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Engaging A Person To Offer Prayers

- **1542.** After the death of a person another person can be engaged to offer, on payment of wages, those prayers and other acts of worship which the dead person missed to offer during his lifetime. And it is also in order if a person offers the prayers etc. without taking any payment for it.
- **1543.** A person can also be engaged to offer some recommended acts like ziyarat (pilgrimage) of the shrines of the holy Prophet or the holy Imams. Such a person can also perform some recommended acts and offer the spiritual reward of them to living or dead persons.
- **1544.** It is necessary for a person who is hired to offer the lapsed prayers of a dead person that he is either a Mujtahid or he knows the rules relating to prayers correctly from the point of view of taqlid (following) or acts according to precaution, provided that he knows fully on what occasions precaution is to be observed.
- **1545.** At the time of making intention the hired person should specify the dead person, but it \$ not necessary that he should know his name. Hence it is enough if he says: "I am offering prayers on behalf of the person for whom I have been hired."
- **1546.** The hired person should act with the intention that he is acting to discharge the obligation of the dead person. It is not enough if he performs some act and dedicates its spiritual reward to the dead person.
- **1547.** One who hires a person should be satisfied that the hired person will perform the act for which he is hired.
- **1548.** If it transpires that the person hired for offering prayers 'f a dead person has not performed the requisite act or has performed it incorrectly another person should be hired for the purpose.
- **1549.** If a person doubts whether or not the hired person has performed the act and if he (the hired person) is a reliable person and says that he has performed it, it is enough. And similarly if he doubts whether or not his action has been correct he should presume that it has been correct.

- **1550.** A person who has some excuse, (for example, if he offers prayers with tayammum or in a sitting posture) should not be hired for offering prayers for a dead person, although the prayers of the dead person may also have lapsed in the same manner.
- **1551.** A man can be hired for a woman and a woman can be hired for a man and in the matter of offering prayers loudly or in low voice the hired person should act according to his own obligation.
- **1552.** Maintenance of order is not obligatory in the lapsed prayers of a dead person except in the case of 'ada prayers in which the order is to be maintained e.g. midday and afternoon prayers or dusk and night prayers of one day, as has been mentioned earlier.
- **1553.** If it is settled with the hired person that he will accomplish the act in a special manner he should accomplish it in that manner. And if nothing is settled with him he should act in that matter according to his own legal obligation. And the recommended precaution is that out of his own legal obligation and that of the dead person, he should act according to that which is nearer to precaution for example if the legal obligation of the dead person was to say tasbihat arba'ah (recital of the third or fourth unit while standing) thrice and his own legal obligation is to say them once he should say them thrice.
- **1554.** If it is not settled with the hired person with how many recommended acts he will offer the prayers, he should perform those recommended acts of the prayers, which are usual.
- **1555.** If a person engages a number of persons for offering the lapsed prayers of a dead person it is necessary on the basis of contents of Article 1552 that he should fix a time for each one of them.
- **1556.** ii, for example, a person is hired to offer the prayers of a dead person during the period of one year but he dies before the year comes to an end another person should be hired to offer, the prayers, which, it is known, the first person has not offered. And if it is probable that he has not offered some prayers even then on the basis of obligatory precaution, another person should be hired.
- **1557.** If a person, who is hired for offering the prayers of a dead person, dies before offering all the prayers and had taken wages for all the prayers, and if it was settled that he should offer all the prayers himself, and if he was able to do the needful, the contract is in order, and the hirer can take the proportionate amount of the wages for the remaining prayers, or he can cancel the contract and take the balance amount after deducting the proportionate amount for the prayers, which have been offered.

And if the hired person was not able to do the needful the contract is void for the balance amount of prayers after the deathofthe hired person, and the hirer can take back the balance of the settled amount, or can cancel the contract for the past acts, and give the proportionate wages. And if it was not settled that the hired person would offer the prayers himself, his heirs should hire a person out of his property to offer the balance prayers. In case, however, he has not left any property nothing is obligatory for his heirs.

1558. If the hired person dies before offering all the lapsed prayers of the dead person and he himself too had to offer some lapsed prayers and if after acting according to the orders contained in the foregoing article something remains out of his property (i.e. the property of the hired person who is dead) and in case he has made a will and his heirs permit theta person should be hired for all his prayers and if they do not permit, one third of his property should be spent for all his prayers.

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