

Chapter 9: The Science Of Islamic Jurisprudence

It is not an act of exaggeration or extremism when we say that the Islamic jurisprudence of *Ahl al-Bayt*, peace be on them, is the best of that which has been codified in the world of legislation, for it complies with innate and reason, does not deviate from the laws of the cosmos; there is neither difficulty nor narrowness nor backwardness in its items. Rather it is balanced, progressive, and perfect. It has treated man's affairs and given to them decisive solutions in the light of intellect and logic.

Moreover this jurisprudence has another characteristic of great importance, and this characteristic is that it has been taken from the Imams of guidance who are among the pillars of awareness and guidance in the world of Islam, for they announced that they did not give religious edicts regarding a certain matter according to their own opinions or their personal decisions; rather they announced that they took their religious decisions from their grandfather the Prophet, may Allah bless him and his family, who supplied them with his knowledge, singled them out with his wisdom, regarded them as lifeboats and security for mankind, and made it obligatory on the community to follow their creed and their example; and this has been proved by many traditions which has been transmitted from them by the trustworthy narrators from among their companions.

It is worth mentioning that the Shi'ites regard all the precepts which have been narrated on the authority of the Imams of *Ahl al-Bayt*, peace be on them, as part of the Sunna, which is one of the sources of *Fatwa'* or religious edict and among the concepts of Islamic legislation according which man should act and worship, if the way of the chain of authorities to them (the Imams) is authentic, and if the *fatwa'* was issued by them to explain the real precept, not for precautionary dissimulation, and other conditions which have been mentioned by the jurists concerning authentic traditions.

Any how, Imam al-Ridha', peace be on him, was among the leading Imams of guidance, peace be on them; therefore, his words and actions are part of the Sunna, for a group of legislative precepts have been transmitted from him. We will mention some examples of them in one of the researches of this

book. Now, we will talk about his science of Islamic jurisprudence.

Examples of his Jurisprudence

In the previous researches, we mentioned one of the treatises of Imam, peace be on him, in which he recorded excellent legislative precepts. Another group of juristic matters has been reported from him, and it is as follows.

1. The Purity of Well Water

Muhammad b. Isma'īl wrote to a man who asked him to ask Imam al-Ridha', peace be on him, about well water, and he, peace be on him, answered: "Well water is running; nothing spoils it except when its smell or taste changes, so (some water) should be bailed out of it until the smell terminates and its taste becomes good, for it has a source.¹"

As for well water, it has the same rank of running water; it does not become unclean except when it changes. The Imami jurists have given a religious decision on well water according to this narration (of the Imam) and others.

2. Things that Invalidate wudu"

The Imam has mentioned the things that invalidate *wudu*" as follows: discharge of urine, discharge of feces, discharge of flatus (through the anus), and sleep (to the extent that it makes a person unaware of his surroundings). He, peace be on him, said: "*Wudu*" is obligatory on the things that discharge especially from the two parts, and sleep apart from other things, for the two parts are the way of uncleanness. Man has no way which brings about uncleanness to him except through them, so they (men) have been commanded to clean themselves from this uncleanness.²"

The Imam, peace be on him, also declared that vomiting, nosebleed, and pus were not among things which invalidated *wudu*".³ However, some Imams of the Islamic schools declared that these things invalidated *wudu*".

3. The Limit of the Face in Wudu"

Isma'īl b. Mahra'n narrated, saying: "I wrote to Imam al-Ridha', peace be on him, to ask him about the limit of the face (i.e. the part which should be washed during *wudu*"), and he, peace be on him, wrote: from the beginning of the hair to the end of the face in addition to the two foreheads.⁴" As for the jurists, they say that one should wash the face from the point where the hair of the head normally grows down to the chin in length. Breadthwise, the span is that area which is covered by the thumb and the middle finger when they are spread out.

4. Wudu” with a Bandage (jabira)

‘Abd al-Rahma’n b. al-Hajja’jj narrated, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him: ‘How can one who has a bandage perform *wudu*” or *ghusl* of *jana’ba* or *ghusl* for the Friday prayer?’ He, peace be on him, replied: ‘He should wash the uncovered part with no bandage to which water reaches, and leave apart from that; he should not remove the bandage and play with his surgery(i.e. wound, cut, burn, or broken limb).’[5](#)”

Al-jaba’ir are bandages (in the term of the time) or others which are put on fractures, wounds, cuts, and abscesses; and they are either on the area which should be washed during *wudu*” or *ghusl* or on the area which should be rubbed. If it is possible for him to wash or rub the affected area without any harm, then it is obligatory on him to do that. If it is not possible for him to do that because of the harm of water or the like, then it is obligatory on him to wash the place where the bandage (*jabira*) is, and then he rubs over it. If the bandage (*jabira*) on the area which should be rubbed and he cannot remove it to rub on the skin, then he should rub over it. It is worth mentioning that the Imami jurists have mentioned important researches on these matters.

5. The Wudu” of Man and Woman

Muhammad b. Isma’il b. Buzaygh narrated on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, who said: “In *wudu*” for prayer, Allah has made it obligatory on women to start with the inward part of their hands and on men to start with the outward part of their hands.”[6](#)”

Muhammad b. ‘Ali b. al-Husayn narrated. He said: [Al-Ridha’, peace be on him, said:] “Allah, the Great and Almighty, has made it obligatory on people in *wudu*” that women should start with the inward part of their hands and men start with the outward part of their hands.”[7](#)”

In *wudu*” it is recommended for man to start with washing the outward part of his hands; and as for woman, it is recommended for her to start with washing the inward part of her hands. The meaning of the word *farada* in the two traditions is that He (Allah) has ordained and explained (performing *wudu*” in this manner), and not that He has made (it) obligatory.[8](#)

6. Seeking of Help from others in Wudu” is Reprehensible

Al-Hasan b. ‘Ali al-Washsha” narrated, saying: “I went in to al-Ridha’, peace be on him, and there was a pitcher of water before him. When he wanted to perform *wudu*” for prayer, I approached him to pour water on his hands, but he refused that and said: ‘No, O Hasan!’ he said. So I asked him: ‘Why are you preventing me from pouring water on your hands? Do you hate that I am rewarded?’ ‘You will be rewarded,’ he answered, ‘but I will commit a sin.’ ‘And how is that?’ I asked. He replied: ‘Have you not heard these words of Allah, the Great and Almighty: *Therefore, whoever hopes to meet his Lord, he*

*should do good deeds, and not join any one in the service of his Lord ?*⁹ Here I am! I am going to perform *wudu*” for the prayer, which is an act of worship, and I hate that someone helps me in it.’¹⁰”

In the light of this narration and others which have been transmitted from the Imams of guidance, the Imami jurists have given a religious decision that it is reprehensible for someone to seek help from others in the prerequisites of *wudu*” .¹¹

7. How Tayammum is Performed

Isma‘il b. Hamma‘m al-Kindi reported on the authority of Imam al-Ridha’, peace be on him, who said: “*Tayammum* is one stroke for the face, and one stroke for the back of the hands.¹²”

The famous jurists believe that when *tayammum* is performed instead of *wudu*”, then one stroke is sufficient for the face and the (back of) the hands, and that when it is performed instead of *ghusl*, then two strokes are obligatory.¹³ The narration regards multiplicity as absolute; and perhaps it (the narration) has been interpreted as recommended.

8. Tayammum with Mud

‘Ali b. Matar narrated on the authority of one of our companions, who said: “I asked al-Ridha’, peace be on him: Shall one perform *tayammum* with mud when he finds neither water nor earth? He said: ‘Yes, pure earth and pure water.’”

The narration is clear in making it permissible (for someone) to perform *tayammum* with mud when neither water nor earth is available.

9. Incapability of Performing the Ghusl of Jana’ba

Ahmed b. Muhammad b. Abu’ Nasr asked Imam al-Ridha’, peace be on him: “Shall one practice (*tayammum*) when he is impure and has wound or cut or fear for himself of cold? ‘He should not perform *ghusl*; he should practice *tayammum*¹⁴’, he answered.”

The narration is clear in making it permissible (for someone) to practice *tayammum* when he is incapable of performing *ghusl* which brings about harm which is negated (according to these words of Him, the Most High:) “And has not laid upon you any hardship in religion.”

10. The Skins of Dead Animals

Qa’sim al-Saqi’l narrated, saying: “I wrote to al-Ridha’, peace be on him: I make sheaths from the skins of dead asses for swords, and they touch my own clothes, and I pray while wearing them. So he, peace be on him, wrote me: ‘Use a garment for your prayer.’¹⁵”

As for the skins of dead animals, they are impure. When a wet garment touches them, it becomes impure. Hence prayer is not permissible except in pure clothes.

11. Gold and Silver Containers

Muhammad b. Isma'il reported, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him, about gold and silver containers, and he regarded them as reprehensible. So I said: One of our companions narrated that Abu' al-Hasan (Imam al-Ka'zim), peace be on him, had a mirror clothed in silver, and he, peace be on him, said: 'No, praise belongs to Allah, it had a silver ring and the ring is with me.' Then he said: 'When al-'Abba's was excused, an (iron) bar clothed in silver was made for him; the bar was like that made for boys, and (its weight) was about ten (silver) dirhams, but Abu' al-Hasan ordered it to be broken.'¹⁶"

Most jurists believe that it is prohibited to use gold and silver containers. As for the reprehensibility in the narration, it is interpreted as either prohibition or precautionary dissimulation, for a group of the non-Shi'ites (*'amma*) regards them as not prohibited.

12. Ghusl On Friday

'Abd Allah b. al-Mughira reported on the authority of Abu' al-Hasan al-Ridha', peace be on him. He said: "I asked him about *ghusl* on Friday, and he answered: 'It is obligatory on everyone, male or female, slave or free.'¹⁷"

As for *ghusl* on Friday, it is one of the strongly recommended things. The obligation in the narration is interpreted as a certain recommendation.

13. Touching the Corpse of other than Man

One should not perform *ghusl* when he touches the corpse of other than man, for al-Fadl b. Sha'dha'n transmitted from Imam al-Ridha', peace be on him, who said: "It is not obligatory for one to perform *ghusl* when he touches the dead bodies of those other than man such as birds, animals, beasts of prey, and others, for all these things are clothed in feathers or hair; and all these things are alive and do not die; the only thing which is touched is the alive from among the living and the dead (animals)."

Shaykh al-Hur al-'Amili said: "The justification is untrue and the examples of it are many. It is likely that it is a justification especially for the most dominant individual."¹⁸

14. The Prayer for the Dead without Wudu

Al-Fadl b. Sha'dha'n narrated from Imam al-Ridha', peace be on him, who said: "We have made it permissible to perform the prayer for the dead without *wudu*", for it has neither bow (*ruku'*) nor adoration

(*suju'd*); rather it is a supplication and request; and it is permissible for you to supplicate Allah and ask Him in any state in which you are; *wudu*" (is practiced) only for the prayer which has bow (*ruku'*) and adoration (*suju'd*).[19](#)"

Most Imami jurists believe that the prayer for the dead is a mere supplication, and not a real prayer; for this reason neither purity nor permissible clothes are conditions therein.

15. Raising the Hands during the Takbir for the Prayer for the Dead

Yunus said: "I asked al-Ridha', peace be on him, saying: May I be your ransom, the people raise their hands during the *takbir* (exclaiming: Allah is Great!) for the dead in the first *takbir*, and they do not raise (their hands) after that. Shall I confine myself to the first *takbir* just as they do or raise my hands in each *takbir*? 'Raise your hands in each *takbir*,' he said.[20](#)"

16. Prayer is the best Act of Worship

Yahya' b. Habib reported, saying: "I asked al-Ridha', peace be on him, about the best prayer through which the servants seek nearness to Allah. He answered: 'Forty-six obligatory and supererogatory *rak'as*.' I said: 'This is the narration of Zara'ra.' 'Do you think that there is a person better than him in declaring the truth?' he asked.[21](#)"

17. Prayer is the Sacrifice of the Allah-fearing

Muhammad b. al-Fadl reported on the authority of Abu' al-Hasan al-Ridha', peace be on him, who said: "Prayer is the sacrifice of the Allah-fearing."[22](#)"

18. Prayer should be performed in its Timing

Sa'd b. Sa'd narrated on the authority of Imam al-Ridha', who said: "When it is time for you to pray, then perform the prayer, for you do not know what will happen."[23](#)"

Many traditions have mentioned that it is recommended to perform prayer in its timing, and that it is reprehensible to delay it. In another tradition Imam al-Ridha', peace be on him, said: "It is good to perform prayer in its timing."[24](#)"

19. Timing of the Evening Prayer

Isma'il b. Mahra'n narrated, saying: "I wrote to al-Ridha', peace be on him, to ask him about the timings of the prayers, especially as it concerns the evening prayer, and he, peace be on him, wrote me: 'The

time of the evening (prayer) is little, and its last timing is the disappearance of the red sky and the appearance of the white sky on the western horizon.[25](#)”

The Imam reflected on the best timing of prayer, not on the obligatory time, for its timing and that of the night prayer last up to midnight.[26](#)

20. Timings of the Noon and Afternoon Prayers

Isma‘il b. Mahra‘n narrated, saying: “I wrote to al-Ridha’, peace be on him: ‘Our companions have mentioned that when the sun comes near to descending (from its midday zenith), then it is time to start the noon and afternoon prayers; and when it sets, it is time to start the evening and night prayers, but this (the evening prayer) is before this (the night prayer) during travel and residence.’ So he wrote: ‘Such is the time, but the time of the evening (prayer) is narrow (little).’[27](#)”

21. The Compensatory Supererogatory Prayers

Muhammad b. Yahya’ reported, saying: “I wrote to Abu’ al-Hasan al-Ridha’, peace be on him: ‘When will I compensate supererogatory prayers?’ ‘Any hour, you like, of night or day,’ he replied.[28](#)”

In the light of this narration and other narrations which have been reported from the Imams of guidance, the Imami jurists have given a religious decision that it is recommended to recompensate supererogatory prayers, and that when one is incapable of compensating them, it is recommended for him to pay *mudd* (measure) as alms instead of each two *rak‘aks*.[29](#)

22. The Late-night Supererogatory Prayers for those who have Excuses

It is permissible for those who have excuses to perform the late-night supererogatory prayers (*sala’t al-layl*) at the beginning of night, for al-Fadl b. Sha’dha’n transmitted from Imam al-Ridha’, peace be on him, who said: ‘It is permissible for the travelers and the sick to perform the late-night supererogatory prayers (*sala’t al-layl*) at the beginning of night because of their business and weakness; and that they may gain their prayers. Accordingly, the sick may rest at the time of their rest, and the travelers may prepare themselves for travel.[30](#)”

23. It is not Permissible to perform Prayer while wearing the Skins of Beasts of Prey

It is not permissible for the worshipper to perform prayer while wearing the skins of beasts of prey, for Isma‘il b. Sa’d al-Ahwas narrated, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him, about (him who performs) prayer (while wearing) the skins of beasts of prey, and he replied: ‘Do not pray while

(wearing) them.’[31](#)”

24. Prayer when Wearing Silk Clothing

The Imam, peace be on him, made it permissible for the worshipper to pray wearing silk clothing, for Mu‘ammar b. Khalla’d reported, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him, about the prayer when wearing a silk garment, and he answered: ‘Pray wearing it.’[32](#)”

Sa’d b. Sa’d narrated on the authority of al-Ridha’, peace be on him. He said: “I asked him about silk skins, and he said: ‘This is silk (pointing to his garment). We wear silk (clothing).’ So I said to him: ‘May I be your ransom, that is hair.’ ‘If its (the animal’s) hair is lawful, then its skin is lawful,’ he retorted.[33](#)”

25. Performing Prayer on Roads is Reprehensible

The Imami jurists have given a religious decision that performing prayer on roads is reprehensible. One of their proofs of that is what al-Hasan b. al-Jahm has narrated on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, who said: “Do not pray on every road on which (men) walk.” I (i.e. al-Hasan b. al-Jahm) said to him: “It has been narrated on the authority of your grandfather that there is no harm in praying on high valleys and lands.” “Perhaps, the man agrees with me on that,” he retorted. He (i.e. al-Hasan b. al-Jahm) said: “I said: “If the man fears for his provisions?” “If he fears (for his provisions), then let him pray,” he declared.[34](#)

26. Prayer by the Grave of the Prophet

It is permissible to perform prayer behind the grave of the infallible or on one of its sides, for al-Hasan b. ‘Ali b. Fadda’l narrated, saying: “I saw Abu’ al-Hasan al-Ridha’ when he wanted to go out to perform ‘Umra (lesser pilgrimage). He came to the grave from the place of the head of the Prophet, may Allah bless him and his family. He clung to the grave, and then he walked until he came to the grave, so he stood and began praying. He stuck his left shoulder to the pillar at the head of the Prophet, may Allah bless him and his family, and performed six or eight *rak‘as*.[35](#)”

27. Prayer in al-Masjid al-Hara’m

The Imam urged (men) to pray in al-Masjid al-Hara’m (the holy mosque in Mecca). In this connection, Musa’ b. Sala’m reported, saying: “Abu’ al-Hasan al-Ridha’, peace be on him, made the ‘Umra (lesser pilgrimage). When he said farewell to the House and arrived at Ba’b al-Hanna’tin in order to go out of it, he stood at the yard of al-Mesjid at the back of the Ka’ba. Then he raised his hands and supplicated (Allah). Then he turned to us and said: ‘It is the best thing through which the need is requested from Him. The prayer wherein is sixty years and months better than the prayer in other than it.’ When he reached the gate, he said: ‘O Allah, I have gone out, but there is no god but you!’[36](#)”

28. Prayer at al-Hatim

Al-Hasan b. al-Jahm narrated, saying: “I asked Abu’ al-Hasan al-Ridha’ about the best place of prayer, and he replied: ‘Al-Hatim, which is between the (Black) Stone and the Gate of the House.’ I asked: ‘And what follows that in excellence?’ ‘The standing place of Ibra’him,’ he replied. ‘Then what follows that in excellence?’ I asked. ‘The (Black) Stone,’ he answered. ‘Then what follows that (in excellence)?’ I asked. ‘All that which is nearby the House,’ he replied.³⁷”

29. Prayer in the two Mosques

Al-Hasan b. ‘Ali al-Washsha” narrated on the authority of al-Ridha’, peace be on him, saying: “I asked him: Is the prayer in the Holy Mosque (in Mecca) and the Mosque of the Prophet the same? ‘Yes,’ he answered, ‘and the prayer between them is equal to one thousand prayers.’³⁸”

30. Supplication during leaving the House is Recommended

Imam al-Ridha’, peace be on him, urged (the Muslims) to cling to supplication during leaving their houses, saying: “When my father left his own house, he said: ‘In the name of Allah, the Most Gracious, the Most Merciful. I have gone out with Allah’s help and through His power! I have neither help nor power! Rather through Your help and power, O Lord, I seek daily bread from You, so bring it to me in well-being!’³⁹”

31. Sitting between al-Adha’n and al-Iqa’ma

Muhammad b. Abu’ Nasr al-Bizanti reported on the authority of al-Ridha’, peace be on him, saying: “I asked him about the sitting between *al-Adha’n* (the call to prayer) and *al-Iqa’ma* (the declaration of standing for prayer), and he replied: ‘There is sitting between them when there is no supererogatory prayer.’⁴⁰”

32. Al-Adha’n

Ahmed b. Muhammad b. Abu’ Nasr reported on the authority of al-Ridha’, peace be on him, who said: “One may perform *al-Adha’n* (the call to prayer) in sitting position, and he may perform it in riding position.⁴¹”

33. Al-Iqa’ma

Ahmed b. Muhammad b. Abu’ Nasr narrated on the authority of al-Ridha’, peace be on him, who said: “You may perform *al-Adha’n* (the call to prayer) and you are in sitting position, and you may not perform *al-Iqa’ma* (the declaration of standing for prayer) except when you are on the ground and in standing

position.[42](#)”

34. Raising and Lowering Voice during Prayer

Imam al-Ridha', peace be on him, aloud recited (the suras) in the evening prayer, the night prayer, the late-night prayer, the even prayer, the odd prayer, and the morning prayer; and he quietly recited (the suras) in the noon and afternoon prayers.[43](#)

Men must recite the two suras in the two-*rak'a* prayer of the morning aloud. Similarly, the suras in the first two *rak'as* of the evening and night prayers must be recited aloud. The suras of the noon and afternoon prayers, apart from the Friday prayer, must be recited quietly. If he intentionally recites the suras aloud, his prayer is invalid; and if he recites them aloud out of forgetfulness or ignorance, his prayer is valid. It is recommended to recite the suras of the Friday prayer aloud.[44](#)

35. Postponing some of the Recitation of the Supererogatory Prayer

Ahmed b. Muhammad b. Abu' Nasr al-Bizanti, the companion of Imam al-Ridha', peace be on him, reported, saying: “I asked him: A man wants to recite one hundred verses or more in a supererogatory prayer, but he fears that he may become weak or lazy. Is it correct for him to recite them in sitting position? He replied: ‘Let him pray two *rak'as* with whatever (verses) he likes, and then let him go; and then let him recite the rest of the (verses) which he had wanted to recite, for that is sufficient to replace his recitation in standing position. If it seems to him that he wants to recite after the *taslim* [45](#) of the two *rak'as*, then let him recite; there is no harm (on him).[46](#)”

If one wants to recite one hundred *rak'as* in a supererogatory prayer and he is not forced to do that out of vow and the like, he has to choose between praying two *rak'as* in sitting position and recites whatever verses he likes, and praying two *rak'as* (in standing position) and recite the *taslim*; and then he recites whatever verses he likes after the prayer.

36. Turning the Face during Prayer

Al-Bizanti narrated, saying: “I asked him (i.e. al-Ridha') about the person who turns (his face) during prayer: Does such a person turn aside from his prayer? He answered: ‘If the prayer is obligatory and he (or she) turns his (or her) face, then he (or she) must turn aside from his (or her) prayer, repeat it, and do not regard it (as prayer).’[47](#)”

Certainly, turning the face changes the form of prayer, and all things which change the form of prayer invalidate it.

37. Zaka't al-Fitra

Muhammad b. al-Qa'sim b. al-Fadl reported, saying: "I wrote to Abu' al-Hasan al-Ridha', peace be on him, to ask him: Does the guardian pay *Zaka't al-Fitra* [48](#) on behalf of the orphans who have wealth? So he wrote: 'There is no *zaka't* (imposed) on the orphan.'[49](#)"

As for *Zaka't al-Fitra*, it is not obligatory on the orphan nor on his guardian, who has no right to take it out of the orphan's wealth, as it is indicated by the narration through which the jurists have given a religious edict, for there is no religious duty on the orphan until he or she reaches ritual puberty (15 years in the case of boys and 9 years in the case of girls).

38. Zaka't due on Deposit and Loan

Ibra'him b. Abu' Mahmu'd narrated, saying: "I said to Abu' al-Hasan al-Ridha', peace be on him: The person has a deposit or a debt, but he does not reach them, and then he takes them, when *zaka't* is payable on him? He replied: 'If he takes them and a year has passed, he must pay *zaka't*.'[50](#)" On the conditions of *zaka't* is that one has the authority to dispose of wealth, for it is not obligatory on the wealth over which its owner has no authority because of his absence from it. For example if the owner is able to regain his deposit (and one year) has passed, then it is due on him to pay *zaka't*. Similarly, he must pay the *zaka't* due on his loan after he has received it and one year has passed.

39. Zaka't on Crops

Sa'd b. Sa'd al-Ash'ari narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him: 'When *zaka't* is due on wheat, barley, dates, and raisins?' He answered: 'When they are reaped and assessed.'[51](#)"

The famous jurists think that *zaka't* is due on wheat and barley when they become ripe; on dates when they become yellow or red; on grapes when they are unripe; and other than that is said.[52](#)

40. 'Alawide's zaka't is for the 'Alawides

Ahmed b. Muhammad b. Abu' Nasr reported from al-Ridha', saying: "I asked him about alms (*zaka't*): Is it lawful for the Hashimites to take alms (*zaka't*)? 'No,' he replied, 'but it is lawful for them to take alms from each other.'[53](#)"

41. Zaka't must be paid when due

Sa'd b. Sa'd al-Ash'ari narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him about the person on whom *zaka't* is obligatory three times a year, shall he delay them to pay

them at one time? ‘No,’ he answered, ‘pay it (*zaka’t*) when it becomes due.’⁵⁴ If the person has numerous items on which *zaka’t* is payable such as the crops, the livestock, gold, and silver, he must pay the *zaka’t* of each kind when it becomes due.

42. The Fitra on behalf of him who does not belong to the Family

‘Abd al-Rahma’n b. al-Hajja’jj narrated, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him, about the man who spends on a man who does not belong to his own family, but he finds difficulty in spending on him and his clothing, is his *fitra* obligatory on him? ‘No,’ he answered, ‘the *fitra* of his family is obligatory as alms on him apart from him (i.e. the man who does not belong to the family.’ Then he said: ‘The family are: the child, the slave, and the wife who is the mother of the child.’⁵⁵”

Zaka’t al-fitra is obligatory on the responsible and his family when the night of (‘Id) al-Fitr comes. There is no difference between those whose expenditure is obligatory on him and other than them, between the young and the old. It is not obligatory on him to pay *fitra* on behalf of those who do not belong to his own family, and in whose clothing and expenditure he finds difficulty. Generally speaking, *fitra* is paid on behalf of the person when actually belongs to the family, as the jurists have mentioned.

43. The One-Fifth Tax (Khums)

‘Ali b. al-Husayn b. ‘Ali b. Fadda’l reported on the authority of his father, on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, who said (in a tradition): “Abd al-Muttalib had five practices (*sunan*), which Allah, for him, put into effect in Islam: He (‘Abd al-Muttalib) made it prohibited for sons to marry their fathers’ women, specified one hundred camels as blood money, circumambulated the House (the Ka’ba) seven times, found a treasure and took out the one-fifth of it, and called (the well) Zamzam when he dug it as a watering place for pilgrims.⁵⁶”

44. Khums on Treasure

Shaykh al-Mufid narrated through his chain of authorities, saying: “Imam al-Ridha’, peace be on him, was asked about the amount of treasure on which *khums* is obligatory, and he replied: ‘*Khums* is obligatory on the thing on which *zaka’t* is obligatory; *khums* is not obligatory on the thing which does not reach the minimum amount of property liable to payment of *zaka’t*.’⁵⁷”

Treasure is the property stored in the earth; whether it is of the coined and uncoined gold and silver or of other than them. One of its conditions is that it must reach the minimum amount which is twenty dinars. If it does not reach this amount, then there is no *khums* on it.

45. Khums must be given to the Imam

Muhammad b. Zayd al-Tabari reported, saying: “A Persian merchant, who was a follower of Abu’ al-Hasan al-Ridha’, peace be on him, asked him to exempt him from *khums*, and he wrote to him: ‘In the name of Allah the Most Gracious, the Most Merciful. Surely Allah is All-embracing, generous. He has guaranteed reward according to work. No property is lawful except through the way which Allah has made lawful. Surely *khums* helps us (serve) our religion, our family, our followers, spend freely, and protect our honor from him whose power we fear. So do not cut us off from *khums*, and as far as possible do not deprive yourselves of our supplication. Surely giving *khums* is a key to your daily bread, forgiving your sins, and what you pave for yourselves for the day of your neediness. The Muslim is he who fulfills what Allah has entrusted to him; the Muslim is not he who responds through his tongue and opposes through his heart. Greetings.’⁵⁸”

46. Khums should be paid to the Imam

Muhammad b. Zayd narrated, saying: “A group of people from Khurasa’n came to Imam al-Ridha’, peace be on him, and asked him to exempt them from *khums*, and he said: ‘I do not exempt (anyone from) this. You show sincere affection toward us through your tongues, while you deprive us of the right which Allah has apportioned to us and appointed us for it, which is *khums*. We will not exempt anyone of you from it.’⁵⁹”

This tradition and the one before it indicate that *khums* should be paid to the present Imam, and in the period of his occultation (*ghayba*) it should be given to his deputy, who is the general authority of Islamic world.

47. Religious Expiation on breaking the fast through the Lawful and Unlawful

‘Abd al-Sala’m b. Sa’lih al-Harawi reported, saying: “I said to al-Ridha’, peace be on him: O son of Allah’s Apostle, it has been reported from your fathers that there are three religious expiations on him who has a sexual intercourse in the month of Ramada’n or breaks the fast during it; it has also been narrated from them that there is one religious expiation, then which of the two traditions should we follow? ‘Both of them,’ he replied, ‘When the man has a sexual intercourse with a prohibited woman or breaks the fast through the unlawful, then three are three religious expiations due on him: releasing a slave, fasting two successive months, feeding sixty needy ones, and compensating that day; and if he indulges in lawful intercourse or breaks the fast through the lawful, then there is one expiation obligatory on him; and if he is forgetful, then there is nothing due on him.’⁶⁰”

In the light of this narration and other narrations transmitted from the Imams of guidance, the Imami jurists have given a religious decision that if one breaks the fast through the unlawful during the day such

as drinking wine or eating a usurped thing or the like, he is subjected to all the religious expiations, which are: releasing a slave, fasting two successive months, feeding sixty needy ones, and compensating that day; and if he breaks the fast through a lawful thing such as drinking water, then he has to choose between these three religious expiations.

48. Liquid Enemas

Ahmed b. Muhammad b. Abu' Nasr al-Bizanti narrated that he asked Imam al-Ridha', peace be on him, about one who had a liquid enema in the month of Ramada'n, and he, peace be on him, answered: "It is not permissible for him to have a liquid enema.[61](#)"

The Imami jurists have depended on this narration and other narrations reported from the Imams of *Ahl al-Bayt*, peace be on them, hence they have given a religious decision that a liquid enema is one of the things which invalidate the fast.

49. Brushing Teeth in the Month of Ramada'n

Musa' b. Abu' al-Hasan al-Ra'zi reported on the authority of al-Ridha', peace be on him. He said: "One of those who were sitting in his presence asked him about cleaning teeth with the stick (*al-Siwa'k*) in the month of Ramada'n, and he replied: 'It is permissible.' So one of them declared: 'The wetness of the stick goes down, what do you say about the wetness of the stick which goes down?' He (the Imam) replied: 'The water of gargle moistens (the mouth) more than the wet stick does. If someone says that water is necessary for gargle according to the *Sunna*, then the stick is also necessary according to the *Sunna* which Gabriel brought to the Prophet, may Allah bless him and his family.'[62](#)"

50. Intention for Travel at Night

In a tradition Safwa'n narrated on the authority of al-Ridha', peace be on him, who said: "If one wants to go to al-Nahrwa'n and returns from it, then he should make an intention for travel and breaking the fast at night. If he enters upon morning and has not make the intention for the travel (at night) and it seems to him (that he has not made the intention) after he has started the travel, then he should shorten (his prayers) and should not break (the fast) of that day of his.[63](#)"

In the light of this narration, Imam al-Khu'i has given a religious decision that the traveler should make an intention for travel at night. If he does not make the intention and travels before the declination (of the sun), then it is obligatory on him to complete the fast and to compensate for (it).

51. Recommended Fast is not compensated

Al-Marzba'n b. 'Umra'n reported, saying: "I asked al-Ridha', peace be on him: I want to travel, then shall I fast the month of mine in which I shall travel? 'No,' he answered. Then I asked: Shall I

compensate for it when I return?’ ‘No,’ he replied, ‘you do not compensate for it just as you do not fast it.’⁶⁴ Similar to this narration is what has been reported by Sa’d b. Sa’d al-Ash‘ari on the authority of Abu’ al-Hasan al-Ridha’, peace be on him. He said: “I asked him about the three-day fast in (each) month: Is it obligatory on the traveler to compensate for it? ‘No,’ he answered.⁶⁵”

52. Fast on the Day of Doubt

Muhammad b. Sina’n reported, saying: “I asked al-Ridha’, peace be on him, about the day of doubt, and he answered: ‘Surely my father would fast on it, so fast on it.’⁶⁶”

If one doubts whether the new moon of the month of Ramada’n has appeared or not: The Imam (al-Ridha’), peace be on him, ordered (the Muslims) to fast on it; and the intention for the fast is according to what the jurists have mentioned that one makes intention as (a day) of Sha’ba’n as recommendation or compensation. If it appears that it (the day) is of Ramada’n, then it is sufficient for him, but if one fasts on it through the intention of Ramada’n, then his fast is invalid.⁶⁷”

53. If a Fast of Ramada’n is Missed

In a tradition al-Fadl b. Sha’dha’n narrated on the authority of al-Ridha’, peace be on him, who said: “If someone says: If one becomes sick or travels in the month of Ramada’n, and he does not end his travel or does not recover from his illness until another month of Ramada’n comes, then why should he pay redemption and should not compensate for (it)? If he recovers or resides (in his homeland), then why should he compensate (the fast) and should not pay redemption? It is said: Because that fast was obligatory on him in this month in that year. As for him who does not recover, he, as the whole year has passed and Allah has overcome him and not helped him to perform the fast, then he must not fast.

Likewise, all those whom Allah overcomes such as one who faints for a day and a night, then it is not obligatory on him to compensate the prayers, just as al-Sa’diq, peace be on him, said: ‘If Allah overcomes him, then he has an excuse.’ For the month has come, and he is still ill, so it is not incumbent on him in the month of him and the year of him because of the illness in which he is; but it is obligatory on him to pay redemption just as Allah, the Exalted, says: **Let him fast for two successive months; then as for him who is not able let him feed sixty needy ones**, and just as He says: **So a compensation by fasting or alms or sacrificing**. So He has put alms in the place of fasting when it is difficult for him to fast. If it is said that one was not able then and now he is able, it is said: As another month of Ramada’n has come to him, it is obligatory on him to pay redemption for the past (Ramada’n); if he is in the rank of him upon whom it is incumbent to fast as a religious expiation, but he is not able, then redemption is due on him; and if redemption is obligatory on him, then he should not fast; the fast drops but redemption is a must. If he recovers between them (i.e. between the past and the present months of Ramada’n) and he has not fasted the past month of Ramada’n, then redemption is obligatory on him because he has neglected it, and (also) the fast because he has been able.⁶⁸”

If one misses the month of Ramada'n or some of it because of an illness and the excuse continues to the next Ramada'n, he should not fast it but he should pay a *mudd* (750 gms) of food as alms for each day. However, if he misses it because of an excuse other than illness, then both compensation and redemption are obligatory.⁶⁹

54. Recommended Fasts

Isma'il b. Da'wud narrated, saying: "I asked al-Ridha', peace be on him, about the fast (i.e. recommended fasts), and he answered: 'Three days in a month: Wednesday, Thursday, and Friday.'⁷⁰"

55. The fast on the Day of 'Id al-Ghadir

Al-Fa'rid b. Muhammad b. 'Amr al-Tu'si narrated that he saw Abu' al-Hasan 'Ali b. Musa' al-Ridha', peace be on him, on the Day of al-Ghadir along with a group of his special companions whom he had invited to break the fast. He sent to their houses food, wheat, gifts, clothing, rings, sandals, and the like. He changed their conditions and those of his retainers. He changed the rites familiar before that day, and then he mentioned the excellence and precedence of that day. The following are some of his words:

"My father al-Ha'di related to me on the authority of his father, on the authority of the Commander of the faithful, peace be on him, that al-Ghadir occurred on Friday in his time, so he went up on the pulpit for five hours at the daytime of that day, and then he, peace be on him, mentioned his long sermon until he said: 'Then Allah, the Most High, has brought together for you, O group of the believers, on this day two great 'Ids; none of them stands except through its companion, that His beautiful favor toward you may be perfect.' Then he mentioned a great deal of the excellence of al-Ghadir until he said:

"So the dirham on it (al-Ghadir) equals one hundred dirhams, and the increase is from Allah, the Exalted; and the fast on this day is one of those fasts which Allah, the Most High, has made recommended, and placed great reward from Him for it, to the extent that if one of the servants worships during youth from the beginning of the world to its end, fasting by its daytime performing prayer by its day, if the faithful is sincere to his fast, the days of the world will fall short of being equal to it. He who aids his brother of his own accord and does good to him willingly wins the reward of him who fasts on this day and performs prayer on its night; and he who breaks a believer's fast on its night, it is as if that he broke the fast of one hundred thousand prophets, very truthful ones, and martyrs. Just imagine how much more is (the reward) of him who maintains a number of the believers, male and female; and I, on behalf of Allah the Exalted, guarantee him safety from unbelief and poverty. He who dies by its night or daytime or after it, then his reward is from Allah. He who borrows a loan for his brothers and helps them; then I guarantee him before Allah; if He keeps him alive, then he pays it (the loan); and if He makes him die, He undertakes it. When you meet each other, then shake hands through greetings, grant the blessing to each other on this day, let the present inform the absent (of it), let the rich visit the poor, and the strong (visit) the weak. Allah's Messenger had ordered me (to do) that.' Then he, peace be on him,

continued his sermon, regarded his Friday prayer as 'Id prayer, then he took his sons and his followers (Shi'ites) and went to the house of al-Hasan b. 'Ali, peace be on him, where food had been prepared; the poor and the rich took their gifts and went to their families.⁷¹"

Surely al-Ghadir 'Id is one of the most important Islamic 'Ids, for, on this immortal day, Allah's Apostle, may Allah bless him and his family, installed Imam 'Ali, the Commander of the faithful, as his successor after him, and an authority for his community. Many traditions have been transmitted from the Imams of guidance concerning the recommended fast and celebrating a festival on it. The Imami Sect has been successful in commemorating it, holding literary festivals in which wonderful poems and marvelous words are read in praising the excellence of Abu' al-Husayn (i.e. Imam 'Ali), peace be on him. Likewise, thousands of people visit his Holy Shrine in order to commemorate this day.

56. Summoning the Believers to make a Pilgrim is

Recommended

Al-Hasan b. 'Ali al-Daylami, the retainer of Imam al-Ridha', peace be on him, reported, saying: "I heard al-Ridha' say: 'He who summons the believers to make a pilgrim certainly buys his own soul from Allah, the Great and Almighty, for the money.'⁷²"

This tradition is a proof of that summoning the believers to perform the *hajj* and spending on them is the best act which brings man nearer to Allah.

57. Hajj on behalf of the Dead

Muhammad b. 'Abd Allah narrated, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him, about the person who died and asked someone else to perform the *hajj* on his behalf, from where the *hajj* is performed on his behalf? He replied: 'According to his money; if his money is plentiful, then (the *hajj*) is performed from his house; if his money is not plentiful, then from Kufa; and if his money is not enough (to perform the *hajj*) from Kufa, then from Medina.'⁷³"

58. Hiring Someone to perform the Hajj

Muhammad b. 'Isa' al-Yaqtin narrated, saying: "Abu' al-Hasan al-Ridha', peace be on him, sent a parcel of clothing, and servants to me, my brother Musa' b. 'Ubayd, and Yunus b. 'Abd al-Rahma'n; he ordered us to perform the *hajj* on his behalf; there was one hundred dinars and we (divided it) among us.⁷⁴"

The jurists have depended on this narration and the like regarding that it is permissible for living one to hire someone else to perform the recommended *hajj* on his behalf; likewise, they have given a religious decision that it is permissible for living one to hire someone else to perform on his behalf the obligatory

hajj such as the *hajj* of Islam (*hujjat al-Islam*); that is when one is unable to perform the *hajj*.

59. Al-Ihra'm before the appointed Time and Place

Imam al-Ridha', peace be on him, said: "*Al-Ihra'm* (the ceremonies of *'umra* and *hajj*) is not permissible before *al-miqa't* (the appointed time and place).⁷⁵"

60. Passing through al-Miqa't

Safwa'n b. Yahya' reported on the authority of Abu' al-Hasan al-Ridha', peace be on him. He said: "I wrote to him (al-Ridha') that some of your followers perform *al-ihra'm* from Batn al-'Aqiq, that there was neither water nor a house in that place, that there was a hard provisions against them, and that their companions and their camels hasten them; fifteen miles from beyond Batn al-'Aqiq, there was a station wherein water, and which was there station at which they stopped; so do you think that (it is permissible for them) to perform *al-ihram* from the place of the water as a sign of mercy to them and lightness toward them? Hence he wrote: 'Surely Allah's Messenger, may Allah bless him and his family, has appointed the times and places for its people and those other than its people who pass through them; he who has an illness is permitted (to do so); so none should break the appointed time and place (*al-miqa't*) except him who has an illness.'⁷⁶"

All those who pass through the appointed time and place (*al-miqa't*) and intend to go to Holy Mecca should perform *al-ihram*, just as it has been indicated by this narration and others.

61. How 'Umrat al-Tamattu' is Performed

Ahmed b. Muhammad narrated, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him: How shall I perform '*umrat al-tamattu'*? He answered: 'Exclaim: Here I am at Your service! Make a solemn intention for '*umrat al-Tamattu'*. When you enter Mecca, circumambulate the House; perform two *rak'as* behind the Standing place (*al-Maqa'm*); run seven times between al-Safa' and al-Marwa'; and then shorten and regard it as '*umrat al-Tamattu'*.'⁷⁷"

This narration is a proof of that it is permissible for one to make a solemn intention for the *hajj* and *al-talbiya* (exclaiming: Here I am at Your service!) through which *al-ihra'm* is valid; and then he performs the rest of the ceremonies such as circumambulating the Holy House, praying behind the Standing place of Ibra'him, running seven times between al-Safa' and al-Marwa'; shortening and regarding it as '*umrat al-Tamattu'*.

62. Ceasing al-Talbiya

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of Imam al-Ridha', peace be on him, that he was asked: "When will one who performs '*umrat al-Tamattu'* cease *al-talbiya* (exclaiming: Here I am

at Your service!) ?” He (al-Ridha’) replied: “When he looks at the bowers of Mecca, ‘Aqabat Dhi Tiwa’.” “The Houses of Mecca?” I (Ahmed) asked. “Yes,” he replied.⁷⁸

When the *hajji* performs *al-ihram* from one of the appointed places, it is recommended for to continue *al-talbiya* throughout the time until he arrives in Mecca. When he sees its houses, he ceases *al-talbiya*.

63. Al-Muhrim can buy female Slaves

Sa’d b. Sa’d al-Ash’ari al-Qummi narrated on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, saying: “I asked him (al-Ridha’) about *al-muhrim* (one who has entered the state of ritual consecration): Can *al-muhrim* buy and sell female slaves? ‘Yes,’ he replied.⁷⁹”

It is prohibited for *al-muhrim* to marry a woman; likewise, it is prohibited for him to make the contract of marriage for those other than him. As for buying and selling female slaves, it is not forbidden, as it is indicated by this narration.

64. It is Permissible for al-Muhrim to wear a Ring

Muhammad b. Isma’il b. Buzaygh reported, saying: “I saw Abu’ al-Hasan al-Ridha’, peace be on him, wearing a ring while he was in the state of ritual consecration (*muhrim*).⁸⁰”

65. Al-Muhrim can walk in Shade

Muhammad b. Isma’il b. Buzaygh narrated, saying: “I wrote to Abu’ al-Hasan al-Ridha’, peace be on him: ‘Is it permissible for *al-muhrim* to walk in the shade of the double camel-litter (*al-Mahmal*)?’ ‘Yes,’ he, peace be on him, wrote.⁸¹”

One of the things from which *al-muhrim* should refrain is casting a shadow over him. As for walking in shade, it is not forbidden. This matter has raised many questions, for al-Tabrasi narrated, saying: “Muhammad b. al-Hasan questioned Abu’ al-Hasan Musa’ b. Ja’far, peace be on him, in the presence of (Ha’ru’n) al-Rashid when they were in Mecca. He asked him: ‘Is it permissible for *al-muhrim* to walk in the shade of the double camel-litter (*al-Mahmal*)?’ ‘It is not permissible for him (to do) that willingly,’ the Imam answered him. ‘Is it permissible for him to walk in shade willingly?’ asked Muhammad b. al-Hasan. ‘Yes,’ he replied him. Muhammad b. al-Hasan laughed at that, hence the Imam asked: ‘Do you wonder at the *Sunna* (practices) of Allah’s Apostle, may Allah bless him and his family, and ridicule it? Surely Allah’s Messenger, may Allah bless him and his family, removed his shade during his *ihra’m* and walked in the shade while he was *muhrim*. Surely Allah’s laws, O Muhammad, are not compared. So he who compares them to each other deviates from the straight path.’⁸²”

66. Religious Expiation for killing a Bird in the Holy Shrine

Safwa'n b. Yahya' narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, who said: "He who kills a bird in the Holy Shrine (of the Prophet) while he is in the ritual state of consecration (*muhrim*) should pay the value, which is one dirham, and buy food for the pigeons of the Holy Shrine.⁸³"

67. Redemption for casting Shadow

Sa'd b. Sa'd al-Ash'ari reported on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him (al-Ridha') about *al-muhrim* (one who has entered the state of ritual consecration) who cast a shadow over himself, and he asked me: 'Is there an excuse?' 'The heat of the sun hurts him when he is in the state of ritual consecration (*muhrim*),' I answered. 'It is an excuse,' he explained, 'he can cast a shadow over himself and should pay a redemption.'⁸⁴"

Ibra'him b. Abu' Mahmu'd narrated, saying: "I asked al-Ridha', peace be on him: 'Is it permissible for *al-muhrim* to cast over himself a shadow from his double camel-litter (*al-Mahmil*) and pay a redemption when the sun and rain hurt him?' 'Yes,' he replied. 'How much is the redemption?' I asked him. 'A ewe,' he answered.⁸⁵"

68. Supplication by al-Rukn al-Yama'ni

Sa'd b. Sa'd al-Ash'ari reported on the authority of al-Ridha', peace be on him, saying: "I was with him (al-Ridha') during circumambulating (the Ka'ba). When we approached al-Rukn al-Yama'ni, he raised his hands towards the heaven, and then he said: 'O Allah! O Keeper of well-being! O Creator of well-being! O Provider with well-being! O Benefactor through well-being! O Munificent with well-being! O You who have obliged me and all Your creatures through well-being! O Most Gracious in this world and the next and Most Merciful in both of them! Bless Muhammad and the family of Muhammad, provide us with well-being, completing well-being, giving thanks for well-being in here and the hereafter, O Most Merciful of the merciful!⁸⁶"

69. Obligatory Circumambulation

He (al-Ridha'), peace be on him, said: "One should say nothing during obligatory circumambulation except supplication, invocation of Allah, and reciting the Qur'an. As for the supererogatory (i.e. recommended circumambulation), there is no harm in it (when) one meet his brother and talks with him about one of the affairs of the world.⁸⁷" This precept is not obligatory; rather it is recommended; and it is recommended for *al-muhrim* to say nothing during his circumambulation except the invocation of Allah, the Most High.

70. Stone-Throwing

Isma'il b. Hamma'm reported, saying: "I heard Abu' al-Hasan al-Ridha', peace be on him, say: 'Do not throw stones on the Day of Great Sacrifice (i.e. the Day of 'Id) until the sun rises.'⁸⁸" The surface meaning of this order is the prevention from throwing stones before the sunrise.

71. Animal for Immolation is sufficient for a Group of People

Sawa'da and 'Ali b. Asba't narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him. They said: "We asked him (al-Ridha'): 'May we be your ransom, the sacrifices in Mecca have become expensive; is it sufficient for two persons to take part in a sheep?' 'Yes,' he replied 'and (it is sufficient) for seventy (persons).'⁸⁹"

This narration concerns the recommended *hajj*. As for the obligatory *hajj*, one sacrifice is not sufficient except for one person, nor is it sufficient for two persons.

72. Clothes should not be sold for buying an Animal for Immolation

'Ali b. Asba't reported on the authority of one of our companions, on the authority of Abu' al-Hasan al-Ridha', peace be on him. He said: "I said to him (al-Ridha'): 'A man has performed *hajj al-tamattu'*, and there are some clothes in his bag, shall he sell some of them in order to buy a sacrifice?' 'No,' he answered, 'the believer should adorn himself with them. He should fast and not sell any of his clothes.'⁹⁰" When the pilgrim is unable to buy a sacrifice, he should fast for three days during the *hajj* and seven days when he comes back to his homeland.

73. Visiting the Prophet is Recommended

Al-Hasan b. al-Jahm narrated, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him: 'Which is better: the man who comes to Mecca and does not go to Medina or the man who comes to the Prophet and does not go to Mecca?' 'In which thing do you believe?' he asked me. 'We believe in al-Husayn, peace be on him,' I replied, 'then what about the Prophet?' 'Since you said that,' he retorted, 'Abu' 'Abd Allah (al-Husayn), peace be on him, witnessed 'Id in Medina, came to the Prophet, may Allah bless him and his family, and greeted him, and then he said to those present: 'We are better than the people of all the cities, Mecca and other than it, for we have greeted Allah's Messenger, may Allah bless him and his family.'⁹¹"

74. Running away from Fighting in the Way of Allah is Prohibited

“Allah has prohibited escaping from fighting in His path, for it leads to undermining the religion; disdaining the just prophets and Imams; leaving helping them against the enemies who should be punished for their leaving professing the Lord to whom they are summoned, (and who are summoned to) establishing justice, leaving oppression, and deadening corruption. Moreover it encourages the enemies to (attack) the Muslims, and (this attack) results in murdering (them), taking them as prisoners, and abolishing the religion of Allah, the Great and Almighty, and (this attack leads to) other corrupt things.[92](#)”

Islam has prohibited running away from fighting in the way of Allah, for it brings about dangerous harms to the Muslims, of which is that the unbelieving forces dominate Islam, destroy the Muslims, and severely punish the believers.

75. Adopting the Bedouin Customs after the Emigration is Prohibited

Muhammad b. Sina'n narrated that Abu' al-Hasan al-Ridha', peace be on him, wrote to him in response to his questions: “And Allah has prohibited adopting the Bedouin customs after the Emigration, for it brings about withdrawal from the religion, leaving supporting the prophets and the proofs (Imams), peace be on him, corrupting and invalidating the rights of those who have rights, because of the residence of the Bedouins; likewise, if one fully knows the religion, it is not permissible for him to live with men of ignorance, for fear that he may leave knowledge and adopt the customs of men of ignorance and go too far in that.[93](#)”

Islam has prohibited adopting the Bedouin customs after the Emigration, for it brings about withdrawal from the religion and acquiring the manners of the ignorant, for social life is the life of effect and being affected, so every person is affected by his surroundings, and he produces an effect on them; for this reason Islam has prohibited living with men of ignorance. This prohibition concerns those ignorant from among the Muslims. However, it does not concerns those who have knowledge and virtue, for they do not follow the manners of the ignorant.

76. Buying Infidel Captives is Permissible

Muhammad b. 'Abd Allah reported, saying: “I asked Abu' al-Hasan al-Ridha', peace be on him, about a group of people who went out (in mutiny), killed a group of Muslims, and demolished the Mosques; and Ha'ru'n, who was in charge (of the Muslims), sent for them, and they were taken and killed, the women and the boys were taken prisoners; is it permissible (for us) to buy some women of them and marry them? ‘There is no harm in buying their commodities and taking them prisoners,’ he replied.[94](#)”

Zakariya' b. Adam narrated, saying: “I asked al-Ridha', peace be on him, about a group of the enemies

who made peace, and then they broke their promise; perhaps, they broke their promise because they were not treated with justice—is it permissible to buy some of their captives? He, peace be on him, answered: ‘If they were from among the enemies whose enmity is manifest, then buy from them; and if they are estranged and wronged, then do not buy their captives.’⁹⁵”

In the second tradition the Imam, peace be on him, talked about those who mutinied against the basic government: if they mutinied against it because they suffered from oppression or it did not accomplish its treaties and broke its promises, then there would be no way to buy some of their captives; and if their mutiny was as a sign of enmity toward Isla’m and malice toward the Muslims, then it was permissible for the Muslims to buy their captives.

77. The Precepts of al-Khara’jj

Imam al-Ridha’, peace be on him, detailed the precepts of land tax (*al-khara’jj*) through his talk with Ahmed b. Muhammad b. Abu’ Nasr, who said: “I mentioned *al-khara’jj* before Abu’ al-Hasan al-Ridha’, peace be on him, and how the members of his household behaved toward it, and he said: ‘One-tenth and half a one-tenth is due on him who adopts Islam willingly; his land is left in his hand; and one-tenth and half a one-tenth is taken from him concerning what he has reformed from it. As for that which he has not reformed, it is taken by the governor who accepts it from him who reforms it, and it belongs to the Muslims. Nothing is due on that which less than five camel-loads (*awsa’q*). As for the land which is taken by the sword, it is up to the Imam, who accepts it with what he sees; just as Allah’s Apostle, may Allah bless him and his family, did toward Khaybar; he accepted its land and its date-palms; and the people say: ‘The acceptance of the land and the date-palms is not good when whiteness (barren land) is more than blackness (fertile land); and certainly Allah’s Messenger, may Allah bless him and his family, accepted Khaybar and (specified) one-tenth and half a one-tenth as due on their portions.’⁹⁶”

78. Al-Amr bi al-Ma’ru’f and al-Nahy ‘an al-Munkar

He (al-Ridha’), peace be on him, said: “You should direct others towards good and direct them away from evil; otherwise, He (Allah) will employ your evil ones over you, so your good ones supplicate (Him) but He does respond to them.⁹⁷”

And he, peace be on him, said: Allah’s Apostle, may Allah bless him and his family, would say: “When (the members of) my community depend on each other concerning *al-amr bi al-ma’ru’f* and *al-nahy ‘an al-munkar*, then they will face a punishment from Allah.⁹⁸”

Surely *al-amr bi al-ma’ru’f* and *al-nahy ‘an al-munkar* are two main Islamic bases on which the development of the community, its security, and its safety from discords and deviation (from the truth) are built.

And he, peace be on him, said: “*Al-amr bi al-ma’ru’f* and *al-nahy ‘an al-munkar* are two obligatory

(things) when it is possible and there is no fear for the soul.[99](#)”

Surely *al-amr bi al-ma'ru'f* and *al-nahy 'an al-munkar* require conditions of which is that there should be no fear for the soul, the family, and the wealth. When these conditions are not available, then this religious duty drops.

79. Making Use of the fat Tails which are cut off from Living Sheep

Al-Bizanti, the companion of Imam al-Ridha', peace be on him, narrated, saying: "I asked him (al-Ridha') about the person who cuts off the fat tails of his living sheep is it permissible for him to make use of them? 'Yes,' he answered, 'he should melt them, light (a lamp) through them, but he should not eat them; nor should he sell them.'[100](#)”

This narration is a proof of that it is permissible for one to make use of the fat tails which are cut off from living sheep, but this use is confined to illumination only.

80. Wage for Writing the Qur'an

Imam al-Ridha', peace be on him, was asked about the wage for writing the Qur'an, and he, peace be on him, replied: "There is no harm in it.[101](#)”

81. Al-Maysar is a Game of Hazard

Islam has prohibited *al-maysar* (game of hazard) and associated it with wine. As for Imam al-Ridha', peace be on him, he explained *al-maysar*, saying: "*Al-maysar* is a game of hazard.[102](#)” And he, peace be on him, said: "Surely, chess, game at dice (*nard*), fourteen (*arba'at 'ashar*), and all things used as gamble are *maysar*.[103](#)”

82. Work for Tyrannical Ruler

Sulayma'n al-Ja'fari reported, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him: 'What do say about work for the tyrannical ruler (Sultan)?' He answered: 'O Sulayma'n, work for tyrannical rulers, helping them, and striving for accomplishing their needs are equal to unbelief; likewise, looking at them deliberately is one of the great sins because of which one deserves the Fire.'[104](#)” Imam al-Ridha', peace be on him, made it permissible for a tyrannical ruler to undertake authority, provided that he should benefit the believers and drive harm away from them. He, peace be on him, said: "Surely Allah has friends along with the (tyrannical) ruler, through whom He drives (harm) away from His friends.[105](#)”

Al-Hasan b. al-Husayn al-Anba'ri narrated on the authority of Abu' al-Hasan al-Ridha', peace be on

him, saying: “I wrote to him (al-Ridha’) for fourteen years and asked him to permit me in order to work for the ruler (Sultan); in the last letter I wrote him and mentioned that my neck would be struck off, that the ruler said to me that I was a Rafidite (apostate), and that I refused to work for the ruler because of my being a Rafidite.

“So Abu’ al-Hasan (al-Ridha’), peace be on him, wrote me: ‘I have understood your letter and what you have mentioned concerning the fear for your soul. If you become a governor, work according to the orders of Allah’s Messenger, may Allah bless him and his family, your helpers and scribes follow your creed, and you help the poor believers to the extent that you become one of them, then it is okay; otherwise, no.’ [106](#)”

83. Option of Animals

‘Ali b. Asba’t reported on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, saying: “I heard him (al-Ridha’) say: ‘The buyer has the right of option of an animals for three days; as for (the things) other than animals, (the right of option terminates) when they leave each other.’ [107](#)”

In the light of this narration and others, the jurists have given a religious decision that the buyer has the right of option of an animals for three days; and as for the things other than animals, the right of option terminates when they leave each other; and that is called ‘option of meeting place.’

84. Changing Coins

Yunus narrated, saying: “I wrote to al-Ridha’: ‘I owed a man three thousands dirhams; the people used those dirhams in those days; they do not use them nowadays; shall I take the same dirhams or the dirhams which the people use nowadays?’ So he wrote me: ‘You have the right to take from him the dirhams which the people use just as you gave him the dirhams which the people used.’ [108](#)”

85. Selling unripe Fruit

Al-Hasan b. ‘Ali al-Washsha” reported, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him: ‘Is it permissible to sell unripe dates?’ ‘No,’ he replied, ‘it is not permissible to sell them until they grow.’ ‘May I be your ransom, what is the growth (*zahw*)?’ I asked him. ‘When they become red or yellow or the like,’ he answered. [109](#)”

86. Buying the Children of the protected People is Prohibited

Zakariya b. Adam narrated, saying: “I asked al-Ridha’, peace be on him, about one of the protected people (*Ahl al-dhimma*) who faced famine and brought me his boy, saying: ‘This (boy) belongs to you; feed him and take him as a slave for you.’ So he (al-Ridha’) declared: ‘Do not buy a free man; nor do buy one of the protected people, for it is not permissible for you (to do that).’ [110](#)”

The protected people (*Ahl al-dhimma*) are free, and it is not permissible to buy them.

87. The Imam pays the Debts of the Debtors

Muhammad b. Sulayma'n reported on the authority of a man called Abu' Muhammad from al-Jazira. He (the man) said: "A man asked al-Ridha', peace be on him. The man said and I could hear him: 'May I be your ransom, Allah, the Great and Almighty, says: *And if (the debtor) is in straitness, then let there be postponement until (he is in) ease.* Tell me about this postponement which Allah, the Great and Almighty, has mentioned in His Book: Is there any fixed period for it, that the creditor may wait for this impoverished one, who has taken the creditor's money and spent it on his family, and who has neither a crop nor a debt nor an absent wealth?'

"He (al-Ridha'), peace be on him, replied: 'Yes, he (the creditor) must wait until the Imam hears of his news; and he pays his (the debtor's) debt from the share of the debtors. That is when he (the debtor) had spent it (debt) on the acts of obedience to Allah, the Great and Almighty. If he had spent it on the acts of disobedience to Allah, then he would have nothing against the Imam.' I (i.e. the man) asked: 'What about this man who entrusted (his money) to him while he did not know whether he spent it on the acts of obedience to Allah or on acts of disobedience to Him? He (al-Ridha') answered: 'He (debtor) should strive for him concerning his money and humbly return it to him.'[111](#)'"

88. Buying Debt

Muhammad b. al-Fudayl narrated, saying: "I said to al-Ridha', peace be on him: A man bought a debt against a man, and then he went to the owner of the debt (the debtor) and said to him: 'Pay to me what so-and-so has against you, for I have bought it (the debt) from him.' He (al-Ridha') said: 'He (debtor) should pay to him what he has paid to the owner of the debt (the creditor); he against whom the money is is free from all what has remained against him.'[112](#)'"

89. The Debtor should not be oppressed

'Ali b. Isma'il reported on the authority of a man from Syria (al-Sha'm) that he (the man) asked al-Ridha', peace be on him, about a man against whom there was a heavy debt, who associated with the people, whom was entrusted (with money), and who bought surplus food and drink. Is it lawful for him (to do that) or not? 'There is no harm in what he eats,' the Imam, peace be on him, answered.[113](#)'"

The surface meaning of the tradition is that the creditor should not straiten the debtor even if he is able to buy his food requirements.

90. Employing Worker before Specifying his Wage is Reprehensible

Sulayma'n b. Ja'far al-Ja'fari narrated, saying: "I was with al-Ridha', peace be on him, for a certain need. When I wanted to go home, he said to me: 'Go and spend the night with me.' So I went with him. When he entered his house, he saw his retainers carrying mud. There was a black man among them. 'Who is that man among you?' he asked them. 'He is helping us, and we will give him something,' they replied. 'Did you specify his wage?' he asked. 'No,' they answered, 'he is satisfied with what you will give to him.' He became so angry that I said to him: 'May I be your ransom, why have you become angry?' 'I ordered them several times that if one wanted to work with them, they should specify his wage,' he replied, 'know that if one works for you without fixing his wage and you give him three folds of it, I think that you have decreased it. If you define his wage and give it to him, he will thank you for honesty. If you increase him something, he will thank you for it and know that you have increased him.'¹¹⁴"

One of the good acts of Islamic legislation is that you should specify the worker's wage before you let him work. If you do not specify it, he will not be satisfied with whatever you give to him, and this brings about quarrel and dispute.

91. Rent does not invalidate Selling Property

Yunus reported, saying: "I wrote to al-Ridha', peace be on him, to ask him about a man who accepted a land or other than that from a man for some known years. Then the owner of the land wanted to sell his land before the termination of the fixed years: does the tenant have the right to prevent him from that? 'He (the land owner) has the right to sell it if he had made it a condition on him,' he, peace be on him, answered.¹¹⁵"

The owner is not objected when he wants to sell his rented property, but he should inform the tenant of that. He can sell it to him without an interest until the rent terminates. If he does not inform him of that, he (the tenant) has the stipulated right of cancellation.

92. Revoking Grant before Receiving it

Safwa'n b. Yahya' narrated, saying: "I asked al-Ridha', peace be on him, about a man who had property and he granted it to his eldest son. The man mentioned to him the property which he had against him, so he said: There is nothing of it against you in this world and the next (namely, he granted it to him): is it permissible for him to do that while he had granted it (the property) to his son? 'Yes,' he answered 'it is permissible to him to grant it to him, and then he revokes (it) and gives it to another son.'¹¹⁶"

Surely it is permissible to revoke grant before it is received; and it is one of the permissible contracts which one can revoke. As for grant given to womb relatives, it is obligatory after receiving not before it.

93. A Magian orders his Wealth to be given to the Poor

Abu' Ta'lib 'Abd Allah b. al-Salt reported, saying: "Al-Khalil b. Ha'shim wrote to Dhu' al-Ri'a'satayn¹¹⁷, the governor of Nisa'bu'r, that a Magian ordered some of his wealth to be given to the poor. When he died, the judge of Nisa'bu'r took it and divided it among the poor Muslims. So al-Khalil wrote to Dhu' al-Ri'a'satayn about that, and he asked al-Ma'mu'n about that, and he said: 'I have nothing concerning that.' So he asked Abu' al-Hasan, and he said: 'The Magian did not order his wealth to be given to the poor Muslims, so he (the judge of Nisha'bu'r) should take an amount of money from the alms equal to that amount and distribute it among the poor Magians.'¹¹⁸"

A narration similar to this has been reported by 'Ali b. Ibra'him on the authority of Ya'sir al-Kha'dim, who said: "From Nisa'bu'r he wrote to al-Ma'mu'n that a Magian was about to die and ordered his great wealth to be divided among the miserable and the poor, but the judge of Nisha'bu'r distributed it among the poor Muslims, so al-Ma'mu'n asked al-Ridha': 'What do you say about that?' 'The Magian did not give (his wealth) as alms to the poor Muslims,' answered al-Ridha', peace be on him, 'so write to him to specify an amount from the alms of the Muslims equal to that amount and give it as alms to the poor Magians.'¹¹⁹"

94. A Muslim Woman orders two Beds to be given to the Christians

Al-Rayya'n b. Shabib (b. al-Salt) reported, saying: "Marida ordered two beds to be given to a group of the Christians, so our companions said: 'Divide them among your believing companions.' So I asked al-Ridha', peace be on him, and said to him: My sister ordered (two beds) to be given to a group of the Christians, and I wanted to divide them among a group of our Muslim companions, so he, peace be on him, replied: 'Carry out the will as you had been ordered, for Allah, the Exalted, says: **Whoever then alters it after he has heard it, the sin of it then is only upon those who alters it.**'¹²⁰"

95. The Orphan should take his Wealth when he becomes Adult

Sa'd b. Isma'il narrated on the authority of his father, who said: "I asked al-Ridha', peace be on him, about the guardian of the orphans: He orders his orphans to take their properties when they become adult, but they refuse to accept them, what shall he do? 'He should return their properties to them and force them to take them,' he answered.¹²¹"

When the orphan becomes adult, then the guardian has no power over him. He should take his wealth; and if he refuses to take it, then the legal judge should force him to accept it.

96. A Man orders a Share of his wealth to be given to the Imam

Safwa'n and Ahmed b. Muhammad b. Abu' Nasr reported, saying: "We asked al-Ridha', peace be on him, about a man who ordered a share of his wealth to be given to him, and we did not know what the share was, and he, peace be on him, said: 'Have you anything of what you heard from Ja'far and Abu' Ja'far?' 'We have not heard our companions say anything about this (matter) on the authority of your fathers,' we replied. So he retorted: 'The share is one per eight (shares, i.e. one-eighth), until he mentioned these words of Him the Exalted: **Alms are only for the poor and the needy, and the officials (appointed) over them, and those whose hearts are made to incline (to truth) and the (ransoming of) the captives and those in debts and in the way of Allah and the wayfarer.**' Then he knitted the eight fingers of his hand and said: 'Likewise, Allah's Messenger, may Allah bless him and his family, divided it into eight shares; therefore, it is one-eighth.'¹²²"

97. A Man orders a Sword to be given to a Man

Ahmed b. Muhammad b. Abu' Nasr narrated on the authority of Abu' Jamila, on the authority of al-Ridha', peace be on him, saying: "I asked him (al-Ridha') about a man who ordered a man to be given a sword in a sheath inlaid with jewels, but the inheritors said to him: 'Only the blade belongs to you, and the sword does not belong to you.' So he, peace be on him, said: 'No, rather the sword and what it includes (belongs to him).'123"

98. The Precept of Will concerning Disowning a Child

Sa'd b. Sa'd reported, saying: "I asked him (al-Ridha'), peace be on him: 'A man claimed that he had a boy. The man disowned the boy and excluded him from the inheritance, and I am his executor, then how shall I do?' He, peace be on him, answered: 'The boy belongs to him because of his confession in the presence of the people; the executor does not turn him away from anything which he has known.'¹²⁴"

Surely when the man confesses that the child belongs to him, then it is incumbent on him to take care of him; and he has no right to disown him.

99. Good Wife

Safwa'n b. Yahya' narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, who said: "The servant gains nothing more useful than a good wife; when he sees her, she pleases him; and when he is absent from her; she keeps him regarding herself and his property.'¹²⁵"

100. It is Permissible to marry a Woman along with the Slave-

wife of her Father

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him about a man who married a woman and married the slave-wife of her father, and he, peace be on him, answered: 'There is no harm in that.' Then I said: We have been informed on the authority of your father that 'Ali b. al-Husayn, peace be on him, married the daughter of al-Hasan b. 'Ali, peace be on him, and the slave-wife (*umm walad*) of al-Hasan, so he said: 'It is not as you say; 'Ali b. al-Husayn married the daughter of al-Hasan and the slave-wife of 'Ali b. al-Husayn, the one who was killed in your country.'¹²⁶"

101. It is Reprehensible for a Woman to marry an Ill-natured Man

Al-Husayn b. Bashsha'r al-Wa'siti narrated, saying: "I wrote to Abu' al-Hasan al-Ridha', peace be on him: An ill-natured man from among my relatives has proposed (to marry my daughter), and he replied: 'Do not marry (her to) him if he is an ill-natured man.'¹²⁷" This prohibition is explained as reprehensible not as unlawful.

102. Marriage at Night

Al-Hasan b. 'Ali al-Washsha'" reported on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I heard him (al-Ridha') say concerning marriage: 'It is an act of the Sunna is that marriage should be at night, for Allah has made night for rest; and women have been (made) for rest.'¹²⁸"

103. Giving Food at Marriage

Al-Hasan b. 'Ali al-Washsha'" narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I heard him (al-Ridha') say: 'When Allah's Apostle, may Allah bless him and his family, proposed to marry Amina, daughter of Abu' Sufya'n, and married her, he called for food, and then he said: 'Surely, one of the practices (*sunan*) of the messengers is giving food at marriage.'¹²⁹"

104. Looking at the Hair of unrelated Woman is Prohibited

He (al-Ridha'), peace be on him, said in what he wrote to Muhammad b. Sina'n, as answer to his question: "Looking at the hair of married and single women is forbidden, for it excites men, and this excitement leads to corruption and committing the unlawful; likewise, (it is forbidden to look at those things) like hair except what Allah, the Most High, has said: *And (as for) women advanced in years who do not hope for marriage, it is no sin for them if they put off their clothes without displaying their ornaments*, namely other than the garment; there is no harm in looking at the hair of the like of them.'¹³⁰"

105. Looking at the Hair of Sister-in-law is not Permissible

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "I asked him (al-Ridha'): is it permissible for a man to look at the hair of his sister-in-law? 'No,' he replied, 'except when she is one of the women advanced in years.' Then I asked him: Are his sister-in-law and unrelated woman the same? 'Yes,' he answered. [131](#)"

106. A Person claims that he has married a Woman

'Abd al-'Aziz b. al-Muhtadi narrated, saying: "I asked al-Ridha', peace be on him: May I be your ransom, my brother died and I married his wife, but my uncle came and claimed that he had married her secretly; so I asked her about that and she strongly denied it, and then she said: 'There was nothing between me and him.' Hence he, peace be on him, replied: 'Her confession binds you (to believe her), and her denial obligates him (to say the truth).' [132](#)" This means that the truth was what the woman said, and her denying the right of the uncle was valid.

107. Marriage Contract with the Intention of Joke is invalid

Ibn Abu' Nasr reported on the authority of al-Mashriqi, on the authority of Imam al-Ridha', peace be on him. He said: "I asked him (al-Ridha'): What do you say about a man who claimed that he proposed to marry a woman with (the intention of) joke, and that he asked her about that and she replied, 'Yes,'? So he answered: 'It is nothing.' I asked: 'It is lawful for the man to marry her?' 'Yes,' he replied. [133](#)"

108. It is Permissible for Son to marry the Daughter of his Father's Slave-wife

'Ali b. Idris narrated, saying: "I asked al-Ridha', peace be on him: I had a slave-wife; I had a sexual intercourse with her. Then I emancipated her and she gave birth to a slave-girl. Is it lawful for my son to marry her? 'Yes,' he answered, 'before and after the sexual intercourse.' [134](#)"

109. It is unlawful to marry two Sisters at the same Time

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "I asked him (al-Ridha'): 'A husband has a wife, is it lawful for him to marry her sister as a fixed term marriage (*Muta'a*)?' 'No,' he answered. [135](#)"

It is not permissible to marry two sisters at the same time, whether the marriage contract is temporary or permanent, but if his first wife dies or he divorces her irrevocably and the *'idda* [136](#) terminates, then it is permissible for him to marry her sister.

110. It is Lawful to marry Midwife

Ahmed b. Muhammad b. Abu' Nasr narrated on the authority of Imam al-Ridha', peace be on him, saying: "I asked him (al-Ridha'): 'A midwife helped a woman with childbirth, and the woman gave birth to a boy, is it lawful for the boy to marry the midwife of his mother?' 'Glory belongs to Allah,' he replied, 'What of that is unlawful for him?'" [137](#)

111. Contracting a Fixed-term Marriage with a dhimmi

dclxxxiiWoman

Al-Hasan al-Taflisi reported on the authority of al-Ridha', peace be on him, saying: "I asked him (al-Ridha'): 'Is it permissible for a Muslim to marry a Jewish or a Christian woman for a fixed term marriage?' 'He can marry the believing, free woman for a fixed term marriage, while she is more sacred than her,' he answered. [138](#)

112. If Wife becomes a Muslim

Ahmed b. Muhammad b. Abu' Nasr narrated on the authority of al-Ridha', peace be on him, saying: "I asked al-Ridha': 'A man has a Christian wife and she has become a Muslim, is it lawful for her to reside with him?' 'If she becomes a Muslim, it is not lawful for her to reside with him,' he replied. [139](#)"

113. Choosing Trustworthy Woman

In a tradition Muhammad b. Isma'il reported on the authority of al-Ridha', peace be on him, who said: "You should marry no woman except a trustworthy one, for Allah, the Great and Almighty, says: *The fornicator shall not marry any but a fornicatress or idolatress, and (as for) the fornicatress, none shall marry her but a fornicator or an idolater; and that is forbidden to the believers.* [140](#)"

114. Man should believe Woman when she denies Husband

Muhammad b. 'Abd Allah al-Ash'ari narrated, saying: "I asked al-Ridha', peace be on him: 'A man married a woman and imagined that she had a husband, how is he sure of that?' 'If he asks her about a proof (of that),' he replied, 'she will witness that she has no husband.' [141](#)"

115. Contracting a Fixed-term Marriage with Bond maid

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "I asked him (al-Ridha'): 'Is it permissible for a Muslim to marry a bond maid for a fixed-term marriage with the permission of her family?' 'Yes,' he answered, 'for Allah, the Great and Almighty, says: *So marry*

them with the permission of their families.’ [142](#)”

116. The ‘Idda of Muta’a

Ahmed b. Muhammad b. Abu’ Nasr narrated on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, who said: [Abu’ Ja’far said:] “The ‘*idda* [143](#) of *Muta’a* is forty-five days, and the precaution is forty-five nights. [144](#)”

117. The Period of Muta’a

Ahmed b. Muhammad b. Abu’ Nasr reported on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, saying: “I asked him (al-Ridha’): ‘Is it permissible for a man to marry a woman for one year or more or less?’ ‘If it is a fixed thing for a fixed period.’ ‘Does it terminate without divorce?’ I asked him. ‘Yes,’ he replied. [145](#)”

118. No Inheritance in Muta’a

Ahmed b. Muhammad b. Abu’ Nasr narrated on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, who said: “*Muta’a* is a marriage with or without inheritance. If you make it a condition, then there is (an inheritance); and if you do not make it a condition, then there is no (inheritance). [146](#)”

119. Moving the Woman of Fixed-term Marriage from one City to another

Mu’ammār b. Khallā’d reported, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him: ‘Is it permissible for a man to move the woman of a fixed term marriage from one city to another?’ ‘It is permissible in the other marriage,’ he answered, ‘but it is not permissible in this (marriage). [147](#)”

This tradition is a proof of that it is permissible to move her from one city to another; there is no objection in that.

120. It is Lawful for the Wife to grant her Female Slave to her Husband

Isma’il b. Buzaygh narrated, saying: “I asked al-Ridha’, peace be on him, about a wife who granted her female slave to her husband, and he replied: ‘That is up to him.’ ‘If he feared that she was joking?’ I asked him. ‘If he knew that she was joking, then no,’ he answered. [148](#)”

121. It is Permissible for the man to take Grant from his Slave-wife

Isma‘il b. Buzaygh reported, saying: “I asked al-Ridha’, peace be on him, about a man who took from his slave-wife what he had granted to her such as servants and provisions. Is it permissible for him to do that? ‘Yes,’ he replied, ‘if she was his slave-wife.’ [149](#)”

122. Giving Dower more than that in the Sunna

Al-Washsha” narrated on the authority of al-Ridha’, peace be on him, saying: “I heard him (al-Ridha’) say: ‘If a man married a woman and appointed her dower as twenty-thousand (dirhams) and appointed for her father ten thousand (dirhams), the dower would be permissible, and what he appointed for her father would be void.’ [150](#)” As for that which he appointed for her father, it was part of the dower and he was not worthy of it, for this reason it was invalid.

123. A Precept for him who stipulates that he and his Wife should not inherit each other

Sa‘d b. Isma‘il reported on the authority of his father, who said: “I asked al-Ridha’, peace be on him, about a man who married a woman and had stipulated that they should not inherit one another, and that he should not ask her for a child; and he, peace be on him, answered: ‘I do not like (that).’ [151](#)” The narration is a proof of that this condition is not obligatory; and it is not obligatory for one to fulfill it.

124. Congratulation on Child on the seventh Day

Al-Husayn b. Kha’lid narrated, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him, about the congratulation on a child. When will it be? ‘When al-Hasan b. ‘Ali, peace be on him, was born,’ he replied, ‘Gabriel came down to Allah’s Messenger to congratulate him on the seventh day; and he ordered him to give him a name and a *kunya*, to shave his hair, to sacrifice a ram on his behalf, and to pierce his ear. Likewise, when al-Husayn was born, he (Gabriel) came down to him on the seventh day and ordered him to do the same.’ [152](#)”

125. The Period of Suckling Baby

Sa‘d b. Sa‘d al-Ash‘ari reported on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, saying: “I asked him about baby. Is it permissible for it to suck more than two years? ‘Only two years,’ he answered. ‘If it sucks more than two years, then is there anything of that against its parents?’ I asked. ‘No,’ he replied. [153](#)”

126. Preferring a Child to the rest of the Children

Sa'd b. Sa'd al-Ash'ari narrated, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him: 'Is it permissible for a man to love a child more than the rest of the children and prefer him to them?' 'Yes,' he replied, 'Abu' Abd Allah, peace be on him, did that when he gave a gift to Muhammad; and Abu' al-Hasan did that when he gave something to Ahmed; and I stood up and gave it to him.' Then I asked: 'What about the man who loves his daughters more than his sons?' 'The daughters and sons are the same,' he answered, 'they are equal in the view of Allah, the Great and Almighty.' [154](#)"

127. Keeping Woman in good Fellowship

Abu' al-Qa'sim al-Fa'risi reported, saying: "I said to al-Ridha', peace be on him: May I be your ransom, Allah says in His Book: *Then keep (them) in good fellowship or let (them) go with kindness.* What does He mean by that? 'As for *keeping (them) in good fellowship,*' he replied, 'means refraining from harming them and spending on them; and as for *letting (them) go with kindness* means divorce according to what has been revealed in the Book.' [155](#)"

128. Spending generously on Family

Muhammad b. 'Ali b. al-Husayn narrated, saying: [Abu' al-Hasan al-Ridha', peace be on him, said:] "One should spend generously on his family lest they should wish for his death. [156](#)"

129. Divorce lacking Conditions is Invalid

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "I asked him about a man who divorced his wife with two just witnesses after he had slept with her, and he replied: 'This is not a divorce.' 'How is the divorce of the Sunna?' I asked him. 'He should divorce her (in the presence) of two just witnesses when she is pure from her menstruation and before he sleeps with her,' he answered, 'if he opposes that, he should refer to the Book of Allah, the Great and Almighty.' 'If he divorces her in the presence of one man and two women?' I asked. 'The testimony of women is not permissible in divorce,' he replied. [157](#)"

130 The Divorce of the Drunk

Zakariya b. Adam narrated, saying: "I asked al-Ridha', peace be on him, about the divorce of the drunken, the boy, the mad, the one whose reason is overcome, and the one who has not gotten married yet; and he answered: 'It is not permissible.' [158](#)"

The divorce of these people is not correct. As for the drunk, his divorce is not correct, for he has no awareness. As for the boy and the mad, the pen has been raised from them; therefore their divorce is

not correct. As for him who has not gotten married yet, namely has not made a marriage contract with his wife, his divorce is invalid.

131. The Divorce of the Dumb

Ahmed b. Muhammad b. Abu' Nasr al-Bizanti reported, saying: "I asked Abu' al-Hasan al-Ridha', peace be on him, about a man who has a wife, but he keeps silent and does not speak; and he asked me: 'Is he dumb?' I replied: 'Yes, and I know that he detests and hates his wife. Is it permissible for his guardian to divorce her on his behalf?' 'No,' he answered, 'but he should write and make (two just witnesses) bear witness to him.' Then I asked him: 'He neither writes nor hears, so how will he divorce her?' 'Through his acts which are recognized just as you have mentioned concerning his detesting and hating (her),' he replied. [159](#)"

132. The Correctness of Divorce before those Present

Ahmed b. Muhammad b. Abu' Nasr narrated on the authority of Safwa'n, on the authority of Abu' al-Hasan al-Ridha', peace be on him. He (Safwa'n) said: "He (al-Ridha') was asked about a man whose wife was pure from her menstruation; and he (the man) said: 'So-and-so is divorced;' and a group of people heard his words; but he did not say: 'Bear witness.' Does divorce occur against her? 'Yes,' he (al-Ridha') replied, 'this is a testimony.' [160](#)"

133. A Three-time Divorce after 'Idda

In his letter to al-Ma'mu'n, al-Ridha', peace be on him, said: "When women is divorced three times after 'idda, it is not lawful for her husband to remarry until she marries a husband other than him. [161](#)"

134. Al-Muhalil should be Adult

134. Al-Muhalil [162](#) should be Adult

'Ali b. al-Fadl al-Wa'siti reported, saying: "I wrote to al-Ridha', peace be on him: 'A husband has divorced his wife with the divorce in which it is not lawful for him to remarry her until she marries a husband other than him; and a minor has married her?' 'No,' he answered, 'until he becomes of age.' Then I wrote to him: 'What is the period of maturity?' 'According to the periods which Allah has made obligatory on the believers.' [163](#)"

135. The Castrated cannot be Muhalil

Muhammad b. Muda'rib narrated, saying: "I asked al-Ridha', peace be on him: 'Can the castrated be *Muhalil*?' 'No,' he replied, 'he cannot be *Muhalil*.' [164](#)"

136. Witnesses for Returning to Wife

Sa'd b. Sa'd al-Ash'ari reported on the authority of al-Marzba'n, who said: "I asked Abu' al-Hasan al-Ridha', peace be on him, about a husband who said to his wife: 'Be in *'idda*, for I have released you', namely he has divorced her with a divorce including all the pre-conditions.' Some days ago, he made (two just witnesses) bear witness to his returning to her; and then he was absent from her before he slept with her; and then some months after *'idda* passed. So how do you order him? He answered: 'If he had made (two just witnesses) bear witness to his returning to her, then she would have been his wife.'[165](#)"

137. Second Divorce without having Sexual Intercourse

Ahmed b. Muhammad b. Abu' Nasr narrated, saying: "I asked al-Ridha', peace be on him, about a man who divorced his wife in the presence of two witnesses, and then he returned to her and did not have a sexual intercourse with her until she became pure from her menstruation, and then he divorced her in purity and in the presence of two witnesses: did the second divorce occur against her, while he had returned to her and not taken a sexual intercourse with her? 'Yes,' he replied.[166](#)"

138. Driving the Woman with Revocable 'Idda out of her House

Al-Ma'mu'n asked al-Ridha', peace be on him, about these words of Him, the Great and Almighty: *Do not drive them out of their houses, nor should they themselves go forth, unless they commit an open indecency*, and he answered: 'By the open indecency He meant that she harmed the family of her husband. If she does that, then he has the right to drive her out (of her house) before her *'idda*' terminates.'[167](#)"

139. The Difference between the 'Idda of Divorce and that of Death

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "Safwa'n asked him (al-Ridha') in my presence about a man who divorced his wife and he was absent. Some months ago, and he replied: 'If a proof was established that he divorced her from so-and-so (month) and her *'idda* terminated, then it was lawful for her to marry.' He (Safwa'n) asked: 'What about her whose husband died?' 'This is not similar to that,' he answered, 'this (woman) should start her *'idda* from the day when she hears of the news (of his death), for she should mourn.'[168](#)"

140. If al-Mukhtala'a returns to her Husband

140. If al-Mukhtala'a [169](#) returns to her Husband

In the tradition of *al-Khal'*, Isma'il b. Buzaygh narrated on the authority of al-Ridha', peace be on him, who said: "And if she wants him to return to her what he had taken from her and to be his wife, then she can do. [170](#)" If *al-mukhtala'a* returns to her husband and takes what she had given to him, then the divorce is revocable, and the husband has the right to return to her.

141. Al-Zaha'r does not occur due to Anger

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, who said: "*Al-zaha'r* [171](#) does not occur because of anger. [172](#)" *Al-zaha'r* is correct when it occurs because of willingness and consent; it is incorrect when husband is angry or forced.

142. Al-Zaha'r occurs against Bond maid

Ahmed b. Muhammad b. Abu' Nasr narrated on the authority of al-Ridha', peace be on him, saying: "I asked him about the man who likened the back of his bond maid to that of his mother (*za'hara*), and he answered: '*Al-zaha'r* occurs against the free woman and the bond maid.' [173](#)"

143. Precepts for him who likens the Back of his Wife to that of his Mother

Al-Husayn b. Mahra'n asked al-Ridha', peace be on him, about a man who likened the backs of four wives to that of his mother, and he replied: "He should pay a religious expiation on behalf of each of them." Then he asked him about a man who likened the back of his wife and of his slave-wife to that of his mother, and he, peace be on him, answered: "He should pay a religious expiation on behalf of each of them: releasing a slave or fasting two successive months or feeding sixty needy ones. [174](#)"

144. Abandoning Bond maid for Swearing

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "I asked him about the man who abandoned his bond maid because of his swearing, and he replied: 'No, why has he abandoned her while she is not divorced?' [175](#)"

145. Releasing old Slaves

Ibn Abu' Sa'd al-Imka'ri went in to Abu' al-Hasan al-Ridha', peace be on him, and said to him: "A man was about to die and he said: 'All my old slaves are free for the pleasure of Allah,' and he (al-Ridha') said: 'Yes, for Allah says in His Book: *till it becomes again as an old dry palm branch*, so all his slaves who spent sixth months are free and old.' [176](#)"

146. A Man had anal Sexual Intercourse with his Pregnant

Female-slave

Al-Hasan b. 'Ali al-Washsha" narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him (al-Ridha') about a man who had an anal sexual intercourse with his pregnant female-slave, and he answered: 'If he knew what was in the womb of the female-slave, then it had the same rank of her; and if he did not know, then what was in her womb was a slave.'[177](#)"

The supposed question concerning the female-slave with whom the man had an anal sexual intercourse and to whom he said: 'You are free after my death,' should be as follows: She was made pregnant by someone other than him; otherwise, if she was made pregnant by him, then she was a slave-wife and would be released after his death by her child's share.

147. A Precept for unpromissory Oath

Isma'il b. Sa'd al-Ash'ari reported on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him about a man who swore (by Allah) to cut the ties of the womb, and he replied: 'Allah's Apostle, may Allah bless him and his family, said: 'There is no vow for an act of disobedience (to Allah), nor is there an oath for cutting the ties of the womb.'[178](#)"

Oath and vow are promissory when the thing is acceptable; and they are unpromissory when the thing is unacceptable.

148. False Oath

In a tradition Isma'il b. Sa'd al-Ash'ari narrated on the authority of Abu' al-Hasan al-Ridha', peace be on him, saying: "I asked him about a man whom the ruler (Sultan) made swear by divorce or other than that, and he swore; and he (al-Ridha') replied: 'No blame is put on him.' Then I asked him about a man who swore (by Allah) to save his property from the ruler, and he answered: 'No blame is put on him.' Then I asked him: 'Does one swear (by Allah) (to save) the property of his brother just as he swears (to save) his own property?' 'Yes,' he replied.[179](#)"

Oath is promissory when one swears by Allah, the Most High. As for oath by divorce without mentioning the name of Allah, it is unpromissory. It is permissible for one to swear by Allah before the unjust ruler in order to drive oppression away from his own soul and his brothers; and there is no religious expiation against him.

149. Hunting Birds at Night is lawful

Ahmed b. Muhammad b. Abu' Nasr reported on the authority of al-Ridha', peace be on him, saying: "I

asked him about hunting birds in their nests by night, and he answered: ‘There is no harm in it.’ [180](#)”

Yunus b. ‘Abd al-Rahma’n narrated on the authority of al-Ridha’, saying: “I asked him: ‘May I be your ransom, what do you say about hunting birds in their nests and wild animals in their places by night, for the people hate that?’ ‘There is no harm in that,’ he replied. [181](#)”

150. Hunting Birds belong to someone

Ahmed b. Muhammad b. Abu’ Nasr reported, saying: “I asked Abu’ al-Hasan al-Ridha’, peace be on him, about a man who hunted a bird which equaled many dirhams and whose wings are even; and who knows its owner or its owner comes and asks it from him without any accusation; and he (al-Ridha’) answered: ‘He has no right to keep it; he should return it to him.’ Then I asked him: ‘What do you say about a man who hunted a bird whose owner he did not know?’ ‘It belongs to him (the hunter),’ he replied. [182](#)”

151. Rabitha’ is Lawful

Muhammad b. Isma’il narrated, saying: “I wrote to Abu’ al-Hasan al-Ridha’, peace be on him: ‘The people have differed over *rabitha*’ (a kind of fish), what do you say about it? He, peace be on him, wrote: ‘There is no harm in it.’ [183](#)”

152. The Meat of Vulture is Prohibited

Sulayma’n b. Ja’far al-Ha’shimi, reported, saying: [Abu’ al-Hasan al-Ridha’, peace be on him, related to me:] “One night we visited Ibn Abu’ Maryam while Ha’ru’n was in Medina, and he said: ‘Tonight Ha’run has an ache in his waist. We asked someone to send us some meat of a vulture, and he sent it to us.’ So he (al-Ridha’) said: ‘We do not eat such a thing; nor do we bring it to our houses; and if we have such a thing, we will not give it (to anyone).’ [184](#)”

153. Mutton

Sa’d b. Sa’d narrated, saying: “I said to Abu’ al-Hasan al-Ridha’, peace be on him: ‘My household eat the meat of goats and do not eat the meat of sheep.’ ‘Why?’ he asked. ‘It excites the gallbladder,’ they say. ‘If Allah had known that there was something better than sheep,’ he answered, ‘He would have sacrificed it for Isha’q (Isaac).’ [185](#)”

154. Wine is Prohibited

Muhammad b. Ahmed reported on the authority of al-Amraki, who said: “I said to al-Ridha’, peace be on him: Ibn Da’wud said: ‘You said that one who drank wine was an unbeliever.’ So he (al-Ridha’)

replied: ‘He was right; I said that to him.’ [186](#)”

155. Beer is Prohibited

Muhammad b. ‘Isa’ narrated on the authority of al–Washsha”, who said: “I wrote to him (al–Ridha’), peace be on him, to ask him about beer, and he wrote: ‘It is prohibited; and it is wine.’ [187](#)”

156. Selling the Pasture within a Personal Property

Ahmed b. Muhammad b. Abu’ Nasr reported on the authority of Muhammad b. ‘Abd Allah, who said: “I asked al–Ridha’, peace be on him, about a man who had a productive land which was about twenty miles, and a man came to him and said: ‘Give one of the pastures of your land, and I will give you so–and–so dirhams. ‘There is no harm in it if the land belongs to him,’ he replied. [188](#)”

157. The nearest Woman inherits Property when there is none except her

Al–Qa’sim b. al–Fadl narrated on the authority of al–Ridha’, peace be on him, concerning a man who died and left none but his close wife behind him; he (al–Ridha’) said: “All the property is given to her. [189](#)”

158. The Testimony of Women

Muhammad b. al–Fudayl reported, saying: “I asked Abu’ al–Hasan al–Ridha’, peace be on him: ‘Is it permissible for women to bear witness to marriage, divorce, and stoning?’ He replied: ‘It is permissible for women to bear witness to that at which men cannot look and there is no man with them. It is permissible for them to bear witness to marriage when there is a man with them. It is permissible for them to bear witness to the prescribed punishment for fornication when there are three men and two women. As for the testimony of two men and four women regarding fornication or stoning, it is not permissible; and it is not permissible for women to bear witness to divorce or murder.’ [190](#)”

159. The prescribed Punishment for him who wars against Allah

‘Ubayd Allah al–Mada’ini narrated on the authority of Abu’ al–Hasan al–Ridha’, peace be on him, saying: “He (al–Ridha’) was questioned about these words of Him, the Exalted: ***The punishment of those who wage war against Allah and His apostle and strive to make mischief in land is only this, that they should be murdered or crucified or their hands and their feet should be cut off on opposite sides or they should be banished from the land.*** When does one deserve one of these four punishments? He, peace be on him, replied: ‘When he wages war against Allah and His apostle and strives to make mischief in the land and kills (someone), he should be murdered. If he kills (someone) and takes (his) property, then he should be murdered and crucified. If he takes the property and does

not kill (someone), his hand and his feet should be cut off on opposite sides. If he draws the sword, wages war against Allah and His apostle, strives to make mischief in the land, but he does not kill (someone) nor does he take the property, he should be banished from the land.’[191](#)”

160. Banishing the anti-Islam Warrior

In the tradition of warrior (*hadith al-muha'rib*) ‘Ubayd Allah al-Mada’ini reported on the authority of Abu’ al-Hasan al-Ridha’, peace be on him, saying: “I asked him: ‘How is he banished? What is the prescribed punishment for banishing him?’

“He, peace be on him, answered: ‘He is banished from the city in which he does what he does, and it is written to the people of that city that the person is banished, so do not sit with him nor deals with him nor marry him nor eat with him nor drink with him. This is done toward him for a year, but if he comes out that city to other than it, then it is written to them in the same manner until the year terminates.’ I (the asker) asked: ‘If he heads for the land of polytheism in order to enter it?’ ‘If he heads for the land of polytheism in order to enter it, then a war should be waged against its people’, he answered.[192](#)”

161. The Blood of a Thief is not protected by the Law

Muhammad b. Fudayl narrated on the authority of al-Ridha’, peace be on him, saying: “I asked him (al-Ridha’) about a thief who went in to a pregnant woman and killed what was in her womb, hence the woman took a knife, stabbed and killed the thief. So he (al-Ridha’) replied: ‘The blood of a thief is not protected by Islamic law.’[193](#)”

162. Precept for him who helps and kills a person

Muhammad b. Sulayma’n and Yunus b. ‘Abd al-Rahma’n reported, saying: “We asked Abu’ al-Hasan al-Ridha’, peace be on him, about a man whom a group of people asked for help in order to save them from a group of people who attacked them in order to take their properties and capture their children, so the man went out running and carrying his weapon in the dark night. He passed by a man standing by the brink of a well and drinking water out of it. He pushed him unintentionally and without awareness, so the man fell into the well and died. However, the man went on running and saved the properties of those people who asked him for help. When he came back to his family, they asked him: ‘What have you done?’ ‘The people departed from them, and they are safe and sound,’ he replied. ‘Did you know that so-and-so fell into the well and died?’ they asked him. ‘By Allah, I pushed him,’ he answered. ‘How?’ they asked. ‘I went out running and carrying my weapon in the dark night. I feared that I might miss the people who asked me for help, so I passed by so-and-so who was standing and drinking out of the well. I pushed him without any intention, and he fell into the well and died,’ he replied.’ Therefore, who should pay blood-money?

“He (al-Ridha’), peace be on him, answered: ‘His blood–money should be paid by the people who asked the man for help, and he helped them and saved their properties, their women, and their children. If they had given him a wage (to help them), then he and his family would have paid the blood–money apart from them. That is because an old woman came to Sulayma’n b. Da’wud and asked him for help against the wind, saying: ‘O Prophet of Allah, while I was sleeping on the roof of mine, the wind dropped me and broke my hand, so help me against her.’ So Sulayma’n b. Da’wud summoned the wind and asked her: ‘What made you do this toward this woman?’ ‘You are right, O Prophet of Allah,’ the wind answered, ‘surely the Lord of mightiness, the Great and Almighty, had sent me to the ship of the children of so–and–so in order to save it from drowning. So I went out according to the laws, and Allah, the Great and Almighty, hastened me to what He had ordered me, so I passed by this woman while she was on her roof, and I stumbled across her; and I had no (ill) intention toward her, so she fell and broke her hand.’ So Sulayma’n said: ‘My Lord, how shall I judge against the wind?’ He revealed to him: ‘O Sulayma’n, decide the blood–money of the broken hand of this woman against the owners of the ship which the wind save from drowning, for none of people is wronged before Me.’”

With this matter we will finish our talk about some precepts which have been reported from Imam al-Ridha’, peace be on him, and which have included most chapters of the science of Islamic jurisprudence such as the acts of worship, dealings, contracts, and others from among the Sunna on which the Shi’ites depend and in whose light the Imami jurists give religious decisions.

It is worth mentioning that Imam al-Ridha’, peace be on him, has another group of traditions regarding religious precepts; this group has been mentioned in the encyclopedias of demonstrative jurisprudence, but it requires a study and contemplation. The books of jurisprudence have objectively presented them, but I (i.e. the author) have not presented them because this book is not one of the jurisprudence books; I have mentioned these examples of jurisprudence as proofs of the Imam’s scientific wealth and of that he was the highest authority of religious decisions in the Islamic world of his time.

- [1.](#) Wasa’il al-Shi’a, vol. 1, p. 127.
- [2.](#) Al-Tahdhib, vol. 1, p. 5.
- [3.](#) Wasa’il al-Shi’a, Chapter on Wudu”.
- [4.](#) Ibid.
- [5.](#) Furu’ al-Ka’fi, vol. 1, p. 11.
- [6.](#) Ibid., p. 10.
- [7.](#) Man la’ Yahdarahu’ al-Faqih, vol. 1, p. 16.
- [8.](#) Wasa’il al-Shi’a, vol. 1, p. 328.
- [9.](#) Qur’an, 18, 110.
- [10.](#) Furu’ al-Ka’fi, vol. 1, p. 21.
- [11.](#) Al-‘Urwat al-Withqa’, Hateful Things in Wudu”.
- [12.](#) Wasa’il al-Shi’a, vol. 2, p. 978. Al-Tahdhib, vol. 1, p. 59.
- [13.](#) Al-Tahdhib, vol. 1, p. 59. Wasa’il al-Shi’a, vol. 2, p. 973.
- [14.](#) Al-Tahdhib, vol. 1, p. 55. Wasa’il al-Shi’a, vol. 2, p. 968.
- [15.](#) Furu’ al-Ka’fi, vol. 1, p. 113. Wasa’il al-Shi’a, vol. 2, p. 1070.
- [16.](#) Furu’ al-Ka’fi, vol. 2, p. 156. Wasa’il al-Shi’a, vol. 2, p. 1083.

- [17.](#) Wasa'il al-Shi'a, vol. 2, p. 946. Furu' al-Ka'fi, vol. 1, p. 14.
- [18.](#) Wasa'il al-Shi'a, vol. 2, p. 936.
- [19.](#) Ibid., p. 799.
- [20.](#) Furu' al-Ka'fi, vol. 1, p. 50. Wasa'il al-Shi'a, vol. 2, p. 786.
- [21.](#) Al-Tahdhib, vol. 1, p. 135. Wasa'il al-Shi'a, vol. 3, p. 43.
- [22.](#) Furu' al-Ka'fi, vol. 1, p. 73. Wasa'il al-Shi'a, vol. 3, p. 30.
- [23.](#) Al-Tahdhib, vol. 1, p. 213.
- [24.](#) Wasa'il al-Shi'a, vol. 3, p. 90.
- [25.](#) Furu' al-Ka'fi, vol. 1, p. 77.
- [26.](#) Minha'jj al-Sa'lih.
- [27.](#) Wasa'il al-Shi'a.
- [28.](#) Ibid., vol. 3, p. 68.
- [29.](#) Minha'jj al-Sa'lih.
- [30.](#) Man la' Yahdarahu' al-Faqih, vol. 1, p. 147.
- [31.](#) Furu' al-Ka'fi, vol. 1, p. 111. Wasa'il al-Shi'a, vol. 3, p. 257.
- [32.](#) Al-Tahdhib, vol. 1, p. 96. Wasa'il al-Shi'a, vol. 3, p. 261.
- [33.](#) Al-Tahdhib, vol. 1, p. 242. Wasa'il al-Shi'a, vol. 3, p. 266.
- [34.](#) Wasa'il al-Shi'a, vol. 3, p. 445.
- [35.](#) Ibid.
- [36.](#) Ibid., p. 53.
- [37.](#) Furu' al-Ka'fi, vol. 1, p. 308. Al-Wasa'il, vol. 3, p. 538.
- [38.](#) Al-Tahdhib, vol. 1, p. 324. Al-Wasa'il, vol. 3, p. 550.
- [39.](#) Wasa'il al-Shi'a, vol. 3, p. 579.
- [40.](#) Ibid., p. 633.
- [41.](#) Man la' Yahdarahu' al-Faqih, vol. 1, p. 91.
- [42.](#) Qurb al-Isna'd, p. 159. Wasa'il al-Shi'a, vol. 4, p. 630.
- [43.](#) Wasa'il al-Shi'a, vol. 4, p. 765.
- [44.](#) Ibid.
- [45.](#) The taslim is recited after the final rak'a of every prayer. The worshipper remains kneeling after the tashahud, and says:
السلام عليك أيها النبي ورحمة الله وبركاته والسلام على الصالحين والسلام عليكم ورحمة الله وبركاته
As-sala'mu 'alay-ka ayyuha'n-nabiyu' wa-rahmatu'lla'hi wa-baraka'tu-h. As-sala'mu 'alay-na' wa-'ala' 'iba'di'lla'hi's-sa'lih.
- Peace be upon you, O Prophet, and Allah's mercy and blessing. Peace be upon us, and upon the righteous servants of Allah. Peace be upon you (all), and Allah's mercy and blessing.
- [46.](#) Al-Sara'ir, p. 469
- [47.](#) Ibid.
- [48.](#) Zaka't al-fitra: the amount (in cash or kind) paid to the need at the end of the month of Ramada'n; see text for more details.
- [49.](#) Wasa'il al-Shi'a, vol. 6, p. 455. Furu' al-Ka'fi, vol. 1, p. 153.
- [50.](#) Al-Tahdhib, 358.
- [51.](#) Furu' al-Ka'fi, vol. 1, p. 147.
- [52.](#) Al-'Urwat al-Withqa'.
- [53.](#) Qurb al-Isna'd, p. 163. Wasa'il al-Shi'a, vol. 6, p. 190.
- [54.](#) Furu' al-Ka'fi, vol. 1, p. 147. Wasa'il al-Shi'a, vol. 6, p. 213.
- [55.](#) Man la' Yahdarahu' al-Faqih, vol. 1, p. 64.
- [56.](#) Wasa'il al-Shi'a, vol. 6, p. 345.
- [57.](#) Al-Maqna'a, p. 46.
- [58.](#) Ibid. Al-Wasa'il, vol. 6, p. 375.

- [59.](#) Al-Maqna'a, p. 46. Al-Wasa'il, vol. 6, p. 375.
- [60.](#) Al-Tahdhib, vol. 1, p. 4111. Man la' Yahdarahu' al-Faqih, vol. 2, p. 121.
- [61.](#) Wasa'il al-Shi'a, vol. 8, p. 39.
- [62.](#) Al-Tahdhib, vol. 1, p. 416. Al-Wasa'il, vol. 8, p. 133.
- [63.](#) Al-Tahdhib, vol. 1, p. 416. Al-Wasa'il, vol. 8, p. 133.
- [64.](#) Furu' al-Ka'fi, vol. 1, p. 168. Al-Wasa'il, vol. 7, p. 133.
- [65.](#) Furu' al-Ka'fi, vol. 1, p. 198.
- [66.](#) Al-Maqna'a, p. 48.
- [67.](#) Minha'jj al-Sa'lih, Chapter on Fasting.
- [68.](#) Wasa'il al-Shi'a, vol. 7, pp. 246-247.
- [69.](#) Al-Imam al-Khu'i, Minha'jj al-Sa'lih. As for Imam al-Hakim, he gave a religious decision that compensation is obligatory apart from redemption, and he said: "If it is possible to add travel to illness, then it is a strong precaution to perform both compensation and redemption."
- [70.](#) Al-Tahdhib, vol. 1, p. 438.
- [71.](#) Musba'h al-Mutahajjid, p. 524. Al-Wasa'il, vol. 7, p. 326.
- [72.](#) Man la' Yahdarahu' al-Faqih, vol. 1, p. 77. Wasa'il al-Shi'a.
- [73.](#) Furu' al-Ka'fi, vol. 1, p. 250. Al-Wasa'il, vol. 8, p. 117.
- [74.](#) Al-Tahdhib, vol. 2, p. 261. Al-Wasa'il, vol. 8, p. 147.
- [75.](#) Wasa'il al-Shi'a, vol. 8, p. 232.
- [76.](#) Furu' al-Ka'fi, vol. 1, p. 324.
- [77.](#) Al-Tahdhib, vol. 1, p. 471. Al-Wasa'il, vol. 1, p. 31.
- [78.](#) Wasa'il al-Shi'a, vol. 9, p. 57.
- [79.](#) Furu' al-Ka'fi, vol. 1, p. 267. Wasa'il al-Shi'a, vol. 9, p. 92.
- [80.](#) Wasa'il al-Shi'a, vol. 9, p. 127.
- [81.](#) Furu' al-Ka'fi, vol. 1, p. 262.
- [82.](#) Wasa'il al-Shi'a, vol. 9, p. 51.
- [83.](#) Al-Tahdhib, vol. 1, p. 536.
- [84.](#) Ibid.
- [85.](#) Wasa'il al-Shi'a, vol. 9, p. 287.
- [86.](#) Ibid., p. 417.
- [87.](#) Ibid., p. 465.
- [88.](#) Ibid.
- [89.](#) Ibid., vol. 10, p. 114.
- [90.](#) Ibid., p. 114. Furu' al-Ka'fi, vol. 1, p. 348.
- [91.](#) Ka'mil al-Ziya'ra't, p. 331. Al-Wasa'il, vol. 10, p. 273.
- [92.](#) Wasa'il al-Shi'a, vol. 11, p. 65.
- [93.](#) Man la' Yahdarahu' al-Faqih, vol. 2, p. 188. Wasa'il al-Shi'a, vol. 11, p. 75.
- [94.](#) Wasa'il al-Shi'a, vol. 1, p. 99.
- [95.](#) Al-Tahdhib, vol. 2, p. 53.
- [96.](#) Wasa'il al-Shi'a, vol. 11, p. 383.
- [97.](#) Furu' al-Ka'fi, vol. 1, p. 343.
- [98.](#) Ibid., p. 344. Wasa'il al-Shi'a, vol. 11, p. 364.
- [99.](#) Wasa'il al-Shi'a, vol. 11, p. 402.
- [100.](#) Qurb al-Isna'd, p. 115. Al-Sara'ir, p. 469.
- [101.](#) Wasa'il al-Shi'a, vol. 11, p. 117.
- [102.](#) Tafsir al-'Ayya'shi, vol. 1, p. 336.
- [103.](#) Ibid., p. 339.
- [104.](#) Ibid., p. 238. Al-Wasa'il, vol. 12, p. 138.

- [105.](#) Al-Maqna'a, p. 31.
- [106.](#) Furu' al-Ka'fi, vol. 1, p. 359. Wasa'il al-Shi'a, vol. 12, p. 145.
- [107.](#) Furu' al-Ka'fi, vol. 1, p. 390.
- [108.](#) Ibid., p. 401. Wasa'il al-Shi'a, vol. 12, p. 481.
- [109.](#) Furu' al-Ka'fi, vol. 1, p. 387.
- [110.](#) Ibid. Wasa'il al-Shi'a, vol. 13, p. 28.
- [111.](#) Tafsir al-'Ayya'shi, vol. 1, p. 155. Wasa'il al-Shi'a, vol. 13, p. 91.
- [112.](#) Furu' al-Ka'fi, vol. 1, p. 355.
- [113.](#) Al-Tahdhib, vol. 2, p. 61. Wasa'il al-Shi'a, vol. 13, p. 115.
- [114.](#) Furu' al-Ka'fi, vol. 1, p. 414. Wasa'il al-Shi'a, vol. 13, p. 245.
- [115.](#) Wasa'il al-Shi'a, vol. 13, p. 267.
- [116.](#) Al-Tahdhib, vol. 2, p. 378.
- [117.](#) Al-Fadl b. SAhl, nicknamed Dhu' al-Ri'a'satayn (the man with two offices) because he was in the charge of the military and civil administration under the Caliph al-Ma'mu'n.
- [118.](#) Furu' al-Ka'fi, vol. 2, p. 238. Wasa'il al-Shi'a, vol. 13, p. 415.
- [119.](#) Wasa'il al-Shi'a, vol. 13, p. 415.
- [120.](#) Furu' al-Ka'fi, vol. 2, p. 238.
- [121.](#) Wasa'il al-Shi'a, vol. 13, p. 436.
- [122.](#) Ibid., p. 438.
- [123.](#) Man la' Yahdarahu' al-Faqih, vol. 2, p. 282.
- [124.](#) Wasa'il al-Shi'a, vol. 13, p. 476. Man la' Yahdarahu' al-Faqih, vol. 2, p. 282.
- [125.](#) Wasa'il al-Shi'a, vol. 14, p. 22.
- [126.](#) Furu' al-Ka'fi, vol. 2, p. 15.
- [127.](#) Man la' Yahdarahu' al-Faqih, vol. 2, p. 131.
- [128.](#) Wasa'il al-Shi'a, vol. 14, p. 62.
- [129.](#) Furu' al-Ka'fi, vol. 2, p. 26.
- [130.](#) Al-Wasa'il.
- [131.](#) Ibid.
- [132.](#) Qurb al-Isna'd, p. 160.
- [133.](#) Furu' al-Ka'fi, vol. 2, p. 77.
- [134.](#) Al-Tahdhib, vol. 2, p. 240.
- [135.](#) Wasa'il al-Shi'a, vol. 14, p. 367.
- [136.](#) 'Idda is the prescribed period of waiting after the dissolution of marriage during which a widow or a divorced woman may not arrange another fixed-term or permanent marriage. Its purpose is to leave no doubt about the paternity of a child born after the dissolution of the marriage.
- [137.](#) Qurb al-Isna'd, p. 17.
- [138.](#) Wasa'il al-Shi'a, vol. 14, p. 415.
- [139.](#) Al-Tahdhib, vol. 2, p. 200.
- [140.](#) Furu' al-Ka'fi, vol. 2, p. 44.
- [141.](#) Al-Tahdhib, vol. 2, p. 187.
- [142.](#) Tafsir al-'Ayya'shi, vol. 1, p. 134.
- [143.](#) See note on 109.
- [144.](#) Furu' al-Ka'fi, vol. 2, p. 45.
- [145.](#) Ibid.
- [146.](#) Ibid., p. 47.
- [147.](#) Wasa'il al-Shi'a, vol. 14, p. 494.
- [148.](#) Man la' Yahdarahu' al-Faqih, vol. 2, p. 147.
- [149.](#) Al-Tahdhib, vol. 2, p. 309.

- [150.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 23.
- [151.](#) Wasaʿil al-Shiʿa, vol. 15, p. 51.
- [152.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 90.
- [153.](#) Ibid., p. 63.
- [154.](#) Ibid., 95.
- [155.](#) Tafsir al-Qummi, p. 686.
- [156.](#) Wasaʿil al-Shiʿa, vol. 15, p. 249.
- [157.](#) Ibid., p. 276.
- [158.](#) Al-Tahdhib, vol. 2, p. 270.
- [159.](#) Man laʾ Yahdarahuʾ al-Faqih, vol. 2, p. 168.
- [160.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 101. Wasaʿil al-Shiʿa, vol. 15, p. 302.
- [161.](#) Wasaʿil al-Shiʿa, vol. 15, p. 317.
- [162.](#) Al-muhalil is he who marries a divorced woman in order to dismiss her, so that the first husband may marry her again.
- [163.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 103.
- [164.](#) Wasaʿil al-Shiʿa, vol. 15, p. 369.
- [165.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 102.
- [166.](#) Wasaʿil al-Shiʿa, vol. 15, p. 378.
- [167.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 110.
- [168.](#) Qurb al-Isnaʿd, p. 159. Wasaʿil al-Shiʿa, vol. 15, p. 445.
- [169.](#) Al-Mukhtalaʿa is the woman who pays compensation to her husband in order to divorce her.
- [170.](#) Wasaʿil al-Shiʿa, vol. 15, p. 499.
- [171.](#) Al-Zahaʾr means putting away the wife by likening her back to that of his mother's back.
- [172.](#) Furu^ʿ al-Kaʿfi, vol. 2, p. 128.
- [173.](#) Wasaʿil al-Shiʿa, vol. 15, p. 527.
- [174.](#) Ibid.
- [175.](#) Qurb al-Isnaʿd, p. 160.
- [176.](#) Wasaʿil al-Shiʿa, vol. 40, p. 16.
- [177.](#) Furu^ʿ al-Kaʿfi, vol. 6, p. 184.
- [178.](#) Ibid., vol. 7, p. 440. Wasaʿil al-Shiʿa, vol. 16, p. 157.
- [179.](#) Furu^ʿ al-Kaʿfi, vol. 7, p. 440.
- [180.](#) Ibid., vol. 6, p. 215.
- [181.](#) Wasaʿil al-Shiʿa.
- [182.](#) Furu^ʿ al-Kaʿfi, vol. 6, p. 222.
- [183.](#) Al-Tahdhib. Wasaʿil al-Shiʿa, vol. 16, p. 407.
- [184.](#) Al-Tahdhib, vol. 9, p. 20.
- [185.](#) Furu^ʿ al-Kaʿfi, vol. 6, p. 310.
- [186.](#) Wasaʿil al-Shiʿa, vol. 17, p. 256.
- [187.](#) Ibid., p. 287.
- [188.](#) Furu^ʿ al-Kaʿfi, vol. 5, p. 276.
- [189.](#) Wasaʿil al-Shiʿa, vol. 17, p. 480.
- [190.](#) Ibid., 18, p. 259.
- [191.](#) Furu^ʿ al-Kaʿfi, vol. 7, p. 246.
- [192.](#) Wasaʿil al-Shiʿa, vol. 18, p. 539.
- [193.](#) Man laʾ Yahdarahuʾ al-Faqih, vol. 4, p. 122. Wasaʿil al-Shiʿa, vol. 19, p. 42.

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