be done by those not falling within the prohibited degree for the woman.

If a pregnant woman dies and there is a living foetus in her womb, it shall be obligatory to take it out of the womb, though by cutting the womb open. It would be more cautious to cut [her stomach from] the left side in case there is no difference in the left or other sides. Otherwise, it should be cut open from the place where it is safest to take the foetus out, then the foetus shall be taken out and the part cut open shall be stitched and the dead body of the woman shall be buried. In this case, there is no difference whether there is hope of the survival of the child after it has been taken out or not, though there is hesitation [in accepting this rule].

In case both the pregnant woman and the foetus are alive, and there is fear of death of both, the matter shall be left to the will of God to decide as He likes.
تأمل، ولو خييف مع حياتها على كل منها ينتظر حتى يقضي. 

مسألة 8 - لا يجوز الدفن في الأرض المغصوبة عينًا أو منفعة، ومنها الأراضي الموقوفة لغير الدفن، وما تتعلق بها حق الغير. كالمرهمة بها إنّذ السروج، والأحوط الأولى ترك دفنه في قبر ميت آخر قبل صبورة، إلا أن يجوز للنبي لذلك و في جواز الدفن في المساجد مع عدم الاضرار بالمسلمين و عدم مزاحمه المصلين 
كلام، والأحوط بل الأقوى عدم الجواز.

مسألة 9 - لا يجوز أن يدفن الكفار و أولاً هم في مقبرة المسلمين بل لو دفنوا بيشوا بها إذا كانت مستبلاً للمسلمين، وكذا لا يجوز دفن المسلم في مقبرة الكفار، ولو دفن عصياناً أو نسياناً فالأقوى جواز نبشه خصوصاً إذا كان البقاء هنكله فيحب النبش والنقل.

القول في مستحبات الدفن ومكروهاته

أما المستحبات فهي أمور: منها - حفر القبر إلى الترقوة أو نقدر القامة. 
و منها - اللحيد في الأرض الصلبة، بأن يحفر في حائط القرماني القبلة حفرة بعض ما تسع جنته، فيوضع فيها، والثقب في الأرض الرخوة بأن يحفر في قفر نجر حفرة شبه النهر، فيوضع فيها الميت، ويسقف عليه.
و منها - وضع جنازة الرجل قبل إنزاله في القبر ملأها الرجلين، و جنازة المرأة ملأها القبلة أمام القرم.
و منها - أن لا يفتح جبه القبر، ولا ينزل فيه بغطة، بل يضعه دون القبر بذراعين أو ثلاثة، و يصير عليه هنينة، ثم يقدمه قليلًا و يصير عليه هنينة، ثم يضعه على شفر القرم لأخذ أبهية للسواق، فان للقرم أهالى عظيمة نستحيه بالله منها، ثم تسأله من بعض صلأ مريده بهرطق، سأطأ برناسه إنا كان رجلاً، و عرضاً إن كان
Problem # 8. It is not permissible to bury a dead body in a usurped land, whether the land itself or its usufruct, including lands endowed for a purpose other than burial, or a land belonging to another, like a land mortgaged without the permission of the mortgagor. It is more cautious not to bury a dead body in the grave of another dead person unless the body of the latter has fully decayed. Of course, it is not permissible to dig the grave for the purpose [of finding out whether it has fully decayed or not].

As regards the permissibility of burial of a dead body in mosques when it is not harmful for the Muslims nor it is disturbing for those offering prayer, it is controversial, and according to the more cautious, rather stronger opinion, it is not permissible.

Problem # 9. It is not permissible to bury the infidels and their children in the graveyard of Muslims. Rather, if they are buried [in the graveyard of Muslims], they shall be dug out, particularly when the graveyards are endowed for the Muslims.

Likewise, it is not permissible to bury a Muslim in the graveyard of the infidels. If a Muslim is buried [in the graveyard of the infidels] as an insurgence or by way of forgetfulness, then, according to stronger opinion, it is permissible to dig him out, particularly when keeping his dead body there is disgraceful for him, and so it is obligatory to exhume his body and shift it [to the graveyard of Muslims].

The Desirable and Undesirable Things for Burial

[A- The Desirable Things]

There are several desirable things for burial. [They are as follows:]

First, the grave should be dug equal to the collarbone or the size of the dead person.

Second, select a hard piece of land for the grave, so that within the wall of the grave facing the Qiblah, a pit shall be dug equal to the body of the dead, and the body shall be placed in it. Within the gap of the soft land in the depth of the grave, a pit shall be dug identical with a canal and the dead body shall be placed in it and it shall be covered like a roof.

Third, before laying the dead body in the grave, the bier of a man shall be placed on the side of his both feet and the bier of a woman shall be placed on the side of the Qiblah in front of the grave.

Fourth, the dead body should not be laid down in the grave hastily and suddenly, but should rather be placed at a distance of two or three cubits close to the grave, and it should be left there for a while, then it should be brought forward a little, and let it remain there for a while. Then it should be placed on the edge of the grave, so that it may get itself ready [lit. take up his equipment] for the interrogation [by the two angels: Munkar and Nakîr], as there are great horrors of the grave; we ask the protection of Allâh from them. Then it should be pulled out gently by itself and treated with gentleness, taking out his head first if it is [the dead body of] a man, and widthwise if it is [the dead body of] a woman.
امرأة،
ومنها - أن يحل جميع عقد الكفن بعد وضعه في القبر.
ومنها - أن يكشف عن وجهه و يجعل خده على الأرض، و يعمل له و سادة
من تراب، و يسند ظهره بنغيلة أو مدرة للثلا يستلقى على قفاه.
ومنها - أن يسدي اللحد باللبن أو الأخجار للثلا يصل إلى التراب، و إذا
أحكمها بالطين كان أحسن.
ومنها - أن يكون من ينزله في القبر متهوراً، مكشوف الرأس، حالياً أزراره،
ناعزةً عمامته و ورداه و نعيله.
ومنها - أن يكون الدعاء لا نزال المرأة و حل أكفانها زوجها أو محايرها، و
مع عددهم فاقترب أرحامها من الرجال فالنساء، ثم الأجانب، والزوج أولى من
الجميع.
ومنها - أن يسهل عليه التراب غير أرحامه بظاهر الأكف.
ومنها - أن يقرأ بالأدعية المأثورة المذكورة في الكتب المبسوطة في مواضع
خصوصية عند سله من التبعش، و عند معاينة القبر، و عند إنزاله فيه، و بعد وضعه
فيه، و بعد وضعه في لحده، و حال اشتغاله بسد اللحد و عناد الخرج من القبر، و
عند إهالة التراب عليه.
ومنها - تلقينه العقائد الحقة، من أصول دينه و مذهبة بالآثر بعده. سمعه في
اللحد قبل أن يسده.
ومنها - رفع القبر عن الأرض بقدار أربع أصابع مضمومة أو مموجة.
ومنها - تريع القبر، يعني تسقيمه و جعله ذا أربع زوايا قائمة، و يكره
تسنمه، بل الأحوج تركه.
ومنها - إن يرش الماء على قبره، و الأولى في كيفيته أن يستقبل القبة و
يبتديء بالرشي من عناد الرأس إلى الرجل، ثم يدور به على القبر حتى ينتهي إلى
Fifth, after placing it in the grave, all the knots of its shroud should be untied.

Sixth, its shroud should be opened from the side of its face, and its cheek should be placed on the earth, and a pillow made for it, and it should be supported with a small brick or clod of earth, so that it may not fall on its back.

Seventh, the grave may be closed with bricks or stones so that earth may not reach the body, and if it is strengthened with mud, it would be better.

Eighth, the person laying the dead body in the grave should be clean, bare-headed, his buttons [of the shirt] opened, having no turban or cloak on, and bare-footed.

Ninth, The person laying the dead body of a woman and undoing the knots of her shroud should be her husband or one of those within the prohibited degree. In their absence, some one from among her close relatives should do the job, and in their women [from among her close relatives] shall do it, and lastly, it shall be done by those not related to her. Anyhow, the husband is to be preferred to all others [for the job].

Tenth, those not related by consanguinity to the dead person should throw dust with the back of their palm.

Eleventh, during pulling the dead body from the bier, while looking at the grave, laying the dead body down and placing it in the grave, after placing it in the grave and while closing the grave or coming out of it and throwing dust on it, a person should recite the Du‘ās related [from the Maʻṣūms, i.e. the Fourteen Impeccable Persons, namely, the Prophet, his daughter Fāṭimah and the Twelve Imāms] which are given in the detailed books in their respective places.

Twelfth, after placing the dead body in the grave and before the grave is closed, it should be instructed the true beliefs like the principles of his faith and religion related [from the Maʻṣūms].

Thirteenth, the grave should be raised from the surface of the earth upto four open or closed fingers.

Fourteenth, the grave should be in the form of a square in the sense that it be properly levelled and made in the form of four right angles, and it is disapproved to give it the form of the hump of a camel, and it is more cautious to give it up.

Fifteenth, water should be sprinkled on the grave, and it is better that it should be done with the face towards the Qiblah, beginning the sprinkling from the side of the head upto the feet, and then make a round of the grave and end up on the side of the head, and sprinkle the remaining water on the middle of the grave.
الرأس، ثم يرش على وسط القبر ما يفضل من الماء.
ومنها - وضع اليد على القبر مفرجة الأصابع مع غمزة بحيث يبقى أثرها، وقراءة إننا أنزلنا في ليلة القدر سبع مرات، والاستغفار والدعاء له بنحو: «اللهم جاف الأرض عن جنبيها، وأصب إلى روحه، وله منك رضواناً، وأسكن قبره من رحمة ما تغني به عن رحمة من سواك » و نحو «اللهم ارحم غربته وصل وحده و آنس و حشته، وأمن روعته، وأغض عليه من رحمةك وأسكن إليه من برده عفوك وصحة غفرانك ورحمة ما يستغني بها عن رحمة من سواك واحترموها مع مر كأن يتولاه».
ولا يختص استحباب الأمور المزبورة بهذه الحالة، بل تستحب عند زيارة كل ميت مؤمن في كل زمان وعلى كل حال، كما أن لها آداباً خاصة وأدعية مخصوصة مذكورة في الكتب المسوبة.
ومنها - أن يلقته الولي أو من يأمره بعد تمام الدفن ورعود المشيعين وانصرافهم أصول دينه وذاته برفع صوته، من الاقرار بالتوحيد، ورسالة سيئ المرسلين، وإمامة الأئمة الصادقين، والاقرار بالله تعالى، صلى الله عليه وآله والبحث والانتشار والحساب والضراط والجنة والنار، وذلك التلقين يدفع سؤال منكر ونكر إن شاء الله تعالى.
ومنها - أن يكتب اسم الميت على القبر أو على لوح أوحجر، منصب عند رأسه.
ومنها - دفن الأقارب متقاربين.
ومنها - إحكام القبر.
وأما المكروهات فهي أيضاً أموار: منها - دفن ميتين في قبر واحد كجمعها في جنائز واحدة، ومنها - فرش القبر بالساج إلا إذا كانت الأرض ندية، ومنها كراهة فرشه بغير الساج كالحجر والآخر فجعل تأمل وإن كان استحباب وضع الميت على التراب لا يخلو من وجه، ومنها - نزول الوالد في قبر ولده خوفاً من جزهه.
Sixteenth, one should place his open fingers on the grave and press them in a way that they may leave their impression on the soil of the grave, and recite the Sūrah: “Innā anzālnāhu fi Lailatil Qadr” [Chapter 97 of the Qur’ān] seven times and seek forgiveness, and pray for the dead person, in the following way [i.e., in the following words]: “O Allāh, make the earth hollow on both his sides, raise his soul to thee, drop for him thy favour, calm down his grave with thy Mercy which may make him free from the kindness of others than thee.”

He should also recite the following Du’ā : “O Allāh, have mercy on his separation from his dear ones; grant him salvation from his solitude, calm down his loneliness, relieve him of his fright; hurry on him thy kindness; tranquillise him with the coolness of thy forgiveness and expanse of thy pardon and thy compassion which may render him free from the favour of other than thyself and raise him [on the Day of Resurrection] with those who are his friends’. These things mentioned above are not recommended for such case only, but they are recommended for the time one happens to pass by a dead Mu’mīn at any time and in any circumstances, as there are specific etiquettes and particular Du’ās for such occasions mentioned in the detailed books.

Seventeenth, After the burying the dead and return and dispersion of the participants in the funeral procession, the guardian, or the person to whom the guardian assigns this job, shall instruct loudly the person buried the principles of his faith and religion like the avowal of the Unity of God, prophethood of the Chief of the Messengers and the Imāmat (leadership) of the Impeccable Imāms, acknowledgement of what the Prophet, Blessing of Allāh on him and his Progeny, has brought with himself [i.e., the Qur’ān and Islamic faith], Ba’th (Resurrection), Nushūz (Restoration to Life of all the Dead), Judgement, Mīzān (Weighing of the good and bad deeds), Șirāt (Bridge which only the righteous can cross on the road to Paradise), Paradise and Hell. It is with this instruction that the dead Mu’mīn shall, by the Grace of God, the Exalted, overcome the interrogation by the Munkar and Nakîr (the two angels who are assigned the job of interrogating the dead about their beliefs and deeds after the burial).

Eighteenth, the name of the dead person should be written on his grave or on a plate or stone and fixed on the upper end of the grave.

Nineteenth, the close relatives should be buried close to one another.

Twentieth, strengthening the grave.

[B- The Undesirable Things]

As regards the undesirable things in respect of burying the dead, they are as follows:

First, it is undesirable to bury two dead bodies in a single grave, as also placing two of them in a single bier.

Second, paving the floor of the grave with concrete except when the floor is damp. But as regards the undesirability of paving the floor with something else than concrete like stone or brick, there is also hesitation, as the desirability of placing the dead body on simple earth is not free from significance.

Third, father’s entering the grave of his son, due to the fear of his lamentation and consequent loss of the reward [for burying the dead].
خاتمة تشتمل على مسائل

مسألة 1 - يجوز نقل الميت من بلد مولته إلى بلد آخر قبل دفنه على كراهية إلا إلى المشاهد المقدسة وال أماكن المقدسة، فلا كراهية في النقل إليها، بل في قضية ورجم أو حبوب، وأما يجوز النقل مع الكراهية إلى غير المشاهد، وإذا على ذلك ليل يستلزم من جهة المساواة تأخير الدفن أو غير ذلك تغيير الميت وفساده وهتكه، وأما مع استلزمان ذلك فلا يجوز في غير المشاهد قطعا، والأحوضة الترك فيها مع استلزمان ذلك وإدماج الأمور، وأما بعد الدفن فلوجه من إخراج الميت عن قبره أو خروجه بسبب من الأسباب يكون يحكم غير المذكور، وأما نبذه للنقل فلا يجوز في غير المشاهد، وأما فيها فهي تأمل وإشكال، وما يعمته بعض من توديع الميت وعدم دفنه بالوجه المعروف لينقل فيها إلى المشاهد بتوه التخلص عن محدود النبش غير جائز، والأقوى وجوب دفنه بالجوار تحت الأرض.

مسألة 2 - يجوز البكاء على الميت، بل قد يستحب عند اشتداد الحزن، ولكن لا يقول ما يخطئ الزول، وإذا يجوز النهج عليه بالسمح وغيره من المحرمات، بل وليلة وليث ومجمل الأحوضة، ولا يجوز لحمة واللكرة ولا جز الشعر أو النفخة والريا الخارج عن حد العودة على الأحوضة، ولا يجوز شق الثوب على غير الأب والأخ، بل في بعض الأمور
Fourth, throwing dust on the grave of the dead by those related to the dead by consanguinity.

Fifth, closing the grave of a person with the dust of the grave of another and coating his grave with the mud made of the dust of another person’s grave.

Sixth, restoration of the grave after its demolition, except in case of the graves of the prophets, peace be upon them, the saints, the pious, and the religious scholars.

Seventh, sitting on the grave.

Eighth, easing nature in the graveyard.

Ninth, laughing in the graveyard.

Tenth, leaning on the grave.

Eleventh, stepping on the grave without emergency.

Twelfth, raising the grave higher than four open fingers from the surface of the earth.

**Conclusion Concerning Burial**

The Conclusion comprises the following problems.

**Problem # 1.** It is permissible to shift the dead body from the place of death to another place before it is buried, though it is disapproved, except when shifted to the holy shrines and sacred places, where it is not disapproved to shift the dead body, rather it is meritorious and preferable to do so.

If the dead body is shifted to any place other than the holy shrines, it is permissible without being disapproved only when long distance and delay in burial shall not bring any change in the dead body or cause decomposition or dishonour to it.

In case the shifting may have such harmful results, it shall not be permissible to shift the dead body except to holy shrines absolutely. It is more cautious to give up shifting it even to the holy shrines where it may have such results and trouble to participants.

After the burial, if, however, it is found necessary to take out the dead body from the grave, or it comes out due to one or the other reason, it shall be treated as the dead body not yet buried.

As regards the exhumation of the dead body, it is not permissible except for shifting it to the holy shrines. There is difficulty and hesitation in exhuming the dead body even for shifting it to the holy places.

The action of some people who deposit the dead body as a trust and do not bury it in the usual way in order to shift it later to the holy shrines with a view to be saved from the prohibition of its exhumation is unlawful and, according to the stronger opinion, it is obligatory to bury the dead body by concealing it under the earth.

**Problem # 2.** It is permissible to mourn the dead, rather it is desirable in case of profound grief, but nothing must be said which may entail the divine wrath.

Likewise, it is permissible to lament the dead in prose or poetry, provided that it does not contain vain things like false statements or other forbidden things; rather, to be more cautious,
النبوة تجب الكفارة، ففي جزع المرأة شعرها في المصيبة كفارة شهر رمضان، وفي نفثة كفارة التميم، وكذا تجب كفارة التميم في خدش المرأة ووجهها إذا أدمت، بل مطلقاً على الأحويط، وفي شك الرجل ثوبه في موت زوجته أو ولده، وهو إطعام عشرة مساكين أو كسوتهم أو تحرير رقبة، وإن لم يجد فصيام ثلاثة أيام، مسألة 36 - يحرم نبش قبر المسلم، ومن يحكمه، إلا مع العلم باندراسة وصيرورته رمياً وتراثاً، نعم لا يجوز نبش قبر الأنبياء والأئمة عليهم السلام وإن طالت المدة، بل وکذا قبر الأولاد الأئمة والصحابة والشهداء مما اتخذ مزاراً أو ملاذاً، والمراد بالنبيش كشف جسم الابن المدفون بعدما كان مستوراً بالدفن، فلو حفر القبر وأخرج ترابه من دون أن يظهر جسد الابن لم يكن من البني المحروم، وكذا إذا كان الابن موضوعاً على وجه الأرض وبنى عليه بناء، أو كان في تأويت من صخرة ونحوها فأخرج.

و يجوز النبيش في موارد: منها - في إذا دفن في مكان مغصوب عيناً أو منفعة عدوتاً أو جهلاً أو نسياناً، ولا يجب على المالك الرضا ببقائه حياتًا أو بالعوض، وإن كان الأولى بل الأحويط إبقاؤه ولو بالعوض، خصوصاً في إذا كان وارناً أو رجاً أو دفن فيه اشتباهاً، ولو أذن المالك في دفن ميت في ملكه وأباح له ليس له أن يرجع عن إذنها وباحتها بعد الدفن، نعم لو خرج الميت بسبب من الأسباب لا يجب عليه الرضا والأذن بدمه ثانيًّا في ذلك المكان، بل له الرجوع عن إذنها، والدفن مع الكفن المغصوب أو مال آخر مغصوب كالدفن في المكان المغصوب، فيجوز النبيش لأخذه، ولو كان شيء من موائعه من خاتم ونحوه فدفن معه في جواز نبش الورثة إياها لأخذه تأمل وإشكال، خصوصاً في إذا لم يحفظ بهم.

ومنها - لتدارك النسل أو الكفن أو الحنوط في إذا دفن بدونها مع التمكن، كل ذلك مع عدم فساد البدن وعدم الهتك على الابن، ولو دفن بدونها لعذر كما
the lamentation should not contain wailing or bursting in loud laments. Similarly, according to the more cautious opinion, it is not permissible to slap, scratch or tear the hair or pull them out or scream far from moderation. It is also not permissible to tear one's clothes, except for the father or brother of the dead, rather some of these cases entail expiation. [For example], if a woman tears her hair in grief, it entails the expiation of (breaking the fast in) Ramadān. If she pulls them out, she shall be liable for the expiation of (breaking) an oath. Likewise, she shall be liable to the expiation for (breaking) an oath if she scratches her face in a way that it may lead to bleeding, rather, according to the more cautious opinion, she shall be liable to the expiation in all cases of scratching her face.

If a man tears his clothes on the death of his wife or child, he shall be liable to feed or clothe ten poor persons, or emancipate a slave. In case it is not possible, he shall be liable to keep fast for three days.

**Problem # 3.** It is forbidden to exhume the grave of a Muslim or one treated as a Muslim, except with the knowledge of its demolition and its turning to dust.

Of course, it is not permissible to exhume the graves of the Prophets and the Imāms, peace be upon them, even if it is a long time [since they were buried]. Rather the same rule applies to the graves of the children of Imāms, pious persons and martyrs, whose graves have been turned into mausoleums or places of refuge.

By exhumation is meant exhuming the body of the buried dead person once it has been concealed [under the earth] by burial. If, therefore, the grave is dug and its earth is taken out without the dead body becoming visible, it shall not be called a forbidden exhumation.

The same rule shall apply if the body of the dead person was placed on the surface of earth and a structure has been built over it, or it was placed in a bier of stone, or the like, and was taken out.

**[Permissible Cases of Exhumation of a Dead Body]**

It is permissible to lay open the grave in the following cases.

**First**, if a dead body was buried in a location usurped by itself or by its usufruct, forcibly, through negligence or forgetfulness, and it is not lawful for the owner to permit its staying there gratis or against payment [of the price of its land], though it shall be better or more cautious to let it remain there even against payment [of the price of its land], particularly in case the dead was an heir or relative or buried by mistake.

If the owner of the land permits the burial of the dead in his land or declares it to be lawful, he shall not be entitled to withdraw his permission or declaration of its being lawful after the dead has been buried.

If, however, the dead body comes out of the grave for one reason or the other, it shall not be obligatory for the owner to permit its reburial in that location, rather he shall be entitled to withdraw his permission.

The burial of a dead body with a usurped shroud or any other usurped material is like burying it in a usurped land. So it is permissible to excavate the grave to take away the usurped article.
إذا لم يوجد الماء أو الكفن أو الكافور ثم وجد بعد الدفن في جواز النبش لتذكرة اللفائت إشكال و تأمل، ولا سيا إذا لم يوجد الماء فيهم بدلاً عن الغسل و دفن ثم وجد، بل عدم دم جوازه لتذكرة الغسل حينئذ هو الأقوى، وأما إذا دفن بلا صلاة فلا ينبشر لأجل تذكَّرها قطعاً، بل يصل على قبره كما تقدم.
ومنها - إذا توقف إثبات حق من الحقوق على مشاهدة جسده.
ومنها - فيا إذا دفن في مكان يوجب هتكه، كما إذا دفن في بالوعة أو مزبَّلة، وكذا إذا دفن في مقبرة الكفار.
ومنها - نقله إلى المشاهد المشرفة مع إيضاء الميت بنقله إليها بعد دفنه، أو قبله فخولف عصياناً أو نسياناً أو جهلاً فدفن في مكان آخر، أو بلا وصية منه أصلاً، فالأقوى جوازه في الصورة الثانية، وأما الأولى والثانية ففيها إشكال وتأمل، وأما وهو يجوز في الثانية لون يتمير البدن ولا يتمير إلى وقت الدفن بما يوجب الهتك والإيذاء.
ومنها - لو خفيف عليه من سبع أو سل أو بعد و نحو ذلك.
مسألة ۴ - يجوز نحو آثار القبور التي علم اندرس ميتها إذا لم يكن فيه مذكور ككون الآثار الملكاً للنابي أو الأرض مباحة حازها ولي البيت لقبره و نحو ذلك، و أولى بالجواز ما إذا كانت في المقبرة المسيلة للمسلمين مع حاجتهم، عدا ما تقدم من قبور الشهداء والصلاة والعباءة و أولاد الأئمة عليهم السلام مما جعلت مزاراً.
مسألة ۵ - لو أخرج الميت عن قبره عصياناً أو بنحو جائز أو خرج بسبب من الأسباب لا يجب دفنه ثانيةً في ذلك المكان، بل يجوز أن يدفن في مكان آخر.

ختام فيه أمران:

أحدهما - من المستحبات الأكياسية التعزية لأهل المصيبة و تسليتهم و تخفيض
If there is some article belonging to him like ring or the like which has been buried along with him, there is difficulty and hesitation in permissibility for his heirs to excavate his grave for taking it out, particularly in case it may not mean any considerable harm to the heirs.

Second, for the performance of ritual bath, shrouding or camphorating the dead body, in case it has been buried without fulfilling them, now that their performance has become possible. All these things can be done provided that they shall not cause decomposition of the dead body or its dishonour. If the dead person has been buried without the above things due to some excuse, as the unavailability of the water, shroud or camphor, and they have become available after the burial, then there is difficulty and hesitation in the permissibility of exhuming the dead body for the fulfilment of these shortcomings, particularly in case when due to unavailability of the water, Tayammum was performed in place of the ritual bathing and the dead body was buried, and now the water is available; rather, according to the stronger opinion, it would not be permissible to exhume the dead body for the performance of the ritual bath now. In case the dead body was buried without offering prayer for it, it shall not be exhumed absolutely for offering the prayer, but the prayer shall be offered on his grave, as mentioned before.

Third, when the establishment of a right depends on looking at the dead body.

Fourth, when the dead body was buried in a location bringing dishonour to it, as when it has been buried in a sewer or a place where people throw garbage. The same rule shall apply if the dead body was buried in the graveyard of infidels.

Fifth, for shifting the dead body to holy shrines, in case the dead person has left a will that his body should be shifted there after burial, or before it, and his will has been violated due to negligence, forgetfulness or ignorance, and he has been buried in some other location, or without any will, so that in the second case, according to the stronger opinion, it shall be permissible [to exhume the dead body], but in the first and third case, there is difficulty and hesitation [in its permissibility]. It shall be permissible in the second case, provided that the dead body has not changed, and it may not change until the time of burial, which may mean dishonour and trouble.

Sixth, when there is fear of beasts, flood, enemy or the like.

Problem # 4. It is permissible to wipe off the remnants of the graves about whose dead bodies there is knowledge that they have been effaced, provided that there is no hindrance in it such as when they have been the property of their builder, or it is a lawful land obtained by the guardian of the dead person for the latter's grave, or the like.

It shall be better to wipe off the remnants of the graves, if they are situated in a tomb bequeathed as a charitable endowment for the Muslims whenever needed by them, except what has been mentioned before like the graves of martyrs, pious persons, religious scholars and children of the Imâms, peace be upon them, which have since been turned into tombs.

Problem # 5. If a dead body has been taken out of its grave by way of insubordination or lawfully, or it has come out due to one reason or the other, it shall not be obligatory to bury it in the same place again, but it shall be permissible to bury it in some other place.
في صلاة الوحدة

حزنهم بذكر ما يناسب المقام وماله دخل تأم في هذا المرام من ذكر مصاب الدين والحياة وسرعة زوالها، وأن كل نفس فانية، والإجاء متقاربة، ونقل ما ورد في أعد الله تعالى للمصاب من الأجر، ولا سيما مصاب الولد من أنه شافع مشفع لأبويه، حتى أن السقط يقف وقفة الغضبان على باب الجنة فيقول: لا أدخل حتى يدخل أبواي، فيدخلها الله الجنة، إلى غير ذلك، وتجوز العزية قبل الدفن، وبعده، وإن كان الأفضل كونها بعده، وأجرها عظيم، ولا سيما تعزية التكلى والويل، فمن عزى مصابا كان له مثل أجره من غير أن ينتقص من أجر المصاب شيء، و"ما من مؤمن يعزي أخاه بقصيبة إلا كأس الله من حلل الكرامة" و"كان في ناجيه به موسى عليه السلام ربه أنه قال: يا رب ما لم عزى التكلى؟ قال: أظهروا في ظلي يوم لا ظل إلا ظلاني"، وإن "من سكت يبكي عن البكاء وجبت له الجنة" و"ما من عبد يسهب يده على رأس يبكي إلا ويكتب الله غزوجله بعد كل شتيرة مرزت عليها بده حسن" إلى غير ذلك مما ورد في الأخبار، ويكفي في تحققه مجرد الحضور عندمصاب لأجلها بحيث يراه، فان له دخلا في تسليمة الخاطر وتسكن لوعة الحزن، ويجوز جلوس أهل البيت للعزية، ولا كراهية فيه على الأقوي، نعم الأول أن لا يزيد على ثلاثة أيام، كما أنه يستحب إرسال الطعام اليوم في تلك المدة، بل إلى الثلاثة و إن كان مدة جلوسهم أقل.

ثانيها - يستحب ليلة الودفن صلاة الهدية للميت، وهي المشهورة في الألسن بصلاة الوفاة، ففي الخبر النبوي "لا يأتي على اليمين ساعة أشد من أول ليلة، فارجعوا موتاكم بالصدقة، فإن لم تجدوا فليصلى أحدكم ركعتين"، و كذيتها على ما في الخبر المزبور أن "يقرأ في الأولى فاتحة الكتاب مرة، وقل هوا الله أحد مرتين، وفي الثانية فاتحة الكتاب مرة، والهيمك التكبير عشر مرات، و بعد السلام يقول: اللهم صل على محمد و آل محمد، وابعث ثوابهما إلى قبر فلان بن فلان، فيبعث الله من ساعة ألف ملك إلى قبره، مع كل ملك ثوب وحلة، و
Final Conclusion Concerning the Dead

This final conclusion consists of two matters.

First. It is emphatically recommended to condole those inflicted by some calamity, sympathise with them and easing their grief by mentioning what is suitable for the situation and what has full conformity with the fulfilment of this purpose, such as describing the trials and tribulations of the world and how quickly they disappear, and that every person in this world shall perish and their end is very close, and referring to the traditions which have been reported about the reward promised by Allāh for those who bear the misfortunes [with patience], particularly those who bear the loss of their children, so that the children intercede for their parents. Even an aborted child shall stand up at the gate of the paradise angrily, saying : "I shall not enter the paradise until my parents enter it." So Allāh lets his parents enter the paradise, and so on.

It is permissible to condole before and after the burial, though it is preferable to condole after the burial. There is enormous reward for condolence, particularly for condoling a woman whose young son is dead or one whose father is dead.

Whoever condoles a person inflicted by calamity gets a reward identical with that of the latter without there being any reduction in the reward of the inflicted person. "Every Mu'min who condoles his brother inflicted with calamity is dressed with the garment of dignity by Allāh."

Prophet Moses, Peace be upon him, while conversing secretly with his Lord, asked Him: "O Lord, what is the reward of one who condoles a woman whose young son is dead?" His Lord replied: "I shall provide him with my shelter on the day when there shall be no shelter except mine." And that "Whoever silences a crying orphan, shall certainly be awarded paradise." "Whoever rubs the head of an orphan with kindness, Allāh, the Exalted and Dignified writes a [reward for] good deed equal to every hair from which his hand passes", and such other Traditions which have come down [on this subject].

Simple presence before the person afflicted in a way that the latter may see the condoling person is sufficient for condolence for the calamity, as it has its effect in satisfying the heart and extinguishing the flame of grief.

It is permissible for the relatives of the dead to sit to receive the condolence, and, according to the stronger opinion, there is no disapproval in it. Of course, it is better that it should not prolong for more than three days, as it is recommended to send food to them during this period, rather, for three days, even if they have been sitting less than that period.

Second. It is recommended on the night of burial to offer prayer for the dead which is known among the people as "the Prayer for Fright" [of the grave], as there is a Prophetic Tradition saying: "There is no time harder for the dead than the first night. So have mercy on your dead by giving Ṣadaqah (voluntary alms-giving). If you do not find it, then each of you should offer two Rak'ats of prayer. The procedure for the prayer referred to in the Tradition is that one should recite in the first Rak'at Sūrat al-Fātihah [Chapter 1 of the Qur'ān] once and Sūrah "Qul huwallāh-u A'jad" [Chapter 112 of the Qur'ān] twice, and in the second Rak'at the Sūrah Fātihah once and the Surah "Alhakum-u al-takāthur" [Chapter 102 of the Qur'ān] ten times, and, after the Salām, should say (in Arabic) ;"O Allāh, send
القول في الأعمال المندوبه

والقول في الأعمال المندوبة

وهي أقسام: زمانية ومكانية وفعلية، أما الزمانية فكثيرة، منها - عسل الجمعة، وهو من المستحبات المؤكدة، حتى قال بعض بوجيه، ولكن الأقوى استحبابه، ووقتته من طلوع الفجر الثاني إلى الزوال، وبعده إلى غروب الجمعة، ومن أول يوم السبت إلى آخره قضاء، ولكن الأحوص فيا بعد الزوال إلى غروب الجمعة، أن يئوي القرية من غير تعرض للأداء والقضاء، وأما في ليلة السبت في مشروعية إتيانه تأمل لا يترك الاحتياط بانتيائه في رجاء، ويجوز تقديمه يوم الخميس إذا خاف إعراض الماء يوم الجمعة، ثم إن تمكّنه منه يوما قبل الزوال لا بعده يستحب إعادته، وإن تركه حينئذ يستحب قضاءه بعد الزوال منها، وفي يوم السبت، ولو دار الأمر بين التزامي والقضاء فالأول أولى، وفي إلحاق ليلة الجمعة
Blessing on Muḥammad and his Progeny, and send the reward [of this prayer] to the grave of such a one, son of such a one." So Allāh at the same time shall send one thousand angels to the grave of the dead, each angel carrying clothes [sic.; apparently: reward] and garments, and his grave shall be broadened until the Day of Blowing the Trumpet, and the person offering the prayer shall be given [reward of] good deeds equal to the number of things on which fall the rays of the sun, and his rank shall be raised by forty degrees."

According to another Tradition: “one should recite in the first Rak‘at Sūrat Al-Ḥamd [Chapter 1 of the Qur‘ān] and Āyat al-Kursī (Verse # 255 from Chapter 2 of the Qur‘ān) once, and in the second Rak‘at one should recite Sūrat Al-Ḥamd once and Sūrah “Innā anzalnāhu” [Chapter 97 of the Qur‘ān] ten times, and after the prayer should say [in Arabic]: “O Allāh, send Blessing on Muḥammad and his Progeny, and send the reward [of this prayer] to the grave of such a one.”

If a person offers [the Prayer for Fright] in both the above methods, it shall be better. A single prayer from a single person shall be sufficient. There is no mention of the forty or forty one prayers [for Fright] known among the people. Of course, there is no objection if it is offered [so many times] without intending to follow it as it has come down in the canonical law (Shar’). It is more cautious to recite the Āyat al-Kursī upto “hum fīhā khālidūn”[at the end of the Rukū’ # 34 of Sūrat Al-Baqarah, Chapter 2 of the Qur‘ān]. According to the stronger opinion, it is permissible to hire some one to offer the Prayer for Fright, as also it is permissible to get some remuneration for offering this prayer. It is more cautious to pay for offering this prayer by way of gift and beneficence (Lḥsān), and also voluntarily offering the prayer by the person offering it. The time for offering the prayer is the whole night [of burial of the dead], though it is better to offer it in the first part of the night.

Chapter Concerning the Recommended Baths

The recommended baths have several categories; from the point of view of time, place and action.

A – Recommended Baths from the point of view of Time

There are many baths which are recommended from the point of view of time. [They are as follows:]

1. The Friday Bath. It is emphatically recommended. Some of the religious authorities have even declared it to be obligatory, but, according to the stronger opinion, it is simply recommended. The time for it is from the early morning upto noon and after midday to sunset. Its Qaḍā‘ (compensatory) bath may be performed from the early Saturday morning to its end, but the more cautious one is to perform it from noon to sun-set on Friday intending closeness to Allāh without mentioning due or compensatory. As regards the bath on Saturday, there is hesitation in its religious sanction. Caution, however, should not be given up by performing it with hope [of being desirable to Allāh]. It is permissible to offer it on Thursday in advance when there is fear of unavailability of water on Friday. If, however, it becomes possible to perform it [on Friday] before noon, it would be desirable to repeat it. If he gives it up even at that time, it is recommended to perform its compensatory bath after noon and on Saturday. If one has to opt between performing it in advance [on Thursday] or
يوم الخميس تأمل، فلا الأحواط إتيانه رجاءً، وكما أن في إلحاق مطلق الأعذار
بإعجاز الليل يوم الخميس وجهًا، لكن الأحواط تقديره حينئذ رجاءً.
ومنها - أ 있었 ليالي شهر رمضان، وهي ليالي الأفراد: الأول والثالثة
والخامسة و هكذا، وتمام ليالي العشر الأخيرة، والآتكد منها ليالي القدر، وليلة
النصف، وليلة سبع عشرة والعشرين والعشرين والسبع والعشرين والتسع
والعشرين، و يسحب في ليلة الثالث والعشرين غسل ثامن آخر الليل، ووقت
الغسل تمام الليل، والأولى إيتانه قبل الغروب إلا في ليالي العشر الأخيرة، فانه
لا يعد رجحانه فيها بين العشاءين.
ومنها - غسل يومي العيدين: القطر والأضحى، والغسل في هذين اليومين
من السن الأكيدة، ووقته بعد الفجر إلى الزوال، و يحتل امتداده إلى
الغروب، والأحواط إتيانه بعد الزوال رجاءً، ومنها - غسل يوم التروية. ومنها -
غسل يوم عرفة، و الأولى إيقاعه عند الزوال. ومنها - غسل أيام من رجب، أوله
ووسطه وآخره. ومنها - غسل يوم الغدير، والأولى إيتانه صدرالنها، ومنها - يوم
المباهلة، و هو رابع والعشرون من ذي الحجة. ومنها يوم د حول الأرض، وهو
الخامس والعشرون من ذي القعدة، يعود به رجاءً لا يقصد الورود. ومنها - يوم
المبعث، و هو السابع والعشرون من رجب. ومنها - ليلة النصف من شعبان. و
منها - يوم الولود، و هو السابع عشر من ربيع الأول، يعود به رجاءً، ومنها - يوم
النيوز و منها - يوم التاسع من ربيع الأول، يعود به رجاءً، ولا تقضي هذه
الأغسال بفوات وقتها، كما أنها لا تقدم على أوقاتها مع خوف قدرتها فيها.
وأما المكانية فهي ما استحلف للدخول في بعض الأمكنة الخاصة، مثل حرم
المكة و بلدها و مسجدها و الكعبة و حرم المدينة و بلدتها و مسجدها، و أما
للدخول في سائر المشاهد المشرفة فيأتي به رجاءً.
وأما الفعلية فهي قسمان: أحدهما - ما يكون لأجل الفعل الذي يريد
as a compensatory one, then the first alternative shall be preferable. There is hesitation in affiliating the Friday night with Thursday. It is more cautious to perform it with the hope (of its being desirable to Allāh), as there is an amount of significance in affiliating absolute inability with the unavailability of water on Thursday, but it is more cautious to perform it in advance with the hope (of its being desirable to Allāh).

2. Ramaḍān Nights Baths. It means odd nights of the month of Ramaḍān like the first, third, and fifth, etc., and all the last ten nights. The nights of al-Qadr [the nights of revelation of the Qur‘ān], the 15th 17th, 25th, 27th and 29th nights are emphatically recommended. It is recommended that on 23rd night a second bath should be taken [in addition to the one taken at its start]. The time for the bath is the whole night. It is, however, better to take the bath before the sun-set, except in the last ten nights, when it is not far from being preferable to take the bath between the Maghrib and Isha’ prayers.

3. Fitr and Adhā Baths. The baths on two festivals, Eid al-Fitr and Eid al-Adhā are emphatically recommended. Their time is from morning till noon, and it is probably extended up to sun-set, and it is more cautious to take these baths after noon with the hope [of its being desirable to Allāh].

4. Tarīh Day Bath. This is the bath recommended to be taken on the 8th of Dhu’l-Ḥijjah [the last month of the Hijrah lunar Calendar].

5. Arafah Day Bath. [This is the recommended Bath on the 9th of Dhu’l-Ḥijjah, which the Hajj pilgrims pass at the plain of Arafat]. It is better to take this bath close to noon.

6. Rajab Baths. These are the recommended baths to be taken on the first, 15th and last days of the month of Rajab.

7. Ghadir Day. This bath is to be taken on the Eid-i Ghadir [i.e. on 18th of Dhu’l-Ḥijjah]. It is better to take this bath on the mid-day.

8. Mubâhalah Day. This is the bath to be taken on 24th of Dhu’l-Ḥijjah (Eid-i Mubâhalah).

9. Earth Flattening Day. This bath is to be taken on the 25th of the month of Dhu’l-Qa’dah. It should be taken with the hope (of being desirable to Allāh) and not as included in the days commanded [by the canonical law or Sharī‘a].

10. Mab’ath Day. This is the bath to be taken on the 27th of the month of Rajab.

11. 15th Sha’bān. [This is called Shab-e Barāt in Persian, and is also the birth-day of the 12th Imām].

12. Prophet’s Birth-Day. This is the recommended bath to be taken on 17th of the month of Rabi’ul Awwal, which is to be taken with the hope (of being desirable to Allāh).

13. Nowrūz. [The New Year Day, according to the Iranian calendar].

14. 9th Rabi’ul Awwal. This bath is to be taken with hope [of being desirable to Allāh].

All these baths are not to be compensated if not taken on their particular days, as also they are not to be taken in advance for fear of being lapsed.
في الإغسل المندوبة

إيقاعه، والأمر الذي يريد وقوعه، كغسل الإحرام والطواف والزيارة والوقوف بعرفات، وأما الوقوع بالمشعر فيؤتيه جراؤه، والغسل للذبح والنحر والحلق، والرؤية أحد الأئمة عليهم السلام في المنام، كما روي عن الكاظم عليه السلام "إذا أراد ذلك يغتسل ثلاث ليال ويناجم فيهما في المنام"، ولصلاة الحاجة، وللاستخارا، وعمل الاستفتاح المعروف بعمل أم داود، وله من الشرفاء أن يراهن بين أيديه من ملأها، والإجابة السفر خصوصاً لزيارة أبي عبدالله الحسين عليه السلام، وصلاة الاستسقاء، وللتوية من الكفر، بل من كل معصية، و للتظلم والاشتكاء إلى الله تعالى من ظله من ظلمه، فإن يغتسل ويصلي ركعتين في موضع لا يجيء عن السياء، ثم يقول: "اللهم ان نفلان بن نفلان ظلمني، وليس لي أحد أصول به عليه غيرك، فأستوف في ظلماتي الساعة الساعية الساعية بالاسم الذي إذا سأل به المصير أحبته فكشفت ما به من ضر و مكنت له في الأرض و جعلته خليفتك على حلقك، فأسألك أن تصلب علي محمد و آل محمد، و أن تستوفي ظلماتي الساعة الساعية، فوراً ما يحب.

; للحروف من الظالم، فإنه يغتسل ويصلي، ثم يكشف ركبته ويجعلهما قريباً من مصلحة، ويقول مأة مرة: "يا حي يا قيوم يا لا الله إلا انت برحمتك أستغذف فصل على محمد و آل محمد، و أن تلقف لي، و أن تغلب لي، و أن تمسك لي، و أن تندع لي، و أن تكيدني، و أن تكفني مؤونة فلان بن فلان بلا مؤونة".

ثمها ما يكون لأجل الفعل الذي فعله، هي أغسال: منها - لقتل انزعج، ومنها - رؤية المصلوب مع السعي إلى رؤيته متمعداً، ومنها - للتفرج في أداء صلاة الكسوف مع احتراق القرص، فإنه يستحب أن يغتسل عند قضائها بعدها، بل لا ينبغي ترك الاحتياط فيه. ومنها - لمس الميت بعد تغسيله.

مسألة 1 - وقت إيقاع الأغسال المكانية قبل الدخول في تلك الأمكنة بحيث
B- Recommended Baths from the point of view of Place

The recommended baths from the point of view of place are the baths which are commended for the entrance in some particular places, as the Haram of Mecca, its city, its mosque [called Masjid al-Ḥarām] and Ka'bah as well as the Haram of Madinah, its city and its mosque [called Masjid al-Nabī]. As regards the baths for entering other holy places, it is performed with the intention of hope[of being desirable to Allāh].

C- Recommended Baths for some Acts

As regards the baths recommended for some acts, they are of two categories.

First, a bath which is performed for the sake of the act one intends to do, or an act which one wants to happen, such as the bath for Ḩûrām, circumambulation, pilgrimage, staying in [the plain of] Ārafa [during Ḥajj]. But the bath to be performed for staying in Māsh'ar is to be performed with the intention of the hope [of being desirable to Allāh], and the bath for Sacrifice, shaving the head, and for seeing any Imām in dream, as it has been reported from Imām [Mūsā] al-Kāzim, Peace be upon him, "when a man desires to see any Imām in the dream, he shall take bath for three nights and implore the Imāms and he shall see them in the dream", and for the prayer for a wish, Istihkārah, or the performance of Istīfṭā, called the contrivance of Umm-i Dāūd, or taking the sacred dust from its place, for the intention of journey, particularly for pilgrimage to the tomb of Imām Ḥusayn, Peace be upon him, for the prayer for rain [Istīṣqa‘a], on penitence for infidelity (Kufr), or for every sin, for demanding justice or complaining to Allāh against one who has done injustice to him, [for all these purposes] one shall perform bath and offer two Rak'ats of prayer at a place under open sky, and then recite [in Arabic]:

"O Allāh, so and so, son of so and so has done injustice to me, and I have no one to turn to except thee, so get my right from him just now, just now, by the name of one with whose name whenever someone in plight prayed for thy help, thou has granted his prayer, and hast removed his predicament and blessed him with power and strength on earth and appointed him thy vicegerent on thy subject. So I ask thee to send Blessings upon Muḥammad and the Progeny of Muḥammad, and that get my right just now." So he shall get immediately what he has desired.

Similarly, one should perform a bath for fear of an oppressor and offer prayer, and then place his bare knees close to his place of prayer and recite one hundred times [in Arabic]: "O One who is all Living, the Everlasting, O there is no god but Thou, I beseech Thy Compassion, Come to my Succour. So send Blessing upon Muḥammad and the Progeny of Muḥammad, and Have favour on me, subdue [the enemy] on my behalf; find some strategem for me; find a solution for me [against my enemy's trick]; save me from [the enemy's] deception; and save me the trouble of so and so, son of so and so without inconvenience."

Second, Bathing for an act which one has done. There are several baths of this category.

1. For killing a frog.
2. For looking at person hanging on the gallows, provided that he has looked upon that person deliberately.
ينبغي أن يدخل فيهما بعدة من دون فصل كثير، ويكون الغسل في أول النهار أو الليل والدخول فيها في آخرهما، بل كفاية غسل النهار للليل والعكس لا تخلو من قوة، ولا يوجد استحباباً بعد الدخول للكون فيهما إذا ترك قبله، حسبًا مع عدم التمكين قبله.

والقسم الأول من الأعمال الفعلية مما استحب لا يجد عمل بعد الغسل كالاحرام والزيارة و نحوهما فوقه قبل ذلك الفعل، ولا يضر الفصل بينها بالقدر المزبور أيضاً، و أما القسم الثاني منها فوقها عند تحقيق السبب، و يведите إلى آخر العمر، وإن استحب المبادرة إليها.

مسألة 2 - في بقاء الأعمال الزمانية والقسم الثاني من الفعلية و عدم انتقاضها بشيء من الأحداث تأمل، لكن لا يشرع الايتان بها بعد الحدث، و أما المكانية والقسم الأول من الفعلية فالظاهر انتقاضها بالحدث الأصغر فصلاً عن الأكبر، فإذا أحدث بينها وبين الدخول في تلك الأمكنة أو بينها و بين تلك الأعمال أعاد الغسل.

مسألة 3 - لو كان عليه أفعال متعددة زمانية أو مكانية أو مختلفة يكفي غسل واحد عن الجميع إذا نواها.

مسألة 4 - في قيام التيمم عند التذرع مقام تلك الأعمال تأمل و إشكال فالاحوط الايتان به عند بعنوان الرحاء واحتمال المطلوبة.

فصل في التيمم

وكلام في مسوغاته، فما يصح التيمم به، وفي كيفيته، و في اعتباره، و في أحكامه.
3. For failing to offer prayers for lunar or solar eclipse when there has been a full solar or lunar eclipse. It is recommended to perform a bath while offering a compensatory prayer, rather caution should not be given up in this case.

4. For touching a dead body after it has been ritually washed.

**Problem # 1.** The time for performing the bath from the point of view of time is before entering those places in a way that after performing the bath one should enter the places without long delay. It is sufficient to perform the bath at the beginning of the day or night and entering them until the end of the day or night. Rather the sufficiency of performing a bath during the day for entering at night and vice versa is not devoid of force, and if he has failed to perform the bath before entering such places, it is not far from desirable to perform it while still in such places, particularly in case he had not been able to perform the bath before entering those places. As regards the first category of the baths for performing an act in which it is recommended to perform a bath before performing the act, such as tying ḥijāb, or performing pilgrimage, etc., the time for such baths is prior to performing the acts, but it is not harmful to make delay in the performance of the bath and the performance of the act up too the extent mentioned. However, in case of the second category of the above baths, its times is the actual occurrence of the act, and is extended up to the end of life, though it is recommended to make hurry in its performance.

**Problem # 2.** The sustenance of validity of the baths from the point of view of time and the second kind of the baths from the point of view of act, and the lack of their nullity even for the occurrence of some pollution are some thing in which there is hesitation, but the canonical law (Sharīʿah) does not mention any obligation for the performance of the bath after the occurrence of the pollution. However, in case of the baths from the point of view of place and the first kind of the baths from the point of view of act, apparently with the occurrence of the minor pollution, the bath is nullified, not to speak of the occurrence of the major pollution. If, therefore, pollution takes place between the performance of the bath and entering such places, or between the performance of the bath and the performance of the acts, the bath must be repeated.

**Problem # 3.** If a person is required to perform several baths, from the point of view of time or place or mixed ones, it is sufficient to perform a single bath for all of them, provided that he solemnly intends it for all of them.

**Problem # 4.** There is hesitation and difficulty in the sufficiency of performance of Tayammum in case of inability to perform these baths It is more cautious to perform Tayammum with the intention of hope [of its being desirable to Allāh] and the likelihood of its being desirable.
مسألة 1 - مسواة التيمم أمور من با - عدم وجدان ما يكفي من الماء لطهارة، غسلاً كانت أو وضوءًا، و يجب الفحص عنه إلى اليأس، وفي البرية يكفي الطلبه غلواه سهم في الخزنة، و غلواه سهمين في السهلة في الجوانب الأربعة مع احتمال وجوده في الجميع، و يسقط عن الجانب الذي يعلم بوجوده فيه، كما أنه يسقط في الجوم إذا قطع بعده أداة و إن احتفظ وجوده فوق المقدار، نعم لوعلم بوجوده فوقه وجب تخصيصه إذا أتى الوقت ولم يتغفر.

مسألة 2 - الظاهرة عدم وجوب البكشة، بل يكفي استنابة شخص أو أشخاص بحصول من قولهم الاطمئنان، كما أن الظاهرة كفاية شخص واحد عن جامع مع حصول الاطمئنان من قوله، و أما كفاية مطلق الأمين والثقة ففعل إشكال.

مسألة 3 - لو كانت الأرض في بعض الجوانب حزنة، و في بعضها السهلة يكون لحن جانب حكمه من الغلوا والغلويين.

مسألة 4 - المناط في السهم والقوس والهواء والرامي هم التعارف المعتدل، وأما المناط في الرمالي ففاية ما يقدر الرامي عليه.

مسألة 5 - لو ترك الطلبه حتى ضاق الوقت تيمم وصلي، و صحت صلاته و إن أتى بالترك، والأحول القضاء، خصوصاً فيا لوطلب الماء لعثر عليه، و أما مع السعة فتبطل صلاته و تيمم فيا لوطلب لعثر عليه، و إلا فلا يجب الصحة لو حصلت نية القرية منه.

مسألة 6 - لو طلب باللقدار اللازم فتيمم وصلي ثم ظفر بالماء في كل الطلبه أو في رحلة أو قاشفته صحت صلاته، ولا يجب القضاء أو الاعادة.

مسألة 7 - يسقط وجب الطلب مع الحفظ على نفسه أو عرضه أو ماله المعتدة به.
Chapter Concerning *Tayammum*

A Discussion on the Circumstances in which it is Permissible, Things on which it is Allowed to be Performed, its Procedure, its Conditions and its Rules

A – Circumstances in which *Tayammum* is Permissible

*Tayammum* is permissible in the following circumstances:

1. Unavailability of water in a quantity sufficient for the performance of cleansing, bath or ablution.

**Problem #1.** [In the above circumstance,] it is obligatory to make a thorough search for water till there is no hope for it. In the world [lit. creatures], it is sufficient to search in the rugged and hard ground up to the extent of an arrow-throw and in the level, soft and plane ground up to the extent of two arrow-throws all the four directions, provided that there is possibility of finding it in all the directions, and the search would drop in the direction where it is certainly not to be found, as it would drop once it becomes certain that there is no water available in any direction, though there is likelihood of its being available beyond the above limit.

Of course, if it is learnt that the water is available beyond the above limits, it would be obligatory to obtain it if there is still time left [for offering prayer] and it is not distressing.

**Problem #2.** Apparently it is not obligatory [to go to fetch the water] personally, rather it is sufficient to assign the job to one or more persons on whose statement one may get satisfaction, as apparently a single person from among a group is enough, provided that his statement is relied upon. The absolute sufficiency of a trustworthy and reliable person for this purpose is a matter in which there is difficulty.

**Problem #3.** If the land in some directions is rugged and hard and on others it is soft and plane, in each direction its respective rule of the extent of a single arrow-throw and two arrow-throws shall apply.

**Problem #4.** The criterion for the arrow, bow, wind and archer shall be as prevalent usually. The criterion for the throwing of arrow is the maximum limit to which an archer can throw the arrow.

**Problem #5.** If the search is given up and the time is tight, the person shall perform *Tayammum* and offer prayer, and the prayer shall be valid, though he has committed a sin [by not searching for water], and it is more cautious to offer compensatory prayer, particularly in case where had he searched for water, he could have found it.

In case there is ample time left [for offering prayer], his prayer and *Tayammum* shall be nullified in case where had he searched for the water, he could have found it; otherwise, in case he had already had the intention of closeness [to Allāh], it is not far from being valid.

**Problem #6.** If a person carried out the search up to the required extent, [but could not find water, and] then performed *Tayammum* and offered prayer. Subsequently he succeeded in getting hold of water within the place of search, or his belongings or his caravan, his prayer shall be valid, and there shall be no obligation to offer compensatory prayer or repeat the prayer.

**Problem #7.** If there is fear of a beast, thief or the like for the person's life, honour or considerable property, it shall not be obligatory to carry out search for water.
من سبع أو لص أو غير ذلك، وذلك مع ضيق الوقت عن الطلبات، ولو
اعتقد الضيق فتركه وتيم وصلى ثم تبيّن السعة فإن كان في مكان صلي فيه
فليجبّد الطلب مع سعة الوقت، فإن لم يجد الماء تجري صلاته، و إن وجوده
أعداها، ومع عدم السعة فالأحوض تجديد التيمم وإعادة الصلاة، وكذا في
الفروع الآتية التي حكمنا فيها بالإعادة مع عدم إمكان المائية، وإن انتقل إلى
مكان آخر فإن علم بأنه لو طلبه لوجوده بعيد الصلاة وإن كان في هذا الحال غير
قادر على الطلب و كان تكليفه التيمم، وإن علم بأنه لو طلبه ما ظفر به صحت
صلاةه ولا بعيدها، ومع اشتباها الحال ففيه إشكال، فلا يترك الاحتياط
بالإعادة أو القضاء.

مسألة 8 - الظاهر عدم اعتبار كون الطلبات في وقت الصلاة، فلو طلب قبل
الوقت ولم يجد الماء لا يحتاج إلى تجديده بعده، وكذا إذا طلب في الوقت لصلاة
فلم يجد يكفي لغيرها من الصلوات، دعم لا احتمال تجديده الماء بعد ذلك الطلب
مع وجود آمرة ظنية عليه بل مطلقًا على الأحوض يجوب تجديده.

مسألة 9 - إذا لم يكن عنده إلا ماء واحد يكفي الظهارة لا يجوز إراقته بعد
دخول الوقت، ولو كان على وضوء ولم يكن عنده ماء لا يجوز إبطاله، ولو عصي
فأراق أو أبطل صح تيممه و صلاته، وإن كان الأحوض قضاها، بل عدم جواز
الاراقه والإبطال قبل الوقت مع فقد الماء حتى في الوقت لا يخلومن قوة.

مسألة 10 - لايتمكن من حفر البتر بلا حرج وجب على الأحوض.

ومنها - الخوف من الوصول إليه من النص أو السبع أو الضياع أو نحو ذلك
ما يحصل معه خوف الضرر على النفس أو العرض أو المال المعتد به، بشراط أن
يكون الخوف من منشأ يعتني به العقلاء.

ومنها - خوف الضرر من استعماله لمرض أو رمد أو ورم أو جرح أو قروح أو
 نحو ذلك مما يتضرر معه باستعمال الماء على وجه لا يلحق بالجبرية وما في
The same rule shall apply if the time is too short for carrying out the search for water. If a person believes that the time is too short, and so he gives up the search, performs Tayammum and offers prayers, and later it transpires that there was sufficient time, then if he is still in the same place where he had offered the prayer, he shall restart the search, provided that there is sufficient time left for offering prayer. If he fails to get hold of water, his prayer shall be treated as valid, but if he finds the water, he shall repeat the prayer. In case there is not sufficient time [left for offering prayer], then it is more cautious to repeat Tayammum and offer prayer.

The same rule shall apply in the following cases where we have given the verdict in favour of repetition of prayer in case of unavailability of water. If the person shifts to another place, and knows that if he makes a search for water, he shall find it, then he shall repeat the prayer, though he may be unable to carry out search in that place, and he would be duty-bound to perform Tayammum. In case he knows perfectly well that he would not succeed in finding out water even if he had carried out search for it, his prayer [which he has already offered with the Tayammum] shall be valid, and he shall not be required to repeat it. In case of confusion about the fact, there is difficulty [in the application of the above rule]. So caution should not be given up by repeating the prayer or offering a compensatory prayer.

**Problem # 8.** Apparently there is no condition of carrying out search for water at the nick of time of prayer. If a person has carried out search for it before, and has not found it out, he shall not be required to renew his search for water. The same rule shall apply if a person has carried out search for water at the time of offering one prayer, then it shall be sufficient for the next prayers. Of course, if there is likelihood of finding out water after the search, provided that there are some presumptive signs for it, rather according to the more cautious opinion, even otherwise, it would be obligatory to restart the search.

**Problem # 9.** If a person has water sufficient for only carrying out cleansing, it shall not be permissible for him to spill it out after the arrival of time [of prayer]. [Likewise,] if a person has already performed ablution, and has no water [for performing ablution again], it shall not be permissible for him to nullify that ablution.

If, however, he defies the rule and spills away the water or nullifies the ablution, his Tayammum and prayer shall be valid, though it shall be more cautious to offer compensatory prayer; rather the absence of permissibility of spilling out the water or nullifying the ablution before the arrival of the time of prayer, and even at the nick of time, is not devoid of force.

**Problem # 10.** [In case of unavailability of water], if a person is able to dig a well without much inconvenience, according to the more cautious opinion, it shall be obligatory upon him [to do so].
1. In the effort for obtaining water there may be fear of some thief, beast, or being lost, or the like which may cause fear of harm to one's life, honour or considerable property, on the condition that the fear must have some rational ground.
2. The use of water may cause some disease, eye-sore, inflammation, wound, abscess or the like, in a way that the harm caused by the use of water may not be affiliated to splint or what is treated as such. There is no difference in the fear of the occurrence of such diseases or
حفظه، ولا فرق بين الحفوه من حصوله أو الخوف من زيادة بذءه وتباطه وتنفيذية الأذن واستعماله على وجه لا يتهم للبرد أو غيره.
ومنها: الخوف لاستعماله من العطش على الحيوان المحترم.
ومنها: الهز والمشقة الشديدة التي لا تحمل عادة في حصول الباء أو استعماله وإن لم يكن ضرر ولا خوفه، ومن ذلك حصول الناقة التي لا تحمل
عادةً بإستبداها، والذئب والهواك بالاطساط لشرائه.
ومنها: توقف حصوله على دفع جميع ما عنده، أو دفع ما يضر بحاله،
بخلاف غير المرض، فإنه يجب و إن كان أضعف عن مثل.
ومنها: ضيق الوقت عن تحصيله أو عن استعماله.
ومنها: وجوب استعمال الموجود من الناء في غسل نجاسة و نحوه، مما يقوم
غير الناء مقامه، فإنه يتعين التيميم حينئذ، لكن الأحواط صرف الناء في الغسل
أولاً ثم التيميم.
مسألة 11: لا فرق في للعطش الذي يعده فيه التيميم بين المؤدي إلى الهلاك
أو المرض أو المشقة الشديدة التي لا تتحمل و إن أمن من ضرره كما لا فرق فإنه
يؤدي إلى الهلاك، بين ما ينفيه على نفسه أو على غيره، آدمياً كان أو غيره،
ملوكاً كان أو غيره، فإنه يجب حفظه على الهلاك، بل لا يعد التعدي إلى من لا
يجوز قره وإن لا يجب حفظه كالنفسي، فعم الظاهرة عدم التعدي إلى ما يجوز قره
بأي حيلة، كالمؤذنين من الحيوانات و من يكون مهدوء الدم من الآدمي
الجري و المرصد، وتغذية و نحوما، ولو أمكن رفع عطشها بما يجرم تناوله كالحمض
والنجس و عنده ماء تأهير يجب حفظه لعطشها، و يتعين لصلاته، لأن وجود
الطرف كالعدم.
مسألة 12: لو كان متمكننا من الصلاة مع الطهارة المائية فتكون حتى ضاقت
الوقت عن الوضوء والغسل تيميم وصل، و صحت صلاته و إن أتم بالنؤير.
that of their aggravation, or delay in their recovery and the severity of pain by its use in a way that it is not tolerable due to cold, etc.

4. In the use of water there is fear of some noble animal remaining thirsty.

5. Obtaining or using water may lead to some distress and extreme inconvenience which are not tolerable in ordinary circumstances, though there may not be any harm or its fear at present, or may cause some gratitude which is not usually tolerable due to its request for favour, or the disgrace and degradation caused by the labour done in order to buy it.

6. If obtaining water depends on the payment of all one has, or so much as is detrimental to him in the present circumstances. In case it is not detrimental, it would be obligatory [to obtain it], even if its price may be many times more than its usual price.

7. The time may be so short that obtaining or using water is not possible.

8. It is obligatory to use the water in hand for washing something unclean or the like in which nothing can replace water, in which case it shall be indispensable to resort to Tayammum, but it is more cautious first to use water for washing [the uncleanness] and then perform Tayammum.

**Problem #11.** There is no difference in the thirst that makes Tayammum permissible, whether it leads to death, causes disease or some extreme distress which is not tolerable, though at present there is no fear of its harm, in the same way as there is no difference in what leads to death, or there is fear of harm to his own life or that of some one else, regardless whether it is a human being or some other being, a slave or otherwise, whether it is one whom it is obligatory to protect; rather, it is not far from being extended to those whose killing is permissible in one way or the other, as the injurious animals, or one whose killing is permissible like a Ḥarbī [one belonging to a country at war], an apostate by birth, or the like. If it is possible to quench the thirst by something forbidden like wine or unclean things, and a person has pure water, it would be obligatory for him to save it for quenching his thirst, and perform Tayammum for his prayer, as the existence of some thing forbidden is like its non-existence.

**Problem #12.** If it is possible for a person to clean himself with water and perform prayer, but he delays it so much that the time becomes too short for the performance of ablution or ritual bath, he shall perform Tayammum and offer prayer. In this case his prayer shall be valid although he has committed a sin by causing delay. According to the extremely cautious opinion, he should also offer a compensatory prayer.
والأخوط احیاطاً شديداً قضاوها أيضاً.

مسألة 13 - لو شكل في مقداره ما بقي من الوقت فترده بين ضيقه حتى يتيمم أو سعه حتى يتوضأ أو يغسل يجب عليه التيمم، وكذا لو علم مقدارما بقي وله تقريباً وشك في كفايته للطهارة المائية يتيمم ويعمل.

مسألة 14 - لو دار الأمر بين إيقاع تمام الصلاة في الوقت مع التيمم وإيقاع ركعة منها مع الوضوء قدم الأول على الأقوى، لكن لا ينبغي ترك الاحتياط بالقضاء مع المائية.

مسألة 15 - التيمم لا اج للصبق الوقت مع وجدان الماء لا يستباح به إلا الصلاة التي صار وقتها، فلا ينفع لصلاة أخرى وللوص أفاق الماء حينها، نعم لو فقد في أثناء الصلاة الأولى لا يعد كفايته لصلاة أخرى والأحوط يرك سائر الغائبات عبر تلك الصلاة حتى إذا أتى بها حال الصلاة فلا يجوز مسكتها.

مسألة 16 - لا فرق بين عدم الماء رأساً ووجود ما لا يكفي لائم الأعضاء و كان كافياً لبعضها في الانتقال إلى التيمم، ولو تمكن من مزج الماء الذي لا يكفيه لطهراه بما لا يخرج عن الأطلاق ويدخل به الكفاية فالاحوط ويوه.

مسألة 17 - لو خالف من كان فضرة نصمم توصياً أو أغتسل فطهارته باطلة على الأحوط، وإن كان فيه تفسخ، فلو أن ما في مقام صبق الوقت بعنوان الكون على الطهارة أو معاييات أخرى صحب، كما نصح أيضاً لو خالف ودع ثمأ عن الماء مصراً جاهداً، أو تحمل المثل وأهوان أو احاطرة في تحسده و نحو ذلك مما كان المضوع به متعدد الطهارة لا عسره، وام أياً تنصبها صرية أو حرجة فاظهار طلاتها، نعم لو كان الصهر أو الخرج على الغير خالف وتنكسر فلا يعد نصيحة.

مسألة 18 - يقول تيمم صلاة الجنازة ونوم مع التمكن من الماء إلا أنه ينعيي
Problem #13. If a person doubts about the amount of time left [for offering prayer], hesitating between the shortage of time for which he must perform Tayammum or sufficiency of time for which he may perform ablution or bath, it is obligatory on him to perform Tayammum.

The same rule shall apply if he knows the amount of time left [for offering prayer], though approximately, but doubts whether he has enough time for performing cleanliness with water, he shall perform Tayammum and perform prayer.

Problem #14. If a person has to opt between offering full prayer in due time with Tayammum or a single Rak‘at of the prayer with ablution, he shall prefer the former, but he should not give up caution by performing compensatory prayer with water.

Problem #15. A Tayammum performed due to shortage of time despite the availability of water does not render permissible except the prayer whose time had become tight, and is of no avail for the other prayer, despite the unavailability of water at the time of the other prayer.

Of course, if water has become unavailable during offering the former prayer, the same Tayammum is not far from being sufficient for the next prayer. It is more cautious to give up all acts which require the performance of Tayammum except that prayer, even if done during the performance of the same prayer. So, according to the more cautious opinion, it is not permissible to touch the words of the Qur‘ān [with the same Tayammum].

Problem #16. There is no difference whether the water is not available at all or it is available but is not sufficient for all the parts of the body involved in ablution and it was sufficient for a few of the parts with shifting to Tayammum for them. If something not rendering the pure water impure is mixed with the water which is not sufficient for the performance of cleanliness thereby rendering it sufficient, then according to more cautious opinion, it would be obligatory [to mix it with the water].

Problem #17. If a person on whom it is obligatory to perform Tayammum violates the rule, and performs ablution or ritual bath, according to the more cautious opinion, his act of cleansing shall be void, though it is superior to the former.

If the person performs Tayammum due to shortage of time in order to be clean or with some other intention, it would be valid.

The same rule shall apply if a person violates the rule and pays so much of price for water as is detrimental to him, or has gone under obligation of some one, or has borne some degradation, or has obtained water despite fear of danger in it or any other similar case in which cleanliness itself was not prohibited but only its preliminaries, but the cleanliness itself was detrimental or causing inconvenience, then apparently it would be void.

Of course, if the harm or inconvenience was borne by someone else and a person violates the rule and performs cleanliness, then validity is not far from being likely.

Problem #18. It is permissible to perform Tayammum for the prayer for the dead or before going to sleep, but the Tayammum performed before going to bed must be for minor pollution,
القول فيه ينتمي به

مسألة 1 - يعتبر فيه ينتمي به أن يكون صعداً، وهو مطلق وجه الأرض، من غير فرق بين التراب والرمل والحجر والمدر وأرض الجص والنورة قبل الاحتراق وتراب القبر المستعمل في التيمم، وذي اللون وعريماً مما يندمج تحت اسمها، وإن لم يطلق منه شيء باليد، لكن الأحوزة التراب، بخلاف ما لا يندمج تحته والكان منها كالخاتم والذهب والفضة وغيرها من المعادن الخارجية عن اسمها. وكذا الرماية وإن كان منها.

مسألة 2 - لو شك في كون شيء تراباً أو غيره مما لا ينتمي به فإن عدم بكونه تراباً في السابق وشوك في استحالته إلى غيره يجوز التيمم به وإن لم يعلم حالته السابقة تقع الاختصار المرتبة السابقة به جمع بين التيمم به والمرتبة اللاحقة من الغبار والطين لم وجدت، ولا يختص بالجمع بين التيمم به والصلاة في الوقت والقضاء خارجه.

مسألة 3 - الأحواصل عدم حوزاً التيمم بأحص والنورة بعد احتراقهما مع التمكن من التراب وحوى، ومع عدمه الأحواصل الجمع بين التيمم واحد منها والغبار أو الطين اللذين هما مرتبة متاخرة، ومع فرض الاختصار الأحواصل الجمع بينه وبين الابعاد أو القضاء، واما الحزر واالأجر في نوى من الطين المطبخ فالظاهر جواز التيمم بها.
and there is nothing objectionable if it is performed for the major pollution too with the intention of hope [of its being desirable to Allāh], in the same way as it is better to confine *Tayammum* to the case when he lies down on his bed and then remembers that he has not performed ablution; otherwise, in other cases he shall perform the *Tayammum* with the intention of hope [of its being desirable to Allāh], as it is better in the former case to perform *Tayammum* with the intention of hope [of its being desirable to Allāh], in case there has been no fear of missing the prayer.

**B – Things on which *Tayammum* can be Performed**

**Problem # 1.** It is a condition for a thing on which *Tayammum* is performed that it should be Șā’îd which means the surface of earth, without there being difference in its being ordinary earth, sand, stone, clod of earth, gypsum land, unsoaked lime, earth of a grave, and the other things used for *Tayammum*, coloured or uncoloured which comes under the name of earth, though there may not remain anything stuck on the hand, but it is more cautious to perform *Tayammum* on earth, contrary to things which do not come under the name of earth, though they may be produced from it, such as vegetables, gold, silver or other metals which do not fall under the name of earth.

The same rule applies to ashes which belongs to the category of earth.

**Problem # 2.** If a person doubts about a thing whether it is earth or something else on which *Tayammum* cannot be performed, then if he knows that it was formerly earth, and doubts about its transformation into something else, it shall be permissible to perform *Tayammum* on it.

In case he is ignorant of its previous condition, then depending on its previous condition he shall perform *Tayammum* on it and add to it *Tayammum* on the subsequent condition like dust or mud, if found; otherwise, he shall performs *Tayammum* on the suspected thing and offer prayer within the due time and also add to it another prayer after the due time.

**Problem # 3.** According to the more cautious opinion, it is not permissible to perform *Tayammum* on soaked gypsum or limestone, if it is possible to do so on earth or the like. In case of its unavailability, it is more cautious to perform *Tayammum* on either of them, and add to it *Tayammum* on dust or mud which have a position secondary to earth.

In case of sole availability of soaked gypsum or limestone, he may perform *Tayammum* on either of them and later repeat the prayer, or offer compensatory prayer.

As regards *Tayammum* on pottery, or a brick, or the like made of soaked mud, it is permissible to perform *Tayammum* on any of them.
مسألة 4 - لا يصح التيمم بالصعدة النجس وإن كان جاهلًا بنجاحه أو ناسياً، ولا بالمغصوب إلا إذا أكره على المكث فيه كالمغصوب أو كان جاهلًا بالموضوع، ولا بالمنتجز بغيره بما يخرج عن إطلاق اسم التراب عليه، فلا بأس بالاستملك والخلط المميز الذي لا يمنع عن صدق التيمم على الأرض، وحكم المشتبه بالمغصوب والمنتجز هنا حكم الماء بالنسبة إلى الوضوء والغسل، بخلاف المشتبه بالمغصوب والمتجز من النجس، فإنه يتيمم بها، ولو كان عنده ماء وتراب ولم بنجاسة أحدهما يجب عليه مع الأخضر الجمع بين التيمم والوضوء أو الغسل مقدماً للتيمم عليها، واعتبار إباحة التراب ومنكان التيمم كاعتبارها في الوضوء، وقد مر ما هو الأقوى.

مسألة 5 - المغصوب في مكان مغصوب يجوز أن يتيمم فيه بلا إشكال إن كان مغصوب من أنجبة خارج المغصوب، وأما التيمم فيه مع دخول مثل الضرب أو به فالأقوية جوازها وإن لا يخلو من إشكال، وأما التيمؤ في فان كان يتأمل مباح فهو كالتيمم فيه لا بأي حال خصوصاً إذا خالف من وقوع قترات الوضوء على أرض المغصوب، وأما بالماء الذي في المغصوب فإن كان مغصوبًا لا يجوز التيمؤ به، ولم يجوز رضا صاحبه كخارج المغصوب، ومع عدم إحرازظه يكون كفاذ الماء يعين عليه التيمم.

مسألة 6 - لوقف الصعيد ينتمي بغيرطة، أو ربه وعرف دابة مما يكون عليه ظاهر غبار الأرض ضارباً على ذي الغبار، ولا يهيئ الضرب على ما في باتشة الغبار دون ظاهره وإن ثار منه بالضرب عليه، هذا إذا لم يتمكن من نفسه وجمع ثم التيمم به، وإلا وجب، ومع ذلك تيمم بالحول، ولو تمكن من تجفيزه ثم التيمم به وجب، وليس منه الأرض الندية والتراب الندي، فإنها من المرتبة الأولى، وإذا تيمم بالحول لا يجوز إزالته على الأصح، لكن ينبغي أن يترك كنفظ التراب، وأما إزالته بالغسل فلا شبهة في عدم جوازها.
Problem # 4. It is not permissible to perform Tayammum on unclean earth, even due to ignorance or forgetfulness, nor on a usurped land, except when a person is compelled to stay there, such as when he is imprisoned, or he was ignorant of the matter. It is also not permissible to perform Tayammum on something mixed with the earth in a way that the name of earth is no more applicable to it. But there is no objection in performing the Tayammum, if the other thing disappears after mixing with earth or remains apparent but still the name of Tayammum on earth is applicable to it.

As regards the rule applicable to something suspected to be usurped or mixed, it is similar to that of water in relation to ablution or bath [when it is suspected of being usurped and mixed], contrary to the thing suspected to be unclean but being solely available, it is permissible to perform Tayammum on both categories of earth. If a person has water and earth, and knows about one of them being unclean, in case of availability of both solely, he shall perform both Tayammum and ablution or bath, with Tayammum preceding ablution or bath.

As regards the condition of lawfulness of the earth and the place of Tayammum, it is similar to the condition of lawfulness of water and the place mentioned under ablution. What is according to the stronger opinion has already been mentioned before.

Problem # 5. It is permissible for a person who has been imprisoned in a usurped place to perform Tayammum without there being any objection, provided that the place on which he strikes [his hands for performing Tayammum is outside the limits of the usurped place. As regards the Tayammum in case the place of striking [the hands for the performance of the Tayammum] is included in the usurped place, according to the stronger opinion, his Tayammum shall be valid, though it shall not be free from objection. As regards ablution in that location, if it is with lawful water, it would be like Tayammum in that place, and there would be no objection in it, particularly if the person prevents the water from falling on the floor of the prison.

As far as the performance of ablution with the water found in the prison is concerned, it shall not be permissible as long as the person does not obtain the permission of its owner, as is the case with the water outside the prison. Without the permission of the owner, the person shall be like one having no water, and, therefore, it shall be obligatory on him to perform Tayammum.

Problem # 6. If there is no plane ground, a person shall perform Tayammum on the dust of his garments, the felt carpet of the saddle, or mane of his beast of burden on which apparently there is dust of earth, striking his hands on things on which there is dust. It is, however, not sufficient to strike the hands on something which has dust inside without its apparent part, even if dust is raised by striking the hands. This is when it is not possible to shake the things and collect the dust, and then perform Tayammum; otherwise, it is obligatory to perform Tayammum in the same way.

In case dust is not available, a person may perform Tayammum on mud, and, if it is possible to dry it, and then perform Tayammum, it shall be obligatory to do so. Wet earth and wet land is not mud, and occupies the first rank [among the things on which Tayammum is permissible].
القول في كيفية التيمم

مسألة 1 - كيفية التيمم مع الاختيار ضرب باتن الكفين بالأرض معاً دفعة، ثم مسح الجهة واللبيتين بها معاً مستويًّا لها من قصاص الشعر إلى طرف الأنف الأعلى إلى الحاجبين، وPREFIX_1 المسح عليها، ثم مسح تمام ظاهر الكف اليمني من الزند إلى أطراف الأسバイң باتن الكف اليسرى، ثم مسح تمام ظاهر الكف اليسرى باتن الكف اليمني، و ليس ما بين الأسバイң من الظاهر، إذا أردت ما يشبه ظاهر بشرة المسح بل لا يعتبر التدقيق والعمق فيه، ولا يجوز الوضع دون مسح الضرب على الأحوط وإن كانت الكنية لا تخلو من قوة، ولا الضرب بحالة ولا بها على التعاقب، ولا بظاهرهم، ولا ببعض الباطن حيث لا يصدق عليه الضرب بتمام الكف عرفاً، ولا المسح بحالة أو بها على التعاقب، وبكون في مسح الوجه مسح جميع المسوح بجمع المسح في الجهة واللبيتين على النحو المعا动能، أي الشق الأيمن باليد اليمنى والأيسر باليسرى، وبي الكفين وضع طول باتن كل منها على عرض ظاهر الأخرى
If a person performs *Tayammum* on mud, according to the sounder opinion, it is not obligatory to remove it, but it should be rubbed off as one removes the dust by shaking it. As regards the removal of the mud by washing, it is undoubtedly not permissible.

**Problem #7.** Performance of *Tayammum* on ice (or snow) is not proper. If a person does not find any of the things mentioned before except ice (or snow), and is not able to wash with it, or it is troublesome, he shall be considered to be one having neither of the two cleaning things [namely, pure water and earth], and, therefore, according to the stronger opinion, offering prayer on due time drops and, according to the more cautious opinion, the compensatory prayer shall be established; rather, according to the more cautious opinion, offering the prayer on time shall also be established, and it is rather more cautious to rub the ice (or snow) on the parts of the body involved in ablution and perform *Tayammum* with it and offer prayer on its due time, and subsequently, when possible, offer compensatory prayer.

**Problem #8.** It is disapproved to perform *Tayammum* on sand, and likewise on salt marsh; rather, it is not permissible to perform *Tayammum* on some of its categories which are outside the term of land.

It is approved to shake the hands after striking it on the earth, and that it should be done on high ground; rather, it is disapproved to perform *Tayammum* on low level of land.

**C - Procedure of Performing Tayammum**

**Problem #1.** In case of ability, a person shall strike the two palms of his hands together simultaneously on the earth, then rub his both hands together on his forehead and both eye-brows overlapping the place of growing of hair to the upper part of the nose to both sides of the forehead, and it is more cautious to rub both the eye-brows and nose. Then he should rub the palm of the left hand on the whole apparent part of the back of the right hand from the forearm to tips of the fingers, and then rub the whole apparent part of the back of the left hand with the palm of the right hand, but what lies between the fingers is not included in the apparent parts, as what is intended is to rub the apparent skin of the rubbing hand, and it is not a condition to be too minute and meticulous in it.

It is not sufficient merely to place the hands on the earth, but, according to the more cautious opinion, it should be what is called striking, though it is not devoid of force. The strike should be done by a single hand, nor with both the hands one after another, nor with their backs, or with only a part of the palm in a way that it may not be called striking with the whole of the palm in ordinary circumstances. The rubbing should also not be done by a single hand or both one after the other.

In rubbing the face it is sufficient to rub the entire part rubbed with the whole rubbing part on the forehead and both the eye-brows in the usual manner, i.e., rub the right part with the right hand and the left part with the left, and, at the time of rubbing the hand, it is sufficient to place the palm of each hand on the back of the other upto the tips of the fingers.
الفيل فِي يعتبر في التيمم

مسألة ١ - يعتبر النية في التيمم على نحو ما مر في الوضوء قاصداً به البديلة عيا عليه من الوضوء أو الفسل، مقارناً بها الضرب الذي هو أول أفعاله، ويعتبر فيه البشرة والخشب حسب ما عرفه، والمواصلة بعدها عدم القول المنافي لهبه وصوته، والمسح من الأعلى إلى الأسفل في الجهة والليدين بيد يصدق ذلك عليه عرفا، ورفع الحاجب عن الماسح والممسح حتى مثل الخاتم، والطهارة فيها، وليس الشعر النابض على مثل من الحاجب، فيمسح عليه، نعم يكون منه الشعر المتندل من الرأس إلى الجبهة إذا كان خارجاً عن المتعرف ويعد حائلاً عرفا - لا مثل الشعرة والشعرتين - فيجب رفعه، هذا كله مع الاختيار، أما مع الاضطرار
Problem #2. If a person is not able to strike or rub with the palms of his hands, he may do so with their backs. This rule applies when there is absolute inability. If, however, he is able to use part of the palms, or use the whole palm by placing something on it, it is more cautious to strike and rub with part of the palm or the whole palm by placing something on it, and, between them, by the back of the hand.

Shifting to the forearm in place of the back of the hand is not far from being permissible, where there is an option to use either of them, while it is more cautious to use both of them.

Shifting to the forearm is not permissible in case the palm is unclean without being infecting other parts [when touched], when removal of the uncleanness is not possible; rather the person should strike and rub with the same palm.

In case the uncleanness is such as is an obstacle and it is not possible to clean or remove it, then it is more cautious to strike with the palm as well as the back of the hand; rather, in the previous case too, caution should not be given up by using both.

If the uncleanness reaches the earth and it is not possible to dry it up, in that case it shall be shifted to the forearm or the back of the hand.

If the uncleanness is on the parts to be rubbed, and it is not possible to clean them or remove the uncleanness, the person should perform the rubbing on them.

D – Obligatory Conditions for Tayammum

Problem #1. In Tayammum, Niyyat (intention) is a necessary condition, as mentioned under [the chapter on] Ablution, mentioning therein as to whether it is being done in place of ablution or bath. The intention is to be had simultaneously with striking [the hands on earth], which is the first act in Tayammum.

It is a condition to perform it personally, and in the order explained before, and continuously, i.e., without an interval repugnant to its format and shape. The rubbing should be done from the uppermost to the lowest in the forehead and both the hands, as it is usually done, and remove the obstacle in the rubbing and rubbed part of the body, including even a ring.

The rubbing and rubbed parts must be clean, but the hair growing on the parts involved in Tayammum shall not be considered obstacles, and rubbing can be performed on them.

Of course, it is a condition to remove the hair growing from the head to the forehead, when they are more than usual, and are usually considered an obstacle, though not so, if there is one or two hairs.

All these conditions are required in ordinary circumstances, but in case of emergency, the conditions are dropped in difficult circumstances, but they are not dropped in easy circumstances.
فإلا يعتبرنى التيمم

فيسقط العسو، ولكن لا يسقط به الميسور

مسألة ٢ - يكفي ضربة واحدة للوجه واليدين في بدل الوضوء والغسل، وإن كان الأفضل ضربتين مختلفتين. يبقى فيهما معايقتين قبل مسح الوجه أو موزعتين على الوجه واليدين، وأفضل من ذلك ثلث ضربة اثنتان معايقتان قبل مسح الوجه، وواحدة قبل مسح اليدين، ومع ذلك لا ينبغي ترك الاحتياط بالضربتين، خصوصاً في هو بدل عن الغسل بوايق واحدة للوجه وأخرى للبيد، والأولى الأحوط أن يضرب ضربة ويسح بها وجهه وكفه، وضرب أخرى يسح بها كفه.

مسألة ٣ - العاجز يعيمه غيره، لكن يضرب الأرض بيد العاجز ثم يسح بها، ومع فرض العجز عن ذلك يضرب المتولي بيده ويسح بها، ولو توقف وجوده على أجرة وجب بذلها، وإن كانت أضعاف أجرة المثل على الأحوط ما لم يضر بالجاه.

مسألة ٤ - من قطعت إحدى يديه ضرب الأرض بالوجودة، ومسح بها وجهه، ثم مسح ظهرها بالأرض، والأحوط الجمع بينه وبين تولية الغير إن أمكن، فإن يضربه بيد على الأرض ويسح بها ظهر كف الأقطع، ومن قطعت يداه يسح وجهه بإحدى الأحوط، والأحوط تولية الغير أيضاً إن أمكن، فإن يضرب بيده على الأرض ويسح بها وجهه، هذا كله فيمن ليس له ذراع، وإلا تقيم بها و بالإ زراع، والأحوط مسح جمجمة وجه وampoline بالوجودة بعد السحها و بالإ زراع على النحو المعترف، هذا في الصورة الأولى، و كذا الكلام في الثانية، فقطع اليدين ليوكان له الذراع تقيم بها، وهو مقدم على مسح الجهة على الأرض، وفي الاستنابة، بل الأحوط تنزل الذراع منزلة الكفين في المسح على ظهرهما في مقطع اليدين، و على ظهر المقطع في الآخر.

مسألة ٥ - في مسح الجهة واليدين يجب إمرار الماسح على الممسوح فلا يركى
Problem # 2. A single striking is sufficient for the face and both the hands in place of ablution and bath, though it is preferable to strike [the hands on earth] twice in which case the person has the option to strike twice one after the other before rubbing the face, or divide them in rubbing on the face and both hands. It is even more preferable [to strike the hands on the earth thrice, twice one after the other before rubbing on the face and once before rubbing on the hands.

Nevertheless, caution must not be given up by striking [the hands on the earth] twice particularly in case Tayammum is performed in place of a ritual bath, by striking once for the face and another for both hands. It is better and more cautious to strike [the hands on the earth] once and rub them on the face and both hands, and strike again and rub the palms of the hands on the back of both the hands.

Problem # 3 Tayammum may be performed by another person to a disabled person, but the other person must strike both the hands of the disabled person [on the earth] and perform the rubbing with them.

In case of inability, the other person shall strike his own hands and perform the rubbing with them. If this job is to be done on payment, according to the more cautious opinion, it is obligatory to pay the remuneration for it, even if the remuneration is higher than in normal circumstances, provided that it is not detrimental in his circumstances.

Problem # 4. A person whose one hand has been chopped off shall strike the earth with the existing hand, and rub his forehead with it, then rub its back on the earth, though it is more cautious to do so and also assign the job to some one else, if possible, so that he may strike his hand on the earth and rub with it the back of his chopped hand.

If both the hands of a person have been chopped off, he shall strike his forehead on the earth. It is more cautious to assign the job, again, to some one else, if possible, so that the other person may strike both his hands on the earth and rub them on the face of the intended person.

This rule applies in case a person has no forearm; otherwise, the person shall perform Tayammum with his forearm and the existing hand. It is more cautious to perform the rubbing on the entire forehead and both the eye-brows with the existing hand after performing the rubbing with it and with the forearm in the usual manner. This is to be done in the first case.

The same rule shall apply in the second case. So a person whose both hands have been chopped off shall perform Tayammum with his forearm. This is preferable to rubbing the forehead on the earth or assigning the job of performing Tayammum to some one else. Rather, it is more cautious in case of a person whose both hands have been chopped off that the forearm should take the place of both the palms for rubbing on the back of both hands, and, in case of the persons whose one hand is chopped off, the forearm should take the place of the chopped hand in performing the rubbing of the back of the other hand.

Problem # 5. In case of performance of rubbing the forehead and both hands, it is obligatory to draw the rubbing parts on the rubbed parts. So it is not sufficient to draw the rubbed part under
القول في أحكام التيمم

مسألة 1ـ لا يصح التيمم على الأحوضة للفريضة قبل دخول وقتها وإن علم بعدم التمكن منه في الوقت على إشكال، والاحوضة إحيطات لا يتزك من علم بعدم التمكن منه في الوقت إيجاده قبله لشيء من غاياته، وعدم نقضه إلى وقت الصلاة مقدمة لإدراكها مع الطهارة في وقتها، بل وجوها لا يخلو من قوة، وأما بعد دخول الوقت ففيوص و إن لم يتنقض مع رجاء الارتفاع العذر في آخره وعده، لكن لا ينبغي ترك الاحتياط مع رجاء ارتفاع العذر، ومع العلم بالارتفاع يجب الانتظار، والأحوضة مراعاة الضيق مطلقاً، ولا يعيد ما صلاة التيمم الصحيح بعد ارتفاع العذر من غير فرق بين الوقت وخارجه.

مسألة 2ـ لو تتم لمصردة قد حضر وقتها ولم ينقص ولم يرفع العذر حتى دخل وقت صلاة أخرى جاز الاستيان بها في أول وقتها، إلا مع العلم بارتفاع العذر في آخره، فيجب تأخيرها، ومع رجاء ارتفاعها لا ينبغي ترك الاحتياط، بل يستحب بالتيمم لغاية في الصلاة غيرها من الغايات كالمنظمه لم ينقص ولا يقيد العذر، فله أن يأتي بكل ما يشترط فيه الطهارة، كمس كتيبة القرآن المجيد، ودخول المساجد وغير ذلك، ويفى الصميم مقام الماء في كل ما يكون الوضوء أو الغسل مطلوباً فيه و إن لم يكن طهارة، فيجوز التيمم بذلك عن الأغفال المنوية والوضوء التاجيدي والصوري؟ فيه تأمل وإشكال، فالاحوضة الاستيان به رجة المطلوبة.

مسألة 3ـ الحدث بالأكبر غير الجنباء يتيمم تيميمين: أحدهما عن الغسل و
the rubbing part. Of course, a mild movement in the rubbed part is not harmful, if the term "rubbed part" may usually apply to them.

E- Rules Concerning Tayammum

Problem # 1. According to the more cautious opinion, it is not proper to perform Tayammum for the obligatory prayers before the arrival of their due time, even if the person knows that it shall not be possible for him to perform Tayammum on time, though there is difficulty [in accepting this rule].

According to the more cautious opinion, as a precaution, the person who knows that he shall not be able to perform it on time may perform Tayammum before hand for some other purpose, and let it not be nullified upto the due time of prayer in order to be able to perform it in a state of cleanliness at its due time; rather its being obligatory is not devoid of force.

As regards the performance of Tayammum after the arrival of the due time of prayer, it is valid, regardless of whether there is hope of removal of the cause of inability at its end or not. Caution should, however, not be given up in case there is hope of the removal of the cause, and with the knowledge of its removal, it is obligatory to wait [till the end], and it is more cautious to wait until the time becomes tight in all circumstances.

If a person performs prayer with proper Tayammum, he is not bound to repeat the prayer after the removal of the cause, irrespective of the removal taking place within the due time or after its expiry.

Problem # 2. If a person performs Tayammum on the arrival of the due time of prayer, and it is not nullified, nor the cause of inability is removed until the arrival of the due time of the next prayer, it shall be permissible for him to offer the next prayer at the beginning of its time, except when he has knowledge of the removal of the cause before the expiry of its due time, in which case it shall be obligatory on him to delay [offering the prayer].

In case there is hope of the removal of the cause, he should not give up caution; rather, in case he has performed Tayammum for any purpose like prayer, it shall be lawful for him to perform any other purpose like a clean person as long as his Tayammum is intact and the cause is also not removed. So he may do anything in which there is a condition of cleanliness like touching the words of the Qur’ān and entering the mosques, etc.

Whether earth can be used in place of water in every case where ablution or ritual bath is required, even if it is not for the sake of cleanliness, and whether Tayammum is permissible in place of approved baths or renewed or formal (Ṣūrī) ablution, are questions [in whose answering in the affirmative,] there is hesitation and difficulty, so it is more cautious to perform Tayammum in such cases with the hope of being desirable [to Allāh].

Problem # 3. A person having major pollution other than one due to discharge of semen (Janābat) shall have to perform two Tayammums, one in place of ritual bath and the other in place of ablution.
في احكام التيمم

الآخر عن الوضوء، ولا يوجد مالا يمكن صرفه إلا في أحدهما خاصة صرفه فيه وتيمم عن الآخر، ولا يوجد ما يكفي أحدهما وأمكن صرفه في كل منها قدم الغسل على الأحوج، بل لا يخلو من وجه تيمم عن الوضوء، ولكني في الجنازة تيمم واحد. مسألة 4 - لو جمعت أسباب مختلفة للحدث الأكبر في كفية تيمم واحد عن الجميع إشكار، فإن الأحوج تيمم لكل واحد منها، فلو كان عليه غسل الجنازة وغسل مس فيت مثلًا أتي بتيمنين.

مسألة 5 - ينتقض التيمم عن الوضوء بالحدث الأصغر والأكبر، كما أنه ينتقض ما يكون بدلاً عن الغسل بما يوجب الغسل، وقل ينتقض ما يكون بدلاً عن الغسل بما ينتقض الوضوء فيعود إلى ما كان، فللمجاب اللذين إذا أحدث بالأصغر بعيد تيمم، والحاصر مثلًا إذا أحدثت تيممتها، أو لا بل لا يوجب الحادث الأصغر إلا الوضوء أو تيمم بدلاً عنه إلى أن يجد الماء أو يمكن من استعماله في الغسل، فحينئذ ينتقض ما كان بدلاً عنه؟ قوله أشرها الأول، وأقواها الثاني، خصوصاً في غير الحنوب، فللمجاب لو أحدثت بعد تيممه يكون كالمغسل المحدث بعد غسله لا يحتاج إلا إلى الوضوء أو التيمم بدلاً عنه، والحاصر لو أحدثت بعد تيممها تكون كما أحدثت بعد أن توضأت واغتسلت لا ينتقض إلا تيممها الوضوء، والأحوج ممن تمكن من الوضوء جميع بعينه وعين التيمم بدلاً عن الغسل، وإن لم يتمكن منه الايتام تيمم واحد بقصد ما في الدعوة المرة بين كونه بدلاً عن الغسل أو الوضوء إذا كان مجبولاً، وآلي غيره فيأتي بتيمتين: أحدهما بدلاً عن الوضوء والآخر عن الغسل احتياطاً.

مسألة 6 - لو وجد الماء ويمكن من استعماله شرعاً وعقلاً وقائلاً أو زال عذره قبل الصلاة انتقض تيمم، ولا يصح أن يصل به وإن أبدع فقدان الماء أو عاد الوضوء، فوجب أنه يتبين ثانياً، تُعم ولم يسع زمان الوجدان أو ارتفاع الوضوء أو الغسل لا يعدت عدم انتقضه، وإن كان الأحوج تجديده مطلقًا، وكذا إذا كان
In case he has water which is sufficient specially for only either of them [i.e., either for ritual bath or ablution], he shall use it for one of them [for which it is sufficient] and perform Tayammum in place of the other. If he has water which is sufficient for either of them [i.e. either for the ritual bath or ablution], but it may be used for both, it shall be more cautious for him to perform the ritual bath first; rather it shall not be devoid of better reason for preference, and perform Tayammum in place of ablution. In case of pollution due to discharge of semen (Janâbat), it is sufficient to perform a single Tayammum.

Problem # 4. If there have gathered different causes for the major pollution, there shall be difficulty in considering a single ritual bath sufficient for all of them. So it is more cautious to perform a separate ritual bath for each of them. If, for example, a person is required to perform ritual bath for discharge of semen (Janâbat), and for touching the dead body, he shall perform two Tayammums.

Problem # 5. The Tayammum performed in place of ablution is nullified due to minor and major pollutions, in the same way as the Tayammum performed in place of ritual bath is nullified by a pollution which entails the obligation for a ritual bath.

Whether a Tayammum performed in place of a ritual bath is nullified by a pollution which nullifies ablution and the person returns to his previous [polluted] position, so that a man who has performed Tayammum due to Janâbat shall be required to renew his Tayammum, if he has a minor pollution, or for example, if a menstruating woman has a ritual impurity (Ḥadath), whether her Tayammum is nullified or not; rather in case of minor pollution it is not obligatory to perform anything except ablation or Tayammum in its place until water is available or one is able to use it for ritual bath, then whether what had been performed in its place is nullified:

There are two opinions on these points, the more prevalent being the former one, while the stronger one is the latter, particularly in case of one who has not been polluted by Janâbat, so that if a person polluted by Janâbat has a ritual impurity after performing its Tayammum occupies the position of a person who has ritual impurity after having performed his ritual bath who is required to perform only ablation or Tayammum in its place, while if a menstruating woman has ritual impurity after Tayammum, she occupies the position of a woman who has ritual impurity after she has performed ablution and ritual bath, in which case only her Tayammum in place of ablution is nullified, while it is more cautious for a person who is able to perform ablation also to perform Tayammum in place of ritual bath, while for a person who is not able to perform ablation, it is more cautious to perform a single Tayammum intending thereby to perform what he is liable to do when he is doubtful whether he should do it in place of ritual bath or ablation, in case he is polluted due to Janâbat. In case he is not polluted due to Janâbat, by way of caution, he shall perform two Tayammums, one in place of ablation and the other in place of ritual bath.

Problem # 6. If a person obtains water and he is able to use it legally and reasonably, or his cause of inability is removed before the prayer, his Tayammum shall be nullified, and it is not valid for him to offer prayer with it.

In case water again becomes unavailable or the cause of inability recurs, it shall be obligatory for the person to repeat his Tayammum.
فصل في النجاسات

والكلام فيها، وفي أحكامها، وكيفية التنجس بها، وما يعني عنه منها:

القول في النجاسات

مسألة 1 - النجاسات إحدى عشر: الأول والثاني: البول والخزء من الحيوان
Of course, if the time of availability of water or removal of the cause of inability is not extensive enough for the performance of ablution or ritual bath, the Tayammum is not far from being unnullified, though it is more cautious to repeat it in all circumstances.

The same rule shall apply if the availability of water or the removal of the cause of inability has taken place while the time is very short, his Tayammum shall not be nullified, and it shall be sufficient for the prayer for which very short time is left.

Problem # 7. The Tayammum of a person polluted due to Janâbat who has performed Tayammum shall not be nullified when he finds water sufficient for the performance of ablution. But any other person who has performed two Tayammums, his Tayammum which he has performed in place of ablution shall be nullified, if he finds water sufficient to perform ablution.

If a person obtains water which is sufficient only for the performance of the ritual bath, and it is not possible to use it for the performance of ablution, he shall perform the ritual bath only, and shall perform Tayammum in place of ablution.

If it is possible to use the water for either, but not both of them, then it is more cautious to use it for the ritual bath and to perform Tayammum in place of ablution, though it is not far from being likely that the previous Tayammum still subsists.

Problem # 8. If a person obtains water after offering prayer, it shall not be obligatory to repeat it, but it shall be considered to have finished the prayer and the prayer to be valid.

The same rule shall apply if he obtains water during offering the prayer after Rukû' (Kneeling) in the first Rak‘at.

If, however, it takes place earlier, then there is difficulty in declaring his Tayammum and prayer invalid. It is not far from being not invalid and being preferable to revert and offer prayer again after attaining the state of cleanliness by the use of water. It is cautious to complete the prayer and repeat it, provided that there is sufficient time for it when the prayer should not be left incomplete.

Problem # 9. If a person doubts about the validity of some portions of Tayammum after having completed it, he should not pay heed to it, and should treat it as valid.

According to the stronger opinion, the same rule shall apply if he doubts about the validity of some portions of Tayammum during its performance, regardless whether it is in place of ablution or ritual bath, though it is more cautious to pay heed to the doubt.

Chapter on Najâsat (the Unclean Objects)

Their Discussion, Rules, How they pollute and which of them are Excused

Problem # 1. There are eleven unclean objects.

First & Second. The urine and excrement of an animal having a spurring blood whose meat is not eaten even if the prohibition is accidental, such as one eating unclean things or one with whom a man has committed bestiality.
في بيان النجاسات
ذي النفس السائلة غير ما كول اللحم ولو بالعارض، كالجلال، و موطئ الإنسان، أما ما كان من الأكول فإنها طاهران، وكذا غير ذي النفس مما ليس له لحم كالذبابة والبق وأشباهها، وأما ما له لحم منه فهل إشكال، وإن كانت الطهارة لا تخلو من وجه خصوصاً في الحزء، كما أن الأقوى نجاسة الحزء والبول من الطير غير الأكول.

مسألة 2 - لو شك في خروج حيوان أنه من ما كول اللحم أو محرره إما من جهة الشك في ذلك الحيوان الذي هذا خروئه وإما من جهة الشك في أن هذا الحزء من الحيوان الفلاني الذي يكون خروئه نجاشاً أو من الذي يكون طاهراً، كما إذا رأى شيئاً لا يدري أنه بركة رأى أو خنفساء فيحكم بالطهارة، و كذا لو شك في خروج حيوان أنه مما له نفس سائلة أو من غيره مما ليس له لحم كمثال المثلك المتقدم، وأما لو شك في أنه مما له نفس أو من غيره من ذلك إدراك عدم الأكولية فيه إشكال كمتقدم، وإن كانت الطهارة لا تخلو من وجه.

الثالث: البيي من كل حيوان ذي نفس حل أكله أو حرم، دون غير ذي النفس فإنه ماتطاهر.

الرابع: ميئة ذي النفس من الحيوان لما تخلع الحياة، وما يقطع من جسده حياً مما تخلع الحزء عندما ينفصل من بدنه من الأجزاء الصغار، كالبنور والشئول والمشروط و غيرها، و ذكر الجرب و نهوى، وما لا تخلع الحزء كالعظم والقرن والسن والمثاق والطول والشعر واللؤلؤ والبريش طاهر. وكذا البيي من البيي الذي يكتسي القشر الأعلى من ما كول اللحم، بل و غيره، ويحيد مما ذكر الالهما، وهي الشيء الأصغر الذي يبنى به ويكون متجمدًا في جوف كره الحزء والجلد قبل الأكل، وكذا اللبن في الضرع، ولا ينجزان بحله، والأحوج الذي لا يترك اختصاص الحكم بل ينجز ما كول اللحم.
However, as regards the uriné and excrement of animals whose meat is allowed for eating, they are treated as clean.

The same rule applies to the animals who have no spurtling blood or meat, like flies, mosquitoes and the like.

As regards the animals having meat, there is difficulty [in treating their urine and excrement as clean], though cleanliness is not far from being the case, particularly their excrement being treated as clean, in the same way as, according to the stronger opinion, the urine and excrement of birds which are not eaten are treated as unclean.

Problem #2. If a person doubts about the excrement of an animal whether it belongs to an animal whose meat is eaten or it is forbidden, or the doubt may be about the animal being one whose excrement is treated as unclean or clean, in the same way as when a person sees something but he does not know whether it is the excrement of a mouse or cockroach, it shall be declared clean.

The same rule shall apply if a person doubts about the excrement whether it belongs to an animal having spurtling blood or otherwise who has no meat as mentioned in the previous case.

If a person doubts whether the excrement belongs to an animal having [spurting] blood or otherwise, or it belongs to an animal having meat though it is ascertained that it belongs to an animal whose meat is not allowed to be eaten, then there is difficulty in applying the rule to it, though there is some reason to declare it to be clean.

Third. The semen of any animal having [spurting] blood, regardless whether it is allowed to eat its flesh or it is forbidden, except an animal not having [spurting] blood whose semen is treated as clean.

Fourth. The dead part of the body of an animal having spurting blood which was alive before it was separated from its body, or what is chopped off from its body while it was alive, except small pieces separated from its body like the pimples, warts and the crusts which are formed on the lips or the wounds etc. at the time of recovery, or the crusts on the skin of a leper, or the like, as also the other lifeless things like bones, horns, beaks, nails, hooves, hair, wool, fur and feathers are treated as clean.

Likewise, an egg of a dead animal whose meat is allowed for eating which is covered by a membrane, rather the egg of a dead animal whose meat is not allowed for eating [is also treated as clean]. To this is affiliated the fermentative substance for cheese of yellow colour which is found in the stomach of the foetus of sheep before it takes grass, as also the milk in the breast, both of which are not treated as unclean in their place, and what is more cautious which should not be given up is that this rule applies specially to the milk of an animal whose meat is allowed for eating.
مسألة 3: فآرة المسك إن أحرز أنها مما تعله الحياة نجسة على الأقوى لو اتفصلت من الحي أو الميت قبل بلوغها واستقلاها وزوايل الحياة عنها حال حياة الظبي، وفعلى أنها لهذا لابد من لفظها فالأقوى طهارتها، سواء كانت مباني من الحي أو الميت، ومع الشك في كونها مما تعله الحياة محكومة بالطهارة، ومع العلم به والشك في بلوغها ذلك الحد محكومة بالنجاسة، وأما مسكها فلا إشكال في طهارته في جميع الصور إلا فإن شرطه لا يجرب ربطها مما هو محكوم بالنجاسة، فان طهارته حينئذ لا تخلو من إشكال، ومع الجهله بالحال محكوم بالطهارة.

مسألة 4: ما يؤخذ من يد المسلم وسوق المسلمين من اللحم أو الشحم، أو الجلد إذا لم يعلم كونه مسبوقًا بيدالكافر محكومة بالطهارة، وإن لم يعلم تذكيره، وكونه مسبوقًا بيدالكافر كما ما يوجد مطروحًا في أرض المسلمين، وأما إذا علم بكونه مسبوقًا بيدالكافر فإن احتتل أن المسلم الذي أخذه من الكافر قد تفحص عن حاله، وأحرز تذكيرة بل وعمل المسلم معه معاملة الذكي على الأحوط فهو أيضًا محكوم بالطهارة، وأما لو علم أن المسلم أخذه من الكافر من غير فحص للأحوط بل الأقوى وجوب الاجتناب عنه.

مسألة 5: لآخذ لحما أو شحما أو جلدا من الكافر أو من سوق الكافر ولم يعلم أنه من ذي النفس أو غيره كالسمك، وله فهو محكم بالطهارة وإن لم يحرز تذكيره، ولكن لا يجوز الصلاة فيه.

مسألة 6: لآخذ شيء من الكافر أو من سوقهم ولم يعلم أنه من أجزاء الحيوان أو غيره فهو محكم بالطهارة ماله علم بلبلاءاته بالنجاسة السارية، بل يصح الصلاة فيه أيضًا، ومن هذا القبيل الاستمك والشع شملبان من بلدان الكنار في هذه الأزمة عند من لم يطلع على حقيقتها.

الخامس: دم ذي النفس السائقة، بخلاف دم غيره كالسمك والبق
Problem # 3. If it is proved that the bag of the musk deer when it was separated was alive, or if it was separated from a live deer, or from a dead one before its maturity, independenece or deprivation of life from it, while the deer was still alive, according to the stronger opinion, it shall be unclean.

If it reaches the stage when it is indispensabel to eject, then according to the stronger opinion, it shall be treated as clean, regardless of whether it was separated from the deer when the animal was alive or dead.

In case there is doubt about its being alive, it shall be declared clean. But in case there is knowledge or doubt about its reaching that stage, then it shall be declared unclean.

As regards its musk, there is no difficulty in declaring it clean in all circumstances, except when dampness has penetrated into it which is declared unclean, then its being clean is not free from difficulty. In case of ignorance about its actual position, however, it shall be declared clean.

Problem # 4. If meat, fat or skin is obtained from the hands of a Muslim or a market of Muslims, it shall be declared clean if there is no knowledge of its being previously in the hands of an infidel, even if there is no knowledge about the animal having been slaughtered according to the Islamic canonical law (Sharī').

The same rule shall apply to a thing which has been found lying in the lands of the Muslims.

If, however, there is knowledge of the thing being previously in the hands of an infidel, then if there is likelihood that the Muslim who has obtained it has already investigated about its actual position, and that it has already been slaughtered according to the Islamic canonical law, [it shall be declared clean]. Rather, according to the more cautious opinion, if a Muslim has treated it in the way a lawfully slaughtered animal is treated, then it shall also be declared clean. If, however, there is knowledge that the Muslim has taken the thing from an infidel without carrying out due investigation, then, according to the more cautious, rather stronger, opinion, it is obligatory to abstain from it.

Problem # 5. If a person has obtained meat, fat, or skin from an infidel or from a market of the infidels, and it is not known whether it belongs to an animal having spurted blood or otherwise, such as a fish or the like, it shall be declared clean, though it is not ascertained that it had been slaughtered according to the Islamic canonical law, but it is not permissible to offer prayer with it.

Problem # 6. If a person obtains something from infidels or from their market and it is not known that it is from among the parts of body of an animal, or otherwise, it shall be declared clean, as long it is not known that it has associated with some pervading unclean thing. Rather it shall be proper to offer prayer with it. To this category belong rubber and the candles for burning incense imported from the infidel countries these days, while their actual position is not clear.

Fifth. Blood of an animal having spurted blood, contrary to the blood of an animal not belonging to this category, like a fish, mosquito, louse and fleas, which is clean. If there is
ف بيان التجمس والقول والبراغي، فإن طاهر، والشكوك فأنه من أيها محكوم بالطهارة، والأحوروات الاجتناب عن العلة المستحيلة من المني حتى العلة في البيضة وإن كانت الطهارة في البيضة لا تعلو من رجحان، والأقوى طهارة الدم الذي يوجد فيها، وإن كان الأحوروات الاجتناب عنه بلى عن جميع ما فيها، إلا أن يكون الدم في عرق أو تحت جلدة حائطة بينه وبين غيره.

مسألة 7 - الدم المختلف في الذبابة إن كان من الحيوان غير المأكل، فالاحوروات الاجتناب عنه، وإن فهو طاهر بعد قذف ما يعتاد قذفه من الدم بالذبح أو النحر، من غير فرق بين المختلف في بطحها أو في حمها أو عروقها أو قلتها أو كبدها إذا لم ينجس بسماحة كائنة التذكية وغيرها، وهذا المختلف في الأجزاء غير المأكلة وإن كان الأحوروات الاجتناب عنه، وليس من الدم المختلف الظاهر ما يرجع من دم الذبح إلى الجوع لردة النفس أو لكن رأس الذبيحة في علق، والدم الظاهر من المختلف حرام أكمل إلا ما كان مستهلكاً في الأمرات وهيوى، أو كان في اللحم حيث يعد جزء منها.

مسألة 8 - ما شك في أنه دم أو غيره طاهر، مثل ما إذا خرج من الجرح شيء أصغر قد شك في أنه دم أولا، أو شك من جهة الظلامة أوالعمى أو غير ذلك في أن ما خرج منه دم أو قيح، ولا يجب عليه الاستلام، وكتذ ما شك في أنه ما نسي سائلة أولا إلا إذا من جهة عدم العلم بحال الحيوان كالحية مثلاً، أو من جهة الشك في الدم وأنه من الشاة مثلاً أو من السمك، فلو رأى في ثوبه دماً لا يدري أنه منه أو من البق أو البرغوث يحكم بطهارته.

مسألة 9 - الدم الخارج من بين الأنسان نجس وحرام لا يجوز بلعه، ولو استهلك في الريق يطه ويجوز بلعه، ولا يجب تطهير الفم بالمضمضة و نحوه.

مسألة 10 - الدم المنجمد تحت الأظفار أو الجلد بسبب الرض غنيس إذا ظهر باخراق الجلد و نحوه إلا إذا علم استجابته، فلو انخزى الجلد و وصل إليه الماء...
doubt whether it belongs to the animals of the former category or pattern, it shall be declared clean.

It is more cautious to abstain from semen transformed into a blood clot, or the coagulated blood in an egg, though the cleanness of the coagulated blood in an egg is not devoid of preference, and according to the stronger opinion, the blood found inside an egg is clean, though it is more cautious to abstain from it, rather from the entire contents of such an egg, except when the blood lies in a vein or under the skin between the blood and the rest of the egg.

Problem # 7. The blood that remains in an animal slaughtered according to the Islamic canonical law, if it belongs to an animal whose meat is not allowed for eating, it is more cautious to abstain from it; otherwise, it is clean after it has come out of the animal after it has been slaughtered by slitting the throat or piercing a spear, etc. into the neck of an animal [like a camel, etc.], regardless whether it has remained in its stomach, meat, veins, heart or kidney, unless it has not been rendered unclean by any other object like the slaughtering weapon, etc.

The same rule shall apply if the blood has remained in the parts not meant for eating, though it is more cautious to abstain from it.

The blood which returns into the interior of the animal due to swallowing the breath or due to raising the head of the slaughtered animal is not like the clean blood which has remained in the animal.

The clean blood which remains in an animal is not allowed to be eaten, except what has mixed up with the broth, etc., or it has been there in the meat in a way that it is treated as a part of it.

Problem # 8. If there is doubt whether an object is blood or something else, it shall be clean, such as what comes out of a wound, and there is doubt whether it is blood or not. If a person due to darkness or blindness, etc. doubts whether what has come out of a wound is blood or pus, [it shall be clean], and it is not obligatory to make investigation about it.

Likewise, [the same rule shall apply,] if a person doubts whether the blood belongs to an animal having spurted blood or not, due to ignorance about the actual position of the animal, as, for example, a snake, or due to the doubt about the blood, as, for example, whether it belongs to a sheep or a fish.

So, if a person sees blood on his garment, and does not know whether it belongs to himself or a mosquito or a flea, it shall be declared clean.

Problem # 9. The blood that comes out from between the teeth is unclean, and it is forbidden to swallow it. If it is mixed with the saliva, it shall become clean, and it shall be permissible to swallow it, and it shall not be obligatory to cleanse mouth by rinsing.

Problem # 10. The blood coagulated under the nails or skin due to bruise is unclean, if it appears due to splitting of the skin, or the like, except when it is known that it has transformed itself. If the skin has split and water has penetrated into it, it shall be rendered unclean, and it shall be difficult
تنجس، ويشكل معه الوضوء أو الغسل، فيجب إخراجه إن لم يكن حرج، و
معه يجب أن يعقل عليه شيء كالجبنيرة ويسمح عليه أو يتوتاً يغسل بالغمس
في ماء معتصم كالكر والجري، هذا إذا علم من أول الأمر أنه دم منجمد، وإن
احتمل أنه لم صار كالدم بسبب الرض فهو طاهر.

السابع والسادس: الكلب والدنزير البري عينتاً وطىماً، وجميع أجزائها،
و إن كانت ما لا تحل الحياة كالشعر والعظام ونحوها، وأما كلب الماء و
دنزيره فطاهران.

الثامن: المسكر المائع بالأصل، دون الجامد كذلك كالخشيش وإن غلي و
صار مائعاً بالعارض، وأما العصير العنبوي فعالظة طهارته لو غلي بالنار ولم
يذهب ثلاثة، وإن كان حراماً فلا إشغال، والزبيب أيضاً طاهر، والأنفاق
عند حرمه، ولو غلياً بنفسها وصارا مسكتين كا قيل فهما نجسان أيضاً، و
كذا الترزي على هذا الفرض، ومع الشكل فيه يحكم بالظهيرة في الجمع.

مسألة 11 - لا يتأكل الزبيب والتمر إذا غلياً في الدهن أو جعلاً في
الخشيش والطبيخ أو في الأم mamma مطلق، سيا إذا شك في غليان ما في جوعها كا هو
الغالب.

الحادث: الفقاع، وهو شراب شخصي محكم من الشهير غالباً، أما المختذ
من غيره في حرمه، ونحاسه تأمل وإن سمى فقاع، إلا إذا كان مسكراً.

العاشر: الكافر، وهو من اتتحل غير الإسلام، أو اسحله وجد ما يعلمن
من الدين ضرورة، بحيث يرجع جحوية إلى إكثار الرسالة، أو تكذيب النبي
 صلى الله عليه وآله، أو تغيير شريعته المطهرة، أو صدر منه ما يقضي كفره من
قول أو فعل، من غير فرق بين المرتد والكافر الأصلي الحربي والدنزير، وأما
الناشبة والمربت لعنهم الله تعالى فهي نجسان متى فرع ذلك على جحوها
الراجل إلى إكثار الرسالة، وأما الغالي فإن كان غلوه مستلزمًا لانكار الألوهية أو
to perform ablution or ritual bath with that water. It shall be obligatory to remove the blood, if there is no harm in it.

In case the blood is left there, it shall be obligatory to place something like a splint on it, and perform the ritual rubbing on it, or the person should perform ablution or ritual bath by dipping it into a water which is not rendered unclean by touching something unclean like water in a quantity of Kur or running water. This the case when there is already knowledge of its being coagulated blood. But if there is likelihood of its being meat which has turned into the form of blood due to bruise, then it shall be clean.

Sixth and Seventh. A dog and a pig, both belonging to the animals living on land, themselves or their saliva and all their parts of body even those treated as lifeless like hair, bones or the like [are unclean]. But an otter or beaver and sea-pigs are clean.

Eighth. An intoxicant which is by nature liquid [is unclean], excluding the one that is by nature solid like hemp which may temporarily be fermented and consequently become fluid. But the grape juice is apparently clean if it is boiled and its two-third part has not evaporated, though it is forbidden undoubtedly.

Likewise, the juice of raisins is also clean, and according to the stronger opinion, it is not forbidden.

If, however, the grape juice or raisins juice becomes fermented automatically and turns into intoxicants, as mentioned, they shall be unclean [as well as forbidden].

The same rule shall apply to dates juice [with similar supposition].

In case, there is doubt [about their being intoxicant], they shall all be declared clean.

Problem # 11. There is no objection in eating raisins and dates if they become fermented in oil, or they are put generally in a stuffed or cooked food or broth. Particularly when there is doubt about the fermentation of their interior, as is usually the case.

Ninth. Beer, a special drink mostly made of barley [is unclean and forbidden]. But if it is made of any other thing, then there is hesitation in its being forbidden and unclean, even if it is named beer, except when it is intoxicant.

Tenth. An infidel [is also unclean]. He is one who professes a faith other than Islam, or one who professes Islam but renounces what he knows to be among the essentials of faith, in a way that his renunciation amounts to the rejection of prophethood [of Prophet Muḥammad], or denial of the Prophet, Allāh’s Blessings be on him and his Progeny, or censuring his holy Shari’at (canonical law), or he has committed an act, or made a statement which is tantamount to his disbelief (Kufr), regardless of whether he is an apostate or an original Ḥarbī (citizen of a country at war with a Muslim country), infidel or a Dhimmī (a non-Muslim subject of a Muslim country). As regards the Nawāṣib (those who openly disparage Ahl-i Bayt) or Khawārij (those who openly oppose Imām Ali), Allāh’s damnation be upon them, are both unclean without any hesitation, and that is due to their denial amounting to the denial of Prophethood [of Prophet Muḥammad]. As
التوحيد أو النبوة فهو كافر وإلا فلا.

مسألة 12: غير الختام عشرية من فرق الشيعة إذا لم يظهر منهم نص و
معاداة وسبب لسائر الأئمة الذين لا يعتقدون بأمامتهم طهارون، وأما مع ظهور
ذلك منهم فهم مثل سائر النواصب.

الخاضد عشر: إبرة الجلالة، والأقوى طهارة عرق ما عداها من
الحيوانات الجلالة، والأحوض الاجتناب عنه، كما أن الأقوى طهارة عرق الجند
من الحرام، والأحواض التجتبت عنه في الصلاة، وي ينبغي الاحتياط منه مطلق.

القول في أحكام النجاسات

مسألة 3: يشترط في صحة الصلاة والطوارئ واجبها ومندوبها طهارة البدن،
حتى الشعر والظفر وغيرهما مما هو من توابع الجسد واللباس الساطر منه وغيره،
عديما استثنى من النجاسات وما في حكما من المنتجسب بيها، وقيل لها وهم مثل
رأس الإبرة كثيرة عديما استثنى منها، ويشترط في صحة الصلاة أيضاً
طهارة موضع الجبهة في حال السجود دون المواضع الأخرى، فلا بأي بنجامستها
ما دامت غير سارية إلى بدن أو لباسه بنجامسة غير معاوقتها، ويجب ازالة النحاسة
عن المساجد بجميع أجزائها من أرضها وبنائها حتى الطرف الخارج من جدرانها
على الأحوض، كما أنه يحرم تنقيحها، ويعلق بها المشاهد المشرقة والضرائح
المقدسة، وكل ما علم من الشعر وجب تعظيمه على وجه ينافي التنجيس،
كالخزية الخضرية، بل وفترة رسول الله عليه وآله وسلم مماثلة
عليهم السلام، وحصيف الكرم حتى جلده وغلافه، بل وكتب الأحاديث
عن المعصومين عليهم السلام على الأحوض، بل الأقوى للزم آلهك، بل مطلقا في
بعضها، ووجب تطهير ما ذكر كفائي لا يختص بنجاسها، كما أنه يجب
regards the extremists among them, if their extremism necessitates denial of Allāh or His Unity or the Prophethood [of Prophet Muḥammad], they shall be declared infidels; otherwise not.

Problem #12. Those belonging to Shiʿah sects other than the Iltihāb ʿAshārī, as long as there is no display of open opposition or enmity or disparagement of the Imāms in whose Imāmat they do not believe, are clean. But in case of display of open opposition, enmity or disparagement, they shall be similar to other Nawāṣib (those who openly disparage Ahl-i Bayt).

Eleventh. The sweat of a camel eating filth [is unclean], while, according to the stronger opinion, the sweat of other filth-eating animals is clean, though it is more cautious to abstain from it, in the same way as, according to stronger opinion, the sweat of a person who has become polluted unlawfully is clean, though it is more cautious to abstain from him while offering prayer, and caution should be observed from him in all circumstances.

Rules concerning Najāsāt (Unclean Objects)

Problem #1. Cleanliness of the body is a condition in offering prayer or performing circum-ambulation, obligatory or voluntary, including the hair, nails, etc. which are the adjuncts of the body as well as the garments covering the body, etc., except what is excluded from the Najāsāt (unclean objects), or what falls under their category from among the unclean objects, their small ones even if equal to the eye of a needle being like their large ones except what is excluded from them. It is also a condition in the validity of prayer that the place of prostration should also be clean excluding other places, so that there is no harm in their being unclean as long as their uncleanness does not spread unto the body or garments of the person which is not to be excused.

According to the more cautious opinion, it is obligatory to remove the uncleanness from the mosques including all its portions, such as its land and building structure, even the outer sides of the walls, as it is forbidden to pollute them. To them are affiliated the holy shrines and sacred graves, and all those things whose veneration is obligatory in a way to avoid defiling them like the earth of Imām Ḥusayn’s grave, rather the earth of the Prophet’s grave, Allāh’s Blessing be on him and his Progeny, and that of the graves of other Imāms, the Holy Musṭafā [i.e., the Holy Qurʾān] including even its binding cover and outer covering, rather, according to the more cautious opinion, the books containing the Traditions of the [fourteen] Maʿṣūmin (Impeccable personalities), Peace be upon them, or, according to the stronger opinion, if it brings disgrace to them, rather generally in case of some of them.

The cleanness of the objects mentioned is obligatory collectively on all believers and not particularly on one who has defiled them, in the same way as it is obligatory to expedite their cleanness in case of capability. If it requires spending some money, it shall be obligatory to do so. Whether the cost is to be borne by the person who has been responsible for defiling them is a question which is to be reasonably answered in the affirmative.

If the act of cleanness of the mosque requires the excavation of its land or destruction of some of its part, it shall be permissible; rather it shall be obligatory. As regards the liability of the person who has defiled it for the payment of the cost of repair, there is strong support for it. If a
المبادرة مع القدرة على تطهيرها، ولتوقف ذلك على صرف مال وجب، وله يرجع به على من نجسه لا يخلو من وجه، ولتوقف تطهير المسجد مثلاً على حفر أرضه أو تخريب شيء من جمال بل وجب، وفي ضمان من نجسه لخسارة التعمير وجه قوي، ولن أقرأ نجاسة في المسجد مثلاً وقد حضر وقت الصلاة تجب المبادرة إلى ازالتها مقدماً على الصلاة مع سعة وقتها، فلن تركها مع القدرة، وتشتغل بالصلاة عصي، لكن الأقوى صحتها، ومع ضيق الوقت قدمها على الازالة.

مسألة 2 - حصير المسجد وفرشه نفسه المسجد على الأحورات في حرمة تلوثه ووجب ازالتها عنه ولوبقطع الموضع النجس.

مسألة 3 - لا فرق في المسجد بين المعمور والمخروب والمهجر، بل الأحور جريان الحكم في إذا تغير عنونه، كما إذا غصب وجعل دارًا أو خاناً أو دكانًا.

مسألة 4 - لو علم إخراج الوقت بعض أجزاء المسجد عنه لا يلحقه الحكم، ومع الشك فيه لا يلحق به مع عدم أمارة على المسجدية.

مسألة 5 - كما يحرم تنجيس المصحف يحرم كتابته بالمداد النجس، ولو كتب جهلاً أو عمداً يجيب معه في نمحي، وفي غيره كمداد الطبع يجيب تطهيره.

مسألة 6 - من صلي في النجاسة متعمداً بطلت صلاته، ووجب اعادتها من غير فرق بين الوقت وخارجه، والناسي كالعالمة، والجاهل بها حتى فرغ من صلاته لا يعد في الوقت ولا خارجه وإن كان الأحور إعادة، وأما لو علم بها في أثنيان فان لم يعلم بسبيتها وامكنه ازالتها بنزع أو غيرها على وجه لا ينافي الصلاة مع بقاء الستر فعل ومضى في صلاته، وإن لم يكنه استأنفها لكان الوقت واسعاً، إلا فان أمكن طرح الثوب والصلاة عرياناً يصلي كذلك على الأقوى، وإن لم يكن صلي بها، وإذا لو عرضت له في الأثناء، ولو علم بسبيتها وجب الاستئناس مع سعة الوقت مطلقاً.

مسألة 7 - لو انحصر السائر في النجس فان لم يقدر على نزعة لبرد ونحو صل
person finds some unclean object, for example, in a mosque, and the due time of prayer has already reached, it is obligatory on him to expedite its removal before offering prayer, provided that there is ample time for it, so that if he fails to do so, despite his capability, and occupies himself in offering prayer, he shall be considered to have committed a sin, but according to the stronger opinion, his prayer shall be valid. Even in case the time for offering prayer is tight, he shall give priority to the removal of the unclean object [from the mosque].

**Problem # 2.** According to the more cautious opinion, the mats and carpets of the mosque are like the mosque itself as regards the prohibition of defiling them and the obligation of the removal of their uncleanness, even if it requires chopping off the defiled portion.

**Problem # 3.** It makes no difference whether the mosque is in function, ruined or deserted, rather the rule shall also apply when its title is changed, as in case it has been usurped and turned into a residential house, a caravansary or a shop.

**Problem # 4.** It is known that the person making an endowment has excluded some of the parts of the mosque from his endowment, they shall not be governed by the relevant rules. In case of doubt, the place shall not be affiliated to the mosque unless there are clear signs of its being part of the mosque.

**Problem # 5.** As it is forbidden to defile the Musḥaf [i.e. the Holy Qur’ān], it is also forbidden to write it with unclean ink. If a person writes it [with an unclean ink] due to ignorance or deliberately, it shall be obligatory on him to rub off what is possible to be rubbed, and it is obligatory to clean the rest like the printing ink.

**Problem # 6.** If a person offers prayer wearing unclean garments deliberately, his prayer shall be invalid, and it shall be obligatory on him to repeat it, regardless whether there is time left for the prayer or not. As regards a person who offers prayers with unclean garments out of forgetfulness, his case is similar to that of one who does it deliberately. As regards one who does it out of ignorance until he has finished it, he shall not be required to repeat it within the due time or after it, though it is more cautious to repeat it.

If a person comes to realise about the uncleanness during offering the prayer, then if he does not know that it was there even before the prayer, and it is possible to remove it by taking the garments off or in some other way, so that it may not be repugnant to prayer and his privy parts may also be duly covered, he may do it and continue his prayer. If it is not possible to do so, he must offer prayer again [after changing his garments], if there is sufficient time for it. If it is possible to take off the clothes and offer prayer without clothes, according to the stronger opinion he must do so, and if this also not possible, he must offer prayers wearing the unclean clothes. The same rule shall apply if the uncleanness takes place during offering the prayer, and he knew that it was there before offering prayer, it shall be obligatory on him to offer it again, provided that there is ample time for it.

**Problem # 7.** If a person has only an unclean garment for covering his private parts, and he is not able to take them off due to cold or the like, he shall offer the prayer wearing that unclean garment if the time for prayer is too short, or when there is reasonably no likelihood of the removal of the cause for inability, and he shall not be required to offer the prayer again.
في كيفية التنجس

في إن ضاق الوقت أو لم يحتفل احتمالاً عقلاً زوال الدهر، ولا إعادة عليه، و
إنه يحكمه من نزوله فالأخوة إدوان الصلوة عارياً مع ضيق الوقت، بل ومع سعته
لولم يحتفل زوال الدهر، ولا قضاء عليه.

مسألة 8 - لواسته الثوب الطاهر بالتنجس يكون الصلوة فيها مع الأخصار
بها، ولو لم يسع الوقت فالأخوة أن يصلي عارياً مع الامكان ويقضي خارج
الوقت في ثوب طاهر، ومع عدم الامكان يصلح في أحدهما ويقضي في ثوب
طاهر على الأحوط، وفي هذه الصورة لو كان أطراف الشهيرة ثلاثة أو أكثر يكرر
الصلوة على نحو علم بوقعها في ثوب طاهر.

الفول في كيفية التنجس بها

مسألة 1 - لا ينجس الملالي لها مع البيعة، ولا مع النذوة التي لم ينتقل منها
أجزاء بالملاقاة، نفس ينجس الملالي مع بلة في أهدها على وجه تصل منه إلى
الآخر، فلا يكون مجرد يلعب كالزبيـق، بل والذهب والفضة الذائبين لم ينجس
طوية سارة من الخارج، فالذهب الذائب في البوتقة النجسة لا ينجس مالم
تكن طوية سارة فيها أوبه، ولو كانت لا ينجس إلا ظاهره كالألمع.

مسألة 2 - مع الشك في الطوية أو السرية يحكم بعد التنجس، فإذا وقع
الذهب على النجس ثم على الثوب لا يحكم به، لا احتمال عدم تبلل رجله بلبة
تسري إلى ملاقية.

مسألة 3 - لا يحكم بنجاسة شيء ولا بطهارة ما ثبتت نجاسته إلا بالبيشين أو
بأخبار ذا اليد أو بشهادة عدلين، وفي الافتاء بعدد واحد إشكال، فلا يترك
مراعاة الاحتياط في الصورتين، ولا يثبت الحكم في المقامين بالظن وإن كان
فوياً، ولا بالشك إلا في الخارج قبل الاستبارة، وكما عرفته سابقاً
If it is possible to take off the unclean garment, then, according to the stronger opinion, he shall offer the prayer without wearing the clothes, provided that the time for offering prayer is too short, rather even if there is sufficient time for offering prayer while there is no likelihood of the removal of the cause of inability, and he shall not be required to offer compensatory prayer.

**Problem # 8.** If a clean garment becomes suspected with an unclean one, and he has no other clothes, he shall repeat the prayer wearing the same garments. If, however, there is no sufficient time left, then it shall be more cautious to offer prayer without wearing clothes, if possible, and the person shall offer compensatory prayer after the due time wearing clean clothes.

If it is not possible, he shall offer prayer in one of the clothes, and, according to the more cautious opinion, offer compensatory prayer in clean clothes.

If the suspected clothes are three or more in number, the person shall offer prayer in each of them in a way that he may know that he has offered prayer in clean clothes.

**How a Clean Thing Becomes Unclean**

**Problem # 1.** A clean object does not become unclean if it touches an unclean object provided that both are dry.

Nor does a clean object become unclean if it touches an unclean object despite their being wet, provided that the unclean wet object does not transfer some of its contents into the clean object.

Of course, the clean object becomes unclean if either of them is wet in a way that its wetness reaches the other object.

So it is not sufficient for a thing to be fluid like quicksilver, rather even melted gold or silver unless some wetness does not reach it from outside. Thus the melted gold in an unclean crucible shall not become unclean, unless there is some pervading wetness in the crucible or in the gold.

Even if there is some pervading wetness in either of them, it will not defile the gold except its apparent portion, as is the case with a solid object.

**Problem # 2.** If there is doubt about wetness or its being pervading, verdict shall be given in favour of absence of uncleanness. So if a fly sits on an unclean object and then on a garment, the garment shall not be declared unclean due to the likelihood of the wetness in the feet of the fly not reaching the garment.

**Problem # 3.** No verdict as to the cleanness or uncleanness of an object shall be given unless its uncleanness is established with certainty or by the information given by the person in whose hands it is, or by the testimony of two just witnesses. There is difficulty in accepting the testimony of a single witness as sufficient. So caution must not be given in both the cases. So also in both cases, a judgement shall not be established by means of mere conjecture, even if it is strong. Nor is it established by doubt, except in case of what comes out before *Iṣṭibrā‘*, as has been understood before.
مسألة 4 - العلم الاجمالي كالتفصيلي. إذا علم ببنجاسة أحد الشيئين يجب الاجتناب عنها، إلا إذا لم يكن أحدهما قبل حصول العلم معاً لا بلائه، فلا يجب الاجتناب عنها هو محل إبطلانه، وفي المسألة إشكال وإن كان الأرجح بالنظر ذلك، وفي حكم العلم الاجمالي إظهار بالإجال إذا وقعت على موضوع واحد، وأما إذا لم ترد الشهادة عليه ففي إشكال، فلا يترك الاحتياط فيه، وفيا إذا كانت الشهادة بنحو الإجال حتى لدى الشاهدين.

مسألة 5 - لو شهد الشاهدان بالنجاسة السابقة وشك في زوالها يجب الاجتناب.

مسألة 6 - المراد بذي اليد كل من كان مستوثياً عليه، سواء كان بملك أو إجازة أو إعادة أو أمانة بل أو غصب، إذا أخبرت الزوجة أو الخادمة أو المملوكة ببنجاسة ما في يدها من ثياب الزوج أو المولى أو ظروف البيت كن في الحكم بالبنجاسة، بل و إذا إذا أخبرت المرتبة للطفل بنجاسته أو نجاسة ثيابه، نعم يستثنى من الكلية المتقدمة قول المولى بالنسبة إلى عبده، فإن في اعتبار قوله بالنسبة إلى نجاسة بدن عبده أو جاريته ولباسها الذي تحت يديها إشكالاً، بل عدم اعتباره لا يخلو من قوة خصوصاً إذا أخبراً بالظهارة، فإن الأقوى اعتبار قوله لا قوله.

مسألة 7 - لو كان شيء بيد شخصين كالمشريدين يسمع قول كل منهما في تجاسته، ولو أخبر أحدهما ببنجاسة والآخر بظهارة تسقط، كنا أن البيئة تسقط عند التعراض، و تقدم على قول ذي اليد عند التعراض، هذا كله ولم يكن إخبار أحد الشريدين أو إحدى البيتين مستندًا إلى الأصل والآخر إلى الوجدان، وإلا فيقدم ما هو مستند إلى الوجدان، فلو أخبر أحد الشريدين بالظهارة أو النجاسة مستندًا إلى أصل و الآخر أخبر بخلافه مستندًا إلى الوجدان يقدم الثاني، وكذا الحال في البيئة، و كذا لا تقدم البينة المستندة إلى الأصل على قول ذي
Problem # 4. A brief knowledge is like a detailed knowledge. So if there is knowledge about the uncleanliness of one of two objects, it is obligatory to abstain from both, except when one of them has not been subject to suspicion before obtaining knowledge, in which case it is not obligatory to abstain from the object subject to suspicion, but there is difficulty in accepting this opinion, though in our view this one is preferable.

Brief knowledge is like brief testimony if it relates to a single subject. If there is no testimony in its favour, there shall be difficulty in accepting the opinion, and so caution should not be given up in it, or in what there is testimony in a brief way, even in the presence of two witnesses.

Problem # 5. If two witnesses have given testimony in favour of prior uncleanliness (of an object), but a person has doubt about its removal, it shall be obligatory on him to abstain from it.

Problem # 6. A person in whose hand an object exists means any person in whose charge it is, regardless whether it is by ownership, rent, loan, trust rather even by usurpation. So if the wife, maid servant or slave-girl informs about the uncleanliness of what she has in her hand, like the clothes of the husband or master or the utensils of the house, it shall be sufficient for declaring the object unclean.

The same rule shall apply if the governess of a child informs about the uncleanliness of the child or its clothes.

The statement of a master about his slave is, however, an exception to this preceding general rule. So there is difficulty in accepting the statement of a master regarding the uncleanliness of the body of his slave, or slave-girl or the clothes in their possession, rather its unreliability is not free from force, particularly when both of them inform about cleanness, so that according to the stronger opinion, their statement shall be reliable but not of the master.

Problem # 7. If an object is in the hands of two persons like partners, the statement of each of them regarding its uncleanliness shall be acceptable. If, however, one of them says that the object is unclean while the other says that it is clean, the statements of both of them shall be dropped, in the same way as the testimony of two witnesses is dropped when they contradict each other.

In case of contradiction, the testimony by two just witnesses shall be preferred to the statement of the person in whose hands the object lies. This is all when the information of one of the two partners or one of the testimonies is not based on principle, and the other on conscience, otherwise the one based on conscience shall be preferred. So if one of the partners informs about the cleanness or uncleanliness of an object based on principle, while the other contrary to it based on conscience, the latter shall be preferred.

The same rule shall apply in case of testimony.

Likewise, the testimony based on principle shall not be preferred to the statement of the person in whose hands the object lies.
لا فرق في ذي اليد بين كونه عادلاً أو فاسقاً، و في اعتبار قول الكافر إشكال، وإن كان الأقوى اعتباره، لا يبعد اعتبار قول الصبي إذا كان مراهقاً، بل يراعي الاحتياط في الميزانى المراحيق أيضاً.

مسألة 9: المنجس منجس مع قلة الواسطة كاثنين والثلاث فيا زادت على الأحور، و إن كان الأقرب مع كثرتها عدم المنجس، والأحور إجراء أحكام النجس على ما تنجس به، ففيلك الملاقي لملقي البول مرتين، و يعمل مع البناء الملاقي للإنسان الذي وقع فيه الكلب في التطهير مثل ذلك البناء خصوصاً.

إذا صب ماء الولوغ فيه، فجمع تعميره على الأحور.

مسألة 10: ملاحظة ما في الباطن بالنجاسة التي في الباطن لا ينجس فيها النخامة إذا لاقت الدم في الباطن وخرجت غير متلفة به طاهرة، نعم لو أدخل شيء من الخارج ولا قون النجاسة في الباطن فالأحور الاجتياح عنه، و إن كان الأقوى عدم ليومه.

القول فيما يعنى عنه في الصلاة

مسألة 1: ما يعني عنه من النجاسات في الصلاة أمر: الأول - دم الجروح و القروج في البدن واللباس حتى تبرأ، والأحور إزالته أو تبدل ثوبه إذا لم يكن مشقاة في ذلك على النوع، إلا أن يكون حرجاً عليه، فلا يجب بمقدار الخروج عنه، فالذي في العفو أحد الأمرين: إما أن يكون في التطهير والتبادل مشقاة على النوع فلا يجب مطلقاً، أو يكون ذلك حرجاً عليه مع عدم المشقاة النوعية، فلا يجب بمقدار التخلص عنه، و كون دم البوسيرا منها وإن لم يكن قرحة في الخارج و كذا كل قروح أو جرح باتني خرج دعنا إلى الخارج لا يخلو من قوة.
Problem # 8. It makes no difference whether the person in whose hands an object lies is morally sound (Ādil) or profligate. There is difficulty in accepting the statement of an infidel as reliable, though, according to the stronger opinion, it is reliable.

It is not far from being likely to treat the statement of a child as reliable, when he is adolescent; rather caution must also be observed in case of a discreet child who is not adolescent.

Problem # 9. A defiling object is defiling when there are a few intermediaries like one or two, while if the intermediaries are more, according to the cautious opinion, it shall still be a defiling object, though, according to the opinion closer to traditional authority, in case of their being numerous, it shall not be so. It is more cautious to apply the rule relating to unclean object to one defiled by such object, so that a thing which has touched a thing defiled by urine shall be washed twice. So also a utensil which touches a utensil licked by a dog shall be treated like the latter, as regards the act of cleanliness, particularly when the saliva of the dog has fallen into it, so that it is obligatory to rub it with earth.

Problem # 10. If a thing touches some unclean thing within the body, it is not rendered unclean. So if phlegm touches blood within the body and comes out without being stained by blood, it is clean.

Of course, if something enters from outside and touches an unclean object within the body, then it is more cautious to abstain from it, though, according to the stronger opinion, there is no necessity to do so.

Chapter Concerning the Unclean Things which are Excused in Prayers

Problem # 1. Following unclean things are excused in prayers.

First. The blood of wounds and abscesses on the body or garments until their recovery. It is more cautious to remove the uncleanliness or change the garments in case there is no trouble generally for the people in it, except when it is troublesome. So it is not obligatory to the extent that he may be free from the trouble.

The criterion in the excuse are two things:

Either there is trouble generally for the people in cleaning or changing the garments, then it shall not be obligatory absolutely.

Or it is troublesome particularly for the person, though it may not be so generally for the people, in which case it is not obligatory on him to the extent that he may be free from the trouble.

Similar is the case with the blood of piles, though there may not be an abscess outside.

Similarly, all internal abscesses and wounds whose blood comes out are not devoid of force.
الثاني: الدم في البدن واللباس إن كانت سعته أقل من الدرهم البغي، لم يكن من الدماء الثلاثة: الحيض والنفس والاستحضاء، ونحو الين والملحة، على الأحواط في الاستحضاء ما بعدها، وإن كان العفوعاً بعدها لا يخلو من وجه، بل الأولى الاجتناب عياً كان من غير ما كُول اللحم، وعلماً كانت سعة الدرهم البغي غير معلومة يقتصر على القدر المتبقي و هو سعة فقد السبابة.

مسألة 2 - لو كان الدم متفرقاً في الشبا والبدن لوحظ التقدير على فرض اجتماعه، فيدور العفو مداره، ولكن الأقوى العفو عن شبه النضج مطلقاً، ولو تفسى الدم من أحد جانبي الثوب إلى الآخر فهو دم واحد، وإن كان الاحتفاظ في الثوب الغليظ لا ي ينبغي تركه، وأما مثل الظهارة والبطانة والملفوف من طيات عديدة و نحو ذلك فهو متعدد.

مسألة 3 - لو شك في الدم الذي يكون أقل من الدرهم أنه من المستثنيات كالدماء الثلاثة أولاً؟ حكم بالعفوعه حتى يعلم أنه منها، ولوبان بعد ذلك أنه منها فهو من الجاهل بالنجاسة على إشكال و إن لا يخلو من وجه، ولو علم أنه من غيرها و شك في أنه أقل من الدرهم أم لا الأقوى العفوعه، إلا إذا كان مسبوقاً بكونه أكثر من مقدار العفو و شك في صيرورته بقداره.

مسألة 4 - المتنجس بالدم ليس كالدم في العفوع إلا إذا كان أقل من الدرهم، ولكن الدم الأقل إذا أزيل عنه بيتي حكه.

الثالث - كل ما لا يتم فيه الصلاة منفرداً كالتكية والجورب و نحوها، فإنه معفو عنه لوكان متنجساً ولو بنجاسة من غير ما كُول اللحم، نعم لا يعني عياً كان متخذاً من النجس كجزء ميتة أو شعر كلب أو خنزير أو كافر.

الرابع: ما صار من البواطن والتوابع كالميتة التي أكلها، والحمر التي شربها، والدم النجس الذي أدخله تحت جلده، والحيط النجس الذي خاط به جلده، فإن ذلك معفونه في الصلاة، وأما حمل النجس فيها فالاحواط الاجتناب.
Second. The blood on the body or garments, if, widthwise, it is smaller than the Baghaly Dirham, but not menstrual, puerperal or 

Istihāḍah blood, or the blood of the unclean things which cannot be cleaned (Najis al-ʾain) or of a carcass.

The blood of Istihāḍah and the subsequent two bloods are included by way of being more cautious, though the excuse for blood of the two things subsequent to Istihāḍah is quite reasonable; rather it is better to abstain if the carcass belongs to an animal whose meat is not allowed for eating.

Whenever the width of Baghaly Dirham is not known, it is better to confine it to the certain extent, and that is the width of the joint of the index finger.

Problem # 2. If the blood is scattered on the garments and body, its amount shall be estimated together, and that shall be the basis for its excuse, but, according to the stronger opinion, it is to be excused even if it is sprinkled generally.

If the blood has spread from one side of the garment to the other, it shall be treated as a single blood, though caution should not be given up in a thick cloth.

As regards the upper and lining and the thing which is wrapped in many folds, or the like, they shall be counted separately.

Problem # 3. If a person doubts whether a blood which is less than a Dirham (in width) is among the exceptions like the three categories of blood [namely, menstrual, puerperal and Istihāḍah blood] or not, it shall be declared to be excused as long as it is not known whether it is of the same category.

If, subsequently, it transpires that it was included in the exceptions, the person shall be considered to be ignorant of the unclean objects, though there is difficulty in accepting it, even if it is not devoid of significance.

If, however, it transpires that it was otherwise, and he doubts whether it is less than a Dirham or not, then, according to the stronger opinion, it shall be excused, except that it was formerly more than the excusable amount, and the person doubts whether it has reached that amount.

Problem # 4. An object which is turned unclean by blood is not identical with blood as regards its being excusable, in case it is less than a Dirham, but if the blood is removed, its place shall be governed by the rule of excusability.

Third. Everything without which prayer cannot be offered like waistband, or socks, or the like is excused even if it is unclean, though it is defiled by some unclean object belonging to an animal other than one whose meat is allowed for eating.

Of course, it shall nor be excused if it is made of an unclean object like a piece of a carcass, hair of a dog, pig or an infidel.

Fourth. Everything that has become a part of the internal limbs and their accessories [after having been digested] like the meat of a dead body which a person has eaten, the wine he has drunk, the unclean blood which has reached under his skin, or the unclean thread with which he has stitched his skin is excused in offering prayers. But, according to the more
في المطهرات وكيفية التطهير

عليه خصوصاً الميتة، وكذا المحمول المنتجس الذي يتم فيه الصلاة، وأما مالاً يتم فيه الصلاة مثل السكين والدراهم فالأخير جواز الصلاة معه.

الخامس - ثوب المربعة للطفل إذا كانت أو غيرها، فإنه معقوف عنه إن تنفس ببوله والأحوات أن يغسل كل يوم لأول صلاة ابتليت بنجاسة الثوب، فتصلي معه الصلاة بظهراً، ثم تصل في بقية الصلاة من غير نزوم التطهير، بل هو لا يخلو من وجه ولا يعتدي من البول إلى غيره ولا من الثوب إلى البدن، ولا من المربعة المربعة، ولا من ذات الذهب الواحد إلى ذات الثياب المتباعدة مع عدم الحاجة التي يسهم جياعاً ولا كانت كذلك نجاسة الثوب الواحد.

فصل في المطهرات

وهي أحد عشر: أوها - الماء، ويظهر به كل متنجس حتى الماء كما تقدم في فصل الحياة وقد مر كمية تطهيره به، وأما كمية تطهير غيره يعرف في الكهف في المطر استيلاهه على المنتجس بعد زوال الصف وعدد التغريق في الولوغ، وكتاب في الكهف والجهاز، إلا أن الأحوة لا يقبل العصر اعتباره أو اعتبار ما يقوم مقامه من الشرط والجهاز وتعوياً حتى مثل الحركة العنيفة في الماء حتى تخرج الماء الداخلي، ولا يفرق بين أنواع النجاسات وأصناف المنتجسات سوى الأتاه المتباعدة بالبول أو بشر الخنزير أو موت الجزع، فإن الأحوة تطهيره بها كتطهير بالقليل، بل الأحوة الأولى تطهير مطلق الأتاء المنتجس كالتطهير بالقليل، وإن كان الأتاء كافية المرة فيه، واما غيره فيظهر مالاً ينفد فيه الماء والنجاسة بجرد غمسه في الكر أو الجزار بعد زوال عين النجاسة وزيادة المنع لو كان، والذي ينفد فيه ولا يمكن عمره كالكوز والكشر والصابون وتعوياً يظهر ظاهره بجرد غمسه فيها، وباطنه ينفد الماء المطلق فيه بحيث يصدق أنه
cautious opinion, he should abstain from keeping an unclean thing, particularly a carcass with himself.

The same rule shall apply to the unclean substance with which prayer can be offered.

As regards the objects with which prayer cannot be offered like a knife and Dirhams, according to the stronger opinion, it is permissible to offer prayer with these articles.

Fifth. The clothes of the governess of a child, regardless whether she is the child’s mother or some one else, are excused in offering prayer, even if it is defiled by the child’s urine. It is more cautious, however, for her to wash them every day for the first prayer during whose time her clothes have been defiled [by the child’s urine], and so offer it with the clean clothes. Then she may offer prayers with the same clothes without there being any necessity for cleaning them; rather it is not devoid of significance.

This rule, however, does not extend to case of other than [the child’s] urine, nor from the clothes to the body, or from the governess to the male caretaker [of the child], or from one having a single garment to one having several garments without needing to wear all of them; otherwise, they shall fall under the category of one having a single garment.

Chapter Concerning Things that Clean Other Things (Mutahhirât)

There are eleven things that clean other unclean things.

First: Water. It cleans every unclean thing, even water itself, as mentioned under the Chapter on Water. Its procedure has already been mentioned.

As regards the process of cleaning other things, in case of rain water it is sufficient to let it reach all the parts of the unclean object after removing the unclean substance itself and after rubbing with earth, if the object has been licked by a dog.

The same rule applies in case of water upto the quantity of Kur as well as running water. Otherwise, according to the more cautious opinion, in case of objects which can be squeezed, it is a condition to squeeze it, or do something which may take its place like rubbing, and dipping or the like, even shake it so hardly that the water inside it may come out.

There is no difference in the kinds of uncleanness and the unclean objects except the utensils which have been licked by a dog or a pig or in which a large size rat has died in it, in which case, according to the more cautious opinion, cleaning it in a waterupto the quantity of Kur or running water is similar to cleaning it in a little water, rather, it is more cautious to clean every unclean utensil like cleaning with little water, though it is preferable to dip the utensil in it once.

In case of other unclean objects, however, in which the water and uncleanness cannot penetrate, it is sufficient only to dip the objects into the water up to the quantity of Kur or running water after removing the uncleanness itself or the obstacle, if any.
لا يمكن نفوذ الرطوبة، وحقق ذلك في غاية الأشكال، بل الظاهرة عدم تحقيقه إلا نادرًا، ومع الشكل في تحقيقه بأن يشكو في النفوذ أو في حصول الغسل بهحكم بقاء التجاسة، نعم مع القطب بها والشلك في بقاء إطلاق الماء يحكم بالطهارة، هذا بعض الكلام في كيفية التطهير بالكر والجاري، وسنذكر بعض ما يتعلق به في طبيّ المسائل الآتية.

وأما التطهير بالقليل فالتنجس بالبول غير الآنية يعتبر فيه التعدد مرتين والأحوض كونه غير غسلة الأزالة، والتنجس بغير البول إن لم يكن آنية يجزي فيه المرارة بعد الأزالة، ولا يكون بما حصل به الأزالة، نعم يكفي استمرار إجراء الماء بعدهما، ويعتبر في التظاهر به انفصال غسلة، ففي مثل التفاصيل ما يمكن في الماء ويلقب العصر لأذى أو ما يقوم مقامه، وفيه لا ينفث فيه الماء وإن نفثت الرطوبة كالصابون والحبوب ولا يقبل العصر يظهر ظاهره بإجراء الماء عليه، ولا يضر به بقاء نجاسة البطن، ولا يظهر البطن تبعاً للظاهر.

وأما الآنية فان تنجس بالبول الكلب فيما ما من ماء أو غيره ما يتحقق معه اسم الوذمة غسله ثلاثاً، أو ليشين بالتراب أي التغيف به، والأحوض اعتبار الطهارة فيه، ولا يظلمه من مقامه، ولو عند الاضطراب، والأحوض في الغسل بالتراب مسمح بالتراب الخالص أولاً ثم غسله بوضع ماء عليه بحيث لا يخرجه عن اسم التراب، ولا يترك الاحتياط بالحائق مطلق مباشته بالفم، كالطع وتحوة والشرب بلا وذمة وباشرة لعابه بلا وذمة، ولا يلحق به مباشته بسائر أعضائه على الأقوى، والاحتياط حسن.

مسألة 1- لو كانت الآنية المنتجة بالبول مما يتعرّف تعرفها بالتراب بالنحو المتعارف لضيق رأسه أو غير ذلك فلا يسقط التغيف بها يمكن، ولو بوضع خرقة على رأس عود ودخالها فيها وحركتها تحريكًا عمنيًا ليحصل الغسل بالتراب والتدوير، وتحصول بدخال التراب فيها وحركتها تحريكًا عمنيًا تأمل، ولو
In case of the unclean objects, which cannot be squeezed, like small jug of clay or wood, soap cake, or the like, their apparent part is cleaned by only dipping them in a Kur or running water, but their interior can only be cleaned by pure water reaching inside them in a way that it may be considered to have cleaned their interior. But cleaning interior of such objects is extremely difficult, rather apparently it takes place, but rarely. In case there is doubt about the penetration [of the uncleanness or water] or the cleaning having taken place, verdict shall be given in favour of continuance of uncleanness. In case of achievement of certainty [about the penetration of water and ultimate cleanness], but there being doubt about the water remaining pure, verdict shall be given in favour of cleanness of the objects. These are some issues relating to Kur and running water, and some more of them shall be mentioned under the following problems.

As regards cleaning with a small quantity of water, in case an article other than a utensil has been defiled by urine, it is a condition that it should be washed twice, but according to the more cautious opinion, this should be done after removing the urine.

In case an article has been defiled by something other than urine, provided that it is not a utensil, it is sufficient to wash it only once after removing the unclean substance. But it is not sufficient to wash with what the uncleanness has been removed. Of course, after removing the unclean substance, it is sufficient to wash the article with the little water only once. In cleanliness, it is a condition that the cleaning agent (Ghassālah) should be separated [from the cleaned object]. In case of objects like clothes in which water penetrates and they can also be squeezed, separation of the ghassālah should take place by squeezing or the like.

In case of objects in which water does not penetrate, though moisture does, like soap cakes and grains, which cannot be squeezed, their exterior is cleaned by pouring water on them, while it is not harmful if their interior remains unclean, as it cannot be cleaned like their exterior.

As regards a utensil, if it is defiled as a result of licking by a dog, when containing water or anything else which can be licked, it shall be washed thrice, first by rubbing earth. According to the more cautious opinion, it is a condition that the earth must be clean. Nothing takes the place of earth, even in case of emergency.

While washing a utensil with earth, it is more cautious first to rub the utensil with pure earth, then it should be washed by pouring water on it in that way that it should not cease to be called earth. Caution should not be given up by affiliating the dog's touching the utensil with his mouth in any way with the rule relating to licking like licking with the tongue or the like, drinking without licking and throwing saliva without licking, but, according to the stronger opinion, if the dog touches the utensil with any other part of its body, it would not be affiliated with the act of licking. Anyhow, caution is more advisable.

**Problem #1.** If a utensil has been defiled as a result of the licking by a dog, but it is not possible to rub it with earth in the usual manner due to the utensil's mouth being too narrow, etc., even then rubbing by earth in any way shall not be dropped, whether it is through wrapping a piece of cloth on the top of a stick and entering it into the utensil and shaking it hardly, so that washing it with the earth and water may be materialised. But if earth is put
شَكِ في حصوله يحكم ببقاء النجاسة كما لو فرض التغذير أصلاً بقيت
على النجاسة، ولا يسقط التغذير بالملاء الكثير والجاري والمطر، ولا يترك
الاحتفاظ بالعديد أيضاً في غير المطر، وأما فيه فلا يحتاج إليه.

مسألة ۲ - يجب غسل الأناة سبعاً لموت الجرذ وشرب الحنزي، ولا يجب
التعفير نعم هو أحوط في الثاني قبل السبع، وينبغي غسله سبعاً أيضاً لموت
الفأرة وشرب النبيذ بالملام السكر فيه، ومباشرة الكلب فإن لم يجب ذلك
وإذا واجب غسله بالقليل ثلاثاً كسائر النجاسات.

مسألة ۳ - تظهر الأولى الصغراء والكبيرة ضيقة الرأس وواسعة بالكثير
والجاري واضح بأن توضع فيه حتى يستولي عليها الماء، ولا ينبغي ترك
الاحتفاظ بالتثيث كذلك، واما بالقليل فبالماء فيها وإدارته حتى
يستوجب جميع أجزائها بالإجراء الذي يتحقق به الغسل ثم يراق منها، يفعل بها
ثلاثة، والأححوط الفورية في الإدارة عقب الصب فيه، والافراح عقيب الإدارة
على جميع أجزائها، هذا في الأولي الصغراء والكبيرة التي ينكم فيها الإدارة
والافراح عقيةها، وأما الأولي الكبار المشتية والحيض ونحوها فتظهرها باجراء
الماء عليها حتى يستوجب جميع أجزائها، ثم يخرج حينئذ ماء الفضالة المجتمع في
وستها مثل بئر وغيرة، من غير اعتبار الفورية المزورة والأححوط اعتبار تظهر
آلة الننز إذا أريد عودها إليه، ولا يتأصر فيه حال النزح وإن كان
الأححوط خلافه.

مسألة ۴ - لو تنجز التنوريطه بصب الماء على الموضع النجاس من فوق ال
تحت، ولا يحتاج إلى التثيث، فصب عليه مرتين في التنجس بالبول ويكفي مرة
في غيره.

مسألة ۵ - لو تنجز ظاهر الأرز والباسحوه يجعلها في شيء ويفتم في
الكر أو الجاري فيطهر، وكن يظهر باجراء الماء القليل عليها، وإن نفذ فيها
into the utensil and it is shaken heavily, there would be difficulty [in accepting it as sufficient]. If there is doubt in obtaining the desired result, verdict shall be given in favour of its being unclean, in the same way as had it not been possible to clean the utensil in any way, it would have remained unclean.

The condition of rubbing with earth is not dropped even by washing the utensil with water in a large quantity or running or rain water.

Caution must also not be given up by washing the utensil several times if it is washed with water other than rain water. Therefore, if it is washed in rain, there shall be no need to wash it several times.

**Problem # 2.** It is obligatory to wash the utensil seven times if a large rat dies in it or a pig drinks something kept in it, but it is not obligatory to rub it with earth. Of course, it is more cautious to do so in the latter case before the utensil is washed seven times.

A utensil must also be washed in case a mouse dies in it, or wine or any kind of intoxicant is drunk in it, or a dog touches it, though it is not obligatory. But it is obligatory to wash the utensil thrice, as in all other cases of uncleanness.

**Problem # 3.** Cleaning of the big or small utensils with narrow or wide mouth with water in large quantity or running water is quite clear, so that the utensil is placed in the water till water reaches it in its entirety, and caution must not be given up by doing so thrice.

As regards washing the utensils with water in a small quantity, water is poured into it and it is shaken until water reaches it in its entirety in a way it may be called an act of washing. Then it is poured out. This act is repeated thrice. It is more cautious to shake the utensil immediately after pouring water into it, and as soon as the water reaches the utensil in its entirety, it may be poured out. This applies to all big and small utensils which can be shaken and from which water may subsequently be poured out.

As regards the big containers which are fixed, pools, or the like, their cleaning is carried out by pouring water in their entirety, and then the water for washing which has gathered in their middle is pulled out by scoops, etc., without there being any condition of immediacy as mentioned in the previous case. It is more cautious to wash the scoop every time it is thrown again to pour out the water, but there is no harm in the drops of water which fall during the process of pouring out the water, though the contrary would be more cautious.

**Problem # 4.** If the oven becomes unclean, it is cleaned through throwing down water on the unclean portion from above, but it is not necessary to repeat this act thrice. The water is thrown on it twice in case it is rendered unclean by urine, while it is sufficient to throw water into it only once in other cases.

**Problem # 5.** If the exterior of rice, lentils or the like is soiled, it is placed in some thing and dipped in Kur or running water and is thus cleaned. Likewise, it is cleaned by pouring water in a small quantity on it. If, however, the uncleanness has penetrated into it, then cleaning it with water in small quantity is not possible, and so is the case with Kur or running water.

It is not far from being likely to clean a jug made of unclean clay by placing it in a Kur or running water until water penetrates into all its pores, while it is not necessary to dry
البطولة النجسة فتطهيرها بالقليل غير ميسور، وكذا في الكر والجار. نعم لا يبعد إمكان تطهير الكوز الذي صنع من الطين النجس بوضعه في الكثير أو الجدار إلى أن ينفذ الماء في أعمقه، ولا يحتاج إلى التجفيف، ولا ينفك في وصول الماء يتحويصق عليه الغسل في أعماقه يتحم بقاء نجاسته.

مسألة 6 - اللحم المطبوخ بالماء النجس يمكن تطهيره بالكثير والقليل لوصف عليه الماء ونذف فيه إلى المقدار الذي نفذ فيه الماء النجس مع بقاء إطلاقه و إخراج الغسالة، ولوشك في نفوذ الماء النجس إلى باطنه يكفي تطهير ظاهره.

مسألة 7 - لو غسل ثوبه النجس ثم رأى فيه شيئاً من الأشياء ونحو فان علم بعدم منه عن وصول الماء إلى الثوب فلا إشكال، وفي الاكتفاء بالاحتمال إشكال، بل في الحكم بظهارة الأشياء لأبد من العلم بانغسالة، ولا يكفي الاحتمال على الأحوط.

مسألة 8 - لو أكل طعاماً نجساً في أبيع منه بين أسانه باء على نجاسه وتطهير القمامة مع مراعاة شروط التطهير، وأما لو كان الطعام طاهراً وخرج الدم من بين أسانه فان لم يلقه الدم وإن لإقاها الريق الملاقى له فهو طاهر، وإن لاقاه فالإحصوات الحكم بنجاسه.

ثانيته - الأرض، فإنها تطهير ما يمسها من القدم بالمشي عليها أو بالمسح بها بنحو يزول معه عين النجاسة إن كانت، وكذا ما يوقبه القدم كالنعل، ولو فرض زواحله قبل ذلك كنف في التطهير حينئذ المساسة على إشكال، والأحصوات أقل من المسح أو المشي حينئذ، كأن الأحصوات قصر الحكم بالظهارة على ما إذا حصلت النجاسة من المشي على الأرض النجسة، ولا فرق في الأرض بين التراب والرمل والحجر أصلياً كان أو مفروشاً عليها، ولحق بها المفروشة بالآخر والجنس على الأقوى، بخلاف المطلية بالกรณية والمفروشة بالخشبة، ويعتبر جفاف الأرض وظهارتها على الأقوى.
it up. If there is doubt about the penetration of water into it pores in a way that even its pores may be considered to have been washed, verdict shall be given in favour of its being still unclean.

**Problem # 6.** Meat cooked with unclean water may be cleaned in water in a large or small quantity if water is poured on it, and it penetrates into it in the same quantity as the unclean water had penetrated into it, provided that the water remains pure, and the cleaning water is also poured out. If it is doubted that the unclean water has penetrated into its interior, it is sufficient to clean its exterior.

**Problem # 7.** If a person washes his unclean garment, and then watches on it some thing like saltwort or the like, then if he knows that it is not an obstacle in the water reaching the garment, there shall be no harm, but there is difficulty in accepting likelihood as sufficient; rather the verdict in favour of cleanliness of the saltwort can be given indispensably if there is knowledge of its having been washed, and, according to the more cautious opinion, mere likelihood shall not be sufficient.

**Problem # 8.** If a man eats an unclean food, whatever remains in his teeth shall be unclean, and it can be cleaned by rinsing by means of observing the conditions of cleanness.

If the food was clean, but blood has come out from between his teeth, and it has not reached the food, though after touching the blood the saliva has reached the food, the food shall still be clean. If, however, the blood has touched the food, it would be more cautious to declare the food unclean.

**Second : The Land.** It cleans that part of foot which touches it while walking on it, or by rubbing with it in a way that the actual uncleanness, if any, is removed.

The same rule applies to what protects the feet like shoes.

If suppose the uncleanness is removed before (touching or rubbing against the land), there is difficulty in accepting the uncleanness merely through touching the land. It is more cautious that the minimum what may be called rubbing or walking should take place, in the same way as, according to the more cautious opinion, at the time of cleaning the land, the rule is confined to that part of land which has been rendered unclean as a result of walking on unclean piece of land.

There is no difference whether the land is originally soil, sand or stone, or it is carpeted.

According to the stronger opinion, with this is affiliated a land paved with bricks and gypsum, contrary to the land coated with tar or covered with wood.

According to the stronger opinion, it is also a condition that the land must be dry and clean.
ثالثها: الشمس، فإنها تظهر الأرض وكل ما لا ينقل من الأنبيئة، وما
تصل بها من الأخشاب والأبواب والأعتاب والأووان تحتاج إليها في البناء
المستخدمة فيه، لا مطلق ما في الجدار على الأحوج، والأشجار والنباتات والثمار
والخضراوات وإن حان قطفها، وغير ذلك حتى الأواني المثبتة، وکذا
السفن، ولكن لا تخلو الأشجار وما بعدها من الأشكال وإن لا تخلو من قوة
ولا يترك الاحتياط في الطرادة، وكذا العربية وخواها، والأقوية تظهرها للحصير
والنواري، ويعتبر في طهارة المذكورات و نحوها بالشمس بعد زوال عين النجاسة
عنها أن تكون رطبة رطوبة تعلق باليد ثم تجففها الشمس تجفيفاً يستند إلى إشراقها
بدون واسطة، بل لا يعد اعتبار البيس على النحوالزبور.

و يظهر باتن الشيء الواحد إذا أشرقت عليه ظاهره و جرفه باتنه بسبب
إشراقها على الظهر ويكون باتنه المنتجس متصلاً بظاهره المنتجس على
الأحوج، فلو كان الباطن فقط نحساً أو كان بين الظاهر والباطن فصلاً بالجزء
الظاهر باتن الظهر على نجاسة على الأحوج، بل لا يخلو من قوة، و أما الأشياء
المتعددة المتلاصقة فلا تظهر إذا أشرقت على بعضها و جرفت البقية به، وإنما
يظهر ما أشرقت عليه بلا وسط.

مسألة 9: لو كانت الأرض أو نحوها جافة وأريد تظهيرها بالشمس يصب
عليها الماء الظاهر أو النجس مما يورث الرطوبة فيها حتى تجففها و تظهر.

مسألة 10: الخصى والتراب والطين والأحجار ما دامت واقعة على الأرض و
تعد جزءاً منها عرفأ تجففها، و إن أخذت منها أو خرجت عن الجرزية
الحقة بالمنقولات، وكذا الآلات الداخلة في البناء كالأخشاب والأووان
يلحقها حكماً، وإذا قلعت زال الحكم، ولو أعيدت عاد، و هكذا كل ما يشبه
ذلك.

رابعها: الاستحالة إلى جسم آخر، فيظهر بما أحالتة النار رمداً أو دخانًا أو
Third: The Sun. It cleans the land and every thing immobile, like buildings and things attached to them like wood, doors, lintels and pegs required in buildings and are fixed to them, but, according to the more cautious opinion, not every thing which is there in a wall.

The sun also cleans the trees and other vegetation and fruits, vegetables and herbs, even if their reaping time has reached, as well as other things, including even fixed containers, and so also ships and boats. But as regards trees and other things mentioned after them, there is difficulty [in including them in the list of things cleaned by the sun], though the rule is not devoid of force, but caution should not be given up in case of means of transport and also vehicles, or the like.

According to the stronger opinion, the sun cleans the mats and gunny bags.

It is a condition for the cleanness by the sun of the things mentioned as well as other things after the removal of the actual uncleanness from them that they should contain so much moisture as can be felt by the hand, and then the sun should dry them up in a way that its rays should fall on them without any intermediary; rather it is not far from being a condition that they should be dried up in the same manner [i.e., by the sun rays falling directly on them].

According to the more cautious opinion, the interior of a thing is also cleaned when the sun rays fall on its exterior, and the interior is also dried up by sun rays falling on its interior, while its unclean interior is connected with its unclean exterior.

If only the interior of a thing is unclean, or there is some distance between its interior and exterior through a part of the exterior, the interior shall remain unclean. Rather this rule is not devoid of force.

If, however, there are several things stuck together, they shall not be cleaned by the sun in case its rays fall on some of them, and, as a result of it, the rest are also dried up, because only those things are cleaned by the sun on whom its rays fall without any intermediary.

Problem #9. If a piece of land or the like is dry and it is intended to be cleaned by the sun, clean or unclean water should be spilled on it which may make it wet, so that the sun may dry it up and, as a result, it may be rendered clean.

Problem #10. Pebbles, earth, clay or stones, as along as they are lying on the land and are usually considered part of the land, shall be governed by the rules relating to the land.

If some of them are taken away or cease to be part of the land, they shall be affiliated with the mobile articles [and shall not be dried up by the sun].

The same rule applies to the articles which form part of a building like wooden planks and pegs which are governed by the rules relating to the building, but as soon as they are separated from the building they cease to be governed by its rules. If they are subsequently replaced in the building, they shall again be governed by the rules relating to the building. The same rule shall apply to every thing which is identical with them.

Fourth: Transformation. This is the change of a thing into another form. It is called Istihālah. So if the fire changes some unclean or uncleaning substance into ashes, smoke or steam, the transformed thing shall become clean.
من المطهرات وكيفية التطهير

بهلاً سواء كان نجسًا أو متنجسًا، و إذا المستحل بغيره بخلاً أو دخانًا أو رمادًا امَّا ما أحلته فحماً أو مخزفاً أو أجرأ أو حصاً أو نورة فهُرب بق على النجاسة، و يظهر كل حيوان تكون من نجس أو متنجس كدود المياة والعذرة، و يظهر الحمر بالانقلاة خلاءً بنفسها أو بعلاج كطرح جسم فيها، سواء استللك الجسم أم لا، فلم لولا أقث الحمر نجاسة خارجية ثم انقلاة خلاءً لم تظهر على الأحوض خاصها، ذهاب التثليث في العصر بالنار أو بالشمس إذا غلي بأحدهما، فانه مطهر للثلث الباقى بناءً على النجاسة، وقد مر أن الأقوى طهارته، فلا يؤثر التثليث إلا في حليته، أم إذا غلي بنفسه فان أحرز أنه يصير مسبراً بذلك فهو نجس ولا يظهر بالتثليث، بل لا بد من انقلاه خلاءً، و مع الشتء محروم بالطهارة.

سادسها الانتقال، فانه موجب لطهارة المنقل إذا اضيف إلى المنقل إليه، و عند جزء منه كان منقل ذم إلى النفس إلى غير ذم النفس، وكذا لو كان المنقل غيرالدم والمنقل إليه غير الحيوان من النبات وغيره، ولو علم عدم الاضافة أو شك فيها من حيث عدم الاستقرار في بطن الحيوان مثلًا على وجه يستند إليه كالدم الذي يقضي العلاق بقى على النجاسة.

سابعها الإسلام فانه مطهر للكافر يجمع اقسامه حتى الرجل المرتت عن فطرة إذا تاب فضلًا عن المرأة، و يتبع الكافر فضلاته المتضلة به من شعره و ظفته و بصاصة و تخانته و قيحة و نحو ذلك.

ثامنها النابعية، فان الكافر إذا أسلم يتبعه ولده في الطهارة أياً كان أو جدًا أو أبًا، و أما تبعية الطفل للسماوي المسلم إن لم يكن معه أحد آبائه فحل إشكال، بل عدهم لا يخلو من قوة، و يتبع الميت بعد طهارته آيات تغسيله من الخريزة الموضوع عليه، و ثيابه التي غسل فيها، و يد المغسل، و الحرقة الملفوفة بها حين تغسيله، و في بقية بدنه و ثيابه إشكال، أحوطه عدم، بل الأول الاحتياط
Likewise, the same rule shall apply if any thing other than fire changes it into steam, smoke or ashes. But if fire changes any thing into coal, porcelain, brick, gypsum or lime, it shall continue to be unclean.

Every animal becomes clean, regardless whether it is clean or uncleaning, like the insect produced in a carcass or feces.

So also wine [shall become clean], if it changes into vinegar by itself or by putting something into it, no matter whether the thing put into it disappears or not.

Of course, if wine connects with some external uncleanness, and then changes into vinegar, according to the more cautious opinion, it shall not become clean.

Fifth : 2/3rd Evaporation. If 2/3rd of grape juice evaporates by fire or sun when it is fermented by fire or sun, the remaining one-third becomes clean, if it is supposed that grape juice becomes unclean by fermentation, as reference to its cleanliness, according to the stronger opinion, has been made earlier. The evaporation of two-third is effective merely in its lawfulness, but if it starts boiling by itself and it transpires that it has consequently turned into a toxicant, it shall be unclean and shall not become clean by the evaporation of its 2/3rd portion; rather, it is an indispensable condition that it must become vinegar. If there is doubt about its being an intoxicant, it shall be declared clean.

Sixth : Transfer. It is a cause of cleanliness of an unclean substance when transferred and added to another thing and is considered a part of it, as the blood of blood spurring animal is transferred to an animal not having a spurring blood, [as when the blood of a human being is transferred into a mosquito].

The same rule shall apply if what is transferred is some thing other than blood and the object to whom it is transferred is other than an animal, like a plant, etc.

If it is known that there has been no addition of the transferred thing being added, or there is doubt about it as it has not taken place in the stomach of the animal [to whom it has been transferred], for example, in a way that it could be attributed to that animal, in such case the blood sucked by a leech shall continue to be unclean.

Seventh : Islam. It is a cause of cleaning all categories of infidels, including even a man who is a born Muslim apostatises and then repents, not to speak of a [Muslim] woman [who apostatises and then repents]. All the things connected with the infidel also become clean along with the infidel like his hair, nails, saliva, phlegm, mucus of the nose or pus, or the like.

Eighth : Dependency. If an infidel embraces Islam, his child also follows him in cleanliness, whether the infidel is the child’s father, grandfather or mother. There is, however, difficulty in a child following a Muslim who has made him his prisoner, if the child is not accompanied by his father or grandfather. Rather, its being otherwise is not devoid of force.

After a dead body has become clean [as a result of ritual bath], all the things used in washing it like the piece of cloth put on it and his clothes in which he has been washed as also the hands of the washing person as well as the cloth wrapped around his hands during washing it also become clean, but there is difficulty in consequent cleanliness of the rest of
في عداد المغفل.

تاسعها - زوال عين النجاسة بالنسبة إلى الصامت من الحيوان و بواطن الإنسان، فيظهر منقار الدجاجة الملوثة بالعذرة بجرد زوال عينها و جفاف رطوبتها، وكذا بدن الدابة المجرح، و فم الحرة الملوث بالدم و نحوه، و ولد الحيوان المتلتح به عند الولادة بجرد زواله عنه، وكذا يظهر فم الإنسان إذا أكل أو شرب نفسا أو متنفسا بجرد بلعه.

عاشرا - الغيبة، فإنها مطهورة للإنسان و يابه و فرشه و أونه وغيره من توابعه، فيعامل معه معاملة الطهارة، إلا مع العلم بقاء النجاسة، ولا يعد عدم اعتبار شيء فيه، فيجري الحكم سواء كان عالما بالنجاسة أم لا، معتقداً نجاسة ما أصابأه أم لا، كان متساعاً في دينه أم لا، والاحتياط حسن.

حادي عشرها - استبراء الجلال من الحيوان ما يخرج عن اسم الجلال، فإنه مطهور لبوله و خره، ولا يترك الاحتياط مع زوال اسمه في استبراء الأبل أربعين يوما و البقر عشرين، والغنم عشرة أيام، والبطه خمسة أيام، والدجاجة ثلاثة أيام، بل لا يلزمه كل ذلك من قوة، وفي غيرها يكفي زوال الاسم.

القول في الأواني

مسألة 1 - أيواني الكفاف كأواني غيرهم محكومة بالطهارة مالم يعلم ملاقاتهم لها مع الرطوبة السارية، و كذا كل ما في أيديهم من اللبس والفرش و غير ذلك، نعم ما كان في أيديهم من الجلود محكومة بالنجاسة لوعلم كونها من الحيوان الذي له نفس سائلة ولم يعلم تذكيته ولم يعلم سبب يد مسلم عليها، و كذا الكلام في اللحم والشحم التي في أيديهم بل في سوقهم، فإنها محكومة بالنجاسة مع الشروط المزورة.
the body and clothes of the washing person. According to the more cautious opinion, they are not clean. Rather it is preferable to observe caution in what concerns other than the hands of the washing person.

**Ninth : Removal of the Actual Unclean Substance.** Removal of the Actual Unclean Substance from the Dumb Animals and Interior of Human Beings. So as soon as the actual unclean substance is removed from the beak of a fowl and its moisture is dried up, the beak becomes clean.

The same rule applies to the body of a wounded animal, a cat's mouth soiled by blood etc, or the young of an animal sullied with blood at the time of its birth, so that as soon as the blood is removed, they become clean.

Similarly the mouth of a human being also becomes clean if he has eaten or drunk some unclean or uncleaning substance as soon as he swallows it.

**Tenth : Disappearance.** It cleans the body, clothes, carpets, containers, and other things connected with a man, so that along with him they are also treated as clean, except when there is knowledge of the subsistence of uncleanness. It is not far from being likely that there should be no other condition for their cleaness due to disappearance. This rule applies regardless of whether the person has knowledge about the uncleanness or not, believing in the uncleanness of the thing befallen or not, and whether he was slack in his religion or not. Anyhow, observance of caution is better.

**Eleventh : Purification.** (Istibrā') of a filth-eating animal in a way that it ceases to be called filth-eating. This renders the animal's urine and excrement clean. Caution must not be given up after the animal ceases to be called filth-eating in respect of the purification of a camel upto forty days, a cow upto twenty days, goats and sheep upto ten days, ducks upto five days and fowls upto three days. Rather, the rule is not devoid of force in respect of all of them, while in case of others, the removal of the name of filth-eater is enough for cleanness.

**Chapter on Rules Concerning Containers**

**Problem #1.** The utensils of the infidels like those belonging to non-infidels are clean as long as there is no knowledge about their having touched pervading moisture.

The same rule applies to every thing in possession of the infidels, like garments, carpets and the like.

Of course, in case there are some skins which are declared unclean, if they are known to belong to an animal having spurtling blood, and it is not known that they have been cleaned, and they are also not known to have been in the possession of a Muslim, [they will be treated as unclean].

The same rule applies to the meat and fats in possession of the infidels. Rather, in their market, they are also declared unclean in the circumstances mentioned above.
مسألة 2: يحرم استعمال أونة الذهب والفضة في الأكل والشرب وسائر الاستعمالات، نحو التنظيف من الحذاء واللباس وغيرها، وحرم هو الأكل والشرب فيها أو منها، لا تناول الأكل أو المشروب منها، ولا نفس الأكل والمشروب فلا أكل منها طعاماً مباحاً في نهار رمضان لا يكون مفطراً بالحرم، وإن ارتكب الحرام من جهة الشرب منها هذا في الأكل والشرب، وأما في غيرها فإن حرم استعمالها، فإذا أغرف منها للوضوء يكون الافتراق حرمًا دون الوضوء، وهل التنواع الذي هو مقتدي للأكل والشرب أيضاً حرم من باب حرم مطلق الاستعمال حتى يكون في الأكل والشرب حرم: هما والاستعمال بالتنواع في تأمل و إشكال، وإن كان عدم حرم الثاني لا يخلو من قوة، ويدخل في استعمالها الحرم على الأحوط وضعها على الرفوف للتنواع، وإن كان عدم الحرم لا يخلو من قرب، والأحوط الأول ترك تزويج المساجد والمشاهد بها أيضاً والأقوى عدم حرم إقناعها من غير استعمال، والأحوط حرم استعمال الملبس بأحدهما وإن كان على وجهه لو انفصل كان إبناً مستقلًا، دون ما إذا لم يكن كذلك، و دون المفضل والمؤوم بأحدهما، والممتنع منها بحكم أحدهما، وإن لم يصدق عليه اسم أحدهما، بخلاف المنتزج من أحدهما وغيرهما لولم يكن بحيث يصدق عليه اسم أحدهما.

مسألة 3: الظاهر أن المراد بالأونة ما يستعمل في الأكل والشرب والطبخ والغسل والعجن، مثل الكأس والكوز والقصاع والقدر واللبن والقهوة والطنت السماور والقوري والفنجان، بل وكوز القلية والعلبيكي، بل والمغارة على الأحوط، فلا يشمل مثل رأس القلية و رأس الشطب و غلاف السيف والمنجر والسكين والصدوق وما يصنع بيتاً للتعليم و قاب الساعة والسديد والملح، وإن كان مجوهاً، و في شموعها للهاون والجامو والمباخر وظروف الغالية والمجمع والترنيك و نحو ذلك تردد و إشكال، فلا يترك
Problem # 2. It is forbidden to use utensils made of gold and silver for eating and drinking and other purposes like cleaning of major or minor pollution, etc. What is forbidden is eating and drinking in such utensils, and not taking up anything for eating and drinking with them or some thing itself for eating or drinking, so that if a person eats some lawful food with them during Ramadān days it would not be treated as breaking the fast with a forbidden thing, though he shall be considered to have committed an unlawful act due to drinking [or eating] in forbidden utensils. These rules relate to eating and drinking.

As regards other purposes, what is forbidden is their use, so that if a person performs ablution with such utensils, the act itself shall be unlawful, but the ablution shall be valid.

Is taking up anything which serves as preliminary to eating and drinking also forbidden due to the absolute prohibition of their use, there is hesitation and difficulty in application of the rule in such case, though the absence of prohibition in the latter case is not devoid of force.

To be more cautious, the prohibition of the use of such things includes putting them on shelves for decoration purpose, though the absence of prohibition is not devoid of force according to the opinion close to the traditional authority.

According to the more cautious opinion, it is preferable to give up decoration of the mosques and holy shrines with the utensils made of gold or silver. According to the stronger opinion, keeping them with oneself without using them is not prohibited.

According to the more cautious opinion, it is forbidden to use anything covered with any of them if they are used in a way that if they are separated, they shall be called separate utensils, except when it is not so, also with the exception of things plated or coated with gold or silver.

As regards things mixed with gold or silver, they are governed by the rules governing gold or silver, even if they are not called with the name of gold or silver, except things mixed with gold or silver without such condition provided that they are not such as can be named gold or silver.

Problem # 3. Apparently utensils mean what are used for eating, drinking, cooking, washing or kneading, like a cup, a jug, large bowls, kettles, bowls, drinking cups, wash basins, samovars, tea pots and tea cups; rather even smoking jugs and saucers; rather, according to the more cautious opinion, even spoons and ladles, but the head of the hookah, hilt of the sword, cover of the sword, dagger, knife or box, an amulet cover, dial of a watch or a clock, a lamp, an anklet, even if it is hollow, are not included in utensils.

Likewise, there is hesitation and difficulty in including [in this category] a mortar, censers, fumigators, vessels for keeping precious articles, cream, opium and the like. So caution must not be given up.
الاحتياط.

مسألة 4 - كايجازم الأكل والشرب من آنية الذهب والفضة بوضعها على فمه وأخذ اللقمة منها مثلًا كذلك يحرم التفرير ما فيها في إنتهاء آخر بقصد الأكل والشرب، نعم لو كان التفرير في إنتهاء آخر بقصد التخلص من الحرام لا بأس به، بل ولا يحرم الأكل والشرب من ذلك الإطااء بعد ذلك، بل لا يعد أن يكون الحرم في الصورة الأولى أيضاً نفس التفرير في الآخر بذلك القصد دون الأكل والشرب منه، فلو كان الصاب منها في إنتهاء آخر بقصد أكل الآخر أو شربه كان الصاب مرتكباً للحرام بصفه دون الأكل والشراب، نعم لو كان الصاب بأمره و استدعائه لا يعد أن يكون كلاهما مرتكباً للحرام: الأمور باستعمال الآنية وال أمر بالأمر بالمنكر بناء على حرمته كايجازم لا تبعد.

مسألة 5 - الظاهرة أن الوضوء من آية الذهب والفضة كالوضوء من الآنية المقصوبة يبطل إن كان بنحو الرمسي، وكذا بنحو الاعتراف مع الاحترام، و يصح مع عدهم كما تقدم.
Problem # 4. As it is forbidden to use utensils of gold and silver for eating and drinking purposes by touching them with the mouth or, for example, taking a morsel from them, in the same way it is also forbidden to pouring out their contents into another vessel with the intention of eating or drinking. But there is no objection if the contents [of vessels made of gold of silver] are poured out into other vessels [not made of gold or silver] in order to escape from prohibition. Rather, there shall be no prohibition in eating or drinking that food from those vessels [not made of gold or silver]. Rather, it is not far from being likely that pouring out the contents of the vessels made of gold or silver into other vessels [not made of gold or silver] with the intention of eating or drinking the latter may be prohibited, but the very act of eating or drinking in those vessels shall not be forbidden. So if a person pours out the contents of the vessels made of gold or silver into other vessels[not made of gold or silver] for eating or drinking by another person, then the person pouring out the contents shall be considered to have committed a forbidden act, but not the person eating or drinking [in the vessels not made of gold or silver].

Of course, if the act of pouring out the contents has been by the order or on the request [of the person eating or drinking the contents from the vessels not made of gold or silver], then both of them shall be considered to have committed a forbidden act, the person ordered for using the [forbidden] vessel as well as the person ordering for something forbidden, which will be applicable if it is accepted as something forbidden, which is not far from being the case.

Problem # 5. Apparently an ablution, performed with a vessel of gold or silver, is treated as similar to an ablution performed with usurped vessel, and is invalid, if it is performed by means of dipping.

Likewise, the same rule shall apply if the ablution is performed by taking the water into one’s hand when the water is confined to those vessels only.

If, however, the water is not confined to the vessels [made of gold or silver], the ablution performed shall be valid.
كتاب الصلاة

وهي التي تنهى عن الفحشاء والمنكر، وهي عمود الدين.
إن قبلت قبل ما سواها وإن ردت رد ما سواها.

فصل في مقدمات الصلاة

وهي ست:

المقدمة الأولى

في أعداد الفرائض ومواعيذ اليومنية ونواهها:

مسألة 1- الصلاة واجبة ومندوبة، فالواجبة خمس: اليومنية، ومنها الجماعة، وكدًا قضاء الولد الأكبر عن والده، وصلاة الآيات، والطواف الواجب والأموات، وما التزمه المكلف بنذر أو إجارة أو غيرهما، وفية إحدى الأخيرة في الواجب مساعدة، إذ الواجب هو نفعاً بالنذر ونحوه لا عنوان الصلاة.
Prayer prevents a person from vile deeds and detestable acts. It is a pillar of faith. If it is accepted (by Allâh), all other deeds are accepted, and if it is rejected all other deeds are rejected.

Chapter on Preliminaries of Prayer

There are six preliminaries of Prayer.

First Preliminary of Prayer: Number of Obligatory Prayers, Fixed Times of Daily Prayers and Their Supererogatory Performances (Nawâfil)

Problem # 1. There are two kinds of Prayer: Obligatory (Wâjib) and Recommended (Mandûb)

There are five Daily Obligatory Prayers. The other Obligatory prayers are the Friday prayers, the compensatory (Qaḍâ’) prayers of the father to be offered by the eldest son, prayer for Ā’yât, prayer for circumambulation, prayer for the dead and what is due to one duty-bound for vow or hire, etc. It is an error to include the last category of prayer under obligatory prayers because what is obligatory is the fulfilment of the vow, or the like, and not that it should come under the title of obligatory prayers.

The recommended prayers are innumerable. Among them are the daily supererogatory [Nâfilah] prayers which are eight Rak’ats for Zuhr (noon), eight for Aşr (afternoon), four for Maghrib (Evening) and two Rak’ats for Ishâ’ prayers, which are offered while sitting and are, therefore, counted as one Rak’at, and are called Vaṭrah, and their due time is extended with the extension of their principal prayer [i.e., the Ishâ’ prayer], and two Rak’ats for the morning (Fajr) prayer before the obligatory one, their due time being early dawn and is extended upto when the due time of morning prayer lasts until the appearance of the redness [or twilight]. It is permissible to offer them with the midnight prayer [Tahajjud] before dawn even at the middle of the night. Rather, it is not far from being better to offer them some time after offering the midnight [Tahajjud] prayer after mid-night, but it is more cautious to offer both of them before the early dawn except by inserting them in the night [Tahajjud] prayer.
و المندوبة أكثر من أن تحصى، منها الرواتب اليومية، وهي ثمان ركعات للظهر قبله، و ثمان للعصر قبله، وأربع للمغرب بعده، و ركعتان من جلوس للعشاء بعده تعبان بركة، تسمى بالوتيرة، و يمتد وقتها بامتداد وقت صاحبها، و ركعتان للفجر قبل الفريضة، و وقتها الفجر الأول، و يمتد إلى أن يبقى من طول الحمرة مقدار أداء الفريضة، و يجوز دسها في صلاة الليل قبل الفجر، ولو عند نصف الليل، بل لا يعد أن يكون وقتها بعد مقدار إتيان صلاة الليل من انتصافها، ولكن الأحول عدم الاتيان بها قبل الفجر الأول إلا بالدخل في صلاة الليل، وإحدى عشرة ركعة لليلة، صلاة الليل ثمان ركعات ثم ركعتا الشفق ثم ركعة اليوتر، وهي مع الشفع أفضل صلاة الليل، و ركعتا الفجر أفضل منها، و يجوز الاقتصار على الشفع واليوتر، بل على الوتر خاصاً عند ضيق الوقت، و في غيره يأتي به رجاءً، و وقت صلاة الليل نصفها إلى الفجر الصادق، والسهر أفضل من غيره، والثالث الآخر من الليل كله سح، وأفضله القريب من الفجر، و أفضل منه التفريق كما كان يصنعه النبي صلى الله عليه و آله، بعد النوارف - بعد عند الوترية ركعة - أربع و ثلاثون ركعة ضعف عدد الفترات، و تسقط في السفر الموجب للقصر ثمانية الظهر، و ثمانية العصر، و تثبت اليوتاء، والاحوال الاتين بالوتيرة رجاءً.

مسألة 2: الأقوى ثبوت استحباط صلاة الغفيلة، و ليست من الرواتب، و هي ركعتان بين صلاة المغرب و سقوط الشفق الغربي على الأقوية، يقرأ في الأولى بعد الحمد «وذالنون إذ ذهب مغاضباً فظن أن لن نقدر عليه فنادي في الظلمات أن لا الله إلا هو Semantic error» إن كنت من الظلمات، فاستجابة له و نجاه من الفيض و كذلك نجلي المؤمنين» و في الثانية بعد الحمد «وعنده مفاتيح الغيب لا يعلمها إلا هو و يعلم ما في البر و البحر و ما تسقط من ورقة إلا يعلمها ولا حية في ظلمات الأرض ولا رطب ولا يابس إلا في كتاب مبين». فإذا فرغ رفع يده
There are eleven Rak’ats of supererogatory for the night, of which eight Rak’ats are called [mid-] night [Tahajjud], then two Rak’ats are called Shaf’ (or couple) and one Rak’at called Vitr [or single] prayer which along with the Shaf’ prayer is the preferable prayer, while the two Rak’ats of morning prayer are even more preferable than both. It is permissible to confine oneself to Shaf’ and Vitr only; rather particularly to Vitr in case the time is too short, while in case otherwise, it may be offered with the hope [of being desirable to Allâh].

The due time for the [mid-] night (Tahajjud) prayer is from the mid-night to the actual dawn (Subh-i Sâdiq), while morning (Sa’har) is preferable than any other time, the last one-third of the night being entirely morning (Sa'har), while its preferable time is one close to the dawn (Fajr), and even more preferable than that is the early morning (Tafrîq) as was the practice of the holy Prophet, Allâh’s Blessing be on him and his Progeny.

Thus, the number of the supererogatory prayers (Nawâfi) after counting Wasirah as one Rak’at comes to thirty four Rak’ats, double of the (daily) obligatory prayers. Of these supererogatory Rak’ats, eight Rak’ats are dropped for Zuhr during a journey causing Qasr (reducing the number of Rak’ats of prayers), eight for Asr and the rest remain intact, while it is more cautious to offer the Wasirah with the intention of hope [of being desirable to Allâh].

Problem # 2. According to the stronger opinion, it is established that the Ghafilah prayer is recommended, though it is not among the daily supererogatory prayers. It has two Rak’ats which, according to the stronger opinion, is offered between the evening (Maghrib) prayers and the disappearance of the western twilight.

In the first Rak’at, after the Sûrah Al-’Hamd (Chapter 1 of the Qur’ân), one must recite [in Arabic]: "When Dhu al-Nûn went off in anger and deemed that We had no power over him, but he cried out in the darkness, saying: "There is no god but Thou. Be Thou glorified, and verily I was among the wrong-doers." Then We accepted his prayer and saved him from the anguish. Thus we save the believers." (Chapter 21, Verse 87).

In the second Rak’at, after the Sûrah Al-’Hamd (Chapter 1 of the Qur’ân), one must recite [in Arabic]: "And with Him are the keys of the Invisible. No one but He knows them. And He knows what is in the land and the sea. Not a leaf falls, but He knows it, There is not a grain in the darkness of the earth, nor anything fresh or dry except that it is [noted] in the true Book." (Chapter 6, Verse 59).

After having finished it, one must raise both his hands, and say [in Arabic]: "O Allâh, I ask Thee by the keys of the Invisible which no one knows but Thou to send Blessing on Muhammad and the Progeny of Muhammad, and do for me such and such". (In the last sentence) one must pray as one intends to do, and then must say, "O Allâh, Thou art my benefactor and has power to grant my demand. Thou knowest my needs. So I ask in the name of Muhammad and the Progeny of Muhammad, Peace be upon him and them, [to grant me] what Thou hast decided for me." Then he must ask Allâh whatever one wants. God willing, it shall be bestowed upon him by Allâh, the Exalted and Glorified.
قال: «الله ين استكلك بمفاتيح الغيب التي لا يعلمها إلا أن تصل علي محمد وآل محمد و أن تفعل بي كذا وكذا». فدعوياً أراد ثم قال: «الله ين استكلك ولي نعمتي و القادر على طلبتي تعلم حاجتي فسألك بحق محمد وآل محمد عليه وعليهم السلام لما قضيتنا له» وسأله الله حاجته أطعاه الله عز وجل ما سأله إن شاء الله.

مسألة ٣٠ - يجوز إيتان النوافل الرواتب و غيرها جالساً حتى في حال الاختيار، لكن الأول حينئذ عند كل ركعتين بركعة حتى في الورتر، فيأتي بها مرتين كل مرة ركعة.

مسألة ٤ - وقت نافلة الظهر من الزوال إلى الذراع - أي سبعي الشاخص - والعصر إلى الذراعين - أي أربعة أسابيع - فاصول إلى هذا الحد يقبل الفريضة.

مسألة ٥ - لا إشكال في جواز تقديم نافلتي الظهر والعصر على الزوال في يوم الجمعة، بل يزداد على عددها أربع ركعات فتصير عشرين ركعة، وأما في غير يوم الجمعة فعندما يطلو يوماً من قوة، ومع العلم بعدم التمكن من اتيانها في وقتها فالأخوات الإيتان بها رجاءً، ويجوز تقديم نافلة الليل على النصف للمضاف، والشاب الذي يتأخى فوته في وقتها، بل وكل ذي عذر كالشيخ و خائف البرد أو الاحتمال، وينبغي لهم نية التعجيل لا الأداء.

مسألة ٦ - وقت الظهرين من الزوال إلى المغرب، يختص الظهر بأوله بمقدار أدناؤها بحسب حاله، والعصر بآخره كذلك، وما بينها مشترك بينهما، ووقت العشاءين للمختار من المغرب إلى نصف الليل، يختص المغرب بأوله بمقدار أدناؤها، والعشاء بآخره كذلك بحسب حاله، وما بينها مشترك بينهما، والأحوة من أخرها عن نصف الليل - اضطراراً لتم أو نسيان أو حيض أو غيرها أو عمداً - الإيتان بها إلى طلوع الفجر بقصد ما في الليل، ولو لم يبق إلى طلوعه.
Problem # 3. It is permissible to offer the supererogatory prayers etc. in a sitting posture even when he is able to offer them in a standing posture, but it is better to count every two Rak’ats as one Rak’at even in case of Vitur, so that one must offer it twice, each time one Rak’at.

Problem # 4. The time for the supererogatory prayer for Zuhr is the beginning of midday to the time when the shadow of the sun-dial stake reaches one yard or 2/7th of the stake, while that of Aṣr is the time when the shadow of the stake reaches two yards or 4/7th part of the stake, when it reaches that limit the obligatory prayer is to precede [the supererogatory prayers].

Problem # 5. There is no objection if on Friday the supererogatory prayer is offered prior to midday. Rather, on Friday, the number of the supererogatory prayer is raised by four Rak’ats, bringing the total to twenty Rak’ats. But, on the days other than Friday, the absence of permissibility is not devoid of force.

If a person has knowledge about the inability of offering both of them at their due time, then it would be more cautious to offer both of them with the intention of hope [of being desirable to Allâh].

It is permissible to offer the supererogatory prayer of the (Tahajjud) before midnight, if a person on journey or a young man fear that they would fail to offer it on its due time; rather, every person having an excuse, like an old man or one afraid of cold or nocturnal pollution (Iḥtilām). They should express intention (Niyyah) of urgency (Ta’jīl) and not due observance.

Problem # 6. The due time for offering the Zuhr and Aṣr prayers is from midday to Maghrib (sun-set) and the time for Zuhr prayer is reserved from its beginning to the extent required for offering it according to the circumstances of the person offering the prayer, and, likewise, Aṣr is reserved for the last while, the time between them is common to both.

The due time for the Maghrib and Ishâ’ prayers in ordinary circumstances is from Maghrib (evening) till midnight, out of which the time for Maghrib prayer is reserved from its beginning to the extent it is required for offering it, and the Ishâ’ prayer for the last according to the circumstances of the person offering the prayer, and the time between them is common to both.

If a person does not offer both the (Maghrib and Ishâ’) prayers until midnight in case of emergency due to sleep, forgetfulness, menstruation, etc., or deliberately, it is more cautious for him to offer both the prayers up to the beginning of the morning with the intention of what he owes.

In case the time left for beginning of the morning is not sufficient for offering both the prayers, he should, by way of precaution, offer the Ishâ’ prayers. It is more cautious to offer both the compensatory prayers in succession after the due time.

The due time for offering the morning (Fajr) prayers is from the early dawn to sun-rise.
بمقدار الصلاتين يأتي بالعشاء احتياطاً، والأحوط فضاؤها مترتبةً بعد الوقت، و ما بين طلوع الفجر الصادق إلى طلوع الشمس وقت الظهر، وتوقف فضيلة الظهر من الزوال إلى بلون الظلال الحادث مثل الشاحص، كما أن منتهى فضيلة العصر المثلان، ومبدأ فضيلته إذا بلغ الظلام أربعة أقدام - أي ارتبة أصابع الشاحص - على الأظهر، وإن لا يبعد أن يكون مبئها بعد مقدار أداء الظهر، وتوقف فضيلة المغرب من الغروب إلى ذهاب الشمس، وهو الحمراء المغربية، وهو أول فضيلة العشاء إلى ثلث الليل، فلا وقتاً إجزاء: قبل ذهاب الشفق وبعد الثالث إلى النصف، وقت فضيلة الصبح من أوله إلى حدوث الحمرة المشرقة، وعلو حدوثها يساوي مع زمن التجلل والأسفار وتنور الصبح النصوص بها.

مسألة 7 - المراد باختصار الوقت عدم صحة الشركة فيه مع عدم أداء صاحبها بوجه صحيح، فلا مانع من إتيان غير الشركة فيه كصلاة القضاء من ذلك اليوم أو غيره، وكذلك لا مانع من إتيان الشركة فيه إذا حصل فرغ الذمة من صاحبة الوقت، فإذا قدم العصر سهو على الظهر وبي من الوقت مقدار أربع ركعات يصح إتيان الظهر في ذلك الوقت أداءه، وكذلك لو صلى الظهر قبل الزوال بظل دخل الوقت فدخل الوقت قبل تمامها لا مانع من إتيان العصر بعد الفرغ منهما، ولا يجب التأخير إلى مضي مقدار أربع ركعات، بل لو تأخر تمام العصر في وقت الظهر صبح على الأقوى، كما لو اعتقد إتيان الظهر فصل العصر ثم تبين عدم إتيانه وأن تمام العصر وقع في الوقت المختلف بالظهر، لكن لا يترك الاحتياط فيا لم يدرك جزءاً من الوقت المشترك.

مسألة 8 - لو قدم العصر على الظهر أو العشاء على المغرب عمداً بطل ما قدمه، سواء كان في الوقت المختلف أو المشترك، ولو قدم سهو وأتى بذلك بعد الفرغ صح ما قدمه ويأتي بالأولى بعده، وإن تذكر في الأثناء عدل بنيته إلى السابقة إلا إذا لم يبق على العدول، كما إذا قدم العشاء وذكر بعد الدخول في ركوع الرابعة.
The preferred time for offering the Zuhr prayer is from midday to the time the shadow of the stake of the sun-dial equals the stake, while the last preferred time for offering the Asr prayer is when the shadow of the stake of the sun-dial becomes double of the stake, but the beginning of the preferred time for offering the Asr prayer is when, according to the more evident opinion, the shadow reaches four feet, or 4/8 of the stake, though it is not far from being likely that its beginning should be after the due limit for offering the Zuhr prayer.

The preferred time for offering Maghrib prayer is from the sun-set to the disappearance of the twilight, which is the redness in the western horizon. That is also the beginning of the preferred time for offering Ishâ’ prayers which lasts upto one-third of the night. Its time is divided into several parts: before the disappearance of the twilight and after the one-third to middle of the night.

The preferred time for offering the morning prayer is from early dawn to the appearance of the eastern twilight. Perhaps its appearance is interrelated with the time of day break, aurora and lightening of the morning which has come in the religious texts.

**Problem # 7.** The reservation of time [for a particular prayer] means that it would not be valid to offer another prayer at that time as due, but there is no hindrance in offering a prayer which is not a partner in that time as the compensatory prayer for that or any other day. Likewise, there is no hindrance in offering a prayer which is a partner in that time after one had fulfilled what was due in that time.

If a person offers Asr prayer before Zuhr prayer, but there is ample time left for offering four Rak’ats, it would be valid to offer Zuhr prayer during that time as within the due time.

Likewise, if a person offers Zuhr prayer before midday under the impression that its due time has arrived, and then the due time arrives before its completion, there shall be no hindrance in offering the Asr prayer after finishing the prayer and it is not obligatory to delay it until the passage of time required for offering four Rak’ats. Rather if the entire Asr prayer is offered during the time of Zuhr prayer, according to the stronger opinion, it would be valid, in the same way as when a person believes that he has offered Zuhr prayer and so offers the Asr prayer, but later it transpires that he had not offered [the Zuhr prayer], though the entire Asr prayer had taken place during the time reserved for the Zuhr prayer. But caution must not be given up in case he could not find a part of the common time [of Zuhr and Asr prayers].

**Problem # 8.** If a person offers Asr prayer before Zuhr prayer or Ishâ’ prayer before Maghrib prayer deliberately, whatever was offered earlier would be invalid, regardless whether they were offered during the reserved time or common time.

If, however, the person has offered them inadvertently, and comes to realise it after finishing them, whatever he had offered earlier shall be valid, and he must offer the first one subsequently.

If he comes to realise it during the performance of the prayer, he may return to his previous intention, except when there is no time left for such return, in the same way as when a person precedes Ishâ’ prayer inadvertently, and comes to realise it after starting the fourth Rak’at when he cannot return his intention (Niyyâł). Rather its validity is not
لا عدول، بل صحته لا يحل من قوة وان كان الأحوض حينئهم الامام ثم الاتيان بالمغرب ثم العشاء.

مسألة 9 - إن بقي للحاضر مقدار خمس ركعات إلى الغروب والمسافر ثلاث قدم الظهر و إن وقع بعض العصر في خارج الوقت، وإن بقي للحاضر أربع ركعات أو أقل للمسافر ركعتان أو أقل صل العصر، وإن بقي للحاضر النصف الليل خمس ركعات أو أكثر للمسافر أربع ركعات أو أكثر قدم المغرب، وإن بقي للحاضر والمسافر الى أقل مما ذكر قدم العشاء، يجب المبادرة إلى إتيان المغرب بعده إن بقي مقدر ركعة أو أزيد، والظاهر كونه أداء، وإن كان الأحوض عدم نية الأداء والقضاء.

مسألة 10 - يجوز العدول من اللاقة إلى السابقة بخلاف العكس، فلودخل في الظهر أو المغرب فشيتين في الأثناء أنه صلاهما لا يجوز له العدول إلى اللاقة، بخلاف ما إذا دخل في الثانية يتخيل أنه صلى الأولى فشيتين في الأثناء خلافه، فإنه يعدل إلى الأولى إن بقي عمل العدول.

مسألة 11 - لو كان مسافراً و بقي من الوقت مقدر أربع ركعات فشعر في الظهر مثلما ثم نوى الإقامة في الأثناء بطلت صلاته، ولا يجوز له العدول إلى اللاقة فيطعماها و يشفع فيها، كما أنه إذا كان في الفرض ناوباً للإقامة فشعر في اللاقة ثم عدل عن نية الإقامة يكون العدول إلى الأولى مشكلاً.

مسألة 12 - يجب على الأحوض على ذوي الأذاعر تأخير الصلاة عن أول وقتها مع رجاء زوالها في الوقت، إلا في التيمم، فإنه يجوز فيه البدار إلا مع العلم بارتفاع العذر فيه، كما مر في بابه.

مسألة 13 - الأقوى جواز التطوع في وقت الفرضة مالم يضيق، وكذا على علمه.

مسألة 14 - لو تيقن بدخول الوقت فصل أو عزل على أمارة معتبرة كشهادة.
devoid of force, though it is more cautious to complete it, and then offer Maghrib prayer, and then Ishâ’ prayer.

Problem # 9. If for a person living in his own place there remains time sufficient for five Rak’ats upto sun-set and for one who is on journey three Rak’ats, he shall offer Zuhr prayer first, even if part of the Asr prayer may be offered after the due time.

If, however, there remains time sufficient for four Rak’ats or less for a person living in his own place and two Rak’ats or less for one who is on a journey, he shall offer Asr prayer.

If, for a person living in his own place there remains until mid-night time sufficient for five Rak’ats or more, and for one who is on a journey four Rak’ats or more, he shall first offer Maghrib prayer, but if for one living in his own place and one who is on a journey, there remains lesser time than already mentioned, he shall offer Ishâ’ prayer, and shall hasten to offer Maghrib prayer subsequently, if there is still time left for one Rak’at or more, and apparently it would be within the due time, though it would be more cautious not to intend offering it within the due time or after the due time.

Problem # 10. It is permissible to change the intention (Niyyat) from the subsequent to the precedent prayer, but not otherwise. If a person starts Zuhr or Maghrib prayer, and in the meantime he comes to realise that he has offered both the prayers, it would not be permissible to change his intention to the subsequent prayers [i.e., to Asr and Ishâ’ prayers]. On the contrary, if he starts the second prayer under the impression that he has already offered the first, but during the performance of the prayer he comes to realise that the fact is otherwise, he may change his intention to the first, if there is time left for such change.

Problem # 11. If a person is on a journey, and there is time left for four Rak’ats, so he starts, for example, Zuhr prayer, and during offering the prayer he intends to stay in the place, his prayer shall be invalid, and it shall not be permissible for him to change to the subsequent prayer. So he should discontinue it, and start the subsequent prayer, in the same way as, in the supposed example, if he intends to stay in the place, and then he starts the subsequent prayer, and then he changes his intention from staying in the place, then it would be difficult to return to the precedent prayer.

Problem # 12. According to the more cautious opinion, it is obligatory on persons having due excuse to delay offering prayer from the beginning of the due time with the hope that the excuse shall be removed within the due time, except in Tayammum, when it is permissible to expedite it, except when he knows that the excuse shall be removed with the due time, as has already been mentioned under the Chapter on Tayammum.

Problem # 13. According to the stronger opinion, it is permissible to offer the recommended prayer during the time of an obligatory prayer, provided the time is not too short.

Likewise, it is permissible for one who owes offering some obligatory prayer.

Problem # 14. If a person is sure of the arrival of the due time of prayer, and so he offers prayers, or he relies upon some reliable indication like the testimony of two morally sound witnesses, [and offers prayers], then if the entire prayer has taken place before the due time, it shall be invalid, but if some of it, even if a little, has taken place in the due time, it shall be valid.
المقدمة الثانية في القبلة

مسألة 1 - يجب الاستقبال مع الامكان في الفرائض يومية كانت أو غيرها حتى صلاة الجنائز، وفي النافلة إذا أتي بها على الأرض حال الاستقرار، وأما حال المشي والركوب وفي السفينة فلا يعتبر فيها.

مسألة 2 - يعتبر العلم بالتوجه إلى القبلة حال الصلاة، وتقوم البيئة مقامه على...
Problem #15. If some of the due time for offering prayer and fulfilling its preliminaries, like cleanliness with water or earth etc., has passed according to the circumstances of the person offering prayer, then some excuse takes place like lunacy or menstruation, it shall be obligatory for him to compensate. In case otherwise, it would not be obligatory.

If the preliminaries for prayers have been fulfilled in the beginning of the due time, it would be sufficient for offering the prayer according to his circumstances and his actual duty.

If the excuse is removed at the last time, then if there is sufficient time for cleanliness and offering both the prayers, it would be obligatory to offer both the prayers.

If, however, the time left is sufficient for cleanliness and offering a single prayer, it would be obligatory to offer the prayer whose time is due.

The same shall be the rule if the time left is sufficient for offering a single Rak'at in the state of cleanliness.

If the time left is sufficient for cleanliness and offering a single Rak'at, the person shall perform the second.

If, however, there is extra time left after offering a complete prayer which is sufficient for offering a single Rak'at besides obtaining cleanliness, it shall be obligatory to offer both.

Problem #16. It is a condition for a person having no excuse to obtain knowledge about the arrival of the due time at time of beginning the prayer. The testimony of two morally sound witnesses is treated equivalent to knowledge, if their testimony is based on sense, such as observation of the shadow [of the stake of sun-dial] becoming longer after having been smaller.

According to the more cautious opinion, the call to prayer (Adhān) is not sufficient, even if the person calling to prayers is morally sound and knows the due times of prayers.

As regards a person having some excuse like the presence of clouds, or such other usual excuses, it shall be permissible for him to rely on presumption about the due time.

As regards a person having some special excuse. Like a blind man or one detained, he should not give up caution by delaying the prayer until he gets knowledge about the arrival [of the due time of prayer].

Second Preliminary of Prayer: the Qiblah

Problem #1. As far as possible, it is obligatory to face the Qiblah, regardless whether the prayers are the daily obligatory prayers or others, including even the prayers for the dead, or the supererogatory prayers which are offered on the land in a state of composure and rest, but in the state of movement and riding or in a ship, this condition does not apply.

Problem #2. It is a condition that there should be knowledge about facing the Qiblah while offering prayer. According to the stronger opinion, the evidence [by two morally sound persons], based on the fundamental principles of sense takes the place of knowledge. If it
الأقوى مع استنادها إلى المبادئ الحسية، ومع تذكرها يبذل تمام جهده ويعمل على ظنه، ومع تذكره وتساوي الجهات صلى إلى أربع جهات إن وسع الوقت وإذا فبقدر ما وسع، ولهبت عدما في بعض الجهات بعلم ونحوه صلى إلى المحتالات الأخرى، ويعود على قبلة بلد المسلمين في صلاتها وقوبرهم ومحاربهم إذا لم يعلم الخطا.

مسألة 3 - التحير الذي يجب عليه الصلاة إلى أزيد من جهة واحدة لو كان عليه صلاتان فالأحوط أن تكون الثانية إلى جهات الأولى كما أن الأحوط أن يتم جهات الأولى ثم يشرع في الثانية، وإن كان الأقوى جزاء إتيان الثانية عقب الأول في كل جهة.

مسألة 4 - من صلى إلى جهة بطريقة معتبر ثم تبين خطأه فإن كان منحرفاً عنها إلى ما بين اليمين والشمالي صحت صلاته، وإن كان في أثنياها مضى ما تقدم منها وامتنع في الباقي من غير فرق بين بقاء الوقت وعده، وإن تجاوز الخطأ عدة بيبينها أعاد في الوقت دون خارجه وإن كان استدباره، إلا أن الأحوط القضاء مع الاستدبار بل مطلقًا، وإن اكتشف في الأثنيا الخطأ عما بينها فان وسع الوقت حتى إدراك ركعة قطع الصلاة وأعداها مستقبلًا وتأتي للباقي وصحت عل الأقوى ولو مع الاستدبار، والأحوط قضاها أيضاً.

المقدمة الثالثة في الستر والسائر

مسألة 1 - يجب على اختيار ستر العورة في الصلاة وتوابعها كالركعة الاحتياطية، وقضاء الأجزاء المنصية على الأقوى، وسجدي السهوع الأحوط، وكذا في التنوال، دون صلاة الجنازة وإن كان أحوط فيها أيضاً، ولا يترك الاحتياط في الطوف.
is not possible to have knowledge or evidence, the person offering prayer should make all possible efforts, and act according to his own belief or assumption.

In case it is also not possible and in his view all the four directions are equally possible, he must offer prayer towards all the four directions, if there is ample time; otherwise, he should offer prayer towards the directions as allowed by the time for prayer. If there is knowledge or the like about the absence of possibility of Qiblah being in some of the directions, he should offer prayers towards the other directions in which the Qiblah is possible.

One may rely on direction of the Qiblah the Muslims of the place face while offering their prayers or as ascertained by the direction of their graves and prayer arches (Mihrâbs) in the mosques, if he does not already know them to be made on the wrong directions.

**Problem # 3.** If a person having confusion [about the actual direction of Qiblah] on whom it is obligatory to offer prayer on more than one direction has to offer two prayers, [such as for Zuhr and âSîr], it is more cautious for him to offer the second towards the directions of the first, in the same way as it is also more cautious to offer the first prayer towards the [possible] directions, and then start offering the second, though, according to the stronger opinion, it is permissible to offer the second prayer after the first in all the [possible] directions.

**Problem # 4.** If a person offers prayer towards a direction according to some reliable evidence, and subsequently it transpires that it was wrong, then if his deviation from the direction of the Qiblah has been between his left and right, his prayer shall be valid. If he has come to realise the mistake during offering the prayer, let bygonies be bygonies, and face the right direction of the Qiblah during the rest of the prayer, regardless whether there is sufficient time left [for repetition of the prayer] or not.

If his deviation [from the direction of the Qiblah] has been more than mentioned above, he shall repeat the prayer, if there is still time left for it; otherwise not, even if later it transpires that he had his back towards the Qiblah.

In case he has ample time left, it is more cautious for him to repeat the prayer, if he had his back towards the Qiblah; rather in all cases.

In case during the prayer he comes to realise that his deviation is more than what lies between his right and left, then if there is ample time even for offering a single Rak'at, he must discontinue his prayer and repeat it while standing with his face towards the Qiblah.

If the time left is not sufficient even for a single Rak'at, he must face the Qiblah during the remaining portion of the prayer and, according to the stronger opinion, his prayer shall be valid, even if [the major part of it is] offered with his back towards the Qiblah, though it is more cautious to offer compensatory prayer even for it.

**Third Preliminary of Prayer: Permissible Garment of the Person Offering Prayer**

**Problem # 1.** In case of ability, it is obligatory to cover the private parts in prayer and its appurtenances like the Rak'at offered by way of caution, and according to the stronger opinion, the compensatory prayer for the forgotten portions, and according to the more cautious opinion,
مسألة 2 - لو بدأ العورة لريح أو غفوة أو كانت منكشحة من أول الصلاة و هو لا يعلم فالصلاة صحيحة، لكن يبادر إلى السر إن علم في الأثناء، والأحوط الاهتمام ثم الاستناف، وكذا لونسي سترها في الصورتين.

مسألة 3 - عورة الرجل في الصلاة، عورته في حرمة النظر، وهي الدبر والقضيب والانثيان، والأحوط سترالشح الذي يرى من خلف الثوب من غير تميز للونه، وعودة المرأة في الصلاة جمع بدنها حتى الرأس والشعر ما عدا الوجه الذي يجب غسله في الوضوء، واليدين إلى الزندين والقدمين إلى الساقين، ويجب عليها ستر شيء من أطراف المستثبات مقيدة.

مسألة 4 - يجب على المرأة ستر رقبتها تحت ذقها حتى المقدار الذي يرى منه عند اختيارها على الأحوط.

مسألة 5 - الأمة والصحة كالحرة والبالغة إلا أنه لا يجب عليها ستر الرأس والشعر والعنق.

مسألة 6 - لا يجب التستر من جهة النحت، نعم لو وقف على طرف سطح أو شباك يتوقع وجود ناظر تحته بحيث ترى عورته لو كان هناك ناظر فالأخوة، الأقوقا التستر من جهته أيضاً وإن لم يكن ناظر فعلاً، وأما الشباك الذي لا يتوقع وجود الناظر تحته كالشباك على البر فلا يجب على الأقوقا إلا مع وجود ناظر فيه.

مسألة 7 - الستر عن النظر يحصل بكل ما يمنع عن النظر ولو باليد أو الطلي بالطين أو الورود في الماء حتى أنه يكفي الالتيان في ستر اليد، وأما الستر في الصلاة فلا يكفي فيها ما ذكر حتى حال الاضطراب، وأما الستر بالورق والخشيش والقطن والصوف غير الاتسوسين لأقوى جوازه مطلقاً و إن لا ينبغي ترك الاحتياط في تركه في الأولين، والأقوقا لمن لا يجد شيئاً يصل فيه حتى مثل الخشيش والورق جواز إتيان صلاته فائد السائر، وإن كان الأخوط لمن يجد ما
the two prostrations due to inattention, as also in the supererogatory prayers excluding the prayer for the dead, though, according to the more cautious opinion, also including it, while caution must not be given up during the performance of the circumambulation.

**Problem # 2.** If the private part of a person becomes visible due to wind or negligence, or it was visible from the beginning of the prayer without the knowledge of the person offering prayer, the prayer shall be valid. However, the person should cover it immediately, if he comes to realise about it during the prayer. It is more cautious to finish it, and start it anew.

The same rule applies in case he forgets in both cases.

**Problem # 3.** The private parts of a man which are required to be covered and are forbidden to look at during prayer are the anus, the penis and both the testicles. It is more cautious to cover the indistinct figure of the private parts visible from behind the clothes without distinction of the colour.

As regards the parts of a woman which are required to be covered during prayer, they include her entire body including even her head and hair excluding the part of her face which is required to be washed for ablution and both her hands upto the forearms and both feet upto the ankles. It is obligatory to cover a little of the parts mentioned as excluded from being covered.

**Problem # 4.** It is obligatory on a woman to cover her neck and the lower part of her chin including even that much of it as can be seen after wrapping the scarf (*khimār*).

**Problem # 5.** A slave girl and small girl are treated at par with a free and adult woman, except that it is not obligatory on them to cover their head, hair or neck.

**Problem # 6.** It is not obligatory to cover the private parts from below. Of course, if one is standing at the corner of the roof or net where a person may possibly pass and have a look at the private parts in case he looks up, then, according to the more cautious, rather stronger opinion, one should cover the private parts from below too, even if presently there is no person looking there.

In case, however, there is a net under which no person is expected to look from under as a net on a well, then, according to the stronger opinion, it is not obligatory [to cover the private parts from below], except when there is a person looking in the net.

**Problem # 7.** The hiding from sight may be obtained through any means which may hide a thing from sight, including even a hand, coating with mud or dipping in water. Even both the hips are sufficient to cover the anus.

The hiding of the [private parts] in prayer is not sufficient by means of the things mentioned above, even in case of an emergency.

As regards covering [the private parts] by means of leaves, grass, cotton, and unwoven wool, according to the stronger opinion, it is permissible generally, though caution must not be given up in case of the first two.

According to the stronger opinion, if a person finds nothing to [cover his private parts], even grass or leaves, it is permissible for him to offer prayer, though it is more
يطللي به الجمع بينه وبين واحد.

مسألة ８- يعتبر في السائر بر مطلق لباس المصلي أمور: الأول - الطهارة إلا في الأقى لا تتم الصلاة فيه منفردًا كما تقدم، الثاني - الاباحة، فلا يجوز في المسوب مع العلم بالغصبية، فلو لم يعلم بها صحت صلاته، وكذا مع النسيان إلا في الغاصب نفسه، فلا يترك الاحتباط بالاعادة.

مسألة ９- لا فرق بين كون المسوب عين المال أو منفعته أو متعلقًا لحق الغير كالرهم، ومن الغصب عيناً ما تتعلق به الحمس أو الزكاة مع عدم أدائها، ولو من مال آخر.

مسألة １０- إن صبغ الثوب بصيغ مسوب مع عدم بقاء على الجوهير الذي صبغ به، والباقي هو اللون فقط، تصح الصلاة فيه على الأقوى. أما لو بقي عليه فلا تصح على الإقى، كما أن الأقوى عدم صحتها في ثوب خيط بالمخصص، وإن لم يكن رده بالفتق فضلاً عيا يمكن، نعم لا إشكال في الصحة فيا إذا أجر الصباغ أو الخياط على عمله ولم يعط أجره مع كون الصباغ والخياط من مالك الثوب، وكذا إذا غسل الثوب بباء مسوب أو أزيت وسخه بصباق مسوب مع عدم بقاء عين منها فيه، أو أجر الغالسل على غسله ولم يعط أجره.

الثالث - أن يكون مذكى من مأكل اللحم، فلا تجوز الصلاة في جلد غير المذكى، ولا في سائر أجزائه التي تعلج الحياة ولو كان طاهراً من جهة عدم كونه ذا نفس سأشة كالسمك على الأحوط، وتجوز فيها لا تعلج الحياة من أجزائه كالصفوف والشعر والوبر ونحوها.

وأما غير المأكل فلا تجوز الصلاة في شيء منه وإن ذكى، من غير فرق بين ما تعلج الحياة منه أو غيره بل يجب إزالة الفضلات الطاهرة منه كالرطوبة والشعرات المتصلة بلباس المصل ومبهده، نعم لو شك فيلبس أو فيها عليه في أنه من المأكل أو غيره أو من الحيوان أو غيره صحت الصلاة فيه، بخلاف ما لو
cautious for a person who finds something to coat with to add to his own condition the condition of one who could find something [to cover his private parts].

Problem # 8. There are a few conditions required in what covers the private parts of a person offering prayers, rather in the general garments of such person. They are:

Firstly, Cleanliness, except in case of a single garment in which prayer cannot be offered, if it is the only thing he has [as handkerchief], as mentioned before.

Secondly, that it is not permissible to offer prayer if the garment is usurped, provided that he has knowledge about its being usurped, so that if he does not know about it, his prayer shall be valid.

The same rule shall apply in case he forgets about the garment being usurped, except when he is himself the usurper. Caution must not, therefore, be given up by offering the prayer again.

Problem # 9. There is no difference whether the usurped object is an actual property, its usufruct or is related with the right belonging to another as something mortgaged, or the actual property which belongs to *Khums* or *Zakāt* due to their non-payment even from some other property.

Problem # 10. If a person has dyed his garment with usurped dye, then in case the particles of the dye with which it has been dyed have not remained on the garment and what remains is the colour only, then, according to the stronger opinion, his prayer shall be valid.

If, however, the particles of the actual dye have remained on the garment, then, according to the stronger opinion, the prayer shall not be valid, in the same way as, according to the stronger opinion, it shall not be valid if the garment has been stitched with a usurped thread, though it is not possible to separate the thread by tearing it, what to say of the case when it is possible to do so.

Of course, there shall be no difficulty in accepting the prayer as valid in case the dyer or the tailor has been compelled to do his job, and he has not been paid his remuneration, provided that the dye and the thread belonged to the owner of the garment.

The same rule applies if the garment has been washed with usurped water, or its dirt has been removed by a usurped soap, provided that its actual particles have not remained on the garment, or when the person washing the garment had been compelled to do it and has not been paid his remuneration.

Thirdly, that [if the garment has been made with the parts of body of an animal], it should belong to an animal which has been one whose meat is allowed for eating and which has been lawfully slaughtered. So it is not permissible to offer the prayer while wearing the garment made of the skin of an animal not lawfully slaughtered, nor the garment made of other parts of its body having life, and, according to the more cautious opinion, even if it is clean due to not being one having spurting blood, like a fish. It is permissible to offer prayers in case the garment is made of the parts of the body of the animal having no life like wool, hair or fur, or the like.
شك في تعلم الحياة من الحيوان أنه مذكي أو ميتة، فانه لا يتصلي فيه حتى يجز الركعة، نعم ما يؤخذ من يد المسلم أو سوق المسلمين بعلم سيد الكافر عليه أو مع سبق يده مع احتمال أن المسلم الذي يده تخفص عن حاله بشرط معاملته، مع معاملة المذكي على الأحذى حكم بالتكذبة، فتجوز الصلاة فيه.
مسألة 11: لا يتأس بالله في الصلاة والزصرصر ونحوه مما لا حرم لها، وذكذ الصدف.
مسألة 12: استثني ما لا يؤكل الحمزة إذا السباحة على الأقوى، ولكل لا ينبغي ترك الاحتياط في الثاني، وما يسميه الآن بالحزم ولم يعلمه أنه منه، وانتبه حاله لا يتأس به إلا كان الأحذى الاحتياط عنه.
مسألة 13: لا يتأس بفضلات الإنسان كشته ورقيه وليته سواء كان للملصق أو لغيره، فلا يتأس بالشعر الموصل بالشعر سواء كان من الرجل أو المرأة.
الرابع: أن لا يكون الساكنين مثل البابا للرجال في الصلاة.
ولاتكون بين النظرا، بل يخرج عليهم في غيرها أيضاً.
مسألة 14: لا يتأس بشش الأسنان بالذهاب، بل لا يجوزه غلاباً لها أو بركاً من فيها في الصلاة بل مطلقاً، نعم في مثل التكذيب مما كان ظاهراً وقيد صد من الزينين لا يخلو من إشبان، فالاحذى الاحتياط، وإذا كانت زخيراً منه وعمق على رقيته أو بلباسه، بشكل الصلاة فإنه إذا كان غير معلق وإليه كان معه في جيبه فانه لا يتأس به.
الخامس: أن لا يكون حريراً إضاباً للرجال، بل لا يجوز لبعضهم في غير الصلاة أيضاً و إن كان مما لا تم الصلاة فيه منفرداً كالكتبة والقلنسوة ونحوها على الأحذى، والمراد به ما يشمل القز، ويجوز للنساء ولود في الصلاة والرجال في
As regards the animal whose meat is not allowed for eating, it is not permissible to offer prayer wearing anything made of the parts of its body, even if it was lawfully slaughtered, regardless whether it had life or not. Rather, it is obligatory to remove the clean surplus things-like moisture or the hair sticking to the garment of the person offering prayer. Of course, if a person doubts whether his garment or anything covering his body is made of [the parts of body of] an animal whose meat is allowed for eating or not, or it is made of an animal or some other thing, his prayer shall be valid if offered while wearing it, contrary to the case when he doubts about the parts of the body of an animal having life whether it was lawfully slaughtered or dead, so that it is not lawful to offer prayer while wearing a garment made of its part of body unless it is ascertained that it was lawfully slaughtered.

Of course, what is obtained from a Muslim or a market of the Muslims without the knowledge that it was formerly in the possession of an infidel, or when it was in the possession of an infidel with the likelihood that the Muslim in whose possession it is now has investigated about its actual position of having made the transaction on the condition that it was lawfully slaughtered, then, according to the more cautious opinion, it shall be considered to have been lawfully slaughtered, and so offering prayer while wearing it shall be permissible.

Problem # 11. There is no objection in [the use of] a candle, honey or mixed silk or the part of body of the animal having no flesh like a mosquito, bug or a bee or the like, and so is the case of a mother-of-pearl.

Problem # 12. From among the animals whose meat is not permitted for eating mongoose is an exception, and so is a squirrel, according to the stronger opinion, but caution must not be given up in case of the latter. What is now called “Khaz” [in Arabic] and not known that it belongs to that animal, and its position is doubtful, there is no objection in it, though it is more cautious to abstain from it.

Problem # 13. There is no objection in the surplus things of a man like his hair, saliva or milk, whether it is originally of the person offering prayer or some one else. So there is no objection in hair tied with hair, regardless whether they are a woman’s or a man’s hair.

Fourthly, that while offering prayers, the cloth covering the private parts, rather the general garment of a man, should not contain anything made of gold, although meant for decoration, such as a ring or the like. Rather it is forbidden for men even when not offering prayer.

Problem # 14. There is no objection while offering prayer, rather generally, in strengthening the teeth with gold, rather even in making a cover of gold for them or making artificial teeth of gold. Of course, in case of the front teeth, which are apparent, if made for the purpose of decoration, it is not free from objection. So it is more cautious to abstain [from it]. Likewise, there is no objection in making the frame of gold for a watch, and keep it with oneself [while offering prayers]. Of course, if the chain of a watch is made of gold and a person hangs it on his neck or on his garment, there shall be objection in offering prayer with it, contrary to the case when it is not hanging, though it may be in his pocket, there is no objection in it.

Fifthly, that the garment of men, while offering prayers, should not be made of pure silk, rather it is not lawful for men even when they are not offering prayers, although, according to the more cautious opinion, it is something which alone is not sufficient for offering prayer,
الضرورة وفي الحرب.

مسألة 15 - الذي يحرم على الرجال خصوصاً لبس الحرير، فلا بأس بالاختيار والركوب عليه والتذمر به - أي التغطية به عندالنوم - ولا بزء الشيب وعلامات السفائف والقيام الموجودي عليها، كما لا بأس بعصابات الجروح والقرح وحفيظة المسلوس، بل ولا بأس بأن يرفع الثوب به ولا الكف به (1) لو لم يكون بقدر يصدق معه لبس الحرير، و إن كان الأحوط في الكف أن لا يزيد على مقدار أربع أصابع مضمومة، بل الأحوط ملاحظة التقدير المزبور في الرقاع أيضاً.

مسألة 16 - قد عرفت أن الخصر لبس الحرير المحض، أي الخالص الذي لم يمتزج بغيره، فلا بأس بالمتزج، والدار على صدقة مسمى الامتزاج الذي يخرج به عن المحوضة وثوكان الخيط بقدر العشر، ويشترط في الخيط - من جهة صحة الصلاة فيه - كونه من جنس ما تصح الصلاة فيه، فلا يكفي مزجه بصوف أو وبر ما لا يؤكل لحمه وإن كان كافياً في رفع حمرة النسب، فيم الثوب المصبوغ من الأبرس المفتوح بالذهب يجري لنسبه، كما لا تصح الصلاة فيه.

مسألة 17 - لبس لباس الشهرة وإن كان حراماً على الأحوط، وكذا ما يخص بالنساء للرجال والعكس على الأحوط، لكن لا يضر لبسهما بالصلاة.

مسألة 18 - لو شكر في أن الياص أو الحاكم ذهب أو غيره يجوز لبسه والصلاة فيه، وكذا ما شكر أنه حرير أو غيره، ومنه ما يسمى بالشعرى من لا يعرف حقيقته، وكذا لو شكر في أنه حرير محض أو متزج وإن كان الأحوط الاجتناب عنه.

مسألة 19 - لا بأس بلباس الصبي الحرير، فلا يحرم على الولي إلابسه، ولا

(1) كف الثوب: خاطر حاشيته، وهو الخابطة الثانية بعدقلش
such as a waistband or a cap or the like. Pure silk also includes what is made of raw silk, though it is permitted for women, even when offering prayers, and for men in the event of necessity or war.

Problem # 15. What is forbidden for men is wearing garments made of silk, but there is no objection in making silken carpets or bed sheets and lie on them or blankets etc. and cover themselves with them when sleeping. So also there is no objection in stitching buttons of garments with silk, or decorate the garments with braids and laces made of silk, in the same way as it there is no objection in making the covers for wounds, abscesses and preventives for those suffering from incontinence of urine.

Rather, there is no objection even in patching garments with silk or making the borders of the garments with silk, provided that they are not to the extent that they may be called silken, and in case of borders for garments, it is more cautious that they should not exceed four fingers when joined together in width. Rather it is more cautious to observe this measurement even in case of the patches of silk on the garments.

Problem # 16. It is understood that it is forbidden to wear garments made of pure silk, that is pure silk which not mixed with anything else. So there is no objection in wearing garment made of mixed silk. The criterion for a garment made of mixed silk is that it should cease to be called one made of pure silk, although the mixture is only one-tenth. It is also a condition in the mixture that in respect of validity of the prayer, it should be of a material with which it is allowed to offer prayers, so that it is not sufficient to mix the silk with wool or fur of an animal whose meat is not allowed for eating, even if it is sufficient for removing the prohibition for wearing.

Of course, it is forbidden to wear a silken garment woven with golden threads, in the same way as it is forbidden to offer prayer while wearing such garment.

Problem # 17. Wearing garment for fame, though it is forbidden according to the more cautious opinion, and, likewise, according to the more cautious opinion, wearing what is specially meant for women by men and vice versa [is forbidden], but there is no harm in wearing them for offering prayers.

Problem # 18. If a person doubts whether a garment or ring is made of gold or any thing else, it shall be permissible to wear them, and offer prayers wearing them.

The same rule applies in case a person doubts whether a garment is made of silk or any other material.

To the same category belongs the case of any garment called 'made of hair', but whose factual position is not known.

Likewise, if a man doubts about a garment whether it is made of pure or mixed silk, [he is allowed to offer prayers while wearing that garment], though it is more cautious to abstain from it.

Problem # 19. There is no harm if a child wears garment made of silk. So it is not forbidden for a guardian to dress the child in the silken garment, and it is also not far from being likely that if the child offers prayers in silken clothes, it shall be valid.
مسألة 20 - لولي يد المصلي سائرًا حتى الحشيش والورق يصل عرياناً قائمًا على الأقوى فإن كان يأمن من ناظر محترم، وإن لم يأمن منه صل جالساً، وفي الحالين يdni للركوع والسجود، ويجعل إياها للسجود أخفض، فإن صلى قائمًا يستقبل بله، وإن صلى جالساً يستند ببخديه.

مسألة 21 - يجب على الأحوط تأخير الصلاة عن أول الوقت فإن لم يكن عنده سائر واحتمل وجوده في آخره، ولكن عدم الوجوب لا يخلو من قوة.

المقدمة الرابعة في المكان

مسألة 1 - كل مكان يجوز الصلاة فيه إلا المغصوب عيناً أو منفعة، وفي حكمه ما تتعلق به حق الغير كالمرهون، وحق الميت إذا أوصي بالثلث ولم يخرج بعيد، بل ما تتعلق به حق السبق بأن سبق شخص إلى مكان من المسجد أو غيره للصلاة مثلاً ولم يعرض عنه على الأحوط، وافتا تبطل الصلاة في المغصوب إن كان عالماً بالغربية وكان مختاراً من غير فوق بين الفرضينة والراغبة، أما الجاهل بها والضطراب الباشوب ببطفل فصلتهم والحالة هذه صحيحة، وكذا النايس لها إلا الغاصب نفسه، فإن الأحوط بطلان صلاته، وصلاة الضطراب كصلاة غيره بقيام وركوع وسجود.

مسألة 2 - الأرض المغصوبة المجهول مالكها لا يجوز الصلاة فيها، ويرجع أمرها إلى الحاكم الشرعي، ولا يجوز أيضًا في الأرض المشتركة إلا بأخذ جميع الشراء.

مسألة 3 - لا تبطل الصلاة تحت السقف المغصوب في الحيمة المغصوبة والصهوة والدار التي غصب بعض سورها إذا كان ما يصل فيه مباحًا، وإن كان
Problem # 20. If a person offering prayer does not find anything including grass or leaves to cover his private parts, he may offer prayers stark naked in a standing posture, according to the stronger opinion, if he is safe from being seen by one who is forbidden to look at him.

If, however, he is not safe from being seen by one who is forbidden to look at him, he may offer prayers while sitting. In both cases, he must make signs for kneeling and prostrating, and make the sign of prostrations as low as possible.

In case he offers the prayer in a standing posture, he must cover his front private parts with his hand, and if he offers it while sitting, he must cover them with his thighs.

Problem # 21. According to the more cautious opinion, it is obligatory to delay offering prayers if a person has nothing to cover his private parts, and there is likelihood of getting something by the end of the due time. But it's not being obligatory is not devoid of force.

Fourth Preliminary for Prayer: Its Place of Offering

Problem # 1. A prayer can be offered at any place except the usurped one, regardless whether it is the land itself, or its usufruct, or it falls under the category of one whose right belongs to someone else as a mortgaged place, or its title belongs to a deceased person who has left a will for one-third of his property and it has not yet been partitioned, rather if it comes under someone's preferential right in a way that, for example, a man enters earlier in a part of the mosque etc. for offering prayers and, to be more cautious, has not left it.

The prayer in a usurped place shall be invalid if the person offering the prayer has knowledge about its being a usurped place, and the man has option, irrespective of the prayer being obligatory or supererogatory.

In case a person is ignorant of the place being a usurped one, or in case of emergency or one unlawfully confined in such circumstances, his prayer shall be valid.

The same rule shall apply to a person who has forgotten about the place being a usurped one, except when he himself is the usurper. It is more cautious to declare his prayer to be invalid.

As regards the prayer offered by a person in emergency, it shall be like one who is not in emergency in respect of standing, kneeling and prostration.

Problem # 2. It is not permissible to offer prayer in a usurped place whose owner is not known, and its case is referred to the ruler.

Likewise, it is also not permissible to offer prayer in jointly owned place, except with the permission of all its owners.

Problem # 3. If the place of offering prayers is lawful, the prayer offered under a usurped roof, usurped tent, top of a mountain or a house some of whose walls are usurped shall not be invalid, though it is more cautious to abstain from all such places.
الأحواط الاجتناب في الجمع.

مسألة ٤ - لو اشتري داراً بعين المال الذي تعلق به الحمس أو الزكاة تبطل الصلاة فيا إلا إذا جعل الحق في ذمته بوجه شرعي كالمصالحة مع المجتهد، وكدما لا يجوز التصرف مطلقاً في تركية الميت المتعلقة للزكاة والحمس وحقوق الناس كالنظام قبل أداء ما عليه، وكدما إذا كان عليه دين مستغرق للتركية، بل وغير المستغرق، إلا مع رضا القنان، أو كون الورثة بانين على الأداء غير متسامحين، والأحواط الاسترضاء من ولي الميت أيضاً.

مسألة ٥ - المدار في جواز التصرف والصلاة في ملك الغير على إحراس رضاه وطيب نفسه وإن لم يؤذن صراحةً، بأن علم ذلك بالقرآن وشاهد الحال وظاهر تكشف عن رضاه كشفاً اطمئنانياً لا يعتن به باحتمال خلافه، وذكه كالمضائف المفتوحة الأبواب والحمامات والملاتين ونحو ذلك.

مسألة ٦ - يجوز الصلاة في الأراضي المتسعة كالمحار وضروب والمستثنك التي لم بين عليها الحيطان، بل وسائر التصرفات البسيطة مما جرت عليه السيرة كالمستطيات العادية غير المصورة والجلوس والنوم فيها وغير ذلك، ولا يجب التفاصيل عن ملأتها من غير فرق بين كونهم كاملين أو قاصرين كالصغر والملائيم، نعم مع ظهور الكراهية والمنع عن ملأتها ولو بوضع ما يمنع المارة عن الدخول فيها بشكل جمع ما ذكر وأشياءها فيها إلا في الأراضي المتسعة جداً.

كالمحار التي من مرفقات القرى وتوابعها العروبة والمراتب دوابها ومواشيها، فانه لا يعد فيها الجواز حتى مع ظهور الكراهية والمنع.

مسألة ٧ - المراد بالمكان الذي تبطل الصلاة بعضها ما استقر عليه المصلي ولو بوساطة على إشكال فيه، وما شمله من الفضاء في قيامه وركوعه وسجوده ونحوها، فقد يجتمعان كالصلاة في الأرض المقصوبة، وقد يفتروقان كالجناح المباح الخارج إلى فضاء غير مباح وكالفرش المقصوب المطرى على أرض غير مقصوبة.
Problem # 4. If a person purchases a house from among the actual property on which the payment of Khums or Zakāt is due, the prayer offered in it shall be invalid, except when the person in a lawful manner transfers its liability for payment of Khums and Zakāt to himself through a negotiation with a Mujtahid.

Likewise, it is not permissible to make any changes in the property left by a deceased person on which the payment of Khums, Zakāt or peoples rights are due like the Maṣālim before the payment of their dues.

The same rule applies if the deceased person owes a debt which covers the entire property left by him. Rather, the same rule applies even if the debt does not cover the entire property, except with the consent of the creditors, or when the heirs of the deceased determined to pay the debt without negligence. It is more cautious also to obtain the consent of the guardian (or executor) of the deceased.

Problem # 5. The criterion for permissibility of the change and prayer in the property of another is obtaining his permission and willingness, even if he has not given his permission expressly, so that it is known by indications and circumstantial evidence and outward signs which indicate his consent, supported by satisfactory indications in which no deed is paid to likelihood to the contrary, and that is the open door guest houses, public baths, caravanserais and the like.

Problem # 6. It is permissible to offer prayer in extensive pieces of land like deserts, farmlands and gardens around which no walls have been built. Rather other ordinary utilisation of such places according to the usual practice is also allowed as walking in them without any damage, or sitting or sleeping in them or the like. It is not obligatory to make investigations about their ownership, regardless of the owners being adults, minors or lunatics.

Of course, in case of expression of disapproval and ban on their use by their owners, though with placing some sign of stopping the entrance in them, there is difficulty in the permissibility of all that has been mentioned before as well as other similar actions in them, except in very extensive lands like deserts which are considered among the public utilities of villages and usually as their suburbs and the pastures for their cattle, so that such acts are not far from being permissible in such places even with the expression of disapproval and ban.

Problem # 7. A place where prayer is rendered invalid due to its usurpation means where a person offering prayer stands even with several intermediaries in which there is objection. Likewise, it also applies to the space which is occupied by him for standing, kneeling and prostrating and the like [in prayers], so that both these categories sometimes become combined, as in case of prayer in a usurped land, and sometimes they part with each other as a lawful balcony in an unlawful space or a usurped carpet strewn in a lawful piece of land.
مسألة 8 - الأقوى صحة صلاة كل من الرجل والمرأة مع المحاذاة أو تقدم المرأة، لكن على كراهة بالنسبة اليها مع تقارنها في الشروع، وبالنسبة إلى التأخر مع اختلافها، لكن الأحوط ترك ذلك، ولا فرق فيه بين المحارم وغيرهم، ولا بين كونها بالغين أو غير بالغين أو مختلفين، بل يعم الحكم الزوج والزوجة أيضاً. وتختص الكراهية بوجود الحائض والرجل بينهما عشراً أذاع بذراع اليد، والأحوط في الحال كونه يبتين المشاهدة، كما أن الأحوط في التأخر كون مسجدها وراء موقفه و إن لا تبعد كفاية مطلقها.

مسألة 9 - الظاهرة جواز الصلاة مساوياً لقب المعصوم عليه السلام بل و مقدماً عليه، ولكن هو من سوء الأدب، والأحوط الاحتراز منها، ويرفع الحكم بالبعد المفرط على وجه لا يصدق معه التقدم والمحاذاة و يخرج عن صدق وحدة المكان، وكذا بالحائض الراقي لسوء الأدب، والظاهر أنه ليس منه الشباك والصدوق الشريف و ثوبه.

مسألة 10 - لا يعتبر الطهارة في مكان المصلئ إلا مع تعدد النجاسة غير المعفو عنها إلى الثوب أو البدن، نعم تعتبر في خصوص مسجد الجبهة كما مر، كما يعتبر فيه أيضاً مع الاختيار كونه أرضها أو نباتها أو قرطاها والأفضلة المتعلقة التي تخرص الحجاب السبع، والثواب إلى الأرضين السبعة على ما في الحديث، ولا يصح السجود على ما خرج عن اسم الأرض من المعانون كالذهب والفضة والزجاج والقرير، و نحو ذلك، وكذا ما خرج عن اسم النبات كالذباح والأقوى جوازه على الحفز والآخر والثورة واللمس، ولو بغير الطبع، وكذا الفحم، وكذا يجوز على طين الأرمني وحجر الحبيبي وجميع آثار المرمر إلا ما هو مصنع ولم يعلم أن مادتهما يستحق السجود عليها، و يعتبر في جواز السجود على النبات أن يكون من غير المأكول والملبس، فلا يجوز على ما في أيدي الناس من المأكول والملابس، كالخبز والمطبخ والحبوب المعتاد أكلها من الخشنة والشعر، و نحوها.
Problem # 8. According to the stronger opinion if a man and woman offer prayer standing side by side, or the woman stands forward, their prayer shall be valid, but if both of them start their prayer at the same time, it would be disapproved for both, and if they do not start together, the prayer of the person started the prayer afterward shall be disapproved. It is more cautious to give it up. It makes no difference whether both of them are within the prohibited degrees [of marriage] or otherwise, or both of them adults or otherwise, or one of them is an adult and the other a minor. Rather the rule also applies to a husband and wife.

The disapprobation is removed if there is a curtain or a distance of ten cubits between the two parties. It is more cautious for the curtain to be such as nothing can be seen through it, as in case of the woman standing behind the man should be such that the place of the woman’s prostration should be equal to the place of the man’s feet, though it is sufficient even if the woman is standing a bit behind the man.

Problem # 9. Apparently it is permissible to offer prayer on the side of the grave of a Ma’sūm [i.e., any prophet, Fāṭimah or any of the twelve Imāms], Peace be upon them; rather, even forward than it, but it amounts to committing a dishonorable act, and so it is more cautious to abstain from it. The effect is removed where there is a long distance in a way that it may not be treated as being on the side of or forward than the grave and the objection of being in the same place is also removed.

Similarly, a curtain also removes the act from being dishonorable, but apparently the net, holy box or the cloth strewn upon it is not considered as the curtain.

Problem # 10. It is not a condition that the place of offering the prayer must be clean, except that the uncleanness which cannot be forgiven should not pervade to the garment or body of the person offering prayer.

Of course, as mentioned before, the place of prostration must be clean, as it is also a condition in its being land, grass, or paper, the most preferable being the earth of Imām ʿīsā’s grave which splits the seven barriers and illuminates the seven layers of the earth, according to what has been narrated in the Tradition.

It is not permissible to prostrate on what the word land is not applicable as minerals, such as gold, silver, glass, tar or the like.

Likewise, [it is not permissible to prostrate] on what the word vegetation (Nabat) is not applicable as ashes, According to the stronger opinion, it is permissible [to offer prayer] on pottery, brick, lime, gypsum even after being soaked.

Same is the case with [prostrating on] charcoal.

Also it is permissible [to offer prayer] on Armenian clay, the millstone and all kinds of marble, except the artificial one about which it is not known whether its material is one on which prostration is allowed.

It is a condition for the permissibility of prostration on vegetation that it should not be used for eating or clothing, so that it is not permissible [to prostrate] on what is used by the people for food or clothing, as something baked or cooked or the grains which are usually used as food like wheat, barley or the like, or fruits or edible vegetables and the edible fruits even if
و الفواكه والبقول المأكولة، والثمرة المأكولة ولو قبل وصولها إلى زمان الأكل، ولا يأخذ بالسجود على قشورها بعد انفصالها عنها دون المصل بها إلا مثل قشر الأفراح والخيار مما هو مأكول ولو تبعاً أو يأكل أحياناً، أو يأكله بعض الناس، وكداأ قشور الحبوب مما هي مأكولة معها تبعاً على الأحواط، نعم لا يأخذ بقشر نوى الأثمار إذا انفصل عن اللب المأكول، ومع عدم مأكولة البيت واللو بالعلاج لا يأخذ بالسجود عليه مطلقاً، كما لا يأخذ بغير المأكول كالحنظل والحزموب ونحوهما، وكذلك لا يأخذ بالتين و القصيل ونحوهما، ولا ينعم شرب التين من جوز السجود عليه، والأحواط ترك السجود على خليفة الخندة والشبع وكذا على قشر البطيخ ونحوه، ولا يبعد الجوائز على قشر الأرز والرمان بعد الانفصال والكلام في الملبس كالكلام في المأكول، فلا يجوز على القطن والكتان والوقيل وصولها إلى أوان الغزل، نعم لا يأخذ بالسجود على خشبته ونحوها كالوزر والخوص ونحوهما، لما لم يكن معداً لاتخاذ الملابس المتعددة منها، فلا يأخذ حينئذ بالسجود على القبعات والثوب المشود من الخوص مثلً، فضلاً عن البوريا والحصير والمروحة ونحوها، والأحواط ترك السجود على القنب، كما أن الأحواط الأولى تركه على القرطاس المتخذه من غير النبات كالمتخذه من الحرير والابزيم، وإن كان الأقوى الجوائز مطلقاً.

مسألة 11. يعتبر فرد يسجد عليه رجل يختار كونه مكمين للجيبة عليه، فلا يجوز على الوجل غير المتماسك، بل ولا على التراب الذي لا يتمكن الجيبة عليه، ومع إمكان التمكن لا يأخذ بالسجود على الطين وإن لحق بجبهه، لكن تجب ازالته للسجدة الثانية لو كان حاجباً، ولو لم يكن عنده إلا الطين غير المتماسك سجده عليه بالوضع من غير اعتماد.

مسألة 12. إن كانت الأرض والوجل بحيث لو جلس للسجود والتشهد يتلطف بهدنه وثوابه ولم يكن له مكان آخر يتصلي قاماً مؤمناً للسجود والتشهد على
they are ready [or ripe] for eating, though there is no objection in prostrating on their skins, peelings and shells separated from them except what are attached with them like the peels of apples or cucumbers which are either generally or sometimes eaten or eaten by a section of the people.

Similarly, there are the skins or husks of grains which are generally eaten with the grains, on which, according to the more cautious opinion, it is not permissible to prostrate.

There is, however, no objection in prostrating on the shells of the stones of the fruits when they are separated from the pulps. In case the pulps of the stone are not used for eating, even for treatment, there is no objection in prostrating on them generally, as there is no objection in prostrating on things which are not used for eating like colocynth, carob beet or the like.

There is also no objection in prostrating on straw and chaff and stalks of grain. The smoking of tobacco does not make it unlawful for prostrating on it.

It is more cautious to give up prostrating on the bran of wheat and barley, and, similarly, on the skin of melon and the like.

It is not far from being permissible to prostrate on the husk of rice and pomegranate after sifting.

The case of things used for wearing is identical with that of things used for eating. So it is not permissible to prostrate on cotton and flax even before they are ready for spinning. Of course, there is no objection in prostrating on their wood etc. like their leaves and palm leaves or the like which are usually not used in preparation of wearing material.

Likewise, there is no objection in prostrating on wooden clogs and the cloth made of, for example, palm leaves, not to speak of the mats made of palm leaves, straw mats and fans made of palm leaves, and the like.

It is more cautious to avoid prostrating on hemp, in the same way as, according to the more cautious opinion, it is better to avoid prostrating on the paper made of non-vegetation material, as made of silk, though, according to the stronger opinion, it is permissible generally.

Problem # 11. In case of ability, it is a condition for the thing on which prostration is performed that it should be a thing on which the forehead may be easily placed. So it is not permissible to prostrate on mud which is not stable, rather on the earth on which the forehead cannot be placed. But in case it is possible to place the forehead, there is no objection on prostrating on clay, even if it sticks to the forehead, but it is obligatory to remove it for the second prostration, if it is a hindrance [in the second prostration].

If a person has nothing but infirm clay, he shall prostrate on it by placing the forehead on it without its being intent on it.

Problem # 12. If the land and mud is such that if the person offering prayer sits on it for prostration and Tashahhud, it would besmear his body and clothes, and he has no other place to offer prayers, he shall offer prayers in a standing posture and shall make signs for prostrations and Tashahhud, as according to the stronger opinion, it is more cautious.
الأحوط الأقوى.

مسألة 13: إن لم يكن عندنا ما يصح السجود عليه أو كان ولم يتمكن من السجود عليه لعذر من تقية ونحوا يسجد على ثوب القطن أو الكتان، ومع فده سجدة على ثوبه من غير جنسها، ومع فده سجدة على ظهر كفه، وإن لم يتمكن فعل المعادن.

مسألة 14: لو قد ما يصح السجود عليه في أثناء الصلاة قطماها في سما الوت، وفي الضيق سجدة على غيره بالترتيب المقدم.

مسألة 15: يعتبر في المكان الذي يصب فيه الفريضة أن يكون قارا غر مضطرب، فلو صلى اختيارا في سفينة أو على سرير أو بيدر فان فات الاستقرار المعتبر بطلت صلاته، وإن حصل بحيث يصدق أنه مستقر مطمئن صحت صلاته وإن كانت في سفينة سائرة وشبها كالمطارنة والقطار ونحوها، لكن تجب المحافظة على بقية ما يعتبر فيها من الاستقبال ونحوه، هذا كله مع الاختيار، وأما مع الاضطرار فيصلي ماشياء وعلى الدابة وفي السفينة غير المستقرة ونحوها مراعياً للاستقبال بما أمكن من صلاته، وينحرف إلى القبلة كلما اغير المركوب مع الامكان، فان لم يتمكن من الاستقبال إلا في تكبرة الاحرام اقتصر عليه، وإن لم يتمكن منه أصلاً سقط، لكن يجب عليه تحسير الأقرب إلى القبلة فالأقرب، وكذا بالنسبة إلى غيره مما هو واجب في الصلاة فانه يأتي بما هو الممكن منه أو بدله ويسقط ما تقتضي الضرورة مسقطه.

مسألة 16: يستحب الصلاة في المسجد، بل يكره عدم حضورها بغير عذر كانظر خصوصا لجار المسجد حتى ورد في الخبر "لا صلاة لجار المسجد إلا في المسجد" وأفضلها المسجد الحرام، ثم مسجد النبي صلى الله عليه وآله، ثم مسجد الكوفة والأقصى، ثم مسجد الجامع، ثم مسجد القبلة، ثم مسجد السوق، والأفضل للنساء الصلاة في بيتهن، والأفضل بيت المدخن، وведا يستحب.
Problem # 13. If a person has nothing which is lawful to prostrate on, or has it but cannot prostrate on it due to Taqiyyah or the like, he may prostrate on cloth made of cotton or flax, and if it is not available, he may prostrate on his cloth made of material other than cotton or flax, and in its absence, he may prostrate on the back of his palm. If this also not possible, he may prostrate on minerals.

Problem # 14. If during the performance of prayer a person loses the thing which it is lawful to prostrate on, he shall discontinue prayer if there is ample time [for offering prayer again], and if not he shall prostrate in order mentioned above.

Problem # 15. It is a condition for the place for offering the obligatory prayers that it should be stable and not restless. In case of ability, if a person offers prayers in a ship, or on a beadseat or a [wheat or barley] threshing floor, then if there is no required stability there, his prayer shall be void. If the place becomes such that it may be said that it is satisfactorily firm, the prayer shall be valid, even if it is in a moving ship or something identical like an aeroplane, train or the like, but it is obligatory to observe the remaining conditions required to be observed in prayer like facing Qiblah, etc.

This is all when the person has a choice. Otherwise, in case of emergency, a person may offer prayers in a state of walking or while riding an animal or an infirm ship or the like, observing as far as possible the condition of facing the Qiblah and, if possible, turning towards the Qiblah whenever the thing on which he is riding turns against the Qiblah. If it is not possible to face the Qiblah except when reciting the Takbirat al-Iḥrām, he may be content with it, and if it is not possible at all, the condition shall drop, but it is obligatory to try one's best to be closest to the direction of the Qiblah.

The same is the case with the observation of other conditions in prayers, so that he should observe whatever is possible from them or in their place, or to drop what he was compelled to drop due to necessity.

Problem # 16. It is recommended to offer prayers in the mosque; rather, it is disapproved not to be present there without any due excuse like rain, particularly for one who lives in the neighbourhood of a mosque, as it has been said in the Tradition: "No prayer is lawful for a neighbour of a mosque except in the mosque". The most preferred is the Masjid al-Ḥarâm (in Mecca), then the Masjid al-Nabī (in Madinah), Blessings of Allāh be on him and his Progeny, then the Kūfah and al-Aqṣah Mosques, then the Jāmi' Mosque, then the tribal mosque, and then the mosque of the market.

It is most preferable for women to offer their prayers in their own houses, and there too the most preferable is a small room inside the bigger one.

Likewise, it is recommended to offer prayers in the shrines of the Imams, Peace be upon them, particularly in the tomb of Amīr al-Mu'minīn (Ali), Peace be upon him, and the Ḥaram (enclosure of the mausoleum) of Abū ʿAbdillāh al-Ḥusayn, Peace be upon him.
الصلاة في مشاهد الأئمة عليهم السلام، خصوصاً مشهود أمير المؤمنين عليه السلام وحائط أبي عبدالله الحسين عليه السلام.

مسألة 17 - يكره تعطيل المسجد، وقد ورد أنه أحد الثلاثة الذين يشكون إلى الله عزوجل يوم القيامة، والآخران عالم بين جهال، وصحح معلق قد وقع عليه الغبار لا يقرأ فيه، وورد "أن من مشى إلى مسجد من مساجد الله فله بكل خطوة خطاها حتى يرجع إلى منزله عشر حسنات، وحمي عنه عشر سيئات، ورفع له عشر درجات.

مسألة 18 - من المستحبات الأكيدة بناء المسجد و فيه أجر عظيم و ثواب جسيم، وقد ورد أنه قال رسول الله صلى الله عليه وآله: "من بنى مسجداً في الدنيا أعطاه الله بكل شبر منه - أو قال: بكل ذراع منه - مسيرة أربعين ألف عام مدينة من ذهب و فضة و ذر و ياقوت و زمرد و زرجد و لؤلؤ" الحديث.

مسألة 19 - عن المشهور اعتبار إجراء صيغة الوقف في صيورة الأرض مسجداً بأن يقول: "وقفتها مسجداً قريبة إلى الله تعالى" لكن الأقوية كفاية البناء بقصد كونه مسجداً مع قصد القربة و صلاة شخص واحد فيه باذن الباني، فنصير مسجداً.

مسألة 20 - تكون الصلاة في الحمام حتى المسجد منه، في المزيلة والجزرة والمكان المتخذ للكنيف ولو سطحاً متخذاً مباماً و بيت المسكر، و في أعطان الأبل، و في مرابط الحبل والبغل والحمير والبقر و مرابض الغنم والطرق إن لم تضر بالمارية، إلخ، و في قرى القلم و مجازي المياه وإن لم يوقع جريانها فيها فعلًا، و في الأرض السبخة، و في كل أرض نزل فيها عذاب، و على النزل، و في معايد النيران بل كل بيت أعد لاضرام النار فيه، و على القبر و عليه بين القبور، و ترتفع الكراهية في الآخرين بالحائل، و بعد عشرة أذاع، ولا بأسب بالصلاة خلف قبور الأئمة عليهم السلام و عن بينها و شملها، و إن كان الأولي
Problem # 17. It is disapproved to desert the mosques. It has been said [in the Tradition] that the mosques shall be one of the three things which will place their complaint before Allâh, the Exalted and Glorious, on the Day of Judgement, the two others being a learned person among the ignorant and the Muṣḥaf [i.e. the holy Qur’ân] which is left hanging, covered with dust which is not read [by those having it with them]. It has been related in the Tradition that “Whosoever goes to one of the mosques of Allâh shall receive ten goods as reward for every step he takes until he returns to his house, ten of his evil deeds shall be waived off, and his rank shall be raised by ten degrees.”

Problem # 18. Construction of mosques is among the emphatically recommended acts, and it has a great recompense and immense reward. It has been related that the Messenger of Allâh, Allâh’s Blessings be on him and his Progeny, has said: “Whosoever builds a mosque in the world, Allâh shall bestow upon him for every foot”, or he said, “for every cubit an area equal to the walking distance of forty thousand years a city of gold, silver, pearls, rubies, emeralds, chrysolite, pearls.” (Tradition).

Problem 19. It has been related by well-known learned persons that it is a condition that at the time of endowing a piece of land for a mosque the formula for endowment should be recited by saying: “I have endowed this (piece of land) for a mosque for obtaining closeness to Allâh, the Exalted”, but, according to the stronger opinion, it shall be sufficient to build the mosque with the intention of obtaining closeness to Allâh, and the prayer of a single person in it, with the permission of the person building it, shall turn it into a mosque.

Problem # 20. Following places are disapproved for offering prayers:

Public baths, including their place of taking off clothes, dunghills, a slaughter-house, a place reserved for public lavatory, or a place on the roof-top turned into a urinal, a tavern, resting place of camels, stables of horses, mules and donkeys and sheep pens, folds of cows, public highways if not disturbing for the passers-by, otherwise it would be prohibited [to offer prayers there], abodes of ants (or ant-hills), waterways even if presently no water is expected to flow in it, a salt marshy land, any land afflicted with divine wrath, snow, fire-worshipping place, rather every house prepared for kindling fire in it, on or towards and between graves, the disapproval in the latter two being removed by placing a curtain or a distance of ten cubits.

There is no objection in offering prayer behind the graves of the Imams, Peace be upon them, or on their right or left sides, though it would be better if the prayer is offered beside the upper end in a way that the person offering prayers may not be on equal footing with that of the Imam’s, Peace be upon him.

Likewise, it is disapproved to offer prayer while fire is burning in front of the person offering the prayer, or a lamp or the picture of a living being [is placed before him]. The disapproval in such things is removed if these things are concealed.

Similarly, it is disapproved if there is Muṣḥaf [i.e. the Qur’ân] or an open book in front of the person offering prayers, or an open gate or a wall from which a sewer (water) is leaking in which people urinate, and the disapproval of it can be removed by concealing such wall. The disapproval in some of the above cases is such that there is hesitation in accepting it. The matter is not very important.
المقدمة الخامسة في الأذان والإقامة

مسألة 1 - لا إشكال في تأكيد استحبابها للصلوات الخمس، أداءً وقضاءً، حضراً وسفراً، في الصحة والمرض، للجامع والمفرد، للرجال والنساء، حتى قال بعض بوجوبها، والأقوى استحبابها مطلقًا. وإن كان في تركها حرصان عن ثواب جزيل.

مسألة 2 - يسقط الأذان في العصر والعشاء إذا جمع بينهما و بين الظهر والمغرب، من غير فرق بين موارد استحباب الجمع، مثل عصر يوم الجمعة و عصر يوم عرفة و عشاء ليلة العيد في المزلفة، حيث إنه يستحب الجمع بين الصلاتين في هذه المواضع الثلاثة و بين غيرها، و يتحقق التفريق المقابل للجمع بطول الزمان بين الصلاتين، و بفعل الفراق الموظفة بينهما على الأوقات، فباتيئان نافقة العصر بين الظهرين و نافلة المغرب بين العشاءين يحقق التفريق الموجب لعده سقوط الأذان، والأقوى أن سقوط الأذان في حال الجمع في عصر يوم عرفة و عشاء ليلة العيد بمزلفة عزيمة يعني عدم مشروعية، فيحرم إتيانه بقصدها، والأحوذة الترك في جميع موارد الجمع.

مسألة 3 - يسقط الأذان والإقامة في مواضع: منها - الداخل في الجماعة التي أذنوا وأقاموا لها و إن لم يسمعها ولم يكن حاضراً حينها.
Fifth Preliminary to Prayer: Adhăn & Iqāmat

Problem # 1. There is no difficulty in declaring Adhăn (Call to Prayers) and Iqāmat (Call to Stand for Prayer) as emphatically recommended for the five times [obligatory] prayers, [regardless whether offered] on their due time or as compensatory, in one’s own place or while on journey, in healthy condition or in sickness, individually or in Jamā’at, by men or women, to the extent that some jurists have called it obligatory, but, according to the stronger opinion, it is recommended absolutely, and giving them up amounts to deprivation from enormous reward.

Problem # 2. The Adhăn for Āṣr and Ishâ’ prayers is dropped when they are offered in combination with Zuhr and Maghrib prayers respectively, without there being any difference in cases where combination is recommended as the Āṣr prayer on Friday and Āṣr prayer on the day of Arafah (during Hajj) and Ishâ’ prayer on the night of Eid [al-Aḏhâ] in Muzdalifah [in Mash’ar al-Ḥarâm], where in these three cases combination of two prayers is recommended and the other [where it is not]. The separation as opposed to combination is materialised by the creation of long distance between two prayers and, according to the stronger opinion, by offering the daily supererogatory (Nāfilah) prayers between them. So by offering the supererogatory prayers of Āṣr between the Zuhr and Āṣr and that of Maghrib between Maghrib and Ishâ’ the separation leading to absence of dropping Adhăn is materialised, and, according to the stronger opinion, the dropping of Adhăn in combining the Āṣr prayer in Arafah and the Ishâ’ prayer on the night of Eid [al-Aḏhâ] in Muzdalifah [in Mash’ar al-Ḥarâm] is “Azīmat” in the sense that it is unlawful to exercise Adhăn [on these occasions]. So Adhăn with the intention that it is lawful [on these occasions] is forbidden, and, therefore, it is more cautious to drop it in all cases when [two prayers] are combined.

Problem # 3. In the following cases Adhăn and Iqāmat are dropped:

1. When a person joins the Jamā’at for prayers for which Adhăn and Iqāmat have already been over, though he did not listen to them as he was not present at that time.
المقدمة السادسة

ينبغي للملصي إحضار قلبه في تمام الصلاة أقوالها وأفعالها، فإن لا يحسب للعبد من صلاته إلا ما أقبل عليه، ومعناه الالتفات التام ينهاي إلى ما يقول فيها، والوجه الكامل نحو حضرة المعبود جل جلاله، واستشرع عظمته وجلال هيبته، وتفريع قلبه عما عداه، فنرى نفسه متمثلاً بين يدي ملك الملوك عظم العظماء عظماً له مناجياً إياها، فإذا استشعر ذلك وقع في قلبه هيبة ياهبه، ثم يرى نفسه مقصراً في أداء حق فخافه، ثم يلاحظ سمعه راجحاً فيروجو ثوابه، فيحصل له حالة بين الحنف والرجاء، وهذه صفة الكاملين، ولا درجات شنئ ومراتب
2. If a person is offering prayers in a mosque where prayers by Jamā’at has already been offered, but the Jamā’at has not yet dispersed, regardless whether the person has come to join the Jamā’at or not, and whether he has offered the prayer in Jamā’at as the leader or the follower, or individually.

If the Jamā’at has dispersed, or those offering prayers have finished the prayers and their subsequent formalities, though they are still in the mosque, the Adhān and Iqāmat shall not drop for him, in the same way as they shall not drop if the previous Jamā’at has offered the prayers without Adhān and Iqāmat, if their dropping Adhān and Iqāmat had been due to considering it sufficient to listening them from another.

Likewise, the Adhān and Iqāmat shall not drop if the prayer is declared invalid due to the Imam being a profligate with those offering the prayer behind him knowing it or due to some other reason.

Similarly, [the Adhān and Iqāmat shall not drop], if the place of the two prayers is not the same, so that one of them has been within the mosque and the other on its roof, or if one of them has been on a very long distance from the other.

Whether this rule is exclusively applicable to a mosque or it is applicable to other places too, is a question in which there is difficulty [in answering it]. So caution must not be given up generally in the mosque as well as other places. Rather, it is not far from being likely that it is not exclusively applicable to a mosque.

Likewise, caution must not be given up in case a person’s prayer and that of the Jamā’at have not been both with the intention of being offered on the due time, as when in case of one or both have been offered after due time, regardless whether it is his own or on behalf of another voluntarily or against payment.

Similarly, if the time of both has not be the same, as when the previous Jamā’at was for the Āṣr, while a person intends to offer Maghrib prayer.

In cases where there is some difficulty [in decision], there is no objection if one resorts to Adhān and Iqāmat with the hope [of their being desirable to Allāh].

Sixth Preliminary of Prayer : Complete Presence of Mind and Heart

A person offering prayer must have complete presence of mind and heart throughout his prayers, regardless of its words and actions. So nothing is counted as prayer from a devotee but what has been done in such condition. It means full attention towards the prayers and to what he utters and complete attention towards the Worshipped Being, whose Majesty is Glorified. He should be cognizant of His Greatness and the glory of His Dignity. He must sever himself from everything other than Him. He should find himself as if in the presence of the greatest of all the great kings of kings addressing Him and invoking His Favour. Once he is cognizant of all this, an immense awe shall enter his
لا تختص على حسب درجات المتعبدين، ويضفي له الخضوع والخشوع، والسكينة والوقار، والزُّي الحسن والطيب والسواء قبل الدخول فيها والتشيط، وينبغي أن يصل صلاة مودع، فيجدد التوبة والإعانة والاستغفار، وأن يقوم بين يدي ربه قيام العبد الذيل بين يدي مولاه، وأن يكون صادقاً في مقالة «إياك نعبد إياك نستعين» لا يقول هذا القول وهو عابد لهواء ومستعين بغير مولاه، وينبغي له أيضاً أن يبذل جهده في التحذير عن مواطن القبول من العجب والحسد والكبر والغيبة وحبس الزكاة وسائر الحقوق الواجبة مما هو من موانع القبول.

فصل في أفعال الصلاة

وهي واجبة ومستحقة، والواجب أحد عشر: النية، وتكرير الاحرام والقيام، والركوع، والسجود، والقراءة، والذكر، والتشهد، وتسليم، والترتيب، والموالاة، وسأني أن بعض ما ذكر ركن تبطل الصلاة بزيادته ونقصانه عمداً وسهواً، لكن لا يتقرر الزيادة في النية بناء على الداعي، وبناء على الاختيار غير قادحة، وغير الركن من الواجبات لا تبطل الصلاة نزايده أو نقصانه سهواً دون عمدة.

القول في النية

مسألة 1 - النية عبارة عن قصد الفعل، ويعتبر فيها التقرب إلى الله تعالى أو امتثال أمره، ولا يجب فيها التلفظ، لأنها أمر قلبي، كما لا يجب فيها الاختيار أي الحديث الفكري والاحضار بالبال، بأن يترتب في فكره وخزانة خياله مثلًا أصلى صلاة فلائحية امتثالاً لأمره، بل يكفي الداعي وهو الابادة الإجمالية المؤثرة
heart. Then he shall see himself responsible for negligence in the fulfilment of his duties and obligations, and shall be frightened. Then he shall realise the abundance of His Favour, and shall hope to receive His Reward. He shall find himself in a state of hope and fear, and this is the quality of the accomplished ones.

This quality has several degrees and innumerable ranks according to the statures of the worshippers. He must have humility and submission and peace of mind and heart and sobriety. He must have cheerful appearance and should apply perfume, brush his teeth and comb his hair before starting his prayers. He must offer his prayers like one bidding farewell, and should renew his penitence, invocation and asking forgiveness. He must stand like an humble slave in front of his Master. He should be sincere while uttering the words: "We worship but Thee and ask help but from Thee". He must not utter these words while he is still the adorer of his own desires and asking the help from others than his own Master.

He must also make all endeavours for removing the hindrances lying in the way of the acceptance [of his worship] like self-conceit, jealousy, pride, back-biting and avoidance of the payment of Zakāt and non-fulfilment of all due rights which are the real impediments in the way of acceptance [of the prayers].

Chapter Concerning Actions during Prayer

The actions during prayer are of two kinds: Obligatory (Wājib) and Recommended (Masnūnah).

The obligatory actions are eleven. They are: Intention (Niyyat), Takbīrat al-Ihram, Standing, Kneeling, Prostrations, Recitation, Dhikr, Tashahhud, Taslīm, Order, and Uninterrupted Sequence (Muwālāt).

In the following lines it will be explained that in case what is mentioned as Pillars of Prayers cause invalidation of the prayer if exercised in excess or reduced deliberately or by error, but one cannot imagine of any excess in Intention (Niyyat) due to its mentioning the very purpose, and if it is not mentioned loudly but expressed in the heart, any excess in it shall not do any harm. Those actions which do not form the pillars of the prayer do not cause invalidation of the prayer if there occurs any excess or imperfection in them inadvertently but not deliberately.

Rules Concerning Intention (Niyyat)

Problem # 1. Intention (Niyyat) consists of the purpose of an act, and there is a condition of wishing closeness to Allāh, the Exalted and obedience to His Command. It is not obligatory to express it loudly, as it is something relating to the heart, as it is not obligatory to express it
في صدور الفعل المنبعثة عمًا في نفسه من الغيابات على وجه يخرج به عن الساهي والغافل، ويدخل فعمله في فعل الفعل المختار، كسائر أفعاله الإرادية والاختيارية، ويكون الباطن والمحرك للعمل الامتثال و نحوه.

مسألة 2- يعتبر الاخلاص في النية، ففي ضمّها ما ينافي بطل العمل، خصوصًا الرياء فإنه مفسد على أي حال، سواء كان في الابتداء أو الأثناء، في الأجزاء الواجبة والمندوبة، وكذلك في الأوصاف المحددة مع الفعل، تكون الصلاة في المسجد أو جامعه و نحو ذلك، و يحرم الرياء المتأخر و إن لم يكن مبطلًا، كما لو أخبر بما فعله من طاعة رغبة في الأغراض الدنيوية من المدح والثناء والجاه والمال، فقد ورد في المرائي عن النبي صلى الله عليه و آله أنه قال: «المرازي يدعى يوم القيامة بأربعة أسماء: يا فاحير يا كافير يا غادير يا خاسر حبط عملك، و بطل أجرك، ولا خلاص لك اليوم، التمس أحمر من كنت تعمل له».

مسألة 3- غير الرياء من الضمايم المباحة أو الراجحه إن كانت مقصودة تبعاً و كان الداعي والإغراض الأخلاقي الامتثال الأمر الإسلامي محضاً فلا إشكال، وإن كان بالعكس بطلت بلا إشكال، وكذا إذا كان كل منها جزءًا للدعاي بحيث لо لم ينضم كل منها إلى الآخر لم يكن باعتها و محركاً، والأحوال بطلان العمل في جميع موارد اشتراع الداعي حتى مع تبعية داعي الضميمة فضلاً عن كونها مستقلين.

مسألة 4- لرفع صوته بالذكر أو القراءة لأعلام الغير لم تبطل الصلاة بعد ما كان أصل إتيانها بقصيد الامتثال، وكذلك لو أوقع صلاته في مكان أو زمان خاص لغرض من الأغراض المباحة، بحيث يكون أصل الإتيان بدعاي الامتثال و كان الادعاء على اختيار ذلك المكان أو الزمان لغرض كالبرودة و نحوها.

مسألة 5- يجب تعيين نوع الصلاة التي يأتي بها في القصد ولو إجلاً بأن ينوي مثلاً ما اشترطته به ذمتة إذا كان متحداً، أو ما اشترطته به ذمتة أولاً أو ثانياً إذا
in the heart or speak in the imagination or present it in the mind, so that the person must only bring it into his thinking and the treasure of thought, for example, that I am offering such and such prayer in obedience to His command; rather, the mere purpose is sufficient, and that means the brief purpose effective in the implementation of an act, which should appear as a result of the aims within himself in a way that it may rid him from error and negligence, and his act must enter in the category of acts of one doing act with full authority like all his other acts done with intention and full authority, while the cause of his actions and the impulse behind them is obedience or the like.

Problem # 2. Sincerity is a condition in intention, so that if it is mixed with something which negates sincerity, the act becomes void, particularly hypocrisy which spoils everything in any way, regardless whether it is there at the beginning, during the performance of an act, and whether the portions of the act are obligatory or recommended.

The same is the case of hypocrisy in the qualities relating to an act like the prayer offered in a mosque, with Jāma‘at, or the like. The hypocrisy after the performance of an act is also forbidden, though it does not render the act void, as one should say that he has done an act for the sake of worldly interests like praise, admiration, rank or wealth. It has been related from the Prophet, Allāh’s Blessing be on him and his Progeny, about a hypocrite: “A hypocrite shall be called with four names on the day of judgement: O profligate!, O infidel!, O rebel!, O loser! Your acts have been lost and your reward has been rendered null and void. You shall have no deliverance today. Ask your reward from one for whom you used to perform your acts.”

Problem # 3. If the recommended or preferred actions are performed without hypocrisy and are meant as having secondary importance, while the principal purpose of the person has been to offer prayers in simple obedience to the command [of Allāh], there is no objection. If the case is otherwise, his actions shall be rendered void.

Similar is the case when those secondary acts have been intended as part of the person’s actual purpose in a way that if they are not connected with one another, there would be no cause or impulse.

According to the more cautious opinion, in all cases the act shall be nullified if the purpose is common or even subordinate adjunct, not to speak of it when both the acts are independent.

Problem # 4. If a person raises his voice loudly at the time of Dhikr or recitation [of Surahs] in order to let the other learn it, it shall not be nullified when the basic purpose of both had been obedience [to Allāh’s command].

Similarly if his prayer is performed in a particular place or time for one of the approved purposes, in a way that the actual purpose has been obedience [to Allāh’s command] and the purposes of selecting the place or time due to cold or the like.

Problem # 5. It is obligatory to fix, though briefly, the category of the prayer which he is offering purposely, as, for example, he must mention the intention of a single prayer if he owes a single one, or in case he owes several prayers, he must mention the intention of the first or the second.
كان متبعداً.

مسألة 6 - لا يجب قصد الأداء والقضاء بعد قصد العنوان الذي يتصف بصفتني القضاء والأداء كالظهر والعصر مثلًا، ولم على نحو الآجال، فلو نوي الأتائ صلاة الظهر الواجبة عليه فعلاً ولم يشتغل ذمه بالقضاء يكفي، نعم لامشغلت ذمته بالقضاء أيضًا، لابد من تعين ما يأتي به، وأنه فرض لذلك اليوم أو غيره، ولو كان من قصده امتنال الأمر المتعلق به فعلاً وخيل أن الوقت بأقمني الأداء فién انقضاء الوقت صحت ووقعت قضاءً، كما لو نوى القضاء.

بتختُّل خروج الوقت فبيان عدم الخروج صحت ووقعت أداءً.

مسألة 7 - لا يجب نية القصر والاتمام في موضع تعبينها، بل ولا في أماكن التخدير، فلو شرع في صلاة الظهر مثلًا، بفائف التبديل والبناء على أنه بعد التشهد الأول إما يسلم على الركعتين أو يلحق بها الأخيرتين صحت، بل لو عتت أحيوها لم يلزم به على الأظهر، وكأن له العدول إلى الآخر، بل الأقوى علم التعين بالتعبين، ولا يحتاج إلى العدول، بل القصر يحصل بالتسليم بعد الركعتين، كما أن الاتمام يحصل بميض الركعتين إليها خارجًا من غير دخول القصد فيها، فلو نوى القصر فشك بين الاثنين والثلاث بعد إكمال السجدين بيني على الثلاث، ويعالج صلاته عن الفساد من غير لزوم نية العدول، بل لا يعد أن يتعين العمل بحكم الشك، ولا ينبغي ترك الاحتباط بنية العدول في أشياء ثم العلاج ثم إعادة العمل.

مسألة 8 - لا يجب قصد الوجوب والندب، بل يكفي قصد القرية المطلقة، والاحوط قصدها.

مسألة 9 - لا يجب حين نية تصور الصلاة تفصيلًا، بل يكفي الإجمال.

مسألة 10 - لونوى في أثناء الصلاة قطعها أو الأتائ بالقاطع مع الالتفات إلى منافاته للصلاة فان أتم صلاته في تلك الحال بطلت، و كذا لو أتي ببعض
Problem # 6. It is not obligatory to express the Intention of offering the prayer on its due time or after the due time once a person has mentioned, though briefly, the intention of offering a prayer having the quality of being offered on its due time or after it, as, for example, the Zuhr or Assr prayer. So if he intends to offer the Zuhr prayer which he owes presently as obligatory and it has not been due after the lapse of its due time, it shall be sufficient [to mention the Zuhr prayer].

Of course, if he owes it also as one after its due time, it would be indispensable for him to clarify as to which one he intends to offer, and whether it is obligatory for today or otherwise. If he intends the obedience to [Allâh's] command, and he assumed that there was sufficient time and so he offered with the intention of offering within the due time, but later it transpires that the time had lapsed, his prayer shall be valid and it shall be a prayer offered as Qadâ’ [i.e., after the lapse of its due time], in the same way as he mentions the intention of offering a prayer as after its due time, but later it transpires that its time had not lapsed, it shall be valid and shall be counted as one offered within its due time.

Problem # 7. It is not a condition to mention the intention of offering a prayer as full or diminished (Qaṣr) in their respective places of obligation, nor where it is upto the person to offer either of them. If, for example, he starts the Zuhr prayer with hesitation whether after first Tashahhud he should recite Salâm in the second Rak’at or should annex them with the next two Rak’ats, his prayer shall be valid. Rather if he determines to offer either of them, according to the more apparent opinion, it shall not be binding on him, and he can even decide against it in the last. Rather, according to the stronger opinion, they are not determined by determination, and there is no need to renounce the determination, and Qaṣr takes place by Tasleem after two Rak’ats, in the same way as full prayer takes place with the annexation of the first two Rak’ats with the last two Rak’ats without the prior intention having anything to do in it.

If a person intends to offer Qaṣr prayer, then after completing the two prostrations doubts between the second and third Rak’at, he shall decide in favour of third Rak’at and shall cure his prayer from invalidity without any intention of renunciation. Rather, it is not far from determining the action according to the verdict of doubt. He should, however, not give up caution with the intention of renunciation in such cases, then making cure and then repeat the act.

Problem # 8. It is not obligatory to express intention of obligatory or recommended prayer. Rather it is sufficient to have a general intention of closeness [to Allâh]. It is, however, more cautious to have intention of both.

Problem # 9. It is not obligatory to have detailed imagination of the prayer, rather brevity is sufficient.

Problem # 10. If, during the prayer, a person intends to discontinue it, or intends to do something which nullifies prayer despite being aware that it is repugnant to prayer, then if he completes the prayer in such state, it shall be void. Similarly if he completes some of the portions of the prayer with the same intention, and then returns to the first intention and suffices with what he has already performed, [the prayer shall be invalid].
الأجزاء ثم عاد إلى النية الأولى وأكتم بما أتي به، ولو عاد إلى الأولى قبل أن يأتي بشيء لم يبطل، كأن الأقوى عدم البطلان مع الامتنام أو الانتي ببعض الأجزاء في تلك الحال لولم يلتفت إلى منافاة ما ذكر للصلاة، والأحوز على جميع التقاطير الامتنام ثم الإعادة.

مسألة 11 - لو شريك في المبدأ أنه عينها ظهراً أو عصرًا، ويدري أنه لم يأت بالظهر بنيوتها ظهراً في غير الوقت المختص بالعصر، وكذا لو شريك في ظهور عندها، والקורаниف عندها، وأدرك ركعة من الوقت وقضية الظهر بعده، وإن لم يدرك رفع اليد عنها وقضية الصلاة، والأحوز الذي لا يترك إتمامها عصرًا مع إدراك بعض الركعة، ثم قضاها، وإن لم يدرك الظهر فلا يوجد جواز عدم الاعتناء بشكك، لكن الأحوز قضاها أيضًا، ولو علم بان الظهر قبل ذلك يرفع اليد عنها و يستأنف الظهر، فنعلم لو رأى نفسه في صلاة العصر و شريك في أنه من أول الأمر نواها أو نوى الظهر بني على أنه من أول الأمر نواهنا.

مسألة 12 - يجوز العدول من صلاة إلى أخرى في مواضع منها - في الصلاتين المرتبتين كالظهرتين والعشاءين إذا دخل في الثانية قبل الأولى سهواً أو نسياناً، فإنه يجب أن يقدر إليها إن تذكر في الأثناء ولم يتجاوز على العدول، بخلاف ما إذا تذكر بعد الفراج أو بعد تجاوز على العدول كما إذا دخل في ركوع الراكونة الرابعة من العشاء فذكر ترك المغرب فلا عدول، بل يصبح اللاحقة، فيأتي بعدها بالسابقة في الفرض الأول، أي التذكر بعد الفراج، بل الفرض الثاني أيضاً لا يخلو من قوة وإن كان الأخوز الامتنام ثم الانتي بالمغرب والعشاء مترتبًا، وكذا الحال في الصلاتين المفضَّلتين المرتبتين، كما لوقات الظهران أو العشاءان من يوم واحد فشع في قضائها مقدماً للثانية على الأولى فذكر يل.

الأحوز لوليم يكن الأقوى أن الأمر كذلك في مطلق الصلوات القضائية.
If, however, he returns to the first intention before doing anything, the prayer shall not be nullified, in the same way as, according to the stronger opinion, it shall not be nullified if he completes it, or performs some of the portions of the prayer in that state, in case he is not aware that it is repugnant to prayer as mentioned. It is more cautious in all such cases to complete the prayer and repeat it.

Problem # 11. If he doubt during his prayer whether he has had the intention of offering Zuhr prayer or Asr prayer, and knows fully well that he has not offered the Zuhr prayer, he shall decide it to be the intention of Zuhr prayer in case the time is not exclusively meant for Asr prayer. The same shall be the rule if he doubts whether he is offering Zuhr prayer. If, however, at the time exclusively meant for Asr prayer, he knows that he has not offered the Asr prayer, he shall discontinue the prayer, and start the Asr prayer again, if there is time left for offering even a single Rak’at, and subsequently offer Zuhr prayer in the way it is after its due time.

In case there is no time left even for a single Rak’at, he shall nevertheless discontinue the prayer, and offer compensatory prayers for both Zuhr and Asr. It is more cautious not to leave the completion of the Asr prayer even if there is time left for a portion of a Rak’at, and then offer compensatory prayers for both Zuhr and Asr. If, however, he does not know to have offered Zuhr prayer, then it is not far from being permissible not to pay heed to his doubt, but, according to the more cautious opinion, he should offer compensatory prayer for Zuhr too. In case he knows that he has already offered Zuhr prayer, he shall discontinue the prayer and offer the Asr prayer again. Of course, if he is busy offering Asr prayer, and doubts whether at the beginning he has had the intention of offering Asr prayer or Zuhr prayer, he shall decide that from the beginning he has had the intention of offering Asr prayer.

Problem # 12. It is permissible to shift the intention from one prayer to another in the following circumstances.

1. In case of two successive prayers, for example, Zuhr and Asr or Maghrib and Ishâ’, if a person starts the second before the first erroneously or out of forgetfulness, so that it is obligatory to shift to the first prayer if he comes to realise it during the performance of the second prayer, and has not surpassed the place from which he can shift, contrary to the case when he comes to realise after he has completed the second prayer or after he has surpassed the place from where he could shift, as in case he has started the kneeling of the fourth Rak’at of Ishâ’ prayer when he comes to realise that he has not offered the Maghrib prayer, in which case he cannot shift to Maghrib prayer, rather, in such case the second prayer shall be valid, and the person shall offer the first prayer subsequently in case of first supposition when he comes to realise it after completion of the second prayer. Rather even in case of the second supposition, the rule is not devoid of force, though it is more cautious to complete the prayer, and then offer the Maghrib and Ishâ’ prayers in successive order.

The same rule shall apply in case of two successive compensatory prayers, as in case the Zuhr and Asr prayers or Maghrib and Ishâ’ prayers have been left unoffered in a single day, and a person starts offering the second compensatory prayer before the first, and then comes to realise it. Rather this is the rule generally in all compensatory prayers according to the more cautious, though not stronger, opinion.
ومنها إذا دخل في الحاضرة فذكر أن عليه قضاءً، فإنه يستحب أن يعدل إليه مع بقاء الماء إلا إذا خاف فوت وقت فضيلة ما بيده، فان في استحبابه تأميلاً، بل عدمه لا يخلو من قوة.

ومنها العدول من الفريضة إلى النافلة، وذلك في موضعين: أحدهما في ظهور يوم الجمعة لنسي قراءة سورة الجمعة وقرأ سورة أخرى وبلغ النصف أو تجاوز، ثانيها في إذا كان متشاغلاً بالصلاة وأقيمت الجمعة وخف السباق، فيجوز له العدول إلى النافلة وتمامها ركعتين ليلحق بها.

مسألة 13 - لا يجوز العدول من النفل إلى الفرض، ولا من النفل إلى النفل حتى فين كان كالفرائض في التوقيت والسقف واللحوق، وكذا لا يجوز من الفائدة إلى الحاضرة، فلو دخل في قائدة ثم ذكر في أثناها أن الحاضرة قد ضاق وقتها قطعها وأتي بالحاضرة، ولا يجوز العدول عنها إليها، وكذا لا يجوز في الحاضرين المرتبتين من السابقة إلى اللاحقة، بخلاف العكس، فلو دخل في الظهر بتخيل عدم إتيانه فبان في الأثناء إتيانه لم يجز له العدول إلى العصر، وإذا عدل في موضع لا يجوز العدل لا يعد القول بصحة العدول عنه لو تذكر قبل الدخول في ركن، فعليه الانتظار بما أتي بغير عنوانه بعنوانه.

مسألة 14 - لو دخل في ركعتين من صلاة الليل مثلا بقصد الركعتين الثانيتين فتتين أنه لم يصل الأولتين صحت وحسبت له الأولىين قهراً، وليس هذا من باب العدول ولا يحتاج إليه، حيث إن الأولية والثانية لا يعتبر فيها القصد، بل المدار على ما هو الواقع.

القول في تكبيرية الأحرام

وةسمى تكبيرية الافتتاح أيضاً، وصوتها «الله أكبر» ولا يجوز غيرها ولا...
2. If a person starts his presently due prayer, when he comes to realise that he owes a prayer. In such case it is recommended that he should shift over to the compensatory one in case there is sufficient time left, except when he is afraid of losing the preferential time for the one he is presently busy in offering, then there shall be hesitation in shifting from the present to the compensatory one, rather its being otherwise shall not be devoid of force.

3. Shifting from the obligatory prayer to the supererogatory prayer. This takes place in the following two occasions. Firstly, in the noon on Friday when a person has forgotten reciting the Sūrat al-Jum'ah (Chapter 62 of the Qur'ān) and recited some other Sūrah, and reached its half or more. Secondly, when a person was busy with prayer when the Jamā'at started, and he fears losing it, then it is permissible for him to shift to supererogatory prayer, and complete two Rak'ats of the prayer in order to join the Jamā'at.

Problem #13. It is not permissible to shift from supererogatory prayer to the obligatory one, nor from supererogatory to supererogatory, even in case like the obligatory prayer there is an exclusive time for it and the regular sequence.

Similarly, it is not permissible to shift from a lapsed prayer to the presently due one, so that if a person starts a lapsed prayer and then recollects during its performance that there is very short time left for offering the presently due prayer. So he discontinues it and starts the presently due one, but it is not permissible to do so.

Likewise, it is not permissible in case of two presently due prayers having regular sequence to shift from the previous to the subsequent one, contrary to vice versa. So if he starts the Zuhr prayer under the impression that he has not offered it, but during its performance he comes to realise that he has already offered it. In this case it is not permissible for him to shift to the 'Aṣr prayer.

If a person shifts from one prayer to another in a circumstance in which shifting was not permissible, it is not far from declaring the one from which shifting has been done to be valid. So if he comes to realise it before starting any pillar, he shall be bound to perform it again as one relating to the prayer before shifting.

Problem #14. If a person starts the two Rak'ats, for example, in the night (Tahajjud) prayer with the intention of offering the second two Rak'ats, then he realises that he has not offered the first two Rak'ats, the prayer shall be valid, and they shall be considered to be the first two Rak'ats automatically in his account, and this shall not be a case of shifting, and there shall be no need for shifting to the second two Rak'ats, as it is not a condition for the intention to be for the first or second, but the basis is the actual position [of the prayer offered].

Rules Concerning Takbīrat al-Iḥrām

It is also called Takbīrat al-Iltītāh, and its form consists in the words: "Allāh-o Akbar", and cannot be replaced by other words, nor with words of identical meanings in Arabic, nor by words translated into a language other than Arabic. It is a pillar of the prayer, so that the prayer becomes void due to failure in reciting it deliberately or inadvertently. Similarly, by its excess, so
لا ترجمتها بل غير العربية، وهي ركن ضبط الصلاة نقصانها عمدًا وسهوًا، وقد زادت يدفعتها إلّا أيضاً أبطال الصلاة واحتياج إلى ثلاثة، فإن أبطالها لازدادت منذ أن زادت نقصانها عمدًا وسهوًا، بل لا بد من تقدمه عليها مقدمة، من غير فرق في ذلك بين الأمام الذي أدرك الإمام راكة و غيره، بل ينبغي الترتيب في الجملة حتى يعلم وقوع التكرار، تاماً قائماً منصبناً والأخوف أن الاستشارات في القيام كالأقيم في النبي ﷺ، بل تركه عمدًا وسهوًا، بل ترك الاستمرار سهوًا أن بالمنافي احتياطًا ثم كبر مستورًا، وأخوه منه الانتفاض ثم الاعادة بتكبير مستورًا.

مسألة 1: الأحرف ترك وصلتها بما قبلها في الدعاء ليحذف الهمزة من (الله) والظاهر جواز وصلتها بما بعدها من الاستعارة أو السبالة، فيظهر إعراب راء أكبر والأحرف تركه أيضاً، كما أن الأحرف تفخيم اللام والراء، وإن كان الأقوى جواز تركه.

مسألة 2: يستحب زيادة ست تكريرات على تكبيرة الإحرام قبلها أو بعدها أو بالتدريج، والأحرف الأول، فيجعل الافتتاح السابقة، والأفضل أن يأتي بالثلاث وراءه ثم يقول: (الله) أنت الملك الحق المنبج لا إله إلا أيّاك نسبحوك، وإن ظللت نفسي فاغفر لي ذنبي إن لا يغفر الذنوب إلا أنت، ثم يأتي بالاثنتين وقول: (لبيك وسعديك وخيري) فيديك والشر ليس إلك، وللوضي من هديت لا ملجأ منك إلا إلك. سباحنك وحنانك تبارك وتعالى، سباحنك رب البيت ثم كبر تكريرات ثم يقول: (وجهت وجهي للذي فطر السماوات والأرض عالم الغيب والشهادة حنيفاً مسجأً وما أنا من المشركين، إن صلاتي ونسكي ومحياي ومماتي لله رب العالمين، لا شريك له) و بذلك أمرت وأنا من المسلمين، ثم يشرع في الاستعارة والقراءة.
that if a person recited the *Takbīrat al-Iftīḥāḥ* (*Takbīrat al-Iḥrām*), and then he adds another one too, his prayer shall be rendered void, so that he shall be bound to recite a third one. If he renders it void by a fourth, he shall be bound to recite a fifth one, and so on.

It is obligatory to stand erect at the time of reciting it, so that if he fails to do so deliberately or inadvertently, the prayer shall be rendered void; rather it is indispensable to stand up erect before reciting the *Takbīr*, there being no difference in it between a follower in the prayer who joins the *Jama‘at* in the fourth *Rak‘at* or otherwise, but he should rather wait for some time till he is sure of having recited the *Takbīr* completely while standing erect.

According to the more cautious opinion continuing in a standing position for some time is like standing erect as regards the rule of prayer being rendered void in case of failure to do so deliberately or inadvertently. In case he fails to continue in a standing position for some time inadvertently, to be cautious, he should do something that is repugnant to prayer, and then recite the *Takbīr* patiently. It is more cautious than that to finish the prayer and start it again by reciting the *Takbīr* patiently.

**Problem # 1.** It is more cautious to give up connecting it with what is there in the "*Du‘ā‘*" preceding it in order to omit the letter *Hamzah* in the word : "Allāh". Apparently it is permissible to connect it with what follows it from asking refuge [saying : "I ask the refuge of Allāh, in Arabic] and *Bismillāh* (saying : With the name of Allāh, in Arabic], so that the movement on the letter "rā" in the word : "Akbar" is expressed, though it is more cautious to give it up too, in the same way as it is more cautious to pronounce emphatically the letters ‘lām’ [in Allāh] and ‘rā’ [in Akbar], though according to the stronger opinion, it is permissible to give it up.

**Problem # 2.** It is recommended to add six *Takbīrs* to *Takbīrat al-Iḥrām* before and after it or by apportioning them before or after it. It is more cautious to precede them and make *Takbīrat al-Iḥrām* the seventh. It is more preferable to recite the following [in Arabic] after three *Takbīrs* one after another, saying :

"O Allāh Thou art the Manifest True King. There is no god but Thou. Be thou glorified. Verily I have oppressed myself. Forgive my sin. Verily no one forgives the sins but thou."

Then after two *Takbīrs*, one must recite [in Arabic] : "Here I am! I am at thy service repeatedly! The Blessing is in thy hand and there is no evil [that takes one] towards thee. Guided is he whom thou guidest. There is no refuge from thee but to thee. Thou art Glorified! I ask for thy Mercy. Thou art Praiseworthy. Thou art Exalted. Thou art Glorified, the Lord of the House!"

Then after two *Takbīrs* one must say [in Arabic] : "I have turned my face towards Him who has created the Heavens and Earth, Knower of the Invisible and the Apparent, as a true believer and a Muslim, and I am not one of the Polytheists. Verily my prayer, my sacrifice, my life and my death are for the Lord of the Universe. He has no partner. I have been commanded for it, and I am one of the believers".

Then he should start asking refuge (*Iṣti‘ādhr*) and recitation [of the *Sūrahs* from the *Qur‘ān*].
مسألة 3. يس تحت للإمام المجهر بتكمية الاحرام بحيث يسمع من خلقه، والاسرار بالست البقاية.

مسألة 4. يس تحت رفع اليدن عند التكمير الى الأذنين، أو إلى حيال وجهه مبنناً بالتكمير بالبتداء الرفع ومنتهياً بانتهائه، والأخير أن لا يتجاوز الأذنين، وان يضم أصابع الكفين، ويستقبل ببطنها القمة.

مسألة 5. إذا كبر ثم شك، وهو قائم في كونه تكمية الاحرام أو الركوع بين على الأول.

القول في القيام

مسألة 1. القيام ركن في تكمية الاحرام التي تقارنها النية، وفي الركوع و هواذي يقع الركوع عنه، وهو المعبر عنه بالقيام المتصل بالرکوع، فمن أجل في هاتين الصورتين عمداً أو سهواً بأن كبر للافتتاح وهو جالس أو صلى ركعة تامة من جلس أو ذكر حال الهمو إلى السجود ترك الركوع وقام منحنياً بالركوع، أو ذكر قبل الوصول الى الركوع وقام متقدماً وغير متصلب وله سهاماً بطلت صلاته، والقيام في غيرها، واجب ليس بركن لا تبطل الصلاة بنقصائه إلا عن عندم، كالقيام حال القراءة، فنما سوا قرأ جالساً ثم ذكر وقام فصالاته صحيحة، وكذا بزيادته كمن قام ساهياً في عل القعود.

مسألة 2. يجب مع الامكان الاعتدال في القيام والإستناد بحسب حال المصلي، فلو أخذ أو مال إلى أحد الجانبين بحيث خرج عن صدقة بطل، بل الأحواط الأولى نصب العنق، وإن كان الأقوى جواز إطلاق الرأس، ولا يجوز الاستناد الى شيء حال القيام مع الاختيار، نعم لا يأس به مع الإضطرار فيستند إلى إنسان أو غيره، ولا يجوز القعود مستقلاً مع التمكن من القيام مستنداً.
Problem # 3. It is recommended for the Imām to recite the Tākbīrat al-Īlāhām loudly, so that those who are behind him may hear it, and recite the remaining six Tākbīrs quietly.

Problem # 4. It is recommended to raise both hands to both the ears at the time of reciting the Tākbīr or to the side of the face while starting to recite the Tākbīr, and end with raising the hands up to the end. It is better that both hands should not be raised higher than both the ears, and the fingers of both hands be joined together and their palms be towards the Qiblah.

Problem # 5. If a person recites the Tākbīr, and then doubts whether its was Tākbīrat al-Īlāhām or the Tākbīr for kneeling, he should decide in favour of the former.

Rules Concerning Qiyām (Standing Erect)

Qiyām (Standing erect) is a pillar in Tākbīrat al-Īlāhām which is close to intention (Niyyaṭ), and in kneeling (Rukū') it means standing erect before going into the position of kneeling, so it means standing erect which is connected with kneeling. If a person fails to fulfill these two things deliberately or inadvertently, so that he recites the Tākbīrat al-Īlāhām while sitting, or offers a complete Rak'at while sitting, or while going to prostrate recollects that he has given up kneeling and stands in a bending position for kneeling, or when he recollects before going into the kneeling position and continues bending without standing erect even if he has not stood up inadvertently, his prayer shall be void.

Besides these two cases, Qiyām is obligatory and not a pillar with whose failure prayer may be rendered void, except when it is done deliberately, as is the case with reciting (the Sūrahs from the Qur'ān), so that if a person forgets it, and recites (the Sūrahs from the Qur'ān) while sitting, and then comes to realize the failure and stands erect, his prayer shall be valid.

Similar is the case with the excess of Qiyām, so that if a person stands erect in stead of sitting, [even then his prayer shall be valid].

Problem # 2. It is obligatory to be moderate in standing erect. This depends on the special position of the person offering prayer, so that if he bends or inclines towards one of the two sides in a way that he ceases to be in a position of standing erect, his prayer shall be rendered void, rather according to the more cautious opinion, it is better to have the neck too in erect position, though, according to the stronger opinion, it is permissible to bend the head.

It is not permissible to lean against anything if possible. Of course, there is no objection in case of exigency, so that a person leans against a person or the like.

If a person can stand while leaning against something, it is not permissible for him to sit without leaning against something.
مسألة 3 - يعتبر في القيام عدم التفريج الفاحش بين الرجلين بحيث يخرج عن صدق القيام، بل وعدم التفريج غير المتعارف و إن صدق عليه القيام على الأقوى. 

مسألة 4 - لا ينجب التسوية بين الرجلين في الاعتماد، نعم يجب الوقوف على القدمين على الأقوى، لا على قدم واحدة ولا على الأصاب وا لا على أصلها. 

مسألة 5 - إن لم يقدر على القيام اصلاً ولو مستندأ أو منحنياً أو متفرجاً، و بالجملة لم يقدر على جميع أنواع القيام حتى الاضطراري منه جميع أعانه - صلى من جلوس، و يعتبر فيه الانصاب والاستقلال، فلا يجوز فيه الاستند والتمناء مع التمن من الاستقلال والانصاب، و يجوز مع الاضطرار، و مع تعرج الجلوس رأساً صلى مضطجعاً على الجانب الأيمن كالمدفون، فإن تعرج منه فعلي الأيسر عكس الأول، فإن تعرج صلى مستقفاً كالمختصر.

مسألة 6 - لو تمكن من القيام ولم ينكم من الركوع قائماً صلى ثم جلس و ركع حالساً، وإن لم ينكم من الركوع والسجود أصلاً ولا من بعض مراتبه الميسورة حتى حالساً صلى قائماً ورماً للركوع والسجود، والأحوط فيا إذا تمكن من الجلوس أن يكون إياو للمسجد حالساً، بل الأحوط وضع ما يصح السجود عليه على جبهته إن أمكن.

مسألة 7 - لو قدر على القيام في بعض الركوعات دون الجميع وجب أن يقوم إلى أن يعجز فيجلس، ثم إذا قدر على القيام قام وهكذا. 

مسألة 8 - يجب الاستقرار في القيام وغيره من أفعال الفضيلة كالركوع والسجود والقعود، فإن تعرج عليه الاستقرار و كان متمكناً من الوقوف مضطراً بأ قتته على الوقوع مستقراً، وإذا الركوع والذكر ورفع الرأس، فيأتي بكل منها مضطراً ولا ينقل الى الجلوس و إن حصل به الاستقرار.
Problem # 3. While standing erect, the distance between the two feet should not so much that it may cease to be called a standing position. Rather, according to the stronger opinion, the distance should not be more than the usual, even if it is still called a standing position.

Problem # 4. It is not obligatory to bring equal weight on both the feet. Of course, it is obligatory to stand on both the feet, and not on a single foot, neither on the fingers nor on the heels of both the feet.

Problem # 5. If a person is not able to stand up at all, even if leaning against some thing, in a bending position nor with widely open feet, in short, if he is not able to stand up in any type of standing position, even in exigency in its different forms, then he may offer prayer in a sitting posture, in which position too it is a condition to sit erect and without leaning anything. So it is not permissible [while offering prayer in a sitting posture] to lean against some thing or incline to one side if sitting erect and without leaning against anything is possible for him, though it is permissible to do so in case of exigency.

If a person is not able even to sit at all [for offering prayer], he may offer prayer lying on the right side as a person buried [in the grave].

If he is not able even to do that, then he may lie on the left side contrary to the former position.

If this too is not possible, he may offer prayer while lying flat on the back like a person at the point of death.

Problem # 6. If a person is able to stand erect but is not able to kneel down after standing erect, he shall offer prayer in a standing posture and then go into the sitting position and kneel down while sitting.

If, however, he is not able to kneel down or prostrate at all, even in some of the easy postures of sitting, he shall offer prayer in a standing position and make sign of kneeling and prostration.

In case a person is able to sit, it is more cautious for him to make signs of prostration in a sitting position; rather, if possible, it is more cautious to put the thing on which prostration is allowed on his forehead.

Problem # 7. If a person is able to stand up in some of the Rak'ats, though not in all, it is obligatory for him to stand up until he becomes unable, and then sit down. Then if he is able to stand up again, he must stand up, and so on.

Problem # 8. It is obligatory to be patient in standing and other obligatory actions like kneeling, prostration and sitting.

If a person is unable to be patient, and he can stand up perturbed, he may precede it to sitting patiently.

Similar is the case with kneeling, Dhikr and raising the head, so that he may fulfil all these actions in a state of perturbation, but should not shift to sitting, even if he able to sit patiently.
القول في القراءة والذكر

مسألة 1 - يجب في الركعة الأولى والثانية من الفرائض قراءة الفاتحة وسورة كاملة عقبها، وله ترك السورة في بعض الأحوال، بل قد يجب مع ضيق الوقت والخوف ونحوها من أفراد الضرورة، ولو قدمها على الفاتحة عمداً استأنف الصلاة، ولو قدمها سهواً وذكر قبل الركوع فان لم يكن قرأ الفاتحة بعدها أعادها.

مسألة 2 - يجب قراءة الحمد في النواقل كالفرائض، يعني كونها شرطاً في صحتها، و أما السورة فلا تجب في شيء منها وإن وجبت بالعارض بذر ونحوه، تعلم النواقل التي وردت في كيفيتها سور خاصة يعتبر تحقق تلك السور، إلا أن يعلم أن إتيانها بتلك السور شرط لكي لا لأصل مشروعيتها وصحتها.

مسألة 3 - الأقوى جوائز قراءة أزيد من سورة واحدة في ركعة من الفريضة على كراهة، بخلاف النافلة فلا كراهة فيها، والأحوط تركها في الفريضة.

مسألة 4 - لا يجوز قراءة ما يموت الوقت بقراءته من السور الطوال، فإن فعله عامةً بطلت صلاته على إشكال، وإن كان سهماً عدل إلى غيرها مع سعة الوقت، وإن ذكر بعد الفراغ منها وقد مات الوقت أتم صلاته، وكذا لا يجوز قراءة إحدى السور العظام في الفريضة، فلو قرأها نسياناً إلى أن قرأ آية السجدة أو استمعها وهو في الصلاة فالأخوه أن يأتي إلى السجدة وهو في الصلاة ثم يسجد بعد الفراغ، وإن كان الأقوى جوائز الاكتفاء بالإيماء في الصلاة وجوائز الاكتفاء بالسورة.

مسألة 5 - البسيلة جزء من كل سورة فيجب قراءتها عدا سورة البراء.

مسألة 6 - سورة الفيل والأيلاف سورة واحدة، وكذلك والضحي وألم
Rules Concerning Recitation (of Qur’ānic Sūrahs) and Dhikr

**Problem # 1.** It is obligatory to recite Sūrat al-Fātiḥah (Chapter 1 of the Qur’ān) and some other complete Sūrah after it in the first and second Rak‘ats of the obligatory [daily] prayers. A person is allowed to give up the recitation of the second Sūrah in certain circumstances. Rather, it is obligatory in case of the time being short for the prayer, or there being fear or the like which are among the necessary cases. If a person recites the second Sūrah before the Sūrat al-Fātiḥah deliberately, he shall have to offer the prayer again. If, however, he does so inadvertently, and recollects it before kneeling down (Rukū’), then if he has not recited Sūrat al-Fātiḥah after the second Sūrah, he shall recite the second Sūrah again after reciting the Sūrat al-Fātiḥah. If he has recited Sūrat al-Fātiḥah after the second Sūrah, he shall recite the second Sūrah again after reciting the Sūrat al-Fātiḥah.

**Problem # 2.** It is obligatory to recite Sūrat al-Ḥamd in the supererogatory prayers like the obligatory (daily) prayers, in the sense that it is a condition for their validity. As regards the recitation of the second Sūrah [in supererogatory] prayers, it is not obligatory in any of them, except when a prayer has become obligatory due to some other reason such as a vow or the like. Of course, in case of some of the supererogatory prayers in which some particular Sūrahs have been mentioned, recitation of those particular Sūrahs shall be a condition for the fulfilment of the vow, but it must be known that their recitation is a condition for the fulfilment of the vow, but not as a religious obligation, or for their validity.

**Problem # 3.** According to the stronger opinion, it is permissible to recite more than one Sūrah in a single Rak‘at in an obligatory (daily) prayer, though with an amount of disapproval, contrary to a supererogatory prayer in which there is no disapproval [if more than one Sūrah is recited in a single Rak‘at]. It is more cautious to give up [reciting more than one Sūrah in a single Rak‘at] in an obligatory (daily) prayer.

**Problem # 4.** It is not permissible to read long Sūrahs (Chapters of the Qur’ān) whose recitation may cause the loss of the due time of prayers. So if a person does it deliberately, his prayer shall be rendered void, though there is difficulty [in accepting this rule]. If it was done inadvertently, he must shift over to some other Sūrah, provided that there is sufficient time for its recitation. If, however, he comes to recollect it after having finished the [long] Sūrah when the time has already elapsed, he shall complete the prayer. Likewise, it is also not permissible to recite in an obligatory prayer any of the Sūrahs containing obligatory Sajdahs. If a person recites any of such Sūrahs inadvertently until the verse containing the [obligatory] Sajdah, or listens to it [being recited by some one else] during the prayer, it is more cautious for him to make signs of Sajdah, while he is still busy offering the prayer, and then after finishing the prayer must perform Sajdah; though, according to the stronger opinion, it would be sufficient only to make the signs of Sajdah during the prayer, and it would be permissible to treat the recitation of the Sūrah containing Sajdah as sufficient.

**Problem # 5.** Bismillāh is a part of every Sūrah (Chapter of the Qur’ān) except the Sūrat al-Barā‘at (al-Towbah, Chapter 9 of the Qur’ān)

**Problem # 6.** Sūrat al-Fil (Chapter 105 of the Qur’ān) and Sūrat al-Īlāf (Chapter 106 of the Qur’ān) are treated as a single Sūrah, and so are Sūrat al-Ḍuhā (Chapter 93 of the Qur’ān) and
نشر، فلا تخرج واحدة منها، بل لابد من الجمع مرتين مع البسمة الواقعة في الابن.

مسألة 7 - يجب تعيين السورة عند الشروع في البسمة على الأقوى، ولو عيّن سورة ثم عدل إلى غيرها تجب إعادة البسمة للمعدول اليها، وإذا عيّن سورة عند البسمة ثم نسيها ولم يدرّ ما عيّن أعاد البسمة مع تعيين سورة معينة، ولو كان باناً من أول الصلاة على أن يقرأ سورة معينة فنسي وقرأ غيرها أو كانت عادته قراءة سورة فقرأ غيرها كنّي ولم يجب إعادة السورة.

مسألة 8 - يجوز العدول اختياراً من سورة إلى غيرها ما لم يبلغ النصف عدا التوحيد والجحد، فإنه لا يجوز العدول منها إلى غيرها، ولا من إحداهما إلى الأخرى بجرد الشروع، نعم يجوز العدول منها إلى الجمعية والمنافقين في ظهر يوم الجمعة، وفي الجمعية على الأقوى إذا شرع فيها نسباً مالم يبلغ النصف.

مسألة 9 - يجب الإخفات بالقراءة عدا البسمة في الظهر والعصر، يجب على الرجال الجزء في الصبح واولتي الغرب والعشاء، فإن عكس عامداً بطلت صلاته، ويعذر الناهسي بل مطلق غير العamd والجهل بالحكم من أصله غير المنتبه للسؤال، بل لا يعيدون ما وقع منهم من القراءة بعد ارتفاع العذر في الأثناء، أما العالم به في الجملة الذي جهل عليه أو نساه والجهل بأصل الحكم المنتبه للسؤال فالأحمره لها الاستناف وإن كان الأقوى الصحة مع حصول نية القرابة منها، ولا جهر على النساء، بل يتخير ببنه و بين الإخفات مع عدم الأجانبي، ويجب عليهم الإخفات فيما يجب على الرجال ويعذرون فيها.

مسألة 10 - يتحب للرجال الجهر بالبسمة في الظهرين للمحمد والسورة كما أنه يستحب لهم الجهر بالقراءة في ظهر يوم الجمعة، ولكن لا ينبغي ترك الاحتياط بالاختفات.
Sūrat Alam Nashraḥ (or al-Inshirāḥ, Chapter 94 of the Qur'ān), and, therefore, it is not permissible to recite either of them singly. Rather, it is indispensable to recite both of them together in succession with separate Bismillāh which has come in their midst.

Problem # 7. According to the stronger opinion, whenever a person starts reciting Bismillāh, he must determine the Sūrah he intends to recite. If he determines to recite a Sūrah, and then shifts to another, it is obligatory to recite Bismillāh again for the Sūrah to which he has shifted over.

If a person determines a Sūrah at the time of reciting Bismillāh, and then forgets it, and does not know which Sūrah he had determined to recite, he shall recite Bismillāh again with the determination of the Sūrah he wants to recite.

If a person intended to recite a particular Sūrah from the beginning of the prayer, and then forgets it and recites another one, or he had the habit of reciting a particular Sūrah but he recites another one, it would be sufficient, and it would not be obligatory to recite the Sūrah again.

Problem # 8. It is permissible to shift from one Sūrah to another, if possible, provided that the person has not reached its half, except in case of Sūrat al-Towḥīd (Chapter 112 of the Qur’ān) and Sūrat al-Jahd (or al-Kāfūrūn, Chapter 109 of the Qur’ān), as it is not permissible to shift from them over to some other Sūrah, nor from one of them to the other as soon as one begins reciting it. Of course, according to the stronger opinion, it is permissible to shift from either of them to Sūrat al-Jum‘ah (Chapter 62 of the Qur’ān) or Sūrat al-Munāfiqūn (Chapter 63 of the Qur’ān) on the noon of Friday, or in the Jum‘ah (Friday) prayer, when a person has started reciting either of them inadvertently and has not reached its half.

Problem # 9. It is obligatory to offer Žuhr and Āṣr prayers quietly except reciting Bismillāh. It is obligatory for men to offer the morning, Māghrib and Ishā‘ prayers loudly, so that if a person does the reverse of it deliberately, his prayer shall be void. However, a person who does so due to forgetfulness, or rather generally a person who does so inadvertently, or one who is ignorant of the rule at all and unaware of asking about it, is excused, and rather such person shall not be required to repeat the recitation [in its proper form, slowly or loudly], in case meanwhile the excuse is removed.

As regards one who knows the rule briefly but does not know its right place of application, or one who forgets it, or one who is ignorant of the rule at all but who is aware that he must ask about it, it would be more cautious for him to offer prayers again, although, according to the stronger opinion, their prayer shall be valid if they have had intention of closeness to Allāh in such cases.

Women are not allowed to offer prayers loudly. Rather, in case there is no stranger there they may adopt a course between quiet and loud recitation, but it is obligatory on them to adopt silence where it is so in case of men, and they are also excused where men have been excused.

Problem # 10. It is recommended for men to recite Bismillāh loudly with Sūrat al-Ḥamd (Chapter 1 of the Qur’ān) and the other Sūrah in Žuhr and Āṣr prayers in the same way as it is recommended for them to recite loudly in Žuhr prayer on Friday, but they should not give up caution by reciting it quietly.
مسألة 11 - مناطق الجهر والأخفاف ظهر جوهر الصوت وعده، لا سماع من بجانبه وعده، ولا يجوز الأفراط في الجهر كالمصابح، كما أنه لا يجوز الأخفاف بحيث لا يسمع نفسه مع عدم المنع.

مسألة 12 - يجب أن تكون القراءة صحيحة، فلو أخطأ عادة بحرف أو حركة أو تشدد أو نحو ذلك بطلت صلاته، ومن لا يحسن الفاتحة وألسورة يجب عليه تعلمها.

مسألة 13 - المدار في صحة القراءة على أداء الحروف من مخارجها على نحو بعيدة أهل اللسان مؤدياً للحرف الفلاني دون حرف آخر، ومراعاة حركات البنية وماله داخل في هيئة الكلمة، والحركات والسكنات الإعرابية والبناءية على وفق ما ضبطه علماء العربة، وحذف هيئة الوصل في الدرج كهمزة »ال« وهمزة »اهدانا« على الأحworth، وإبادة هيئة القطع كهمزة »أنعمت« ولا يلزم مراعاة تدقيقات علماء التجويد في تعيين مخارج الحروف، فضلاً عا يرجع إلى صفاتها عن الشدة والرخوة والتفخيم والترقيق والاستعلاة وغير ذلك، ولا الإدغام الكبير، وهو إدراج الحرف المتحرك بعد إسكانه في حرف مماثل له مع كونهما في كلمتين، مثل »يعلم ما بين أيديهم« بإدراج الميم في الميم، أو مقارب له، ولو في كلمة واحدة ك »برزغم« و »خزمه عن النار« بإدراج القاف في الكاف والخاء في العين، بل الأحworth ترك مثل هذا الإدغام خصوصاً في المقارب، بل ولا يلزم مراعاة بعض أقسام الإدغام الصغير، كإدراج الساكن الأصلي فيه بقاربه، ك من ربك » بإدراج النون في الراء، نعم الأحworth مراعاة اللذة اللازمة، وهو ما كان حرف المده و سبيها: أي الهمزة والسكون في كلمة واحدة، مثل »جاء« و »سوه« و »جي« و »دابا« و »ق« و »صئ« و كذا ترك الوقوف على المتحرك، والوصل مع السكون، وإدغام التنوين والنون الساكنة في حروف »يرملون« وإن كان المرجح في النظر عدم لزوم شيء مما
Problem # 11. The basis for reciting quietly or loudly is the expression of the voice of a person or otherwise, and not its hearing or otherwise by the person beside him.

It is not permissible to be inordinately loud while reciting loudly as shouting, in the same way as it is not permissible to be so quiet that he may not hear himself when there is no impediment.

Problem # 12. It is obligatory for the recitation to be correct. If a person deliberately violates the rule in pronouncing a letter, movement, tashdid (doubling the sound of a consonant) or the like, his prayer shall be rendered void. If a person does not know how to recite Sūrat al-Fatīḥah (Chapter 1 of the Qur’ān) and another Sūrah correctly, it is obligatory on him to learn it.

Problem # 13. The criterion for the correct recitation is pronouncing the letters from their proper sources of sound in a way that the people whose native language is it [i.e., Arabic] may distinguish that such person has pronounced such and such letter and not any other letter, observing the basic movements and what relates to the form of the word, as well as the signs and movements of līrāb and Mabnī according to the rules framed by the scholars of Arabic language, and, to be more cautious, omission of connecting Hamzah in a phrase like Hamzah in “al” or Hamzah in “ihdīnā”, and the retention of Hamzat al-Qat’ as Hamzah in “an’amta”.

It is not necessary to observe the minute rules of the scholars of Tajwīd in determining the sources of sound of letters, not to speak of things relating to their qualities like forcefulness, softness, emphasis, mildness and raising the sound, etc., nor the major amalgamation which means after making a letter marked with a vowel point quiescent amalgamating it with another letter of identical sound, both appearing in two words like “ya’lamu mā bayna aydīhim” by amalgamating ‘mīm’ with ‘mīm’, or close by, although in a single word like “yarzuqkum” by amalgamating ‘qāf’ and ‘kāf’ or “zahzaha‘anin nār” by amalgamating ‘qāf’ and ‘kāf’, and ‘hā’ and ‘ayn’.

Rather it is more cautious to give up such amalgamation particularly in letters close by. So also it is not necessary to observe some of the kinds of minor amalgamation of an original quiescent with a letter close by like ‘min rabbik” by amalgamating ‘nūn’ and ‘rā’. However it is more cautious to observe necessary “Madd”, and that is the Madd and its two sababs, i.e., Hamzah and quiescence in a single word, like “Jā”, “Sū”, “Sī”, “Dābbah”, “Qāf”, “Ṣād”.

Similar is the case with the omission of stop from an inquiescent letter, connection with quiescence and amalgamation of ‘tanwīn’ and quiescent ‘nūn’ in the letters of “yarmalūn”, though outwardly it looks preferable not to declare as necessary anything from among what has been mentioned.
ذلك.

مسألة 14: الأحوط عدم التخلف عن إحدى القراءات السبع، كما أن الأحوط عدم التخلف عما في المصاحف الكرية الموجودة بين أيدي المسلمين، وإن كان التخلف في بعض الكلمات مثل "ملك يوم الدين" و"كفأ أحد" غير مضر، بل لا يعد جواز القراءة بأحد القراءات.

مسألة 15: يجوز قراءة "مالك يوم الدين" و"ملك يوم الدين" ولا يعد أن يكون الأول أرجح، وكد़ذاب يجوز في "الصرامة" أن يقرأ بالنصاد والسن، والأرجح بالنصاد، وفي "كفأ أحد" وجهة أربعة: بضم الفاء وسكونه مع الحمزة وآلاو، لا يعد أن يكون الأرجح بضم الفاء مع الواو.

مسألة 16: من لا يقدر إلا على الملحنين أو تبديل بعض الحروف ولا يستطيع أن يعلم أجراه ذلك، ولا يجب عليه الابتعاد وإن كان أحوط، ومن كان قادرًا على التصحيح وتعلم ولم يتعلم يجب عليه على الأحوط الابتعاد مع الامكان.

مسألة 17: يختير في عدا الركعتين الأولتين من الفريضة بين الذكر والفاتحة، ولا يعد أن يكون الأفضل للأمام القراءة، وللمأموم الذكر، وهما للمنفرد سواء، وصورته "سبحان الله الحمد الله ولا إله إلا الله والله أكبر" وتجب المحافظة على العربية، ويجزي مرة واحدة، والأحوط الأفضل التكرار ثلاثة، والأولى إضافة الاستغفار إليها، ويجب الاختفاء في الذكر والقراءة حتى السلمية على الأحوط، ولا يجب اتفاق الركعتين الأخيرتين في الذكر أو القراءة.

مسألة 18: لو قصد التسبيح مثلًا فسبق لسانه إلى القرائه من غير تحقق الفنصد بها ولو ارتكازًا فالأقوى عدم الاجتهاد بها، ومع تحققًا فالأقوى الصحة، وكذا الحال لو فعل ذلك غافلاً من غير قصد إلى أحدهما، فانه مع عده ولو ارتكازًا فالأقوى عدم الصحة، ولا فالأقوى الصحة.

مسألة 19: لو قرأ الفاتحة بتأجيل أنه في الأولين فتيبين كونه في الآخرين.
Problem # 14. It is more cautious to adopt any of the seven [recognised] readings (Qirā'at, of the Qur'ān), in the same way as it is more cautious not to deviate from the extant copies of the holy Qur'ān in possession of the Muslims, although the contravention in some of the words like ‘mālik-i yowmiddīn’ and ‘kufuwan aḥad’ is not harmful, and it is not far from one of the seven readings (of the Qur'ān) being permissible.

Problem # 15. It is permissible to recite “malik-i yowmiddīn” or “mālik-i yowmiddīn”, and it is not far from the first reading being preferable.

Similarly, it is permissible to read ‘al-ṣirāt’ with ‘ṣād’ or ‘sīn’; though it is preferable to read it with ‘ṣād’.

In case of ‘Kufuwan aḥad’ there are four readings, namely, with ḍammah on ‘fā’, its being quiescent with Hamzah or ‘vāv’, though it is preferable to read it with ḍammah on ‘fā’ with ‘vāv’.

Problem # 16. If a person cannot recite [the Qur'ān] but with wrong pronunciation or changing the sound of some of the letters, and is not able to learn the details, (it is sufficient for him to recite it as he can), and it is not obligatory for him to offer prayers with Jamāʿat, though it is more cautious to do so. One who can rectify [the mistakes] or can learn the correct pronunciation, but has not learnt it, to be more cautious, it is obligatory for him to offer prayer with Jamāʿat, if possible.

Problem # 17. A person offering prayer is at liberty to recite Sūrat al-Ḥamd (Chapter 1 of the Qur'ān) and Dhikr in other Rak'ats too besides the first and second Rak'ats of obligatory prayers. It is not far from being preferable for the Imām to recite the Sūrahs and for the followers to recite Dhikr. For a person offering prayer individually, both are the same, and the form of Dhikr is: ‘Subḥānallāh, val ḥamdu lillāh, va lā īllāha illallāhu vallāhu akbar’ [in Arabic]. It is obligatory to recite it in Arabic, and it is sufficient to recite it once, though according to the more cautious opinion it is preferable to recite it three times, and it is better to add Istighfar to it. It is obligatory [for the followers in a Jamāʿat] to recite Dhikr and Sūrahs of the Qur'ān quietly, to be more cautious even Bismillāh. It is not obligatory to recite Sūrat al-Ḥamd (Chapter 1 of the Qur'ān) and Dhikr identically in the last two Rak'ats.

Problem # 18. If a person intends to recite “tasbīḥ”, but he starts reciting Sūrat al-Ḥamd (Chapter 1 of the Qur'ān) without materialising its intention even briefly, according to the stronger opinion, it is not sufficient, but in case of its materialisation, according to the stronger opinion, it is valid.

The same shall be the case if he does so due to negligence without intending to do either, so that in case otherwise though briefly, according to the stronger opinion, it shall not be valid; otherwise, according to the stronger opinion, it shall be valid.

Problem # 19. If a person recites Sūrat al-Ālām (Chapter 1 of the Qur'ān) under the impression that it is one of the first two Rak'ats, but later realises that it is one of the last two Rak'ats, it would be sufficient for him to do so.
فسألة ٢٠ - الأحوط أن لا يزيد على ثلاثة تسيحات إلا بقصد الذكر المطلق.

فسألة ٢١ - يستحب قراءة عمّ يتساءلون أو هل أتى أو الغاشية أو القيامة وأشباهها في صلاة الصبح، وقراءة سحّب اسم أو الشمس في الظهر، وإذا جاء نصر الله أهيمكم التكاثر في العصر والمغرب، والأولى اختيار قراءة الجمعة في الركعة الأولى من العشاءين والأعلى في الثانية منها في ليلة الجمعة، وقراءة سورة الجمعة في الركعة الأولى والمنافقين في الثانية في الظهر والعصر من يوم الجمعة، وكذا في صبح يوم الجمعة، أو يقرأ فيها في الأولى الجمعة والتوحيد في الثانية، و في المغرب في ليلة الجمعة في الأولى الجمعة وفي الثانية التوحيد، كما أنه يستحب في كل صلاة قراءة سورة القرد في الأولى والتوحيد في الثانية.

فسألة ٢٢ - قد عرفت أنه يجب الاستقرار حال القراءة والأذكار، فلو أراد حالها التقدم أو التأخر أتى levy pesquisa، يجب تركها حال الحركة لكن لا يضر مثل تحريك اليد أو أصابع الرجلين وإن كان التكرار أولئك، ولو تحرك حال القراءة فهنا عادة ما قرأة في تلك الحالة.

فسألة ٢٣ - لو ش合法权益 إلى صحة قراءة آية أو كلمة يجب أعادتها إذا لم يتجاوز، ويجوز بقصد الاحتياط مع التجاووز، ولو ش合法权益 إلى ثانيا أو ثالثاً لا بأس بالتكرار ما يكون عن وسوسة ولا فلا يتعني بشكه.

الفول في الركوع

فسألة ١ - يجب في كل ركعة من الفظائع البومية، ركوع واحد، وهو ركن تبطل الصلاة بزيادته ونقصانه عمداً وسهوً، إلا في الجماعة للمتابعة بتفصيل يأتي في مذهبه، ولا بد فيه من الإفراح المهارب بحيث تصل يده إلى ركبه،
The same shall be the case if he recites the Sūrat al-Fātihah under the impression that it is one of the last two Rakʿats, but it transpires that it is one of the first two Rakʿats.

Problem # 20. It is more cautious not to add to three Tasbīḥāt, except with the intention of absolute Dhikr.

Problem # 21. It is recommended to recite Sūrahs 78,76,88,75 or the like in the morning prayer, and Sūrahs 87 or 91 in Dhuhr prayer, Sūrahs 110 and 102 in Asr and Maghrib prayers. It is better to select Sūrat al-Jumʿah (Chapter 62 of the Qurʾān) in the first Rakʿat of Maghrib and Ishāʾ and Sūrat al-Aʿlā (Chapter 87 of the Qurʾān) in the second Rakʿat in both the prayers on Friday night, recite Sūrat al-Jumʿah in the first Rakʿat and Sūrat al-Munāfiqūn in the second Rakʿat in the Dhuhr and Asr prayers on Friday, and similarly in the morning prayer of Friday, or recite Sūrat al-Jumʿah in the first Rakʿat and Sūrah al-Tawḥīd (Chapter 112 of the Qurʾān) in the second Rakʿat. One may recite Sūrat al-Jumʿah in the first Rakʿat in the Maghrib prayers on Friday night and Sūrat al-Tawḥīd in the second, as it is recommended to recite Sūrat al-Qadr (Chapter 97 of the Qurʾān) in the first Rakʿat and Sūrat al-Tawḥīd in the second Rakʿat of every prayer.

Problem # 22. It has already been understood that it is obligatory to stand erect while reciting a Sūrah of the Qurʾān or Dhikr. If, during their recitation, a person leans forward or backward or leans for some purpose, it is obligatory to give up recitation while moving, but it is not harmful to move the hand or the fingers of the two feet, though it would be better to give them up. If a person moves involuntarily while reciting, it is more cautious to repeat what he has recited in that condition.

Problem # 23. If a person doubts the correctness of reciting a verse or a word, it shall be obligatory on him to repeat it if he has not surpassed it, and if he has surpassed it, it is permissible to repeat it with the intention of caution.

If a person doubts a second or third time (at the same place), there is no objection in repeating it in case it has not been due to [satanic] temptation; otherwise, he should not pay any heed to his doubt.

Rules Concerning Rukūʿ (Kneeling Down)

Problem # 1. A single Rukūʿ (Kneeling down) is obligatory in every Rakʿat of daily obligatory prayers. It is a pillar whose deliberate or inadvertent excess or deficiency invalidates the prayer except in Jamāʿat due to following the Imām, the details of which are mentioned below in its relevant place. It is indispensable to bend in the usual way, so that the person’s hand should reach his knees, and it is more cautious that his palm of the hand should touch them, and so mere bending is not enough.
والأحوط وصول الراحة إليها، فلا يكتفي مسمى الاتحاء.

مسألة 3 - من لم يتمكن من الاتحاء المزبور اعتماد، فإن لم يتمكن ولو بالاعتماد أن يحكم منه، ولا ينتقل إلى الجلوس وإن تمكن منه جالساً، نعم لولم يتمكن من الاتحاء أصلاً انتقل إليه، والأحوط صلاة أخرى بالاتهم قائماً، و إن لم يتمكن من الركوع جالساً أجزأ الاتحاء حينئذ، فيومني برأسه قائمًا، فإن لم يتمكن غموض عينيه للرخوع وفتحها للرفع منه، وتحقق ركوع الجالس باختيانه بحيث يساوي وجهه ركبته، والاقفل الأحوط الزيادة على ذلك بحيث يغذي مسجدته.

مسألة 3 - يعتبر في الاتحاء أن يكون بقصد الركوع، فلو اتخذي بقصد وضع شيء على الأرض مثلاً لا يكتب في جملة ركوعاً بلى لا بد من القيام ثم الاتحاء له.

مسألة 4 - من كان كالراكم خلفة أو لعارض فإن تمكن من الاتحاء ولو بالاعتماد لتحصيل القيم الواجب ليركع عنه وبج، وإن لم يتمكن من الامتناع التام فلا بد منه في الجملة وما هو أقرب إلى القيم، وإن لم يتمكن أصلاً وجبن أن يتحني أزيد من المقدار الحاصل فإن لم يخرج بذلك عن حد الركوع، وإن لم يتمكن منه بأن لم يقدر على زيادة الاتحاء أو كان اتخائبه بالغًا أقلى مراتب الركوع بحيث لوزاد خرج عن حد النوى الركوع بالاتحاء، ولا يترك الاحتياط بالأيئ بالرأس إليه أيضاً، ومع عدم تمكنه من الاتحاء يجعل غموض العينين ركوعاً وفتحها رفعاً على الأحوط، وأحواط منه أن ينوي الركوع بالاتحاء مع الاتحاء وعوض العين مع الامكان.

مسألة 5 - لو نسي الركوع فهو نهى السجود وذكر قبل وضع وجهه على الأرض رجع إلى القيم ثم ركع، ولا يكتفي أيقوم منحنياً إلى حائط الركوع، ولو تذكر بعد الدخول في السجدة الأولى أو بعد رفع الرأس منها فالاحوطي العود إلى الركوع كما مر واتمام الصلاة ثم إعادتها.
Problem # 2. If a person is not able to bend to the extent mentioned, he may lean against something. If he is not able to bend even after leaning against something, he should bend as much as he can, but should not shift over to sitting, even if he is able to bend in a sitting posture.

Of course, if a person is not able to bend at all, he may sit [and bend]. It is more cautious to offer the same prayer again in a standing posture and make signs of kneeling down. If he is not able to bend even while sitting, he may make signs of bending in that posture, so that he may make signs with his head being erect.

If he is not able to do so, he must close his eyes for (making signs of) Rukū‘ and should open them in order to sign for rising up from Rukū‘.

The Rukū‘ of a person in sitting posture is performed by his bending in a way that his face may reach the level of his knees. According to the more cautious opinion, it is preferable to exceed it to the extent that his head may reach close to the thing on which he prostrates.

Problem # 3. It is a condition in bending that it must be done with the intention of kneeling down (Rukū‘). If, therefore, he kneels down, for example, for raising something from the earth, it shall not be sufficient to make it a Rukū‘; rather, it is indispensable to stand erect, and then kneel down for performing Rukū‘.

Problem # 4. If a person is like one kneeling down by birth or due to some illness, if he is able to stand erect even with the help of something for being in a standing position in order to perform the obligatory Rukū‘, it shall be obligatory [for him to do so].

If he is not able to stand erect, it shall be indispensable for him to be in a position that is closer to standing posture [and then perform Rukū‘].

In case he is not able to bend at all, it shall be obligatory on him to bend more than the present extent if he does not exceed the limit of Rukū‘.

If he is not able to do so, so that he is not able to bend more, or his bending reaches the farthest limits of Rukū‘ so that if he tries to bend further, he may exceed its limit, then he may have the intention of Rukū‘ by bending, and should not give up the caution by making sign [of bending] with his head too.

In case he is not able to make the sign, according to the more cautious opinion, he should make closing both eyes a Rukū‘, and opening them a rising from Rukū‘. It is even more cautious than that method that he should have the intention of Rukū‘ by bending accompanied by signs and closing the eyes together, if possible.

Problem # 5. If a person forgets performing Ruku‘ and proceeds to prostrations, but recalls before putting his forehead on the earth [that he has not performed Rukū‘], he must return to standing position and then perform Ruku‘, but it is not sufficient to bend to the extent of Rukū‘ only.

If a person recollects [that he has not performed his Rukū‘] after having gone into the first prostration, or after raising his head from it, then it is more cautious to return to Rukū‘ as mentioned, complete the prayer, and then offer it again.
مسألة 6 - لو انحنى بقصد الركوع و لم ولما وصل إلى حبه نسي و هو إلى السجود فإن تذكر قبل أن يخرج من حبه بقي على تلك الحال مطمئناً و أقى بالذكر، فإن تذكر بعد خروجه من حبه فإن عرض النسيان بعد وقوفه في حدة الركوع آنفماً فالآقوى السجود بلا انصباب، إلا فلا يترك الاحتياط بالانتصاب ثم الهوي إلى السجود و إتمام الصلاة و إعادةها.

مسألة 7 - يجب الذكر في الركوع، والأقوى الاجتياز بطلقه، والأحوز كونه بمقدار الثلاث من الصغير أو الواحدة من الكبيرة، كما أن الأحوز مع اختيار التسبيح اختيار الثلاث من الصغير، وهما "سبحان الله" أو الكبيرة الواحدة، وهي "سبحان ربي العليم و بمده" والأحوز الأول اختيار الأخيرة، و أحوز منه تكراراً ثلاثاً.

مسألة 8 - يجب الطمأنينة حال الذكر الواجب، فإن تركها عمداً بطلت صلاته بخلافه سهواً، وإن كان الأحوز الاستئناف معه أيضاً، ولو شرع في الذكر الواجب عمداً قبل الوصول إلى حدة الركوع أو بعده قبل الطمأنينة أو أنه حال الرفع قبل الخروج عن اسمه أو بعده لم يسبق الذكر الزبور قطعاً، والأقوى بطلان صلاته، والأحوز إتمامها ثم استئنافها، بل الأحوز ذلك في الذكر المندوب أيضاً لو جاء به كذلك بقصد الخصوصية إلا إنا إشكال، ولو لم يتمكن من الطمأنينة لمرض أو غيره سقطت، لكن يجب عليه إكمال الذكر الواجب قبل الخروج عن مستوى الركوع، و يجب أيضاً رفع الرأس منه حتى ينصب قانياً مطمئناً فلو سجد قبل ذلك عمداً بطلت صلاته.

مسألة 9 - يستحب التكرير للركوع، وهو قائم منصوب، والأحوز عدم تركه، و يستحب رفع اليدين حال التكرير، ووضع اليدين مفرجات الأسواع على الركبتين حال الركوع، والأحوز عدم تركه مع الإمكان، وكذا يستحب رفع الركبتين إلى الحلف و تسوية الظهر و مد العنق والتجنح بالمرفقين، وأن تضع
Problem # 6. If a person kneels down without the intention of performing Rukū‘, but when he reaches its limit, he forgets and proceeds to performing prostrations. If he recalls [that he has not performed the Rukū‘] before surpassing the limit of Rukū‘, he may remain in that position and recite Dhikr.

If, however, he recollects [that he has not performed the Rukū‘], after having surpassed the limit of Rukū‘, then if the forgetfulness has occurred after staying in the limit of Rukū‘, though for a moment, according to the stronger opinion, he shall perform the prostrations without standing erect. Otherwise, he should not give up caution by standing erect and go down to perform prostrations, complete the prayer and then offer it again.

Problem # 7. It is obligatory to recite Dhikr in Rukū‘, and according to the stronger opinion, it is sufficient to recite any Dhikr. It is more cautious that it should be equal to either the minor tasbīḥ three time or the major one once. It is more cautious to adopt reciting the minor tasbīḥ, namely Subḥānallāh three times or the major tasbīḥ, namely, Subḥāna rabbiyal azīm wa bi ḥamdihi. According to the more cautious opinion, it is better to adopt the latter, and more cautious than that is to repeat it three times.

Problem # 8. It is obligatory to be patient while reciting the obligatory Dhikr. If he gives it up deliberately, his prayer shall be void, though not in case otherwise when he gives it up inadvertently, though it is more cautious to offer the prayer again in the latter case too.

If a person starts reciting obligatory Dhikr deliberately before reaching the limit of Rukū‘ or after it before being patient, or while rising from Rukū‘ before surpassing the limit of Rukū‘ or after it, it shall not be sufficient at all, and, according to the stronger opinion, the prayer shall be void. It is more cautious to complete the prayer and offer it again. Rather it is more cautious to do so in case of a recommended Dhikr too, if a person recites the recommended Dhikr in the same way with the intention of speciality; otherwise, there shall be no objection.

If a person is not able to be patient due to some illness or the like, the condition shall drop, but it is obligatory on him to complete the obligatory Dhikr before leaving Rukū‘.

It is also obligatory to raise one’s head from Rukū‘ and stand erect peacefully. If a person performs prostration before that deliberately, his prayer shall be rendered void.

Problem # 9. While a person is standing erect, reciting Takbīr for Rukū‘ is recommended, and it is more cautious not to give it up.

It is recommended to raise both hands [upto the ears] while reciting Takbīr, and putting both the palms of the hands with open fingers on knees in a Rukū‘. It is more cautious not to give it up, if possible.

It is also recommended to throw both the knees backward, straighten the back, stretch the neck and keep both the forearms like wings, and for women to keep both their hands on their thighs over their knees and take up reciting the major tasbīḥ thrice, five times, seven times or even more, to raise both the hands for standing erect from Rukū‘, and after standing erect to say (in Arabic): “Samia‘ Allāhu liman ḥamidah” [Allāh, who has been praised, has heard], to recite Takbīr for going down to perform prostrations and raise both the hands for it. At the time of
القول في السجود

مسألة 1 - يجب في كل ركعة سجدة، وهما معاً ركن تبطل الصلاة بزيادتها معاً في الركعة الواحدة ونقصانهما كذلك عمداً أو سهوًا، فلو أخذ بواحدة زيادة أو نقصانًا سهوًا فلا بطلان، ولا بد فيه من الإ تخاذ ووضع الجبهة على وجه يتحقق به مسماه، وهذا مدار الركنية والزيادة العمدية والسهوية.

ويعتبر فيه أمور أخرى مداخلية لها في ذلك: منها السجدة على ستة أعضاء: الكفين والركبتين والإبهامين، والمعنى باتن الكفين، والأخوط الاستيعاب العربي، هذا مع الاختيار، وأما مع الاضطراب ففيزي مسمى الباطن، ولم يقدر إلا على ضم الأصابع إلى كنه والسجود عليها يجازي به، ومع تذكر ذلك كله يجازي الظاهر، و مع عدم إمكانه أيضاً لقطع و نحوه ينتقل إلى الأقرب من الكف، و أما الركبتان فيجب صدق مسمى السجود على ظاهرها وإن لم يستوعبه، وأما الابهامان فالأخوط مراعاة طرفهما، ولا يجب الاستيعاب في الجبهة، بل يكني صدق السجود على مسماه، و يتحقق بقدرادرأس الأثلة، والأحورت أن يكون بقدر الدرهم، كما أن الأحورت كونه مجتمعا لا متفرقًا، وإن كان الأقوى عدم الفرق، ففيزع على السححة إذا كان ما وقع عليه الجبهة بقدرادرأس الأثلة، ولا بد من رفع ما يمنع من مباشرة تحل السجود من وسخ أو غيره.
performing Rukū', it is disapproved to bend the head, put both the hands on both sides or bring one's both hands between the knees.

**Rules Concerning Sajdah (Prostration)**

**Problem # 1.** Two prostrations are obligatory in every Rak'at, and together they form a pillar which invalidate the prayer by the excess of both of them in a single Rak'at and so also due to their deficiency, deliberate or inadvertent. If the condition is violated by a single prostration, whether by excess or deficiency, inadvertently, the prayer shall not thereby be rendered void.

In prostration, it is indispensable to bend and put the forehead [on the earth] in a way that it may be called prostration. This is its criterion in being a pillar as well as in the deliberate or inadvertent excess.

There are also some other conditions required in prostration which have, however, nothing to do with its being a pillar. They are as follows.

1. Six parts of the body play a part in prostration, namely, both palms of the hands, both knees and both toes. It is a condition that the interior of the palms should play the part and that they should be expanded on the earth in the usual way. This is where the person is able to do so, but in case of inability, it is sufficient to put on earth what is called the interior of the palms. If a person is not able to put the palms on the earth, but can only join the fingers with the palm and prostrate in that condition, it would be sufficient.

   If a person were not able to do all this, it would be sufficient for him to place the back of his hand on the earth.

   If this is also not possible due to hand having been chopped off or the like, he shall shift over to the part closest to the palm.

   As regards the two knees, it is obligatory to use their apparent part in prostration, even if they are not wholly placed on the earth.

   As regards the two toes, it is more cautious to place the tips of the toes on the ground,

   It is not obligatory to place the whole forehead on the ground, but it is sufficient to place it in a way that it may be called prostration, and it is materialised with placing the forehead equal to the extent of the tips of the fingers, and it is more cautious that it must be to the extent of Dirham, as also it is more cautious that it must touch the ground in a single place and not in different places, though, according to the stronger opinion, there is no difference between the two.

   It is permissible to perform the prostration on beads of a rosary, provided that the width of the place touched by the forehead is equal to the tip of the fingers.
فيها أو فيه، حتى لو لصقت بجسدها تربة أو تراب أو حصاة ونحوها في السجدة الأولي تجب إزالته للثانية على الأحذين لول يكون الأقوية، والمراد بالجهة هنا ما بين قصاص الشر وطرف الأنف الأعلى والحاجبين طولا وما بين الجبينين عرضًا. مسألة 2 - الأحذين الاعتماد على الأعضاء السبعة، فلا يجزي مجرد المساس، ولا يجب مساواتهما فيه، كما لا تضر مشاركة غيرها معها في كالذراع مع الكفين وسائر أصبعين الرجلين مع الإبهامين. ومنها - وجب الذكر على نحو ما تقدم في الركوع، والتسبيحة الكبرى هاهنا «سبحان ربي الاعلى و بحمده». ومنها - وجب الطمأنينة حال الذكر الواجب نحو ما سمعته في الركوع. ومنها - وجب كون المساجد السبعة في معاها حال الذكر، فلا بأس بتغيير النخل فيها إذا الجبهة أثناء الذكر الواجب حال عدم الاستغلال، فلو قال: «سبحان الله» ثم رفع يده الحاجة أو غيرها ووضعها وأني بالبقية لا يضر. ومنها - وضع الجبهة على ما يصح السجود عليه على ما رفي مبحة المكان. ومنها - رفع الرأس من السجدة الأولى والجلس مطمئنًا معتدلاً. ومنها - أن ينحني للسجود حتى يساوي موضع جبته موقفه، فلو ارتفع أحدها على الآخر لا تصح إلا أن يكون التفاوت بينها قد لبى موضعها على سطحها الأكبر في اللين المتعارفة أو أربع أصابع كذلك مضمومات، ولا يعتبر التساوي في سائر المساجد لا بعضها مع بعض، ولا بالنسبة إلى الجبهة، فلا يصح ارتفاع مكانها أو انخفاضه مالم يخرج به السجود عن مسماه. مسألة 3 - المراد بال موقف الذي يجب عدم التفاوت بينه وبين موضع الجبهة بما تقدم الركبتان والإبهامان على الأحذين، فلو وضع إبهامه على مكان أخفض أو أعلى من جبهته بأزيد مما تقدم بطلت صلاته على الأحذين وإن ساوي موضع ركبته موضع جبهته.
It is indispensable to remove whatever impedes the forehead from touching the ground, like filth, etc., on the forehead or the ground. Even if some earth, dust or pebble or the like is stuck to the forehead in the first prostration, it is obligatory to remove it for the performance of the second prostration, according to the more cautious, if not stronger, opinion.

Forehead here means what is between the place of growth of hair, the upper part of the nose and the middle part of both the brows and what lies between both the temples widthwise.

Problem # 2. It is more cautious that all the seven parts of the body should be placed on the ground, and it is sufficient for them to touch the ground. It is not obligatory for all the parts of the body [involved in prostration] to be equally placed on the ground, as it is also not harmful if other parts of the body also share with them in the act of prostration such as the forearm with both the palms and the other fingers of the feet with both the toes.

2. It is obligatory to recite Dhikr in prostration as mentioned under Rukū’, the major Tasbīḥ here being: ‘Subḥāna rabbiyal a’llā va bi ḥamdihi’.

3. It is obligatory for the person offering prayer to be patient, in the same way as mentioned earlier under Rukū’.

4. It is obligatory that all the seven parts of the body [involved in prostration] must be in their respective positions. So if a person is not busy reciting the obligatory Dhikr, there is no objection in changing the positions of these parts of the body except that of the forehead. So if the person recites: "Subḥānallāh", and then raises his hand for some necessity, etc., and then places it back and completes the rest of the act of prostration, there shall be no harm in it.

5. It is obligatory to place the forehead on something on which it is allowed to prostrate, as mentioned earlier in its place.

6. It is also obligatory to raise the head after the performance of the first prostration and sit peacefully and erect.

7. It is also obligatory to bend for performing prostration so that the place touching a person’s forehead may be equal to that of his standing. If either of them is higher than the other, it shall not be valid except that the difference between them is equal to an ordinary brick the bigger surface of which is usually placed on the ground, or four fingers when joined together. It is not a condition that other parts of the body be equal to one another and not even with respect to the forehead. So there is nothing wrong if their place is raised or lowered as long as the act does not cease to be a prostration.

Problem # 3. By place of standing, about which it has already been said that there should not be a distance between it and place of resting the forehead more than as mentioned, according to the more cautious opinion is meant the place lying between the place of resting both the knees and the toes. So if a person places his toes lower or higher than his forehead more than what is mentioned, his prayer shall be rendered void, even if the place of resting his knees is equal to the place of resting his forehead in height.
مسألة ٤ - لو وقعت جهله على مكان مرتفع أزيد من المقدار المعتذر كان الارتفاع بمقدار لا يصدق معه السجد عرفً فالأخوات الأولى رفعها ووضعها على الكتل الجائر، ويجوز جرها أيضًا، وإن كان بمقدار يصدق معه السجد عرفً فالأخوات الجزء الأدنى، ولو لم يكن فالأخوات الرفع والوضع ثم إعادة الصلاة بعد إتمامها.

مسألة ٥ - لو وضع جهله من غير عمود على المنع من السجد عليه جرها عنه إلى ما يجوز السجد عليه، وتصح صلاته، وليس له رفعها عنه، ولو لم يكن إلا الرفع المستلزم لزيادة السجد فالأخوات إتمام صلاته ثم استنفادها من رأس، سواء كان الالتفات اليه قبل الذكر الواجب أو بعده، نعم لو كان الالتفات بعد رفع الرأس من السجد كفاءة التمام.

مسألة ٦ - من كان جهله علة كالتعل فلم تستوعبه وأمكن وضع الموضع السليم منها على الأرض ولو بحرف حفيرة وجعل الدمل فيها وجه، وإن استوعبتها أومل يمكن وضع الموضع السليم منها على الأرض سجد على أحد الجبين، والأولى تقديم الأين على الأيسر، وين تغذر سجد على ذلكه، وإن تغذر فالأخوات تخصيص هيئة السجد بوضع بعض وجهه أو مقدم رأسه على الأرض، ومن تغذر فالأخوات تحصيل ما هو الأقرب إلى هيئة.

مسألة ٧ - لو ارتفعت جهله من الأرض قهراً وعادت إلها قهراً فلا يعد أن يكون عوداً إلى السجدة الأولى، فيحسب سجدة واحدة، سواء كان الارتفاع قبل القرار أو بعده، فإذاً بالنذك الواجب، ومع القدرة على الامساك بعد الرفع يحسب هذا الوضع سجدة واحدة مطلقاً، سواء كان الرفع قبل القرار أو بعده.

مسألة ٨ - من عجز عن السجد فالنكتة تحصيل بعض الأفكار الميسورة من السجدة يجب محافظةً على ما عرفت وجوده من وضع المساجد في محاولة مع التمكن والاعتماد والذكر والطمأنينة و نحوها، فإذا تمكن من الانخراط فعل المقدار ما
Problem # 4. If a person rests his forehead on a place higher than the amount excused, so that the height is to the extent that it may not be usually called prostration, according to the more cautious opinion it is better that he should raise his forehead, and rest it on the place allowed. It is permissible for him to pull his forehead down.

If it is so high that in spite of pulling the forehead down, it may be usually called prostration, then it is more cautious to pull it to the lowest point. If is not possible, it would be more cautious to raise the forehead and rest on the place allowed, complete the prayer, and offer it again.

Problem # 5. If a person has rested his forehead inadvertently on a place on which it is forbidden to prostrate, it would be obligatory on him to pull his forehead to the place on which it is allowed to prostrate, and thereby render his prayer valid.

It is not permissible for him to raise his forehead from that place. If it is not possible, except to raise his forehead which would mean an additional prostration, then, it is more cautious for him to complete his prayer and offer the prayer again, regardless whether he has come to realise it before reciting the Dhikr or after it.

Of course, if he has come to realise it after raising his head from the prostrations, it would be sufficient for him just to complete the prayer.

Problem # 6. If a person’s forehead has some disease, like an abscess, then, if it has not spread over the whole forehead and it is possible for him to place its unaffected part on the ground, even if it is done by digging a small pit and placing the abscess in the pit, it would be obligatory on him to do so.

If it is spread over the whole forehead, or it is not possible for him to place the unaffected part of his forehead on the ground, he shall perform the prostration on one of the sides of the forehead. In doing so, it is better to prefer the right side to the left.

In case it is not possible for him to do that too, he shall use his chin for prostration.

If this also not possible, it shall be more cautious for him to place a part of his face or the front part of his head on the ground, and thereby perform some form of prostration.

In case this is also not practicable for him, he shall perform what is closest to prostration in form.

Problem # 7. If a person raises his forehead from the ground perforce, and returns to it perforce, it would not be far from being a return to the former prostration, and so it shall be treated as a single prostration, regardless whether raising the forehead has taken place before resting it on the ground or after it. He shall, therefore, recite the obligatory Dhikr.

If a person is able to hold his forehead after raising it, this placing on the ground again shall be counted as a single prostration under any circumstances, regardless whether raising the forehead has taken place before resting it on the ground or after it.

Problem # 8. If a person is unable to perform prostration, then if it is possible for him to perform some of the possible portions of prostration, it is shall be obligatory on him to observe all that has already been understood as obligatory like resting the parts involved in prostration in their respective positions, if possible, resting the parts on some support, recitation of the Dhikr, and
بتسعة من السجود لا يجب وضع المساجد في عالما وإن كان أحوراً.

مسألة 9: يستحب التكرير حال الانتصاب من الركوع لأخذ المسجد.

لرفع منه، والسبق باللدين إلى الأرض عند الهوي إليه، واستيعاب الجهة على ما يصح السجود عليه، والإجماع بسماء بالأنف على مسمى ما يصح السجود عليه، والأحور عدم تركه، وتسوية وضع الجهة مع الوقف، بل جميع المساجد، وسط الكفين مصموماً الأصابع حتى الإيام حذاء الأذنين موجوداً بها إلى القبلة، والجماه بال🙏 قبل الشروع في الذكر بعد رفع الرأس من السجدة الأولى، وإختار التسبيحة الكبيرة وتكارها، والهبت على الورز، والدعاء في السجود أو الآخر منه بما يريد من حاجات الدنيا والآخرة، أي طلب الرزق الحلال بقول: "يا خير المسؤولين، يا خير المعتمي، أرضي عيالي من فضلك فانك ذو الفضل العظيم".

والتنور في الجلاب بين السجدين وفده، بأن يجلس على فخذين الأيسر جاعلاً ظهر القدم اليمنى على بطن اليامى، وأن يقول: بين السجدين: "أستغفرلله ربى وأتوب إليه" ووضع اليدين جالس الجلوب على الفخذين: اليمنى على اليمنى، واليسرى على اليسرى، والجلوب مطمناً بعد رفع الرأس من السجدة الثانية قبل أن يقوم، وهم مسمى بالجلبة الاستراحة، والأحور لزوماً عدم تركه، وأن يقول إذا أراد النهوض إلى القيام "جحول الله وقوته أقوم وأقعد" وان يعتمد على يديه عند النهوض من غير عجن بها، أي لا يقبضها بل يبسطها.
having patience, and the like. If a person is able to bend, he shall do it to the extent he is able to do, and shall raise the object on which prostration is performed to his forehead, placing the forehead on it, and fulfilling what has already been mentioned as obligatory acts.

If a person is not able to bend at all, he shall make signs (of prostration) with his head. In case he is not able to do so, he shall make signs (of prostration) with his eyes. It is more cautious to raise the object on which prostration is performed along with it when he is able to place his forehead on it.

If a person is not able to perform prostration as far as possible, it shall not be obligatory to place the parts of the body involved in prostration in their respective positions, though it would be more cautious to do so.

Problem # 9. It is recommended to recite Takbîr while standing erect after the performance of Ruku‘ before going down to prostrate as well as after rising subsequent to the performance of the prostrations. It is also recommended that a person should place both his hands on the ground before performing prostrations, and place the whole forehead on what it is allowed to prostrate, and rest his nose on the thing on which it is allowed to prostrate in a way that it may be considered to have fulfilled the act, and it is more cautious not to give it up.

It is also recommended that the place of resting the forehead should be equal to the place of standing, rather to all the parts of the body involved in the act of prostration; both his palms (of his hands) should be flat, and all his fingers including the toes must be joined together, and they should be opposite both the ears and facing the Qiblah. He should perform the prostration with his stomach rising above the ground. He should raise his forearms above the ground, with a distance between both of his forearms and his sides, both his hands being far from his body, making both his hands like two wings. He should recite the Du‘ās mentioned in the Traditions before starting the Dhikr and after raising the head from the first prostration.

It is also recommended to prefer reciting the larger Tatsbîh [namely, "Subhāna rabbiyal a‘lā va bi ḥamdihī"], repeat it several times and finish it on an odd number; and pray during the prostrations or the last one, asking for what he demands from the worldly benefits as well as those of the Hereafter, particularly asking for lawful sustenance, by saying (in Arabic): “O the One who is the Best among those whom people address in their demands, O the Best of those who bestow, Bless me and my Family with Thy Favour. Thou art a Great Benefactor.”

It is also recommended that between the two prostrations and after their performance, a person should sit on his left thigh with the back of his right foot on the sole of the left foot, and between the two prostrations should say (in Arabic): “I ask pardon from Allāh, my Lord, and turn to Him in repentance.” He should place both his hands on his thighs, the right hand on the right thigh and the left hand on the left thigh, and should sit with patience after raising the head from the second prostration before standing up, and, when intending to rise for standing up, should say (in Arabic): “With the power of Allāh and His strength I stand up and sit down.” He should lean on both his hands while rising without his fists being closed, i.e., without closing both the hands, rather placing them flatly on the ground.
على الأرض.

مسألة 10 - تحصين المرأة في الصلاة بآداب الزينة بالحلي والخضاب والانخافات في قوتها، والجمع بين قدميها حال القيام، وضم ديبها بديها حاله، وضع يدها على فخذها حال الركوع، غير رادة ركبتيها إلى ورائها، والبدارة للسجود بالقعود، والتضمن حاله لاطئة بالأرض فيه غير متجافية، والتربع في جلوسها مطلقاً.

القول في سجدي التلاوة والشكر

مسألة 1 - يجب السجود عند تلاوة آيات أربع في السور الأربع: آخر "النجم" و"العلق" و"لا يستكبرون" في أم تنزيل و"تعبدون" في حم فصلت، وكذا عند استماعها دون سماعها على الأظهار، ولكن لا ينبغي ترك الاحتياط، والسبب مجموع الآية، فلا يجب بقراءة بعضها ولو لفظ السجدة منها و إن كان أحوط، ووجهها فوري لا يجوز تأخيرها، و إن أخرى ولو عصياناً يجب إتيانها ولا تسقط.

مسألة 2 - ينكر السجود بتكير السبب مع التعاقب وتحلل السجود قطعاً، و هوم التعاقب بلا تخلله لا يخلو من قوة، ومع عدم التعاقب لا يعد عدمعه.

مسألة 3 - إن قرأها أو استمعها في حال السجود يجب رفع الرأس منه ثم الوضع، ولا يكفي البقاء بقصده، ولا الجزء إلى مكان آخر، و إذا فا إذا كان جبهته على الأرض لا بقصد السجدة فسفع أو قرأ آية السجدة.

مسألة 4 - الظاهرة أنه يعتبر في وجوها على المستمع كون السموع صادقاً بعنوان التلاوة وقصد القرآنية، فلو تكلم شخص بالآية لا بقصده لا تجب بسماعها، و كذا لو سماعها من صيبي غير مميز أو ناثم أو من حبس صوت، وإن كان الأحوط
Problem # 10. It is a specifically meant for a woman while offering prayers to decorate herself with ornaments, dye her hair, recite quietly, join her feet in the standing posture, join both her breasts with both her hands in that position, place both her hands on both her thighs while kneeling without pushing them behind herself, sit down before performing prostrations, place her parts of the body on the ground duly joined with one another while performing prostrations without raising her stomach and to sit cross-legged in all circumstances.

The Two Prostrations of Recitation of the Qur’ān & Expression of Thankfulness

Problem # 1. It is obligatory to perform prostration for reciting four verses in four Sūrats (Chapters of the Qur’ān), namely, the last of the Sūrat al-Najm (Chapter 53 of the Qur’ān), Sūrat al-‘Alaq (Chapter 96 of the Qur’ān), Verse No. 15 of the Sūrat Alif Lām Mīm Tānzīl (or Sūrat al-Sajdah, Chapter 32 of the Qur’ān), Verse No. 37 of the Sūrat Hā Mīm al-Sajdah (Chapter 41 of the Qur’ān). It is also obligatory if a person listens to their recitation attentively, but most obliviously not in case he listens them recited inattentively, though in the latter case too caution must not be given up.

The prostration is obligatory only when a person recites or listens attentively to the whole of any of these four verses, but it is not rendered obligatory just by reciting a part of any of these verses, even the word “Sajdah” in them, though it is more cautious (to perform prostration in such case too). It is obligatory to perform the prostration immediately without any delay. If it is delayed, even though insubordinately, it shall be obligatory to perform the prostration, and its obligation shall not drop.

Problem # 2. It is obligatory to perform the prostration repeatedly with the repetition of the cause one after the other in all circumstances, even if a person has performed prostration earlier. The prostration is to be performed one after another without any lapse of time, and this rule is not devoid of force. In case of absence of the cause being repeated one after another, it is not far from being not obligatory to perform the prostration one after another.

Problem # 3. If a person recites or listens attentively any of the four verses while performing prostration, it shall be obligatory on him to raise the head and place it again on the ground, and it is not sufficient to prolong the same prostration with the intention of performing the obligatory prostration (for any of the four verses). It is also not sufficient to drag the forehead to another place. This is the rule when his forehead is placed on the ground without the intention of performing prostration, and the person happens to listen to or recite any of the verses entailing prostration.

Problem # 4. Apparently it is a condition for the entailment of obligation on the listener that the verse in question should have been recited as actual recitation and as part of the Qur’ān. So if a person recites any of the four verses without the actual iteration of reciting it, mere listening to it shall not entail the obligation.
ذلك خصوصاً في النائم.

مسألة 5. يعتبر في العموم تميز الحروف والكلمات، فلا يكفي سماع المهمة وإن كان أحوض.

مسألة 6. يعتبر في هذا السجود بعد تحقق مسماة النية وإباحة المكان والأحوض وضع المواضع السبعة، ووضع النية على ما يصح السجود عليه، فإن كان الأقوى عدم الزوم، نعم الأحوض ترك السجود على الأكول والملبس، بل عدم الزوم لا يخلو من وجه، ولا يعتبر فيه الاستقبال، ولا الطهارة من الحدث والحنين، ولا طهارة موضع الجبهة، ولا ستر العورة.

مسألة 7. ليس في هذا السجود تشهد ولا تسليم ولا تكبيرة افتتاح نعم يستحب التكبير للرفع عنه، ولا يحب فيه الذكر، بل يستحب، ويكون مطلقاً، والأولى أن يقول: "لا لا اللهم حا حقة، لا الله إلا الله إياناً تصدقناً، لا لله إلا الله عبودية وروأ، سجدت لك يا رب تعبداً ورضاً لا تستنكرناً ولا مستكبراً بل أنا عبدك خائف مستجع".

مسألة 8. السجود لله تعالى في نفسه من أعظم العبادات، وقد ورد فيه أنه ما عبد الله برهله، وأقرب ما يكون العبد إلا الله وهو ساجد، و يستحب أكيداً للشكور لله عند تجد كل نعمة، ودفع كل نقصة، و عند تذكرها، وللتوفيق لأداء كل فريضة أو نافلة، بل كل فعل خير حتى ضلحة بين اثنين، ويجوز الاقتصاد على واحدة، والفضل أن يأتي بثنين بمعنى الفصل بينهما بتعزيز الحديد أو الجبيتين، وينكي في هذا السجود مجرد وضع الجبهة مع النية، والأحوض في وضع المساجد السبعة، ووضع الجبهة على ما يصح السجود عليه، بل اعتبار عدم كونه ملبسياً أو ماكون لا يخلو من قوة كن تقدم في سجود التشاعر، ويستحب فيه افتراض الذراعين وإلصاق الجلوس والصعداً والبشر، ولا يشترط فيه الذكر وإن استحب أن يقول: "شكرًا لله" أو "شكرًا شكراً" مائة مرة، ويكون ثلاث
The same rule shall apply if a person listens to any of the four verses recited by an indiscreet child, or from one who is asleep, or from a tape recorder, though it is more cautious (to perform the prostration when the verse is heard) when recited by a sleeping person.

**Problem # 5.** It is also a condition for listening to (any of the four verses) that the letters and words should be clearly discerned, so that listening to merely an inarticulate utterance (or humming) is not sufficient (for the entailment of the obligation), though it is more cautious (to perform the prostration even in this case).

**Problem # 6.** It is a condition in these prostrations after they have been materialised that the intention (Niyah) and the place must be lawful. It is more cautious to place the seven parts of body (on the ground), and rest the forehead on something on which prostration is allowed, though according to the stronger opinion, it is not necessary.

Of course, it is more cautious to avoid prostration on edibles and clothings. Rather their being disallowed is not free from force.

It is not a condition that the following should be observed in the performance of this type of prostration:

1. Facing the Qiblah.
2. Purification from the major and minor pollutions.
3. Purification of the place on which the forehead is to be placed.
4. Covering the private parts.

**Problem # 7.** In this type of prostrations, there is no Tashahhud, no Taslim, and no Takbirat al-Ititahiyah. Of course, there is Takbir after rising from the prostration. It is also not obligatory in this type of prostrations to recite Dhikr, and it is sufficient to recite any Dhikr, but it is preferable to say (in Arabic): “There is no god but Allah who is the true Truth. There is no god but Allah by way of belief and confirmation. There is no god but Allah by way of bondage and servitude. I have performed prostration for Thee O Lord by way of bondage and servitude, and not by way of refrain, nor by way of haughtiness; rather I am an humble and fearing servant, seeking refuge.”

**Problem # 8.** Prostration performed for Allah, the Exalted, is by itself among the supreme worships. It has been related about it that there is nothing like prostration for worshipping Allah, and the servant of Allah is nearest to Him when offering prostration. It is emphatically recommended to perform prostration for the expression of thankfulness whenever any blessing is bestowed (upon a person), a misfortune is averted, whenever a man recalls them, whenever a person is able to fulfil an obligatory or supererogatory act, rather any virtuous deed including even bringing conciliation between two parties.

It is permissible to confine to a single prostration. It is preferable to perform two prostrations bringing distance between them by placing both the cheeks or both the sides of the forehead on the ground. It is sufficient in this type of prostration merely to place the forehead on the ground with full intention.

It is more cautious in such prostration to place all the seven parts of the body (involved in it) on the ground, and the forehead on something on which it is allowed to prostrate. Rather
مرات بل مرة واحدة.
و أحسن ما يقال فيه ما ورد عن مولانا الكاظم عليه السلام قل و أنت ساجد: "اللهم إنى أشهدك و اشهد ملائكتك و أنبيائك و رسلك و جميع خلقك إنك أنت الله ربي والإسلام ديني و محمد نبيبي و علياً و الحسن والحسين تعلوه إلى آخرهم. إنى أشهدك أولاً و من أعدائكم أثراً، اللهم إنى أشهدك، دم المظلمين ثلاثاً، اللهم إنى أشهدك بأيامك على نفسك لعدائكم تلثركم بأيدين و أيدي المؤمنين، اللهم إنى أشهدك بأيامك على نفسك لأولائمك لتظفرهم بعذور و عدوهم أن يصل على محمد و على المستحفظين من آل محمد، ثلاثاً، اللهم إنى أسأل الله أيسر، أسرى، ثم تضع خذلك الأيمن على الأرض و تقول: "يا كهيين حين تعبيني المذاهب و تضيق على الأرض ما رحبت، يا بارى خلقه، يا年产 سلم على محمد و على المستحفظين من آل محمد" ثم تضع خذلك الأيسر و تقول: "يا مذل كل جبار و يا مميز كل ذيل قد و عزتك بلغ بعوثي" ثم تقول: "يا حتان يا منان يا كماشف الكرب العظيم" ثم تعود للسجود فأقول مائة مرة: "شكراً شكرًا" ثم تسأل حاجتك تقصى إن شاء الله.

القول في التشهد

مسألة 1 - يجب التشهد في الثنائية مرة بعد رفع الرأس من السجدة الأخيرة، و في الثلاثية والرباعية مرتين: الأولى بعد رفع الرأس من السجدة الأخيرة في الركعة الثانية، والثانية بعد رفع الرأس منها في الركعة الأخيرة، و وهو واجب غير ركن تبطل الصلاة بتركه عمداً لا سهماً حتى يركع و إن وجب عليه فضاؤه كما يأتي في الحال.
in the prostration for reciting (any of the four verses of the Qur'ān), the condition of the thing on which prostration is performed not being from among the edibles or clothings as mentioned earlier is not devoid of force.

It is recommended in this type of prostration to spread both the arms on the ground and place the breast, chest and the stomach on the ground. Reciting Dhikr is not a condition in this type of prostration. It is recommended to say (in Arabic): “Shukran illāh” (Thanks to Allāh) or “Shukran, shukran” (Thanks, thanks) a hundred times. It is sufficient to say it thrice, rather even once.

In this respect the best is what has come down from Imām (Mūsa) al-Kāẓim, Peace be upon him, that while in prostration you must say (in Arabic): “O Allāh, verily I bear testimony by Thyself, I bear testimony by Thy Angels, Thy Prophets and Messengers and all Thy Creatures that Thou art Allāh, my Lord. My faith is Islam,Muḥammad (Peace be upon him) is my Prophet, and Aḥān, Ḥasan, Ḥusayn (till the name of the last Imām) (Peace be upon them) are my Imams. I bear love for them and dissociate myself from their enemies. O Allāh, I implore Thee by the blood of the oppressed (to be repeated thrice), I implore thee for Refuge against thy enemies to destroy them with our hands and the hands of the believers. O Allāh, I implore Thee for Thy Shelter for Thy friends to make them triumphant over Thy enemy and their enemy, and to send Blessing on Muḥammad and those asking safety from the Progeny of Muḥammad (to be repeated thrice). O Allāh, I ask Thee to bestow affluence after destitution (to be repeated thrice).”

Then place your right cheek on the ground and say (in Arabic): “O my Refuge when there is no way out for me, and what I considered wide becomes tight on the earth. O Creator of my existence have pity on me. Thou art free from wanting my existence, send Blessing on Muḥammad and those who ask safety from the Progeny of Muḥammad.”

Then place your left cheek on the ground and say (in Arabic): “O who degrades every tyrant. O who raises the honour of every debased person. Thy honour has been raised. My distress has become sharp.” (To be repeated thrice).

Then say (in Arabic): “O Ḥannān (Compassionate). O Mannān (Benefactor). O Reliever of big agonies.”

Then return to the prostration and say a hundred times (in Arabic): “Shukran. Shukran.” (Thanks. Thanks)

Then place before Allāh what you demand. God willing, it will be fulfilled.

Chapter Concerning Tashahhud (Expression of Testimony)

Problem #1. It is obligatory to express testimony (Tashahhud) once in a prayer of two Rak'āts after raising the head from the last prostration, and twice in the prayers having three or four Rak'āts, the first after raising the head from the last prostration in the second Rak'āt, and the second after raising the head from prostration in the last Rak'āt. It is compulsory but not a pillar, so that the prayer is rendered void when it is given up deliberately but not inadvertently until one

مسألة 2 - يجب الجلوس مطمئناً حال التشهد بأي كيفية كان، ويكره الاقعاء، وهو أن يعتمد بصدر قدميه على الأرض ويلبس على عقبه، والأحوز تركه، ويسحب فيه النورك كما يستحب ذلك من السجدين وعدها كما تقدم.

القول في التسليم

مسألة 1 - التسليم واجب في الصلاة، وجزء منها ظاهراً، ويتوقف تخليل المنافيات والخروج عن الصلاة عليه، وله صيغتان: الأولى «السلام علينا وعلى عباد الله الصالحين» والثانية «السلام عليكم» بالإضافة «ورحمة الله وبركاته» على الأحوز، وإن كان الأقوى استجاببه، والثانية على تقدير الآتيان بالأولى جزء مسبحب، وعلى تقدير عده جزء واجب على الظاهرة، ويجوز الابتعاد بالثانية بل بالأولي أيضاً، وإن كان الأحوز عدم الاجتازه بها، أما «السلام عليك يا النبي ورحمة الله وبركاته» فهي من توابيع التشهد لا يحصل بها تخليل، ولا تبطل الصلاة بتكرها عما وليستها، لكن الأحوز المحافظة عليها، كما أن الأحوز الجمع بين الصيغتين بعدها مقدماً للأولى.
kneels down, though it is obligatory to compensate it as mentioned under "The Things that Invalidate Prayer".

In Tashahhud, it is compulsory to say (in Arabic): “Aṣḥādu an lā ilāh illāllāhū Vaḥdahū lā shārīka lah. Va asḥādu anna Muḥammad an ‘abdūhū va rasūluh. Allāhumma sallī ‘alā Muḥammadin va Āl-i Muḥammad.” [I bear testimony to that there is no god but Allāh. He is One and none is My partner. And I bear testimony to that Muḥammad is His Servant and His Messenger. O Allāh send Blessing to Muḥammad and the Progeny of Muḥammad].

It is recommended to begin by saying (in Arabic): “Aḥlāmdu lillāh” [Praise be to Allāh]. Or “Bismillāhi va billāhi vaḥamdu lillāhī va khāyrun ‘asmā‘ lillāh,” [In the name of Allāh, by Allāh and praise be to Allāh, and Allāh has the best Attributes], or “Al-asmā‘ul ḥusnā kulluhā lillāh” [All the best Attributes belong to Allāh].

It is also recommended that one must say after Salutation on the Prophet and his Progeny (in Arabic): “Va taqabbal shi‘ā ‘atāhū fi ummati‘ī warfa‘ darājātah” [And accept his intercession for his Ummah and raise his rank]. It is more cautious that these words should be uttered not by way of obligation, and particularly in the second Tashahhud. It is obligatory to utter the words of Tashahhud according to the correct Arabic. If a person is unable to do so, he must learn how to do so.

Problem # 2. It is obligatory to sit patiently while reciting Tashahhud, in whatever way one is able to sit. It is disapproved to sit on one’s hams, and that is sitting with the front part of both the feet on the ground and throwing weight on the soles. It is more cautious to avoid it. It is also recommended that while reciting Tashahhud one must sit on one’s thighs, as it is also to do so between and after the two prostrations, as mentioned earlier.

Chapter Concerning Taslīm (Salutation)

Problem # 1. Taslīm (or Salutation) is obligatory in prayer, and apparently it is a part of the prayer. The permissibility of acts repugnant to prayer and exit from prayer depends on salutation.

It has two formulas, the first being (in Arabic): “Aṣsalāmu ‘alayna va ‘alā ’ibādillāhiḥ sāliḥīn”, [Salutation be on us and the pious Servants], and the second: “Aṣsalāmu ‘alaykum”, [Salutation be on you], with the addition of; “va raḥmatullāhi va barakātuh”, [and the Mercy of Allāh and His Benediction], according to the more cautious opinion, though, according to the stronger opinion, it is recommended. If the first formula has been uttered, it is approved to utter the second as well. If, however, the first formula has not been uttered, then apparently it would be obligatory to utter the second. It is permissible to suffice with the second formula, rather with the first as well, though it is more cautious not to suffice with it.

As regards the formula: “Aṣsalāmu ‘Alaika ayyuhan nabīyyu va raḥmatullāhi va barakātuh”, [Salutation be on you, O Prophet, and Allāh’s Mercy and His Benediction]. It is one of the addenda of Tashahhud, the utterance of which neither validates the acts which invalidate the prayer nor its deliberate or inadvertent omission renders the prayer void, though it is more
مسألة ٢ - يجب في التسليم بكل من الصيغتين العربية والإعراب، و يجب تعلم إحداها مع الجهيل، كأ أنه يجب الجلوس حالته مطمئناً، و يستحب فيه التورك.

القول في الترتيب

مسألة ١ - يجب الترتيب في أفعال الصلاة، فيجب تقديم تكبيرة الأحرام على القراءة، والفاتحة على السورة، وهي على الركوع، وهو على السجود و هكذا، فمن صلى مقدماً للمؤخر و بالعكس عمداً بطلت صلاته و كذا سهواً لو قدم ركناً على ركن، أما لو قدم ركناً على ماليس بركن سهواً ف桠 لا ركع قبل القراءة فلا بأس و يمضي في صلاته، و كذا لو قدم غير ركن على ركن سهواً، كما لو قدم التشهد على السجودتين فلا بأس، لكن مع إمكان التذكير يعود إلى ما يحصل به الترتيب و تصح صلاته، كأ أنه لا بأس بتقديم غير الأركان بعضها على بعض سهواً، فيعود أيضاً إلى ما يحصل به الترتيب مع الاكفاء و تصح صلاته.

القول في الموالاة

مسألة ١ - يجب الموالاة في أفعال الصلاة بمعنى عدم الفصل بين أفعالها على وجه تسمحي صورتها بحيث يصح سلب الاسم عنها، فلو ترك الموالاة بالمعنى المذكور عمداً أو سهواً بطلت صلاته، و أما الموالاة بمعنى المتابعة العربية فواجبة أيضاً على الأحوط، فتبطل الصلاة بتكمها عمداً على الأحوط لا سهواً.

مسألة ٢ - كأ يجب الموالاة في أفعال الصلاة بعضها مع بعض كذلك تجب في القراءة والتكبر والذكر والتسليم بالنسبة إلى الآيات والكلمات، بل
cautious to utter it, as it is also more cautious to add both the formulas after it, the first being precedent and the second being subsequent to it.

**Problem # 2.** While uttering the formulas of Salutation, it is obligatory to utter each of them in Arabic with correct sounds and movements (‘Irāb).

In case one does not know how to pronounce these formulas, it is obligatory to learn how to pronounce [at least] one of them, as it is also obligatory to sit patiently while uttering these formulas, and it is recommended to sit on one's thighs while uttering them.

**Chapter Concerning Sequence of the Acts of Prayers**

**Problem.** It is obligatory to observe the order in the acts of prayers. So it is obligatory to make the Takbīr al-Iḥrām precedent to the recitation (of the Sūrah from the Qur’ān), the Sūrat al-Fātiḥah (Chapter 1 of the Qur’ān) precedent to the other Sūrah (from the Qur’ān), and that Sūrah precedent to Rukū’ (Kneeling down), and that precedent to prostration, and so on. So if a person turns the precedent into subsequent and vice versa deliberately, his prayer shall be rendered void. Similarly, the same rule shall apply if a person turns any precedent pillar into a subsequent one. If, however, a person erroneously makes a pillar precedent to something which is not a pillar as, for example, he performs Ruku’ before the recitation of a Sūrah (of the Qur’ān), there shall be no objection, and he may continue his prayer.

Likewise, if a person makes something which is not a pillar precedent to a pillar, as, for example, he recites Tashahhud before the two prostrations, there shall be no objection. But if possible he must return to the usual order, and his prayer shall be valid, in the same way as there shall be no objection if he turns some of the precedent acts which are not pillars of the prayer into subsequent. If possible, he must return to the usual order, and his prayer shall be valid.

**Rules Concerning Uninterrupted Sequence of the Acts of Prayer**

**Problem # 1.** It is obligatory that there must be an uninterrupted sequence in the acts of prayer, in the sense that there should not be so much of distance between the acts that it may wipe off the very shape of the prayer in a way that it would be right to deprive it of the name of prayer. If a person fails deliberately or inadvertently to observe the succession in the sense mentioned, his prayer shall be rendered void.

As regards the sequence in the usual sense, according to the more cautious opinion that is also obligatory, so that the prayer is rendered void if a person fails to observe it deliberately but not inadvertently.

**Problem # 2.** Just as it is obligatory to observe uninterrupted sequence in some of acts of the prayer in relation to the others, in the same way it is also obligatory to observe the sequence in the recitation [of the Sūrah of the Qur’ān], Takbīr, Dhikr and Tasbīh in relation to the verses and
في القنوت والخروف، فإن تركها عمداً في أحد المذكارات الموجب نحو أسمائها بطلت صلاته فيها إذا لزم من تحصيل الموالاة زيادة مبطلة، بل مطلقاً على الأحوط، وإن كان سهواً فلا بأس، فيعيد ما تحصل به الموالاة إن لم تتجاوز المحل، لكن هذا إذا لم يكن فوت الموالاة المزورة في أحد المذكارات موجبًا لقائق الموالاة في الصلاة بالمفعول المزبور، وإلا فتبطل ولومه السهو.

في أمران القنوت والتعقيب

القول في القنوت

مسألة 1 - يسحب القنوت في الفرائض اليومية، ويتأكد في الجهرية بل الأحوط عدم تركه فيها، وملحق قبل الركوع في الركعة الثانية بعد الفراغ عن القراءة، ولو نسي أتي به بعد رفع الرأس من الركوع، ثم هوى إلى السجود، وإن لم يذكره في هذا الحال، وذكره بعد ذلك فلا يأتي به حتى يفرغ من صلاته فيأتي به حينئذ، وإن لم يذكره إلا بعد انصرفائه إني به متى ذكره ولو تلال الزمان، ولو تركه عمداً فلا يأتي به بعد مده ويسحب أيضاً في كل نافلة ثانوية في المزبور حتى نافلة الشيخ علي الأقوي، والأولى إتيانه فيه رجاءً، ويستحب أكيداً في الوتر، وملحق ما عرفت قبل الركوع بعد القراءة.

مسألة 2 - لا يعتبر في القنوت قول مخصص، بل يكيء فيه كل ما تيسر من ذكر ودعاء، بل يجزي البسملة مرة واحدة، بل "سبحان الله" خمس أو ثلاث مرات، كما يجزي الاقتصار على الصلاة على النبي وآله، والأحسن ما ورد عن المصموم عليه السلام من الأدعية، بل والأدعية التي في القرآن، ويستحب فيه الجه، سواء كانت الصلاة جهريأ أو اخفاتية إماماً أو منفردًا، بل أو مأمونًا إن
words, rather even the letters, so that if a person deliberately fails to observe it in any of the acts mentioned in a way that it would entail the elimination of their names, the prayer shall thereby be rendered void, in case where if succession is to be achieved, it would mean addition which would render the prayer void, rather to be more cautious in all circumstances.

If, however, it has happened inadvertently, there would be no objection. He may return to the sequence if he has not passed the place from where it is possible to return, but this is where the failure to observe the sequence in any of the acts mentioned has not been a cause for the failure to observe the sequence in prayer in the sense mentioned; otherwise, the prayer shall be declared void even if it has happened inadvertently.

**Chapter Concerning Qunūt (Expression of Humility before Allāh)**

**Problem # 1.** It is recommended to recite Qunūt in the daily obligatory prayers, and it is emphasised that it should be recited loudly; rather it is more cautious not to avoid it. Its place is before the Ruku' in the second Rak'at after having finished the recitation of the Sūrah of the Qur'ān. If a person forgets [to recite before kneeling down in the second Rak'at], he may recite it after raising the head from the Rukū', and then he may perform prostration.

If a person does not realise the omission of the Qunūt even at that time, and comes to realise only after it, so that he does not remember to recite it until he has finished the prayer, he may recite it even at that time.

If, however, a person does not come to realise the omission of the Qunūt until he has returned from the prayer, he may recite it whenever he comes to realise it, even if a lot of time has since passed.

If a person fails to recite it deliberately, then he shall not recite it after the lapse of its due time.

It is also recommended to recite the Qunūt in all supererogatory prayers in the place mentioned, including even the Shaf' supererogatory prayers, according to the stronger opinion. It is better to recite Qunūt in Shaf’ supererogatory prayers with the intention of hope [that it shall be desirable to Allāh].

It is emphatically recommended to recite the Qunūt in Vitr prayers, and its place, as already understood, is before the Ruku’ and after the recitation of the Sūrah of the Qur’ān.

**Problem # 2.** There is no condition of reciting particular words in the Qūnut, and it is sufficient to recite any Dhikr or Du’ā within easy reach. Rather it is sufficient to recite Bismillāh once, or "Subḥānallāh” five or three times, as also it is sufficient to send Blessing to the Prophet and his Progeny. The best would be the Du’ās which have come down from any Ma’sūm, Peace be upon him, or rather the Du’ās in the Qur’ān.

It is recommended to recite the Qunūt loudly, regardless whether the prayer is to be offered loudly or by lowering the voice, whether he is leading the prayer or is offering it individu-
للم يسمع الإمام صوته.

مسألة ۳: لا يعتبر رفع اليدين في القنوت على إشكال، فالأحوط عدم تركه.

مسألة ۴: يجوز الدعاء في القنوت و في غيره بالملحن مادة أو إعراضاً إن لم يكن فاحشاً أو مثيراً للمعنى، وقد هذا الأذكار المندوبة، والأحوزة الترك مطلقًا، أما الأذكار الواجب فلا يجوز فيها غير العربية الصحيحة.

القول في التعقيب

مسألة ۱: يستحب التعقيب بعد الفراغ من الصلاة ولو نافلة، وفي الفريضة أكد خصوصاً في الغدآ، والمراد به الاشغال بالدعاء والذكر والقراءة و نحو ذلك.

مسألة ۲: يعتبر في التعقيب أن يكون متصلاً بالفراغ من الصلاة على وجه لا يشاركه الإشغال بشيء آخر يذهب بهتهه عند المتشرعة كالصنعة والخوا، والأولى فيه الجلوس في مكانه الذي صلى فيه، والاستقبال والظهارة، ولا يعتبر فيه قول خصوص، والأفضل ما ورد عنهم عليهم السلام مما تضمنته كتب الأدبية والأخبار.

و لعل أفضلها تسبيح الصديقة الزهراء سلام الله عليها، وكيفيته على الأحوزت أربع و ثلاثون تكبيرة، ثم ثلاث و ثلاثين تحمدية، ثم ثلاث و ثلاثون تسبيح، ولو شكل في عدها بيني على الأقل إن لم يجاوز المثل فلو سه فردو على عدد التكبير أو غيره رفع اليدين عن الزائد و بيني على الأربع و ثلاثين أو الثلاثة و ثلاثين، وأولى أن يبني على نقش واحدة ثم يكل العدد بها في التكبير والتحميد دون التسبيح.

و من التعقيبات قول: «لا اله إلا الله وحده وحده أعز وعده، ونصر عبده، و أعز جده، و غلب الأحزاب وحده، فلله الملك وله الحمد يحي ويتكن، هي و هو...»
ally, or even if one is offering it behind an Imâm provided that the Imâm is not listening to his voice.

Problem # 3. It is not a condition to raise the hands while reciting the Qunût, though there is difficulty in accepting this opinion, and it is more cautious not to avoid it.

Problem # 4. It is allowed to recite the Du’â in Qunût with some errors from the point of view of the roots of the words or lâb of the letters if these errors are not very serious or such that change the very meanings of the words. The same is the case with the recommended Dhikrs. It is more cautious to avoid the errors altogether.

As regards the obligatory Dhikrs, it is not allowed to recite them except in correct Arabic.

Rules Concerning Follow-up Recitations after the Prayers

Problem # 1. It is recommended to follow up recitations after offering prayers, including even the supererogatory prayers. They are emphatically recommended after offering the obligatory daily prayers, particularly the morning prayers. By follow up recitations is meant the recitation of the Du’âs, Dhikrs, verses from the Qur’ân, and the like.

Problem # 2. It is a condition in the follow-up recitations that they must be connected with the finishing of the prayers in a way that they should not include engagement in any other task which may alter their appearance in the eyes of the jurists such as handicrafts or the like. In follow up recitations, it is better to sit at the place where the person has offered the prayers, with his face towards the Qiblah and in a state of purification. There is no condition of any particular words to be recited, the most preferable being what has come down from [the Ma’sûms], Peace be upon them, as contained in the books on Du’âs and Traditions.

Perhaps the most recommended of them is the Tasbîh of [the Prophet’s daughter, Fātimah] Zahrâ Siddiqah, Allâh’s Peace be upon her. Its procedure is to recite Takbîr [i.e., Allahu Akbar] thirty four times, then Taḥmîd [i.e., Alhamdu lillâh] thirty three times and then Tasbîh (i.e., Subhânallâh) thirty three times.

If a person doubts about their number, he must rest with the minimum, if its place has not passed. If he erroneously exceeds the number of Takbîr, etc., he must avoid the excess and should rest with thirty four or thirty three. It is better that in case of Takbîr or Taḥmîd but not in Tasbîh he must rest with minus one and then complete the number with it.

Some of the follow-up recitation are the following (to be recited in Arabic):

1. “There is no god but Allâh. He is One. His promise is fulfilled. He supports His Servant. His troops are glorified. He overpowers the bands single-handed. To Him belongs the supreme authority. All praise is for Him. He gives life and death. He has control over all the things.”
في التعقيبات ومبطلات الصلاة

على كل شيء قدير.
ومنها: قول: "أللهم صل على محمد وآل محمد وأجرني من النار وارزقني الجنة، وزوجني من الخور العين".
ومنها: قول: "اللهم أهدني من عندك، وأفض عليّ من فضلك، وانشر عليّ من رحمتك، وأنزل عليّ من بركاتك".
ومنها: قول: "أعوذ بوجهك الكريم، وعزتك التي لا ترام وقدرتك التي لا يمتنع منها شيء من شر الدنيا والآخرة، و من شر الأوجاع كلها، ولا حول ولا قوة إلا بالله العلي العظيم".
ومنها: قول: "اللهم أني أسألك من كل خير أحاط به علمك، وأعوذ بك من كل شر أحاط به علمك، اللهم أني أسألك عافيتك في اموري كلها، وأعوذ بك من خزي الدنيا وعذاب الآخرة".
ومنها: قول: "سبحان الله والحمدلله ولا إله إلا الله والله أكبر" مائة مرة أو ثلاثة.
ومنها: قراءة آية الكرسي والفاتحة وآية "شهدان الله أنه لا إله إلا هو" وآية "قل اللهم مالك الملك".
ومنها: الإقرار بالنبي والائمة عليهم الصلاة والسلام.
ومنها: سجد الشكر، وقد مر كفيته سابقاً.

القول في مبطلات الصلاة

وهي أمر أحدهما: الحدث الأصغر والأكبر، فأنه مبطل له أبداً وقع فيها ولو عند إتمام التسليم على الأقوى عمداً أو سهواً أو سبقاً، عدا المسلم والمبطون والمستحاثة على ما مر.
2. “O Allāh, send Blessing on Muḥammad and the Progeny of Muḥammad. Save me from the Fire {i.e., the Hell}, bestow upon me Paradise and marry me to a Ḥourie having big eyes.”

3. “O Allāh, bestow upon me from what Thou hast. Increase Thy favour on me, and expand Thy Mercy on me, and send down on me Thy Benediction.”

4. “I seek protection in Thy Merciful Side, and Thy Honour which is in excellent order, and Thy Power which is not stopped by anything of the evils of the world and Hereafter, and from all pains. There is no Might, no Authority but by Allāh, the Exalted and Great.’

5. “O Allāh, I ask for every benevolence which is in Thy knowledge, and seek Thy shelter from every evil in Thy knowledge. O Allāh I ask for Thy security in all my affairs, and seek Thy shelter from every ignominy of the world and the Torment of the Hereafter.”

6. “Dignified is Allāh. Praise be to Allāh. There is no god but Allāh, and Allāh is the Greatest.” To be recited a hundred or thirty times.

7. Recitation of the Āyat al-Kursī (Chapter 2, Verse # 255 of the Qur’ān), the Sūrat al-Fātiḥah (Chapter 1 of the Qur’ān) and the verse: “Shahidallāhu annahū lā ilahā illā hū”}[Allāh witnessed that there is no god but He] (Chapter 3, Verse # 18) and the Verse: “Qul Allāhumma malikul mulk” [Say, Allāh is the possessor of supreme authority], (Chapter 3, Verse # 26).

8. Affirmation of the Prophet and the Imāms, Peace be upon them.

9. Prostration of Thankfulness. Its procedure has been mentioned earlier.

Chapter on Things That Invalidate the Prayer

There are a number of things which invalidate the prayer. They are:

Firstly, the minor and major pollutions, [i.e., urine, feces, Janābat, etc.]. They invalidate the prayer whenever they occur in the prayer, though at the time of reciting the letter “mīm” which comes in the Salām [at the conclusion of the prayer], regardless whether it is done deliberately, erroneously or inadvertently, to the exclusion of one suffering from incontinence in urination, stool or a Mustahādah (a woman having undue menses), as has been mentioned earlier.
ثانيها - التكفيّر، وهو وضع إحدى اليدين على الآخرة نحو ما يصنعه غيرنا، وهو مبطل عمداً على الأقوى لا سهواً، وإن كان الأحوزت في الاعادة، ولا بأسمه حال التقيّة.

ثالثتها - الالتفات بكل البند إلى الخلف أو اليمن أو الشمال، بل وما بينها على وجه يستحقه عن الاستقبال، فان تعمد ذلك كله مبطل لها، فإن الالتفات بكل البند، باختصار، هب ما بين الشرق والمغرب مبطل حتى مع السهو أو القدر وحُوّها، نعم لا يبطل الالتفات بالوجه بنيانا وشمالاً مع بقاء البند مستقبلاً إذا كان يسيرأ إلا أنه مكره، ولا إذا كان فاحشاً بحيث يجعل صفحة وجهه بعيد.

رابعها - تعمد الكلام ولو بحرفين مهملين، بأن استعمل اللفظ المهمل المركب من حرفين في معنى كنوعه وصنفه، فانه مبطل على الأقوى، ومع عدمه كذلك على الأحوزت، وكذا الحرف الواحد المستعمل في المعنى كقوله: "ب"

مثلًا: رمزًا إلى أول بعض الأسّاء بقصد إفهمه، بل لا يخلو إبطاله من قوة
فالحرف المفهوم مطلقاً وإن لم يكن موضوعاً فإن كان بقصد الحكايّة لا تخلو مبطلته من قوة، وكأن اللفظ الموضوع إذا تلفظ به لا بقصد الحكايّة و كان حرفًا واحدًا لا يبطل على الأقوى، وإن كان حرفين مماثلينغالاحوزت مبطلة
ماليصل إلى حيده اسم الصلاة إلا فلا شبهها فيها حتى مع السهو، وأما التكلم في غير هذه الصورة فيغير مبطل مع السهو، كما أنه لا يحسب بردة سلام التحية، بل هو واجب، ولو تركه، وافتن بالقراءة ونحوه لا تبطل الصلاة.

ففظأً عن السكتة بقدره، لكن عليه إتم ترك الواجب خاصة.

مسألة ١ - لا يأس بالذكر والدعاء وقراءة القرآن غير ما يوجب السجود في جميع أحوال الصلاة، والأقوى إبطال مطلق غاية غير الله حتى في ضمن الدعاء، بأن يقول: "غفرالله لك " وقوله: "صاحب الله بالخير" إذا قصد
Secondly, Takfir, which means putting one hand over the other in the way it is done by others than ourselves [i.e., the non-Shi’ahs]. It invalidates the prayers, according to the stronger opinion, if done deliberately, but not if done inadvertently, though it is more cautious to offer the prayer again. There is, however, no objection if it is done by way of Taqiyyah.

Thirdly, Turning the whole body backwards or towards the right or left or between them, in a way that the person offering the prayer would cease to be facing the Qiblah. If it is done deliberately, it would invalidate the prayer in all circumstances. Rather even if a person turns his body in a way that it ceases to be between the east and west, even if it is done inadvertently or forcibly or the like. Of course, the prayer would not be invalidated if a person turns to the right or left in a way that he continues facing the Qiblah as soon as he becomes easy; otherwise, it would be rendered disapproved. If, however, the turning is so serious that the face of the person offering prayers turns to the right or left of the Qiblah, then, according to the stronger opinion, the prayer shall be rendered void.

Fourthly, speaking deliberately, even if the word spoken contains two meaningless letters, i.e., the person offering the prayer uses a meaningless word consisting of two letters in its kind or type, which, according to the stronger opinion, would invalidate the prayer, and even in case otherwise it would invalidate the prayer, according to the more cautious opinion.

Same is the case when a person uses a single letter which is used to mean something, like the letter ‘b’ which is used in the beginning of some nouns symbolically for the purpose of explaining it, in which it would not be far from being a cause of invalidation of the prayer. So any letter carrying some sense in all circumstances, even if it is not coined to carry any meanings, if it is used for narration, its being cause of invalidation of prayer shall not be devoid of force, in the same way that if a coined word is uttered without the intention of narration, consisting of a single letter, according to the stronger opinion, shall not render the prayer void. If, however, it consists of two letters or more, then, according to the more cautious opinion, it shall render the prayer void, if it has not reached the extent that the whole act would cease to be called prayer; otherwise, there would be doubt in its being a cause of invalidation of the prayer, even if it is done inadvertently. If, however, one speaks not in such condition, then it would not invalidate the prayer when done inadvertently, in the same way as there is no objection in replying to greeting; rather it is obligatory. If, however, a person does not reply and keeps himself busy in recitation (of the Sūrah of the Qur’ān) or the like, the prayer shall not thereby be rendered void, not to speak of his silence to that extent, but he shall be considered to have sinned due to the failure to perform a particular compulsory act.

Problem # 1. There is no objection in reciting Dhikr, Du’ā or recitation of the Qur’ān except what entails the obligation of prostration in all conditions of the prayer. According to the stronger opinion, it would entail invalidation generally if some one other than Allāh is addressed even during a Du’ā, by saying, for example, “Ghafarallahu lak”, [May Allāh forgive thee], or “Sabbahakallahu bil-khayr”.[Good Morning, lit. May Allāh grant you good morning], if a person intends to pray for that person, not to speak of when he intends to salute him. The same rule shall apply if a person initiates salutation.
الدعاء، فضلًا عنا إذا قصد التحية به، وكذا الابتداء بالتسليم.

مسألة 2 - يجب رد السلام في أثناء الصلاة بتقديم السلام على الظرف وإن قدم المسلم الظرف على السلام على الأقوى، والأحوط مراعاة المعنفة في التعريف والتمكير والافراد والجامع وإن كان الأقوى عدم لزومها وأما في غير الصلاة فستحب الرد بالأحسن، بأن يقول في جواب «سلام عليكم» مثلاً «عليكم السلام ورحمة الله وبركاته».

مسألة 3 - لو سلم بالملحون بحيث لم يخرج عن صدق سلام التحية يجب الجواب صحيحًا، وإن خرج عنه لا يجوز في الصلاة ردًا.

مسألة 4 - لو كان المسلم صبيًا ميظعاً يجب رده، والأحوط عدم قصد القرآني، بل عدم جوابه قوي.

مسألة 5 - لو سلم على جمعة كان المصلي أحدهم فالأحوط به عدم الرد فإن كان غيره برده، وإذا كان بين جمعة فسلم واحد عليهم وشك في أنه قد صدحه أم لا؟ لا يجوز له الجواب.

مسألة 6 - يجب إسماع رد السلام في حال الصلاة وغيرها بمعنى رفع الصوت به على المتعارف بحيث لم يكن مانع عن السماح لسمعه، وإذا كان المسلم بعيدًا لا يمكن إسماعه الجواب لا يجب جوابه على الظاهر، فلا يجوز رده في الصلاة، وإذا كان بعيدًا بحيث يحتاج إسماعه إلى رفع الصوت يجب رفعه، إلا إذا كان حرجاً في كبتنا بالاشارة مع إمكان تتبته عليه على الأحوط، وإذا كان في الصلاة فهي وجوب رفعه واسماعه تزداد والأحوط الجواب بالاشارة مع الامكان، وإذا كان المسلم أصمه فإن أمكن أن يتبته على الجواب ولو بالاشارة لا يعد وجوبه مع الجواب على المتعارف إلا يكفي الجواب كذلك من غير اشارة.

مسألة 7 - تجب الفورية العرفية في الجواب، فلا يجوز تأخيره على وجه لا
Problem # 2. It is obligatory to reply to greeting during the performance of prayers by preferring the reply to whatever part of the prayer one is busy in, though, according to the stronger opinion, the saluting person may have preferred the latter to greeting. It is more cautious to maintain similarity to the greeting in its reply as regards the nouns being common or proper, and the number being singular or plural, though, according to the stronger opinion, it is not necessary.

In case of other than the prayer, it is recommended to give a better reply, as in reply to “Salâmün ‘alaikum”, [Peace be on you], one must say :”Alaikumussalām va raḥmatullāhi va barakātuh”, [Peace be on you too, and Allâhs Mercy and His Benediction]

Problem # 3. If a person uses incorrect language in greeting in a way that it does not cease to be greeting, it is obligatory to reply him in correct language. If [the language is so incorrect that] it ceases to be a greeting, then it is not permissible to reply during the performance of prayer.

Problem # 4. If the person greeting is a discreet child, it is obligatory to reply to his/her greeting. According to the more cautious opinion, the intention should not be to follow the Qur’ān, rather its non-permissibility is strong.

Problem # 5. If a person greets a group of persons one of them being the person offering the prayer, then it is more cautious for him not to reply if a person other than himself has replied it. If a person is a member of a group, and a person greets them, and he doubts whether he intended to salute him or not, it would not be permissible for him to reply (during the performance of the prayer).

Problem # 6. It is obligatory to make the addressee listen to one’s reply to greeting given during the prayer, etc., in the sense that the person replying must raise his voice to the usual extent so much so that if there is no hindrance in listening the addressee would listen to it. If the person greeting is at such a distance that it is not possible for him to listen to the reply, then apparently it shall not be obligatory on the person greeted to reply. So it is not permissible for him to reply during the performance of the prayer. If a person is at a distance so that or.e is required to raise his voice in order to make him listen to it, it shall be obligatory on him to raise the voice, except when it is troublesome, in which case, according to the more cautious opinion, it would be sufficient for him to make signs if it is possible to make the other party understand thereby. If it were during the performance of the prayer, then there is hesitation in its being obligatory to raise the voice and make the addressee listen to it, and it is more cautious to reply by means of signs, if possible.

In case the greeting person were deaf, then, if it is possible to make him understand the response even by means of signs, it would not be far from being obligatory to respond in the usual manner. Otherwise, if it is not possible, it would be sufficient to reply without the usual manner by means of something other than signs.

Problem # 7. It is obligatory to respond to the greeting immediately in the usual manner, so that it is not permissible to delay the response in a way that it may no more be considered a response to the greeting. If a person delays the response to that extent out of insubordination or
في وجبة ردة السلام في الصلاة

يصدق معه الجواب و ردة التحية، فلا أخر عصييًا أو نسيانيًا أو لعذر إلى ذلك الحد وظيفًا، فلا يجوز في حال الصلاة ولا يجب في غيرها، ولهذا في بلوق التأثير إلى ذلك الحد فكذلك لا يجوز فيها ولا يجب في غيرها.

مسألة 8. الابتداء بالسلام مستحب كفائي، كما أن ردة واجب كفائي، فلو دخل جامع على جامعة يكني في الوظيفة الاستحبابية تسليم شخص واحد من الواردين و جواب شخص واحد من المورود عليهم.

مسألة 9. لو سلم شخص على أحد شخصين ولم يعلم أنه أيهما أراد لا يجب الردة على واحد منها، ولا يجب عليهم الفحص والسؤال، وإن كان الأحوط الرد من كل منها إذا كانا في غير حال الصلاة.

مسألة 10. لو سلم شخصان كل على الآخر يجب على كل منها ردة السلام الآخر حتى من وقع سلامه عقيب سلام الآخر، ولو انعكس الأمر بأن سلم كل منها بعنوان الردة برعم أنه سلم عليه لا يجب على واحد منها ردة الآخر، ولو سلم شخص على أحد بعنوان الردة برعم أنه سلم مع أنه لم يسلم عليه و تنبه على ذلك المسلم عليه لم يجب رده على الأقوى، و إن كان أحوط، بل الاحتياط حسن في جميع الصور.

خاميسها. الفقه مه ولو اضطراراً، نعم لا لأن باللهوية، كما لا بأس بالتهجة و لو عدمًا، والتهجة هي الضحك المشتمل على الصوت والتراجع، و يلحن بها حكاً على الأحوط المشتمل على الصوت، ولو اشتهي عليه أو على التراجع أيضاً تقديراً كمن منع نفسه عنه إلا أنه قد امتص الجوهة ضحكاً واحمر وجهه و ارتعش مثلًا فلا يبطلها إلا مع نحو الصورة.

سادسها. تعبد البقاء بالصوت لفوات أمر ديني، دعو ما كان منه للسهم عن الصلاة، أو على أمر آخر، أو طلب أمر ديني من الله تعالى خصوصًا إذا كان المطلوب راجحاً شرعاً، فإنه غير مبطل، و أما غير المشتمل على الصوت
forgetfulness or some other excuse, it will be dropped [i.e., cease to be a response]. So it is not permissible [to do so] while offering prayers, and it is also not obligatory in other cases.

If a person doubts whether the response has been delayed to the extent mentioned, even then it would not be permissible to respond during offering the prayer, as also it is not obligatory in other cases.

Problem # 8. Taking initiative in greeting is recommended as a collective duty of all, as also responding to it is also a collective duty. If a group of persons enter a place where there is another group of persons, it is sufficient as a recommended duty for a single person from among the entering persons to greet and a single person from among those already present there to respond.

Problem # 9. If a person greets one of two persons, and they do not know as to whom he meant to greet, it shall not be obligatory on both to respond, nor shall it be obligatory on them to investigate and ask as to whom the person greeting meant to greet, though it would be more cautious if both of them respond in case they are not offering prayer at that time.

Problem # 10. If two persons greet each other simultaneously, it shall be obligatory on each of them to respond to the other, even if one of them happens to greet the other subsequent to the other. If the case is reverse, so that each of them should greet in response under the impression of that the other has greeted him, it shall not be obligatory on either of them to respond to the other. If a person greets another in response under the impression that the other person has greeted him, though the other person has not greeted him, and the person who has been greeted is cognizant of it, according to the stronger opinion, it would not be obligatory on him to respond, though it would be more cautious to respond; rather caution is better in all circumstances.

Fifthly, Laughter even if forcibly. Of course, there is no objection if done inadvertently, as there is no objection in smiling even if intentionally.

Laughter means laughing loudly when the sound revolves in the throat. According to the more cautious opinion, to this is added as a rule laughing which consists of only sound, and even if it consists of the sound as well as the sound revolving in the throat supposing the person to have controlled himself from laughing when, for example, his mouth becomes full of laughter and his face turns red and he start trembling. In such case his prayer is not rendered void except when its very appearance is changed.

Sixthly, weeping deliberately and loudly on some mundane loss, except when one starts weeping for an error in prayer, or some matter relating to Hereafter, or while asking for some mundane thing from Allâh, the Exalted, particularly when the thing asked for is preferable from the point of view of Shari‘at, in which the prayer shall not be rendered void. If, however, the weeping does not consist of sound, it is more cautious to offer the prayer again, though its not being rendered void is not devoid of force. If a person is overwhelmed with weeping causing invalidation of the prayer under compulsion, it is more cautious for him to offer the prayer again; rather its being obligatory is not devoid of force.
فالحوظ في الاستنライフ، وإن كان عدم إبطاله لا يخلو من قوة، ومن غلب عليه البكاء المبطل قرهاً فالحوظ الاستنライフ بل وجوهه لا يخلو من قوة، ويجوز البكاء على أبي الدعم الشهيد، أرواحنا فذا تأمل وإشكال، فلا يترك الاحتياط.

سابعهما، كل فعل مباح له مذهب ليصوه بعينها وجه يصبح علامة اسمها وكن كان قليله، فإنه مبطل له عمداً وسهواً، أما غير المباح له، فإن كان مفتوحاً للموايلة فيها، بمعنى المتتابع بالعرفية فهو مبطل مع العمد على الحوحة دون السوء، وإن لم يكن مفتوحاً له، فسمده غير مبطل فضل عام سوءه فإن كان كثيراً كحركة الأصابع والإشارة باليد أو غيرها نمذج أحد وقتل الحية والعقرب وحل الطفل ووضعه وضعه وإرضاعه وإن الذي لا هو غير منف وتمح للموايلة ولا مباح للصورة.

ثالثهما، الأكل والشرب. وإن كانا قليلين على الحوحة، نعم لا لا أساس لابتلاع ذرات بقيت في الفم أو بين الأسنان، والأحوط الانتباه عنه، ولا يترك الاحتياط بالانتباه عن إمساك السكر ولو مخبراً في الفم ليذوب وينزل شيئاً فشيئاً وإن لم يكن مباحاً للصورة ولا مفتوحاً للموايلة.

ولا فرق في جميع ما سمعته من المبطلات بين الفريضة والناقلة إلا الالتفات في النافلة مع إتباعها حال المشي، وفي غيرها الحوحة الإبطال، وإلا العطشان المتحال بالدعاء عند البوار العازم على صوم ذلك اليوم وإن خشي مفاجأة النجسر وكان الماء أمامه واحتاج إلى خذتين أو ثلاث، فإن يجوز له التخطيط والشرب حتى يروي وإن طال زمانه لول يفعل غير ذلك من منافات الصلاة، حتى إذا أراد العود إلى مكانه رفع القهرة ئثلا يستدر البيلة، والأقوى الاقتصار على خصور شرب الماء دون الأكل، ودون شرب غيره، وإن جُلَّ زمانه، كما أن الأحوط الاقتصار على خصور البوار دون سائر النفايات، ولا يعد علم الاقتصار على حال الدعاء، فلتحي بها غيرها من أحوالها، وإن كان الأحوط الاقتصار.
As regards permissibility of weeping on the Leader of all Martyrs [i.e. Imam Ḥusayn], May our lives be sacrificed for him, there is hesitation and difficulty [in accepting it], and so caution must not be given up.

**Seventhly**, every act which changes the appearance of prayers in a way that it would deprive the prayer of its name as prayer, though a little, renders the prayer void deliberately or inadvertently.

As regards an act which does not change the appearance of the prayer, if it causes failure to observe uninterrupted succession in the prayer in the usual sense, according to the more cautious opinion, it would invalidate the prayer in case it were deliberate, but not when it were unintentional.

In case the act does not cause failure to observe the uninterrupted succession, then if it were deliberate, it would not render the prayer void, not to speak of the case when it was unintentional, even if it is a great deal like moving the fingers, sign by hand or the like to call some one, or killing a snake or scorpion, carrying a baby, placing it on the ground, taking it in one’s lap, nursing it or the like which does not cause interruption in succession, nor does it change the appearance of the prayer.

**Eighthly**, Eating and drinking, even if were in a small quantity, according to the more cautious opinion.

Of course, there is no objection in swallowing the particles of food which have remained in the mouth or between the teeth, though it is more cautious to refrain from it.

Caution must not be given up by avoiding to keep sugar in the mouth, even if in a small quantity, so that it may dissolve and may slip down the throat bit by bit, even if does not cause any change in the appearance of the prayer nor does it cause failure in the uninterrupted sequence.

There is no difference in the application of the rules mentioned whether the prayer is obligatory or supererogatory, except in turning the face from the Qiblah in offering a supererogatory prayer while walking. In case it were a non-supererogatory prayer, according to the more cautious opinion, the prayer shall be rendered void.

This is to the exclusion of the case of a thirsty person who is busy in Duʿā in a Vitr prayer who intends to keep fast the same day, if he is afraid that the day may dawn, while the water is before him and requires to take only two or three steps, it would be permissible for him to walk and drink water to his fill, even if it takes a long time, provided that he has not done anything else invalidating the prayer, though when he intends to return to his former place, he must return backward so that his back may not be towards the Qiblah.

According to the stronger opinion, the person should confine himself to drinking water without eating or drinking other than water, even if those other acts may require a little time, as also it is more cautious to confine this act to the Vitr prayer and not other supererogatory prayers. It is not far from its not being confined to reciting Duʿā, but to this may be added other cases, though it is more cautious to confine it to reciting the Duʿā.
في صلاة الآيات

عليها، و أحيوان منه الاقتصر على ما إذا حدث العطش بين الاشغال بالحفر، بل الأقوى عدم استثناء من كان عطشناً فدخل في الورتر ليشرع بين الدعاء قبل الفجر. تاسسه - تعمد قول آمن بعد إتمام الفاتحة إلا مع النية، فلا بأس به كالساهي. عاشرها - الشك في عدد غير الجارية من الفرائض، والأولين منها على ما يأتي في مصله فشيع الله تعالى.

حادي عشرها - زيادة جزء أو نقصانه مطلقاً إن كان ركناً، وعمداً إن كان غيره.

مسألة 11 - يكره في الصلاة مضايفاً إلا ما سمعته سابقاً نفح موضع السجود. إن لم يحدث منه حرفان، و إلا فالأحواط الاجتناب عنه، والتآوذ والأمن والبحصاق بالشرط المذكور والاحتياط المتقدم، والبعث وفرقة الأصباع وتمطي وانتشاب الاختياري، ومدافعة البول والغائط ما لم تصل إلى حد الضرر، و إلا فيجتنب و إن كانت الصلاة صحيحة مع ذلك.

مسألة 12 - لا يجوز قطع الفريضة اختياراً، وقطع للخوف على نفسه أو نفس محتومة أو عرضه أو ماله العتيدة به نحو ذلك، بل قد يجب القطع في بعض تلك الأحوال، لكن لو عصى فلم يقطعها وأم وصحت صلاته، والأحواط عدم جواز قطع النافلة أيضاً اختياراً، و إن كان الأقوى جوازه.

القول في صلاة الآيات

مسألة 1 - سبب هذه الصلاة كسوف الشمس و خسوف القمر ولو بعضهما والزلازلة و كل آية مخوطة عند غالب الناس، سماوية كانت كالريح
More cautious than it is to confine to the case even when one feels thirsty during offering the Vitr prayer. Rather, according to the stronger opinion, there is no exception if a person were thirsty and then he starts offering the Vitr prayer with the hope that he would drink water during the recitation of the Du'a before the day is dawned.

Ninthly, Uttering the word “Āmeen” after completing the Sūrat al-Fatiḥah (Chapter 1 of the Qur’ān) except by way of Taqiyyah (Dissimulation), in which case there is no objection, as is the case who does it inadvertently.

Tenthly, Doubting the number [of Rak‘ats] in prayers other than those having four Rak‘ats from among the daily obligatory prayers, and doubting in the first two Rak‘ats [in prayers having four Rak‘ats] due to the reasons to be explained, God willing, in their relevant place.

Eleventhly, Reducing or adding a part in all circumstances when it were a pillar[of the prayer], and doing so deliberately in case it were other than a pillar [of the prayer].

Problem # 11. Following acts are disapproved in addition to what you have previously understood: Blowing the place of prostration provided that it would not produce two letters; otherwise, according to the more cautious opinion, one must abstain from it; heaving a sigh, bewailing, spitting with the condition mentioned earlier and the caution explained previously. Vain talk, cracking the fingers, stretch one’s body, yawning voluntarily, controlling urination or evacuation of bowels provided that it is not to the extent of being harmful in which case one must refrain from it, though nevertheless the prayer shall be valid.

Problem # 12. It is not permissible to discontinue the obligatory prayer voluntarily. A person may discontinue it for in case of losing his own life, or the life of one who is dear to him, his honour, or considerable property, or the like. Rather in some of these cases it is obligatory to discontinue the prayer, but in case he fails to discontinue it out of insubordination, he shall be considered to have committed a sin, but his prayer shall be valid.

According to the more cautious opinion, it is also not permissible to discontinue voluntarily a supererogatory prayer, though, according to the stronger opinion, it is permissible.

Chapter on Ṣalat al-Āyāt (Prayers for Eclipse or Frightening Acts of God)

Problem 1. Ṣalāt al-Āyāt is offered for a solar or lunar eclipse, though partial, an earthquake, every incident which is frightening for the common people, regardless whether it is heavenly like an unusual black, red or yellow whirlwind, extra-ordinary darkness, an outcry, a loud sound, a fire appearing in the sky, or the like, or earthly, according to the more cautious opinion, like caving in or the like. It shall not be of any importance if the incidents are not frightening (to the people in general), nor in case of the events which are frightening to a few people.
السوداء أو الحمراء أو الصفراء غير المعتادة والظلمة الشديدة والصحة واللهدة والنار التي قد تظهر في الساء وغير ذلك، أو أرضية على الأحوط فيها كالمخافة ونحوه، ولا عبرة بغير المخاف ولا بخوف النادر من الناس نعم لا يعتبر الخوف في الكسوفين والزلزلة، فيجب الصلاة فيها مطلقاً.

مسألة 2 - الظاهر أن المدار في كسوف النيرين صدق اسمه وإن لم يستند إلى سبب المعترف من حيولة الأرض والقمر، فيكني انكسافه بعض الكواكب الآخر أو بسبب آخر، نعم لو كان قليلاً جداً بحيث لا يظهر للحواس المتعارفة وإن أدركه بعض الحواس الخارجية أو يدرك بواسطة بعض الآلات المصنوعة فالأظهر عدم الاعتبار به وإن كان مستنداً إلى أحد سبب المعترف، وكذا لا اعتبار به لو كان سريع الزوال كمرور بعض الأحجار الجوية عن مقابلهم حيث ينظم نورها عن البصر والزال بسرعة.

مسألة 3 - وقت أداء صلاة الكسوفين من حين الشروع إلى الشروع في الاقتحام، ولا يترك الاحتياط بالمبادرة إليها قبل الأخذ في الاقتحام، ولو أخر عنه أتى بها لا بينية الأداء والقضاء بل بنية القرية المطلقة، وأما في الززلة ونحوها مما لا تنس وقته للصلاة غالباً كالحمد والصحة فهي من ذوات الأسباب لا الأوقات، فتجب حال الآية، فإن عصف فيثدها طول العمر، والكل أداء.

مسألة 4 - يختص الوجوب من في بلد الآية، فلا تجب على غيرهم، نعم يقوى إلقاء المتصال بذلك المكان مما يعده مع كالمكان الواحد.

مسألة 5 - تثبت الآية وكذا وقته ومقدار مكثها بالعلم وشهدت العديل، بل و بالإدل الواحد على الأحوط، و باحبار الرصدي الذي يطمأن بصدقه أيضاً على الأحوط لم يكن الأقوى.

مسألة 6 - تجب هذه الصلاة على كل مكلف، والأقوى مقطوعها عن الحائض والنفساء، فلا قضاء عليها في الوقت، ولا تجب اداء غيرها هذا في الحيض
The existence of fear is not a condition in the solar and lunar eclipses or an earthquake. The Salāt al-Āyat is obligatory in these incidents in all circumstances.

**Problem # 2.** Apparently the criterion for the solar and lunar eclipses is the applicability of the name to the eclipses, even if it has not been caused by the usual cause of the earth and moon siding with each other, and it is sufficient for the eclipse to have occurred due to some other planets or other reasons.

Of course, if the eclipse is so minor that it cannot be observed through the ordinary ocular perceptions, though it may be observed by some having extraordinary ocular perception or it could be discerned through artificial equipments, then apparently no heed is to be paid to it, even if the eclipse has taken place due to one of the two usual causes.

Similarly, no heed shall be paid to it if it disappears quickly as when some of the atmospheric rocks happen to pass in front of the son or moon causing disappearance of their light and this condition may end quickly.

**Problem # 3.** The time for offering the prayer for the eclipse is from the beginning of the eclipse to the beginning of its end. Caution must, however, not be given up by hastening to offer the prayer before its end, so that if a person delays it up to its end, he shall offer the prayer neither with the intention (Niyyah) of offering it on its due time nor as a compensatory one, but only with the intention of seeking closeness (to Allāh) absolutely.

As regards an earthquake or the like in whose case mostly the time is not enough for offering prayers, as the thud or loud sound represent the causes and not the times. Their occurrence entails the obligation for offering prayer. If a person fails to offer the prayer due to insubordination, it would continue to be an obligation on him throughout his life. All these prayers are to be offered with the intention (Niyyah) of being offered on due time (Adā').

**Problem # 4.** The obligation is meant exclusively for those who happen to be present in the place of the incident, so that the prayer for such incidents is not obligatory on others.

Of course, if a place is adjacent to the place of incident in a way that it is considered to be a single place, according to the stronger opinion, that place shall also be linked with the place of incident.

**Problem # 5.** The incident, its time and its duration is determined by knowledge and the evidence of two morally sound persons, rather by the evidence of a single morally sound person, according to the more cautious opinion, or, according to the more cautious opinion, also by the information of an astronomer whose information is trustworthy, though it is not according to the stronger opinion.

**Problem # 6.** This kind of prayer is obligatory on every Mukallaf [a sane, adult person bound to fulfill religious duties]. According to the stronger opinion, the obligation drops in case of a menstruating woman or a woman having puerperal blood. In case of the prayers whose time is determined by Shari‘ah, it is not obligatory on such women to offer compensatory prayers, nor are they obliged to offer other compensatory prayers. This rule applies to the women having abundant menstrual or puerperal blood. As regards others, there are detailed rules for them. Anyhow, caution is better.
والنفاس المستوينين، وأما غيره ففيه تفصيل، والاحتياط حسن.

مسألة 7 - من لم يعلم بالكسوف إلى تمام الانخراط ولم يجترق جميع القرص لم يجب على القضاء، أما إذا علم به وتركها ولو نسبا أو أحترق جميع القرص وجب القضاء، وأما في سائر الآيات فعند التأخير متمعددا أو لنسين البالغ من الزمان الم لتاوريد بالآية فالأحوط الاتيان بها و إن لا يخلو عدم الوجوب من قوته.

مسألة 8 - لو آخر جمعة غير عدل بالكسوف ولم يحصل له العلم بصدقهم و بعد مضي الوقت تبين صدقهم فالأزهر إلقاء بالجهل فلا يجب القضاء مع عدم احتراق جميع القرص، وكذا لو أخر شاهدان ولم يعلم عدالتهم ثم ثبتت بعد الوقت، لكن الأحوط القضاء خصوصاً في الصورة الثانية، بل لا يترك فيها.

مسألة 9 - صلاة الآيات ركعتان في كل واحدة منها خمسة ركعات فيكون المجموع عشرة، وتحديله بأن يحرم مع النية كما في الفرضة، ثم يقرأ الألفة وسورة ثم يركع ثم يرفع رأسه، ثم يقرأ الحمد وسورة ثم يركع، ثم يرفع رأسه و يقرأ، وهكذا حتى يتم خمساً على هذا الترتيب ثم يسجد سجديتين بعد رفع رأسه من الركوع الخامس، ثم يقوم ويفعل ثانياً كما فعل أولًا، ثم يشهد ويسلم، ولا فرق في الصورة بين كونها متعددة في الجمع أو مختلفة.

و يجوز تفريق سورة كاملة على الركعات الخمسة من كل ركعة، فيقرأ بعد تكبيرة الاحرام الفاتحة، ثم يقرأ بعدها آية من سورة أو أطول أو أطول، ثم يركع، ثم يرفع رأسه و يقرأ بعدا آخر من تلك السورة متصلاً بما قرأ منهما أولاً، ثم يركع، ثم يرفع رأسه و يقرأ بعدا آخر منها كذلك، و هكذا إلى الركوع الخامس حتى يتم سورة ثم يركع الخامس ثم يسجد، ثم يقوم الآثانية ويصنع كما صنع في الركعة الأولى، فيكون في كل ركعة الفاتحة مرة مع سورة تامة متفرقة، و يجوز الاتيان في الركعة الثانية والسورة المائية في الأولى و بغيرها، ولا يجوز الاقتصار على بعض
Problem # 7. If a person has no knowledge about the occurrence of an eclipse until its end, and the eclipse has also not been full, he shall not be required to offer a compensatory prayer.

In case, however, if a person has had knowledge about the occurrence of the eclipse, but he failed to offer the prayer, though out of forgetfulness, or the eclipse had been full, it shall be obligatory on him to offer a compensatory prayer.

In case of other incidents, if a person delays offering prayers deliberately or out of forgetfulness, it would be obligatory on him to offer compensatory prayer as long as he is alive.

If, however, a person does not attain knowledge about the eclipse until its time is over, it is more cautious for him to offer the required prayer, although its being non-obligatory is not devoid of force.

Problem # 8. If a person receives the information about the eclipse though a group of persons who are not morally sound, and he has no knowledge about their being truthful, but after the time is over, it transpires that their information was true, apparently it shall be treated as if the person was ignorant of it, and so it shall not be obligatory for him to offer compensatory prayer, provided that the eclipse has not been full.

The same rule shall apply if a person is informed about the eclipse by two witnesses whose moral soundness is not known to him, but after the time is over, their information is confirmed, though, according to the more cautious opinion, the compensatory prayer is to be offered particularly in the latter case; rather caution must not be given up.

Problem # 9. A Ṣalāt al-Āyāt consists of two Rak‘ats, each Rak‘at having five Rukū’s, the total being ten Rukū’s.

Its details are that, as in a (daily) obligatory prayer, a person is required to recite Takbīrat al-Iḥrām along with the expression of intention (Niyyah), then recite Sūrat al-Ḥāmid (Chapter of the Qur‘ān) and some other Sūrah of the Qur‘ān, then should perform Rukū’ [i.e., kneel down], then raise his head, then again recite Sūrat al-Ḥāmid and another Sūrah of the Qur‘ān, perform Rukū’ and raise his head; then again recite as before until he has repeated it five times in the same order, then he should perform prostration twice after raising his head from the fifth Rukū’. Then he should stand up and repeat again what he had done before, then recite Tashahhud and Salām.

It makes no difference if the person recites the same Sūrah in all times or different Sūrahs each time. It is also permissible to divide a single complete Sūrah in each Rak‘at of the five Rak‘ats, so that after the Takbīrat al-Iḥrām, he may recite the Sūrat al-Ḥāmid and then after it recite one verse or more or less, and then perform Rukū’, and then raise his head and then recite a part of the same Sūrah in continuance of what he had recited earlier, and then perform the Rukū’ until he has finished the Sūrah and then perform the fifth Rukū’, and then perform prostration, and then stand up and repeat what he had done in the first Rak‘at, so that in each Rak‘at he shall recite Sūrat al-Fatiḥah once and one complete different Sūrah.
سورة في تمام الركعة، كما أنه في صورة تفريع السورة على الركوعات لا تشع الفاتحة إلا مرة واحدة في القيام الأول، إلا إذا أكمل السورة في القيام الثاني أو الثالث مثلًا، فإن به تجب عليه في القيام اللاحق بعد الركوع فقراءة الفاتحة ثم سورة أو بعضها، وهكذا كلما ركع عن تمام السورة وجبت الفاتحة في القيام منه، بخلاف ما لوركع عن بعضها فإنه يقرأ من حيث قطع، ولا يعبد الحمد كما عرفت، فнем لوركع الركوع الخامس عن بعض السورة فسجد ثم قام للثانية فالأقوى وجهبر الفاتحة ثم القراءة من حيث ققطع، لكن لا ينبغي ترك الاحتكاط بالركوع الخامس عن آخر السورة وفتحت سورة في الثانية بعد الحمد.

مسألة 10 - يعتبر في صلاة الآيات ما يعتبر في القرائن اليومية من الشرائط و غيرها وجميع ما عرفته وعرفه من واجب وندب في القيام والقعود والركوع والسجود وأحكام السهو والشك في الزيادة والنقيصة بالنسبة للركعات و غيرها، فلو شك في عدد ركعته بطلت كما في كل فريضة ثانوية، فإنها منها وإن اشتملت ركعته على خمسة ركعات، ولو نقص ركوعًا منها وزاده عمدًا أو سوا بطلت لأنها أركان، وكذا القيام المفصل بها، ولو شك في ركوعها يأتي به ما دام في المحل، ويمضي إن خرج عنه، ولا تبطل إلا إذا كان بعد ذلك النقصان أوالزيادة أو رجع شكه فيه إلى الشك في الركعات، كما إذا لم يجعل أنه الخامس فيكون آخر الركعة الأول أو السادس فيكون أول الركعة الثانية.

مسألة 11 - يسبح فيها الجهر بالقراءة ليلاً أو نهارًا حتى صلاة كسوف الشمس، والتكرير عند كل هوي للركوع وك كل رفع منه، إلا في الرفع من الحامض والعابر فإن يقول: "سمع الله من حمه" ثم يسجد. ويستحب فيها التدويل خصوصاً في كسوف الشمس، وقراءة السور بالطوال ك(ب) والروم والكهف ونحوها، وإكمال السورة في كل قيام، والجلوس في المصلى مشغولاً بالدعاء والذكر إلى تمام الإفلاحة، أو إعادة الصلاة إذا فرغ منها قبل تمام
It is permissible to recite in the second Rak‘at the same Sūrah one had recited in the first Rak‘at, or some other Sūrah. But it is not permissible to recite a part of a Sūrah in the whole Rak‘at, as also it is not permissible to recite the Sūrat al-Fatiḥah more than once in the first Qiyyām, except when he has completed the Sūrah, for example, in the second or third Qiyyām, so that it is obligatory on him to recite Sūrat al-Fatiḥah in the following Qiyyām after the Rukū‘, and then another Sūrah or a part thereof. In the same way, it is obligatory to recite Sūrat al-Fatiḥah in its Qiyyām every time he performs Rukū‘ after completing a Sūrah, contrary to the case when he performs the Rukū‘ after reciting a part of a Sūrah, so that he shall recite the Sūrah from where he had left it, without reciting Sūrat al-Ḥamd again, as already explained.

Of course, if a person performs the fifth Rukū‘ after reciting a part of a Sūrah, and then performs prostration and then stands up for the second Rak‘at, then according to the stronger opinion, it shall be obligatory to recite Sūrat al-Fatiḥah and then recite the Sūrah from where he had left it. However, caution must not be given up by performing the fifth Rukū‘ in the end of the Sūrah and start a second Sūrah after reciting Sūrat al-Ḥamd.

Problem # 10. The conditions applicable in the Ṣalāt al-Āyāt are the same as in the daily obligatory prayers, etc., and all that has already been understood or will be understood later in respect of what is obligatory or recommended in Qiyyām, Qu‘ūd (Sitting), Rukū‘ and prostration, as well as the rules of omission and doubt about the excess or reduction of Rak‘ats, etc.

If a person has doubt about the number of Rak‘at in two Rak‘ats of the prayer, the prayer shall be void as is the case in every obligatory prayer having two Rak‘ats, because it also belongs to the same category, although each of its Rak‘ats has five Ruku‘s.

If in such prayer, a Rukū‘ is reduced or added deliberately or inadvertently, the prayer shall be rendered void, as it is a pillar of the prayer.

The same rule applies to the Qiyyām linked with the Rukū‘.

If a person has doubt about its Rukū‘, the person should perform the Rukū‘ if its time has not passed. If it has passed, the person should continue his prayer. The prayer shall not be void unless he comes to realise about the reduction or excess of the Rukū‘ or his doubt relates to the number of the Rak‘ats. For example, he may not know whether it is the fifth Rukū‘ in which case it would be the last of the first Rak‘at or the sixth Rukū‘ in which case it would be the first Rukū‘ of the second Rak‘at.

Problem # 11. It is recommended in a Ṣalāt al-Āyāt to recite loudly regardless whether it is offered at night or in the day, including even the prayer offered for solar eclipse, as well as the Takbīr every time the person kneels to perform the Rukū‘ or rises from it except when he rises from the fifth and tenth Rukū‘s, when he says “Sami‘ Allāhu liman ḥamidah” [Allah who has been praised has heard], and then performs prostration.

It is also recommended in this type of prayer to prolong it, particularly in the prayer for solar eclipse, and recite long Sūrahs like Sūrah ‘Yāsin’ [Chapter 36 of the Qur‘ān], al-Rūm [Chapter 30 of the Qur‘ān], al-Kahf [Chapter 18 of the Qur‘ān], or the like.
لفت الأجلاء، ويستحب فيها في كل قيام ثان بعد القراءة قبول، فيكون في جميع الركعتين خمسة قبولات، ويجوز الاجتناب بقبولتين: أحدهما قبل الركوع الخامس.
لكن يأتي به رجاء، والثاني قبل العاشر، ويجوز الاقتصار على الأخر منها.

مسألة 12: يستحب فيها الجماعة، ويتلبس الإمام عن الأمام القراءة خاصة. كا في اليومية، دون غيرها من الأفعال والأقوال، والأبواب للالمام الذكور في الجماعة قبل الركوع الأول أو فيه من الركة الأولى أو الثانية حتى ينتظم صلاته.

الفول في الخلل الواقع في الصلاة

مسألة 1: من أخل بالطهارة من الحديث بطلت صلاته مع العمد والسهو والعلم والجهل بخلاف الطهارة من الحبب كما مر في حال男篮 وفيا في غيرها من الشرائح كالوقت والاستقبال والستر وغيرها، و من أخل بشيء من واجبات صلاة عمدأ ولم حركة من قراءتها وأذ كارا بواجبة بطلت، وكذا إن زاد فيها جزءاً متعقداً قدلا أو فعلاً من غير فيرق بين الركن وغيره، بل ولا بين كونه موافقاً لأحزئش أو عضلاً أو إن كان الحكم في الخلاف، بل و في غير الجزء الركبي لا يخلو من تأمل و إشكال، و يعتبر في تحقق الزيادة في غير الأركان الأثنين بالشيء بعوان أن من الصلاة أو أجزائها، فليس منها الزيادة بالقراءة والذكر والدعاء في أثناها إذا لم يأت بها بعوان أنها منها، فلا بأس بها ما لم يحصل بها نحو للصورة، كما لا يأبه بتخيل الأفعال البائدة الخارجية كحك الجسد وتخبأ ليم يكن مفتوناً للموالاة أو مباينًا للصورة كما مر سابقاً، و أما الزيادة السهوية فإن زاد ركبة أو ركناً من ركوع أو سجدة من ركوع أو تكبيرة الإحرام سهواً بطلت صلاته على إشكال في الأخير، و أما زيادة القيام الركبي...
It is also recommended to complete the Sūrah in each Qiyām, and sit on the mat for offering prayer reciting Du'ā and Dhikr until the end of the eclipse, or repeat the prayers if he has already finished it before the end of the eclipse.

It is also recommended in Ṣalāt al-Āyāt to recite Qunūt in each second Qiyām after the recitation of a Sūrah of the Qur'ān, so that in both the Rak'āts there would be a total of five Qunūts. It is also permissible to be content with two Qunūts, one before the fifth Rukū‘ but offered with the intention (Niyyah) of hope [that it would be desirable to Allāh], and the other before the tenth Rukū‘. It is also permissible to suffice with the last one.

Problem #12. It is recommended to offer the Ṣalāt al-Āyāt with Jamā‘at, and the Imām is responsible particularly for the recitation of the Sūrah for the followers as is the case with the daily obligatory prayers, but not for other acts and words.

It is more cautious for a person offering prayers with Jamā‘at to join the Jamā‘at before the first Rukū‘ or in it in the first or second Rak‘at in order to maintain the order of his prayer.

Rules Concerning Failure to Perform Acts Required in Prayers

Problem #1. If a person fails to be clean of the major pollution, his prayer shall be rendered void, regardless whether done deliberately, erroneously or with the knowledge or out of ignorance, contrary to the case of a minor pollution the details of which have already been mentioned under its relevant section and the other sections relating to the conditions of time, facing Qiblah, covering the private parts, etc.

If a person fails to fulfill the essential elements of his prayer deliberately, including even a movement in the obligatory recitations or Dhikrs of the prayer, his prayer shall thereby be rendered void.

The same rule applies if he adds some part deliberately in words or action, without there being any difference in its being a pillar or otherwise; rather regardless of its being in conformity with or contrary to the other parts of the prayer, though the verdict about declaring the prayer void is in case the excessive part is contrary to the other parts. Rather if it is not a fundamental part of the prayer it is not free from hesitation and difficulty [in accepting the rule].

It is a condition in the excessive part in other than the pillars of prayer to perform something as if it is included in the prayer or is one of its parts. So it is not included in the causes for invalidation of the prayer in case a person adds some recitation [of a Sūrah of the Qur’ān], Dhikr or Du‘ā during the prayer, if he has not added it as a part of the prayer. So there is no objection in such addition as long as it does not change the very appearance of the prayer, in the same way as there is no objection in the external actions which are allowed during prayers such as scratching the body [with nails] or the like, in case they do not interrupt succession of the acts of prayer or change its very appearance, as mentioned earlier.
 فلا تنفق إلا مع زيادة الركوع أو تكبير الأحرام و أما النية فنبذة على أنها الداعية لا تعتبر زادتها، و على القول بالخطا لا تقصر، و زيادة غير الأركان سهواً لا تبطل ولكن أوجب سجدي السهو على الأحرام كما سئلتي.

مسألة 2 - من نقص شيئاً من واجبات صلاة سهوا ولم يذكره إلا بعد تجاوز غعله فإن كان ركناً بطلت صلاته، و إذا صحت و عليه سجود السهو على تفصيل يأتي في غعله، و قضاء الجزء المنسي بعد الفراغ منها إن كان المنسي المشهد أو إحدى السجديتين، ولا يقضى من الأجزاء المنسية غيرها، ولو ذكروه في غعله تداركه و إن كان ركناً، و أعاد ما فعله ما هو مترتب عليه بعد، والمراد بتجاوز المخل الدخول في ركن آخر بعده، أو كون مخل إبن المنسي فعلًا خاصًا، وقد يجوز مخل ذلك الفعل، كالذكر في الركوع والسجود إذا نسبه و تذكر بعد رفع الرأس منها، فإن نسي الركوع حتى دخل في السجدة الثانية أو نسي السجديتين حتى دخل في الركوع من الركعة اللاحقة بطلت صلاته، بخلاف ما لونسي الركوع و تذكر قبل أن يدخل في السجدة الأولى أو نسي السجديتين و تذكر قبل الركوع رجع و أتي بالمنسي، و أعاد ما فعله سابقاً مما هو مترتب عليه، ولونسي الركوع و تذكر بعد الدخول في السجدة الأولى فالأحرز أن يرجع و يأتي بالنسي و ما هو مترتب عليه، و يعيد الصلاة بعد إتمامها، و من نسي القراءة أو الذكر أو بعضهما أو الترتيب فيها و ذكر قبل أن يصل إلى حد الركوع تدارك ما نسبه و أعاد ما هو مترتب عليه، و من نسي القيام أو الطمأنينة في القراءة أو الذكر و ذكر قبل الركوع فالأحرز إعادتها بقصد القرابة المطلقة لا الجزئية، نعم لونسي الجهر أو الاختلافات في القراءة فالظاهر عدم وجب تلافهما، وإن كان الأحرز التدرك سياً إذا تذكر في الأثناء، فإنه لا ينبغي له ترك الاحتياط بالاتبان بقصد القرابة المطلقة، و من نسي الانصباب من الركوع أو الطمأنينة فيه و ذكر قبل الدخول في السجود انصب مطمئناً، لكن بقصد الاحتياط والرجاء في
As regards the unintentional additions in prayers, if a person adds a Rak’at or a pillar of Rukū’ or the two prostrations in a Rak’at or Takbīrat al-Iḥrām inadvertently, his prayer shall thereby be rendered void, though there is difficulty in accepting the rule particularly in case of the latter. As regards the addition of the Qiyyām which is a pillar of the prayer, it does not take place except by the addition of Rukū’ or Takbīrat al-Iḥrām. With regard to the addition of intention (Niyya‘), as it represents the expression of the very purpose of the prayer, one cannot consider it an addition, and when it is said to mean remembering in the heart, its addition is not harmful, as the addition of anything which is not a pillar of the prayer does not render the prayer void, even if it may entail the performance of two prostrations for error, according to the more cautious opinion, the details of which will follow.

Problem # 2. If a person reduces something out of the essentials of his prayer inadvertently, and does not realise it till after the passage of its place, then, if it were a pillar, his prayer shall be rendered void, otherwise it would be valid, and he shall have to perform prostration for error to be mentioned in its proper place., or he shall be required to compensate for the parts forgotten if what is forgotten is Tashahhud or one of the two prostrations. Nothing is compensated from among the forgotten portions other than these two. If a person realises the failure of performance of a portion during its proper place, he must perform it even if it is a pillar of the prayer, and repeat what he has done afterwards. By passage of the proper place is meant the entering in the pillar next to it, or when the place of performance of a forgotten portion is an act and its place has passed, such as the Dhikr in a Rukū’ or prostration which is forgotten, and the person recalls it after rising the head from it.

If person forgets the performance of a Rukū’ until the performance of the second prostration or forgets the two prostrations until the performance of the Rukū’ in the next Rak’at, his prayer shall be rendered void, contrary to the case when he forgets the performance of Rukū’ and recalls it before the performance of the first prostration, or he forgets the performance of the two prostrations, and comes to realise before the Rukū’, so that he must come back and perform what is forgotten, and should repeat what he had done previously, though they are to be performed subsequently according to the order of succession.

If he happens to forget the Rukū’ and comes to realise it after starting the performance of the first prostration, then it is more cautious for him to return and perform what he has forgotten and what is to be subsequent to it according to the sequence and offer the prayers again after completing it. If a person forgets the recitation (of a Sūrah of the Qur’ān), or Dhikr, or some part of them, or their order of succession, and comes to realise before performing the Rukū’, he must compensate what he has forgotten and return to what is required according to the sequence. If a person forgets Qiyyām, or patience in recitation (of the Sūrah of the Qur’ān) or the Dhikr, and comes to realise it before the Rukū’, then it is more cautious to perform both of them again with the intention of seeking the closeness to Allāh absolutely not as a part of the prayer. Of course, if a person forgets reciting the prayer loudly or slowly, then apparently it is not obligatory to compensate either of them, though it would be more cautious to compensate it, particularly when he comes to realise it during the prayer. He must, however, not give up caution by performing it with the intention of closeness to Allāh in all circumstances. If a person forgets to stand erect after Rukū’ or have patience while standing erect, and he
في الخلل الواقع في الصلاة

نسيان الطمأنيةة، ومضى في صلاته، ومن نسي الذكر في الستود أو الطمأنيةة
فيه أو وضع أحد المساجد حاله وذكر قبل أن يخرج عن مسمى السجود أقي
بالذكر، لكن في غير نسيان الذكر يأتي به بقصد القربة المطلقة للاجلزية، ولو
ذكر بعد رفع الرأس فقد جاز عل التدراش في موفي في صلاته، ومن نسي
الانتصاب من السجود الأول أوالطمانةة فيه وذكر قبل الدخول في مسمي
السجود الثاني انتصب مطمئناً ومضى فيها، لكن في نسيان الطمأنيةة يأتي
رجاء واحتراء، ولو ذكر بعد الدخول في السجود الثانية فقد جاز عل التدراش
في موفي فيها، ومن نسي السجود الواحدة أوالتشهد أو بعضه وذكر قبل الوصول
الي حائرة كوع أو قبل التسليم إن كان المنسي السجود الأخيرة أوالتشهد الأخيرة
يدراش المنسي ويعيد ما هو مترتب عليه، ولنسمي سجدة واحدة أوالتشهد من
الركعة الأخيرة وذكر بعد التسليم فإن كان بعد فعل ما يبطل الصلاة عمداً و
سهو كالفحيد فقد جاز عل التدراش واما عليه قضاء المنسي وسجدة السهو، و
إنه كان قبل ذلك فالأخوط في صورة نسيان السجدة الا تيان بها من دون تعين
للأداء والقضاء ثم بالتشهد والتسليم احتياطاً ثم سجدي السهو احتياطاً، وفي صورة
نسيان التشهد الا تيان به كذلك ثم بالتسليم وسجدي السهو احتياطاً، وإن
كان الأقوى فوت عل التدراش فيها بعد التسليم مطلقاً، وأعليه قضاء المنسي و
سجدة السهو، ومن نسي التسليم وذكره قبل حصول ما يبطل الصلاة عمداً و
سهو تدراش فإنه لم يدراش بطلت صلاته، وكذا لو لم يدراش ما ذكره في
الملع ما تقيد.

مسألة 3- من نسي الروكعة الأخيرة مثلاً فذكرها بعد التشهد قبل التسليم قام
وأتي بها، ولو ذكرها بعده قبل فعل ما يبطل سهماً قام وأتم أيضاً، ولو ذكرها
بعده استأنف الصلاة من رأس من غير فرق بين الرباحية وغيرها، وكذا لو
نسي أكثر من ركعة، وكذا يستأنف لو زاد ركعة قبل التسليم بعد التشهد أو
comes to realise it before starting the performance of prostration, he must stand erect patiently, but with the intention of caution and hope [it would be desirable to Allâh], in case he forgets patience while standing erect. He must, however, continue his prayer. If a person forgets Dhikr or patience or placing any of the seven parts of his body on the ground in prostration, and comes to realise it before getting out of what is called prostration, he must recite Dhikr. If, however, he fails to perform anything other than Dhikr, he must perform it with the intention of closeness to Allâh in all circumstances, and not as a part of the prayer. If he comes to realise it after raising the head, and its place of compensation has also passed, then he must continue the performance of his prayer.

If a person forgets sitting straight after the performance of the first prostration or patience while sitting, and comes to realise it before starting what is called the second prostration, he must sit straight and patiently and continue his prayer. In case of forgetting to observe patience while sitting, he must do it with the intention of hope [that it would be desirable to Allâh], and by way of caution. If he comes to realise it after starting the performance of the second prostration, then the time for its compensation must have passed, and so he must continue his prayer.

If a person forgets a single prostration or Tashahhud or a part thereof, and comes to realise it before reaching the limit of Rukû’ or before reciting the salutation, then, if the forgotten prostration or Tashahhud is the last one, he must compensate it, and repeat the actions following it according to the proper sequence. If a person forgets a single prostration or Tashahhud in the last Rak’at and comes to realise it after the salutation, then if it were after the act which if performed deliberately or inadvertently renders the prayer void, such as the major pollution, then the time of compensation is already elapsed, and he shall be bound to compensate what has been forgotten and should perform two prostrations for error.

If it were before that, then, according to the more cautious opinion, in case he has forgotten prostration, he must perform it without determining it as one performed within the due time (Adâ’) or performed by way of compensation (Qa’dâ’), and then by way of caution he must recite Tashahhud and Salâm, and then, by way of caution, he must perform two prostrations for error.

In case a person has forgotten Tashahhud, he must do likewise, and then recite Tashahhud and Salâm by way of caution, and then perform two prostrations for error by way of caution, though in both the cases, according to the stronger opinion, the time for compensation for both of them has already elapsed absolutely, and he is bound to compensate for what he has forgotten and perform two prostrations for error. If a person forgets reciting Salâm (or Salutation), and comes to realise it before the occurrence of what renders the prayer void if done deliberately or inadvertently, he must compensate for it, so that if he fails to compensate, his prayer shall be rendered void. The same rule applies if he fails to compensate in case he has come to realise it within the time for its compensation, as mentioned earlier.

Problem # 3. If a person forgets performance of the last Rak ‘at, and, for example, he comes to realise it after the Tashahhud before reciting Salâm, he must stand up and perform it. If, however, he comes to realise it after it, but before the occurrence of an act which if done
قبله.

مسألة 4 - لو علم إجمالاً قبل أن يتلبس تكبير الركوع على فرض الاتيان به وقبل الهوى إلى الركوع على فرض عده إما بفوات سجدتين من الركعة السابقة أو القراءة من هذه الركعة يكتفي بالاتيان بالقراءة على الأقوى، وفما لو حصل له ذلك بعد الشروع في تكبير القنوت أو بعد الشروع فيه أو بعد فكتفي بالقراءة على الأقوى، لكن لا ينبغي ترك الاحتياط بإعادة الصلاة.

مسألة 5 - لو علم بعد الفراق أنه ترك سجدتين ولم يدر أنها من ركعة أو ركبتين فالأخوات أن يأتي بقضاء سجدتين ثم بسجديه السهو مرتين ثم أعاد الصلاة، وكذا لو كان في الاثنين لكن بعد الدخول في الركوع، وأما لو كان قبل الدخول فيه فلا يدخر ليعاً المجال بذكراها.

مسألة 6 - لو علم بعد القيام إلى الثالثة أنه ترك التشهد لا يدري أنه ترك السجدة أيضاً لا فلا يعد جوائز الانتفاء بالتيان، والأحور إعادة الصلاة مع ذلك.

القول في الشك

وهو إما في أصل الصلاة وإما في أجزائها وإما في ركعاتها:

مسألة 1 - من شك في الصلاة فلم يدر أنه صلى أم لا فإن كان بعد مضي الوقت لم يلتفت وبنى على ألا تيان بها، وإن كان قبله أتي بها، والظن بالاتيان وعده هكذا بحكم عالك.

مسألة 2 - لو علم أنه صلى العصر ولم يدر أنه صلى الظهر أيضاً أم لا فالأخوات بلالأقوى وجوب الاتيان بها حتى فإنه لم يبق من الوقت إلا مقدار الاختصاص بالعصر، نعم لو لم يبق إلا هذا المقدار وأعلم بعد الاتيان بالعصر وكان شاكون.
inadvertently renders the prayer void, he must stand up and also complete the prayer. If, how-
however, he comes to realise after it [i.e. occurrence of an act which if done inadvertently renders
the prayer void], he must start the prayer from the beginning without there being any difference
whether the prayer consists of four Rak‘ats or otherwise. The same rule shall apply if a person
forgets the performance of more than a Rak‘at. Similarly the person shall have to perform the
prayer again if he happens to add a Rak‘at before reciting the Salām after Tashahhud or after it.

Problem # 4. If a person has a brief knowledge about the failure to perform the two prostrations
for the previous Rak‘at or recitation (of a Sūrah of the Qur‘ān) in the present Rak‘at, before being
busy in reciting Takbīr for Rukū‘ with the supposition of reciting Takbīr for Rukū‘ and before
kneeling for the performance of the Rukū‘ with the supposition otherwise, according to the stronger
opinion, it shall be sufficient for him to perform the recitation [of a Sūrah from the Qur‘ān]. The
same rule shall apply if it occurs after the start of the Takbīr for the Qunūt, or before starting the
Qunūt or after it, so that, according to the stronger opinion, it shall be sufficient for him to perform
the recitation (of a Sūrah of the Qur‘ān), but he should not give up the caution by offering the
prayer again.

Problem # 5. If a person comes to know after having finished the prayer that he has not per-
formed two prostrations, but does not know whether they belong to a single Rak‘at or two Rak‘ats,
then it would be more cautious for him to perform two prostrations by way of compensation
(Qaḍā‘) and then two prostrations for error twice, and then repeat the prayer. The same rule shall
apply if it occurs during the prayer but after the start of Rukū‘. If, however, it occurs before starting
the Rukū‘, then it has several rules the details of which cannot be mentioned here.

Problem # 6. If a person comes to know after Qiyām for the third Rak‘at that he had given up
Tashahhud, but does not know whether he has also given up prostration or not, then it would not
be far from being permissible to suffice with the recitation of Tashahhud, but it would be more
cautious also to repeat the prayer.

Chapter on Rules Concerning Doubts

A doubt may be about the prayer itself, its portions or about its Rak‘ats.

A- Doubts about the Prayer itself

Problem # 1. If a person doubts about the prayer itself, so that he doubts whether he has offered
the prayer or not, then if it occurs after the lapse of its due time, he should not pay any heed to it
and decide in favour of its having been offered. If it occurs before the lapse of its due time, he
should offer it. The rule concerning the uncertainty about offering or not offering the prayer is the
same as the rule for doubt.

Problem # 2. If a man knows that he has offered the prayer for ‘Aṣr, but does not know whether
he has also offered the prayer for Zuhr or not, then it is more cautious, rather according to the
stronger opinion it is obligatory, to offer it even in case there is no time left for offering it, but only
في الاية بالظهر أتي بالعصر ولم يلتفت الى الشك، و أما لو شك في الاية بالعصر في الفرض فأتيبه، والأحوط قضاء الظهر، وكذا الحال فإن مرت بالنسبة الى العشاءين.

مسألة 3: إن شك في بقاء الوقت و عدهم يلحق حكم البقاء.

مسألة 4: لو شك في أثناء صلاة العصر في أنه صلي الظهر آم لا فان كان في وقت الاختصاص بالعصر بي العتائ بالظهر، وإن كان في وقت المشترك بين على عدم الايتان بها، فيعدل اليها.

مسألة 5: لو علم أنه صلى إحدى الصلاتين من الظهر أو العصر ولم يدرك المعني منها فان كان في الوقت المختص بالعصر يأتي به والاحوط قضاء الظهر، وإن كان في الوقت المشترك أتي بأربع ركعات بقصد ما في الدهم، ولو علم أنه صلى إحدى العشاءين في الوقت المختص بالعشاء يأتي به و يقضى المغرب احتياطاً.

و في الوقت المشترك يأتي بها.

مسألة 6: إما لا يعني بالشك في الصلاة بعد الوقت، و يبين على إتياتها في إذا كان حدوثه بعده، فإذا شك فيها في أثناء الوقت و نسي الايتان بها حتى خرج الوقت و جب قضاوها.

مسألة 7: لو شك في الايتان و اعتقد أنه خارج الوقت ثم تبين بعده أن شكه كان في أثنائه فإساهم، بخلاف العكس بأن اعتقد حال الشك أنه في الوقت فترك الايتان بها عمداً أو سهماً ثم تبين أنه كان خارج الوقت فليس عليه القضاء.

مسألة 8: حكم كثير الشك في الايتان بالصلاة و عدمه حكم غيره، فيجري فيه التفصيل بين كونه في الوقت و خارجه، و أما الوسواسي فالظاهر أنه لا يعني بالشك و إن كان في الوقت.

....
some time that is exclusively meant for ‘Aṣr. Of course, if the time left is only this much, and he knows that he has not offered the ‘Aṣr prayer, but doubts about offering the Zũhr prayer, he shall offer the ‘Aṣr prayer, and shall not pay any heed to the doubt. If, however, he doubts about offering the obligatory prayer for ‘Aṣr, he shall offer it, and it shall be more cautious to let the Zũhr prayer be left due. The same rule mentioned here shall also apply to the Maghrib and Ishā’ prayers.

Problem # 3. If a person doubts about the due time for prayer whether it is left or not, he shall decide in favour of there being still time left.

Problem # 4. If during offering the ‘Aṣr prayer, a person doubts whether he has offered Zũhr prayer or not, then if the doubt occurs at the time exclusively meant for ‘Aṣr prayer, he shall decide in favour of having offered Zũhr prayer. If, however, the doubt occurs at the time common to both Zũhr and ‘Aṣr, he shall change his intention (Niyyah) to Zũhr prayer.

Problem # 5. If he knows that he has offered one of the two prayers, for either Zũhr or ‘Aṣr, but does not know which particular prayer he has offered, then if the doubt occurs at the time exclusively meant for ‘Aṣr, he shall offer the ‘Aṣr prayer, and it is more cautious to let Zũhr prayer be left as due. If, however, the doubt has occurred at the time common to both Zũhr and ‘Aṣr prayers, he shall offer four Rak’ats with the intention (Niyyah) of offering the prayer which he owes. Likewise, if he knows that he has offered either of the Maghrib or Ishā’ prayers at the time exclusively meant for Ishā’ prayers, according to the more cautious opinion, he shall offer the Ishā’ prayer and let Maghrib prayer be left as due. If, however, the doubt occurs at the time common to both Maghrib and Ishā’ prayers, he shall offer both the prayers.

Problem # 6. A person should not pay heed to a doubt about a prayer after the lapse of its due time, and should decide in favour of having offered it, provided that the doubt has occurred after the lapse of its due time.

If a person doubts about a prayer within its due time, but forgets offering it until the lapse of its due time, it shall be obligatory on him to compensate it.

Problem # 7. If a person doubts about offering a prayer, and believes that its due time has already lapsed, and later it transpires that it was within its due time, he shall be bound to offer its compensatory prayer.

On the contrary, if a person believes that the doubt about offering the prayer has been within its due time, but he gives up offering the prayer deliberately or inadvertently, and then it transpires that the doubt had occurred after the lapse of its due time, then he shall not be bound to offer compensatory prayer.

Problem # 8. The rule for a person having doubt about prayer very often is the same as one having doubt about other things. However, the detail about the occurrence of the doubt within the due time of the prayer or after its lapse shall apply to him. But a person who is full of suspicions should not apparently pay heed to his doubt (about prayer) even if it occurs within the due time of the prayer.
القول في الشك في شيء من أفعال الصلاة

مسألة 1 - من شك في شيء من أفعال الصلاة فإن كان قبل الدخول في غيره بما هو مترتب عليه وجب الاتيان به، كما إذا شك في تكبير الاحرام قبل أن يدخل في القراءة حتى الاستعاذة، أو في الحمد قبل الدخول في السورة، أو فيها قبل الأخذ في الركوع، أو فيه قبل الهوي إلى السجود، أو فيه قبل القيام أو الدخول في التشهد، وإن كان بعد الدخول في غيره ما هو مترتب عليه وإن كان مندوباً لم يلتفت وبنى على الاتيان به من غير فرق بين الأولتين والأخيرتين، فلا يلتفت إلى الشك في الفائقة وهو آخذ في السورة، ولا فيها وهو في القنوت، ولا في الركوع أو الانتصاب منه، وهو في الهوي للسجود، ولا في السجود وهو قائم في التشهد، ولا فيه وهو قائم، بل وهو آخذ في القيام على الأقوى، نعم لو شك في السجود في حال الأخذ في القيام يجب التذكار.

مسألة 2 - الأقوى في البناء على الاتيان وعدم الاعتناء بالشك بعد الدخول في الغير عند الفرق بين أن يكون الغير من الأجزاء المستقلة كالامثلة المتقدمة وبن غيرها، كما إذا شك في الاتيان بأول السورة وهو في آخرها أو أول الآية وهو في آخرها، بل أول الكلمة وهو في آخرها، وإن كان الأخوات الاتيان بالشكوك فيه بقصد القرية المطلقة.

مسألة 3 - لو شك في صحة ما وقع وفساده لا في أصل الوقف لم يلتفت و إن كان في محل، وإن كان الاحتياط في هذه الصورة بعادة القراءة والذكر بنية القرية، وفي الركن بتمام الصلاة ثم الإعاادة مطلوبًا.

مسألة 4 - لو شك في التسليم لم يلتفت لكان قد دخل فيا هو مترتب على الفراغ من التعقب والتوجه، أو في بعض المنافيات أو نحو ذلك مما لا يفعله.
B- Doubts Concerning the Acts in a Prayer

Problem # 1. If a person doubts about anything relating to the acts in a prayer, then if were before starting another act according to the order of succession, it shall be obligatory on him to perform it, as, for example, he doubts reciting Tākbīrat al-Ihram before starting recitation (of a Sūrah of the Qur’ān) or even reciting Isti’adhah, or about reciting Sūrat al-Ḥamd (Chapter 1 of the Qur’ān) before starting the recitation (of another Sūrah of the Qur’ān), or about the recitation (of the Sūrah of the Qur’ān) before starting the performance of Rukū’, or about the Rukū’ before getting down to perform prostration, or about the prostration before Qiyām or starting Tashahhud.

If, however, it were after the start of another act according to the order of succession, even if it were of the category of the recommended one, he shall not pay any heed to it, and shall decide in favour of having performed it, regardless whether the doubt occurs between the first two Rak’ats or the last two Rak’ats.

So also, he shall pay no heed to the doubt about reciting the Sūrat al-Fatiḥah (Chapter1 of the Qur’ān) when he has started the recitation (of another Sūrah of the Qur’ān), nor about the recitation (of the other Sūrah of the Qur’ān) when he has started the recitation of the Qunūt, nor about the Rukū’ or standing erect while he is getting down to perform prostration, nor about prostration while he is in Qiyām or reciting Tashahhud, nor about Tashahhud while he is standing up, rather, according to the stronger opinion, even when he is in the process of standing.

Of course, if he doubts about the performance of prostration when he is still in the process of standing, it shall be obligatory on him to compensate it.

Problem # 2. According to the stronger opinion, decision should be in favour of performance, and no heed should be paid to the doubt after a person has started another act, irrespective of the fact whether the other act belongs to the category of independent acts as mentioned in the above examples or otherwise, as, for example, a person doubts about the beginning of a Sūrah (of the Qur’ān) while he has reached its last, or about the beginning of a verse (of the Qur’ān) while he has reached its last part, or its first word while he has reached its last word, though it is more cautious to fulfil about which he has doubted with the intention of closeness (to Allāh) in all circumstances.

Problem # 3. If a person doubts about the validity or invalidity of the act performed, and not about the performance itself, he should not pay heed to it, even if were within its due time, though in such case, it would be cautious to repeat the recitation [of the Sūrah of the Qur’ān] or Dhikr with the intention (Niyyah) of closeness [to Allāh] in all circumstances.

If, however, a person doubts about the performance of a pillar of the prayer, he should complete the prayer, and then repeat the prayer properly.

Problem # 4. If a person doubts about the recitation of salutation, he should not pay any heed to it if he has already started what is done after having finished the prayer like the follow-up du’as or the like, or some of the acts repugnant to the prayer or the like, which is not done by a person offering prayer except after having finished the prayer, as a person offering prayer behind an
المصلي إلا بعد الفراج، كما أن الأموم لوشك في التكبر مع استغلاله بفعل مترتب
عليه ولو كان مثل الانتصات المستحب في الجماعة و نحو ذلك لم يلتفت.
مسألة 5- ما شكل في إتيانه في الحبل فأتي به ثم ذكر أنه فعله لا يبطل الصلاة
إلا أن يكون ركناً، كما أنه لول يفعله مع التجاوز عنه فبان عدم إتيانه لم يبطل
ملام يكن ركناً و لم يكن تدركه بأن كان داخلاً في ركن آخر، و إلا تدركه
مطلقًا.
مسألة 6- لو شكل وهو في فعل أنه هل شكل في بعض الأفعال المتقدمة عليه
سابقاً أم لا؟ لا يعني بي، و كذلك لو شكل في أن له سياح كذلك أم لا؟ نعم لو
شك في السهو و عدمه وهو في علم تدرك المشكوك فيه يأتي به.

الفول في الشك في عدد ركعات الفروض

مسألة 1- لا حكم للشك المزبور بمجرد حصوله إن زال بعد ذلك و أما لو
علاق في صور منها بعد إحرار الأولين منها الحاصل ترفع الرأس من السجدة
الأخيرة، و أما مع إكمال النذر الواجب فيها فالحول البناء و العمل بالشك
الإعادة، و إن كان الأقوى لزوم الإعادة و مفسديته.

الصورة الأولى: الشكل بين الأثنين والثلاث بعد إكمال السجدين،
فبيني على الثلاث و يأتي بالرابعة و يتم صلاته، ثم يحتاط بركعة من قيام أو
ركعتين من جلس، والأحوط الأول الجمع بينها مع تقديم الركعة من قيام، ثم
استناف الصلاة.

الثانية: الشكل بين الثلاث والأربع في أي وضع كان، فبيني على الأربع و
حكمه كالسابق حتى في الاحتياط إلا في تقديم الركعة من قيام.
Imām doubts about reciting Takbīr while he is busy in act according to its order of succession, even if it were like quietness recommended when offering prayer with Jamāʿat, or the like, he shall not pay any heed to it.

Problem # 5. If a person doubts about something within its due time, and fulfils it, and later realises that he had already performed it, it shall not render his prayer void, except when it were a pillar of the prayer, in the same way as if he had not performed it while its due time has already elapsed, and then it transpires that he has not performed it, his prayer shall not thereby be rendered void, provided that it was not a pillar of the prayer, and it was not possible to compensate it, because he had already started another pillar; otherwise, he should compensate it in all circumstances.

Problem # 6. If a person doubts while performing an act whether he had doubt or not about any of the acts preceding that act, he shall not pay any heed to it.

Likewise, if he doubts whether he has in the same way committed an error or not, [he shall not pay any heed to it].

Of course, if he doubts about the occurrence or non-occurrence of an error, and he happens to be able to fulfil what is doubted, he shall fulfil it.

C- Doubts about the Number of Rakʿats in Obligatory Prayers

Problem # 1. There is no need of any rule for a doubt about the Rakʿats of the daily obligatory prayers, if it has dispelled later automatically. But if it has persisted, then it would invalidate the prayers having two Rakʿats or three Rakʿats or the two Rakʿats of prayers having four Rakʿats.

In case of prayers having four Rakʿats, they are not invalidated, rather in some cases there is some solution after the ascertainment of the performance of the first two Rakʿats obtained after raising head from the last prostration. But if the doubt occurs after the completion of the obligatory Dhikr in it, then it is more cautious to consider it [the third Rakʿat] and fulfil what has been rendered obligatory due to the doubt, and then repeat the prayer. According to the stronger opinion, it is necessary to repeat the prayer, as the doubt, (in this case), invalidates the prayers.

First Case. In case of a doubt about a Rakʿat being the second or third after the completion of the two prostrations, the decision would be in favour of the third Rakʿat and the person shall offer the fourth Rakʿat and complete the prayer, and then, by way of caution, offer a single Rakʿat with Qiyām or two Rakʿats in a sitting posture. It is more cautious to add both by first offering a Rakʿat with Qiyām and then offering the prayer anew.

Second Case. In case of doubt about a Rakʿat being the third or fourth at any stage whatsoever, it shall be decided in favour of the fourth Rakʿat, and the same rule mentioned above shall apply even in case of caution, except as regards offering a single Rakʿat consisting of Qiyām.
ثالثة: الشك بين الاثنين والأربع بعد إكمال السجودين، فيني على الأربع و يتم صلاته، ثم يحتاط بركعتين من قيام.

رابعة: الشك بين الاثنين والثلاث والأربع بعد إكمال السجودين، فيني على الأربع و يتم صلاته، ثم يحتاط بركعتين من قيام و ركعتين من جلوس، والأحوز بل الأقوى تقديم الركعتين من قيام.

خامسة: الشك بين الأربع والسجود، وله صورتان: إحداها بعد رفع الرأس من السجدة الأخيرة، فيني على الأربع و يتيه الوسلثم ثم يسجد سجديته السهو، ثانياً حالة القيام، وهذه مندرجة تحت الشك بين الثلاث والأربع حال القيام ولم يد أنه ثلاثاً صلى أو أربعاً فيني على الأربع، و يجب عليه هدم القيام والتشهد والتسليم وصلاة ركعتين جالساً أو ركعة قائماً، و إذا الحال في جميع صور الهدم، فإنه لا يوجب انقلب الشك، بل هو مقدم للتسليم بعد صدق الشك بين الركعتين حال القيام.

السادسة: الشك بين الثلاث والسجود حال القيام، وهو مندرج في الشك بين الاثنين والأربع فيجلس و يتم الصلاة و يعمل عمل الشك.

سابعة: الشك بين الثلاث والأربع والسجود حال القيام، وهو راجع إلى الشك بين الاثنين والثلاث والأربع، فيجلس و يتم صلاته و يعمل عمله.

الثامنة: الشك بين السجود والسجود السهو، فجلس و يتم و يسجد سجديته السهو، مرة و جوباً للشك المزبور، و مرة احتباراً لزيادة القيام، و إن كان عدم وجودها لزيادته لا يتخلو من قوة، والأحوز في الصور الأربع المتأخرة استناد الصلاة مع ذلك.

مسألة ۲ - لو شك بين الثلاث والأربع أتى أو بين الثلاث والسجود أو بين الثلاث والأربع والسجود في حال القيام و علم أنه ترك سجدة أو سجديتين من الركعة التي قام منها بطلت صلاته، لأنه راجع إلى الشك بين الاثنين والزائدة
Third Case. In case of doubt about a Rak'at being the second or fourth after the completion of the two prostrations, the decision shall be in favour of the fourth and the person shall complete the prayer and then, by way of caution, offer two Rak'ats with Qiyām.

Fourth Case. In case of a doubt about a Rak'at being the second, third or fourth after the completion of the two prostrations, it shall be decided to be the fourth and the person shall complete the prayer, and then, by way of caution, offer two Rak'ats with Qiyām and two Rak'ats in a sitting posture. It is more cautious, rather according to the stronger opinion, to precede the two Rak'ats offered with Qiyām.

Fifth Case. In case of a doubt about a Rak'at being the fourth or the fifth, it may occur in two ways. Firstly, after raising the head from the last prostration, in which case the decision shall be in favour of the fourth, and the person shall recite the Tashahhud and Salutation, and then offer two prostrations for error. Secondly, after Qiyām. This is the rule when there is a doubt in its being the third or the fourth Rak'at while in a state of Qiyām, and he does not know whether he has offered three Rak'ats or four, in which case he shall decide in favour of the fourth, and in such case he shall be bound to give up Qiyām, Tashahhud and Salutation, and offer two Rak'ats while sitting and one with Qiyām.

The same rule shall apply in all cases when a person discontinues some act [as a result of a doubt], because it does not bring any change in the doubt, rather the ascertainment of the doubt between the Rak'ats in a state of Qiyām is a prelude to Salutation.

Sixth Case. In case of a doubt about a Rak'at being the third, fourth or fifth while in a state of Qiyām, reference is to be made to the case of doubt about its being the second, third or fourth Rak'at, so that he shall sit down and complete the prayer, and fulfil what is required in such case of doubt.

Seventh Case. In case of a doubt about a Rak'at being the third, fourth or fifth while in a state of Qiyām, reference is to be made to the case of doubt in its being the second, third or fourth Rak'at, so that he shall sit down, complete the prayer and fulfil what is required in such a case of doubt.

Eighth Case. In case of a doubt about a Rak'at being the fifth or the sixth while in a state of Qiyām, reference is to be made to the case of a doubt in its being the fourth or the fifth Rak'at, so that he shall sit down and complete the prayer, and then perform two prostrations, one as an obligatory prostration for the said doubt, and another by way of caution for the excessive Qiyām, though its non-obligation for the excessive Qiyām is not devoid of force. In the latter fourth case, it would be more cautious to offer prayer anew along with what has been mentioned.

Problem #2. If a person doubts about a Rak'at being the third or fourth, or being third or fifth, or being third, fourth or fifth while in a state of Qiyām, and knows that he has given up one or two prostrations from the Rak'at after which he has stood up, his prayer shall be rendered void, as in this case reference is to be made to the case of doubt in its being the second, or more than the second Rak'at arising before the completion of the two prostrations.
قبل إكمال السجدين.

مسألة 3- في الشكوك تعتبر فيها إكمال السجدين لو شك في الإكماه و
فقد فان كان في الحال أي حال الجلوس قبل القيام أو التشدق بطلت صلاته، و
إن كان بعد التجاوز منه فإنه إشكال لا يترك الإحتياط بالناء والعمل بالشك
والإعادة.

مسألة 4- الشك في الركعات ما عدا الصور المزورة موجب للبطلان و إن
كان الطرف الأقل الأربع وكان إكمال السجدين أو كان الشك
بين الأربع والأقل والأكثر بعد إذا لها، كالشك بين الثلاثة والأربع والست.

مسألة 5- لو شك بين الثلاثة والثلاثة وعمل على الشك و بعد الفراق عن
صلاة الاحتياط شك في أن شكه السابق كان قبل إكمال السجدين أو بعده
ببني على الصحة ولا يعني بشكه، و أما لو شك في ذلك في أثناء الصلاة أو
بعدها و قبل الاتباع بصلاة الاحتياط أو في أثناءها فالأخروط البنا وعمل الشك
ثم إعادة الصلاة.

مسألة 6- لو شك بعد الفراق من الصلاة أن شكه كان موجباً للركة أو
ركعتين بالأحروط الاتيان بعد إعادة الصلاة، وكذا لوم يدر أنه أيي شك من
الشكيك الصحيفة. فأنه يعدها بعد العمل بموجب الجميع، و يصل ذلك
بالاتيان ركعتين من قيام و ركعتين من جلوس وسجود السهوء و كذا لوم
ينحصر الحالات في الشكيك الصحيفة بل احتمل بعض الوجوه الباطلة، فإن
الأحروط العمل بموجب الشكيك الصحيفة ثم الإعادة.

مسألة 7- لو عرض له أحد الشكيك ولم يعلم الوظيفة فان لم بسع الوقت أولم
يمكن من التعلم في الوقت تعيين عليه العمل بالراجح من الحالات لو كان أو
أحدها فان لم يكن، و يتم صلاته و يعدها احتياطًا مع سعة الوقت، ولو تبين بعد
ذلك أن عمل الشك مخالف للواقع يستأنف الصلاة لوم يأت بها في الوقت، و
Problem # 3. In case of doubts in which it is a condition to complete the two prostrations, if a person doubts about the completion of the prostrations or otherwise, if the doubt arises at its due time, i.e., in a sitting posture before Qiyām or in Tashahhud, the prayer shall be rendered void.

If, however, the doubt arises after having passed that stage, then there is difficulty in accepting the above rule, and so caution must not be given up by deciding [in favour of the larger number], and act what is required by the doubt and also repeat the prayer.

Problem # 4. A doubt about the Rak'ats other than the cases mentioned above shall invalidate the prayer, even if prayer involved in the doubt is one having less than four Rak'ats, and the doubt may have arisen after the completion of the two prostrations, or when the doubt is about its being the fourth, or less or more than the fourth Rak'at after the completion of the two prostrations, such as a doubt about its being the third, fourth or the sixth Rak'at.

Problem # 5. If a person doubts about a Rak'at being second or third and acted as required by the doubt, and after offering the prayer for caution doubts whether his previous doubt occurred before the completion of the two prostrations or after it, the decision shall be in favour of validity of the prayer, and he should not pay any heed to his doubt.

If, however, he doubts it during the prayer or after it and before offering the prayer for caution or during offering it, then it is more cautious to decide in favour of it, and act as required by the doubt, and then repeat the prayer.

Problem # 6. If, after finishing the prayer, a person doubts whether his doubt would entail offering a single Rak'at or two, it would be cautious to offer both, and then repeat the prayer.

The same rule shall apply if he did not know as to which of his doubts is a valid doubt, he should repeat the prayer after acting as required by all of them. his shall be achieved by offering two Rak'ats with Qiyām and two Rak'ats by sitting, and performing the prostration for error.

Similarly, if the doubts are not likely to be confined to valid doubts, rather there is likelihood of some of them being invalid, then it is more cautious to act as required by the valid doubts, and then repeat the prayer.

Problem # 7. If a person has one of the doubts, but he does not know his obligation, then if he has not sufficient time, or he is not able to learn within the time, he shall be bound to act according to what is preferable from among the possibilities, in case there is one, or one of them if there is none, and should complete his prayer and repeat it, provided that there is sufficient time.

If after that it transpires that the act according to the doubt was contrary to the reality, he shall start the prayer anew, if he has not performed it on time.

If, however, there is sufficient time, and he is able to learn it within the due time, then he should discontinue the prayer and first learn it, though it is permissible for him to complete the act according to any of the possibilities, and then learn it.
في التفكك في عدد ركعات الفريضة
إذا اتبع الوقت وتمكن من التعلم ففي يقطع ويتعلم وإنا جاز له إتمام العمل
على طبق بعض المحتملات ثم التعلم، فإن كان موافقاً أكرن به، ولا أعاد، وإن كان الأحوال الإعادة حتى مع الموافقة.

مسألة 8 - لو انقلب بشك بعد الفروغ إلى شك آخر كذا إذا شك بين الاثنين والأربع وبعد الصلاة انقلب إلى الثلاث والأربع أو شك بين الاثنين والثلاث والأربع فانقلب إلى الثلاث والأربع فلا يعد لزوم ركعة متصلة في الفروع الأول و أشياءه، ولزوم عمل الشك الثاني في أشياء الفروع الثاني أي الثلاثي الأطراف الذي خرج أحد الأطراف عن الطرفية، هذا إذا لم ينقلب إلى ما يعلم معه بالنفسة كالمثال الصحيحين، وأما إذا انقلب إلى ذلك كما إذا شك بين الاثنين والأربع ثم انقلب بعد السلام إلى الاثنين والثلاث فلا شك في أن اللازم أن يعمل الشك المنقلب إليه، لنبي كونه في الصلاة وأن السلام وقع في غير محله، فضيف إلى عمل الشك الثاني سجدي السهو للسلام في غير محله.

مسألة 9 - إن شك بين الاثنين والثلاث فبه على الثلاث ثم شك بين الثلاث البناني والأربع فالظاهرة انقلب بشك إلى الشك بين الاثنين والثلاث والأربع فيعمل عمله.

مسألة 10 - لو شك بين الاثنين والثلاث فبه على الثلاث فبها أتي بالرايقة تيقن أنه حين الشك لم يأت بالثلاثة لكن يشك أنه في ذلك الحين أتي بركة أو ركعتين يرجع شكه بالنسبة إلى حالة الفعلي إلى الاثنين والثلاث فيعمل عمله.

مسألة 11 - من كان عاجزاً عن القيام وعرض له أحد الشكوك الصحيحة فالظاهرة أن صلاته الاحتياطية القيامة بالتعيين تصير جلوسية والجلوسية بالتعيين تبق على حالها، وتعيين الجلوسية التي هي إحدى طرفي التخدير، ففي الشك بين الاثنين والثلاث أو بين الاثنين والأربع تتعين عليه الركعتان من جلوس، و في
If it were according to the actual position, he should suffice with it; otherwise, he should repeat it, though he should repeat the prayer even if it conformed to the actual position.

**Problem # 8.** If, after finishing the prayer, his doubt changes into another, as, for example, he doubted the Rak'at to be the third or fourth, and after finishing the prayer it changed into doubting it to be the third or fourth Rak'at, or if he doubted it to be the second, third or fourth, and then changed into doubting it to be the third or fourth Rak'at, then it is not far from being the necessity of a continuous Rak'at in the first case or its similar cases, and the necessity of acting as required in the second doubt in cases similar to the second case, i.e., one having three sides, when one of the sides has dropped.

This is the case when the doubt does not change into something in whose existence he would know of a deficiency in his prayer, as is the case with the examples mentioned. But if his doubt changes into such a doubt, as, for example, if he doubts it to be the second or fourth, and then after reciting the Salutation, it changes into second or third, then no doubt it would be necessary for him to act according to the changed doubt as it has become clear that he is still busy in the prayer, and that the Salutation has not been performed in its proper place. So two prostrations of error for reciting the Salutation in its wrong place shall be added to the act as per second doubt.

**Problem # 9.** If a person doubts whether it is the second or third Rak'at, and the decision is made in favour of the third, and then he doubts it to be the decided third or fourth Rak'at, so it is clear that his doubt has changed into the doubt about its being the second, third or fourth Rak'at, and so action must be taken accordingly.

**Problem # 10.** If a person has doubts about a Rak'at being the second or third, and decides in favour of the third, and then while offering the fourth Rak'at he becomes sure that at the time of the doubt he had not offered the third Rak'at, but doubts whether he has performed a single Rak'at or two, in his present doubt reference shall be made to the case of doubt between the second and third Rak'ats, and action shall be taken accordingly.

**Problem # 11.** If a person is unable to stand, and any of the valid doubts occurs to him, then apparently his cautionary prayer to be offered with Qiyām shall be changed into the prayer offered while sitting. And the prayer offered while sitting shall remain in its place. So also the prayer which he was free to offer with Qiyām or while sitting shall also be changed into one offered while sitting.

Likewise, in case of doubt about the second and third, or about the third or fourth, such a person shall offer two Rak'ats of cautionary prayer while sitting, and in case of doubt about the second and third Rak'ats he shall offer two Rak'ats while sitting instead of two Rak'ats with Qiyām, as also in case of a doubt about the second, third and fourth Rak'ats, he shall offer two Rak'ats while sitting instead of two Rak'ats with Qiyām, and then another two Rak'ats while
الشك بين الأثنين والأربع يأتي بالركعتين جالساً بدلاً عنها قائماً، وفي الشك بين الأثنين والثلاث والأربع يأتي بالركعتين جالساً بدلاً عنها قائماً ثم الركعتين جالساً لكونها وظيفته مقدماً للركعتين بدلاً على ما هما وظيفته، والأحوط الأول في الجمع إعادة الصلاة بعد العمل المذكور.

مسألة 12 - لا يجوز في الشكوك الصحيحة قطع الصلاة واستئنافها بل يجب العمل على طبق وظيفة الشاك، نعم لو أبطله يجب عليه الاستئناف وصحت صلاته و إن أتم للإبطال.

مسألة 13 - في الشكوك الباطلة إذا غفل عن شكه وأتم صلاته ثم تبين له موافقتها للواقع في الصحة و عدمها و جهان، أوجهها الصحة في غير الشك في الأولين فإن الأحوط فيه الإعادة.

مسألة 14 - لو كان المسافر في أحد مواطن التخدير فنوى القصر و شك في الركعتين فلا يعد تعبين العمل بحكم الشك و لزوم العلاج من غير حاجة إلى نية العدول، ولكن لا ينبغي ترك الاحتيط بالعمل بالشك بعد نية العدول وإعادة الصلاة.

مسألة 15 - لو شك وهو جالس بعد الستين بين الأثنين والثلاث وعلم بعد إتيان الشهد في هذه الصلاة فالأقوى وجوب المضي بعد البناء على الثلاث وقضاء الشهد بعد الصلاة، و كذا لو شك وهو قائم بين الثلاث والأربع مع علمه بعدم الاتيان بالشهد فيبني على الأربع ويقضي و يقضي الشهد بعدها.

القول في الشكوك التي لا اعتبارها

و هي في مواضع: منها الشك بعد تجاوز الملل، وقد مر.
و منها الشك بعد الوقت وقد مر أيضاً.
sitting being obligatory for him. The former shall be offered prior to the latter. It is more cautious in all these cases to repeat the prayer after the action mentioned.

**Problem # 12.** In valid doubts, it is not permissible to discontinue the prayer and offer it anew. Rather it is obligatory to act according to what is required by the doubt.

Of course, if a person discontinues the prayer, it is obligatory for him to offer it anew, and his prayer shall be valid, though he has sinned due to the discontinuation of the prayer.

**Problem # 13.** In invalid doubts, if the person forgets his doubt and completes his prayer, and then it transpires that his prayer was in accordance with the actual position, then there are two possibilities with regard to the validity of the prayer or otherwise, the most reasonable being in favour of the validity of the prayer, provided that he had no doubt about the first two Rak'ats of the prayer, so that if the doubt relates to the first two Rak'ats, then it is more cautious to repeat the prayer.

**Problem # 14.** If a traveller happens to be in a place where he has the option to reduce his prayer, and so he expresses the intention of offering a Qaṣr prayer, but has doubt about the Rak'ats, then it is not far from being necessary to act according to the doubt and cure it without the need of altering his intention. He should, however, not give up the caution by acting according to the doubt after having the intention of its alteration, and must repeat the prayer.

**Problem # 15.** If, while sitting after the two prostrations, a person doubts whether the Rak'at is the second or third, and knows that he has not recited the Tashahhud for his present prayer, then, according to the stronger opinion, it would be obligatory on him to continue his prayer after deciding in favour of its being the third Rak'at, and perform the due Tashahhud after the prayer. The same rule applies if, while standing, he doubts whether the Rak'at is the third or fourth when he knows that he has not recited Tashahhud, so that he shall decide in favour of its being the fourth Rak'at, and continue the prayer, and perform the Tashahhud after the prayer.

**Rules Concerning Doubts Which are not to be Heeded**

There are some doubts which are not to be heeded. They are:

**First,** when a doubt occurs after its situation has passed. Its rule has been mentioned earlier.

**Second,** when a doubt occurs after its time has elapsed. Its rule has also been mentioned earlier.
ومنها، الشك بعد الفراش من الصلاة، سواء تعلق بشروطها أو أجزائها أو ركعتها بشرط أن يكون أحد طرفين الشك الصحة، فلو شكل في الركعات أنه صلى الثلاث أو الأربع أو الخمس، وفي الثلاثية أنه صلى الثلاث أو الأربع أو الخمس، وفيا الثلثة أنه صلى اثنين أو أزيد أو أقل بني على الصحيح في الكل، بخلاف ما إذا شك في الركعات بين الثلاث والخمس، وفي الثلاثية بين الاثنين والأربع، فإن صلاته باطلة في نظره.

ومنها، شك كثير الشك سواء كان في الركعات أو الأفعال أو الشرائط فيبني على وقعت ما شكل فيه وإن كان في مهله، إلا إذا كان مفسداً فيبني على عدمه، ولو كان كثير الشك في شيء خاص أو صلاة خاصة يختص الحكم به، فلو شكل في غير ذلك الفعل يعمل عمل الشك.

مسألة 1: المرجع في كثرة الشك إلى العرف، فلا يعد تحقيقه فيما إذا لم تخل منه ثلاث صولات متولية، ويعتبر في صدقها أن لا يكون ذلك من جهة عروض عارض من خوف أو غضب أو هم و نحو ذلك مما يوجب اعتناش الحواس.

مسألة 2: لوشك في أنه حصل له حالة كثرة الشك أم لا بني على عدمها، ولوشك كثير الشك في زوال تلك الحالة بين على بقائها لوكأن الشك من جهة الأمور الخارجية لا الشهية المفهومة. وإلا فعمل عمل الشك.

مسألة 3: لا يجوز لكثير الشك الاعتذاء بشك، ولو شكل في الركع، وهو في المعلم لا يجوز أن يركع، ولو ركع بطلت صلاته، والأحوط ترك القراءة والذكر، ولو بقصد القرية لمراعاة الواقع رجاءً، بل عدم الحجاز لا يخلو من قوة ومنها، شك كل من الإمام والمأموم في الركعات مع حفظ الآخر، فيرجع الشاك منها إلى الآخر، وجريان الحكم في الشك في الأفعال أيضاً لا يخلو من وجه، ولا يرجع الفاظ إلى المتبقين، بل يعمل على طبق ظنه و يرجع الشاك إلى الفاظ على الأقوى، ونوان كان الإمام شاكاً والمأمومون مختلفين في الاعتقاد لم يرجع.
Third, when a doubt occurs after a person has finished his prayer, except when it relates to its conditions, portions or Rak'ats, provided that one of the sides of the doubt happens to be in favour of validity. So if a person while offering a prayer having four Rak'ats doubts whether he has offered three, four or five Rak'ats, or in a prayer having three Rak'ats he doubts whether he has offered three, four or five Rak'ats, and in a prayer having two Rak'ats, he doubts whether he has offered two Rak'ats or more or less, decision shall be made in favour of the validity of the prayer, contrary to the case when in a prayer having four Rak'ats, he doubts whether it is his third or fifth Rak'at, or in a prayer having three Rak'ats, he doubts whether it is the second or fourth Rak'at, in which cases his prayer shall be void.

Fourth, in case of a doubt of a person who doubts too often whether it relates to Rak'ats, acts or conditions [of the prayer], decision shall be made in favour of the performance of what has been doubted, though it may have occurred in its due place, except when it entails the invalidation of the prayer, in which case the decision shall be made in favour of its reverse.

In case the doubt of a person having doubts too often relates to a particular thing or a particular prayer, the rule shall apply particularly to that thing or prayer. So if he has a doubt about other than that act, he shall act according to that doubt.

Problem # 1. The criterion for too much doubt is the usual practice. It is not far from being likely when a person has doubts during three consecutive prayers. It is a condition for its truth that the doubt should not emerge due to some fear, anger or grief or the like which causes disturbance in a person's senses.

Problem # 2. If a person has doubt whether he is in a state of having too frequent doubts or not, he should decide in its being otherwise. If a person already having too frequent doubts has doubt about the disappearance of that state, the decision must be in favour of its subsistence if his doubt relates to the external reasons, not due to suspicion in the sense; otherwise, he should act as required by the doubt.

Problem # 3. A person having too frequent doubts should not pay any heed to his doubt. If he doubts about Rukū' and he is still in a position to perform Rukū', he should not perform Rukū', so that if he does perform the Rukū', his prayer shall be rendered void. It is more cautious to give up recitation (of a Sūrah from the Qur'ān) or Dhikr, even if it is with the intention of closeness [to Allāh] in observation of the actual position with the intention of hope [that it would be desirable to Allāh]; rather, the absence of permissibility is not devoid of force.

Fifth, in case an Imām (or a person leading the prayer) or the follower in a prayer has doubt about the Rak'ats while the other has certainty, the person having doubt must follow the other who has certainty. The application of this rule also to a doubt in acts [of prayer] is not free from force.

A person having uncertainty should not follow the person having certainty, but should act according to his assumption. According to the stronger opinion, however, a person having doubt shall follow the person having uncertainty. If the Imām has doubt and the followers in prayer hold different views, the former shall not follow the latter. Of course, if some of the followers
إليهم، نعم لو كان بعضهم شاكاً و بعضهم متيقناً يرجع إلى المتين منهم، بل يرجع الشاك منهم بعد ذلك إلى الإمام لوحصل له الطن، ومع عدم حصوله فالأقوى عدم رجوعه إليه و يعمل عمل شكه.

مسألة 4 - لو عرض الشك لكل من الإمام والأموم فان أتت شكاها عمل كل منها عمل ذلك الشك، كما أنه لو اختلف ولم يكن بين الشكين رابطة كيا إذا شك أحدهما بين الاثنين والثلاث والأربعين الأعلى والعصا ينفرد الأمر، ويعمل كل عمل شكه، و أما لو كان بينهما رابطة و قد مشترك كما لو شك أحدهما بين الاثنين والثلاث والأربعين الأعلى ففي مثله بعينين على القدر المشترك كاثلاث في المثال، لأن ذلك قضية رجوع الشاك منها إلى الحافظ، حيث إن الشاك بين الاثنين والثلاث معتقد بعدم الأربع وشاك في الثلاث، و الشاك بين الثلاث والأربع معتقد وجود الثلاث وشاك في الأربع، فالأول يرجع إلى الثاني في تحقيق الثلاث والثاني يرجع إلى الأول في نيين الأربع، فينتج بناءهما على الثلاث، والأحوز مع ذلك إعادة الصلاة، نعم يكتفي في تحقيق الاحتياط في الأول البناء على الثلاث والاثنتين بصلاة الاحتياط.

إذا عرض الشك بعد السجدةين.

و منها - الشك في ركعات النافلة، سواء كانت ركعة كالوتر أو ركعتين فيتخير بين البناء على الأقل أو الأكبر، والإعلان أفضل، وإن كان الأكثر مفسداً يبني على الأقل.

و أما الشك في أفعال النافلة فهو كالشاك في أفعال الفريضة يأتي بها في الحال، ولا يعنيه به بعد التجاوز، ولا يجب قضاء السجدة المنصورة ولا التشهد المنصوري.

ولا يجب سجود السهم فيها لوجبان.

مسألة 5 - النواقل التي لها كيفية خاصة أو سورة مخصصة كصلاة ليلة القدر والغفيرة إذا نسي فيها تلك الكيفية فإن أمكن الرجوع والتدارك يتدارك، وإن
have doubt, while others have certainty, he shall follow those who have certainty. Rather, those of the followers having doubt shall then follow the Imam if he has reached assumption. In case otherwise, according to the stronger opinion they shall not follow the Imam, but each of them shall act as required by his respective doubt.

**Problem # 4.** If an Imam and his follower in the prayer have both doubt, their doubt being identical, they shall act as required by that doubt. If, however, they differ in their doubt, and there is no relation in their respective doubts, as, for example, when one of them has doubt about the Rak'at being the second or the third, while the other about its being fourth or fifth Rak'at, in that case the follower shall offer the prayer individually, and each of them shall act as required by his respective doubt.

If, however, there is some relation or a common factor between them, as, for example, one of them has doubt about the Rak'at being the second or the third, while the other has doubt about its being the third or fourth, then they shall decide in favour of the common factor, as the third Rak'at in the given example, as this is the tenor of the rule requiring the person having doubt to follow the other having certainty, as the person having doubt between the second and third believes in the absence of its being the fourth, while he doubts in its being the third Rak'at, and the one doubting between the third and fourth supposes it to be the third and has doubt in its being the fourth Rak'at. So the former must follow the latter in favouring the third, while the latter must follow the former in negating the possibility of its being the fourth Rak'at, and, therefore, the net result is their decision in favour of its being the third Rak'at. It is, nevertheless, more cautious for the person to offer the prayer again. Of course, it is sufficient to have caution in the first case by deciding in favour of the third Rak'at, and offering the cautionary prayer in case the doubt has occurred after the performance of the two prostrations.

**Sixth,** in case of doubt occurring with regard to the Rak'ats in a supererogatory prayers, regardless whether it has a single Rak'at like a Vitr prayer or two Rak'ats, the person has the discretion to decide in favour of the lesser or the larger number, though the former is preferable. In a case, where decision is made in favour of the larger number, it would entail the invalidation of the prayer, the decision shall be in favour of the lesser number. As regards the doubt about the acts of the supererogatory prayers, it is like the doubt about the acts of the (daily) obligatory prayers, so that if it occurs within its proper time, the person shall fulfil it; otherwise, he shall not pay heed to it after the lapse of its proper time. It is not obligatory to compensate the forgotten prostration, nor a forgotten Tashahhud. Similarly the prostration for error is also not obligatory even if required due to its causes.

**Problem # 5.** If a supererogatory prayer has a special condition or a particular Surah, as the prayer for the night of burial (of the dead) or Ghaflah prayer, when a person forgets that condition in it, then if it is possible to go back and fulfil it, the person shall fulfil it, and in case it is not possible to do so, he shall offer the prayer again.

Of course, if a person forgets some of the Tasbihah in the Ja'far-i Tayyār prayer, then he should recite them in whatever position he happens to recall the omission. In case he recalls their omission after the prayer, he shall offer the prayer with the hope [that it would be desirable to Allah].
لا يمكن أعادتها، نعم لونسي بعض التسبيحات في صلاة جمعفرضقات متي تذكر
في حالة أخرى من حالات الصلاة، ولتوذكر بعد الصلاة يأتي به رجاء.

القول في حكم الظن في أعمال الصلاة وركعتها

مسألة 1 - الظن في عدد الركعات مطلقاً حتى في تعلق بالركعتين الأولتين
من الرباعية أو الثلاثية والثلاثة كلياً فضلاً عنا تعلق بالأخرتين من
الرباعية، فيجب العمل بقضاء ولو كان مسبقاً بالشك، فلو شك كلاً ثم ظن
بعد ذلك فإنه كان شك كلاً في كان العمل على الآخر، وكذا لو انقلب ظنه إلى
الشك أو شك إلى شك آخر عمل بالآخر، فلو شك في حال القيام بين الثلاث
والأربع وبنى على الأربع فلما رفع رأسه من السجود مثل ذلك انقلب منه الشك
بين الأربع والسسع عمل الشك الثاني وهمداؤ، والأحوط في تعلق الظن
بغير الركعتين الأخرى من الرباعية العمل على الظن ثم الإعادة.
وأما الظن في الأعمال في اعتباره إشكال، فلا يترك الاحتياط فيها لو
خلف الظن مع وظيفة الشك - كذا إذا ظن بالطيب وهو في الحلق - باتيان مثل
القراءة بنيا القرية المطلقة واتيان مثل الركع ثم الإعادة، وكذا إذا ظن بعدم
الطيب بعدناحل مع دخول التذكار، ومع تجاوز محله أيضاً يتم الصلاة، و
يعيديها في مثل الركوع.

مسألة 2 - لو نردد في أن الحاصل له ظن أو شك كما قد يتفق عليه إشكال
لا يترك الاحتياط بالعلاج، أما في الركعات فيعمل على طبق أحدهما ويعيد
الصلاة، والأحوط العمل على طبق الشك ثم الإعادة، وأما في الأعمال فمثل ما
مر، نعم لوكما مسبقاً بالظن أو الشك وشك في الانقلاب فلا يبعد البناء على
الخالة السابقة.
Rules Concerning Uncertainty in Acts of Prayer and its Rak'ats

Problem # 1. The uncertainty about the number of Rak'ats generally even about what relates to the first two Rak'ats of prayers having four, two or three Rak'ats is like certainty, let alone what relates to the last of the prayer having four Rak'ats, so that it is obligatory to act what is required by it, though it may have been preceded by doubt. If a person first doubts and then subsequently becomes uncertain about what he previously doubted, he shall act according to the uncertainty. The same rule shall apply if his uncertainty changes into a doubt, or his doubt changes into another doubt, even then action shall be taken according to the latest one. If a person, while in a standing posture, doubts about the Rak'at being the third or fourth, and so he decides in favour of its being the fourth, but when he raises his head from prostration, his doubt changes, for example, to whether it is the fourth or the fifth Rak'at, he shall act according to the second doubt, and so on. In case of uncertainty other than the last two Rak'ats in a prayer having four Rak'ats, it is more cautious to act as required by uncertainty, and then offer the prayer again.

As regards the uncertainty about the acts in a prayer, there is difficulty in paying heed to it. Anyhow, caution must not be given up where the uncertainty is different from what is required by doubt, as, for example, he is uncertain about the performance of an act, and it occurs in its due place, then the person should not give up caution by the performance of the act, as for example, reciting [a Sūrah from the Qur'ān] with the intention of general closeness to Allāh and performing, for example, Rukū', and then offer the prayer again. The same rule shall apply if he has uncertainty about the non-performance of an act after the passage of its due place, but when there is still the place to compensate, and even in case the place of compensation has passed, he shall complete the prayer and should repeat the act, for example, a Rukū' by offering the prayer again.

Problem # 2. If a person hesitates about what has occurred to him is uncertainty or doubt, as sometimes it happens, then there is difficulty [in deciding the matter], and, therefore, caution must not be given up by finding a solution. If the hesitation concerns Rak'ats of the prayer, he may act as required by either, and repeat the prayer. It is more cautious to act as required by a doubt, and then offer the prayer again. If the hesitation relates to the acts in prayers, then he should act according to what has already been mentioned.

If a person has had uncertainty or doubt before and doubt in its change, then it is not far from likely to decide in favour of what occurred to him in the former position.
القول في ركعات الاحتياط

مسألة ۱- ركعات الاحتياط واجبة، فلا يجوز تركها و إعادة الصلاة من الأصل، وتتبع المبادرة إليها بعد الفرغ من الصلاة، كأنه لا يجوز الفصل بينها وبين الصلاة بالنماذج، فان فعل ذلك فالأحوط الامتنى بها و إعادة الصلاة، ولو أتى بالنماذج قبل صلاة الاحتياط ثم تبين له تمامية صلاته لا يجب إعادة.

مسألة ۲- لا بد في صلاة الاحتياط من النية و تكبيرة الإحرام و قراءة الفاتحة، والأحوط الإسرار بها و بالبسمة أيضاً، والركوع والسجود والتشهد والتسليم، ولا نقوت فيها و إن كانت ركعتين، كما أنه لا سورة فيها.

مسألة ۳- لو نسي ركناً من ركعات الاحتياط أو زاد فيها بطلت فلا يترك الاحتياط باستنفاد الاحتياط ثم إعادة الصلاة.

مسألة ۴- لا بان الاستغفاء عن صلاة الاحتياط قبل الشروع فيها لا يجب الاحتياط بها، وإن كان بعد الفرغ منها وقعت نافلة، وإن كان في الأثناء أتمها كذلك، والأحوط إضافة ركعة ثانية لو كانت ركعة من قيام، ولو تبين نقص الصلاة بعد الفرغ من صلاة الاحتياط فإن كان النقص بمقدار ما فعله من الاحتياط كيا إذا شكل بين الثلاث والأربع أو أتي بركة قائماً فتين كونها ثلاثاً تقت صلاته، والأحوط الاستناف، لكن ذلك فيما إذا كان ما فعله أحد طرف في الشك من النقص كمثال المذكور، و أما مجرد موافقة ما فعله للنقص في المقدار ففي جبره إشكال كما لو كتب بين الاحتياط في الأربعاء وأتي بركة قائماً عوض ركعتي الاحتياط اشتبها فيها أن النقص بركة. فالأخلاص في مثله الإعادة ولو كان النقص أزيد منه - كما إذا شك بين الثلاث والأربع فبنى على الأربعاء و صلاة الاحتياط فتين كونها ركعتين - تجب عليه الإعادة بعد الأربع و صلاة الاحتياط فتين كونها ركعتين.
Rules Concerning the *Rak'ats* in Cautionary Prayer

**Problem # 1.** The *Rak'ats* of Cautionary Prayer are obligatory. So it is not permissible to give them up, and offer the prayer anew. It is obligatory to hasten to offer them as soon as the prayer is finished, in the same way as it is also not permissible to bring distance between the prayer and these *Rak'ats* by any act repugnant to the prayer. If a person does so, it is more cautious to offer the cautionary prayer and then also offer the prayer again. If a person performs some act repugnant to the prayer before offering the cautionary prayer, and subsequently it transpires that his prayer was valid, it shall not be obligatory on him to offer the prayer again.

**Problem # 2.** It is indispensable in a cautionary prayer to have intention (*Niyyat*), recite *Takbīrat al-Ihḥām* and *Sūrat al-Fātihah* (Chapter 1 of the Qurʾān). It is more cautious to recite the cautionary prayer quietly and also begin with *Bismillāh*, and perform *Rukūʿ*, prostration, *Tashahhud* and *Sallām*, but there is no *Qunūt* in it, though it consists of two *Rak'ats*, as also there is no recitation of another *Sūrah* from the Qurʾān in it.

**Problem # 3.** If a person forgets to perform any pillar of the prayer in the *Rak'ats* of the cautionary prayer or makes any excess in their number, the cautionary prayer shall be rendered void. Caution must, therefore, not be given up by offering the cautionary prayer anew and then offer the prayer again.

**Problem # 4.** Before offering the cautionary prayer, if it transpires that there is no need for offering it, it shall not be obligatory to offer it. If it occurs after finishing the prayer, the prayer shall be a supererogatory one. If it takes place during the performance of the prayer, the person offering the prayer shall complete it with the intention of a supererogatory one. If it is one *Rak'at* with *Qiyaṣm*, it shall be more cautious for the person to add one more *Rak'at*.

If, after finishing the cautionary prayer, he comes to realise that his prayer was defective, then if the defect was to the extent of the cautionary prayer offered by him, as, for example, he doubts whether he has offered three or four *Rak'ats*, and he offered one *Rak'at* of cautionary prayer with *Qiyaṣm*, and then it transpires that he had offered three *Rak'ats*, his prayer shall be considered to have been completed, though it is more cautious to offer the prayer again. But this is when what he has done was one of the sides of the doubt about the defect, as in the given example. In case what he has offered is to the extent of the defect, there shall be difficulty in its being compensatory, as when he has doubt whether he has offered two or four *Rak'ats*, and he decides in favour of having offered four *Rak'ats*, and so he offers one *Rak'at* in stead of two cautionary *Rak'ats* [while sitting] erroneously, and then he comes to realise that there was a deficiency of a single *Rak'at*, it is more cautious in such case to repeat the same. If the deficiency was more than what he has already offered, as, for example, he doubts whether he has offered three or four *Rak'ats*, and decides in favour of four *Rak'ats*, and offers the cautionary prayer, and later it transpires that he had offered two *Rak'ats*, it is obligatory on him to offer the prayer again after offering one or two *Rak'ats* continuously. The same rule shall apply if the deficiency is less than the amount of cautionary prayer.
الاتيان بركعة أو ركعتين متصلة، ورغم أن بعضهم كأنه لو كان أقل منه، كا إذا شك بين الاتنين والأربع فبني على الأربع وأثنى بركعتين من قيام ثم تبين كون صلاته ثلاث ركعات، فبأني بركعة متصلة ثم بعد الصلاة، ولو تبين النقص في أثناء صلاة الاحتياط فالأقوى الانتفاء بما جعله الشارع جبرًا ولو كان متطابقًا في الكم والكيف لما نقص من صلاته فلا شيء بينه كان متفقاً له، فمن شك بين الثلاث والأربع وبني على الأربع وشرع في الاتنين جالساً فتبين كون صلاته ثلاث ركعات أمرها واكتفى بها، لكن لا ينبغي ترك الاحتياط مطلقاً بالإعادة خصوصاً في صورة الخلافة، وأما في غير صورة ما جعله جبرًًا كا لو شك بين الثلاث والأربع واجتنب بصلاة الاتنين جالساً فتبين كونها ثنتين فالأحوج قطعها وجر الصلاة بركعتين مصطفيتين ثم إعادتها، وإذا تبين النقص قبل الدخول في صلاة الاحتياط كان له حكم من نقص من الركعات من غير عمد من التدرك الذي قد عرفته، فلا كني صلاة الاحتياط، بل اللازم حينئذ إتمام ما نقص وسجدة السهو للسلام في غير محله.

مسألة 5 - لو شك في إتيان صلاة الاحتياط فكان بعد الوقت لا يتتم إليه، وإن كان في الوقت فان لم يدخل في فعل آخر ولم يأت بالنافيا ولم يحصل الفصل الطويل بني على عدم الاتيان، ومع أحدهما المراثي الثلاثة فلببنة على الاتيان بها وجه، ولكن الأحوج الاتيان بها ثم إعادة الصلاة.

مسألة 6 - لو شك في فعل من أنفها أتيه لو كان في المحل، وبنى على الاتيان لو تجاوز كما في أصل الصلاة، ولو شك في ركعتها فالأقوى ووجب البناء على الأقل، إلا أن يكون مبطلًا فنيءي على الأقل، لكن الأحوج مع ذلك إعادة أصل الصلاة.

مسألة 7 - لو نسيها ودخل في صلاة أخرى من نافلة أو فريضة قطعها وأقي بها، خصوصاً إذا كانت الثانية مطرسة على الأولى، والأحوج مع ذلك إعادة أصل
offered by him, as, for example, he doubts whether he has offered two or four Rak'ats, and decides in favour of having offered four Rak'ats, and then offered two Rak'ats of cautionary prayer, and subsequently he comes to realise that he had offered three Rak'ats, he shall offer one Rak'at continuously, and then offer the prayer again. If, during the cautionary prayer, he comes to realise that there has been deficiency in his prayer, then, according to the stronger opinion, he shall suffice with what has been declared by the Shāri‘ (Legislator, i.e., Allāh) as compensatory, even if it were different in quantity and quality from the deficiency in his prayer, let alone where it agreed [in quantity and quality with the cautionary prayer he has offered].

If a person doubts whether he has offered three or four Rak'ats, and decides in favour of four Rak'ats, and starts offering two Rak'ats while sitting, and comes to realise that he had offered three Rak'ats, he shall complete the two Rak'ats [while sitting], and consider them sufficient. He should, however, not give up caution in all circumstances by offering the prayer again, particularly when the deficiency is different [in quantity and quality from the cautionary prayer offered by him]. In the case where the Legislator [i.e., Allāh] has not declared it to be sufficiently compensatory, as when a person doubts whether he has offered three or four Rak'ats, and he is busy in offering two Rak'ats while sitting, then he comes to realise that he has offered two Rak'ats, then, it is more cautious to discontinue the prayer and compensate it by offering two continuous Rak'ats, and then offer the prayer again. In case, the person comes to realise the deficiency before offering the cautionary prayer, then he shall be governed by the rule of a person who has had a deficiency in the prayer inadvertently and so he shall compensate it in the way already explained. So it is not sufficient for him to offer the cautionary prayer, but he should complete what deficiency is left by him and also perform two prostrations for error for reciting the Salutation in an improper place.

**Problem # 5.** If a person doubts about offering the prayer. Then, if it were after the lapse of its due time, he shall not pay any heed to it. If, however, it occurs within its due time, then if he has not started another act, nor has done anything repugnant to the prayer, and no long distance has taken place, he shall decide in favour of not having performed it. If any of the three cases has taken place, then it is more reasonable to decide in favour of having performed the act, though it is more cautious to perform it, and then offer the prayer again.

**Problem # 6.** If the person has doubt about any of the acts of the prayer, he shall perform it if it were within its due time. In case its due time has elapsed, he shall decide in favour of having performed it, as is the case with the prayer itself. If, however, he doubts about its Rak'ats, then, according to the stronger opinion, he shall decide in favour of the larger number, except when it would invalidate the prayer, in which case he shall decide in favour of a lesser number. But it is more cautious to perform it again and also offer the prayer again.

**Problem # 7.** If a person forgets [offering cautionary prayer] and starts offering another prayer, obligatory or supererogatory, he shall discontinue it, and offer the cautionary prayer, particularly when the first prayer is precedent to the other in successive order. Nevertheless, it is more cautious to offer the actual prayer again. This is the rule when starting the other prayer is not harmful for immediacy; otherwise, it is not far from being obligatory to revert to
الصلاة، هذا إذا كان ذلك غير عقل بالفورية، وإلا فلا يبعد وجب رد الاعتداء إلى أصل الصلاة إن كانت مرتقبة، والأخذ بإعدادها بعد ذلك أيضاً، ومع عدم الترتيب يرفع اليد عنها ويعيد أصل الصلاة، والأخذ الإتيان بصلاة الاحتياط ثم الإعادة.

القول في الأجزاء المنسية

مسألة 1 - لا يقضى من الأجزاء المنسية في الصلاة غير السجود والتشهد على الأحول في الثاني، فينوي أنها قضاء المنسي مقارناً للنبي لأولها محافظاً على ما كان واجباً فيها حال الصلاة، فإنها كالصلاة في الشرائح والمواقف، بل لا يجوز الفصل بينهما أو بين الصلوة بالمنافي على الأحول، فلو فصل به يأتي بها مع الشرائح، والأحول إعادة الصلاة خصوصاً في الترك العمدي، وإن كان الأقوى عدم وجودها، والأقوى عدم وجود قضاء أبعاد التشهد حتى الصلاة على النبي وآله.

مسألة 2 - لا تذكر نسيان السجدة والتشهد يكرر فضاؤموهما بعد المنسي، ولا يشترط التعين ولا ملاحظة الترتيب، نعم لو نسي السجدة والتشهد معًا فالأخوة قد أهم قضاء سابق منها في الفوت، ولو لم يعلم السابق احتمال بالتكرار، فيأتي بما قدمه مؤخراً أيضاً.

مسألة 3 - لا يجب السلام في التشهد القضائي، كلا يجب التشهد والتسليم في السجدة القضائية، نعم لو كان المنسي التشهد الأخير فالأخوة إتيانه بقصد القربة المطلقة من غير النداء والقضاء بالانين بالسلام بعده، كما أن الأحول إتيان سجديته السهو، ولو كان المنسي السجدة من الركعة الأخيرة فالأخوة إتيانها كذلك مع الإتيان بالتشهد والتسليم وسجديته السهو وإن كان
the actual prayer if it were required due to the successive order. It is more cautious to offer the prayer after it again. In case, it is not required by successive order, he shall give it up and repeat the actual prayer. It is, however, more cautious to offer the cautionary prayer, and then offer the [actual] prayer again.

Rules Concerning the Forgotten Portions in Prayer

Problem # 1. The forgotten portions in a prayer are not compensated except prostration and Tashahhud, and compensation for Tashahhud is also according to the more cautious opinion. So a person offering the prayer must have the intention (Niyya) that he is performing these two as forgotten ones and the intention must be close to their beginning, and he should observe whatever was obligatory in their performance during the prayer, as they are both similar to prayer in conditions and impediments. Rather, according to the more cautious opinion, it is not permissible to bring any distance between the two through anything repugnant to the prayer. If a distance is created between both of them, the person shall have to perform them according to the required conditions. In case the person has given them up deliberately, it shall be more cautious to offer the prayer again, though, according to the stronger opinion, it is not obligatory to do so. So also, according to the stronger opinion, it is not obligatory to perform some of the portions of Tashahhud, including even asking Allāh to send Blessing on the Prophet and his Progeny.

Problem # 2. If a person forgets the performance of prostration and Tashahhud more than once, he shall have to compensate them as many times as he forgets, but there is no condition of specification or observation of the order of succession.

Of course, if he forgets to perform the prostration and Tashahhud together, then it would be more cautious to compensate first what he forgot first. In case, however, he is ignorant of which of them was earlier, by way of caution he should repeat them both, so that at the time of performing them in compensation, he should also perform later what he had performed earlier in compensation.

Problem # 3. While reciting Tashahhud by way of compensation, it is not obligatory to recite Salutation, as also it is not obligatory to recite Tashahhud and Salutation in a prostration performed by way of compensation. Of course, if it were the last Tashahhud, then it is more cautious to recite it with the intention of seeking closeness to Allāh, and not with the intention of reciting it at its due time or as compensation, followed by Salutation, as it is also more cautious to perform two prostrations for error.
الأقوى كونها قضاءً ووقوع التشهد والتسليم في علها، ولا يجب إعادةها.

مسألة 4 - لو اعتقد نسيان السجدة أو التشهد مع وقت الداركهام بعد الفراغ من صلاة التشهد انتقلة اعتقاده إلى الشك فالأخوط وجوب القضاء فإن كان الأقوى عدمه.

مسألة 5 - لو شك في أن الفائت سجدة واحدة أو سجدتان من ركعتين بنى على الأقل.

مسألة 6 - لو نسي قضاء السجدة أو التشهد وتذكر بعد الداركهام في صلاة أخرى قطعناها إن كانت نافلة، وإن كن كانت فريضة في قطعها إشكال خصوصاً إذا كان المنسي التشهد.

مسألة 7 - لو كان عليه قضاء أحدهما في صلاة الظهر والتذكير وقت العمران لم يدرك منها لو أتى به حتى ركعة قد قام العمران وقضى الجزء بعدها، وإن أدرك منها ركعة فلا بعد وجوب تقديم العمران أيضاً، ولو كان عليه صلاة الاحتياط للظهر وقضى وقت العمران أدرك منها ركعة قد قام صلاة الاحتياط، وإلا فقدم العمران ويختار باتبان صلاة الاحتياط بعدها وإعادة الظهر.

القول في سجود السهو

مسألة 1 - يجب سجود السهو للكلام ساهياً ولو لظ الخروج، ونسيان السجدة الواحدة إن فات على تداركها، والسلام في غير علها، ونسيان التشهد مع وقت محل تداركه على الأحوط فيها، والشك بين الأربع والخمس، والأحوط إتيانه لكل زيادة ونقصة في الصلاة لم يذكرها في علها، وإن كان الأقوى عدم وجهوه لغير ما ذكر، بل عدم وجهوه في القيام وضعه الظهر وبالعكس لا يخلو من قوة، ولكن لا ينبغي ترك الاحتياط، و للكلام سجودا سهو وإن طال إن
If the person has forgotten the prostration of the last Rak‘at, then it would be more cautious for him to perform it in the same way together with Tashahhud and Salutation along with two prostrations for error, though, according to the stronger opinion, it should be done by way of compensation with the Tashahhud and Salutation being in their respective proper places, and it is not obligatory to repeat both of them.

Problem # 4. If a person is sure of having forgotten the performance of prostration and Tashahhud after the lapse of the proper time for their compensation, and after finishing the prayer his certainty changes into doubt, then, according to the more cautious opinion, it is obligatory to make compensation for it, though, according to the stronger opinion, it is not obligatory to do so.

Problem # 5. If a person doubts whether he has forgotten a single prostration or two prostrations, he shall decide in favour of the lesser number.

Problem # 6. If a person forgets to compensate prostration or Tashahhud, and comes to realise it after having started another prayer, he shall discontinue it if it were a supererogatory one. If, however, it were an obligatory one, then there is difficulty in accepting the rule for discontinuing it, particularly when what had been forgotten was Tashahhud.

Problem # 7. If a person owes the compensation for one of them [i.e., prostration and Tashahhud] during the Zuhr prayer, and there is a little time left for offering the ‘Asr prayer, then if he is not able to offer even a single Rak‘at of ‘Asr prayer if he compensates it, he should first offer the ‘Asr prayer and subsequently compensate the portion forgotten. In case he is able to perform even a single Rak‘at of ‘Asr prayer within its due time, even then it is not far from being obligatory to offer the ‘Asr prayer first. If a person owes the cautionary prayer for Zuhr prayer, and there is a little time left for offering the ‘Asr prayer, then if he can offer a single Rak‘at within the due time, he should offer the cautionary prayer first; otherwise, he should offer the ‘Asr prayer first, and, by way of caution, offer the cautionary prayer after it, and also repeat the Zuhr prayer.

Rules Concerning the Prostration for Error

Problem # 1. A prostration for error becomes obligatory for speaking any thing erroneously, although under the impression that the person has finished the prayer, and for forgetting the performance of a single prostration if its time of compensation has elapsed, for Salutation recited in its undue place and for forgetting to recite Tashahhud if its time of compensation has elapsed, according to the more cautious opinion in both [latter] cases, and for doubt whether he has offered four or five Rak‘ats, though it is more cautious to perform it for whatever is in excess or deficient in the prayer which is not mentioned in its relevant place. Though according to the stronger opinion, it is not obligatory in cases not mentioned [in their respective places], rather in case of Qiyām in place of sitting, or vice versa, it is not devoid of force, nevertheless caution must not be given up. In case of speaking erroneously two prostrations are rendered obligatory, though the speech might be long, provided that it is counted as a single speech. In case, however, there have been several pieces of speech, as, for example,
عن كلامًا واحدًا، نعم إن تعدد كلاً لونًا كلاً في الأثنين ثم سهى بعده فنكمم تعدد السجود.

مسألة 2 - التسليم الزائد لوقع مرة واحدة ولو بجميع صيغة سجود له سجدي السهور مرة واحدة، وإن تعدد سجده متعدداً، والأحوجر تعدد لكل تسلم، و

كذا الحال في التسبيحات الأربع.

مسألة 3 - لو كان عليه سجودسهر وقضاء أجزاء منسية وركنات الاحتياطية أجر السجود عنها، والأحوجر تقديم الركنات الاحتياطية على قضاء الأجزاء بل وجوبه لا يخلو من رجحان.

مسألة 4 - تجب المبادرة في سجود السهر بعد الصلاة، ويعصب بالتأخر وإن صحت صلاته، ولم يسبق وجوبه بذلك ولا فوريته فيسجد مبادراً، كما أنه لو نسبه مثلًا يسجد حين الذكر فوراً، فلو آخر عصب.

مسألة 5 - تجب في السجود المزبور النبي مقارنة لأول مسمى، ولا يجب فيه تعيين السبب ولو مع التعدد، كما لا يوجب الترتيب فيه بترتيب أسبابه على الأقوى، ولا يوجب فيه التكبير وإن كان أحوجر، والأحوجر مراعاة جميع ما يجب في سجود الصلاة خصوصاً وضع المساجد السبعة، وإن كان عدم وجبه شيء مما لا يتوقف صدق مسمى السجود عليه لايخلو من قوة، نعم لا يترك الاحتياط في ترك السجود على الملبوس والأكول، والأحوجر فيه الذكر الخصوص، فقول في كل من السجودين: "بسم الله و بسم الله صلى الله على محمد و آل محمد" أو يقول: "بسم الله و بسم الله اللهم صلى على محمد و آل محمد" أو يقول: "بسم الله و

بالله السلام عليك أبا النبي و رجع الله و بركاته".

والاحوجر اختيار آخر، لكن عدم وجب الذكر سيا الخصوص منه لا يخلو من قوة، ويجب بعد السجدة الأخيرة التشهد والتسليم، والواجب من التشهد المتعارف منه في الصلاة، و من التسليم "السلام عليكم".
when he comes to realise [his error] during the speech, and then again forgets it, and then again
speaks, he shall be liable to perform as many prostrations for error as he commits the error.

Problem # 2. If a person recites Salutation in excess once entirely, he shall be liable to perform
two prostrations for error at a time. In case he commits the error more than once, he shall be
liable to perform the prostrations repeatedly, and it is more cautious to add to its number for
every time the error is committed. The same rule applies to the four Tasbiḥs.

Problem # 3. If a person owes the performance of prostration for error, compensation for forgot-
ten portions [of the prayer] and cautionary Rak'ats, he shall perform the prostration subsequent
to the other two, and it is more cautious to give precedence to the cautionary Rak'ats to the
compensation for the forgotten portions [of the prayer]; rather its obligation is not devoid of
preference.

Problem # 4. It is obligatory to make haste in the performance of the prostration for error after
finishing the prayer, so that if a person delays in its performance, he shall be considered to have
sinned, though his prayer shall be considered valid, but the obligation to perform the prostration
for error shall not drop by its non-performance nor its immediacy, so that he shall be required to
make haste in its performance, as, for example, he happens to forget its performance, he should
perform it immediately during the recitation of Dhikr. So if he delays its performance, he shall be
considered to have sinned.

Problem # 5. It is obligatory in the prostration mentioned above that the intention (Niyāyat) must
be linked with the first portion of what is called prostration, though it is not obligatory to mention
the cause even if performed repeatedly, as also, according to the stronger opinion, it is not
obligatory to observe the order according to the order of the causes. It is also not obligatory to
recite Takbīr in it, though it is more cautious to do so. It is also more cautious to observe all the
things obligatory in prostration for the prayer, particularly placing the seven parts of the body [on
the ground], though the non-obligation of anything on which the act called prostration does not
depend is not devoid of force. Of course, caution must not be given up by avoiding prostration on
clothings or edibles.

It is also more cautious to recite its particular Dhikr in it, so that one must recite in each
of the two prostration's: “Bismillāhi wa billāhi wa šallallāhu ‘alā Muḥammad wa āl-i Muḥammad”
or must say: “Bismillāhi wa billāhi Allāhumma šallī ‘alā Muḥammad wa āl-i Muḥammad”, or must
say: “Bismillāhi wa billāhi Assallāmu ‘alaika ayyuḥannabīyyu va raḥmatullāhi va barakātuh.” It
is more cautious to prefer the last one, but the non-obligation of reciting the Dhikr exclusively
used for the prostration for error is not devoid of force.

After the performance of the last prostration, it is obligatory to recite Tashahhud and
Salutation. The Tashahhud obligatory to be recited in it is the same as recited usually in the
prayer, and the Salutation to be recited in it is: “Assalāmu ‘alaikum”.

Rules Concerning the Prostration for Error
مسألة 1 - لو شكل في تحقق موجه بنى على عدده، ولو شكل في إتيانه بعد العلم بوجوهه وجوب الاستبان به، ولو علم بالموجه وترده بين الأقل والأكثر بنى على الأقل، ولو شكل في فعل من أفعاله فكان في الخل أتي به، وإن تجاوز لا يعنيه، وإذا شكل في أنه سجذ سجدتين أو واحدة بنى على الأقل إلا إذا كان شكه بعد الدخول في التشهد، ولو علم بأنه زاد سجدة أو علم أنه نقص واحدة أعاد.

خاتم في مسائل متفرقة

مسألة 1 - لو شكل في أن ما بيده ظهر أو عصر فان كان قد صلى الظهر بطل ما بده، وإن كان لم يصلها أو شك في أنه صلاها أولا فان كان لم يصل العصر وكان في الوقت المشترك عدل به إلى الظهر، وكذا إن كان في الوقت المختص بالعصر لو كان الوقت واسعا لا تبان بقية الظهر وإدراك ركعة من العصر، ومع عدم السعة فان كان الوقت واسعا لإدراك ركعة من العصر ترك ما بده وصل العصر وقضي الظهر، وإلا فالأخوات إتمامه عصرا وقضاء الظهر والعصر خارج الوقت وإن كان ج رفع اليه عنه لا يخلو من وجه، والمسألة صور كثيرة ربما تبلغ سنتين وثلاثين، وما ذكر ظهر حال ما إذا شكل في أن ما بيده مربع أو عشاء، نعم وضع جواز العدول ها هنا فا إذا لم يدخل في ركوع الرابعة.

مسألة 2 - لو علم بعد الصلاة أنه ترك سجذتين من ركعتين سواء كانا من الأولتين أو الأخيرتين صحت، وعلى قضاها وسجذتنا السهورتين، وكذا إن لم يدر أنها من أي الركعتين بعد العلم بأنها من ركعتين، وكذا إن علم في أتيانها بعد فوق محل الت당ارك
Problem # 6. If a person doubts about the cause rendering the prostration for error obligatory, he shall decide in favour of its absence. If, however, a person doubts about the performance of the prostration for error after having knowledge about its obligation, it shall be obligatory on him to perform it. In case a person has knowledge about the cause, but has hesitation about its being the minimum or the maximum, he shall decide in favour of the minimum. If, however, a person doubts about any of its acts, then if there is still time for its performance, he shall perform it. In case it has elapsed, he should not pay any heed to it. In case he doubts whether he has performed a single prostration or two prostrations, he shall decide in favour of the minimum, except when his doubt has occurred after starting the recitation of the Tashahhud. In case a person has knowledge that he has performed a prostration in excess, or that he has performed a single prostration less than required, he shall perform it again.

Conclusion about Miscellaneous Problems

Problem # 1. If a person has doubt whether the prayer being offered by him is that of Zuhr or 'Asr, then if he has already offered Zuhr prayer, his present prayer shall be rendered void.

If, however, he has not already offered the Zuhr prayer, or doubts whether he has already offered it or not, then if he has not offered the 'Asr prayer, and there is a common time for both the prayers, he shall revert his intention (Niyyat) to Zuhr prayer. The same rule shall apply if the time is exclusively meant for 'Asr, but it is sufficient for offering the rest of the Zuhr prayer and also a Rak'at of the 'Asr prayer.

In case the time is not sufficient, so that it is sufficient only for a single Rak'at of 'Asr prayer, he shall discontinue his present prayer, and offer 'Asr prayer and let the Zuhr prayer be due; otherwise, it would be more cautious for him to complete it as 'Asr prayer and offer compensatory prayers for Zuhr and 'Asr both after their due time, though the permissibility for giving it up is not devoid of force. In this case there are several solutions which sometime reach thirty six in number. What has been mentioned here also explains the rule in case he doubts whether the prayer being offered by him is that of Maghrib or Ishâ'. Of course, the permissibility of the time for reverting to another prayer is when he has not already started the fourth Rukû'.

Problem # 2. If a person is definite after the prayer that he has given up two prostrations in two Rak'ats, regardless whether they were in the first two or the last two, the prayer shall be valid, and he shall be liable to compensate them, and shall also perform the prostration for error twice. The same rule shall apply in case he does not know in which of the Rak'ats he has given up the prostration, though he is definite about giving them up in two Rak'ats.

Likewise, the same rule shall apply if he comes to know about the omission during the prayer, but after the lapse of the time of its compensation.
مسألة 3 - لو كان في الركعة الرابعة مثلًا و شك في أن شكه السابق بين الاثنين والثلاث كان قبل إكمال السجدة أو بعد فالأحويط الجمع بين البناء وعمل الشكر و إعادة الصلاة. وكذلك إذا شك بعد الصلاة.

مسألة 4 - لو شكر في أن الركعة التي بيد آخر الظهير أو أنه أتمها وهذه أول العصر فان كان في الوقت المشترك جعلها آخر الظهير، وإن كان في الوقت المختص بالعصر فالأقوى هو البناء على إتيان الظهير ورفع اليد عما بيده وإتيان العصر إن وسع الوقت لإدراك ركعة منه، ومع عدم السعة له فالأحويط إتمامه عصراً وقضايا خارج الوقت وإن كان جواز رفع اليد عنه لا يخلو من وجه.

مسألة 5 - لو شكر في العشاء بين الثلاثة والأربع وذكر أنه لم يأت بالغرب بطلت صلاته و إن كان الأحويط إتمامها عشاء واليتان بالاحتياط ثم إعادتها بعد اليتان بالمغرب.

مسألة 6 - لو تذكر في أثناء العصر أنه ترك من الظهير ركعة فالأقوى رفع اليد عن العصر و إتمام الظهير ثم اليتان بالعصر، بل لإتمم العصر ثم إتيان الظهير وجه، والأحويط إعادة الصلاة بعد إتمام الظهير، و أحويط منه إعادة إعادتها، هذا في الوقت المشترك، وفي المختص تفصيل.

مسألة 7 - لو صلى صلاته ثم علمنقضان ركعة مثلًا من إحداهما من غير تعمين فان كان مع اليتان بالنفاني بعد كل منهما فإن اختلافا في العدد أعادها، و إلا أتي بواحدة بقصد ما في النذمة، و إن كان قبل المئاني في الثانية مع اليتان بالنفاني بعد الأولى ضم إلى الثانية ما يحتمل النقضان ثم أعاد الأولى، و مع عدم اليتان به بعدهما لا يعد جواز الانتفاء بركعة متصلة بقصد ما في النذمة، لكن لا ينبغي ترك الاحتياط بالاعادة، هذا في الوقت المشترك، وأما في المختص بالعصر فالأقوى جواز الانتفاء بركعة متصلة بقصد الثانية و عدم وجب اعادة الأولى.
Problem # 3. If, for example, the person is offering the fourth Rak‘at and doubts whether his previous doubt between the two or three Rak‘ats had occurred before the completion of the two prostrations or after it, then it is more cautious to add both the solutions and act as required by the doubt and also offer the prayer again. The same rule shall apply if he doubts after finishing the prayer.

Problem # 4. If a person doubts whether the Rak‘at being offered by him is the last Rak‘at of Zuhr or he has already offered Zuhr prayer and the present Rak‘at is the first Rak‘at of ‘Asr prayer, then if it has occurred during the time common to both the [Zuhr and ‘Asr] prayers, he shall consider it to be the last Rak‘at of Zuhr. If it were at the time exclusively meant for the ‘Asr, then, according to the stronger opinion, he should decide that he has already offered the Zuhr prayer and give up the Rak‘at being offered by him and offer the ‘Asr prayer if there is still time left for offering a single Rak‘at of the ‘Asr prayer. In case there is not sufficient time for offering a single Rak‘at of the ‘Asr prayer, he shall complete the present prayer as ‘Asr prayer, and offer compensatory prayer for it after the lapse of its due time, though the permissibility of giving it up is not devoid of force.

Problem # 5. If, during the Ishā prayer, a person doubts whether it is the third or the fourth Rak‘at, and realises that he has not yet offered the Maghrib prayer, his prayer shall be rendered void, though it is more cautious for him to complete it as Isha‘ prayer, and then offer cautionary prayer, and offer it again after offering the Maghrib prayer.

Problem # 6. If, during ‘Asr prayer, a person realises that he has given up a Rak‘at from Zuhr prayer, then, according to the stronger opinion, he should give up the ‘Asr prayer and complete Zuhr prayer, and then offer the ‘Asr prayer; rather there is a guiding principle in completing the ‘Asr prayer and then offering Zuhr prayer, and it is more cautious to offer [‘Asr] prayer again after completing the Zuhr prayer, and even more cautious than it to offer both [Zuhr and ‘Asr] prayers again. This is the case when it occurs during the common time for both [the Zuhr and ‘Asr prayers]. If, however, it happens during the exclusive time, there are detailed rules for it.

Problem # 7. If a person offers both the prayers and then comes to know about the deficiency, for example, of a Rak‘at in one of them without its specification, then if after each of them he has done some act repugnant to the prayer, and the prayers differ as regards number of Rak‘ats, he shall offer both of them again; otherwise, [if the number of their Rak‘ats is identical], he shall offer one of them with the intention (Niyyat) of whatever he owes. If, before doing anything repugnant to the prayer in the second prayer, he does something repugnant to the prayer in the first, then he should add to the second prayer whatever was likely to be deficient, and then offer the first prayer again. If he has not done anything repugnant to the prayer after both the prayers, sufficiency of offering a single Rak‘at continuously with the intention (Niyyat) of whatever he owes shall not be far from being permissible, but he should not give up caution by offering the prayer again. This is the case when it occurs during the time common to both the prayers. If, however, it occurs during the time exclusively meant for the ‘Asr prayer, then apparently it shall be permissible to consider a continuous Rak‘at with the intention of the second one to be sufficient, and there would be no obligation for offering the first prayer again.
سؤال 8 - لو شكل بين الثلاث والثاني أو غيره من الشكوك الصحيحة ثم شك في أن ما بعده آخر صلاة الاحتمض يتمها بقصد ما في النية، ثم يأتي بصلاة الاحتمض، ولا تجب عليه إعادة الصلاة هذا إذا كانت صلاة الاحتمض محتملة ركعة واحدة، و أما إذا كانت ركعتين كالشكل بين الاثنين والأربع فالأحوض مع ذلك إعادة الصلاة.

سؤال 9 - لو شكل في أن ما بعده رابعة المغرب أو أنه سلم على الثلاث وهذه أولى العشاء فكان بعد الركوع بطلت، ووجب عليه إعادة المغرب، وإن كان قبله يجعلهما من المغرب و يجلس ويستشهد ويسلم ولا شيء عليه.

سؤال 10 - لو شكل وهو جالس بعد السجادة بين الاثنين والثلاث وعلم بعدم إتيان الشهيد في هذه الصلاة بني على الثلاث و يقضي الشهيد بعد الفرغ، وكذا لو شكل في حال القيام بين الثلاث والأربع مع علمه بعدم الابتزاز بالشهيد.

سؤال 11 - لو شكل في أنه بعد الركوع من الثالثة أو قبل الركوع من الرابعة فالظاهر بطلان صلاته، ولو انعكس بأن كان شاكاً في أنه قبل الركوع من الثالثة أو بعد من الرابعة فبني على الأربع و يأتي بالركوع ثم يأتي بوظيفة الشاك لكن الأحوض إعادة الصلاة أيضاً.

سؤال 12 - لو كان قانصاً، وهو في الركعة الثانية من الصلاة و يعلم أنه أتى فيها بركعتين ولا يذكر أنه أتى بها في الأولى أو أتى فيها واحد و أتى بالآخر في هذه الركعة فالظاهر بطلان صلاته.

سؤال 13 - لو علم بعد الفرغ من الصلاة أنه ترك سجادتين ولم يد أنها من ركعة واحدة أو من ركعتين فالأحوض قضاء السجدة مرتين، وكذا سجود السهو مرتين، ثم إعادة الصلاة، وكذا إذا كان في الأثناء مع عدم بقاء المخل الشكي، و أما مع بقائه فالآقوى الابتزاز بهما ولا شيء عليه.
Problem # 8. If a person doubts about three or two Rak'ats, or has any of the other valid doubts, and then doubts whether the Rak'at in which he is busy offering is the last one of his [principal] prayer or of the cautionary prayer, he shall complete the prayer with the intention of offering whatever he owes, and then offer the cautionary prayer, and it shall not be obligatory on him to offer the [principal] prayer again.

This is the case when the cautionary prayer was supposed to have a single Rak'at. If, however, it had two Rak'ats, as is the case in a doubt between two and four Rak'ats, then it is more cautious to offer the [principal] prayer again.

Problem # 9. If a person doubts whether his present Rak'at is the fourth Rak'at of Maghrib prayer, or he has already recited the Salutation and the present Rak'at is the first Rak'at of the Ishā' prayer, then if it were after the Rukū‘, it shall be rendered void, and it shall be obligatory on him to offer the Maghrib prayer again.

If it occurs before [the Rukū‘], he shall deem it to belong to Maghrib prayer and sit down and recite the Tashahhud and Salutation and he shall not be under any liability whatsoever.

Problem # 10. If, while sitting after performing the two prostrations, a person doubts the present Rak'at being the second or the third, and he is definite about not having recited Tashahhud in the present prayer, he shall consider it to be the third Rak'at, and shall recite Tashahhud in compensation after finishing the prayer.

The same rule shall apply if he doubts while standing whether the present Rak'at is the third or the fourth, while he is definite of not having recited Tashahhud.

Problem # 11. If a person doubts whether it is after the performance of the Rukū‘ of the third Rak'at or before the performance of the Rukū‘ of the fourth Rak'at, then apparently the prayer shall be declared void.

If, however, the case is reverse, so that if he doubts whether it is before the Rukū‘ of the third Rak'at or after the fourth Rak'at, then it shall be deemed to be the fourth, and he shall perform the Rukū‘, and then perform what is required by the doubt, but it is more cautious also to offer the prayer again.

Problem # 12. If a person is in a standing posture, and is offering the second Rak'at of the prayer, and is definite about having performed the two Rukū‘s of the prayer, but is not sure whether he has performed both of them in the first Rak'at or has performed one in the first Rak'at and the second in the present Rak'at, then apparently his prayer shall be declared void.

Problem # 13. If, after finishing the prayer, a person is definite of having omitted two prostrations, but does not know whether they belonged to a single Rak'at or two Rak'ats, then it is more cautious to perform the prostrations in compensation twice. So also he should perform two prostrations for error and also offer the prayer again.

The same rule shall apply if it occurred during the prayer when the time for making amends had elapsed.

If, however, the time for making amends is still there, then, according to the stronger opinion, he must perform both the prostrations, and he shall not be under any other liability.
مسألة 14 - لعلم بعد ما دخل في السجدة الثانية مثلاً أنه إذا ترك القراءة أو الركوع فالأظهر صحة صلاته، و كذا لو حصل الشك بعد الفرغان من صلاته، و لو شك في الفرضين في أنه ترك سجدة من الركعة السابقة أو ركوع هذه الركعة تجب عليه الإعادة بعد الاحتياط باتمام الصلاة وقضاء السجدة وسجديته السهو.

مسألة 15 - لعلم قبل أن يدخل في الركوع أنه إذا ترك سجدين من الركعة السابقة أو ترك القراءة فبقاء المحل الشكي فالأقوى الاكتفاء باتيان القراءة، وكذا في كل علم إجمالى مشابه لذلك، ومنجاوز عنا المحل لزوم العود لنداركها مع بقاء محل التدارك.

مسألة 16 - لعلم بعد القيام إلى الثالثة أنه ترك التشهد و شك في أنه ترك السجدة أيضاً أم لا الفائق الاكتفاء باتيان التشهد.

مسألة 17 - لعلم إجمالاً أنه أتي بأحد الرنين من السجدة والتشهد من غير تعيين وشك في الآخر فإن كان بعد الدخول في القيام لم يعتن بشبهه، وإن كان في المحل الشكي فالاظاهر جواز الاكتفاء بالتشهد ولا شيء عليه.

مسألة 18 - لعلم أنه ترك إما السجدة من الركعة السابقة أو التشهد من هذه الركعة فكان جاسألاً باتيالتشهد واتم الصلاة ولا شيء عليه، وإن نض إلى القيام أو بعد الدخول فيه فشك فالاقوى وجوب العود لندارك التشهد والتمثل وقضاء السجدة وسجود السهو، وكذا الحال في نظائر المسألة، كما إذا علم أنه ترك سجدة إما من الركعة السابقة أو من هذه الركعة.

مسألة 19 - لذكر وكه في السجدة أو بعدها من الركعة الثانية مثلاً أنه ترك سجدة أو سجدين من الأولى، و ترك أيضاً ركوع هذه الركعة جمل السجدة أو السجدين للركعة الأولى وقام وقرأ وقت واتم صلاته ولا شيء عليه، وكذا الحال في نظير المسألة بالنسبة إلى سائر الركعات.
Problem # 14. If, after starting the second prostration, a person comes to know, for example, that he has omitted either the recitation [of the Sūrah from the Qur’ān] or the Rukū‘, then presumably his prayer shall be valid.

The same rule shall apply if the doubt has occurred after finishing his prayer.

If, however, he doubts, in both the supposed cases, that he has omitted either a prostration in the previous Rak‘at or the Rukū‘ of the present Rak‘at, then, by way of caution, it shall be obligatory on him to offer the prayer again after completing the prayer and performing the compensatory prostration and two prostrations for error.

Problem # 15. If, before starting the Rukū‘, a person definitely knows that he has either omitted the two prostration's in the previous Rak‘at or has omitted the recitation [of Sūrah of the Qur’ān], then, in case of subsistence of the place of doubt, according to the stronger opinion, it shall be sufficient for him to recite [the Sūrah of the Qur’ān]. The same rule shall apply in case a person has a brief knowledge similar to the above.

In case the place of doubt has elapsed, then if the time for making amends is still there, it shall be obligatory to revert and make amends.

Problem # 16. If, after Qiyām in the third Rak‘at, a person comes to know that he has omitted Tashahhud, and doubts whether he has also omitted prostration or not, then, according to the stronger opinion, it is sufficient to recite the Tashahhud only.

Problem # 17. If a person has brief knowledge about performing either prostration or Tashahhud without any specification, and also doubts about the performance of the latter, then if it occurs after starting Qiyām, he shall not pay any heed to his doubt.

If, however, it occurs at the place of doubt, then apparently it is permissible to suffice with Tashahhud, and the person shall be under no other obligation.

Problem # 18. If a person knows that he has omitted either prostration in the previous Rak‘at or Tashahhud in the present Rak‘at, then if he were still in sitting posture, he shall recite the Tashahhud, and complete the prayer, and he shall be under no other liability.

If, however, while rising to stand up, or starting to do it, a person doubts [about the performance of the prostration], then, according to the stronger opinion, it is obligatory on him to return and recite Tashahhud, complete the prayer and perform compensatory prostration and prostration for error.

The same is the rule in cases similar to the above, as, for example, when he knows that he has omitted a prostration either in the previous Rak‘at or the present Rak‘at.

Problem # 19. If, while performing prostration or after it in the second Rak‘at, a person realises, for example, that he has omitted a prostration or two from the first Rak‘at, and has also omitted the Rukū‘ of the present Rak‘at, he shall deem the prostration or two prostrations to be for the first Rak‘at and stand up and recite [the Sūrah of the Qur’ān] and Qunūt and complete the prayer and he shall be under no other liability whatsoever.

The same rule shall in similar case in respect of other Rak‘ats as well.
مسألة 20 - لو صل الظهرين وقبل أن يسلم للعصر علم إجمالا أنه إذا ترك ركعة من الظهر والتي بيدها رابعة العصر أو أن ظهره تامة أو هذه الركعة ثانية العصر بيني على أن ظهره تامة، وبالنسبة إلى العصر بيني على الأكبر ويتيم ويأتي بصلاة الاحتياط، ويتعمل جواز الاكتفاء بركعة متصلة بقصد ما في الذمة، وكذلك الحال في المغرب والعشاء.

مسألة 21 - لو صل الظهرين ثمان ركعات والعشاءين سبع ركعات لكن لم يدر أنه صلاها صحيحة أو نقص من إحدى الصلاتين ركعة وزاد في قرينتها صحت ولا شيء عليه.

مسألة 22 - لو شك مع العلم بأنه صلى الظهرين ثمان ركعات قبل السلام من العصر في أنه صلى الظهر أربع فلانتي بيده رابعة العصر أو صلاها خمسا فلانتي بيده ثلث العصر بيني على صحة صلاة ظهره، وبالنسبة إلى العصر بيني على الأربع ويعمل عمل الشك، وكذا الحال في العشاءين إذا شكل مع العلم باتيان سبع ركعات قبل السلام من العشاء في أنه مسلم في المغرب على الثلاث أو الأربع.

مسألة 23 - لو علم أنه صلى الظهرين تسعة ركعات ولم يدر أنه زاد ركعة في الظهر أو في العصر فكان بعد السلام من العصر وجب عليه إينان صلاة أربع ركعات بقصد ما في الذمة، وإن كان قبل السلام كان قبل إكمال السجديتين فالاظاهر الحكم ببطلان الثانية وصحة الأولى، وإن كان بعده عدل إلى الظهر واتم الصلاة ولا شيء عليه.

مسألة 24 - لو علم أنه صلى العشاءين ثمان ركعات ولا يدري أنه زاد الركعة في المغرب أو العشاء وجبت إعادتها مطلقا إلا فيما كان الشك قبل إكمال السجديتين، فالاظاهر الحكم ببطلان الثانية وصحة الأولى.

مسألة 25 - لو صلى صلاة ثم اعتقد عدم الإتيان بها وشفع فيها وذكر قبل
Problem # 20. If a person offers the Zuhr and ‘Asr prayers, and, before reciting the Salutation for the ‘Asr prayer, has a brief knowledge that he has either omitted a Rak‘at of the Zuhr prayer while he is still busy offering the fourth Rak‘at of the ‘Asr prayer, or that he has offered the whole of Zuhr prayer, and whether the present Rak‘at is the third one of the ‘Asr prayer, he shall deem to have offered the whole of Zuhr prayer, and in respect of the ‘Asr, he shall decide in favour of the maximum, complete the prayer and offer cautionary praye. It is also likely to declare the sufficiency of a continuous Rak‘at with the intention of whatever he owes as permissible. The same rule shall apply in case of Maghrib and Isha’ prayers.

Problem # 21. If a person offers eight Rak‘ats of Zuhr and ‘Asr, and seven Rak‘ats of Maghrib and Isha’, but does not know whether he has offered them correctly, or there has been a deficiency of a single Rak‘at in one of the two prayers, and has offered a Rak‘at in excess in the adjacent prayer, his prayers shall be deemed valid, and he shall be under no liability whatsoever.

Problem # 22. If a person is definite about having offered eight Rak‘ats of Zuhr and ‘Asr prayers, but, before reciting the Salutation of the ‘Asr prayer, he doubts whether he has offered four Rak‘ats of Zuhr, and whether the present one is the fourth Rak‘at of ‘Asr prayer, or he has offered five Rak‘ats and the present one is the third Rak‘at of ‘Asr prayer, he shall deem his Zuhr prayer to be valid, and in respect of the ‘Asr [prayer], he shall deem it to be the fourth Rak‘at and act as required by the doubt [in such case]. The same rule shall apply in case of the Maghrib and Isha’ prayers when, despite knowledge about offering seven Rak‘ats, he doubt before reciting the Salutation for Isha’ prayer whether he had recited the Salutation for Maghrib prayer after three Rak‘ats or four Rak‘ats.

Problem # 23. If a person knows that he has offered nine Rak‘ats for the Zuhr and ‘Asr prayers, but does not know whether he has offered a Rak‘at in excess in Zuhr or Asr prayer, then if it were after the Salutation for ‘Asr prayer, it shall be obligatory on him to offer four Rak‘ats with the intention of what he owes.

If it were before the Salutation [for the ‘Asr prayer], then if it were before the completion of the two prostrations, then apparently the judgement should be in favour of invalidation of the second prayer and validation of the first prayer.

If it were after [the completion of the two prostrations], he should revert his intention (Niyat) to the Zuhr prayer, complete the prayer and he shall be under no obligation whatsoever.

Problem # 24. If a person knows that he has offered eight Rak‘ats for Maghrib and Isha’ ‘prayers, but does not know whether he has offered the one excessive Rak‘at with Maghrib or Isha prayers, it shall be obligatory on him in any case to offer both Maghrib and Isha’ prayers again, except when the doubt has occurred before the completion of the two prostrations, in which case the second prayer shall be declared void and the first prayer shall be declared valid.

Problem # 25. If a person offers a prayer and then believes not to have offered it, and then starts offering it again, but before Salutation, he comes to realise that he has already offered
السلام أنه كان آتيًا بها. لكن علم بزيادة ركعة إما في الأولى أو الثانية له أن يكون بالأولى ويرفع اليد على الثانية.

مسألة 26 - لو شك في الشهيد وهو في المجلد الشك الذي يجب الإتيان به ثم غفل وقام ليس شكه بعد تجاوز المجل فيجب عليه الجلوس للشهيد، ولو كان المشكوك فيه الركوع ثم دخل في السجدة يرجع ويركع ويتم الصلاة ويعدها احتياءً، ولو تذكر بعد الدخول في السجدة الثانية بطلت صلاته، ولو كان المشكوك فيه غير ركن و تذكر بعد الدخول في الركن صحت وأتى بسجدي السهو إن كان مما يوجب ذلك.

مسألة 27 - لو علم نسيان شيء قبل فوات مجال المنسى ووجب عليه التدبر فنفي حتى دخل في ركن بعدما انقلب علمه بالنسيان شكاً يحكم بالمصحة إن كان ذلك الشيء ركناً، وبعدم وجود القضاء وسجدي السهو يوجب ذلك هذا إذا عرض العلم بالنسيان بعد المجال الشك، وأما إذا كان في مجال فهو ملك إشكال وإن لا يخلو من قرب.

مسألة 28 - لو تيمن بعد السلام قبل إتيان المنافي عمداً أو سوهاً نقصان الصلاة و شك في أن الناقص ركعة أو ركعتان يجري عليه حكم الشك بين الأثنتين والثلاثين، فبني على الأثنتين و يأتي بركة و يأتي بصلاة الاحتياء ويسجد سجديته السهو لزيادة السلام احتياءً، وكذا لو تيمن نقصان ركعة و بعد الشروع فيها شك في ركعة أخرى، و على هذا إذا كان ذلك في صلاة المغرب يحكم ببطلانها.

مسألة 29 - لو تيمن بعد السلام قبل إتيان المنافي نقصان ركعة ثم شك في أنه أتي بها أم لا؟ يجب عليه الإتيان بركعة متصلة، ولو كان ذلك الشك قبل السلام فالأظهر جريان حكم الشك من البلاً على الأثنتين في الرباعية، والحكم بالبطلان في غيرها.
it, but is definite that he has offered a Rak‘at in excess either in the first or the second prayer, then he shall suffice with the first and give up the second.

Problem # 26. If a person has doubt about Tashahhud, and he is in a place where it is obligatory to recite Tashahhud, and then he forgets it and stands up, as his doubt is not after the passage of its proper place, it is obligatory on him to sit down for reciting Tashahhud.

If it is Rukū‘ about what the person doubts, then he starts performing prostration, he must revert, and perform the Rukū‘, complete the prayer and, by way of caution, offer it again.

If, however, he comes to realise it after starting the second prostration, his prayer shall be declared void.

If a person doubts about something other than a pillar of the prayer, and comes to realise about it after starting another pillar of the prayer, his prayer shall be declared to be valid, and he shall be required to perform two prostrations for error, if it were something entailing obligation of prostration for error.

Problem # 27. If a person comes to realise that he has forgotten something before the lapse of its time, and so it becomes obligatory on him to make amends for it, and then he forgets it until he starts a subsequent pillar, and then his knowledge about forgetfulness turns into a doubt, judgement shall be given in favour of the validity of the prayer, if it were not a pillar of the prayer, and he were not obliged to compensate it nor to perform the two prostrations for error where it were something that entails prostrations for error.

This is the case when the knowledge about forgetfulness has taken place after the lapse of the place of doubt.

If, however, it were at the place of doubt, then it would be difficult to accept [the rule], though it is not devoid of being close [to acceptance].

Problem # 28. If, after the Salutation but before deliberately or inadvertently doing something repugnant [to the prayer], a person becomes certain of a deficiency in the prayer, but doubts whether the deficiency is for a single Rak‘at or two Rak‘ats, it shall be governed by the judgement relating to doubt about a Rak‘at being the second or third, and so it shall be deemed to be the maximum and the person shall be required to offer a Rak‘at and cautionary prayer and, by way of caution, perform two prostrations for error due to reciting the Salutation in excess. The same rule shall apply if the person is sure about the deficiency of a Rak‘at and, after starting it, he doubts about another Rak‘at. Therefore, if it were in Maghrib prayer, judgement shall be given in favour of its being void.

Problem # 29. If, after the Salutation but before doing something repugnant to the prayer, a person comes to be certain of the deficiency of a Rak‘at, and then doubts whether he has offered it or not. It shall be obligatory on him to offer a continuous Rak‘at.

If the doubt occurs before the Salutation, then apparently the rule for doubt shall apply to it, and the person shall decide in favour of the maximum in case the prayer has four Rak‘ats, and it shall be declared void in case of a prayer other than having four Rak‘ats.
مسألة 30 - لو علم أن ما بيده رابعة لكن لا يدري أنها رابعة واقعية أو رابعة بنانية وأنه شك سابقاً بين الاثنين والثلاث فبني على الثلاث فتكون هذه رابعة يجب عليه صلاة الاحتفاظ.

مسألة 31 - لو تيقن بعد القيام إلى الركعة التالية أنه ترك سجدة أو سجدتين أو تشهد ثم شك في أنه هل رجع وتدارك ثم قام أو هذا هو القيام الأول؟ فالظاهر وجوب العود والتدارك ، ولو شك في ركن بعد تجاوز المحل ثم أتي به نسيانًا فالظاهر بطلان صلاته ، ولو شك فيها يوجب زيادة سجديته السهو بعد تجاوز محله ثم أتي به نسيانًا فالاحوط وجوب سجديته السهو عليه.

مسألة 32 - لو كان في الشهاد فذكر أنه نسي الركوع ومع ذلك شك في السجدين أيضاً فالظاهر لزوم العود إلى التدارك ثم الإتيان بالسجدين من غير فرق بين سبق تذكر النسيان وبين سبق الشك في السجدين والأحوط إعادة الصلاة أيضاً.

مسألة 33 - لو شك بين الثلاث والأربع مثلًا وعلم أنه على فرض الثلاث ترك ركنًا أو عمل ما يوجب بطلان صلاته فالظاهر بطلان صلاته وكذا لو علم ذلك على فرض الأربع ، ولو علم أنه على فرض الثلاث أو الأربع أني ما يوجب سجديته السهو أو ترك ما يوجب القضاء فلا شيء عليه.

مسألة 34 - لو علم بعد القيام أو الدخول في الشهاد نسيان إحدى السجدين وشك في الأخرى فالأقرب العود إلى تدارك النسي ، ويجري بالنسبة إلى المشكوك فيه قاعدة التجاوز وكذا الحال في أشياء ذلك.

مسألة 35 - لو دخل في السجود من الركعة الثانية فشك في ركوع هذه الركعة في السجدين من الأولى لبني على إتيانها ، و على هذا لو شك بين الاثنين والثلاثة بعد إكمال السجدين مع الشك في ركوع التي يبهده و في السجدين من السابعة يكون من الشك بين الاثنين والثلاثة بعد إكمال فيعمل
Problem # 30. If a person is definite that the present Rak’at being offered by him is the fourth, but does not know whether it is the actual fourth Rak’at or the fourth he has assumed, and that previously he had doubted whether it was the second or third and so he had decided in favour of the third, and now it is the fourth Rak’at, so it is obligatory on him to offer cautionary prayer.

Problem # 31. If, after standing up for the next Rak’at, a person is certain that he has omitted one or two prostrations or Tashahhud, and then doubts whether he had reverted and performed them and then stood up, or this is the first Qiyām, then apparently it is obligatory on him to revert and perform what has been omitted by him.

If a person doubts about the performance of a pillar of the prayer after having passed from its place of compensation, and then he performs it out of forgetfulness, then apparently his prayer shall be declared void.

If a person doubts about something whose omission entails the obligation of performance of two prostrations for error after having passed its due place, and then performs it out of forgetfulness, then, according to the more cautious opinion, it shall be obligatory on him to perform two prostrations for error.

Problem # 32. If a person is busy reciting Tashahhud when he recalls that he has forgotten to perform Rukū‘ and, along with it, he also doubts about the performance of two prostrations, then apparently he must revert to compensate what he has omitted and then perform two prostrations irrespective of whether he had first recalled about forgetting the performance of the Rukū‘ or the doubt about the performance of the two prostrations, though it is more cautious to offer the prayer again.

Problem # 33. If a person doubts, for example, about the Rak’at being the third or the fourth, and knows that if it is supposed to be the third Rak’at, then it would mean the omission of a pillar of the prayer or an act which entails the invalidation of his prayer, then apparently his prayer shall be declared void.

The same rule shall apply if he knows so if he supposes it to be the fourth Rak’at. If he knows that he has done something that if he supposes it to be the third or the fourth Rak’at it would entail the obligation of performing two prostrations for error or has given up what entails the obligation for compensation, then he shall be under no liability whatsoever.

Problem # 34. If, after Qiyām or starting Tashahhud, a person is definite about forgetting the performance of one of the two prostrations and doubts about the second one, it is closer to the traditional authority that he must revert to perform what had been forgotten. As regards the prostration about what he doubts, the rule of passing the place of compensation shall apply to it. The same rule shall apply to cases of similar nature.

Problem # 35. If a person starts the prostrations of the second Rak’at, and then doubts about the performance of the Rukū‘ of the present Rak’at and the two prostrations of the first Rak’at, he shall decide to have performed them.

If, therefore, after completing the two prostrations, he doubts whether the Rak’at is the second or the third, and also doubts about the performance of the Rukū‘ of the present Rak’at and the two prostrations of the previous Rak’at, so his doubt relates to the second and third Rak’at after the completion of the prayer, he shall act as required by the doubt [in such
عمل الشك و صحت صلاته، نعم لو علم بتركها مع الشك المذكور بطلت صلاته.

مسألة 36. لا يجري حكم كثير الشك في أطراف العلم الإجلافي، فلعلكم ترك أحد الشنيدين إجمالًا يجيب عليه مراعاته و إن كان شاكًا بالنسبة إلى كل منها.

مسألة 37. لو علم أنه إما ترك سجدة من الأولى أو زاد سجدة في الثانية فلا يجب عليه شيء، ولو علم أنه إما ترك سجدة أو تشهد وجب على الأحوث الا تيان بقضائها و سجدي السهو مرة.

مسألة 38. لو كان مشغولاً بالشهد أو بعد الفراق منه و شك في أنه صلى ركعتين و أن التشهد في محلة أو ثلاث ركعتين و أنه في غير محلة يجري عليه حكم الشك بين الاثنين والثلاث، وليس عليه سجدة السهو و إن كان الأحوط الا تيان بها.

مسألة 39. لو صلي من كان تكليفه الصلاة إلى أربع جهات ثم بعد السلام من الأخرى أعلمه ببطلان واحدة منها بنى على صحة صلاته ولا شيء عليه.

مسألة 40. لو قصد الإقامة و صلى صلاة تامة ثم رجع عن قصده و صلى صلاة قصيرة غفله أو جهلاً ثم علم ببطلان إحداهما بنى على صحة صلاته التامة، و تكليفه التقام بالنسبة إلى الصلاوات الآتية.

القول في صلاة القضاء

يجب قضاء الصلوات اليومية التي فاتت في أوقاتها عدا الجمعة عمداً كان أو سهواً أو جهلاً أو لأجل النوم المستوجب للفتره وغير ذلك، و كذا المأتي بها فاسداً لفقد شرط أو جزء يوجب تركه البطلان، ولا يجب قضاء ما تركه الصبي في زمان صيام، والجانب في حال جنونه، والمغمي عليه إذا لم يكن إغماؤه بفعله و
case] while his prayer shall be valid. If, despite the said doubt, he is definite about the omission of both, his prayer shall be declared void.

Problem #36. The rule of a person having doubts too often is not applied to the case of brief knowledge. So if a person knows briefly that he has given up one of the two things, it shall be obligatory to observe the relevant rule, even if he has doubt in respect of the whole of the two.

Problem #37. If a person is definite that he has either omitted a prostration in the first Rak‘at or has performed a prostration in excess in the second Rak‘at, then he shall be under no obligation. If, however, he knows that he has omitted either a prostration or a Tashahhud, it shall be obligatory on him to perform both of them along with two prostrations for error once.

Problem #38. If a person is busy in reciting Tashahhud or has finished it, and then doubts whether he has offered two Rak‘ats while he has recited the Tashahhud in its proper place or has offered three Rak‘ats and recited Tashahhud but not in its proper place, he shall be governed by the rule relating to the doubt about the second or third Rak‘at, and he shall be under no obligation to perform the two prostrations for error, though it would be more cautious to perform them.

Problem #39. If a person who is required to offer his prayer in all the four directions, has offered it accordingly, then after the last Salutation, he comes to know that one his prayers was void, he shall consider his prayer to be valid, and shall be under no liability whatsoever.

Problem #40. If a person intends to stay at a place [for ten days] and offers the complete [unabated] prayers, and then changes his intention and offers a prayer shortened by way of forgetfulness or ignorance, and then comes to know about the invalidity of one of the prayers, he shall deem his unabated prayer to be valid, and shall be required to offer the future prayers unabated.

Rules Concerning Compensatory Prayers

It is obligatory to compensate for the daily prayers left unoffered in their due time deliberately, inadvertently, ignorantly or due to being overwhelmed by sleep, etc., except the Friday prayer. Likewise, it is obligatory to compensate for the prayer rendered void due to the non-fulfilment of a condition or a portion of the prayer the non-fulfilment of which entails invalidation of the prayer. It is not obligatory on a child to compensate for what he failed to perform during his childhood, or a lunatic during his lunacy, or one in a state of unconsciousness provided that the unconsciousness has not been the result of his own act; otherwise, it shall be obligatory on him to compensate for what he has failed to perform during his unconsciousness.

[It is also not obligatory] on a born infidel to compensate for what he has failed to perform during his disbelief, to the exclusion of an apostate, as it is obligatory on him after his repentance to compensate for what he has failed to perform during his apostasy, and his prayer shall be valid even if he were a born apostate, according to the more valid opinion. So
لا ينبغي على الأحود، والكافر الأصلي في حال كفره دون المرتد، فإن يجب عليه قضاء ما فاته في حال ارتداده بعد توبته، وتصبح منه وإن كان عن فتره على الأصح، والخاضع والنفساء مع استهباب الوقت.

مسألة 1 - يجب على المتالف بعد استبصاره قضاء ما فات منه أو أتي على وجه يخالف مذهبه، بخلاف ما أتي به على وفق مذهبه فانه لا يجب عليه قضاوها وإن كانت فاسدة بحسب مذهبه، نعم إذا استبصر في الوقت يجب عليه الأداء، فلو تركها أو أتي بها فاسداً بحسب المذهب الحق يجب عليه القضاء.

مسألة 2 - لو بلغ الصبي أو ألق المجنون أو المغمى عليه في الوقت وجب عليهم الأداء وإن لم يدركوا إلا مقدار ركعة مع الطهارة ولو كانت ترابية، ومع الترك يجب عليهم القضاء، وكذلك الخاضع والنمساء إذا زال عذرها، كما أنه لوطرا الجنون أو الاغباء، أو الخفوض وقيل على القضاء عند مضى مقدار صلاة المختار من أول الوقت يجب حاليهم من السفر والعصر، والوضوء والنيم ولم يأتوا بالصلاة وجب عليهم القضاء.

مسألة 3 - فائد الظهورين يجب عليه القضاء، ويسقط عنه الأداء على الأقوى، لكن لا ينبغي له ترك الاحتياط بالأداء أيضاً.

مسألة 4 - يجب قضاء غير اليومية من الفرائض سوى العيدين وبعض صورة صلاة الآيات، حتى المنذوره في وقت معين على الأحود فيها.

مسألة 5 - يجوز قضاء الفرائض في كل وقت من ليل أونهار أو سفر أو حضر. ويصل في السفر ما فات في الحضر تماماً، كما أنه يصل في الحضر ما فات في السفر صار، ولو كان في أول الوقت حاضراً، وفي آخره مسافراً أو بالعكس فالعبارة مجال القول على الأصح، فيقضي قصراً في الأول وتاماً في الثاني، لكن لا ينبغي ترك الاحتياط بالجمع، وإذا فئته فيجب عليه الاحتياط بالجمع بين القصر والتام يحتاط في القضاء أيضاً.
also [it is not obligatory on] a woman having menstrual or puerperal blood throughout the period she has had the blood.

Problem #1. It is obligatory on a non-Shīʿah after professing the Shīʿah religion to make up for the prayers he has failed to offer before accepting the Shīʿah religion, or has performed it in a way repugnant to his own religion, contrary to what he had offered in a way in accordance with his own religion for which he is not required to compensate, though it were invalid according to the Shīʿah religion. Of course, it shall be obligatory to offer the prayer according to the Shīʿah religion if he converts to Shīʿah religion when there is still time [due for offering prayer], so that if he fails to offer it, or offers it in a way considered invalid according to the true [Shīʿah] religion, it shall be obligatory on him to make up for it.

Problem #2. If a child becomes of age or a lunatic recovers from his lunacy or an unconscious person from unconsciousness at the proper time of prayer, it shall be obligatory on him to offer the prayer, though they may have time for only a single Rakʿat after becoming clean, even if the cleanliness is obtained [by Tayammum] on dust. In case any of them fails to offer the prayer, it shall be obligatory on him to make up for it. The same rule shall apply to a woman having menstrual or puerperal blood when her excuse discontinues, as is the case when lunacy, unconsciousness, or menstrual or puerperal blood starts after the passage of some time when even a person capable of offering his prayer at the beginning of the due time for the prayer according to his position as regards being on a journey, or at his home town, or one having performed ablution or Tayammum fails to offer prayer, it shall be obligatory on him to make up for it.

Problem #3. If a person is not clean, it shall be obligatory on him to make up for [the prayer not offered during his uncleanness], and the obligation for offering the prayer in its due time shall drop in his case, though he should not give up caution by offering the prayer within its due time as well.

Problem #4. It is obligatory to make up for the obligatory prayers other than the daily obligatory prayers, excluding the prayers for Eid al-Fitr and Eid al-Adhā. and in some cases the Ayāt prayers [offered at the time of solar or lunar eclipse, etc.]. So also, according to the more cautious opinion, it is obligatory to make up for the prayer vowed by a person to offer it within a prescribed time.

Problem #5. It is permissible to offer the obligatory prayers at any time at night or during the day or a journey or while at one’s home town. A person shall be required to offer altogether what has been left unoffered in his home town, in the same way as he shall offer all the shortened prayers left unoffered during his journey. If a person is still in his home town at the beginning of the due time for prayer, but at the end of the time he is on journey. or vice versa, then due consideration shall be made for lapse of the time, according to the more valid opinion, so that in the former case he shall offer the shortened prayer as compensatory prayer, while in the latter case he shall offer full [i.e. unabated] prayer. Anyhow, he should not give up the caution by adding both the shortened and full prayers. If he has failed to offer what was obligatory on him to offer by way of caution by adding both the shortened and full prayers, he shall make up for them by way of caution [by offering the shortened as well as the full prayers].
مسألة 6 - لوقفت الصلاة في أماكن التخدير فالأزهر التخدير في القضاء أيضاً إذا قضاها في تلك الأماكن، وتعين القصر على الأحوض لوقفها في غيرها.

مسألة 7 - يستحب قضاء النوافل الرواتب، ويركز أكيداً تركه إذا شبه عنها جمع الدنيا، ومن عجز عن قضاءها استحب له التصدق بقدر طوله، وأدنى ذلك التصدق عن كل ركعتين بعد، وإن لم يتمكن فعن كل أربع ركعات بعد، وإن لم يتمكن فقد لصلاة الليل وفق لصلاة الظهر.

مسألة 8 - إذا تعددت الفوائد فع العلم بكيفية الفوت والتقديم والتأخير فالأحوض تخذل قضاء السابق في الفوات على اللاحظ، وأما ما كان الترتيب في أدائها معتبراً شرعاً كالظهرين والعشاءين من يوم واحد فوجب في فئاتها الترتيب على الأقوى، وأما مع الجهل بالترتيب فأحوض فالأحوض ذلك وإن كان عدمه لا يخلو من قوة، بل عدم وجود الترتيب مطلقاً إلا ما كان الترتيب في أدائها معتبراً لا يخلو من قوة.

مسألة 9 - لعلم أن عليه إحدى الصلاوات الخمس من غير تعيين يكفيه صبح و المغرب و أربع ركعات بقصد ما في الداردة بين الظهر والعصر والعشاء مخيراً فيها بنجاه و الاختلاف، وإذا كان ماسراً يكفيه المغرب و ركعتان مرتبتين بين الأربع، وإن لم يعمل أنه كان حاضراً أو مسافراً يأتي ببغر و ركعتين مرتبتين بين الأربع، و أربع ركعات مرتدة بعد الثلاث، وإن علم أن عليه الأثنين من الخمس من يوم أتي بصبح ثم أربع ركعات مرتدة بين الظهر والعصر ثم المغرب ثم أربع ركعات بين العصر والعشاء، و أن يأتي بصبح ثم أربع مرتدة بين الظهر والعصر والعشاء ثم المغرب ثم أربع ركعات بين العصر والعشاء، وإذا علم أنها فاتتا في السفر أتي بركعتين مرتدتين بين الأربع و المغرب و ركعتين مرتدتين بين الثلاث ما عدا الأولى، و أن يأتي بصبح ثم ركعتين مرتدتين بين الظهر والعصر، و أربع ركعات مرتدة بين الظهر والعصر، و المغرب و ركعتين مرتدتين بين الظهر والعشاء، وإن لم يعمل
Problem # 6. If a person fails to offer a prayer at a place where he has the option to offer it in the shortened or full form, then apparently he shall also have the same option at the time of making up for it when he offers the compensatory prayer in such a place. If, however, he offers the compensatory prayer in a place other than mentioned above, he shall offer it in the shortened form.

Problem # 7. It is approved to offer the compensatory prayers for the daily supererogatory prayers, and it is extremely disapproved to give them up for the sake of hoarding mundane wealth. In case of inability to make up for such prayers, one must give alms according his pecuniary condition, the minimum being a Mudd for each two Rak'ats. In case of inability to do so, it may be a Mudd for each four Rak'ats. In case of inability even to do so, let it be a Mudd for the night prayers and a Mudd for the day prayers.

Problem # 8. If a person has failed to offer several prayers, then if he knows which of them he has failed to offer, which of them are precedent and which of them are subsequent, then it is more cautious to offer the compensatory prayers first for the precedent and later for the subsequent ones. As regards the prayers which are required to be offered in a prescribed order according to Shafi’i, like Zuhr and ‘Aṣr and Maghrib and Ishā’ in a single day, then, according to the stronger opinion, it is obligatory to follow the necessary order in the compensatory prayers as well.

Even in case of ignorance about the sequence of the prayers, it is obligatory to follow their necessary order, though its absence shall not be devoid of force. Rather the absence of obligation of following the order in all circumstances except the prayers in which it is obligatory to follow the order when offering them is not devoid of force.

Problem # 9. If a person is definite that he owes one of the five daily prayers, but does not know which one, it shall be sufficient for him to offer the morning and Maghrib prayers and four Rak’ats with the intention (Niyyat) of whatever he owes hesitantly from the Zuhr, ‘Aṣr and Ishā’ prayers, and he shall have the discretion to offer the four Rak’ats loudly or quietly. In case, the person was on journey, it shall be sufficient for him to offer Maghrib prayer and two Rak’ats for hesitation between the prayers having four Rak’ats. If the person is not definite whether he was in his home town or on journey, he shall offer the Maghrib prayer, two Rak’ats for hesitation between the prayers having four Rak’ats and four Rak’ats for hesitation for the prayers having three Rak’ats.

If the person is definite that he owes two prayers out of the five daily prayers, he shall offer the morning prayer, four Rak’ats for hesitation between Zuhr and ‘Aṣr, and then Maghrib prayer followed by four Rak’ats for hesitation between ‘Aṣr and Ishā’. He may even offer morning prayer, four Rak’ats for hesitation between Zuhr, ‘Aṣr and Ishā’ and then Maghrib prayer followed by four Rak’ats for hesitation between ‘Aṣr and Ishā’. If the person knows that he failed to offer both the prayers while on journey, he shall offer two Rak’ats for hesitation between the prayers having four Rak’ats, then Maghrib prayer and then two Rak’ats for the hesitation for the prayers having three Rak’ats excluding the first prayer. He may even offer two Rak’ats for hesitation between the morning, Zuhr, ‘Aṣr and Maghrib prayers and two Rak’ats for hesitation between the Zuhr, ‘Aṣr and Ishā’ prayers.
في صلاة القضاء

أن الفوات في الحضر أو السفر أتا بركعتين مقدرتين بين الأربع ومغرب وركعتين مقدرتين بين الثلاث ما عدا الأولى وأربع مقدرة بين الظهر والعشاء، وأربع مقدرة بين العصر والعشاء وإن علم أن عليه ثلاثاً من الخمس يأتي بالخمس إن كان في الحضر، وإن كان في السفر يأتي بركعتين مقدرتين بين الصبح والظهرين وركعتين مقدرتين بين الظهر والعشاء وغرب وركعتين مقدرتين بين العصر والعشاء، وتصرح جهلية أخرى في مساجد، واليزان هو العلم باتيان جمع بطيئة.

مسألة 10 - إذا علم بقوات صلة معينة كالصحيح مثلاً مرات ولم يعلم عدها يجوز الاكتفاء بالقدر المعلوم على الأقوى، لكن الأحوط التكرار حتى يغلب على لقبه الفراغ، وأحسن عنه التكرار حتى يحصل العلم بالفراغ خصوصاً مع سبق العلم بالقدر وحصول النسيان بعده، وكذلك الحال فيما إذا فاتته صلوات أيام لا يعلم عدها.

مسألة 11 - لا يجب الفور في القضاء، بل هو موضع مادام العمر لم ينجر إلى المساعدة في أداء التكليف والتعاون.

مسألة 12 - الأحوط لذوي الأذى الأغذى تأخير القضاء إلى زمان رفع العذر إلا إذا علم ببقائه إلى آخر العمر أو خاف من مفاجأة الموت لظهور أمارته، نعم لو كان مدعوً عن الطهارة المئوية فلمبادرة إلى القضاء إلى التزام وجه حتى مع رجاء زوال العذر، لا يخلو من إشكال، فالأحوط تأخيره إليه الوقدان.

مسألة 13 - لا يجب تقديم الفائدة على الحاضرة، فيجوز الاستغلال بالحاضرة لمن عليه القضاء، وإن كان الأحوط تقديمها عليها خصوصاً في فائدة ذلك اليوم، بل إذا شرع في الحاضرة قبل استحبة له العدول منها إليها فإن لم يتجاوز على العدول، بل لا ينبغي ترك الاحتياط المتقيد، وترك العدول إلى الفائدة.

مسألة 14 - يجوز من عليه القضاء الاتيان بالنوافل على الأقوي، كما يجوز الاتيان بما أيضاً بعد دخول الوقت قبل إتيان الفريضة.
In case, however, he does not know whether he was in his home town or on journey, he shall offer two Rak’ats for hesitation between the prayers having four Rak’ats, Maghrib prayer, two Rak’ats for hesitation for prayer having three Rak’ats except the first one, four Rak’ats for hesitation between Zuhr, ‘Asr, and Ishā’ and four Rak’ats for hesitation between ‘Asr and Ishā’; the person knows that he owes three prayers from among the daily five prayers, then if he knows that it was when he was in his home town, he shall offer the five prayers.

If he knows that it was during the time he was on journey, he shall offer two Rak’ats for hesitation between the morning, Zuhr and ‘Asr prayers, two Rak’ats for hesitation between Zuhr, ‘Asr and Ishā’ prayers, Maghrib prayer and two Rak’ats for hesitation between ‘Asr and Ishā’ prayers. There are other ways too for exoneration. The criterion is that a person must know that he has dealt with all the possibilities.

Problem # 10. If a person knows about the failure of offering prayer of a particular time, for example, the morning prayer, several times, but does not know the exact number, according to the stronger opinion, it is permissible to suffice with the probable number. It is more cautious to repeat offering the prayer till at least he assumes that he has completed the number. It is more cautious and even better than that to repeat offering the prayer until he obtains the knowledge about finishing the number, particularly when in the past he knew the number but later forgot it. The same rule shall apply if he has failed to offer the prayers for several days but does not know their exact number.

Problem # 11. It is not obligatory to observe immediacy in compensation [for the [prayers left unoffered]. It is extended to the whole life, as long as it is not considered to be due to negligence and laxity.

Problem # 12. A person having some excuse may delay compensation upto the time of the removal of the excuse, except when he knows that it will continue till the end of his life, or when he is afraid of sudden death due to the appearance of its signs

Of course, if a person is not able to perform cleanliness with water, then it is reasonable to resort to compensation by obtaining cleanliness by dust [i.e., by performing Tayammum], even in case he hopes about the removal of the excuse, but it is not free from difficulty. It is, therefore, more cautious to delay it until he finds water.

Problem # 13. It is not obligatory to give preference to the precedent over the prayer due presently, and so it is permissible for a person who owes some compensatory prayer to offer the one presently due, though it is more cautious to prefer the compensatory one particularly when there is apprehension of the lapse of the day; rather, if he has already started the prayer presently due, it is approved to revert to the compensatory one if the time for reversion [of the intention, or Niyyah] has not already passed. Rather he should not give up the caution to observe the precedent one by not avoiding giving up reversion to the prayer left unoffered.

Problem # 14. According to the stronger opinion, it is permissible for a person who owes some compensatory prayer to offer the supererogatory prayers, in the same way as it is permissible for a person to offer the supererogatory before the obligatory prayer after the beginning of the due time for the obligatory prayer.
مسألة 15 - يجوز الابن بالقضاء جمعة سواء كان الإمام قاضياً أو مؤدياً، بل يستحب ذلك، ولا يجب اتحاد صلاة الإمام والمأموم.

مسألة 16 - يجب على الوالي وهو الولد الأكبر قضاء ما فات عن والده من الصلوات لذراع من نوم ونسان ونحوها، ولا تلحق الوالدة بالوالد وإن كان أحوراً، والأقوى عدم الفرق بين الترك عبداً وغيره، نعم لا يعدم إلحاق ما تركه طاغياً على الوالي وإن كان الأحور إلحاقه، بل لا يترك هذا الاحتياط والظاهر وجود قضاء ما أتى به فاسداً من جهة إخلاكه بما اعتبر فيه، واما يجب عليه قضاء ما فات عن الميت من صلاة نفسه دون ما وجب عليه بالإجارة أو من جهة كونه ولياً، ولا يجب على البنات، ولا على غير الولد الأكبر من الذكور، ولا على اثنااقب الذكور كالذكور، والأخ والأخ والخال وإن كان هو الأحور في ذكرهم، وإذا مات الولد الأكبر بعد والده لا يجب على من دونه في السن من إخوته، ولا يعتبر في الولي لأن يكون بالغاً عاقلاً عند الموت، فيجب على الصبي إذا بلغ، وعلى المجنون إذا عقل، كما أنه لا يعتبر كونه وارثاً، فيجب على المنمو منه بسبب القتل أو المكار أو نفوذه، ولو تساو الولدان في السن يسقط القضاء عليهما، ولو كان كسر يجب عليها كفاية، ولا يجب على الولي مباشرة، بل يجوز له أن يستأجر، والأجر ينوي النيابة عن الميت لا عن الولي، وإن باشر الولى أو غيره ال.auto يراعي تكليف نفسه باجتهاد أو تقليد في أحكام الشك والسهولة، بل في أجزاء الصلاة وشروطها دون تكليفهم الميت، كما أنه يراعي تكليفهم نفسه في أصل وجوب القضاء إذا اختتلف مقتضى تقليده أجتهاده مع الميت.

القول في صلاة الاستيجار

يجوز الاستيجار للنيابة عن الأموات في فضاء الصلوات كسائر العبادات كما
Problem # 15. It is permissible to offer the compensatory prayer with the Jamā‘at irrespective of whether the Imām is offering a compensatory prayer or otherwise. Rather it is approved to do so. It is not obligatory that the prayer of the Imām and his follower should be of the same category.

Problem # 16. It is obligatory on the Wāli, i.e., the eldest son [of the deceased] to offer the prayers left unoffered by his father due to sleep, forgetfulness or the like. In this respect, the mother is not governed by the same rule as the father, though it would be more cautious to do so. According to the stronger opinion, it makes no difference whether the failure to offer the prayer [by the father] was deliberate or otherwise. Of course, it is not far from not including the prayers the father has not offered due to insubordination to his Lord [i.e., Allāh], though it would be more cautious to include them too. Rather this caution must not be given up.

Apparently it is also obligatory on the eldest son to compensate for the invalid prayers offered by his father due to non-observance of their conditions. It is obligatory on the eldest son to compensate for his father’s own prayers left unoffered by him, but they do not include the prayers he was hired to offer, or those he owed as the Wāli, or the eldest son of his own father. It is not obligatory on the daughters or on any one other than the eldest son from among the male descendants [to compensate for prayers owed by their deceased] father, nor is it obligatory on other close relatives including the male relatives like the father, brother, paternal or maternal uncle, though according to the more cautious opinion it would be obligatory on the males from among them to do so. In the event of the death of the eldest son, the obligation does not lie on his brothers younger to him in age. It is not a condition for the Wāli [or the eldest son] to be adult and sane at the time of the death [of his father], so that it is obligatory on the minor eldest son after he attains puberty, and on the insane eldest son when he recovers from insanity. It is also not a condition that the eldest son should be a legal heir, so that it is obligatory on one who is legally restricted due to committing murder [of his own father], or infidelity [Kufr], or the like. If there are two eldest sons equal in age, they shall share the obligation equally. If a portion of the obligation is left, it shall be fulfilled as a collective liability.

It is not obligatory [on the eldest son] to fulfil the obligation personally. Rather, it is permissible for him to hire some one else for the purpose, and the person so hired shall have the intention (Niyyat) of offering the prayer on behalf of the deceased, and not the Wāli [i.e., the eldest son]. If the Wāli [or the eldest son] or someone else offers the prayer personally, he shall observe his own duties of Ijtihād or Taqlīd in respect of the rules concerning doubts and errors, rather even in respect of the portions of the prayer and its conditions, and not the duties of the deceased as required by Ijtihād and Taqlīd, in the same way as he shall observe his own duties relating to the obligation of compensation itself when there is difference in their rules from the point of view of the Ijtihād and Taqlīd of himself and the deceased.

Rules Concerning Hiring for Offering Prayers

As is the case with other types of worships, it is permissible to hire some one to offer prayers owed by the deceased with the intention of offering them on behalf of the deceased
في صلاة الاستيجار

تحوز النيابة عنهم تبرعاً، و يقصد النائب بفعله - أخيرًا - كان أو متبرعاً - النيابة والبدائرة عن فعل المنوب عنه، و تفرغ ذمته، و يقرب به ويثاب عليه، و يعتبر فيه قصد تقرب المنوب عنه لا تقرب نفسه، ولا يحصل له بذلك تقرب إلا أن يقصد في تحصيل هذا التقرب للمنوب عنه الإحسان إليه الله تعالى، فحصص له القرب أيضاً كالمتبع لو كان قصده ذلك، و أما وصول الثواب إلى الأجير كم يظهر من بعض الأخبار فهو بعض التفضيل، و يجب تعيين اليمت المنوب عنه في نيته و لو بالإجمال كصاحب المال و نحوه.

مسألة 1 - يجب على من عليه واجب من الصلاة والصيام الإيضاء باستيجاره إلا من له ولا يجب عليه القضاء عنه ويستثنى باتيانه، و يجب على الوصي لو أوصى - إخراجه من الثالث و مع إجازة الوئرة من الأصل، و هذا بخلاف الحج والواجبات المالية كالزكاة والخمسة والمعمالي و الكفارات و نحوها، فإنها تستخرج من أصل المال، أوصي بها أو الموصى، إلا إذا أوصى بأن تستخرج من الثالث تخرج منه، فإن لم يف فيها تخرج الزائد من الأصل، و إن أوصى بأن يقضي عنه الصلاة والصوم ولم يكن له تركه لا يجبي على الوصي المباشرة أو الاستيجار من ماله، والأحوال للولد ذكر أولاً كان أو أنثى المباشرة لو أوصى إليه بها ولم تكن حرجاً عليه，则 يجب على وليه قضاء ما فاته منه إما بالباشرة أو الاستيجار من ماله، وإن لم يوص به كما من.

مسألة 2 - لو أجر نفسه للصلاة أو صوم أو حج فات قبل الاتيان به فإن اشترط عليه المباشرة بطلت الإجازة بالنسبة إلى ما بقي عليه، و تشغيل ذمته بال الإجازة إن قبضه، فخرج من تركته، و إن لم يشترط المباشرة وجب الاستيجار من تركته إن كانت له تركة، و إلا فلا يجب على الوئرة كسائر ديونه مع فقد التركية.

مسألة 3 - يشترط في الأجير أن يكون عارفاً بأجزاء الصلاة و شرائطها و
in the same way as it is permissible to offer the prayers owed by others voluntarily. The person offering the prayer on behalf of another, whether against payment or voluntarily, shall do so with the intention of doing it on behalf of the other person and in place of the act of the other in order to absolve him of its liability, seeking closeness to Allāh and a reward to be bestowed on the other person.

It is also a condition that the person offering the prayer on behalf of another should have the intention (Niyyat) of seeking closeness of the other person to Allāh and not his own closeness to Allāh. He shall not obtain closeness to Allāh by offering prayer on behalf of another, except when he intends by seeking closeness of the deceased to Allāh to have done a noble deed and thereby obtain closeness to Allāh, the Exalted [as a reward for his noble deed]. So also a person may obtain closeness to Allāh, as one offering prayer on behalf of another voluntarily, if his intention were such. As regards the receipt of reward by a person hired to offer prayer on behalf of another, as mentioned in some Traditions, it is merely with the beneficence of Allāh. It is also obligatory to specify in his intention (Niyyat) the deceased on behalf of whom a person is offering the prayer, even if specified briefly, as saying: "on behalf of the owner of the remuneration paid", or the like.

**Problem # 1.** It is obligatory on the person who owes some prayers or fasts to make a will for hiring some one, except when he has already a Wali', or eldest son, on whom it is obligatory to compensate for what his father owes and about whom he is sure of its performance. It is obligatory on the executor, in case of a will, to defray the relevant expenditure from one-third of the legacy, and with the permission of the heirs from the principal legacy. This is contrary to the expenditure on Hajj or the financial liabilities [of the deceased], like Zakāt, Khums, Mażālim, Expiations (Kaffārāt), or the like, which are to be deducted from the principal legacy, whether the deceased has left a will for them or not, except when he has made a will that they are to be deducted from one-third of his property, in which case they shall be deducted from one-third of his property, and if it is not sufficient the deficiency shall be met from the principal legacy. If a person has willed that compensation should be made for the prayers and fasts owed by him, but has left no legacy, it shall not be obligatory on the executor to fulfil it personally or hire someone else out of his property. It is more cautious for his son or daughter to fulfil it personally if the deceased has left a will to that effect and in case it is not troublesome for the son or daughter. Of course, it is obligatory on the Wali', or eldest son, of the deceased to compensate for what his father has failed to perform either personally or by hiring some one else and pay it from his property, even if the deceased has left no will to that effect, as mentioned above.

**Problem # 2.** If a person has been hired for offering prayer, keeping fast or performing Hajj on behalf of another, and he dies before honouring his commitment, then in case he had stipulated to perform all those acts personally, his contract shall be considered null and void to the extent what has remained undone, and his liability shall fall on the property he has obtained against the commitment if it has already been paid to him, and it shall be deducted from his legacy. But in case he has not stipulated to perform the acts personally, another person shall be hired for the performance of the acts against payment in case he has left some legacy. In case he has left no legacy, then, like his other debts, this would also not be a liability of his heirs.
منافياتها وأحكام الخلل وغيرها عن اجتهاد أو تقليد صحيح، نعم لا يُبعد جواز استيجار تأكِّد الاجتهاد والتقليد إذا كان عارفاً بكيفية الاحتياط وكان محتاطاً فيه عرفة.

مسألة 4 - لا يُشترط عدالة الأجر، بل يكفي كونه آمناً بحيث يطمان باتباعه على الوجه الصحيح، وهل يعتبر فيه البلوغ؟ فلا يصح استيجار الصبي المميز ونباته وإن علم إتيانه على الوجه الصحيح؟ لا يُبعد عنه و إن كان الأحويط اعتباره.

مسألة 5 - لا يجوز استيجار ذوي الأعدار كالعجوز عن القيام مع وجود غيره، بل لو تُحدّى له العجز ينتظر زمن رفعه، وإن ضاقت الوقت انفسخت الإجارة، بل الأحويط عدم جواز استيجار ذوي الخصائص الجيدة ومن كان تكلفته التيمم.

مسألة 6 - لو حصل للأجر سهو أو شك يعمل بجهاز على طبق اجتهاده أو تقليده وإن خالف الميت، كما أنه يجب عليه أن يأتي بالصلاة على مقتضى تكليفه، و اعتقاده من اجتهاد أو تقليد لاستيجار إلا ليتأجر بالعمل الصحيح، و إن عين له كيفية خاصة يرى بطلاً بهما فالأحويط له عدم إجارة نفسه له.

مسألة 7 - يجوز استيجار كل من الرجل والمرأة للآخرين، وفي الجهور والأخفاف والتستر وشرائح اللباس يراعى حال النائب لا المنوب عليه، فالرجل يجهز في الجهور ولا يستر السرور، وإن كان نائباً عنها، والمرأة من جهورها في الجهور والأخفاف فيها، و يجب عليها السر بالكيفية التي لها، إن كانت نائبة عن الرجل.

مسألة 8 - قد عرفت سابقاً أن عدم وجوه الترتيب مطلوباً في القضاء خصوصاً في إذا جهل بكيفية الحفظ لا يُنظر من قوة، ففيجوز استيجار جماعة عن واحد في قضاء صلواته، ولا يجب تعين الوقت لهم، ففيجوز لهم الإتيان في وقت واحد سياً مع العلم بجهل الميت أو الجهل بحال.

مسألة 9 - لا يجوز للأجر أن يستأجر غيره للعمل بلا إذن من المستأجر، نعم لو
Problem # 3. It is a condition for the person hired that he must know all the portions of the prayer and its conditions as well as the acts repugnant to it and the rules relating to its damage etc. through the genuine *Ijtihād* or *Taqfiḍ*. Of course, it is permissible to hire a person who has given up *Ijtihād* and *Taqfiḍ* by being cognizant of the nature of caution and is himself cautious in his practice.

Problem # 4. It is not a condition for the person hired to be of a morally sound character; rather it is sufficient for him to be honest, so that he could be trusted in performing his commitment in the correct manner. As regards the condition of his being an adult, so that it is not valid to hire a discreet child to perform all the acts on behalf of another even if he is able to perform them in the correct manner, it is not far from being no such condition, though the condition to this effect would be more cautious.

Problem # 5. It is not permissible to hire disabled persons like a person unable to stand in case of availability of another sound person. If a person is rendered disabled after having been hired, he should wait until the removal of the disability. If the time for the performance of the commitment is short, the contract for hire shall be cancelled. According to the more cautious opinion it is not permissible to hire a person having a splint and one who is bound to perform *Tayammum*.

Problem # 6. If a hired person commits error or has a doubt, he shall act according to his own *Ijtihād* or *Taqfiḍ*, though it may be contrary to that of the deceased, in the same way as it is obligatory on him to offer prayer as required by his own duties and belief according to the *Ijtihād* or *Taqfiḍ* if he has been hired to act according to the valid practice. If a particular procedure has been assigned to the person which according to his own belief is void, then it is more cautious for him not to accept the contract of hiring himself.

Problem # 7. It is permissible to hire any man or woman for another man or woman and to observe the conditions of offering the prayer loudly or quietly, concealing his private parts and conditions relating to the garments according to the position of the person hired and not according to that of the hiring person. So a man shall offer loudly the prayer which a man is required to offer loudly and not conceal his private parts like a woman even if he is hired to offer the prayer on behalf of a woman, while a woman has the discretion to offer the prayer loudly or otherwise, and cover herself as required by a woman, even if she has been hired to offer prayer on behalf of a man.

Problem # 8. It has already been understood that the absence of the condition of observing the order of succession in all circumstances at the time of compensating what is owed by a person in case the person is ignorant of the actual position of what is owed by him is not devoid of force. So it is permissible to hire a group of persons for offering compensatory prayers for a single individual, and it is not obligatory to specify the time for them. It is permissible for them to offer the prayers at the time in case the deceased was ignorant of their time or they are ignorant of the position of the deceased.

Problem # 9. It is not permissible for the hired person to hire another person for the performance of his commitment without the permission of the person hiring him.
تقبل العمل من دون أن يؤجر نفسه له يجوز أن يستأجر غيره له، لكن حينئذ لا يجوز أن يستأجر بأقل من الأجرة المجلوبة له على الأحوط، إلا إذا أتى بعض العمل وإن قل.

مسألة 10 - لو عين للأجر وقتاً ومدة ولم يأت بالعمل أو تمامه في تلك المدة ليس له أن يأتي به بعدها إلا باذن من المستأجر، ولو أتى به فهو كالمبتعد لا يستحق أجرة، نعم لو كان القرار على الأتيا في الوقت المعين بعوان الاشتراط يستحق الأجرة المسماة لو تخلف، وللمستأجر خيار الفسخ لتخلف الشرط، فان فسخ يرجع إلى الأجر بالأجرة المسماة، وهو يستحق أجرة المثل للعمل.

مسألة 11 - لو تبين بعد العمل بطلان الإجازة استحق الأجر أجرة المثل بعمله، وكذا إذا فسخت الإجازة من جهة الغبن أو غيره.

مسألة 12 - لم يعين كيفية العمل من حيث الأتيا بالمستحبات ولم يكن انصرف يجب الأتيا بالمستحبات المتباراة كالقروط وتكبرة الركوع و نحو ذلك.

البحث في صلاة الجمعة

مسألة 1 - تجيب صلاة الجمعة في هذه الأعصار غيراً بينها وبين صلاة الظهر، والجمعة أفضل والظهر أحوط، وأحوط من ذلك الجمع بينها، فمن صلى الجمعة سقطت عنه صلاة الظهر على الأقوى، لكن الأحبوت الأتيا بالظهر بعدها، وهي ركعتان كالصحيح.

مسألة 2 - من انتم بامام في الجمعة جاز الاقتداء به في العصر، لكن لو أراد الاحتياط أعاد الظهرين بعد الافتمام إلا إذا احتفظ الامام بعد صلاة الجمعة قبل العصر بأداء الظهر وكذا الأمام، فيجوز الاقتداء به في العصر و يحصل به
Of course, if a person has accepted the liability without being hired for it, it shall be permissible for him to hire another person for its performance. Nevertheless, it is not permissible for him to hire another person against a remuneration less than the usual one, according to the more cautious opinion, except when he has himself performed part of the act, though a little.

**Problem # 10.** If a time and period has been specified for the performance by the person hired, but he fails to perform it within that specified time and period, he shall not perform it afterwards except with the permission of the person hiring him. In case he performs it, he shall be like a person performing it voluntarily without being entitled to receive any remuneration for it. Of course, if it was agreed to perform the commitment in a specified time as a stipulation, he shall be entitled to his specified remuneration in case of its violation, and the person hiring him shall have the option to rescind the agreement for violation of the stipulation, and if he opts to cancel the agreement, he shall be entitled to receive the specified remuneration from the person hired, while the latter shall be entitled to receive his proper remuneration.

**Problem # 11.** If, after the performance of the act, it transpires that the agreement was void, the person hired shall be entitled to his proper remuneration for his act. The same rule shall apply if the agreement is cancelled due to some fraud, etc.

**Problem # 12.** If the procedure of performing the act is not specified as to the performance of the approved acts nor is it clear by referring to the agreement, it shall be obligatory to perform the usually approved acts like Qurūṭ, Ṭakbīr for the Ruku‘ and the like.

**Rules Concerning Friday Prayer**

**Problem # 1.** Nowadays it is discretionary to offer the Friday prayer or the Zuhr prayer, the Friday prayer being preferable, and the Zuhr prayer being more cautious, and it is even more cautious to offer both [the Friday as well as the Zuhr prayers]. So, if a person offers Friday prayer, according to the stronger opinion, his obligation to offer the Zuhr prayer is dropped, though it is more cautious to offer the Zuhr prayer after the Friday prayer, the Zuhr prayer [at that time] having two Rak’ats like the Morning prayer.

**Problem # 2.** If a person has offered Friday prayer behind an Imām, he may also offer his ‘Aṣr prayer behind the same Imām. If, however, the person intends to be cautious, he must offer Zuhr and ‘Aṣr prayers both after having performed them in Jamā‘at, except when, by way of caution, the Imam has offered the Zuhr prayer before the ‘Aṣr prayer, and so has the person following the Imam, so that it shall be permissible for him to offer the ‘Aṣr prayer behind the same Imām. Rather he shall offer the Zuhr prayer again, by way of caution.
الاحتياط.

مسألة 3: يجوز الاقتداء في الظهر الاحتياطي، فإذا صلوا الجمعة جاز لهم صلاة الظهر جمعة احتياطًا، ولو اتتم بمن يصلوا احتياطًا من لم يصل الجمعة لا يجوز له الانتهاء بها، بل تجب عليه لإعادة الظهر.

القول في شرائط صلاة الجمعة

وهي أمور: الأول: العدد، وأبه خمسة نفر أحدهم الإمام، فلا تجب ولا تنعقد بأقل منها، وقيل: أقل سبعة نفر، والأشياء ما ذكرناها، فلو اجتمع سبعة نفر وما فوق تكون الجمعة أم كاف في الفضل.

الثاني: الخطبة، وهما جامعتان كأصل الصلاة، ولا تنعقد الجمعة بدونها.

الثالث: الجمعة، فلا تصح الجمعة فرادى.

الرابع: أن لا يكون هناك جمعة أخرى وبينها دون ثلاثة أميال، فإذا كان بينهما ثلاثة أميال صحتها جميعا، والبضان هو البعد بين الجمعتين لا البلدين الذين ينعقد فيها الجمعة، فجائزت إقامة جمعات في البلاد كبيرة تكون طولها فراخ.

مسألة 1: لو اجتمع خمسة نفر للصلاة فترقوا في أثناء الخطبة، أو بعدها قبل الصلاة ولم يعودوا ولم يكن هناك عدد بقدر النصاب تعين على كل صلاة الظهر.

مسألة 2: لو تفرقوا في أثناء الخطبة ثم عادوا فان كان تفرقهم بعد تحقق مسمى الواجب فالظاهر عدم وجب إعادتها ولو طالت المدة، كما أنه كذلك لو تفرقوا بعدها فعادوا، و إن كان قبل تحقق الواجب منها فان كان التفرق للاصرف عن الجمعة فالائحون استثنافها مطلقا، وإن كان لعذر كمطر مثلًا، فان طالت المدة بقدر أضر بالوحدة العرفية فالظاهر وجب الاستئناف، و إلا بنوا عليها و صح.
Problem # 3. It is permissible to offer prayer for the cautionary Zuhr prayer behind the Imam. When those offering Jum’ah prayer have finished it, it is permissible for them to offer Zuhr prayer in Jamā’at as a precaution. If a person who has not offered Jum’ah prayer offers prayer behind one who is offering a cautionary prayer, it shall not be sufficient for him to do so. Rather, it would be obligatory on him to offer the prayer again.

Rules concerning the Conditions of Friday Prayer

There are a number of conditions for Friday prayer. They are as follows:

1. The Number of the persons offering Friday prayer. The minimum number of persons offering Friday prayer is five, one of them being the Imam himself. It is neither obligatory nor is it valid in case the number is less than five. According to another opinion, the minimum number required for Friday prayer is seven persons, though the more reliable is what we have mentioned before. If, however, seven or more persons assemble to offer the Friday prayer, it becomes emphatically preferable.

2. Two Sermons (Khutbahs). They are obligatory like the Friday prayer itself, as the Friday prayer is not valid without the two Sermons.

3. Jamā’at. So Friday prayer is not offered individually.

4. Within the distance of three miles no other congregation of Friday prayer is to be held, so that if there is a distance of three miles between the places where Friday prayer is offered, all of them would be valid, the criterion being the distance between the places where Friday prayer is offered, and not the distance between two towns where Friday prayer is offered, so that it is permissible to hold several Friday prayers in a single big town having an area of several miles.

Problem # 1. If five persons have assembled to offer Friday prayer, and they disperse during the Sermon or after it but before offering the prayer and do not return, and the number required for the Friday prayer is not there, it shall be obligatory on each of them to offer Zuhr prayer only.

Problem # 2. If the persons dispersed during the Sermon but returned, so if their return takes place after what is called obligatory, then apparently it would not be obligatory to repeat the Sermon even if the time of their absence has been quite long, as is the case when they disperse after the Sermon and then return.

If, however, they disperse before the fulfilment of what is obligatory in the Sermon, then if their dispersal has been for avoiding to attend the Sermon, then in all circumstances, it would be more cautious to repeat the Sermon.

If, however, it were due to some reasonable excuse, for example, rain, then if the time of their absence has been long to the extent of being harmful for the usual consistency of the Sermon, then apparently it would be obligatory to repeat the Sermon. Otherwise, it would be sufficient and it would be valid.
مسألة 3 - لو انصرف بعضهم قبل الآتيان بسمى الواجب ورجع من غير فصل طويل فإن سكت الإمام في غيبته اشتهى بها من حيث سكت، وإن أدامها ولم يسمعها الغائب أعداؤها من حيث غاب ولم يدركها، وإن لم يرجع إلا بعد فصل طويل يضر بوحدة الخطبة عرفًا أعادها، وإن لم يرجع ووجه آخر تجب استتنافها مطلقاً.

مسألة 4 - لو زاد العدد على نصاب الجمعة لا يضر مفارقة بعضهم مطلقاً بعد بقاء مقدار النصاب.

مسألة 5 - إن دخل الإمام في الصلاة وانقضت الباقون قبل تكبيرهم ولم يبق إلا الإمام فالظاهر عند انعقاد الجمعة، وهل له العدو إلى الظهر أو يجوز إتمامها ظهراً من غير نية العدو بل تكون ظهراً بعد عدم انعقاد الجمعة فيما أربع ركعات؟ فيه إشكال، والأحوز نية العدو واتمماً ثم الآتيان بالظهر، واحترام منه إتمامها جمعة ثم الآتيان بالظهر وإن كان الأقرب بطلانها، فيجوز رفع اليد منها والآتيان بالظهر.

مسألة 6 - إن دخل العدد أي أربعة نفر مع الإمام في صلاة الجمعة ولو بالتكرير وجب الإمام ولو لم يبق إلا واحد على قول معروف، وخالفه بطلانها، سواء بقي الإمام وانقض الباقون أو بعضهم أو انقض الإمام وباقي الباقون أو بعضهم، وسواء صلوا ركعة أو أقل، لكن لا ينبغي ترك الاحتفاظ بالتمام جمعة ثم الآتيان بالظهر نعم لا يبعد الصحة جمعة إذا انقض بعض في أخيرة الركعة الثانية بل بعد ركوعها، والاحتفاظ بآتيان الظهر مع ذلك بعدها لا ينبغي تركه.

مسألة 7 - يجب في كل من الخطبين التحميد، ويجب بالثناء عليه تعالى على الأحوط، والأحوز أن يكون التحميد بلحظ الجلالة، وإن كان الأقوى جوازه بكل ما يعده حذاء له تعالى، والصلاة على النبي صلى الله عليه وآله على الأحوط في الختمة الأولى، وعلى الأقوى في الثانية، والإياء بتوقيوت الله تعالى في الأولى.
Problem # 3. If some of the persons leave the place before Sermon reaching the stage to be called Sermon and return before it may be called a long absence, then if the Imām has been silent during their absence, he shall start the Sermon from where he had left. In case the Imam continued with his Sermon during their absence, so that they could not listen to it, and they did not return till the passage of a long time harmful for the usual consistency of the Sermon, the Imām shall repeat the Sermon. In case those who have left do not return, and instead of them some other persons enter the place, in all circumstances, the Imām shall repeat the Sermon.

Problem # 4. If the number of the persons present in the congregation for Friday prayer exceeds the required number, then it would not be harmful if some of them leave the congregation in all circumstances, provided that the number of those remaining present is up to the required number.

Problem # 5. If the Imām starts the prayer and all of the rest disperse before reciting the Takbīr, and no one remains there except the Imām himself, then apparently there shall be no Friday prayer. Then whether the Imām may shift to the Zuhr prayer, or it is permissible for him to complete it as Zuhr prayer without the intention (Niyyat) of shifting to Zuhr prayer, rather it shall automatically become Zuhr prayer in absence of its being Friday prayer, and so he shall complete four Rak’ats, there is difficulty in accepting it, and it is more cautious to have the intention of Zuhr and complete it as such and then offer the Zuhr prayer (again). It would be even more cautious for him to complete it as Friday prayer, and then offer Zuhr prayer, though, according to the opinion closer to the traditional authority, it should be declared void, and it shall be permissible for him to give it up and offer Zuhr prayer.

Problem # 6. If the required number, i.e., four persons join the Imām in the Friday prayer even when the Imām recites the Takbīr, then it shall be obligatory on him to complete the prayer, even if there is left only a single person, according to the prevalent opinion, though it would be according to the traditional authority to declare it void, regardless whether there remains only the Imām and the rest of them have dispersed, or some of them have dispersed, or the Imām has left and there remain the rest, or some of them remain behind, and whether they have offered a single Rak’at or less than that, but caution should not be given up by completing the Friday prayer, and then offering Zuhr prayer. Of course, it is not far from being declared valid if some of the persons disperse in the end of the second Rak’at, rather after its Rukū'. It is cautious to offer Zuhr prayer despite it after the Friday prayer, and it should not be given up.

Problem # 7. It is obligatory to praise Allāh in each of the two Sermons to be followed, according to the more cautious opinion, by eulogising Allāh, the Exalted. It is more cautious that the praise should be by using the word Jalālah (Majesty), though, according to the stronger opinion, it is permissible to express the praise which may be considered praise for Allāh, the Exalted, and asking Him to send Blessing to the Prophet, Allāh’s Blessing be on him and his Progeny, according to the more cautious opinion in the first Sermon, and according to the stronger opinion in the second Sermon, and, according to the stronger opinion, there should recommendation for fear of Allāh, the Exalted, in the first Sermon, and, according to the more cautious opinion, in the second Sermon.
مسألة 9 - ينفي للهام الخطيب أن يذكر في ضمن خطبتهما ما هو من مصالح المسلمين في دينهم ودنياهم، ويخبرهم بما جرى في بلاد المسلمين وغيرها من الأحوال التي لهم فيها المعرفة أو المفقودة، وما يحتاج المسلمون إليه في العاشقية والأمور السياسية والاقتصادية بما هي دخيلة في استقلالهما وكبايهم، وكيفية معاملتهم مع سائر الملول، والتحذير عن تدخل الدولة المستعمرة في أمورهم سياسية واقتصادية المنجر إلى استعمارهم واستعمارها، وباختتاهما من المواقف العظيمة للمسلمين كسائر المواقف العظيمة مثل الحج والمواقف التي فيه والمدينة وغيرهما، ومع الأسف أغفل المسلمون عن الوظائف المهمة السياسية فيها وغيرها من المواقف السياسية الإسلامية، فالإسلام دين السياسة بشؤونه يظهر من له أدنى الدور في أحكامه الحكومية والسياسية والاجتماعية والاقتصادية، فلهم أن الدين منفكون عن السياسة فهو جاهل لم يعرف الإسلام ولا السياسة.

مسألة 10 - يجوز إيقاع الخطابين قبل نوال الشمس حيث إذا فرغ منها
According to the stronger opinion, a small Sūrah must be recited in the first Sermon, and, according to the more cautious opinion, it is preferable in the second Sermon to seek Allāh's Blessing on the Imāms of the Muslims, Peace be upon them, after asking for Allāh's Blessing on the Prophet, Peace be upon him, and forgiveness for the Muslim men and women.

It is better to select some of the Sermons attributed to Amīr al-Mu'minīn [Ali], Allāh's Peace be upon him, or the Sermons which have come down from Aḥl-i Bayt, the Infallible.

Problem # 8. It is more cautious to praise [Allāh] and seek [Allāh's] Blessing in the Sermon in Arabic language, even if the person giving the Sermon and the people listening to it are non-Arab.

However, as regards the admonition and recommendation to fear Allāh, the Exalted, according to the stronger opinion, it is permissible to use any language besides Arabic for expressing them. Rather it is more cautious that the admonition and the other things in the interest of the Muslims must be expressed in the language of the audience, and in case they are mixed, in several languages. If, however, the number of those present exceeds the required number, it is permissible to suffice with the language permitted, but it is more cautious to admonish them in the language of the audience.

Problem # 9. The Imam giving the Sermon must add to his Sermon what is required in the interest of the Muslims in their faith as well as their world, and inform them about the events taking place in the Muslim countries etc. and the matters which are harmful or beneficial for them, and what the Muslims need for the life hereafter, as well as the political and economic affairs pertaining to their independence and existence and the position of their business with other nations, and warn them against allowing the tyrant, imperialist states to interfere in their affairs, particularly political and economic, which may result in their exploitation and domination. In short the Friday prayer and its two Sermons are among the great occasions of the Muslims like all the other great occasions such as the Ḥajj and the congregations on that occasion as well as the Eid al-Fīṭr and Eid al-Adhā, etc.

Unfortunately the Muslims have not realised their important political duties on such occasions and their other political situations. Islam is a political faith which manifests for those having the least wisdom and thinking in its various mysteries the laws in the fields of statecraft and political, social and economic affairs. Therefore, those who deem faith to be separate from politics know nothing about the actual Islam and the realm of politics.

Problem # 10. It is permissible to deliver the two Sermons before the noon in a way that when the Imām has finished them it should be afternoon, though it is more cautious to deliver the Sermons around noon.
نال، والأحوت إيقاعها عند الزوال.

مسألة 11: يجب أن تكون الخطابتان قبل صلاة الجمعة، فلو بدأ بالصلاة تبطل، وتجب الصلاة بعدهما لو بقي الوقت، والظاهر عدم وجود إعادة إذا كان الانتهاء جهلاً أو سهولاً، فيأتي بالصلاة بعدهما، ولو قيل بعدم وجود إعادة الصلاة أيضاً إذا كان التقدم عن غير عقد وعلم لكان له وجه.

مسألة 12: يجب أن يكون الخطاب قائلًا وقت إيراد الخطب، ويبد وحدة الخطيب والإمام، فلو عجز الخطيب عن القيام خطب غيره وأهمه الذي خطبه، ولوم يكن غيرالعاجز فالظاهر الانتقال إلى الظهر، نعم لو كانت الجمعة واجبة تعني خطبهم العاجز عن القيام جالساً، والأحوت الانتهاء بالظهر بعد الجمعة، ويبد الفصل بين الخطبين بجلسة خفيفة.

مسألة 13: الأحوت لول يكن الأخرى وجب رفع الصوت في الخطب بيدث يسمع العدد، بل الظاهر عدم جواب الأخوات بها، بل لا إشكال في عدم جواب إخفات الوعظ والإيضاء، وينبغي أن يرفع صوته بحيث يسمع الحضار، بل هو أحوت، أو يخطب بواسطة السماوات إذا كان الجماعة كثيراً لإبلاغ الوعظ والترغيب والتهييب والمسائل المهمة بها.

مسألة 14: الأحوت في الأوجه وجب الاجلس في الخطب، بل الأحوت الانصات وترك الكلام فيها، وإن كان الأخرى كراهته، نعم لو كان التكلم موجباً لترك الاستماع ووقت فائدة الخطبية لزم تركه، والأحوت الأولى استقبال المستمعين الإمام حال الخطبية وعدم الالتفات زائدة على مقدار الجواز في الصلاة، وظهارة الإمام حال الخطبية عن الحدث والحيث، وكذا المستمعين، والأحوت الأولى للإمام أن لا يتكلم بين الخطبية مما لا يرجع إلى الخطابة، ولا بأس بالمكلم بعد الخطبتين إلى الدخول في الصلاة، وينبغي أن يكون الخطب

بليغاً مراياً لمقتضيات الأحوال بالعبارات الفصيححة الحالية عن التعقيد، عارفًا
Problem # 11. It is obligatory to deliver the two Sermons before the Friday prayer, so that if one offers the Friday prayer [before the Sermons], it would be void, and it would be obligatory to offer the Friday prayer after the two Sermons if there is still time left for it, though apparently it is not obligatory to offer it again if it has been offered inadvertently or out of ignorance. One must offer the Friday prayer after the two Sermons even though it is also said that it is not obligatory to offer it again if it has been offered before the two Sermons inadvertently and without knowledge, as there is the guiding principle in it.

Problem # 12. It is obligatory for the Imām to keep standing while delivering the Sermon, and it is also obligatory that the Imām and the person delivering the Sermon be the same. If, however, the person delivering the Sermon is unable to stand, let another person deliver the sermon, and let him also lead the Friday prayer. If there is no one else but one who is unable to keep standing, then apparently it is better to shift to Zuhr prayer. Of course, if the Friday prayer is specifically obligatory, a person who is unable to keep standing shall deliver the Sermon while sitting, and it is more cautious to offer the Zuhr prayer after the Friday prayer. It is also obligatory to keep some distance between the two Sermons by sitting for some time.

Problem # 13. According to the more cautious if not stronger, opinion, it is obligatory to raise the voice while delivering the Sermon in a way that it may be heard by a number of people, rather apparently it is not permissible to deliver the Sermon quietly, but there is no difficulty in the absence of permissibility for keeping the voice low when giving admonition and recommendation, and the Imām should raise his voice so that those present may hear it. Rather it is more cautious, or he must use loud speakers while delivering the Sermon if there is a large number of attendants in order that his admonition, persuasion [to do good deeds], frightening [from Allāh’s wrath in case of commission of bad deeds] and other important subjects may reach them through them.

Problem # 14. According to the more cautious opinion, rather according to more traditional authority, it is obligatory for those present to listen to the Sermons, rather it is more cautious for them to keep silence and avoid talking during the deliverance of the Sermons, though, according to the stronger opinion, it is disapproved. Of course, if the talk causes a hindrance in listening by others and the loss of the advantage of the Sermon, it would be necessary to avoid it.

According to the more cautious opinion, it is preferable for those present to sit with their faces towards the Imām, and not to turn their faces more than it is allowed even during offering the prayer. It is also preferable according to the more cautious opinion that the Imām must be clean of the minor and major pollutions, as also the audience. According to the more cautious opinion, it is also preferable for the Imām while delivering the Sermon not to speak anything other than what relates to the subject of Sermon. However, there is no objection if the Imām speaks after delivering the Sermon before starting the prayer.

The Imām should be a good speaker and able to keep in consideration the requirements of the circumstances and use a lucid language free from confusion, fully conversant with what is happening to the Muslims in the various countries, particularly his own country, cognizant of the interests of Islam and Muslims, bold enough not to be impressed by the reproach of the censurer, unequivocal in telling the truth and condemning the falsehood according to the
ما جرى على المسلمين في الأقطار سيا قطراً، عالماً بصالح الإسلام والمسلمين، شجاعاً لا يلومه في الله لومة لائم، مرجاً في إظهار الحق وإبطال الباطل حسب المقضيات والظروف مراعياً لما يوجب تأثير كلامه في النفس من مواطنة أوقات الصلاة والتلبس بزي الصالحين والأولياء، وأن يكون أعماله مؤتزاً لمواعظه وترهيبه وترغيبه، وأن يجدب عنا يوجب وتهب وهو كلامه حتى كثرة الكلام والمزاح وما لا يعني، كل ذلك إخلاصاً لله تعالى وإعرافاً عن حب الدنيا والرئاسة - فانه رأس كل خطيئة - ليكون لكلاهما تأثير في النفس، ويستحب له أن يتعمم في الشتاء والصيف، وينزدري بصره أو عداني، ويزين ويلبس أنفده ثيابه متطابقاً علي وقار وكينة، وأن يسلم إذا صعد المنبر، وأستقبل الناس بوجهه ويبقلوه بوجههم، وأن يعتمد على شيء من قوس أو عصا أو سيف، وأن يجلس على المنبر أمام الخطة حتى يفرغ المؤذعون.

مسألة 15 - قد مر اعتبار الفوضى بين الجمعين بثلاثة أيام، فان أقيمت جمعتان دون الحد المعترف بها اقتربت بطلت جمعية، وإن سبقت إحداهما ولو بتكبيرية الإحرام بطلت المتاخرة، سواء كان المسلح عاملاً بسبق جمعة أم لا، وصحت المتاخرة، سواء علم المسلح بلحظ جمعة أم لا، واليدين في الصحة تقدم الصلاة لا الخطة، فلو تقدم إحدى الجمعتين في الخطة والآخرة في الصلاة بطلت المتاخرة في الشروع في الصلاة.

مسألة 16 - الأحور عند إقدار إقامة جمعة في محل إحراز أن لجامعة هناك دون الحد المعترف - مقارنة لها أو معقدة قبلها، وإن كان الأشبة جواز الانعقاد وصحة الجمعية مالف مكرر جمعة أخرى مقارنة لها أو مقدمة عليها، بل الظاهرة جواز الانعقاد لعلم بالعقد أخرى وشك في مقارنتها أو سببها.

مسألة 17 - لو علموا بعد الفرغ من الصلاة بعقد جمعة أخرى، واجتمعت كل من الجمعتين السباق واللحوق فالظاهرة عدم وجوب الإعادة عليها لا جمعة ولا.
requirements and conditions of the day, considerate in using a language which may influence the people as regards the advice for being punctual and regular in their prayers and dress like the pious and the saints, and that his acts must correspond with his admonitions, persuasions and frightening, and he must abstain from what may lower him in the eyes of the people or bring down his speech even by unnecessary and excessive talk and jokes and nonsense. The Imám must do all this sincerely and purely for the sake of Allâh, the Exalted and abstinence from love for the worldly power and pelf, as they are the centre of all wrong doings, so that his speech may influence the people.

It is approved for the Imam to wear a turban in both summer and winter and wrap the shawl of Yemen or Aden, be presentable and put on garments as clean as possible, eliciting honour and grace. He must greet the people while ascending the pulpit and keep his face towards the people, and they should have their faces towards him, and that he must lean against a bow, sceptre or mace or a sword, and keep sitting on the pulpit until the Mu'adhdhin (person calling to prayer) finishes his Adhān (call to prayer).

Problem # 15. It has already been mentioned that there should be a distance of three miles between the congregations for Friday prayer. If two congregations are held simultaneously for offering Friday prayer within a limit lesser than the required distance, they shall both be void. If, however, one of them is held earlier than the other even if by a Takbîrat al-Ilîrîm, the subsequent one shall be declared void, regardless whether those offering the prayer have the knowledge about another Friday prayer having been held earlier or not, while the prayer held earlier shall be declared valid, whether those offering it have the knowledge about another Friday prayer having been held subsequently or not. The criterion for deciding about the validity of the prayer is the precedence of the prayer and not that of the Sermon, so that if one of the Friday prayers has precedence in Sermon and the other in the prayer itself, the prayer begun subsequently shall be declared invalid.

Problem # 16. It is more cautious that while intending to offer Friday prayer it may first be made sure that no other Friday prayer is being offered simultaneously or earlier within the prescribed area [of three miles] there, though according to the opinion more in conformity with the principles of law, it would be permissible to do so, and the Friday prayer shall also be valid unless it is established that another Friday prayer was offered simultaneously, or earlier than that [within the prescribed area]. Rather it is permissible to offer it with the knowledge of another Friday prayer when there is doubt about its being simultaneous or earlier.

Problem # 17. If, after finishing the Friday prayer, the people come to know of another Friday prayer which is likely to be simultaneous or subsequent, then apparently it is not obligatory for both the Friday and Ţuhr prayers to be repeated, though it would be more cautious to repeat them. It is obligatory on the group who was not present in both the Friday prayers and intend to offer a third Friday prayer, that they should first make sure that the first two Friday prayers were invalid, and if there is likelihood of either of them being valid, it shall not be permissible to offer another Friday prayer.
ظهرًا وإن كان الواجب أجوب، ويجب على الجماعة التي لم يحضرها الجماعتين إذا أرادوا إقامة جمعة ثالثة إحرار بطلاين الجماعتين المتقدمتين، ومع احتمال صحة إحداهما لا يجوز إقامة جمعة أخرى.

القول فيمن تجب عليه

مسألة 1 - يشترط في وجوهها أمور: التكليف والذكورة والحري والسلامة من العمي والمرض، وأن لا يكون شيخًا كبيرًا، وأن لا يكون بينه وبين محل إقامة الجماعة أزيد من فرسخين، فهؤلاء لا يجب عليهم السعي إلى الجماعة لوقتنا بالوجب التمثيلي، ولا يجب عليهم ولو كان الحضور لهم غير حرفي ولا مشقة فيه.

مسألة 2 - كل هؤلاء إذا اتفق منهم الحضور أو تكلفوه صحت منهم وأجزات عن الظهر، وكتاب كل من رخص له في تركها لما عن من مطر أو برد شديد أو فقد رجل ونحوه مما يكون الحضور معه حرجًا عليه، نعم لا تصح من المجنون، وصحبت صلاة الصبي، وأما إكمال العدد به فلا يجوز، وكذا لا تنعقد بالصبيان فقط.

مسألة 3 - يجوز للمسافر حضور الجماعة، وتنعقد منه وتجيبه عن الظهر، لكن لو أراد المسافرون إقامتها من غير تبعية للحاضرين لا تنعقد منهم، وتجيب عليهم صلاة الظهر، ولو قصدوا الإقامة جازت لهم إقامتها ولا يجوز أن يكون المسافر مكملًا للعدد.

مسألة 4 - يجوز للمرأة الدخول في صلاة الجماعة، وتصبح منها وتجيبها عن الظهر إن كان عدد الجماعة أي خمسة نفر رجالًا، وأما إقاماتها للنساء أو كونها من جملة الخمسة فلا يجوز، ولا تنعقد إلا بالرجال.
Persons on Whom Friday Prayer is Obligatory

Problem # 1. There are certain conditions for the obligation of Friday prayer. They are as follows: The person must be Mukallaf, a male, [and not a female]. He must be a free man, [and not a slave]. He must be in his own town, [and not on a journey]. He must not be blind. He must not be sick. He must not be very old, and, the distance between his place and the place of congregation must not be more than two Farsakhs.

It is not obligatory on the above mentioned persons to try to attend the Friday prayer, although we have said that offering Friday prayer is a specific obligation [i.e., the duty of every individual, as against the collective obligation], and it is not obligatory on them even if attending the Friday prayer may not be troublesome or painful for them.

Problem # 2. If the persons mentioned above happen to attend the Friday prayer or give themselves trouble to attend it, their prayer shall be valid, and it would be sufficient in place of Zuhr prayer. The same rule shall apply to those who have been permitted to give it up due to some hindrance like rain or severe cold or the like, so that it would be troublesome for them to attend the Friday prayer.

Of course, the Friday prayer of a lunatic is not valid, though it is valid if offered by a minor, but it is not permitted to count a minor in the required number of those without whose presence Friday prayer is not considered valid. So also, a Friday prayer is not valid with the attendance of the minors only.

Problem # 3. It is permissible for a person on journey to attend the Friday prayer, and it is valid when offered by him and is considered to be in lieu of Zuhr prayer, but if only persons on journey intend to arrange the congregation for the Friday prayer without the participation of those living in that town, it shall not be valid, [and it shall not be counted in lieu of Zuhr prayer], and it shall be obligatory on them to offer the Zuhr prayer. If the persons on journey intend to stay [further, so that they may not be required to offer shortened prayers], it shall be permissible for them to do so.

It is also not permissible for a person on journey to be counted to complete the number required for holding the Friday prayer.

Problem # 4. It is permissible for a woman to attend the Friday prayer, and it is valid if offered by her, and it shall be counted in lieu of her Zuhr prayer, provided that the number required for holding the Friday prayer, i.e. five men, is complete.

It is not permissible for the women alone to hold Friday prayer, nor are they counted among the number required for holding Friday prayer, nor is the Friday prayer held validly without the presence [of the required number] of men.
القول في وقته

مسألة 1 - يدخل وقتها بزوال الشمس، فإذا زالت فقد وجبت، فإذا فرغ الإمام من الخطبتين عند الزوال فبشر فيها سعى، وأما آخر وقتها بحيث نفت بمضيه ففيه خلاف و إشكال، والأحوز عدم التأديي عن الأوائل العرفية من الزوال، وإذا أخرجت عن ذلك فالاحوت اختيار الظهور وإن لا يعد امتداد إلى قدمين من فيها المتعارف من الناس.

مسألة 2 - لا يجوز إطالة الخطبة بمقدار يفوت وقت الجمع إذا كان الواجب تعالىًا، فلو فعل أم و وجبت صلاة الظهر كما تجب الظهر في الغرض على التخدير. أيضاً، وليس للجمعية فعل بفوات وقتها.

مسألة 3 - لو دخلوا في الجمعية فخرج وقتها فان أدركوا منها ركعته في الوقت صحت، وإذا بطلت على الأشبه، والاحوت الامام جمعة ثم الاتينان بالظهور، ولو تعمدوا إلى بقاء الوقت بمقدار ركعته فإن قلنا بوجوهنا تعيينا أنهم و صحت صلاتهم، و إن قلنا بالتخدير كما هوالأقوى فالحوز اختيار الظهور، بل لا يترك الاحتياط بأنهمان الظهر في الغرض الأول أيضًا بالقول بالتخدير.

مسألة 4 - لو تبين أن الوقت يتسع لأقل الواجب من الخطبتين و ركعتين خفيفتين غير بين الجمعية والظهر، ولو تبين بعدم الاتساع لذلك تبين الظهر، ولو
Problem # 5. Friday prayer is obligatory on the people living in small hamlets and suburbs of cities in the same way as it is obligatory on those living in big towns and cities, provided that the conditions required for holding it are fulfilled. Likewise, Friday prayer is obligatory on those living in tents and valleys, provided that they reside there.

Problem # 6. It is difficult to accept the validity of Friday prayer offered by a hermaphrodite, nor is it permissible to appoint him leader of the prayer or one for the completion of the number required for holding a Friday prayer. In case the number required for holding Friday prayer is not completed without a hermaphrodite, the Friday prayer shall not be held, and it shall be obligatory to offer the Zuhr prayer.

The Due Time for Offering Friday Prayer

Problem # 1. The due time for offering Friday prayer starts from noon, and as soon as it is past meridian, it becomes obligatory. If the Imām finishes both the Sermons around noon and starts the prayer, it shall be valid.

As regards the last time for offering Friday prayer after which it is considered to be unfulfilled, there is difference and difficulty in declaring it, though it is more cautious not to delay it more than the usual time around noon, so that if it is delayed inordinately than the usual time, it is more cautious to opt to offer Zuhr prayer, though it is not far from extending the usual shadow of people farther than two feet.

Problem # 2. It is not permissible to prolong the Sermon to an extent that the due time for offering Friday prayer may elapse, when its obligation is accepted to be the duty of every individual, so that if the Imām does so, he shall be considered to have sinned, and it shall be obligatory to offer Zuhr prayer, as it shall become obligatory even in case it is considered to be optionally obligatory. A Friday prayer is not to be compensated in case of failure to offer it at its due time.

Problem # 3. If the due time of the Friday prayer elapses after it has started, then if even a single Rak’at has been offered within the due time, it shall be valid; otherwise, it shall be declared invalid, according to the principles of law. It is more cautious to complete the Friday prayer and then offer the Zuhr prayer. If those offering the Friday prayer have deliberately delayed it till only the time for offering a single Rak’at within the due time is left, then if we consider Friday prayer to be obligatory for every individual, they shall be considered to have sinned, but their prayer shall be valid. If, however, we consider it to be optional, as it is so according to the stronger opinion, then it would be more cautious to resort to Zuhr prayer. Rather caution must not be given up by offering the Zuhr prayer even in case of the first supposition, provided that Friday prayer is considered optional.

Problem # 4. If a person is certain that the time left is sufficient at least for the obligatory two Sermons and two small Rak’ats, he may opt for the Friday prayer or Zuhr prayer. In case he is certain that the time left is not sufficient for all that, then he must take up Zuhr prayer. If the person doubts about the sufficiency of the time, his Friday prayer shall be valid. If later he comes to realise that the time left is sufficient for offering even a single Rak’at, he shall offer the Zuhr
فروع:

الأول - شرائح الجماعة في غير الجماعة معتبرة في الجماعة أيضاً من عدم الحائل وعدم علوم موقف الإمام وعدم التباعد وغيرها، وكذا شرائح الإمام في الجماعة هي الشرائح في إمام الجماعة من العقل والإيمان وطهارة المولد و الغذاء، نعم لا يصح في الجماعة إمام الصبيان ولا النساء وإن قلنا بجوازها لمثلهما في غيرها.

الثاني - الأذان الثاني يوم الجماعة بدعمة محرمة، وهو الأذان الذي يأتي الخالفون به بعد الأذان الموظف، وقد يطلق عليه الأذان الثالث، ولله باعتبار كونه ثالث الأذان والإفطار، أو ثالث الأذان للإعلام والأذان للصلاة، أو ثالث
prayer. If the person knows how much time is left, but doubts whether it would be sufficient for offering the Friday prayer, it shall be permissible for him to start his prayer, so that if it was sufficient, the prayer shall be valid; otherwise, he shall offer the Zuhr prayer, though it is more cautious to take up Zuhr prayer. Rather caution must not be given up in case of the second supposition when the time is sufficient for a single Rak‘at.

Problem # 5. If the Imam offers Friday prayer with the required number of persons following him within its due time, and a follower who is not included in the required number does not attend the Sermon and the first Rak‘at, but succeeds in offering a single Rak‘at of the Friday prayer behind the Imam, and offers another Rak‘at individually, his prayer shall be valid, but the last permissible time for him is to join the Imam when he is performing the Rukū‘, so that if he also kneels for the Rukū‘ while the Imam has not yet risen for Qiyām, his prayer shall be valid.

It is more preferable for a person who has not joined the Imam until the Takbīr for Rukū‘ to offer four Rak‘ats for Zuhr prayer.

If, however, he recites Takbīr and kneels for Rukū‘, and doubts whether the Imam was also performing Rukū‘, and whether he has joined him at the Imam's performing the Rukū‘ or not, he shall not be considered to have offered the Friday prayer. Now, whether his prayer shall be invalid or valid and he shall be required to complete it as a Zuhr prayer, there is difficulty in deciding about it, but it is more cautious for him to complete prayer as Zuhr prayer, and then offer it again.

Secondary Problems Concerning Friday Prayer

Firstly, the conditions for Friday prayers are the same as required in prayers other than the Friday prayer as regards the absence of any hurdle, the place of Imam not being higher, nor too far from the followers, etc. Likewise, the conditions for the Imam in Friday prayers are also similar to those required in Imam of Jamā‘at as regards sanity, faith, legitimate birth and sound character.

Of course, in a Friday prayer it is not permissible for a minor or a woman to lead the prayer, even if it is considered permissible in other types of prayers.

Secondly, Call to prayer (Adhān) a second time on Friday is considered an innovation (Bid‘at) and prohibited (Haraam), and it is the call of prayer prevalent among the non-Shi‘ahs after the one for the obligatory, and sometimes it is applied as the third call for prayer or call for standing for prayer (Iqamah), or (may be) the third call for prayer is meant for announcement and call for prayer, or the third call for prayer is made as the call for prayer for the morning and Zuhr prayer, but apparently it is other than the call for ‘Asr prayer.
باعتبار أذان الصبح والظهر، والظاهر أنه غير الأذان للعصر.
التالت لا يحرم البيع ولا غيره من المعاملات يوم الجمعة بعد الأذان في
حصائرنا ما لا يجب الجمعة فيها تعيين.
الرابع - لولا يمكن الأموم لزحام ونحوه من السجود مع الإمام في الركعة
الأولى التي أدرك ركوعه معه فان أمكنه السجود واللحماع عليه قبل الركوع أو فيه
فعل وصحة جمعته، وإن لم يكن ذلك لم يتتابعه في الركوع قبل اقتصر على
متابعته في السجديتين، ونوى بها للأولى، فيكلبه كرعة مع الإمام ثم يأتي
بكرعة ثانية لنفسه، وقد تمت صلاته، وإن نوى بها الثانية قبل يجهفها و
يسجد للأولى و يأتي بالركعة الثانية وصحة صلاته، وهو مروي، وقيل تبطل
صلاة، و يحتمل جعلهما للأول إذا كانت نيته للثانية لغفلة أو جهل وأتى
بالركعة الثانية كالفرض الأول، والمسألة لا تخلو من إشكال، فالأحوجة الاتمام
بجذفهما والسجدة للأول ولا تبان بالظهر، وكذا نونى بها التبعية للإمام.
الخامس - صلاة الجمعة ركعتان كصلاة الصبح، ويستحب في الجهر
بقراءة والقراءة في الأولى والثانوية في الثانية، وفيها قنوات أن هذهما
قبل ركوع الركعة الأولى وثانيها بعد ركوع الثانية، وقد مر بعض الأحكام
الراجعة إليها في مباحة القراءة وعمرها، إن أحكامها في الشرائط والمواع
والقوانين والعدل والشكا والسهو وغيرها ما تقدمت في كتاب الطهارة والصلاة.

القول في صلاة العيدين

الفطر والأضحي، وهي واجبة مع حضور الإمام عليه السلام و يشبه و
اجتماع سائر الشرائط، ومستحبة في زمن الغيبة، والأحوجة إليها فرادي في ذلك
العصر، ولا بأس بانيها جمعة رجاءً لا بقصد الورود، ووقتها من طلع الشمس
Thirdly, in our own times (during the Disappearance of the Twelfth Imām), it is not forbidden to indulge in trade and other transactions on Friday after the call for prayer, if the Friday prayer is not considered a specific (or individual) obligation for every believer.

Fourthly, if, due to extraordinary crowd or the like, a follower in a Friday prayer is not able to perform prostration with the Imam in the first Rak'at which he has joined in its Rukū' with the Imām, then, if it is possible for him to perform the prostration and join him before the Rukū' [in the second Rak'at], it would be valid, and his Friday prayer shall also be valid. In case, however, he is not able to do so, he shall not follow the Imām in the Rukū' [rather he shall suffice to follow him in the two prostrations, and shall have the intention (Niyyat) of performing both the prostrations for the first Rak'at. Thus, he shall be able to complete one Rak'at with the Imām, and shall offer the second Rak'at himself individually and complete his prayer. In case he intends to offer the second Rak'at with those two prostrations, it is said that he shall not count them, and perform the prostration for the first Rak'at, and then offer the second Rak'at, and this is also found in the relevant Tradition. It is said that his prayer shall be invalid, while it is possible to deem the two prostrations for the first Rak'at when he intended to perform them for the second Rak'at due to forgetfulness or ignorance, and then offers the second Rak'at according to the first supposition. The problem, however, is not free from difficulty, and, therefore, it is more cautious for him to complete the prayer by not counting the two prostrations, and perform prostration for the first Rak'at, and then offer the Zuhr prayer. The same rule shall apply in case he has intended to follow the Imām in performing the two prostrations.

Fifthly, the Friday prayer consists of two Rak'ats like the Morning prayer, and it is approved to perform it loudly, and recite the Sūrat al-Jum'ah (Chapter 62 of the Qur'ān) in the first Rak'at and Sūrat al-Munāfiqūn (Chapter 63 of the Qur'ān) in the second Rak'at. There are two Qunūts in it, one recited before the Ruku' of the first Rak'at and the other after the Rukū' of the second Rak'at. Some of the Rules concerning the Friday prayer have already been mentioned under the Rules concerning the Recitation of the Sūrah of the Qur'ān, etc. As regards the rules relating to the conditions, impediments, causes of its invalidation, deficiency or excess, doubts, errors, etc., they have already been mentioned under the Chapters on Cleanliness and Prayer.

Rules Concerning Eid al-Fitr and Eid al-Adhā Prayers

The Prayers for Eid al-Fitr and Eid al-Adhā are obligatory during the presence of the Imām, Peace be upon him, and when he has complete freedom of action as well as the fulfillment of other required conditions, but they are approved during the Occultation [Ghāibat] of the Imām, and it is more cautious to offer them individually during the Period of Occultation of the Imām. There is, however, no objection in offering them with Jamā'at with the hope [that it shall be desirable to Allāh], and not with intention that it has come down in the Shari'ah. The time for offering these two prayers is from the rising of the sun to noon. It does not become due if not offered.

They consist of two Rak'ats, in each of the Rak'ats one must recite the Sūrat al-Ḥamd (Chapter 1 of the Qur'ān) and some other Sūrah of the Qur'ān. It is, however, preferable to recite Sūrat al-Shams (Chapter 91 of the Qur'ān) in the first Rak'at and Sūrat al-Ghāshiyah (Chapter
إلى الزوال، ولا قضاء لها لوفات، وهي ركعتان في كل منها يقرأ الحمد
وسورة، والأفضل أن يقرأ في الأولى سورة الشمس، و في الثانية سورة الغاشية، أو
في الأولى سورة الأعلى و في الثانية سورة الشمس، و بعد السورة في الأولى خمس
تكبيرات و خمسة قنوتات بعد كل تكبيرة قنوت، و في الثانية أربع تكبيرات و
أربعة قنوتات، بعد كل تكبيرة قنوت، يجيزي في القنوت كل ذكر و دعاء
كسائر الصلوات ولو أتي بما هو المعروف رجاء الثواب لا يأس به و كان حسنًا،
و هو:
«الله أهل الكبائر والعظمة، وأهل الجود والجبروت، وأهل العفو
والرحمة و أهل التقوى والمغفرة، أسألك بحق هذا اليوم الذي جعلته للمسلمين
عيدة، و محمد صلى الله عليه و آله ذكرًا و ذكرًا و كرامة و مزايا، أن تصلي على
محمد و آل محمد، و أن تدخلي في كل خير أدخلت فيه محمدًا و آل محمد، و أن
تخرجي من كل سوء أخرجت منه محمدًا و آل محمد صلواتك عليه و عليه، اللهم
إني أسألك خير ما سأذكر به عبادك الصالحون، و أعوذ بك مما استعاذ منه عبادك
المخلصون».

ولا صلى جماعة رجاءً يأتي بخطبتهما بعدها رجاءً أيضاً، و يجوز تركها في
زمان الغيبة، و يستحب فيها الجهر للمام و المنفرد، و رفع اليدين حال
tكبيرات، والإصحاراً بها إلا في مكة، و يكره أن يصلي تحت السقف.

مسألة 1 - لا يتحمل الإمام فيها ما عدا القراءة كسائر الجماعات.

مسألة 2 - لو شكل في التكبيرات أو القنوتات وهو في المجل بني على الأقل.

مسألة 3 - لو أتي بموجب سجود السهو فيما أحيان رجاءً، وإن كان
عند وجوده في صورة استحبابها لا يخلو من قوة، و إذا الحال في قضاء التشهد
والسجدة المنصوب.

مسألة 4 - ليس في هذه الصلاة أذان ولا إقامة، نعم يستحب أن يقول
88 of the Qur’an) in the second Rak‘at, or Sūrat al-A‘lā (Chapter 87 of the Qur’an) in the first Rak‘at and Sūrat al-Shams in the second Rak‘at. After the recitation of the Sūrah from the Qur’an in the first Rak‘at, one must recite five Takbîrs and five Qunûts, one Qunût being after each Takbîr, and in the second Rak‘at four Takbîrs and four Qunûts, one Qunût being after each Takbîr.

In the Qunût, it is permissible to recite any Dhikr or Du‘â’ like other prayers, and if one recites what is usual, there is no harm; rather, it would be approved, and that is as follows (in Arabic): “Allâhumma ahhal kibriyâ’î val ‘a’zamati va ahhal jûdi val jabraût va ahhal ‘aﬁwî var rahmah va ahhal taqwâ val maghfirah As’aluka bihâqqi hadhal yowmil ladhi ja’aaltahû lil Muslimeena Eidâ va li Muḥammadin sa’llallâhu alaihi wa aliheh dhukhran va sharafan va karâmatan va mazeeda an tușâlî ‘alâ Muḥammadin va Âl-i Muḥammad va an tudkhiînî fi kulli khaîrin adkhaltâ feehi Muḥammadan va Âl-a Muḥammad wa an tuhkriînî min kullî sù in akhrjatâ minhu Muḥammadan va Âl-a Muḥammad Şalawâtuka ‘alaihi va ‘alaihim Allâhumma as’aluka khaira mä sa’laka bihî ‘ibâdukaş Şâlihîn va ‘aûdhhu bika mimmasta’âdha minhu ‘ibâdukaş mukhlîśûn”.

Its English translation is as follows: “O Allâh, Possessor of Majesty and Greatness, Possessor of Generosity and Almighthy, Possessor of Forgiveness and Mercy, Possessor of Protection and Pardon, I ask Thee, for the sake of this Day which Thou hast set for Muslims a Day of Rejoicing, and for Muḥammad, Blessing be on him and his Progeny, (a source of) treasure, honour, dignity and even more, to send Blessing to Muḥammad and his Progeny, and to enter me (or my name) in every good deed, Thou hast entered in it (the names of) Muḥammad and Muḥammad’s Progeny, and remove me (or my name) from every evil, Thou hast removed from it (the names of) Muḥammad and Muḥammad’s Progeny, Thy Blessing be on him and them. O Allâh, I ask Thee for every good thing asked for by Thy pious Devotees, and seek of Thee for the refuge sought for by Thy pure Devotees.”

If a group of people offer these two prayers with Jamā’at with the intention of hope [that it would be desirable to Allâh], the Imām shall deliver two Sermons after offering them with the intention of hope [that it would be desirable to Allâh]. It is permissible to give up both these prayers during the Period of Occultation [of the Twelfth Imām]. [When these prayers are offered], it is permissible to recite the words loudly by the Imām [when offered with Jamā’at], or by the individual [when offered individually]. It is also approved to raise the hands at the time of reciting the Takbîrs, and offer it in large open spaces excepting Mecca. It is disapproved to offer these prayers under a roof.

**Problem # 1.** Like all other Jama’ats, the Imām is not responsible in these prayers for anything except recitation.

**Problem # 2.** If a person doubts about the number of the Takbîrs or Qunûts (in these prayers), and the doubt occurs in its proper place (of compensation), he shall decide in favour of the minimum.

**Problem # 3.** If a person does some thing entailing the performance of the prostration for error, it is more cautious to perform the prostration for error with the intention of hope [that it would be desirable to Allâh], though its non-obligation, when the prayer be considered to be approved,
القول في بعض الصلاوات المندوبة

فمنها: صلاة جعفر بن أبي طالب عليه السلام، وهي من المستحبات الأكيدة، ومن المشهورات بين العامة والخاصة، وما حماد النبي صلى الله عليه وآله ابن عمه حين قدمه من سفره حياً له وكرامة عليه، فعن الصادق عليه السلام أنه: "قال النبي (ص) لجعفر حين قدمه من الحبشة يوم فتح خيبر: ألا أمتحك؟ ألا أعطيك؟ ألا أحبك؟" فقال: بل يا رسول الله صلى الله عليه وآله - قال: ففطن الناس أنه يعطيه ذهباً وفضة، فأشرف الناس لذلك، فقال له: إن أعطيك شيئاً إن أنت صنعته في كل يوم كان خيراً لك من الدنيا وما فيها، فإن صنعته بين يومين غفرت الله لك ما بينهما، أو كل جمعة أو كل شهر أو كل سنة غفر لك ما بينهما.

وأفضل أوقاتها يوم الجمعة حين ارتفاع الشمس، ويجوز احتسابها من نوافل الليل أو الليل، تحسب له من نوافله وتحسب له من صلاة جعفر (ع) كما في الحنفية، فينوي بصلاة جعفر نافلة المغرب مثلاً، وهي أربع ركعات بسليمتين، يقرأ في كل ركعة الحمد وسورة ثم يقول: "سبحان الله وحمدلله ولا إله إلا الله والله أكبر" خمس عشرة مرة، ويقولها في الركوع عشر مرات، وكدنا بعد رفع الرأس منه عشر مرات، وكذا في السجدة الأولى، وبعد رفع الرأس منها، وفي السجدة الثانية، وبعد رفع الرأس منها يقولها عشر مرات، وتشون في كل ركعة خمس وسبعون مرة، وجميعها ثلاثمائة تسبحة، والظاهرة الانتقاء بالأسباب عن ذكر الركوع والسجود، والأحوال وعدم الاكتفاء بها عنه، ولا تنعى فيها سورة مخصوصة، لكن الأفضل أن يقرأ في الركعة الأولى إذا زالت و
(and not obligatory), is not devoid of force. The same is the case with the compensation for a forgotten Tashahhud or prostration

**Problem # 4.** In the prayers for *Eid al-Fiṭr* and *Eid al-Aḍḥā*, there is neither a call for prayer (*Adhān*), nor a call for standing for prayer (*Iqāmah*). Of course, it is approved for the *Muadhdhin* (one who calls for prayer) to call (loudly) three times: ‘Aṣṣalāt” (i.e., The prayer is ready).

### Some of the Recommended Prayers.

#### 1. Jaʿfar-i Ṭayyār Prayer

One of the recommended prayers is the Prayer of Jaʿfar b. Abī Ṭālib, Peace be upon him. It is one of the emphatically recommended prayers, and is well known among the Shīʿahs and the non-Shīʿahs. It is one of the things awarded as a mark of affection and favour by the Prophet, Allāh’s Blessing be upon him and his Progeny, to his uncle’s son when he came back from a journey. It has been reported from [Imām Jaʿfar] Al-Ṣādiq, Peace be upon him: “The Prophet (PBUH) said to Jaʿfar when he came back from Ethiopia on the day of the Conquest of Khaibar: ‘Should I not bestow a favour on you? Should I not grant you a favour? Should I not award you something?’ “Yes, please, O Messenger of Allāh, (PBUH)” replied Jaʿfar. The people thought that the Prophet (PBUH) would award him some gold or silver. So they came close for that [in order to see what he bestows upon Jaʿfar]. The Prophet (PBUH) said to Jaʿfar: “I give you something that if you perform it every day, it would be better for you than this world and what lies in it. If you perform it once in two days, Allāh shall forgive whatever sins you might have committed during those two days. If you perform it every Friday, every month or every year, Allah shall forgive all the sins you happen to commit during that week, month or year.”

The most preferable time for it is Friday at the time of sun-rise, and it is permissible to count it among the supererogatory prayers of the night or day. It may be counted among the supererogatory prayers, and also as the Prayer of Jaʿfar [-i Ṭayyār, Peace be upon him] as has been related in the relevant Tradition. So a person may have the intention of offering the Prayer of Jaʿfar as a supererogatory prayer, for example, with the Magrib prayer. It has four Rakʿats with two Salutations The person shall recite the *Sūrat al-Ḥamd* (Chapter 1 of the Qurʾān) along with another *Sūrah* of the Qurʾān, and then shall say (in Arabic): “Subḥānallāh wa ʿAlāhumma lillāh va la ilāha illallāhu vallāhu akbar” fifteen times. Then he shall recite the same formula in the *Rukūʿ* ten times, and also ten times after raising the head [from the *Rukūʿ*], and likewise in the first prostration and after raising the head from it, as also in the second prostration and after raising head from it he shall recite the formula ten times, so that he shall recite the formula seventy five times in each Rakʿat, and its total number shall be three hundred. Apparently it is sufficient to recite the formula instead of the *Dhikr* in *Rukūʿ* and prostration, though it is more cautious to recite the *Dhikr* as well in the *Rukūʿ* and prostration.

No specific *Sūrah* of the Qurʾān is to be recited in this prayer, though it is more preferable to recite the *Sūrat al-Zilzhāl* (Chapter 99 of the Qurʾān) in the first Rakʿat, *Sūrat al-ʿĀdiyāt* (Chapter 100 of the Qurʾān) in the second Rakʿat, *Sūrat al-Naṣr* (Chapter 110 of the Qurʾān) in
في الثانية والعادية، وفي الثالثة إذا جاء نصر الله، وفي الرابعة قل هوا الله أحد.

مسألة 1: يجوز تأخير التسبيحات إلى ما بعد الصلاة إذا كان مستعجلًا، كما يجوز التفريق في أصل الصلاة إذا كانت له حاجة ضرورية، فيأتي بركتين وبعد قضاء تلك الحاجة يأتي بالبقية.

مسألة 2: لوسها عن بعض التسبيحات في محله فان تذكره في بعض الحالات الآخر قضاء في ذلك محل مضافًا إلى وظيفته، فذا نسي تسبيحات الركوع وذكرها بعد رفع الرأس منه سبب عشرين تسبيحة، وهكذا في باقي الحالات والأحوال، وإن لم يتذكرها إلا بعد الصلاة فالأول والأحوج أن يأتي بها رجاءً.

مسألة 3: يستحب أن يقول في السجدة الثانية من الركعة الرابعة بعد التسبيحات: "يا من بأس العز والوقار، يا من تغط في الجسد وتجربه، يا من لا ينبغي التسبيح إلا له يا من أحسن كل شيء علمه، يا دعاء التوبة والطول ياذا المن والفضل يا ذا القدر والكرم أسألك بعذب العز من عرشك ومنثري الرحمة من كتابك وباسمك الأعظم الأعلى وكلماتك النافعات أن تصل علي محمد وآل محمد وأن تفعل بي كما و كذا" ويدكر حاجته.

و يستحب أن يدعو بعد الفراغ من الصلاة ما رواه الشيخ الطوسي والسيداب طاوس عن المفضل بن عمر قال: "رامت أبا عبد الله عليه السلام يصلي صلاة جعفر، ورفع يديه ودعا بهذا الدعاء "يا رب يا رب" حتى انقطع النفس "يا ربه يا ربه" حتى انقطع النفس 

يا الله يا الله" حتى انقطع النفس "يا حي يا حي" حتى انقطع النفس "يا رحم يا رحم" حتى انقطع النفس "يا رحم يا رحم" سبع مرات "يا أرحم الراحمين" سبع مرات، ثم قال: "المهم أنك افتحت القول بمحمد وانطق بالثناء عليك وابن محمد ولا غاية لمدحك وانثى عليك ومن يبلغ غاية ثنائك وأمد محمد و أني خلقتك كنه معرفة محمد، وأني زمن لم تكن ممدوحا بفضلك موصوفا بجذبك"
the third Rak'at and Sūrat al-Ikhlāṣ (Chapter 112 of the Qur'ān) in the fourth Rak'at.

Problem # 1. It is permissible to delay the recitation of the formula till after the prayer if a person is in a hurry, as it is also permissible to divide the prayer itself if he has some urgent work to do, so that he may offer two Rak'ats once, and after performance of the urgent work he may offer the remaining two Rak'ats.

Problem # 2. If a person fails to recite the formula at its proper place, but at another place comes to recall the omission, he may make up for the omitted formulas there along with those required at that place. If a person forgets to recite the formula in the Rukū' and comes to recall the omission after raising his head from the Ruku', he shall recite the formula twenty time. The same shall be the case in the other places and circumstances. If a person does not recall the omission till after the prayer, then, according to the more cautious opinion, it is better to recite it with the intention (Niyyat) of hope [that it would be desirable to Allāh].

Problem # 3. It is recommended that a person must say (in Arabic) after the second prostration in the fourth Rak'at after reciting the required formula: "O the One who awards the Garments of Respect and Honour! O the one who favours His Servants with Dignity and bestows Grace! O the one Praise is deserved by Him alone! O the one whose knowledge has encompassed everything! O the Possessor of Blessing and Power. O the Possessor of Favour and Generosity! O the Possessor of Might and Mercy! I ask Thee for the sake of the Seats of Dignity of Thy Throne and the maximum Favour from Thy Book and for the sake of Thy Greatest and Highest Name and Thy Most Complete Words to send Blessing to Muḥammad and the Progeny of Muḥammad and please do for me such and such ". Here the person must mention what he asks for.

It is recommended that a person, after fishing his prayer, must pray what has been related by Shaykh Ţūsī and Sayyid Ibn-i Ṭā'īs through Mufaḍḍal b. 'Umar. He has said: "I saw Abū 'Abdillah [Imām al-Šādiq], Peace be upon him, offering the Prayer of Ja'far. He raised his hands and prayed saying: "Ya Rabb-i. Ya Rabb-i" (O Lord. O Lord), until he lost his breath, then "Ya Rabbāhu. Ya Rabbāhu" (O Lord. O Lord), until he lost his breath. Again: "Rabb-i. Rabb-i," until he lost his breath. "Ya Allāhu. Ya Allāhu", until he lost his breath. "Ya Ḥayyu. Ya Ḥayyu" (O the all-Living. O the All-Living), until he lost his breath. "Ya Raḥimu. Ya Raḥimu" (O the All-Merciful. O the All-Merciful), until he lost his breath. "Ya Raḥmānu. Ya Raḥmānu" (O the Merciful. O the Merciful) seven times. "Ya Arḥamar Raḥimīn" (O the Most Merciful of all Merciful) seven times.

Then he said (in Arabic):

"O Allāh, I open my statement with Thy praise, and speak with Thy Eulogy. I glorify Thee. There is no limit for Thy Praise. I eulogise Thee, and who can reach the limit of Thy Eulogy and the end of Thy Glorification? How can one created by Thee can have the knowledge of Thy Glory? Which is the time when Thou wert not praised for Thy Generosity, qualified with Thy Glory, returning to the Sinners with Thy Clemency? The Inhabitants of Thy Earth. did violate
في صلاة الاستسقاء

عُوَادًا على المذنبين بعلمك تخلف سكان أرضك عن طاعتك فكنعت عليهم عطوفًا
يجودك جوادًا بفضلك عوادًا بكيرمك يا لاله الا أنت المتان ذو الجلال والأكرام
ثم قال لي: يا مفضل إذا كانت لك حاجة مهمة فصل هذه الصلاة وادع بهذا
الدعاء وسُل حاجتك يقضى الله ان شاء الله وله الثقة».

ومنها: صلاة الاستسقاء

وهو طلب السقية، وهي مستحبة عند غور الأنهار وفتور الأمطار، ومنع
السيا قطرها لأجل شيوخ المعاصي، وكرمان النعم، ومنع الحقوق، والتنظيم
في المكيال والميزان والظلم والغدر، وترك الأمر بالمعرفة والنعى عن المنكر،
ومنع الزكاة، والحكم بغير ما أنزل الله، وغير ذلك مما يوجب غضب الرحمن
الموجب لحبس الأمطار كما في الأثر.

كيفيتها كصلاة العيدين ركعتان في جامعة، ولا بأس بالفرادى رجاية
يقرأ في كل منها الحمد والسورة، ويكبر بعد السورة في الأولى خمس تكبيرات، و
بأتي بعد كل تكبيرية بقنوت، وفي الثانية أربع تكبيرات، يأتي بعد كل تكبيرية
بقنوت، ويجري في القنوت كل دعاء، والأولى اشتغاله على طلب الغيث والستي
و استعطاف الرحمن برسال الأمطار وفتح أبواب السيا في الرحمة، ويقدم على
الدعاء الصلاة على محمد وآله عليهم الصلاة والسلام.

ومستحثها أمور: منها - الجمهور بالقراءة، وقراءة السور التي تستحب في
العيدين.

ومنها - أن يصوم الناس ثلاثة أيام، ويكون خروجهم يوم الثالث، ويكون
ذلك الثالث يوم الاثنين، وإن لم يتسر فيوم الجمعة لشرفه وفضله.
ومنها - أن يخرج الإمام ومعه الناس إلى الصحراة في سكينة ووقار.
Thy Obedience, but Thou wert Merciful on them with Thy Generosity, All-Generous with Thy Favour. Returning with Thy Munificence. O the one there is no god but Thou, the All-Kind, Possessor of Sublimity and Kindness.

Then he said to me," O Mufaddal, whenever you have some important wish. Then offer this prayer and pray with this invocation, and ask whatever you wish, Allâh will grant your wish, if He wills and on Him we have Trust."

2. The Prayer for Rain (Istisqâ’)

The prayer for Rain (Istisqâ’) is also one of the recommended prayers. It means praying for rain when the rivers get dried up and when there is discontinuance of rains, and the sky denies its drops due to the spread of sins, denial of divine favour, non-fulfilment of the rights and obligations, lack of proper weighing, oppression, treachery and giving up commanding what is good and forbidding what is wrong, non-payment of Zakât and judging with other than what Allâh has sent down, and the like, which brings the Wrath of the All-Merciful, and causes the discontinuance of the rains, as has been mentioned in the relevant Tradition.

Its procedure is similar to that of the prayer for the Eid al-Fiṭr and Eid al-Aḍḥâ, and has two Rak'ats offered with Jamâ’at. There is, however, no objection if it is offered individually with the intention of hope [that it would be desirable to Allâh]. A person must recite in each of the Rak'ats the Sûrat al-Ĥamd (Chapter 1 of the Qur’ân) and some other Sûrah of the Qur’ân. In the first Rak'at he shall recite five Takbîrs and after each Takbîr shall recite the Qunût. In the second Rak’at he shall recite four Takbîrs and after each Takbîr shall recite the Qunût. It is permissible to recite any Du’â’ in the Qunût, and it is better that it must include asking Allâh for sending rain, and pray for rain and the kindness of Allâh for sending rains and open the doors of the heavens through kindness. Before praying for rain one must ask Allâh to send Blessing on Muḥammad and his Progeny.

There are some things which have come down in the Tradition. They include the following:

1. Reciting the prayer loudly, and reciting the Sûrahs of the Qur’ân which are recommended for recitation when offering the prayers for the two Eids;

2. Fasting by people for three days and coming out the third day in a way it should be the Monday, and if it is not possible, let it be the Friday for its honour and preference;
وخشوع ومسألة، ويتخذوا مكانًا نظيفًا للصلاة، والأولى أن يكون الخروج في
زي يقبل الرحمة ككونهم حفاة.

ومنها إخراج المنبر معهم إلى الصحراء، وخروج المؤذنين بين يدي الإمام.
ومنها ما ذكره الأصحاب من أن يخرجوا معهم الشيوخ والأطفال والعجزاء
والبهائم، ويفرق بين الأطفال وأمهاتهم ليكنوا من الضجيج والبكاء، ويكون
سبيلاً لدر الرحمة، وينعون خروج الكفار كأهل الذمة وغيرهم معهم.

مسألة 1 - الأولى إيقاعها وقت صلاة العيد، وإن لا يبعد عدم توقيتها بوت.

مسألة 2 - لا أذان ولا إقامة لها، بل يقول المؤذن بدلاً عنها: «الصلاة» ثلاث
مرات.

مسألة 3 - إذا فرغ الإمام من الصلاة حول رداءه استجباباً بأن يجعل ما على
التين على اليسار والعكس، وصعد المنبر، واستقبل القبلة، وكبر مائة تكبيرة
رافعاً بها صوته، ثم ألتفت الناس عن يمينه فسНИح الله مائة تسبحة رافعاً بها
صوته. ثم ألتفت الناس على يساره فهلل الله مائة تهليل رافعاً بها صوته، ثم
استقبل الناس فحمد الله مائة تحميدية، ولا يرفع الصوت فيها أيضاً، كما لا
بأس بمتابعة الأمؤمنين الإمام في الأذكار، بل و في رفع الصوت، ولعه أجلب
الرحمة وأرجى لتحصيل المقصود، ثم يرفع الإمام يديه ويدعو ويدعو الناس، و
يبلاغون في الدعاء والترضع والاستعطف و الابتلاع إليه تعالى، ولا يأت بأن
يومن الناس على دعاء الإمام، ثم يخطب الإمام و يبالغ في التضرع
 والاستعطف، والأولى اختيار بعض ما ورد عن المعصومين عليه السلام،
كالواردة عن مولانا أمير المؤمنين عليه السلام بما أوله «الحمد لله سابغ النعم...
النخ» والأولى أن يخطب فيها خطبتي كما في العيدين، ويأتي بالثانية رجاء.

مسألة 4 - كما تجوز هذه الصلاة عند قلة الأمطار تجوز عند جاف مياه العيون
والآبار.
3. Coming out of the Imam, accompanied by the people to a vast open space with patience, honour, fear of Allah and with a look of entreaty. They must select a clean place for offering the prayer. It is better that the people must come out, attired in a way that may attract divine Mercy, as being bare-footed.

4. Bringing the pulpit along with themselves to the open space, and the Mu’adhdhins [those calling for prayer] coming out in front of the Imam.

5. It has also been mentioned by the Companions (or Ulemâ’) that the people should come out accompanied by the old men and women as well children and cattle, and the children should be separated from their mothers, so that they may increase their crying and bewailing which may cause to attract divine Mercy. They should not allow the infidels to accompany them like the non-Muslim subjects of the Muslim state, etc.

**Problem # 1.** It is better that this prayer should also be offered at the same time as the Eid prayer is offered, though the absence of specification of its time is not far [from being preferable].

**Problem # 2.** There is no Adhan or Iqamat for this type of prayer, rather in lieu of them the Mu’adhdhin (one performing call to prayers) should call [loudly]: "Al-Ṣalāt’ (The Prayer is ready) three times.

**Problem # 3.** When the Imam has finished the prayers, he shall, by way of preference, change his cloak so as to put its right side on the left and its left side on the right, and then climb the pulpit, and stand facing the Qiblah, and raise Takbîr a hundred times loudly. Then he shall face the people on his right side and recite Tasbîh (i.e., “Subḥanallâh”) a hundred times loudly. Then he shall face the people on his left side and recite Tahâlî (i.e., “Lâ ilâha illallâh”) a hundred times loudly.

Then he shall stand with his face towards the people, and shall recite Ḥamâd (i.e., Alḥamdu lillâh) a hundred times, and there is no harm if he recites it loudly too, as also there is no harm if those following the Imam in the prayer also imitate him in reciting the Dhikrs, rather that loudly too, as it may be more effective in attracting the divine Mercy and be more hopeful for attaining the objective.

Then the Imam shall raise both his hands, and pray, and the people shall also pray, and shall be more serious in praying and entreating, asking the Favour of Allah and making supplication before him. There is no harm if the people respond by saying: “Amen!” after praying by the Imam.

Then the Imam shall deliver his sermon, and shall be more serious in his entreaty and asking the Favour [of Allah]. It is better to select some of the Du’as which have come down from the [Fourteen] Infallibles, Peace be upon them, as the one which has come down from Amîr al-Mu’mînîn [Alî], Peace be upon him, which begins with the words (in Arabic): “Alḥamdu lillâh, sâbîghîn ni’am...” (Praise be to Allâh, Bestower ofample boons...). It is better for the Imam to deliver two sermons in this prayer, as is the case with the prayers for the two Eids, delivering the second with the hope [that it would be desirable to Allâh].

**Problem # 4.** As it is permissible to offer this prayer at the time of dearth of rains, so it is also permissible to offer it in the event of drying up of rivers and springs.
فصل في صلاة المسافر

يجب القصر على المسافر في الصلاوات الرباعية مع اجتماع الشروط الآتية، و
أما الصبح والمغرب فلا قصر فيها، ويشترط في التقصير للمسافر أمور:
أحدها المسافة، وهي ثماني فرآض امتدادية ذهاباً أو إياباً أو ملقفة
بشرط عدم كون الذهاب أقل من أربعة، سواء اتصل إيابه بذهابه ولم يقطعه
بمثبتة ليلة فساعدةً في الأثناء أو قطعه بذلك لا على وجه تصلبه إلا الاتامة
القاطعة للسفر ولا غيرها من القواعد، فيقصر ويفتر إلا أن الأحوة احتياطاً
شددأ في الصورة الأخيرة قام مع ذلك وقضاء الصوم.

مسألة 1 - الفرسخ ثلاثة أميل، والميل أربعة آلاف ذراع بذراع اليد الذي
طوله عرض أربعة وعشرين إصبعاً، وكل إصبع عرض سبع شعيرات، وكل
شعار عرض سبع شعيرات من أوسط شعر البرزون، فان نقشت عن ذلك ولو
Problem #5. If there is delay in the acceptance of the prayer, the people shall repeat the prayer until they are blessed with the divine Favour, with the Grace of Allāh,

If their prayer is not accepted at all, then there are some considerations which are in the knowledge of Allāh alone. We have no right to protest, nor to lose the hope of Benediction of Allāh, the Exalted. It is permissible to continue praying and suffice with fasting three times, which may not be linked with the fast for three other days offered with the hope [that they would be desirable to Allāh]. Likewise, the prayer may also be offered repeatedly with the hope [that it would be desirable to Allah].

3. The Ghafilah Prayer

The Ghafilah prayer is one of the recommended prayers. It consists of two Rak‘ats, between Maghrib and Ishā’ prayers. Its details have already been mentioned under the First Introduction of the Chapter on Ṣalāt (Prayers).

4. The Prayer on the Night of the Burial of the Dead

The prayer offered on the night of burial of the dead is also one of prayers recommended. Its details have also been mentioned earlier under the Chapter on Burial, Rules concerning the Dead.

5. Prayers on First of Every Month, Prayer for Ḥājat, etc.

The prayers on first of every month, the prayer for Ḥājat (Demand), etc., which are also among those recommended, have been mentioned in detail in their relevant places.

Chapter on A Traveller’s Prayers and its Relevant Rules

It is obligatory for a person on journey to reduce the number of Rak‘ats of prayers having four Rak‘ats, provided that the following conditions are fulfilled. No reduction takes place in the number of Rak‘ats in case of the Morning and Maghrib prayers. Following are the required conditions:

1. The Distance. The distance for one way going or coming both together should be eight Farsakhs, with the condition that the one way distance (for going or coming) should not be less than four Farsakhs, regardless whether a person’s going is followed immediately by his return, and it has not been discontinued by his passing a single night or more during the journey, or has been discontinued not in a way that it may cause the discontinuation of the journey itself, nor are there other causes for the discontinuation of the journey. In such an event, the person shall exercise the reduction in the number of Rak‘ats, and shall also break his fast, while in the latter case it is strictly cautious to offer full prayers and also compensate for the fast.

Problem #1. A Farsakh is equal to three miles, while a mile is equal to four thousand cubits, whose length is equal to the breadth of twenty four fingers, and each finger is equal to the width of seven grains of barley, and each barley is equal to the breadth of seven average hair of a Turkish horse (or a pony). If the distance is less than that, even if to a minimal extent, the person on journey shall offer unreduced prayer.
يسيراً بقي على القام.

مسألة 2 - لو كان الذهب خمسة فراسخ والإياب ثلاثة وجب القصر بخلاف العكس، ولو تردد في أقل من أربعة فراسخ ذاهباً وجائياً مرات حتى بلغ المجموع ثمانية وأكثر لم يقصر وإن كان خارجاً عن حد الترخص، فلا بد في التنفيذ أن يكون المجموع من ذهب واحد وإياب واحد ثمانية.

مسألة 3 - لو كان للبلد طريقان والأبعد منها مسافة دون الأقرب فإن سلك الأبعد قصر، وإن سلك الأقرب أتم، وإن ذهب من الأقرب وإن كان أقل من أربعة فراسخ بقي على القام وإن رجع من الأبعد وكان المجموع مسافة.

مسألة 4 - مبدأ حساب المسافة سوperlبلد، وفي لا سورة للآخر البيوت، هذا في غير البلدان الكبرى الخارقة، وأما فيما فوق آخر الاصلة إذا كان متصل المجال بحيث تكون المعايير كالقرى المتناوبة، وإلا ففي إشكال كالمتصل المجال، فالأحوض الجمع فيها فإما إذا لم يبلغ مسافة من آخر البلد وكان بمقدارها إذا لوحظ منزله، وين كان القول بأن مبدأ الحساب في مثلها من منزله ليس بعيد.

مسألة 5 - لو كان قاصداً للذهاب إلى بلد وكان شاكاً في كونه مسافة أو معتقداً للعدم ثم بان في أثناء السير كونه مسافة يقصر وإن لم يكن الباقى مسافة.

مسألة 6 - نبت المسافة بالعلم و بالبينة، ولو شهد العدل الواحد فالأحوض الجمع، فلو شك في بلغه أو ظن به بقي على القام، ولا يجب الاختبار المستلزم للحرج، نعم يجب الفحص بسؤال و نحوه عنها على الأحوض، ولو شك العلمي في مقدار المسافة شرعاً ولم يتمكن من التقليد وجب عليه الاحتياط بالجمع.

مسألة 7 - لو اعتقد كونه مسافة قصر ثم ظهر عدمها وجبت الإعادة، ولو اعتقد عدم كونه مسافة فأتم ثم ظهر كونه مسافة وجبت الإعادة في الوقت على الأقوى وفي خارجة على الأحوض.

مسألة 8 - الذهب في المسافة المستديرة هو السير إلى النقطة المقابلة لمبدأ السير.
Problem # 2. If the one way distance for going is five Farsakhs, and one way return is three Farsakhs, it shall be obligatory to offer the prayer with reduced number of Rak'ats. If a person repeats going and coming several times to a distance of less than four Farsakhs until the total distance reaches eight Farsakhs or more, there shall be no Qasr (or reduction of two Rak'ats in the number of Rak'ats of the prayers having four Rak'ats), even if it has exceeded the number in which Qasr is allowed. So it is indispensable for Qasr that the total distance covered by once going and coming should be eight Farsakhs.

Problem # 3. If there are two routes for a town, the farther having a longer distance than the closer one, and a person undertakes the longer route, he shall be entitled to exercise Qasr.

If a person undertakes the shorter route, [so that he covers a total distance of less than eight Farsakhs], he shall be required to offer prayers with full number of Rak'ats. If a person undertakes a journey on a shorter one-way route so that the one-way route may cover a distance of less than four Farsakhs, he shall offer full prayers, even if he should return from the longer route, covering a total distance of 8 Farsakhs, required for Qasr.

Problem # 4. The criterion for calculating the distance is the boundary wall of a town, and in case of a town having no boundary wall, the last house of the town. This is the criterion for towns other than the extra-ordinarily big towns. In case of extra-ordinarily big towns, the end of its district or quarter shall be the criterion for calculating the distance in case it has separate districts or quarters in a way that they may be like villages lying adjacent to one another. Otherwise, there shall be difficulty [in applying the rule of Qasr in their case], as for example, a town having quarters joined with one another. In case the distance from the end of a town does not reach the amount permissible for Qasr, and if it is calculated from his house, it does reach that amount, then it shall be more cautious to offer the prayer both with and without Qasr, though the opinion according to which the person's house is considered to be the criterion for reckoning the distance is not far from being acceptable.

Problem # 5. If a person intends to go to a town, but has doubt as to whether it is at a distance allowing Qasr, or believes it to be otherwise, and then during the journey, he comes to realise that it lies at a distance allowing Qasr, he shall exercise Qasr, even if the remaining distance is not upto the amount allowing Qasr.

Problem # 6. The amount of distance is established through knowledge and evidence. If there is the testimony of a single witness, it would be more cautious to offer prayer both with and without Qasr. In case a person doubts whether the distance has reached the permissible amount or not, or has some presumption about it, he shall continue to offer his prayer unabated. In such case, it is not obligatory to exert to attain the knowledge about the truth in a way that it could be troublesome. Of course, according to the more cautious opinion, it is obligatory to seek information through making queries or the like. If a common man has doubt about the amount of distance required by Islamic law, and is not able to follow [as required by a Mujtahid's Taqlid], it would be obligatory on him to offer the prayer both with and without the Qasr.

Problem # 7. If a person believes that a distance is up to the amount allowing Qasr, and so he exercises Qasr, but later it transpires to be otherwise, it shall be obligatory on him to offer the prayer [with unabated number of Rak'ats]. If a person believes that the distance he has covered
فإذا أراد السير مستقلاً يقتصر ولو كان شغله قبل البلوغ إلى النقطة المقابلة بشرط
كون السير إليها أربعة فراسخ، والأخوه الجمع إذا كان شغله قبلها.
ثانيها - قصد قطع المسافة من حين الخروج، فلو قضى ما دونها وبعد الوصول
إلى المقصد قصد مقداراً آخر دونها وهكذا يتم في الذهاب وإن كان المجموع
مسافة و أكثر، فلم لو شرع في العود يقتصر إذا كملت المسافة و كان من قصده
قطعها، و كذا لو لم يكن له مقصد معين ولايدي أي مقدار يقطع، كما لو طلب
دابة شاردة مثلاً ولم يدر إلى أين مسيره لا يقصر في ذهابه وإن قطع المسافة
فأكثر، فلم يقصر في العود بالشرط المتقدم، ولو عين في الأثناء مقصد يبلغ
المسافة ولو بالتفريق بالشرائح المتقدم فيه يقصر، ولو خرج إلى ما دون الأربعة
و يتوقع رفقة إن تيسروا سافر معهم وإلا فلا أو كان سفره منوطاً بحصول أمر و لم
يضمن بتجرب الرفقة أو حصول ذلك الأمر يجب عليه التمام.
مسألة 9 - المدار قصد قطع المسافة وإن حصل ذلك منه في أيام مع عدم تخلل
أحد قواطع السفر مال يخرج بذلك عن صدق اسم السفر عرف، كما لو قطع في
كل يوم مقداراً يسير أ جداً للنزهة و نعه لا من جهة صعوبة السير فانه يتم حيننذ
والأخوه الجمع.
مسألة 10 - لا يعتبر في قصد المسافة أن يكون مستقلاً، بل يكن ولو من جهة
التبيع سواء كان لوجوب الطاعة كالزوجة أو فقه الأسي أو اختياراً كالمقدم
بشرط العلم يكون قصد المتبوع مسافة، وإلا يبنى على التمام، والأخوه الاستخبار
و إن كان الأقوى عدم ووجهه، ولا يجب على المتبوع الأخبار وإن فرض ووجه
الاستخبار على التابع.
مسألة 11 - لو اعتقد التابع أن متبوعه لم يقصد المسافة أو شك في ذلك و علم
في الأثناء أنه كان قاصداً لها فإن كان الباقية مسافة يجب عليه القصر وإلا
فالظاهر ووجه التمام عليه.
is not up to the amount allowing Qaṣr, and so he offers prayers with unabated number of Rak‘ats, and then it transpires that it was a distance allowing Qaṣr, according to the stronger opinion, it shall be obligatory on him to offer the prayer again with Qaṣr, if there is sufficient time for it. In case the due time has passed, according to the more cautious opinion, he shall offer the compensatory prayer with Qaṣr.

**Problem # 8.** The act of adopting a circular distance is the journey from the starting point to the corresponding point. If a person intends to have a circular movement, he shall exercise the Qaṣr even if he has his business before reaching the corresponding point, provided that his journey up to that place is four Farsakhs, though it is more cautious for him to offer his prayer both with and without Qaṣr, if his business is before reaching the corresponding point.

2. **Intention of Completing the Distance allowing Qaṣr.** If a person intends to go up to a distance less than the one allowing Qaṣr, and then after reaching his destination he intends to go to a distance which is again less than the required distance, and so on, he shall offer full prayers, even if the total distance covered by him is equal to or more than the distance allowing Qaṣr. Of course, if he starts to return, he shall exercise Qaṣr, provided that he covers the required distance, and has also intended to cover that much distance. The same rule shall apply if the person has no definite intention, and does not know how much distance he is going to cover, as, for example, when he goes in search of an animal which has escaped and does not know which way it has gone, then he shall not exercise Qaṣr when going in search of the animal, even if he has covered a distance more than required for Qaṣr. Of course, he may shall exercise Qaṣr on his return on the condition mentioned earlier (that the distance on his return must be 8 Farsakhs). If, during the journey, he determines to cover a distance reaching the distance allowing Qaṣr, though by piecing together with the conditions required in it, he shall exercise Qaṣr. In case he intends to cover a distance of less than four Farsakhs, and waits for some companions with whom he may travel if he finds them otherwise not, or his journey is dependent on obtaining something, but is not sure of getting some companions or obtaining the thing, it shall be obligatory on him to offer full prayers.

**Problem # 9.** The criterion for Qaṣr is the intention of a person to cover the required distance even if it is attained in several days, provided that in the meantime nothing happens which may cause his journey to cease to be called journey in usual practice, as when he covers daily an ordinary amount of distance by way of a pleasure trip or the like, and not for bearing the hardship of journey, he shall offer full prayer throughout that time, though it is more cautious for him to offer the prayer both with and without Qaṣr.

**Problem # 10.** It is not a condition in the intention of covering the required distance that it should be independent, rather it would be sufficient even if it is done in the wake of another person, regardless whether it is done out of obedience as is the case with a wife, or under duress as is the case with a prisoner, or voluntarily as is the case with a servant, provided that he knows that the person whom he is following intends to cover the legally required distance; otherwise, he shall continue to offer full prayers. It is more cautious for such a person to obtain the necessary information, though, according to the stronger opinion, it is not obligatory, and it is not obligatory on the person allowed to inform his follower, even if it is supposed that the person following another must
نالتهما - استمرار القصد، فلو عدل عنه قبل بلوغ أربعة فراسخ أو تردد أتم ومضى ما صلاته قصراً ولا إعادة عليه في الوقت ولا خارجه، وإن كان العدول أومر البد بلغ الأربعة بقي على التقرير وإن لم يرجع ليومه إذا كان عازماً على العود قبل عشرة أيام.

مسألة 12 - ي كنت في استمرار القصد بقاء قصد النوع وإن عدل عن الشخص، كما لو قصد السفر إلى مكان خاص وكان مسافة فعدل في أثناء الطريق إلى آخر يبلغ ما مضى مع ما بقي إلى مسافة فانه بقصر حينئذ على الأصح، كما أنه يقصر لوان من الأول الأمر قداصاً للنوع دون الشخص بأن يشرع في السفر قداصاً للذهاب إلى أحد الأمكنة التي كلها مسافة ولم يعين أحداها بل أوكل التعيين إلى وقت الوصول إلى الحد المشترك بينها.

مسألة 13 - لو تردد في الأثناء قبل بلوغ أربعة فراسخ ثم عاد إلى الحزام فان لم يقطع شيئاً من الطريق حال التردد بقي على القصر وإن لم يكن ما بقي مسافة ولو ملفقة، وإن قطع شيئاً منه حاله فان كان ما بقي مسافة بقي على لقصر أيضاً، وإن لم يكن مسافة فلا إشكال في وجوب التمام إذا لم يكن ما بقي بصمة قطع قبل حصول التردد مسافة، وأما إذا كان المجموع باسقاط مثلاً تخلت في بين مسافة فالأحور الجمع، وإن لا يعد العود إلى القصر خصوصاً إذا كان القطع يسيراً.

رابعها - إن لا ينوي قطع السفر بقامة عشراً أيام فصاعدماً في أثناء المسافة أو بالمرور على وطن كنذك، كما لو عزم على قطع أربعة فراسخ قداصاً لإقامة في أثنائها أو على رأسها، أو كان له وطن كذلك وقد قصد المرور عليه فإنه يتم حينئذ، وكذا لو كان متزوجاً في نية الإقامة، أو المرور على المنزل المزبي على وجه ينافي قطع المسافة، ومنه ما إذا احتفل عروض عارض مناف لإقامة السير، أو عروض مقتض لنية الإقامة في الأثناء أو المرور على الوطن بشرط أن يكون ذلك مما يعني به العقلاء، وأما مع احتمال غير معنون به كاحتمال.
obtain the information (about the intention of the person he is following).

**Problem # 11.** If a person following another believes that the person whom he is following does not intend to cover the required distance, or has doubt about it, and during the journey he comes to know that he intends to cover the required distance, if the remaining distance is up to the amount allowing Qasr, it shall obligatory on him to exercise Qasr; otherwise, apparently it shall be obligatory on him to offer full prayers.

3. Subsistence of the Intention of Journey. If a person changes his intention before reaching the distance of four Farsakhs, or hesitates in the matter, he shall be required to offer full prayers. As for the prayers he has already offered by way of Qasr, he shall be required to repeat them neither within their due time nor after it. If the change or hesitation has taken place after reaching four Farsakhs, he shall continue exercising Qasr, even if he does not return the same day when he intends to return before ten days.

**Problem # 12.** It is sufficient in the subsistence of the intention that the intention to continue the journey itself should subsist even if the place changes, as, for example, a person intends to travel to a certain place, and it was situated on a distance allowing Qasr, but during the journey he changes it to another place, so if the distance covered together with the remaining distance comes to the distance allowing Qasr, then according to the most authentic opinion, he shall exercise Qasr throughout that period, in the same way as he would exercise Qasr had he been intending to make the journey without the specification of the place, so that he starts the journey intending to go to any of the places each of which are situated at a distance allowing Qasr, but he does not specify them and has left it to the time of his arrival at a limit common between them.

**Problem # 13.** If a person starts hesitating before reaching four Farsakhs, then reverts to his determination, so if he has not covered any distance in the state of hesitation, he shall continue exercising Qasr, although what remains is not up to the required amount allowing Qasr even when pieced together. In case he has covered part of the distance in a state of hesitation, but the remaining distance is up to the amount allowing Qasr, he shall exercise Qasr. If the remaining distance is not up to the amount allowing Qasr, there shall be no difficulty in the obligation for offering full prayers, provided that the remaining distance along with the distance passed in a state of hesitation does not come to the amount allowing Qasr. If, however, the total distance minus the distance passed in the state of hesitation comes to the amount allowing Qasr, then it would be more cautious for him to offer the prayers both with and without Qasr, though it is not far from likely to revert to Qasr, particularly when the distance covered in a state of hesitation was insignificant.

4. The Person should not intend to discontinue his journey by staying for ten days or more during the journey or by passing through his home town. For example, if a person intends to cover a distance of four Farsakhs with staying during the journey or in its beginning, or to pass from his home town situated on the way, he shall offer full prayers throughout that period. The same rule shall apply if he has some hesitation with regard to his stay or passing from his home town in a way repugnant to the intention of covering the distance allowing Qasr. To this category also belongs the case when there is likelihood of occurrence of something disturbing the continuation of
مسألة 14 - لو كان حين الشروع قاصداً للإقامة أو المرور على الوطن قبل بلوغ الثانية أو كان مترددًا ثم عدل وبنى على عدم الأمرين فإن ما بقي بعد العدول مسافة ولو ملغفة قصر وإلا فلا.

مسألة 15 - ولم يكن من نيته الإقامة وقطع مقدارًا من المسافة ثم بآله بقبل بلوغ الثانية ثم عدل عنها بذاه وعزم على عدم الإقامة فإن كان ما بقي بعد العدول عاً بذاه لمسافة قصر إلا إشكال، وكذا إن لم يكن كذلك ولم يقطع بين العوينين شيئاً من المسافة وكان الجمهور مسافة وأما لو قطع شيئاً بينهما فهل يضم ما مضى قبل العدول إلى ما بقي باستقاط ما تغل في بينه إذا كان الجمهور مسافة أم لا؟ فالأخوح الجمع وإن لا يبعد العود إلى التقصير خصوصاً إذ كان القطع يسيراً كباً مر نظيره.

خامسها - أن يكون السفر سائغًا، فلو كان معصية لم يقذر سواء كان بنفسه معصية كالفرار من الزحف ونحوه، أو غائته كالسفر لقطع الطريق ونيل المظلوم من السلطان ونحو ذلك، نعم ليس منه ما يقع الخرم في أثناه مثل الغيبة ونحوها مما ليس غاية لسفره فيبقى على القصر، بل ليس منه ما لو ركب دابة مغصوبة على الأقوى، وكذا ما كان ضدًا لواجب وقد تركه وسافر، كذا إذا كان مديونًا وسافر مع مطالبة الديان وإمكان الأداء في الخطر دون السفر، نعم لا يترك الاحتفاظ بالجمع فما إذا كان السفر لأجل التوصل إلى ترك واجب، وإن كان تبع الامتام فيه لا يخلو من قوة.

مسألة 16 - التابع للجائر يقصر فإن كان محورًا في سفره أو كان قصد فدف مظلمة ونحو من الأعراض الصحيحة، وأما إن كان من قصد إعانة في جوره أو كان متاعبه له معاعدة له في جهة ظلمه أو تقوية لشوكته مع كون تقويتها مزية وجب عليه التمام.
the journey, or occurrence of something necessitating a stay during the journey or passing from his home town being considerable in the eyes of the sane persons. But in case of something not considerable, like falling sick, etc., which would be against the consideration by the sane persons, he shall exercise Qaṣr.

Problem # 14. If, before starting his journey, a person intends to stay (for ten days) and covers some distance, then before covering eight Farsaks, decides to stay (for ten days), or pass from his hometown, or was in a state of hesitation, and then changes his decision, and decides against both the things [namely, staying for ten days or passing from his hometown], then if the remaining distance after the change of decision is up to the amount allowing Qaṣr, even if pieced together, he shall exercise Qaṣr, otherwise not.

Problem # 15. If a person does not intend to stay (for ten days), and covers some distance, then before reaching eight Farsaks, he intends to stay (for ten days), and then changes his intention, and decides against staying (for ten days), then if the remaining distance after the change of intention since his decision is up to the amount allowing Qaṣr, he shall exercise Qaṣr without there being any difficulty in this rule. The same rule shall apply if the case is not so, and he has not covered any distance between the two decisions, while the total distance comes to the amount allowing Qaṣr.

If, however, he has covered some distance between the two decisions, then whether the distance he has covered before the change in his decision shall be amalgamated with the remaining distance minus what had been covered during the period of hesitation between the two decisions or not, in case the total distance comes to the amount allowing Qaṣr? In this case, it is more cautious to find out a via media by offering the prayers both with and without Qaṣr, though it is not far from being preferable to revert to the Qaṣr, particularly when the distance covered during the two decisions happens to be negligible, as its instance has already been mentioned.

5. The journey must be lawful, so that if it is unlawful, the person shall not exercise Qaṣr, regardless whether the journey itself is unlawful, as escape from army (duty) or the like, of its purpose is unlawful, as for example, the journey has been undertaken for committing highway robbery or collection of Maqālim for a (tyrant) king, or the like. Of course, it shall not fall under this category if what is forbidden takes place during the journey, such as absence (from duty), or the like, which was not the purpose of the person’s journey, in which he shall continue to exercise Qaṣr. Rather, according to the stronger opinion, it shall also not fall under this category if the traveller rides a usurped animal. Likewise, if the journey happens to be contrary to what is obligatory for him which the person has failed to fulfil, as, for example, the person happens to be under debt and the creditor has demanded him to pay the debt and the possibility of payment of the debt lies in his hometown and not while he is on journey. Of course, caution must not be given up by offering the prayers both with and without Qaṣr in case the journey has been undertaken by giving up what was obligatory on the person, though the decision in favour of offering full prayer in this case is not devoid of force.

Problem # 16. If a person is obeying an oppressor, he shall exercise Qaṣr, if he is compelled to undertake the journey, or when his purpose of journey is to get rid of the oppression, or such other valid purposes. If, however, the purpose of his journey is to assist the tyrant in his tyranny, or his
مسألة 17 - لو كانت غاية السفر طاعة ويتبعها داعي المعصية بحيث ينسب السفر إلى الطاعة يقصر، وأما في غير ذلك مما كانت الغاية معصية يتبعها داعي الطاعة أو كان الداعيان مشتركون بحيث لو اجتمعاها لم يسفر أو مستقلين فيكم، لكن لا ينبغي ترك الاحتياط بالجمع في غير الصورة الأولى أي تبعية داعي الطاعة فانه يتم بلا إشكال.

مسألة 18 - لو كان ابتداء سفره طاعة ثم قصد المعصية به في الأثناء فع تلبسه بالسير مع قصدها انقطع ترخصه وإن كان قد قطع مسافات، ولا تجب إعادة ما صلاه قصراً، ومع عدم تلبسه به فالأوجه عدم انقطاعه، والأحوز الجمع مما يلبسه به، ثم لو عاد إلى قصد الطاعة بعد ضره في الأرض فان كان الباقى مسافة ولو ممتهنة بأن كان الذهاب إلى المقدس أربعة أو أزيد يجب عليه القصر أيضاً، وكذا لو لم يكن الباقى مسافة لكن مجموع ما مضى مع ما بقي بعد طرح ما تخلت في بين من المصاحبة المعصية بقدر المسافة، لكن في هذه الصورة الأحوز الأول ضم التقام أيضاً، ولو لم يكن المجموع مسافة إلا بضم ما تخلت من المصاحبة للمعصية فوجبه التقام لا يخلو من قوة والأحوز الجمع، وإن كان ابتداء سفره معصية ثم عدل إلى الطاعة يقصر إن كان الباقى مسافة ولو ممتهنة، إلا فالاحوز الجمع وإن كان البقاء على التقام لا يخلو من قوة.

مسألة 19 - لو كان ابتداء سفره معصية فنوني الصوم ثم عدل إلى الطاعة فإن كان قبل الزوال وجب الافطار إنه كان الباقى مسافة ولو ممتهنة، والأحوز جمعه، وإن كان بعده لا يبعد الصحة، لكن الأحوز الامتام ثم القضاء، ولو كان ابتداؤه طاعة ثم عدل إلى المعصية في الأثناء فإن كان بعد تناول المطر أو بعد الزوال لم يصح منه الصوم، وإن كان قبلها فصحبه على تأمل، فلا يترك الاحتياط بالصوم والقضاء.

مسألة 20 - الداعين من سفر المعصية إن كان بعد التوبة أو بعد عروض ما
obedience to the tyrant is tantamount to his support for his tyranny, or strengthening his power, while strengthening his power is forbidden, the person on journey shall perform full prayer.

Problem # 17. If the purpose of a person's journey is obedience to Allāh, but implicitly he has some unlawful purpose as well, while he attributes his journey to obedience to Allāh, he shall exercise Qaṣr. If, on the contrary, the purpose of his journey were unlawful, but as subservient to it he has the purpose of obedience to Allāh, or both the purposes were common in a way that had both the purpose were not there, he would not have undertaken the journey, or both the purposes are independent in his view, he shall offer full prayers. He should, however, not give up caution by offering the prayers both with and without Qaṣr in case other than the former, i.e., when the purpose of obedience to Allāh is subservient to the unlawful purpose, in which case he shall offer full prayers.

Problem # 18. If the beginning of his journey was in obedience to Allāh, but during the journey he happened to have some unlawful purpose, then if he has covered his journey with the latter purpose, he shall forfeit the permission to exercise Qaṣr, though he might have covered a long distance. However, he would not be required to repeat the prayers in full which he has already offered with Qaṣr. In case he has not covered any journey with the unlawful purpose, it would be more in keeping with the principles of law, that he would not forfeit the permission to exercise Qaṣr. It is more cautious for him to offer prayers both with and without Qaṣr in case he has not covered any distance with the unlawful purpose. Again, if he reverts to the purpose in obedience to Allāh after traversing part of the land, and the remaining distance comes to the amount allowing Qaṣr, though pieced together, so that the distance of going to his destination were four Farsākhs or more, it shall also be obligatory on him to exercise Qaṣr. The same rule shall apply in case the remaining distance is not up to the amount allowing Qaṣr, but the aggregate of what he had already covered along with the remaining distance after discarding the distance covered with the unlawful purpose comes to the amount allowing Qaṣr. In this case, however, according to the more cautious opinion, it is better to add full prayer to the one offered with Qaṣr. If, however, the aggregate does not come up to the amount allowing Qaṣr except by adding the distance covered with the unlawful purpose, then the obligation for offering full prayers shall not be devoid of force, though it is more cautious to offer prayers both with and without Qaṣr. If, in the beginning the purpose of a person's journey was unlawful, but then he shifted to obedience of Allāh, he shall exercise Qaṣr, if the remaining distance comes up to the amount allowing Qaṣr, though as a result of piecing together. Otherwise, it is more cautious to offer prayers both with and without Qaṣr, though continuing to offer full prayer would not be devoid of force.

Problem # 19. If, in the beginning, the purpose of a person's journey was unlawful. Then he determined to keep fast, and shifted to obedience to Allāh. If it occurred before noon, it shall be obligatory on him to break the fast, provided that the remaining distance comes up to the amount allowing Qaṣr, even as a result of piecing together. Otherwise, his fast shall be valid.

If, the shifting to obedience to Allāh occurred after noon, the fast would not be far from being valid, but it is more cautious to complete it, and then keep fast in compensation as well. If, in the beginning, the purpose of a person's journey was lawful, and then it shifted to an unlawful purpose during the journey, if it occurred after breaking the fast or after noon, his fast shall not be
يخرج العود عن جزئية سفر العصبية – كيا لو كان مكرك للرجع غاية أخرى مستقلة لا الرجوع الى وطنه – يقصر، إلا فلا يعد جواب القام عليه، والأحوط الجمع.

مسألة 21: يلحق بسفر العصبية السفر للصيد هواً كيا يستعمله ابناء الدنيا، وأما إن كان للقوت يقصر، وكذا إذا كان للتجارة بالنسبة إلى الافطار، وأما بالنسبة إلى الصلاة ففي إشكال، والأحوط الجمع، ولا يلحق به السفر بقصد مجرد التنزه، فلا يوجب ذلك القام.

سادسها: ين لا يكون من الذين يبتوهم معهم كبعض أهل الإبادي الذين يدورون في البراري وينزلون في ح祝 الماء والعشب والكلاء ويتخذونها ميعيناً. ومن هذا القبيل الملاحون وأصحاب السفن الذين كندا منازهم فيها معهم، فيجب على أئمة هذه القام في سيرهم المخصص، نعم لو سافروا لقصد آخر من حج أو زيارة أو نحوها قصراً كغيرهم، ولو سار أحدهم لاختيار منزل مخصص أو لطلب محل الماء والعشب مثلاً، كان يبلغ مسافة في وجب القصر أو القام عليه إشكال، فلا يترك الاحتياط بالجمع.

سابعها: أن لا يتخذ السفر عملاً له كالمكاري والساعي وأصحاب السيارات وتحمهم، ومن أصحاب السفن والملاح إذا كان منزهم خارج السفينة وانتحوا الملاحية صنعة، وأما إذا كان منزهم معهم فهم من الصنف السابق، فإن هؤلاء يتمون الصلاة في سيرهم الذي هو عمل له ون استعملوه لأنفسهم لا لغيرهم كحمل المكاري مثلاً منتعه وأهله من مكان إلى مكان آخر، نعم يقصرون في السفر الذي ليس عمله لهم، كما لو فارق الملاح مثلاً سفينته وسافر للزيارة أو غيرها، والمدار صدق اتخاذ السفر عملاً وشغلاً له، ويتحقق ذلك بالائم علويه مع الاصطغ بالسفر مقداراً معتمداً به، ولا يحتاج في الصدق تكرر السفر مرتين أو مرات، نعم لا يعد وجوب القصر في السفر الأول.
valid. If the shifting took place before both the above [i.e., after breaking the fast or after noon], then there shall be hesitation in the validity of his fast. So he should not give up caution by keeping fast and compensating it later.

**Problem # 20.** If a person returns from an unlawful journey, then, if it were after repentance or occurrence of something which would exclude the journey from being a part of unlawful journey, as, for example, the purpose of his return were something separate, not a return to his home town, he shall exercise Qaṣr. Otherwise, the obligation of offering full prayers is not far from being the case, though, it is more cautious for him to offer prayers both with and without Qaṣr.

**Problem # 21.** To the category of unlawful journey is included a journey for the purpose of hunting for pleasure sake, as is undertaken by the adorers of the world. If, however, it were for the sake of obtaining food, the person shall exercise Qaṣr. If the journey were undertaken for the purpose of trade, in that case the person shall break his fast. As regards the prayers, there is some difficulty [in deciding about the rule in its case]. It is more cautious to offer the prayers both with and without Qaṣr.

To the category of unlawful journey is not included a journey undertaken for pleasure sake alone, so that in its case, it is not obligatory to offer full prayers.

6. The person should not be one of those who carry their homes along with them, like some of the inhabitants of the jungle who wander around the lands and stay in places having water, grass-lands and pastures, but do not have a permanent abode. To this category also belong the sailors and boatmen who reside in the ships and boats. In case of such people, it is obligatory on them to offer full prayers while on their special journeys. Of course, in case they undertake the journey for the purpose of Hājj or pilgrimage or the like, they shall also exercise Qaṣr like others [accompanying them]. If anyone of them undertakes a journey in search of a special abode or a place of water and pastures, and the distance covered by him is up to the amount allowing Qaṣr, then there is difficulty in deciding about the obligation of offering prayers with or without Qaṣr, and so caution must not be given up by offering prayers both with and without Qaṣr.

7. Undertaking journey should not be a part of his profession, as the drivers, postmen, owners of taxis and the like. To this category also belong the boatmen and sailors when their residence lies outside the boat or ship, and they undertake the voyage as a profession.

If, however, they carry their abodes with them, then they would belong to the previous category.

Anyhow, it is obligatory on all of them to offer full prayers during their journey when it is part of their profession, even if their journey is meant for themselves and not for others, as a driver carrying his own luggage or the luggage of his family from one place to another.

Of course, such people shall exercise Qaṣr in a journey which is not a part of their profession, as when a sailor leaves his ship and undertakes a journey for pilgrimage, etc.
مع صدق العناوين أيضاً، و إن كان الأحوث الجمع فيه و في السفر الثاني، و يتعين التقام في الثالث.

مسألة ٢٢ - من كان شغله المكارة في الصيف دون الشتاء أو بالعكس فالظاهر أنه يجب عليه التقام في حال شغله و إن كان الأحوث الجمع، و أما مثل الحملارين الذين يشاغلون بالسفر في خصوص أشهر الحج فالظاهر وجبه القصر عليهم.

مسألة ٢٣ - يعتبر في استمرار من عمله السفر على التقام أن لا يقيم في بلده أو غير بلده عشرة أيام ولو غير منوية و إلا انقطع حكم عملية السفر و عاد إلى القصر، لكن في السفرة الأولى خاصة دون الثانية فضلا عن الثالثة، لكن لا ينبغي ترك الاحتفاظ بالجمع في السفرة الأولى من أقام في غير بلده عشرة من دون نية الإقامة، بل الأحوث الجمع في السفرة الثانية والثالثة أيضاً له مطلقاً و لن أقام في بلده بدنه أو بلا نية.

مسألة ٢٤ - لا يغبني شغله السفر لكن عرض له عارض فسافر أسفاراً عديدة يقصر، كما لو كان له شغل في بلد وقد احتاج إلى التردد إليه مرات عديدة، بل و كذا فإذا كان منزله إلى الحائر الحسيني مسافة وندر أو على أن يزوره كل ليلة جمعة، و كذا فإذا كان منزله إلى بلد كان شغله فيه مسافة و يأتي منه إليه كل يوم، فإن الظاهر أن عليه القصر في السفر والبلد الذي ليس وطنه.

مسألة ٢٥ - من شغله السفر الراعي الذي كان الرعي عمله سواء كان له مكان مخصص أولا، والناجر الذي يدور في تجارته، و منه السائح الذي لم يتخذه وطناً و كان شغله السياحة، و يمكن إدراجه في السنوان السادس وكيف كان يجب عليهم التقام.

ثامنها - وصوله إلى محل الترخص، فلا يقصر قبله، و المراد به المكان الذي يخفي عليه فيه الأذان أو يتوارى عنه فيه الجدران و أشكالها لا أشباحها، ولا يترك
The criterion for excluding the journey from one allowing Qaṣr is one which falls under the category of a journey undertaken as a profession or trade. It shall apply only in case the person makes a considerable journey as a profession, and it is not a condition to undertake the journey twice or several times. Of course, the obligation for exercising Qaṣr is not far from being applicable in the first journey, even if it falls under the category of journey undertaken as a profession, though it is more cautious to offer prayers both with and without Qaṣr in this case, and the second journey, and deciding in favour of offering full prayers in case of the third journey.

**Problem # 22.** If a person's profession is carrying luggage in summer excluding winter or vice versa, then apparently it shall be obligatory on him to offer full prayers during [the journey undertaken as a] profession, though it would be more cautious to offer prayers both with and without Qaṣr. As regards the case of the leaders of the caravans who undertake journey during the special months of Hajj, apparently it is obligatory on them to exercise Qaṣr.

**Problem # 23.** It is a condition for the continuation of application of journey as a profession necessitating offering full prayer that the person should not stay in his own town or any other town for ten days even without intention; otherwise, the rule of the journey as profession shall cease to apply in his case and he shall revert to exercising Qaṣr, but only in his first journey excluding, the second, not to speak of the third. But he should not give up caution by offering prayers both with and without Qaṣr in the first journey if he has stayed in a town other his own for ten days without intention. Rather it is more cautious to offer prayers both with and without Qaṣr also in the second and third journeys in all circumstances, or when he stays in his own town (for ten days) with or without intention.

**Problem # 24.** If a person's profession is not to undertake journey, but something has happened to him necessitating him to undertake several journeys, he shall exercise Qaṣr, as is the case with a person having some job in a town, but he happens to visit the place several times. The same rule shall apply to a person the distance from whose house, for example, to the tomb of Imam Husayn is up to the amount allowing Qaṣr, and he vows or decides to visit the tomb on the night of each Friday. The same rule shall apply to a person the distance between his house and the town where he works is up to the amount allowing Qaṣr, and he goes to the town daily, then apparently it shall be obligatory on him to exercise Qaṣr during the journey and in the town which is not his home town.

**Problem # 25.** A shepherd whose job is to travel as a shepherd, regardless whether he has some special place or not, or a trader who tours around for his trade, or a tourist who has no home and whose job is tourism, may also be included in the sixth category. Anyhow, it shall be obligatory on all of them to offer full prayers.

8. Traveller's Arrival in Place of Permission. So Qaṣr cannot be exercised before the traveller's arrival in the place where Qaṣr is allowed. The limit of permission is the place where the traveller may not hear the sound of Adhān (call to prayers) [of his own town], and the walls [of his home town] or its shapes, but not their shadows, may become out of sight. Caution must not be given up by the materialisation of both [i.e., absence of hearing of the sound of Adhān and the invisibility of the walls] simultaneously. It is also a condition for the non-audibility of the sound of Adhān
التخ Swords فيتناغم حصولها معًا، ويعتبر أن يكون الخفاء والتوازي المذكوران لأنه البعد لا عوارض أخرى.

مسألة 26 - كأنه يعتبر في التقصير الوصول إلى محل الترخص إذا سافر من بلد فهل يعتبر في السفر من محل الإقامة ومن محل التردد ثلاثين يوماً أولاً؟ فيه تأمل، فلا يترك مراعاة الاحتياط فيها.

مسألة 27 - كأنه من شروط القصر في ابتداء السفر الوصول إلى حد الترخص كذلك عند العود ينقطع حكم السفر بالوصول إليه، فيجب عليه التمام، والأحور مراحة رفع الأمارتين، والأحور الأول تأخير الصلاة إلى الدخول في منزله، والجمع بين القصر والتمام إن صلى بعد الوصول إلى الحد، وأما بالنسبة إلى المحل الذي عزم على الإقامة فيه فهل يعتبر فيه حد الترخص فينقطع حكم السفر بالوصول إليه أو لا؟ فيه إشكال، فلا يترك الاحتياط إلا بتأخير الصلاة إليه أو لصالح.

مسألة 28 - المدار في عين الرأي وأذن السامع وصوت المؤذن والهواه هو المتوسط المعتدل.

مسألة 29 - الأقوى أن الميزان في خفاء الأذان هو خفائه بحيث لا يميز بين كونه أذاناً أو غيره، وينفي الاحتياط في إذا تميز كونه أذاناً لكن لا يتميز به فصوله، وفيما إذا لم يصل إلى حد خفاء الصوت رأيًا.

مسألة 30 - لولي ينادى بيبوت ولا جدران يعتبر التقدير، بل الأحور ذلك في مثل بيوت الأعراب و نحوهم من لا جدران لبيوتهم.

مسألة 31 - لو شك في البلوغ إلى حد الترخص بنى على عده، فبين على التمام في الذهاب وعلى القصر في الأياض إلا إذا استلزم منه مخالفة العلم الإجلاسي أو التفصيلي ببطلان صلاته كمن صلى الظهر تماماً في الذهاب في المكان المذكور و أراد إتيان العصر في الأياض فيه قصراً.
and the disappearance of the walls [of his home town] should be due to long distance and not due to some other reason.

Problem # 26. It is a condition for exercising Ḥaṣr that the traveller must reach the place from where Ḥaṣr is allowed, when he starts his journey from his home town.

But is it a condition to arrive at the place allowing Ḥaṣr when he starts his journey from the place where he has stayed [for ten days] and from the place where he has passed thirty days in a state of hesitation, or not? There is hesitation in deciding about it, and so caution must not be given up in both cases.

Problem # 27. As it is a condition for Ḥaṣr in the beginning of the journey to arrive at the place from where Ḥaṣr is allowed, similarly the rule of journey ceases to operate at the time of return after arriving at the point from where Ḥaṣr was allowed, and so the person shall be required to offer full prayers.

It is more cautious to observe the elimination of both the signs. According to the more cautious opinion it is better to delay offering prayer until entering his place of residence, and to offer prayers both with and without Ḥaṣr if he has offered prayer after arriving at the limit [allowing Ḥaṣr]. As regards the place where he intends to stay [for ten days], is the limit allowing Ḥaṣr applicable to it, so that the rules concerning journey may cease to operate after arriving there, or not? There is difficulty in deciding about it. So caution must not be given up either by delaying to offer the prayer or offering prayers both with and without Ḥaṣr .

Problem # 28. The criterion in the eye of the person seeing, ear of the listener and the sound of the person calling to prayer and the weather is that they should all be of the average scale.

Problem # 29. According to the stronger opinion, the standard for the inaudibility of the Adhān is its inaudibility in a way that it should not be distinguishable between Adhān and otherwise. Caution must be observed in case where it is distinguishable as Adhān, but its words are not distinguishable, and in the case where the person has not reached the place where the sound is not audible at all.

Problem # 30. Where there are neither houses nor walls, it is sufficient to suppose them. Rather they should also be supposed in cases like the abodes of the Beduins and the like who have no walls in heir abodes.

Problem # 31. If a person doubts whether he has reached the limit allowing Ḥaṣr or not, he shall deem not to have reached the limit, and so he shall continue offering full prayers while going on the journey, but shall exercise Ḥaṣr on his return, except when he comes across some hindrance, as the brief or detailed knowledge arising about the invalidity of the prayers is against it, like the case of a person who has to offer full prayer for Zuhr at the said place while going on the journey, and intends to offer Āṣr prayer with Ḥaṣr at the same place.

Problem # 32. If a person happens to be aboard a ship or the like, and starts offering prayer before reaching the limit [allowing Ḥaṣr] with the intention of offering it without Ḥaṣr, then he reaches the limit during the prayer, so if it occurs before he performs Ruku' in the third Rak'at, he shall complete it with Ḥaṣr, and his prayer shall be valid, provided that he was sure of completing the prayer before reaching the limit; otherwise, if he reaches the limit before starting the third Rak'at, he shall finalise it with Ḥaṣr and his prayer shall be valid.
مسألة 32 - لو كان في السفينة و نحوها فشرع في الصلاة قبل حد الترخص بنيّة انتظام ثم وصل إليه فكان في الأثناء فإن كان قبل الدخول في ركوع الركعة الثالثة أنّها قصراً و صحت صلاته، فإن كان معتقلاً لا تمامها قبل الوصول إلى حد الترخص، وإذا فان وصل إليه قبل الدخول في الركعة الثالثة أنّها قصراً و صحت، و مع الدخول فيها فحل إشكال، فالأحواط إتمامها قصراً ثم إعادتها تماماً، أو تمامها ثم الإعادة قصراً، كما أنه لو وصل إليه بعد الدخول في الركوع فحل إشكال، فلا يترك الاحتفاظ بتمامها تماماً ثم إعادتها قصراً، ولو كان في حال العود و شرع في الصلاة بنيّة القصر قبل الوصول إلى الحد ثم وصل إليه في الأثناء أنّها تماماً و صحت.

القول في قواطع السفر

و هي أمور: الأول: الوطن، فيقطع السفر بالمرور عليه، و يحتاج في القصر بعده إلى قصد مسافة جديدة سواء كان وطنه الأصلي و مستقراً أو المستجد، و هو المكان الذي اختذه مسكناً و مقرًا له دائماً، ولا يعتبر فيه حصول ملك ولا إقامة ستة أشهر، نعم يعتبر في المستجد الإقامة فيه بمقدار يصدق عرفًا أنه وطن و مسكنه، بل قد يصدق الوطن بواسطة طول الإقامة إذا أقام في بلد بلانية للإقامة دائماً ولا نية تركها.

مسألة 1 - لو أعرض عن وطنه الأصلي أو المستجد و توطن في غيره فإن لم يكن له في ملك أو كان ولم يكن قابلاً للسكن أو كان ولم يسكن فيه ستة أشهر بقصد الوطن الأبدى يزول عنه حكم الوطنية، و أما إذا كان له ملك وقد سكن فيه ستة أشهر بعد اتخاذه وطناً دائماً أو كونه وطناً أصلياً فالمشهور على أنه يحكم الوطن الفعلي، و يستونه بالوطن الشرعي، فيوجب عليه الاقتدام بالمرور عليه مادام
In case he has started the third Rak'at [before reaching the limit], then there is difficulty in applying the rule of Qaṣr, and so it is more cautious for him to complete the prayer with Qaṣr and then offer it again in full, or complete it in full, and then offer it again with Qaṣr, as is also the case when he reaches the limit after going into Ruku', it shall be difficult to decide. So caution must not be given up by completing the prayer in full, and then offering it again with Qaṣr. If the person is returning, and starts offering prayer with the intention of Qaṣr before reaching the limit [allowing Qaṣr], and then he reaches the limit during the prayer, he shall complete it in full and it shall be valid.

Things that Terminate Application of Rules of Journey

There are a number of things which lead to the termination of application of the rules of journey. They are as follows:

1. The Home Town. So a journey is deemed to have ended if a person happens to pass from his home town, and after it for offering prayers with Qaṣr he requires to cover a fresh distance allowing Qaṣr, regardless whether it is his actual home town, or his place of birth, or a place of his domicile, which is a place chosen as his place of residence and a permanent abode. It is not a condition that he should own some property in it, or should have stayed there for six months.

Of course, it is a condition for the place of domicile that he should have stayed in it for such a period that it may usually be considered his home town and place of residence. Rather sometimes a place is called his home town due to a long period of stay when he happens to stay in a town without the intention of staying in it permanently or with the intention of leaving it.

Problem # 1. If a person shuns his actual home town or place of domicile, and chooses another place as his home town, then if he happens to own no property in the former home town, or had some property but it was not worth living, or it was worth living but he did not stay in it for six months with the intention of permanent residence, it shall cease to be called his home town.

If, however, the person happens to own some property and has stayed in it for six months after making it the place of his permanent residence, or its being his actual home town, then according to the prevalent opinion of the jurists it shall be called his present home town, and shall be considered his legal home town, and they make it obligatory on him to offer full prayers on passing from that place as long as his property remains in it. Rather, some of the jurists make it obligatory on him to offer full prayers even when the person owns a property in it even if it is not worth living, and is an orchard of palm trees or the like; rather even in case he has lived in that place for six months, even if without the intention of permanent residence, but, for example, with the intention of trade.

The stronger opinion is, however, against all this, and does not apply the rule of home town in all the cases mentioned, and considers that a place ceases to be the home town of a person absolutely by shunning it, though it is more cautious to find a via media between applying the rule of home town and otherwise particularly in the first case.
سأ들에게 لن يحكموا على الأرض، بل قال بعضهم بوجوب القتال إذا كان له فيه ملك غير قابل
للسكيني ولو خطأ وحدها، بل في إذا سكن سنة أشهر ولم يكن مقصد الوطن
دائمًا بل بقصد التجارة مثلاً، والأقوى خلاف ذلك كله، فلا يجري حكم الوطن
في ذكر كله، ويزول حكم الوطن مطلقاً بالإعراض، وإن كان الأحوز الجمع
بين إجراء حكم الوطن وغيره فيها خصوصاً الصورة الأولى.
سأالة ٢ - ٢ يمكن أن يكون للإنسان وطنان فعليان في زمن واحد، بأن حسن
بلدين مسكنًا له دائمًا، فيقي في كل منها ستة أشهر مثلاً في كل سنة، وأما
الزائد عليها فحفل إشكال لابد من مراعاة الاحتياط.
سأالة ٣ - ٢ الظاهرة أن التتابع الذي لا استقلال له في الإدارة والعيش تابع
لتبوعه في الوطن، فبعد وطنه وطنه، سواء كان صغيراً كها هوا.flag - أو كبيراً
شعراً، كما قد يتفق للولد الذكر وكبراً ما للأشهر خصوصاً في أواخر الموعد،
والبناء هو التبعية وعدم الاستقلال، فرما يكون الصغير المسمى مستقلًا في الإدارة
والعيش كي مما لا يستطيع الكبير الشرعي، ولا يختص ذلك بالآباء والأولاد،
بل المناط هو التبعية وإن كانت لسائر القرابات، ولا يجب ان يحل في الوطن المستجذ، وأما الأصلي ففي تحقق لا يحتاج إلى الإدارة، وليس اتخاذاً
إرادياً، لكن في الإعراض الذي يحصل بالإعراض العملي يأتي الكلام المتقدم
فيه.
سأالة ٤ - ٢ تزدد في المهاجرة عن الوطن الأصلي فالظاهرة بقاؤه على الوطنية
مالم يحقق الخروج والاعراض عنه، وأما في الوطن المستجذ فلا إشكال في
زواله إن كان ذلك قبل أن يبي فيه مقداراً يتوقف عليه صدوق الوطن عرفًا، وإن
كان بعد ذلك بالأحوز الجمع بين أحكام الوطن وغيره وإن كان الأقوى بقاؤه
على الوطنية أيضاً.
الثاني: من قواطع السفر العزم على إقامة عشرة أيام متواليات أو علم بقائه
Problem # 2. It is possible for a man to have two home towns at one and the same time, and make both of them places of his permanent residence, so that he may stay in each of them, for instance, for six months every year. But there is difficulty in accepting more than two home towns for a person, and so observance of caution is necessary.

Problem # 3. Apparently, a person who is not independent in his intention and living shall also be deemed dependent on whom he is dependent in matter of home town, so that the home town of the former shall be the home town of the latter, regardless whether the former is a minor, as is generally the case, or an adult according to law, as is the case with some male children and a large number of female children, particularly in the early stage of coming of age.

The criterion here is the dependence and lack of independence, as sometimes a discreet minor is found to be independent in his intention and living, while, on the contrary, sometimes a person who is an adult according to law has no independence [of action and living]. It is not exclusively with the father and children, but the basic criterion is dependence even if it is on any other relative or even a stranger. All this relates to the place of domicile, but as regards the actual home town, there is no need of independence of action for determining it, as a home town is not opted or taken by intention. In case of shunning the home land, whatever has been said here shall also apply in that case.

Problem # 4. If a person hesitates in migrating from his home town, then apparently it shall continue to be deemed his home town until and unless his migration and shunning that place do not materialise.

As regards the place of domicile there is no difficulty in declaring that it ceases to be called his home town if the person fails to reside in it for a period of time which is usually considered necessary for calling it a home town. If a person has stayed at a place for a period which is usually considered necessary for calling it a home town, then it is more cautious to apply the rules of home town and otherwise; though, according to the stronger opinion, it would also continue to be deemed his home town.

2. Decision for staying continuously for ten days or the knowledge about staying for ten days in it, even if it is not in his control.
كتالج و إن كان لا عن اختياره.

مسألة 5 - الليالي المتوسطة داخلة في العشرة دون الليلة الأولى والأخيرة فيكمي عشرة أيام و تسع ليال، و يكفي تفتيق اليوم المتكرر من يوم آخر على الأقوي، كما إذا نوى المقام عند الزوال من اليوم الأول إلى الزوال من اليوم الحادي عشر، و مبدأ اليوم طلوع الفجر الثاني على الأقوي، فلو دخل حين طلوع الشمس كان

انتهاء العشرة طلوع الشمس من الحادي عشر، لا غروب الشمس من العاشر.

مسألة 6 - يشترط وحدة محل الإقامة، فلو قصد الإقامة في أمكنة متعددة عشرة أيام لم يقطع حكم السفر، كما إذا عزم على الإقامة عشرة أيام في النجف والكوفة معاً، فلم لا يضر بوجبة المثل فصل مثل الشط و نحوه بعد كون المجموع بلداً واحداً كحاجي ببغداد و إسلامبول، فلو قصد الإقامة في مجموع الجانبين يكني في انقطاع حكم السفر.

مسألة 7 - لا يعتبر في نية الإقامة قصد عدم الخروج عن خطة سور البلد، بل لو قصد حال نيته الخروج إلى بعض بساتينها و مزارعها جرى عليه حكم المقيم، بل لو كان من نيته الخروج عن حد الترخيص بل إلى ما دون الأربعة أيضاً لا يضر إذا كان من قصده الرجوع قريباً بأن كان مكنته مقدار ساعة أو ساعتين مثلًا بحيث لا يخرج به عن صدق إقامة عشرة أيام في ذلك البلد عرفًا، وأما الزائد على ذلك ففيه إشكال خصوصًا إذا كان من قصد المبيت.

مسألة 8 - لا يكفي القصد الاجمالى في تحقيق الإقامة، فالتابع للغير كالزوجة والرفيق، إن كان قاصداً للمقام بمقدار ما قصدته المتبوع لا يكفي و إن كان المتبوع قاصداً لا قامة العشرة إلا لم يدر من أول الأمر مقدار قصدته، فإذا تبين له بعد أيام أنه كان قاصداً للعشرة يبيع على القصر إلا إذا نوى بعد ذلك بقية عشرة أيام، بل لو كان قاصداً للمقام إلى آخر الشهر أو أي يوم العيد مثلاً و كان في الواقع عشرة أيام ولم يكن عالمًا به حين القصد لا يعد أحد كفايته و وجب القصر عليه,
Problem # 5. The nights lying in the middle of the ten days are included in the stay of ten days to the exclusion of the first and last nights. So ten days and nine nights are sufficient [for calling it a stay of ten days], and to compensate the deficiency of the day from the [eleventh] day, according to the stronger opinion, as when a person intends to stay from the noon of the first day up to the noon of the eleventh days, as, according to the stronger opinion, the beginning of the day is counted from the dawn. So if a person starts his stay from the sunrise, the end of the tenth day shall be counted at the sunrise on the eleventh day, and not the sunset on the tenth day.

Problem # 6. It is a condition that the place of stay must be one and the same. If he intends to stay in several places for ten days, the rule of journey shall not cease to apply to it, as for example, when a person intends to stay at Najaf and Kūfa at one and the same time. Of course, a distance caused by a river or the like shall not affect the unity of the place when the whole area is considered a single town, as the river on two sides of Baghdad and Istanbul, so that if a person intends to stay on both sides of the river, it shall suffice in the termination of the rule of journey.

Problem # 7. It is not a condition in the intention to stay not to leave the surrounding walls of a town. Rather, if a person goes out of the surrounding walls of a town to the gardens or farms of the town, the rules of a resident shall nevertheless apply to him. Rather even if he intends to go out of the limit allowing Qaṣr, even if it is less than four Farsakhs, it shall not be harmful, when his intention is to return soon, so that his period of stay may not exceed, for instance, one hour or two, in a way that it may not cease to be usually called a stay of ten days in that town. As regards the stay for period more than that, there is difficulty [in calling a stay of ten days in that town], particularly when it was with the intention of passing the night.

Problem # 8. The brief intention is not sufficient in the materialisation of stay [for ten days]. So if a person is dependent on another, like a wife or friend, if intending to stay as much as on whom he or she is dependent is not sufficient, even the latter intends to stay for ten days, when the former did not know the extent of the latter's stay in the beginning. So after a few days the former comes to know that the latter intended to stay for ten days, he/she shall continue exercising Qaṣr, except when after that he intends to stay for ten days, rather even if he intends to stay, for example, up to the end of the month or until the Eid, which in fact come to ten days, but he/she did not know it at the time of departure, it is not far from being insufficient, and the Qaṣr being obligatory on him/her; but, as far as possible, caution must not be given up.
ولكن لا يترك الاحتياط ما أمكن.

مسألة 9 - لو عزم على الإقامة ثم عدل عن قصده فان صلى مع العزم المذكور رباحية بتمام بقي على التقام مادام في ذلك المكان ولو كان من قصده الارتفاع بعد ساعة أو ساعتين، وإن لم يصل أو صلى صلاة ليس فيها تقصير كالصباح يرجع بعد العدول إلى القصر، ولو صلى رباحية تماماً مع الغفلة عن عزمه على الإقامة أو صلاها تماماً لشرف البقعة بعد الغفلة عن نية الإقامة فلا يترك الاحتياط بالجمع وإن كان عين القصر فيها لا يخلو من وجه.

مسألة 10 - لو فاته الصلاة على وجه يجب عليه قضاؤها فقضاياها تماماً ثم عدل عن نية الإقامة بقي على حكم التقام على إشكال، والأحوال الجامع، وأما إن عدل عنها قبل قضائها فالظاهر العود إلى القصر.

مسألة 11 - لو عزم على الإقامة فنوي الصوم ثم عدل بعد الزوال قبل إتيان الصلاة تماماً رجع إلى القصر في صلاته، لكن صبح صومه، فهو كمن صام ثم سافر بعد الزوال.

مسألة 12 - لا فرق في العدول عن قصد الإقامة بين أن يعزم على عدمها أو يتردد فيها في أنه لو كان بعد الصلاة تماماً بقي على التقام ولو كان قبله رجع إلى القصر.

مسألة 13 - إذا تمت العشرة لا يحتاج البقاء على التقام إلى قصد إقامة جديدة، فادام لم ينشيء سفرًا جديداً بقي على التقام.

مسألة 14 - لو قصد الإقامة واستقر حكم التقام باتيان صلاة واحدة بتمام ثم خرج الى ما دون المسافة وكان من نيته العود إلى مكان الإقامة من حيث إنه مكان إقامته بأن كان رحله بآياً فيه ولم يعرض عنه فان كان من نيته مقام عشرة أياً فيه بعد العود اليه فلا اشتكال في بقائه على التقام، وإن لم يكن من نيته ذلك سواء كان مترددًا أو واعياً للعدم فالآقوى أيضاً البقاء على التقام في
Problem # 9. If a person plans to stay [for ten days], and then changes his intention, if he has offered the four Rak‘at prayers in full during the intention, he shall continue offering full prayers as long as he stays in that place. If he intends to depart after one or two hours, but he has not offered the prayers, or has offered a prayer which does not involve Qaṣr, like the morning prayer, after the change he shall revert to Qaṣr. If, however, he has offered a four Rak‘at prayer in full due to ignorance about his intention to stay [for ten days], or has performed it in full due to vicinity of one of the holy shrines after being ignorant of his intention to stay [for ten days], then he should not give up caution by offering the prayers both with and without Qaṣr, though the obligation for exercising Qaṣr would not be far from being in conformity with the principles of law.

Problem # 10. If a person (on journey) failed to offer a prayer in a way that it was obligatory on him to compensate it, and he compensated it in full, and then changed his intention to stay [for ten days], he shall continue to be governed by the rule of offering full prayers, though there is difficulty [in accepting this rule], and it is more cautious to offer the prayers both with and without Qaṣr. If the person has changed his intention before the prayer becomes due, then apparently he shall return to exercising Qaṣr.

Problem # 11. If a person plans to stay [for ten days], and then intends to keep fast, then changes his mind after the noon before offering full prayers, he shall revert to exercising Qaṣr in his prayers, but his fast shall be valid, and he shall be like one who has kept fast and has travelled after the noon.

Problem # 12. There is no difference in changing the mind to stay whether he intends not to say [for ten days] or hesitates in it, so that if it happens after offering the prayer in full, he shall continue to do so. But if it occurs before offering the prayer in full, he shall revert to exercising Qaṣr.

Problem # 13. If the time of ten days stay is over, he shall not be required to renew his plan to stay in order to offer prayers in full, so that as long as he does not undertake a fresh journey, he shall continue to offer prayers in full.

Problem # 14. If a person intends to stay [for ten days], and the rule of offering full prayers is established by offering a single prayer in full, and then the person leaves his place up to a distance less than one allowing Qaṣr, and his intention was to return to the place of his residence as it was the place of his residence where his luggage was still lying, and he had not shunned it, then if he intended to stay for ten days after return in it, there is no difficulty in his continuing to offer his prayers in full. In case his intention was not that, regardless whether he was hesitant or intended not to stay there for ten days after his return, then, according to the stronger opinion too, he shall continue to offer his prayers in full, while going from his place, as well as at the destination and while returning and at the place of stay until and unless he starts a fresh journey,
الذهاب والمقصد والآياب و محل الإقامة مالم ينشأء سفاً جديداً خصوصاً إذا كان المقصد في طريق بلده، والأحوزة الجمع خصوصاً في الآياب و محل الإقامة، و بالأخير في إذا كان محل الإقامة في طريق بلده، نعم لو كان منشأً للسفر من حين الخروج عن محل الإقامة وكان ناوياً للعودة إليه من حيث أنه أحد منازله في سفره الجديد كان حكبه ووجه القصر في العود و محل الإقامة، و أما في الذهاب والمقصد فحل إشكال لا يترك الاحتياط بالجوع وإن لا يعد وجوب التقم فيها، هذا كله فإنا إذا لم يكن من نيته الخروج في أثناء العشرة إلى ما دون المسافة من أول الأمر، ولا فقد مرّ أن كان من قصدي البعيد قريباً جداً يكون حكمه التقم، و الأفضلية اشكال، ولو خرج إلى ما دون المسافة، و كان متزداً في العود إلى محل الإقامة و عدمه أو ذاهلاً عنه فالاحتياط بالجوع بين القصر والقلم لا ينبغي تركه، و إن كان الأقوى البقاء على التقام مالم ينشأء سفاً جديداً.

مسألة 15 - لودا للمقيم السفر ثم بذا له العود إلى محل الإقامة والبقاء عشرة أيام فان كان ذلك بعد بلوغ أربعة فراشح قصر في الذهاب والمقصد والعودة، و أن كان قبله قصر حال الخروج بعد التجاور عن حد الترخيص إلى حال العزم على العود، ولا يجب عليه قضاء ما صل قسراً، و أما حال العزم فالأخوة الجمع و ان كان البقاء على القصر أقرب، و كذا إذا بدأ له العود بدون إقامة جديدة بقي على القصر حتى في محل الإقامة.

مسألة 16 - لودخل في الصلاة بنية القصر ثم بدأ له الإقامة في أثناها أتمها، ولو نوى الإقامة و دخل فيها بنية التقدم ثم عدل عنها في الأثناء فان كان قبل الدخول في ركوع الثلاثة أتمها قسراً، و إن كان بهدف الفراق عن الصلاة فالأقوى بطلان صلاته والرجوع إلى القصر، و ان كان الأحوزة اتمها تماماً ثم أعادتها قسراً والجمع بينها مالم يسافر.

الثالث: من القواعد البقاء ثلاثين يوماً في مكان متزداً، و يلحق بالتردد ما
particularly when his destination lies on the way to his home town; though it would be more cautious to offer the prayers both with and without Qaṣr, particularly while coming back as well as at the place of his stay, and more particularly when his place of stay lies on the way to his own home town. Of course, if he starts a fresh journey at the time of departing from his place of residence, and intends to return to it, so that it happens to be one of the stopping places in his new journey, he shall be governed by the rule of obligation to exercise Qaṣr while returning as well as the place of residence. As regards the rule regarding while going and at the destination, there is hesitation [in deciding about it], and so caution must not be given up by offering the prayers both with and without Qaṣr, though it is not far from being obligatory to offer the prayers in full in both [i.e., while going as well as at the destination]. This is the rule when the person does not intend to depart during the ten days to a place lying at a distance of less than the one allowing Qaṣr at the beginning. Otherwise, it has already been mentioned that if he intended to return very soon, he shall offer prayers in full. In case otherwise, there shall be difficulty. In case he leaves for a place lying at a distance less than the one allowing Qaṣr, and was hesitant about returning to the place of his residence or otherwise, or was negligent about it, then it would be cautious for him to offer the prayers both with and without Qaṣr, and this caution must not be given up, though, according to the stronger opinion, he shall continue to offer the prayers in full as long as he does not start a fresh journey.

**Problem # 15.** If a person intending to stay [for ten days] has to undertake journey, and then he intends to return to his place of residence, and stay there for ten days, then, if it has happened after reaching four Farsakhs, he shall exercise Qaṣr while going and at the destination as well as while returning.

If the place lies after passing from the limit allowing Qaṣr, he shall exercise Qaṣr while leaving until when he decides to return, and it shall not be obligatory on him to compensate for the prayers he has already offered with Qaṣr. As regards the rule relating to the period during the time he decides to return, it is more cautious to offer the prayers both with and without Qaṣr, though it is closer to the traditional authority to continue to exercise Qaṣr. The same rule shall apply if the person intends to return without staying at the new place, he shall continue to exercise Qaṣr, even at the place of staying.

**Problem # 16.** If a person starts a prayer with the intention of exercising Qaṣr, then during the prayer, he decides to stay there, he shall offer full prayer. If the person intends to stay and starts a prayer with the intention of offering it in full, and subsequently changes his mind during the prayer, then if it were before going into the third Rukūʿ, he shall complete the prayer with Qaṣr. If, however, it were after going into the third Rukūʿ, but before completing the prayer, then, according to the stronger opinion, his prayer shall be invalid, and he shall revert to exercising Qaṣr, though it would be more cautious for him to complete it in full, and then offer it again with Qaṣr, and offer it both with and without Qaṣr as long as he does not undertake journey.

3. Staying for thirty days at the place of hesitation. To hesitation is added the case when he intends to depart the next day but fails to do so, and so on until thirty days pass [in this state of hesitation].
في أحكام المسافر

إذا عزم على الخروج عدًا أو بعده ولم يخرج و هكذا، أو أن يمضي ثلاثين يومًا، بل يلحق به أيضاً إذا عزم على الإقامة تسعًا أيام مثلاً ثم بعدها عزم على إقامة تسعًا أخرى و هكذا فيقصر إلى ثلاثين يومًا ثم ينم و وإن لم يبق إلا مقدار صلاة واحدة.

مسألة 17- الظاهر إلقاء الشهر الهلالي بثلاثين يوماً إن كان تردد من أول الشهر.

مسألة 18- يشترط اتخاذ مكان التردد كمحل الإقامة، فعند التعدد لا ينقطع حكم السفر.

مسألة 19- حكم المتزوج المستقر عليه التقام بعد ثلاثين يوماً إذا خرج عن مكان التردد إلى ما دون المسافة و كان من نيته العود إلى ذلك المكان، حكم الملازم على الإقامة وقد مر حكمه.

مسألة 20- لو تردد في مكان تسعًا و عشرين مثلاً أو أقل ثم سافر إلى مكان آخر و بقي متردداً فيه كذلك بقي على القصر مادام كذلك إلا إذا نوى الإقامة بمكان أو بقي متردداً ثلاثين يوماً.

القول في أحكام المسافر

قد عرفت أنه تسقط عن المسافر بعد تحقق الشرائط ركعتان من الظهرين والعشاء، كما أنه تسقط عنه نواقل الظهرين، و بقي سائر النواقل، والأحوزة الاتين بالوثيقة رجاءً.

مسألة 1- لو صلي المسافر بعد تحقق شرائط القصر تماماً فإن كان عالماً بالحكم والمرضع بطلت صلاته وأعادها في الوقت و خارجه، وإن كان جاهلًا بأصل الحكم و أن حكم المسافر التقصير لم يجب عليه الإعادة فضلاً عن
To this category shall be added the case when a person intends to say, for instance, for nine days, and then decides to stay for another nine days, and so on, in which case he shall exercise Qaşr until thirty days, and then start offering prayers in full, even if the time left is not for more than a single prayer [having four Rak'ats].

Problem # 17. Apparently a lunar month shall be deemed to have thirty days, even if a person has started hesitating from the first of the month,

Problem # 18. It is a condition that the place of hesitation must be one and the same, like the place of residence, so that in case of being more than one, the rule of journey shall not cease to apply.

Problem # 19. If a person stays in a place in a state of hesitation, he shall offer full prayers after the completion of thirty days. If he leaves the place of hesitation after it for a place lying at a distance less than one allowing Qaşr, and intends to return to that place, he shall be governed by the rule concerning the person who intends to stay at some place and leaves it, which has already been mentioned.

Problem # 20. If a person remains in a state of hesitation, for instance, for twenty nine days or less, and then travels to another place, and still remains in a state of hesitation, he shall continue to exercise Qaşr as along as he remains in that state, except when he intends to stay at a place or has remained in a state of hesitation for thirty days.

Rules Concerning a Traveller

It has already been understood that in case of fulfilment of all conditions, two Rak'ats shall be reduced from the prayers of Zuhr, Āsr and Isha'. The supererogatory prayers for Zuhr and Āsr shall also drop, but the other supererogatory prayers shall remain intact, and it is more cautious to offer the Vafsrah prayer [i.e., the supererogatory prayer for Isha' prayer] with the intention of hope [that it would be desirable to Allāh].

Problem # 1. If a traveller offers a full prayer after the fulfilment of all the conditions for Qaşr, despite having knowledge of the relevant rule and the subject, his prayer shall be declared void, and he shall be required to offer it again [with Qaşr] whether within the due time or after it. If he were ignorant about the actual rule, and that it is a rule that a traveller must exercise Qaşr, it shall not be obligatory on him to offer the prayer again [with Qaşr] not to speak of compensating for it. If a person had knowledge about the actual rule, but he was ignorant of some of the details, as, when he was ignorant of the rule that a journey to a distance of four Farsakhs with the intention of returning makes it obligatory on the person to exercise Qaşr, or that if his profession was travelling, then if he stays in his own home town for ten days, it shall be obligatory on him to exercise Qaşr in his first journey, and such other rules, then if such a person offers full prayer, he shall be bound to offer the prayer again [with Qaşr] within its due time or after it.
في أحكام المسافر

القضاء، وإن كان عالماً بأصل الحكم وجاها ببعض الخصوصيات مثل جهله
بأن السفر إلى أربعة فراش مع قصد الرجوع يوجب القصر أو أن من شبهه
السفر إذا أقام ببلده عشرة أيام يجب عليه القصر في السفر الأول و نحو ذلك فأقام
وجبت عليه الإعادة في الوقت والقضاء في خارجه، وكذا إذا كان عالماً بالحكم
جاهلاً بالوضع، كما إذا تخلل عدم كون مقصده مسافة فاتم مع كونه مسافة، و
أما إذا كان ناسياً للسفر فالمان تذكر في الوقت وجبت عليه الإعادة، وإن
تذكر في خارجه لا يجب عليه القضاء.

مسألة 2 - يلحق الصوم بالصلاة فلذكر على الأقوى، فيبطل مع العلم
والعمد، و يصبح مع الجهل بأصل الحكم دون خصوصياته و دون الجهل
بالوضع، نعم لا يلحق بها في النسيان، فهذا يجب عليه القضاء.

مسألة 3 - لو قصر من كانت وظيفته التمام بطلته صلاة مطلقاً حتى المقيم
المقص للجهل بأن حكمه التمام.

مسألة 4 - لو تذكر الناسب للسفر في أثناء الصلاة فان كان قبل الدخول في
ركوع الركعة الثالثة أثن الصلاة قصراً و اجتزاها، و إن تذكر بعد ذلك بطلت و
وجبت عليه الإعادة مع سعة الوقت ولو بادرت ركعة منه.

مسألة 5 - لو دخل الوقت وهو حاضر متمنق من فعل الصلاة ثم سافر قبل
أن يصله حتى تجاوز على الترخص والوقت باقه قصر، ولكنه لا ينبغي ترك
الاحيال بالاتمام أيضاً، ولو دخل الوقت وهو مسافر فحضر قبل أن يصله
والوقت باق آنتم، والأحوال القصر أيضاً.

مسألة 6 - لو فاتت منه الصلاة في الحضر يجب عليه قضاها تماماً ولو في
السفر، كا أنه لو فاتت منه في السفر يجب قضاها قصراً ولو في الحضر.

مسألة 7 - إن فاتت منه الصلاة وكان في أول الوقت حاضراً و في آخره
مسافراً أو بالعكس فالآقى مراعاة حال الفوت في القضاء و هو آخر الوقت.
Similarly, if a person knows the rule but does not know the subject, as when he thinks that his destination does not lie at a distance allowing Qaṣr, and so he offers full prayer despite the place being at a distance allowing Qaṣr, the same rule shall apply. If a person has forgotten that he was on journey, and so he offers full prayer, and then recalls that he was on journey, it shall be obligatory on him to offer the prayer again with Qaṣr within the due time. If the person comes to realise it after the due time of the prayer, it shall not be obligatory on him to compensate for it.

**Problem #2.** According to the stronger opinion, the rules relating to the prayers mentioned here are also applicable to fasting, so that a fast is declared void in case a person has knowledge about the rules of Qaṣr during journey and keeps fast deliberately. Likewise, a fast shall be valid if the person is ignorant of the actual rule to the exclusion of its details and its subject, [in which case his fast shall be declared void]. Of course, the rule of forgetfulness does not apply in case of fasting, so that if a person does not keep fast out of forgetfulness, it shall be obligatory on him to compensate for it.

**Problem #3.** If a person who is required to offer full prayer exercises Qaṣr, his prayer shall be declared void. So also if a person intends to stay, but he exercises Qaṣr out of ignorance of the fact that he was required to offer full prayers, [his prayer shall also be declared void].

**Problem #4.** If a person who has forgotten that he was on journey comes to recall it during the prayer, then if it were before going into the third Ruku', he shall complete the prayer with Qaṣr, and would suffice with it.

In case he recalls that he was on journey after going into the third Ruku', his prayer shall be void, and it shall be obligatory on him to offer it again, provided that there was sufficient time for it even if up to a single Rak'at.

**Problem #5.** If the time for offering prayer becomes due while the person is still in his home town, and is able to offer the prayer, but he undertakes the journey without offering the prayer until he crosses the limit allowing Qaṣr, and there is still time left for offering prayer, he shall exercise Qaṣr. But he should not give up caution by offering full prayer as well.

If the time for offering prayer has become due while he is on journey, and he arrives at his own home town before offering prayer, while the time for offering the prayer is still there, he shall offer full prayer, though it is more cautious for him to exercise Qaṣr as well.

**Problem #6.** If a person fails to offer a prayer while in his own town, he shall have to compensate for it by offering the prayer in full even while on journey, in the same way as when he fails to offer a prayer while on journey, it shall be obligatory on him to compensate for it by offering the prayer with Qaṣr even while he is [back] in his home town.

**Problem #7.** If a person fails to offer a prayer while he was in his home town at the beginning of the time, but at the end of the time he was on journey, or vice versa, then, according to the stronger opinion, he shall observe the time when he failed to offer the prayer which is the end of the time, so that in the former case he shall offer the prayer with Qaṣr, while in the latter he shall offer the prayer in full, though he should not give up caution by offering the prayer both with and without Qaṣr.
في قضي في الأول قصراً و في الثاني تماماً، لكن لا ينصح له ترك الاحتراب بالجمع.

مسألة 8 - يتخير المسافر عادة تقدم الإقامة بين القصر والأتمام في الأماكن الأربعة: وهي المسجد الحرام، ومسجد النبي صلى الله عليه وآله، ومسجد الكوفة، والخازر الحسيني على مشرفة السلام، والإتمام أفضل، وفي إحرق بلدي مكة والمدينة، بمجرد أنها تأمل، فلا يترك الاحتراب باختيار القصر، ولا يلزمه بها سائر المساجد والمشاهد، ولا فرق في تلك المساجد بين الطواف والصحن والموارد المتخصصة كبيرة الطائش في مسجد الكوفة، والأقوى دخول تمام الروضة الشريفة في الخائر، فبمقدت من طرف الرأس إلى الشباك المتصل بالرواق، ومن طرف الرجل إلى الباب المتصل بالرواق، ومن الخلف إلى حد المسجد، ودخول المسجد والرواق الشريف في أيضاً لا يخلو من صوت، لكن الاحتراب بالقصر لا ينصح بها.

مسألة 9 - التخير في هذه الأماكن الشريفة استمراري، فيجوز من شرع في الصلاة بينة القصر العدول إلى التمام و بالعكس ما لم يتجاوز على العدول، بل لا يلزم بأن ينوي الصلاة من غير تعميم للقصر والإتمام من أول الأمر فيختار أحدهما بعده.

مسألة 10 - لا يلحق الصوم بالصلاة في التخير المزبور، فلا يصح له الصوم فيها مالم يتوافق الإقامة أولم يبق ثلاثين متزيراً.

مسألة 11 - ينصح أن يقول عقيب كل صلاة مقصورة ثلاثين مرة:

"سبحان الله الحمد لله ولا إله إلا الله والله أكبر".

فصل في صلاة الجماعة

و هي من المستحبات الأكيدة في جميع الفئات خصوصاً اليومية، ويتلقى
Problem # 8. A traveller who has no intention to stay [for ten days] shall have the discretion to offer the prayer with or without Qaṣr in the following four places: They are the Masjid al-Ḥarām [in Mecca], the Masjid al-Nabī, Peace be upon his Progeny, [in Medina], Masjid al-Kūfa and the Haram of Imām Ḥusayn, Peace be upon him; though it is preferable to offer the prayer [even in such places] in full. There is hesitation in including the cities of Mecca and Medina in the sanctity of the first two mosques, but caution must not be given up by exercising Qaṣr while in Mecca and Medina. To this category do not belong all other mosques and shrines. There is no difference in these mosques, [i.e. Masjid al-Ḥarām, Masjid al-Nabī and Masjid al-Kūfa], whether it is their roofs, courtyards or their low lying sections like the Bayt al-Ṭasht in Masjid al-Kūfa.

According to the stronger opinion, the whole holy tomb is included in the Haram of Imām Ḥusayn, and extends from the side of the upper end to the grilled windows adjacent to the portico and from the lower end to the gate adjacent to the gallery, and from behind up to the limit of the mosque, the interior of the mosque and the gallery also being included in it, but the caution must not be given up by exercising Qaṣr.

Problem # 9. The discretion granted in such holy places is of a permanent nature, so that if a person starts offering prayer with the intention of offering it in full may change it into a prayer in full, or vice versa, as long as he has not surpassed the place where such change is allowed. Rather, there is no objection if he intends to offer the prayer without specifying to be with or without Qaṣr from the beginning and opts for either of them later.

Problem # 10. To this category of discretion in prayers mentioned here does not belong fasting, so that in such holy places it is not valid to keep fast as long as one does not intend to stay there or has not remained there in a state of hesitation for thirty days.

Problem # 11. After every Qaṣr prayer, it is approved to recite thirty times: “Subḥānallāh va Ḥamdu lillāh wa lā ilāha illallāhu vallāhu Akbar”.

Chapter on the Jamāʿat Prayer

Among all the obligations, specially those relating to the daily prayers, offering prayers with Jamāʿat is one of those recommended emphatically, and it is particularly emphasized in respect of offering the Morning, Maghrib and Ishā’ prayers. It has a tremendous reward. But it is primarily not declared obligatory, by Shari‘ah or any other provision, except in case of the Jumʿah prayers with the condition of fulfilment of its relevant conditions mentioned in its proper place. It is not legally valid in any of the initially supererogatory prayers, even if they are rendered obligatory due to a vow or the like, except the prayer for rain (Istisqā’). It has already been mentioned that in case of the prayer for the Eid al-Fīr and Eid al-Aḍḥā it is more cautious to offer them [with the intention of offering] them individually, though there is no objection in offering them with
في الصح والعاشرين، وها ثواب عظيم، وليست واجبة بالأصل لا شراعًا ولا شرطًا إلا في الجماعة مع الشرائط المذكورة في محلها، ولا تشغب في شيء من النواقيل الأصلية و إن وجبت بالعالقين بنذر و نحوه عدا صلاة الاستضاء، وقد ماز أن الأحوط في صلاة العيدين الأتيان بها فرادى، ولا بأس بالجماعة ماجاء.  

مسألة 1: لا يشترط في صحة الجماعة اتحاد صلاة الإمام والأئمة نوعاً أو كيفية. فبأن مصلى اليومية أي صلاة كانت بمتصليها كذلك و إن اختفت في القصر والتمام الأوأولاد والقضاء، و كذا مصلى الآية بمتصليها و إن اختفت الآيتان، نعم لا يجوز اقتسام مصلى اليومية بمتصلي العبدين والآيتين والأموات بل وصلاة الاحتياط والطوف و بالعكس، و كذا لا يجوز الاقتداء في كل من الجنس بعضها بعض، بل مشروعة الجماعة في صلاة الطوف و كذا صلاة الاحتياط معلم إشكال.

مسألة 2: أقل عدد تنعقد به الجماعة في غير الجماعة والعيدين إثنان أحدهما.

الإمام سواء كان الأمام رجلاً أو امرأة بل أو صبياً ميماً على الأقوى.

مسألة 3: لا يعتبر في انعقاد الجماعة في غير الجماعة والعيدين وبعض فروع المعادة بناء على المشروعة نية الإمام الجماعة والآية و إن توقف حصول الثواب في حقها عليها، و أما الأمام فلا، لح من نية الاقتداء فللم ينوى متنعقد إن تابع الإمام في الأفعال والأقوال، و يجب وحدة الإمام، فلو نوى الاقتداء بالآيتين لم تنعقد ولو كانا متقارنين، وكذا يجب تعيين الإمام بالاسم أو الوصف أو الإشارة الذهبية أو الخارجة، فإن ينوي الاقتداء بهذا الحاضر ولوم يعرفه بوجه مع علمه بكونه عادلا صالحا للاقتداء، فلو نوى الاقتداء بأحد هذين لم تنعقد و إن كان من قصده تعيين أحدهما بعد ذلك.

مسألة 4: لو شك في أنه نوى الاقتداء أم لا بنى على العدم و إن علم أنه قام بنية الدخول في الجماعة، بل و إن كان على هيئة الاتمام، نعم لو كان مستحقاً
Jamā'at with the intention of hope [that it would be desirable to Allah].

Problem #1. The uniformity of the prayer of the Imam and his follower as regards its kind and quality is not a condition for the validity of the Jamā'at. So a person offering any daily prayer may offer it with the Imam who may be offering any other prayer, even if their prayers differ as regards their being with or without Qaṣr and Adā' (offered at the due time) or Qaḍā' [i.e., a compensatory prayer offered after the due time].

The same is the case with the Āyāt prayers, so that they may also differ [as when one of them is offering the Āyat prayer for earthquake, and the other for solar or lunar eclipse].

Of course, it is not permissible for a person offering a daily prayer to offer it behind the Imam offering the prayers for Eid al-Fīr or Eid al-Adhā, or Āyāt or burial, or even the prayer for caution or circumambulation (Ṭawāf), or vice versa.

Likewise, it is not permissible to follow an Imam who is offering any of the above-mentioned five prayers different from one another. Rather there is difficulty in declaring the prayer for circumambulation and cautionary prayer with Jamā'at as valid.

Problem #2. The minimum number required to hold a Jamā'at other than on Friday and the two Eids [i.e., Eid al-Fīr and Eid al-Adhā] is two persons including the Imam, regardless whether the persons offering prayer behind the Imam are men or women, or, according to the stronger opinion, even a discreet boy.

Problem #3. It is not a condition in holding a Jama'at for a prayer other than the Jum'ah prayer, prayers for two Eids [i.e., the Eid al-Fīr and Eid al-Adhā] and some secondary prayers called 'Ma'ādah', provided that they are valid according to the Shari'ah, that the Imam should have the intention of Jamā'ah and Imamat [i.e., leading the prayers], though his award for it depends on it. As regards the person offering prayer behind the Imam, it is obligatory on him to have the intention of following the Imam [iqtidā'], so that if he fails to do so, the Jamā'at shall not be held even if he follows the Imam in his actions and words.

It is also a condition that there should be a single Imam to lead the prayers, so that if the person offering prayer behind the Imam has intention of following two Imāms simultaneously, the Jamā'at shall not be held, even if they are offering the prayers together. It is also obligatory to specify the Imam by name, or description or mental or external gesture, as intending to follow the present Imam, even if he does not know him by face provided that he knows that the Imam is a morally sound person, possessing the qualification required for leading the prayers. If a person intends to follow one of the two present persons, the Jamā'at shall not be held, though later he intends to specify one of them.

Problem #4. If a person doubts whether he had the intention of following the Imam in prayer or not, he shall decide against it, though he may know that he had stood there with the intention of attending the Jamā'at, even if outwardly he looked like following the Imam.
في صلاة الجماعة

بشيء من أفعال المؤمنين وعلوم الانصات المستحب في الجماعة بنى عليه.

مسألة 5 - لونوى الاقتداء بشخص على أنه زيد فكان أنهم عمرو فإن لم يكن عمرو عادلاً بطلت صلاته وصلاةه إن زاد ركعتاً بتوهم الاقتداء ولا فضحتها لا تخلو عن قوة، والأحوط الامتام ثم الإعادة، وإن كان عادلاً فالأقوى صحة صلاته وصلاةه سواء كان من قصده الاقتداء يزيد وتخيل أن الحاضر هو زيد أو من قصده الاقتداء بهذا الحاضر ولكن تخيل أنه زيد، والأحوط الامتام والإعادة في الصورة الأولى إن خالفت صلاة المنفرد.

مسألة 6 - لا يجوز للمنفرد العدول إلى الامتام في الأثناء على الأحوط.

مسألة 7 - الظاهر جواز العدول من الامتام إلى الافتراد ولو اختياراً في جميع أحوال الصلاة وإن كان من نيته ذلك في أول الصلاة. لكان الأحوط عده العدول إلا لصورة ولو دنيوياً خصوصاً في الصورة الثانية.

مسألة 8 - لونوى الافتراد بعد قراءة الإمام قبل الركوع لا تجب عليه القراءته بل لو كان في أثناء القراءة تكفية بعد نية الافتراد قراءة ما بقي منها، وإن كان الأحوط استيفائها بقصد القرية والرجاء خصوصاً في الصورة الثانية.

مسألة 9 - لونوى الافتراد في الأثناء لا يجوز له العود إلى الامتام على الأحوط.

مسألة 10 - لو أدرك الإمام في الركوع قبل أن يرفع رأسه منه ولو بعد الذكر أو أدرك قبله ولم يدخل في الصلاة إلى أن ركع جاز له الدخول معه، وتخشب له ركعة، وهو منتهى ما يدرك به الركعة في ابتداء الجماعة، فإذا ركع الركعة في ابتداء الجماعة يتوقف على ادراك ركوع الإمام قبل الشروع في رفع رأسه، وأما في الركعات الأخرى فلا يضر عدم إدرك الركوع مع الإمام، لأن ركع بعد رفع رأسه منه لكن بشرط أن يدرك بعض الركعة قبل الركوع، وإذا فقي الشك.

مسألة 11 - الظاهر أنه إذا دخل في الجماعة في أول الركعة أو في أثناء
Of course, if he is busy in doing something done by the followers in prayers, as, for example, preferably keeping quiet in a Jamā'at, he shall decide in favour of attending the Jamā'at,

**Problem # 5.** If a person has the intention of following a person named Zayd, and he turns out to be 'Umar, then if 'Umar is not morally sound, his Jamā'at and prayer shall be declared void, if he has added a pillar under the impression of following the Imām; otherwise, its validity shall not be devoid of force. It is more cautious to complete the prayer, and then offer it again.

If 'Umar happens to be morally sound, then prayer and Jamaat of the follower shall be valid, according to the stronger opinion, regardless whether he intended to follow Zayd under the impression that the present person leading the prayers is 'Umar, or he intended to follow the present person leading the prayers, but he had the impression that the present Imām is Zayd. It is, however, more cautious for him to complete the prayer, and offer it again in the first case, even if it is different from the individual prayer.

**Problem # 6.** According to the more cautious opinion, it is not permissible for the person offering prayer individually to shift to Jamā'at during the prayer.

**Problem # 7.** Apparently it is permissible to shift from Jamā'at to offering individually even if voluntarily in all circumstances, even if he intended to do so from the beginning of the prayer, but it is more cautious not to shift it, except in case of emergency, even if it is a worldly one, particularly in the latter case.

**Problem # 8.** If a person intends to offer prayer individually after the Imām has recited the Sūrah from the Qur'ān but before he goes into the Rukū', then it would not be obligatory on him to recite the Sūrah from the Qur'ān, rather if it happens during the recitation of the Sūrah, it would be sufficient for him after the intention of offering the prayer individually to recite the remaining part of the Sūrah, though it would be more cautious to recite it again with the intention of closeness [to Allāh] and hope [that it would be desirable to Allāh], particularly in the latter case.

**Problem # 9.** If, during the prayer, a person intends to offer the prayer individually, according to the more cautious opinion, it shall not be permissible for him to shift over to Jamā'at.

**Problem # 10.** If a person joins the Imām in the Rukū' before he lifts his head from it, even if after reciting the Dhikr, or he joins him before it, but does not start the prayer until the Imām goes into the Rukū', it would be permissible for him to join the Imām, and it would be considered a single Rak'at in his account, and this is the last place where he may join the Imām in a Rak'at at the beginning of the Jamā'at. So joining the Rak'at at the beginning of the Jamā'at depends on joining the Imām in the Rukū' before he starts raising his head from it.

In the other Rak'ats, there is no harm if the person fails to join the Imām in the Ruku', so that he may perform the Rukū' even after the Imām has raised his head from it, provided that he joins him in a part of the Rak'at before the Ruku'; otherwise, there shall be difficulty.

**Problem # 11.** Apparently when a person joins the Jamā'at in the beginning of the Rak'at or during the recitation of the Sūrah, and incidentally he remains behind the Imām in Rukū' and what is affiliated with it, his prayer and Jamā'at shall be valid, and it shall be considered a Rak'at in his account.
القراءة واتفق تأخره عن الإمام في الركوع وما لحق به فيه صحته وحائطه، وتسمى له ركعة، وما ذكرناه في المسألة السابقة مختلف وما إذا دخل في الجماعة في حال ركوع الإمام أو قبله بعد تبئيم القراءة.

مسألة 12 - لو ركع بخيل أنه يدرك الإمام راكعاً ولم يدركه أو شك في إدراكه ولم عد به فلا تتبع صحته فرادي، والأحوال الامام والإفادة.

مسألة 13 - لا بأس بالدخول في الجماعة بقصد الركوع مع الإمام رجاءً ّ مصداق الركوع مع الإمام الإضيفين بادراكه على الأقوى، فإن أدركه صحته ولا يبطلت لو ركع، كما لا بأس بأن يكون لللاحمر بقصد أنه إن أدركه الحمل والإفادة أو انفرد قبل الركوع أو انتظار الركعة الثانية بالشرط الآتي في المسألة اللاحقة.

مسألة 14 - لو نوى الامام و كبر فروع الإمام رأسه قبل أن يركع لزمه الانفراد أو انتظار الإمام قائمًا إلى الركعة الأخرى، فيجعلوها الأولى له بشرط أن لا يكون الإمام بطيئًا في صلاته بحيث يخرج به عن صدق القدوة ولا فلا يجوز الانتظار.

مسألة 15 - لو أدرك الإمام في السجدة الأولى أو الثانى من الركعة الأخيرة وأراد إدراك فضل الجماعة نوى و كبر و سجد معه السجدة أو السجدين و تشهد، ثم يقدم بعد تسليم الإمام، ولا يترك الاحتياط بأن يتم الصلاة و يعدها، وإن كان الاستفادة بالنية والتكيير وإلقاء ما زاد تبعاً للامام و صحة صلاته لا تخلو من وجه، أو الأولى عدم الدخول في هذه الجماعة، ولو أدركه في التشهد الأخير يجوز له الدخول معه بأن ينو و يكبر ثم يجلس معه و يتشهد، فإذا سلم الإمام يقوم فيصل و يكون كتلك النية و ذلك التكيير ويحصل له بذلك فضل الجماعة و إن لم يدرك ركعة.
What we have mentioned in the previous Problem is exclusively meant for the case when a person joins the Jamā‘at while the Imam is offering Rukū‘, or before it after the recitation of the Sūrah from the Qur’ān.

**Problem # 12.** If a person goes into Rukū‘ with the idea of joining the Imām in the Rukū‘, but could not join him, or doubts whether he has joined him in the Rukū‘ or not, it would not be far from declaring the validity of his prayer individually, and it is more cautious for him to complete the prayer, and offer it again.

**Problem # 13.** According to the stronger opinion, there is no objection if a person joins the Jamā‘at with the intention of having Rukū‘ with the Imām hopefully in spite of not being sure about it, so that if he succeeds in joining him, his prayer shall be valid; otherwise, it would be void even if he performs the Rukū‘.

It would be a similar case when he recites Takbīrat al-Iḥrām with the intention that if he joins the Imām, he shall follow him; otherwise, he would offer the prayer individually before the Rukū‘, or he may wait for the second Rak‘at on the condition mentioned in the following Problem.

**Problem # 14.** If a person intends to follow the Imām, and recites Takbīr, then the Imām raises his head before the person performs Rukū‘, the person shall be bound to offer the prayer individually, or wait for the Imām to stand up for the other Rak‘at, so the person shall make it his first Rak‘at, provided that the Imām does not delay the prayer in a way that he ceases to be following him; otherwise, it would not be permissible for him to wait.

**Problem # 15.** If a person joins the Imām in his first or second prostration in the last Rak‘at, and intends thereby to obtain the advantage of the Jamā‘at, he shall have the intention (Niyāyat), recite Takbīr, and perform one or two prostrations and Tashahhud [with the Imām], and then get up after the Imam has recited the Salutation. But he should not give up caution by completing the Prayer and offer it again, though it is sufficient to have the intention, recite the Takbīr and perform other things while following the Imām, when the validity of his prayer shall not be devoid of validity.

It is better for the person not to join this Jamā‘at [at this stage]. If a person joins the Imam in the last Tashahhud, it would be permissible for him to join him after having intention (Niyāyat) and reciting Takbīr, and then sitting with the Imām and reciting Tashahhud, so that when the Imām recites Salutation, he should stand up and complete his prayer, and that intention and Takbīr shall be sufficient, and he shall thereby obtain the advantage of the Jamā‘at, although he has not joined the Imām even in performing a single Rak‘at.
القول في شرائط الجماعة

وهي مضافاً إلى ما مر - أمور:

الأول - أن لا يكون بين الأمام والإمام أو بين بعض الأمامين مع بعض آخر ميم يكون واسطة في اتصاله بإمام حائل يمنع المشاهدة، هذا إذا كان الأمام رجلاً، وأما المرأة فأن اقتت بالرجل فلا يأخذ بالحائث بينها وبيته ولا بينها وبين الرجال الأمامين، وأما بينها وبين النساء من تكون واسطة في اتصالها وكذا بينها وبين الإمام إذا كان أمراة على فرض المشروعية.

إشكال.

الثاني - أن لا يكون موقف الإمام أعلى من موقف الأمامين إلا يسيراً، والأحور الإقتصار على المقدار الذي لا يرى العرف أن أرفع منهم ولو مساحة، ولا بأس بعلو الأمام على الإمام ولو بكثير لكن كثرة متعارفة كسطح الدكان والبيت لا كالأشبة العالية المتناولة في هذا العصر على الأحور.

الثالث - أن لا يتباذد الأمام عن الإمام أو عن الصف المتقصد عليه بما يكون كثيراً في العادة، والأحور أن لا يكون بين مسجد الأمام و موقف الإمام أو بين مسجد اللاحق و موقف السابق أزيد من مقدار الخطوة المتعارفة، وأحور منه أن يكون مسجد اللاحق وراء موقف السابق بلا فصل.

الرابع - أن لا يتقيد الأمام على الإمام في الموقف، والأحور تأخر عنه ولو يسيراً، ولا يضر تقدم الأمام في ركوعه وسجوده لطول قامته بعد عدم تقدمه في الموقف، وإن كان الأحور مراعاته في جميع الأحوال حصوصاً حال الجلوس بالنسبة إلى ركبته.

مسألة 1 - ليس من الحائث الظلمة والعبار المانع من المشاهدة، وكذا نحو...
Conditions for Jamā‘at Prayers

There are some conditions in addition to what have been mentioned earlier. They are as follows.

First. There should be no hindrance between the Imam and the followers or some of the followers with others who are source of link between the Imam and others, so that they may not see the Imam. This is a condition when the follower in the prayer is a male. In case, however, a female follows a male in prayer, there is no objection if there is a hindrance between her and the Imam, nor if there is a hindrance between her and the other follower. If, however, there is a hindrance between a female follower and other female followers who are a link between her and the Imam, or between her and the female, with the supposition of the validity of a female leading the prayers, then there is difficulty.

Second. That the place where the Imam is standing should not be higher than the place of standing of the followers, except when it is negligible. It is more cautious to depend on the amount of difference in the height according to which usually it is not considered higher even if by way of indulgence. There is, however, no objection if the place of standing of the followers is higher than that of the Imam, even if to a great extent, but the extent should be according to the prevalent custom as the roof of a shop or a house, but, according to the more cautious opinion, not that of the lofty buildings [or sky scrappers] which have become common in this age.

Third. The followers should not be far way from the Imam or the first row, so that, according to the prevalent opinion, the distance becomes too much. It is more cautious that between the place of prostration of the followers and the place of standing of the Imam, or between the place of prostration of the followers in the following row and that in the forward one there should not be a distance of more than the usual foot.

It is more cautious than the above that the place of prostration of the followers in the following row should be near the place of standing of those in the forward row and not more.

Fourth. The place of standing of the followers should not be forward than that of the Imam, and it is more cautious that it should rather be backward even if somewhat. There is no harm if the follower goes forward than the Imam at the time of Rukū‘ or prostration due to his larger size, provided that he is not forward than the Imam while standing, though it is more cautious to observe this condition in all circumstances, particularly at the time of sitting, his knees should go forward than those of the Imam.

Problem # 1. A darkness or dust which hinders the followers from seeing the Imam shall be considered a hindrance. Similar is the case of a river or a road, provided that (due to these things) there is not a distance disallowed in Jamā‘at (between the Imam and the followers. Rather, apparently a net is also not considered a hindrance, except when its holes are too small in a way that it may fall under the category of a curtain or wall. As regards a transparent glass, it is also quite close to not being considered a hindrance, though it is more cautious to avoid it.
النهر والطريق إن لم يكن فيه بعد من نوع في الجماعة، بل الظاهر عدم كون الشباك أيضاً منه إلا مع ضيق الثقب بحيث يصدق عليه السترة والجدار، وأما الزجاج الحاكي عن ورائه فعدم كونه منه لا يخلو من قرب والأحذى الانتاب.

مسألة ٢ - لا تأس بالحائل القصير الذي لا يمنع المشاهدة في أحوال الصلاة وان كان مانعاً عنها حال السجود كمدار شبر وأزيد لول ينك مكاناً حال الجلوس، والأففية أشكال لا يترك فيه الاحتفاظ.

مسألة ٣ - لا يقدح حبلة الأمامين المتقدمين وإن لم يدخلوا في الصلاة إذا كانوا من بعينين مشترتين على العمل، كما لا يقدح عدم مشاهدة بعض أهل الصف الأول أو أكثرهم للإمام إن كان ذلك من جهة استطالة الصف، وكذا عدم مشاهدة بعض أهل الصف الثاني للصف الأول إن كان من جهة أطولته من الأول.

مسألة ٤ - لو وصلت الصوف إلى باب المسجد مثلًا ووقف صف أو صفوف في خارج المسجد بحيث وقف واحد منهم مثلًا بجيال الباب والواقون في جانبيه فالأحذى بطلان صلاة من على جانبيه من الصف الأول من كان بينهم وبين الإمام أو الصف المتقدم حائل، بل البطلان لا يخلو من قوة، وكذا الحال في الحراب الداخلي، نعم تصح صلاة الصفوف المتأخرة أجمع.

مسألة ٥ - لو تجدد الجليل أو البعد في الأثناء فالأقوى كونه كالابتداء، فتبطل الجماعة ويرفع منفرداً.

مسألة ٦ - لا تأس بالحائل غير المستقر كمرور إنسان أو حيوان، نعم لو اتصلت المارة لا يجوز و إن كانوا غير مستقرين.

مسألة ٧ - لو تمت صلاة أهل الصف المتقدم بشكل بقاء أقداء المتأخر و إن عادوا إلى الجماعة فلا فصل، فلا يترك الاحتفاظ بالعدل إلى الانفراد.

مسألة ٨ - إن علم بطلان صلاة أهل الصف المتقدم تبطل جماعة المتأخر لو
Problem # 2. There is no objection in a small hindrance which does not preclude observation at the time of prayers, even if it hinders observation at the time of prostration, as when it has a height of the span of a hand or more, when it is not a hindrance in observation while sitting; otherwise, there shall be difficulty [in not considering it a hindrance], and so caution should not be given up in its case.

Problem # 3. There is no objection in the hindrance caused by the followers in the prayers standing in the forward rows, even if they have not yet started the prayer, though they are preparing to do so, in the same way as there is no objection if some or most of those standing in the first row are not able to see the Imam due to length of the row.

Same is the case when those standing in the second row are not able to see the Imam due to the first row if the first row is too long.

Problem # 4. If the rows have reached until the gate of the mosque, and one or more rows are standing outside the mosque in a way that one of them is standing, for example, on the entrance and others on both sides of the gate, then it is more cautious to declare the prayer of those on both the sides of the first row [outside the mosque] between whom and the Imam there is a hindrance [i.e., the wall]; rather, the invalidity of their prayer is not devoid of force.

Same is the case with those standing on both sides of the internal Mihrāb [inside the front wall, so that there is a hindrance between them and the Imam].

Of course, the prayer of all [those standing in] the other rows shall be valid.

Problem # 5. If during the prayer some hindrance or distance takes place between the Imam and the followers, then it would be considered to have been there from the beginning, and consequently the Jamāʿat shall be declared void, so that the prayer shall be considered to have been offered individually.

Problem # 6. There is no harm in a temporary hindrance [which is not of a permanent nature] as the passing of a human being or an animal [from the front of those offering prayers].

If, however, those passing are united [in a line], it shall not be permissible, even if they are moving [and not standing].

Problem # 7. If the prayer of those in the forward row is finished, there is difficulty in the validity of the prayer of those standing in the following row, even if those in the forward row [stand up and] join the prayer immediately. So caution must not be given up by shifting to offering the prayer individually.

Problem # 8. If it is known that the prayer of those in the forward row has been void, the prayer of those in the following row shall also automatically be declared invalid, if some distance or hindrance has taken place.

Of course, in case of ignorance [about the invalidity of the prayers of those in the forward row], the prayer of those in the following row shall be considered valid.

If, however, the prayer of those in the forward row is valid according to their own Taqlīd, but it is invalid according to the Taqlīd of those in the following row [or rows], there shall be difficulty in considering it a Jamāʿat in spite of the creation of the distance or hindrance [as a result of the invalidity of the prayer of those in the forward row].
حصل الفصل أو الحيلولة، نعم مع الجهله بحالهم تعمل على الصحة، وإن كانت صلاتها صحيحة بحسب تقليدهم وباطلة بحسب تقليد أهل الصف المرتير يشكل دخوله فيها مع الفصل أو الحيلولة.

مسألة 9 - يجوز لأهل الصف المتاخر الاحرار قبل المتقدم إذا كانوا قائمين متهيئين للإحرار تهيؤا مشرفا على العمل.

القول في أحكام الجماعة

الأقوى وجوب ترك الأموم القراءة في الركعتين الأولى من الاخفاتة وكدنا في الأولين من الجهولة لسمع صوت الأمام ولو همته، وإن لم يسمع حتى الهيماه جاز بل استحب له القراءة، والأحوط في الأخيرتين من الجهولة تركه القراءة لسمع قراءته وأتى بالتسبيح، وأما في الاخفاتة فهو كالمنفرد فيها يجب عليه القراءة أو التسبيح خيرا بينهما سمع قراءة الأمام أو لم يسمع. مسألة 1 - لافرق بين عدم السمع للسعد أو لكثرة الأصوات أو للصمم أو لغير ذلك.

مسألة 2 - لو سمع بعض قراءة الأمام دون بعض فالأحوط ترك القراءة مطلقا.

مسألة 3 - لو شك في السمع وعده أو أن المسعود صوت الأمام أو غيره فالأحوط ترك القراءة وإن كان الأقوى جوازها.

مسألة 4 - لا يجب على الأموم الطمانينة حال قراءة الأمام وإن كان الأحوط ذلك، وكذا لا يجب عليه المبادرة إلى القيام حال قراءته في الركعة الثانية فيجوز أن يطيب سجوده ويقوم بعد أن قرأ الأمام بعض القراءة لم ينجر إلى التأخر الفاحش.
Problem # 9. It is permissible for those standing in the following row to recite Takbîrat al-Ihâm before those standing in the forward row, when the latter have stood up and are preparing to recite the Takbîrat al-Ihâm very soon.

Rules Concerning Jamâ‘at Prayer

According to the stronger opinion, it is obligatory on the follower in a prayer to give up reciting the Sûrah of the Qur’ân in the first two Rak‘ats in the prayers offered quietly and also in the first two Rak‘ats in the prayers offered loudly, in case he is hearing the voice of the Imâm even if in the form of a humming.

In case, the follower in a prayer does not listen the voice of the Imâm even in the form of humming, it is permissible, rather approved, for him to recite the Sûrah of the Qur’ân.

It is more cautious in case of the last two Rak‘ats in prayers offered loudly that he should give up reciting the Sûrah of the Qur’ân, if he is able to listen the recitation of the Sûrah by the Imâm and start reciting Tasbîh.

In case of the [two Rak‘ats of] the prayers offered quietly, he is like one offering prayers individually, and so it is obligatory on him to recite the Sûrah of the Qur’ân, or Tasbîh, as he wishes, regardless whether he listens to the recitation of the Sûrah of the Qur’ân by the Imâm or not.

Problem # 1. There is no difference in the follower’s not listening [recitation of the Sûrah of the Qur’ân by the Imâm] whether it is due to the long distance, too many sounds, his deafness or something else.

Problem # 2. If a person is able to listen to a part of the recitation of the Sûrah of the Qur’ân by the Imâm to the exclusion of the other parts, then it is more cautious to give up reciting the Sûrah absolutely.

Problem # 3. If a person doubts whether he is listening the voice of the Imâm or not, or whether it is the voice of the Imâm or some one else, then it is more cautious for him to give up reciting the Sûrah of the Qur’ân, though, according to the stronger opinion, it would be permissible to recite the Sûrah.

Problem # 4. It is not obligatory on the follower in the prayer to patiently listen to the recitation of the Sûrah of the Qur’ân by the Imâm, though it is more cautious to do so.

Likewise, it is also not obligatory on him to hasten in standing up when the Imam recites the Sûrah of the Qur’ân in the second Rak‘at, and it is permissible for him to make his prostration longer, and stand up after the Imâm has recited a part of the Sûrah of the Qur’ân, provided that it does not create an inordinate delay.

Problem # 5. The Imam is not responsible to the follower for something other than the recitation of the Sûrah of the Qur’ân in the first two Rak‘ats when he is following him in the two Rak‘ats. In the last two
مسألة 5 - لا يتحمل الإمام عن الأموم شيئاً غير القراءة في الأولين إذا أتمن به فيها، وأما في الآخرين فهو كالمنفرد و إن قرأ الإمام فيها الخند و سمع الأموم مع التحفظ على الاحتياط المقدم في صدر الباب، ولو لم يدرك الأولين وجب عليه القراءة فيها لأنهما أهلهما صلاته، وإن لم يهله الإمام لتمامها اقتصر على الحمد و ترك السورة وحقه في الركوع و إن لم يهله لا تمامه أيضاً فالأقوى جواز إتمام القراءة واللوقح بالسجود، ولهأحمر أيضاً و إن كان قد قص الانتفاذ جائزاً.

مسألة 6 - لو أدرك الإمام في الركعة الثانية حمل عنه القراءة فيها، ويتبع الإمام في القنوت والتشهد، والأحمر التجاني فيه، ثم بعد القيام إلى الثانية تجب عليه القراءة فيها لكنها ثالثة الإمام سواء قرأ الإمام فيها الحمد أو التسبيح.

مسألة 7 - إذا قرأ الأموم خلف الإمام وجب إذا كان مسبوباً خلفة أو ركعتين أو استحباباً كما في الأولين من الجهرية إذا لم يسمع صوت الإمام يجب عليه الإخفات و إن كانت الصلاة جهرية.

مسألة 8 - لو أدرك الإمام في الآخرين فدخل في الصلاة معه قبل ركوعه وجبت عليه القراءة، و إن لم يهله ترك السورة، ولو علم أنه لو دخل معه لم يهله لا تمام النافعة فالأخوة عند الدخول إلا بعد ركوعه فيحرم و يركع معه و ليس عليه القراءة حينئذ.

مسألة 9 - تجب على الأموم متابعة الإمام في الأفعال بمعنى أن لا يتقدم فيها عليه ولا يتأخر عنه تأخراً فاحشاً. و أما في الأقوال فالأخوة عدم وجودها عدا تكبيرة الاحرار، فإن الواجب فيها عدم التقدم والتقارن، والأحمر عدم الشرع فيها قبل تمامية تكبيرة الإمام، من غير فرق فيما ذكر في المسعود من الأقوال و غيره، و إن كانت أخوات في المسعود و في خصوص التسليم، ولو ترك المتتابع فيها وجبت فيه عصي، ولكن صحت صلاته و جاجته أيضاً إلا فيما إذا ركع حال
Rak'ats, the follower is like one offering prayers individually, even if the Imām recites Sūrat al-Ḥamd [i.e., the Chapter 1 of the Qurʾān] in the last two Rak'ats, and the follower listens to it, observing the caution mentioned in the beginning of this Chapter. If the follower has not joined the Jamāʿat in the first two Rak'ats, it shall be obligatory on him to recite the Sūrah of the Qurʾān in both the Rak'ats, as they would be the first two Rak'ats of his prayer. If the Imām does not allow him to recite the other Sūrah of the Qurʾān, he shall suffice with the recitation of the Sūrat al-Ḥamd and leave the recitation of the other Sūrah, and join the Imām in the Rukūʿ. If the Imām does not give him enough time to complete even Sūrat al-Ḥamd, then according to the stronger opinion, it would be permissible for him to complete the recitation, and join the Imām in the prostration. It may be closer to caution too, though it would be permissible for him to have the intention of offering the prayer individually.

Problem #6. If a person joins the Imām in the second Rakʿat, the Imām shall be responsible to recite the other Sūrah of the Qurʾān, and he shall follow the Imām in reciting the Qunūt and Tashahhud, though it is more cautious for him to bend while sitting when the Imam is reciting Tashahhud [in order to show that unlike others, it is his first Rakʿat, then after standing up, it shall be obligatory on him to recite [the Sūrat al-Ḥamd as well as] the other Sūrah of the Qurʾān, as it would be the third Rakʿat of the Imam, regardless whether the Imām recites Sūrat al-Ḥamd or Tasbīḥ in it.

Problem #7. If the follower in a prayer recites [Sūrat al-Ḥamd and another Sūrah from the Qurʾān] behind the Imām, as an obligation, as in case the Imām has already offered one or two Rakʿats, or by of approval, as in case of the first two Rakʿats of the prayers offered loudly, when he is not able to listen to the voice of the Imām, it shall be obligatory on him to recite them quietly, even if the prayer happens to be one offered loudly.

Problem #8. If a person joins the Imām in the last two Rakʿats, then if he joins the Imām before his Rukūʿ, it shall be obligatory on him to recite the Sūrat al-Ḥamd and the other Sūrah of the Qurʾān, but if the Imām does not allow him enough time to complete both, he shall give up the recitation of the other Sūrah. If the person knows that if he joins the Jamāʿat, the Imām shall not give him enough time to recite [even] Sūrat al-Ḥājinah [or Sūrat al-Ḥamd], then it would be more cautious for him not to join the Jamāʿat, except after he goes into the Rukūʿ. So he shall recite the Takbīrat al-Iḥrām and then go into the Rukūʿ with the Imām, in which case it shall not be obligatory on him to recite [the other Sūrah of the Qurʾān].

Problem #9. It is obligatory on the follower in prayers to allow the Imām in its actions, in the sense that he should neither do anything earlier than the Imām nor delay anything which is ostensibly inordinate. As regards the words, according to the stronger opinion, it is not obligatory on the follower to follow the Imām, except in reciting the Takbīrat al-Iḥrām, in which case it is obligatory on him neither to recite it before the Imām nor along with him. It is more cautious for him not to start reciting it before the Imām has finished its recitation, without there being any difference in the words which can be heard or otherwise, though it is more cautious to do in case of the words which are audible, particularly in case of Salutation. If a person fails to follow the Imām in what it is obligatory on him to follow, he shall be considered to have sinned, but his prayer as well as his Jamāʿat shall be valid, except when he performs Rukūʿ while the Imam is still busy in reciting the Sūrat al-Ḥamd and the other Sūrah of the Qurʾān in the first two Rakʿats
اشتغال الامام بالقراءة في الأولين منه ومن الأئمة، فإن صحة صلاة فضلاً عن جامعته مشكلة بل ممنوعة، كما أنه لو تقدم أو تأخر فاحشاً على وجه ذهبت هيئة الجماعة بطلت جامعته فيها صحت صلاته.

مسألة 10: لو أحرم قبل الامام سهواً أو بضم كبيرا كان منفرداً، فإن أراد الجماعة عدل إلى النافقة وأنها ركعتين.

مسألة 11: لو رفع رأسه من الركوع أو السجود قبل الامام سهواً أو لزعم رفع رأسه وجب عليه العود والمتابعة، ولا يضر زيادة الركن حينئذ، وإن لم يعد أو صحت صلاته إن كان آتيًّا بذكرها وسائر واجباتها، وإن فالاحوط البطلان، وأحوز منه الاتمام ثم الإعادة، ولو رفع رأسه قبله عامداً أو صحت صلاته لو كان ذلك بعد الذكر وسائر الواجبات، وإن بطلت صلاته إن كان الترك عمداً، ومع الرفع عمداً لا يجوز له المتابعة، فإن تابع عمداً بطلت صلاته للزيادة العمدية، وإن تابع سهواً فكذلك لو زاد ركناً.

مسألة 12: لو رفع رأسه من الركوع قبل الامام سهواً ثم عاد إليه للمتابعة فرفع الامام رأسه قبل وصوله إلى حد الركوع لا يعد بطلان صلاته والأحوط الاتمام ثم الإعادة.

مسألة 13: لو رفع رأسه من السجود فرأى الامام في السجدة فتخيل أنها الأولى فعاد إليها بقصد المتابعة فبان كونها الثانية في احتسابها ثانية إشغال لا يترك الاحتياب بالاتمام والإعادة، ولو تخيل أنها الثانية فسجد أخرى بقصدها فبان أنها الأولى حسبت ثانية، فله قصد الانفراد والاتمام ولا يعد جواز المتابعة في السجدة الثانية وحوز الاستمرار إلى اللحوق بالامام والأول أحوط، كما أنه مع المتابعة إعادة الصلاة أحوط.

مسألة 14: لو ركع أو سجده قبل الامام عمداً لا يجوز له المتابعة، وإن كان سهواً فوجوهها بالعود إلى القيام أو الجلوس ثم الركوع أو السجود لا يخلو من وجه و
on his own behalf and on behalf of the follower. In such case, the validity of his prayer, let alone his Jamā‘at, shall be difficult, rather forbidden, as when he performs anything earlier or ostensibly too late than the Imām in a way that it loses the form of Jamā‘at, and so his Jamā‘at shall be declared void, even in case where his prayer is deemed valid.

Problem #10. If a person recites Takbīrat al-Iḥrām before the Imām erroneously or under the impression that the Imām has already recited his Takbīr, his prayer shall be considered to have been offered individually. If he intends to offer it with the Jamā‘at, he shall shift it to the supererogatory one, and complete it after two Rak‘ats.

Problem #11. If a person raises his head from the Rukū‘ or prostration before the Imām erroneously or under the impression that the Imām has already raised his head, it shall be obligatory on him to revert and follow the Imām, and in this case an excess in the pillar shall not harm the prayer. If he fails to revert, he shall be deemed to have sinned, and his prayer shall be valid if he has recited the Dhikrs of both [the Rukū‘ and prostration] along with their obligatory things otherwise, it would be more cautious to declare his prayer to be void, and it is even more cautious than that to complete the prayer, and then offer it again. If the person has raised his head deliberately before the Imām, he shall be deemed to have sinned, but his prayer shall be declared valid if it were after the recitation of the Dhikr and the other obligatory things; otherwise, his prayer shall be declared void, if he has given them up deliberately. If he has raised his head deliberately, it would not be permissible for him to follow the Imām, so that if he follows the Imām deliberately, his prayer shall be declared void due to the deliberate excess. In case he follows the Imām erroneously, the same rule shall apply if there has been a pillar in excess.

Problem #12. If a person has raised his head from the Rukū‘ before the Imām erroneously, and then reverts to it in order to follow the Imām, and then the Imām raises his head before he reaches the limit of Rukū‘, it shall not be far from likely to declare his prayer void, though it is more cautious for him to complete the prayer, and then offer it again.

Problem #13. If a person raises his head from prostration, and then sees that the Imām is still in prostration, and then thinks that it is the first prostration, so he reverts to it intending thereby to follow the Imām, but later it transpires that it was the second prostration, then there is difficulty in accounting it for the second. So caution must not be given up by him by completing the prayer, and offering it again. If the person thinks that it was the second prostration, and, therefore, he performs another prostration with that intention, but subsequently it transpires that it was the first, he must consider his prostration to be the second, and now he must have the intention of offering the prayer individually and finalise the prayer, though it is not far from being permissible to follow the Imām in the second prostration, and delay it until he joins the Imām, and the first case shall be more cautious, in the same way as it would be more cautious to offer the prayer again, despite following the Imām.

Problem #14. If a person has performed Rukū‘ or prostration before the Imam deliberately, it shall not be permissible for him to follow the Imām [subsequently]. If it were done erroneously, then it shall be obligatory on him to revert to standing up or sitting, and then performing the Ruku‘
إن لا يخلو من إشكال، والأحوز مع ذلك إعادتا الصلاة. مسألة 15 - لو كان مشتغلًا بالناقالة فأقيمت الجماعة، وخف عدم إدراكها استحب قطعها، ولو كان مشتغلًا بالفريضة منفردة استحب العدول إلى النافلة. وإنما ركعتين إن لم يتجاوز عمل العدول كما لو دخل في ركوع الركعة الثالثة.

الفول في شرائط إمام الجماعة

و يشترط فيه أمور: الاسم وظهيرة المولد والعقل والبلوغ، إذا كان الأموم بالغاً، بل إعامة غير البالغ، ولو لمثله محل إشكال، بل عدم جوازه لا يخلو من قرب، والذكورة إذا كان الأموم ذكراً بل مطلقاً على الأحوز والعدالة، فلاجوز الصلاة خلف الفاسق ولا جهول الحلال، وهو حالة نفسانية باعتبار ملازمة التقوى مانعة عن ارتكاب الكبائر بل والصغار على الأقويّ، فضلًا عن الاصرار عليها الذي عد من الكبائر، وعن ارتكاب أعمال دالية عرفًا على عدم مبالية فاعلها بالتدين، والأحوز اعتبار الاجتناب عن منافيات المرءة وإن كان الأقوي عدم اعتباره.

و أما الكبائر فهي كل مقصية ورد التواعد عليها بالنار أو بالعقاب أو شد عليها تشديداً عظاماً، أو دل دليل على كونها أكبر من بعض الكبائر أو مثله، أو حكم العقل بأنها كبيرة، أو كان في ارتكاز المشرعة كذلك، أو ورد النص يكون كبيراً.

و هي كثير من النعاس من روح الله، والأمن من مكره والكذب عليه أو على رسوله وأوصيائه (ع) وقتل النفس التي حرمه الله إلا بالحق وعقود الوالدين، وأكل مال اليمين ظلماً، وقذف الخصنة، والقرار من الزحف، وقطيعة الرحم، والحر، والزنا والولاء والشرط، والهين الغمو، وكهبان

(1) الله أعلى أثنا من حفظ الإمام بالمساعدة إلى صلى الله عليه وسلم، بالاحترام، كما استحباب في كتاب العادات.
or prostration shall not be devoid of force, though it is also not free from difficulty. Nevertheless, it would be more cautious to offer the prayer again.

**Problem # 15.** If a person is busy offering a supererogatory prayer, when the Jamā‘at gets ready, and he fear he would not be able to join it, then it would be approved for him to discontinue his prayer, [and join the Jamā‘at]. If he were busy offering an obligatory prayer individually, it shall be approved for him to shift to a supererogatory prayer, and then complete it after two Rak‘ats, in case has not crossed the limit allowing the shift, as when he has already gone into the Rukū‘ for the third Rak‘at.

**Conditions for an Imam of Jamā‘at**

There are several conditions for an Imam of Jamā‘at. They are: Imam [or Shī‘ah belief], purity of birth [i.e., legitimate birth], sanity and Bulūgh [i.e., being of age], when the person following him happens to be of age; rather the Imam of a minor even when leading some one like him [i.e., a minor] is difficult [to accept as permissible]; rather it is close to declaring it inadmissible. It is also a condition that the Imam must be a male, when the person following him is a male; rather, according to the more cautious opinion, in all circumstances.

It is also a condition that the Imam must be morally sound, so that it is not permissible to offer prayer behind a profligate or one whose position [as to his being of a legitimate birth] is not known. Ādālat [or moral soundness] is a psychological condition which impels a person to be constantly pious [or God-fearing] and prevents him from the commission of major sins, rather, according to the stronger opinion, even from the commission of minor sins, let alone the persistence in the commission of what are called major sins, and also from the commission of acts which are usually considered as exponent of an irresponsible attitude of their perpetrator towards faith. It is also more cautious to abstain from things repugnant to the ideal of manhood (Murūvvat ), though it is not a condition[for an Imam of Jamā‘at].

As regards the major sins, they include every sin for which Allāh has promised punishment of Fire (or Hell), or a severe punishment (Iqāb), or which have been strongly condemned, or there is an evidence of their being more heinous than some of the major sins or their likes, or according to the dictates of reason they are major sins, or there is a consensus in Shari‘ah over their being major sins, or it has been mentioned in a textual authority that they are major sins.

There are several major sins. They include; despair of Allāh’s Favour; Consider oneself beyond Allāh’s Grip; Calumny against Allāh, His Prophet or the Prophet’s successors, (peace be upon them); killing a person prohibited by Allāh except when it is demanded by right; Disobedience to the parents; Oppressive usurpation of the property belonging to an orphan; Slander a woman having a husband; Escape from Army duty; Severing the bonds of kinship; Sorcery; Fornication; Sodomy; Theft; Perjury; Withholding evidence; False Testimony; Breach of Promise; Fraudulent will; Taking alcoholic drinks; Charging Usury; Getting unlawful property; Gambling; Eating the flesh of the dead; Drinking blood; Eating pork or what has been slaugh-
الشهادة، وشهدت الزور، ونقص العهد، والحيف في اللصمة، وشرب الخمر، و
أكل الرتب، وأكل السحّة، والقسم، وأكل البناءة والدم ولحم الخنزير وما
اهل لغير الله من غير ضرورة، والبخس في الكياس والميزان، والتعرب بعد
الملحية، ومعونة الظالمين، والكرزين اليم، وحبس الحقوق من غير عذء،
والكذب، والكفر، والسراف والتفتيح، والحيانة، والغيبة، واللمحة، والاشتعل
بالملحية، والاستخفاف بالحج، وترك الصلاة، ومنع الزكاة، والإصرار على
الصغير من الذنب، وأما الاشراك بالله تعالى وإقناّ ما أنزله وعبارة أوليائه
فهي من أكبر الكبائر، لكن في عدّة من التي يعتبر اجتنابها في العدالة مساعدة.
مسألة 1- الإصرار الموجب لدخول الصغرية في الكبار هو المداومة واللزمة
على المصية من دون تقبل النوبة، ولا يوجد أن يكون من الإصرار العزم على
العود إلى المصية بعد إرتكابها وإن لم تعود إلى المصية إذ كان عزمه على العود
حال ارتكاب المصية الأولى، فقد الظاهر عدم تحققه بمجدد عدم النوبة بعد
المصية من دون العزم على العود إليها.
مسألة 2- الأقوى جواز تصدي الإمام فإن يعرف من نفسه عدم العدالة مع
اعتقاد الأمويين عدلته، وإن كان الأحوزة الترك، وهي جامعية صحيحة يترتب
عليها أحكامها.
مسألة 3- تثبت العدالة بالبناءة والشياح الموجب للإطمنان، بل يكتب الوثوق
والإطمنان من أي وجه حلول ولو من جهة اقتداء جامعه من أهل البصيره
والصلاح، كما أنه يكتب حسن الظاهر الكاشف شثار عن العدالة، بل الأقوى
كفاية حسن الظاهر ولم يحصل منه الظن وإن كان الأحوزة اعتباره.
مسألة 4- لا يجوز إمامة القاعد للقائم، ولا المصطحب للقاعد، ولا من لا يحسن
القراءة بعد تأدية الخروف من مخيره أو إبداده بغيره حتى اللحن في الإعراب و
إن كان لعدم استطاعته لم يحسنها، وكذا الأحوزة للمناطق وإن كان ممن لا
tered in the name of others than Allāh even without there being any emergency; Falling short of weights and measures; Return to Jāhiliyyah after Hijrat; Helping the Oppressors and getting support from them; Blocking off enjoyment of rights without any due excuse; Falsehood; Arrogance; Extravagance and Prodigality; Treachery; Calumny; Back-biting; Indulgence in worldly pleasures; Degrading the value of Ḥajj; Abandoning prayers; Refusing to pay Zakāt; Persistence in the commission of the minor sins.

As regards Polytheism [i.e., belief in the existence of Allāh’s partners]; Denial of what has been sent down by Him and War against those close to Him, they are the biggest of the major sins, but counting them among the conditions for abstinence from them in order to be of a sound moral character would be a kind of indulgence.

Problem # 1. The persistence which leads the minor sins to enter the domain of the major sins is the constancy and continuance of committing sin without any intervening repentance. It is not far from being the persistence when a person intends to revert to sin once he has committed it, even if he does not actually commit it, particularly when he intends to revert to it at the time of the first commission of the sin. Of course, apparently its realisation does not take place simply by the failure to repent after the commission of the sin without there being any intention of reverting to it.

Problem # 2. According to the stronger opinion, it is permissible to give the charge of leading prayer to a person who himself knows that he is not morally sound, but the followers believe in his being morally sound, though, in such case, it is more cautious to give it up. Anyhow it would be a valid Jamāʿat, and shall be governed by all its relevant rules.

Problem # 3. Moral soundness (Ādālat) is established through legal testimony and the prevalent notoriety producing satisfaction; rather confidence and satisfaction are sufficient for the purpose in whatever way they might been obtained, even if obtained by means of the following of a group of persons possessing sagacity and righteousness, in the same way as ostensible goodness leads to the impression about moral soundness. Rather, according to the stronger opinion, ostensible goodness is sufficient, even if it has not produced favourable opinion, though to be more cautious this should also be a condition.

Problem # 4. It is not permissible for a sitting person to lead a standing person in prayer, nor for a person in a lying posture to lead a person who is sitting.

Likewise, if a person is unable to pronounce letters according to their proper source of extraction (Makhraj) or mixes up the pronunciation of a letter with that of another, or one who mistakes in proper marking of sounds, in case it is due to the person’s inability to do so, then it would not be permissible for him to lead one who can do all this properly.

Same is the case of a dumb person leading another who can speak, though the latter may not be able to pronounce the letters properly.

Likewise, there is difficulty in the permissibility of a person who cannot pronounce the letters properly to lead another person who does it properly, where it is not the responsibility of the Imām to lead the followers, as in the last two Rakʿats, and so caution must not be given up.
ما بين الامام " hợpية، وهو في جواز إمامته من لا يحسن القراءة في غير المحل الذي يتحملها الامام،

عن الأمام كاركنتين الأخيرتين من يحسنها إشكالا، فلا يترك الاحتياط. 

مسألة 5 - جواز الاقتداء بذوي الأعذار مشكل لا يترك الاحتياط بتركه و

إن كان إمامته لمثله ألم هو متأخر عنه رتبة كالقاعد للمضطضع لا يخلو من

وجه، نعم لا بأنه بامامة القاعد لمثله والمتيم، ولا ذي الجبريرة لغيرهما.

مسألة 6 - لو اختلف الامام مع الأمام في المسائل المتعلقة بالصلاة اندهادا أو

تقليدا صح الاقتداء به وإن لم يتحدا في العمل فيا إذا رأى الأمام صحة صلاته

مع خطأه في الاجتهاد أو خطأ منهجه، كما إذا اعتقد الأمام وجوب التسبيحات

الأربعة ثلاثا وأ رأى الامام أن الواجب واحدة منها، ولا يعمل به، ولا يصح

الاقتداء مع اعتقاده اندهادا أو تقليدا بطليان صلاته، كما يشكل ذلك في إذا

اختفيا في القراءة، ولو رأى الأمام صحة صلاته كما لم ير الآمام وجوب السورة

و تركها وأ رأى الأمام وجوبها فلا يترك الاحتياط بترك الاقتداء، نعم، إذا لم

يعلم اختلفها في الرأي يجوز الاتمام، ولا يجب الفحص والسؤال، وأما مع

المعلم باختلفها في الرأي والشك في تخلفها في العمل فالأسئلة عدم جواز

الاقتداء فيا يرجع إلى المسائل التي لا يجوز معها الاقتداء مع وضع الحال، و

يشكل فيما يرجع إلى المسائل المكوبة بالاشكال.

مسألة 7 - لو دخل الامام في الصلاة معتقدا دخولا الوقت و اعتقد الأمام

عدها أو شك فيه لا يجوز له الاتمام في تلك الصلاة، نعم لو علم بالدخول في

أثناء صلاة الامام جاز له الاتمام عند دخوله إذا دخل الامام على وجه يحكم

بصحة صلاته.

مسألة 8 - لو تباح الأئمة فالاحور الأول ترك الاقتداء بهم جميعا نعم إذا

تشاحموا في تقديم الغير وكلا يقول تقدما يفان يرجع من قطعهم الأمامون، ومع

الاختلاف أو عدم تقدمهم يقدم الفقيه الجامع للشروط وإن لم يكن أو تعدد
Problem #5. There is difficulty in the permissibility of Imāmat by persons having some disability, and its caution must not be abandoned by avoiding it, even if he is leading another having a similar disability, or one who is lower in rank than himself, as one sitting, leading another who is in a lying posture, and this rule is not devoid of force. Of course, there is no objection if a sitting person leads another in the same posture, or one who has had Tayammum, or has a splint, to lead another in prayer.

Problem #6. If the Imām and the follower differ in matters relating to prayer according to Ijtihād and Taqlīd, it shall be valid for the follower to follow the Imām, even if they do not agree in practice in case the follower is of the opinion that his prayer is valid in spite of the Imam having erred in Ijtihād or his Mujtahid having erred, as when the follower believes that it is obligatory to recite the four Tāsbiḥs thrice, while the Imām is of the opinion that it is obligatory to recite the Tāsbiḥs only once, and so he acts upon it.

The follower must not follow the Imām in case he believes that according to the Ijtihād or Taqlīd the Imām’s prayer is void, as there would be difficulty where they differ as to the recitation of the other Sūrah of the Qur’ān, even if the follower believes in the validity of his prayer, as when in the opinion of the Imām it is not obligatory to recite another Sūrah of the Qur’ān and so he gives up its recitation, while the follower holds the opinion that it is obligatory to recite another Sūrah. So in this case caution must not be given up by the follower by giving up following that Imām.

Of course, if the difference between them is not known, it would be permissible for the follower to follow the Imām, and it is not obligatory on him to make query and investigation.

In case, however, there is knowledge about the difference of both in the opinion, and there is suspicion of their difference in practice, then, according to the stronger opinion, it would not be permissible for him to follow that Imām in so far as it relates to the problems in which it is not permissible to follow the Imām despite clear position, and so also there is difficulty in following the Imām in matters where there is difficulty.

Problem #7. If the Imām starts offering prayer under the impression that its due time has reached, while the follower believes otherwise, or has doubt about it, it shall not be permissible for the follower to follow that Imām in that prayer. Of course, if he knows that during the prayer the due time of the prayer has reached, he may join the Imām in case judgement is given in the validity of the prayer of the Imām himself.

Problem #8. If a dispute takes place among the Imāms, then, according to the more cautious opinion, it is better to give up following all of them.

Of course, if they dispute for bringing another forward, as when each of them invites another to go forward, then the person who is favoured by the followers to be preferred must be preferred. In case they also differ, the person possessing all the qualifications must be brought forward.

In case there is no such person, or there may be several such persons, then the person having a better pronunciation should be brought forward. Then the one having better knowledge about the rules of prayer, and then the one who is the oldest in age, should be brought forward.
يقدم الأجود قراءة ثم الأفقه في أحكام الصلاة ثم الأسئلة والأمام الرئيسي في المسجد الأولي بالإمام عم من غيره وإن كان أفضل، للكلا الأول له تقديم الأفضل، وصاحب المنزل أول من غيره المذكور في الصلاة الأولى له تقديم الأفضل، والهاشمي أول من غيره المساوي له في الصفات والترجيحات المذكورة أما هي من باب الأفضلية والاستحباب لا على وجه النزاع والابتعاد حتى في أولية الإمام الرئيسي فلا يحرم مزاهمة الغير له وإن كان مفضلًا من جميع الجهات، ولكن مزامته قريبة بل مقابلة للمرأة وإن كان المزاهم أفضل منه من جميع الجهات.

مسألة 9- الأحوط للأجذم والأبرص والمحدود بعد توبيته ترك الإمامة وترك الاقتداء بهم، ويكبر إمامته الألف المذكور في ترك الختان ومن يكره الأمور، إمامته والتميم للمتظهر، بل الأول عدم إمامامة كل ناقص للكلام.

مسألة 10- لو علم الأمام بطلان صلاة الإمامة من جهة كونه محدثًا أو ثارًا لركن ونحوه لا يجوز الاقتداء به وإن اعتقد الإمامة صحتها جهلاً أو سهواً.

مسألة 11- لو رأى الأمام في ثوب الإمام تشجاعة غير معقوفة فان علم أنه قد نسيها لا يجوز الاقتداء به، وإن علم أنه جاهل بها يجوز الاقتداء به، وإن لم يدر أنه جاهل فليس في جوازه نقل وأشكال فلا يترك الاحتياط.

مسألة 12- لوتين بعد الصلاة كون الإمام فاسقاً أو محدثًا صحيح ما صل معه جامعة ويغتفره ما يغتفر في الجماعة.
In the mosque, the Imam who has the charge of leading prayers must be given preference, even if there is another superior to him, though it is better to let the superior one lead the prayers. The owner of the house is to be preferred to others who have permission to lead the prayers, though it is better that the one superior to others must lead the prayer. A Hashimi is to be preferred to another who is equal to him in qualifications.

The above preferences are in consideration of superiority and approval, not by way of necessity and obligation, even as regards the preference of Imam in charge of leading the prayers in a mosque, and so it is not forbidden for another to compete with him, even if he is inferior to him in all respects. But the rivalry [in such cases] is bad, rather contrary to the ideals of manhood, even if the rival is superior to another in all respects.

**Problem # 9.** It is more cautious that a person suffering from black or white leprosy, or one who has been inflicted *Had* even if he has repented, should abandon *Imāmat*, and the followers should give up offering prayers behind them.

The *Imāmat* of a person who has been left uncircumcised due to some excuse is also disapproved.

Same is the case with a person whose *Imāmat* is not approved by the followers.

Similarly, it is disapproved for a person having performed *Tayammum* to lead another who has obtained cleanliness by taking bath or ablution; rather, it is better that any person who has any blemish should not lead in prayer another who has no blemish.

**Problem # 10.** If a follower in prayer knows that the prayer of the Imam is void due to his being polluted [or unclean], or due to giving up a pillar of the prayer, or the like, it would not be permissible for him to follow that Imam, even if the Imam believes in the validity of his prayer due to ignorance or inadvertently.

**Problem # 11.** If a follower finds some unclean substance on the garment of the Imam which cannot be excused, then, if he knows that the Imam has forgotten it, it shall not be permissible for him to follow that Imam in the prayer.

If, however, the follower knows that the Imam has been ignorant of the unclean substance, it would be permissible for the follower to offer prayer behind that Imam.

In case the follower does not know whether the Imam is ignorant of the unclean substance or has forgotten it, then there shall be hesitation and difficulty in the permissibility [of the follower’s following that Imam in prayer], and so caution must not be given up.

**Problem # 12.** If, after the prayers, it transpires that the Imam was a profligate or unclean, the prayer of those who have offered prayers with him shall be valid, and all those things which are excused in prayer shall be excused in this case as well.
كتاب الصوم
القول في النية

مسألة ١ - يشترط في الصوم النية بأن يقصد تلك العبادة المقررة في الشريعة ويعزم على الامساك عن المفطرات المعهودة بقصد القرابة، ولا يعتبر في الصحة العلم بالمفطرات على التفصيل، فلو نوى الامساك عن كل مفطر ولم يعلم بفطريه بعض الأشياء كالاحتقان مثلاً أو زعم عدمها ولكن لم يرتكبه صح صومه، وكدا لو نوى الامساك عن أمور يعلم باشتمالها على المفطرات صح على الأقوى، ولا يعتبر في النية بعد القرابة والاخلاص سوى تعين الصوم الذي قصد إطاعة أمره، وكيكي في صوم شهر رمضان نية صوم غد من غير حاجة إلى تعينه، بل لو نوى غيره فيه جاهلاً به أو ناسياً له صح ووقع عن رمضان، يخلاف العالم به فانه لا يقع لواحد منها، ولا بد فيا عدا شهر رمضان من التعين بمعنى قصد صنف الصوم المخصص كالكفارة والقضاء والندير المطلق بل المعين أيضاً على الأقوى، وكيكي التعين الإجلاسي كما إذا كان ما وجب في ذمته صنافاً واحداً فقصد ما في الذمة فإنه يجزيه، والأظهر عدم اعتبار التعين في المندوب المطلق، فلو نوى صوم غد الله تعالى صح ووقع ندباً لو كان الزمان صالحاً له و كان الشخص ممن يصح منه التطوع بالصوم، بل و كذا المندوب المعين أيضاً إن كان تعينه
Problem #1. Intention (Niyyah) is a condition in fasting, so that a person intends to perform that Ḳabdah (devotional service) prescribed by Shari‘ah, and determines to keep himself away from all those things which invalidate it with the intention of obtaining closeness [to Allāh].

If a person intends to abstain from all those things which vitiate a fast, but does not know that some of things have such effect, as, for example, enema, or considers that they have no such effect, but does not practise them, his fast shall be valid.

Similarly, if he intends to abstain from things which he knows are included among those which invalidate the fast, according to the stronger opinion, his fast shall be valid.

In a fast, after the intention of closeness to Allāh and sincerity of purpose, there is no further condition in the intention except specifying the fast which one intends to keep in obedience to the command of Allāh.

While keeping fast in the month of Ramaḍān, it is sufficient to have the intention of keeping fast the next day without specifying it. Rather, even if he has an intention of keeping fast other than of Ramaḍān in that month due to negligence or forgetfulness, the fast shall be valid, and shall be counted among the fasts of Ramaḍān, contrary to the one who knows it, so that if he has such intention with knowledge, his fast shall be counted neither as a fast of Ramaḍān nor otherwise.

According to the stronger opinion, it is indispensable in case of a fast for other than the month of Ramaḍān to specify the particular category of the fast, such as for expiation, compensation or general vow (Nadhr) or a special vow.

It is sufficient to specify briefly, as when it is obligatory on him to keep a special category of fast, and he has the intention to keep fast which he owes, it would be sufficient.

Apparently there is no condition of any specification in a generally recommended fast, so that if a person has the intention of keeping fast the next day for the sake of Allāh, it shall be valid, if it is the proper time for it, and the person be one for whom it is valid to keep fast voluntarily.

The same shall be the case if it were a specially recommended fast too, so that it is specified for a particular time, as the blank days [when there is no moon], Friday or Thursday.

Of course, in order to obtain a special reward, it is a condition that the person should keep fast at that particular day and with that special intention.
ف النية

بالزمان الخاص كأيام البيض والجمعة والخمس، نعم في إحرار ثواب الخصوصية يعتبر إحرار ذلك اليوم وقصده.

مسألة ٢ - يعتبر في الفضاء عن الغيرية النية واللم يكم في دمته صوم آخر.

مسألة ٣ - لا يقع في شهر رمضان صوم غيره إجابة كان أو نذاماً سواء كان مكفاً بصومه أ była كالمسافر و نحوه، بل مع الجهل بكونه رمضانًا أو نسبه له لونوى فيه صوم غيره يقع عن رمضان كما مر.

مسألة ٤ - الأقوى أنه لا محل للنيرة شرعاً في الواجب المعيين رمضانًا كان أو غيره، بل المبادئ حصول الصوم عن عزم وقدص باب في النفس ولو ذهله عنه يوم أو غيره، ولا فرق في حدوث هذا العزم بين كونه مقارنة لطلع الفجر أو قبله ولايجب حدوته في ليلة اليوم الذي يريد صومه أو قبلها، فلو عزم على صوم الغد من اليوم الماضي ونام على هذا العزم إلى آخر النهار صبح على الأصح، نعم لو فاتت النية لعذر كنسياً أو غشلة أو جهل بكونه رمضانًا أو نذر أو حذر فزال عذره قبل الزوال يندى وقتها شرعاً إلى الزوال لوا لا يتناول المطهر، فذا زالت الشمس فاتت محلاً، نعم في جرية الحكم في مطلق الأعذار إشكال، بل في المرض لا يبتؤ من إشكال وإن لا يبتؤ من قرب، و يبتؤ محلاً اختيارياً في غير المعيين إلى الزوال دون ما بعده، فلو أصيب ناوياً للافطار ولم يتناول مفطرًا فيدبه قبل الزوال أن يصوم قضاء شهر رمضان أو كفاية أو نذرًا مطلقة أجاز و صح دون ما بعده، و ملحها في المندوب ينتبه إلى أن يبق من الغروز زمان يمكن تقليدها فيه.

مسألة ٥ - يوم الشك في أنه من شعبان أو رمضان يبني على أنه من شعبان، فلا يجب صومه، ولو صامه بنيه أنه من شعبان نذراً أجزه عن رمضان لو كان أنه منه، وكذا لو صامه بنيه أنه منه قضاء أو نذراً أجزه لوصده، بل لوصامه على أنه إن كان من شهر رمضان كان واجباً وإذا كان مندوباً لا يعد الصحة ولو
Problem # 2. If a person is keeping compensatory fast for another person, it is a condition that he should have the intention of keeping fast on behalf of another, even if he himself does not owe any fast.

Problem # 3. During the month of Ramaḍān one may not keep any fast except for Ramaḍān, whether it is obligatory or an approved one, whether the person keeping fast is Mukallaf for keeping fast or not, as a traveller or the like. Rather even if the person is ignorant of the month being Ramaḍān or due to forgetfulness, the person keeps fast for another month, the fast shall be counted as one of the month of Ramaḍān, as mentioned earlier.

Problem # 4. According to the stronger opinion, there is no time for the intention according to the Shari’ah in case of a specified obligatory fast, whether it is for the Ramaḍān or any other month.

Rather the criterion for keeping the fast is the determination and resolution remaining in the heart, even if the person becomes negligent about his fast due to sleep or the like. There is no difference in the occurrence of this determination whether it takes place close to dawn or before it, and whether its takes place in the night preceding the day in which the fast is intended, or before it. So if a person has intention of keeping fast the next morning, and sleeps with this determination until the end of the next day, according to the most valid opinion, it shall be a valid fast.

Of course, if the person fails to have intention due to some excuse like forgetfulness, negligence or ignorance about the month being that of Ramaḍān, sickness or journey, and his excuse is removed before noon, its time is extended according to the Shari’ah upto noon, provided that the person has not taken anything breaking the fast. So when it is past meridian, its time is also over. Of course, there is difficulty in application of the rule to all types of excuses; rather in case of sickness, it is not free from difficulty, though it is not devoid of closeness [to validity].

In case of an unspecified fast, the time for option is extended upto the noon, but not after it. So if a person gets up in the morning intending not to keep fast, but does not take anything which may break the fast, then before noon he decides to keep compensatory fast for Ramaḍān, or expiation or vow in general, it shall be permissible and valid, but not after noon. In case of a recommended fast, the time for option is extended upto when there still some time left when it is possible to renew the intention in it.

Problem # 5. If a person doubts about a day whether it is of the month of Sha’bān or Ramaḍān, it shall be decided to be of Sha’bān, and so it shall not be obligatory on him to keep fast. If the person keeps fast with the intention that it is for the month of Sha’bān, but later it transpires that Ramaḍān had begun on that day, it shall be counted to be for Ramaḍān.

Likewise, if a person under the impression that it is still the month of Sha’bān keeps fast as compensatory or for a vow, it shall be counted to be for Ramaḍān if it coincides with Ramaḍān. Rather, even if a person keeps fast with the intention that if Ramaḍān has started it may be deemed to be an obligatory one for Ramaḍān, otherwise a recommended one, it shall not be far from being valid, even if he had hesitation in his intention as to its time. If a person keeps fast with the Intention that it is for Ramaḍān, but it was not the month of Ramaḍān, then it would neither be for Ramaḍān nor for any other month.
على وجه الترديد في النية في المقام، نعم لو صامه بنية أنه من رمضان لم يقع لاهه ولا لغيره.

مسألة 6 - لو كان في يوم الشك بناءً على الإفطار ثم ظهر في أثناء النهار أنه من شهر رمضان فان تناول المفطر أو بقية الحال بعد الزوال وإن لم يتناوله يجب عليه إمساك بقية النهار تأدباً وقضاء ذلك اليوم، وإن كان قبل الزوال ولم يتناول مفطرًا يجد النية وأجزاً عنه.

مسألة 7 - لو صام يوم الشك بنية أنه من شعبان ثم تناول المفطر نسبيًا وتين بعد ذلك أنه من رمضان أجزاً عنه، نعم لو أقسم صومه برياء ونهو لم يجزه منه حتى لو تبين كونه منه قبل الزوال وجد النية.

مسألة 8 - كلاً تجب النية في ابتداء الصوم تجب الاستدامة عليها في أتيناه، فلو نوى القطع في الواجب المعين بمعنى قد رفع اليد عيا تلبيس به من الصوم بطل على الأقوى وإن عاد إلى نية الصوم قبل الزوال، وكدنا لوقصد القطع لزم اختلاف صومه ثم بان عنه، وينافي الاستدامة أيضاً التردد في إدامة الصوم أو رفع اليد عنه، وكدنا لو كان تردد في ذلك لعروس شيء لم يدر أنه مبطل لصومه أو لا، وإذا في غير الواجب المعين لونوى القطع ثم رجع قبل الزوال صح صومه، هذا كله في نية القطع، وإذا نية القطع بمعنى ارتكاب المفطر فليست بفترة على الأقوى وإن كانت مستلزمبه لنية القطع تباعاً، نعم لونوى القطع والتفت إلى استلزامها ذلك فنواه استقلالاً بطل على الأقوى.

القول فيما يجيب الإمام عليه

مسألة 1 - يجيب على الصائم الإمساك عن أمور:
الأول والثاني: الأكل والشرب معتاداً كان كالحنيز والماء أو غيره كالحصاة
Problem # 6. If on a doubtful day a person intended not to keep fast, then during the day it transpired that it was a day of Ramaḍān, then if he has already taken something which breaks the fast or the position has become clear after noon but he has not taken anything which breaks the fast, he shall refrain from taking anything during the remaining part of the day, but shall keep fast in compensation for it.

If, however, it were before noon, and he has not taken anything which breaks the fast, he may renew the intention, and it would be permissible for him.

Problem # 7. If a person keeps fast on a doubtful day with the intention that it was for the month of Sha'bān, and then takes inadvertently something which breaks the fast, then it transpires that it was a day of Ramaḍān, it would be a valid fast.

Of course, if he vitiates his fast by hypocrisy or the like, it shall not be permissible for him, even if it transpires to be a day of Ramaḍān before noon, and he has renewed his intention.

Problem # 8. As it is obligatory to have an intention at the beginning of the fast, it is also obligatory that it must continue throughout the fast. If a person intends to discontinue a specified obligatory fast in the sense that his intention is to withdraw from what is called a fast, then, according to the stronger opinion, the fast shall be rendered void, even if he reverts to the intention of keeping fast before noon. The same shall be the case if a person intends to discontinue his fast due to some blemish in his fast which later turns out to be otherwise. It is also repugnant to the continuance of a fast if a person hesitates in continuing the fast or withdrawing it. The same shall be the case if a person hesitates in continuing his fast due to the occurrence of something which he does not know whether it is something that invalidates the fast or not. In case of a non-obligatory specified fast, if a person intends to discontinue it, then reverts before the noon, his fast shall be valid.

This is all with regard to the intention of discontinuation. But the mere intention to discontinue the fast with the intention of taking something that breaks the fast is not itself something that breaks the fast, according to the stronger opinion, even if it is consequently intended to discontinue the fast. Of course, if a person intends to discontinue a fast, and considering the necessity for it, has such an intention separately, according to the stronger opinion, the fast shall be rendered void.

Chapter on Things which must be Refrained in a Fast

Problem # 1. There are some things from which a person keeping fast must abstain. They are as follows.

First & Second : Eating or Drinking, whether usual things like bread and water, or unusual things like pebbles or the juice of trees, even if they are in a very small quantity, like one-tenth of a grain or one-tenth of a drop.
و عصارة الأشجار ولو كانا قليلين جدا كعشر حبة وعشر قطرة.

مسألة 2. المدار هو صدق الأكل والشرب ولو كانا على النحو غير المتعارف، فإذا أوصل الماء إلى جوفه من طريق أنه صدق الشرب عليه وإن كان بنحو غير متعارف.

الثالث: الجماع، ذكرًا كان الموطور أو أثني، إنساناً أو حيواناً، قبلًا أو ديراً، حياً أو ميتاً، صغيرًا أو كبيرًا، واطناً كان الصائم أو موطورًا، فتعبد ذلك مبطل و إن لم ينزل، ولا يبطل مع النسيان أو القهر السالب للاختيار، دون إلاكراه فانه مبطل أيضاً، فإن جامع نسيانًا أو قهرًا يتذكر أو أرفع القهر في الأثناء وجب الانخراج فوراً، فإن تراخي بطل صومه، ولو قصد التخفيف مثلاً فدخل بلا قصد لم يبطل، وكذا لوقصد الادخال ولم يتحقق، لما مر من عدم مفطرة قصد المفكر، ويتحقق الجماع بغضوبة الخشية أو مقدارها، بل لا يبعد إبطال مسمى الدخول في المقطع و إن لم يكن مقدارها.

الرابع: إنزال المني باسمه أو ملاءمة أو قبلة أو تخفيف أو نحو ذلك من الأفعال التي يقصد بها حصوله، بل لو لم يقصد حصوله وكان من عادته ذلك بالفعل الملزوم فهو مبطل أيضاً نعم لو سبقة المني من دون إيجاد شيء يترتب عليه حصوله ولو من جهة عادته من دون قصد له لم يكن مبطل.

مسألة 3. لا بأس بالاستبلاع بالبول أو الخترات من احتمل في النهار وإن علم بخروجه بقايا المني الذي في المجرى إذا كان ذلك قبل الغسل من الجنابة، و أما الاستبلاع بعده فعندالعلم بمحمد جنبابة جديدة به فالأحور تره، بل لا يخلو ازومه من قوة، ولا يبطل التخفيف من خروج المني بعد الانزال إن استنفظ قبله خصوصاً مع الحرج والاضرار.

الخامس: تعمد البقاء على الجنابة إلى الفجر في شهر رمضان وقضائه، بل الأقوى في الثاني البطلان بالإصباح جنبًا و إن لم يكن عن عمد، كأ أن الأقوى
Problem # 2. The criterion is the application of the words eating and drinking, though they be in a way unusual. So if water reaches the cavity of his mouth through his nose, it shall be called drinking, though it is in an unusual way.

Third: Sexual Intercourse, whether the person subjected is a male or female, a human being or an animal, in the natural or unnatural way [i.e. from the front or the backside], whether the person subjected is alive or dead, a minor or an adult, whether the person committing the act is keeping fast or the one subjected, in all these cases the fast shall be deemed to be void, even if there has been no ejaculation. The fast is not rendered void if the act is done due to forgetfulness or coercion, depriving the person acting of control, excluding compulsion which also invalidates the fast. If a person indulges in a sexual intercourse out of forgetfulness or due to coercion, and during the act comes to realise [that it invalidates the fast], or the coercion is removed, he must withdraw immediately, so that if he delays the withdrawal, his fast shall be rendered void. If a person merely intended to rub his organ on the thighs, but the penetration has taken place unintentionally, then the fast shall not be rendered void. The same rule shall apply in case a person intends penetration, but it does not take place.

By what has been mentioned about the absence of something that breaks the fast is meant the intention of the person breaking the fast. The sexual intercourse takes place with the penetration of the glans penis or a part of it. Rather the fast shall be rendered void by the mere application of what is called penetration in case of a person whose penis is chopped off, even if there is no part of the penis left unchopped.

Fourth: Ejaculation of the Semen, whether by masturbation, touching, kissing, rubbing [the male organ] on the thighs [of another person], or such other acts which are intended to cause discharge of semen. Rather even in case when the discharge of semen is not intended, but it was the usual consequence of the said act, in that case too it shall render the fast void. Of course, if ejaculation takes place without doing some thing which causes ejaculation in a person as a matter of his habit even without any intention on his part, it shall not render the fast void.

Problem # 3. There is no objection if a person performs Istibrā’ after urinating or pulls off in case he has had Iḥtiām during the day, even if he knows that it will cause the emission of whatever semen is left in the passage, when it is done before performing the bath for Janābat.

As regards the performance of Istibrā’ after the bath for Janābat, if he knows that it will cause a fresh Janābat, then it is more cautious to give it up; rather the necessity of giving it up is not devoid of force.

It is not obligatory to prevent discharge of semen after ejaculation, if a person wakes up before it, particularly when it may cause some harm and distress.

Fifth: Deliberate Continuance of Janābat upto the Morning in Ramaḍān or at the time of its Compensation. Rather in the latter case, according to the stronger opinion, the fast shall be declared void if a person gets up in a state of Janābat in the morning, though it may not be deliberate, as also, according to the stronger opinion, the fast of month of Ramaḍān is rendered
بطلان صوم شهر رمضان بنسيان غسل الجنابة ليلة قبل الفجر حتى مضى عليه يوم أو أيام، بل الأحواط إلحاق غير شهر رمضان من النذر المعيين وتح Poe ب إنه كان الأقوى خلافه إلا في قضاء شهر رمضان، فلا يترك الاحتياط فيه، و أما غير شهر رمضان وقضايا من الواجب المعيين والموسع والمندوب في بطلانه بسبب تعمد البقاء على الجنابة إشكال، الأحواط ذلك خصوصاً في الواجب الموسع، والأقوى العدم خصوصاً في المندوب.

مسألة 4: من أحدث سبب الجنابة في وقت لا يسع الغسل ولا التيمم مع علمه بذلك فهو كمعتمد البقاء عليها، ولو وضع التيمم خاصة عصي وصح صومه المعيين، والأحواط القضاء.

مسألة 5: لو ظن السعة وأوجب فبان الخلاف لم يكن عليه شيء إذا كان مع المراعاة، وإلا فعليه القضاء.

مسألة 6: كا يبطل الصوم بالبقاء على الجنابة متوعداً كذا يبطل بالبقاء على حدث الحيض والنفاس إلى طلوع الفجر، فإذا طهرتا منها قبل الفجر وجب عليها الغسل أوالتيمم، ومع تركهما عمداً يبطل صومهما و كذا يشترط على الأقوى في صحة صوم المستحاثة الأغلال النهارية التي للصلاة دون غيرها، فلو استحاثت قبل الايام بصلاة الصبح أو الظهرين بما يوجب الغسل كالمتوسطة والكثيرة فترك التم غسل بطل صومهما، بخلاف ما لو استحاثت بعد الايام بصلاة الظهرين فترك التم غسل إلى الغروب فاينه لا يبطله، ولا يترك الاحتياط باتيان الغسل لصلاة الليلة الماضية، و يكني عنه الغسل قبل الفجر لا تيان صلاة الليل أوالفجر، فصح صومها حينئذ على الأقوى.

مسألة 7: فأفاد الظهرين يصح صومه مع البقاء على الجنابة أو حدث الحيض أوالنفاس، نعم فإلي يفسد البقاء على الجنابة ولو عن غير عمد كقضاء شهر رمضان فالظاهرة بطلانه به.
void if a person forgets to perform the bath for Janābat at the night before morning until a day or a few days have passed in that state.

Rather it is more cautious to include the fast of other than Ramaḍān as well, such as the fast for specified vow or the like, though, according to the stronger opinion, it is to the contrary, except in case of the compensatory fast for the month of Ramaḍān. So caution must not be given up in its case.

As regards the invalidation of the fasts for other than the month of Ramaḍān or the compensatory obligatory specified or Muwassa' fast [which has some vast time for compensation] or a recommended fast due to the deliberate continuation in a state of Janābat, there is difficulty [in accepting it]. According to the more cautious opinion, it is void in case of obligatory Muwassa', and according to the stronger opinion, it is not void, particularly in case of a recommended fast.

Problem # 4. If a person gets polluted at a time when there is sufficient time neither for taking ritual bath nor Tayammum with the knowledge about it, he shall be treated as one deliberately continuing in a state of Janābat.

If, however, there is sufficient time only for Tayammum, he shall be deemed to have sinned, and his specified fast shall be declared valid, though it is more cautious to compensate for it.

Problem # 5. If a person pollutes himself under the impression that there is vast time, but later it transpires that it is otherwise, he shall have no liability, if he had made necessary investigation about it; otherwise, he shall be required to compensate for it.

Problem # 6. As a fast is invalidated due to the deliberate continuance in a state of Janābat, so is the fast rendered void on the continuance of pollution due to menstrual or puerperal blood until dawn. So if a woman becomes clean of them before morning, it becomes obligatory on her to perform ritual bath or Tayammum, and in case a woman deliberately fails to take ritual bath or perform Tayammum, her fast shall be rendered void.

Likewise, according to the stronger opinion, it is a condition in the validity of the fast of a Mustahdah to perform the ritual baths which are performed during the day for offering prayer to the exclusion of other baths. So if a woman becomes a Mustahdah before offering the morning prayer or the prayers for Zuhr or Āšr in case where it is obligatory to perform the ritual bath as in case of Medium or Major Istahdah, and she fails to perform the ritual bath, her fast shall be rendered void, contrary to the case when she becomes a Mustahdah after offering the prayers for Zuhr and Āšr, and she fails to perform the ritual bath until sunset, in which case her fast shall not be declared void. However, she must not give up the caution by performing the ritual bath for the last night. It shall be sufficient for her to perform the ritual bath before morning in order to offer the prayer for night or the morning. In such case, her fast shall be valid.

Problem # 7. If a person has no means for performing the ritual bath or Tayammum, his bath shall be declared valid if he continues to be in a state of pollution due to Janābat or the uncleanness due to menstrual or puerperal blood.
مسألة 8 - لا يشترط في صحة الصوم الغسل لمس الميت، كما لا يضر مسبه به في أثناء النهار.

مسألة 9 - من لا يمكن من الغسل لفقد الماء أو لغيره من أسباب التيمم، ولو لقيحت الوقت وجب عليه التيمم للصوم، فنترك حتّى أصيح كان كثارك الغسل، ولا يجب عليه البقاء على التيمم مستقفاً حتّى يصبح و إن كان أحوط.

مسألة 10 - لو استيقظ بعد الصبيح محتلاً فان علم أن جنبته حصلت في الليل صح صومه إن كان مضياً إلا في قضاء شهر رمضان، فإن الأحوط فيه الانتياني و بيوضة و إن كان جواز الاكتفاء بالوعوض بـ شهر رمضان الآتي لا يخلو من قوة، و إن كان مواسماً بطل إن كان قضاء شهر رمضان، و صبح إن كان غيره أو كان ندوي أو، إن أن الأحوط إذاً فيهمه، و إن لم يعلم بوتوق الجنازة أو علم بوتوقه نهاراً لا يبطل صومه من غير قري بين الموسع و غيره والمدوب، ولا يجب عليه البداية إلى الغسل كما لا يجب على كل من أجبه في النهار بدون اختبار و إن كان أحوط.

مسألة 11 - من أجبه في الليل في شهر رمضان جاز له أن ينام قبل الاغتسال إن احتمل الاستيقاظ حتّى بعد الانتياء أو الاحتياطين، بل و أزيد خصوصاً مع اعتياد الاستيقاظ، فلا يكون نومه حراماً و إن كان الأحوط شديدًا تركل النوم الثاني فا زاد، ولونام مع استئناف الاستيقاظ فلم يستيقظ حتّى طلع الفجر فإن كان بانياً على عدم الاغتسال لو استيقظ أو متردداً فيه أو غير ناوله و إن لم يكن متورداً ولا ذاهلاً ولا غافلاً للحص حكم متعبد البقاء على الجنازة فعلبه القضاء والكافارة كما يأتي، و إن كان بانياً على الاغتسال لا شيء عليه لا القضاء ولا الكفارة، لكن لا ينبغي للمحكم أن يترك الاحتياط لو استيقظ ثم نام ولم يستيقظ حتّى طلع الفجر بالجمع بين صوم يومه و قضاءه و إن كان الأقوي صحته، ولو انتهب ثم نام ثانياً حتّى طلع الفجر بطل.
Of course, in case of a fast which is invalidated due to the continuance in a state of Janābat even unintentionally, as the compensatory fast for the month of Ramaḍān, apparently it shall thereby be rendered void.

**Problem # 8.** For the validity of a fast performance of the ritual bath for touching the dead body is not a condition, as it is also not harmful if a person touches a dead body during the day.

**Problem # 9.** If a person fails to perform the ritual bath due to unavailability of water or the other means for Tayammum and due to tightness of time he is obliged to perform Tayammum for fasting, so if he fails to perform it until he gets up in the morning, he shall be like one who has failed to perform the ritual bath, and he is not obliged to continue in a state of Tayammum while awake until he gets up in the morning, though it would be more cautious.

**Problem # 10.** If a person wakes up after having nocturnal pollution (Iṣṭilām), then if he knows that the pollution has taken place at night, his fast shall be intact if the time is short; otherwise, he shall be required to compensate for the fast of the month of Ramaḍān, though it is more cautious to keep fast that day and also keep a compensatory fast for it, and though the permissibility of sufficiency for keeping a compensatory fast after the next month of Ramaḍān is not devoid of force. If the person has sufficient time [for taking ritual bath] and he is keeping a compensatory fast for the month of Ramaḍān, the fast shall be void [in case he fails to perform the ritual bath]. If, however, it were a fast for any other month or a recommended one, it would be valid; otherwise, it would be more cautious to affiliate it with that of the month of Ramaḍān.

In case he does not know the time when the pollution has taken place, or when he know that the pollution has taken place during the day, the fast shall not be rendered void, without there being any difference between his having sufficient time or not, or the fast being a recommended one. It is also not obligatory on him to perform the ritual bath immediately, in the same way as it is not obligatory on any person having been polluted involuntarily during the day to perform the ritual bath immediately, though it would be more cautious to do so.

**Problem # 11.** If a person becomes polluted at night in the month of Ramāḍān, it shall be permissible for him to sleep before performing ritual bath if it is possible for him to wake up once or twice, rather even more particularly if it is his habit to wake up, and in that case his sleep shall not be forbidden, though it is more cautious to give up sleep for the second time or more. If a person sleeps with the hope that he would wake up, but he fails to wake up until morning, if he intended not to perform the ritual bath even if he woke up, or was hesitant about it, or had not decided about it, then if he has not been hesitant, forgetful or negligent, he shall fall under the category of one who deliberately continues in a state of pollution, and so it is incumbent on him to compensate for it and also expiate, as follows. If, however, he intended to perform the ritual bath, he shall be under no liability whether compensating for it or expiating. But a person who has had a nocturnal pollution should not give up caution, in case he wakes up and then sleeps, and does not wake up until morning, by keeping fast for that day and also compensating for it, though, according to the stronger opinion, the fast for that day shall be valid.
فالجواب:

لا يجب إمساكه، فإن ذلك كان تأتي للظلمين، وللعدوين، وللمشركين، وللنازرين. وللذين مؤمنين منكم الذين كتب الله عليه بسم الله الرحمن الرحيم، فعملوا الكفارة أيضًا على المنزل، وفيه تردد، بل عدم وجودها لا يخلو من قوة، ولكن لا ينبغي ترك الاحتكاط، ولا كفارة من الأحكام، ولا يرتقى على تركه، ففي حقوه بالأول أو الثاني، أو جهان، أو جهاداً للحوق.

السادس: تعمد الكذب على الله تعالى ورسوله وآلهة صلوات الله عليهم على الأقوي، وكذا باقي الأنبياء والمؤرخين على السلام على الأحوط، من غير فرق بين كونه في الدين أو الدين، ويعود كونه بالقول أو بالكتابة أو الاشارة أو الكعابة، أو تحوٍّها فيما يصدق عليه الكذب عليهم (ع)، فلا سألة سائل هل قال النبي صلى الله عليه وسلم كذا؟ فلا يذكر نعم في مقام لا، ولا في مقام نعم بطل صومه، وكذا لو أخبر صادقاً عن النبي صلى الله عليه وسلم ثم قال ما أخبرته به عنه كذب، أو أخبر عنه كاذباً في الليل ثم قال في النهار: إن ما أخبرته به في الليل صدق صومه، والأحوط عدم الفرق بين الكذب عليهم في أقوالهم أو غيرها، كالأخبار كاذباً بأنه فعل كذا أو كان كذا، والأقوي عدم ترتب الفساد.

مع عدم القصد الجدوي إلى الإخبار بأن كان حازلاً أو لا. 

مسألة 12: لو قصد الصدق فكان كذباً لم يضره، وكذا إذا قصد الكذب فيان

صدقاً وإن علم بفطريته.

مسألة 13: لا فرق بين أن يكون الكذب محرلاً له أو خيره كما إذا كان مذكوراً في بعض كتب التواريع، أو الأخبار إذا كان على وجه الأخبار، نعم لا يفسده إذا كان على وجه الحكاية والنقل من شخص أو كتاب.

السابع: لون الرأس في الماء على الأحوط، ولون خروج البدن، ولا يحق المضاف بالملحق، نعم لا يترك الاحتكاط في مثلوجب، خاصةً مع ذهاب راحته، ولا باس بالافاضة، فرغوها ما لا يسمى رمساً، وإن كثير الماء، بل لا
If such a person wakes up and sleeps again until the morning, his fast shall be declared void. So it shall be obligatory on him to abstain from things which break the fast in honour of the fast, and also compensate for it. If a person sleeps for the third time, and does not wake up [until morning], according to the prevalent opinion, he shall also have to expiate, though there is hesitation [in accepting this opinion] ; rather the absence of obligation is not devoid of force. But caution must not be given up.

If a person is forgetful or negligent about performing the ritual bath, and intend neither to perform it nor to give it up, there are two opinions about whether it should be governed by the first rule or the second, the better one being favour applying the second rule to it.

Sixth : According to the stronger opinion, Deliberate Lying about Allâh, the Exalted, His Prophet and the Imâms, Peace be upon them, and, likewise Lying about the other Prophets and saints, Peace be upon them, according to the more cautious opinion, without there being any difference whether the lie relates to this world or Hereafter, and whether it is oral or in writing, or by indication or indirect expression, or the like, which establishes the lie against them, [Peace be upon them]. So if a person asks him whether the holy Prophet, Allâh’s Blessings be upon him and his Progeny, has said so and so, he makes a sign meaning “Yes” instead of “No”, or “No” instead of “Yes”, his fast shall be rendered void. Likewise, if a person relates something true from the holy Prophet, Allâh’s Blessings be upon him and his Progeny, and then he should say that what I had related from the Prophet was untrue, or relates something untrue from him at night, and in the day he should say that what he had related from him at night was true, his fast shall be rendered void. There is no difference whether a person lies about them in what relates to their sayings or otherwise, like the false reports that he had done so and so, or he was such and such.

According to the stronger opinion, the rule of invalidity of the fast shall not apply in case the purpose of the person is not serious with regard to the reports, as when he is just joking or talking nonsense.

Problem # 12. If a person intends to tell the truth, but it turns out to be untrue, it shall do no harm to the fast. The same shall be the case if a person intends to tell something untrue, but it turns out to be true, even if he knows that it invalidates the fast.

Problem # 13. There is no difference whether the lie has been invented by the person himself or by some one else, as it were mentioned in any of the books on history or Traditions, if it were in the form of a Tradition. Of course, it would not invalidate his fast if he relates something as a story or a narration from any other person or book.

Seventh : Immerse the Head in Water, even if the body remains outside it. The impure water is not treated at par with a pure water. Caution must not be given up in case of something like rose-water, particularly when it has lost its odour. There is, however, no harm in pouring water [on the head] or the like, in a way it may not be deemed to be immersing the head in the water, even if there is a large quantity of water used. Rather there is no harm even if a part of the head is immersed in water even if some of its adjoining parts are also included at that time. It shall not be called immersing the whole head if it is done in parts, as when half of the head is immersed in
بأس برس البعض وإن كان فيه المنافق، ولا يغمس السماح على التعاقب بأن غمس نصفه ثم أخرجه وغمس نصفه الآخر.

مسألة 14 - لو ألقى نفسه في الماء بتبخيل عدم الرسم فحصل لم يبطل صومه إذا لم تقض العادة برسمه، وإذا ففع اللفقات فالأحوج إلحاقه بالعمد إلا مع القطع بعده.

مسألة 15 - لو أرتفع الصائم مغشلاً فإن كان تطوعًا أو واجباً موسعًا بطل صومه وصح غسله، وإن كان واجباً معياناً فإن فصدد الغسل بأول مسمى الارتحام بطل صومه وغسله على تأمل فيه، وإن نواه بالملكه أو الحزوج صح غسله دون صومه في غير شهر رمضان، وأما فيه فيبطلان مما إلا إذا تاب ونوى الغسل بالحزوج فانه صحيح حينث.

الثامن: إيسال الغبار الغليظ الملحق، بل وغير الغليظ على الأحوج و إن كان الأقوى خلافه، سواء كان الايسال بإثارة بنفسه بكنس أو نبوأ أو بإثارة غيره أو إثارة الهواء مع تمكينه من الوصول و عدم التحفظ، و فيما يعسر التحرز عنه تأمل، ولا يأمر به مع النسيان أو الغفلة أو القهر الرافع للاختيار أو تعجل عدم الوصول، إلا أن يجمع في فضاء الفم ثم أكمله اختياراً، والأقوى عدم حرق البخار، إلا إذا انقلب في الفم ماء و أبلته، كما أن الأقوى عدم حرق الدخان به أيضاً، نعم يلتحق به شرب الأدخنة على الأحوج.

الثاني: الحقنة بالحذاء ولو لرض و نبوأ، ولا يأمر بالجام المعتاد للتداوي كالشياف، وأما إدخال نحو التراكي للمعتادين به وغيرهم للتغذي والاستعانة ففيه إشكال، فلا يترك الاحتفاظ بجانته، وكذلك كل ما يحصل به التغذي من هذا المجرى، بل و غيره كتقيق ما يتقدح به، نعم لا يأمر بتلقيح غيره للتداوي، كما لا يأمر بوصول الدواء إلى جوفه من جريمه.

العاشر: تعمس النهي و إن كان لضرورة دون ما كان منه بلا عمد، والمدار
water and then taken out, and then the other half is immersed [and taken out].

Problem # 14. If a person throws himself into the water under the impression that it would not amount to immersing in the water, but immersing in the water takes place, his fast shall not be rendered void, provided that immersing does not usually takes place in such case. If, however, he is aware that it may result in dipping in water, then it is more cautious to affiliate it with the case of doing it deliberately, except when the person is sure of the contrary.

Problem # 15. If a fasting person dips in the water while performing the ritual bath, if the fast were voluntary, or an obligatory one with a vast time [to compensate for it], his fast shall be rendered void, but his bath shall be valid. If the fast were a specified obligatory one, then if at the very beginning he intended to perform the ritual bath by dipping in water, his fast and ritual bath shall both be rendered void, though there is hesitation in it. If a person has intention of performing the ritual bath while still under the water, or at the time of getting out of it, his bath shall be declared valid, but not his fast in a month other than the month of Ramadān, as in the month of Ramadān, both [the fast and the ritual bath] shall be declared invalid, except when he repents and intends to perform the ritual bath, while he is coming out of the water, in which case it would be valid.

Eighth: Putting thick dust in the throat, or even if the dust is not thick, though, according to the stronger opinion, it shall be otherwise, whether the dust has been raised by himself by means of sweeping or the like, or it is raised by another, or it has been raised by the wind when there was a possibility of its reaching him and he also did not prevent it. In case it was difficult to abstain from it, there is hesitation [in declaring the fast void]. There is no objection in it in case of forgetfulness, negligence or a coercion depriving the person of control, or under the impression that it would not reach him, except when the dust gathers in the cavity of the mouth, and he swallows it deliberately. According to the stronger opinion, steam is not to be affiliated with dust, except when it transforms into water in the mouth and the person swallows it, in the same way as smoke is also not be affiliated with dust. Of course, according to the more cautious opinion, it shall be affiliated with the dust if a person swallows a lot of smoke.

Ninth: Enema with a liquid, even due to a disease or the like. There is, however, no objection if it is performed with a solid thing used for treatment like a suppository, but there is difficulty if opium or the like is entered for the addicts or others for the purpose of nourishment or intoxication, and so caution must not be given by abstaining from it. The same rule shall apply to every thing which provides nutrition through the same passage; rather through any other passage too, as an injection which is nutritious. Of course, there is no objection in an injection which is not nutritious and is meant for treatment, in the same as there is no objection in putting some medicine in the body by means of an operation.

Tenth: Deliberate Vomiting, even if it is necessary except the unintentional vomiting. The criterion here is what is called vomiting. If a person swallows something at night which has to be vomited, and vomiting during the day may be an introduction to it, his fast shall be intact, if he does not vomit by way of disobedience or sin, even if the emission of the thing depends on vomiting.
فما يجب الامساك عنه

صدق ممساه، ولو ابتلع في الليل ما يجب عليه رده، وكان القيء في النهار مقدمة له صبح صومه ولو ترك القيء عصياً، ولو انصر إخراجه به، نعم لو فرض ابتلاع ما حكم الشارع بقية بعثوانه ففي الصحة والبطلان ترد، والصحة أشبهه.

مسأله 16 - لو خرج بالتجشؤ شيء ووصل إلى فضاء الفم ثم نزل من غير اختيار لم يبطل صومه، ولو بلعه اختياراً بطل وعليه القضاء والكفارة ولا يجوز للصائم التجشؤ اختياراً إذا علم بخروج شيء معه يصدق عليه القيء أو يحدر بعد الخروج بلا اختيار، وإن لم يعلم به بل احتمله فلا بأس به لو ترتب عليه حينئذ الخروج والاختيار لم يبطل صومه، هذا إذا لم يكن من عادته ذلك ولا إفقيه إشكال، ولا يترك الاحتياط.

مسألة 17 - لا يبطل الصوم بابتلاع البصاق المجتمع في الفم وإن كان يتذكر ما كان سابياً لاجتمعاً، ولا بابتلاع النخامة التي لا تصل إلى فضاء الفم من غير فرق بين النازلة من الرأس والخارجة من الصدر على الأقوق وأما الواردة إلى فضاء الفم فلا يترك الاحتياط بترك ابتلاعها، ولو خرجت عن الفم ثم أبلغها بطل صومه، وكذاك البصاق، بل لو كانت في فه حصة فأخرجها وعليها بله من الريق ثم أعادها وابتلاعها، أو بل الحياط الخيط بريقه ثم رده، وابتلاع ما عليه من الرطوبة، أو استاك وأخرج المسواك المبل بالريك فردته وابتلاع ما عليه من الرطوبة إلى غير ذلك بطل صومه، نعم لو استلتك ما كان عليه من الرطوبة في ريقه على وجه لا يصدق أنه ابتلع ريقه مع غيره لا بأس به، مثله ذوق المرق ومضغ الطعام والمختلف من ماء المضمضة، وكذاك لا يأتى بالملك على الأصح وإن وجد منه طعما في ريقه لم يكن ذلك بفتهت أجزائه ولو كان بنحو الدوبان في الفم.

مسألة 18 - كل ما مر من أنه يفسد الصوم ما عدا البقاء على الجناية الذي مر التفصيل فيه الفنيدق، إذ الواقع عن عمود لإبدونه، كالنسيان أو عدم القصد فانه لا
Of course, if suppose a person has swallowed something which according to the Shari‘ah must be vomited, in that case there is hesitation in the validity or invalidity of the fast, though it would be more in keeping with the principles of law to declare it valid.

**Problem # 16.** If something comes out by belching, and reaches the cavity of the mouth, and is then swallowed unintentionally, the fast shall not be rendered void. If a person swallows it deliberately, the fast shall be rendered void, and he shall be liable to compensate for it, and also expiate. It is not permissible for a fasting person to belch deliberately, when he knows that something will come out with the belch by which it will be called vomiting, or it may go back after coming out unintentionally. If, however, he is not sure about it, but there is only a possibility of it, then there is no harm in it, as in such case if something comes out and goes back again, his fast shall not thereby be rendered void. This is so when it is not his habit; otherwise, there shall be difficulty [in its permissibility], and so caution must not be given up.

**Problem # 17.** A fast is not invalidated by swallowing the saliva which has gathered in the mouth, even if it has gathered due to recalling something. Likewise, according to the stronger opinion, [a fast is not invalidated] by swallowing the phlegm which has not yet reached the cavity of mouth, without there being any difference whether it has come down from the head or has emerged from the chest [or lungs]. As regards the phlegm which has reached the cavity of mouth, caution must not be given up by abstaining from swallowing it. If the phlegm has come out of the mouth, and then a person swallows it, his fast shall thereby be rendered void. The same rule applies to saliva. Rather, [the same rule shall apply] if there is a pebble in the mouth of a person, and he takes it out, and there is some saliva on it, then the person puts it again into his mouth and swallows it. [The same rule shall apply], if a tailor wets a thread by his saliva, then puts it back into his mouth, and swallows it along with the moisture on it. [The same rule shall apply], if a person uses the toothbrush, and it comes out wet with saliva, and then he puts its back into his mouth and swallows the moisture etc., on it, and his fast shall be rendered void.

Of course, if the moisture on the toothbrush is mixed up with his saliva in a way that it may not be said that he has swallowed his saliva with something other in it, there shall be no harm. The same rule applies to tasting broth, chewing the food or the amount of water left after rinsing. Likewise, there is no harm in chewing the bark of a tree, according to the more valid opinion, even if its taste has remained in his saliva as long as it is not due to the scattering of its particles, even if they are absorbed in the mouth.

**Problem # 18.** Whatever has been mentioned above with regard to the things which invalidate fast besides continuance of the state of pollution, the details of which have already been given, the fast is invalidated thereby when such things occur deliberately and not otherwise, as forgetfulness, or lack of intention which do not invalidate the fast of all kinds, in the same way as the intention of all kinds invalidates fast, without there being any difference between a person who has knowledge about the rule, or, according to the stronger opinion, one who is ignorant of the rules, or, according to the more cautious opinion, one who is incapable.[or interdicted].
فيا يكره للصائم ارتكابه

يفرسه بأقسامه، كما أن العمد يفسده بأقسامه، من غير فرق بين العالم بالحكم والجالب به مقصراً على الأقوي أو قاصراً على الأحوط، ومن العمد من أكل ناسياً فظن فساده فأفطر عامة، والمقرر المسلمون عليه الاختيار الموحرم في حقه لا يبطل صومه، والمكرر الذي يتناول نفسه يبطله، ولو اتّفق بين المخالفين في أمر يرجع إلى فتاواهم أو حكمهم فلا يفطر، فلو ارتكب تقية ما لا يرى المخالف مفطراً صح صمه على الأقوي، وكذا لا أفطر قبل ذهاب الخمرة، بل وكذا لو أفطر يوم الشك تقيه حكم قضاياه بحسب الموازين الشرعية التي عندهم لا يجب عليه القضاء مع بقاء الشك على الأقوي، نعم لو علم بأن حكمه بالعيد مخالف للواقع يجب عليه الافطار تقية وعليه القضاء على الأحوط.

القول فيا يكره للصائم ارتكابه

مسألة 1 - يكره للصائم أمور: منها - مباشرة النساء تقبيلًا ومسا وملعوبة، و للشبل الصغير و من تتحرك شهوته أشد، هذا إذا لم يقصد الانزال بذلك ولم يكن من عادته و إلا حرم في الصوم المعين، بل الأول ترك ذلك حتى لم تتحرك شهوته عادة مع احتمال التحرك بذلك.

و منها - الإكتحال إذا كان بالذر أو كان فيه مسك أو يصلى منه إلى الحلق أو يخف وصوله أو يجف طعنه فيه مما فيه من الصبر و نحوه.

و منها - إخراج الدم المضعف بجماعة أو غيرها، بل كل ما يورث ذلك أو يعبر سبأ لهيجان المرة، من غير فرق بين شهر رمضان وغيره وإن اشتد فيه، بل يحرم ذلك فيه، بل في مطلق الصوم المعين إذا علم حصول الغشيان المبطل وم تكن ضرورة تدعو إليه.

و منها - دخول الحمام إذا خشي منه الضعف.
Chapter On Acts Which Are Disapproved For A Person Keeping Fast

If a person eats something out of forgetfulness, and then he supposes that his fast has been rendered void, and so he breaks his fast deliberately, his case shall be treated as one who breaks his fast deliberately. If a person is coerced in a way that he has no control, and something is put into his mouth, his fast shall not thereby be rendered void. [On the contrary], if a person is compelled [to eat something] and eat something by himself, his fast shall be declared void. If a person, while practising Taqiyyah from the opponents [i.e., the Ahl al-Sunnah], in any case acts according to their verdict or decision, it shall not break his fast. So if a person commits something by way of Taqiyyah, which in the opinion of the opponents does not break a fast, according to the stronger opinion, his fast shall be valid. The same rule shall apply if a person, [by way of Taqiyyah], breaks his fast before the disappearance of the redness [from the east, according to the practice of the Ahl al-Sunnah]. The same rule shall apply if in case of a doubtful day [as to its being a day of Sha'bân or Ramadân], a person breaks the fast, by way of Taqiyyah, due to the judgement of their judges according to the standards of Shari'ah which do not make it obligatory to compensate it despite the continuance of doubt, according to the stronger opinion.

Of course, if a person knows that their decision about Eid is contrary to the actual position, it shall be obligatory on him to break the fast by way of Taqiyyah, but, according to the more cautious opinion, he shall be bound to compensate for it.

Chapter on Acts which are Disapproved for a Person Keeping Fast

Problem # 1. There are a number of things which are disapproved for a person keeping fast. They are as follows:

1. Coming in contact with women by kissing, touching or sporting with them, which is lustful for young men, and for those who become sexually excited it is even stronger. This is when a person does not intend discharge of semen, and it may not occur to him by habit; otherwise, it is forbidden in a specified fast. Rather it is better to give it up, even in case of a person who by habit is not sexually excited, though there is likelihood of his being excited by it.

2. Applying antimony, when sprinkled in the eyes, or when it contains musk, or it reaches the throat, or it is feared that it will reach the throat, or its [bitter] taste may be found in the throat due to the aloe, etc., contained in it.

3. Pulling out blood by cupping, etc., which may cause weakness, or whatever belongs to the same category, which may cause excitement of bile, without there being difference in its practice in Ramadân or any other month. Rather its disapproval is stronger during Ramadân. Rather it is forbidden during Ramadân, but generally even in a specified fast, when it is known that it may cause swooning which invalidates fast, and there is no necessity for doing it.

4. Entering Hammâm [to take bath] when there is fear that it may cause weakness.
فما يتزمن على الافطار
ومنها: السعوط وخصوصاً مع العلم بوصوله إلى الدماغ أو الجروح، بل يفسد الصوم مع التعدي إلى الحلق.
ومنها: شم الرياحين خصوصاً النرجس، والمزارع بها كل نبت طيب الريح.
نعم لا بأس بالطيب فانه ترفع الصائم، لكن الأولى ترك المسكن منه، بل يكره التطيب به للصائم، كما أن الأولى ترك شم الرائحة الغليظة حتى تصل الى الحلق.

مسألة 2 - لا يجوز باستثناء الرجل في الماء ويكره للامرأة، كما أنه يكره لهما بإن الثوب وضعه على الجسد، ولا يجوز بإمع الطعام للصبي ولا نك الطائر ولا ذوق المرق ولا غيرها مما لا يتعدي إلى الحلق أو تعود من غير قدص أو مع القصد ولكن عن نسيان، ولا فرق بين أن يكون أصل الوضع في الفم للمرض صحيح أو لا، نعم يكره الذوق للشيء، ولا يجوز بالسوخ بالبابس، بل هو مستحب، نعم لا يبعد الکرامة بالرطب، كما أنه يكره نزع الضرس بل مطلق ما فيه إدماء.

القول فيما يتنزه على الافطار

مسألة 1 - الا نيان بالمفطرات المذكورة كما أنه موجب للقضاء موجب للكفارة أيضاً إذا كان مع العمد والاختيار من غير كره على الأحوض في الكذب على الله تعالى ورسوله صلى الله عليه وآله وسلم في الامام والحقنة، و على الأقوى في البقية، بل في الكذب عليهم (ع) أيضاً لا يخلو من قوة، نعم التي لا يوجدها على الأقوى، ولا فرق بين العالم وال ejaculation المقصى على الأحوض، وأما القاصر غير الملتزم إلى السؤال فالظاهر عدم وجودها عليه و إن كان أحوض.

مسألة 2 - كفارة إفطار شهر رمضان أموار ثلاثة: عند رقية وصيام شهرين متناوبين و إطعام ستين مسكيناً مخبراً بينها، و إن كان الأحوض التزيب مع
5. Snuffing, particularly despite the knowledge it may reach the brain or the stomach. Rather, it would invalidate the fast if it reaches the throat.

6. Smelling the flowers, particularly the narcissus, and it means any vegetable having a [pleasant] smell. Of course, there is no harm in using perfumes as they are the gifts of a person keeping fast, but it is better to give up the perfume of musk. Rather, it is disapproved for a fasting person to apply it, in the same way as it is better to give up smelling strong scents which may reach the throat.

Problem #2. There is no harm if a man sits in water [for steaming], but it is disapproved for a woman, in the same way as it is disapproved for both men and women to soak the cloth and place it on their bodies. There is no harm in chewing foodstuff for feeding children or birds, or tasting broth, to the exclusion of other things, in a way that it may not reach the throat, or it may reach the throat unintentionally, or intentionally but out of forgetfulness. There is no difference in putting food in the mouth, regardless whether it is for some valid reason or not. It is disapproved to taste any and every thing. There is no harm in brushing the teeth with a dry brush, rather it is recommended to do so. It is not far from being disapproved to use a wet brush for teeth, in the same way as it is disapproved to pull out molar teeth; rather, do any thing generally which may cause bleeding.

Rules Concerning Things that Invalidate Fast

Problem #1. The commission of the things which invalidate fast as mentioned earlier are a cause of expiation in the same way as they make it obligatory to compensate for it, when it is done deliberately and willingly without any coercion, according to the more cautious opinion, as regards lying about Allāh, the Exalted, His Prophet, Blessing be on him and his Progeny, and the Imāms, Peace be upon them, and dipping in water, and having enema, and according to the stronger opinion, in case of the rest; rather, in case of lying about them, (Peace be upon them) is also not devoid of force. Of course, according to the stronger opinion, vomiting does not make it obligatory.

According to the more cautious opinion, in this respect there is no difference between the person knowing and an ignorant person who is neglectful. As regards an incapable (or interdicted) person who fails to pay heed to make query, apparently it is not obligatory on him, though it would be more cautious [in his case too].

Problem #2. Here are three types of expiations for giving up the fast of the month of Ramadān:

Emancipation of a slave, keeping fast for two months consecutively and feeding sixty indigent persons, whichever is chosen by him, though, it is more cautious to select one of them according to the above order, if possible. It is more cautious to perform all the three types of expiations if a person has broken his fast by something prohibited, such as eating something usurped, drinking wine, or having a prohibited sexual intercourse, or the like.
لا يترتب على الاقطار
الأمكان، والأحوط الجمع بين الخصاص إذا أفتر بشيء محرم كأ كل المضروب وشرب الحصير وجماع الحمير و نحو ذلك.

 무슨 ٣ - الأقوى أنه لا تبتكر الكفارة بنكرار الموجب في يوم واحد حتى الجمع وإن احتلف جنس الموجب، ولكن لا ينبغي ترك الاختيارات في الجمع.

 무슨 ٤ - تجب الكفارة في إفطار صوم شهر رمضان وقضائه بعد الزوال والنزير المعين، ولا تجب فيما عداهما من أقسام الصوم واجباً كان أو مندوباً بأفتر قبل الزوال أو بعده، نعم ذكر جامعه ووجهها في صوم الاعتكاف إذا وجب، وهم بين معمومه للجميع المفطرين ومخصص بالجماع، ولكن الاظهار الاختصاص بالجماع، كأن الاظهار أنها لأجل نفس الاعتكاف لا للصوم، ولذا لا فرق بين وقوعه في الليل وأو النهار، نعم لوقع في نهار شهر رمضان تجب كفارة فإن، كأنه لوقع الافطار فيه غير الجمع تجب كفارة شهر رمضان فقط.

 무슨 ٥ - لو أفتر متعمداً لم تسقط عنه الكفارة على الأقوى لو سافر فرارة من الكفارة أو سافر بعد الزوال، وعلى الأحوط في غيره، وكذا لا تسقط لو سافر وأفترقبل الوصول إلى حد الترخص على الأحوط، بل الأحوط عدم سقوطها لو أفتر متعمداً ثم عرض له عارض قهري من حيض أو نفاس أو مرض وغير ذلك و إن كان الأقوى سقوطها، كأنه لو أفتر يوم الشوك في آخر الشهر ثم تبين أنه من شوال، فالالأقوى سقوطها كالقضاء.

 무슨 ٦ - لو جامع زوجه في شهر رمضان و هما حاضنان فان طاوية فعلي كل منها الكفارة والتعزير، وهو خمسة وعشرون سوطاً، وإن أكرهها على ذلك يتحمل عنها كفارة، والتعزيرها، وإن أكرهها في الابتداء على وجه سلب منها الاختيار والإراده ثم طاوية في الأثناء فالالأقوى ثبوت كفارات عليه و كفارة عليها، وإن كان الامكرا على وجه صدر الفعل بإرادتها و إن كانت مكرهة بالالأقوى ثبوت كفارات عليه و عدم كفارة عليها، و كذا الحال في التعزير على
Problem # 3. According to the stronger opinion, an expiation is not repeated with the repetition of its cause in a single day, including performance of sexual intercourse, even if the type of its cause differs, but caution must not be given up in case of performance of sexual intercourse.

Problem # 4. An expiation is rendered obligatory for giving up the fast of the month of Ramaḍān or a specified vow or by its becoming expiatory after breaking it in the after noon. It is not obligatory if a person gives up fast of other kinds, regardless whether they are obligatory or recommended, and whether the person has broken the fast before noon or after it. Of course, some of the jurists have declared the obligation of expiation in case a person breaks a fast of ritual retirement (i’īkāf), provided that it is an obligatory one. Some of the jurists have declared the obligation of expiation in case of all types of things that break the fast, but others have specified it with the performance of sexual intercourse. Apparently it must be exclusively in case of performance of sexual intercourse, in the same way as apparently it is due to the breaking of the ritual retirement and not for breaking fast. There is, therefore, no difference whether it takes place during the night or the day.

Of course, if it takes place during the day in the month of Ramaḍān, it would entail the obligation of two expiations, in the same way as if the breaking of the fast takes place in the month of Ramaḍān without the performance of sexual intercourse, it shall entail the expiation of the month of Ramaḍān only.

Problem # 5. If a person breaks his fast deliberately, and then goes on a journey in order to avoid the liability of expiation or goes on a journey after noon, or in other cases, according to the more cautious opinion, the expiation shall not drop. Similarly, according to the more cautious opinion, the expiation shall not drop if a person goes on a journey and breaks the fast before arriving at the permitted limit. Rather, according to the more cautious opinion, the expiation shall not drop if a person breaks the fast deliberately, and then something takes place which compels a person to break fast like menstruation or discharge of puerperal blood or some disease, etc., though in such case, according to the stronger opinion, the expiation shall drop, in the same way as when a person breaks his fast on a doubtful day on the last day of Ramaḍān, and then it turns out to be the[first] day of Shawwāl, then according to the stronger opinion expiation shall drop as also the liability to compensate for it.

Problem # 6. If a person has had sexual intercourse with his wife during the month of Ramaḍān while both of them were fasting, then if the wife allows him to do it willingly, both of them shall be liable for expiation and its Ta’zīr which is twenty five stripes. If, however, the husband compels the wife to have the act with him, her liability for the expiation and Ta’zīr shall also fall on the husband. If the husband at first compels her in a way that she is deprived of control and intention, and during the act she becomes willing, then, according to the stronger opinion, the husband shall be liable for two expiations while she shall be liable for a single expiation. If, however, the coercion exercised by the husband is such that the act itself is done with her willingness, so if the woman was compelled, then, according to the stronger opinion, two expiations shall be established against the husband, but the wife shall not be liable for any expiation at all. Apparently, the same shall be the case with Ta’zīr. The law relating to the wife under coercion shall not apply to a stranger
لا تلحق بالزوجة المكرهة الأجنبية، ولا يفرق في الزوجة بين الدائمة والمقطعة، ولو أكرهت الزوجة زوجها لا تحمل عنه شيئًا.

مسألة 7 - لو كان مفطراً لكونه مسناراً أو مرضاً أو كانت زوجته صائمة لا يجوز إكراءها على الجماعة، وإن فعل فالأحواط أن يتحمل عنها الكفارة.

مسألة 8 - مصرف الكفارة في إطعام الفقراء إذا باشبعهم وأما بالتسليم إلى كل واحد منهم مدة من حنطة أو شبع أو دقيق أو أرز أو خبز أو غير ذلك من أقسام الطعام، والأحواط مدان، ولا ينبغي في كفارة واحدة مع التمكن من السنين إشبع شخص واحد مرتين مرات أو إطعامه مدين أو أمكن، بل لابد من ستين نفساً، ولو كان للفقراء عيان يجوز إطعامه بعدد الجماع لكل واحد مدة مع الوثوق بأنه يطعمهم أو يعطيهم، والذين يبيع الصعاب، والصعاب سبعة مثقال وأربعة عشر مثقالاً وربع مثقال.

مسألة 9 - يجوز التبوع بالكفارة عن الميت، لصوم كانت أو لغيره في جوازه عن الحي إشكار، والأحواط عدم خصوصاً في الصوم.

مسألة 10 - يكني في حصول التتابع في الشهرين صوم الشهر الأول ويوم من الشهر الثاني، ويجوز له التفريق في البقية ولو اختياراً، ولو أطر في أثناء ما يعتبر فيه التتابع لغير عذر وجب استبناه، وإن كان للعذر كالمرض والحيض والنفاس والسفر الاضطراري لم يجب عليه استبناه، بل يبني على ما مضى، و من العذر نسوان النية حتى فات وقتها بأن تذكر بعد الزوال.

مسألة 11 - لو عجز عن الخصال الثلاث في كفارة شهر رمضان يجب عليه التصدق بما يطيق، ومع عدم التمكن يستفر الله ولو مرة، والأحواط الآتيان بالكفارة إن تمكن بعد ذلك في الآخيرة.

مسألة 12 - يجب القضاء دون الكفارة في موارد:

الأول - فإما إذا نام المجبب في الليل ثانياً بعد انتهاه من النوم واستمرنوه
woman who is compelled [to have sexual intercourse with a man]. There is no difference in the application of the rule whether the wife is permanent or temporary. If the wife compels the husband to have sexual intercourse with her, she shall not be liable for anything on behalf of the husband.

Problem # 7. If a person is not fasting due to his being on journey or sick, while his wife is fasting, it shall not be permissible for him to compel her to have sexual intercourse with him, so that if he does so, the wife’s liability shall also fall on him.

Problem # 8. As regards the payment of expiation by feeding the poor it may be done either by feeding them to their full or by giving each of them a Mudd of wheat, barley, flour, rice, bread, or any other foodstuff, though, it is more cautious to give two Mudds. It is not sufficient in a single expiation to feed a single person twice or several time times or giving him two or more Mudds, when sixty poor persons are available, rather it would be indispensable that there should be sixty poor persons. If a person has a family [of several members], it shall be permissible to give him according to one Mudd for each member, provided that there is surety that the person shall feed them or give the food to them. One Mudd is equal to a quarter Şā‘, and a Şā‘ is equal to 214 ¼ Mithqāls.

Problem # 9. It is permissible to pay an expiation voluntarily on behalf of a dead person whether it is for a fast or something else. But there is difficulty in its permissibility on behalf of a living person, and it is more cautious to declare it not permissible particularly in case of a fast.

Problem # 10. For a continuous fasting for two months, it is sufficient to fast for the first month and for the first day in the next month, and it is permissible to fast on different days for the remaining days even by discretion. If a person is required to fast consecutively, but in the meantime gives up the fast without any due excuse, it shall be obligatory for him to start fasting consecutively again. In case the discontinuation has been due to some due excuse, such as sickness, menstruation, or discharge of puerperal blood or going on journey in emergency, it shall not be obligatory on that person to start fasting consecutively again, but shall confine to fast for the remaining to the exclusion of the days for which he has already fasted.

The cases of excuse include the case of forgetting to have intention until its time has lapsed, so that he recalls it after the noon.

Problem # 11. If a person is not able to make any of the three expiations for the month of Ramaḍān, it shall be obligatory on him to give alms as much as he is able to. In case he is not able even to do so, he must ask Allāh’s Forgiveness, even though for once. It is, however, more cautious to expiate if he becomes able to do so after asking Allāh’s Forgiveness.

Problem # 12. In the following cases, it is obligatory to compensate without any expiation:

First. In case an unclean person sleeps again after having woken up from sleep, and his sleep continues until dawn. Rather, according to the stronger opinion, it applies in case he sleeps for the third time after having woken up twice, though there is a stronger caution of expiation also becoming obligatory in such case.
في تنزيل على الافطار

إلى طلوع الفجر بل الأقوى ذلك في النوم الثالث بعد اكتياله، وإن كان
الحوطة شديدة، في وجوب الكفارة أيضاً، والنوم الذي احتل فيه لا يعد من
النوم الأول حتى يكون النوم الذي بعده النوم الثانية، لكن لا ينبغي ترك
الاحتياط الذي مرت.

الثاني - إذا أبطل صومه مجرد عدم النية أو بالرياء أو نية القطع مع عدم
النوبة. إذا نسي غسل الجنابة ومضى عليه يوم أو أيام كا مرت.

الثالث - إذا أنى بالمفتطر قبل مراعاة الفجر ثم ظهر سبق طلوعه إذا كان قادرًا
على المراعاة، بل أو عاجزاً على الأحوطة، وكذا مع المراعاة وعدم التيقن ببقاء
الليل، فإن كان الأقوي عمد وجوب القيامة مع حصول النزل بعد المراعاة، بل عده مع الشك بعدها لا يخطو
من قوة أيضاً، كأنه لو راعى وتيقن البقاء فأكل ثم تبين خلافه صحب صومه,
هذا في صوم شهر رمضان، وأما غيره من أقسام الصوم حتى الواجب المعين
فالماظر بطلانه بوقائع الأكل بعد طلوع الفجر مطلقًا حتى مع المراعاة وتيقن بقاء
الليل.

الخامس - الأكل تقويًا على إخبار من أخبر بقاء الليل مع كون الفجر
طاعًا.

السادس - الأكل إذا أخبره خبير بطلوع الفجر لزعمه سخريه الخبر.

مسألة 13 - يجوز لم يتمكن بطلوع الفجر تناول المفتطر من دون فحص، فلو
أكل أو شرب والحال هذه ولم يتمكن الطلوع ولا عده مع عليه شيء، وأما
مع عدم التيقن بدخول الليل فلا يجوز له الافطار، فلو أطرو والحال هذه يجب عليه
القضاء والكفارة وإن لم يحصل له البقين بقاء النهار وقي عليه.

السابع - الافطار تقويًا على من أخبر بدخول الليل ولم يدخل إذا كان الخبر
The sleep in which a person has had a nocturnal pollution is not counted as the first sleep, so that the sleep after it could be counted as the second sleep, but caution must not be given up in this case, as already mentioned.

**Second.** If the fast of a person is broken merely by not having intention, or due to hypocrisy, or the intention of not fasting despite having done nothing that breaks the fast.

**Third.** If a person forgets to perform ritual bath, and one or two days have passed, as mentioned earlier.

**Fourth.** If a person does something that breaks the fast before making enquiry about the dawn, and later it transpires that the day has already dawned while he was able to make the enquiry; rather, according to the more cautious opinion, even if he was not able to do so.

The same rule shall apply if he makes enquiry but it is not sure that it is night, so that he has presumption about the day having dawned, or, according to the more cautious opinion, has doubt about it, though, according to the stronger opinion, he shall not be under the obligation to compensate provided that he had presumption after having made enquiry; rather the absence of its obligation provided that there is doubt after having made enquiry is also not devoid of force, as when he makes enquiry and becomes sure that there is still night, and so he eats something, and then it turns out to be otherwise, his fast shall be valid.

This is the rule in case of a fast of the month of *Ramādān*. But in case of other types of fasts, including even the specified obligatory one, apparently the fast shall be declared void due to eating after the day has dawned in all circumstances, even in case of making enquiry and being sure that it is still night.

**Fifth.** Eating something while depending on the information of a person that it is still night, while in fact the day had already dawned.

**Sixth.** Eating something despite the information by another person that the day has already dawned, considering the information to be based on a joke.

**Problem # 13.** It is permissible for a person who is sure that the day has not dawned to eat something without making enquiry. So if a person eats, or drinks something in such a position, without there transpiring that the day has dawned, or otherwise, the person shall be under no liability.

In case a person is not sure about the start of night, it is not permissible for a person to eat anything, so that if he eats something in such a position, expiation and compensation shall both be obligatory on him, even if he is not sure that there is still day and he continues to doubt.

**Seventh.** If a person breaks his fast depending on the information of another person that the night has fallen, though it had not fallen, while the informer was a person whose information was to be relied upon, as when the information has been given by two morally sound persons: rather even by a single morally sound person; otherwise, according to the stronger opinion, expiation shall also be obligatory.
من جاز التعويل على إخباره، كما إذا أخبر عدلان بل عدل واحد، و إلا فالآقوى وجوب الكفارة أيضاً.

الثامن - الافطار ظلامة قطع بدخل الليل منها ولم يدخل مع عدم وجود علة في السياء، وأما لو كانت في علة فظن دخل الليل فأفتر ثم بله الخطأ فلا يجب عليه القضاء.

التاسع - إدخال الماء في الفم للتبريد بمضضة أو غيرها فسبقه ودخل الحلقة، وكذا لو دخلته عبثاً، وأما لو نسي فابتلع فلا قضاء عليه، وكذا لو تمضمست لوضوء الصلاة فسبقه الماء فلا يجب عليه القضاء، والأحوز الاقتصار على ما إذا كان الوضوء لصلاة فرضاً، وإن كان عدمه لمطلق الوضوء بل لمطلق الطهارة لا يخلو من قوة.

القول في شرائط صحة الصوم ووجوهه

مسألة ١ - شرائط صحة الصوم أمون: الإسلام والإيمان والعقل والحلو من الحيض والنفساء، فلا يصح من غير المؤمن ولو في جزء من الهناء، ولو ارتد في الأثناء ثم عاد لم يصح وي كان الصوم معيناً وجدت النية قبل الزوال، وكذا من المجنون ولو إدراياً مستغرقاً للهناء أو حاصلاً في بعضه، وكذا السكاران والمغمى عليه، والاحجز من أفاق من السكر مع سباق نية الصوم الامتام ثم القضاء ولكن أفاق من الغياء مع سباقها الامتام وإلا فالقضاء، ويسمح من النائم لو سبقته من النية وإن استوعب تمام النهار، وكذا لا يصح من الحيض والنفساء وإن فاجها الدم قبل الفجر بلحظة أو انقطع عنها بعد الفجر بلحظة، و من شرائط صحته عدم المرض أو الرمده الذي يضر الصوم لا يجابه شدته أو طول برته أو هشة أمه سواء حصل اليتيم بذلك أو الاحتمال الموجب للخوف.
Eighth. If a person breaks the fast with the certainty that the night has already fallen, though it had not fallen, despite there being no cause for it in the sky; but in case there is some cause in the sky, and so he presumes that the night has fallen, and breaks his fast, then it transpires that he was mistaken, it shall not be obligatory on him to compensate for it.

Ninth. If a person takes some water into his mouth for cooling it by rinsing etc., and the water enters his throat, or one who puts water into his mouth without any reason.

If, however, a person forgets [that he has water in his mouth], and swallows it, then he shall not be liable to compensate.

Similarly, if a person rinses with water for performing ablution for offering an obligatory [daily] prayer; though its being otherwise in performing ablution in all circumstances, rather for general cleanliness, if not devoid of force.

**Conditions for the Validity of Fast and its Obligation**

**Problem # 1.** There are several conditions for the validity of a fast. They are: Islam, faith, sanity and purity of menstrual and puerperal blood.

A fast is, therefore, not valid for one who is not a believer, even for a part of the day. So if a person apostatizes, and then returns to faith [during the day], his fast shall not be valid, even if the fast were a specified one, and he has renewed his intention before noon.

So also, a fast is not valid in case the person is insane, even if it periodically recurrent, when it continues throughout the day or recurs during part of the day. The same rule applies to a drunken or a fainted person.

It is more cautious for a person who recovers from intoxication while he had already had intention to keep fast that he must complete his fast, and then compensate for it. As regards a fainted person, if he recovers from fainting while he had intended to keep fast, he must complete his fast; otherwise, he must compensate for it.

The fast of a sleeping person is also valid, provided that he has already had intention to keep fast, although he has remained asleep throughout the day. The fast of a woman having menstrual or puerperal blood is not valid, if she sees it even a moment before the sun-set, or it has discontinued a moment before the dawn.

It is also a condition for the validity of the fast that the person should not be suffering from disease or eye-sore which is harmful for the fast due to its becoming serious or the prolongation of his recovery from it, or its pain may become severe, regardless whether there is certainty to that effect, or there is its likelihood causing fear. To this is affiliated the fear that the fast may cause a disease or harm, when its origin is reasonable and worth considering for sane persons. So in case of such an apprehension, a fast shall not be valid, and it would be permissible, rather obligatory, not to keep fast.[Mere] weakness is, however, not sufficient, even if it is too much. If, however, it is to the extent that is not usually tolerable, it shall be permissible not to keep fast.
ويتحق به الخوف من حدوث المرض والضرر بسبب إذا كان له منشأ عقلاني يعني به العقلاء، فلا يصح معه الصوم، ويجوز بل يجب عليه الإفطار، ولا يكيض الضعف وإن كان مفرطاً، نعم لو كان مما لا يتحمل عادة جاز الإفطار، ولو صام بزعم عدم الضرر فبان الخلاف بعد الفراج من الصوم في الصحة إشكال، بل عدمها لا يخلو من قوة، ومن شرائيط الصحة أن لا يكون مسارفاً سفرأ يتوجب قصر الصلاة، فلا يصح منه الصوم حتى المندوب على الأقوية، نعم استثنى ثلاثة مواضع: أحدها صوم ثلاثة أيام أشد الهدي، الثاني صوم بدل الصبحة، من أُفاض من عرفات قبل الغروب عامداً وهو ثمانية عشر يوماً، الثالث صوم النذر المشترط إيقاعه في خصوص السفر أو المصلح بأن يوضع سفرأ وحضاً دون النذر المطلق.

مسألة 2 - يشترط في صحة الصوم المندوب مضافاً إلى ما مر أن لا يكون عليه قضاء صوم واجب، ولا يترك الاحتياط في مطلق الواجب من كفارة وغيرها، بل التعميم لطلبه لا يخلو من قوة.

مسألة 3 - كل ما ذكرنا من أنه شرط للصحة شرط للواجب أيضاً غير الإسلام والأيام، ومن شرائيط الواجب أيضاً البلوغ، فلا يجب على الصبي وإن نوى الصوم تطوعاً وكمل في أثناء النهار، نعم إن كمل قبل الفجر يجب عليه، والأحوزة لم نوى التنطوع الامتثال لم كمل في أثناء النهار، بل إن كمل قبل الزوال ولم يتناول شيئاً فالاحوزة الأولى نية الصوم واتمامه.

مسألة 4 - لو كان حاضراً فخرج إليها السفر كان قبل الزوال وجب عليه الإفطار، وإن كان بعده وجب عليه البقاء على صومه وصح، ولو كان مسافراً وحضر بلدها أو بلداً عزم على الاقامة به عشرة أيام، فإن كان قبل الزوال ولم يتناول الفطر وجب عليه الصوم، وإن كان بعده أو قبله لكن يتناول المطرفلا يجب عليه.

مسألة 5 - المسافر الجاهل بالحكم لو صام صبح صومه ويجزى عليه حسب ما
If a person fasts under the impression that it would not be harmful, but after its completion, it turns out to be otherwise, then there is difficulty in declaring it valid; rather its being invalid is not free from force. It is also a condition for the validity of the fast that the person should not be on a journey which necessitates Qaṣr [reduction in the number of Rakʿats and renunciation of keeping fast] in prayers. So it is not valid for a person on journey, according to the stronger opinion, even if it were a recommended one.

There are, however, three following exceptions to the above rule:

First, fasts for three days in lieu of an animal sacrifice [in Mecca].

Second, fasts in lieu of the sacrificial camel due to a person who leaves Arafat deliberately [during Ḥajj] before sun-set, and they are for eighteen days.

Third, a votive fast, when a person vows to keep fast particularly when on a journey, or clearly vows that he shall keep fast whether he is in his hometown or on a journey, to the exclusion of a general vow.

Problem # 2. In addition to what has already been mentioned, it is also a condition for the validity of a recommended fast that the person should not owe the compensation for any obligatory fast. Caution must not be given up in general obligatory fast for expiation, etc.; rather, this condition is not devoid of force generally in the case of all types of obligatory fasts.

Problem # 3. Whatever we have mentioned as the condition for the validity of the fast is also a condition for its obligation, except Islam and faith. One of the conditions for the obligation of the fast is the person's being of age, so that it is not obligatory on a minor, even if he has the intention of keeping fast as approved one, while he becomes of age during the day. Of course, if he becomes of age before morning, it shall be obligatory on him to keep fast.

It is more cautious for a person who has intended to keep fast as an approved one to complete the fast even if he has become of age during the day, rather even if he becomes of age before noon, but has not taken anything, then it would be better for him, according to the more cautious opinion, to have the intention of keeping fast and complete it.

Problem # 4. If a person is in his home town and then proceeds on a journey, in case it were before noon, it shall be obligatory on him to break the fast. If it were after noon, it shall be obligatory on him to continue his fast, and his fast shall be valid.

If a person is on a journey and he enter his hometown, or a town where he intends to stay for ten days, then if it were before noon, and he has not already taken anything which breaks the fast, it shall be obligatory on him to keep the fast. If it were after noon, or before noon while he has already taken something that breaks the fast, then it would not be obligatory on him to keep fast.

Problem # 5. If a person on journey who is ignorant of the rules keeps fast, his fast shall be valid, and it shall be sufficient for the fulfilment of his duty, in the same way as you have already understood about the person who is ignorant of the rules of prayers, as Qaṣr is like not keeping fast, while keeping fast is like offering full prayers. So all the rules we have mentioned under the prayers shall also apply here. So for all those on whom offering full prayers is obligatory like the
عرفت في الجاهل بحكم الصلاة، إذ القصر كالانفطار والصيام كائمين، فيجري هذين حينئذ جميع ما ذكرناه بالنسبة إلى الصلاة، فمن كان يجب عليه التقام كال khắcاري والعاصي بسفره والمقيم و المتعدد ثلاثة أيام وغير ذلك يجب عليه الصيام، نعم يعين عليه الامطار في سفر الصيد للتجارة، و الاحتيال بالجمع في الصلاة، و يجب قضاء الصوم في الناسي لو تذكر بعد الوقت دون الصلاة كما يرى، و يعين عليه الامطار في الأماكن الأربعة ويتخير في الصلاة، و يعين عليه البقاء على الصوم لو خرج بعيد الزوال و إن وجب عليه القصر، و يعين عليه الامطار لو عدم بعده و إن وجب عليه الامطار إذا لم يكن قد صلى، و قد تقدم في كتاب الصلاة أن المدار في قصرها هو وصول المسافر إلى حد التريق، فكذا هو المدار في الصوم، فليس له الامطار قبل الوصول إليه، بل لوقت كان عليه مع القضاء الكفارة على الأحواط.

مسألة 6 - يجوز على الأصح السفر اختياراً في شهر رمضان ولو كان للفرار من الصوم، لكن على كراهة قبل أن يمضي منه ثلاثة وعشرون يوماً، إلا في حج أو عمرة أو مال يختلف تلقى أو أسد يختاف هلاكه، و أما غير صوم شهر رمضان من الواجب المعين فالأحواط ترك السفر بالاختيار، كما أنه لو كان مسافراً بالأحواط الاقامة لا تيبه مع الأمكان، و إن كان الأقوى في النذر المعين جواز السفر وعدم وجب الاقامة لو كان مسافراً.

مسألة 7 - يكره للمسافر في شهر رمضان بل كل من يجوز له الامطار التلمي من الطعام والشراب، و كذا الجماع في النهار، بل الأحواط تركه وإن كان الأقوى جوازه.

مسألة 8 - يجوز الامطار في شهر رمضان لأشخاص: الشيخ والشيخة إذا تدر أو تعسر عليهما الصوم، ومن بداء العطش، سواء لم يقدر على الصبر أو تعسر عليه، والحمل المقرب التي يضر الصوم بها أو بولدها، و المرضة القليلة اللبن إذا أضر الصوم بها أو بولدها، فإن جميع هذه الأشخاص يفطرون، و يجب على كل واحد
hired drivers or those undertaking a journey for the commission of a sin, or one who intends to stay at a place [for ten days], or one who stays at a place for thirty days but is always hesitating to stay or leave the place, etc., it shall be obligatory on such person to keep fast.

Of course, [there is some difference in the rules applicable to a traveller and one keeping fast. As] when a person undertakes a journey for hunting for trade, it is a condition that he should not keep fast, while he is required to offer prayers both with and without Ḍhahr. So also it is obligatory on a person to keep compensatory fast if he happens to forget it and recalls it after the lapse of its due time, but this is not the case with one who has offered full prayers [so that he is not required to offer it with Ḍhahr], as already mentioned. In the four holy places, it is a condition that the person shall not keep fast, while it depends on the discretion of the person to offer prayers in these holy places with or without Ḍhahr. So also if a person undertakes a journey after noon, he shall be required to continue his fast, though it would be obligatory on him to exercise Ḍhahr in his prayers. If a person reaches his home town after noon, he shall break his fast, but if he has not already offered his prayer, and reaches his home town after noon, he shall be required to offer full prayer [without Ḍhahr]. It has already been mentioned under the Section on Prayers that the criterion for exercising Ḍhahr in prayers is the arrival of the traveller in the limit where Ḍhahr is allowed. The same criterion is observed in fasting too, so that a person is not allowed to break the fast until he reaches the limit [where breaking the fast is allowed], rather if he does so, according to the more cautious opinion, he shall be liable to compensate as well as expiate for it.

**Problem #6.** According to the more proper opinion, it is permissible to undertake an optional journey during the month of Ramaḍān, even if it were for avoiding keeping fast, but it is disapproved to undertake such a journey before the passage of twenty three days of Ramaḍān, except when the journey is meant for the performance of ʿHajj or Umrah, or for a property which is feared to perish, or for a brother who is feared to be killed. In case of a specified obligatory fast, other than the fast for the month of Ramaḍān, it is more cautious to give up undertaking journey, if the journey is optional. In the same way if a person is on journey, it is more cautious to stay [for ten days] to keep such fast, though in case of a specified vow, it is permissible to undertake a journey, and it is not obligatory to stay [for ten days] if he is on journey.

**Problem #7.** It is disapproved for a traveller during the month of Ramaḍān, rather for every person for whom it is permissible not to keep fast, to eat or drink to his fill. So is the performance of sexual intercourse [disapproved] during the day; rather, it is more cautious to give it up; although, according to the stronger opinion, it is permissible to do so.

**Problem #8.** Following persons are allowed not to keep fast during the month of Ramaḍān:

1. An old man or woman, if it is not possible for them to keep fast, or it is painful for them.
2. One who is suffering from the disease of thirst, regardless whether he is unable to control the thirst, or it is painful for him.
3. A pregnant woman whose delivery time is close, and fasting would be harmful for her or her foetus.
منهم التكفير بدل كل يوم بدء من الطعام، والأحوطة ممانع عدا الشيخين وذي العطاش في صورة تعذر الصوم عليهم، فإن وجب الكفارة عليهم محل إشكال، بل عدمه لا يخلو من قوة، كما أنه على الحامل المقرب والرضعة القليلة اللين إذا أضر بها لا بولدها محل تأمل.

مسألة 9 - لا فرق في الرضاعة بين أن يكون الولد لها أو متبرعة برضاعه أو مستأجرة، والأحوط الاقتصر على صورة عدم وجود من يقوم مقامها في الرضاع تبرعاً أو بأجرة من أبيه أو منها أو من متبوع.

مسألة 10 - يجب على الحامل والرضعة القضاء بعد ذلك، كما أن الأحوط وجوبه على الأولين لتمكنا بعد ذلك.

القول في طريق ثبوت هلال شهر رمضان وشوال

يثبت الهلال بالرؤية و إن تفرز به الرأي، و الوتر والشيم السيفين للعلم، ومضي ثلاثين يوماً من الشهر السابق، وبالبيان الشرعية، وهي شهادة عدلين، وحكم الحاكم إذا لم يعلم خطاً ولا خطأ مستنده، ولا اعتبار بقول المنجمهن، ولا يتطرق الهلال أو غيبوبته بعد الشفق في ثبوت كونه ليلة السابقة.

مسألة 1 - لا بد في قبول شهادة البيئة أن تشهد بالرؤية، فلا تكفي الشهادة العلمية.

مسألة 2 - لا يعتبر في حجية البيئة قيمتها عند الحاكم الشرعي، فهي حجة لكل من قامت عليه، بل لوقامت عند الحاكم وردت شهادتها من جهة عدم ثبوت عدالة الشاهدين عنه و كانا عدلين عند غيره يجب ترتيب الأثر عليها من الصوم أو الافطار، ولا يعتبر اتخاذهما في زمان الرؤية بعد توافقها على الرؤية في
4. A nursing woman being short of milk, when fasting would be harmful for her and her infant.

All the above mentioned persons are allowed not to keep fast. It is obligatory on each of them to expiate in lieu of each day by giving away a Mudd of food, and to be more cautious two Mudds, except in case of an old man or woman, or one having the disease of thirst, when they are not able to keep fast, so that there is difficulty in declaring them to be liable to expiate, rather its being otherwise is not devoid of force, as it is also a matter of hesitation in case of a pregnant women whose delivery time of the child is close at hand, or a nursing woman who is short of milk, when it is harmful for both of them, and not their child.

Problem # 9. There is no difference in a nursing woman whether the suckling is her own child or she has been nursing the infant voluntarily or against payment. It is more cautious that it must be confined to the case when there is no other woman to take her place for nursing the baby voluntarily or against payment by the baby’s father or her mother or voluntarily.

Problem # 10. It is obligatory on a pregnant woman or a nursing woman later to compensate for the fast [given up by them], as also it is more cautious to declare it obligatory on the first two [i.e., an old man and woman], if later they become able to keep fast.

Procedure of Finding First of Ramaḍān and Shawwāl

The first of every month is established by ocular vision [of the moon], even if the moon is seen by a single person, though it is more useful if it is confirmed by several persons and general opinion, or by passage of thirty days from the preceding month, or through legal evidence which consists of the testimony of two morally sound persons, or the decision of a judge when it is not known to be mistaken or to have an erroneous basis, but no regard is to be paid to the statement of the astrologers, or the encirclement of the moon, or its disappearance after the evening glow in proving that the moon belongs to the last night, though it may help in such assumption.

Problem # 1. It is indispensable to entertain the legal evidence if it testifies the ocular vision of the moon, but mere scientific testimony is not sufficient.

Problem # 2. It is not a condition for the tenability of the evidence that it should be adduced before a judge of a Shari‘ah court, rather it is a sufficient proof for every one before whom it is produced; rather even if it is adduced before a judge, but he rejects it due to not being confirmed by the evidence of two morally sound witnesses in his opinion, but the witnesses be morally sound in the opinion of another, in which case the person for whom the witnesses are reliable shall act upon it as regards fasting or otherwise. It is not a condition for both the witnesses to have seen the moon at one and the same time after they have agreed to have had an ocular vision of the moon at night.

Of course, it is a condition that they must agree on the details of the vision. If, however, they differ some of the external details in which there is likelihood of difference of identification, such as the moon being high, its being encircled or its appearance in the northern or the southern direction, then their testimony is not far from being acceptable in case the difference is not
في قضاء صوم شهر رمضان

الليل، نعم يعتبر توافقها في الأوصاف إلا إذا اختلفا في بعض الأوصاف الخارجية بما يختلف فيه اختلاف تشخيصها ككون القمر مرتفعاً أو مطوقاً أو عرض شمالي أو جنوبي، فإنه لا يوجد عليه قبول شهادتها إذا لم يكن فاحشاً، ولو وصفه أخدها أو كلاهما بما يختلف الواقعي ككون تحدد اليساء عكس ما يرى في أولئك الشهر لم يسمع شهادتها ولو أطلقلا أو وصف أحدهما بما لا يتفتلا الواقعي واطلق الآخر كنّ.

مسألة 3 - لا اعتبار في ثبوت الهلال بشهادة أربع من النساء، ولا برجل وامرأتين، ولا يشهد واحد مع ضم اليمين.

مسألة 4 - لا فرق بين أن تكون البينة من البلد أو خارجه، كان في السياحة علة أو لا، نعم مع عدم العلاقة والصحو واجتهاد الناس للرؤية وحصول الخلاف والتكدب بينهم بحيث يقوى احتمال الاشتباه في العدلين في قبول شهادتهما حينئذ. إشكال.

مسألة 5 - لا خصوصية حجة حكم الحاكم بمقليبه، بل حجة حتى على حاكم آخر لم يثبت خطأه أو خطأ مستنداته.

مسألة 6 - لو ثبت الهلال في بلد آخر دون بلده فان كانا متقاربين أو علم توافق أثناهما كنّ وان فلا.

مسألة 7 - لا يجوز الاعتماد على التلغراف وتحو في الاختبار عن الرؤية إلا إذا تقارب البلدان أو علم توافقهما في الأفق وتحقيق ثبوتها هناك إما بحكم الحاكم أو بالبينة الشرعية، ويكون في تحقق الشبى كون المخابرز بينة شرعية.

القول في قضاء صوم شهر رمضان

لا يجب على الصبي قضاء ما أفتر في زمن صباه، ولا على المجنون والمغمى عليه.
exorbitant. If, however, the description of one or both of them is contrary to the actual position, as when they testify that it was turned towards the sky, which is contrary to what is its position in the early days of the month, their testimony shall not be entertained. It would be sufficient if both the witnesses give a general description of the moon, or one of them gives information which is not against the actual position while the other gives a general information.

**Problem # 3.** The testimony of four women shall not be accepted as regards the sight of the moon, nor that of one man and two women, nor of the testimony of a single witness with the addition of another's oath.

**Problem # 4.** There is no difference if the two morally sound witnesses belong to the same town, or they are outsiders, and whether there is any reason for the sight of the moon in the sky or not. Of course, in case of non-existence of the reason for the sight of the moon in the sky, the sky is clear and a number of people have gathered to see the moon, and there is so much of difference and contradiction among them that it may strengthen the likelihood of the error of the two morally sound persons, in that case there shall be difficulty in accepting their testimony.

**Problem # 5.** The tenability of the decision of the judge of the Shari‘ah court is not limited to his own followers only, but it would be an authority even for another judge when it is not established that he has ever mistaken or the basis of his decision has been erroneous.

**Problem # 6.** If the sight of the moon is established in another town but not in one's own town, then if they are close to each other, or it is sure that they have a common horizon, it shall be sufficient [for acceptance], otherwise not.

**Problem # 7.** It is not permissible to depend on a telegram or the like with regard to the information about the sight of the moon, except when the two towns are close to each other or have a common horizon, and the sight of the moon is established in that town through the decision of a judge of the Shari‘ah court, or by legal evidence, and for its proof it is sufficient if the telegram has been sent by two morally sound persons.

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**Chapter Concerning Compensation for the Fast of Ramaḍān**

A child is not liable to compensate for the fasts he has not kept during his childhood, nor a lunatic or a fainted person for the fasts given up by them during the period of their excuse, nor is a born infidel required to compensate for the fasts he has not kept during the period of his disbelief.

It is, however, obligatory to compensate for the fasts given up by others than the above mentioned persons, including even an apostate who is required to compensate for the fasts given up by him during the period of his apostasy.

The same rule applies to a woman having menstrual or puerperal blood, though they are not required to compensate for the prayers given up by them [during the period of their excuse].
قضاء ما أفترى في حال العذر، ولا على الكافر الأصلي قضاء ما أفتر في حال كفره، ويرجع على غيرهم حتى المرتد بالنسبة إلى زمان رذته، وكيذا الحائض والنساء وإن لم يجب عليهم قضاء الصلاة.

مسألة 1 - قد مر عدم وجب الصوم على من بله قبل الزوال ولم يتناول شيئاً، وكيذا على من نوى الصوم ندباً وبلغ في أثناء النهار، فلا يجب عليهم القضاء لو أفترى وإن كان أحوط.

مسألة 2 - يجب القضاء على من فاته الصوم لسكر سواء كان شرب المسكر للنداوي أو على وجه الحرام، بل الأخوات قضاوه لو سبقت منه النية وأتم الصوم.

مسألة 3 - المخالف اذًا استصبر لا يجب عليه قضاء ما أتقبه على وفق مذهبه أو مذهب الحق إذا تحقق منه قصد القرية، وأما ما فاته في ذلك الحال يجب عليه قضاءه.

مسألة 4 - لا يجب الفور في القضاء، نعم لا يجوز تأخير القضاء إلى رمضان آخر على الأحوط، وإذا أخر يكون موسعًا بعد ذلك.

مسألة 5 - لا يجب الترتيب في القضاء ولا تعيين الأيام، فلو كان عليه أيام فصوم بعددها بنية القضاء كن كإن لم يعين الأول والثاني وهكذا.

مسألة 6 - لو كان عليه قضاء رمضانين أو أكثر بخيار بين تقديم الساق وتأخيره، نعم لو كان عليه قضاء رمضان هذه السنة مع قضاء رمضان سابق ولم يسع الوقت لها إلى رمضان الآتي يتعين قضاء رمضان هذه السنة على الأحوط، ولو عكس فالظاهرة صحة ما قدمه ولزم الكفارة، أعني كفارة التأخير.

مسألة 7 - لو فاته صوم شهر رمضان مرض أو حيض أو نفاس وما قبل أن يخرج منه لم يجب القضاء وين استحب التلبية عنه.

مسألة 8 - لو فاته صوم شهر رمضان أو بعضه لعذر واستمر إلى رمضان آخر فكان العذر هو المرض سقط قضاوذه وكرر عن كل يوم بعد، ولا يجري القضاء
Problem # 1. It has already been mentioned that fasting is not obligatory on a person who has become of age before noon, but has not taken anything, nor on a person who has intended to keep fast as a recommended one, and becomes of age during the day. So if such persons break the fast, they shall not be required to compensate for it; though it would be more cautious to do so.

Problem # 2. It is obligatory on an intoxicated person to compensate for the fast given up during his intoxication, regardless whether taking the intoxicant was for medication or in a prohibited way. Rather it shall be obligatory on such a person to compensate for the fast if, before the intoxication, he has had intention to keep fast, and he must also complete the fast [he has already started].

Problem # 3. If an opponent [i.e. a non-Shi'ah] joins the Shi'ah faith, it shall not be obligatory on him to compensate for the fasts he has already kept according to his own faith or the right faith [i.e., the Shi'ah faith] with the intention of seeking closeness [to Allah]. However, it shall be obligatory on him to compensate for the fasts he has given up during that period.

Problem # 4. There is no immediacy in compensation. Of course, to be more cautious, it is also not permissible to delay the compensation until the next *Ramaḍān*.

In case a person delays the compensation, then he shall have a vast time for the compensation.

Problem # 5. It is not obligatory to observe sequence in compensation, nor to specify the days, so that if a person owes the fasts for a few days, it is sufficient for him to keep fast for that number of days with the intention of compensation, even if he does not specify the first, or second day, and so on.

Problem # 6. If a person owes the fasts of two or more months of *Ramaḍān*, it shall be his discretion to select the former or the latter months.

Of course, if a person owes the fasts of this year along with those of the last *Ramaḍān*, and there is not sufficient time for compensating the fasts of both until the next *Ramaḍān*, it shall be more cautious for him to opt for the fasts of this *Ramaḍān*.

If he opts to the contrary, then apparently his option shall be valid, but he shall be liable to expiate for the delay.

Problem # 7. If a person has given up the fasts for the month of *Ramaḍān* due to sickness or menstrual or puerperal blood, and dies before being exonerated, their compensation shall not be obligatory, though it shall be preferable if the fasts are kept on behalf of that person.

Problem # 8. If a person gives up the fasts of the month of *Ramaḍān* or some of its days due to some excuse which continues until the next *Ramaḍān*, then if the excuse was any sickness, he shall not be bound to compensate, and he shall expiate by paying one *Mudd* of food per day, and his compensation shall not be in lieu of the expiation. If the excuse is other than sickness, like a journey or the like, then, according to the stronger opinion, he shall be bound only to compensate.
 المسألة 9 - لو فاته شهر رمضان أو بعضه لا تفضح العذر بل متعمداً ولم يأت بالقضاء إلى رمضان آخر وجب عليه مضافاً إلى كفارة الافطار العمدي التكفير بدل كل يوم وقضاء فيا بعد، و كذا يجب التكفير بعد لفاته لعذر ولم يستمر ذلك العذر ولم يطرأ عذر آخر فتهاون حتى جاء رمضان آخر، و لو كان عازماً على القضاء بعد ارتفاع العذر فاتفق عذر آخر عند الضيق فالأحوط الجمع بين الكفارة والقضاء.

 المسألة 10 - لا يتكرر كفارة التأخر بتكير السنين فذا فاته ثلاثة أيام من ثلاث رمضانات متتاليات ولم يقضها وجب عليه كفارة واحدة للأول، و كذا للثاني، و القضاء فقط للثالث إذا لم يتأخر إلى رمضان الرابع.

 المسألة 11 - يجوز إعطاء كفارة أيام عديدة من رمضان واحد أو أزيد لفقر واحد، فلا يجب إعطاء كل فقر مدة واحدة ليوم واحد.

 المسألة 12 - يجوز الافطار قبل الزوال في قضاء شهر رمضان ما لم يتضيق، و أما بعد الزوال فيحرم بjęك به الكفارة وإن لم يجب الأمساك بقية اليوم، والكفارة هنا إطعام عشرة مساكين لكل مسكين مد، فان لم يكنهم صام ثلاثة أيام.

 المسألة 13 - الصوم كالصلاة في أنه يجب على الولي قضاء ما فات عن الميت مطلقاً، نعم لا يعد عدم وجبه عليه لو تركه على وجه الطغبان لكن الأحوزة الواجب أيضاً، بل لا يترك هذا الاحتياط، لكن الواجب على الولي فيما إذا كان فتوه يجب القضاء، فذا فاته لعذر و مات في أثناء رمضان أو كان مريضاً و
The same rule shall apply if the cause of death is sickness, while the cause of delay is another, or vice versa. But he should not give up caution by compensating as well as paying a Mudd of food per day, particularly when the excuse were a journey. The same rule shall apply in the latter case.

**Problem # 9.** If a person gives up the fasts of the month of Ramadān or some of its days without any excuse deliberately, and does not compensate for it until the next Ramadān, he shall be bound to expiate by paying a Mudd of food per day, and compensate for them later in addition to the expiation for deliberately giving up fasting.

The same rule shall apply if a person gives up fasting due to some excuse, but the excuse does not subsist, nor does any other excuse arise, and he dilly-dallies the compensation until the arrival of the next Ramadān.

If, however, the person has had the intention of compensation after the removal of the excuse, but there arose another excuse during the tight time, then it would be more cautious for him to expiate as well compensate.

**Problem # 10.** The expiation for the delay does not multiply with the multiplication of the years. So if a person gives up the fasts for three days in three months of Ramadān consecutively, but fails to compensate for them, he shall be liable to a single expiation for the first and so for the second and compensation only for the third, if he does not delay it until the fourth Ramadān.

**Problem # 11.** It is permissible to pay the expiation of several days in a single month of Ramadān or more to a single poor person, and it is not obligatory to pay each poor person a single Mudd of food per day.

**Problem # 12.** It is permissible for a person to break the fast before noon, if its time is not too short when he is keeping a compensatory fast for the month of the Ramadān. But it is forbidden to do so after noon; rather it entails the obligation of expiation, though it is not obligatory to abstain from taking anything which breaks the fast during the rest of the day.

The expiation in this case is feeding ten poor persons, a Mudd of food to each of them.

If it is not possible for a person to do so, he shall be bound to keep fast for three days.

**Problem # 13.** A fast is like a prayer in so far as it is also obligatory on the Wali [or the eldest son] of a person to compensate for the fasts given up by his deceased father in all circumstances. Of course, it is not far from being non-obligatory on him if his father has given them up by way of disobedience to Allah, though it is more cautious that it may be deemed obligatory even in that case, and this caution must not be given up.

The Wali is bound to compensate for what was obligatory on his father to compensate, so that if the father had given up due to some excuse and during the Ramadān passes away, or when the father was sick and his sickness continued until the next Ramadān, then it shall not be obligatory on his Wali to compensate for the fasts given up by his father in that period, due to the liability for compensation having dropped for that period. There is not difference whether the
استمر مرضه إلى رمضان آخر لا يجب، لسقوط القضاء، حينئذ، ولا فرق بين ما إذا ترك الميت ما يمكن التصدق به عنه وعده وإن كان الأحوط في الأولى، مع رضا الوطاء الجمع بين التصدق والقضاء، وقد تقدم في قضاءصلاة بعض الفروع المتعلقة بالمقام.

القول في أقسام الصوم

وهي أربعة: واجب ومندوب ومكره ومحظور، فالواجب منه صوم شهر رمضان، وصوم الكفارة، وصوم القضاء، وصوم دم المتعة في الحج، وصوم اليوم الثالث، من أيام الاعتكاف، وصوم النذر وأخوته وإن كان في عدة صوم النذر وما يليه من أقسام الصوم الواجب مساعدة.

القول في صوم الكفارة

وهو على أقسام: منها: ما يجب مع غيره، وهي كفارة قتل العيد، فتجب فيها الخصاص الثلاث، وكذا كفارة الأفطار بحمض في شهر رمضان على الأحوط، و منها: ما يجب بعد العجز عن غيره، وهي كفارة الظهار وكفارة قتل الحشا، فإن وجب الصوم فيها بعد العجز عن العتق، وكفارة الأفطار في قضاء شهر رمضان، فإن الصوم فيها بعد العجز عن الاطعام، وكفارة اليمين، وهي عتق رقبة أو إطماع عشرة مساكين أو كسوبتهم، وإن لم يقدر فسقين ثلاثي أيام، وكفارة خذل المرأة وجهها في المصب حتى أدمعته ونفتها رأسها فيه، وكفارة شق الرجل ثوبه على زوجه أو على ولده، فإنها ككفارة اليمين، وكفارة الافاضة من عرقات قبل الغروب عامداً، فإنها ثمانية عشر يوماً بعد العجز عن
deceased person has left any property enabling the Wali to make the charity on his behalf or not, though it would be more cautious in the first case to pay the charity as well as compensate with the consent of the heirs. Some of the cases relating to this section have already been mentioned under the Chapter on Compensation for the Prayers.

Chapter on the Kinds of a Fast

There are four kinds of a Fast, namely: Obligatory, Recommended, Disapproved and Prohibited.

The Obligatory fast is the fast for the month of Ramaḍān, a fast for expiation, a compensatory fast, the fast in lieu of a sacrificial animal during the Ḥajj, the fast on the third day of the ritual retirement, votive fast and the other allied fasts [as the fast for an undertaking or an oath], though counting the votive fast and its allied kinds under the obligatory fasts is by way of indulgence.

Chapter on an Expiatory Fast

An expiatory fast has several kinds. They include the following.

1. An expiatory fast in which something else is also obligatory. It is the expiation for a premeditated murder in which all the three kinds of expiations are obligatory. According to the more cautious opinion, the expiation for breaking a fast in the month of Ramaḍān by performing some prohibited act also falls under the same category.

2. It is an expiation which is rendered obligatory due to inability to do something else. This is the expiation for Zihār, and the expiation for homicide not amounting to murder [or unintentional murder], in which the obligation for expiation is rendered obligatory in case a person is unable to emancipate a slave. The other one is the expiation for breaking the compensatory fast for the month of Ramaḍān, in which a person is bound to keep fast in case he is unable to feed the poor. So also there is the expiation for oath, which consists of emancipation of a slave or feeding ten poor persons or clothing them, and in case he is unable to do it, he is bound to keep fast for three days. Then there is the expiation by a woman on scratching her face in distress resulting in bleeding, or tearing out her hair in distress. So also there is the expiation by a man on tearing his clothes in grief [on the death] of his wife or children, both of which are identical with the expiation for oath. Then there is the expiation for leaving ʿArafāt deliberately before sun-set [during Ḥajj], which amounts to fasting for eighteen days in case a person is unable to sacrifice a camel.

Likewise, there is the expiation for hunting an ostrich after having tied Ḥarām [for Ḥajj], which consists of sacrificing a camel, and in case he unable to do it, according to the stronger opinion, he must prepare food equal to its price, and distribute it among sixty poor persons, one Mudd of food to each poor person, and, to be more cautious, two Mudds to each of them. If the food is enough for more than sixty poor persons, then he must confine the distribution to sixty persons, and if it is not enough to feed sixty poor persons, then he is not bound to complete the
في صوم الكفارة

بناءً، و كفارة صيد المحرم النعامة، فانها بندة، فإن عجز عنها يفض ثمنها على الطعام و يتصدق به على ستين مسكيتاً لكل مسكيتاً مدة على الأقوى، والأحوط مدان ولزاد عن الستين أقصر عليهم، ولنقص لم يجب الاتمام، والاحتياط بالمدين أنا هو في لا يوجب النقص عن الستين و إذا أقصر على الم الدين لعيض النقص، و لو عجز عن التصدق صام على الأحوذ لكل مدة يوماً إلى الستين، هو غاية كفارة، و لو عجز صام ثمانية عشر يوماً، و كفارة صيد المحرم النعامة، فإنها بقرة، وأنا عجز عنها يفض ثمنها على الطعام، و يتصدق به على ثلاثين مسكيتاً لكل واحد مدة على الأقوى، والأحوط مدان، فان زاد فله وإن نقص لا يجب عليه الاتمام، ولا يحتاط بالمدين مع إيجابه النقص كا تقدم، و لو عجز عنه صام على الأحور بعد كل مدة يوماً إلى الثلاثين، و هي غاية كفارة، و لو عجز صام تسعة أيام، و حار الوشم كذلك، والأحور أنه كالنعامة، و كفارة صيد المحرم النعامة، فإنها شاة، وأنا عجز عنها يفض ثمنها على الطعام، و يتصدق على عشرة مسكيتاً لكل مدة على الأقوى، و مدان على الأحور. و حكم الزيادة والنقيصة و مورد الاحتيال كا تقدم، ولو عجز صام على الأحور عن كل مدة يوماً إلى عشرة أيام غاية كفارة، و لو عجز صام ثلاثين يوماً و منها ما يجب مهماً بينه و بين غيره، وهي كفارة الإفطار في شهر رمضان، و كفارة إفساد الاعتكاف بالجماع، و كفارة جر لردة شرعاً في المصاب، و كفارة النذر والعهد، فإنها فيها مسكة بين الحصان الثلاث.

مسألة - يجب التتابع في صوم شهرين من كفارة الجمع و كفارة التخير

والترتيب، و يكفي في حصول صوم الشهر الأول و يوم من الشهر الثاني كما مرت، و كما يجب التتابع على الأحور في الثمانية عشر بعد الشهرين بل هو الأحور في صيام سائر الكفارات، ولا يضر بالتابعة فيها ينطوي فيه ذلك الاكتاف في الأثناء

لعز من الأذون، فهي على ما مضى كا تقدم.
number. The caution of distributing two Mudds of food is to be observed in case when it may cause the distribution to less than sixty persons; otherwise, he must confine the distribution of one Mudd of food per person, and complete the number of sixty. In case he is unable to do so, according to the more cautious opinion, he is bound to keep a fast for each Mudd until the completion of the number of sixty. This is the maximum expiation [for hunting an ostrich]. In case he is unable to do so, he must keep fast for eight days.

The expiation for hunting a wild cow [or a blue bull] is sacrificing a cow. In case a person is unable to do so, he is bound to prepare food equal to its price and distribute it among thirty poor persons, one Mudd of food per person, according to the stronger opinion, and two Mudds [per person] according to the more cautious opinion. If there is a residue, it is for himself, and if it falls short, he is not bound to complete the number. As already mentioned, he is not bound to distribute two Mudds of food per person if it results in falling short. If he is unable to do so, he is bound to keep fast for a day per Mudd until the completion of number of thirty. This is the maximum expiation for hunting a wild cow. If he is unable to do so, he shall keep fast for nine days. The same shall be the expiation for hunting a wild ass, rather it would be more cautious to treat it as equal to an ostrich. The expiation for hunting a deer is sacrificing a goat. In case a person is unable to do so, he shall prepare food equal to the price of a goat and distribute among ten poor persons, one Mudd of food to each of them, according to the stronger opinion, and two Mudds of food, according to the more cautious opinion, while the rule relating to the case of its being in excess or falling short as well as the observation of caution is the same as mentioned earlier. In case he is unable to do so, according to the more cautious opinion, he shall be bound to keep fast for one day in lie of each Mudd until ten days. This is the maximum expiation for hunting a deer. If a person is unable to fast for ten days, he shall keep fast for three days.

3. When a person has the discretion either to keep fast or do something else, and that is the case of giving up the fast for the month of Ramadān. So also is the expiation for vitiating the ritual retirement by performing sexual intercourse, or the one for a woman tearing her hair in distress and the expiation for a vow or an undertaking. In such cases a person has the discretion to select any of the three types of expiation's [namely, emancipation of a slave, fasting for two months or feeding sixty poor persons].

**Problem.** It is obligatory to observe the sequence in fasting for two months in case of the liability for both the expiations and the optional and sequential expiation. This is fulfilled by fasting throughout the first month and for a day in the next month, as mentioned before. Likewise, a person is bound to observe sequence, according to the more cautious opinion, in fasting for eighteen days in lieu of two months; rather, it is more cautious to observe the sequence while fasting in all the other expiations as well. It does no harm to the sequence in case a person happens to give up fasting due to any due excuse in between. So he may continue the fasting as before [after the removal of the excuse].
وأما المندوب منه
فالؤكد منه أُفراد: منها - صم ثلاثة أيام من كل شهر، وأفضل كفيفتها
أول خيِّس منه وآخر خيِّس منه وأول أربعاء في العشر الثاني,
ومنها - أيام البيض: وهي الثالث عشر والرابع عشر والخامس عشر.
ومنها - يوم الغدير، وهو الثامن عشر من ذي الحجة.
ومنها - يوم مولد النبي صلى الله عليه وآله، وهو السابع عشر من ربيع الأول.
ومنها - يوم مبعثه (ص) وهو السابع والعشر من رجب.
ومنها - يوم دحِّ الأمعا، وهو الحامض والعشر من ذي القعدة.
ومنها - يوم عرفة - لم ينسخه الصوم عما عزم عليه من الدعاء مع تحقِّق
الهلل على وجه لا يحتمل وقوته في يوم العيد.
ومنها - يوم المبَلَح، وهو الرابع والعشر من ذي الحجة، يصومه بقصد
القربة المطلقة وشَكَراً للاظهرة النبي صلى الله عليه وآله فضيلة عظيمة من فضائل
مولانا أمير المؤمنين عليه السلام.
ومنها - كل خيِّس وجمع.
ومنها - أول ذي الحجة إلى يوم التاسع.
ومنها - رجب وشَبَن كلاً أو بعضاً ولوًياً من كل منها.
ومنها - يوم النيروز.
ومنها - أول يوم من المحرم وثالثه.

وأما المكروه
فصوص الضيِيف نافقة من دون إذن مضيفه، و كما مع نهي، والأحوض تركه
Chapter on Recommended Fasts

The emphatically recommended fasts are as follows:

1. The fast for three days in each month, the preferable being on the first and the last Thursdays and the first Wednesday in the second unit of ten days.
2. The white days, and they are the thirteenth, fourteenth and fifteenth of every month.
3. The Eid al-Ghadeer, i.e. the 18th of Dhu‘l Hijjah.
4. The Birth-day of the holy Prophet, Allah’s Blessings be upon him and his Progeny, i.e. the 17th of Rabi‘ al-Awwal.
5. The Day of the Prophet’s Mab’ath [i.e. Beginning of the Prophetic Mission], i.e. the 27th of Rajab.
6. The Day of the Expansion of the Earth, i.e. the 25th of Dhu’l Qa‘dah.
7. The Day of Arafah, for one who does not feel weakness while reciting the Du‘ā decided by him to recite provided that the first should be in a way that it may fall on the Eid day.
8. Eid-i Mubāhalah, i.e. the 24th of Dhu‘l Hijjah, on which day a person should keep fast with the general intention of seeking closeness to Allah and by way of Thanks for the Prophet’s Announcement of the great excellence of Amīr al-Mu’minīn [Ali, Peace be upon him].
9. Every Thursday and Friday.
10. The First of Dhul Hijjah to the Ninth [of Dhul Hijjah].
11. The entire months of Rajab and Shawbān, or some of their days, even if it is a single day from each of them.
12. The Now Rūz.
13. The first and third of Muḥarram.

Chapter Concerning the Disapproved Fasts

The disapproved fasts are as follows:

1. The fasts kept by a guest without the permission of his host, and so are the fasts kept by him despite his host’s forbidding him. It is more cautious to give them up, even without the permission of the host.
حتى مع عدم الاذن، وصوم الولد من دون إذن والده مع عدم الاذن له من حيث الشفقة، ولا يترك الاحتياط مع ننه و إن لم يكن إذناء و كذا مع نهي الوالدة، والأحوج إجراء الحكم على الولد وإن نزل الوالد وإن علا، بل الأول مراوطة إذن الوالدة أيضاً، والأولى ترك صوم يوم عرفة لا يضمه الصوم عن الأدعية والاشتغال بها، كما أن الأولى ترك صومه مع احتمال كونه عيداً، و أما الكراهية بالمعنى المصطلح حتى في العبادات فيها فالظاهر عددها.

وأما الخطر

فصوم يومي العيدين، وصوم يوم الثلاثين من شعبان بنية أنه من رمضان، و صوم أيام التشريق بن كان بن ناسكا كان أولا، والصوم وفاء بنذير المعصية، و صوم السكوت معنى كونه كذلك منياً ولو في بعض الأيام ولا يباش بالسكوت إذا لم يكن منياً ولو كان في تمام اليوم، وصوم الوصل، والأقوى كونه أعم من نية صوم يوم و ليلة السحر يومين مع ليلة، ولا يباش بتأخير الاقطار إلى السحر و إلى الليلة الثانية مع عدم البنية بعنوان الصوم و إن كان الأحوج اجتنابة، كما أن الأحوج ترك الزوجة الصوم تطوعاً بدون إذن الزوج، بل لا تترك الاحتياط مع المراحة لحقه، بل مع نهيه مطلقاً.

خاتمة في الاعتكاف

و هو اللبث في المسجد بقصد التعبيد به، ولا يعتبره ضمن قصدعبادة أخرى خارجة عنه، و إن كان حر الأحوج، هو مستحب بأصل الشرع، و ربما يجب الابتنان به لأجل نذر أو عهد أو مبين أو إجازة و نحوها، و يصح في كل وقت
2. So also the fast of a child without the permission of his father, despite its not being painful to him as regards the father's kindness. Caution must not be given up when the father forbids him to do so, even if it is not painful to him. Same is the case when the child's mother forbids him to keep fast. It is more cautious for the child, how low soever, to obey the order of the father, how high soever. Rather, the child should also observe the permission of his mother.

3. It is better to give up the fast on the day of Ḥaḍarah if it causes weakness due to the recitation of the relevant Duʿās and keeping fast at the same time. Similarly, it is better to give up fast when there is likelihood of the coincidence of the day of Ḥaḍarah and the Eid. Apparently disapproval here does not mean the same as is generally used even in the matters relating to ʿibādah (Worship).

Chapter on the Prohibited Fasts

Following are the prohibited fasts:

1. Fasts on the Eid al-Fiṭr and Eid al-Adhā.
2. The fast on 30th of Shaʿbān with the intention that it is a part of Ramaḍān.
3. The fast on the Day of Tashriq [i.e. on the 11th, 12th and 13th of Dhul Ḥijjah] for a person who is in Minā, regardless whether he is busy in performing the rites of Hajj or not.
4. A votive fast kept for the performance of a sinful act.
5. A fast to keep silence, in the sense that the fast is kept with the intention of keeping silence, even if for a part of the day. There is no harm in keeping silence if it is not the intention of the fast, even if the person keeps silence throughout the day.
6. The continuous fast. According to the stronger opinion it includes a fast with the intention of keeping it throughout the day and night until the morning or two days including the night. There is, however, no harm if breaking the fast is delayed until morning or the next night without such an intention for the fast, though it is more cautious to abstain from doing so.
7. Similarly, it is also more cautious for the wife to give up a recommended fast without the permission of her husband. Rather, caution must not be given up in case it entails some trouble, rather generally in case the husband disallows it.

Concluding Chapter on A Ritual Retirement (ʿītikāf)

A ritual retirement consists of staying in the mosque with the intention of performing divine worship. It is not a condition in it to have the intention of performing any other worship other than that of ritual retirement, though it is more cautious to do so. It is initially a recommended act according to the Islamic Shari'ah, but sometimes its performance becomes obligatory due to a vow, an undertaking, oath, being hired [to perform it on behalf of another person], or the like. It is valid throughout the time it is valid to keep fast. The most preferred time for it is the
في شروط الاعتكاف

يضحك فيه الصوم، وأفضل أوقاته شهر رمضان، وأفضله العشر الآخر منه، والكلام في شروطه وأحكامه.

القول في شروطه

يشترط في صحته أمور: الأول: العقل، فلا يصح من المجنون ولو إدراضاً في دور جنونه، ولا من السكران وغيره من فاقد العقل.

الثاني: النية، ولا يعتبر فيها بعد التعميم أزيد من القربة والإخلاص، ولا يعتبر في قصد الوجه من الواجبات أو الواجبات كغيره من العبادات، فيقصد الواجب في الواجبات أو الواجب في المندوبات، وإن وجب فيه الثالث، والثالث ملاحظته في ابتداء النية قبل تجددها في الثالث، ووقتها في ابتداء الاعتكاف أو الفجر من اليوم الأول مبنياً عدم جواز تأخيرها عنه، ويجوز أن يشرع فيه في أول الليل أو أثنين في نهاية الشروط، بل الأحوط إدخال الليلة الأولى أيضاً والنية من أولها.

الثالث: الصوم، فلا يصح بدونه، ولا يعتبر فيه كونه له فيكون صوم غيره، واجباً كان أو مستحبٌّاً، مؤدياً عن نفسه أو متحملاً عن غيره من غير فرق بين أقسام الاعتكاف وأنواع الصيام، بل يصح إيقاع الاعتكاف الذري والإجاري في شهر رمضان إن لم ينصرف في البيع، بل لو نذر الاعتكاف في أيام معينة وكان عليه صوم منذور أجزأه الصوم في أيام الاعتكاف وفاء بالنذر.

الركن: أن لا يكون أقل من ثلاثة أيام بلياليها المتوسطة، وأما الأزيد فلا
بأس به، ولا حد لأكثره وإن وجب الثالث لكل إثنين، فإذا اعتكف خمسة أيام وجب السادس، وإذا صار ثمانية وجب التاسع على الأحوط و هكذا.
month of Ramaḍān, and even more preferable the last ten days of the month of Ramadān. Now its conditions and rules are mentioned hereunder.

**Conditions of A Ritual Retirement**

There are some conditions relating to the ritual retirement (ʾīṭikāf). They are as follows:

**First**: Sanity. So it is not valid in case a person is insane, even if having periodical attacks of insanity, nor in case a person is intoxicated, or is otherwise deprived of sanity.

**Second**: Intention. After specifying the ritual retirement, there is no condition of anything more than seeking closeness [to Allāh] and purity of purpose.

It is also not a condition to have the intention of its being obligatory or recommended as is the case with other kinds of worship, so that one must have the intention of an obligatory retirement in an obligatory one and a recommended retirement in a recommended one, though the recommended ritual retirement turns obligatory on the third day, and it is better that it must be taken into consideration at the beginning of the intention, rather it must be renewed on the third day.

The proper time for beginning the ritual retirement is early morning from the first day, in the sense that it should not be delayed further.

It is also permissible to start it from the early part of the night or during the night, so that he should have the intention at the time of beginning it. Rather it is more cautious to include the first night in it, and the person must have the intention from the beginning of the night.

**Third**: The Fast. It is not valid without keeping fast. It is not a condition to fast for oneself, as one may fast on behalf of another, regardless whether it is obligatory or a recommended one, whether it is being performed for oneself or one has accepted its liability on behalf of another person, without there being difference in the kinds of the retirement and the types of the fast. Rather, it is valid to perform the ritual retirement for a vow, or on having been hired [to perform it on behalf of another] during the month of Ramaḍān, provided that the person does not in the meantime withdraw his intention. Rather, if a person vows to perform the ritual retirement during some specified days, and he owes the votive fast, then if he keeps the votive fast during the ritual retirement, he shall be absolved of the fast owed by him.

**Fourth**: The ritual retirement should not be for less than three days including their nights. As regards the retirement for more than three days, there is no harm in it, there being no limit as to the maximum time for it, though it shall become obligatory on the third day after the passage of every two days. So if a person has performed the ritual retirement for five days, it shall become obligatory for the sixth day, and if he has completed eight days of retirement, it shall become obligatory for the ninth day, according to the more cautious opinion, and so on.

The day is counted from the sun-rise to the time of disappearance of the redness in the east. If a person performs the ritual retirement from the dawn [of the first day] until the sun-set of the third day, it would be sufficient, and it is not a condition to include the first or the fourth
فيا شروط الاعتكاف

واليوم من طلع الفجر إلى زوال الحمرة الشرقية، فلو اعتكف من طلع الفجر
الي غروب اليوم الثالث كن ولي يستري إدخال الليلة الأولى ولا الرابعة وإن
جاز، و في كفّابة الثلاثة التلفيقية بأن يشترط من زوال يوم مثلاً إلى زوال الرابع
تأمل وإشكال.

الخامس: أن يكون في أحد المساجد الأربعة: المسجد الحرام ومسجد النبي
صلب الله عليه وآله ومسجد الكوفه ومسجد البصرة، وفي غيابهما مثلاً إشكال،
فلا يشترط الاحتياطي في سائر المساجد الجامعة بإذائه رجاءً ولا احتمال المطلوبة،
وأما غير الجامعة كمسجد القبلة أو السوق فلا يجوز.

السادس: إن ذك من يعتبر إذن كالمستريح بالنسبة إلى أخبره الخاص إذا
وقعت الاجراء بحيث مكمل منفعة الاعتكاف، وإلا فاعتبار إذن غير معلوم بل
معلوم عدم في بعض الظروف، و كالزوج بالنسبة إلى الزوجة إذا كان منافياً
لحقة على إشكال، ولكن لا يشترط الاحتياط، والوالدين بالنسبة إلى ولدهما إن
كان مستلزمًا لا يذلها، ومع عدمه لا يعتبر إذنها وإن كان أحسنت.

السابع: استدامة اللبس في المسجد، فلو خرج عمدًا و احتياطًا لغير
الأسباب المبحة بطل ولو كان جاهلاً بالحكم، فهم لو خرج ناسياً أو مكرها لا
بطل، و كذا لو خرج لضرورة عقلًا أو شرعاً أو إعادة كقضاء الحاجة من بول أو
غائط أو للاحتلال من الجناية وأنا ذاك، ولا يجوز الاعتكاف في المسجد الحرام
ومسجد النبي (ص) ويجيب عليه التيمم والخروج للاغتصال، وفي غيرها أيضاً
إذا لم من اللبس أو التلوث، و مع عدم لزومها جاز بلوه الأحوزت و إن جاز
الخروج له.

مسألة 1 - لا يشترط في صحة الاعتكاف البلوغ، فينص من الصبي المميز على
الأقوى.

مسألة 2 - لا يجوز العدول من اعتكاف إلى اعتكاف آخر وإن احتاد في
night, though it is permissible to do so. There is, however, hesitation and difficulty in the sufficiency of the third day by means of piecing together, so that if, for example, a person starts his retirement from the noon of a day, he may continue it until the noon of the fourth day.

Fifth: The ritual retirement must be performed in any of the four mosques, namely, the Masjid al-Ḥarām (in Mecca), Masjid al-Nabī, Allāh’s Blessings be on him and his Progeny, (in Madinah), Masjid al-Kūfah, and Masjid al-BAṣrah.

As regards the performance of the ritual retirement in mosques other than the above four mosques, there is difficulty [in its permissibility]. Caution, therefore, must not be given up by performing the ritual retirement in other grand mosques with the intention of hope that it would be desirable to Allāh. However, as regards the performance of the ritual retirement in mosques other than the grand mosques, like the tribal mosques or the market mosques, it is not allowed there.

Sixth: Permission of the person whose permission is a condition as the permission of an employer to his special employee, when there exists an agreement between them to the effect that the benefit of the ritual retirement performed by the employee shall go to the employer; otherwise, there shall be no specified condition, though, in some cases, it is not specified; or the condition of the husband’s permission in respect of the wife when it is accompanied by negation, though there is difficulty in accepting it, but caution must not be given up.

As regards the permission of the parents for the children, it is a condition in case it is painful for them; otherwise, there is no condition of the permission of the father and mother, though it is more cautious.

Seventh: Continuation of stay in the mosque. So if a person leaves the mosque deliberately and of his own will without any of the lawful reasons, his ritual retirement shall be rendered void, even if he is ignorant of the relevant rule.

Of course, if he leaves the mosque out of forgetfulness or under coercion, his ritual retirement shall not thereby be rendered void. Similarly, if a person leaves the mosque for some reasonable, lawful and usual exigency, such as easing nature through urination or defecation or for performing ritual bath for Ḥanābat, or the like, [his ritual retirement shall not be rendered void]. It is not permissible to perform ritual bath in the Masjid al-Ḥarām or Masjid al-Nabī, and so a [polluted] person is bound to perform Tayammum, and go out for performing the ritual bath. In the other mosques too, if the performance of the ritual bath requires his stay and desecration of the mosques, [he shall be bound to have Tayammum and go out for performing the ritual bath]

In case his stay in the mosques shall not entail their desecration, he may stay there; rather, it is more cautious, even if he is allowed to go out.

Problem # 1. It is not a condition for the validity of the ritual retirement that the person performing it must be adult, so that, according to the stronger opinion, it is allowed even in case of a discreet child.

Problem # 2. Shifting from one retirement to another is not allowed, even if both of them are identical, as regards their being obligatory or recommended, nor from performing it on behalf of
المواطن والندب، ولا عن نياية شخص إلى نياية شخص آخر، ولا عن نياية غيره إلى نفسه وبالعكس.

مسألة 3 - يجوز قطع الاعتكاف المنذوب في اليومين الأولين، وبعد تمامها يوجب الثالث، بل يوجب الثالث لكل إثنين على الأقوى في الثالث الأول والثاني أي السادس، وعلى الأحول في سائرهما، وأما المنذور فكان معيناً فلا يجوز قطعه مطلقاً، وإلا فكان المنذوب.

مسألة 4 - لا بد من كون الأيام متصلة، ويدخل الليلتان المتوسطتان كا مز، فلو نذر اعتكاف ثلاثة أيام منفصلة أو من دون الليلتين لم يعقد إن كان المنذور الاعتكاف الشرعي، وكذا لو نذر اعتكاف يوم أو يومين مقيداً بعدم الزيادة، نعم لو لم يقيد به صحن ووجب ضم يوم أو يومين.

مسألة 5 - لو نذر اعتكاف شهر تجربى ما بين الهلالين وإن كان ناقضاً، لكن يضم إليه حينئذ يوماً على الأحول.

مسألة 6 - يعتبر في الاعتكاف الواحد وحدة المسجد، فلا يجوز أن يجعله في المسجدين ولو كانا متصلين إلا أن يعده مسجداً واحداً، ولو تعذر إتمام الاعتكاف في مسجد النية خوف أو هدم وнюذ ذلك بطل، ولا يجبه إتمامه في جامع آخر.

مسألة 7 - سطوح المساجد وسراديبها ومصاريبها من المساجد، فحكمها حكماً مألوم خروجها، بخلاف ما أضيف إليها كالدهليز ونحوه، فإنها ليس منها ما لم يعلم دخولها وجعلها منها، ومن ذلك يقتضى مسلم ابن عقيل عليه السلام و هاني (ر) فإن الزاهر أنهما خارجان عن مسجد الكوفة.

مسألة 8 - لو عين موضعاً خاصاً من المسجد علاً لاعتكافه لم يعدهن، ولكن يكون قصدته لغواً حتى فيها لو عين السطح دون الأسفل أو العكس، بل التعين ربما يورث الاشكال في الصحة في بعض الفروض.
one person to performing it on behalf of another, nor from performing it on behalf of another to performing it for himself, or vice versa.

**Problem # 3.** It is allowed to discontinue the ritual retirement during the first two days, but on the completion of the two days it shall become obligatory,

Rather, according to the stronger opinion, the third becomes obligatory for every second in the first three, and the second, i.e., the sixth, and, according to the more cautious opinion, in every third in the other two as well.

As regards the ritual retirement performed in fulfilment of a vow, if it were specified, then it shall not be allowed to be discontinued ; otherwise, it shall be like a recommended one.

**Problem # 4.** It is indispensable for the days of the ritual retirement to be continuous, and they include the two intervening nights too, as mentioned earlier.

So if a person vows to perform the ritual retirement for three continuous days without the intervening two nights, it shall not be valid, if he intends to perform the retirement according to the *Shari‘ah*.

The same rule shall apply if a person vows to perform the ritual retirement for one or two days with the condition that it shall not be for more days, [in which case the retirement shall be invalid].

If, however, he does not confine it to one or two days only, then his retirement shall be valid, and he shall be bound to add one or two days further.

**Problem # 5.** If a person vows to perform the ritual retirement for one month, he may perform the retirement from the first of one month to the first of another month, even if the month consists of less than thirty days, but, it shall be more cautious to add one day to it.

**Problem # 6.** It is a condition in a single retirement that it should be performed in a single mosque, and it is not allowed to perform it in two different mosques, even if they are adjacent, except when they are considered to be a single mosque.

If a person is unable to complete his ritual retirement in the place he had intended due to some fear or demolition, or the like, his retirement shall be rendered void, and he shall not be allowed to complete it in another grand mosque.

**Problem # 7.** The roofs, basements and the *Mihrābs* (prayer niches) of the mosques are considered part of the mosques, and so it shall be governed by the rules of mosques as long as they are not considered to be outside them, contrary to what is added to them like corridors or the like, as they are not considered part of the mosques unless it is not sure that they are part of the mosques, and considered to be so, and, therefore, the two domes of [the tombs of] Muslim b. Aqīl, Peace be upon him, and Hānī, Allāh’s Mercy be on him, are both apparently outside the *Masjid al-Kūfah*.

**Problem # 8.** If a person has specified a special part of the mosque as the place of his ritual retirement, it shall not be confined to that place only and his intention shall be considered ineffective, even if he specifies its roof and excludes the floor, or vice versa. Rather, such limitation engenders difficulties in the validity of some of the duties.
مسألة 9 - من الضروريات البيضاء للخروج إقامة الشهادة وعيدة المريض إذا كان له تعلم صح به حتى يعد ذلك من الضروريات الوفية، وكذا الحال في تشيع الجنازة وتشيع المسافر واستقبال القادم و نحو ذلك وإن لم تتعين عليه شيء من ذلك، والضابط كل ما يلزم الخروج إليه عقلاً أو شرعاً أو عادة من الأمور الواجبة أو الراجحة، سواء كانت متعلقة بأمور الدنيا أو الآخيرة. حصل ضرر بترك الخروج أولًا، نعم الأحوز مراعاة أقرب الطرق والاقتصاد على مقدار الحاجة والضرورة، ويجب أن لا يجلس تحت الظلام مع الامكان، والأحوص عدم الجلوس مطلقاً إلا مع الضرورة، بل الأحوص أن لا يمشي تحت الظلام وإن كان الأقوى جوازاً وأما حضور الجماعة في غير مكة الشامه فحل إشكال.

مسألة 10 - لو أเจنب في المسجد وجب عليه الخروج للاختيار إذا لم يكن في مسيرة فيه ولا تلوث، وقد مضحك المسجد، ولو ترك الخروج بطل اعتكافه من جهة حرمة لبته.

مسألة 11 - لو دفع من سيق اليه في المسجد وجلس فيه فلا يبعد عدم بطلان اعتكافه، وكذا لو جلس على فراش مغصوب، كما لا إشكال في الصحة لو كان جافالاً بالغصوب أو ناسياً، ولو فرش المسجد بترب أو آخر مغصوب فان أمكان التحرز عنه وجب، ولو عصى فلا يعد الصحة، وإن لم يكن فلا يترك الاحتياط بالاجتناب عنه.

مسألة 12 - لو طال الخروج في مورد الضرورة بحيث احتلت صورة الاعتكاف بطل.

مسألة 13 - يجوز للمعتكف أن يشتري حينئن السيدة الرجوع عن اعتكافه متي شاء حتى اليوم الثالث لو عرض له عرض وإن كان من الأذاعات الوفية العادية كددم الزوج من السفر، ولا يختص بالضرورة التي تبيح المحظورات، فهو بحسب شرطه إن عاماً فعما وإن خاصاً فخصصاً، وأما اعتراض الرجوع فلا
Problem #9. Among the lawful exigencies for leaving the mosque [where a person is performing ritual retirement] are giving evidence or visiting a sick person, provided that his relation with the sick person is such that his visiting him other is considered one of the usual necessities. The same rule applies to joining the funeral procession, saying good-bye to a traveller, or welcoming a person who has returned from journey, or the like, even if none of these things may be considered definitely necessary for him. The criterion for determining what necessitates his leaving the place of retirement is what is considered reasonably, lawfully and usually among the necessary and preferable things, regardless whether they are concerned with the matters of this world or hereafter, and whether his failure to leave the place of retirement would cause some harm or not. Of course, it is more cautious to undertake the shortest route, and confine his visit to the fulfillment of the exigency and necessary business, and it shall be obligatory on him, if possible, not to sit under the shadow. It would be more cautious for him not to sit at all, except when necessary. Rather it shall be more cautious that he must not even walk under the shadow, though, according to the stronger opinion, it is permissible for him. As regards his attending the Jama‘at [for offering prayers], there is difficulty in its permission, except in holy Mecca.

Problem #10. If a person becomes polluted [due to discharge of semen] in the mosque, he shall be bound to leave the mosque for performing the ritual bath, in case it is not possible to perform the ritual bath within the mosque without staying in it and desecrating it. As regards the rules relating to [the pollution in the two holy mosques, namely, the Masjid al-Ḥarām and the Masjid al-Nabī], they have already been mentioned, and if he fails to leave them, his ritual retirement shall be rendered void due to his stay in those mosques [where the performance of the ritual bath is not allowed in any circumstances].

Problem #11. If a person removes some one who was sitting in ritual retirement there in the mosque before him, then his retirement shall not be far being void. The same shall be the case if a person, performing the ritual retirement sits on a usurped bedding, though there is no difficulty in the validity of his retirement in case he is ignorant of the bedding being usurped, or has done it out of forgetfulness. If the floor of a mosque has been paved with usurped clay and bricks, it would be obligatory to abstain from its use, if possible, so that if a person commits insubordination by not abstaining from its use, his retirement shall not be from being likely. If it is not possible to abstain from its use, then caution must not be given up by abstaining from [performing the ritual retirement] there.

Problem #12. If a person's stay outside the place of his ritual retirement prolongs so much that it loses the form of retirement, his retirement shall be rendered void.

Problem #13. A person performing the ritual retirement is allowed to make it a condition in his intention (Niyāyat) that he may revert from the retirement whenever he wishes, including even the third day in the event of occurrence of some excuse, even if it is one of the usual and ordinary excuses like the arrival of the spouse from journey, and does not concern specially the necessary things which legalise the prohibited things, then he shall be allowed to follow his conditions, so that if they are general, he may follow them generally, but if they are special, he shall follow them in special matters. If, however, a person makes it a condition that he may revert from his retirement without the occurrence of any excuse, then it shall be difficult to accept, rather it shall
القول في أحكام الاعتكاف

يحرم على المعتكف أموار منها مباشرة النساء بالجماع و بالممس والتقبل بشهوة، بل هي مبطلة للاختكاف، ولا فرق بين الرجل والمرأة فيحرم ذلك على المعتففة أيضاً.

ومنها الاستئناء على الأحوط.

ومنها دم الطيب والريان متلذذاً، فقد فاقس حاسة الشم خارج.

ومنها البيع والشراء، والأحوط ترك غيرها أيضاً من أنواع التجارة كالصلح والإجارة وغيرها، ولو أوقع المعاملة صحت و ترتبت عليها الأثر على الأقوى، ولا باس بالاشتغال بالأمور الدنيوية من أصناف المعايشة حتى الخياطة و النساجة و نحوها، وإلا كان الأحوط الاجتناب، نعم لا باس بها مع الاضطرار، بل لا باس بالبيع والشراء إذا استحالت الحاجة إليها للأكل والشرب.

مع عدم إمكان التوكل، بل مع تعدد النقل بغير البيع والشراء أيضاً.

ومنها الجدل على أمر أدنى أو ديني إذا كان لأجل الغلبة وإظهار الفضيلة، فكان يكن بقصد إظهار الحق وردة الخصم عن الخطأ فلا بأس به والأحوط للمعتفف اجتناب ما يستبه المحرم، لكن الأقوى خلافه خصوصاً لبس
be forbidden. A person who vows is allowed to revert from his ritual retirement if some excuse occurs in his vow, so that he must say, for example, "I am responsible to undertake the ritual retirement for Allāh on the condition that I may be entitled to revert from the retirement in the event of such and such excuse", then he shall be allowed to revert, and shall not be liable for committing a sin, or violation of the vow, nor to compensate for it. Caution must not be given up by mentioning the condition at the time of starting the ritual retirement too. If the condition is mentioned before intending to perform the retirement or after starting the retirement, then it shall not be effective. If a person makes a condition at the time of intending to perform ritual retirement, and subsequently drops the condition, then apparently the condition cannot be dropped.

Rules Concerning the Ritual Retirement

There are certain things which are forbidden for a person performing ritual retirement. They are as follows.

1. Coming close to women through sexual intercourse or touching them or kissing them lasciviously; rather, it renders the ritual retirement void. There is no difference between a man and woman [in the application of this rule]. So it is also forbidden for a woman performing ritual retirement.

2. Masturbation, according to the more cautious opinion.

3. Smelling perfumes and flowers for pleasure and enjoyment. This rule shall not, however, apply to a person who is deprived of the power of smelling.

4. Sale and purchase. It is more cautious, besides these two acts, to give up the various kinds of trade like conveyance, lease, etc. If a person performing ritual retirement makes some transaction, it would be valid, and, according to the stronger opinion, it shall be legally effective. There is no harm if a person performing the ritual retirement engages himself in various worldly matters for earning livelihood including even tailoring, weaving, or the like; though, it is more cautious to abstain from it. Of course, there is no harm in undertaking such jobs in case of emergency. Rather, there is no harm in sale and purchase, if a person needs to pursue them for eating and drinking in case there is no one to do these jobs on his behalf, and even conveyance if it is also not possible without resorting to sale and purchase.

5. Dispute in matters relating to this world or hereafter, when its meant for obtaining domination or expression of superiority. If, however, it is meant for the expression of truth and correction of the mistake of others, then there is no harm in it. It is more cautious for a person sitting in retirement to abstain from all those things from which a person who has tied ḫārij [for ḥajj or ‘Umrah] is required to abstain, but, according to the stronger opinion, it is contrary to the person who has tied ḫārij particularly as regards wearing stitched garments, shaving hair, eating the meat of a hunted animal and contracting a marriage which are all permissible for a person performing ritual retirement.

Problem #1. There is no difference between the day and night in the prohibition of things for a person performing ritual retirement, except as regards breaking the fast.

Problem #2. Everything that invalidates a fast also invalidates a ritual retirement, as fast is one of the conditions for the ritual retirement, and so the invalidation of fast also invalidates retirement.
المعطى وإزالة الشر وأكل الصيد وعقد النكاح، فإن جميع ذلك جائز.

مسألة 1 - لا فرق في حرومة مسمعته على المتاكف بين الليل والنهار إذا الأفطار.

مسألة 2 - يفد الاستكاف كل ما يفسد الصوم من حيث اشتراطه في سبيله يوجب بطلانه، وكذا يفسده الجماع ولو وقع في الليل وكنما اللمس والتقلب بشهوة، ثم إن الجماع يفسده ولو سهوا، وأما سائر ما ذكر من المحرومات فالأحواط في صورة أركابها لعدا أو سهوا - وكذا اللمس والتقلب بشهوة إذا وقعا سهوا - إتمام الاستكاف، وقضايا فإن كان واجبا معينا، وإستينافه في غير المعين منه فإن كان في اليوم الأول، وإتمامه وإستينافه إن كان في اليوم الثالث، وإن أسسه فإن كان واجبا معينا وجب قضاؤه، ولا يجب الفتور فيه وإن كان أحواط، وإن كان غير معين وجب استنافه،وكذا يجب قضاء المندوب إن أسسه بعد اليومين، وأما قبله فلا شيء عليه، بل في مشروعية قضائه إشكال، وإنما يجب القضاء أو الاستناف في الاستكاف الواجب إذا لم يشترط الرجوع فيه بما معه، وإن فلان قضاء ولا استناف.

مسألة 3 - إذا أفسد الاستكاف الواجب بالجماعة ولو ليليا وجبت الكفارة، وكذا في المندوب على الأحواط لو جامع من غير رفع اليد عن الاستكاف، وأما معه فالأقوى عدم الكفارة، كما لا تجب في سائر المحرومات وإن كان أحواط، وكماله ككشفاء شهر رمضان وإن كان الأحواط كونها مرتبة ككشفاء الظهار.

مسألة 4 - لو أفسد الاستكاف الواجب بالجماعة في حصار شهر رمضان فعله كفأرتن، وكذا في قضاء شهر رمضان إذا كان بعد الزوال، وإذا أكره زوجه الصائدة في شهر رمضان فإن لم تكون مكتفة فعليه كفأرتن عن نفسه لاستكافه وصوصمه وكشفاء عن زوجته لصومها، وكذا إن كانت مكتفة على الأقوى، وإن كان الأحواط ككشفاء رابعة عن زوجته لاستكافها ولو كانت مطاعة فعل كل منها ككشفاء واحدة وإن كان في الليل وكماله إن كان في النهار.
So also a sexual intercourse invalidates retirement, even if performed during the night. Likewise, touching and kissing lasciviously [invalidates ritual retirement]. Moreover, a sexual intercourse invalidates the retirement even if performed inadvertently. As regards the other prohibited things, according to the more cautious opinion, they are applicable when committed deliberately or inadvertently. The same is the case with touching and kissing lasciviously, even if both the acts are done inadvertently. If a ritual retirement is a specified obligatory one, one must complete it, and should compensate for it [in the event of its invalidation]. In case it is an unspecified one, one must perform it again, if the invalidation occurs in the first two days, and it should be completed and started again, if the invalidation takes place on the third day.

If a person invalidates a specified obligatory retirement, he shall be bound to compensate for it. Its compensation is not required to be made immediately, though it would be more cautious. If it were an unspecified one, it shall be obligatory to perform it again. Likewise, if it were a recommended one, it is obligatory to compensate for it in the event of its invalidation after two days. But, if invalidated earlier, there shall be no liability on the person. Rather, there is difficulty in the legality of its compensation. If the retirement were an obligatory one, it shall be obligatory to compensate for it or perform it again, if there is no condition of reversion in it, as has already been mentioned; otherwise, there shall be neither any compensation nor repetition of its performance.

Problem # 3. If a person invalidates an obligatory retirement by performing sexual intercourse, even if at night, expiation shall become obligatory. The same rule shall apply in case the retirement were a recommended one, according to the more cautious opinion, if a person has had sexual intercourse without abandoning retirement. In the event of its performance, however, despite abandoning retirement, according to the stronger opinion, there shall be no expiation, as it is not obligatory in other prohibited things too, though it would be more cautious if it were obligatory. Its expiation is identical with the one for the month of Ramaḍān, though it would be more cautious to be sequential like the expiation for Zihār.

Problem # 4. If a person vitiates his obligatory retirement by performing sexual intercourse during the day in the month of Ramaḍān, he shall be liable for two expiations. The same rule shall apply if it occurs after noon during the compensatory fast for the month of Ramaḍān. If a husband compels his fasting wife who is not performing retirement in the month of Ramaḍān [to join him in the sexual intercourse], he shall be liable for two expiations for himself due to [the violation of] his retirement and [breaking] his fast, and one expiation for his wife for [breaking] her fast. According to the stronger opinion, the same rule shall apply if the wife were also performing ritual retirement, though, according to the more cautious opinion, he should be liable for a fourth expiation for [the violation of] her retirement.

If the wife were also willing, then each of them shall be liable for one expiation, if the sexual intercourse were performed during the night, and two expiations if the intercourse were performed during the day.
Glossary

Adā’ (Ṣalat al-): A prayer offered at its due time, as opposed to Qaḍā’ (Prayer) which is offered in compensation for a prayer which is left unoffered at its due time.

Ādālat: Moral soundness; an honourable and morally sound record.

Ādil: A morally sound person; a person having an honourable and morally sound record.

Adhān: Call to prayers.

Ādil: A morally sound person who is expected to deal with people justly, righteously and honestly.

Afḍal: A religious scholar who is superior to others in respect of religious knowledge, etc.; the more or most preferable act.

Ahl al-Bayt: Members of the holy Family of Holy Prophet who, according to the ʿIthnā ʿAsharī Shiʿa, comprise his daughter, Fāṭimah, and her husband, Imām Ālī, and the eleven Imāms descending from both of them, namely, Imām Ḥasan, Imām Ḥusayn ..., Imām Mahdi, Peace be upon them.

Ahl-i Kitāb: A non-Muslim on whose prophet a Divine Book has been revealed, i.e., a Jew or a Christian. This term, according to the Qur’ān, does not apply to the followers of Prophet Muḥammad, PUH, who have been called “Muslimūn” or “Muʾminūn” in the Qur’ān, Ḥadīth and other Islamic reference books. It is used as a synonym for Kitābi [with its fem. Kitābiyyah, q.v.].

Aḥwat (Opinion): A more cautious opinion; an opinion which when adopted absolves its follower of legal liability.

Aʿlām: The most learned scholar or jurist; a grand Mujtahid.

Ālim (pl. ʿUlamāʾ): A learned person, specially one who is well-versed in Islamic religious sciences relating to Qur’ān, Ḥadīth and Fiqh, etc.

Āl-i Muḥammad: Prophet Muḥammad’s Progeny, comprising his daughter, Fāṭimah, her husband, Imām Ālī and the eleven Imāms descending from both of them, Peace be upon them; almost a synonym for Aḥī Bayt, q.v.

Āmd: Intention; purpose; willfulness.

Āmdan: Intentionally; deliberately; willfully; opposed to Sahvān or inadvertently.

Ansāb (Opinion): A more suitable opinion.

Aqrāb (Opinion): An opinion closer to traditional authority.

Aqūwā (Opinion): A stronger opinion; an opinion having more weight in the eyes of the jurists.

Ashbāh (Opinion): An opinion more in keeping with the principles of law.

Ashhar (Opinion): An opinion more widely accepted; a better known opinion; a more prevalent opinion.

Āsr: Afternoon; the time between noon and the sunset.
Asr (Prayer): A prayer to be offered in the afternoon before sunset; an afternoon prayer.

Awlā (Opinion): A better or preferred (opinion).

Āyat (pl. Āyaat): A verse of the holy Qur’ān.

Aẓhar (Opinion): A more obvious opinion; a more prevalent opinion.

Bā‘in (Ṭalāq-i): An irrevocable divorce after which a woman is free to conclude a contract of marriage with another husband, indeed, after completing the prescribed period called Ḱiddah (q.v.), and the husband divorcing her irrevocably cannot recall her except by contracting a fresh marriage with her subject to the restriction of the prescribed number of such remarriages by the same husband.

Baul-o Barāz: Urination and defecation; excretion.

Ba‘th: Resurrection; the Prophet’s mission as Allāh’s Messenger.

Bismillāh: The opening verse of all the Chapters of the Qur’ān, (except the Sūrah al-Barā‘at), which starts with the words meaning: “With the Name of Allāh .......” Every Muslim is commanded to recite it at the time of starting a work.

Buiūgh: Puberty; legal maturity or majority; coming of age.

Dāmin al-Ja‘irah: A person who stands guarantee against an offence of another.

Darūriyyät: Essential things in one’s life; basic duties and functions of a person.

Dhibh: Slaughter by slitting the throat (of an animal).

Dhikr: Reciting: “Subḥāna rabbiyal a’sī va biyamdihi” in Ṯuk‘ah and “Subḥāna rabbiyal a‘ẓīm va biyamdihi” in Sajdah (or prostration), a special formula recited in Ṯuk‘ah and Sajdah. Also the words recommended for reciting once, or to be repeated thrice, in Arabic by the follower or followers in a Jamā’ah prayer, namely: “Subḥānallāhi val Ḱamdu lillāhi va lā llāha illallāhu vallāhu Akbar” (Glorified is Allāh. And Praise is for Allāh. And there is no god but Allāh. And Allāh is the Greatest).

Dīnār: A gold coin (used in the past in the Arab countries). These days it has been generally replaced by currency notes of various denominations.

Dirham: A silver coin (used in the past in the Arab countries). These days it is generally made of baser metals, like nickle, etc. of various denominations.

Dhimmi: A non-Muslim subject of an Islamic state, as opposed to the Muslim subjects, for whom there are special laws dealing exclusively with them in an Islamic state.

Du‘ā: A supplication before Allāh for His Mercy, Blessing and Forgiveness.

Eid: A festival; a day of rejoicing. There are special prayers to be offered by the Shi‘ahs on the occasion of each Eid day.

Eid al-Adḥā: The Eid of Sacrifice on 10th of Dhul Ḥijjah, (the twelfth month of the Hijrah calendar), the day when Muslims sacrifice animals to commemorate the sacrifice offered by Prophet Abraham, Peace be upon him, of his own son, Ishmael, which was, however, replaced by a ram by Allāh.
Eid-i Daḥw al-Ard: The day of rejoicing on 25th of Dhul Qa'dah, (the eleventh month of the Hijrah calendar), called the Eid of “Spreading Out of the Earth”.

Eid al-Fitr: The Eid day on 1st of Shawwāl, (the tenth month of the Hijrah calendar), a Day of Rejoicing for the end of the month of Ramaḍān, a month of Fasting and Blessing for the Muslims.

Eid al-Ghadīr: The 18th of Dhul Ḥijjah, (the last month of the Hijrah calendar), the day when Prophet Muḥammad, (PUBH), on way back from his Last Hajj, proclaimed Imām Alī as “the Mawlā” (or “the Master”) of all Muslims, a term which the Shiʿāhs believe to be the Prophet’s proclamation of Imām Alī as his first Caliph or Successor.

Eid-i Mab’ath: 27th of Rajab, (the seventh month of the Hijrah calendar) the Prophet’s Mission Day.

Eid-i Maulūd (al-Nabi): 17th Rabī’ al-Awwal, (the third month of the Hijrah calendar), the Birth-Day of Prophet Muḥammad (PBUH), according to the Shiʿāh sources.

Eid-i Mubāhalah: The 24th of Dhul Ḥijjah, the day when the Prophet, accompanied by his daughter, Fāṭima, his son-in-law, Imām Alī, and his grandsons, Imām ʿAbd al-Ṣāliḥ and Imām ʿAbd al-Rahmān, peace be upon them, proceeded to have a religious bout of invocation of Allāh’s curse upon those who lie “(Mubāhalah) with the Christians of Najrān, and returned triumphant as the latter declined to compete, an event referred to in the Qur’ān, vide Chapter III, verse 61.

Fajr: Morning or dawn, when Fajr Prayer is offered.

Fajr al-Awwal: Early dawn.

Faqīh: A jurist; an expert of Islamic Jurisprudence; a scholar well-versed in Fiqh or Islamic Jurisprudence.

Fāsiq: A person having Fisq or moral depravity.

Fatwā: A verdict or decree of a Mujtahid or a Muftī, q.v.

Farsakh: A measure equal to 3 miles. [A mile = 4000 cubits whose length is equal to the breadth of 24 fingers, and each finger is equal to the width of 7 grains of barley, and each grain of barley is equal to the breadth of 7 average hair of a Turkish horse or a pony. See Chapter on A Traveller’s Prayers, Problem # 1).

Fisq: Moral depravity; a person having Fisq is not allowed to lead the prayers according to the Shīʿah Fiqh or Jurisprudence.

Ghafilah, Ṣalat al- : A kind of Recommended Prayers. (For its details, see Chapter on Some Recommended Prayers, No. 3).

Ghassāl: An agent washing the dead.

Ghassālah: A female agent washing the dead body of a woman.

Ghusl: A ritual bath.

- i ʿIrṭimāsī: A ritual bath performed by dipping one’s whole body in the water. (For its details, see Essentials of a Ritual Bath, Problem # 6).

- i ʿJanābat: A ritual bath performed after pollution as a result of ejaculation of
semen. (For its details, see the Ritual Bath for Janābat).

- **i Mas-i Mayyīt**: An obligatory ritual bath after touching the body of a dead person before it has been washed. (For its details, see the Chapter on the Ritual Bath for Touching the Dead).

- **i Tartībī**: A sequential ritual bath; a ritual bath performed by cleaning different parts of one's body in a prescribed order or sequence. (For its details, see Chapter on Essentials of a Ritual Bath, # 3).

**Ḥadāth**: Pollution.

- **i Ṣaghīr**: Pollution caused by urination. (For its details, see Chapter on Ḥṣinjā', Problem # 1).

- **i Kabīr**: Pollution caused by defecation or excretion of feces. (For its details, see Chapter on Ḥṣinjā', Problem # 1).

**Ḥadd (Pl. Ḥudūd)**: Punishment by lash, cutting of hands or feet and death prescribed by Islamic law for special offences, as opposed to Ta'zīr, q.v.

**Ḥajj**: Pilgrimage to Mecca prescribed as compulsory for every capable Muslim once in life.

**Ḥayḍ**: Menstrual discharge; menses or (menstrual) periods of a woman. (For its details and relevant rules, see Chapter on Ḥayḍ or Menstruation)

**Ḥunūt**: Anointing the dead with camphor; camphorating; rubbing camphor on some parts of body of the dead after washing before burial.

**Ībādat (Pl. Ībādāt)**: Religious observance; ritual worship; devotion.

- **Ībādāt**: Matters of purely religious nature, as prayers, fasting, Zakāt, Khums and Ḥajj, (as opposed to Mu'āmalat, q.v.).

**Īddah**: The prescribed period after which a divorced woman or a widow is allowed to contract another marriage.

**Iḥrām**: A piece of cloth wrapped round the body by a male while performing Ḥajj; the attire of a person during the performance of Ḥajj.

**Iḥtišām**: (Nocturnal) pollution due to ejaculation of sperm, entailing obligation to perform ritual bath or Tayammum in order to be clean of the pollution enabling a person to offer prayers or indulge in other religious and other practices.

**Iḥtiqār**: (At) the point of death.

**Iḥtīḥād**: Exercising independent and individual judgement in legal and theological matters, based on the interpretation and application of the four sources of Islamic law, namely, the Qur’ān, Ḥadīth, Ijmā’ (Consensus of the Learned), and Aqīl (Reason or Human Insight); competence to issue verdict in legal and theological issues.

**Iqā'**: Unilateral obligation.

**Iqāmat**: The short call just before the beginning of the prayer (Ṣalāf).

**Iqtīdā'**: Following (the Imām or one leading the prayer in a Jamā'at or congregational prayer).

**I'rāb**: Symbol(s) of pronunciation or inflexion of letters.

**Ishā'**: The period after the night fall when the Ishā' prayer is to be offered.
Ishā' (Prayer): The night prayer, to be offered after the Maghrib (or sunset or evening) prayer.

Irtimās: Dipping in the water. (For Ghusl-i Irtimāsī, see Ghusl).

Istī’ādhah: Asking (Allāh’s) refuge; reciting (in Arabic) "A‘ūdhu billāhī minash Shaytānīr rajīm" (I ask Allāh’s refuge against the damned Devil).

Istighfār: Seeking Allāh’s Pardon by reciting “Astaghfirullāha rabbī va atūbu ilayhī”, (i.e., I seek forgiveness of Allāh, my Sustainer, and offer repentance to Him).

Istibrā‘: Purification of something unclean; part of the process of ritual cleaning after urination by rubbing thrice with force, between the anus and the root of male organ and then placing index finger under the male organ and the thumb over it, and drawing them with force from the root of the male organ to its tip thrice, and squeeze its tip thrice; cleaning of a filth-eating animal; process of cleanliness. (For details, see the relevant rules of Istibrā‘ in the Section of Ṭahārat or Cleanness, as well as under Problem # 18, Chapter on Ḥayḍ or Menstruation).

Istihāda: Undue Menstruation.
- Its Kinds: Minor, Medium and Abundant. (See the relevant rules under “Istihādah”)

Istihlālah: Transformation; change of a thing into another form.

Istihbāb: Approval; approbation; being Mustaḥab or approved.

Istikhārāh: Seeking Allāh’s Willingness before starting a work; a procedure adopted by counting a number of beads, or finding out a verse after opening the Qur’ān by a special process, signifying Allāh’s willingness or otherwise.

Istīnjā‘: A process of purification or cleanness after urination or defecation (or evacuation of bowels). (For its details, see “Istīnjā‘” in the Section on Ṭahārat or Cleanness).

Istīzhār: Giving up worship (for ten days) by way of Istihbāb by a menstruating woman. (See Problem # 18, Chapter on Ḥayḍ or Menstruation).

Īsyan: Insubordination; disobedience; insurrection.

Ithnā ‘Asharī: The Twelvers; the majority group of Shi‘ahs who are the followers of twelve Imāms, and hence their name, mainly found in Lebanon, Iraq, Iran, Pakistan and India, as opposed to Zaydīs, followers of first four Imāms and the Ismā‘īlīs who are the followers of first six Imāms (from among the twelve Imāms of the Twelvers). The majority of Yemenese Shi‘ahs and a number of the Shi‘ahs in Iraq belong to the Zaydī sect of Shi‘ahs, while the Khojās and Bohrās in the Indian sub-continent and the majority of the people in Hunza in Northern Pakistan are the main adherents of the Ismā‘īlī sect.

I’tikāf: A ritual retirement, initially a recommended act in Islamic Shari‘ah, except in case of a vow or oath, when it becomes obligatory. (For its relevant rules, see the Chapter on Ritual Retirement at the end of the section dealing with Fasting).

Ītq: Manumission of a slave; emancipation of a slave.
Jamā’at (Jamā’ah): Prayers offered collectively as against individual prayers; congregational prayers.

Janābat: Pollution due to ejaculation of semen, entailing the obligation for performance of ritual bath. (For its details and relevant rules, see Chapter on Janābat).

Janāzah: The bier or funeral procession.

Kaffārah: Expiation; atonement. (Various expiations for different omissions or commissions are described under the relevant Chapters).

Karāhat: Disapproval; disapprobation; repugnance; abomination. (Also see Makrūḥ)

Kharijī (Pl. Khawārij): A member of the extremist group of Imām Ali’s opponents after the cease-fire treaty between him and Amīr Mu‘āwiyyah at the Battle of Šiffīn. Imām Ali had to fight the Battle of Nahrivān against the Kharijīs. A large number of Kharijīs were killed in the battle, and the rest dispersed in Kūfa and Baghdad. Imām Ali was later fatally wounded on 19th Ramadān, 40 A.H., while offering morning prayers, by ‘Abdur Raḥmān b. Muljim, a Kharijī. (Imām Ali died of the wound two days later on 21 Ramadān, 40 A.H.)

Khawārij (pl. of Kharijī): (See Kharijī above).

Khubth: Refuse, or pollution caused by it.

Khums: One fifth of the annual savings of one’s income, mines, hidden treasure and booty is payable as the Share of the Prophet and his Progeny as prescribed by Allāh in lieu of Zakāt which He has banned for them. (For its details and relevant rules, see the Section on Khums in Tāḥrīr al-Vasīlah, Vol. II).

Kitābi (fem. Kitābiyyah): (See Ahl-i Kitāb above).

Kitābiyyah (fem of Kitāb): (See Ahl-i Kitāb above).

Kūfic script: A type of old script of Arabic language used before the present Naskh script. The Qur’ān was originally written in the Kūfic script before it was transcribed in the current script., generally called Naskh.

Kur: A quantity of (clean) water which has the quality of cleaning other polluted things; 1200 Iraqi ṛatīs, or 85 Ḥuqqahs of Karbalā or Najaf (1 Ḥuqqah = 33 l/3 Mithqāls or 43 7/8 spans of hand).

Laylat al-Barāt: 15th of Sha‘bān. [Also the Birth-day of Imām Mahdī, the last and 12th Imām of the Ittihād ‘Ash‘arī Shi‘ahs. Also called Shab-e Barāt in Persian and Urdu).

Laylat al-Qadr: The night of the revelation of the Qur’ān, considered better than a thousand nights by Allāh, vide Sūrat al-Qadr (Chapter 97 of the Qur’ān).

Mā: Water.

-i Muḍāf: Mixed or impure water, which does not clean the polluted things.

-i Muṭlaq: Pure water, which cleans the polluted things.

Mab’ath: The day on which Prophet Muḥammad, (PUB), proclaimed his Mission of Prophethood. Also see Eid-i Mab’ath above.

Madd: Lengthening the sound of a letter.

Madhy: A moisture that sometimes exits after urination or Istibrā’.
Mafqūl: A religious scholar (Ālim) or a jurist (Faqīḥ) who is excelled by another in knowledge, etc.

Maghrib: The period after sunset when Maghrib prayer is offered.

Maḥzūr (or Ḥarām): Prohibited or forbidden.

Malikat al-Rāsikhah: A permanent trait of character.

Mandūb: Recommended.

Mash: Rubbing of the head and the back of both feet from the tips of the fingers to the ankles with three closed wet fingers.

Masjid: The mosque; the place or thing on which prostration is performed.

-i Ḥarām: The Holy Mosque in Mecca.

-i Nabi (-i Nabavi): The Holy Mosque in Madinah.

Masnūn (fem. -ah): Approved; recommended; (lit. confirmed by the tradition or practice of the Holy Prophet or Imam, Peace be upon them).

Maṣūm: Infallible; impeccable; unblemished. According to the Ithnā Ashari Shī‘ah belief, besides all the prophets before Prophet Muḥammad, there are Fourteen Maṣūms, namely, the Holy Prophet, his daughter, Fāṭimah and the twelve Imāms.

Maẓālim: The ransom or money paid in compensation for an oppression or tyranny perpetrated; unjustly and forcibly extorted taxes.

Mihrāb: Prayer niche in a mosque, where the Imām or the person leading the prayer stands.

Mīzān: Weighing of the good and bad deeds of all men and women to take place on the Day of Judgement (Yawm al-Ḥisāb).

Muʿadhdhin: The person who calls to prayers.

Muʿāmalāt: Matters relating to public dealings and mundane life, as Marriage, Divorce, Inheritance, Wills, and various types of contracts like Lease, Sale, Partnership, etc., as opposed to Ḳibādat, q.v.

Mubaʿadḥah: A partially emancipated female slave.

Mubāḥ: Permissible by law or lawful.

Mubāḥāt: Permissible acts; things which a believer is allowed to do.

Muḍaf (Mā‘-i): See under Mā‘ above.

Mudd: A measurement equal to 1/4th Sā‘, a Sā‘ = 214 1/4 Mithqāls.

Muḍtarībah: A woman having disorderly menses.

Muftī: One giving a Fatwā, or a formal legal opinion.

Muḥarram (or Ḥarām): Something prohibited or forbidden; also, the first month of the Hijrah calendar.

Muḥarramāt: Forbidden or prohibited acts or things.

Muḥḏath: A ritually unclean person.

Muḥtāṭ: One who is well versed in religious matters and is not a Muqallid, but not being a Muṭahhid does not issue decrees or verdicts, and also exercises caution in his own acts and pursuits.

Muṭahhid: A religious scholar (Ālim) who is competent to exercise his individual judgement on theological
and other issues, without following other Mujtahids.

*Mukallaf*: A sane and adult person bound to fulfil religious duties.; a religiously accountable person.

*Mukātibah*: A female slave about whose manumission against payment of ransom her master has entered into an agreement with her.

*Munkar va Nakîr*: The two angels assigned the job of interrogating the dead about their beliefs and deeds after their burial.

*Muqallid*: A follower of a Mujtahid.

*Murâhiq*: An adolescent person.

*Murджah*: A nursing woman.


*Mustahabb*: Approved; commendable; recommended.

-*i Muwakkad*: Emphatically approved or recommended.

*Mustahabbat*: Approved or commendable acts; things which if done carry their reward for their doer, but if omitted do not entail disapproval or any punishment.

*Mustahâdâh*: A woman having *Istihâdâh*, or undue menses.

*Muţhahhir* (fem. *Muţhahhirah*): A thing which cleans another unclean thing.

*Muţahhirât* (Pl. of *Muţahhirah*): Things that clean other unclean things.

*Mutanajjis*: Anything which is not inherently or initially unclean but has become unclean as a result of coming into contact with an unclean object, directly or indirectly.

*Muţlaq* (Mâ‘-î): See under *Mâ* above.

*Muwâlât*: Uninterrupted sequence.

*Nadhr*: A vow.

*Nâhr*: Slaughtyer by piercing a spear into the neck of an animal, (like a camel).

*Nâfil or Nâfilah* (*Ṣalât al-*): Supererogatory prayer.

*Najâsât* (Pl. of *Najâsât*): Unclean or polluting objects.

*Najâsât* (Pl. *Najâsât*): An unclean or polluting substance.

*Najis*: Unclean; soiled.

*Nasab*: Descent; parentage; a relation through consanguinity, as opposed to a relation through *Sabab*, q.v.

*Nâsiyâh*: A woman who forgets about (the exact dates of) her periods.

*Nawâfil* (Pl. of *Nâfilah*): Supererogatory prayers.

*Nawâsib* (Pl. of *Nâsib*): Persons openly casting aspersions on *Ahl-i Bayt* (or Members of the Prophet’s family).

*Nawrûz*: Iranian New Year Day.

*Nîfâs*: Puerperal blood.

*Nîsyaân*: Amnesia; forgetfulness.

*Niyyât*: Intention; or its expression at the time of performing Ablution, *Tayammum*, offering prayer, or keeping fast, etc.

*Nushûz*: Resurrection; Restoration to life of all the dead; Contumacy or disobedience (by wife).

*Qadâ’* (*Ṣalât al-*): A compensatory prayer offered after the due time, as against *Ṣalat*
al-Adā', a prayer offered within its due time.
Qādî : A magistrate or a judge.
Qaṣr : Reducing two Rak'ats from Zuhr, Āsr and Ishā prayers, or renunciation of keeping fast (of Ramaḍān), during a lawful journey subject to special conditions explained in the relevant Chapters on Traveller's Prayers and Rules Concerning a Traveller.
Qiblah : The direction towards which all the Muslims turn their faces while offering prayers in order to face Ka'bah (the central building located in the Masjid-i Ḥarām) in Mecca.
Qiṣās : Retaliation for murder allowed in Islamic Penal Laws and sanctioned by the Qur'ān, (vide Chapter # II, verse # 178 and Chapter # 5, verse # 45).
Qirā'at (Pl. of Qirā'at) : Seven different Readings of the Qur'ān allowed by the experts of Arabic language while reading the Qur'ān.
Qirā'at : Recitation; recitation of a Sūrah (Chapter) from the Qur'ān along with the Sūrah Al-Ḥamād (Chapter I of the Qur'ān) in the first two Rak'ats, particularly in the daily obligatory prayers. (For its details see the Chapter on Recitation and Dhikr in the Section on Prayers).
Qu'ūd : Sitting after every Sajdah (Prostration), a compulsory part of the prayers (Ṣalāt).
Rajī (Talāq-i) : A revocable Talāq (Divorce) in which the husband is allowed to recall his wife before the expiry of her ʿiddah without entering into a fresh contract of marriage with her.
Rājiḥ : Preferable; a preferable opinion while there are several opinions on an issue.
Rajm : Stoning to death, a punishment awarded to a perpetrator of adultery, according to the Islamic Penal Law.
Rak'at : A unit in a prayer (Ṣalāt) consisting of a Qiyyām (or Standing erect), or Qu'ūd (or Sitting) in case a person is unable to stand, Rukū' (or Kneeling), two Sajdahs (or Prostrations) with Qu'ūd in between. Each of these pillars have certain special formulas to be recited before, after or during their performance. (For their details, see the Section on Prayers or Ṣalāt).
Ramaḍān : The ninth month of the Hijrah calendar during which the Muslims are directed to keep fast every day. (For its details, see the Section on Fasting).
Rasā'il-i Amaliyyah : Booklets issued by all great Mujtahids (Āyatullāh) containing religious instructions for the guidance of their followers (Muqallids).
Risālah (Pl. Rasā'il) : A booklet issued by a great Mujtahid (Āyatullāh) containing religious instructions for the guidance of his followers (Muqallids).
Rukū' : Act of Kneeling, a compulsory part of prayers, except in funeral prayers.
Sabab : A relation through marriage, affinity or special connection, as opposed to a relation through Nasab, or consanguinity or parentage, q.v.
Sabīl : A public watering place on the roadsides.
Sahwan : Inadvertently; erroneously; out of forgetfulness.
Sajdah: Prostration.

-i Sahw: Prostration for an error, required to be offered due to some omission during prayers. (For its details, see the Chapter on Prostration for an Error).

Ṣalāt al-ʿĀyāt: A prayer offered for eclipse or any Frightening Acts of God. (For its details and rules, see Chapter on Ṣalāt al-ʿĀyāt).

Ṣalāt al-ʿIṣṭisqaʿ: Prayer asking for rain. (For its details, see the Chapter on Ṣalāt al-ʿIṣṭisqaʿ).

Ṣalawāt: Reciting: “Allāhumma ʿalīma ʿalā Muḥammadin wa Al-i Muḥammad” (O Allāh send blessings on Muḥammad and Muḥammad’s Progeny), a compulsory part of Tashahhud to be recited during prayers.

Saʿy: Running between Ṣafā and Marvah, one of the compulsory rites (Maḥāsik) performed during Ḥajj.

Shafʿ: A supererogatory prayer having two Rakʿats.

Shahādatayn (Two Shahādats, or Testimonies): Reciting: “Ashhadau an ʿālīma Allāha Illāribīhu Vahdāhī la Ṣarīka laḥū va Ashhadau anna Muḥammadan ʿabdūhī va rasūlīhū” (I bear testimony to that there is no god but Allāh, He is One. He has no partner. And I bear testimony to that Muḥammad is His Servant and His Messenger), a compulsory part of Tashahhud in prayer.

Sharʿ (or Sharʿat): The Islamic Revealed or Canonical Law, having four sources: The Qur’ān, the Sunnah (Prophet’s words or practice), Ijmāʿ (Consensus of the Learned), Āql (or Deduction or Judgement by Reason, among the Shīʿahs) or Qiyās (or Analogical Deduction, among the Sunnīs).

Shariʿat: The Legislator (of Islamic Law, i.e. Allāh, the Exalted).

Ṣirāt: The Bridge between Hell and Paradise, which only the righteous shall cross on their way to Paradise.

Ṣubḥ-i Ṣādiq: The actual dawn.

Ṣulḥ: Conveyance; the act of transferring property or the writing which transfers the property.

Sūrah (or Sūrat): A Chapter of the Qur’ān.

Ṭaʿat: Obedience to Divine Commands.

Takhdh: Rubbing the male organ on or between the thighs (of a woman).

Takhdīm: Pronounce emphatically.

Tafrīq: Early morning.

Tahajjud: A prayer offered after mid-night. (For its details, see the Chapter on Preliminaries of Prayers, Problem # I).

Tajwid: The art of reciting the Qur’ān with correct pronunciation of the letters and signs according to the rules framed by the scholars of Arabic language.

Takbīr: Reciting: “Allāhu Akbar” (Allāh is the Greatest).

Takbīrat al-Iḥrām: The Takbīr recited just after the Niyyat at the start of the prayer.

Takfīr: Putting one hand over the other while standing in prayer (as done by the Sunnīs) which is forbidden for the Shiʿahs, except by way of Taqīyyah.
†alāq: A divorce; a dissolution of marriage.
- i Bā'īn: See “Bā'i:n” above.
- i Raj'i: See “Raj'i” above.
Talfiğ: Piecing up; patching up.
Taqiyyah: Act of dissimulation (concealing one's belief, or acting contrary to one's belief) allowed by the Shi'ahs in special emergency cases of fear to one's life or property.
Taqlīd: Following a Mujtahid, compulsory for every Mukallaf who has not reached the status of Ijtihād or who is not a Muhtāf, q.v. (For its detailed rules, see Section One: Rules Regarding Taqlīd).
Taqsīr: Shaving the head, etc. by men (required during the performance of Umrah and Ḥajj); exercising Qaṣr.
Tartīb: Regular Sequence or Succession which is compulsory while offering prayer (Ṣalāt).
Tasbīh: Reciting: "Subhānallāh" (Allāh is Glorified).
Tashahhud: Reciting the Shahihdatayn (q.v.) and Ṣalawāt (q.v.) in the second Rak'at and the last Rak'at in prayer.
Tashdīd: Repeating the sound of a letter.
Tashriq (Fast on the Day of -): Fast on 11th, 12th and 13th Dhul Hijjah (the last month of Hijrah calendar) in Mina, which is prohibited by the Shi'ahs, regardless whether the person is performing Ḥajj or not.
Taslim: Reciting "Ṣalām" or Salutation at the end of the prayer. (For its details, see the Chapter on Taslim).
Tawāf: Circumambulation of the Ka'bah, one of the compulsory rites (Manāsik) of Umrah and Ḥajj.
Tawbah: Penitence; repentance.
Tayammum: A process allowed to be adopted in place of Wuḍū' (Ablution) in case of inavailability of water or tightness of the due time of prayer, or when use of water is harmful. (For its details, see the Chapter on Tayammum in the Section on Taharat).
Ta'zīr: A punishment left to the decreetion of a Magistrate or Judge, as against Ḥada (q.v.).
Umrah: A mini Ḥajj, or a brief process of pilgrimage to Mecca.
Vara': Pious or God-fearing.
Vatīrah: A kind of supererogatory (Nafil) prayer consisting of two Rak'ats offered after Ishā prayers, while sitting, and so counted as one Rak'at. (For its details, see Chapter on Preliminaries of Prayer, Problem # 1).
Vitr: A supererogatory prayer consisting of one Rak'at. (For its details, see Chapter on the Preliminaries of Prayer, Problem # 1).
Wājib: Obligatory or compulsory; an act which if left unfulfilled entails the liability for compensation or expiation.
Wājibāt: Obligatory acts; things which are to be performed compulsorily.
Wali: Administrator or guardian of a deceased person; the eldest son of the deceased.
Waṣī: An executor of the will of a deceased person generally mentioned in his or her will.
Wuḍū’ : Ablution; a process of washing one’s hands and face before offering prayer. (For its details, see the Chapter on Wuḍū’ or Ablution).

Ya’s : The past child-bearing age; menopause.

Yowm : A day.

Yowm al-Ḥasr : The Day of Resurrection, when all the dead shall rise from their graves and shall be restored to life.

Yowm al-Ḥisāb : The Day of Judgement.

Yowm al-Mab’ath : See Eid-i Mab’ath above.

Yowm al-Maulūd (al-Nabī) : See Eid-i Maulūd (al-Nabī) above.

Yowm-i ʿArafāt : Ninth of Dhu’l ʿḤijjah (the last month of the Hijrah calendar) when the ʿHājjīs (those offering Ḥajj) assemble at the plain of ʿArafāt around noon, and stay there up to the legal period of Maghrib. It is here that all the ʿHājjīs offer the prayers of Ẓuhr and ‘Asr at one and the same time and not at their respective, separate times.

Yowm-i Daḥw al-ʿArḍ : See Eid-i Daḥw al-ʿArḍ above.

Yowm-i Ghadīr : See Eid-i Ghadīr above.

Yowm-i Mubāhalah : See Eid-i Mubāhalah above.

Yowm-i Tarwīḥ : 8th of Dhu’l ʿḤijjah (the last month of the Hijrah calendar).

Zakāt : A prescribed portion of one’s income or agricultural produce after it has been in one’s ownership throughout one full year, payable to the poor according to definite rules. (For its relevant rules, see Section on Zakāt, in Taḥfīr al-Vasīlah, Vol. II).

Zihār : Likening the back of one’s wife to the back of his mother, an act that entails a prescribed expiation in Shari’ah.

Ẓuhr : The mid-day or the noon.

- *Prayers* : Obligatory prayers required to be offered daily at noon. (For its details and rules, see the Section on Prayers).