

the **PILLARS** of ISLAM

'IBADAT: Acts of Devotion and Religious Observances



Volume I

Da 'a' im al-Islam of al-Qadi al-Nu'man

translated by **Asaf A. A. Fyzee**

completely revised and annotated by
Ismail Kurban Husein Poonawala

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of
AL-QĀDĪ AL-NU'MĀN

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Preface

Since its composition and proclamation as the official code of the Fāṭimid State by the Caliph al-Mu'izz li-Dīn Allāh, around the year 349/960, the *Da'ā'im* has remained the greatest source of authority on Ismā'īlī law up to the present day. A book of such importance and prestige was copied diligently, studied assiduously, and transmitted from one generation to another by the learned of the Musta'li-Ṭayyibī branch of the Ismā'īlī *da'wa*, which was based first in the Yemen and then in India after the collapse of the Fāṭimid State in Egypt. This tradition of learning, transcribing, and collating manuscripts was actively pursued until very recently in circles of learning, which revolved around a single *shaykh*. The critical edition of the first volume of the *Da'ā'im*, prepared by Asaf Ali Asghar Fyze from eight manuscripts, the oldest of which is probably of Yemenite provenance, was published in Cairo, Egypt, in 1951.

The first complete Urdu translation of this volume, by Mullā Yūnus Shakīb Mubārakpūrī, was published in 1964 in Surat, India. Six years later he followed it up by a Gujarati translation. Both these translations were meant primarily for the internal use of the Bohra community. Not only do they contain numerous errors and a few omissions, but both translations lack explanatory notes, which make it even more difficult for the layman to follow what Nu'mān is saying.

A scholarly but readable translation into modern English idiom for the benefit of non-Arabists and the western-educated members of the Ismā'īlī community living in the Indian subcontinent, as well as the growing diaspora community in the West, was a desideratum. In addition, the *Da'ā'im* is recognized by all courts in the Indo-Pakistani subcontinent in personal and family matters as the definitive source of Ismā'īlī law. However,

in the absence of a reliable English translation, the lawyers and judges have had to rely either on secondary sources or on local interpreters. It is hoped that this translation will fill those lacunae.

Next, my association with Fyzee and my undertaking of the revision of his translation need some explanation. It was in the fall of 1966 that I met Fyzee for the first time. He was invited to Los Angeles as a visiting Professor of Islamic law at the University of California, where I was writing my doctoral dissertation on Nu'mān. Shortly before coming to California, Fyzee had retired from an active career in teaching and public service. During his one semester stay in Los Angeles, we met regularly over lunch or dinner and very often our conversation would turn to Nu'mān and Ismā'īlī law. It was during one of those discussions that the subject of English translation of the *Da'ā'im* came up. I suggested to Fyzee that he was eminently qualified to undertake such a task since he had edited the text, written extensively about Nu'mān, and had the training of a lawyer. With his usual modesty he immediately asked for my collaboration. I told him that it would be my pleasure and privilege to work with him, but the distance between Bombay and Los Angeles, and the means of communication—those were the days before fax, internet, and e-mail, (by present standards an age of *Jāhiliyya*)—might not be too conducive to a fruitful result.

A year and a half later, in 1968, when I visited him in Bombay, he told me that despite unforeseen delays and family problems he had been able to start the translation. He added that from then onwards he would send me the first draft of a certain number of pages, every few months, for my comments and feedback. This he continued regularly for a long while, but postal delays and my own relocation from Montreal to Boston, and then back to Los Angeles, as well as a heavy teaching load, all made it more difficult for me to peruse Fyzee's drafts in a timely manner. By the end of 1971 a substantial portion of the first volume was complete. I therefore suggested to him that instead of waiting for the whole volume to be finished he should give serious consideration to publishing the first two chapters on faith and *walāya* independently for their intrinsic value. This he did, and *The Book of Faith* was published in 1974 in Bombay.

A few months before passing away on 23 October 1981, Fyzee completed the translation of both volumes. In fact, the Trustees of the E. J. W. Gibb Memorial Trust in London had accepted it for publication in their new series. Fyzee's manuscript was set into type. Only after an independent reader reviewed the galley proofs of the first volume was it discovered that the translation was replete with inaccuracies, minor and major errors, and stylistic inconsistencies. The reader recommended that it be

thoroughly revised (either by Fyzee or by another competent scholar) before publishing or that the galley proofs be scrapped. The Gibb Memorial Trust therefore abandoned its publication. My last meeting with Fyzee was in January of 1981 at his residence in Bombay. His health was now fast declining and he expressed his wish that I complete his unfinished work.

Shams Vellani of the Institute of Ismaili Studies, London, who happened to be in Bombay and had met Fyzee to get his permission for microfilming the Ismā'īlī manuscripts which Fyzee had donated to the Bombay University Library, took over the responsibility of the translation's publication and acquired the abandoned galley proofs. A few months later he called and asked me to undertake its revision as suggested to him by the late Fyzee. Although I was attracted to the idea of completing an unfinished work of great importance, because of my own familiarity with the works of Nu'mān and my close association with Fyzee, the task was not as easy as it appeared at first sight. I hesitatingly acceded to Vellani's request, but the arrangements with the Institute did not work out and the revision was left unfinished.

Since joining the Institute of Ismaili Studies in 1988, Professor Farhad Daftary has infused new life into it and has embarked on a wide range of publishing programmes. It is to his credit that when he invited me to submit an article on Nu'mān and Ismā'īlī jurisprudence for his *Mediaeval Ismā'īlī History and Thought*, he revived the plan for the publication of the *Da'd'im's* translation. It was only in 1997 that he entrusted me with full responsibility of its revision. This explains why it took so long for this translation to see the light of day.

Fyzee's translation was indeed a first draft, and I have treated it as such because it needed meticulous revision. Simple errors of omission as well as major mistakes of translation were quite frequent throughout this volume. The difficulty of the subject matter and the lack of a proper grasp of the material caused some errors; others were due to the technical language, often obscure terminology, and idiomatic expressions, which had not been correctly understood. A number of the erroneous renditions had also resulted from his extensive reliance on the Urdu translation. As far as possible I have tried to preserve Fyzee's translation by recasting or rephrasing his renditions, provided they faithfully convey Nu'mān's thought. Many times, nevertheless, I have had to completely rewrite not only sentences but also whole paragraphs.

Technical terms are translated wherever accurate English equivalents are available. At times even the nearest equivalents are far from being able to do justice to the original terms, hence those words are transliterated, explained in the notes, and retained in the translation. Frequently the

original Arabic word or term is put in parentheses to indicate to the reader that it is used to convey a particular shade of meaning. Words such as *shū'a*, *awliyā'*, *aṣḥāb*, generally used with the pronouns *hu* or *nā* meaning *his* or *our*, and rendered slightly differently in different places depending upon the context, are good examples of these nuanced variations. The meanings of some obscure words have been clarified by contextual interpretation. Long sentences with several relative clauses have been broken into smaller units. Nu'mān repeats pronouns throughout entire paragraphs—a common stylistic practice of Arabic—which confronts the translator with the task of sorting them out and providing appropriate nouns.

The translation seeks to accurately render the Arabic original into a modern idiom, with grace and clarity. When I have had to add words for clarity, or to specify the pronoun, or to preserve good English style, or to complete an incomplete sentence, this is indicated with square brackets. I have taken minor liberties in translation in order to preserve the style and smooth flow in English. In a few cases I have departed from the exact wording in the text because a little free translation makes more sense grammatically, syntactically, and logically in English. Unfortunately the punctuations in the edited text are not always correct. Thus the question of where a direct quote from a tradition ends is left to the reader. Occasionally it is difficult to determine where the tradition ends and Nu'mān's commentary begins. In all these cases I have followed my own instinct.

Despite the fact that the book is primarily a collection of traditions of the Prophet and the Imams, Nu'mān's account is in places full of graphic details and vivid descriptions which make it enjoyable reading. His use of animated dialogues, especially in the debates with his major Sunnī antagonists, is extremely effective in impressing the author's position upon the reader in a convincing manner. Nu'mān thereby depicts the adversaries as either dumbfounded or feeling embarrassed for their inadequacies. He has used this style quite successfully throughout the second chapter. At times his arguments have infused vigour and vitality into an otherwise dull and serious discussion.

Very often he uses direct speech, which adds to the liveliness of the discourse. His use of parables, especially at the beginning of the Book of *zakāt*, is another example of his craftsmanship. Nu'mān's knowledge and mastery of Arabic language and literature complemented his literary style. He had the gift of lucid and eloquent expression and the ability to quote freely from the Qur'ān and other sources. It is precisely these qualities of exactness and eloquence which are characteristic of his style. He could, moreover, arrest the reader's attention by a turn of expression, or a fine

classical phrase, and could sum up a point of law tersely in a maxim. All these are characteristic of Nu'mān's literary talent. An effort, therefore, has been made to preserve the original flavour in translation without sacrificing the English idiom.

Some major changes in the format chosen by Fyzee seemed desirable. First, I have removed the consecutive numbering of the paragraphs and traditions adopted by Fyzee in the third edition of the Arabic text as well as in the translation. His system seemed quite arbitrary and unaesthetic.

Second, following the style of the Urdu translation, Fyzee had rendered the two authorities most frequently cited by Nu'mān, viz. Abū Ja'far Muḥammad b. 'Alī (*kunya*, given name plus father's name), or Abū Ja'far (*kunya* only), or Muḥammad b. 'Alī (given name plus father's name) and Ja'far b. Muḥammad, or Abū 'Abd Allāh, or Abū 'Abd Allāh Ja'far b. Muḥammad, as Imam Bāqir and Imam Ṣādiq. I have restored these names to their original forms as used by Nu'mān.

Third, Nu'mān does not trace the chain of transmission to an original source, but rather, for the sake of brevity, names his ultimate authority, generally a single Imam, by prefixing *wa-qad rawaynā 'an*, or *wa-'an*. At times he cites two or more Imams for a single tradition. I have rendered this brief *isnād* by only a dash (—) between the individual Imams. Following his discussion of the terms *rawaynā*, or *ruwīnā*, or *ruwīnā*, in the introduction of the first volume, Fyzee had rendered this expression differently, using cumbersome language, such as 'It is correctly related to us from ...' or 'It is related on good authority from ...' or 'It is related to us authentically from ...' or simply 'From ...' For the sake of brevity and consistency I have eliminated all of that by placing a colon (:) after the name of the Imam.

Fourth, all forms of invocation of blessings after the name of the Prophet and Imams, known as *tasliya*, *tardīya*, or *ṣallā* and *sallam*, as well as all extolling and glorification of God, such as *'azza wa-jalla*, *subḥānahu wa-ta'ālā*, are omitted for the sake of brevity.

Fifth, in order to ensure consistency, some frequently used phrases and expressions, which were translated differently in different places by Fyzee, have been given a single rendering. For example, *amīr al-mu'mīnīn*, generally used for 'Alī, and rendered by Fyzee as Prince of the Faithful in most places, has been changed to Commander of the Faithful throughout the book.

Sixth, instead of Fyzee's division of this, the first, volume into seven chapters, I have divided it into nine. The first chapter, is broken into two. The Book of Funerals, originally part of the Book of Ritual Prayer, is assigned a separate chapter.

For the translation of innumerable Qur'ānic verses in the text Fyzee followed Pickthall.¹ I have retained this preference in most places except where I disagreed and felt that Pickthall's translation did not accurately reflect the context or the nuance that Nu'mān had wanted to convey. In some places I have preferred Sale's² translation because it seemed closer to the original. All such cases are indicated in the footnotes.

In revising this translation I have carefully considered variant readings provided by Fyzee in the Arabic text. At times, I have deviated from the textual reading selected by Fyzee and have preferred the variant. All such cases are pointed out in footnotes. Fortunately, I happened to have a very good manuscript of the first volume of the *Da'ā'im* in the collection of my late father. It was transcribed on the 23rd of Dhu 'l-Hijja 1150/1738. The text is written in *naskh* in black ink, and the chapter and section headings are written in red. The beginning of the *isnād* for each and every tradition, i.e. the words *wa-rawaynā*, *wa-'an*, *wa-'anhu*, is all written in red. The presence of many corrections and references in the margins to variant readings suggests that the manuscript was collated later. Variant readings are indicated by the prefix *nuskha*. It also contains marginal comments and explanations. The manuscript size is 15 x 23½ cm, while the written text is about 10 x 16½ cm. The number of lines varies consistently from 15 to 19 per page for a number of pages, which suggests frequent intervals of transcribing. Pages are not numbered in numerical order, but in the usual manner of indicating the first word of the following page.

I have frequently consulted this manuscript and have amended Fyzee's

¹ Among a number of new English translations of the Qur'ān during the first half of the twentieth century, two merit particular attention. The first published in 1930 was by M. Pickthall, an Englishman who became a convert to Islam. He was a man of distinct literary gifts and had lived many years in the East. In his foreword, Pickthall claimed special distinction for his translation in words that deserve respectful consideration. He stressed the point that his translation was scrutinized and revised under the guidance of Shaykh Muṣṭafā al-Marāghī, rector of the Azhar University, the most famous Sunnī institution of Islamic learning in Cairo. Among the generation of Fyzee this translation was very popular. The other was the two-volume work of R. Bell, published in 1937–9. Bell was a most erudite scholar of Arabic and had devoted many years to his critical re-arrangement of the *Sūras*. It should be noted here that Arberry's *The Koran Interpreted*, published in 1955, is generally recognized as the most beautiful translation in the English language.

² George Sale's translation first appeared in 1734 and was not supplanted for almost 150 years. Its influence was therefore enormous until the end of the nineteenth century. Sale's good grasp of the Arabic is evident throughout and his English style is elegant and mature. His translation is also very rich in explanatory notes. He had access to the famous commentary of the Qur'ān by al-Bayḍāwī. Moreover, he relied heavily on a profoundly learned Latin translation of the Qur'ān by Marracci published in 1698.

readings in several places. Moreover, it is only this manuscript which distinguishes the preliminary discussion on faith and the *Kitāb al-walāya* as separate chapters. Accordingly, I have divided the first chapter of the printed text into two. Nu'mān's own statement in his *Asās al-ta'wīl*, 33, 50, that the preliminary chapter on *īmān* in his *Da'ā'im al-islām* is followed by a chapter on *walāya*, corroborates my division. Besides this, I was able to emend Fyzee's readings in other places, by consulting either Nu'mān's *Sharḥ al-akhbār* or other sources. All such emendations and changes are noted in the footnotes.

Fyzee's draft hardly contained any notes. Some of them were already outdated, while others were inaccurate or irrelevant. A major part of my effort, in addition to revising the translation, was therefore expended in annotation. The annotation aims mainly at indicating earlier or parallel sources, clarifying difficult passages, explaining technical terms, and identifying individuals and place names. It also gives historical background to the events cited and philological explanations of words and idioms. It is hoped that this annotation will provide a better understanding of the text to non-specialists and guide specialists in further research.

For resolving obvious difficulties and explanations, certain works of Nu'mān himself came in handy. His *Ta'wīl al-da'ā'im* was extremely helpful in checking and comparing the text except the last chapter. *Sharḥ al-akhbār*, *al-Urjūza al-mukhtāra*, and *Kitāb ikhtilāf uṣūl al-madhāhib*, wherein Nu'mān dealt with similar issues, were consulted and referred to in the notes. I have also referred to the Ismā'īlī Rāzī's (d. 322/934–5) *Kitāb al-zīna*, a manuscript that deals with similar subjects linguistically.

In order to point out the similarities and differences between the Ismā'īlī/Fātimid position and that of the Imāmī and the Sunnī schools of jurisprudence, al-Kulaynī's (d. 329/940–1) *Kitāb al-kāfi* and al-Khaṭīb al-Tabrīzī's *Mishkāt al-maṣābiḥ*, completed in 737/1336–7—and its translation by James Robson—have been consistently cited throughout. Besides, this strenuous exercise of scrutinizing similar or variant traditions in these supplementary sources had its own rewards, in particular in giving clarity and precision to the meaning of certain words and phrases used by Nu'mān, and in removing ambiguities and difficulties in the text of the *Da'ā'im* at times. Moreover, the reader himself will be able to discern whether Nu'mān's stand on any particular issue agrees with or varies from that of other schools.

For the Shī'ī interpretation of the Qur'ānic verses, the *tafāsīr* of Furāt al-Kūfī (d. ca. late 3rd/9th or early 4th/10th centuries) and 'Alī b. Ibrāhīm al-Qummī (d. 328/939) and al-Tūsī's (d. 460/1067) *al-Tibyān* and al-Tabrīzī's (d. 548/1153) *Majma' al-bayān* were consulted. For the Sunnī

point of view al-Ṭabarī's (d. 310/923) *Tafsīr* and other commentaries are indicated. Frequently al-Ṭabarī notes the Shī'ī interpretation and others as well. For historical references Ibn Ishāq's (d. ca. 150/767) *Sīra* in the recension of Ibn Hishām (d. 213/828 or 218/833), al-Wāqidī's (d. 207/823) *Kitāb al-maghāzī*, al-Balādhurī's (d. ca. 279/892) *Ansāb al-ashrāf*, al-Ya'qūbī's (d. 284/897) *Tārīkh*, al-Ṭabarī's *Tārīkh* and other relevant sources are referred to. Most of the Shī'ī names and other authorities are identified using the standard biographical dictionaries, such as Ibn Sa'd's (d. 230/845) *al-Ṭabaqāt*, the *rijāl* works of al-Kashshī (lived in the first half of the 4th/10th century), al-Najāshī (d. 450/1058) and al-Ṭūsī, Ibn Khallikān's (d. 681/1282) *al-Wafayāt* and Ibn Ḥajar's (d. 852/1449) *al-Iṣāba*. All the place names and geographical areas have, likewise, been identified using the works of al-Ḥarbī (d. 234/848–9), al-Hamdānī (d. 334/945), and Yāqūt (d. 626/1229). For philological explanations, standard Arabic dictionaries by Jawharī, Firūzābādī, Ibn Manẓūr, and al-Zabīdī, as well as Lane's *Lexicon* are cited. *Majma' al-baḥrayn* by Fakhr al-Dīn al-Ṭurayhī (d. 1085/1674) was particularly useful in tracing the Shī'ī interpretations and related *ahādīth*.

Recent studies and other secondary sources are too numerous to be enumerated here, but are listed in the bibliography. On disputed issues, every effort has been made to cite the differing views, and, where available, the latest interpretation is given.

August 25, 1998
Rancho Palos Verdes, California

Ismail K. H. Poonawala

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September 2, 1998
Rancho Palos Verdes, California

Ismail K. H. Poonawala

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Let your authority prevail and your decision be carried out in every case wherein the *mazālim* complaints are brought to you [directly] or [brought in the form of] an appeal from all the citizens of the cities and rural districts of the domain of the Commander of the Faithful, either near or distant.

Let no judge of al-Mahdiyya or Qayrawān appertain to himself any appeal from the Bedouins who [live] around the cities, since the Commander of the Faithful has empowered every justice to look into the judicial matters of the city and its environs wherein he has been assigned. He should not transgress beyond the bounds of his jurisdiction. [The Commander of the Faithful] has given to other judges the jurisdiction to look into the affairs of the rural districts of their cities. They can appoint neither an executor nor a trustee in any rural district wherein there are no judges.

They cannot entertain [matters] related to the friends (*awliyā'*) of the Commander of the Faithful, or the [different] classes of his bondsmen, or any of the soldiery stationed in the capital (*bi-ḥaḍratihi*). Review of all these matters shall be referred to you, and you shall have absolute judicial powers in those proceedings. No other judge or governor may contend with you in those matters. If one of the contending parties to a suit brings the case before you, while the other takes it to another judge or a governor, the party that has raised the dispute to another judge or a governor shall either voluntarily or perforce come to you with the other party.¹²

The above decree is eloquent testimony of Nu'mān's character and learning and his standing with the caliph. In addition to this, he was also authorized by the caliph to hold the *majālis al-ḥikma* (wisdom sessions) every Friday, following the noon prayers, in the royal palace. The purpose of these gatherings was to instruct the congregation in the religious sciences of the Ismā'īlī *da'wa*, especially the *ta'wīl* (hermeneutics of the Qur'ān) and *bāṭinī* (esoteric) sciences.¹³

COMPOSITION OF THE DA'Ā'IM

Although there is no external or internal evidence for determining the exact date of the *Da'ā'im*'s composition, as discussed elsewhere, I am inclined to assume that it was composed around 349/960.¹⁴ Unlike in his other works, Nu'mān mentions neither his name in the introduction to the *Da'ā'im*, nor refers to his previous works in it. The apparent reason for this is that the *Da'ā'im* was commissioned by al-Mu'izz and was

¹²Nu'mān, *Kitāb ikhtilāf uṣūl al-madhāhib*, 19–22 (Arabic pagination); 52–8 (English introduction). I have made some changes in the translation of Lokhandwalla.

¹³Nu'mān, *Kitāb al-majālis*, 386, 435, 487, 546.

¹⁴See Poonawala, 'Al-Qāḍī al-Nu'mān and Ismā'īlī jurisprudence', 126–7.

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Transliteration

The system of transliteration used in this translation is that of the *Encyclopaedia of Islam*, New Edition, with the following changes: j for *jīm* instead of dj; q for *qāf* instead of k. Pairs of letters joined by a bar underneath, such as dh, gh, kh, sh, and th, are written without the bar.

Well-known place names, such as Mecca, Medina, Baghdad, Damascus, as well as certain terms like imam, imamate, caliph, caliphate, vizier, dinar, and dirham are retained in their accepted English forms as given by the *Webster's Third New International Dictionary of the English Language*. The two most frequently used words in this translation, viz. 'Muḥammad' and 'Qur'ān,' although accepted in English without diacritics, here retained proper diacritics. All other Arabic words are transliterated.

Abbreviations

<i>Concordance</i>	Wensinck, <i>Concordance et Indices de la Traditions Musulmane</i>
Dodge	Ibn al-Nadīm, <i>al-Fihrist</i> , trans. B. Dodge
Dozy	Dozy, <i>Supplément aux Dictionnaires Arabes</i>
EI	<i>The Encyclopaedia of Islam</i> , 1st ed.
EI ²	<i>The Encyclopaedia of Islam</i> , 2nd ed.
EIr	<i>Encyclopaedia Iranica</i>
ER	<i>Encyclopedia of Religion</i> , ed. M. Eliade
EISup	<i>Supplement to The Encyclopaedia of Islam</i> , 2nd ed.
Furāt al-Kūfī	Furāt al-Kūfī, <i>Tafsīr</i>
Guillaume	<i>The Life of Muhammad</i> , trans. A. Guillaume
<i>History of al-Ṭabarī,</i>	<i>The History of al-Ṭabarī</i> , Translated and Annotated by various authors
Ibn Khallikān	Ibn Khallikān, <i>Wafiyāt al-a'yān</i>
Ibn al-Nadīm	Ibn al-Nadīm, <i>al-Fihrist</i>
Ibn Sa'd	Ibn Sa'd, <i>al-Ṭabaqāt</i>
Kāfi	Kulaynī, <i>al-Kāfi fī uṣūl al-Dīn</i>
Kazimirski	Kazimirski, <i>Dictionnaire Arabe-Français</i>
Lane	Lane, E., <i>Arabic-English Lexicon</i>
<i>Lisān al-'Arab</i>	Ibn Manẓūr, <i>Lisān al-'Arab</i>
<i>Majma' al-baḥrayn</i>	Ṭurayḥī, <i>Majma' al-baḥrayn</i>

Mishkāṭ	Tabrīzī, <i>Mishkāṭ al-maṣābiḥ</i>
MS	Manuscript
MSS	Manuscripts
MS Q	Manuscript of the <i>Da'ā'im</i> , vol. I, in the collection of Mulla Kurban Husayn Fida Husayn Godhrawala
pl.	plural
Qāmūs	Fīrūzābādī, <i>al-Qāmūs al-muḥīṭ</i>
Qummī	Qummī, <i>Tafsīr al-Qummī</i>
Robson	<i>Mishkat al-masabih</i> , trans. J. Robson
<i>Sharḥ al-akhbār</i>	Nu'mān, <i>Sharḥ al-akhbār</i>
ShEI	<i>Shorter Encyclopaedia of Islam</i>
<i>al-Ṣiḥāḥ</i>	Jawharī, <i>al-Ṣiḥāḥ</i>
De Slane	Ibn Khallikān, <i>Wafīyāt al-a'yān</i> , trans. De Slane
Tabarī, <i>Tafsīr</i>	Ṭabarī, <i>Tafsīr al-Ṭabarī</i> , ed. M. Shākir, Cairo ed.
Ṭabarī, <i>Tafsīr</i> (Beirut)	Ṭabarī, <i>Tafsīr al-Ṭabarī</i> , Beirut ed.
Ṭabarī, <i>Tārīkh</i>	Ṭabarī, <i>Tārīkh al-Ṭabarī</i> , ed. M. Ibrāhīm
Ṭabrisī	Ṭabrisī, <i>Majma' al-bayān</i>
<i>Tāj al-'arūs</i>	Zabidī, <i>Tāj al-'arūs</i>
<i>Urjūza</i>	Nu'mān, <i>al-Urjūza al-mukhtāra</i>
Yāqūt	Yāqūt, <i>Mu'jam al-buldān</i>

Editor's Introduction

ISMĀ'ILĪ JURISPRUDENCE BEFORE NU'MĀN

The establishment of the Fāṭimid caliphate in North Africa in 297/909 was the result of arduous missionary activity carried out over a long period by the pre-Fāṭimid Ismā'īlī movement, generally known as *al-da'wa* (the mission) or *al-da'wa al-hādiya* (the rightly guiding mission).¹ As the appellation indicates, in the religio-political sense, the *da'wa* was a call—a call to adopt the cause of the family of the Prophet (*ahl al-bayt*) claiming the right to the supreme leadership of the Muslim community, viz. the caliphate-imamate. It was, therefore, a clandestine religious organization, well knit with a complex hierarchy of leadership and controlled centrally from Salamiyya, in Syria. Its efforts were directed mainly towards achieving the political aim of securing a power base in the name of the Mahdī-Qā'im, who would rise from the family of the Prophet to fill the earth with justice and equity and bring true guidance to all mankind.² Messianic expectations played a major role in the *da'wa*'s teaching and propagation.

The *da'wa*, during this early, revolutionary phase of its checkered

¹The Qur'ānic term *da'wa*, meaning call or invitation, was invoked to organize a missionary, propaganda movement to found a new dynasty. Such was the case with the 'Abbāsīd *da'wa*. For details see EI², s.v. *Da'wa*. Nu'mān's *Ifṣāḥ al-da'wa* is the earliest account of the *da'wa* Abū 'Abd Allāh al-Shīrī's arrival in North Africa and his activities leading to the establishment of the Fāṭimid dynasty.

²According to a widely held Muslim belief, the Mahdī, meaning 'the rightly guided one', is the designation of the restorer of true religion and justice, who will rise and rule before the end of the world. For the origin and development of this concept and a similar concept of the Qā'im see EI², s.v. *Kā'im* Āl Muḥammad; al-Mahdī.

history, developed elaborate and sophisticated doctrines. In fact, the basic outlines of the Ismā'īlī system of thought and its tenets as expounded at this time, such as a fundamental distinction between the *ẓāhir* (the exoteric meaning) and the *bāṭin* (the esoteric meaning) of the Qur'ān, the cyclical view of history, and the cosmological doctrines, have remained more or less unchanged.³ What we are chiefly concerned with in this brief introduction, however, is not the religious doctrines propagated by the *da'wa* but the law. Hence the question arises, what was the status of Ismā'īlī jurisprudence before Nu'mān compiled his *magnum opus*, *Da'ā'im al-Islām*?

A close scrutiny of early Ismā'īlī sources reveals that a distinct Ismā'īlī law had not yet emerged because there was no practical need for it during the revolutionary phase of the movement. With the transformation of the *da'wa* into a *dawla* (state), however, and the subsequent establishment of the Fāṭimid caliphate, the situation changed radically. The need for an authoritative doctrine of the imamate legitimating the new dynasty's rights to the caliphate, as well as the need for a political constitution for the state, was most sharply felt. The Ismā'īlī law, thus, started to take definite shape with the backing of the Fāṭimid caliphs. Our information about the state of Ismā'īlī law before the works of Nu'mān were officially embraced by the Fāṭimid caliphs is chiefly derived from the late Sunnī historians, such as Ibn Ḥammād (d. 628/1231), Ibn 'Idhārī (d. after 712/1312) and al-Maqrīzī (d. 845/1442) because the earlier sources did not survive. Since this subject has already been dealt with elsewhere in detail, there is no need to discuss it afresh;⁴ hence, let us now turn to Nu'mān.

NU'MĀN'S LIFE

His full name is Abū Ḥanīfa al-Nu'mān b. Abī 'Abd Allāh Muḥammad b. Maṣṣūr b. Aḥmad b. Ḥayyūn al-Tamīmī al-Qayrawānī al-Maghribī. In order to distinguish him from the imam Abū Ḥanīfa al-Nu'mān, the

³The main studies of early Ismā'īlī doctrines are by Stern, 'Earliest Cosmological Doctrines,' Halm, *Kosmologie und Heilslehre*; idem, 'Cosmology of the pre-Fatimid Ismā'īliyya.' For a summary of those doctrines see Daftary, *Short History*, 50–8.

⁴See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence,' 117–19. Maqrīzī, in *al-Muqaffā al-kabīr*, III, 101, 103–4, states that in the Friday sermon an invocation of blessings on 'Alī, Fāṭima, al-Ḥasan and al-Ḥusayn was added. In the biography of Jawhar al-Ṣiqillī, Maqrīzī further reports the addition of *ḥayya 'alā khayr al-'amal* (come to the best of works) in the call to prayer and the introduction of *qunūt* (invocation) in Friday prayers. He also reports that the *basmala* was to be pronounced loudly at the beginning of every *sūra* recited during the obligatory prayers and that the uterine heirs (*dhawū al-arḥām*) were given the right to inherit. All these changes were gradually introduced by Jawhar after his conquest of Egypt.

founder of the Ḥanafī school of jurisprudence, he is generally called al-Qāḍī al-Nu'mān. Very little is known about his family, childhood, and education. A number of earlier biographical accounts by the Fāṭimid historians, such as Ibn Zūlāq (d. 387/997) and al-Musabbiḥī (d. 420/1029), are completely lost except for a few brief citations in later works.

Richard Gottheil's 'A distinguished family of fatimide cadis (al-Nu'man) in the tenth century' was the first detailed account by a western scholar of Nu'mān and his illustrious sons and grandsons, who occupied the office of *qāḍī al-quḍāt* (the Chief Justice) of Cairo, the Fāṭimid capital of Egypt. It is principally an edited translation of the relevant portions from Ibn Ḥajar's (d.852/1449) *Raf' al-īṣr 'an quḍāt Miṣr*. Despite a number of errors it is very useful. The same material about Nu'mān's family from *Raf' al-īṣr* was re-edited a few years later by Rhuvon Guest and appended to his edition of Abū 'Umar Muḥammad b. Yūsuf al-Kindī's (d. 350/961) *Kitāb al-wulāt wa-kitāb al-quḍāt*.⁵

Asaf A. A. Fyze's 'Qadi an-Nu'man: The Fatimid jurist and author', published in 1934, reflects the progress in Ismā'īlī studies since the publication of Gottheil's article. Fyze's sketch of Nu'mān is drawn from the earliest extant sources, both Ismā'īlī and non-Ismā'īlī, viz. 'Uyūn al-akhbār of Idrīs 'Imād al-Dīn (d. 872/1468) and *Wafayāt al-a'yān* of Ibn Khallikān (d. 681/1282). This study has since remained the most comprehensive account of Nu'mān's life and works.⁶ The lists of Nu'mān's works provided by Fyze and W. Ivanow (in his *A guide to Ismaili Literature and Ismaili Literature*), while initially quite useful, are now outdated. I have updated these lists and revised some of the theories expressed by these two scholars.⁷

I have also contested and refuted the view commonly held by non-Ismā'īlī authors, both medieval and modern, that Nu'mān was initially either a follower of the Mālikī or the Ḥanafī *madhhab* (school of jurisprudence), subsequently became an Imāmī (Twelver), and finally embraced Ismā'īlī doctrine.⁸ It seems that the theory of Nu'mān's conversion was first reported by Ibn Khallikān and later perpetuated by other authors. Although the latter had access to earlier sources he does not cite any authority for this particular report. However, as I have pointed out in my earlier study, first, the report of Nu'mān's contemporary, Muḥammad b. al-Ḥārith al-Khushanī al-Qayrawānī, about Nu'mān's father, is more reliable than that of Ibn

⁵The Governors and Judges of Egypt. Edited by R. Guest.

⁶Asaf A. A. Fyze, 'Qadi al-Nu'man: The Fatimid Jurist and Author'.

⁷Poonawala, 'Al-Qāḍī al-Nu'mān's works and the sources', and *Biobibliography*, 148–

⁸Poonawala, 'A reconsideration of al-Qāḍī al-Nu'mān's *madhhab*'.

Khallikān; second, Ibn Khallikān probably confused, in this instance, Nu'mān with his father Muḥammad. According to al-Khushanī, Nu'mān's father was of Mālikī persuasion; later he embraced the Ismā'īlī *madhhab*, but practised *taqīya* (precautionary dissimulation of one's faith under duress). With some additional pieces of evidence, discussed elsewhere, we may safely assume that Nu'mān was raised and educated as an Ismā'īlī.⁹

From about the year 312/924 until his death in 363/974, in Cairo, Nu'mān served the four successive Fāṭimid caliphs-imams in various capacities. Some details of his career have been described in a previous study¹⁰ and need not be repeated here. Suffice it to say that Nu'mān reached the apogee of his career during the reign of al-Mu'izz li-Dīn Allāh (341/953–365/975). The royal decree issued by the caliph on 28 Rabī' I 343/30 September 954, entrusting Nu'mān with *mazālim* (grievances)¹¹ proceedings throughout the Fāṭimid realm, shows that he was elevated to the highest judicial position in the state. This decree, recorded by Nu'mān in his *Kitāb ikhtilāf uṣūl al-madhāhib*, merits attention. It states:

In the name of God, the Beneficent, the Merciful.

This is a decree (*kitāb*) from the servant and friend of God (*min 'abd Allah wa-waliyhi*), Ma'add Abī Tamīm al-Mu'izz li-Dīn Allāh, the Commander of the Faithful, to al-Qāḍī Nu'mān b. Muḥammad. ... Since the Commander of the Faithful has observed your piety, religiosity, truthfulness, uprightness and commendable manners, and is satisfied with the discharge of your judicial duties in al-Manṣūriyya and its districts, [he hereby] invests you with absolute authority to look into the *mazālim* matters brought before you by the people of the cities as well as rural districts where there are already judges and governors [in order], to execute the justice against those on whom it has been due and to render it to those who deserve it.

Having also observed your true loyalty [to the Imams] and your holding to justice in your decisions, and [having observed] what the tests and trials have revealed of you, and what good the portents have indicated of you [the Commander of the Faithful thought it proper], in order to strengthen, buttress, reinforce, and augment this appointment, to issue a public decree addressed to you so that the hopes of those who seek [justice] from you may be stimulated and those against whom your judgements would be executed may be filled with fear and the schemes of those who want to contravene justice by avoiding you and resorting to other [judges] may be frustrated.

⁹Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence', 136.

¹⁰*Ibid.*, 119–21.

¹¹*Mazālim* denotes the legal structure through which the ruling authorities took direct responsibility for dispensing justice. Its jurisdiction was very wide. It worked not only as a court of appeal against the decisions of *qāḍīs*, but it also received petitions against official and unofficial abuse of power. For details see *El*², s.v. *Mazālim*.

Let your authority prevail and your decision be carried out in every case wherein the *mazālim* complaints are brought to you [directly] or [brought in the form of] an appeal from all the citizens of the cities and rural districts of the domain of the Commander of the Faithful, either near or distant.

Let no judge of al-Mahdiyya or Qayrawān appertain to himself any appeal from the Bedouins who [live] around the cities, since the Commander of the Faithful has empowered every justice to look into the judicial matters of the city and its environs wherein he has been assigned. He should not transgress beyond the bounds of his jurisdiction. [The Commander of the Faithful] has given to other judges the jurisdiction to look into the affairs of the rural districts of their cities. They can appoint neither an executor nor a trustee in any rural district wherein there are no judges.

They cannot entertain [matters] related to the friends (*awliyā'*) of the Commander of the Faithful, or the [different] classes of his bondsmen, or any of the soldiery stationed in the capital (*bi-ḥaḍratihī*). Review of all these matters shall be referred to you, and you shall have absolute judicial powers in those proceedings. No other judge or governor may contend with you in those matters. If one of the contending parties to a suit brings the case before you, while the other takes it to another judge or a governor, the party that has raised the dispute to another judge or a governor shall either voluntarily or perforce come to you with the other party.¹²

The above decree is eloquent testimony of Nu'mān's character and learning and his standing with the caliph. In addition to this, he was also authorized by the caliph to hold the *majālis al-ḥikma* (wisdom sessions) every Friday, following the noon prayers, in the royal palace. The purpose of these gatherings was to instruct the congregation in the religious sciences of the Ismā'īlī *da'wa*, especially the *ta'wīl* (hermeneutics of the Qur'ān) and *bāṭinī* (esoteric) sciences.¹³

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already crystallized in his mind.¹⁸ How Nu'mān conceived the *Da'ā'im*'s structure, which is quite novel compared to other *ḥadīth* collections, is difficult to determine. But his involvement in the controversy of the imamate and his refutations of various Sunnī schools of jurisprudence must have given him the stimulus to reflect on the subject. His keen intellect and extensive knowledge of the law made him eminently qualified to search for the interrelationships of the principles of faith, the sources of law, and the exposition of the *sharī'a*.

The juridical and legal system constructed in the *Da'ā'im*, both for the use of the state as well as the Ismā'īlī community is, therefore, unique, and Nu'mān is rightly regarded as its founder. The title of the book itself is revealing and it is very appropriately chosen. Accordingly, Islam is founded on seven pillars, viz., *walāya* (devotion and loyalty to the Imams of the *ahl al-bayt*), *ṭahāra* (ritual purity), *ṣalāt* (ritual prayers), *zakāt* (alms giving or welfare tax), *ṣawm* (fasting in the month of Ramaḍān), *ḥajj* (pilgrimage to Mecca), and *jihād* (holy war). The first pillar is the most important and key to the understanding of the rest. The structure seems fairly sound and logical, and it covers all aspects of religious, political, and civil life.

After a brief introduction, Nu'mān begins the book with the discussion of *īmān* (faith). Following his careful review of its definition as given by various factions, Nu'mān endorses a threefold basis of faith: first, verbal expression; second, sincere resolve; and third, the actual performance of recommended acts, each closely interrelated with the other two. The intention is not to present here either a summary or detailed analysis of all the chapters, but rather to pose a question: What is it that makes the *Da'ā'im* so unique that its fame has endured for over a millennium and it continues to be regarded as the primary source of Ismā'īlī law?

To fully discuss the subject would be beyond the scope of this introduction; hence only two things, which can be considered lasting contributions, shall be treated here. First, it is in the chapter on *walāya* that Nu'mān's most original contribution lies. As a standard and authoritative exposition of the Shī'ī theory of imamate it can still be read with as much interest as when it was written a thousand years ago. Although *walāya* is the very crux of the Shī'ī doctrine and its very

¹⁸This statement is neither something of a contradiction to the point just made in the previous paragraph nor to what Nu'mān himself states: that he prepared the entire work and submitted it to the Imam for a review and seal of approval. Theoretically the Imam is the fountainhead of all knowledge. Accordingly whatever Nu'mān wrote, his understanding and expertise in those matters were ultimately derived from the Imams contemporaneous with his writings. It is this Ismā'īlī tradition, placing Nu'mān in such close proximity with four Imams, that gives his works the highest authority.

raison d'être, its proper formulation for the justification of the Fāṭimid caliphate, surrounded by the hostile Sunnī population of North Africa, had to wait for Nu'mān.

The doctrine of the imamate developed by the pre-Fāṭimid *da'wa* was in need of major adjustments because circumstances had totally changed. The *da'wa*, first proclaimed by Abū 'Abd Allāh al-Shī'ī in Iḳjān, near the ancient Roman city of Mila, in present-day Algeria, was now fully transformed into a firmly established *dawla* (state). The original doctrine of the imamate, therefore, underwent considerable transformation at the hands of Nu'mān as a result of its adaptation to the needs of the newly founded Fāṭimid State. The chapter on *walāya*, with its intertwined sections, is the most comprehensive treatment of the subject in Ismā'īlī literature. Its tone is moderate, sober, and exoteric rather than esoteric. All the tendencies to extremism are rejected, and philosophical or Gnostic speculations are kept within reasonable bounds. All the tenets of *walāya* of the Imams of the *ahl al-bayt* are anchored in the two foremost sources of Islam: the Qur'ān and the *sunna* of the Prophet as handed down by the Imams of his progeny. More importantly, the theory of the imamate is given a solid historical perspective.

In short, Nu'mān establishes the legitimacy of the Fāṭimid claims to the caliphate-imamate by compelling arguments based on the Qur'ān and the traditions of the Prophet. He then cogently refutes the claims of rival groups like a clever lawyer deftly disproving the contentions of his opposite number. At times Nu'mān even takes his opponents' arguments to their logical conclusions, thereby showing the absurdity of their presumptions. The Imams are represented as paragons of virtue, most knowledgeable about the Qur'ān and the *sunna*, and upholders of the *sharī'a*. Nu'mān has thus provided a legitimization for Fāṭimid rule in a predominantly Sunnī environment hostile to Shī'ism, with the guidance and blessings of al-Mu'izz. This in itself is no mean achievement.

Second, the chapter on *jihād* contains more material than the usual discussion about the conduct of war and the division of booty found in other works. It contains an alleged '*ahd*' of 'Alī b. Abī Ṭālib to a governor, providing the latter with instructions on how to govern his subjects wisely and justly. In fact, it deals with administration and statecraft, tax regulations, the making and unmaking of treaties, and related matters. Leaving aside the question of its origin, the '*ahd*' was probably included in the *Da'ā'im*, presumably with some revision, in order that it might function as the civil constitution for the Fāṭimid state as well. The '*ahd*' represents, in the words of Wadād al-Qādī, 'the first political constitution of the Fāṭimid state after

its final establishment as a *dawla*'.¹⁹ She further adds that 'with the *'ahd*'s incorporation in the *Da'ā'im*, the *Da'ā'im* came to represent not only the paramount divine constitution of the Fāṭimid state but also the civil constitution of the state'.

Besides the *'ahd*, the last chapter also examines another controversial subject, viz. fighting rebels within the Muslim community and how to deal with them. Nu'mān's discussion is centred upon the people who fought against 'Alī at the battle of the Camel. It should be noted that for apparent reasons this discussion is totally absent from the *ḥadīth* collections. In his *al-Aḥkām al-sultāniyya*, Māwardī (d. 450/1058) discusses the issue of rebels, but his discussion is confined to the Khawārij.

What Nu'mān set out to do was to outline the ideal derived from the basic principles of Islamic law. He was a jurist who systematized and refined the views of his predecessors. In so doing he exercised his own judgement to adapt the material at his disposal to the situation of his own day. It is, indeed, precisely in these two aspects—his avoidance of extremism and the application of the juristic theory to contemporary facts—that the chief significance of the *Da'ā'im* lies.

Whether or not we agree with all the arguments that he puts forward in the *Da'ā'im* is a different question altogether, but we have every reason to respect them as the sincere and honest beliefs of a strong and devoted supporter of the Fāṭimid cause.

A discussion of the reception of the *Da'ā'im* by succeeding caliphs and succeeding generations of Ismā'īlīs is beyond the bounds of this introduction; this is treated in my forthcoming study.²⁰ Suffice it to say that the basic education of a Musta'li-Ṭayyibī Ismā'īlī begins with the *Da'ā'im*. Until recently it was read widely and regularly in the early morning sessions of learning, called the *ḥalaqāt* (pl. of *ḥalqa*, groups of students studying under a *shaykh*), following the morning prayers. To conclude, it should be reiterated that the *Da'ā'im* has remained a source of paramount authority to the present day for the Musta'li-Ṭayyibī Ismā'īlīs in their legal matters.

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¹⁹Al-Qāḍī, 'Early Fāṭimid political document,' 104. Al-Qāḍī has analysed the document and compared it with another recension in *Nahj al-balāgha*. She further surmises that the *'ahd* was composed by the *qāḍī* Aflaḥ b. Hārūn al-Malūsī to support al-Mahdī's claim in the power struggle between the latter and his *dā'i* Abū 'Abd Allāh al-Shī'ī.

²⁰The work still in progress is tentatively entitled *Al-Qāḍī al-Nu'mān: The Ismā'īlīs from da'wa to dawla*.

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[Prologue]

In the name of God, the Most Beneficent, the Most Merciful,
to whom we call on for help in all matters.

All praise to God, with whose praise [this book] is undertaken, and the blessings of God upon Muḥammad, His Messenger and Servant (*‘abd*), and on all the Pure Imams¹ of his household.

[Religious] claims and subjective opinions (concerning matters of religion) have grown in number, ideologies (*madhāhib*) and arbitrary views (*ahwā’*) have come to differ, teachings (*aqāwīl*) have been forged, and the community has been divided into sects and sub-sects, a majority of [the correct] norms sanctioned by traditions have disappeared, and innovations have grown and flourished. Each and every misguided sect has adopted a leader from among the ignorant, and has considered licit what is illicit, and unlawful what is lawful, following him blindly and obeying his command, without proof from the Book (Qur’ān) or the *sunna*,² and without consensus derived from the Imams and the community. We recalled, this being so, the words of the Messenger of God: ‘You will surely follow the paths of the communities before you as a horseshoe upon a horseshoe and an arrow feather on an arrow feather, to the extent that if they had entered a lizard’s hole, then you too would surely have done the like.’ In another tradition: ‘You will surely follow the ways of those before you cubit by cubit, and forearm by forearm to the extent that if they had entered the hornet’s nest, then you too would have done so.’³ The community has thus become as those former communities whose

¹They are referred to as ‘Pure Imams’ because of the Qur’ānic verse 33:33.

²The exemplary practice of the Prophet, comprising his utterances, deeds, and unspoken approval, embodied in *ḥadīth*. *El*², s. v. Sunna.

³With slight variation of words, both the traditions are reported by Bukhārī, Muslim, Tirmidhī, Ibn Māja, and Ibn Ḥanbal. See *Concordance*, s.v. b-w-; j-ḥ-r; ḥ-dh-w; dh-r-; s-l-k.

story God has told us in these words: *They have taken as lords beside God their rabbis and their monks* (9:31), save those whom God has protected by virtue of [their] obedience to Himself and to His Messenger and His Friends (*awliyā'*, i.e. the Imams), obedience to whom He has made obligatory.

Ja'far b. Muḥammad: He read the above verse and said that they [the misguided ones] did not, indeed, fast for, nor pray to their leaders; but they permitted to them as lawful things that were unlawful, and so the people considered them to be lawful; and [similarly] when their leaders forbade things that were lawful, the people considered them to be forbidden.⁴

The Messenger of God: He said, 'When innovations appear in my community, let the learned man make manifest his knowledge, but if he does not do so, the curse of God be upon him.'⁵

So when we found [the state of affairs] as stated above, we thought it appropriate by God's grace to compile a book, brief but comprehensive, easy to memorize, easy to use, and its contents free from prolixity and prolongation. Among the reports from the Imams of the House of the Prophet about which the transmitters have differed, we confine ourselves in [this book] to the proven and authentic reports concerning the pillars of Islam, the mention of lawful and unlawful things, legal cases, and rules of law.

Abū Ja'far Muḥammad b. 'Alī: Islam is based upon seven pillars:

1. *Walāya* (Devotion to the Imam) and this is the most excellent; through it and through the Imam (*walīy*), the true knowledge of [the rest of the pillars] can be obtained;⁶
2. *Ṭahāra* (Ritual purification);
3. *Ṣalāt* (Prayer);

⁴Kāfi, I, 53; *Majma' al-bahrayn*, s.v. r-b-b; Turayhī explains: Had those leaders asked their followers to worship them, they would not have complied with their call, but they permitted to them as lawful things that were unlawful and they forbade things that were lawful. Thus the people idolized their leaders while they knew not what they were doing.

⁵Kāfi, I, 54. 'He who is asked about something he knows and conceals it will have a bride of fire put on him on the Day of Resurrection.' *Mishkāt*, I, 77; Robson, I, 55.

⁶*Walāya* is read with the *fatha*, in contradistinction to *wilāya*, which is read with the *kasra*. The latter means *sulṭān* (authority, or power), while the former means *al-muwālāt fi 'l-dīn* (devotion in faith). Rāzī states on the authority of Abū 'Ubayda, the linguist, that the meaning of *walī* in 5:55 is explained by the word *mawlā* in the tradition of the Prophet, which states, "Alī is the master (*mawlā*) of the one [who has acknowledged me] as his master.' This is because the *walī* and *mawlā* are the same. *Walāya* therefore pertains to faith since the *walī* inherits the religious affairs of the community. Rāzī, *al-Zīna*, fols. 229–32.

4. *Zakāt* (Alms-tax or poor due);
5. *Ṣawm* (Fasting);
6. *Hajj* (Pilgrimage); and
7. *Jihād* (Holy war).⁷

These, then, are the pillars of Islam. We shall deal with them—God willing—after *īmān* (faith), without which no human acts are acceptable to God, for no one can be righteous before God unless he is a believer in the true faith. We shall append to the pillars an account of that which is lawful and unlawful, and legal cases and rules of law, for obedience to them is an act of piety. [We shall also deal with] the obligatory rules of purchases and sales, foods and drinks, divorce, marriage, inheritance and rules of evidence, and the other topics of jurisprudence which are well authenticated and obligatory. We ask God for His help and that He

Majma' al-bahrayn, s.v. w-l-a; he states that *walāya* means affection for the *Ahl al-bayt* and to accept them as guides in matters of religion and to obey their commands. Acknowledgement of their right [to succeed the Prophet] and belief in their imamate is one of the pillars (*uṣūl*) of religion.

The concept of *walāya* seems to have developed quite early among the Shī'a. *Kaṣf*, I, 185, 289–90; II, 18–24; Fyze, *Shī'ite Creed*, 96–7 n. 6. Although Kulaynī enumerates *walāya* as one of the five pillars of Islam, it was not regarded as distinct. See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence', 127. It is also an important concept for the Ṣūfis, cf. Shaybī, *al-Ṣila bayna 'l-taṣawwuf wa 'l-shī'a*, 339–416. For the meaning of the Imam for Shī'ī spirituality see Nasr, *Shī'ism*, 167–87. For a more recent scrutiny of the subject by an Iraqi Shī'ī intellectual, see al-Ṣadr, *Baḥṡ ḥawla al-walāya*.

The modern term *wilāyat al-faṭḥ*, translated as 'the mandate of the jurist to rule on behalf of the Hidden Imam' or 'the government of a qualified scholar' is a principle newly formulated and developed by Āyat Allāh Khumaynī (d. 1989). The concept was then implemented in revolutionary practice after the Islamic revolution in Iran. It has become the fundamental principle of the Islamic Republic of Iran and is laid down in its constitution. Sachedina, *The Just Ruler*; Arjomand, *The Turban for the Crown*, 147 ff.; and *Authority and Political Culture*, 371 ff.; Halm, *Shī'a Islam*, 138–45.

⁷ According to the Sunnis, Islam is based on Five Pillars. They are: the profession of faith (*shahāda*), i.e. to testify that there is no god but Allāh and Muḥammad is His Prophet; offering of five daily prayers; paying the alms-tax (or welfare tax); fasting in the month of Ramaḍān; and performing the pilgrimage to Mecca if one has the means. *Mishkāṭ*, I, 9–10; Robson, I, 5–6; it is reported by Bukhārī and Muslim.

Jihād is considered by the Sunnis as a *farḍ 'ala 'l-kifāya*, a duty in general on all male, free, adult Muslims, sane in mind and body and having means enough to reach the Muslim army, yet not a duty incumbent on every individual. It should be noted that during the early period of Islam the Syrian jurists considered *jihād* obligatory while the Hījāzī jurists considered it a praiseworthy act. 'Abd al-Razzāq, *Muṣannaḥ*, V, 171–4; van Ess, *Theologie und Gesellschaft*, I, 68–9. The Khawārīj consider it among the cardinal principles of Islam; hence they have added it as the sixth pillar. As for the Imāmīs, the *jihād* is suspended until the reappearance of the Mahdī, who alone has the necessary competence to order the holy war. Ṭūsī, *al-Nihāya*, 289–91; EI², s.v. *Djihād*. Peters, *Islam and Colonialism*, gives a

grant us success in achieving that which is righteous in His eyes and through which His proximity can be attained. He is sufficient for us and the best of agents.

well-documented account of the doctrine of *jihād*. For more recent studies see Friedmann, *Prophecy Continuous*, 165–80; and Morabia's excellent work, *Le gihad dans l'Islam médiéval*; Haykal, *al-Jihād wa 'l-qitāl fi 'l-siyāsa al-shar'iyya*.

Tahāra, to which Nu'mān dedicates a special chapter, is generally included in the chapter on prayer in the Sunnī and Imāmī manuals.

1

On Faith (Īmān)

Ja'far b. Muḥammad: Faith consists in professing by the tongue, believing with the heart, and acting in accordance with its [Islamic] tenets.¹ This, and nothing but this, is valid. It is not correct to assert, like the Murji'a,² that faith consists in profession without action, nor is it correct to say, like a group of the commonalty ('āmma),³ that faith consists in 'word and deed' only.

¹Three main elements concur in an act of faith: verbal expression (*qawl^h bi 'l-lisān*); internal conviction (*taṣḍīq^h bi 'l-janān*); performance of the prescribed acts (*'amal^h bi 'l-arkān*). See *Kāfi*, II, 27. various schools of Islamic law and thought propose varying definitions according to their perspectives. Cf., *El*², s.v. Īmān. Wensinck, *Muslim Creed*; and Izutsu, *Concept of Belief*, describe various doctrines concerning *īmān* in detail.

²The name of a politico-religious movement in early Islam and in later times, that refers to all those who identified faith with belief (or confession of belief), to the exclusion of acts. *El*², s.v. Murdijj'a. In his *al-Zīna* (in *al-Ghuluv*, 262–6), Rāzī refutes the traditional definition (as cited above), basing himself on linguistic explanation and contends that the term was applied to those who gave precedence to Abū Bakr and 'Umar over 'Alī, i.e. they deferred 'Alī. He further points out that the term originated immediately following the arbitration of Ṣiffin. The Muslim community was thus divided into three camps: those who supported 'Alī became known as Shī'a; those who seceded from 'Alī's camp became known as *al-māriqa* [khawārij] and those who supported Mu'āwiya came to be known as al-Murji'a. Rāzī's contention seems close to the now generally accepted view that the earliest Murji'a doctrine affirmed solidarity with Abū Bakr and 'Umar but suspended the judgment with regard to 'Uthmān and 'Alī. For the Ḥanafī Murji'a view see Schacht, 'Early Murji'te treatise'; and for the opposing traditionalist view see Madelung, 'Early Sunnī doctrine'.

³'Āmma, as distinguished from *khāṣṣa*, the select community, the truly faithful (*mu'minūn*), refers to the Sunnīs. *Majma' al-baḥrayn*, s.v. '-m-m, kh-ṣ-ṣ; *El*², s.v. al-Khāṣṣa wa 'l-'āmma.

How can the Murji'ite doctrine that profession without action constitutes faith be correct, while they and the community are unanimous in holding that he who forsakes any obligatory act as laid down by God [in the Qur'ān] for His creatures, and disbelieves in it, is an unbeliever (*kāfir*)?⁴ [Likewise they assert that] if he persists in such disbelief, it is lawful to put him to death, even though he believes in God and proclaims his belief in His unity and in His Messenger by word of mouth, although he asserts that '[a specific] obligatory act is not one which [the Messenger of God] commanded'. [For instance] God says: *And woe unto the idolaters, who give not the poor-due* (41:6-7). So God removed them from the faith for their denial of the poor-due. For the same reason, the community agreed to declare the blood of the tribe of Banū Ḥanīfa⁵ and the enslavement of their children to be lawful. They were designated as renegades (*ahl al-ridda*) because they refused to pay the alms tax [to the Medinan authority].

Ja'far b. Muḥammad: My father, may God be well pleased with him, said one day to Jābir b. 'Abd Allāh al-Anṣārī,⁶ 'O Jābir, has God made the alms tax obligatory upon the idolater?' He said, 'No, He has made it obligatory only on the Muslims.' I [the Imam al-Bāqir] told him, 'I agree with it, but have you not considered the word of God: *And woe unto the idolaters, who give not the poor-due?*' (41:6-7). Jābir said, 'By God, it was as though I had never read the verse, although it really does occur in the Book of God.' Abū 'Abd Allāh [the Imam] said, 'The verse was revealed in respect of those who apportion the devotion (*walāya*) due the Commander of the Faithful (*amīr al-mu'minīn*) to others besides 'Alī⁷ and gave the alms tax

⁴The ethical term *kufṛ* has two layers of meaning: descriptive and evaluative. For details see Izutsu, *Ethico-Religious Concepts*, 21-2, 26, and chaps 7-8.

⁵Musaylima, one of the false prophets, who revolted against the authority of Medina, was supported by Banū Ḥanīfa, an ancient Arab tribe with its centre in Yamāma. Shoufani, *al-Ridda*, 83-4, 98, 104, contends that the term *ridda* was originally confined to the tribes to the north-east of Medina because they withheld the tax they had agreed to pay to the Prophet. Banū Ḥanīfa was not included in the above category, but later on the term was extended to all movements of the so-called 'false prophets', which took place following the Prophet's death; EI², s.v. Ḥanīfa b. Luḏjāym; Musaylima.

⁶A respected companion of the Prophet and a devoted supporter of 'Alī. Ibn Sa'd, III/2, 114; Kashshī, *Rijāl*, 42-5; Ṭūsī, *Rijāl*, I, 205-41; Hilli, *Khulāṣat al-aqwāl*, 18; Shaybī, *al-Ṣila bayna 'l-taṣawwuf wa 'l-shī'a*, 162; Jafri, *Origins*, 242, 302.

⁷A title first adopted by 'Umar b. al-Khaṭṭāb when he became caliph and was used exclusively as the protocollary title of a caliph. It is generally applied by the Shī'a to 'Alī b. Abī Ṭālib because they believe the Prophet designated him to command/lead the Muslim community after his death. See Kāfi, I, 292 ff.; *Sharḥ al-akhbār*, I, 116 ff.; II, 177 ff.; Mufid, *al-Irshād*, 9 ff.; EI², s.v. Amīr al-Mu'minīn; Elr, s.v. 'Alī b. Abī Ṭāleb.

due him to the one who set himself up against 'Alī.' But the full details regarding this question are too extensive.⁸

The assertion of the community (*jamā'a*) that faith consists in profession and action without [the conviction of] intent (*niyya*) is impossible; for they are unanimous [in believing] that if a man were to abstain from food and drink for the whole day till night and yet had not [conscientiously] resolved to fast, he has not fasted. Similarly, if a man were to stand [for prayer], bend (*raka'a*), and prostrate himself (*sajada*), and yet had no intent to pray, he has not prayed; if a man were to halt at 'Arafa⁹ and his conscious purpose was not to perform the pilgrimage, he has not performed the pilgrimage; and if, without the intent to pay the alms tax, a man were to give away the whole of his wealth in charity, he has not fulfilled the obligation to pay it; and they hold the same regarding the obligatory acts in general. Thus what the Imam said is proved, namely that faith consists of profession (*qawl*), action ('*amal*'), and intent (*niyya*). This rule and no other is sound.

The Messenger of God said, 'Verily, actions can be judged only by intentions and every person will [be rewarded or punished] for what he has intended to do. Thus he who abandons his home for the sake of God and His Messenger, his emigration shall be so recognized. But he who emigrates to marry a woman, or for worldly considerations, his emigration shall likewise be so recognized.'¹⁰

Faith consists in testifying that there is no deity other than God alone; that He is without associate,¹¹ and Muḥammad is His Servant and His Messenger; that Heaven and Hell and the Resurrection are verities; that *The Hour [of Judgement] will [surely] come, there is no doubt*

⁸This *ta'wil/tafsīr* given by Qummī, II, 265–6, however, is not to be found in the later Imāmi works of Ṭabrisī, IX, 4–5; Ṭūsī, *Tafsīr*, IX, 106–7. In his *Tafsīr*, VI, 161–2, Ibn Kathīr points out that the verses were revealed at Mecca while *zakāt* was made obligatory on the Muslims during the second year of the *hijra*. Hence, for the polytheists (who did not testify to the Unity of God), it was an added punishment if they did not pay *zakāt*. The verses indicate the socio-economic intent of Islam from the very beginning of its call. See also Ṭabarī, *Tafsīr*, (Beirut) XXIV, 60. Bell, *Qur'ān*, II, 447, states that the aforementioned verses were later revised in Medina.

⁹A hill to the east of Mecca, famous as a place of pilgrimage. On 9th Dhu 'l-Hijja (the day of 'Arafa) the pilgrims celebrate the prescribed *wuqūf* in the plain of 'Arafa, which lasts from noon to sunset. *El*², s.v. 'Arafa; Ḥadīdī.

¹⁰Both Bukhārī and Muslim transmit this famous tradition. See *Concordance*, s.v. 'm-1.

¹¹The confession of the oneness of God seems to have served as a token of adherence to the Muslim community from the very beginning. The testimony of the prophethood of Muḥammad was probably added to it very shortly afterwards. Kister, '... *illā bi-ḥaqqihi* ...', 51.

thereof (22:7); in believing faithfully in the prophets of God and in His messengers and Imams; in knowing the Imam of the time and accepting him faithfully, obeying his commands; in acting in accordance with what God has rendered obligatory upon His servants and avoiding what has been prohibited, and obeying the Imam and accepting what comes from him.

Abū 'Abd Allāh Ja'far b. Muḥammad: Someone asked him about the act, which is most excellent in the eyes of God. [The Imam] replied, 'That without which no act is acceptable to God.' The man asked, 'What is it?' [The Imam] said, 'Faith in God is of all acts the most exalted; in rank, the most noble; in good fortune, the most sublime.'

The questioner said, 'I asked [the Imam], "Tell me about faith. Is it profession with action, or profession without action?" [The Imam] said, "Faith consists entirely in action, and profession is part of that action, as there is clear injunction in His Book; its light is manifest, and its proof well founded. The Book bears witness to it, and invites (Man) to it."' The questioner said, '[Please] make this clear, may I be thy ransom [O Imam], so that I may understand it (faith).' [The Imam] said, 'Verily, faith consists of [actual] states and stages, grades and stations. Faith can be totally complete, or else it may be manifestly lacking, or it may be clearly pre-eminent (or superior).'

The questioner said, 'I asked [the Imam], "Can faith achieve perfection, and does it decrease and increase?" [The Imam] said, "Yes."¹² I asked, "How so?" He replied, "God, the Blessed and Exalted, has made faith compulsory on each organ of man, and has distributed it in such a manner that to each one of them a duty is allocated which is not allocated to the another. For instance, there is the heart that reasons and comprehends. It is the commander of the body, and no organ issues or imports any command without the heart's volition and command. Among the organs are the eyes with which man sees, and the ears with which he hears, and the hands with which he grasps, and the feet with which he walks, and the private parts from which sexuality is derived, and the tongue with which he speaks, and the head wherein is the face. For each of these organs an obligatory duty of faith has been laid down by God in His Book, which is not laid

¹²The faith can increase and decrease, and it is related to the definition accepted for the act of faith (see note 1 above). Both Bukhārī and Muslim reported on the authority of Abū Hurayra the Messenger of God saying: Faith has over seventy branches, the most excellent of which is the declaration that there is no god but Allāh, and the humblest of which is the removal of what is injurious from the road. And modesty is a branch of faith. *Mishkat*, I, 10; Robson, I, 6; Ghazālī, *Iḥyā'*, I, 121–6. The Khawārij, Murji'a, and Māturidī-Hanafis consider faith immutable while all other schools accept that it can vary. Wensinck, *Muslim Creed*, 125 ff.; 194 ff.; EI², s.v. *Imān*. Cf. what follows with *Kāfi*, II, 33ff.

down for any of the others. Thus the heart has duties by which the ear is not bound; the ear has duties by which the tongue is not bound; and the tongue has duties not laid down for the eyes; and what is laid down for the eyes is not for the hands; and the hands are bound by duties which are not for the feet; and the feet are bound by duties which are distinct from those of the private parts; and the duties of the private parts are other than those that are ordained for the countenance.

"Now what is obligatory on the conscience (*qalb*) with respect to faith is the affirmation (*iqrār*), cognition (*ma'rifa*), resolve (*'aqd*), and willing submission (*riḍā wa-taslīm*) [to the fact] that God, the Blessed and Exalted, is One; that there is no deity other than God, who is without associate, [He is] God, One, Unique, Everlasting, who has neither spouse nor son; that Muḥammad is His Servant and His Messenger, the blessings of God be upon him and upon his progeny; and acceptance of what comes from God in the form of a Prophet (*nabīy*) or a Book. This is what is obligatory on the conscience concerning affirmation and cognition.

"God says, *Whoso disbelieveth in Allah after his belief—save him who is forced thereto and whose heart is still content with the Faith—but whoso findeth ease in disbelief* (16:106). He says, *Verily in the remembrance of Allah do hearts find rest!* (13:28). He says, *Such as say with their mouths: 'We believe,' but their hearts believe not* (5:41). He says, *If you do good openly or keep it secret* (4:149); and *whether ye make known what is in your minds, or hide it, Allah will bring you to account for it* (2:284). The affirmation and cognition, which God has ordained for the heart (conscience), is its function and it is the pinnacle of faith.

"And obligatory on the tongue is the utterance and expression of what is resolved and affirmed by the heart (conscience). God says, *Say (O Muslims): We believe in Allah and that which is revealed unto us and that which was revealed unto Abraham, and Ishmael and Isaac and Jacob, and the tribes, and that which Moses and Jesus received, and that which the Prophets received from their Lord. We make no distinction between any of them, and unto Him we have surrendered* (2:136). He says, *And speak kindly to mankind* (2:83). He says, *Speak words straight to the point* (33:70). He says, *Say: (It is) the truth from the Lord of you (all)* (18:29);¹³ and the like of these verses which God has ordered us to say. This then is what God has ordained for the tongue, and that is its function.

"It is ordained for the ear that it should be attentive to what God has commanded and that it should abstain from listening to what God has declared to be unlawful and what is not permissible and is prohibited,

¹³In Pickthall 18:30.

and from heeding that which angers God. He [God] says concerning this, *He hath already revealed unto you in the Scripture that, when ye hear the revelations of Allah rejected and derided, (ye) sit not with them (who disbelieve and mock) until they engage in some other conversation. Lo! in that case (if ye stayed) ye would be like unto them (4:140).* Then, in another place, He excluded (certain persons): *And if the devil cause thee to forget, sit not, after the remembrance, with the congregation of wrongdoers (6:68).* And he said, *Therefore give good tidings (O Muḥammad) to my bondsmen Who hear advice and follow the best thereof. Such are those whom Allah guideth, and such are men of understanding (39:17–18).* Then He said, *Successful indeed are the believers who are humble in their prayers, and who shun vain conversation, and who are payers of the poor due (23:1–4).* He said, *And when they hear vanity they withdraw from it (28:55).* He said, *When they pass near senseless play, pass by with dignity (25:72).* This then is what God has ordained for the ear regarding abstention from unlawful things, and this is its [proper] function.

“God has ordered the eye not to look at things which He has declared to be unlawful, and to avert itself from what is illicit. This is its [proper] function and it is part of faith. God says, *Tell the believing men to lower their gaze and be chaste (24:30).* This signifies that a man should not look at the private parts of others, nor should he expose himself indecently.” Then Abū ‘Abd Allāh [the Imam] said, “All the verses in the Qur’ān speaking of protection of the pudenda are parts of [the general regulations of] *zīnā*’ (illicit intercourse), except this verse. For, verily, this deals (only) with sight.

“Then God co-ordinated all His commands to the conscience (heart), the tongue, the ear and the eye in one verse, and said, (O man), *follow not that whereof thou hast no knowledge. Lo! the hearing and the sight and the heart—of each of these it will be asked (17:36).* He says, *Ye did not hide yourselves lest your ears and your eyes and your skins should testify against you (41:22).* The meaning of ‘skins’ is the private parts and thighs. This is the obligatory rule laid down by God for the eyes, which are required to avert their gaze from what is forbidden by God; this is their [proper] function, and it is part of faith.

“God has ordained for the hands that they should not seize what He has forbidden, but should take (only) what He has permitted. He has made obligatory upon them charity, love of kindred, *jihād* in the path of God, and ritual purification for prayer. God says, *O ye who believe! When ye rise up for prayer, wash your faces, and your hands up to the elbow, and lightly rub your heads and your feet up to the ankles.*¹⁴ *And if ye are unclean, purify yourselves (5:6).* In another verse the Almighty says, *O ye who believe!*

¹⁴The Ismā‘īlīs and the Imāmīs read *wa-arjulikum*, hence the translation is slightly different. See n. 41 in chap. 3 for details.

When ye meet those who disbelieve in battle, turn not your backs to them (8:15). He said, Now when ye meet in battle those who disbelieve, then it is smiting of the necks until, when ye have routed them, then making fast of bonds; and afterward either grace or ransom (47:4). This also is what God has laid down for the hands, for smiting is a treatment prescribed for them. This is part of faith.

"Walking in obedience to God and not on forbidden paths, and going in directions whereby He is well pleased is the duty ordained by God for the feet. God says in this connection, *And walk not in the earth exultant. Lo! Thou canst not rend the earth, nor canst thou stretch to the height of the hills (17:37).* He says, *Be modest in thy bearing and subdue thy voice. Lo! the harshest of all voices is the voice of the ass (31:19).* He said, *O ye who believe! When the call is heard for the prayer of the day of congregation, haste unto remembrance of Allah and leave your trading (62:9).* He said, *Let them go around the ancient House [the Ka'ba] (22:29).* Concerning what the hands and feet will testify [on the Day of Judgement] regarding themselves, how they and other organs have fulfilled the commands and interdictions of God, God says, *This day We seal up their mouths, and their hands speak out to us, and their feet bear witness as to what they used to earn (36:65).*¹⁵ This too is what God has ordained for the hands and the feet, and this is their [proper] function in regard to faith.

"God has commanded the face to prostrate itself by night and by day at the times of prayer. He says, *O ye who believe! Bow down and prostrate yourselves, and worship your Lord, and do good, that haply ye may prosper (22:77).* This is a duty common to the face, hands, and feet. In another place He says, *And the places of worship are only for Allah, so pray not unto anyone along with Allah (72:18).* This is what God has ordained for the organs and members respecting ablutions and prayers.

"God has named prayer 'faith' in His Book, and this is [for the following reason]: when God turned the face of His Prophet in prayer away from Jerusalem towards the Ka'ba and ordered him to pray towards it, the Muslims said to the Prophet: Tell us what you think. How will the prayers we used to say in the direction of the Sacred House (Jerusalem) be considered (by God) and what will be our position? So God revealed the following: *But it was not Allah's purpose that your faith should be in vain, for Allah is full of pity, Merciful towards mankind (2:143).*¹⁶ Thus He called prayer by the name of faith.

¹⁵In Pickthall it is 36:64.

¹⁶This refers to the change of *qibla* from Jerusalem to the Ka'ba about eighteen months after the *hijra*. The change to Jerusalem seems to have been effected in Mecca when the Muslims were not allowed to offer their prayers in public. Ibn Ishāq, *al-Sira*, II, 257; Guillaume 289; Rahman, *Islam*, 19-20. See also Kister, 'Sanctity joint and divided', 58-60.

"When a man meets God, having protected all his limbs [from illicit actions] and all his limbs having fulfilled the commands of God, he meets his Lord in the perfection of faith and is one of the people of Paradise. But he who has deceived God in the slightest thing, and disobeyed Him, comes to God as one imperfect in faith."

The questioner said, 'O son of the Messenger of God [that is Imam al-Šādiq], I have understood the perfection and the imperfection of faith; but how can faith increase? Can you adduce any proof for it?' Ja'far b. Muḥammad said, 'God has revealed an account of this in His Book and has said, *And whenever a sūrah is revealed there are some of them who say: Which one of you hath thus increased in faith? As for those who believe, it hath increased them in faith and they rejoice (therefor). But as for those in whose hearts is disease, it only addeth wickedness to their wickedness, and they die while they are disbelievers* (9:124-5). He said, *We narrate unto thee their story with truth. Lo! they were young men who believed in their Lord, and We increased them in guidance* (18:13).

'Now if faith were a single [unalterable entity], and there were no decrease or increase in it, there would be no excellence in one person over another in respect of it. God's bounties would be distributed equally, and the people would all be equal and gradations of excellence would be void. But [in reality] it is by the completeness of faith that the faithful enter Paradise: by its preponderance and increase, the faithful excel one another in the eyes of God, and through deficiencies in it, those who fall short enter the Fire.'

The questioner said, 'I asked, "Are there grades and degrees in faith by which the faithful contend for precedence in the eyes of God?" [The Imam] said, "Yes."' [The questioner] said, 'Explain to me how this is, so that I may understand it.' [The Imam] said, 'Verily, God gives precedence among the faithful in the same way as horses are ranked on the day of racing; then He receives them according to their precedence towards Him. He then gives to each person his proper rank—without diminishing it—according to his deserts. The follower does not precede the leader, nor does the beneficiary come before the benefactor. According to this principle the first of this community takes precedence over the last. It follows [from this reasoning] that 'Alī b. Abī Ṭālib, the blessings of God be upon him, was the most excellent of the faithful, because he it was who first believed in God among them. If excellence were not determined by priority in the acceptance of faith, then the last to become a Muslim would be equal to the first.

'Yes, indeed, many of the later ones would have precedence over the earlier ones, for we find that among the later faithful ones there are many

who perform their religious duties more abundantly than the earlier ones. They surpass the earlier ones in prayer, in fasting, in the performance of the pilgrimage, in waging holy war, and in charity. If priority were not determined by time, we would find many of the later ones outstripping the earlier in the performance of religious duties. But God—glorious be His praise—has denied to the later [believers] the ranks of the earlier ones with respect to faith; or that the one He has placed behind should precede the one He has given precedence, or vice versa.'

[The questioner] said, 'Tell me—[O Imam]—how has God assigned priority in faith among the faithful.' [The Imam] said, 'God says, *Race one with another for forgiveness from your Lord and a Garden whereof the breadth is as the breadth of the heavens and the earth, which is in store for those who believe in Allah and His messengers* (57:21). He says, *And the foremost in the race (are) the foremost in the race. Those are they who will be brought nigh* (56:10–11). He says, *And the first to lead the way of the Muhājirīn (Emigrants)*¹⁷ *and the Anṣār (Helpers)*,¹⁸ *and those who followed them in goodness—Allah is well pleased with them and they are well pleased with Him* (9:100). He said, *And (it is) for the poor fugitives who have been driven out from their homes and their belongings, who seek bounty from Allah and help Allah and His Messenger. They are the loyal* (59:8). He said, *Those who entered the city and the faith before them love those who flee unto them for refuge, and find in their breasts no need for that which hath been given them, but prefer (the fugitives) above themselves though poverty become their lot. And whoso is saved from his own avarice—such are they who are successful. And those who come (into the faith) after them say: O Lord! Forgive us and our brethren who were before us in the faith, and place not in our hearts any rancour toward those who believe. Our Lord! Thou art Full of Pity, Merciful* (59:9–10).

'Thus God began with the first Emigrants, ranking them in order of priority. He gave the second rank to the Helpers and the third to the Followers (*tābi'ūn*) of them in kindness.¹⁹ He classified each community according to their ranks and stations with Him; and mentioned the

¹⁷A term often applied in the Qur'an to those Muslims who had migrated from Mecca to Medina with the Prophet. *El*², s.v. al-Muhājirūn.

¹⁸Title of believers of Medina who received and assisted the Prophet after his migration (*hijra*) from Mecca. *El*², s.v. al-Anṣār.

¹⁹Admiration of things first and ancient is a major theme in various branches of Islamic civilization. Traditions idealizing the early period of Islam abound. The generation of the Prophet, the first generation of Muslims, is said to have been the best. Then, a process of irreversible decline set in, hence each successive generation was inferior to that which preceded it. One, therefore, frequently finds that 'whoever is earlier is superior', or 'virtue belongs to the early one', in Islamic thought and literature. See also *El*², s.v. *Awā'il*.

seeking of forgiveness by the faithful for those who preceded them so that it would show the superiority of their status; then He mentioned His Friends (*Awliyā'*), ranking some of them above others, and the Mighty and Glorious says, *Of those messengers, some of whom We have caused to excel others, and of whom there are some unto whom Allah spake, while some of them He exalted (above others) in degree; and We gave Jesus, son of Mary, clear proofs (of Allah's sovereignty) and We supported him with the holy Spirit [the Angel Gabriel] (2:253).* He said, *And We preferred some of the Prophets above others (17:55);* He said, *There are degrees (of grace and reprobation) with Allah (3:163);* He said, *He giveth His bounty unto every bountiful one (11:3).*

'And He said, *Those who believe, and have left their homes and striven with their wealth and their lives in Allah's way are of much greater worth in Allah's sight. These are they who are triumphant (9:20).* He said, *Allah hath conferred on those who strive with their wealth and lives a rank above the sedentary. Degrees of rank from Him and forgiveness and mercy (4:95-6).* He said, *Those who spent and fought before the victory are not upon a level (with the rest of you). Such are greater in rank than those who spent and fought afterwards. Unto each hath Allah promised good (57:10).* And He said, *Allah will exalt those who believe among you, and those who have knowledge, to high ranks' (58:11).*

These are the ranks of faith, its stations and its aspects, and the states of believers and their varying degrees of virtue resulting from the promptness of their response to the Messenger of God's call.²⁰ But precedence cannot be of benefit without faith. One who is lacking in faith or has lost it altogether does not profit [merely] by his precedence or priority [in time]. God says, *Whoso denieth the faith, his work is vain and he will be among the losers in the Hereafter (5:5).*

Concerning the word of God, *Whoso denieth the faith, his work is vain (5:5)*, Ja'far b. Muḥammad said, 'His denial of faith (*kufr*) consists in his abandoning the works which he was commanded to undertake. This likewise confirms what we have said before: that faith consists in word, deed, and belief. There can never be word, deed, and belief without faith

²⁰The Qur'ān accords early conversion higher religious merit. It states: *Those who have preceded (others in the faith) shall precede (them to Paradise). These (are) they who shall approach near (unto God, they shall dwell) in the Gardens to Delight. (56:10-12).* Almost all the translators of the Qur'ān into English, except Sale and Yūsuf 'Alī, have missed this subtle nuance. Those Muslims who joined the Messenger of God only after the conquest of Mecca were particularly reminded by the Qur'ān wherein it states: *Those among you who shall have contributed and fought [in defence of the faith] before the taking of [Mecca], shall not be held equal [with those who shall contribute and fight for the same afterwards]. These shall be superior in degree to those who shall contribute and fight for [the propagation of the faith] after [the abovementioned success]. 57:10.* Sale, *Koran*, 517, 521.

and affirmation, for then alone is faith completed. He who asserts, acts, and believes in other than the faith and the truth [we have delineated] cannot be a believer. His works will not benefit him, howsoever he abases himself. God says, *And We shall turn unto the work they did and make it scattered motes* (25:23). The Mighty and Glorious says, *On that day (many) faces will be downcast, toiling, weary, scorched by burning fire* (88:2-4). Numerous are the arguments therefor.

ON THE DISTINCTION BETWEEN ĪMĀN (FAITH) AND ISLĀM (SUBMISSION)²¹

God says, *The wandering Arabs say: We believe (āmannā). Say (unto them, O Muḥammad): Ye believe not, but rather say 'We submit' (aslamnā), for the faith hath not yet entered into your hearts* (49:14). He says, *They make it a favour unto thee (Muḥammad) that they have surrendered (unto Him). Say: Deem not your Surrender (islāmakum) a favour unto me; nay, but Allah doth confer a favour on you, inasmuch as He hath led you to the Faith (īmān), if ye are earnest* (49:17). He says, *Then We brought forth such believers (mu'minīn) as were there. But We found there but one house of those surrendered (muslimīn) (to Allah)* (51:35-6). The obvious meaning of the Book of God clearly establishes that īmān is one thing, and islām another. They are not one and the same, as some of the commonalty assert.

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Īmān subsumes islām, but islām does not [necessarily] subsume īmān. Islām is the outward crust [of belief], whereas īmān is the inmost and purest [kernel] in the heart.'

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He was asked about īmān and islām. He replied, 'Īmān is what is in the hearts;²² while islām regulates marriage, and inheritance, and by it bloodshed is prevented. Īmān [necessarily] implies islām; while islām does not [necessarily] imply īmān.'²³

Abū Ja'far Muḥammad b. 'Alī: He is reported to have repeated this same saying [and explained it as follows]. He drew a circle on his palm and said, 'This circle represents īmān.' Then he drew another circle around it, and said, 'This is the circle of islām.' He drew the two [concentric] circles like this: ☉. He represented islām as the outer circle, and īmān as the inner circle, because the latter constitutes [fundamentally] the heart's

²¹Cf. Rāzī, *al-Zīna*, fols 137r-142v; his treatment of this topic in eleven pages is more comprehensive and includes linguistic examples. He also noted the views of those who do not differentiate between the two terms.

²²*Majma' al-baḥrayn*, s.v. a-m-n; according to al-Ṣādiq īmān is fixed in the heart.

²³*Kaṣf*, II, 24-7; he points out the same distinction. Rāzī, *al-Zīna*, fol. 138, gives additional traditions on the authority of Ja'far al-Ṣādiq.

cognition—as has been explained earlier.²⁴ Hence *īmān* includes *islām*, but *islām* does not [necessarily] include *īmān*. A man may be a *muslim* [outwardly]²⁵ without being a *mu'min* [i.e. without believing with conviction]; but no one can be a *mu'min* without being a *muslim*.²⁶ This confirms what we said in the preceding chapter, that faith is not complete without the resolve of intent (*niyya*).

The Commander of the Faithful, 'Alī b. Abī Ṭālib: He was asked, 'What is *īmān*, and what is *islām*?' He replied, '*Islām* is affirmation (*iqrār*); while *īmān* is affirmation plus cognition (*ma'rifa*). Whosoever has been given knowledge by God regarding Him, His Prophet and His Imam, and then professes his faith in these three, is a *mu'min*.' He was asked, 'Does the cognition come from God, and the affirmation from the servant?' 'Alī said, 'Cognizance is a proof (*hujja*), a grace, and a bounty from God, while acceptance is a gift which God grants to whomsoever He wills. Cognizance is [something which is] placed by God within the heart, and acceptance is the act of the heart due to God's gift, a protection and mercy. He to whom God has not given such cognizance, there is no evidence that can be held against him. He should pause and refrain from [speaking and acting concerning] matters of which he has no knowledge. God will not punish him for his ignorance: He will reward him for his obedience and punish him for his disobedience. Nothing happens in these matters except by the ordinance (*qaḍā'*) and decree (*qadar*)²⁷ of God; by His knowledge

²⁴Rāzī, *al-Zīna*, fol. 138, gives another illustration on the authority of Ja'far al-Ṣādiq. Some of his companions asked him, 'Have you seen the one who has embraced Islam (*dakhala fi 'l-islām*) but has not yet embraced the faith (*laysa huwa fi 'l-īmān*)?' He [the Imam] replied, 'No, rather [it is better to describe him as the one] who has left unbelief (*kufra*) and has been ascribed to faith (*īmān*). I shall give you an example so that you will know the superiority of *īmān* over *islām*. Can you bear witness for a person who enters the Sacred Mosque (*al-masjid al-haram*) that he has [also] entered the Ka'ba?' The inquirer said, 'No.' [The Imam] queried, 'Were you to see him in the Ka'ba, can you bear witness that he had entered the Sacred Mosque?' The man responded, 'Yes, because he could not have reached the Ka'ba without having entered the Sacred Mosque.' [The Imam] replied, 'You are right, bravo!'

²⁵One who has embraced Islam without proper understanding and commitment, or the one who conforms to its rituals without conviction.

²⁶Both the terms *islām* and *īmān* are used in the Qur'ān with different connotations. The relation between them is a theological question, which was debated very early in Islam. The various schools of *fiqh* and *kalām* are divided on this issue. For details see EI², s.v. *Islām*. Ghazālī discusses the distinction between *islām* and *īmān* from three aspects: linguistic, Qur'ānic usage, and legal. *Ihya'*, I, 121–30; *Kāfi*, II, 25–8. See also Izutsu, *The Concept of Belief*.

²⁷*Qaḍā'* and *qadar*, see Fyze, *Shi'ite Creed*, 36–7; EI², s.v. *Qaḍā'*; *Qadar*; *Majma' al-bahrayn*, s.v. q-ḍ-a; q-d-r.

and His Book without any constraint (*jabr*). For if there were constraints, then man would be deemed to be excused or excusable, although not worthy of approbation. He who is ignorant should turn to us [the Imams] for understanding what is difficult for him. God says, *Ask the People of the Reminder (ahl al-dhikr) if ye know not* (21:7).²⁸

'Alī [b. Abī Ṭālib]: He was asked, 'O Commander of the Faithful, what is the least [action] by which one may be considered as of the faithful (*mu'min*), or a disbeliever (*kāfir*), or misguided (*dāll*)?' He said, 'The least by which a man becomes a *mu'min* is that God should grant him true knowledge of His own self so that he may accept obedience [to God]; and that He should grant him knowledge of His Prophet so that he may obey him; and that He should instruct him concerning His Proof (*ḥujja*)²⁹ on His earth [the Imam] and His Witness (*shāhid*) to mankind so that he may believe in his imamate and affirm his obedience to him.' He was asked, '[What happens] if he is ignorant of other things?' 'Alī said, 'Yes [it is all right], but when commanded, he should obey, and when prohibited he should desist.'

['Alī continued], 'The least thing that will make him an "associator" (*mushrik*, commonly translated as "polytheist") is believing in what God has forbidden, and asserting [perversely] that God has so ordered it, then proclaiming it as a creed, and alleging that he worships that which he has been commanded to worship, while that is something or someone other than God the Mighty and Glorious. The least that will cause a man to be misguided is not to recognize the Proof of God on His earth and His Witness to mankind [the Imam], so that he could follow [the Imam's] example.'

²⁸ *Ahl al-dhikr* is interpreted by the Shī'a to mean the Imams. See Qummī, II, 67–8; Furāt al-Kūfī, I, 234–5; *Sharḥ al-akhbār*, II, 344; *Kāfi*, I, 210.

²⁹ The term *ḥujja* in Shī'i theology refers to that person through whom the inaccessible God becomes accessible and who serves at any given time as evidence, among mankind, of his will. Thus the Prophet was the *ḥujja* of God, and after him the Imam is the *ḥujja*. In the Ismā'īlī hierarchy of the *da'wa*, called *ḥudūd al-dīn* or *ḥudūd al-da'wa*, the term *ḥujja* is used flexibly for the rank following that of the imam. See EI², s.v. *Hudjdja*; Zāhid 'Alī, *Ismā'īlī madhhab*, 300 ff.; *Majma' al-baḥrayn*, s.v. ḥ-j-j.

2

The Book of *Walāya*¹

ON THE WALĀYA OF THE COMMANDER OF THE FAITHFUL, 'ALĪ B. ABĪ ṬĀLIB

God says, *Your friend (walīy) can be only Allah, and His Messenger and those who have faith, who establish worship and pay the poor due while bowing down (in prayer) (5:55).*

Abū Ja'far Muḥammad b. 'Alī: A man said to him, 'O son of the Messenger of God, Ḥasan al-Baṣrī² has related to us that the Messenger of God said, "Verily, God sent me with a message [to mankind], but I felt greatly perturbed, and feared that the people would declare me to be false. So God warned me that if I did not convey the message He would punish me.'" Abū Ja'far said, 'Did Ḥasan relate to you the message?' The man said, 'No.' [The Imam] said, 'By God, he [Ḥasan] most certainly knew what it was, but he concealed it deliberately.'

The man said [to the Imam], 'O son of the Messenger of God—may God sacrifice my life for yours—tell me what it is.' Then [the Imam] said, 'Verily, in His Book God commanded the faithful to pray, but they did not know what prayer was, nor how to pray. God therefore ordered His Prophet Muḥammad to explain how prayers are to be said, and the

¹This title appears in MS Q, but is missing from the edited text. For *walāya* see n. 6 in Prologue.

²A prominent figure in the first century of the *hijra* who won a great reputation for strength of character, piety, learning, and eloquence. EI², s.v. Ḥasan al-Baṣrī. This story is repeated in *Sharḥ al-akhbār*, I, 101–4. It should be noted that Nu'mān has also harshly criticized the founding figures of the Sunnī schools of law as well as other prominent leaders and scholars. See the last section in this chapter.

Messenger of God explained in detail the prescribed regulations of prayer. The obligation of prayer is mentioned briefly in the Qur'ān, but the Messenger of God expounded the rules [extensively] by his own practice (*sunna*) and informed the people of what was compulsory in regard to prayer.

'Then God commanded the alms tax, and the people did not know what it was, so the Messenger of God explained it in detail and informed them of how much gold and silver, camels, cattle, sheep, goats, and agricultural produce were to be paid. He did not omit a single one of the rules that God had prescribed regarding the alms tax, but explained it to the people and made it clear to them.

'Then He ordained fasting, but the people did not know what it was nor how they should fast. The Messenger of God therefore explained it to them fully, and made clear to them what they should avoid in fasting and elucidated the manner of fasting. Then God commanded [the community] to undertake the pilgrimage, and commanded His Prophet accordingly to explain how it was to be performed; and he explained it to them by his own practice.

'And [similarly] God ordered [the community to accept] the *walāya* [of 'Alī] and He said, *Your walī can be only Allah, and His Messenger and those who have faith, who establish worship and pay the poor-due while bowing down (in prayer) (5:55).*³ Thus did the Lord ordain the *walāya* (devotion) due to the possessors of authority (*wulāt al-amr*). But the people did not know what *walāya* was, so God ordered His Prophet—on whom be peace—to explain to them what constituted *walāya* in the same manner as he had done in the case of prayer, the alms tax, fasting, and pilgrimage.

'When this command came to him from God, the Messenger of God was greatly distressed and was afraid that the community would turn renegade and declare him to be false. His mind was therefore troubled, and he turned to his Lord, who revealed the following verse to him, *O Messenger! Make known that which hath been revealed unto thee from thy Lord, for if thou do it not, thou will not have conveyed His Message. Allah will protect thee from the people (5:67).*⁴

³The Shī'ī sources claim that the verse was revealed about 'Alī. Furāt al-Kūfī, I, 123–9; Qummī, I, 198; *Sharḥ al-akhbār*, I, 219; II, 346, 348–9; Ṭabrisī, III, 210. However, Ṭabarī, *Tafṣīr*, X, 424–6 gives other views also.

⁴According to the Shī'a it was revealed just before the proclamation of Ghadīr Khumm. Furāt al-Kūfī, I, 129–31; Qummī, I, 199–203; *Sharḥ al-akhbār*, I, 104; Sufyān al-Thawrī, *Tafṣīr*, 104; Ṭabrisī, III, 223. For a different view see Muqātil, *Tafṣīr*, I, 330; Ṭabarī, *Tafṣīr*, VI, 307–9. According to Qummī, I, 37, the verse originally read as follows: *O Messenger! Make known that which hath been revealed unto thee from thy Lord concerning*

'So [the Messenger of God] complied with God's command and proclaimed the *walāya* of the Commander of the Faithful, 'Alī b. Abī Ṭālib, may God bless and salute him, on the Day of Ghadīr Khumm.⁵ A congregational prayer was announced at which [the Prophet] commanded that those who were present should convey the news to those who were absent. Now [at that time], the obligatory (religious) duties (*farā'id*) had already been revealed, one after another. An obligatory command (*farīda*) would be revealed and then later another would be sent down. And the command relating to *walāya* was the last to be revealed. Then God revealed the following verse: *This day have I perfected your religion for you and completed My favour unto you, and have chosen for you as religion al-Islām*' (5:3).⁶

Abū Ja'far: He said [in explaining the above verse as if] God says, 'I shall not reveal unto you after this religious duty any more *farā'id*, for I have perfected for you all the *farā'id*.'

The Messenger of God: He said, 'I charge those who have faith in God and in me and who have confirmed my message, to accept the *walāya* of 'Alī b. Abī Ṭālib. For fidelity to him is fidelity to me, a command which my Lord has given me, and a compact He has made with me; and He has ordered me to convey it to you from Him.'

'Alī b. Abī Ṭālib: He said, 'When God revealed the following verse: *And warn thy tribe of near kindred* (26:214), the Messenger of God gathered together the kinsmen of 'Abd al-Muṭṭalib⁷ and served them a leg of mutton and a goblet of milk. Among them were [a group of] ten, each of whom could have eaten the young carcass whole and drunk a

⁵'Alī, ... With regard to the generality and particularity of address in this verse, which is also discussed by the Shī'i commentators, see Zarkashī, *al-Burhān*, II, 224. A detailed bibliography is given in EI², s.v. Ghadīr Khumm.

⁶Name of a place between Mecca and Medina. It is famous in the history of Islam because of the Prophet's utterance there in favour of 'Alī during a discourse. For details see EI², s.v. Ghadīr Khumm. The most comprehensive work is by Najafī, *al-Ghadīr fī 'l-kitāb wa 'l-sunna wa 'l-adab*.

⁷The Shī'i commentators argue that this was the last verse revealed to the Prophet after he had designated 'Alī as his successor at Ghadīr al-Khumm. See Qummī, I, 190; Furāt al-Kūfī, I, 117; Sharḥ *al-akhbār*, I, 105; Ṭabrisī, III, 159; Ṭūsī, *Tafstr*, III, 435-6. However, according to Muqātil (*Tafstr*, I, 295), Sufyān al-Thawrī (*Tafstr*, 99), and Ṭabarī (*Tafstr*, VI, 79 ff.), it was revealed to the Prophet when he was at 'Arafa during his Farewell Pilgrimage. Thus it completed all the *farā'id* as well as the *ahkām* revealed to the Prophet. See also Zarkashī, *al-Burhān*, I, 209-10; Suyūṭī, *al-Itqān*, I, 77-81.

⁸Paternal grandfather of the Prophet. On the death of Muḥammad's mother he took the boy of six to his own house. He is credited with uncovering the well of Zamzam. EI², s.v. 'Abd al-Muṭṭalib b. Hāshim.

large measure of milk, and they were more than forty in number. But on that day they ate and drank their fill, Abū Lahab⁸ being one of them. The Messenger of God then addressed them and said, "O Banū 'Abd al-Muṭṭalib, follow me and you will be the kings and governors of the world. God has surely never sent a prophet without appointing his vicegerent (*waṣī*) and minister (*wazīr*), heir (*wāriṭh*), brother (*akh*), and patron (*walīy*). Which of you will be my vicegerent—my heir, patron, brother, and minister?" They stayed silent. He then invited each one of them individually, but all of them refused [to accept the responsibility], and only I ['Alī] remained, and I was of the youngest. Then he offered it to me, and I said, "I, O Messenger of God?" [The Prophet] said, "Yes, you, O 'Alī."

'When they departed Abū Lahab said deridingly, "Is not that which you have seen clear evidence of the sorcery of your friend? He offered you a leg of mutton and a goblet of milk, and you ate and drank to satiety!" Thus they began to mock Abū Ṭālib, saying, "Today your son has been given precedence over you."⁹

Many of the commonalty have transmitted [opinions] from their predecessors concerning the [real] interpretation of the Word of God, *Your walīy can be only Allah, and His Messenger and those who have faith, who establish worship and pay the poor-due while bowing down (in prayer)* (5:55). [They say] that it was revealed with reference to 'Alī b. Abī Ṭālib. This is because once a beggar came and stood by 'Alī while he was bending in prayer, and 'Alī threw his signet ring towards him [while continuing to pray]. This verse was intended in respect of him and the Imams descended from him, the blessings of God be upon him and upon them all.

The incident of Ghadir Khumm, and the Messenger of God's position on that occasion with regard to the *walāya* of 'Alī, is generally recognized and well known, and not to be denied by friend or foe. When the Messenger of God returned from the Farewell Pilgrimage and came to Ghadir Khumm, he gave the order that some large trees with wide branches be trimmed [and the ground cleared], and announced a

⁸Son of 'Abd al-Muṭṭalib and Lubnā, and half brother of the Prophet's father. Abū Lahab (father of the flame) was a nickname given by his father on account of his beauty. *ET*², s.v. Abū Lahab.

⁹*Sharḥ al-akhbār*, I, 106–7; Nu'mān states that this story is reported by Ibn Ishāq in his biography of the Prophet. Ibn Hishām in his recension of the *Sīra* omitted it, however it is reproduced by Ṭabarī in his *Tārīkh*, II, 319–22; *History of al-Ṭabarī*, VI, 89–92; Guillaume, 117–18. See also Qummī, II, 125; Furāt al-Kūfī, I, 299–304; Ṭabarī, *Tafsīr* (Beirut), IXX, 74–5; Ṭabrisī, VII, 206.

congregational prayer. The people then assembled, and [the Prophet] took 'Alī by the arm and made him stand next to him, and said, 'O you people, know that what Aaron was to Moses, 'Alī is to me, except that there shall be no prophet after me,¹⁰ and he is your *walī* after me. Thus 'Alī is the master (*mawlā*) of the one [who has acknowledged me] as his master.'¹¹ Then [the Messenger of God] raised his arms until the whiteness of his armpits could be seen [by the assembled people] and said, 'O God, be affectionate to him who is devoted to 'Alī, and hostile to him who is hostile to 'Alī; give victory to him who helps 'Alī, and forsake him who forsakes 'Alī—and make the truth go with 'Alī wherever he goes.'¹² What compact (*bay'a*) then could be more binding than this compact and the *walāya*?

'Alī b. Abī Ṭālib: Some people asked him, 'O Commander of the Faithful, tell us the greatest of your attainments.' 'Alī replied, 'The greatest of my attainments is one which was not due to any doing (or making) on my part.' They said, 'And what is that, O Commander of the Faithful?' He replied, 'Verily, the Messenger of God, when he reached Medina,¹³ ordered the construction of a mosque. Every one of his companions pierced an opening giving a doorway to the mosque. Then came Gabriel—on whom be peace—and instructed the Messenger of God to order them to close up their doorways but leave mine. The Messenger of God therefore sent Mu'adh b. Jabal¹⁴ to them. He came first to Abū Bakr¹⁵ and instructed him to close up his doorway, and he said, "To hear is to obey," and closed his up. Then the Messenger of God sent Mu'adh to 'Umar¹⁶ to do the same. 'Umar however went to the Messenger of God and pleaded, "O Messenger of God, let me at least leave a small aperture, only enough that I may see you with my own eyes." But the Messenger of God refused,

¹⁰Reported by both Bukhārī and Muslim. *Mishkāṭ*, III, 242; Robson, II, 1340.

¹¹Aḥmad b. Ḥanbal and Tirmidhī transmitted this tradition. *Mishkāṭ*, III, 243, 246; Robson, II, 1341. Ibn Ḥanbal states that the Prophet uttered these words at Ghadīr Khumm.

¹²The full version of this tradition is reported by Ibn Ḥanbal. See *Mishkāṭ*, III, 246; Robson, II, 1342–3; *Sharḥ al-akhbār*, I, 104.

¹³For the pre-Islamic and Islamic history of Medina see *EI*², s.v. al-Madina.

¹⁴Mu'adh b. Jabal al-Anṣārī was a prominent companion of the Messenger of God, who died in the plague of 'Amwās in Syria in 18/639–40 when he was 38. Ibn Sa'd, III/II, 120–6; Rāzī, *Tārīkh madīnat Ṣan'a'*, 249–54; Madelung, *Succession*, 68.

¹⁵Abū Bakr was the first caliph. His caliphate of a little over two years was occupied in dealing with 'the wars of apostasy'. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 121–69; *EI*², s.v. Abū Bakr.

¹⁶'Umar was the second caliph. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 346–505; *EI*, s.v. 'Omar b. al-Khaṭṭāb.

and 'Umar closed up his doorway. Likewise the Messenger of God sent Mu'ādh to Ṭalḥa,¹⁷ al-Zubayr,¹⁸ 'Uthmān,¹⁹ 'Abd al-Raḥmān,²⁰ Sa'd,²¹ Ḥamza,²² and al-'Abbās,²³ and asked them to close their doors. They heard and obeyed. Ḥamza and 'Abbās then [remonstrated], saying, "He has ordered us to keep our doorways sealed up, but 'Alī's has been excepted." This [comment] came to the Messenger of God's ears and he said, "What you have said concerning the closing of the doors has reached me. By God, I have not done that, but it is the act of God. Verily God had revealed to Moses that he should take for himself a house in a state of purity into which no one who might be in a state of ritual impurity could enter except himself and Aaron and his two sons." That is, no one might lie with his wife there but the persons named. "God has revealed to me that I should take this house in a state of purity; no one but myself, 'Alī, Ḥasan,²⁴ and Ḥusayn²⁵ being able there to lead marital life. I swear by God that it was not I who ordered the closing up of your doors; nor was it I who opened 'Alī's door, but God who ordered me to do it."²⁶

The people said, 'Enlighten us more [with examples of your attainments], O Commander of the Faithful.' 'Alī then said, 'Once there came

¹⁷Ṭalḥa b. 'Ubayd Allāh, one of the members of the *shūrā*, was killed in the Battle of the Camel. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 181–203; *EI*², s.v. Ṭalḥa.

¹⁸Zubayr b. al-'Awwām, a supporter of 'Alī in the beginning and a member of the *shūrā*, was killed in the Battle of the Camel. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 31–46; *EI*, s.v. Zubayr.

¹⁹'Uthmān b. 'Affān was the third caliph. Balādhurī, *Ansāb al-ashraf* (ed. Goitein), V, 1–29; *EI*, s.v. 'Othmān b. 'Affān.

²⁰'Abd al-Raḥmān b. 'Awf, a member of the *shūrā*, played a major role in the election of 'Uthmān. *EI*², s.v. 'Abd al-Raḥmān.

²¹Sa'd b. Abī Waqqās, commander of the Arab armies during the conquest of 'Irāq, was a member of the *shūrā*. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 83–99; *EI*², s.v. Sa'd b. Abī Waqqās.

²²Ḥamza b. 'Abd al-Muṭṭalib, the uncle of the Prophet and one of the bravest champions of Islam, was slain fighting heroically at Uḥud. *EI*², s.v. Ḥamza b. 'Abd al-Muṭṭalib.

²³'Abbās b. 'Abd al-Muṭṭalib was half brother of the Prophet's father. He fought against the Muslims at Badr, was taken prisoner and then released. *EI*², s.v. al-'Abbās b. 'Abd al-Muṭṭalib.

²⁴Ḥasan was elected caliph after 'Alī was murdered, but then he renounced the office in favour of Mu'āwiya b. Abī Sufyān. He died ca. 49/669–70, probably from poisoning. *EI*², s.v. al-Ḥasan b. 'Alī b. Abī Ṭālib.

²⁵Ḥusayn's life ended tragically at Karbalā' on 10 Muḥarram 61/Oct. 680. *EI*², s.v. al-Ḥusayn b. 'Alī b. Abī Ṭālib.

²⁶*Sharḥ al-akhbār*, II, 203–4; *Mishkāt*, III, 245, 246; Robson, II, 1342, 1343; it is reported by Tirmidhī.

to the Messenger of God two Christian scholars, and they spoke to him concerning Jesus. Subsequently, God revealed the following verse to [Muḥammad]: *Lo! the likeness of Jesus with Allah is as the likeness of Adam. He created him of dust ...* (3:59), to the end of the verse. Then the Messenger of God came and took me, Ḥasan, Husayn, and Fāṭima by the hand and went out for the imprecation (*mubāhala*).²⁷ He raised his palms upwards towards the sky, separating out the fingers, and invited them [the two scholars, to take part] in the imprecation. When the two scholars saw him [the Prophet] like this, one of them said to his companion, "If he is a prophet, by God, we shall surely be destroyed; and if he is not a prophet, his people will suffice us in his respect [we will leave him to his people, who will destroy him for us]"; and so they desisted and went away.²⁸

The people said, 'Enlighten us more, O Commander of the Faithful.' 'Alī said, 'Verily, the Messenger of God sent Abū Bakr with *sūrat al-Barā'a* (sūra 9, The Immunity or Dispensation, also called *al-Tawba*) to the people assembled for the *hajj* festival to recite it to them. Then Gabriel descended and said, "O Muḥammad, no one may deliver [Dispensation from the treaty of Ḥudaybiya]²⁹ on your behalf but 'Alī." The Messenger of God therefore sent for me, and ordered me to mount his she-camel *al-'Aḍbā'*³⁰ to overtake Abū Bakr and obtain the *Barā'a* from him, and recite it to the people at Mecca.³¹ Abū Bakr therefore said, "Is this due to any displeasure with me?" I said, "No; it is only that the Messenger of God has received a revelation that no one but a man from his own family should deliver [the Dispensation] as from him."³²

'Then when we reached Mecca, and it was the Day of Sacrifice (*yawm al-naḥr*) after the *zuḥr* prayer, the Day of the Greater Pilgrimage (*al-hajj*

²⁷Sharīf Raḍī, *Ḥaqā'iq al-ta'wīl*, 109–17; *Majma' al-baḥrayn*, s.v. b-h-l, ḥ-j-j; also EI², s.v. Mubāhala; older sources are listed therein.

²⁸Furāt al-Kūfī, I, 85–90; Qummī, I, 131–2; Ṭabrisī, II, 451–3; *Mishkāt*, III, 254; Robson, II, 1349; reported by Muslim. *Sharḥ al-akhbār*, II, 339–41; it is stated that it was the Christian delegation from Najrān, Yemen.

²⁹Named after the village, one *marḥala* from Mecca itself. The treaty was signed in Dhu 'l-Qa'da 6/March 628. EI², s.v. al-Ḥudaybiya.

³⁰A slit-eared she-camel or a she-camel with a 'short foreleg'. See Ṭabarī, *History of al-Ṭabarī*, IX, 151, where older sources are listed.

³¹For the pre-Islamic and early Islamic history of Mecca see EI², s.v. Makka; Peters, *Mecca*.

³²Ibn Ishāq states that the *Barā'a* was revealed after the Prophet had sent Abū Bakr to superintend the *hajj*. Hence, Abū Bakr superintended the pilgrimage while 'Alī proclaimed on the Day of Sacrifice what he was ordered by the Prophet to say. Ibn Ishāq, *al-Sira*, IV, 188–91; Guillaume, 617–19. Ṭabarī, *Tafsīr*, XIV, 95 ff. For the Shī'ī version see Qummī, I, 308–9; Furāt al-Kūfī, I, 158–63; Mufid, *al-Irshād*, 37; Ṭabrisī, V, 3.

al-akbar),³³ I stood up and spoke to the people assembled: "Lo! I am the messenger of the Messenger of God [sent] to you," and recited to them, "Dispensation (or freedom) from obligation [is proclaimed] from Allah and His Messenger toward those of the idolaters with whom ye made a treaty. Travel freely in the land four months" (9:1–2), that is twenty days of Dhu 'l-Hijja, Muḥarram, Šafar, the month of Rabī I and ten days of Rabī II. And I said, "No naked man or woman [without clothing] shall circumambulate the [Sacred] House (the Ka'ba), nor any polytheists, male or female. Mind well, anyone who has a compact with the Messenger of God—the blessings of God be upon him and the members of his House—his period [of time] is these four months."³⁴

[The people said, 'Enlighten us more, O Commander of the Faithful.']³⁵ 'Alī said, 'The word *adhān* (proclamation, 9:3) is my appellation in the Book of God.³⁶ No one knows about it except me.'

The people said, 'Enlighten us more [of your attainments], O Commander of the Faithful.' 'Alī said, 'I, al-'Abbās, and 'Uthmān b. Ṭalḥa³⁷ were in the Sacred Mosque [at Mecca], and they boasted about their pre-eminence over me, and 'Uthmān b. Ṭalḥa said, "The Messenger of

³³The Day of the Greater Pilgrimage is referred to in the Qur'ān 9:3. Opinions vary as to which particular day it refers to. According to some it is the Day of 'Arafa (when the pilgrims pitch their camp for the prescribed *wuqūf*), while according to others it is the Day of Sacrifice. Yet others maintain that it refers to all the days of the pilgrimage. Again, opinions are divided as to why it is called the Day of the Greater Pilgrimage. One group affirms that it is so called because both the Muslims and polytheists made the pilgrimage together during that year, i.e. 9 A.H. After the recitation of *dispensation*, polytheists were not allowed near the Ka'ba. Another group asserts that it is so called because one can combine both the lesser and the greater pilgrimages. Yet another group states that it is simply so-called in contrast to the lesser pilgrimage ('*umra*). See for details Ṭabarī, *Tafsīr*, XIV, 113–30; *Majma' al-baḥrayn*, s.v. ḥ-j-j. *Kāfi*, IV, 288; *al-ḥajj al-aṣḡar* is the '*umra* and *al-ḥajj al-akbar* is the Day of Sacrifice.

³⁴In other words, the agreements between the Prophet and the polytheist Arab tribes will not be honoured except during the specified period.

³⁵This sentence is not found in the text edited by Fyzee, but it is found in some mss.

³⁶I have preferred the reading *adhān*, instead of Fyzee's *udhun*, which is an error and not supported by any source. 'Alī is so called because it was he who read that proclamation of dispensation. Furāt al-Kūfī, I, 159–63; Qummī, I, 310. Rāzī, *al-Zīna*, fol. 270v; 'Alī said, 'I am the *adhān* of God and His Messenger.' This is because he read the proclamation.

³⁷'Uthmān b. Shayba in the text is incorrect. See Ibn Ishāq, *al-Sīra*, IV, 55; Wāqidi, *al-Maghāzī*, I, 661, 744, 745, 747, 749, 833, 834, 835, 837, 838. Ibn Sa'd, II/i, 99; Guillaume, 552; EI², s.v. Ka'ba. The key of the Ka'ba was with 'Uthmān b. Ṭalḥa, and after the conquest of Mecca the Prophet confirmed him in that office. Later on he allowed his cousin Shayba b. Abī Ṭalḥa to act as his deputy. Banū Shayba, thus, remained the guardians of the Ka'ba.

God entrusted me with the custodianship of the Ka'ba (*sidāna*);" meaning [he gave him] the keys of the Ka'ba. Al-'Abbās b. 'Abd al-Muṭṭalib said, "The Messenger of God granted me the right to the office of one in charge of providing water [for the pilgrims] (*siqāya*)," that is the spring of Zamzam.³⁸ The two of them said, "He gave you nothing O 'Alī." God then revealed [the following verses]: *Count ye the slaking of a pilgrim's thirst and tendance of the Inviolable Place of Worship as (equal to the worth of him) who believeth in Allah and the Last Day, and striveth in the way of Allah? They are not equal in the sight of Allah. Allah guideth not the wrongdoing folk. Those who believe, and have left their homes and striven with their wealth and their lives in Allah's way are of much greater worth in Allah's sight. These are they who are triumphant. Their Lord giveth them good tidings of mercy from Him, and acceptance, and Gardens where enduring pleasure will be theirs. There they will abide for ever. Lo! with Allah there is immense reward* (9:19–22).³⁹

The people said, 'Enlighten us more, O Commander of the Faithful.' 'Alī said, 'Verily, when the Messenger of God returned from the Farewell Pilgrimage towards Medina, he alighted at Ghadīr Khumm, and he ordered the shrub to be cleared [to enlarge the space] and the people assembled. He then took hold of my hand and lifted it high as if to the skies, and said, "Am I not [O people] worthier than yourselves?"'⁴⁰ They said, "That is indeed so." The Messenger of God said, "'Alī is the master (*mawlā*) of the one who has acknowledged me as his master."⁴¹ O God, be friendly to him who is friendly to 'Alī, and inimical to him who is hostile to 'Alī."

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, with regard to the Qur'ānic verse *Is he (to be counted equal with them) who relieth on a clear proof from his Lord and a witness (shāhid) from Him reciteth it* (11:17), that by the words 'who relieth on a clear proof from his Lord' the Messenger of God is meant, and by 'the witness from Him reciteth it' 'Alī is meant, who succeeds the Messenger of God as Imam after him and as Proof (*ḥujja*) to the followers of his community left behind.⁴²

The Messenger of God: He said, "Alī is part of me, and I of him and he is the *walīy* (patron, guardian) of all the faithful, of every man and woman,

³⁸The sacred well of Mecca. *El*, s.v. Zamzam.

³⁹*Furāt al-Kūfī*, I, 164–9; *Qummī*, I, 311; *Sharḥ al-akhbār*, II, 342; *Ṭabarī*, *Tafsīr*, XIV, 168–72; *Ṭabrisī*, V, 14–15.

⁴⁰Alludes to Qur'ān 33:6.

⁴¹See n. 11 in this chapter.

⁴²*Sharḥ al-akhbār*, I, 95; II, 343; *Furāt al-Kūfī*, I, 187–91; *Qummī*, I, 353–4; *Kāfī*, I, 190; *Ṭabrisī*, V, 150; *Majma' al-baḥrayn*, s.v. sh-h-d. See also n. 29 in chap. 1.

after me.⁴³ It follows that 'Alī is 'the witness' who succeeds the Messenger of God, and that 'Alī is a witness to his community and 'a proof' for them after the Messenger of God, and an Imam to whom obedience is obligatory, and his *waṣī* (vicegerent) after him, like the vicegerent of Moses in his community. The Messenger of God's words to 'Alī, 'You are to me as Aaron was to Moses,'⁴⁴ can only imply that 'Alī was his caliph (*khalīfa*) in his community in the same way that Moses said to Aaron, *Take my place among my people* (7:142).⁴⁵

The reports and evidence relating to this chapter go beyond the scope of this book, [being so numerous]. If we were to exhaustively examine all that comes under each heading, a separate tome would be required, although we have stipulated that we shall discuss [the *walāya* of 'Alī] briefly to satisfy the possessors of intelligence. God is the One who directs towards that which is right.

ON THE WALĀYA OF THE IMAMS OF THE HOUSE OF THE MESSENGER OF GOD

God says, *O ye who believe! Obey Allah, and obey the Messenger and those of you who are in authority* (4:59).⁴⁶

Abū Ja'far Muḥammad b. 'Alī: Someone asked him about the above verse. His response, [indicating where the real answer might be found], was to recite the following: *Hast thou not seen those unto whom a portion of the Scripture hath been given, how they believe in idols (al-jibt) and false deities (al-ṭaghūt),*⁴⁷ *and how they say of those (idolaters) who disbelieve: 'These are*

⁴³It is reported by Tirmidhī; see *Mishkāṭ*, III, 243; Robson II, 1341; *Sharḥ al-akhbār*, I, 93–5.

⁴⁴Reported both by Bukhārī and Muslim. See *Mishkāṭ*, III, 242; Robson II, 1340. Cf. this section with *Kāfi*, I, 292–7.

⁴⁵*Furāt al-Kūfi*, I, 144.

⁴⁶There is no unanimity as to the identity of 'those of you, who are in authority', or 'those from among you who hold command'. According to the Shī'a they are the Imams. Qummī, I, 169; *Furāt al-Kūfi*, I, 108–11; *Kāfi*, I, 185 ff.; Ṭabrisī, III, 64; Nu'mān, *al-Himma*, 38–39. For the Ṣūfīs *ulu 'l-amr* are the *Shaykhs*. See Qushayrī, *Laṭā'if al-ishārāt*, II, 36, while according to Sulamī, *Ziyādāt*, 34, a Ṣūfī commentator of the Qur'ān, they are the 'ulama'. For various interpretations see Ṭabarī, *Tafsīr*, VIII, 495 ff.. See also the next paragraph here. Cf. this section with *Kāfi*, I, 205, 286–92.

⁴⁷Both the words *al-jibt* and *al-ṭaghūt*, together mean whatever is worshipped instead, or to the exclusion, of God. Lane, s.v. j-b-t, ṭ-gh-y; Rāzī, *al-Zīna*, fol. 360; *ṭaghūt*, on the pattern of *fā'ūl* and derived from *ṭaghā*, means any leader of error who is exorbitant in pride and disobedience to God and His prophets. See also *Majma' al-baḥrayn*, s.v. j-b-t; *El*², s.v. Ṭaghūt.

more rightly guided than those who believe?' (4:51). He then explained that those people speak of the false leaders, and of the inviters to hell fire. These, they maintain, are better guided than the progeny of Muḥammad. [God says], *Those are they whom Allah hath cursed, and he whom Allah hath cursed, thou (O Muḥammad) wilt find for him no helper. Or have they even a share in the Sovereignty?*—meaning the imamate and the caliphate, [said the Imam]—*Then, in that case they would not give mankind even the speck on a date stone* (4: 52–3).

[The Imam continued], 'We are the people meant by God in this matter;⁴⁸ and the word *naqir* [in the Qur'ān] means the spot which you can see in the middle of the date stone.' [He went on], '*Or are they jealous of mankind because of that which Allah of His bounty hath bestowed upon them?* (4:54). We are the target of jealousy, because of the imamate God has bestowed upon us as distinguished from the rest of mankind.⁴⁹ *For We bestowed upon the house of Abraham (of old) the Scripture and Wisdom, and We bestowed on them a mighty kingdom* (4:54); that is We appointed (the) messengers and prophets and Imams from among them, up to His words, *We shall make them enter plenteous shade*' (4:57).

Then [the Imam] recited, '*Lo! Allah commandeth you that ye restore deposits to their owners, and if ye judge between mankind, that ye judge justly. Lo! comely is this which Allah admonisheth you. Lo! Allah is ever Hearer, Seer*' (4:58). Then [the Imam] said, 'It is to us that He refers by this, meaning that the first of our number should hand over to the one who follows the books, the knowledge, and the weapons.'⁵⁰ [He continued], regarding *And if ye judge between mankind, that ye judge justly* (4:58) [with the following exposition:] 'That is that when you (Imams) gain [the political power], you should rule the domain equitably.'

⁴⁸Sharḥ al-akhbār, I, 248; Kāfi, I, 205; Ṭabrisī, III, 60–1; he cites here the early *Tafsīr* of 'Ayyāshī.

⁴⁹Furāt al-Kūfi, I, 106–7; Qummī, I, 168; Sharḥ al-akhbār, I, 248.

⁵⁰Sharḥ al-akhbār, I, 246, 248–9; Qummī, I, 169; Furāt al-Kūfi, I, 107; Ṭabrisī, IV, 63. See also *Da'ā'im*, II, 346 or 2nd edition 348; Fyzee, *Ismaili Law of Wills*, 67–8.

Nu'mān does not specify the weapons and the books, however Kulaynī gives a detailed list of those items. The weapons consisted of the Messenger of God's sword, armour, banner, etc. Regarding the books possessed by the Imams, Kulaynī narrates a tradition on the authority of Ja'far al-Šādiq which states that the Imams possess the *Ṣaḥīfa* (the Scroll), dictated by the Prophet to 'Alī, containing all knowledge about lawful and unlawful things; *al-Jāmi'a* (the Compendium), dictated by the Prophet to 'Alī, containing information about everything needed by mankind down to the smallest details, such as the penalty for causing a scratch; *al-Jafr* (the Divination), containing the knowledge of the prophets and their successors; the *Muṣḥaf* (the Book) of Fāṭima, thrice the size of the Qur'ān, written down by 'Alī from Fāṭima's dictation from the angel Gabriel, containing knowledge about future events, as well as all the earlier scriptures. Kāfi, I, 232–42.

[The Imam] then quoted, 'O ye who believe! [with the explanation that this means all believers (Muslims) until the day of Judgement], obey Allah, and obey the Messenger and those of you who are in authority' (4:59). [He said], 'We are the ones God means by this.'⁵¹

The questioner then asked him about the following: *Your friend (walīy) can be only Allah, and His Messenger and those who have faith, who establish worship and pay the poor due while bowing down (in prayer)* (5:55). [The Imam] said, 'We are the people meant by God in this verse.'⁵² The questioner then asked about: *O ye who believe! Be careful of your duty to Allah, and be with the truthful* (9:119). [The Imam] replied, 'We are the truthful ones, and it is to us that this verse refers.'⁵³

The questioner asked next concerning, *And say (unto them): Act! Allah will behold your actions, and (so will) His Messenger and the faithful* (9:105); and [the Imam] responded, 'It is to us that this verse refers.'⁵⁴

The questioner asked about [the following]: *Thus We have appointed you a middle nation, that ye may be witnesses against mankind, and that the Messenger may be a witness against you* (2:143). [The Imam] said, 'We are the "middle nation,"⁵⁵ and we are God's witnesses against His creation, and His proofs (*hujaj*)⁵⁶ on His earth.'

The querist then asked, '[What is the reference] in His Word concerning the family of Abraham, *And We bestowed on them a mighty kingdom*' (4:54)? [The Imam] said, 'The words "the mighty kingdom" [refer to the fact] that God appointed among them imams (leaders); those who obey them, obey God, and those who disobey them, disobey God. This is [the substance of] "the mighty kingdom". How can they therefore acknowledge it regarding Abraham's family and yet deny it in relation to Muḥammad's family?'⁵⁷

The questioner then asked about the verse *O ye who believe! Bow down and prostrate yourselves, and worship your Lord, and do good, that haply ye may prosper. And strive for Allah with the endeavour which is His right to the end of the sūra* (22:77-8). [The Imam] said, 'It is to us (the Imams) that this refers.'⁵⁸ We are "the chosen ones", from the community of our ancestor

⁵¹Nu'mān, *al-Himma*, 74-8.

⁵²See n. 3 in this chapter.

⁵³Qummi, I, 335; Furāt al-Kūfi, I, 172-5. *Sharḥ al-akhbār*, II, 343.

⁵⁴Qummi, I, 332.

⁵⁵Furāt al-Kūfi, I, 62; Qummi, I, 91; *Sharḥ al-akhbār*, II, 345; *Kāfi*, I, 190; Ṭabrisī, I, 224-5.

⁵⁶See n. 29 in chap. 1.

⁵⁷Furāt al-Kūfi, I, 106-7; *Kāfi*, I, 186, 206.

⁵⁸Furāt al-Kūfi, I, 275-6; Qummi, II, 87-8.

Abraham, and God has designated us as "(the) Muslims" before this in the (former) Books, and in this Qur'ān, so that the Messenger of God might be a witness in your respect. The Messenger of God, therefore, will hold us to account in respect of what he conveyed to us from God, and we are the witnesses who will hold people to account. Thus, on the day of Judgement, we shall testify to the veracity of him who speaks the truth, and whoever does not speak the truth we shall denounce him as a liar.'

The man then asked [concerning the meaning of] *But it is clear revelations in the hearts of those who have been given knowledge* (29:49). [The Imam] replied, 'We it is who are referred to in this verse; we are those who have been given knowledge.'⁵⁹

The man next asked with regard to *Say: Allah and whosoever hath true knowledge of the Scripture, is sufficient witness between me and you* (13:43). [The Imam] said, 'It is we who are denoted, and 'Alī is the first, the most excellent, and the best of us after the Prophet.'⁶⁰

The questioner then asked about *And lo! it is in truth a Reminder for thee and for thy folk; and ye will be questioned* (43:44). [The Imam] said, 'The verse refers to us; we are "the People of the Reminder" (*ahl al-dhikr*), and we are those who will be answerable.'⁶¹

The man asked regarding *Thou art a warner only, and for every folk a guide* (13:7). [The Imam] responded, 'The warner is the Messenger of God; and in every age there is an Imam from among us to guide the community towards the message brought by him.'⁶² Thus the first of the guides after him (the Prophet) is 'Alī b. Abī Ṭālib, then the vicegerents (*awṣiyā'*),⁶³ one following the other after him, the best of salutations be upon them all.'

⁵⁹Furāt al-Kūfī, I, 319–20; Qummī, II, 151; Ṭabrisī, VIII, 288.

⁶⁰Qummī, I, 396; Ṭūsī, *Tafsīr*, VI, 268.

⁶¹Qummī, II, 291; *Sharḥ al-akhbār*, II, 344; *Kāfi*, I, 210–11. See also Fyze, *Isma'ili Law of Wills*, 74–5; *Da'ā'im*, II, para 1297, p. 353.

⁶²Qummī, I, 388–9; Furāt al-Kūfī, I, 205–6; *Sharḥ al-akhbār*, II, 350; *Kāfi*, I, 191–2; Ṭabrisī, VI, 278; after citing different views, he reports, on the authority of Ibn 'Abbās, the Prophet saying: I am the warner, and 'Alī is the guide after me.

⁶³*Waṣī* pl. *awṣiyā'*, lit. executor of a will, trustee, plenipotentiary. In Ismā'īlī terminology every lawgiver prophet (*nāṭiq*) is accompanied by a *waṣī* whose function is to explain and interpret the *tanẓīl* (revelation) brought by the prophet, hence he is also called *asās* (foundation) and *ṣamīṭ* (silent vs. the *nāṭiq*). The *waṣī* is also the immediate successor of a prophet. Accordingly Seth, Shem, Ishmael (or Isaac), Aaron, Simon Peter, and 'Alī were the legatees of Adam, Noah, Abraham, Moses, Jesus and Muḥammad. *Urjūza*, 34–7; *Kāfi*, I, 224; *Majma' al-baḥrayn*, s.v. w-ṣ-a; EI², s.v. Ismā'īliyya; Daftary, *Ismā'īlīs*, 139.

The questioner then asked about the verse *And none knoweth its interpretation (ta'wilahu) save Allah and those firmly rooted in knowledge* (3:7). [The Imam] said, 'God's Messenger is the most profoundly versed of them in knowledge, for God instructed him in all that He revealed to him of the revelation and its interpretation (ta'wil), and nothing was revealed to him without him knowing its interpretation also. Then the vicegerents coming after him, being well versed in knowledge, know the interpretation of the Qur'ān in its entirety.'⁶⁴

Then the questioner asked concerning the verse, *Then We gave the Scripture as inheritance unto those whom We elected of our bondmen. But of them are some who wrong themselves and of them are some who are lukewarm, and of them are some who outstrip (others) through good deeds, by Allah's leave. That is the great favour!* (35:32). [The Imam] responded, 'We are the ones meant by this; the one "who outstrips (others)" from among us is the Imam; "the lukewarm" is he who recognizes the right of the Imam, and "the wrongdoer (to himself)" is the doubter who stands apart from us.'⁶⁵ The commonalty asserts that it is to them that the above verse refers: *Then We gave the Scripture as inheritance unto those whom We elected of our bondmen*. Were this to be the case as they allege, then all (Muslims) would be "the elected ones", and all of them would be in Paradise, in accordance with God's words *Gardens of Eden which they enter*' (13:23; 16:31; 35:33).

They have spoken in the same vein regarding the interpretation of the verse with which we commenced this section 'those in authority' (4:59), [propounding the matter] in two ways. Some of them said that the words 'those in authority' refer to those commanding a raiding party (*umarā' al-sarāya*).⁶⁶ The others affirmed that 'those in authority' are the learned

⁶⁴Qummī, I, 124; Kāfi, I, 213; Ṭabrisī, II, 408–10. The Shī'ī commentators read *wa 'l-rāsikhūna fi 'l-'ilm* conjoined with the previous subject *Allāh*, while the Sunnī commentators read the phrase beginning with *wadw* as a new sentence. Sharīf Raḍī, *Ḥaqa'iq al-ta'wil*, 7–14; he gives grammatical explanation in favour of Shī'ī reading. See also Ṭabarī, *Tafsīr*, VI, 201–8; Zarkashī, *al-Burhān*, IV, 243. In his *al-Itqān*, III, 5–6, Suyūṭī states that a small group of people, including al-Mujāhid, read *wa 'l-rāsikhūna fi 'l-'ilm* as *ma'tūf 'alā Allāh* (attached to Allāh by the conjunction *wadw*). See also EI², s.v. Ta'wil.

⁶⁵Furāt al-Kūfī, I, 347–51; Qummī, II, 210.

⁶⁶Muqātil, *Tafsīr*, I, 245–6, 255. *Sariyya* pl. *sarāya*, was originally applied to a portion of an army marching by night and it could consist of anywhere from as few as five individuals to as many as four hundred. The term was afterwards applied to such a march by day and also to an army sent by the Prophet in contradistinction to *ghazwa* pl. *ghazawāt*, or *maghāzī*, wherein the Prophet himself participated. Lane, s.v. s-r-y; Ṭabarī, *History of al-Ṭabarī*, IX, 118. See also *Majma' al-bahrayn*, s.v. s-r-a; it is so called because it comprised the best men, or because it is dispatched clandestinely.

ones (*ahl al-'ilm*), meaning those capable of giving legal opinions (*aṣḥāb al-furṭā*). Both these explanations will be shown to be unsound on examination.

As for the assertion of those who allege that *those in authority* are the commanders of the raiding parties, it in fact establishes the superiority of these latter over their Imams, who ordered them on these expeditions. It furthermore makes the Imams' obedience to them obligatory and the obedience of all the faithful as well, given that the words of God 'O ye who believe' embrace all the faithful. No believer is therefore excluded from God's injunction to obey 'those in authority', except by a clear proof from the Book or an explanation from the Messenger who was charged to expound [God's word]. The commonalty will not discover any such rule, since, according to them obedience to the commander of the raiding party is limited *only* to his own party (and not to all the Muslims). Hence their claim is rendered void by their own argument.

As for the others, who say that the ones intended [by 'those in authority'] are the learned ones ('*ulamā*'), they mean the '*ulamā*' of the commonalty, and they all differ from one another, and obedience to some requires disobedience to others. If the believer follows one, he disobeys others; but God does not command obedience to a group who differ among themselves, with the one ordered to obey not knowing whom to follow. Thus this assertion is so clearly unsound as to render the refutation of him who propounds it superfluous.

Those most entitled to this appellation, *ulu 'l-amr*, and the ones to whom it is applied, are the Imams, for authority is wholly theirs. They are the ones with authority. This is evident to the one who has reflected on the matter. God does not link obedience to Him and to His Messenger, with obedience to one who does not have authority in all matters permissible, and who does not carry out God's and His Messenger's injunctions in executing God's ordinances on His earth. [How] then are all living beings commanded to listen to and obey them?

Therefore the commonalty's assertion that those intended are the commanders of raiding parties, or the '*ulamā*', rebounds upon the following assertion of ours. For the commanders of the raiding parties are themselves charged with obedience to the Imams, and they, the Imams appoint them, and by virtue of appointing them, the Imams lay just claim to the obedience of those over whom they are given precedence. As for the contention of those who affirm [the *ulu 'l-amr*] to be the '*ulamā*', it is the Imams who are in the true sense '*ulamā*', while the others are beneath them [in status]. The Imams, in fact, are the highest rank-

ing of the '*ulamā*' in respect of true knowledge, and superior to them in learning.⁶⁷

Ja'far b. Muḥammad: Al-Ḥasan b. Ṣāliḥ b. Ḥayy⁶⁸ and [his brother] 'Alī asked him, with reference to the verse *O ye who believe! Obey Allah, and obey the Messenger and those of you who are in authority* (4:59), as to the identity of the *ulu 'l-amr*. [The Imam] replied, 'The '*ulamā*.' Then when the two had left him, 'Alī b. Ṣāliḥ said [to his brother], 'We have gained nothing [from this] since we did not ask who these '*ulamā*' were.' They therefore went back and asked him, and [the Imam] replied, '[They are] the Imams of the House of the Messenger of God.'

Abū Ja'far Muḥammad b. 'Alī: He said with regard to the verse *Whereas if they had referred it to the Messenger and such of them as are in authority, those among them who are able to think out the matter would have known it* (4:83), that they are the Imams from the Messenger of God's House,⁶⁹ endowed by God as 'the possessors of knowledge', who elicit and bring it to light. Thereafter God prescribed obedience to them [the Imams] and said, *O ye who believe! Obey Allah, and the Messenger, and those of you who are in authority* (4:59).

Ja'far b. Muḥammad: He heard a man circumambulating the Ka'ba, saying, 'O God, make me one of those who, when they are reminded of the revelations of their Lord, fall not deaf and blind thereat (25:73). O Lord, include me among those who say, "Our Lord! Vouchsafe us comfort of our wives and our offspring, and make us patterns for (all) those who ward off (evil)'" (25:74). Abū 'Abd Allāh [The Imam] said to him, 'You have indeed asked your Lord for a thing exceeding the proper bounds. You have asked that He set you up as an exemplar (*imam*) for the godfearing, obedience to whom is obligatory.' One of his companions then asked, 'May I be thy ransom [O Imam], to whom does the first verse refer?' He replied that it was revealed with regard to them. He then asked about the second, and [the Imam] said, '[It was revealed] with regard to us.'⁷⁰

[Ja'far b. Muḥammad]: With reference to *O ye who believe! Obey Allah, and obey the Messenger and those of you who are in authority* (4:59), he affirmed that they (meaning the *ulu 'l-amr*) are the Imams from among us and obedience to them is obligatory.

⁶⁷Qummī, I, 169; Furāt al-Kūfī, I, 107–11; *Sharḥ al-akhbār*, I, 247, 249.

⁶⁸He was a traditionist and Zaydī theologian. EI², s.v. Ḥasan b. Ṣāliḥ b. Ḥayy al-Furāt al-Kūfī.

⁶⁹Furāt al-Kūfī, I, 114–15; Ṭabrisī, VI, 362.

⁷⁰Qummī, II, 117–18, reports an identical tradition from al-Ṣādiq. See also Furāt al-Kūfī, I, 294–5.

[Ja'far b. Muḥammad]: He was questioned concerning the Messenger of God's saying, 'He who dies without recognizing the living Imam of his time, dies the death of a pagan (*jāhili*).'⁷¹ He was then asked, '[Is it he] who does not recognize the Imam from the family of Muḥammad or otherwise?' [The Imam] said, 'He who rejects the Imam altogether, whether he be from the Prophet's family or not, dies the death of a pagan.'

Ja'far b. Muḥammad: He was asked regarding the word of God *Lo! therein verily are portents for those who read the signs* (15:75). He replied, 'They are the Imams who perceive by God's Light; hence be wary of their intuitive discernment concerning you.'⁷²

The Messenger of God: He said to 'Alī, 'O 'Alī, you and the vicegerents (*awṣiyā'*) descended from you shall constitute God's "elevated places" or "Heights" (*a'rāf*)⁷³ between Heaven and Hell. No one shall enter Paradise except the one who recognizes you, and you recognize him; and no one shall enter the fire but he who denies you, and you deny him.'⁷⁴ This is the obvious and precise interpretation, without any other. It is not as the common people have interpreted it to be, namely that the *aṣḥāb al-a'rāf* (the dwellers on the Heights), are those, precluded by their deeds from entering Paradise but not meriting consignment to hell fire either, who thus remain midway between Paradise and Hell. God has created only two abodes in the hereafter—'the abode of reward' and 'the abode of retribution', the Garden and the Fire. These two contain levels; those destined for Paradise enter it according to the ranking of their good deeds, and those destined for hell-fire enter it according to their ranking in evil deeds. Thus he who does not merit God's punishment in any measure is embraced in His mercy. How, then, is it possible for the *aṣḥāb al-a'rāf* to be as people at large have maintained, suspended between Paradise and hell fire, precluded from entering the former, and unable to reach God's mercy.

On the contrary, in his Book, God speaks about the greatness of their position, [and] that they are the ones who will recognize the people

⁷¹In *Kaṭi*, I, 376–7, the *ḥadīth* reads, 'He who dies without having an Imam for himself, dies the death of a pagan.' Another version states, 'He who dies without recognizing his Imam, dies the death of a pagan.' (Both the versions are without 'the living Imam.') This tradition is not found in the Sunnī sources. A different version reported by Ibn Ḥanbal, Bukhārī and Nasā'ī states, 'He who departs from the community (*jamā'a*) even an inch, then he dies the death of a pagan.' *Concordance*, s.v. j-h-l. For the meaning of the word *jāhiliyya* see note 46 in chap.5.

⁷²*Furāt al-Kūfi*, I, 228–30.

⁷³Alludes to Qur'ān 7:46, 48.

⁷⁴*Furāt al-Kūfi*, I, 142–4; this interpretation is reported on the authority of 'Alī; Qummī, I, 259; Rāzī, *al-Zīna*, fols 108–9; after giving linguistic explanation he cites the Shī'ī interpretation on 'Alī's authority. See also *Majma' al-baḥrayn*, s.v. 'r-f.

on that Day by their features and confront those deserving of Hell with their sins,⁷⁵ and upbraid them with them, saying to them, *What did your multitude and that in which ye took your pride avail you? Are these they of whom ye swore that Allah would not show them mercy?* (7:48–9). The commonalty interprets this to mean a group of ‘the people of Paradise’, and they call out to the people of Paradise, ‘*Peace be unto you*’ (7:46),⁷⁶ and say [to them], *Enter the Garden. No fear shall come upon you, nor is it ye who will grieve* (7:49). And the people call out to them seeking help and desiring their intercession, since God has mentioned them in His Book, thus indicating their great standing and worth and attesting that they are His witnesses with respect of His creation and His proofs to His servants. ‘The dwellers on the Heights’ then are the holders of high rank and exalted station in the eyes of God.

The word *ʿurf* denotes the highest part of a thing, as it is said *ʿurf al-dik* (the comb of a cock) and *ʿurf al-faras* (the mane of a horse), its plural being *aʿrāf*, (elevated places or heights). Some Arab philologists have said that among the Arabs every ‘elevated place’ is known as *aʿrāf*, hence it is said of heaps of sand that they are *aʿrāf*. Similarly some of the Qurʾānic commentators from among the commonalty have said, concerning the Word of God *And the dwellers on the Heights call unto men* (7:48), that they are on sand hills between the Garden and hell fire. Others hold that [they are] on a high wall between the Garden and the Fire, stating that it was termed *aʿrāf* on account of its height. Thus the people have circled around the truth, between [the exposition of] the conscious denier and [the interpretation of] the ignorantly negligent. May God protect us from confusion, misdirection and the denial of the truth, and ignorance.

In the same way, there is unsoundness in most of the interpretation of the Book of God among the commonalty. This is because it is only based on their personal opinions and predilections. We ask God to preserve us from the interpretation of His Book through personal opinion (*raʾy*) and the following of predilection [in matters] where it contradicts the truth as laid down by Him. In spite of [the above explanation], the view asserted by the commonalty that there is a group of people who have been denied Paradise is nothing but unsound interpretation of the kind that does not require any rebuttal. Similarly the major part of their interpretation is founded, as it appears [to us], on their [own] personal

⁷⁵Alludes to Qurʾān 7:48 (*And the dwellers on the Heights call unto men whom they know by their marks, [saying]:...*)

⁷⁶In the Arabic text these verses are not indicated. The reference to Qurʾān 2:37 is incorrect.

opinions. May God protect and preserve us from the use of personal opinion to interpret His Book and what He has ordained as lawful and unlawful.

The Messenger of God: He said, 'I have been charged with obedience to God, my Lord, and the Imams of my House have been charged with obedience to God and obedience to me. All other people excluding them [the Imams] have been charged with obedience to God, to me, and to the Imams of my House; he who follows them will be saved, and he who forsakes them will perish. None but a renegade (*māriq*)⁷⁷ abandons them.'

Ja'far b. Muḥammad: He said, regarding the verse *Whereas if they had referred it to the Messenger and such of them as are in authority (ulu 'l-amr minhum)* (4:83), 'We are the *ulu 'l-amr*, to whom God has commanded the referral.'

Ja'far b. Muḥammad: A man came to him and said, 'May I be sacrificed for thee. Some people amongst us maintain that it is the Jewish scholars ('*ulamā*') who are indicated in the verse *Ask the people of the Reminder (ahl al-dhikr) if ye know not*' (16:43). So [the Imam] smiled and said, '[Is that so?] Surely in that case, they [Jewish scholars] must be inviting them to their religion. But [it is not they], by God, but we who are the people of the Reminder to whom God has commanded that the matter be referred [whatever it be].'⁷⁸

Ja'far b. Muḥammad: Concerning the Messenger of God's saying, 'He who dies without recognizing the Imam of his time, dies the death of a pagan,' he added, 'a living Imam' (*Imām^{am} ḥayy^{am}*), and he was told, 'We did not hear the word *ḥayy^{am}* (living).' The Imam said, 'I swear by God that the Messenger of God said that.'⁷⁹

Ja'far b. Muḥammad: With reference to the Qur'ānic verse *On the day when We shall summon all men with their Imam* (17:71), he said, '[That means] with the one whom they have held as their "imam" in this world,⁸⁰ 'Alī will be summoned for the period in which he lived and similarly Ḥasan and likewise Ḥusayn.' He then enumerated the Imams [in turn] and went on, 'The Messenger of God has said, "He who dies without recognizing the Imam of his time, dies the death of a pagan."'

⁷⁷A term usually applied to the Khawārij. *Sharḥ al-Akhbār*, II, 38 ff.; *Majma' al-baḥrayn*, s.v. m-r-q.

⁷⁸*Furāt al-Kūfī*, I, 234-5; *Kāfī*, I, 210-11; the same tradition with slight variation is reported on the authority of Imam al-Bāqir; Ṭabrisī, VI, 429-30. See also Shahrastānī, *Tafsīr*, I, 199.

⁷⁹See n. 71 in this chapter.

⁸⁰*Qummī*, II, 22; Ṭabrisī, VI, 429-30.

Abū Ja'far Muḥammad b. 'Alī: A man said to him, 'O son of the Messenger of God, the Quraysh⁸¹ are greatly agitated at your assertion that you are their masters (*mawālī*).' Abū Ja'far said, 'The people are of three kinds: a category [comprising the people] we called to God and who responded to us, and who thus enjoy the grace of God, and that of His Messenger and of ourselves; a category that we [fought and] killed; and a category who found favour with God and His Messenger in the year of victory,⁸² and who therefore have [the benefit of] the grace of God and that of His Messenger for our sake. Therefore let the one who speaks be of whichever of the parties he wishes.'

Abū Dharr al-Ghifārī:⁸³ He attended the pilgrimage after the death of the Messenger of God. When the people gathered for the circumambulation, he stood at the gate of the Ka'ba and, having seized hold of the gate's round ring, called out three times, 'O people.' They came together, stood still, and listened. Then he said, 'He who knows me, knows who I am; and for him who does not, I am Abū Dharr al-Ghifārī. I now relate to you what I heard from the Messenger of God as he lay on the verge of death. I heard him saying, "I am leaving among you two things of great weight (*al-thaqalayn*), the Book of God and my kindred (*'itrātī*), the People of my House (*ahl baytī*), and these two shall never be separated until they return to me at the Pool (*ḥawḍ*) just like these two." Then he [the Prophet] put together the two index fingers of his hands, coupling them and equalizing them in all respects. He added "And not like this," and extended the middle and index fingers of his right hand, "because one reaches out beyond the other. Indeed, their [the two things of great weight] likeness is the like of Noah's ark. He who boarded it was saved, and he who left it was drowned."⁸⁴

'Alī [b. Abī Ṭālib]: He was questioned about the identity of the people of the Reminder,⁸⁵ and he said in reply, 'We are "the people of the Reminder."'

⁸¹The tribe inhabiting Mecca in the time of the Prophet and to which he belonged. EI², s.v. *Quraysh*.

⁸²The year of victory (*'ām al-fath*) refers to the conquest of Mecca in 8 A.H. Ibn Ishāq, *al-Sīra*, III, 39 ff.; Guillaume, 540 ff.; Lings, *Muhammad*, 297–303.

⁸³One of the earliest converts to Islam and noted for his piety. He was a vocal supporter of 'Alī and is considered one of the four pillars of the first Shī'a. EI², s.v. Abū Dharr al-Ghifārī. *Sharḥ al-akhbār*, II, 479–82, 501–3, 512; III, 12. See also Shaybī, *al-Ṣila bayna 'l-taṣawwuf wa 'l-Shī'a*, 33–8.

⁸⁴*Kaft*, I, 294; instead of *thaqalayn* he uses *amrayn*; *Mishkāt*, III, 255, 258; Robson, II, 1350, 1353; it is reported by Ibn Ḥanbal, Muslim, Tirmidhī and Dārimī; *Concordance*, s.v. *th-q-l*. See also Shahrastānī, *Tafsīr*, I, 199–200.

⁸⁵See n. 61 in this chapter.

Abū Ja'far Muḥammad b. 'Alī: He was [similarly] questioned, and he replied in an identical manner.

The reports dealing with this subject extend beyond the scope of this book [being so numerous], and what we have related here is sufficient for those possessed of understanding and those who have the good fortune for guidance.

ON THE OBLIGATION TO INVOKE BLESSINGS (AL-ṢALĀT)⁸⁶
ON MUHAMMAD AND HIS PROGENY (ĀL), THAT THEY
ARE THE PEOPLE OF HIS HOUSE (AHL AL-BAYT),
THE TRANSMISSION OF THE IMAMATE AMONG
THEM, AND THE CLARIFICATION THAT THEY
ARE THE UMMA OF MUḤAMMAD

God says, *Lo! Allah and His angels shower blessings on the Prophet. O ye who believe! Ask blessings on him and salute him with a worthy salutation* (33:56).

The Messenger of God: When this verse was revealed to him, some of his Companions asked him about it saying, 'O Messenger of God, we know already how to greet you; but how should we invoke blessings upon you?' The Prophet replied, 'You should say, "O God, bless Muḥammad and his progeny (āl), even as You blessed Abraham and his progeny. [O God], You are truly praiseworthy, great in glory."' In this way, therefore, the Messenger of God explained to them how they should invoke blessings upon him, which God enjoined upon them [the community], and he made it clear that such invoking of blessings was for him and for his progeny.⁸⁷ He did this in the same manner as he taught them and expounded to them all the religious duties, which were revealed to him in summary form in the Qur'ān, such as performing the ṣalāt, the obligation of the zakāt, fasting, pilgrimage, the obligation of walāya, and jihād. Just as the notification of the blessings was revealed in summary form, so also were these others, and thus it was the Messenger of God who elucidated these matters for the community.

The commonalty related this tradition in the manner that we have done; then, when they found no means to refute it by subterfuge, they

⁸⁶The word ṣalāt has different meanings. In addition to its most common meaning of ritual prayer, it also means supplication (du'a'), asking God's forgiveness (istighfār), and asking for His mercy (raḥma). See for details Rāzī, *al-Zīna*, fols 277-9; Lane, s.v. ṣ-l-w; *Majma' al-bahrayn*, s.v. ṣ-l-a.

⁸⁷*Furāt al-Kūfī*, I, 342; Ṭabrisī, VIII, 369.

alleged that 'all Muslims are part of Muḥammad's progeny (*āl*)'⁸⁸ in order to exclude, in this way, the Messenger of God's family (*ahl al-bayt*) from the position of pre-eminence especially accorded to them by God, about which the Book speaks and which the Messenger of God elucidated. God established this pre-eminence as one of the proofs of their right to the imamate and of the obligation of obedience to them when He equated them with His Messenger. This allegation of the commonalty denotes obstinacy, its flaws being obvious to those possessed of discernment and insight. [Moreover,] their falsehood in the matter is so patent as to preclude the necessity of a refutation by evidence.

Abū 'Abd Allāh Ja'far b. Muḥammad: A man questioned him saying, 'O son of the Messenger of God, inform me about the *āl* (progeny, family) of Muḥammad, who [precisely] are they?' [The Imam] replied, 'They are particularly the Prophet's family (*ahl al-bayt*).' The man said, 'The commonalty alleges that all Muslims are in fact part of Muḥammad's family.' Abū 'Abd Allāh [The Imam] smiled and then said, 'They have both lied and spoken the truth.' The questioner said, 'O son of the Messenger of God, what do you mean by that?' [The Imam] replied, 'They have lied in one sense and [yet] have spoken the truth in another; they lied in the sense of holding that all Muslims are of Muḥammad's family who profess belief in the unity of God and in the Prophet despite their shortcomings in faith and negligence in its regard, and they spoke the truth in that some of them, "the true believers" (*mu'minīn*) from among them, are to be understood as being of Muḥammad's family, although they are not related to him by blood. That is on account of their carrying out the conditions laid down in the Qur'ān, and not on account of their being "family" of Muḥammad from whom God has taken away the stain of impurity and whom He has cleansed with a thorough cleansing (cf. Qur'ān 33:33).⁸⁹ Thus he who upholds the stipulations of the Qur'ān and adheres to the family of Muḥammad belongs to the family of Muḥammad through adherence to them, although he is far removed from direct kinship with Muḥammad.'⁹⁰

The querist said, 'Inform me [O Imam], may I be sacrificed for thee, what these conditions are, by which he who observes and upholds them becomes, in that sense, part of Muḥammad's family.' [The Imam] replied,

⁸⁸Rāzī, *al-Zīna*, fol. 234, cites linguistic examples to show that the words *āl*, *ahl*, and *ahl al-bayt* are used in the same meaning. See also *Majma' al-bahrayn*, s.v. a-h-l.

⁸⁹Furāt al-Kūfī, I, 331-41; Qummī, II, 193-4; *Sharḥ al-akhbār*, II, 337-9; Ṭabrisī, VIII, 356-7; *Mishkāt*, III, 254; Robson, II, 1349; transmitted by Muslim.

⁹⁰The whole account is reported by Rāzī, *al-Zīna*, fol. 233, on the authority of Ja'far b. Muḥammad while discussing the meanings of *āl* and *ahl al-bayt*.

'The upholding of the stipulations of the Qur'ān and adherence to the family of Muḥammad. He who adheres to them and puts them above all living beings, as God has done, for the sake of their kinship to the Messenger of God, is of Muḥammad's family in this sense. That is how God has ruled in the Qur'ān: *He among you who taketh them for friends is (one) of them*' (5:51). [The Imam] continued, repeating the words of Abraham: *But whoso followeth me, he verily is of me. And whoso disobeyeth me—Still Thou art Forgiving, Merciful* (14:36). God said with regard to the Jews repeating the words *Those who say: Lo! Allah hath charged us that we believe not in any messenger until he bring us an offering which fire (from heaven) shall devour* (3:183); [and he continued,] 'God said to His Prophet, *Say (unto them, O Muḥammad): Messengers came unto you before me with miracles, and with that (very miracle) which ye describe. Why then did ye slay them? (Answer that) if ye are truthful!*' (3:183). In another place God has said, *Say (unto them, O Muḥammad): Why then slew ye the prophets of Allah aforetime, if ye are (indeed) believers?* (2:91). This was revealed with regard to a group of Jews living at the time of God's Messenger who neither killed the prophets with their own hands,⁹¹ nor were they living in those times. Their ancestors, however, had killed the prophets, and [the contemporaries of Muḥammad] approved of their actions and followed them. God therefore ascribed the actions of their forebears to them and considered them as one on account of the latter's adherence to their forebears.'

The questioner said, 'Give me [O Imam], may God sacrifice me for thee, a proof from the Book of God so that I can infer that the "progeny" (*āl*) of Muḥammad are specifically the members of his House, to the exclusion of others.' [The Imam] said, 'Very well. God, and He is the most truthful of speakers, said, *Lo! Allah preferred Adam and Noah and the family (āl) of Abraham and the family of 'Imrān above (all His) creatures* (3:33). Then He clarified who those were who were thus chosen saying, *They were descendants one of another. Allah is Hearer, Knower* (3:34). And it is not possible to be of the progeny of a people except through direct descent. God said, *Give thanks, O House (āl) of David!* (34:13). He also said, *And a believing man of Pharaoh's family (āl), who hid his faith, said: Would ye kill a man because he saith: My Lord is Allah?* (40:28) This believer, was the son of Pharaoh's paternal uncle. God considered him a relative of Pharaoh because of his near kinship [as a blood relation], although he was [at the same time] an adversary of Pharaoh in allegiance and faith.'⁹²

⁹¹Tabarī, *Tafsīr*, II, 353–4; he discusses the linguistic aspects of the verse because the proposition begins with the future tense, then it states that it took place in the past.

⁹²Rāzī, *al-Zīna*, fol. 233.

'Were all those who believed in Muḥammad to be considered the family of Muḥammad in the sense intended by God in the Qur'ān, the believer from Pharaoh's family would not have been "related" to Pharaoh, since he was opposed to Pharaoh in his faith. Thus this provides a reason for saying that a man's family (*āl*) is the persons belonging to his house. Whoever follows the family of Muḥammad is of them within the meaning understood in the words of Abraham *But whoso followeth me, he verily is of me. And whoso disobeyeth me—Still Thou art Forgiving, Merciful* (14:36). God said, *Cause Pharaoh's folk (āl) to enter the most awful doom* (40:46). That is to say, the members of his house, in particular, and their followers, in general.⁹³ Whoever entered the Fire, without belonging to the house of Pharaoh, only did so by reason of his adherence to Pharaoh's house, and in that sense he is to be considered as part of them through his allegiance to them. The family of Pharaoh was their leaders (*imams*); hence he who adhered to them was a follower of theirs.

'God said, *Peace be unto the family (āl) of Yāsīn* (37:130),⁹⁴ and [the Imam] said in explanation, 'Yāsīn refers to Muḥammad, and the *āl Yāsīn* are the members of his House,'⁹⁵ just as God has said, *Give thanks, O House of David! Few of my bondmen are thankful* (34:13). He also said, *And a remnant of that which the house of Moses and the house of Aaron left behind, the angels bearing it*' (2:248). [The Imam explained that] a man may belong to the house of Moses, or that of Aaron, or David, or Yāsīn without there being any kinship between him and them except that (created by) adherence. Thus the members of the prophets' houses are the Imams, and he who adheres to them and follows them is counted as being of them, according to the above interpretation and in the manner depicted by God, glory be to Him.

Then Ja'far b. Muḥammad said to the questioner, 'You must understand that none from among the earlier communities in times gone by, nor from among bygone generations, nor any community of which we have report is more iniquitous than this community. This is because they assert that there is no distinction between them and the members

⁹³Ibid., fol. 232.

⁹⁴Reading *āl Yāsīn* for *il-Yāsīn*, a Shī'ī variant of the *textus receptus*. See Qummi, II, 228; Furāt al-Kūfi, I, 356; *Sharḥ al-akhbār*, II, 344; Tūsi, *Tafstr*, VIII, 523; according to Tūsi, this was the reading of Nāfi', Ibn 'Āmir (both of them were among the seven authoritative Qur'ān-readers) and Ya'qūb. See also EI², s.v. Ilyās; *Majma' al-baḥrayn*, s.v. y-'-s.

⁹⁵Rāzi, *al-Zīna*, fol. 232v. In his reading of *ilyāsīn*, Ṭabrisī states that the reference is to the prophet Ilyās and offers various explanations as to the identity of his person. Then he reports on the authority of Ibn 'Abbās that *Āl Yāsīn* is *Āl Muḥammad*, since Yāsīn was one of the names of the Prophet. Ṭabrisī, VIII, 457.

of the House of their Prophet and that the latter have no priority over them. He then who makes such an assertion has surely magnified falsehood against God and has perpetrated great slander and manifest sin. By this assertion he removes himself from the protection of Muḥammad and the family of Muḥammad until such time as he repents and returns to the true faith by acknowledging the priority of he upon whom God has bestowed it from among the members of the house of prophethood, the abode of mercy, the source of knowledge, the People of the Reminder (*ahl al-dhikr*), who are frequently visited by the angels (see note 178 below). He then who asserts that there is no priority pertaining to the one so denoted by these attributes removes himself from their [protection] in this world and the hereafter.'

Then [the Imam] said, 'Here there is another point concerning the principle of consensus (*ijmā'*). The questioner asked, 'What is it?' The Imam replied, 'Are not matters on which the Muslims are unanimous better fitted to be accepted as the truth and more properly to be adopted than those on which they differ?' The man said, 'Yes,' and [the Imam] went on, 'Tell me about those [false] claimants from among the Muslims who assert that they are the "progeny" (*āl*) of Muḥammad. Do they not acknowledge that the members of Muḥammad's House are their co-partners in this claim?' The man said, 'Indeed.' [The Imam] continued, 'Do you not see then that these claimants to the status of the family (*āl*) of Muḥammad concede to the *ahl al-bayt* that they are indeed the members of the Prophet's House, and that the family of Muḥammad denies what these claimants maintain in relation to their position.' [The Imam went on, 'Do you not see] that the claim is vain and invalid unless they establish it in one of two ways: either by a consensus of the members of the House of Muḥammad and their acknowledgement of the [commonalty's] claim and an affirmation that what they claim is true in the same way that the [false] claimants acknowledge Muḥammad's family and testify on their behalf, or the testimony in their favour of a third party which has nothing to do with the claim, and that they will never obtain.'

[The Imam continued,] 'Do you not see then that the right of the members of the House of Muḥammad is established [beyond any doubt], and that what the claimants maintain is false [and groundless] because of the lack of agreement about it among the people, and because the right of the family of Muḥammad is established from both the sides. Hence the claimants' allegation is void on the basis of what we have cited by way of the evidence itself, and from the standpoint of consensus which we have clearly expounded [here].'

The questioner then said, 'Inform me, may God sacrifice me for thee [O Imam], about the community (*umma*) of Muḥammad. Are they the *ahl al-bayt* of Muḥammad?' [The Imam] said, 'Yes!' The man then said, 'But is it not the case that the Muslims as a whole and each individual who believes in Muḥammad and affirms his claims constitute his community?' Ja'far b. Muḥammad said, 'This issue is like the first concerning the family of Muḥammad. The Muslims who do not belong to Muḥammad's House, which is a part of Banū Hāshim, cannot be held to be part of his *umma*. The people at large, the inhabitants of the East and the West, Arabs and non-Arabs, mankind and jinn, those who believe in God and His Messenger and attest him to be truthful and follow him by allegiance and adherence to the community into which he [the Messenger] was sent, are [part] of the *umma* of Muḥammad by reason of their allegiance to that community. Similarly those among the Muslims who profess [their] belief in the unity of God and acknowledge the Prophet are part of the community to which Muḥammad was sent. He who denies the excellence of this community is to be counted among those who say, *We believe in some and disbelieve in others, and seek to choose a way in between* (4:150). They are the people who, upon being asked, "Do you believe in God and in His Messenger?" answer, "Yes;" and when they are asked, "Do you then acknowledge the excellence of the family of Muḥammad in whom you believe, and whom you confirm to be true?" They respond, "No, because they possess no superiority over us."

The questioner asked, 'What is the proof that the *umma* of Muḥammad is [constituted solely by] the members of Muḥammad's House, whom you mentioned and none other?' [The Imam] replied, 'The word of God, the exalted and sublime, and He being the most veracious of those that speak, *And when Abraham and Ishmael were raising the foundations of the House, (Abraham prayed): Our Lord! Accept from us (this duty). Lo! Thou, only Thou, art the Hearer, the Knower. Our Lord! And make us submissive unto thee, and of our seed (dhurriya)*⁹⁶ *a nation (ummat^{am}) submissive unto Thee; and show us our ways of worship, and relent toward us. Lo! Thou, only Thou, art the Relenting, the Merciful* (2:127–8). God responded to the supplication of Abraham and Ishmael to establish from their seed a community (*umma*) submissive (to God), and to send them a messenger from among them, that is from that community, a messenger who would recite His signs to them, and purify them and instruct them in the Book and the wisdom.

⁹⁶Rāzī, *al-Zīna*, fol. 236; it means the progeny of a person or his descendants. See also *Majma' al-bahrayn*, s.v. dh-r-a.

'Then Abraham added to his first supplication on behalf of that community, which he had asked to be from his progeny, another supplication seeking [for them] their purification from associating others together with God and from worshipping idols. In this way he sought to make their affairs correct, lest they should follow any other way. Hence Abraham said, *And preserve me and my sons from serving idols* (14:35)—that is "those on whose behalf I prayed to You [God]." And You have promised me that You would make them Imams and a community rendering submission (*ummat^{an} muslimat^{an}*) and that You would call forth in their midst a messenger from among them and that You would keep them away from idol worship. *My Lord! Lo! they have led many of mankind astray. But whoso followeth me, he verily is of me. And whoso disobeyeth me—Still Thou art Forgiving, Merciful* (14:36).

'This then constitutes evidence showing that the Imams and Muslim community to which Muḥammad was sent cannot be other than the progeny of Abraham and Ishmael, the dwellers around the sacred precinct (Ka'ba) and those who never served other than God, as [Abraham] says, *And preserve me and my sons from serving idols* (14:35). The proof concerning the dwelling place lies in Abraham's words, *Our Lord! Lo! I have settled some of my posterity in an uncultivable valley near unto Thy holy House, our Lord! that they may establish proper worship; so incline some hearts of men that they may yearn toward them, and provide Thou them with fruits in order that they may be thankful* (14:37). But [Abraham] did not say "that they should serve idols".

'This Qur'ānic verse thus proves that the Imams and the Muslim community⁹⁷ on whose behalf Abraham prayed are his progeny, those who served none but God. Then Abraham said, *So incline some hearts of men that they may yearn toward them* (14:37). Abraham's supplication is specific to the Imams and the community that is from his progeny. Then, as he had prayed for them, he prayed for their "partisans" (*shī'a*). Therefore the people of the supplication of Abraham and Ishmael are surely the Messenger of God and 'Alī, Fāṭima, Ḥasan and Ḥusayn, and the Imams. He then who bears allegiance to these individuals among the progeny of Abraham and Ishmael belongs to the people intended by their joint prayer because all of Ishmael's descendants did in fact serve idols, apart from the Messenger of God, 'Alī, Fāṭima, Ḥasan, and Ḥusayn. Thus the supplication of Abraham and Ishmael was restricted to them.'

[The Imam continued] 'The tradition handed down from the Prophet

⁹⁷ *Ummat^{an} muslimat^{an}* literally means the community rendering submission.

is that he said, "I am the answer of my ancestor Abraham's [supplication];"⁹⁸ and he who adheres in allegiance with true devotion to this community, which God describes in His Book, is counted as of it; but he who goes against it, in not accepting its pre-eminence, is of the community to which Muḥammad was sent and which did not accept [him]. More than once in the Book, God has spoken about the community for whom the supplication of Abraham and Ishmael was made: *And there may spring from you a nation (umma) who invite to goodness and enjoin right conduct and forbid indecency. Such are they who are successful* (3:104). This verse lays the charge of unbelief on sinful Muslims, because he who does not commend what is approved and prohibit what is disapproved is not part of the community that God describes. They allege that all Muslims are the community of Muḥammad. You can see, however, that this verse characterizes the community of Muḥammad as one which invites [people] to goodness, enjoins what, is approved, and forbids the opposite. Thus how can he in whom these characteristics are not found be counted as part of the community which God describes, while he, in reality, represents the contrary of what God has stipulated for the community and depicted it as representing?

'Elsewhere, referring to the community [described above], God says, *Thus We have appointed you a middle nation (ummat^{am} wasaṭ^{am}) meaning a "just nation", that ye may be witnesses against mankind, and that the Messenger may be a witness against you* (2:143). If you think that by this verse God means all the Muslims⁹⁹ who profess the unity of God, would you then allow that God requires one whose testimony is unacceptable in this world, even in the matter of a [small] measure (ṣā') of dates, to act as a witness for mankind on the Day of Judgement and that He accepts him as such for the communities of former times? Certainly not, [continued the Imam], 'God surely never intended the like of him.'

'Elsewhere, concerning that community about which Abraham had prayed, God says, *Ye are the best community (umma) that hath been raised up for mankind* (3:110). If God had meant that all Muslims were "the best community brought forth for mankind", then it would not be clear to which people the Muslims had been brought forth. Certainly not! God never intended those who are to be considered the riff raff and rabble.¹⁰⁰ On the contrary, He clearly meant the "community" into which Muḥammad was sent.'

⁹⁸Qummī, I, 90.

⁹⁹*Jamī' ahl al-qibla* means all those who turn toward the Ka'ba in prayer, i.e. the Muslims.

¹⁰⁰*Furāt al-Kūfi*, I, 62; Qummī, I, 91; Ṭabrisī, I, 224-5. They give identical interpretations for *ummat^{am} wasaṭ^{am}*. See also *Sharḥ al-akhbār*, II, 345.

The questioner said, 'But [this would surely imply that] there was no one with him [the Prophet] but 'Alī.' Abū 'Abd Allāh [Imam al-Ṣādiq] then said, 'But together with 'Alī are Fāṭima, Ḥasan, and Ḥusayn, and they are those from whom God has removed all impurity and has cleansed them thoroughly. [Refers to Qur'ān 33:33.]¹⁰¹ "The people of the Mantle" (*aṣḥāb al-kisā'*) are the ones to whose purification the Book testifies. The Messenger of God did by himself constitute a community, since God states, *Lo! Abraham was a nation (umma) obedient to Allah, by nature upright* (16:120). Thus Abraham by himself constituted an *umma*.¹⁰² Then God supported him in his old age with Ishmael and Isaac and established the prophethood and the Book in their seed. Similarly, the Messenger of God by himself constituted a community. Then God supported him with 'Alī and Fāṭima and augmented him by Ḥasan and Ḥusayn, just as He augmented Abraham by Ishmael and Isaac. God bestowed the imamate, which is the succession to prophethood, upon Muḥammad's progeny, namely upon the progeny of Ḥusayn, the son of 'Alī, just as He had bestowed prophethood upon the progeny of Isaac and then sealed it with the progeny of Ishmael. Similarly, the imamate was with 'Alī's son Ḥasan because of his position of precedence. God says concerning such matters, *And those who have preceded (others in the faith) shall precede (them to paradise). These (are) they who shall approach near (unto God)* (56:10-11).¹⁰³

'Thus Ḥasan had precedence over Ḥusayn, but God transferred the imamate to the descendants of Ḥusayn just as He had transferred the prophethood from the descendants of Isaac to those of Ishmael. The consensus of the community testifies to them and the imamate circulates among them, and no unanimity was ever [so firm and complete] for anyone other than them.

'If someone says, "What is the evidence that God transferred the imamate from the descendants of Ḥasan to those of Ḥusayn?" we [the Imams] would say, "The Book transferred it." If he says, "How is that?"

¹⁰¹ *Sharḥ al-akhbār*, II, 337-9; *Qummī*, II, 193-4; *Furāt al-Kūfī*, I, 331-42.

¹⁰² In his *al-Zīna*, fols. 147-8, Rāzī notes that both Kisā'i and Abū 'Ubayda explained the word *umma* in this verse as meaning imam, whose example is followed by the people. He also states that a single person can be called *umma* because in matters of religion people follow his lead and such a person is a paragon of virtue. Rāzī also discusses other meanings of *umma* and cites examples from the Qur'ān, *ḥadīth*, and poetry. For a similar explanation of the verse 16:120 see also *Majma' al-baḥrayn*, s.v. a-m-m.

¹⁰³ This translation is by Sale, *Koran*, 517. *Al-sābiqūn* refers either to the first converts or those who have been eminent examples of piety and virtue. See *Furāt al-Kūfī*, II, 463-5; *El*², s.v. al-Sābiqūn; also n. 19 in chap. 1.

[We would say], "The only prerequisites for the imamate are precedence, purification from mortal sin, which necessitates the Fire, and superior knowledge." It would be said to him, "The imamate requires all that the community needs to know concerning that which is permissible and that which is forbidden, and concerning knowledge of the Book of God, both in the general and in the particular sense, and the exoteric meaning and the esoteric meaning, both its explicit commands and its metaphorical teaching, the abrogating verses and those that are abrogated, its subtleties of connotation and the rarities of its interpretation."

The questioner said, 'What is the proof that the Imam can only be a man knowledgeable in the things that you have mentioned?' [The Imam] replied, 'The word of God regarding those to whom He gave permission to rule and whom he made worthy of it: *Lo! We did reveal the Torah wherein is guidance and a light, by which the prophets who surrendered (unto Allah) judged the Jews, and the rabbis (rabbāniyyūn) and the priests (aḥbār) (5:44).* The rabbāniyyūn are the Imams, [ranking] beneath the prophets, who instruct the people with their knowledge, and the aḥbār are below them and are their missionaries (du'āt). Then God informs us: *By such of Allah's Scripture as they were bidden to observe, and thereunto were they witnesses (5:44).* God did not say, "Of which they were ignorant."¹⁰⁴

"Then God said, *Are those who know equal with those who know not? But only men of understanding will pay heed (39:9).*¹⁰⁵ He says, *But it is clear revelations in the hearts of those who have been given knowledge (29:49),*¹⁰⁶ and He says, *But none will grasp their meaning save the knowledgeable (29:43),*¹⁰⁷ then He says, *The erudite among His bondmen fear Allah alone (35:28);* and He says, *Is He Who leadeth to the Truth more deserving that He should be followed, or he who findeth not the way unless he (himself) be guided? What aileth you? How judge ye? (10:35).*¹⁰⁸ This, then, is the proof that the Imams may only be men possessing knowledge: the people may turn to them with their needs while they have no need of any one regarding any aspect of what is lawful and what is unlawful."¹⁰⁹

The questioner asked, 'Inform me about the passing of the imamate from the progeny of Ḥasan to that of Ḥusayn. How did it happen, and

¹⁰⁴Cf. *Kāfi*, I, 202.

¹⁰⁵*Ibid.*, I, 212.

¹⁰⁶*Qummī*, II, 151; *Furāt al-Kūfī*, I, 319–20; *Kāfi*, 213–14; *Ṭabrisī*, VIII, 288, 461. All these sources state that 'those who know' and 'those who have been given knowledge' are the Imams.

¹⁰⁷*Qummī*, I, 150; *Furāt al-Kūfī*, I, 319.

¹⁰⁸In *Pickthall* it is 10:36. *Qummī*, I, 340.

¹⁰⁹Cf. *Kāfi*, I, 221 ff.

what proof of it is there?" [The Imam] answered, 'The word of God: *Allah's wish is but to remove uncleanness far from you, O Folk of the House, and cleanse you with a thorough cleansing* (33:33). This verse was revealed in respect of five persons attested as being cleansed of associating others [with God], of serving idols, and of worshipping anything other than God.¹¹⁰ The origin of this was the supplication of Abraham: *And preserve me and my sons from serving idols* (14:35).

'The five in respect of whom "the verse of purification" (*āyat al-taṭhīr* 33:33) was revealed were: the Messenger of God, 'Alī, Fāṭima, Ḥasan, and Ḥusayn. And they are the ones intended by the supplication of Abraham. Their "leader" in this regard was God's Messenger, and Fāṭima was a woman associated with them in purification, but having no part in the imamate, she being the "Mother of the Imams". When God caused His Prophet to die, 'Alī was the best entitled to the imamate after the Messenger of God in accordance with God's words *And those who have preceded (others in the faith) shall precede (them to paradise). These (are) they who shall approach near (unto God)* (56:10–11). [He was also entitled] by reason of the Messenger of God's saying concerning Ḥasan and Ḥusayn, "They are the lords of the youth of Paradise, and their father is more highly placed than them,"¹¹¹ and by reason of his saying, "Ḥasan and Ḥusayn are the leaders (Imams) of truth, whether they claim the authority or otherwise, and their father is more highly placed than them." Thus 'Alī had a better entitlement to the imamate than Ḥasan and Ḥusayn as he was "the foremost" (*al-sābiq*) preceding them.

'Then when ['Alī] died, Ḥasan, also by reason of precedence, had a better entitlement to the imamate than Ḥusayn. This [follows from] the verse *And those who have preceded (others in faith) shall precede* (56:10). Thus Ḥasan was prior to Ḥusayn and better entitled to the imamate. But then when Ḥasan died, he had no right to settle it on his offspring, his brother being his equal in purification; and through that and the fact of precedence, his brother [Ḥusayn] had greater merit over the offspring of Ḥasan, and hence the imamate came to him. But when Ḥusayn died, he was not authorized to return it to the offspring of his brother in preference to his own owing to God's words *And those who are akin are nearer one to another in the ordinance of Allah* (8:75), for his own offspring were nearer to him in kinship than his brother's and had better entitlement to the

¹¹⁰See n. 101 in this chapter.

¹¹¹*Sharḥ al-akhbār*, III, 74–6; *Mishkāṭ*, III, 260; Robson II, 1354; *Concordance*, s.v. sh-b-b; reported by Ibn Ḥanbal, Ibn Māja, and Tirmidhī.

imamate. Thus [by reason of] this verse the imamate was removed from the offspring of Ḥasan and awarded to the offspring of Ḥusayn, and so it will continue among them until the Day of Judgement. All praise be to God, Lord of the Worlds!

ON THE DESIGNATION (TAWQIF)¹¹² OF THE IMAMS OF THE PROGENY OF MUḤAMMAD

This is a chapter where, were we to deal with the proofs and arguments exhaustively against its opponents, they would exceed the scope of this book and would require a work devoted exclusively to the imamate. The Imam al-Manṣūr bi 'llāh has indeed devoted a comprehensive work specifically to that,¹¹³ where he has examined in depth the meanings and exhausted the arguments. But since we stipulated at the beginning of this book that we should indicate briefly the important aspects in dealing with each subject, we have no option but to deal with this section in that way.

The proponents of the imamate have differed about the manner of its establishment. Thus the commonalty have affirmed that the people on their own may invest an Imam for themselves, choosing him and investing him with authority in the same manner, as they have alleged that the Companions of the Prophet exercised their own choice in electing the one they put forward to succeed him. They differed, however, regarding the attributes of the one they felt duty bound to put forward and the reason by which he was entitled to this precedence. They denied that the Messenger of God might have set someone before them, a person named to them as taking upon himself the imamate after him.

A group among them stated that he had indicated such a person, but had not specifically named him. They said that this person was Abū Bakr whom the Prophet had [asked to lead the Muslims] in prayers; [such an appointment was] linked with the [right to receive] the alms tax.¹¹⁴ Thus he who is given precedence [to lead the Muslims] in prayers is entitled

¹¹²Gloss in T states: *Al-tawqif* is similar to designation or bequeathing something to someone (*al-naṣṣ*). It also means to explain or to make someone acquainted with something. See Lane, *Supplement*, s.v. w-q-f.

¹¹³This book is extant. See Poonawala, *Biobibliography*, 44–5. A long invocation of blessings by Nu'mān is omitted here in translation.

¹¹⁴The Arabic states: ...*li 'l-ṣalāt wa-hiya maqrūnat^{un} bi 'l-zakāt*. It refers to the frequent occurrence of the phrase 'establish worship, and pay the poor due' in the Qur'ān. See 'Abd al-Bāqī, *al-Mu'jam*, s.v. ṣ-l-a.

to receive the *zakāt*. This is the tenet of the mass of the commonalty (*jumhūr al-‘amma*). They further maintained that he who wields power is entitled to obedience, even if he were an Ethiopian.¹¹⁵ They do not countenance rebellion against him, even if he acts sinfully.¹¹⁶

The Murji‘a¹¹⁷ asserted: It is for the people to appoint over themselves a man they consider as possessing both excellence and knowledge, and they should take great pains to form right judgement in their choice. It is his duty to judge among them in accordance with the Book and the *sunna*, but in cases where he finds no ruling in those two he should exert his judgement [to form a right opinion]. They stated, ‘Obedience to him is enjoined on the people so long as he is obedient to God,¹¹⁸ but if he disobeys God they are not obliged to obey him, and they must rise and depose him and replace him.’

The Mu‘tazila¹¹⁹ said, ‘The Messenger of God neither put forward any person expressly, nor indicated any such person, but he did charge the people to elect after him a man they would invest with authority over them, and they then chose Abū Bakr.’¹²⁰

The Khawārij¹²¹ said, ‘We are not aware, nor has any report reached us, that the Prophet gave any command regarding this matter, nor [of any report stating] that he did not do so; and nor [are we aware] that he indicated [anyone] or that he did not; but it is inevitable that there be a leader to administer the punishments for certain acts forbidden by the Qur‘ān (*ḥudūd*)¹²² and to enforce the regulations of law (*aḥkām*), and so we shall appoint one over us.’¹²³

¹¹⁵Descent from Quraysh was an important qualification for candidates for the office of the caliphate/imamate according to the Sunni theory of the caliphate; however, both Baghdādī (*al-Farq*, 349) and Māwardī (*al-Aḥkām al-sulṭāniyya*, 6) suggest that there was a certain body of opinion which held that a non-Qurayshite, even a non-Arab, might validly be elected to the office. See also Gibb, ‘Some considerations on the Sunni theory of the caliphate,’ 156.

¹¹⁶This is the Sunni position and is refuted by Nu‘mān in his *Urjūza*, 68 ff.; notes and references are listed there.

¹¹⁷See n. 2 in chap. 1. They were vehemently opposed to the Khawārij.

¹¹⁸See *Urjūza*, 53 ff.

¹¹⁹A great theological school which created the speculative dogmatics of Islam. *El*², s.v. Mu‘tazila.

¹²⁰See *Urjūza*, 51 ff., for refutation.

¹²¹The earliest of the religious sects of Islam. *El*², s.v. Khāridjites.

¹²²*Hadd* pl. *ḥudūd*, a technical term for the punishments for certain acts which have been forbidden in the Qur‘ān; hence, they are considered crimes against religion. The *ḥudūd* are considered the ‘right of God’; therefore no pardon is possible once the case has been brought before the *qādi*. For details cf. *El*², s.v. *Hadd*; *Majma‘ al-baḥrayn*, s.v. ḥ-d-d.

¹²³Cf. *Urjūza*, 52 ff.

Now we say, by God's guidance and support, to those who allege that the Messenger of God put no one forward, those whose assertions we have related: This doctrine of yours simply cannot be accepted, not only because of our unanimity [on the matter] but [because] even from among you yourselves, and on the part of the whole community of Muslims, for they are all agreed that the negator of a thing does not count as a witness concerning it, and that only the witness who has affirmed something [positively] has produced a valid testimony. You then simply denied that the Messenger of God might have appointed someone as a successor (*istakhlaḥa*) over his community, or that he might have designated a leader (*naṣaba Imam^{am}*) for the community after him. Thus you do not testify [positively] to anything. You merely reject something you refused to acknowledge, but he who attests something [positively] is more worthy of acceptance and more suitable as a witness than you.¹²⁴

For you, and the whole community, speak in terms of two kinds of persons. One says, 'I heard of so-and-so saying such and such' or 'I saw him doing such and such.' The other says, 'I did not hear him saying that' or 'I did not see him doing that.' Now the eyewitness, or the witness who has heard the statement for himself, is the witness whose testimony is accepted, but he who declares, 'I did not hear' and 'I did not see' is not [considered a reliable] witness. His statement does not invalidate the testimony of the one who testifies to what he has heard and seen.

We have already related what the Messenger of God did regarding the *walāya* of 'Alī b. Abī Ṭālib on the day of Ghadīr Khumm. You too, together with us, have reported that matter, and it is the most firm of compacts and the most binding of that which necessitates the imamate, together with much else that we have cited, summarized in the telling, contenting ourselves with those areas we have elucidated.

If the imamate were such as you have alleged (i.e. dependent upon the choice of the people), then the Messenger of God would surely have called them together in an assembly and charged them to choose an Imam for themselves. How is it possible for them to agree altogether on the choice of a single individual from among them, given the diversity of their opinions and ideologies and their preferences, together with the envy of one another found in most of them? Were this the case [as you maintain], it could only come about by the unanimous agreement (*ijmā'*) of the people on one man, which they have never agreed on. Not all of those at Medina were agreed on Abū Bakr: the Anṣār said what they said, and a group of the senior-ranking companions of the Messenger of God abstained from

¹²⁴The same argument is presented by Nu'mān in his *Urjūza*, 38 ff.

acknowledging him,¹²⁵ and what happened is well known—to say nothing of those who were absent, the people in the outlying regions and those in other parts or districts.¹²⁶

If you maintain that the right of judgement and the authority as to that matter rest with some as distinguished from others, then tell us, with corroboration from the Book or the *sunna* or the consensus [of the community], who is thus distinguished in preference to others? They will never find the answer to that. If it is the people themselves who appoint the Imam, then the Imam derives his authority from their authority. Thus he does not possess any authority until they invest him with it. They, the people, then, are in effect the 'Imams' according to the plain meaning of this [assertion], while he ('the Imam') is one among their officials. They therefore have the power to dismiss him, as the Murji'a have maintained. The unsoundness of this assertion is so obvious as to preclude the need for a refutation with [irrefutable] proof.

Their saying that they do what the Messenger of God did not command and did not do is an admission on their part of innovation (*bid'a*).¹²⁷ They maintain all the while that the imamate is part of God's creed (i.e. of Islam). In His Book God has already stated that He has perfected His religion, and in what has gone before we have explained that this [verse] was revealed when the Messenger of God took up the establishment of the *walāya* of 'Alī. How, then, can they affirm that God perfected His religion without elucidating the question of the imamate, which, according to their own admission, is part of it? Or is it that God had indeed said that, but did not perfect His religion until the people themselves did so? Or is it that the Messenger of God lacked the power and failed to clarify what God had prescribed, so it was they who clarified it? This is among the foulest of their assumptions and the most audacious insolence against God and His Messenger.

We say to those who allege that the Messenger of God indicated Abū Bakr and that, on the basis of that indication, they gave him precedence: You acknowledge that the imamate is part of God's religion. Do you then allow any change in any part of God's religion or any alteration? Then as for those who reply: No [we do not allow any change], it may be put to

¹²⁵For the names of those companions see Jafri, *Origins*, 51–3, where older sources are listed. For the most recent study see Madelung, *Succession*, 28 ff.

¹²⁶Jafri, *Origins*, 85 ff.

¹²⁷*Bid'a* is an action at variance with the *sunna*, hence it is disapproved. The *ḥadīth* states that all the innovations are misguidance. It is reported by Muslim, Dārimī, Nasā'ī, Ibn Māja, Abū Dāwūd and Ibn Ḥanbal. Cf. *Concordance*, s.v. b-d'; *Majma' al-bahrayn*, s.v. b-d'. Athamina, 'Pre-Islamic Roots', gives a different view of Abu Bakr's caliphate.

them—If the requirement of the imamate is that the Imam should be appointed by [implicit] indication and that the Messenger of God indicated, as you hold, Abū Bakr, then how did Abū Bakr appoint 'Umar,¹²⁸ and 'Umar 'Uthmān?¹²⁹ They maintain that Abū Bakr appointed 'Umar expressly and that 'Umar put the matter to be determined between six persons in consultation (*shūrā*) and put Ṣuhayb¹³⁰ forward to lead the prayer. This then is in contradiction to what the Messenger of God did in the matter of God's religion, and God Himself laid down the command to obey him [the Messenger of God] and forbade going against him by His words: *And whatsoever the Messenger giveth you, take it. And whatsoever he forbiddeth, abstain (from it)* (59:7). The action of 'Umar was in contradiction to that of Abū Bakr, and both of them, by the commonalty's own admission, altered God's religion, altered His ruling and went against His Messenger. Ṣuhayb, according to what they maintain, had a better entitlement to the imamate than 'Uthmān, since 'Umar had asked him to lead the *ṣalāt*, and they assert that the Messenger of God did the same to Abū Bakr, and because of that, he was entitled, according to their view, to the imamate.¹³¹

But that was not so; on the contrary, we say to those who claim the [implicit] indication through the *ṣalāt*: You would do better not to use this as an argument, because you assert that to pray behind any man, whether pious or impious, is licit,¹³² and you report traditions in support of that, using them as an argument against those who diverge from you. You also affirm that the Messenger of God put 'Amr b. al-ʿĀṣ¹³³ at the head of the expedition known as Dhāt al-Salāsil,¹³⁴ while Abū Bakr and 'Umar were together with him ['Amr b. al-ʿĀṣ], and that he used to lead them in prayer along with others, they being under his banner. At the

¹²⁸Abū Bakr appointed 'Umar as his successor without consulting some of the prominent Companions. See Ṭabarī, *Tārīkh*, III, 428–31, 433; *History of al-Ṭabarī*, XI, 145–53; Madelung, *Succession*, 55 ff.

¹²⁹For accounts of the electoral council (*shūrā*) that elected 'Uthmān see Ṭabarī, *Tārīkh*, IV, 227–39; *History of al-Ṭabarī*, XIV, 143–62; Madelung, *Succession*, 70 ff.

¹³⁰Ṣuhayb b. Sinān, an Arab freedman, was an early convert and died in Medina in 38/659. Ibn Sa'd, III/i, 161–4; Watt, *Muḥammad at Medina*, 344.

¹³¹Cf. *Urjūza*, 93 ff.

¹³²Abū Dāwūd reports on the authority of Abū Hurayra the Messenger of God saying, 'Prayer is a necessary duty for you behind any Muslim, pious or impious, even if he commits heinous sins.' *Mishkāt*, I, 351; Robson, I, 231; Macdonald, *Development*, 321.

¹³³He was one of the most cunning politicians of his time. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 337–40; *IEI*², s.v. 'Amr b. al-ʿĀṣ.

¹³⁴It is so called after a watering place in the Judhām country. For details see Ibn Ishāq, *al-Sīra*, IV, 272; Guillaume, 668; Wāqidi, *al-Maghāzī*, II, 769.

same time you acknowledge that the Messenger of God never appointed anyone over 'Alī, nor charged him to follow [anyone] in prayer. This [act of] prayer which you claim that the Messenger of God charged Abū Bakr to lead was performed and 'Alī did not attend it. He was, according to what you yourselves report, together with the Messenger of God and prayed following his lead. Thus he was, according to your own assertion, superior to any you have put forward.

Similarly, you affirm that the Messenger of God appointed Usāma b. Zayd¹³⁵ over Abū Bakr and 'Umar, and died while those two were under his banner, he being a commander over them and their leader in prayer. The last injunction of the Messenger of God was: Dispatch Usāma's force, may God's curse be on he who lingers behind.¹³⁶ When Usāma had just gone out [of Medina], those two then tarried with the others who did so. Both Usāma and 'Amr b. al-'Āṣ, therefore, according to what you maintain, are better entitled to the imamate than Abū Bakr and 'Umar, since they were given precedence over Abū Bakr and 'Umar in prayer. You affirm that 'Umar, when he put the matter to be determined in consultation among six (persons), appointed Ṣuhayb to lead the prayer, but, in your own view, that did not entitle him to the imamate.

Furthermore, the question of [Abū Bakr's leading] the prayer, you allege, is not a proven [fact] in your opinion because of the confusion with regard to the transmission and the conflict of reports. All those reports emanate from 'Ā'isha,¹³⁷ the daughter of Abū Bakr. You yourselves say that when divergent reports originate from a person it is as though nothing [authentic] came from him. You rejected the testimony of 'Alī in favour of Fāṭima,¹³⁸ so how then can you allow the testimony of 'Ā'isha in favour of her father, even were that to be established [authentically] from her?

¹³⁵Usāma, the son of Zayd b. Hāritha, the Prophet's freed slave who was killed in the raid on Mu'ta, was ordered to make an expedition to Syria. Ibn Ishāq, *al-Sira*, IV, 291, 299–300; Guillaume, 652, 678–80; Ṭabarī, *History of al-Ṭabarī*, IX, 163–4, 166. For the biography of Usāma see Ibn Sa'd, IV/1, 42–51.

¹³⁶Ibn Ishāq explains the reason for the Prophet's anger and states that people had criticized the leadership of Usāma, saying, 'He has put a young man in command of the best of the Emigrants and the Helpers.' See also Ṭabarī, *History of al-Ṭabarī*, IX, 166.

¹³⁷Cf. Ibn Ishāq, *al-Sira*, IV, 301; Guillaume, 680. She was the third and favourite wife of the Prophet. The Prophet married her before the Emigration, when she was 7 years old, and consummated the marriage when she was 9 years old, after he had emigrated to Medina. The Messenger of God did not marry any maiden except her. *El*², s.v. 'Ā'isha bint Abī Bakr. See also for the role of 'Ā'isha in reporting, Madelung, *Succession*, 18–27.

¹³⁸It refers to her claim to the inheritance of her father over the land of Fadak and the share of Khaybar, which was rejected by Abū Bakr. For details see *El*², s.v. Fāṭima, the daughter of Muḥammad; Fadak.

How [can you allow this] when it is only on 'Ā'isha's authority that the Messenger of God charged him to lead the prayer? When the Messenger of God found this out, he himself went out, having placed Abū Bakr behind him, and led the people in prayer.¹³⁹

As for the tenet of the Murji'a, that it is they who appoint the Imam, and that if he acts unrighteously it is they who dismiss him, according to their assertion, they themselves resemble the Imams more, as we have already said, for if it is for them to appoint [then surely], it is for them to dismiss. This is an assertion too insignificant [to be given any attention], and we have already indicated its unsoundness earlier.

As for the declaration of the Mu'tazila that the Messenger of God charged the people to choose [the imam], it contravenes the *sunna*. We have already reported the Messenger of God's action at Ghadīr Khumm with regard to 'Alī and have depicted what comes to those holding that it is for the people to choose. Neither God nor His Messenger would ever lay down a command knowing well that it could not be accomplished. God would never enjoin obedience to him whose very election depended upon those who were obligated to obey him, and grant them [the power] to dismiss him and [allow] them to appoint him after careful scrutiny. Were it permissible for the people to appoint an Imam then it would also be permissible for them to appoint a prophet. God has likened obedience to the Imams with the obedience due to the prophets and has made the Imams the rulers among their communities after the prophets in the same way the prophets used to rule over their communities.

As for the declaration of the Khawārij, that they have no knowledge of what there was from the Messenger of God, [we will say] that the word of the one who does not know is no proof against one who does know. It is for the one who does not know to seek enlightenment from the one who does. Were they to ask us in what manner the imamate was established, our answer, which neither any of you nor anyone else can refute, would be that it is by express statement (*naṣṣ*) and designation (*al-tawqīf*), which no argument can refute and to which no defect can be attributed by its adversary.

We have already reported the Messenger of God's designation of the imamate of 'Alī to the people and his appointment of him. Likewise 'Alī did with Ḥasan, and Ḥasan with Ḥusayn, Ḥusayn with 'Alī b. Ḥusayn,¹⁴⁰

¹³⁹For contradictory reports see Ibn Ishāq, *al-Sira*, IV, 301. Guillaume, 680 ff. Additional sources are listed in *Urjūza*, 269.

¹⁴⁰'Alī b. al-Ḥusayn, known as Zayn al-'Ābidīn (the adornment of the worshippers) because of his devotion to prayer, was born in 38/658 and died in 94/712 in Medina.

'Alī b. Ḥusayn with Muḥammad b. 'Alī,¹⁴¹ and Muḥammad b. 'Alī with Ja'far b. Muḥammad,¹⁴² and in the same manner, the Imams after them, each Imam with the Imam after him, as we have been informed by those who preceded us, and as we ourselves have witnessed with our own Imams.¹⁴³ This is the most conclusive of arguments and plainest of proofs, and there is no room for an advocate to contend or a pretext for pretext seekers.

We make the same assertion regarding the messengers (*rusul*) and the Imams between two messengers that this [appointment] can only happen by an express statement and designation from a prophet to an Imam, and from one Imam to another. Each prophet announces the good tidings of the prophet coming after him, as God has mentioned in his Book, *And bringing good tidings of a messenger who cometh after me, whose name is the Praised One (Aḥmad) (61:6).*¹⁴⁴

The Imams convey that from one to another and inform their followers of it until the appearance of that prophet; just as the commonalty have affirmed that Adam¹⁴⁵ designated Seth, bequeathing the matter to him, and that Seth appointed the Imam from among his offspring after him. Similarly each imam appointed his successor and proclaimed him until the time of Noah,¹⁴⁶ and from Noah until Abraham;¹⁴⁷ and from Abraham until Moses;¹⁴⁸ and from Moses until Jesus;¹⁴⁹ and from Jesus until

Momen, *Introduction*, 35–7. He was held in great respect by the learned circles of his time. *Al-Ṣaḥīfa al-Sajjādiyya*, the oldest prayer manual in Islamic sources and one of the most seminal works of Islamic spirituality, is ascribed to him. See *The Psalms of Islam*, translated by W. Chittick. *El*, s.v. Zayn al-'Ābidīn.

¹⁴¹Abū Ja'far Muḥammad b. 'Alī, known as al-Bāqir (the splitter-opener, i.e. of knowledge), was born in 57/676 and died ca. 117/735 according to most sources. *El*², s.v. Muḥammad b. 'Alī al-Bāqir; Momen, *Introduction*, 37–8.

¹⁴²Abū 'Abd Allāh Ja'far b. Muḥammad, known by the title of al-Ṣādiq (the truthful), was born around 80/699 and died in 148/765. *El*², s.v. *Dja'far al-Ṣādiq*; Momen, *Introduction*, 38–9.

¹⁴³The doctrine of the imamate seems to have been formulated during the time of Ja'far al-Ṣādiq and then applied retrospectively to the pre-Ja'far period. For details see Poonawala, 'Imām's authority.' The genealogy of the Fāṭimid caliphs is also the subject of debate. For the most recent study see A. Hamdani and de Blois, 'Re-examination'.

¹⁴⁴It refers to the Biblical annunciation of the Prophet Muḥammad. For details see Rubin, *Eye of the Beholder*, 21–43.

¹⁴⁵The father of mankind. *El*², s.v. Ādam.

¹⁴⁶The Noah of the Bible. *El*², s.v. Nūḥ.

¹⁴⁷The Biblical Abraham. *El*², s.v. Ibrāhīm.

¹⁴⁸The Biblical Moses. *El*², s.v. Mūsā.

¹⁴⁹The Qur'ānic name for Jesus. *El*², s.v. 'Isā.

Muḥammad¹⁵⁰—may the blessings of God be upon him and his progeny and upon all the messengers and truthful Imams.¹⁵¹

The commonalty have affirmed that every former prophet bequeathed his legacy to a trustee (*waṣī*), to take charge of [the affairs of] his community after his death, except their own prophet, Muḥammad. They have, in fact, denied that he might have appointed anyone, although the people were in dire need of such vicegerents and imams because of the cessation of revelation and the termination of prophethood. God did indeed seal prophecy with Muḥammad, but He referred the affairs of the *umma* to the Imams, from the Prophet's House, and mankind's affairs are delegated to them until the Day of Resurrection. This is what we maintain with regard to prophethood and imamate through the process of express statement and designation, and not as alleged by the commonalty that the proof of the messengers is provided by the miraculous signs (*al-āyāt*), without express statement, and without 'glad tidings', and without the designations.

If they were to consider the Qur'ān carefully, they would find that it testifies to the culpability of those who ask for miraculous signs from their prophets. God says to Muḥammad, *The People of the Scripture ask of thee that thou shouldst cause an (actual) book to descend upon them from heaven. They asked a greater thing of Moses aforetime, for they said: Show us Allah plainly. (4:153). Elsewhere He says, And they say: We will not put faith in thee till thou cause a spring to gush forth from the earth for us; or thou have a garden of date palms and grapes, and cause rivers to gush forth therein abundantly; or thou cause the heaven to fall upon us piecemeal, as thou hast pretended, or bring Allah and the angels as a warrant; or thou have a house of gold; or thou ascend up into heaven, and even then we will put no faith in thine ascension till thou bring down for us a book that we can read. Say (O Muḥammad): My Lord be glorified! Am I aught save a mortal messenger? (17:90–3). And He says at another place, And they say: If only he would bring us a miracle (āya)¹⁵² from his Lord! Hath there not come unto them the proof of what is in the former Scripture? (20:133).*

Like this there are many [examples] in the Qur'ān; nonetheless God never sends a prophet without making obedience to him obligatory. Thus he who does not give credence to a prophet and dies declaring him to be

¹⁵⁰El², s.v. Muḥammad, the Prophet of Islam.

¹⁵¹For the succession to the prophets see *Urjūza*, 34 ff.

¹⁵²Āya pl. āyāt, a sign, token, miracle, verse of the Qur'ān. El², s.v. Āya. In his *al-Zīna*, fols 257–8, Rāzī explains its linguistic connotation. See also *Majma' al-bahrayn*, s.v. a-y-a.

false unless he produces a miraculous sign (*āya*) dies, according to what they hold by consensus, an unbeliever. Were it true, as they have alleged, that the proof of the prophets lies in the miraculous signs, then there would be nothing against the one who did not believe before the latter came. If they ask: What is the meaning of messengers coming with miraculous signs? It will be said to them: The answer to that is what God Himself has said: *We send not portents (āyāt) save to warn* (17:59). God sends the miraculous signs only to warn His creatures, and to support His messengers, and to confirm their arguments against those who oppose them, warning them, as He Himself has said, *We send not portents save to warn* (17:59).

God sent Noah [as a messenger] to his people and informs us that he continued summoning them for 950 years.¹⁵³ And during that long period, generations of those who had declared their disbelief died. Then God informs us that his sign was 'the Ark', and this is what the commonalty maintains as well. It was at the end of [Noah's] days that the sign came, and together with it came the punishment to his people owing to their disbelief in him. Thus God destroyed them, as a result of their disobedience and rejection of Noah's prophethood, but He saved Noah and those who believed along with him. Before that, whole generations had perished and been consigned to hell fire on account of their disbelief and their denial of him and of what he brought from his Lord. Were it [as they hold], that his prophethood could not be established in their eyes except by [bringing] a sign, then it would not be incumbent on them until that time to believe in him. Moreover, if there were no obligation for them to respond to his call, then it would not be for him to call upon them before bringing them a sign, since there would be no obligation for them to give credence to him without it, and it would not be incumbent on him to call them to something they were not duty-bound to accept. [Furthermore], it was not God's way to send a prophet, inviting the people to Him, without obedience to that prophet being obligatory. This is [something] which is clear to the one who has considered [the matter] carefully, and has been granted [by God's grace], success in understanding it.

Were we to mention all that ought to be incorporated in this section, it would extend beyond the confines of this book. We have only recorded [the salient examples] in summary, which those possessed of intelligence will comprehend. It is God who through His mercy guides towards that which is right.

¹⁵³Qur'ān 29:14; Genesis 9:28-9.

ON THE RANKS AND STATUS OF THE IMAMS, THEIR DISSOCIATING
THEMSELVES FROM THOSE WHO MISPLACED THEIR
POSITIONS, AND CONSIDERED THEM TO BE WHAT
THEY WERE NOT, AND THEIR CHARGE OF UNBELIEF
AGAINST THOSE WHO DEIFIED THEM¹⁵⁴

The Imams of right guidance are only creatures of God, and chosen servants from among His servants. God has enjoined obedience to each one of them on the people of his particular age together with the obligation to submit to his authority, establishing them as the guides of His creation and beacons of mankind towards Him. In His Book He has associated the obedience due them with that due Him and that due His Messenger since they [the Imams] are His proofs to His creation and His representatives (*khulafā'*) on earth. They are not, as has been asserted by the misguided fabricators of lies, deities and gods with no higher authority above them, nor are they prophets sent by God. No revelation comes to them, as was the case with the Prophets. They have no knowledge of the invisible (*ghayb*), which God kept imperceptible to His creation.¹⁵⁵ No prophet was granted knowledge of the unseen except what He allowed him to have, and it is not as alleged by the slanderers and those who fabricate lies and ascribe them to the Imams [that they have knowledge of the *ghayb*] and [thereby] invalidate [the rightful] claims [of the Imams]. God is exalted above all. He has declared His friends to be free from the contentions of

¹⁵⁴From the earliest times of the Shī'ī history, Shī'ī views about the person of the Imam and the scope of his knowledge oscillated widely between two opposite poles: deification of the Imams, or portraying them with all human characteristics. For an illuminating study on this subject see Modarressi, *Crisis and Consolidation*, 19–51.

¹⁵⁵Prescience of the Imam is one of the dogmas both in the Imāmī and Ismā'īlī Shī'ism. The Publication of *Shahīd-i jāvid* (*The Immortal Martyr*) by Ni'mat Allāh Najafābādī in 1968 created a heated controversy among religious circles in Iran. The book tries to refute two extreme views: first, those Sunnī critics who disparage Ḥusayn's rising as a challenge to legitimate authority; second, those Shī'ī writers who believe that the Imam's actions, having been ordained by the divine will, be neither fully comprehended, nor imitated by ordinary mortals. The author maintains that Ḥusayn began his journey to Kūfa as a rational and well-planned attempt at overthrowing Yazid. At the outset of his journey political circumstances seemed promising as Yazid's rule was unpopular and the Kūfans had promised that they would rally to the support of the 'Alid cause. The trepidations the Imam felt thereafter are shown by his decision to send Muslim b. 'Aqil to Kūfa and by the doubts that invaded his mind after hearing the news of the latter's death. Thenceforth, his actions were purely in self-defence and finding an honourable way out of the predicament. For details see Enayat, *Modern Islamic Political Thought*, 190–4; Modarressi, *Crisis and Consolidation*, 50–1; Ayoub, *Redemptive Suffering*.

the heretics and the lies of the misguided disbelievers and fabricators of falsehood.¹⁵⁶

The pure Imams, the friends of God, are the Proofs through which He established [His claim] against His creatures. [They are also] the Gates of His mercy which He opened to His servants, and the means to attain salvation (*najāt*), which He devised for His friends and followers. Without obedience to them [the Imams], a man's works are not accepted. Only those who have given credence [to their imamate] and have shown their devotion to them, excluding those who have displayed enmity toward them and have disobeyed them, will be recompensed.

[Since this was the case], Satan,¹⁵⁷ the more virulent in his enmity towards their friends and followers, sought to make them slip as he had done before to their parents [Adam and Eve]. Thus he caused many of them to slip, seducing them and luring them into error. This brought them to loss after abundance, to misery after bliss, and to disobedience after obedience. Satan contrived for each individual [a way] wherefrom he found [the easiest] point of access, bringing the assembled [clamour of] his horsemen and his foot against him [allusion to Qur'ān 17:64]. Thus those who fell short [in their attainment of] knowledge and lagged behind in understanding [and] those who followed their passions were incited and led astray. Satan caused them to slip, to deny them [the Imams], to play the hypocrite¹⁵⁸ against them, to abandon their obedience, to disbelieve in them, and to throw off their [previous] recognition of them.

¹⁵⁶Views concerning the nature and scope of the Imam's knowledge vary widely among Shī'ī scholars, both Imāmī and Ismā'īlī. Kulaynī states that the Imams inherit the knowledge of all the previous prophets and *awṣiyā'*. A *ḥadīth* on the authority of Imam al-Šādiq states: 'David inherited the knowledge of [early] prophets, and Solomon inherited David's. Muḥammad inherited Solomon's, and we [the Imams] inherited Muḥammad's. Indeed, we have the Scrolls of Abraham and the Tablets of Moses.' Abū Bašīr, a disciple, who was with the Imam, said: 'Surely, this is what the knowledge is.' [Thereby implying why the Imam's knowledge is superior.] Thereupon the Imam retorted: 'This is not what the knowledge is [i.e. our knowledge is not merely confined to those sources], rather it is what is addressed [to us by the angels] during the night and day, day after day and hour after hour.' Cf. *Kaṣf*, I, 255, 256–7; it refers to Kulaynī's position with regard to 'ilm al-ghayb. Nu'mān's position against such knowledge in the *Da'ā'im* is not surprising as it reflects the official exoteric doctrine of the Fāṭimid State. See also Nu'mān, *al-Himma*, 53.

¹⁵⁷The meaning of *Shayṭān* given in the dictionaries and Rāzī, *al-Zīna*, fol. 97v, is 'any that is excessively proud or rebellious, or that is insolent and audacious in pride and in acts of rebellion, of mankind, and of the *jinn*, and of beasts.' Lane, s.v. sh-ṭ-n; EI², s.v. *Shayṭān*; Majma' al-baḥrayn, s.v. sh-ṭ-n.

¹⁵⁸The Arabic term is *nifāq* (religious hypocrisy). For the semantical analysis of this concept see Izutsu, *Ethico-Religious Concepts*, 178–83.

But those who had distinguished themselves in knowledge and reached the limits of understanding could not be misled and made to slip in the manner he had done to others as mentioned earlier. Satan therefore made his approach to them through their beloved [objects] and avenues of desire [by playing upon their particular weaknesses]. He thus conjured up visions [before their eyes] with his embellishment of [esoteric] interpretation (*ta'wil*) and adorned the delivery of false sayings and lured them to think about the greatness of the Imams' standing and their elevated position. He brought home to them the ways to assert the arguments that the Imams were deities and not servants of God, or prophets sent as messengers. He succeeded in the task that he had undertaken and accomplished it boldly.¹⁵⁹

He seduced the third category [of people] by practising skepticism. He thus made religious duties (*farā'id*) and obligatory rituals appear to them as burdensome duties. He then permitted them what was forbidden and made it easy for them to commit grievous misdeeds by abandoning the religious duties of the faith and thereby sliding away altogether from the Muslim community, worshippers of the one God. [This he accomplished] by false interpretations he put forward for them and by demonstrating it to them by the most spurious arguments. Thus [those who were deceived] were brought to wretchedness and loss, and were stripped away altogether from the family of the believers. We ask God to protect us from deviation [from the truth], and to bear us away from this world in sound faith, [being] neither those who violated their covenant (*nākihīn*), nor those who strayed from the true path (*māriqīn*), nor those who indulged in alterations [innovations], nor those who earned God's anger, nor those who went astray.¹⁶⁰

Abū 'Abd Allāh Ja'far b. Muḥammad: One of his companions complained to him of what they endured from the people, saying, 'What we face, O son of the Messenger of God, from the people [in the way] of pain and their [impossible] demands of us, their hatred of us, and their defamation of our characters as if, according to their view, we are not

¹⁵⁹Iblis (proper name of Satan, the devil, a word of Greek extraction), because of his disobedience and refusal to prostrate himself before Adam, was sent down into the earth. However, the conversation that takes place between God and Iblis at this juncture is very significant for the Islamic understanding of Satan's/Iblis' role in the cosmos. The Qur'ān adds more details to this dialogue in several places, for example 7:13–18; 15:39–43. Cf. Rāzī, *al-Zīna*, fol. 102r; *Majma' al-bahrayn*, s.v. b-l-s; Jeffery, *Foreign Vocabulary*, 47; Murata, *Vision of Islam*, 84–100, 139–42; EI², s.v. Iblis.

¹⁶⁰Cf. Qur'ān 1:7. *Nākihīn* is generally used for those who fought against 'Alī in the Battle of the Camel, and *māriqīn* for the Khawārij. See also n. 162 in this chapter.

Muslims!' Abū 'Abd Allāh said, 'Would you not praise God on this account and thank Him? For when Satan gave up all hope of you obeying him and abandoning your devotion to us, knowing full well that God does not accept the works of those who abandon our *walāya*, he incited the people against you, being envious of that devotion of yours. Praise God therefore for the protection that He has extended to you. When what you encounter from the people weighs heavily upon you, then reflect on this and look at the trials that we have undergone and still undergo from them and what the friends of God and His messengers faced before us.'

The Messenger of God was asked about those who were subjected the most to the trials and tribulations in this world. He replied, 'The prophets, then the vicegerents (*awṣiyā'*), then the Imams, and finally the faithful. The first are thus the foremost, and the superior in merit is superior. God has granted and has approved of the purest [delight of] the life of the hereafter for us and for you.' He then continued, 'This world is a prison for the faithful, but a paradise for the disbeliever.¹⁶¹ Whatever felicity is granted to the faithful on this earth is alloyed with turbidity, lest that be taken as his recompense, and so that God may provide him with complete serenity in the life of the hereafter.'

The account of those who went astray and perished [because they accorded the Imam inappropriate rank] is indeed lengthy and goes beyond the scope of this book. As we have stipulated, however, a few examples must be noted.

Among these is the account from 'Alī b. Abī Ṭālib: A group of men from among his companions who had pledged allegiance to him and taken this upon themselves as a trust and professed their obedience to his imamate deviated from him, violated their allegiance, and acted wrongfully in his regard. 'Alī, therefore, fought against all of them and routed those who broke from their allegiance (*al-nākithīn*) and killed the defectors (*al-māriqīn*) and battled against those who had acted wrongfully (*al-qāsiṭīn*) and killed them.¹⁶² Thus they became free of him and he of them.

¹⁶¹This *ḥadīth* is reported by Muslim, Tirmidhī, Ibn Māja, and Ibn Ḥanbal. *Mishkāṭ*, II, 648; Robson, II, 1071; *Concordance*, s.v. s-j-n; Ayoub, *Redemptive Suffering*, 23ff.

¹⁶²*Al-Nākithīn* were those who fought against 'Alī in the Battle of the Camel (Ṭalḥa, Zubayr, 'Ā'isha and their supporters), *al-māriqīn* were the Khawārij who seceded from his camp at Ṣiffin and later fought against him at Nahrawān, and *al-qāsiṭīn* were those who fought against him at Ṣiffin (Mu'āwiya). *Sharḥ al-akhbār*, I, 337 ff.; *Urjūza*, 139 ff.; *Nawbakhtī*, *Firaq*, 13; Rāzī, *al-Zīna* in *al-Ghuluww*, 276-8; Shahrastānī, *al-Milal*, I, 116-17; *Majma' al-baḥrayn*, s.v. n-k-th; m-r-q; q-s-ṭ.

A certain group went to extremes¹⁶³ in their beliefs regarding him, for Satan called them to him with his false claims. They therefore claimed that 'Alī was the prophet, but Gabriel¹⁶⁴ had made a mistake in that matter. It was to him, 'Alī, that he had been sent, but he came to Muḥammad instead.¹⁶⁵ Fie upon their diminished intelligence, lost souls, and unsound beliefs! If one of them were to send an envoy with a certain measure of dates to a certain person and he gave them to someone else, [then] this would not be deemed permissible. The sender would compensate the [original] intended recipient by another measure in its place or seek to retrieve the first from the one who had wrongly taken possession of it and restore it to [the original] recipient. How then can they hold such mistaken beliefs as this about the Lord of the Worlds and Gabriel, the Trusted Spirit? He came down during the lifetime of the Messenger of God with the revelations sent to him and the Qur'ān, which was revealed to him. Yet they assert such monstrous beliefs and fabricate such patent falsehoods as these as a result of Satan's seduction of them [into error] by embellishing lies and aggression. These are those we have referred to earlier.

Others alleged that 'Alī was to be found in the clouds; this was due to their stupidity and falsehood, as is obvious to those with understanding.¹⁶⁶

'Alī was confronted by certain individuals who held extremist beliefs about him and belonged to those [groups] previously described, which had been lured into error by Satan. They declared, 'You are our Godhead, our Creator, and our Provider! From you is our beginning and to you is our return!' Thereupon 'Alī's face changed; he ran with sweat and trembled like a palm leaf overcome by his reverence for the glory of God and for fear of Him. His anger flared up, and he called for those around him and ordered them to dig a pit, which was done, and he then said, 'I shall fill you [O pit] to capacity today with flesh and fat.' When [these extremists] recognized that he was going to kill them, they declared, 'If you kill us, then you are the one [also] who can give us life.' He then called on them to recant, but they persisted in what they believed. So he

¹⁶³The Arabic word is *ghalaw* meaning 'they exaggerated or went to the extremes'. One of the manuscripts glosses on it stating that they were the *ghulāt*. *El*², s.v. *Ghulāt*; al-Qāḍī, 'Development of the term *Ghulāt*'.

¹⁶⁴He was the bearer of the revelations to the Prophet. *El*², s.v. *Djabrā'il*.

¹⁶⁵They were called al-Ghurābiyya. See Baghdādī, *al-Farq*, 250.

¹⁶⁶Refers to Sabā'iyya, the followers of 'Abd Allāh b. Sabā'. Ash'arī, *Maqālāt*, 15, 16; Rāzī, *al-Zīna* in *al-Ghuluww*, 305–6; Baghdādī, *al-Farq*, 234; Shahrastānī, *al-Milal*, I, 174.

ordered their heads to be struck off and a fire kindled in that pit. He burnt them there and declaimed:¹⁶⁷

'When I saw that the case was outrageous,
I kindled a fire, and called upon Qanbar'¹⁶⁸

This is one of the well-known reports from 'Alī. In the times of the [succeeding] Imams from his progeny there were many such reports, and were we to mention them all, our narration would be prolonged. For instance [the account of] al-Mughīra b. Sa'īd,¹⁶⁹ may God curse him. He was one of the companions and *dā'īs*¹⁷⁰ of Abū Ja'far Muḥammad b. 'Alī, but then Satan [seduced him and] caused him to fall into error. He became an unbeliever, claimed prophethood [for himself], and alleged that he could resuscitate the dead. He [further] alleged that Abū Ja'far was a god. Exalted above all is Allāh, the Lord of the Worlds! He claimed that [Imam Muḥammad al-Bāqir] had sent him as a messenger. Many of his companions followed him in his doctrine and were called *al-Mughīriyya* after him.

News of this [heresy] reached Abū Ja'far Muḥammad b. 'Alī, but he did not have the power that 'Alī had had [as a caliph], to kill them, as 'Alī had done with those holding heretical views about his person. He therefore openly cursed Mughīra and his followers and disclaimed association with him, his doctrine, and his followers. He [the Imam] wrote to all his supporters and followers charging them to [openly] break with the former and to disclaim association with him¹⁷¹ and to [openly] curse Mughīra and his adherents, which they did. [Imam Muḥammad al-Bāqir] designated the followers of Mughīra as *al-Mughīriyya al-rāfiḍa* because of their defection (*rafḍ*) from him and their acceptance of what Mughīra affirmed, may God curse him. There were disputes, rivalry, and arguments between him and the party of Mughīra and his followers, but an account of these would be lengthy.

¹⁶⁷Cf. Baghdādī, *al-Farq*, 21, 233.

¹⁶⁸Slave of 'Alī, Kashshī, *Rijāl*, 67–70; Tūsī, *Rijāl*, I, 288–90; Mubarrad, *al-Kāmil*, I, 12; Hillī, *Khulāṣat al-aqwāl*, 66; Jafri, *Origins*, 86.

¹⁶⁹An extremist Shī'ī sect named after its founder al-Mughīra b. Sa'īd al-Bajalī. *EI*², s.v. *al-Mughīriyyah*. See also, *Urjūza*, 221–3.

¹⁷⁰*Dā'ī* pl. *du'āt*, he who summons; a religious propagandist or missionary. The term implies a high rank in the *da'wa* hierarchy of the Ismā'īlīs. *EI*², s.v. *Dā'ī*. For the qualifications and the role of the *dā'ī* see Halm, *Fatimids*, esp. 63–9.

¹⁷¹The Arabic word is *al-barā'a*. The verb *tabarra'a* means to declare oneself *barī'* from someone or something. *Barī'* means completely free from something undesirable, and having nothing to do with it. See Izutsu, *Ethico-Religious Concepts*, 56; Kohlberg, 'Barā'a'.

Mughīra and his companions considered everything forbidden as lawful and permitted everything forbidden. They suspended the rules of the revealed law, abandoned them, and deviated completely from Islam. They parted from the way of all the partisans of truth (*shīʿat al-ḥaqq*),¹⁷² the followers of the Imams. Abū Jaʿfar Muḥammad b. ʿAlī made it publicly known that he had cursed them and dissociated himself from them.

Then there was Abu ʿl-Khaṭṭāb in the time of Jaʿfar b. Muḥammad, one of the greatest of his *dāʿīs*, but then what happened to Mughīra happened to him also. He reneged his faith, claimed likewise prophecy, and alleged that Jaʿfar b. Muḥammad was a god. Exalted above all is God, above such heresies. He regarded everything forbidden as lawful and permitted to them as such.¹⁷³ Whenever his followers found the discharge of some prescribed religious duty a burden to them, they would come to him and say: O Abu ʿl-Khaṭṭāb, ease [the burden] on us. And he would instruct them to abandon it. [This went on] until they had abandoned all the prescribed duties [and reached a stage where] they considered all the things forbidden as lawful and thus committed all forbidden acts. He even permitted them to testify in regard to each other with false testimonies and declared: For the one who has recognized the Imam everything that was forbidden him has been made permissible. News of this reached Jaʿfar b. Muḥammad, but he could do no more than curse him, dissociating himself from him. He gathered his adherents together and informed them of that, and wrote to the provinces that he had dissociated himself from [Abu ʿl-Khaṭṭāb] and cursed him. That was the most that he could do regarding the matter. This affair greatly distressed Abū ʿAbd Allāh Jaʿfar b. Muḥammad, who found it detestable and was appalled by it.

Al-Mufaḍḍal b. ʿUmar¹⁷⁴ said, 'One day I called on Abū ʿAbd Allāh

¹⁷²*Shīʿa*, applied to one and to a plural number and to the male and to the female, meaning 'supporters', 'partisans', were more accurately called *Shīʿat ʿAlī*, i.e. the party or supporters of ʿAlī. The word occurs in the Qurʾān 19:69; 28:15, 83 in its original meaning of supporter. For details see Rāzī, *al-Zīna* in *al-Ghuluww*, 259–62. He contends that the term was used for the supporters of ʿAlī during the life of the Prophet. See also Shaybī, *al-Ṣila bayna ʿl-taṣawwuf wa ʿl-shīʿa*, 15–25. For a Shīʿī view of themselves, see ʿĀl Kāshif al-Ghiṭāʾ, *Aṣl al-Shīʿa wa-uṣūluḥā*; al-Ṣadr, *Nashʿat al-Shīʿa wa ʿl-tashayyuʿ*.

¹⁷³An extremist Shīʿī sect founded by Abu ʿl-Khaṭṭāb al-ʿAsadī in Kūfa. *El*², s.v. *Khaṭṭābiyya*. See also Rāzī, *al-Zīna* in *al-Ghuluww*, 289; Halm, *Die Islamische Gnosis*, 199–206.

¹⁷⁴The text reads: "Amr". Mufaḍḍal b. ʿUmar al-Juʿfī (d. 180/796) was a powerful heretic and a number of books are attributed to him. Najāshī, *Rijāl*, II, 359–61; Ṭūsī, *Rijāl*, II, 612–21; *El*², s.v. *Khaṭṭābiyya*. For a detailed list of older sources and recent studies see Capezone, 'Kitāb al-ṣirāt', 313–15; Halm, 'Das "Buch der Schatten"'.

Ja'far b. Muḥammad and found him angry,¹⁷⁵ dejected, and tearful. So I said, "What is the matter with you, may I be thy ransom!" He said, "Glory be to God. He is exalted above the sinful protestations of the wrongdoers. O Mufaḍḍal, this great liar and infidel [referring to Abu 'l-Khaṭṭāb] alleged that I am God. God is beyond [and above such things]. There is no deity other than Him, my Lord, and the Lord of my ancestors. It is He who has created us, provided for us, and endowed us [with His favours]. We are, indeed, the guideposts of the right way, and the greatest Proofs [of God]. Go to these followers of Abu 'l-Khaṭṭāb and tell them that we [the Imams] are only created beings and servants who are provided for by God. We have been, however, given by our Lord a position that none but us may hold, and which befits none except us. We are a [ray of] light from the light of God. Our followers (*shī'a*) are [a part] of us. All those who have gone against us will be in hell fire. Tomorrow, we shall be the neighbours of God in His abode. He who has accepted our [dictum] and obeyed us, will be in Paradise, whereas he who has obeyed [this] infidel and great liar [Abu 'l-Khaṭṭāb], will be in hell-fire."¹⁷⁶

Ja'far b. Muḥammad: Sudayr al-Ṣayrafi¹⁷⁷ asked him, 'Your followers, may I be thy ransom [O Imam], have differed among themselves about you, and this has got to the point where some of them say, "[Divine words] resonate in the Imam's ear (*yunkatu fi udhunihi*);" others say, "He receives revelations (*yūḥā ilayhi*);" others say, "[Words] are inscribed into the Imam's heart (*yuqdhafu fi qalbihi*);" others say, "The Imam sees [the angel] in dreams (*yarā fi manāmihi*);" yet others affirm, "He gives formal legal opinions by reference to the books of his forebears."¹⁷⁸ Which, therefore, of their assertions should I then take to be truth, may I be thy

¹⁷⁵Reading *Mughḍibam*, a variant in some MSS.

¹⁷⁶Here Nu'mān is trying to put distance between the Ismā'īlīs and other extremist Shī'ī sects, especially al-Khaṭṭābīs. The legend that Abu 'l-Khaṭṭāb was the founder of the Ismā'īlīs nevertheless persisted for a long time. See Lewis, *Origins*, 32 ff.

¹⁷⁷Fyze's vocalization 'Sadīr' seems incorrect. He was a companion of al-Bāqir and al-Ṣādiq. Kashshī, *Rijāl*, 183–4; Mufid, *al-Ikhtisās*, 261, 317, 318; Ḥilli, *Khulāṣat al-aqwāl*, 42. Shahrastānī (*Tafsīr*, I, 197–8) reports this tradition as it is in the *Da'ā'im*.

¹⁷⁸These are the different channels through which the Imam obtains his knowledge. Kulaynī states: A *nabīy* is one who sees [the angel] in his dream, hears the voice, but does not see the angel in waking. A *rasūl*, on the other hand, is one who hears the voice and sees [the angel] in dream as well as in waking. As for the Imam, he hears the voice, but neither sees [the angel in dream] nor in waking. The Imam is also described as *muhaddath* (one addressed or spoken to by angels), or *mufahham* (one instructed by angels). Kāfi, I, 176, 238–42; Mufid, *al-Ikhtisās*, 280–1, 286, 328–9; Ṣaffār al-Qummī, *Baṣā'ir al-darajāt*, 139–61, 316–26; Ibn Shādhān, *al-Iḍāḥ*, 205–6; Ibn Bābūya, *Uyūn*, I, 213.

ransom?' [The Imam] said, 'Do not take anything of what they say for the truth, O Sudayr. We are God's Proofs and His Trusted Ones over His creation. The things permitted by us are [taken] from the Book of God, and likewise are the things prohibited by us.'

[Ja'far b. Muḥammad]: Al-ʿĪṣ b. al-Mukhtār¹⁷⁹ called on him and said, 'What is this divergence of opinion, may I be thy ransom, [O Imam], which exists among your partisans?' [The Imam] asked, 'Which divergence, O ʿĪṣ?' He replied, 'When I happen to sit in their circle in Kūfa sometimes, I almost come to entertain doubts [after listening] to their divergencies and their discussions. I then resort to Mufaḍḍal¹⁸⁰ and find in his [company] what I want [to hear] and am reassured.' Abū ʿAbd Allāh [the Imam] said, 'Certainly, it is just as you say, O ʿĪṣ. Verily, the people are tempted to fabricate lies about us as if God had imposed this on them as an obligatory duty, desiring from them nothing but this. Indeed, whenever I relate a tradition to any one of them [the said individual] puts his own interpretation on it and ascribes it to me as soon as he has left my company.¹⁸¹ The reason for this is that people do not seek the true faith, whereas you do seek it. Each one of them, on the contrary, O ʿĪṣ, wants to be a figurehead (*raʿs*),¹⁸² but there is no servant who raises his head in this manner without God humbling him, and no servant has humbled himself without God raising him up and honouring him.'

Abū ʿAbd Allāh Ja'far b. Muḥammad: One of his close adherents among the *dāʿīs* wrote to him about the situation of a group of people who, claiming to have embraced the *da'wa*, had welcomed the *dāʿī*. However, they went beyond the bounds [of faith] and permitted illicit things and discarded the obvious ordinances of the *sharīʿa*. In reply, Abū ʿAbd Allāh

¹⁷⁹He is probably ʿĪṣ b. al-Qāsim from Kūfa, who related traditions from al-Ṣādiq and Mūsā al-Kāẓim. Najāshī, *Rijāl*, II, 159; Tūsī, *Rijāl*, II, 652. This tradition is reported by Shahrastānī, *Tafstr*, I, 198, however the editor corrected ʿĪṣ to Fayḍ, stating that it is so spelled in Majlisī's *Bihār*, 47: 412.

¹⁸⁰See n. 174 in this chapter for Mufaḍḍal.

¹⁸¹The Imam is complaining about the loyalty of his followers. See Poonawala, 'Imām's authority'.

¹⁸²A most serious challenge to the Imam's authority is recorded in a report in which Zurāra b. A'yan, Burayd b. Mu'āwiya al-ʿĪlī, Muḥammad b. Muslim al-Thaqafī, Ismāʿīl b. Jābir al-Ju'fī, and a fifth, unnamed person are described as *al-mutarayyisūn fī adyānīhim*, those who set themselves up as leaders/figureheads in [matters of] their faith. See Poonawala, 'Imām's authority'. In his *al-Himma*, 130, Nu'mān cites a tradition from Ja'far b. Muḥammad stating: One who [alleges] to be a figurehead over us has indeed associated someone else with God [i.e. he has abandoned Islam]. Verily the leadership [of the Muslim community] belongs to us.

Ja'far b. Muḥammad, after having described the state of such people, wrote, 'You mentioned [in your communication] that it had come to your knowledge that they allege that the prayer, the alms tax, fasting during the month of Ramaḍān, the greater and lesser pilgrimages,¹⁸³ the Sacred Mosque (*al-masjid al-ḥarām*) [of Mecca], the Sacred House (*al-bayt al-ḥarām*, i.e. the Ka'ba), the Sacred Stations (*al-mashā'ir al-'iẓām*, in the pilgrimage), and the sacred month [are all is to be understood] as referring to a particular person. The ritual bath after sexual intercourse is a man, and each and every religious duty enjoined by God upon his servants is likewise a man.

'They declare that he who recognizes that man becomes self-sufficient because of that knowledge and can dispense with the obligation of the performance of that ritual. Such a person, [according to their assertion], is considered as having performed the prayer, paid the *zakāt*, fasted, performed the *hajj*, performed the 'umra, performed the ritual bath after sexual intercourse, and purified himself and rendered due honour to God's inviolable prohibitions and to the sacred month and to the Sacred Mosque. They allege that he who has cognizance of that man, and [this cognizance] being established in his heart, is permitted to disdain the obligations and should not exert himself and that for the one who has recognized this man, those obligations (*ḥudūd*)¹⁸⁴ are accepted [as compliance with the obligatory duties performed] at their due times, even though he has not carried them out.

'You have come to know that they allege that the indecent practices (*fawāḥish*) forbidden by God, such as [drinking] wine, [playing] games of chance, fornication, usury, [eating] carrion and blood, and [eating] pork are, in fact, individuals.¹⁸⁵ [You have noted that] they declare that God has forbidden marriage with mothers, daughters, sisters, and paternal and maternal aunts.¹⁸⁶ As for other women forbidden to the faithful, He only meant [prohibition of] marriage to the wives of the Prophet. All other women are permitted [for marriage]. It has also reached you that they jointly marry [and copulate in succession] with the same one woman. They testify in respect of one another with false evidence. They [further] allege that these [acts] have outward and inner signification, which they know [asserting that] it is the esoteric that they are held answerable for

¹⁸³'Umra, the lesser pilgrimage, unlike the *hajj*, the greater pilgrimage, need not be performed at a particular time of year, and it involves fewer ceremonies. *EI*, s.v. 'Umra.

¹⁸⁴*Ḥudūd Allāh* means divine ordinances (*ahkām wa-sharā'i*) as used in the Qur'ān 2:187, 229, 230; 4:13; 9:97, 112; 58:4; 65:1.

¹⁸⁵Those are forbidden things. Cf. Qur'ān 2:173, 275; 3:130; 5:3, 90; 16:115.

¹⁸⁶Cf. Qur'ān 4:23.

and which they are commanded to seek. You have written asking me about this [case of theirs], their state of being, and their assertions.

'I have to advise you that, in my opinion, he who believes in God with such assumptions as you have described is a polytheist, his polytheism being so obvious that one cannot possibly entertain doubts about it. Have these people not heard God's words Say: *My Lord forbiddeth only indecencies, such of them as are apparent (or overt) and such as are within (or disguised)* (7:33) and *Forsake the outwardness of sin and the inwardness thereof* (6:120)?¹⁸⁷

'That which is forbidden is forbidden both in its outward form and in its inner form and that which is permissible is permissible likewise in both its forms. The outward form has been established as an indication of the inner form and similarly the inner form as a pointer towards the outward manifestation. They confirm, corroborate, sustain, and validate one another. Thus that which is reprehensible in its outward manifestation is reprehensible also in its inner meaning. In the same way, that which is praiseworthy in its manifest form is laudable in its inner form.'¹⁸⁸

Then Abū 'Abd Allāh Ja'far b. Muḥammad said [in that communication], 'You must understand [O *dā'i*] that these people have heard [the truth], but failed to comprehend its true import and recognize its restraints. They therefore fixed the boundaries of those matters in accordance with their own subjective opinions and the extent of their own understanding. They did not define the bounds according to the restraints they were ordered to, but altered them, ascribing falsehood to God and His Messenger, in their insolence [in order to be free] to commit sins. God has never sent a prophet to summon the people to knowledge by itself, without it being accompanied by the obligation of obedience. [Furthermore], He only accepts the performance of His imposed religious duties from His servants when it is conjoined with the recognition of the one who brought forth these decrees emanating from Him and summoned them to Him.

'Thus, first is the recognition of the one they are summoned towards—and this is God; there is no deity other than Him alone—and the acknowledgement of His divinity. [Then] the recognition of the Messenger who conveyed the message from Him and the acceptance of what he brought forth. Then comes the recognition of the vicegerent (*waṣī*), and then

¹⁸⁷In Pickthall 6:121. Shahrastānī reports the first part of this tradition in his *Tafsīr*, I, 198.

¹⁸⁸This seems to be the strongest statement by Nu'mān against antinomian tendencies within the Ismā'īlīs. Cf. Poonawala, 'Ismā'īlī *ta'wīl* of the Qur'ān'.

the recognition of the Imams who came after the [vicegerents].¹⁸⁹ Obedience to them has been enjoined by God on the people of every age and time, along with belief in and acknowledgement of the first messengers and Imams and the last of them. Then there is [the obligation] to act in accordance with the commands imposed by God relating to acts of obedience, both outwardly and inwardly, and [the obligation] to avoid the things He has forbidden, both the outward manifestation and the inner form. He has decreed the outward forbidden with its inner [meaning], and the inner [meaning] with the outward [meaning] together, like root and branch. The inner [meaning] of the forbidden act is thus forbidden in the same way as its outward [meaning] is, and neither of them can be deemed lawful. It is neither permissible nor is it legal to declare any of those things permissible.

'Similarly the acts of obedience which are enjoined on the servants, both in their outward [form] and their inner [form], must be established. The performance of an outward act is not sufficient without its inner meaning and vice versa, nor the inner meaning without an outward act. The outward performance of prayer is not acceptable without an accompanying inner [conviction], nor does the inner prayer suffice without its outward manifestation. The same is true with regard to [the obligations of] *zakāt*, fasting, the performance of the *hajj*, the *'umra*, and with regard to all the obligatory duties imposed by God on His servants concerning the things forbidden by Him, as well as His sacred waymarks (*sha'ā'ir*).'

'Alī b. Abī Ṭālib: Referring to the Qur'ān he stated, 'Its outward [meaning] is the obligatory act, while its inner [meaning] is a secret knowledge, veiled from sight, but it is known to us [the Imams], and written down.'¹⁹⁰

Abū 'Abd Allāh Ja'far b. Muḥammad: One of his followers spoke to him about certain people who had deviated from his partisans, holding the forbidden things as lawful. [The informant] was from among those counted as his partisans, and said, 'Those people maintain that the true religion is cognition (*ma'rifa*), so that once you have recognized the Imam you can do what you wish.' Abū 'Abd Allāh Ja'far b. Muḥammad responded, 'Lo! We are Allah's and lo! Unto Him we are returning (2:156).'¹⁹¹ The infidels have reflected on what they do not know. It is in fact said,

¹⁸⁹The text reads, *al-rusul*.

¹⁹⁰Cf. *Kaṣf*, I, 228-9; this section states that the Imams possess the whole of the Qur'ān and they know its exoteric as well as esoteric meaning. Shahrastānī, *Tafsīr*, I, 199.

¹⁹¹This verse is generally recited on the occasion of an affliction, or a misfortune. It means: Verily to God we belong as his property and his servants, so that He may do with us what He pleaseth, and verily unto Him we return in the ultimate state of existence, and he will recompense us. *Tafsīr al-Jalālayn*, 32 (comments on 2:156); cf. Lane, s.v. *r-j*.

"Recognize the Imam and do what you wish [to execute] your obedience [to him], for it will surely be accepted from you. Because no act is acceptable to God without it being accompanied by recognition [of the Imam]."

'Were a man to perform all manner of pious acts, to fast the length of his life, to spend his nights in prayer, to expend his wealth for God's cause [in charity], and for the whole duration of his life to perform all the obligatory acts of obedience laid down by God, but [at the same time], were he not to acknowledge His Prophet who brought these divine ordinances, and so believe in him and declare [his claim] to be true, and [likewise believe in] the Imam of his age, obedience to whom God has enjoined on him, so that he might obey him, it follows that such a person's acts would not bring him any benefit in the eyes of God.¹⁹²

'With reference to such matters God says, *And We shall turn unto the work they did and make it scattered motes*' (25:23). [The Imam] went on, 'Were a man lacking [the cognizance of the Imam] to wear himself out, exhausting the fabric of his constitution by an excess of devotion, he would gain only distance from God.' This and other traditions of the sort swarm our minds. If we were to examine all such cases as have been reported to us and record all such instances in the time of each Imam, and what we ourselves have witnessed, we would not be able to complete this book according to our intended plan.

It has reached us that in the time of al-Mahdī bi 'llāh¹⁹³ there was some divergence among men of vision in the matter of religion who were from the most notable of the believers, and who had met with and confronted hardship, the like of which had not confronted other men, and struggled in God's cause. Some of them were from the rank of the *dā'īs*, who used to call mankind towards God and to His friend. They had attained in knowledge a rank that no others had, but Satan caused them to slip as he had done to those whom we mentioned earlier. He seduced, subverted them, and brought about their downfall so that they ended in misery and met their death, while they were in their state of hypocrisy and error, having abandoned all semblance of the faith altogether.¹⁹⁴ We seek refuge with God from error and the ensuing misfortune and ask Him to protect us.

¹⁹²For similar traditions see *Kāfi*, I, 180–5.

¹⁹³The first caliph of the Fātimid dynasty died in 323/934 in al-Mahdiyya, the new capital that he had founded in North Africa. *EI*², s.v. al-Mahdī 'Ubayd Allāh; Halm, *Empire of the Mahdī*.

¹⁹⁴Nu'mān probably refers to the conspiracy of Abū 'Abd Allāh al-Shī'ī, the founder of Fātimid rule in North Africa. Soon, however, he and his brother fell foul of al-Mahdī and were murdered in 298/911. Cf. Nu'mān, *Ifṭīḥ al-da'wa*, 306 ff.; Zāhid 'Alī, *Tārīkh*, 83 ff.; Daftary, *Isma'īlīs*, 134–6, 153, 154; *EI*², s.v. Abū 'Abd Allāh al-Shī'ī.

Moreover we have seen men within the *da'wa*, who were men of devotion (*walāya*) and insight, enjoining prestige and righteous deeds, but later they began to commit major sins and allowed themselves to indulge in forbidden acts. They suspended the obligatory religious duties and treated religion with contempt. They became like those we have noted earlier from among those who transmuted [the true religion] and went astray. Therefore al-Mahdī bi 'llāh punished them severely, inflicting upon them the harshest chastisements corresponding to the degree of their deserving and taking into consideration the degree of their heretical tenets and their disbelief. He sentenced a certain group to be put to death in captivity. He hanged others. Yet another group he retained shackled in the prisons until they were all wiped out. He locked the door of his *da'wa* and kept back the benefit of his beneficence for a period of some length until he had tested the believers and had distinguished the heretics and the hypocrites.¹⁹⁵ If we were to relate al-Mahdī's actions with regard to this and the affairs of the people as they really [happened], it would comprise a lengthy account of several volumes.

We have also heard a similar report from al-Manṣūr bi 'llāh,¹⁹⁶ may the blessings and mercy of God be upon him. May He cause his countenance to be illuminated, exalt his renown, elevate his rank, and accord us his intercession. He said, 'One day, when God had taken al-Mahdī bi 'llāh away into His mercy, and authority had passed after him to his son al-Qā'im bi-Amr Allāh,¹⁹⁷ the latter recalled the position of the Imams and the heresies of those who had deified them. He [immediately] heaved a deep sigh as though in pain, and the signs of fear and apprehension were writ large upon his face, which we saw clearly marked on him, as we were present.¹⁹⁸ He then said, "*Lo! we are Allah's and lo! unto Him we are returning*" (2:156).'

Al-Manṣūr bi 'llāh related from al-Qā'im words that we have failed to retain, but their general import concerned seeking refuge with God from the evil of the people, from their [ill-based] interpretations relating to the Imam, and from the [undue] assumptions made about him. Then

¹⁹⁵Nu'mān, *Ifṭitāḥ al-da'wa*, 306 ff.; Zāhid 'Alī, *Tārīkh*, 101.

¹⁹⁶The third caliph of the Fāṭimid dynasty died in al-Manṣūriyya, the new capital that he had founded in North Africa, in 341/953 at the age of 40. *EI*², s.v. al-Manṣūr bi 'llāh, *Ismā'il*.

¹⁹⁷The second caliph of the Fāṭimid dynasty faced a serious Khārijī revolt at the hands of Abū Yazīd; however, he succeeded in checking his repeated attacks at the gates of al-Mahdiyya and died in 334/946. *EI*², s.v. al-Qā'im (bi-amr Allāh).

¹⁹⁸Cf. Nu'mān, *al-Majālīs*, 84, 214-16.

he said, 'Yesterday I was held in their eyes as the successor designate of the Muslims, but today it is as though for some I have become a lord (*rabb*). Others have made me a prophet while some have asserted that I know the invisible (*ghayb*), and others have said that revelation comes to me.'

Then al-Manṣūr bi 'llāh said to us, 'In this way proclaim the truth on our authority and spread our assertion [abroad far and wide].' And tears flowed from his eyes as he wept, and we saw the marks of fear on his face—fear of God. He continued, 'In this way, and on our authority, transmit this, remember it, and proclaim it [widely] that in truth we are but servants from among the servants of God and His creatures in common with the rest of mankind, but we enjoy a certain station with which He has honoured us in that He has made us leaders (*a'imma*) of His servants and His Proofs over His creatures.'¹⁹⁹

We possess so many reports of this kind that were we to examine them in depth they would exhaust our book. That which we have mentioned should suffice those who understand, if God so wills.²⁰⁰ There is no power and no strength save in God.

ON THE [MORAL] INJUNCTIONS OF THE IMAMS TO THEIR SUPPORTERS; AND THEIR DESCRIPTION AND DISCLOSURE OF THOSE MORAL TEACHINGS TO THEM²⁰¹

'Alī [b. Abī Ṭālib]: Certain people came to him asking him about some worldly affairs and sought to ingratiate themselves with him in this matter by saying, 'We are from among your partisans, O Commander of the Faithful.' He gazed at them steadily and said, 'I do not know you nor do I perceive that you bear the mark that you claim. The distinguishing marks of our partisans are that a person should believe in God and in His Messenger, act in obedience to Him and avoid the things He has pronounced as sins, obey us in what we command him, and [respond to our call] to what we invite him to do. Our partisans keep a constant watch over the sun, the moon, and the stars in order to observe the appointed times of prayer. Our Shī'a are marked by their parched lips and hollow stomachs. The

¹⁹⁹Ibid., 105, 198, 408, 415.

²⁰⁰For an explanation of this expression, see EI², s.v. In *Shā'* Allāh.

²⁰¹Cf. what follows in this section with *Kāfi*, II, 47–50, 226–44. A major portion of this volume is devoted to moral injunctions. See also Nu'mān, *al-Himma*, 86–104.

marks of asceticism are writ large on their faces. He who would take what is not rightfully his is not of our party, nor is the one who would wrong the people, nor he who would take what is not his to take.²⁰²

Abū 'Abd Allāh Ja'far b. Muḥammad: A group of his following came to him from Kūfa to listen to him and learn from him. They stayed at Medina as long as was possible for them, visiting him frequently, listening to him, and absorbing what he said. When the time for their departure arrived and they had bid him farewell, some of them addressed him saying, 'Counsel us, O son of the Messenger of God.' He therefore said, 'I enjoin you to fear God, to act in obedience to Him and to avoid [the things which constitute] disobedience to Him, to discharge the trust on behalf of one who has put faith in you, to deal on good terms with your associates, and to be our silent summoners (*du'āt*) [calling the people towards us].'²⁰³

So they then asked, 'O son of the Messenger of God, how can we invite the people towards you while keeping silent?' [The Imam] replied, 'By doing what we have instructed you to do, by acting in obedience with God's commands, by refraining from that which we have forbidden you, including the acts prohibited by Him, by dealing with the people in truth and in a fair manner, by discharging the trust confided to you, and by enjoining what is good and forbidding what is reprehensible. The people should hear nothing but good of you so that when they express an opinion on you, they will say, "These are so-and-so. May God have mercy upon so-and-so. How excellent is he who has disciplined his followers so well!" Thus they will know our virtue and will hurry towards us.'²⁰⁴

'I bear witness that I heard my father Muḥammad [al-Bāqir] b. 'Alī, may the favour of God, His mercy, and His blessings be upon him, say, "Our friends and our partisans were in former times the best men of their time. If there was a leader of prayer in the mosque in the quarter, he was one of them; if there was a muezzin in the tribe, he was one of them; if there was a man required for safekeeping a deposit, he was among them; if there was a person to whom some trust had been confided, he was from among their number; if there was a learned man from among the people whom they sought out for their faith and for the benefit of their affairs, he was numbered among them. So become like them, you too. Endear us to the people and never make us hateful to them.'"

Ja'far b. Muḥammad: News of laxity in the performance of religious observances on the part of some of his partisans reached him. He there-

²⁰²Sharḥ al-akhbār, III, 502, 503; Kāfi, II, 233, 235.

²⁰³Sharḥ al-akhbār, III, 506, 507.

²⁰⁴Reading the variant *ilaynā*, and not *ilayhi* as in the edited text and in Nu'mān, al-Himma, 54.

fore admonished them and expressed his displeasure in strong terms and told them, 'God's mercy never reaches the one who has been negligent [in the slightest degree] with regard to that which God has enjoined upon him. [Similarly] he will never secure the intercession of [the Prophet] Muḥammad on the Day of Judgement. Therefore hearken to us regarding that which God has enjoined upon you and act accordingly. Do not disobey God and His Messenger and do not disobey us by going against what we say, for I swear to you by the One and Only God—and he pointed with his finger to the sky—that we—and he pointed to himself—and our Shī'a (followers) are part of us, and the rest of the people are [destined] for hell fire. It is through us that God is served, through us that He is obeyed, and through us that He is disobeyed. He, therefore, who obeys us, has indeed obeyed God, and he who disobeys us has disobeyed God.

'Obedience to us [the Imams] was determined by God for His creation from before [the time of creation]. Thus no act from any person is acceptable to Him except through our agency, no person is shown mercy except through us, and no man is subjected to punishment except through us, for we are the gateway to God and His Proof, His custodians in respect of His creation, the guardians of His secret, and the repository of His knowledge. For the one who denies us our rightful claim in his estate has no share [in the bounties granted by God to men].'²⁰⁵

Abū 'Abd Allāh Ja'far b. Muḥammad: He addressed al-Mufaḍḍal b. 'Umar²⁰⁶ [as follows], 'O Mufaḍḍal, speak to our partisans [and tell them to] be summoners (*du'āt*) on our behalf by refraining from the things forbidden by God and avoiding disobedience to Him and through pursuing the path to His approval. For if they act in this manner the people will speed towards us.'

[Abū 'Abd Allāh Ja'far b. Muḥammad]: al-Mufaḍḍal b. 'Umar²⁰⁷ came to visit him [on one occasion] bringing with him something which he placed before [the Imam]. [The Imam] asked him, 'What is it?' Mufaḍḍal replied, 'The offerings of your clients and your servants, may I be made thy ransom.' [The Imam] then said, 'O Mufaḍḍal, I shall certainly accept this, but, by God, I do not do this because of need. I accept these offerings only as a means of purifying the donors.' Then he called a slave girl, and when she answered his summons, he told her to fetch the basket he had given her the day before. The slave girl brought a basket woven of palm leaves and placed it in front of her master. 'Lo!' [Mufaḍḍal exclaimed], 'it

²⁰⁵Nu'mān, *al-Himma*, 78–9.

²⁰⁶In the text: 'Amr. See n. 174 in this chapter.

²⁰⁷In the text: 'Amr. See n. 174 in this chapter.

contained a jewel the like of which I had never seen, blazing in the light with a radiance like the flare of a fire.' Then [the Imam] said, 'O Mufaḍḍal, is there not in this basket what suffices the progeny of Muḥammad?' 'I [Mufaḍḍal] said, "By God, aye [O Imam], may God make me thy ransom! Even less than this would be sufficient." Then [the Imam] covered up the jewel and handed it over to the slave girl.

He then said, 'I heard my father [al-Bāqir] say, "On the Day of Judgement God will not look favourably upon a person who has allowed a year to pass without making us a gift freely given out of his wealth, whether large or small, unless he is specially excused."' He then went on, 'This, O Mufaḍḍal, is an obligation God has enjoined upon our followers for our sake in His Book where He says, *Ye will not attain unto piety until ye spend of that which ye love* (3:92).²⁰⁸ We indeed are the possessors of piety and virtue and the paths to right guidance.' Then he said, 'He who divulges our secret has, verily, shown his enmity towards us publicly.'²⁰⁹ He went on, 'I heard my father, may God's favour rest upon him, say, "He who divulges our secret and then presents us with a mountain of gold increases only distance between himself and us."²¹⁰

Abū 'Abd Allāh [Imam al-Ṣādiq] asked al-Mufaḍḍal about his partisans in Kūfa,²¹¹ and he answered, 'They are only a few in number.' News of what he had said [to the Imam] reached them [the partisans] there [in Kūfa], and when he returned they reacted with attempts to harm him and revile him, ready to assault him. This reached the ears of Abū 'Abd Allāh. So when Mufaḍḍal [subsequently came to Medina and] was about to depart, he asked him about what he had heard. Mufaḍḍal replied, 'What does it matter to me what they say? May I be made thy ransom!' [The Imam] responded, 'Indeed, what they say is against themselves, and, I swear by God, they are not of our partisans. Had they been so, they would not have become angry at what you said, nor would they have balked from it. God has indeed characterized our Shī'a with qualities other than those they have shown.

'The partisans of Ja'far comprise only those who have learned to restrain their tongues, who act in the way of their Creator, who wish [good] for their master (sayyid) and fear God as He ought to be feared until they

²⁰⁸Qummi, I, 135, gives the same interpretation.

²⁰⁹Reading *jahr^{an}* as added in some MSS.

²¹⁰Nu'mān, *al-Himma* 66–73. For similar traditions cf. *Kāfi*, II, 221–6.

²¹¹In the days of Muḥammad al-Bāqir and Ja'far al-Ṣādiq, who used to live in Medina, Kūfa was the chief centre of the Shī'i communities, and their prominent leaders visited the Imams in Medina. As to how Kūfa became the main centre of the Shī'i movements, see Jafri, *Origins*, 101–29; Hinds, 'Kūfan political alignments'.

become like the arc of a bow from frequency of prayer, like a tremulous convalescent from intense fear, like a blind man from the degree of submissiveness, like a man emaciated by excessive fasting, and like a dumb man from lasting silence. Is there among them one who has disciplined himself to devote his nights to night-long prayer or devoted his days to fasting or denied himself the delights and comfort of this world [all] for fear of God and out of desire to please us, the People of the House? How can they be counted as our Shī'a while they argue with our enemies about us until they intensify their enmity and while they whine like dogs and are as greedy as the grasping ravens?

'Were it not, I swear by God, that I am afraid of inciting them further against you, I would have instructed you to shut yourself up in your house and lock the door. Then you need never see their faces again as long as you live. But if they come to you repentant, then you must accept [their contrition], for God has made us "people possessed of excellence and virtue" (*baqiyya*)²¹² to accept repentance from His servants.'

Abū 'Abd Allāh: He addressed some of his companions saying, 'Keep our secret hidden and do not publicize it. For, verily, God will honour both in this world and in the hereafter the one who keeps our secret and does not divulge it, but He will humiliate both in this world and in the hereafter the one who discloses it, and He will take away the light from his eyes. My father, may the blessings of God be upon him, used to say, "Dissimulation (*taqīya*)²¹³ is part of my creed (*dīn*) and the creed of my forebears, and the one who does not use dissimulation has no creed." Surely God desires to be served in secret in the same way that he desires to be served in public. The one who publishes our affairs is like one who disowns us.'

Abū 'Abd Allāh: A group of people from among his partisans gathered round him on one occasion and spoke with reference to their current circumstances, raising the question of relief and asking, 'When [if ever] would we see the time of relief, O son of the Messenger of God?' Abū 'Abd

²¹²It occurs thrice in the Qur'ān: 2:248; 11:86; and 11:116. Some Shī'i commentators assert that it refers to 'Alī and the Imams. See Furāt al-Kūfi, I, 67–9, 194–5. Tabarī, *Tafstr*, V, 330–4, offers a different explanation. Wansbrough, *Qur'anic studies*, 4, interprets it as the Jewish doctrine of the 'remnant' in the Old Testament. Rahman, however, in *Major Themes*, 55, refutes it, and I have adopted Rahman's translation.

²¹³This term means dispensation from the requirements of religion under compulsion or threat of injury and is of special significance for the Shī'a. Indeed, it is considered their distinguishing feature; however, it should be noted that it was not rejected even by the extreme wing of the Khawārij. Kāfi, II, 217–21; *El*², s.v. *Taqiyya*; Kohlberg, 'Imāmi-Shī'i views on *taqiyya*'. For the theological and social significance of *taqiyya* see Nasr, *Shī'ism*, 203–12.

Allāh then said, 'Would this that you wish for make you happy?' They replied, 'By God, yes.' [The Imam] continued, 'Are you ready then to leave behind your family and your loved ones and to ride horses and bear arms?' They said, 'Yes, of course.' [The Imam] said, 'Are you ready to fight your enemies?' They said, 'Yes, of course.' [The Imam] then said, 'What we did in fact ask of you was easier than this, but you did not do it.' [On hearing this] they became silent. Then a man among them said, 'What is that, may I be thy ransom?' [The Imam] replied, 'We told you to observe silence. If you had done so, we would have been satisfied, but if you go against our instructions it causes us pain, and you did not do [as we said].'²¹⁴

[Abū 'Abd Allāh]: He addressed certain followers of his who had gathered around him and reminded each other of the matters they used to talk about in his presence. He said to them, 'Recount to the people what they know, and avoid matters they refuse to acknowledge. Do you want that God and His Messenger be reviled?' They said, 'How would God and His Messenger be reviled?' [The Imam] replied, 'If you relate to them matters they disclaim, they will say, "May God curse the one who said this," even though it was said by God and His Messenger.'

[Abū 'Abd Allāh]: He addressed some of his partisans saying, 'Your talking like this and your activity make those who are ignorant cringe. Hence [your task is to] augment the knowledge of one who possesses [some] knowledge, but you should leave alone the one who disclaims it. God, the Mighty and Glorious, accepted our covenant and that of our partisans on the day he accepted the covenant of the prophets. Thus their number will neither increase nor decrease, even by one. When God intends to grace one of his servants, He takes him firmly by the forelock and causes him to enter the covenant together with us, whether he likes it or not.'

[Abū 'Abd Allāh]: He said, 'God has created a group of people who love us and a group of people who feel hatred towards us. But if those who are created to love us were to diverge from this course, adopting another, God would cause them to return to it, even against their will. But those He created to feel hatred towards us will never feel love for us.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'May God have mercy upon the one who evokes love for us in the people and who does not evoke their hatred against us. I swear by God that were [our people] to transmit from us what we [in reality] say, not distorting it and substituting their own views for ours, no one would be able to sustain any argument against

²¹⁴Nu'mān, *al-Himma*, 55. There are a few reports in the Imāmī *Rijāl* works wherein al-Bāqir and al-Ṣādiq lament the lack of loyalty on the part of their followers. See Poonawala, 'Imām's authority'.

them. But [what actually happens is that] one of them hears the utterance [from us] and then adds ten of his own to it, and interprets it as he sees fit [for himself]. May God have mercy upon the servant who hears our hidden secret and buries it deep in his heart.' Then he said, 'By God, God Himself will never bring together, except in this world, those who love us and those who bear enmity towards us.'

Abū 'Abd Allāh: He asked a man who had come from Kūfa about the state of his Shī'a there. After the man had informed him, Abū 'Abd Allāh said, 'The support of our cause does not depend simply on giving credence to it and accepting it; rather, it rests [more] on it being kept secret, and on it being protected from those not fit for it. Extend greetings to them [on my behalf], therefore, and tell them that God will have mercy upon the one who draws the friendship of the people towards us and towards himself and who relates to them what they know and who hides from them what they do not acknowledge.' Then he said, 'The one who declares war on us is not more harmful to us than the man who speaks on our behalf what we do not countenance. Were they to report from me what I actually say, I would not be bothered by what they say, and they would really be my followers.'

[Abū 'Abd Allāh]: In counseling some of his companions one day, he said, 'If you are really our partisans, fear God; treat your associate with courtesy; behave toward your neighbours with the utmost cordiality; restore the things deposited with you in trust to their rightful owners; and do not abuse people by calling them swine. When you repeat [exactly] what we say and act as we command you [only then] will you be worthy to be called our Shī'a. Do not make claims for us which we do not ourselves claim [for if you do so], you will no longer be called our Shī'a. My father [Imam al-Bāqir] told me that if the representative from our Shī'a happened to be in the quarter of the city, it was to him that the people entrusted their deposits and left their last will and testament. You now are in the same position, so behave accordingly.'

Abū Ja'far Muḥammad b. 'Alī: He dispatched a man from among his companions to a group of people from his partisans with the following charge: 'Give our salutations to our Shī'a and admonish them to fear God. Instruct them that their rich should visit the poor among them, that the healthy visit the sick among them, and that the living should attend the funerals of their dead. [Direct them] to meet together in their homes, for their meeting with one another infuses new life into our cause. May God have mercy upon him who reawakens our cause and acts according to its best interests. Tell them, "We will be of no avail to you with God except through good works, and you will never attain our true clientage

(*walāya*) except through piety. On the Day of Judgement, the one who suffers the greatest remorse will be the person who envisaged an act [that is approved] but then turned away from it.”

Abū ‘Abd Allāh: He exhorted a group of his companions and said, ‘Carry out your work [in our cause]²¹⁵ for God’s sake, and not for the sake of the people. For what is [done] for God’s sake, is [done] for Him, and what is [done] to please the people does not reach God. Do not dispute with the people about your creed, for such controversy is [damaging] and makes the heart ill. Verily, God told His Prophet, Thou (O Muḥammad) *guidest not whom thou lovest, but Allah guideth whom He will* (28:56), and He said: *Wouldst thou (Muḥammad) compel men until they are believers?* (10:99).²¹⁶ Leave the people alone for they have taken [what they adhere to] from others of their own kind, whereas you have taken it from the Messenger of God and from ‘Alī and from us [the Imams]. I heard my father [al-Bāqir] say, “When it is foreordained for a man to enter this cause of ours, he comes to it more swiftly than a bird to its nest.”

Then he said, ‘He among you, who fears God and who continues to ameliorate, is one of us, the People of the House.’ He was asked, ‘[Is he, indeed], one of you, O son of the Messenger of God?’ He replied, ‘But of course, he is one of us. Have you not heard God’s words *He among you who taketh them for friends is (one) of them* (5:51), and the words of Abraham *But whoso followeth me, he verily is of me?* (14:36)

[Abū ‘Abd Allāh]: He counselled some of his partisans saying, ‘Truly I swear by God that what you follow is the creed of God Himself and that of His angels, so assist us therefore in accordance with that by showing piety and diligence [in the way of God]. Indeed, I swear by God that He accepts only what comes from you yourselves, so fear God and restrain your tongues. Perform the prayers in your mosques and visit your sick people. When the people segregate themselves [from you], then keep yourselves apart. May God have mercy upon the one who has given life to our cause.’ He was asked, ‘What is giving life to your cause, O son of the Messenger of God?’ He replied, ‘By discussing it in the company of people of learning, of religion,²¹⁷ and of intelligence.’ He then went on, ‘I swear by God that all of you are destined to be in Paradise, but what is most reprehensible is that a man from among your number should be found among the people of Paradise who have exerted themselves with diligence

²¹⁵Various expressions, such as *amrukum hādha*, *amrunā*, *hādha ‘l-amr*, are used by Nu‘mān to indicate ‘the Shī‘i cause’, or ‘our cause’. At times the Urdu translator has missed this fine nuance.

²¹⁶In Pickthall it is 10:100. The verse before it reads: *And if thy Lord willed, all who are in the earth would have believed together.*

²¹⁷A devout and God-fearing person.

and performed good works, when he has been guilty of bringing shame and disgrace upon himself.' He was asked, 'Is that going to happen, O son of the Messenger of God?' He said, 'Certainly. [That reprehensible person] is he who fails to control his gluttony and fails to guard his private parts and guard his tongue.'

Abū 'Abd Allāh: He stated, 'You will never find among our supporters a person whose feet both slip at the same time. If one foot slips, he supports himself on the other until the former recovers [and returns to its correct position].'²¹⁸

Abū Ja'far [Muḥammad b. 'Alī]: A man notified him about one of his fellows, saying that he had disgraced himself by pursuing forbidden acts and by showing such contempt for the prescribed duties that he had even abandoned the prescribed prayers. [The Imam] who at that point was in a reclining position, drew himself up and exclaimed, 'I extol the remoteness of God from such an act as abandoning the prescribed prayers. The omission of the prescribed prayers is indeed a mighty transgression in the eyes of God.'²¹⁹

'Alī [b. Abī Ṭālib]: He stated, 'Whoever is tested by God for piety is surely endowed with love in his heart for us. Similarly whoever incurs God's anger will be found to bear hatred towards us. Therefore, he who loves us should purify the love he holds for us, just as the gold, which is free from any adulteration. The one who hates us remains accordingly in that state. We are the ones of noble descent, our predecessors were the predecessors of the prophets. I am the vicegerent of the vicegerents (*waṣī al-awṣiyā'*). I belong to the party of God and that of His Messenger whereas the rebellious group belongs to the party of Satan and Satan belongs to them. He who entertains doubts about us and turns away from us towards our enemies is not one of us. He among you who wishes to distinguish those who love us from those who hate us should examine his own heart [conscience]. If his own heart inclines him towards any person among those who have shown their enmity towards us then he should know that God Himself stands opposed to him, and so do His angels and His messengers, and Gabriel and Michael (*Mikā'il*),²²⁰ for God is the enemy of the disbelievers.'

²¹⁸This refers metaphorically to mistaken doctrines, doubts, and misgivings.

²¹⁹Jābir reported God's messenger as saying, 'What lies between a man and infidelity is the abandonment of prayer.' This is transmitted by Muslim. Another tradition transmitted by Ibn Ḥanbal, Tirmidhī, Nasā'ī, and Ibn Māja states God's messenger as saying, 'The covenant between us and them is prayer. So if anyone abandons it he has become an infidel.' *Mishkāṭ*, I, 180, 181; Robson, I, 115; *Concordance*, s.v. t-r-k.

²²⁰The archangel Michael, whose name occurs once in the Qur'ān 2:98. *El*², s.v. Mikāl.

Abū 'Abd Allāh: In instructing some of his partisans he cited different groups of people who had espoused the cause of different claimants, describing five categories of this type, and then said, 'You have adhered to the cause of the People of the House of your Prophet. It is your duty therefore to fear God, to speak the truth and to discharge the trust given to you, for God's favour cannot be attained except without obedience to Him.'

Abū Ja'far Muḥammad b. 'Alī: In exhorting some of his partisans, he said, 'O community of our followers (*shī'atunā*)! Listen and take note of our counsel and the charges we enjoin on our adherents. Speak the truth in what you state, keep your promise to friend and foe alike, assist one another by sharing your wealth, and love one another with all your heart. Give alms to your poor and agree together in your affairs. Do not allow deceit or fraud to enter into your dealings with anyone, do not entertain doubts after you have felt certitude (in your belief) and do not, out of cowardice, go back on yourselves in the course you have taken. Not one among you should turn his back on those that love you, neither should you covet the friendship of other than your kind. This should be confined to those of your own kind. Your actions should be performed for God alone, and your belief and purpose should be directed to none but your prophet. *And: Seek help in Allah and endure. Lo! the earth is Allah's. He giveth it for an inheritance to whom He will [from among His servants]. And lo! the sequel is for those who keep their duty (unto Him) (7:128).* The earth in truth belongs to God, and it is His virtuous servants who shall inherit it.'

He then continued, 'The friends of God and those of His Messenger belong to our party (*min shī'atinā*). [Everyone of them], when he speaks, speaks the truth; when he promises a thing, fulfils that promise; when entrusted with a charge, executes it faithfully; when burdened with a task in the cause of truth, endures it; when a lawful demand is made [of him], gives, and when commanded to do right, obeys. Our partisans comprise those who do not profess what they have not actually heard [from an authority],²²¹ who never praise a person who finds fault with us, who never retain a connection with a person who hates us, and who never keep the company of a person who bears ill will towards us. If they meet with a true believer, they treat him with honour and if it is an ignorant person, they will avoid him. Our partisans do not whine like dogs. They are not covetous like the grasping crows. They ask [for favours] only from their own kind, even if dying of starvation. Our partisans are those who uphold what we maintain and part even with their loved ones for our sake. They draw

²²¹The Arabic is *man lā ya'dū 'ilmuhu sam'ahu*. Literally it means those whose knowledge does not go beyond what their ears have not actually heard.

close to strangers that love us and draw away from their own kindred that hate us.'

A man among those present [on the above occasion] asked, 'Oh, could I but sacrifice myself for thee! Where might the like of such people be found?' [The Imam] replied, '[They are to be found] in the far-flung corners of the earth. They live a low and carefree life and are happy and content. If seen, they will not be recognized, and if they disappear they will not be missed. If they fall ill, no one will visit them, if they desire to marry, no one will come forward to marry them; and if they come to a beaten track, they swerve away, *and when the foolish ones address them, [they] answer: Peace; and who spend the night before their Lord, prostrate and standing*' (25:63–4).

The man then said, 'O son of the Messenger of God, what about those [would-be] partisans who professed their adherence [to the party of 'Alī] with their tongues but who in their hearts felt the opposite?' [The Imam] responded, 'They will be tested over the years, which will lead to their ruin, and [their own] rancour will exterminate them, and controversies [among themselves] will destroy them. I swear by Him in the hands of whose angels our help lies that²²² God will not destroy them except through their own doing. It is your duty, therefore, that when you are told [something by us] to uphold it; when you see something affirm the truth of it. Abstain from contention for it serves only to estrange you [from us]. Beware of the Lord resurrecting you before its appointed time, for in that case your blood goes unavenged, and your souls perish, and you are blamed by those who come after you and become an example to those that understand.

'The best of mankind is he who forsakes the people of this world, parting even with his father and son and becoming the friend of his brethren in God, sharing their burdens, counselling them and reciprocating them, even though he should be an Ethiopian or a Negro. [Even if he should be such, when the time comes] no true believer will be resurrected black in colour, for they will return appearing like snow, having been cleansed with the water of Paradise. They will attain everlasting bliss and sit in the company of the closest angels [to God] and be the companions of the messengers and prophets. No servant of God shall be treated with more honour than the one who has been a fugitive and suffered as an outcast for His sake until ultimately he meets his Lord in that condition.

'Our partisans are the warners [of the wrath of God] on this earth. They are the lights and guideposts for those who seek what they have

²²²A free rendering would be: I swear by Him who [was quick] to succour us through His angels that ...

sought and the leaders of those who obey God. They are witnesses in respect of those who have opposed them [the Imams] from among those guilty of having challenged their [the Imams'] rightful claims. They are a shelter for those that come to them, gentle with those who have become their friends, generous, abstinent, and compassionate. This is how they are described in the Torah,²²³ the Gospels,²²⁴ and the Glorious Qur'an.

'The man who is truly wise from among our following is he who guards his tongue, gives himself gladly to obedience to God²²⁵ and His friends [the Imams], and keeps his schemes with regard to his enemies to himself, being fully acquainted with their failings, but not divulging to them what is in his mind. With his eyes he observes their base actions, with his ears he listens to their vices, and with his tongue curses them, for his friends are [the Imams], whom they hate, and his enemies are those whom they [his enemies] befriend.'

A man then said, 'May my father and mother be sacrificed for thee! What then is the reward of the believer you have described if he spends the day in peace and night in security?²²⁶ What is his station and what is his reward?' [The Imam] replied, 'The heavens are commanded to protect him, the earth to honour him, and the light [to illuminate] his most valid evidence [that is the truth].'²²⁷ The man asked, 'But how is he distinguished in his mundane concerns?' [The Imam] answered, 'If he asks, he is given; if he prays, he is answered; if he seeks something, he attains it and if he champions a wronged party, he will be mighty.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, exhorting some of his followers, 'Conduct yourself with the people in accordance with the highest moral values. Pray in their mosques, visit their sick, and follow their funeral processions. If it is possible for you to become prayer leaders and muezzins, you should do so. If you indeed do this the people will exclaim, "These are the party of 'so-and-so'. May God be merciful to the one who has instructed his followers so well.'"

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He said to some of his partisans, 'It is incumbent on you to act with piety and diligence,²²⁸ to be truthful in what you say, to discharge the trust confided to you and to hold fast to [the

²²³El², s.v. Tawrāt.

²²⁴El², s.v. Indjīl.

²²⁵Reading *bi-ṭā'ati 'llāh wa-awliyā'ihi* as in some MSS.

²²⁶The Arabic states: *kāna yuṣbiḥu āmin^{an} wa-yum^{an} āmin^{an} wa-yabit^u mahfūz^{an}*, meaning one who lives in peace and security.

²²⁷The Arabic *wa 'l-nūru bi-burhānihi* is not clear. The Urdu translator has skipped this phrase.

²²⁸For a similar tradition, see *Sharḥ al-akhbār*, III, 436.

spiritual path] you are set upon, for only when his soul reaches this point shall such of you be happy, and [the Imam] pointed to his throat.'

He then continued, 'In your life you will be surrounded by what delights you, and when you die, I swear by God, you will join with the predecessors of the most noble that you could have. You surely believe in God's religion, and that of my forefathers. And I swear I do not mean by my ancestors simply Muḥammad b. 'Alī [al-Bāqir] or 'Alī b. Ḥusayn [Zayn al-'Ābidīn], not simply those two alone, but I mean [the prophets] Abraham, Ishmael, Isaac, and Jacob as well, for it is all one religion. Fear God therefore, and support us through piety. By God, no prayer, *ḡakāt*, or pilgrimage will be accepted except from you, and no one will be granted pardon except you. Only those who obey us and do not oppose us are counted as our partisans. When we feel fear, they feel fear, and when we feel secure they feel likewise. These are our followers. Verily, Satan approached the people and they followed him; but when he presented himself to our followers, they disobeyed him. Satan therefore incited the people against them and for this reason they have suffered [as they continue to suffer], from them.'

ON AFFECTION (MAWADDA) FOR THE IMAMS OF THE PROGENY
OF MUḤAMMAD, AND OF THE INDUCEMENTS FOR
UPHOLDING THEIR PATRONAGE (MUWĀLĀT)²²⁹

God says, Say (O Muḥammad, unto mankind): I ask of you no fee [reward] therefor [i.e. for the revelation], save loving kindness towards kinsfolk (42:23).²³⁰

Abū 'Abd Allāh Ja'far b. Muḥammad: A group of his partisans came in to see him [one day], among them was a blind man. Some of them said to him, 'O son of the Messenger of God, this man truly loves you and is devoted to you.' [The Imam] turned to him somewhat angrily and said, 'The best of love is that which is for God and His Messenger, and there is no good in love of any other kind,' and he moved his hand twice sideways [signifying an emphatic negative].

He continued, 'The Anṣār came to the Messenger of God at one time and said, "O Messenger of God, we were the errant ones, but God guided us through you. We were poor, and God made us prosperous through you. Therefore, ask us for anything you want from our belongings and it shall be yours." Then God revealed the verse: Say: I ask of you no fee therefor, save loving kindness towards kinsfolk' (42:23). Then Abū 'Abd Allāh [Ja'far al-Ṣādiq] raised his hand towards the sky, and wept until his beard was

²²⁹Cf. Nu'mān, *al-Himma*, 81–4.

²³⁰*Ibid.*, 40–1.

wet with tears and said, 'Praise be to God who has so favoured us [with distinction]!'

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He was asked concerning the above verse from the Qur'ān [42:23], and he replied, 'The Anṣār in truth came together in a representation to the Messenger of God and said to him, "O Messenger of God, you came to us when we were in error and God guided us to the right path through you; we were poor and God made us rich through you. Here are our worldly possessions; take from them what you desire." Then God revealed the above verse.'²³¹

Abū Ja'far Muḥammad b. 'Alī: He was questioned about the same revelation [42:23] and he answered, 'It is an obligatory command (*farīḍa*) from God, imposed upon His servants for the sake of Muḥammad with respect to the People of his House. The community became split into four factions regarding its interpretation. One group upheld an interpretation like ours and said that it was revealed with respect to the People of the House of Muḥammad, God's Messenger.²³² They [this group] reported on the authority of Ibn 'Abbās²³³ that when God revealed this verse the people asked the the Messenger of God, "O Messenger of God, who are these that we should love?" He replied, "'Alī, Fāṭima and her offspring."

'The second faction stated that the verse was surely revealed with reference to love for the People of the House of the Messenger of God, but it was then abrogated by His words Say: *Whatever reward I might have asked of you is yours. My reward is the affair of Allah only* (34:47). These people, therefore, repudiated the love of whom God had enjoined, the love of the People of the House of God's Messenger. These people do not entertain any doubt about the excellence and status of the People of the House [arising from their relationship] with the Messenger of God, but they dropped an obligation, which God had imposed and the enforcement of its injunction as reiterated in His Book. They did this out of feelings of hostility and rancour towards His "friends" [the Imams], and [out of] their ignorance about the Book of God.²³⁴

'As for the revelation Say: *Whatever reward I might have asked of you*

²³¹Zamakhsharī, *al-Kashshāf*, III, 467; he gives the same report.

²³²'Loving kindness towards the kinsfolk' means 'Loving kindness towards the People of the Prophet's House.' See Furāt al-Kūfī, II, 387–99; Qummi, II, 279–80; Tabrisī, IX, 28–9; Zamakhsharī, *al-Kashshāf*, III, 466–7; Sulamī, *Ziyādāt*, 34; Qurṭubī, *al-Jāmi'*, XVI, 21–4.

²³³One of the great scholars of the first generation of Muslims and the father of Qur'ānic exegesis, he died ca 68/686–8. EI², s.v. 'Abd Allāh b. al-'Abbās.

²³⁴Qurṭubī, *al-Jāmi'*, XVI, 21–4; he reports the Shi'ī interpretation but states that this verse was abrogated by 26:109; 34:47; 38:86. Tabarī, *Tafsir* (Beirut), XXV, 15–17; he gives a very general interpretation, but does not state that it was abrogated.

is yours (34:47), there is no escaping the fact that this must have been revealed either before the verse *Say: I ask of you no fee [reward] therefor, save loving kindness towards kinsfolk* (42:23), or after it. If it was revealed before the latter, it could not possibly be an abrogation of it, and if revealed after it, then it only confirms and reinforces its validity because the verse *Say: Whatever reward I might have asked of you is yours* (34:47), evidently does not make it necessary to drop the reward. On the contrary, it gives notice that reward relates to them and is for them, according to which they are to be rewarded for showing their love for the People of the House when they have done that. It is not that that reward is for the Messenger of God. This is so clear that it could only be misconstrued by a [grossly] ignorant person. None but a stubborn opponent can reject this exposition, for the two verses [rightly understood] are both confirmed. Neither one nor the other, God be praised, revokes or is revoked; on the contrary, each of the two reinforces and confirms the validity of the other.²³⁵

'The third faction maintains that the understanding of the verse (42:23) lies in the fact that it was revealed with respect to all the Arabs. This was because of their hatred for the Messenger of God's family. [The meaning of "loving kindness toward kinsfolk" according to their interpretation was] "You will show your love for me through my kinship [with you]." ²³⁶ They held that because of the Messenger of God's having some tie of kinship with every respectable family among the Arabs. This [they did] by going to great lengths in their reservations and denial of the excellence of the People of the Messenger of God's House by making the kinship of the Prophet with the Arabs in their entirety. Thus [they alleged that] the Messenger of God, in reality, had asked them to love him because of his kinship with them. If [it is the case that] those he asked this of were [true] believers, they would love him because of their faith in him and their acceptance of his prophethood and because of the favour God had granted them through his person. But [if it is the case], according to what they maintain, that the people addressed by that verse are the unbelievers, then how can he ask them for "a reward" for something in which they did not believe? Moreover, their limitation of the application of the verse specifically to the Arabs is a clear example of their ignorance, arrogance, and tampering with the Book of God and distortion of His Word.

²³⁵Qurṭubī, as cited in the previous note, mentions other authorities that do not agree with the opinion that verse 42:23 was abrogated and support their contention by citing several traditions from the Prophet.

²³⁶It means: You will respect the kinship ties between you and me, and will affirm my mission. Qurṭubī, *al-Jāmi'*, XVI, 21. See also Ṭabarī, *Tafsīr* (Beirut), XXV, 15–17.

'God says, *While those who believe and do good works (will be) in flowering meadows of the Gardens, having what they wish from their Lord. This is the great preferment. This it is which Allah announceth unto His bondmen who believe and do good works. Say (O Muḥammad, unto mankind): I ask of you no reward therefor, save loving kindness towards kinsfolk* (42:22-3). This [command] applies to all believers, addressed through this verse, and includes in that all believers, Arabs and non-Arabs alike. It is for all those who believe in God and His Messenger. God has made love for His Prophet's kindred a binding duty for them. This is plainly evident to anyone whom God has favoured with a clear understanding and guided to integrity and to whom He has granted sight of his destiny.

'The fourth faction maintains that the Qur'ānic verse *Say: I ask of you no reward therefor, save loving kindness toward kinsfolk* (42:23) means "drawing close to God through obedience to Him." This is the farthest away from its meaning and the most obscure interpretation. It is not supported by any evidence. This interpretation is transmitted on the authority of al-Ḥasan al-Baṣrī,²³⁷ noted for his lack of faith concerning the family of Muḥammad. His lack of faith was so marked that only he could advance such a perverted meaning as the above. In the expression "loving kindness towards kinsfolk" (*al-mawadda fi 'l-qurbā*) there is no evidence at all to suggest that what is meant by "kinsfolk" (*qurbā*) is "kinsfolk of God". And what is the meaning of "loving kindness" (*mawadda*) in this context, if it is as this distorter of God's words has alleged, namely that what is intended is "Say, 'I ask of you no reward therefor except that they desire to draw close to God through obedience to Him'"?²³⁸ Were this to be the case, as he has maintained, the mention of "loving kindness" and "reward" would have no meaning. Thus this perverter of God's words substituted his own words for those of God [and tried] to distort the Book of God.'

This same transmitter, nevertheless, still quotes the report of Ibn 'Abbās mentioned earlier, namely that when the people asked the Messenger of God about the meaning of the verse *Say: I ask of you no reward therefor, save loving kindness towards kinsfolk* (42:23), and said, 'Who are these "kinsfolk", (*qurbā*) O Messenger of God, to whom loving kindness is due for your sake?' He replied, "Alī and Fāṭima and their progeny." In this manner the Messenger of God designated those to whom loving kindness was due by God's command and explained the revelation sent to him as he was charged. He [asserted] that the meaning was crystal clear and universally recognized so as to avert any possibility that each and every

²³⁷See n. 2 in this chapter.

²³⁸The same interpretation is transmitted also from Qatāda, a learned divine of Baṣra and contemporary with Ḥasan al-Baṣrī. Qurṭubī, *al-Jāmi'*, XVI, 22.

person who had some form of kinship with the Messenger of God should make such a claim for himself. If such a claim were to be made, then priority would rest with the nearest in kinship. But no one did advance such a claim other than the Messenger of God's family.

Thus Ibn 'Abbās reports on the authority of the Messenger of God that he, despite his stated kinship [with the Prophet], has no part due to him in that [loving kindness]. That [loving kindness], in accordance with what the Messenger of God stated, is restricted to 'Alī and the Imams from among his descendants. Thus it is clear that this distorter of God's Word followed neither the apparent meaning of God's Word nor His Messenger's explanation to his community, but went contrary to God and His Messenger. Because of his feelings of hatred for those whom God had commanded to love, he concocted an explanation of his own. He thus brought about his own ruin through his insolence in daring to go against God and His Messenger. We seek refuge with God from such error, temptation, and folly. What he has said is the most perverted interpretation. However our purpose does not lie with elaborating in detail upon it. God willing, what we have said about it is sufficient.

Abū 'Abd Allāh Ja'far b. Muḥammad: [He addressed some of his following], saying, 'Would I not tell you of the good deed that saves a man from the terror of the Day of Resurrection and [equally] of the bad deed that will precipitate him headlong into hell fire?' They said, 'Oh yes! O son of the Messenger of God.' He said, 'The good deed is loving us and the bad act is hating us.'²³⁹

Abū Ja'far Muḥammad b. 'Alī: A group of people came to him from Khurāsān.²⁴⁰ Observing that a man among them had both his feet lacerated, he asked him, 'What is this?' The man replied, '[It is because of] the distance being so great, O offspring of the Messenger of God. I swear in the Lord's name that it is only love for you, the People of the House, that brought me this distance.' Abū Ja'far [the Imam] responded, 'Rejoice in that case, for I swear by God that you will be raised with us [on the Day of Judgement].' The man asked, 'Really, with you, O offspring of the Messenger of God?' [The Imam] said, 'Yes. No servant has ever loved us without God raising him together with us. What is religion if not love?'²⁴¹ God says, Say (O Muḥammad, to mankind): *If ye love Allah, follow me; Allah will love you* (3:31).'

²³⁹Cf. *Sharḥ al-akhbār*, III, 447–8; Nu'mān, *al-Himma*, 40.

²⁴⁰The north-easternmost province of Iran with Mashhad as its administrative capital. But in early Islamic times, it had a much wider denotation, covering also parts of what are now Central Asia and Afghanistan. *El* ², s.v. *Khurāsān*.

²⁴¹Nu'mān, *al-Himma*, 40.

Ja'far b. Muḥammad: He said, 'Verily, God has created a portion of mankind to love us and a portion of mankind to hate us. Were it that one who loved us abandoned this path for another, God would cause him to return to it.'

Abū Ja'far Muḥammad b. 'Alī: He stated, 'The most beneficial thing at the time of death for you is love for 'Alī.'

[Abū Ja'far Muḥammad b. 'Alī]: Ziyād al-Aswad²⁴² came to see him [on one occasion], and observing that both his feet were lacerated, he asked him, 'What is this, O Ziyād?' Ziyād replied, 'O my master, I started out on a young camel I had bought, but as he was too weak, I walked nearly all the way, for I did not have the necessary funds to buy a fully grown mount. In fact, even to buy this young camel, it was only little by little that I managed to put the funds together.' It is related that at this, Abū Ja'far was so visibly moved that we could see the tears glistening in his eyes. Whereupon Ziyād addressed him, saying, 'May God but make my life a sacrifice for thee! In truth, I swear in His name that I am guilty of many sins. I have gone so far afield that sometimes I might well have called myself damned. But then [at such times], I remember my devotion to you [the Imams] and my love for you, the People of the House, and hope springs up that I may yet be forgiven.' Abū Ja'far at this moment turned so that he was facing him and said, 'Praise be to the Lord! What is religion if not love? God, the Blessed and Sublime, says in His Book, *But Allah hath endeared the faith to you and hath beautified it in your hearts* (49:7); and He has said, *Say (O, Muḥammad, to mankind): If ye love Allah, follow me; Allah will love you* (3:31); and He has said, *Love those who flee unto them for refuge*' (59:9).

Then Abū Ja'far said, 'An Arab of the desert (*a'rābī*) came to the Prophet and said, "O Messenger of God, I love those people that pray, but do not pray myself. I also love those who fast, but do not fast myself."' Abū Ja'far said, 'What the man really meant by saying that he did neither pray nor fast was [that he was referring to] the supererogatory prayers and fasting and not the obligatory ones. The Messenger of God then said, "You will be [raised together]²⁴³ with those whom you love."

Then Abū Ja'far continued, 'What is it that you wish for? Is it not

²⁴²This is probably Ziyād b. al-Mundhir al-Hamadānī, also called Abu 'l-Jārūd al-A'mā al-Kūfī, the founder of the Jārūdiyya sect, a branch of the Zaydis. He is said to have related a *tafsīr* from Muḥammad al-Bāqir as mentioned by Ibn al-Nadīm. He is quoted frequently by Qummī in his *Tafsīr. Urjūza*, 216, 316; Najāshī, *Rijāl*, I, 387-8; Ibn Hajar, *Tahdhīb al-tahdhīb*, III, 386; EI², s.v. Djārūdiyya.

²⁴³This is the implied meaning. The literal meaning of the sentence is 'You are with those whom you love.'

the case, and I swear in God's name, that if something happened that terrified people, you would flee nowhere but to us [for refuge], and we for our part would [seek asylum] only with our Prophet. You are, in truth, with us, so rejoice, and yet again, rejoice. In God's own name I swear that He will not treat you on a par with others. No, I swear by God, there shall be no [mark of] honour for these others either.'

Abū 'Abd Allāh: He said [to his companions], 'When a man from among us [i.e. the Imams], or among you, or among our followers reads the Qur'ān in his house, he radiates light for the heavenly beings as the brilliant star does for the people of the earth.'²⁴⁴

[Abū 'Abd Allāh]: A man spoke to him of a certain man who had died recently and said, 'O son of the Messenger of God, the deceased held, I swear in God's name, an excellent opinion of you, having real love for you [the People of the House].' Abū 'Abd Allāh then said, 'Everyone who loves us will be together with us on the Day of Resurrection. He will be protected by our guardianship and will accompany us in our abode'²⁴⁵ [in Paradise]. But, I swear by God, no human being can love us until God first cleanses his heart, and no man's heart can be purified until he submits to us. When he submits to us [our authority], God will then protect him from the punishment of his misdeeds on the Day of Judgement, and he will be preserved from "the greatest terror".'²⁴⁶ Verily, the people of this persuasion will rejoice when the soul of one of them ultimately reaches this point,' and he pointed to his throat [that is when he is about to die].

[Abū 'Abd Allāh]: He said once to some of his followers, 'You recognized us while the mass of the people refused to acknowledge us. You loved us while they showed hatred; you joined with us while they broke with us. May God therefore requite you with the companionship of Muḥammad and refresh you by giving you to drink from his pool [in Paradise].'²⁴⁷

Abū Ja'far: [It happened that] the name of Abū Hurayra the poet²⁴⁸ was mentioned in his presence. He responded by saying, 'May God have mercy upon him!' One of those present then responded in such a way as though he wished to incite [the Imam] against the former [Abū Hurayra], whereupon Abū Ja'far repeated his invocation, 'May God have mercy

²⁴⁴*Sharḥ al-akhbār*, III, 471; it is also on the authority of Abū 'Abd Allāh.

²⁴⁵*Fi manāzilina*. The Urdu translator has rendered it, 'In all our stations.'

²⁴⁶*Sharḥ al-akhbār*, III, 471; transmitted from the same authority.

²⁴⁷*Ibid.*, III, 471; also reported from Abū 'Abd Allāh.

²⁴⁸It was Maymūn al-Ayādī who mentioned that the poet Abū Hurayra used to drink wine. Cf. *Sharḥ al-akhbār*, III, 471. The available sources do not provide any information about the said poet.

upon him!' and said, 'Shame on you! Is it hard for God to forgive a man from among 'Alī's followers [despite his sins]?'

Abū 'Abd Allāh: He said, 'No harm comes to the one who owes his allegiance to us and who has love for us although [he is so poor] that he has no protection for himself over his head except that provided by the trees and that his only food is provided by their leaves. The mass of the people took the way by the right and the left [abandoning us], but you have adhered to us.' Then one of those present said, 'We, may I be made thy ransom, hope that God will not treat us on a par with them, the commonalty.' [The Imam] responded, saying, 'No, I swear by God, there will be no mark of honour for them.'

Abū 'Abd Allāh: He addressed a group of his partisans, saying, 'You are "those possessed of understanding" mentioned by God in His Book where He says, *But only men of understanding heed* (13:19; 39:9). Rejoice therefore, for [your reward will be] one of two favors from the Lord.²⁴⁹ Either it will be that He will let you survive so that you behold what you had hoped for, and thus He will satisfy the desires of your hearts, bringing healing to them and taking away your anger. This is what He, Himself, states: *And He will heal the breasts of folk who are believers. And He will remove the anger of their hearts* (9:14–15). Or else, if you die before witnessing this, you die in the religion of God, which He approved for His Prophet, and you will be resurrected as believers. I swear by God that He will not accept on the Day of Resurrection any faith from his servants but yours. None of you shall behold this vision until his soul ultimately reaches this point here,' and he put his hand to his throat. Having said this [the Imam] wept.

[Abū 'Abd Allāh]: He was sitting with a group of his followers and he said, 'Tell me, which group is held in the least esteem among the people?'²⁵⁰ One of them²⁵¹ then said, 'Could I but be made thy ransom! I know of none whose status is worse thought of than ours.' [The Imam] had been reclining, but he drew himself into a sitting position and said, 'In God's name I swear that not even two of you will be found in hell fire. I swear in God's name that not even one [of you will be in hell fire]. It was in respect of you alone that this [following] verse of the Qur'ān was revealed: *And they say: What aileth us that we behold not men whom we were wont to count among the wicked? Did we take them (wrongly) for a laughing stock, or have*

²⁴⁹Alludes to Qur'ān 9:52.

²⁵⁰*Sharḥ al-akhbār* (III, 473): Tell me, which group is held in the least esteem among the people who claim themselves to be learned?

²⁵¹*Ibid.*, (III, 473): Some of them.

our eyes missed them?' (38:62–3).²⁵² [The Imam] continued, 'Do you know why they hold you in such low esteem?' They answered, 'No, O son of the Messenger of God.' [The Imam] said, 'Because they followed Satan, whereas you disobeyed him, and so he incited the people against you.'

Abū Ja'far: He said, 'Verily, Paradise yearns for the coming of the [members of the] family of Muḥammad and their partisans, and its light intensifies [in anticipation of their arrival].²⁵³ Were it the case that a servant of God devoted himself so completely to His worship, going between the Rukn²⁵⁴ and the Maqām [Ibrāhīm]²⁵⁵ that his joints [felt as though they] had been wrenched apart, served God without the love and devotion due us, the People of the House, God would not accept his devotions.'²⁵⁶

Abū 'Abd Allāh: He addressed some of his partisans and said, 'You have loved us, whereas the masses have shown us hatred; you have acted as our friends whereas they have opposed us; you have believed in our [imamate], whereas they have rejected our [imamate]; you have joined with us, whereas they broke with us. God, therefore, has fixed your existence with ours, and your death with our death. Indeed, I swear in God's name that none of you shall see real happiness until [you come to die], the soul ultimately reaching this point,' and he indicated his throat.²⁵⁷ 'Are you not content to know that when you pray and when the others pray, your prayer is accepted whereas theirs is not? [Similarly], when you observe a fast, yours is accepted but theirs is not. The same applies to the performance of the pilgrimage. I swear by God that neither prayer nor *ṣalāt*, nor fasting, nor the performance of the pilgrimage, nor the acts of piety in their totality will be accepted except [when they emanate] from you. The masses acquired their [beliefs] from the right and the left, here and there [i.e. the wrong sources], but you acquired yours from the same fount as the Prophet of God and His "friends". God's choice, among all His servants, fell upon Muḥammad and his family, and you have chosen what God chose. Fear

²⁵²In Pickthall 38:63–4.

²⁵³Indeed Paradise yearns for the coming of 'Alī's Shī'a and its light intensifies in anticipation of their arrival. *Sharḥ al-akhbār*, III, 480.

²⁵⁴The eastern corner of the Ka'ba with the Black Stone. Lane, s.v. r-k-n; EI², s.v. Ka'ba.

²⁵⁵*Maqām Ibrāhīm*, a little building with a small dome, is located between the arch-shaped gate of the Banū Shayba and the north-east facade. EI², s.v. Ḥaǧǧidī; Ka'ba.

²⁵⁶*Sharḥ al-akhbār*, III, 479–80; a similar but longer tradition is reported on the authority of 'Alī Zayn al-'Ābidīn.

²⁵⁷*Ibid.*, III, 459. The account states that the Imam al-Ṣādiq was addressing forty young men from Kūfa who visited him during the Umayyid-Marwānid times.

God therefore, and discharge the trust confided to you to black and white alike, whether he be a Ḥarūrī,²⁵⁸ a Syrian, or an Umayyad.'

The Messenger of God: He said '[On the Day of Judgement,] it is the Shī'a of 'Alī that shall triumph.'²⁵⁹

Abū Ja'far: [Addressing] a group of his partisans, he said, 'He alone among you rejoices when his soul ultimately reaches this point,' and he indicated his throat [i.e. when he is about to die]. 'The angel of death descends upon him, saying, "You have been granted what you hoped for and are safe from what you feared." Then a gate leading to his abode in Paradise will be opened for him, with the angel saying, "Gaze upon your abode in Paradise! Here are God's Messenger and 'Alī, Ḥasan and Ḥusayn, and they are your [gentle] companions.'" Abū Ja'far [referring to the above] said, 'And this is exactly what God, Himself, says: *Those who believe, and keep their duty (to Allah), theirs are good tidings in the life of the world and in the Hereafter*' (10:63-4).²⁶⁰

The Messenger of God: He said, 'He who bears malice towards us, the People of the House, will be raised by God on the Day of Resurrection as a Jew.' Jābir b. 'Abd Allāh al-Anṣārī²⁶¹ asked, 'O Messenger of God, even if he pronounces the dual creed [i.e. to testify that there is no God but Allāh, and Muḥammad is His Messenger]?' The Messenger of God said, 'Yes, [by pronouncing that testimony], he saves himself only from the shedding of his blood. My Lord, in truth, has promised me in respect of 'Alī and his Shī'a a certain hallmark.' He was asked, 'What is that, O Messenger of God?' He answered, '[God's] forgiveness for those among them who believe and are god-fearing, and [this forgiveness] will leave behind neither a small thing nor a great thing²⁶² [but will be absolved]. For them bad deeds shall be converted into good deeds.'

'Alī [b. Abī Ṭālib]: He said, 'With regard to Ḥasan and Ḥusayn, both the pious and the profligate, the believer and the unbeliever are united in their love for them; but for me it is foreordained that no unbeliever shall love me and no believer shall hate me.'²⁶³

²⁵⁸Ḥarūrā' was a place near Kūfa where the group opposed to the arbitration offered by Mu'āwiya at Siffin retreated and seceded from 'Alī's camp. These first dissenters took the name *al-Ḥarūrīya* (or *al-Muḥakkima*), which is often applied by extension to the later Khawārij also. *El²*, s.v. Ḥarūrā'. All three groups, the Khawārij, the Syrians (the supporters of Mu'āwiya at Siffin), and the Umayyads, were very hostile to the Shī'a. Cf. *Sharḥ al-akhbār*, III, 480-1; Nu'mān, *al-Himma*, 42.

²⁵⁹*Sharḥ al-akhbār*, III, 468.

²⁶⁰Pickthall 10:64-5.

²⁶¹See n. 6 in Chap. 1.

²⁶²Allusion to Qur'ān 18:49.

²⁶³Only a believer would love me and only a hypocrite would hate me. *Mishkāt*, III, 242, 245; Robson, II, 1340, 1342; transmitted by Muslim, Ibn Ḥanbal, and Tirmidhī.

Abū Ja'far was asked about God's words *Say: O My slaves who have been prodigal to their own hurt! Despair not of the mercy of Allah, Who forgiveth all sins. Lo! He is the Forgiving, the Merciful* (39:53). [The question took the form of asking], 'Does this refer to a specific group or is the application general?' He [the Imam] said, '[It is] specific [being specific] to our partisans.'²⁶⁴

[Abū Ja'far]: He said, 'Our partisans, on the Day of Resurrection, will emerge from their graves in spite of all their faults and their sins [riding] on winged she-camels, their sandal thongs luminous with shining light. They will have a smooth run down to [their] destination and the great hardship will vanish. The people will tremble in fear, but they [our partisans] will be without fear; the people will be full of sorrow, but they will feel no grief.'²⁶⁵ Thus they will be taken into the shade [protection] of the divine Throne, and a table [of food and refreshments] will be set before them for them to eat, while the masses will be held to account.'

Abū 'Abd Allāh: One day he addressed his partisans, saying, 'We [the Imams], on the Day of Judgement, will take hold of our Prophet's waistband [i.e. we will turn to him for help], while you will take hold of our waistbands. Where do you think that you will be going?' Some of them replied, 'Towards Paradise, God willing.' Abū 'Abd Allāh said, 'Certainly, towards Paradise, if God, the Exalted, so wills.'²⁶⁶

[Abū 'Abd Allāh]: Abū Baṣīr,²⁶⁷ who had grown old, whose sight had dimmed, and whose breath was short, came to visit him one day.

[The Imam] said to him, 'Why are you so short of breath, O Abū Baṣīr?'

He replied, 'May I be sacrificed for thee! I have grown old now, my sight has declined, and my time has come, and yet I do not know what my fate in the hereafter will be.'

[The Imam] responded, 'Is it really you speaking this way, O Abū Muḥammad? Have you not realized that God honours the young among you by sending them trials [and tribulations], while He shrinks from calling those of mature years to account and honours the elder.'

Abū Baṣīr asked, 'Is this indeed our [fate], O offspring of the Messenger of God?'

[The Imam] answered, 'Yes, certainly, and even more than this.'

Abū Baṣīr said, 'O son of the Messenger of God, enlighten me more, may God make me thy ransom!'

²⁶⁴Similar interpretation in *Furāt al-Kūfī*, II, 365, 369; *Qummī*, II, 252–3.

²⁶⁵*Sharḥ al-akhbār*, III, 436, 442, 468.

²⁶⁶*Ibid.*, III, 435; a different version reported from al-Bāqir.

²⁶⁷He is Abū Muḥammad Yaḥyā b. al-Qāsim (or Abi 'l-Qāsim) al-Asadī al-Kūfī, a disciple of al-Bāqir and al-Ṣādiq, generally known as Layth b. al-Bukhturī. *Kashshī*, *Rijāl*, 402–3; *Najāshī*, *Rijāl*, II, 411; *Ṭūsī*, *Rijāl*, II, 772–3.

[The Imam] responded, 'Have you not heard God's words *Of the believers are men who are true to that which they covenanted with Allah. Some of them have paid their vow by death (in battle), and some of them still are waiting?*' (33:23).

He said, 'Yes, [I have heard this verse].'

Abū 'Abd Allāh said, 'I swear by God [that here] He meant none other than you. You have fulfilled the obligations of the covenant He made with you and have not sought to replace us [the Imams] with any other. Has this now cheered you, O Abū Muḥammad?'

He answered, 'Yes, may I be sacrificed for thee! So enlighten me more.'

The Imam said, 'The people spurned what was good, but you spurned evil. They became divided into factions and branched out into groups, but you remained with the People of the House of your Prophet. Rejoice, therefore, and rejoice once more, for you, I swear in God's name, are the recipients of God's mercy. The deeds of those among you who do good will be accepted and the deeds of those who act meanly will be forgiven. Neither the penitence nor the ransom of those who do not follow the path that you adhere to shall be accepted. No good act of theirs will be accepted and no sin will be passed over. Have I now made you happy, O Abū Muḥammad?'

He replied, 'Oh yes! Enlighten me more, may I be thy ransom!'

[The Imam] then said, 'Verily, God has entrusted an angel from among his angels to write off the sins of our partisans just as the leaves fall from the trees in the autumn. This is what is meant by His words *Those who bear the Throne, and all who are round about it, hymn the praises of their Lord and believe in Him and ask forgiveness for those who believe (saying): Our Lord! Thou comprehendest all things in mercy and knowledge, therefore forgive those who repent and follow Thy way* (40:7). The angels' asking of forgiveness, I swear by God, is thus [reserved] for you alone, to the exclusion of all others. Has this pleased you, O Abū Muḥammad?'

He answered, 'Yes, may I be sacrificed for thee, enlighten me more.'

[The Imam] said, 'God has mentioned you in His Book wherein He says, *Of the believers are men who are true to that which they covenanted with Allah. Some of them have paid their vow by death (in battle), and some of them still are waiting; and they have not altered in the least* (33:23). Now it is you who are the people [referred to here]. You have truly fulfilled the covenants you entered into with us. God refers to you elsewhere and says, *And they say: What aileth us that we behold not men whom we were wont to count among the wicked? Did we take them (wrongly) for a laughing-stock, or have our eyes missed them?* (38:63-4). Now it is you, by God, who will be rejoicing in Paradise, while [they will be] searching for you in hell fire. Have I made you happy now, O Abū Muḥammad?'

He said, 'Certainly, may I be ransomed for thee! Enlighten me more.'

[The Imam] resumed, 'God has referred to you again in His Book where He says, *A day when friend can in naught avail friend, nor can they be helped, save him on whom Allah hath mercy* (44:41–2). I swear by God that He has made no exception but for 'Alī and the People of his House and his Shī'a. Truly God has referred to you in yet another place in His Book where He says, *They are with those unto whom Allah hath shown favour, of the prophets and the truthful and the martyrs and the righteous* (4:69). The Messenger of God is thus, in this context [counted], among the prophets; and we are "the truthful" and "the martyrs," and you are "the righteous". Have I made you joyous, O Abū Muḥammad?"

He answered, 'Yes, [please] enlighten me more, may I be sacrificed for thee!'

[The Imam] then said, 'God has mentioned you in His Book and says, *Say: O My slaves who have been prodigal to their own hurt! Despair not of the mercy of Allah* (39:53). I swear by God that He meant [here] none but you. Have I delighted you, O Abū Muḥammad?"

He answered, 'Yes, oh could I but sacrifice myself for thee! Enlighten me more.'

[The Imam] said, 'God has referred to you yet in His Book: *Say (unto them, O Muḥammad): Are those who know equal with those who know not? But only men of understanding will pay heed* (39:9). It is you, I swear by God, who are the ones possessed of understanding. Have I made you happy now, O Abū Muḥammad?"

He answered, 'Certainly, may I be made thy ransom! Enlighten me more.'

[The Imam] said, 'God has said, *Lo! As for My slaves, thou hast no power over any of them* (15:42; 17:65). It is you who are the servants He refers to. Have I bolstered your spirits now, O Abū Muḥammad?"

He said, 'Yes, oh could I but sacrifice myself for thee! Enlighten me more.'

[The Imam] then said, 'Every verse of the Qur'ān which arouses a craving²⁶⁸ for the Garden of Paradise is pertinent to us [the Imams] and to our partisans; and every verse which gives warning of the Fire and speaks of its inhabitants is pertinent to our enemies and those who diverge from us.' [The Imam] who, at this point of time was at al-Abṭāḥ,²⁶⁹ then

²⁶⁸This long report is also cited by Nu'mān in his *Sharḥ al-akhbār*, III, 464–7. There are some minor differences between the two texts. The reading *tasūqu ila 'l-janna* in *Sharḥ al-akhbār*, III, 466, is incorrect and should be corrected to read: *tushawwiqu ila 'l-janna*. Cf. also Mufid, *al-Ikhtisāṣ*, 104–7.

²⁶⁹The word signifies soft earth of a valley, such as has been drawn along by the torrents; hence it means the valley of Mecca. Yāqūt, s.v. al-Abṭāḥ; *Lisān al-'Arab*, s.v. b-ṭ-ḥ.

heard the people clamouring²⁷⁰ and said, 'What a great clamour²⁷¹ and yet how few pilgrims! I swear by God that He will accept the pilgrimage of no one but you and your companions [O Abū Muḥammad].' Then [the Imam] rose and withdrew to his apartment.

In this connection much more could be said if we were to pursue it; but what we have mentioned suffices, proclaims the matter, and gives good tidings from God and His friends, for the true believers. Praise be to God, the Lord of the Worlds.

ON THE DESIRABILITY OF KNOWLEDGE, THE INCENTIVES TO ACQUIRE IT, AND THE MERITS OF ITS SEEKERS²⁷²

God says, *Ask the people (followers) of the Remembrance (Reminder) if ye know not* (16:43; 21:7), and He says, *Exalted be His Praise, Are those who know equal with those who know not? But only men of understanding will pay heed* (39:9), and He says, *Blessed be His Name, But it is clear revelations in the hearts of those who have been given knowledge* (29:49), and He says, *Allah will exalt those who believe among you, and those who have knowledge, to high ranks. Allah is Informed of what ye do* (58:11).

Earlier we have already made it clear that the intended reference in the above and other such verses in the Book of God is to the pure Imams from the House of the Messenger of God. It is they, therefore, who are the 'possessors of knowledge'; it is to them that God has entrusted it and to whom He has given preference through this trust, conferring upon them the light of knowledge as their special distinction. He has appointed them its custodians, its treasurers, and its protectors and its conveyors. [With regard to the question of knowledge and its acquisition] God has restricted the community to application to the Imams and has charged them concerning matters they do not know to refer the questions to the Imams. God has thereby elevated the standing of their supporters by virtue of their allegiance to them and has honoured them in that they acquire their knowledge from them and in their submission to their authority and the profession of their faith and demonstration of their piety through their obedience to the Imams.

²⁷⁰Reading *ya'ijjūna* as in *Sharḥ al-akhbār*, III, 467. *Yaḥujjūna* in the *Da'd'im* text seems to be a corruption.

²⁷¹Reading *al-'ajjij* as in *Sharḥ al-akhbār*, III, 467; *al-ḥajij* in the *Da'd'im* text seems to be a corruption.

²⁷²Cf. this section with 'The merits of knowledge' *Kāfi*, I, 30 ff.; *Mishkāt*, I, 70 ff.; *Robson*, I, 50 ff.

We have already discussed such related matters in the previous section. Now, in this section, we shall report on the merit of acquiring knowledge from the Imams, learning [directly] from them and from those who teach on orders from them.

With respect to this, it is related from the Imams on the authority of the Messenger of God, that he said, 'Four things are requisite for every member of my community endowed with intelligence and discernment.' It was said [to him], 'What are these [O Messenger of God]?' He replied, 'To listen closely to knowledge, to commit it to memory, to act in accordance with it, and to promulgate it.'

[The Imams—The Messenger of God]: He said, 'Many a bearer of learning is not versed in it and many a bearer of knowledge conveys it to one who is better versed than he is.'²⁷³

[The Imams—The Messenger of God]: He was delivering a sermon in the mosque of Khayf²⁷⁴ and said, 'May God have mercy upon any servant of His who listens to my discourse, retains it in his memory, and conveys it to one who did not hear it. For many a bearer of knowledge (or its transmitter, *rubba ḥāmili 'ilm*^m) is not [really himself] a *faqīh* (well versed in it), and many a bearer of knowledge (or its transmitter) conveys it to one who is a better *faqīh* (well versed) than he.'²⁷⁵

'Alī [b. Abī Ṭālib]: He said, 'There are four things in the pursuit of which were the riders' mounts to be driven [so long and furiously] that they became exhausted, it would still be not enough: Let man's hope be placed in none save his Lord; let him not fear anything save his own sins; let the ignorant one not be ashamed of acquiring knowledge; and let not the learned one be ashamed to confess his ignorance when questioned about something he does not know.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Seek out knowledge

²⁷³This tradition is reported by Abū Dāwūd, Tirmidhī, Ibn Māja, and Ibn Ḥanbal. *Concordance*, s.v. f-q-h; *Mishkāt*, I, 78; Robson, I, 55.

²⁷⁴It is in Minā. Ḥarbi, *al-Manāsik*, 503, 504, 505, 506; Azraqī, *Akhbār Makka*, I, 69, 299; II, *passim*; Yāqūt, s.v. Khayf; *El*², s.v. Minā.

²⁷⁵The Arabic reads *rubba ḥāmili 'ilm*^m *laysa bi-faqīh*^m, *wa-rubba ḥāmili fiqh*^m *ilā man huwa afaqahu minhu*. The word *fiqh* is used here in the meaning of knowledge, understanding, and not in its technical sense of jurisprudence. The word *'ilm*, as defined by Nu'mān himself in his *Ta'wīl al-da'ā'im*, I, 65–7, means knowledge handed down to us from the prophets, Imams, and *Awliya'* Allāh (Qur'an 29: 49; 58: 11). Hence the term '*ulama'*' actually applies to the prophets and the Imams while it applies metaphorically to those who have acquired their knowledge from those sources. Nu'mān further states that the meaning of 'Many a bearer of knowledge is not [really himself] well versed in it' is that they have the knowledge but do not act accordingly. The *ḥadīth* is transmitted by Ibn Ḥanbal, Abū Dāwūd, Tirmidhī, Ibn Māja, and Dārimī. *Concordance*, s.v. f-q-h: *El*², s.v. *Fiqh*.

and adorn it with gentleness and a dignified bearing. Show humility to those you teach,²⁷⁶ and do not act as giants of learning [lest your vanity] allow falsehood to overpower the truth [you impart].'

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He said, 'Were I to be presented with a youth belonging to our partisans who did not apply himself to the acquisition of knowledge, I would instruct him until he became proficient in it.'

[Abū 'Abd Allāh Ja'far b. Muḥammad]—His father [al-Bāqir]—'Alī: The Messenger of God said, 'The status of the People of my Household in regard to you [community] is like Noah's Ark: he who boarded it was saved, and he who lagged behind drowned.'²⁷⁷ He [The Messenger of God] also said, 'Acquire knowledge from a learned man belonging to the People of my House and from the one who acquired his own knowledge from the latter [so that] you will be saved from hell fire.'

[The Imams—The Messenger of God]: He said, 'There is no life of ease except for the man of learning who expounds knowledge or the listener who retains it. Correct understanding of Islam and rectitude are two traits that the hypocrite lacks.²⁷⁸ The learned men (*fuqahā'*) are the trustees of God's messengers so long as they do not move into the temporal world [and its snares].'²⁷⁹ It was said, 'What [exactly constitutes] their moving into the temporal world, O Messenger of God?' He replied, 'Adherence to the temporal power (*sulṭān*). And when they bend their knee to the temporal authority, be wary in following them in your faith.'

By the word *al-sulṭān* here, the Prophet meant the dominion of the unjust and tyrants. Now as for the just Imams, appointed by Almighty God, and those whom they themselves have nominated from among the rightly guided through their direction, who act in accordance with their commands, to walk in their steps and to give them support confers in itself the mark of distinction and reverence. I do not know of a single believer who would deny or disapprove of this statement; on the contrary, they encourage the people and urge them to accept it. Our argument here, therefore, only goes to prove that what the Messenger of God meant was the 'dominion' of the unjust and tyrants, obedience to whom has been forbidden by the Almighty.

²⁷⁶'And show humility to those from whom you acquire knowledge': Addition in *Kāfi*, I, 36.

²⁷⁷*Mishkāt*, III, 265; Robson, II, 1359; transmitted by Ibn Ḥanbal.

²⁷⁸*Mishkāt*, I, 76; Robson, I, 54; transmitted by Tirmidhi.

²⁷⁹'Verily the learned (*'ulamā'*) are the heirs of the prophets.' *Mishkāt*, I, 174; Robson, I, 53; *Kāfi*, I, 32, 33; another tradition states that the learned men are the trustees.

[The Imams—The Messenger of God]: He said, 'When God wishes a man well, He instructs him in religion.'²⁸⁰

[The Imams—The Messenger of God]: He said, 'This knowledge will be carried by the most upright (*'udūl*) [the Imams] in every successive generation, who will expose the distortions made by the ignorant, the plagiarisms of those who make false claims for themselves, and the falseness of the interpretations of the extremists.'²⁸¹

[The Messenger of God]: He said, 'When a man goes out in pursuit of knowledge God credits him with the choicest of good deeds; and whenever such a seeker after knowledge and a man of learning meet and confer together, recalling one of God's decrees, the angels protect them and a voice proclaims from above, "I have forgiven both of you [your sins]."'²⁸²

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Every faithful servant bequeaths to the people of his household [true] knowledge and virtuous conduct, and in this way he causes them all to enter Paradise. None is denied [this benediction], neither the young, nor the old, nor the servant, nor the neighbour. [Equally], every disobedient servant bequeaths to the people of his household evil conduct, leading them all into Hell. None of them shall escape [this fate], neither the young, nor the old, nor the servant, nor the neighbour.'

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He said, 'At the time when the following verse was revealed: *O ye who believe! Ward off from yourselves and your families a Fire (66:6)*, the people asked [the Prophet], "O Messenger of God! How are we to safeguard ourselves and our families?" He replied, "Do good works and remind your families of such actions and instruct them to obey God."' Then Abū 'Abd Allāh said, 'Do you not remember that God says to His Prophet, *And enjoin upon thy people worship and be constant therein (20:132)*? And He says, *And make mention in the Scripture of Ishmael. Lo! he was a keeper of his promise, and he was a messenger (of Allah), a prophet. He enjoined upon his people worship and almsgiving, and was acceptable in the sight of his Lord' (19:54-5)*.

[Abū 'Abd Allāh]—his ancestors—The Messenger of God: He said, 'The first thing about [the acquisition of] knowledge is silence; the second is listening [attentively]; the third is acting in conformity with it; and the fourth is its promulgation.'

[Abū 'Abd Allāh]—his ancestors—the Messenger of God: He said,

²⁸⁰*Mishkāṭ*, I, 70; Robson, I, 50; transmitted by Bukhārī and Muslim; *Kāfi*, I, 32.

²⁸¹*Mishkāṭ*, I, 82; Robson, I, 57-8; transmitted by Bayhaqī. Gloss in MS D explains that the *'udūl* are the Imams.

²⁸²For similar traditions cf. *Mishkāṭ*, I, 74, 76; Robson, I, 53, 55.

'When a man instructs himself in his youth, it is as if the knowledge he acquires is engraved upon stone; but when a man sets out to do the same when he is old, it is like something written on the surface of water.'

[The Imams]—The Messenger of God: He said, 'Fear of the hereafter departs from the heart of one who loves this world. Whenever God grants [the gift of] knowledge to a man, and yet that man increases his attachment to this world, God's anger at him never fails to increase.'

[The Imams]—[The Messenger of God]: He said, 'The best minister of faith is knowledge; the best minister of knowledge is gentleness; the best minister of gentleness is kindness; and the best minister of kindness is tenderness.'

[The Imams]—[The Messenger of God]: He said, 'It is the children of a man of learning who take the least advantage of his learning, and next his relations, and then his neighbours, for they say, "Since he is with us, we can obtain this knowledge [from him] whenever we want to" [but they fail to do so]. Now the man of learning is like a spring of water: the people come to it and draw off the water as they please, but then, while they are going on in this way, all of a sudden, the spring dries up, and it is then that the people regret.'

'Alī: He said, 'Nine things are ugly, but in nine particular persons, they are even more repugnant than in others: Weakness in kings, avarice in the rich, a quick temper in the learned, childish behaviour in the middle-aged, rupturing of relationships in the chieftains, falsehood in the judges, procrastination in physicians, obscenity in women, and recklessness among the people in power (*dhawi 'l-sulṭān*).'

[Alī]: He said, 'Neither flattery nor [the trait of] envy is the mark of the true believer, unless it be in pursuit of knowledge.'

[Alī]: He said, 'The pursuit of knowledge is obligatory on every Muslim.'²⁸³

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Luqmān²⁸⁴ said to his son "My little son, do not acquire knowledge in order to compete with the learned or to wrangle with the foolish, or to give yourself airs in gatherings."²⁸⁵ Do not renounce learning by turning away from it and by a longing for ignorance. O, my dear son, attend gatherings just as you please. If you see a group of people remembering God, sit among them. If

²⁸³*Mishkāt*, I, 76; Robson, I, 54; *Kāfi*, I, 30.

²⁸⁴He is a legendary figure from pre-Islamic Arabia and appears in the Qur'ān as a sage who utters pious admonitions. *Et*², s.v. Luqmān.

²⁸⁵'If anyone seeks knowledge to use it in vying with the learned, or disputing with the foolish, or to attract men's attention to himself, God will bring him into hell.' *Mishkāt*, I, 77; Robson, I, 55; transmitted by Tirmidhī.

you indeed are a man of learning, your knowledge will benefit you and your knowledge will increase by their knowledge. But if [on the other hand] you are ignorant, they will instruct you; and it may be that God may show them mercy, and that may encompass you as well. But, my son, if you come across a group of people who do not speak of God, do not sit with them. For verily, if you are a man of learning, your knowledge will be of no use to you; and if you are ignorant, it will only add further to your ignorance. It may be that God may punish them, and the punishment may encompass you as well.”

Muḥammad b. ‘Abd Allāh²⁸⁶ b. al-Ḥasan b. al-Ḥasan b. ‘Alī b. Abī Ṭālib: Some of his followers²⁸⁷ reported to him, ‘The people say: “Your master is only a young man and does not have that degree of knowledge (*fiqh*).”’ At this [Muḥammad b. ‘Abd Allāh] reached for his whip and said, ‘It does not please me that the community agrees upon me [with regard to knowledge] as strongly as I am grasping the strap of this whip of mine; when have I ever been asked about a matter concerning what is permitted and what is forbidden [by God] and had no answer?”²⁸⁸

²⁸⁶He is known as al-Nafs al-Zakiyya. Together with his brother Ibrāhīm, he rebelled against the ‘Abbāsīd caliph al-Manṣūr at Medina in 145/762–3. EI², s.v. Muḥammad b. ‘Abd Allāh. The Urdu and Gujarati translator has erroneously identified Muḥammad b. ‘Abd Allāh with Imam al-Bāqir. Despite his promise to present only the doctrine of the Fāṭimid Imams, Nu’mān does in a few places, such as here, quote the views of non-Fāṭimid Zaydī ‘Alids. Poonawala, ‘Al-Qāḍī al-Nu’mān and Isma‘īlī jurisprudence’, 128. See also n. 180 in chap. 3 in this volume. In chap. 6 n. 92 Nu’mān quotes from Qāsim b. Ibrāhīm al-Rassī.

²⁸⁷According to Iṣfahānī (*Maqātil al-Ṭalibiyyīn*, 197), it was al-Qāsim b. Muslim who said to Muḥammad b. ‘Abd Allāh b. al-Ḥasan, ‘O Abū ‘Abd Allāh, the people say, “Your master Muḥammad does not have that [high] degree of knowledge (*fiqh*).”’ At this Muḥammad b. ‘Abd Allāh reached for his whip [which was lying] on the ground and replied, ‘O Qāsim, it does not please me that the community agrees upon me [with regard to knowledge as strongly as] I am grasping the strap (*miḥlāq*) of this whip of mine. When have I ever been asked about a matter [concerning] what is permitted and what is forbidden and had no answer? O Qāsim b. Muslim, indeed the most misguided person, rather the most unjust person [or] rather the most ungrateful person of this community is the one who claims [to be the most knowledgeable], but when questioned about the *ḥalāl* or *ḥarām* is unable to give an answer.’

²⁸⁸The *bay’a*, as claimant to the caliphate, was given to Muḥammad b. ‘Abd Allāh while he was a young man of 32. His brother Ibrāhīm appears to have been more knowledgeable and intelligent than him. Iṣfahānī narrates a story that when the founders of Mu’tazilism, Wāṣil b. ‘Aḥḍ and ‘Amr b. ‘Ubayd, came to Medina with a group of their followers to meet the ‘Alid claimant to the caliphate, ‘Abd Allāh b. al-Ḥasan preferred that they should meet Ibrāhīm rather than Muḥammad, since, given the intelligence of the questioners, the interview promised to be an awkward one. Iṣfahānī confirms the report that Ibrāhīm made a very good impression on them. Iṣfahānī, *Maqātil al-Ṭalibiyyīn*, 196; EI², s.v. Ibrāhīm b. ‘Abd Allāh.

ACCOUNT OF THOSE FROM WHOM KNOWLEDGE SHOULD
BE ACQUIRED, AND THOSE FROM WHOM IT SHOULD
BE LOATHED AND WHOSE PRONOUNCEMENTS
SHOULD BE REJECTED

Since, in the immediately preceding section, we noted the desirability of seeking knowledge and the inducements to do so, it now becomes necessary for us to indicate the kind of knowledge we alluded to, which we urged you to pursue, and similarly to indicate the learned men whose excellence we have already mentioned, and what makes it necessary for us to acquire our knowledge from them, although some of this may involve repetition. Now we shall discuss the persons whose pronouncements must be rejected, and the factors which necessitate this rejection, and indicate the unsoundness of their assertions.

We therefore state as follows: It is the knowledge [teaching] derived from the Imams of the House of the Prophet Muḥammad which [alone] should be accepted, studied and handed down, and not what is derived from the so called learned among the commonalty. The latter are the distorters and innovators who have treated their religion as a plaything and have been deluded by the temptations of this world. They thus became satisfied to let the worldly plane and its few ephemeral pleasures rule over them. As a result of this, they occupied positions which were not theirs [by right] and drank from sources to which they were not entitled.²⁸⁹ They contested the rights of the rightful owners and scorned to approach them, as they had been commanded by God, about what they did not know. [They scorned] to listen to their [the Imams'] injunctions and obey [their command]. On the contrary, they propounded religion on the basis of their own subjective opinions and traced back such doctrines according to their use of deductive reasoning. The ignorant among the community and the rabble followed them and blindly imitated their innovations with the idea of attaining, after them, the position of leadership they had attained. The deeper their leaders sank into ignorance the more their followers considered this as a mark of distinction.

An example of this is what the commonalty relates about 'Umar b. al-Khaṭṭāb. He addressed the people and said, 'O people, do not overdo what is given to your wives as dowries, for if this were something to be desired in society or a pious act in the eyes of God, the Messenger of God would have been the first to act in this way. But he never gave a dowry in excess of twelve ounces of silver for any of his wives.' Thereupon a woman standing among the last ranks of the assembly rose and said, 'O Commander

²⁸⁹A metaphorical way of saying that they appropriated resources to which they were not entitled.

of Believers, why do you deny the rights God granted us? God says, *And (if) ye have given unto one of them a sum of money (however great), take nothing from it* (4:20). Whereupon 'Umar lapsed into silence and could not give her any reply.²⁹⁰ Then he turned to those present and said, 'You heard me say this and you did not contest it; while a woman who is by no means the most learned of women has refuted me.' Even then the people considered this as one of 'Umar's virtues! How is it to be explained that the people could appoint a person of such ignorance to fill the place of the Messenger of God—a man who could be refuted by a woman who was not among the most learned, or could know better than he what is right?

Similarly, in addressing the people [on another occasion], ['Umar] said, 'The oath of allegiance given to Abū Bakr was an event that happened without premeditation (*falta*), but God averted its evil.'²⁹¹ Those who would resort to such an act should be killed.'²⁹² By these very words he publicly called for and enjoined not only his own death, but the killing of all those who had concluded the oath to Abū Bakr with him as well. Furthermore, by this statement, he made it incumbent on the people to depose him. For it was through Abū Bakr's desire for the appointment of a successor that 'Umar occupied that position; it was not by the suffrage of the people. On the contrary, they came to him [Abū Bakr] concerning the matter [of the succession] and said, 'We implore you by God not to appoint over us a man who is harsh and rude.' But Abū Bakr said, 'Do you seek through God's name to frighten me? For it is surely the case that when I face God, I shall say to Him, "I appointed for them the best among Thy people."²⁹³

Yet the people disapproved of neither Abū Bakr nor 'Umar for this, but considered this one of their virtues and fine qualities. Similarly they relate that once, in addressing the people, Abū Bakr said, 'I have been given authority over you, although I am not the best among you. If I err, then correct me.'²⁹⁴ Even this was considered by the people as an admirable trait!

²⁹⁰Both Zamakhsharī, *al-Kashshāf*, I, 514 and Ibn Kathīr, *Tafsīr*, II, 230, in their commentaries of this Qur'ānic verse relate the same story.

²⁹¹Ibn Ishāq, *al-Sīra*, IV, 307–8; Balādhurī, *Ansāb al-Ashraf*, I, 581, 584, 590–1; Ya'qūbī, *Tārīkh*, II, 148. For more details in English, see Ṭabarī, *History of al-Ṭabarī*, IX, 189 ff.; *Majma' al-bahrayn*, s.v. f-l-t.

²⁹²'Umar refers to some Companions who said, 'If the Commander of the Faithful is dead, I will give the oath of allegiance to so-and-so ['Alī]. The sources indicate that it was either Zubayr, or Ṭalḥa, or 'Ammār b. Yāsir. Cf. Ṭabarī, *History of al-Ṭabarī*, IX, 189.

²⁹³Abū Bakr appointed 'Umar as his successor without prior consultation with the Companions. Ṭabarī, *Tārīkh*, III, 428 ff; *History of al-Ṭabarī*, XI, 145 ff; Ya'qūbī, *Tārīkh*, II, 126; Madelung, *Succession*, 55–6.

²⁹⁴It was the first address of Abū Bakr after assuming the caliphate. Ibn Ishāq, *al-Sīra*, IV, 311; Guillaume, 687; Ṭabarī, *Tārīkh*, III, 210; *History of al-Ṭabarī*, IX, 201.

They relate that 'Umar wanted to punish a woman who gave birth within six months [of marriage], whereupon 'Alī said to him, 'The child belongs to her husband [that is the child is legitimate], and the woman is innocent.' 'Umar then said to 'Alī, 'On what authority do you say that, O Abu 'l-Ḥasan?' 'Alī answered, 'It is from the Book of God; for the Almighty says, *The bearing of him and the weaning of him is thirty months* (46:15), and He also says, *Mothers shall suckle their children for two whole years* (2:233). Whence it follows that the minimum period of pregnancy is six months.' 'Umar thereupon ordered the woman to be released and affirmed the husband's paternity and declared, 'But for 'Alī, 'Umar would surely have perished.'²⁹⁵ However, the commonalty did not count this against him either, but rather saw it as a virtue.

[On another occasion] 'Umar had intended to inflict the punishment of stoning on a pregnant woman [for adultery].²⁹⁶ Then 'Alī said to him, 'But what right have you over the child in her womb?' 'Umar therefore desisted. A group of people, among them Mu'ādh,²⁹⁷ also stated the same and 'Umar said, 'But for Mu'ādh, 'Umar would surely have perished.'²⁹⁸

If a comparable error had been made by a prefect of police, the people would have revolted in protest against the one who had appointed him until they brought about his dismissal. How then could ['Umar], the one who sat in the place of the Messenger of God and claimed the leadership of the Muslims, be ignorant to this extent? [The wonder is that] when he acknowledged his ignorance, this was considered a mark of his humility and excellence. Surely even humility demands a suitable occasion! If we were to describe all such incidents relating to their 'Imams', it would exceed the limits set for this book.

The people, among them both the Muhājirūn and Anṣār, agreed upon 'Uthmān's [choice by the electoral council].²⁹⁹ However, they

²⁹⁵Sharḥ al-akhbār, II, 318–19; Mufid, *al-Irshād*, 110; Ibn Abī al-Ḥadīd, *Sharḥ nahj al-balāgha*, I, 19. According to Qurṭubī (*Jāmi' li-ahkām al-Qur'ān*, XVI, 193), it was the third caliph 'Uthmān who wanted to punish a woman whereupon 'Alī intervened in the matter. The case is well known and is widely reported in the Sunnī sources. See also Bāqūrī, *Alī*, 219–20; Sharqāwī, *Alī*, I, 89. It should be noted that the fifth chapter in the latter work is entitled 'But for 'Alī, 'Umar would surely have perished'.

²⁹⁶It should be noted that the penalty prescribed for adultery in the Qur'ān is flogging; however, the majority of the law schools are unanimous that, in certain circumstances, the penalty is death by stoning. For details see Burton, *Collection of the Qur'ān*, 72 ff.; Tabarī, *History of al-Tabarī*, IX, 191.

²⁹⁷The statement of a companion of the Prophet that he would use discretion if he found no guidance in the Qur'ān or in the *sunna* of the Prophet is one of the most famous in *fiqh*, and cited very often. Schacht, *Origins*, 105. See also n. 14 in this chapter.

²⁹⁸'But for 'Alī, 'Umar would surely have perished!' is a well-known saying of 'Umar. See *Urjūza*, 129 ff.; Ibn Abī al-Ḥadīd, *Sharḥ nahj al-balāgha*, I, 19; Mufid, *al-Ikhtisāṣ*, 111.

²⁹⁹For a detailed analysis see Madelung, *Succession*, 70 ff.

reported his innovations (*ahdāth*), which would take too long to relate, and yet they did not see anything wrong in that since he was an Imam to them whose pronouncements were simply to be accepted.

They also acquire [knowledge] from Mu'āwiya, although most of them considered him to be in error and a rebel.³⁰⁰ Similarly they acquire [their knowledge] from Marwān b. al-Ḥakam,³⁰¹ 'Amr b. al-'Āṣ,³⁰² and the like. In support of this they alleged that the Messenger of God had said, 'My Companions are like the stars; whichever of them you choose to follow, you will be rightly guided.'³⁰³ Indeed what the Messenger of God actually said was, 'The Imams from the People of my House are like the stars; whichever you follow, you will be rightly guided.' If, indeed, it were as the commonalty maintains, that [what the Messenger of God said was] 'my Companions', a term which encompasses everyone who saw the Messenger of God and was associated with him, then it would mean that it was permissible to put them all to death. This is because after the Prophet's death they fought one another and differed among themselves, and killed each other. If a 'follower' were to follow one person among them [according to what they allege], it would be permissible for him to kill any member of the faction with which he disagreed over what it asserted. Then that 'follower' [might realize that he was wrong], and therefore follow another leader from a different faction, and thus it would be lawful for him to kill any member of the first group to which he had originally belonged. Neither God, the Almighty, nor His Messenger commanded mankind to follow a group at variance with itself such that the one who is commanded to follow does not even know whom to follow. To hold this as a doctrine, therefore, is a manifest error. Its falsity is so patent that a formal refutation of its proponent is uncalled for.

Subsequently, the question of giving formal legal opinions was restricted among the commonalty to Abū Ḥanīfa,³⁰⁴ Mālik,³⁰⁵ and al-Shāfi'ī.³⁰⁶

³⁰⁰Mu'āwiya b. Abī Sufyān, the founder of the Umayyad dynasty, ruled as caliph from 41/661 to 60/680. *El*², s.v. Mu'āwiya I; Madelung, *Succession*, 184 ff. Kister, 'O God, tighten Thy grip on Muḍar', 258–67, throws new light on the relations between the Prophet and Abū Sufyān.

³⁰¹The first caliph of the Marwānid branch of the Umayyad dynasty, he reigned for several months in 64–5/684–5. *El*², s.v. Marwān b. al-Ḥakam.

³⁰²See n. 133 in this chapter; Madelung, *Succession*, *passim*.

³⁰³*Sharḥ al-akhbār*, II, 248–9; Nu'mān, *Ikhṭilāf*, 37; *Mishkāt*, III, 219; Robson, II, 1320; it is transmitted by Razīn and the editor comments that it is a false *ḥadīth*.

³⁰⁴Abū Ḥanīfa al-Nu'mān b. Thābit, a leading *fiqh* scholar and theologian in 'Irāq, after whom the Ḥanafī *madhhab* has been named, died in 150/767. *El*², s.v. Abū Ḥanīfa.

³⁰⁵Mālik b. Anas, a jurist and the Imam of the Mālikī *madhhab*, died in 179/795 in Medina. *El*², s.v. Mālik b. Anas.

³⁰⁶Abū 'Abd Allāh Muḥammad b. Idrīs al-Shāfi'ī, the founder of the Shāfi'ī *madhhab*, died in 204/820 in Fustāṭ, Egypt. *El*², s.v. al-Shāfi'ī.

These [three] are their greatest authorities from whom they derived [their knowledge], and who unfolded for them the books and recorded the account books of the treasury and argued against those who differed with them.³⁰⁷

As for Abū Ḥanīfa, his two adherents Abū Yūsuf al-Qāḍī Ya'qūb b. Ibrāhīm³⁰⁸ and al-Ḥasan b. Ziyād al-Lu'lu'³⁰⁹ reported on his authority. These two are among the most revered of Abū Ḥanīfa's disciples according to the commoality and the ones from whom they derive [their knowledge]. The two stated that Abū Ḥanīfa said, 'This knowledge of ours rests on an opinion (*ra'y*) only, while, [in our judgement], it is the soundest attainable. If someone comes to us with a better opinion, we shall adopt his view.'³¹⁰

As for Mālik, his associate Ashhab b. 'Abd al-'Azīz,³¹¹ who is regarded by the Mālikīs as the foremost of his followers, reported from him and said, 'One day I was in the company of Mālik when he was asked about the irrevocable divorce (*al-batta*),³¹² and he said, "It is [the *ṭalāq* pronounced] thrice [at one time and considered thrice valid]." Thereupon I [Ashhab] seized my tablet to write it down on his authority. Mālik said, "What are you doing?" I said, "I am inscribing what you have just said." Mālik said, "Do not do so, for it is possible that by evening I may say that it is only one [valid pronouncement]."

As for al-Shāfi'ī, it is related by his followers that he forbade [them] from unquestioning adoption (*taqlīd*) of either his own opinion or [the opinions of] his fellow jurisconsults.³¹³

Not one of these [legists], or those that preceded them, did other than put forward a certain view and then retract in favour of something

³⁰⁷For Nu'mān's refutation of the Sunnī schools of law see his *Ikhulāf* and the introduction to it by Lokhandwalla.

³⁰⁸Abū Yūsuf Ya'qūb (d. 182/798) and Muḥammad b. al-Ḥasan al-Shaybānī (d. 189/805) are generally regarded as the two most famous pupils of Abū Ḥanīfa. *El*², s.v. Ḥanafites; Ibn Khallikān, IV, 184–5, VI, 378–90; de Slane, IV, 272–86.

³⁰⁹Abū 'Alī Ḥasan b. Ziyād al-Lu'lu'ī, a pupil of Abū Ḥanīfa, died in 204/819. See Nu'mān, *Ikhulāf*, 41, where older sources are listed; Ibn Khallikān, V, 411; de Slane, II, 422, n. 3.

³¹⁰Cf. Nu'mān, *Ikhulāf*, 41.

³¹¹A Mālikī jurist held in high regard by al-Shāfi'ī, he died in Egypt in 204/820. Ibn Khallikān, I, 238; de Slane, I, 223–4.

³¹²The *ṭalāq* pronounced thrice at one time, called *ṭalāq al-bid'a* (irregular divorce), is considered a sin, but thrice valid, by the overwhelming majority of the Sunnīs. However, some authorities considered a *ṭalāq* of this kind to be valid only once. Cf. *El*², s.v. Ṭalāk; for more details see also *Da'a'im*, II, 259–60. See also Nu'mān, *Ikhulāf*, 41–2; he relates another anecdote wherein Abū Ḥanīfa had reversed his earlier opinion. See also Schacht, *Origins*, 146, 196.

³¹³Nu'mān is more critical of him in his *Ikhulāf*, 43.

else. None of them held a view and maintained it until his death. This is proof enough that had any one of them gone on living, he would then certainly have revoked many of the views he had held at his death. In spite of this, the ignorant masses still persist in adhering blindly to them. Not one of them, having professed the doctrine of one among them, considers it permissible to repudiate it, but holds that the person who differs from him is in error. The commonalty in their ignorance count this conduct on the part of these legists as admirable, but in fact it is one of their shortcomings. Would that they had been granted the ability to criticize such views and [visualize] their unsoundness!

The commonalty reports from Mālik that he shared the same views as the Khawārij. But when he was asked about them, he said, 'What can we say about a people who ruled us and acted with justice in our regard?'³¹⁴

They relate that al-Shāfi'ī, who is one of their recognized authorities and whom they cite and whom they rate highly with regard to both knowledge and discernment, held that it was not right for Mālik to deliver formal juristic opinions. Although al-Shāfi'ī and those belonging to his school had reservations about blindly following those whom God Himself had not enjoined, as we have already indicated, they themselves fell into this evil, or rather, they never emerged from it. They said, 'We do not follow anyone, but we adopt views of any proponent that are sound, and reject views that are unsound.' Therefore if they adopted what opinions they did in fact adopt, they did it through following (*taqlid*) [without questioning]. Hence they cannot be said to have emerged from *taqlid*. [Thus it follows] that if a person was mistaken in the least, they ought not to have adopted any other opinion from him if they assert that they did not follow [that person] in any one particular thing. But what they are saying is that they adopted from his opinions what they considered to be correct. Thus they fell into a situation where they followed their own opinions.

Others [non-Shāfi'ites] are therefore duty bound not to follow them, just as they had imposed this measure on themselves. Their reliance was solely on the following of their own predilections. If such freedom [of opinion] were to be extended to any person at all, then it would surely have been granted to God's prophets above all. But, in fact, concerning His Prophet Muḥammad, God says, *Nor doth he speak of (his own) desire. It is naught save an inspiration that is inspired* (53:3–4). God spoke thus to David, *And follow not desire that it beguile thee from the way of Allah*

³¹⁴His answer implies that he was not prepared to criticize 'the venerable forefathers' as the Khawārij did.

(38:26).³¹⁵ and He said, *Hast thou seen him who chooseth for his god his own lust?* (25:43; 45:23). God and His Messenger have commanded nothing save following his footsteps and it is not given to any man to rely on his own opinion, or what he desires. God says, *And follow the better (guidance) of that which is revealed unto you from your Lord* (39:55). The Messenger of God said, 'Follow, and do not innovate; for every innovation is an error, and every error leads to hell fire.'³¹⁶ Thus he made it clear that he who opposes obedience [to Him], introduces innovation (or heresy *bid'a*).

We have stated earlier that it is the rightly guiding Imams to whom God and His Prophet have ordained obedience and from whom knowledge was to be acquired. They are the ones to whom God has ordained obedience and to whom all questions are to be referred.

It is related that a man from Khurāsān performed the pilgrimage and met Abū Ḥanīfa, and wrote down on his authority [his opinions] concerning certain issues. Then he returned, [making the pilgrimage again] the next year, met Abū Ḥanīfa, and asked him about the same issues. But Abū Ḥanīfa revoked what he had said *in toto*. At this the Khurāsānī threw dust on his head, and let out a cry. The people gathered round him and he said, 'O ye people! This man [Abū Ḥanīfa] gave me his legal opinion [on certain issues] last year, as it is written down in this written work. I then returned home and on the basis of this permitted marriages to be consummated and allowed the shedding of blood [in punishment of crimes] and, again on the basis of this, took property from individuals and gave it [to others]. Then I came to him [Abū Ḥanīfa] this year and he had revoked his opinion altogether.' Whereupon Abū Ḥanīfa exclaimed, 'But that was only the considered opinion I did hold; and now I think otherwise.' The Khurāsānī rejoined, 'Woe to you! Perhaps if I were to depend on what you say this year, contrary to what you said last year, then you would certainly again reverse your opinion the next year!' Abū Ḥanīfa said, 'I do not know; [perhaps I might].' The Khurāsānī thereupon said, 'But, I do know that upon you lies the curse of God and the angels and all mankind!'³¹⁷

This is the way of all those who deliver legal opinions from among the commonalty. One authority gives a certain opinion and it is acted upon; his opinion is taken as a rule and acted upon by others who follow him. Then the same authority goes back on his opinion and constantly varies his opinion until he reaches the point where, when questions are

³¹⁵Pickthall 38:27.

³¹⁶This tradition is transmitted by Muslim, Abū Dāwūd, Nasā'i, Ibn Māja, Dārimī, and Ibn Ḥanbal. *Concordance*, s.v. b-d'.

³¹⁷Nu'mān, *Ikhtilāf*, 42-3.

put to him [regarding points of law], he has no argument left to absolve himself [of his errors]. The refutation of such things would be too elaborate an undertaking [for inclusion in this book].

Those who claim to have proper understanding of religion have reported on the authority of the two *shaykhs* [Abū Bakr and 'Umar] what they are alleged to have reported directly from the Messenger of God, namely that he said, 'Accord precedence to the Quraysh, and do not seek to claim precedence over them. Learn from, but do not teach, them.' [According to them] the Messenger of God also said, 'The leadership (imamate) is the prerogative of the Quraysh.'³¹⁸

Now this is a clear acknowledgement on the part of the people that the Quraysh have precedence over them. [Moreover, their acknowledgement] does allude to the Messenger of God's actual dictum, [which refers to the Imams and not the Quraysh]. Now, those who accepted the affirmation of those so-called imams (*al-awthān*) and followed them, according to the above report, are disbelievers [because they did not follow the Quraysh]. [The report] further implies that they rejected the word of God and falsified the word of the Messenger of God, since those so-called imams did not belong to the Quraysh [who were given precedence]. The people were not commanded to follow them in their whims, nor in whatever opinions they may have held, and they were not members of the Quraysh tribe. These people [the so called scholars] created confusion in the minds of the community with this report, as did the *shaykhs* [Abū Bakr and 'Umar].

Had they accepted the Word of God as the truth, and faithfully reported the saying of the Messenger of God, they would have acknowledged the nomination of his vicegerent (*waṣī*),³¹⁹ and the oath of allegiance taken from the people by the Messenger of God, and his insistence that they should follow and obey him ['Alī], and acquire their knowledge from him. Had they done so, they would indeed have followed the reported tradition in its true import, roused the community from their oblivious state, and saved themselves from the Fire and its torments. But when they took it upon themselves to imbibe their knowledge from Mālik and the likes of him, this entailed obedience to one who appointed himself to deliver legal opinions concerning God's religion according to his own subjective opinion and through deductive reasoning. [It also entailed obedience to] the riff-raff and the scoundrels who misguided the community of the Messenger of God. When the state of things is one and the same

³¹⁸Refers to the argument of the triumvirate (Abū Bakr, 'Umar, and Abū 'Ubayda) against the Anṣār in the gathering of Saqīfa Banī Sā'idā. Lammens, 'Le triumvirat'; Madelung, *Succession*, 28 ff.

³¹⁹See n. 63 in this chapter.

and deductive reasoning remains uninterrupted, the following words of God as revealed by the tongue of His Prophet are falsified: *This day have I perfected your religion for you and completed My favour unto you, and have chosen for you as religion al-Islām* (5:3).

I seek refuge with God from the sin of disbelief after faith and from being tempted to heed the varnished falsehoods of the friends of Satan and from rejecting the Word of the Compassionate. May God protect us with His [grace and] favour, absolve us [from our sins] through His mercy, and make us obedient to His will. And among those that acquire their knowledge from the possessors of His authority among the People of the House of His Prophet Muḥammad, the Leader of the Messengers, may God bless him and them one and all. The refutation of this [matter under discussion], and following it through goes beyond the pale of our book, for we stipulated that it should contain but a sprinkling of all subjects.

Ja'far b. Muḥammad: [Once] when Abū Ḥanīfa came to see him, he said to the latter, 'O Nu'mān, what is it that you rely on in a case where there is no explicit text from the Book of God and no report from the Messenger of God?' Abū Ḥanīfa said, 'I apply deductive reasoning to relate it to what I have found in these sources.' [The Imam] rejoined, 'Surely, the first to rely on deductive reasoning was Satan, and he fell into error; for when God commanded him to prostrate himself before Adam, he declared, *I am better than him. Thou createdst me of fire while him Thou didst create of mud* (7:12). Satan held that fire as an element was nobler than earth, and this [reasoning] sent him to an everlasting and degrading punishment.'³²⁰

'O Nu'mān, which of the two is purer, semen or urine?' Abū Ḥanīfa answered, 'Semen.' [The Imam] said, 'But the Mighty and Glorious has decreed ablution after [the outflow of] urine, and a ritual bath after [the extrusion of] semen. If the question were to be determined according to deductive reasoning, then doubtless the washing of the whole body would be the answer in the case of urine.'

[The Imam then asked Abū Ḥanīfa], 'Which of the two is the greater [offence] in the eyes of God, unlawful sexual intercourse or murder?' Abū Ḥanīfa said, 'Murder.' [The Imam] said, 'But God has decreed two witnesses in the case of murder and four in that of unlawful intercourse. If the decision had been on the basis of deductive reasoning, then four witnesses would be necessary in the case of murder since it is the graver [offence].'

[The Imam then asked], 'Which of the two is nobler in degree before

³²⁰Mufid, *al-Ikhtisās*, 109.

God, prayer or fasting?' Abū Ḥanīfa said, 'Prayer.' [The Imam] rejoined, 'Yet the Messenger of God has laid down that a menstruating woman should fulfil the obligation of fasting later on, but that it is not obligatory for her to comply with the duties of prayer later on. If the ruling on this had been based on deductive reasoning, it would be imperative for her to comply with the duties of prayer later on. Fear God therefore, O Nu'mān [the Imam said], 'and do not apply deductive reasoning, for on some future day we will all stand before God, you and we, and those that differ with us. He will question us about our pronouncements, and question you about yours. We shall say, "We hold on to what³²¹ God and His Messenger said," and you and your associates, "We expressed our own opinions and applied deductive reasoning." God will do as He wills with you and with us.'³²²

[Ja'far b. Muḥammad]: One day he said to Ibn Abī Laylā,³²³ 'Do you judge between individuals, O 'Abd al-Raḥmān?'

Ibn Abī Laylā said, 'Yes, O son of the Messenger of God.'

[The Imam] said, 'Do you take property from one person to give it to another? Do you take a woman from one man to give her to another? Do you inflict (*ḥadd*) punishment³²⁴ on one person and incarcerate another?'

Ibn Abī Laylā said, 'Yes.'

[The Imam] said, 'On what authority do you do all this?'

Ibn Abī Laylā replied, 'On the authority of the Book of God.'

[The Imam] said, 'Do you find all that you deal with in the Book of God?'

Ibn Abī Laylā said, 'No.'

[The Imam] asked, 'When you do not find [the necessary rule] in the Qur'ān, where do you obtain the rule from?'

Ibn Abī Laylā said, 'Then I take it from the Messenger of God.'

³²¹As in most MSS.

³²²*Sharḥ al-akhbār*, III 300–1; Nu'mān *Ikhtilāf*, 141–2; 'Alī b. al-Walid, *Tāj al-aqā'id*, 83–4. Muḥid (*al-Ikhtisās*, 189–90), adds: Abū 'Abd Allāh asked, 'Are women weaker in earning a livelihood or men?' Abū Ḥanīfa replied, 'Surely the women.' Abū 'Abd Allāh rejoined, 'How then has God assigned only one share to women but two to men?' (Cf. Qur'ān 4:11) 'How could it be understood by *qiyās*?' Muḥid also cites a debate between Abū Ḥanīfa and Mu'min al-Ṭāq (a disciple of Ja'far al-Ṣādiq) concerning *ṭalāq al-bid'a*. See *al-Ikhtisās*, 109–10.

³²³Muḥammad b. 'Abd al-Raḥmān b. Abi Laylā was a judge and Qur'ān-reader from Kūfa who served the Umayyads and the Abbasids and died in 148/765 in Kūfa. Ibn al-Nadīm, 33, 256; Dodge, 69, 502, 1035; he states that even before the time of Abū Ḥanīfa, Ibn Abī Laylā gave legal opinions according to his own personal opinion. Ibn Qutayba, *al-Ma'ārij*, 494; Ibn Khallikān, IV, 179–80; he belonged to *aṣḥāb al-ra'y*.

³²⁴See n. 122 in this chapter.

[The Imam] asked, 'Do you find everything in the Qur'ān and [in the traditions] of the Messenger of God?'

Ibn Abī Laylā said, 'Whenever I am faced with a matter not found in the Book of God or the *sunna* of the Messenger of God, I rely on the Companions of the Messenger of God.'

[The Imam] asked, 'From which of them in particular do you draw [your knowledge]?''

Ibn Abī Laylā said, 'From Abū Bakr, 'Umar, 'Uthmān, 'Alī, Ṭalḥa, and al-Zubayr,' and he enumerated the Companions of the Messenger of God.'

[The Imam] asked, 'Do you find that they are unanimous on every matter where you draw on their authority?'

Ibn Abī Laylā said, 'No.'

[The Imam] asked, 'When they differ, on whose opinion do you rely?'

Ibn Abī Laylā said, '[In that case] I base my opinion on the view which I like [which in my own judgement is the soundest].'

[The Imam] asked, 'Aren't you bothered that you disagree with the rest?'

Ibn Abī Laylā said, 'No.'

[The Imam] asked, 'Do you then diverge from 'Alī in what comes to you that he had decided it [in a particular manner]?''

Ibn Abī Laylā replied, 'I have differed sometimes from him, giving preference to the dictum of another among them.'

At this point Abū 'Abd Allāh [the Imam] lapsed into silence for a while, scratching [pensively] at the ground. Then he raised his head and said, 'O 'Abd al-Raḥmān, what will you say on the Day of Resurrection when the Messenger of God takes you by the hand and brings you to stand before God and says, "O my Lord, this man had received a dictum from me and yet contradicted it."'

Ibn Abī Laylā asked, 'But how have I gone against the dictum of the Messenger of God, O son of the Messenger of God?'

[The Imam] said, 'Has the tradition which he addressed to his Companions not come to your ears, namely "The best of judges among you is 'Alī?"'³²⁵

Ibn Abī Laylā, 'Yes, certainly it has.'

[The Imam] said, 'Since you have given judgement contrary to his, have you not, in effect, contradicted the Messenger of God?'

At this point a deathly pallor spread over Ibn Abī Laylā's face; he was at a loss for a reply.

'Umar b. Udhayna,³²⁶ one of the followers of Abū 'Abd Allāh Ja'far

³²⁵Sharḥ al-akhbār, II, 315.

³²⁶Umar b. Udhayna: according to MSS C, F, and Ṭūsī, *Rijāl*, II, 626; Muḥid, *al-Ikhtisās*, 279. In the *Da'a'im* text: 'Amr.

b. Muḥammad: He said, 'One day I visited 'Abd al-Raḥmān b. Abī Laylā when he was a *qāḍī* at Kūfa and I said, "I wished, may God guide you rightly, to ask you about certain problems." I was of tender years [at that time], so he said, "Ask whatever you wish, O my nephew."

'I said, "Tell me, then, about yourself and your fellow judges. For instance, a case is brought before you regarding property [division of inheritance or other matters] or regarding some legal points concerning marriage and divorce, or offences concerned with the shedding of blood, and you decide the case on the basis of your subjective opinion. Then exactly the same case comes before the *qāḍī* of Mecca, and he decides it differently. Then exactly the same case goes before the *qāḍīs* of Basra, of Yemen, and of Medina. They all decide it in a way contrary to the previous judgement. Subsequently you all assemble at the court of your Caliph who appointed you. You inform him then of the divergence in your decisions and he approves the judgement of each one of you. Now your God is one, your Prophet is one, and your religion is one. If God has ordered you to differ among yourselves, then you have indeed obeyed His command; but if He has forbidden you that, you have disobeyed Him. Or else, it is that you have become co-associates of God in His judgement, wherein it is for you to pronounce [differing] judgements and for Him to approve. Or possibly it might be that God has revealed an imperfect religion and has asked for your assistance in its completion. Or perhaps it is that God has revealed a perfect religion, but it was His Messenger who fell short in conveying it [to the people]. Or, what is it that you would say?"

'Ibn Abī Laylā asked, "Where do you come from, young man?"

'I said, "From the inhabitants of Basra."

'Ibn Abī Laylā asked, "From which [tribe]?"

'I said, "From [the tribe of] 'Abd al-Qays."³²⁷

'Ibn Abī Laylā asked, "Belonging to which [clan]?"

'I said, "Of the Banū Udhayna."

'Ibn Abī Laylā asked, "What is your relationship to 'Abd al-Raḥmān b. Udhayna?"

'I said, "He is my grandfather."

'Thereupon Ibn Abī Laylā welcomed me [warmly] and made me draw closer and said, "Young man, you have indeed put your questions bluntly and you have been carried away [by your passion], and so it was difficult for you to comprehend. But I shall explain to you fully, if God so wills. As for what you said regarding differences in judgements, when a case comes before us wherein a principle from the Book of God, or the *sunna*

³²⁷ An old Arabian tribe in East Arabia. New migration started with the Muslim conquests. Their migration was mainly towards Basra. *El*², s.v. 'Abd al-Qays.

of the Prophet applies, we cannot go beyond the rules laid down in them. Where, however, the case involves a question not contained in the Book or the *sunna*, we deduce the principle by the exercise of our own opinion."

'I said, "What you do is invalid, For God says, *We have neglected nothing in the Book* (6:38), and regarding this same issue He says, *And we reveal the Scripture unto thee as an exposition of all things* (16:89). Do you not see that were a man to act in accordance with the command of God and refrain from that which is forbidden by Him, what is it, then, that would remain for God, to punish him for the faults of commission or omission, or to reward him for what he did?"

'Ibn Abī Laylā asked, "How then does God reward him for what He has not commanded, or punish him for what He has not forbidden?"

'I said, "But how is it that you [decide such cases and] arrive at rulings that have no point of reference in the Book of God and which are not established by the *sunna* of the Prophet?"

'Ibn Abī Laylā said, "I shall tell you, my nephew, of a tradition related by one of our companions. The *ḥadīth* relates back to 'Umar b. al-Khaṭṭāb that he decided a case between two persons. One of the people sitting nearest to him then said, 'Thou art right, O Commander of the Faithful!' 'Umar thereupon raised his whip [as though he would set upon him] and cried, 'May thy mother be deprived of a son in thee! I swear by God that even 'Umar himself does not know whether he is right or wrong. This is only an opinion delivered after earnest consideration, so do not vouch for our soundness to our faces.'"

'I said, "May I not relate a *ḥadīth* to you, [O 'Abd al-Raḥmān]?"

'Ibn Abī Laylā asked, "What is it?"

'I said, "My father related it to me on the authority of Abu 'l-Qāsim al-'Abdī from Abān,³²⁸ from 'Alī b. Abī Ṭālib, who said, 'Judges are of three kinds; two kinds are doomed and one is saved. The two that are doomed are of two kinds, the one who encroaches [on forbidden territory] intentionally, and the other who formulates an independent judgement (*mujtahid*) but errs. The one who is saved is the one who acts in complete conformity with God's command.' This then demolishes the fabric of your report, O my uncle."

'Ibn Abī Laylā said, "Certainly, by God [it would seem that you are right], my nephew. But do you really assert that everything is to be found in the Book of God?"

³²⁸He is probably Abān b. Taghlib b. Rabāḥ, a companion of 'Alī b. al-Ḥusayn, al-Bāqir, and al-Šādiq. Najāshī, *Rijāl*, I, 73-9; Mufid, *al-Ikhtisās*, 23, 62, 221, 249, 284, 318. Ibn Khallikān, IV, 438, 440.

'I said, "God Himself says so. There is nothing that is lawful, unlawful, commanded, or forbidden which is not to be found in the Book of God. He, who recognizes it, knows it; and equally, he who does not, does not. Surely God has made known to us in this context [in the Book to the extent that it comprehends] that which is not necessary for us. How then could it be [that he has not informed us about] that which is necessary for us?"

'Ibn Abī Laylā asked, "How do you arrive at this?"

'I said, "On the basis of His words *Then began he to wring his hands for all that he had spent upon it*" (18:42).³²⁹

'Ibn Abī Laylā asked, "With whom, then, is this knowledge to be found?"

'I said, "With one whom you know."

'Ibn Abī Laylā said, "Would that I knew him indeed! For then I might wash his feet, serve him,³³⁰ and acquire knowledge from him."

'I said, "I implore you by God [to think and recall]. Do you not know of a person who, when he asked something of the Messenger of God, he granted it to him; and when he remained silent [about a question], he prompted him?"

'Ibn Abī Laylā replied, "Yes, certainly, that was 'Alī b. Abī Ṭālib."

'I said, "Do you know then whether 'Alī ever asked anyone after the death of the Messenger of God concerning lawful or unlawful things?"

'Ibn Abī Laylā said, "No."

'I said, "Do you know that the people needed him and used to learn from him?"

"Yes," said Ibn Abī Laylā.

'I said, "That [knowledge] rested with him."

'Ibn Abī Laylā said, "But that is past. Where do we get that [knowledge] now?"

'I said, "For that you should question his progeny, for that knowledge lies with them."

'Ibn Abī Laylā asked, "How shall I find my way to them?"

'I said, "Have you considered [a case such as the following]? There was a group of people in a desert who had guides with them. They fell upon those guides and killed some of them; others eluded them and fled, and those remaining went into hiding for fear of the people. The people thenceforth found that there was no one to guide them, and so they wandered about in that desert until they perished. Now, what would you say about them?"

³²⁹Pickthall 18:43.

³³⁰Addition in several MSS, but not in the edited text.

'Ibn Abī Laylā replied, "They are [destined] for hell fire."

'He grew pale. He had a quince in his hand and he hit the ground with it and it was crushed. He then struck the ground in front of him and said, *Lo! we are Allah's and lo! unto Him we are returning*' (2:156).³³¹

One of the pure Imams: He said, 'Abū Ḥanīfa once came to see Abū 'Abd Allāh Ja'far b. Muḥammad, may the most excellent blessings and salutations be upon him. The latter came forward [to meet him] leaning on a staff. Thereupon Abū Ḥanīfa exclaimed, "What is this staff for, O Abū 'Abd Allāh? Surely you have not reached the age requiring it!" [The Imam] said, "Undoubtedly not. It is, however, the staff of the Messenger of God, and I wished to be blessed through it." Abū Ḥanīfa said, "Indeed, had I but known that it was the staff of the Messenger of God, I would certainly have risen and kissed it." With an exclamation of "God be praised!" Abū 'Abd Allāh uncovered his arm and said, "I swear by God, O Nu'mān, you know it for a fact that these hairs are of the hairs of the Messenger of God, and [this skin, part of] his skin, and yet you do not kiss them!" At this Abū Ḥanīfa stretched out to kiss his hand; but [the Imam] let his sleeve drop down, and drew his hand away and retired into his house."³³²

A partisan companion of Abū 'Abd Allāh³³³ Ja'far b. Muḥammad: [Once] he tarried with the circle of Abū Ḥanīfa's followers while he was delivering a legal opinion and said, 'What would you say, O Abū Ḥanīfa, regarding a man who pronounced three *ṭalāqs* at one sitting when the wife was not in a state of ritual purity, or was menstruating?'

Abū Ḥanīfa said, 'She is separated from her husband [i.e. the *ṭalāq* is effective].'

The questioner then asked, 'Is it not a fact that God has ordered that *ṭalāq* come into effect [only] after the '*idda*'³³⁴ and that the limits laid down by Him should not be transgressed? Has not the Messenger of God regulated [its procedures] emphatically and unequivocally?'

Abū Ḥanīfa replied, 'Yes, but we maintain that this man has, in truth, disobeyed his Lord and diverged from the rule of his Prophet, and so his wife is separated from him.'

The man said, 'Suppose a man were to appoint an agent to pronounce [by proxy] *ṭalāq* on two of his wives. He instructs the agent to divorce one

³³¹ People recite this verse when a misfortune strikes them. See n. 191 in this chapter.

³³² Nu'mān, *Ikhlāf*, 142; *Sharḥ al-akhbār*, III, 299, gives a slightly different version.

³³³ Addition of 'Ibn' after Abū 'Abd Allāh in the 2nd and 3rd editions of the *Da'd'im* is an error.

³³⁴ Legally prescribed period of waiting during which a woman may not remarry after being widowed or divorced. *El*², s.v. 'Idda. For her rights see Hāwting, 'Role of Qur'ān.'

with reference to the '*idda* [*ṭalāq al-sunna*, the regular and approved form of divorce], and the other with reference to the *bid'a*.³³⁵ The agent then goes contrary to the instructions of the husband and pronounces *ṭalāq* on the woman who was to be divorced according to [*ṭalāq*] *al-bid'a*, by the rule of the '*idda* and on the one to be divorced according to '*idda*, on the basis of [*ṭalāq*] *al-bid'a*. [What is the effect?]

Abū Ḥanīfa replied, 'His pronouncement of the divorce [of both the women] is null and void.'

The questioner asked, 'But why?'

Abū Ḥanīfa responded, 'Because the agent violated the charge he was given by the husband.'

The questioner rejoined '[Thus it follows that] where an agent goes against his specific instructions, his pronouncement of *ṭalāq* is null and void; but where a man contravenes [the command of] God and His Messenger, then the divorce is valid. [Is that not so?]

At this juncture Abū Ḥanīfa turned towards his associates and said, 'This is a question posed by a *Rāfiḍī*'³³⁶ and he was unable to reply.

If we were to expatiate fully on the reports similar to these, it would involve undue amplification. Yet [it is true that] Abū 'Abd Allāh Ja'far b. Muḥammad and his associates used to engage in disputes with Abū Ḥanīfa and his companions from Iraq, since they were closer to the tenets of Shī'ism. For one thing, they derived their knowledge from the companions of 'Alī when they were in Iraq. For another [the followers of Imam Ja'far al-Ṣādiq] hoped that they [the Ḥanafis] would possibly return to the truth.³³⁷

As for Mālik and his associates, they had full knowledge of [the Imam's and his followers'] stand and their articles of faith. Mālik enjoyed a certain influence in the state and thus they [Imam Ja'far and his associates] did not hold exchanges with them. Mālik, because of being with him [at the same time] at Medina, had heard [traditions] from Abū 'Abd Allāh Ja'far b. Muḥammad, and Mālik, in turn, made [the Imam] hear from him, but [the Imam] did not refute him in any way [or attempt to dissuade him] when he turned away from him. This was very painful [to the Imam] because

³³⁵It is also called *ṭalāq al-bid'a*, i.e. irregular and reprehensible form of divorce as opposed to the regular divorce, *ṭalāq al-sunna*. See n. 312 in this chapter.

³³⁶The Shī'a are often referred to by the Sunnis by the derogatory title of *Rāfiḍī* (the Repudiators). For explanation of the term see Rāzī, *al-Zīna* in *al-Ghuluww*, 270-1; Watt, 'The Rafidites'; Momen, *Introduction*, 73. EI², s.v. *al-Rāfiḍa*.

³³⁷Many disciples of the Imam engaged their non-Shī'i opponents in theological and legal debates with the approval of the Imams. Ja'far al-Ṣādiq commanded some of his disciples for disputation on his behalf. Mufid, *Taṣḥīḥ al-i'tiqād*, 55-6; Poonawala, 'Imām's authority'.

of the estrangement between them. We seek refuge with God from turning away from His friends.

The Messenger of God: He said, 'God does not [wilfully] take away knowledge by snatching it away from the people; but He denies knowledge by depriving them of the learned, so that when the truly learned disappear, the people adopt leaders who are ignorant. Accordingly, such ignoramuses are asked to give legal opinions, and they do so without possessing knowledge. They therefore go astray and lead the people astray.'

'Alī [b. Abī Ṭālib]: He said, 'Acquire knowledge before it is taken away. Harken to me! I do not say thus, and he pointed his hands towards the heavens, but it is possible that there is a learned man in a tribe, and when he dies his knowledge departs with him. [Suppose] there is another [learned man] in the tribe, and he dies, his knowledge departs with him. When this happens the people take for their leaders the ignoramuses who give legal opinions according to their subjective judgement and forsake the traditions. Thus they go astray, and so lead others into error. When this happens, the community perishes.'

'Alī—The Messenger of God: He said, 'He who gives a legal opinion without knowledge is cursed by the angels of the heavens and the earth.'

An Arab of the desert asked Rabi'a b. 'Abd al-Rahmān³³⁸ about a certain issue. Rabi'a replied and the country Arab said, 'If I act accordingly then the responsibility for it would be on your head.' Rabi'a remained silent a while, and still remained silent even when the Bedouin repeated his phrase [that the responsibility would be on his head]. Abū 'Abd Allāh Ja'far b. Muḥammad, who was listening to [this exchange], said, 'O man of the desert, the responsibility is on his head, whether he acknowledges it [verbally] or not.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'The angels of the heavens and the earth and the angels of mercy and castigation curse the one who gives legal opinions without knowledge. The responsibility for actions in accordance with such opinions lies [squarely] on [the one who delivers the opinion].'

'Alī [b. Abī Ṭālib]: He once addressed the people and said,³³⁹ 'Now

³³⁸He is Abū 'Uthmān Rabi'a b. Abī 'Abd al-Rahmān, a disciple of Abū Ḥanīfa, known as 'Rabi'a, the speculator' (*Rabī'at al-ra'y*). He died in 136/753-4. Ibn al-Nadīm, 256; Dodge, 501; Ibn Khallikān, II, 288-90; de Slane, I, 517-18. Ibn Khallikān narrates a different anecdote wherein Rabi'a was embarrassed by a Bedouin.

³³⁹This is the first discourse of 'Alī in Medina after the oath of allegiance was sworn to him. Nu'mān's version varies widely from the text of Ibn Abī al-Ḥadīd, *Sharḥ nahj al-balagha*, I, 272 ff.; English trans., *Nahjul Balagha*, 135 ff.; it is also reported (with variants) by Ibn Qutayba, *Uyūn al-akhbār*, I, 60-1.

then,³⁴⁰ the responsibility [for what I say] is guaranteed and I am answerable for it. Piety never dries up the harvest of a people and it never desiccates the hollow of the root of a tree. Indeed, the truth and the good are to be found among those who recognize their worth. It is ignorant enough that a man does not know his own worth. Two kinds of men are the most abhorrent to God: One is the man to whom God has afforded the freedom to act, but who deviates from the straight path, being infatuated with innovation, yet excessively fervent in his zeal for fasting and prayer; hence he offers a [glittering] temptation to those who are seduced by [the semblance of] his devotion, but he is astray from the path of his predecessors, and he is the one who misguides those that follow him. It is he that carries the responsibility for the sins of those whom he leads astray by his mistakes.

'The other is he who picks up the garbage from the scum of society because of his own ignorance, inciting the people towards the darkness of sedition. He is held to be a man of learning, but, in reality, he has never passed a single day without bungling and blundering. He makes haste and then asks for too much. Whatever good has diminished from him he has increased in false learning until having drunk deeply from contaminated sources and gathered [knowledge which is] of no use, he sits among the people as a judge. He guarantees resolutions [of problems] that appear obscure to others. If he differs from a preceding judge, his judgement is not safe, and if a real difficult problem comes before him, he proceeds to a decision by his own worthless opinion and affirms it with confidence. Whereas, in fact, he is enmeshed in a veritable spider's web of tangled doubts, not knowing whether he is right or wrong.

'If he happens to be right, he fears that he may have been wrong, and if he fears a wrong decision, he hopes that he may have been in the right. He fails to realize the possibility of [true] knowledge existing in what he disapproves, or that there may be a path extending beyond his ken. When he deduces one thing by analogy with another, he fails to see that he may be wrong, and when a matter appears obscure to him he hides it, knowing his own ignorance, and fearing that it might be said that he is ignorant. Then he boldly pronounces his decision. Thus he is the key to darkness, the professional horseman of doubts, reckless in his ignorance. He does not apologize for his lack of knowledge, so that he may remain safe [from error]. He has not bitten into the kernel of knowledge with a tooth sharp enough to obtain a proper share. He scatters traditions as the wind scatters straw. [His decisions] bring tears to the heirs; the blood [that is shed innocently] cries out for help. Legal marriages are declared to be adulterous,

³⁴⁰It seems that Nu'mān has omitted the introductory part of *basmala* and *ḥamdala*.

and unlawful unions, lawful. He is not worthy, by God, to give decisions concerning matters which come to him, nor is he fit stock for the position he occupies.

'O people, behold the failings of [those people who are] the source of iniquity. You must obey the one [to whom obedience is obligatory], and you will not be exonerated from your ignorance of him. For, in truth, the knowledge revealed to Adam and all that by which the prophets were distinguished is to be found with Muḥammad, the Seal of the Prophets, and with his progeny, the pure ones.³⁴¹ [Consider well, therefore] where it is you are being led to wander, and what your destination is.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'He who seeks knowledge in order to show off before the *'ulamā'*, or to wrangle with the foolish, or to turn the eyes of the people towards himself, or vainly to announce, "I am your leader" [attempting to claim their leadership], let him prepare for hell fire as his final abode.³⁴² Leadership, in truth, befits none but the one who is worthy of it.'

Had we not followed, as we stipulated, the path of brevity [in this discourse], we would surely have filled tomes [on the subject]. Nevertheless, in our exposition there lies a message and sufficiency for those possessing knowledge and keen discernment.

We have discussed already the confession of the commonalty of their ignorance and wandering in error, as well as the prohibition from following them [in their claims] and acquiring knowledge from them. [We have also demonstrated] that their tenets are based on the exercise of their own subjective opinion and deduction by analogy, which are not drawn from the Book or the *sunna*, or from an authentic tradition from the Messenger of God, or derived from an Imam from the progeny of the Messenger of God, obedience to whom is compulsory. We have furnished an account of the Imams of the progeny of [the Prophet] Muḥammad and of the way in which God has constrained us to obey them, to acquire knowledge from them, and to submit to their behests; we have also shown what obligations were imposed on their own behalf by the Imams. Let this suffice as a proof and guidance.

All Praise be to God, the Lord of the Worlds. May the blessings of God be upon His Messenger, and our master Muḥammad, the Seal of the Prophets, and upon the Imams from his progeny, the Good and the Pure.

³⁴¹The Shī'a, both the Ismā'īlīs and Imāmīs, maintain that the Imams inherit the knowledge of all the prophets and *awṣiyā'*. Nu'mān, *al-Majālīs*, 272; Kāfi, I, 223-7; Mufid, *al-Ikhtisās*, 279; Ṣaffār al-Qummī, *Baṣā'ir al-darajāt*, 135-9; Ibn Bābūya, *'Uyūn akhbār al-Riḍā*, II, 192-200.

³⁴²*Mishkāt*, I, 77; Robson, I, 55; transmitted by Tirmidhī.

3

The Book of Ritual Purity (*Tahāra*)¹

THE ACCOUNT OF THE COMMAND OF GOD TO HIS SERVANTS,
THE FAITHFUL ONES, CONCERNING RITUAL PURIFICATION
AND THE INDUCEMENTS THEREFORE

God says, O true believers, when ye prepare yourselves to pray, wash your faces, and your hands unto the elbows; and rub your heads, and your feet unto the ankles; And if ye be polluted by having lain with a woman, wash yourselves all over (5:6).² And He says, [There is] a mosque founded on piety, from the first day [of its building]. [It is] more just that thou stand [up to pray] therein; therein are men who love to be purified; for God loveth the clean (9:108).³ Thus it is related to us that [the Imams] used to clean themselves with water after using stones [to wipe themselves after easing themselves or passing water], and that the people were wont to clean themselves with stones only.

The Mighty and Glorious says, O thou enveloped in thy cloak! Arise

¹There is a separate work by Nu'mān entitled *Kitāb al-tahāra*. It seems that it is an abridgment of certain chapters dealing with ritual purity from his first work, *Kitāb al-ḥajj*. See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'īlī jurisprudence,' 137, n. 23. It is to be noted that in his *Kaḥf*, III, 5, Kulaynī does not have a general section on ritual purity, rather his book/chapter on *tahāra* begins with the purity of water. Rāzī, *al-Zīna*, fol. 267v, discusses the meaning of *tahāra* and states that the original meaning of *ṭuhr* was to keep away from sin. See also *Majma' al-bahrayn*, s.v. ṭ-h-r; *El*², s.v. *Tahāra*.

²I have preferred Sale, *Koran*, 98. The Sunnīs, Khawārij, and Zaydīs wash their feet, whereas both the Imāmī and the Ismā'īlī Shī'a rub them, which seems closer to the meaning of the Qur'ān. For different views and readings, see Ṭabarī, *Tafsīr*, VI, 110–39; Ṭabrisī, III, 163–7; *El*, s. v. Ablution, Islamic.

³Sale, *Koran*, 195.

and warn! Thy Lord magnify! Thy raiment purify! (74:1-4). He says, and sent down water from the sky upon you, that thereby He might purify you, and remove from you the abomination of Satan, and that He might confirm your hearts, and establish [your] feet thereby (8:11).⁴

'Alī—the Messenger of God: He said, 'On the Day of Resurrection God will bring to life my community, their foreheads bright with the marks of ablution.'⁵

[The Messenger of God]: He said, 'When I was taken on my nocturnal journey to the [seven] heavens, I was asked [by the angels], "[Do you have any knowledge of the questions] whereon the Exalted Ones [the angels] wrangle amongst themselves?" I said, "I do not know, so inform me." [The Angel Gabriel] said, "In performing ablutions properly with abundant water during cold mornings, and in walking to the congregations [the mosques], and in waiting for prayers, one following the other."⁶

[The Messenger of God]: He said, 'Prayer is founded upon four bases: the proper and complete performance of ablution; the posture of bending; the posture of prostration; the [posture of] humility.'

[The Messenger of God]: He said, 'Lave your eyes while performing ablution, for it is possible that thereby they may not see the Burning Fire' [cf. Qur'ān 101:11].

Nawf the Syrian:⁷ He said, 'I saw 'Alī performing his ablution so that water was dripping over his shoulders, which indicates amplitude in using water.'

'Alī: He said, 'The Messenger of God said, "The prayer of one who does not complete his ablution, or his bending, or his prostration, or his [expression of] humility, is like unto a miscarriage."⁸

'Alī: He said, 'Ritual purity is one half of faith.'⁹ He also said, 'He who performs his ablution with meticulous perfection and walks towards the mosque is like one who is actually engaged in prayer, so long as ritual impurity does not occur.'

['Alī]: He said, 'I heard the Messenger of God saying, "Shall I not tell you of an act that washes away all sins and slips?" [When his listeners

⁴Ibid., 168.

⁵*Mishkāt*, I, 96; Robson, I, 66; transmitted by Bukhārī and Muslim. Rāzī, *al-Zīna*, fol. 268v.

⁶Cf. *Mishkāt*, I, 93; Robson, I, 64.

⁷Nawf b. Fuḍāla al-Himyārī was called Abū 'Amr Shāmī (the Syrian). Ibn Ḥajar, *Tahdhīb al-tahdhīb*, X, 490.

⁸Cf. *Mishkāt*, I, 94; Robson, I, 65.

⁹*Mishkāt*, I, 93, 97; Robson, I, 64, 67; transmitted by Muslim and Tirmidhī.

expressed their desire that he should tell them, he said], "Performing fully the ablution when it is difficult to do so, and awaiting one prayer after another; for this verily is a kind of defence of the frontier (*ribāṭ*)."¹⁰

The Messenger of God said, 'No prayer is valid without ritual purity.'¹¹

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'God does not accept prayers without ritual purity.'

'Alī: He used to renew his ablution after every prayer; by such action he desired distinction [in piety]—not that it was really necessary, except to a person in a state of ritual impurity.

The Messenger of God: He performed his ablution afresh before every prayer, desiring distinction in piety thereby. Nevertheless he performed all his prayers on the day of the conquest of Mecca with only one ablution.¹²

Ja'far b. Muḥammad: He said, 'Ablution is not necessary except to the one to whom ritual impurity occurs. When a man performs his ablution, he can pray as many times as he can so long as he does not cause ritual impurity, or fall asleep, or have sexual intercourse, or lose consciousness, and provided that nothing happens which obligates the renewal of ablution.' This is a point upon which there is consensus of opinion and we shall deal with it at the proper place later on.

DESCRIPTION OF IMPURITIES (*AḤDĀTH*)¹³ WHICH MAKE ABLUTION (*WUḌŪ'*)¹⁴ OBLIGATORY

The Messenger of God, 'Alī, Muḥammad b. 'Alī b. al-Ḥusayn, Ja'far b. Muḥammad: They said, 'The things which render ablution null and void are defecation, urination, passing wind, and flow of liquid from the penis by sexual excitation short of intercourse. And if the exudation is thick, it is semen, and necessitates a ritual bath. If liquid other than semen is constantly flowing, the man should perform an ablution before each prayer and should get a bag to put round the organ. When about to pray he should perform an ablution, sprinkle the organ with water,

¹⁰*Mishkāṭ*, I, 93; Robson, I, 64; *Lisān al-'Arab*, s.v. r-b-ṭ. In the spiritual sense, *ribāṭ* means defence against infidelity and wrongdoing. See also *Majma' al-baḥrayn*, s.v. r-b-ṭ.

¹¹*Mishkāṭ*, I, 100; Robson, I, 69; transmitted by Muslim.

¹²*Mishkāṭ*, I, 101; Robson, I, 69-70; transmitted by Muslim.

¹³*Ḥadāth* pl. *aḥdāth* means ritual impurity. *Majma' al-baḥrayn*, s. v. ḥ-d-th.

¹⁴*Rāzī, al-Zīna*, fol. 268v; he states that its primary meaning is cleanliness and beauty. See also *Majma' al-baḥrayn*, s. v. w-ḍ-a.

wrap the bag around it, and so pray. If he feels any dampness he should tell himself that it is from the water and he should not forsake his prayer.¹⁵

[The aforesaid authorities] have laid down that ablution is obligatory after sleeping only when it takes away the consciousness of man completely. When a man nods in drowsiness, but is aware of what is happening and retains his feelings and sense of hearing, such conditions do not invalidate the ablution. They did not, however, consider the ablution to be invalidated by scarification (*ḥijāma*), opening of a vein (*faṣḍ*), vomit, flow of blood or of pus, or flow of liquid exuding from a wound or abscess, as opposed to the penis or the anus. It is necessary however to wash those places. The one who vomits should gargle with water and may pray if he has performed his ablution previously.

But [the Imams] were of the opinion that if something exudes from the penis or anus, as we have mentioned earlier, such as worms, blood, pus, festering liquid, or any liquid substance whatsoever, these are all conditions which necessitate the performance of fresh ablution, for they render the previous ones void. But they considered neither a kiss, nor a touch, nor rubbing the penis, nor touching the vulva or the testicles, nor physical contact with any part of the body, as necessitating the performance of ablution. Nor does [touching] the meat of camels, nor milk, nor [touching] anything touched by fire [i.e. cooked, necessitate the performance of ablution]. If, however, he who touches such things washes his hands, it is proper, desirable, and recommended. But if the man were to offer his prayers without washing his hands, his prayer would nevertheless be valid.¹⁶

¹⁵Kaṭī, III, 42-5, 46-7.

¹⁶The state of ritual purity (*ṭahāra*) attained by the ablution is annulled by minor impurities (*ahdāth*). Opinions vary widely as to what causes minor impurity. In general, relieving nature (breaking wind, urination, and excretion), loss of consciousness, and sleep (apart from dozing while sitting) produce minor impurities making ablution indispensable. This and other traditions reviewed by Kister in his article 'On "concessions" and conduct', suggest the fluidity of certain practices and ideas in the early compilations of traditions.

According to the Shī'a and the Ḥanafīs, kissing and touching of members of the other sex does not invalidate the ablution, but according to the Shāfi'īs touching the skin of members of the other sex, unless the worshippers are related in a way that prohibits marriage, invalidates the ablution. The Mālikīs and the Ḥanbalīs maintain that only passionate and sensuous touching invalidates the ablution. The Zāhirīs, on the other hand, maintain that any contact of a man with a strange female, even a baby girl an hour old, invalidates the ablution. Tūṣī, *Tahdhīb al-aḥkām*, I, 5 ff.; *Mishkāt*, I, 100-8; Robson, I, 69-72; Maghniya, *al-Fiqh*, 32-45; Sābiq, *Fiqh al-sunna*, I, 45-7; Jaziri, *al-Fiqh*, I, 94-101.

The Messenger of God: He was offered a roasted shoulder of camel after Bilāl¹⁷ had already given the call to prayer. Yet he ordered Bilāl to wait for a little while until he partook of it, and with him his Companions also shared the meat. Then he called for milk, which was diluted with water [and served to him], and all of them drank of it with him. Then the Messenger of God stood up and prayed, without touching any water.¹⁸ It is quite possible that the Messenger of God acted in this manner to show clearly to his community that this was permissible. This is a report from the Messenger of God related by the Imams.

[The Messenger of God]—the Imams: We have related from them the proper way of washing [the hands] before and after a meal, and we shall mention this later at the proper place, if God wills. This is for cleanliness and purification and [it is not to be understood] that prayers cannot lawfully be performed without it, as in the case of someone to whom ritual impurity has occurred [and thus] cannot pray without performing ablution. Eating something touched by fire and drinking the milk of camels are not acts which render the ablution void, as asserted by a certain group.¹⁹ Eating and drinking what is lawful is by consensus a pure act, and touching a pure thing, and eating or drinking of it, does not render the ablution void. Similarly the Imams were of the opinion that the paring of nails, trimming the beard, or shaving the head do not necessitate the renewal of ablution. But it is proper to wash and cleanse the parts with water in all such cases.

[The Imams] were of the opinion that a man, who is certain that he has performed his ablution, but has a doubt whether his ablution is still valid, is entitled to act on his certainty. A mere doubt does not render the ablution void, unless the man is certain that his ablution has been rendered invalid, in which case he should perform it afresh. But when he is certain that he has invalidated his ablution but is doubtful whether he has renewed it, it is not permissible for him to pray until he performs

¹⁷Of Ethiopian stock and born into slavery in Mecca, he was an early convert. He is best known as the Prophet's *mu'adhdhin*, and died between 17/638 and 21/642. *EI*², s. v. Bilāl b. Rabāḥ.

¹⁸*Mishkāt*, I, 100, 106; Robson, I, 69, 71; transmitted by Bukhārī and Muslim.

¹⁹*Cf.* *Mishkāt*, 100; Robson, I, 69; transmitted by Muslim, but it was regarded as abrogated by later traditions. Rāzī, *al-Zīna*, fol. 269, states that the meaning of *wuḍū'* in the tradition wherein it states that *wuḍū'* is obligatory from anything which has been touched by fire is to wash the hands and the mouth after eating. He further states that the aforementioned tradition does not mean, as asserted by the ignorant, the performance of ablution. The Prophet did not wash his hands after eating roasted meat as reported in the tradition because he did not want to set an example, which might have been difficult for the Muslims to follow.

his ablution afresh. The case is different if he verily believes that his ablution is valid.²⁰

This then is the established [doctrine] related to us from the Messenger of God and the Imams descended from him without any difference of opinion. If God so wills, all the chapters of our book will follow the same pattern, for we have pursued the path of brevity in it. Otherwise it would be incumbent upon us to mention all those sayings about which the reporters have differed and to demonstrate what is sound with clear proofs and convincing arguments. We have discussed this in another book consisting of numerous parts, but this method makes it harder to read and a burden for students, whereas this [book contains] its gist and its pure essence and the established and confirmed [doctrine] found in it.²¹

Had we not considered the inutility of exhaustiveness, we would surely have discussed the pronouncements of every one of the commonalty that accorded with our own, and the views of those that were opposed to us and the reasoning against them. However, this leads to prolixity and is pointless; for God the Mighty and Glorious has, by His grace, made manifest the affair of His Friends and made their religion strong and made ordinances in accordance with what they ordained and held and made the religion in accordance with their teachings and guidance. Now they are the Proofs of God for mankind. He who follows them [i.e. the Imams] is verily on the right path and is saved; but he who opposes them is on the wrong track and is led astray. It is pointless to discuss the views of opponents. God keeps at a distance from Himself none but the wrongdoers.

THE CONVENTIONS FOR PERFORMING ABLUTION²²

The Imams: They commanded the covering of the private parts, and the avoidance of gazing at the private parts of other Muslims. The private parts of a man are [the portion of body] which extends from the knee to the navel; and of the woman, the whole of her body. [The Imams] prohibited the believer from uncovering his private parts even if no one is looking at him. [In this respect it is related that] an Imam immersed himself in water while he was wearing a waist wrapper. It was said to him, 'You have plunged into water and are covered with it; why then did you not remove

²⁰In simple language a man is entitled to act on his own conviction. If he is doubtful, he must perform his ablution afresh; but if not, he can pray, and his prayer is valid.

²¹Nu'mān refers to his earlier work *Kitāb al-ṭahārah*. See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence,' 121 ff.

²²See the section 'How to act when relieving oneself' (*ādāb al-khalā'*) in *Mishkāṭ*, I, 109-20; Robson, I, 73-8.

your wrapper?' He replied, 'What about living beings in the water? This action is to safeguard and to protect [the private parts].' [The Imams] prohibited speech during defecation and urination, and the return of greetings during such a state.

[The Imams]: When the Messenger of God entered the [water] closet, he used to veil his face and cover his head, so no one could see him. During travel, when he wanted to ease himself, he would go away a considerable distance in order to be invisible. They said, 'It is the good sense of a man which leads him to seek [a secluded place] for defecating, urinating, and ejecting mucus from the nose.'²³ By this [the Imams] meant that the action should ordinarily be invisible to others.

One of the Imams: He ordered the construction of an outlet for a closet in the house, and the men pointed to a place open to public view. Therefore he said, 'O you people! When Almighty God created man, he created his outlet in its most secluded portion; similarly, such an outlet should be in the most secluded part of the house.' This is among the words of wisdom whereby God has given eminence to His Friends, the blessings of God be upon them, above all created beings, and has thereby clearly manifested their eminence over mankind in general.

The Messenger of God said that urinating in a stagnant pool of water is coarse behaviour, and he prohibited it and defecation in such a place. Similarly he prohibited it in a running stream or on its bank, or the bank of a well whose water is potable, or under a fruitful tree, or between graves, or on the streets, or in courtyards. He also forbade man from passing water from an elevated place [lest it defile those below], or from facing the *qibla*,²⁴ or having one's back towards it, during defecation and urination.²⁵ He also forbade easing oneself in a standing position.

The Imams laid down that all impurities be avoided and precautions taken in respect of urine. They permitted the use of utensils for the purpose; and they also permitted their use in ablution.

'Alī: Whenever he entered a place to ease himself, he used to say, 'In the name of God! O God, I seek Thy refuge from the filth which is impure, abominable, [contaminating, emanating from]²⁶ the accursed devil.' And

²³Cf. *Kaṣṭ*, III, 20.

²⁴That is the direction of Mecca, of the Ka'ba, to be exact, towards which the worshippers must direct themselves during prayers. *El*², s. v. *Qibla*.

²⁵The tradition transmitted by Bukhārī and Muslim states, 'When you go to the toilet neither face nor turn your back to the *qibla*.' Baghawī comments that this tradition applies to the desert, but in a built-up area it does not matter. *Mishkāt*, I, 109; Robson, I, 73; see also *Kaṣṭ*, III, 20.

²⁶Addition in several MSS.

whenever he came out he used to say, 'All praise to God who restored health to my body and removed the ills from me.'²⁷

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'When a person enters a place to ease himself, he should say, "In the name of God. By God! I seek the protection of God against the impure, abominable, contaminating filth, the accursed devil. O God as Thou hast fed me in happiness, so ease me in happiness." When he has finished easing himself, he should say, "All praise to God who has removed the ills from me, and refreshed me by the intake of my food and drink."' ²⁸ This rule is neither fixed for a given time nor obligatory; but it is an approved prayer, so that if someone omits it, there is no harm. There is nothing against him who, in offering the above prayer, adds something to it or removes something from it.

[The Imams] directed that the penis be pressed after urinating so as to eject from it the remaining part of the urine lest anything flow from it after the ablution is over. If this happens and the person has no control over it, then the rule is the same as for the flow of liquid from the penis, which we have mentioned earlier.²⁹ [The Imams] prohibited the use of bone or dried dung or any kind of comestible for cleaning oneself from impurity.³⁰ But they permitted the use of stones, rags (or scraps of paper), or cotton, and the like. Later the man should cleanse himself with water until the impurity and the stench disappear.

THE CHARACTERISTICS OF ABLUTION³¹

The Imams of the House of the Prophet—'Alī: He said, 'There can be no ablution without intention (*niyya*).'³² Similarly, he who performs the ablution without resolving to perform it for prayers cannot offer any prayers. This act is the same as if he were to perform the prayer of four *raka'āt* of the midday prayer without the necessary intent, in which case he has not performed it. 'Alī said, 'The Messenger of God said, "No act

²⁷When the Messenger of God entered the privy he used to say, 'O God, I seek refuge in Thee from male and female devils.' When he came out he said, 'Grant thy forgiveness.' *Mishkāt*, I, 110, 115, 116; Robson, I, 73, 76; the first part is transmitted by Bukhārī and Muslim.

²⁸*Kaṭī*, III, 21. This orison is similar to what is reported by Nu'mān from the same Imam.

²⁹*Ibid.*, III, 24, 25.

³⁰*Mishkāt*, I, 113; Robson, I, 75.

³¹Cf. 'How to perform ablution' in *Mishkāt*, I, 125–34; Robson, I, 82–7.

³²This means that no ablution is valid without the explicit declaration of its intent at the beginning.

is valid without intention; no worship is performed without conviction and no honour is obtained without piety.”

[The Imams] commanded that ablution should be commenced with the pronouncing of the name of God. Ja‘far b. Muḥammad said, ‘God will make the ablution of the man who mentions God [i.e. pronounces the *basmala*] like unto a ritual bath in respect of purity, and he who forgets to mention God in his ablution, He [God] will, nevertheless, reward for his ablution.’

‘Alī: He said, ‘The prayer of every Muslim who while performing ablution says, “Glory be to Thee, O Lord, and with Thy praise I bear witness that there is no deity except Thee. I ask forgiveness of Thee and penitence. O Lord, make me one of the penitent ones and of those that purify themselves” is inscribed on a parchment and is sealed; then it is placed under the Throne of God until it is delivered to him with the seal intact on the Day of Resurrection.’

Ja‘far b. Muḥammad: He said, ‘If you wish to perform an ablution, say, “[I begin] with the Name of God and [I follow] the religion of the Messenger of God. I bear witness that there is no deity besides God. He is Unique and without associate. And I bear witness that Muḥammad is His Servant and Messenger, the blessings of God be upon him and his progeny.” This is similar to the invocation that we mention prior to entering the water closet, and is neither fixed for a given time nor obligatory, but there is excellence and desirability in it.

[The Imams] said, ‘It is incumbent [upon him who performs the ablution] to pour water on the right hand and wash it before putting it into the vessel. This is obligatory if it is unclean, but if the hand is clean, this is merely a recommended action, a desirable practice. If the hand that enters the vessel is pure, the ablution is valid.’ There are many reports concerning this from the Imams of the House of the Prophet and [were we to mention them all] it would lengthen this report, but what we have stated is well-established doctrine.³³

Ja‘far b. Muḥammad—his ancestors—‘Alī: He said, ‘No act of cleansing the private parts (*istinjā*) is obligatory except in the case of defecation, urination, or sexual commerce, or the extrusion of things other than wind. Passing wind does not obligate the act of cleansing. Ablution after passing wind is a purificatory act. He who cleans the private parts on such occasions [before performing the ablution], desiring merit and cleanliness, rather than considering it an obligatory act, is praiseworthy.’

³³The *ḥadīth*, transmitted by Bukhārī and Muslim, states, ‘When one of you wakes from sleep one must not dip one’s hand in the vessel until one has washed it three times.’ *Mishkāt*, I, 125, Robson, I, 82.

The Imams—'Alī: He said, 'Cleansing [the pudenda] with water after using a stone³⁴ is laid down in the Book of God: *Truly Allah loveth those who turn unto Him, and loveth those who have a care for cleanliness* (2:222). These are admirable habits. The removal of impurity is obligatory, and no one should ignore it.'

['Alī]: The Messenger of God was asked about a woman who went into the closet and cleansed herself without water. He said, 'This is not permissible except when she can not find any water.'

'Alī said, 'The *sunna* of the Prophet in using water for cleansing oneself is to begin with the private parts and go on to the anus. [The cleaning of] both, the private parts and the anus, should not be combined at the same time. The right hand should not be used for it except where there is a valid cause.'

Abū Ja'far Muḥammad b. 'Alī and Ja'far b. Muḥammad: They spoke of cleaning the pudenda and laid down [the following]: 'When you have finished the process of cleansing, wash your (left) hand. Afterwards you should gargle (*maḍmaḍa*) and clean the nose (*istinshāq*),³⁵ using the index finger and the thumb for the teeth during gargling.' They said that the latter practice would serve as an alternative to cleansing the mouth with a tooth-stick,³⁶ and they recommended it. According to them gargling and cleaning the nose are not obligatory for ablution, for God has not mentioned it [in His Book].³⁷ The Messenger of God, however, used to do this, and it is therefore a *sunna* for the ablution. It is improper to omit it deliberately or neglectfully. He who unknowingly fails to do this, or forgets, need not perform a fresh ablution, as he has to do in the case of one of the four organs, which God has ordered either to wash or to rub with wet fingers. The four organs are the face, the two hands, the head, and the two feet.

One handful of water suffices for rinsing the mouth and snuffing up the nose.

The Imams directed that after this [i.e. gargling and cleaning the nose], the face should be washed from the forehead downward, till that

³⁴Cleansing the private parts with stones is called *istijmār* or *istinjā'* with *jimār* (small stones). The tradition states that one who cleans the private parts with stones should do it with an odd number. Rāzī, *al-Zīna*, fol. 269v; *Concordance*, s. v. j-m-r.

³⁵Rāzī, *al-Zīna*, fols. 269v–270r; he explains the meaning of both the terms, *maḍmaḍa* and *istinshāq*. See also *Majma' al-baḥrayn*, s.v. m-ḍ-q, n-sh-q.

³⁶*Siwāk*, a tooth-stick, is a branch of certain trees with which the teeth are rubbed and cleaned, its end being made like a brush by beating or chewing it so as to separate the fibres. Lane, s. v. s-w-k. See the separate section on *siwāk* in *Mishkāt*, I, 121–4; Robson, I, 79–81; *Kaṭī*, III, 28–9; *El*², s.v. *Miswāk*.

³⁷*Kaṭī*, III, 29; *Mishkāt*, I, 125–30; Robson, I, 82–5.

part of the chin where the hair [of the beard] grows, and both the cheeks fully. And then to lave the eyes, these should be washed freely with water, rubbing them with the hands. It is preferable that this be done three times. Nevertheless, doing this twice, or once if it is fully and properly performed, is sufficient. [Strictly speaking] even three washings are not sufficient unless one of them is fully and properly performed. [The Imams] commanded that water should be introduced amply into the interstices of the beard, and that the fingers should comb the hair of the beard in order that the water may reach the roots of the hair. This is a recommendatory direction and earns more merit. Even if the man does not comb the hair of his beard with his fingers but lets the water run over it, it suffices [for a proper and correct ablution].

[The Imams] directed that in ablution, one must begin with the right hand [then the left hand], then the right foot [and then the left foot]. If, by any chance, one begins with the left hand [or foot], then washes the right hand [or foot], one must repeat [the washing] of the left hand [or foot], as is the case with the proper ablution. This is how [the Imams] have instructed. One should not begin with the left hand or the left foot intentionally. But the prayer of a man who forgets the rule, or is ignorant of it, is not invalidated thereby.³⁸

[The Imams] ordained that the hands be washed [together with the arms] up to the elbows, thrice or twice; but one washing, perfectly performed [with abundant water], is sufficient. On the other hand, even three acts of washing are not enough if one of them is not full and complete. All the parts of the arm, from hand to elbow, should be rubbed with the palms in order to fulfil the word of the Mighty and Glorious: *Unto the elbows* (5:6). The word *ilā* (unto) means *ma'a* (together with) in this context, as in the case of the other verse of the Qur'ān: *Nor absorb their wealth into (ma'a) your own wealth* (4:2).³⁹ Here also the meaning [of *ilā amwālikum*] is the same as *ma'a amwālikum* (together with your wealth).

[The Imams] commanded that the ring [on the finger] be moved [around] so that the water may reach the flesh covered by the ring.⁴⁰

Then [the Imams] directed that the head be rubbed [with wet fingers] both in front and at the back, beginning with the crown of the head and working with both hands up to the forehead. Then the hands should begin with the crown and go backwards as far as the nape of the neck. Similarly, the ears should be rubbed thoroughly, both inside and outside. The whole neck should be rubbed in one act. If one performs the wiping

³⁸Kāfi, III, 40.

³⁹And devour not their substance, by adding it to your substance. Sale, Koran, 71.

⁴⁰Mishkāt, I, 133-4; Robson, I, 87.

thrice, thereby seeking merit but without considering it obligatory, it is commendable.

Afterwards the Imams ordered the wiping of the feet. This is according to the word of God *Wash your faces, and your hands unto the elbows; and rub your heads, and your feet unto the ankles* (5:6), according to the reading of those who read *arjulikum*, with the *kasra* of the *lām* [and not the *fatha*]. This reading correlates [the rule of the feet] with that of the wiping of the head, and it is the reading of the People of the House, and of those that agree with them among the readers of the commonalty.⁴¹

It is for this reason that when Abū Ja'far Muḥammad b. 'Alī [Imam al-Bāqir] was asked about the 'wiping of the feet' [as distinguished from washing], he said, 'Thus spoke the Qur'ān.' He further said, 'When God rendered the *tayammum*⁴² mandatory on him who cannot find water, He made the *tayammum*, an act of wiping [with dust] for the two organs that need to be washed, and they are the face and the hands. God omitted the two organs that are only to be wiped, namely the head and the feet.' This is contained in a long tradition in which [the Imam] mentions and clarifies the rule, while we have abbreviated the discussion.

He who washes his feet for cleanliness and overdoes the ablution in order to obtain merit and runs the fingers through his toes, has indeed done well. This is the most that can be achieved in cleanliness and purification but it ought not be made obligatory and it should not be thought that anything short of this is not valid.

It has come from the Imams that simply wiping the feet with wet fingers is sufficient, and it completes the ablution, as God Himself has said. They forbade putting first what God Himself has put later and putting later what God Himself has put earlier [referring to the exact sequence]. It is best to begin, as God has stated, after cleaning oneself of faeces and urine, as mentioned earlier, by washing the face, then the hands, then by wiping the head, then the feet. If the feet are washed it is good, as we have said. However, merely washing them, that is pouring water over them, is not enough until they are wiped with the hands. And he who begins first with what God has ordained to be done later, should begin with what has been prescribed to be done earlier and repeat the act he had done. But if

⁴¹The Sunnis, the Khawārij, and the Zaydis wash their feet, whereas both the Imāmi and the Ismā'ili Shī'a wipe them, which seems closer to the literal meaning of the Qur'ān. For cleanliness the Imāmīs and the Ismā'ilīs recommend washing the feet either before or after the ablution, but they insist that it is neither obligatory nor part of the ablution. Ṭabarī, *Tafstr*, VI, 126 ff.; Ṭabrisī, III, 164-7; Tūsī, *Tafstr*, III, 452-3.

⁴²And ye find not water, then go to clean, high ground and rub your faces and your hands with some of it (4:43; 5:6).

he has forgotten it, or did not know it and offered his prayers, his prayers are not invalidated, as we have stated earlier with regard to washing the left hand first.

[The Imams] said, 'It is not proper to divide the ablution in parts, intentionally or unintentionally, that is to perform certain acts and to leave certain acts to be performed at a later time, but it is obligatory to perform the ablution as a whole at one time.'⁴³ He who, for some reason, has discontinued the performance of the ablution and has intended to complete it, should begin it again from the beginning.' But if he is ignorant of this procedure and completed his ablution where he had left off and then prayed, he is not bound to repeat his ablution and his prayers. This we have explained earlier in the matter of washing some organs earlier than others.

[The Imams] considered it desirable that the ablution be completely performed. This is to be done not merely by using water in abundance, or in an ungente way, but by knowing the proper procedure. He who knows the right procedure can validly perform the ablution by the use of a little water; while he who does not can spoil the ablution even by using a large quantity of water. In the matter of ritual acts of ablution or purification limits regarding the use of water are not laid down strictly. What is really required is that water be poured on the limbs which are to be washed and the hands used for rubbing these parts. The parts which are to be wiped [with wet fingers] must be wiped irrespective of [the quantity] of water that touches them.

Abū Ja'far Muḥammad b. 'Alī has explained the meaning of wiping in connection with the verse *And rub your heads, and your feet (arjulikum) unto the ankles* (5:6). Because of the place of *bi* [a preposition] in the Word of God '*bi-ru' isikum*', it is clear that wiping is indeed applicable to some parts [of the head and feet] as He has said concerning *tayammum* (using dust to rub), namely *And rub your faces and your hands with some of it* (4:43, 5:6). God verily knows that fine dust does not cover the whole surface of the face or of the hand, and therefore says, *bi-urjūhikum wa-aydikum* (*your faces and your hands with some of it*).⁴⁴ In the same manner the wiping of the head and the feet in ablution is ordained:

[The Imams] said, 'The man whose limb has been amputated should wash the stump. If the limb is wounded it should not be washed where it would be injurious to do so. If the limb is splinted or bandaged, he should wipe over it.'⁴⁵

⁴³Kaṣf, III, 41.

⁴⁴Ibid., III, 36; the same thing is reported on the authority of Imam al-Bāqir.

⁴⁵Ibid., III, 38.

[The Imams] are agreed that wiping over leather boots or shoes (*al-mash' ala 'l-khuffayn*) is neither sufficient nor valid in the obligatory ablution, because God has prescribed specifically 'wiping of the two feet', and not wiping over the shoes.⁴⁶

Ja'far b. Muḥammad has said, 'Precautionary dissimulation (*taqīya*) is my religion and the religion of my fathers, except in three actions: drinking intoxicants; wiping over shoes [during ablution]; and not pronouncing the *basmala* loudly [in prayer].'⁴⁷

The Imams said, 'Prayer offered behind [an imam] (leader of prayer) who considers rubbing over shoes as lawful is not valid. This is so because [the imam] has prayed without ritual purity. Now he who intentionally avoids one of the limbs that must be purified during the ablution has, in fact, not completed his ritual purification. The prayer of the one who has not completed his ritual purification is itself void.' Thus a prayer performed under such leadership is also void. Wiping over shoes is permissible only when there is a disease or valid cause that prevents the wiping [of the feet] with water. Thus rubbing is permitted only under the compulsion of necessity, just as it is permissible over splints or bandages, as we discussed earlier, or, if the man performing the ablution is ritually pure and no cause has intervened to require a fresh ablution, but he wants to renew the ablution to obtain merit, as we have mentioned. A person in such a state is not obligated to perform the ablution, hence it is immaterial whether he washes some organs or not.⁴⁸

Ḥusayn b. 'Alī: He was asked about rubbing over the shoes, but he remained silent until they came to a place where there was water and the questioner was with him. [The Imam] dismounted and, in performing ablution, rubbed over his shoes and his turban and said, 'This is the ablution

⁴⁶For the Sunnī position see *Mishkāt*, I, 160–3; Robson, I, 103–4.

⁴⁷*Kaḥf*, III, 38, reports this tradition, but instead of 'not pronouncing the *basmala*', it has *mut'at al-ḥajj*. The *basmala* should be recited loudly at the beginning of every *sūra* in the obligatory prayers. This rule was promulgated by the caliph al-Mu'izz li-Dīn Allāh in the year 349/960. See Poonawala, 'Al-Qāḍī al-Nu'mān and Ismā'īlī jurisprudence', 118.

⁴⁸Muslim schools of law disagree over the practice of wiping the shoes. According to all the Sunnī schools and the Zāhiris, a man at his permanent abode is permitted, once a day, and if he is on a journey, thrice in three days, to wipe his foot covering instead of washing the feet during the ablution, if the feet when covered were washed properly and the shoes are clean, impermeable, and fit tightly. The Shī'a and the Khawārij do not, however, permit this wiping of the foot covering. The Imāmīs allow it only under duress (i.e. by *taqīya*), and in circumstances where there is a threat to life from an enemy, wild beasts, or extreme cold. The Ismā'īlīs, on the other hand, permit it, not under duress, but (as Nu'mān has stated) only under two conditions: when a person has a valid reason; and when a person simply renews the ablution out of devotion without invalidating the state of purity acquired by a previous ablution. Cf. *Elr*, s.v. Ablution, Islamic.

of one whose ablution has never been invalidated by the occurrence of impurity!’

Similarly [the Imams] forbade rubbing over the turban, or the veil covering the head and the face of a woman, or the tall headgear (*qalansuwa*), or stockings, or gloves, or galoshes, or sandals (except where they are open, with only a strap between the toes, leaving the foot uncovered for a full act of rubbing). But such an act of rubbing is permissible when the limb is diseased and does not admit of the application of water, as in the case of splints or bandages.

AN ACCOUNT OF WATER [TO BE USED FOR ABLUTION]⁴⁹

God says, *We send down purifying water from the sky* (25:48);⁵⁰ He says, *He sent down water from the sky upon you, that thereby He might purify you* (8:11); and He says, *[And if] ye find not water, then go to clean, high ground and rub your faces and your hands with some of it* (5:6).

Ja’far b. Muḥammad—his father—his ancestors—‘Alī—the Messenger of God: He said, ‘Water purifies, but is itself never purified [because it is in essence pure].’⁵¹ He mentioned the ocean [or a large river] and said that its water was pure,⁵² and what dies in it is edible.⁵³

‘Alī: He said, ‘He, whom the water of a large river [or ocean] cannot purify, can never be purified.’ He also said that where there is a running stream containing dead bodies, or ordure, or blood, it is nevertheless fit for ablution and for drinking. So long as its essential qualities, that is its colour, smell and taste, do not change, nothing renders water impure.

‘Alī: He said, ‘Nothing renders water impure.’

Abū ‘Abd Allāh Ja’far b. Muḥammad: He was asked about a basin near a mosque intended for storing water for the ritual ablution. What if a menstruating woman or a boy were to put their hands in it? He said, ‘The water is fit for ablution, for verily, nothing renders water impure.’

[Abū ‘Abd Allāh Ja’far b. Muḥammad]: He was asked about a village pond, which contained ordure. Boys were wont to urinate in it, and animals were in the habit of passing water and excreting in it. He said, ‘If your mind is disturbed by its condition, you should do this—he moved

⁴⁹Elr, s. v. Āb/Water in Muslim Iranian Culture.

⁵⁰And *We send down pure water from heaven*. Sale, *Koran*, 357. Pure water, i.e. purifying water, and it may perhaps refer to its cleansing quality, which is of great use both on religious and profane occasions.

⁵¹Kaṭi, III, 5; reported from the same authority.

⁵²Ibid., III, 5.

⁵³Mishkāt, I, 149; Robson, 97; it states: ‘And what dies a natural death in it is lawful food.’

his hands sideways to show how the filth could be separated from the pure water—and perform your ablution.' He said, 'Indeed, religion does not create difficulty, for God says, *And (God) hath not laid upon you in religion any hardship*' (22:78).

He was asked about a pond containing a carcass. He said, 'If water retains its quality, that is if its odour has not changed, then it is fit for ablution.' Similarly he was questioned about a pond in which animals urinated, dogs lapped, and impure persons and menstruating women bathed. He replied, 'If the water measure is of the capacity of one *kurr* (i.e. 720 sackfuls in quantity),⁵⁴ nothing can render it impure.'⁵⁵ Similarly he was asked about a pond in which animals were in the habit of urinating and excreting, and impure persons were wont to bathe, and he said, 'There is no objection to it [that is the water was fit for the purpose of ablution]. Verily, on one of their travels the Messenger of God and his Companions alighted near a pond in which their beasts of burden used to urinate and excrete. The Messenger of God's party used to bathe in it and perform their ablution. They also drank from it.'

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He said, 'If a pool of water is two cubits in length, two cubits in breadth, and two cubits in depth, nothing can render it impure.' By this [the Messenger of God and the Imams] meant that this is a general rule as long as the water retains its essential qualities and nothing of the impurities are apparent in it. If this is the case, the rule applicable is the same as the one for running water, which has been declared fit for ablution by God and His Messenger. But if the impurity overcomes the water and it is manifest in the hue of the water, or its stench, or in its taste, then it is impure and will be governed by the rule of impure water.

Ja'far b. Muḥammad: He said that when an impure person passes by a body of water containing dead bodies, and thereby the taste or smell or colour of the water is changed, it cannot be used for drinking, ablution, or purification.⁵⁶

This rule applies only in the case of water that has altered for the worse by reason of impurity. But if the change is due to weeds growing in it or its remaining stagnant for a long period, or any other means that is not [a cause of] impurity, and it thereby becomes blackish, then the water

⁵⁴*Kurr* is a certain measure of capacity and is defined differently. It is twelve times the quantity called *wasq*, each *wasq* being sixty times the quantity called *ṣā'* (a cubic measure). Lane, s. v. *k-r-r*; Hinz, *Islamische Masse*, 42–3; 51.

⁵⁵*Kāfi*, III, 6; he gives different measurements/masses for the *kurr*.

⁵⁶*Ibid.*, III, 8.

nevertheless is fit for ritual purifications. Indeed water becomes impure only by direct impurity polluting it.

The same rule is applicable to a well in which any living being has drowned and died. If, for this reason, the water has undergone a change for the worse in hue, taste, or odour, the cadaver should be removed and the well cleared of its water until the water improves, regains its purity, and does not show any sign of impurity. When this happens, the water is once again pure.⁵⁷ Such is the command of Ja'far b. Muḥammad and his ancestors, peace be upon them. The rule is the same for water where beasts of prey, dogs, and other animals come to drink.⁵⁸

Ja'far b. Muḥammad—his ancestors—the Messenger of God: He was asked about this question. He said, 'To the beasts belongs what they obtain by their mouths; and to you, the residue.' This is in respect of water that retains its essential character. But if the water contains the spittle of beasts, and the impurity is manifest, it is corrupt. The rule applicable to such water is the same as that which applies to impure water [which is unfit for human consumption, ablution, or purification].

[Ja'far b. Muḥammad—his ancestors]: The above rule is applicable for the leavings of food eaten by cats, or mice, or Jews, Christians and Zoroastrians.⁵⁹ But [the Imams] permitted the leavings of a menstruating woman or an impure person [who is a Muslim].⁶⁰

Where there are drains of refuse near a well, and the water becomes polluted because of that, such water is impure. If, however, the impurity polluting the well is cleared up and the water improves, then the well becomes pure; but again if [later] the impurity preponderates, the well becomes impure.⁶¹

The rule in such cases is one and the same, and is based on the same principle. Water is by itself pure, as God says (cf. 25:48). If impurity enters it the rule is based upon preponderance. If on the whole impurity predominates, the water is [ritually] impure; if, in the course of time, the impurity decreases and purity prevails, the water becomes pure. No rule other than this is correct, because it is argued that if water is contaminated by an impurity, everything that is contaminated by it becomes impure. On this matter the arguments are lengthy, but, for the sake of brevity, we have omitted them.

⁵⁷Ibid., III, 9–11.

⁵⁸Mishkāt, I, 150–2; Robson, I, 97–8.

⁵⁹Kaft, III, 15–16; it is the same rule.

⁶⁰Ibid., III, 14–15; drinking from the leavings of a menstruating woman is permitted, but ablution is not.

⁶¹Ibid., III, 12–13.

THE RITUAL BATH (GHUSL)

God says, *And if ye be polluted by having lain with a woman, wash yourselves all over* (5:6).⁶² Thus the obligation to purify oneself when one is ritually impure [because of sexual commerce] is confirmed by the Book of God and the Muslims are unanimous on it.

'Alī: He said, 'If a sexually impure person were to perform the ritual bath without resolving to do so, such a bath is not sufficient, even were he to bathe ten times!'

'Alī—other Imams from his progeny: Concerning the bath to cleanse oneself of sexual impurity, they said, 'The ritual bath should be preceded by an ablution as described by us earlier. Thereafter the filth of the private parts should be removed with water. Water should be poured freely over the whole of the body. The hands should be used to cleanse that part of the body, which they can reach. No part of the body should escape being washed by water and massaged by the hand. The man should wash the hair and cleanse the skin. There are no specific limits prescribed for the quantity of water to be used for the purpose. This rule is similar to what we have stated as regards the procedure for ablution. But if the man has dealt with the whole of his body, rubbed it with his hands, washed away every kind of uncleanness, and poured water on his hair so that it has reached the skin underneath it, and has performed the earlier ablution [just before the bath], then, indeed, he has purified himself.'⁶³

There are a number of reports related from the Imams concerning the proper procedure of the ritual bath, and what we have stated is their essence and shows their intended purpose. The Imams said that where a sexually defiled person dives under water, intending thereby to purify himself, and has already performed all that has been described by us above, then verily he is purified.

They said in regard to the ritual bath that some are obligatory (*fard*) and some are [recommended, as established] by the *sunna*.

The obligatory ritual baths are the following:

The bath after sexual impurity; after menstruation and childbirth; after the unbeliever has embraced Islam; after the lunatic or one who loses his consciousness recovers his wits; after one has fallen into filth; and after washing a dead body.⁶⁴

⁶²Sale, *Koran*, 98.

⁶³Cf. *Mishkāt*, I, 135 ff.; Robson, I, 88 ff.; *Kāfi*, III, 50-4.

⁶⁴Kulaynī adds the following to this category: 'On Friday (only women are exempted while they are travelling), for the newly born baby, before visiting holy shrines (*ziyāra*), and before praying for rain.' *Kāfi*, III, 48. See also *Mishkāt*, I, 135-40, 168-78; Robson, I, 88-91, 108-11; the division in *Mishkāt* is somewhat different.

The *sunna* of the Prophet recommends the following [baths]:

The bath on a Friday [before prayer]; of the two festivals (*ʿid al-ḥajj* and *ʿid al-aḍḥā*); of the *iḥrām* [at the commencement of the pilgrimage]⁶⁵ and for entering the sanctuary (*ḥaram*, i.e. Mecca) and for entering the Ka'ba;⁶⁶ for entering Medina;⁶⁷ on the Day of 'Arafa;⁶⁸ and on three nights, namely the 19th, 21st, and 23rd of the month of Ramaḍān.⁶⁹ The bath on these three nights should be taken after the *maghrib* prayer.⁷⁰ It is praiseworthy and recommended that these three nights be passed in wakefulness and prayer. As to the merits of these nights, much has been said. Prescribed likewise is the bath to be taken after giving a bath to a dead person.⁷¹

Where a man commences the bath after sexual impurity without having performed the ablution, this shortcoming is excused when he pours water on the limbs denoted for the *wuḍū'* [and rubs them with his hands], provided the resolution to do so has been made. The taking of a ritual bath piecemeal is disapproved. He who begins a ritual bath and does not complete it should commence the bath afresh and complete it in one single operation.

The Messenger of God: Having completed a bath after sexual impurity, he found that a part of his body had escaped water. Thereupon he wetted his hand in his damp hair and rubbed that particular part.⁷²

[The Imams] laid down that he who has ulcers, boils, or smallpox, and is in need of a bath, should have a regular bath if he has no anxiety

⁶⁵*Iḥrām*, a technical term used for 'consecrated state', is used for two states: the sacred state in which one performs the *'umra* and *ḥajj*, and the state of consecration during the prayers. The term is also used for the dress in which the *'umra* and *ḥajj* are performed. *El*², s. v. *Iḥrām*.

⁶⁶The Ka'ba, the most famous sanctuary of Islam, called *Bayt Allāh* (the House of God), is situated almost in the centre of the great mosque in Mecca. For details see *El*², s. v. Ka'ba.

⁶⁷Medina was the residence of the Prophet after the *hijra*, and he is buried there. It is the second sacred city, after Mecca, of Islam. *El*², s. v. *Madīna*.

⁶⁸See n. 9 in Chap. 1.

⁶⁹Ali was assassinated with a poisoned sword by Ibn Muljam on the 19th of Ramaḍān and died on the 21st. The 23rd of Ramaḍān is celebrated by the *Ismā'īlīs* as the *laylat al-qadr* (the Night of Power) referred to in the Qur'an 97:1. See also in this volume, in Chap. 6, 'On Fasting', section on *Laylat al-qadr*.

⁷⁰*Kaḥf*, III, 48-9; *Mishkāt*, I, 168-70; Robson, I, 108-9. Bathing on Friday is obligatory on everyone who has reached puberty, according to Bukhārī, Muslim, and Kulaynī. The author of *Mishkāt*, however, reports another tradition wherein the Friday bath is not obligatory but recommended.

⁷¹The Urdu and Gujarati translator has changed the sequence of the following six paragraphs.

⁷²Cf. *Mishkāt*, I, 140; Robson, I, 91.

that water might cause him injury. If he is able, he should pour water and rub with his own hands; otherwise, he should do it slowly and little by little. Where even this is not possible for him, it is generally sufficient to pour water on the body. If he cannot use water he should perform the *tayammum* with fine, clean sand or dust.

[The Imams] prescribed that ritual bathing was necessary after a 'meeting of the two circumcised parts',⁷³ in other words, sexual intercourse even if there is no ejaculation. They said the expression 'meeting of the two circumcised parts' means the penetration of the penis into the vulva. If this takes place, a ritual bath is obligatory on both the parties, whether ejaculation takes place or not.

If there is sexual play short of penetration, and there is no ejaculation, the bath is not obligatory. If a man dreams of a sexual act and upon waking finds that no liquid has in fact exuded from the sex organ, there is no obligation to have a bath. But should he find the signs of a gushing [thick] liquid, a bath is necessary. However, if the liquid is not semen, but a minute quantity of mucus or other liquid has flown [from the penis], there is no obligation to have a bath. Nevertheless, on account of sleep and the dream, an ablution is prescribed.

[The Imams] said, 'If during wakefulness a man or a woman has ejaculation, whether by sexual congress or without it, a bath is obligatory on both of them.' They said, 'If a woman dreams during sleep of sexual intercourse as a man dreams, a bath is obligatory on her.'⁷⁴

'Alī: He stated that some women came to one of the wives of the Prophet and spoke with her, then she said to the Messenger of God, 'O Messenger of God, these women have come to ask you certain questions about which they are bashful.' He said, 'Let them ask what they wish, for God is not shy of the truth.' She said, 'The women ask, "If a woman sees in a dream what a man sees, is a bath necessary for her?" He said, 'Yes, a bath is prescribed for her. A woman verily, possesses a liquid like the liquid of a man, but God has, in the case of a woman, hidden what is manifest in the case of a man. Now when in the case of a woman, her liquid seems to predominate on the man's semen during coition, the child will resemble her. Contrarily, when the man's semen predominates, the child will resemble him. If the two liquids are evenly balanced, the child will resemble both the parents. Where therefore she exudes what the man exudes, let her bathe.'⁷⁵

⁷³This expression is used because in Fāṭimid law the prepuce of the penis and a part of the clitoris are removed. See later in this chapter the section on 'The Cleanliness and Purification of the Body'. See also *Mishkāt*, I, 138; Robson, I, 90; *Kāfi*, III, 54-5.

⁷⁴*Kāfi*, III, 56.

⁷⁵Both Bukhārī and Muslim transmit a slightly shorter version on the authority of

This generally does not occur in the case of women unless they are wicked by nature.

[The Imams] directed that when a man who has had intercourse or a wet dream desires to purify himself, he should first pass water to remove any semen left over in his penis. Where a man fails to do this and purifies himself, and there is a flow from his penis, he should renew the bath. They also said, 'Every one who has had intercourse should purify himself before sleeping or eating or drinking.'⁷⁶ If, however, the man desires to have intercourse a second time, it is not necessary to purify himself unless the hour of prayer is nigh. If the time for prayer has come he should not delay the act of purification. It follows that [the second] intercourse prior to purification is lawful.'

[The Imams] permitted love play⁷⁷ with a sexually impure or menstruating woman. They disapproved of sexually impure persons sitting in a mosque; however, they permitted such impure persons, like a wayfarer, to pass through a mosque.⁷⁸

They said that where a woman with whom her husband has had intercourse or who is sexually impure, menstruates before purification, only one act of purification is sufficient as soon as the bleeding ceases.

They said that when a woman is taking her purificatory bath, it is her duty to untwist her hair, unless she is certain that the knotted plaits [or braids] of her hair are sufficiently loose to allow the water to reach the skin of her head and all of her hair.

Where a Muslim has married a free non-Muslim woman (*dhimmiyya*),⁷⁹

Umm Salama. The Prophet was then asked, 'In what way does her child resemble her?' Muslim therefore adds, 'The man's liquid is coarse and white, the woman's fine and yellow, so the resemblance comes from the one which prevails or comes first.' *Mishkāt*, I, 135–6; Robson, I, 88.

⁷⁶When the Prophet was in a state of [ritual] impurity and wanted to eat or sleep, he performed the ablution. *Mishkāt*, I, 141; Robson, I, 92; transmitted by Bukhārī and Muslim. *Kaft*, III, 58; eating and drinking is allowed without ablution.

⁷⁷*Mubāshara* must here be construed as *mulāmasa dīn al-jimā'*. This is a secondary meaning and indicates love play, short of penetration. There is a full explanation of this by Nu'mān in *Kitāb al-ṭahāra* fol. 19r, as follows: 'The real meaning of *mubāshara* is the rubbing of skin with skin ... and God [in the Qur'ān] has used the term *mubāshara* figuratively for *jimā'*; but here the meaning is not *jimā'*.' Then he gives details showing clearly that the word indicates love play by physical contact, and not coition. See also *Majma' al-bahrayn*, s.v. b-sh-r.

⁷⁸*Kaft*, III, 58; a sexually impure person is not allowed to pass through the Sacred Mosque of Mecca or the Messenger of God's Mosque in Medina.

⁷⁹*Dhimmi*s, *Ahl al-dhimma* and *Ahl al-Kitāb* are the terms used to denote a contract through which the Muslim community accords protection to the members of other revealed religions, such as Judaism and Christianity. *El*², s.v. *Dhimma*.

the rule does not apply to her. If she does not take the ritual bath or refrains from it, she cannot be compelled to have a ritual bath when she is sexually impure. The reason is that the polytheism in her is a greater impurity than mere ritual impurity. Such a woman can only be compelled to have a bath after her period in order that she may become lawful for intercourse with her [Muslim] husband and so that she can no longer refuse herself to him.

[The Imams] said that a bracelet or ring should be turned around during the ritual bath so that water reaches the skin beneath, and water should be poured on the ornaments.

They also commanded that prayers the like of those that are said during ablution should be said during the bath. They permitted the wiping of the body with a towel after the bath.

THE PURIFICATION OF BODIES, CLOTHES, THE GROUND, AND CARPETS

Ja'far b. Muḥammad—his father—his ancestors—'Alī b. Abī Ṭālib: Concerning clothes, which are spoilt by urine, he said that they should be washed twice.⁸⁰

Ja'far b. Muḥammad: He [was asked] concerning clothes spoilt by a child's urine. He said, 'Water should be poured over it in such a way that it drips from the other end of the cloth.'⁸¹

'Alī: He said, 'If semen is spilt upon any cloth, only that particular spot need be washed. If it is known definitely that semen has soiled the cloth, but the exact spot is not known, the whole of the cloth should be washed three times; each time the cloth should be rubbed, washed, and pressed [to expel the water].' He said that the rule regarding cloth soiled by liquid exudation other than semen (*madhy*) is the same.⁸²

Abū Ja'far Muḥammad b. 'Alī and Ja'far b. Muḥammad: Concerning cloth stained with blood clots, they said that it should be washed in the

⁸⁰Kaṣf, III, 62.

⁸¹Ibid., III, 62–3; it states that a little water should be poured over it and squeezed out. Another tradition states that if the child has not been weaned the cloth should be washed fully. *Mishkāṭ*, I, 154–6; Robson, I, 100; it states, 'If the child is not weaned then water may be sprinkled over the cloth and need not be washed.' Bukhārī and Muslim transmit it. Another tradition states that the cloth should be washed if the urine is a girl's and sprinkled with water if it is a boy's.

⁸²Kaṣf, III, 61–2; according to Kulaynī the cloth need not be washed if it is soiled by liquid exudation other than semen. *Mishkāṭ*, I, 154; Robson, 100.

same manner as other impurities. If the stain from blood or other impurities is miniscule, such as blood of fleas and the like, it need not be washed. But if the dirt is abominable it should be washed; the rule for the blood of fish is the same.⁸³

Ja'far b. Muḥammad: He was asked concerning clothes made by polytheists, 'Is it proper to pray in them?' He replied, 'No.'

[Ja'far b. Muḥammad]: He was asked about cloth stained with the abominable liquid [wine]. He said that it should be washed.⁸⁴

But as for cloth spoilt by the perspiration of a sexually impure person or menstruating woman, they [the Imams] permitted its use. Likewise, they permitted the use of wet clothes that have come into contact with the body of a sexually impure person or a menstruating woman.⁸⁵

They permitted an impurity that was dry, such as dry ordure, a dog, a pig, or a carcass, to touch clothes or the body, provided none of such things adhere to them.⁸⁶ [In the same way] they exempted [the clothes] from being washed [if polluted] by the droppings and urine of all animals the flesh of which is lawful to eat.⁸⁷ Some [of the Imams] made an exception in favour of partridge and poultry only.⁸⁸

[The Imams] said, 'The body should be washed when it is polluted by the same kind of filth for which the washing of cloth is prescribed.' They held that mud stains caused by rain do not pollute a person, so long as they do not contain the kind of dirt which would pollute water. But if the filth exceeds the limits laid down for water, the rule of purification is identical with that concerning the pollution of water as described above.

[The Imams] said that where a person who has purified himself treads first on polluted ground and later walks on ground which is clean, his steps are purified thereby. They said that earth, which is polluted, becomes purified and fit for prayer only when it is dried by the sun, and the odour of pollution and signs of filth disappear totally.

[The Imams] forbade prayer in a cemetery, or a water closet (*bayt al-*

⁸³Kaft, III, 66–8; if the stain on the cloth is not more than the size of a dirham (a silver coin) it is not necessary to wash.

⁸⁴Ibid., III, 401; the tradition is reported by Zurāra who held a contrary view on the authority of al-Bāqir and al-Ṣādiq.

⁸⁵Ibid., III, 60–1.

⁸⁶Ibid., III, 68–9; if the wet part of the dog, i.e., the mouth or nose, touches the body or the cloth it should be washed.

⁸⁷Ibid., III, 64; generally the clothes need not be washed if polluted by their urine. *Mishkāt*, I, 159; Robson, 102; there is no harm in the urine of an animal whose flesh may be eaten.

⁸⁸Kaft, III, 66; it applies to all the birds and the animals which can fly.

hushsh),⁸⁹ or within the precincts of a bath.⁹⁰ However, they permitted prayers in a pen for sheep. As for the resting-place for camels, they said that prayers should not be held in it except out of necessity, and before praying the place should be swept and sprinkled with water. The same is the rule for synagogues, churches, and abodes of polytheists.⁹¹

The Imams permitted prayers being offered in clothes made by polytheists so long as they [the polytheists] have not worn them and no pollution appears on them.

THE TOOTH-STICK (SIWĀK)

Ja'far b. Muḥammad—his father—his ancestors: Whenever the Messenger of God awoke at night [to pray] he used the tooth-stick.⁹² When he travelled he always took with him six things: a bottle [of perfume]; a pair of scissors; a collyrium case; a mirror; a comb; a tooth-stick.⁹³

The Messenger of God said, 'The [herbal] tooth-stick brings perfume⁹⁴ to the mouth, and leads to the pleasure of God. Whenever the angel Gabriel came to me, he always directed me to use the tooth-stick to such an extent that I feared wearing out the front of my mouth.'⁹⁵

He said, '[God] has bestowed three things [as a boon] on the prophets: perfume, wives, and the tooth-stick!⁹⁶ If the people knew [of the merits of] the tooth-stick, every man would sleep with it under his blanket.'

The Messenger of God said, 'Clean the path of the Qur'ān!' He was

⁸⁹ *Al-Ḥashsh* or *al-Hushsh* originally meant a garden of palm-trees. A privy is likewise called *bayt al-ḥashsh* or *bayt al-hushsh* or simply *al-ḥashsh* or *al-hushsh* because people used to ease themselves in gardens. *Al-Ṣiḥāḥ*, s.v. ḥ-sh-sh; *Majma' al-baḥrayn*, s.v. ḥ-sh-sh; Lane, s.v. ḥ-sh-sh.

⁹⁰ *Kaḥf*, III, 381–2; he states that prayer in a cemetery is not allowed, esp. between the graves, unless the space is open at least ten cubit arms on all sides.

⁹¹ *Ibid.*, III, 379–85; prayers could be offered in synagogues and churches after sprinkling water, but not in the house of a Zoroastrian.

⁹² *Mishkāt*, I, 121; Robson, I, 79; transmitted by Bukhārī and Muslim.

⁹³ Janot, 'Le Siwāk'. It is an interesting study of *siwāk* and its use in Nubia and Egypt before Islam, in Islamic times and in contemporary Africa. It also includes a comprehensive listing of traditions and medical books. See n. 36 in this chapter.

⁹⁴ The Arabic is *mayyabat*^{un} while in *Mishkāt* (I, 122; Robson, I, 79) and *Kaḥf* (VI, 510), it is *maṭharat*^{un} (means of purifying/cleaning).

⁹⁵ *Kaḥf*, III, 28; VI, 509; *Mishkāt*, I, 123; Robson, I, 80.

⁹⁶ *Mishkāt*, I, 122; Robson, I, 80; it states, 'Four characteristics pertain to the practices of the messengers: modesty (or circumcision) ... [the remaining three are the same as in the *Da'a'im*].' *Kaḥf*, III, 28; VI, 509; it states, '*Siwāk* is among the practices of the Messenger of God.'

asked, 'What is the path of the Qur'ān, O Messenger of God?' He replied, 'Your mouths!'⁹⁷ Thereby he referred to the use of the tooth-stick. He further said, 'If I were not apprehensive of the burden it would entail on my community, I would have rendered the use of the tooth-stick obligatory together with the ablution.'⁹⁸ He who is able to do it, let him not forsake it [at the time of ablution].'

[The Messenger of God]: He said, 'The [Angel] Gabriel came to me once at a time when the Revelations to me had ceased for three days, and I said, "What indeed has delayed you, O my friend Gabriel?" He said, "O Muḥammad, how could the angels come to you when you [the Muslims] do not use the tooth-stick, do not cleanse yourselves with water, and do not wash your knuckles—meaning the joints [of the body]?"'

[The Messenger of God]: He said, 'The tooth-stick is one-half of ablution; and ablution is one-half of Faith.'⁹⁹

[The Messenger of God]: He said, 'To every believer who arises in the middle of the night and cleanses his teeth with the tooth-stick, and purifies himself in the most approved manner, and goes to one of the houses of God, there comes an angel who places his mouth on the man's mouth. Every word that comes from the mouth of the man enters the mouth of the angel. On the Day of Resurrection the angel comes to him as a witness and intercessor.'¹⁰⁰

[The Messenger of God]: He said, 'Use the tooth-stick horizontally, not vertically.' He also said, 'The cleansing of the teeth with the thumb and the index finger during ablution is equivalent to the use of the tooth-stick.' He forbade people to use a reed (or cane), or the shoot of an aromatic plant (or sweet basil), or a pomegranate tree as a tooth-stick because it activates the roots of leprosy ('*irq al-judhām*')¹⁰¹

⁹⁷Speech sounds are made by air from the lungs passing through the vocal cords. So if one recites the Qur'ān while his mouth is not clean it might give off a bad odour.

⁹⁸'Were it not that I might distress my people, I would order them ... to use the tooth-stick at every time of prayer.' Bukhārī and Muslim transmit this tradition. *Mishkāt*, I, 121; Robson, I, 79; also *Kaṣf*, III, 28.

⁹⁹'The prayer before which the tooth-stick is used is seventy times more excellent than that before which it is not used.' *Mishkāt*, I, 123–4; Robson, 80.

¹⁰⁰*Kaṣf*, III, 29; a slight variant from the *Da'ā'im*. It also states, 'The use of the tooth-stick in the early morning is the *sunna*.'

¹⁰¹I was unable to find any reference to *irq al-judhām* in the sources I consulted. It is possible that it might be a type of disease, or that there might be a folk belief that the use of such branches as the tooth-stick might cause leprosy. In the Indian subcontinent tender twigs of Neem (Margosa) tree which have a bitter taste and possess anti-diabetic, anti-bacterial, and anti-viral properties are used as toothbrushes.

TAYAMMUM¹⁰²

God says, O ye who believe! When ye rise up for prayer, wash your faces ... and if ye find not water, then go to clean, high ground and rub your faces and your hands with some of it (5:6).¹⁰³

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'It is not proper for a man who finds no water [for ablution] to resort to *tayammum* until the very last moment of time left for prayer [when all the efforts for obtaining water have been exhausted].'¹⁰⁴

['Alī]: He said, 'He who has performed the *tayammum* can offer with it as many prayers as he likes so long as no impurity has occurred to him and so long as he finds no water. But as soon as he comes across water, or finds it, his *tayammum* terminates. If later water is again unobtainable, he should perform *tayammum*.'¹⁰⁵

'If a man performs the *tayammum* at the beginning of the time of prayer and prays, and then, during the remainder of the time still left for that prayer, finds that water is obtainable, and it is possible that he could perform the ablution and pray [before the time expires], he should, unless he has prayed already, perform the ablution and pray. The prayer performed in a state of *tayammum* does not fulfil the obligation to pray, if later during the time available for that prayer he finds that water is obtainable.'¹⁰⁶

'Similarly, where a person performs the *tayammum*, but has not actually prayed and finds water, his *tayammum* is at an end if there is yet time for prayers. In such a case he should perform the *wuḍū'* and offer prayers. If, having performed the *tayammum*, a man begins to pray and then discovers water, let him stop, perform his ablution, and pray. But this rule applies only where he has not performed bowing (*rukū'*). If the bowing has been completed he should proceed with his prayer.'¹⁰⁷ If he has completed the prayer and there is still sufficient time for prayers, he should perform the ablution fully and offer prayers from the very beginning. However, where

¹⁰²It means rubbing the face, hands, and forearms with clean sand or dust. Unlike the *Da'ā'im*, this section is too short and uninformative in *Mishkāt*; *EI*², s.v. *Tayammum*.

¹⁰³Rāzī, *al-Zīna*, fol. 270r. Explaining the meaning of *tayammum* in this verse, he states, on the authority of Kisa'ī and Abū 'Ubayda, that it means to intend, or approach something with a definite aim in mind. *Tayammum* thereafter became a noun for that act described in the verse as *wuḍū'* became a noun for the act of washing certain parts of the body.

¹⁰⁴*Kaṣf*, III, 71.

¹⁰⁵*Ibid.*, III, 72; reported on the authority of al-Bāqir.

¹⁰⁶*Mishkāt*, I, 166; Robson, I, 106; the report from the Messenger of God is somewhat different.

¹⁰⁷*Kaṣf*, III, 72; it is reported until here. Kulaynī does not report the later part of this tradition.

the time for the completion of the *wuḍū'* and the offering of prayers has passed, the prayers already performed are sufficient.¹⁰⁸

Abū 'Abd Allāh Ja'far b. Muḥammad: He characterized the *tayammum* as the ablution under dire necessity. When a man resolves upon the *tayammum*, he should beat the earth once with the palms of his hands. Then he should shake one hand with the other. Thereafter he should rub his face once lightly with his fingertips from the eyebrows to the lowest part of the face. In this process, his fingers may reach only those parts that are possible, but no more. Similarly, he should rub his right hand with the fingers of the left on top. Then he should repeat the operation vice versa once.¹⁰⁹ Now this kind of *tayammum* is equivalent to a perfect ablution, or a ritual bath of purification, as the case may be.

[The Imam continued]: Once upon a time 'Ammār b. Yāsir¹¹⁰ had become sexually polluted, so he took off his clothes, went up to high, clean ground and began to roll in the dust. This was reported to the Messenger of God who said, 'You have rolled over, O 'Ammār, as the asses do! It would have been good enough had you rubbed your hands and your face [with the dust], as God has ordained.'¹¹¹

'Alī—the Messenger of God: He said, 'Three [bounties], never conferred earlier on any other prophet, have been bestowed on me: victory [in campaigns] has been given to me through fear [being inspired in my enemies]; loot has been permitted to me as lawful; the earth has been made a prayer ground for me, and its dust a cleansing [agent].'¹¹²

'Alī: He said, 'When a person finds himself to be polluted after sex, and the earth is wet, let him shake the dust off his saddle felt and perform the *tayammum* from its dust.' Similarly Abū Ja'far and Abū 'Abd Allāh [the Imams al-Bāqir and al-Ṣādiq] said, 'Let him shake the dust off his clothes or his saddle felt or pack saddle made of wool, whenever clean

¹⁰⁸The Imāmi position is the same. See *Kāfi*, III, 72; Ṭūsī, *al-Nihāya*, 45–50; Maghniya, *al-Fiqh*, 76–84.

¹⁰⁹*Kāfi*, III, 69–70; *Mishkāt*, I, 167; Robson, I, 107.

¹¹⁰'Ammār b. Yāsir, an early convert to Islam and a Companion of the Prophet and later a partisan of 'Alī, was renowned for his piety and devotion to Islam. He is considered one of the four pillars of the first Shī'a and was killed at the battle of Ṣiffin in 37/657 at an extremely advanced age. EI², s.v. 'Ammār b. Yāsir; Jafri, *Origins*, passim.

¹¹¹*Mishkāt*, I, 164; Robson, I, 105; transmitted by Bukhārī and Muslim and recorded differently without 'as the asses do.' See also *Kāfi*, III, 70.

¹¹²*Mishkāt*, I, 164; Robson, I, 105; the tradition transmitted by Muslim is as follows: 'We [the Muslims] have been made superior to mankind in three respects: our ranks [in prayers] are formed like those of the angels; all the earth has been made as a mosque for us; and its dust has been made a cleansing agent when we do not find water.'

[dry] dust is not available.¹¹³ [The Imams], addressing one who was performing *tayammum*, said, 'One stroke by the hands on the earth, followed by rubbing the face and the hands one with the other, suffices.' However, they added, '*Tayammum* with gypsum, ashes, or lime is not lawful. *Tayammum* is lawful with a rock found in the earth with dust on it, but not if it is wet. Nor is *tayammum* lawful in settled, populated areas (*ḥaḍar*) except when one is compelled by some reason (or disease) or caught in a thronging crowd where escape is impossible and the time for prayer has come. [In such a situation] a person should perform the *tayammum* and pray, but he should repeat afresh his prayers later. The same rule applies where a sexually polluted person comes across a well but there is nothing where-with to draw water.'¹¹⁴

[The Imams] said, 'If a man suffers from boils, or from some disease, and fears that he may be injured by using water, let him rub himself with dust and pray.'¹¹⁵ A similar rule is applicable where the climate is so cold that the man fears death in consequence of using water for ablution.¹¹⁶ If no fear comes upon him, let him purify himself with water; for if he dies, he achieves martyrdom.'

[The Imams] said, 'If a person has with him such a small quantity of water that he fears death by thirst were he to use it for ablution, let him practice the *tayammum*.¹¹⁷ Let him preserve water to save himself, and not use it to his destruction: for God says, *Slay not yourselves; for God is merciful towards you*' (4:29).¹¹⁸

[The Imams] said, 'A traveller should perform *tayammum* and pray whenever water is not available, except in a place dangerous to life on account of robbers, or beasts of prey, or in a place that for some other reason endangers life.'¹¹⁹ They further said, 'A traveller finds himself in a place where water is [scarce and] expensive. He should purchase it if he has the means, rather than practice *tayammum*. This is so because he is deemed to possess water, although he must pay heavily for it. The exception to this rule is this: Where a man fears his own destruction by paying the

¹¹³Kaḥf, III, 75; when clean, dry dust is not available *tayammum* is allowed with mud or clay (ḡn).

¹¹⁴Ibid., III, 73.

¹¹⁵Ibid., III, 76.

¹¹⁶Ibid., III, 75. Kulaynī also gives a different example where no water is available except ice. In such a case *tayammum* is allowed.

¹¹⁷Ibid., III, 74. If the quantity of water is sufficient for drinking, but not for ablution, he should perform the *tayammum*.

¹¹⁸Sale, Koran, 76.

¹¹⁹Kaḥf, III, 73.

high price for water, he should not buy it, but should perform the *ṭayammum* on fine clean dust and pray.'

'Alī: He said, 'Nothing unlawful is done by a man who, having no water, has intercourse with his wife while they are travelling, performs the *ṭayammum*, and then prays.'¹²⁰ The Messenger of God was asked a similar question and he said, 'Go into your wife, perform the *ṭayammum*, and pray, and you will be recompensed!' The man [was overjoyed and] said, 'O Messenger of God, [is it true that] I obtain enjoyment, and [at the same time] a reward also?' The Messenger of God said, 'Aye, when you enjoy permitted things, you are rewarded; and similarly when you commit unlawful acts, you are [punished for having] sinned.'

THE PURIFICATION OF FOOD AND DRINK¹²¹

Ja'far b. Muḥammad: He was asked concerning a food receptacle, either a *sufra*¹²² or a *kh^wān*,¹²³ on which wine had been spilt. Was it lawful to eat on it? He replied that if it was completely dry, there was no harm in it.¹²⁴

He was also asked about the droppings of rats mixed with flour. He replied, 'If they are detectable, they should be removed; if not, there is no harm in it.' He was asked about bread partly eaten or smelt by a dog or a rat, and replied, 'The part eaten or smelt should be removed, and the rest eaten.'

Abū Ja'far Muḥammad b. 'Alī: He permitted the leavings of a cat, whether solid or liquid, to be consumed.

Ja'far b. Muḥammad: He was asked about a mouse that had been drowned in butter. He replied, 'If the butter was solid, the mouse should be extracted as well as the surrounding butter and the rest eaten. But if the butter was in a liquid state, the whole was defiled and it was fit only as fuel for lamps.'¹²⁵

He further added, 'The Commander of the Faithful ['Alī] was asked

¹²⁰Ibid., III, 74; a similar tradition that is worded differently states, "A person is sexually polluted while travelling, and does not have enough water to perform a ritual bath. Can he perform ablution?" The Imam said, "No, rather let him do the *ṭayammum* and pray."

¹²¹This topic is not dealt with in the chapter on purification either in *Kaṣf* or *Mishkāṭ*.

¹²²A piece of skin on which food is put while travelling, or a thing upon which one eats. Lane, s.v. s-f-r.

¹²³Arabicized from Persian, meaning a thing upon which food is eaten. Lane, s.v. kh-w-n; Mu'īn, *Farhang*, s.v. kh-w-n.

¹²⁴*Kaṣf*, VI, 283. Kulaynī prohibits eating on the same table where wine is consumed.

¹²⁵Ibid., VI, 276-7. This rule applies when the animal is dead; however, if it is removed while still alive, the oil may be used.

about insects which had fallen in butter, honey, milk or oil, and had died in any of them. He said, "If the insects have become one with the milk, it should be thrown away, and similarly the oil should be used only for feeding lamps. As for beetles or scorpions or flies or crickets, and all living things without [red] blood which are found dead in food, they do not pollute it. But if so desired the oil can be used for making soap."

[The Imams] said, 'If living insects are removed from broth, the broth is not defiled and can be eaten. But if they fall in the food and are found to be dead the food cannot be eaten or bought.' The prohibition to sell [or buy] such a commodity is also based on the tradition of the Messenger of God [which states], 'May God curse the Jews! Every kind of fat was declared illicit to them, and yet they traded in it and ate from its gain. Fat can only be used [lawfully] in the same manner as the skin of dead animals, and its sale is unlawful. One must be careful with a man who uses such fat for feeding lamps or for soap making lest it touches one's clothes. When such fat (or such soap) touches the body or cloth, these should be washed in the same manner as if polluted by filth.'

[The Imams]—the Messenger of God: He was offered food with seasoning in a bowl and he found a fly in it. He ordered the fly to be removed and it was thrown out. He then said, 'Utter the name of God on the food and eat it! For verily this insect cannot render anything unlawful.'

At an earlier place we have mentioned that a creature without [red] blood¹²⁶ does not defile the substance in which it dies. A fly is such a creature and does not render illicit such food or substance. When insects fall in food or drink, they only cause a feeling of nausea, but it is not proper to declare illicit what God has declared to be permissible. If a man so desires he can eat it, but one who feels repugnance may abstain from it without declaring it to be unlawful.

CLEANLINESS AND NATURAL PURIFICATION¹²⁷

Ja'far b. Muḥammad—his father—his ancestors—'Alī—the Messenger of God: He said, 'A filthy man is an evil thing.'

¹²⁶The edited text adds: *wa-lā nafs^{un} ṣā'ilat^{un}*, which is incorrect, as the MSS C, D and S are without it, and T adds it in the margin as an explanation of 'a creature without blood'. My MS Q had this addition, but was corrected later by scratching it out. The addition is also not to be found in the *Ta'wīl al-da'īm*, I, 137.

¹²⁷The Arabic term is *ṭahrat al-fiṭra*, and it is difficult to translate. The sense implied in it is 'the cleanliness of the body,' and it is one of the features of natural religion. The term *al-fiṭra* in this context is further explained below in this section. See note 132. There is no separate section under this or a similar title in either *Kaṭī* or *Mishkāt*.

'Alī: He said, 'A man should prepare himself for his wife, as he would that she prepare herself for him.'

The Messenger of God said, 'Wash the hands of the young ones after a greasy meal,¹²⁸ for verily the evil spirits come to smell them!'¹²⁹ He said, 'Let him who would increase the well-being of his house perform ablution when a meal is served. He who performs an ablution before a meal lives in good health and is saved from the ills that visit his constitution.'

'Alī: He disliked the practice of cleaning the hands with flour, bread, or dates, and said, 'This act drives away [God's] favour.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'An ablution before a meal and after it invokes a blessing on food.' [The Imam] declared this to be the saying of 'Alī, the Commander of the Faithful. The [Imam] said, 'Verily, Satan loves the odour of fingers soiled by greasy food. So when any one reclines on his bed, let him wash his hand to remove the odour of greasy food.'

The Messenger of God: He forbade that the utensil used for collecting water after the washing of hands (*ṭasht*)¹³⁰ be taken away before it is filled to its capacity.

Abū Ja'far Muḥammad b. 'Alī: He said, 'The master of the house should be the last to wash his hands.'

'Alī: He said, 'Once upon a time the Messenger of God visited some of his Companions and said, "Bravo to those that perform the *takhallul*!" They said, "What is this *takhallul*, O Messenger of God?" He said, "*Takhallul* in ablution is [running the water and rubbing] between the fingers and the nails, and *takhallul* after a meal [is picking the teeth]. For there is nothing more revolting to the two angels of the faithful¹³¹ than to see food sticking in the mouth of one who stands up for prayer."

'Alī: He said, 'Perform the *takhallul* to remove traces of food after a meal, for this brings health to your teeth and molars and procures sustenance for the servant [of God].'

¹²⁸ *Ghamirat yaduhu* means his hands became foul with the smell of meat and with the grease thereof adhering to it. Lane, s.v. gh-m-r; *Majma' al-baḥrayn*, s.v. gh-m-r; the author cites different traditions.

¹²⁹ 'If anyone spends the night with grease on his hand that he has not washed away, he can blame only himself if some trouble comes to him.' *Mishkāt*, II, 450; Robson, II, 894.

¹³⁰ *Ṭast* or *Ṭasht*, arabicized from Persian, mostly applied to a kind of basin of tinned copper, or of brass, or of silver, used for washing the hands. *Majma' al-baḥrayn*, s.v. ṭ-s-t; Lane, s.v. ṭ-s-t; Mu'in, *Farhang*, s.v. ṭ-sh-t.

¹³¹ According to popular Islamic belief two guardian angels always accompany man. Baghdādī, *Uṣūl al-dīn*, 246. See also Qur'ān 50: 17-18; 82: 10-12; Tūsī, *al-Tibyān*, IX, 394; Ṭabāṭabā'i, *al-Mizān*, XX, 226.

Ja'far b. Muḥammad: He forbade people from picking their teeth with a reed or sweet basil or the shoot of a pomegranate tree, and said, 'Picking the teeth brings sustenance to man.'

The Messenger of God: He said, 'Circumcision is [a feature] or natural religion (*al-fiṭra*).'¹³² He said, 'No Muslim should be left uncircumcised even though he has reached the age of 80.'¹³³

'Ali: He said, 'The first man to be circumcised was the Prophet Abraham, the peace of God be upon him, and he was in his eightieth year. God by His revelation commanded him to purify himself, so he trimmed his moustache. Again he was asked to purify himself, and he pared his nails. He was commanded for the third time to purify himself, and he plucked the hair of his armpit. At the fourth behest, he shaved off his pubic hair, and when he was commanded [for the fifth time], he got himself circumcised.'¹³⁴

'Ali: He said, 'O women, when you circumcise your daughters, leave part [of the labia or clitoris], for this will be chaster for their character, and it will make them more beloved by their husbands.'¹³⁵ He also said, 'Hasten

¹³²The Arabic is: *Al-Khiṭānu al-fiṭra*. See n. 127 in this chapter. In his *Ta'wīl al-da'īm*, I, 148, Nu'mān explains the *fiṭra* as the nature, or the natural state, in which man was created by referring to the Qur'ān 30:30. He then interprets the Messenger of God's words, as stated above, to mean that that is how the foetus was created in the beginning in the womb of the mother. Hence a better rendering would be 'circumcision is in accord with God's plan', or 'with the true nature of man'. The Urdu translator renders the Arabic *fiṭra* by the Persian/Urdu *fiṭrat* with remarkable ingenuity, but without enlightening the reader.

The tradition transmitted by Bukhārī and Muslim states: *Al-fiṭratu khamsun: al-khiṭān ... Bukhārī, Ṣaḥīḥ*, IV, 38; *Mishkāt*, II, 492. Robson translates it as follows: 'The ancient prophetic *sunna* has five characteristics: circumcision, shaving with razor, clipping the moustache, paring the nails, and plucking out hair under the armpit.' Robson, II, 929. It should be noted that circumcision is not mentioned in the Qur'ān, but it was a common practice in pre-Islamic Arabia. For details see EI², s.v. *Khiṭān*; ER, s.v. *Circumcision*.

¹³³*Kaṣf*, VI, 38.

¹³⁴Abraham was the first man to be circumcised. All of those things enumerated by Nu'mān are recommended and transmitted by Bukhārī and Muslim. *Mishkāt*, II, 492, 503; Robson, II, 929, 939. *Kaṣf*, VI, 37. Kulaynī reports a different story about Abraham.

¹³⁵The Arabic reads: *Fa-innahu anqā li-alwānihinna wa-ahḡā la-hunna 'inda azwājihinna*. I am not sure how to translate the first part and it may be possible to render it differently. However, I think I am on surer ground with the latter part. (See Lane, s.v. ḡ-z-y; Wright, *Grammar*, II, 179.) I do not think that the latter phrase, as translated in Urdu and in Gujarati by Mubārakpūrī, refers directly to sexual pleasure.

The tradition transmitted by Abū Dāwūd states that the Prophet told a woman who used to perform circumcision [of girls] in Medina, 'Do not cut severely, as that is better for a woman and more desirable to a husband.' *Mishkāt*, II, 498; Robson, II, 934. *Kaṣf*, VI, 38–9; Kulaynī reports that circumcision of the female is not the *sunna*. Female excision (*khafḍ* or *khifḍ*), corresponding to the circumcision of boys (*khaṭm* or *khiṭān*), is not mentioned in the Qur'ān, but *ḥadīth* attest to the practice in pre-Islamic Arabia and in a way

with the circumcision of your children, for indeed it leads to greater purity.' He said, 'A girl should not be circumcised until she is 7 years old.'

'Alī—the Messenger of God: He said, 'Trim your hair from the earlobes to the eyes and from the beard on the cheeks; and comb the hair of the beard; and shave the nape of the neck; and trim the moustache and the beard below the lips, and pare your nails. Do not resemble the Jews and Christians [in this respect].¹³⁶ No one should allow the moustache to grow long, or the pubic hair, or the hair, or the hair in the armpits; for it is in these parts that Satan makes his haunt and secretes himself. He who believes in God and the Last Day, let him not fail to shave his pubic hair within forty days, at the most.'¹³⁷

'Alī: He said, 'Trim the hair between the outer angle of the eyes and the ear lobes, on the cheeks, and those that protrude over the chin in front [of the fore part of the lower lip].'

Abū Ja'far Muḥammad b. 'Alī: He said, 'Trim your moustaches, for verily the [Banū] Umayya did not do so.'¹³⁸

The Messenger of God: He said, 'If a man clips his nails on Friday, God will bring disease out of his fingers and let the healing enter them.'¹³⁹ He also said, 'O men, pare your nails; and O women, leave them long, for they will increase your attractiveness!'¹⁴⁰

[The Messenger of God]: He said, 'One who has [long] hair [on the head] should look after it.'¹⁴¹ He said to Abū Qatāda,¹⁴² 'O Abū Qatāda, comb your luxuriant hair,¹⁴³ honour it, and beautify it!'

justify it. The circumcision of girls has never been regarded as obligatory in Islam, but has been considered as recommended. The custom is practised very irregularly in the Muslim world. For more details see *El*², s.v. *Khaf*; *ER*, s.v. *Clitoridectomy*.

¹³⁶*Mishkāt*, II, 502; Robson, II, 938. The tradition states to shave the two (sides) plaits of hair, as the style of the Jews was to keep them long.

¹³⁷*Mishkāt*, II, 492; Robson, II, 929; it states, 'Let not more than forty days elapse between the times one clips the moustache, pares the nails, plucks out the hairs under the armpits, and shaves the pubic hair.' See also *Kaḥf*, VI, 521–2.

¹³⁸*Mishkāt*, II, 494; Robson, II, 931; trimming of moustache is recommended. *Kaḥf*, VI, 500–2.

¹³⁹*Kaḥf*, VI, 504. Trimming the moustache and paring the nails every Friday is highly recommended.

¹⁴⁰*Ibid.*, VI, 506.

¹⁴¹'He who has hair should honour it.' *Mishkāt*, II, 496; Robson, II, 933; *Kaḥf*, VI, 502–4.

¹⁴²He is Abū Qatāda b. Rib'ī al-Anṣārī. Ibn Sa'd, II/1, 95, 96. Astarābādī, *Manhaj al-maqāl*, 71; Ibn Hajar, *Tahdhīb al-tahdhīb*, XII, 204.

¹⁴³The Arabic word is *jumma*, meaning the collective mass of hair on the head when it hangs down from the head to the lobe of the ear, or to the two shoulder joints, or more than that. Lane, s.v. *j-m-m*. The tradition transmitted by Mālik states, 'Abū Qatāda

[The Messenger of God]: He said, 'Comely hair is a mantle bestowed by God, so honour it.' He said, 'He who has hair on his head and does not part it in the middle, verily God will part it on the Day of Judgement with a rod of fire!' He said, 'He who knows the excellence of his gray hair and pays respect to it will be saved by God from the terror of the Day of Judgement.' He said, 'Gray hair is like light, so do not pluck it out.'¹⁴⁴

'Ali: He saw no harm in clipping white hair but he disapproved of the practice of plucking it out.¹⁴⁵

'Ali—the Messenger of God: He said, 'Three things extinguish the light of man: to disregard the love of one's father, to dye one's hair black,¹⁴⁶ and to cast one's glance within the privacy of another's house.'

One of the Imams saw a man who had dyed his beard black and he said, 'He has verily rendered himself unseemly in appearance.'

THE PURIFICATION OF THE SKIN, BONES, HAIR, AND WOOL¹⁴⁷

God says, *Forbidden unto you (for food) are carrion and blood and swine flesh* (5:3). Thus, according to the manifest meaning of this verse, even the skin, the wool, the hair, the fur, the bone, the sinews, and everything else from them, large or small, are all unlawful.¹⁴⁸ When God declared the flesh of swine unlawful, He rendered it unlawful in its entirety; and therefore every part of the animal is likewise forbidden. The Muslims are unanimous on this point. A similar rule prevails as regards carrion.

The unlawfulness of buying or selling or praying over [the skin of] dead animals is handed down to us on the authority of the People of the House. Nevertheless they permitted the use [of the skin] in the same manner as in the case of defiled clothes, for example, as a garment to

told the Messenger of God, "I have locks coming down to the shoulders (*jumma*), should I comb it?" He replied, "Yes, and show honour to it." Abū Qatāda therefore often greased it twice a day.' *Mishkāt*, II, 502; Robson, II, 938.

¹⁴⁴*Mishkāt*, II, 497; Robson, II, 934. It states, 'Do not pluck out gray hairs, for they are the Muslim's light.' Another tradition states that a gray hair will be light to him who has it on the Day of Resurrection. See also *Kaṭī*, VI, 494–5.

¹⁴⁵*Kaṭī*, VI, 507.

¹⁴⁶Cf. *Mishkāt*, II, 492, 496; Robson, II, 929, 933. All the traditions emphasize that black dye should be avoided in changing gray hairs, however the traditions in *Kaṭī*, VI, 494–7, are not against black dye.

¹⁴⁷There is no special section by this title in either *Mishkāt* or *Kaṭī*.

¹⁴⁸*Mishkāt*, I, 157; Robson, I, 101.

wrap oneself in, or clothes to keep oneself warm, but not for praying in [referring to skin jackets]. Neither by tanning nor by washing nor by any other means can carrion be purified.

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'The Messenger of God forbade prayers to be said on the skins of carrion, even if they are tanned,' and reiterated, 'Carrion is impure even if it is tanned.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'Prayers cannot be offered on the skins of carrion even if they have been tanned seventy times. We, the People of the House, do not pray on the skins of carrion even if they are tanned.'

[Abū Ja'far Muḥammad b. 'Alī]: He was asked, 'What is the rule when, in the process of making a garment of fur, the skins of dead animals are mixed with those that are ritually slaughtered?' He replied, 'If you use them at all for clothing, do not offer your prayers in them. If you have knowledge that all the skins used for the garment were from dead animals [not being ritually slaughtered], do not buy and sell them. If you do not know, then buy and sell [them].' [The Imam] then added, "Alī b. al-Ḥusayn [Zayn al-ʿĀbidīn] had a cloak of fur from Iraq that he used to wear, but at the time of prayer, he used to doff it."¹⁴⁹

'Alī: He said, 'I heard the Messenger of God say, "Neither the hide nor the bone nor the sinew of carrion can be used lawfully." The next morning when I was with him we came across a young dead lamb on the road. The Messenger of God said, "There would have been no harm if the owners of it had used its hide."' 'Alī said, 'But it was only yesterday that you said, O Messenger of God, that the skin of a dead animal cannot be used lawfully.' He replied, 'It can be used as a blanket which does not come in direct contact with a man's body.'¹⁵⁰

Ja'far b. Muḥammad: He was asked about the fur of certain animals [such as] fox, cat, sable, squirrel, fennec, and ermine. He replied, 'They can be worn but not at the time of prayer.'¹⁵¹ Prayers cannot be offered with any garment made out of the skin of a wild animal, nor can you

¹⁴⁹*Kāfi*, III, 390. The reason for this is that the people of Iraq considered it lawful to wear the garments made from the skins of dead animals. They considered tanning its purification.

¹⁵⁰*Mishkat*, I, 155, 158; Robson, I, 100, 101-2; transmitted by Bukhārī and Muslim. It is only the eating of it that is prohibited. The skin could be used, except for prayers, after tanning. See also *Kāfi*, III, 391.

¹⁵¹*Kāfi*, III, 390, 394. Kulaynī first states on the authority of al-Ṣādiq that prayers in anything made out of the skins of animals whose flesh is unlawful are not valid. Then he states on the authority of al-Bāqir that prayers in the fur of fennec and squirrel are permitted.

prostrate yourselves on it.¹⁵² The same rule applies to anything made out of the skins of animals whose flesh is unlawful.¹⁵³

'Alī: He said, 'The price of the skins of wild animals constitutes unlawful trade (*suht*).'¹⁵⁴

Ja'far b. Muḥammad: He declared [the sale or use] of human hair as disapproved. He said, 'Everything that falls from the body of man is carrion. Similarly, everything that falls from a living animal becomes carrion and cannot be eaten. Contrary to human hair it is permissible to use the wool, fur, and hair of animals [that are lawful to eat] when sheared, provided that it is washed. Then it may be used for clothing, and prayers could be offered in those clothes, and rugs made of those things could be used as prayer mats. And God says, *And of their wool and their fur and their hair, caparison and comfort for a while* ' (16:80).

MENSTRUATION

The People of the House: Prayer and fasting are forbidden to a woman who is in her monthly period or is in puerperium.¹⁵⁵ Intercourse with her is forbidden to her husband until she is purified and bathes herself with water, or performs the *tayammum* when water is not available to her. When she becomes pure [from impurities], she may perform the fasts, which she was not able to perform, but not the prayers [which she missed],¹⁵⁶ and she becomes lawful to her husband for sexual intercourse.

Ja'far b. Muḥammad: He permitted physical contact with a menstruating woman. She should wear an undergarment below the navel to the knee, and the husband is entitled to love play above the garment.¹⁵⁷

The People of the House: He who has sexual intercourse with a menstruating woman has, indeed, done an act which is not lawful to him, and has behaved in an improper manner. It is incumbent on him in such a case to ask for God's pardon and to repent of his act; and the better course for him is to give in charity something to make expiation for the wrongful act.¹⁵⁸ A woman who suffers from continuous bleeding is deemed to be menstruating.¹⁵⁹

¹⁵²*Mishkāṭ*, I, 157; Robson, I, 101; Kaft, III, 393.

¹⁵³*Kaft*, III, 390.

¹⁵⁴Tirmidhī reports the disapproval of payment for the skins of beasts of prey. *Mishkāṭ*, I, 157; Robson, I, 101.

¹⁵⁵There is a separate section dealing with childbirth in *Kaft*, III, 101-4.

¹⁵⁶*Ibid.*, III, 107.

¹⁵⁷*Mishkāṭ*, I, 173, 174; Robson, I, 111.

¹⁵⁸*Mishkāṭ*, I, 173-4; Robson, I, 111. The tradition states that in such a case one should give a dinar or half a dinar in charity.

¹⁵⁹*Mishkāṭ*, I, 175-8; Robson, I, 112-13.

The blood of menstruation is to be distinguished from that of constant haemorrhage. The blood of menstruation is dirty, thick, and fetid, and the blood of haemorrhage is thin [and watery].¹⁶⁰ When the blood of menstruation begins to flow, the woman should observe the rules governing menstruating women, and when it stops she should take the ritual bath. She should insert a piece of cloth or a cotton pad [in the private parts as a precaution against bleeding] and perform her ablution for every prayer. [After this], she is lawful to her husband. These are the most confirmed rules as handed down from [the Imams of] the House of the Prophet. They recommended that she should bathe before every two prayers. She should bathe for the midday prayer and pray the afternoon prayer as well; she should have a bath again for the sunset and night prayers, and then she should have a bath for the morning prayer.¹⁶¹ [The Imams] said, 'God will cure every woman who suffers from constant haemorrhage if she faithfully observes these rules.'

About the woman who discovers blood during her periods of purity, they said, 'If the blood is like the blood of menstruation, she should observe the rules accordingly, and she is under obligation to have a bath. But if the blood is thin [and watery], it is a trick played by Satan. She should perform her ablution, and pray; and her husband has access to her. The rule is the same when blood is discovered by a woman who is pregnant.'¹⁶²

Abū Ja'far Muḥammad b. 'Alī: He said, 'We commanded our menstruating women to perform the ablution fully and completely for every prayer, and to use a cotton pad. Then they should face the *qibla*,¹⁶³ but without imposing prayers on themselves and they should glorify God (*tasbiḥ*, to say *subḥān Allāh*) and declare His greatness (*takbīr*, to say *Allāhu akbar*) and His oneness (*tahlīl*, to utter *lā ilāha illa 'llāh*).¹⁶⁴ They should not approach a mosque, nor should they read the Qur'ān.'

At this point Abū Ja'far was told, 'But, verily, al-Mughīra¹⁶⁵ affirms that you have said, "The women should pray."' [The Imam] retorted, 'Al-Mughīra has lied!¹⁶⁶ None of the wives of the Messenger of God, nor any of our women [the People of the House], ever prayed when she was menstruating. The women were commanded only to remember God, the Mighty and Glorious, in the manner indicated by us,

¹⁶⁰Kāfi, III, 96. Kulaynī gives a more comprehensive description.

¹⁶¹Ibid., III, 94-5.

¹⁶²Ibid., III, 99-101.

¹⁶³The *qibla* is the direction of Mecca, to be exact, of the Ka'ba, towards which the worshippers must direct themselves for prayers. EI², s.v. *Qibla*. See also n. 16 in Chap. 1.

¹⁶⁴Kāfi, III, 104-5.

¹⁶⁵See n. 169 in Chap. 2.

¹⁶⁶Kāfi, III, 107. Kulaynī reports only this latter part.

persuading them to obtain merit and deeming it a desirable act before God.'

'Alī: He said, 'A menstruating woman should not read the Qur'ān,¹⁶⁷ or enter a mosque, or pray, or have sexual intercourse until she is purified.'

Ja'far b. Muḥammad: He said, 'If a woman who is observing contemplative seclusion (*i'tikāf*)¹⁶⁸ in a mosque happens to menstruate, she should abandon the mosque until she is free from impurity.'

[Ja'far b. Muḥammad]: He said, 'Where, during the time that prayers can be offered, a woman discovers that she is free from menstruation, and misses taking a ritual bath, it becomes incumbent upon her to offer that prayer, as well as any other prayer which is missed thereafter.¹⁶⁹ The evidence for the stoppage of menstruation is that the cotton pad inserted in the private parts is found to be free from any impurity. When this occurs, the woman is free from impurity, and she should bathe and say her prayers.'

'Alī: He said, 'The bath after menstruation or childbirth is like the bath after sexual impurity. When a woman, being impure from sexual congress, menstruates, one bath of purification is all that is necessary.'¹⁷⁰

ISTIBRĀ'¹⁷¹

Ja'far b. Muḥammad—his father—his ancestors—'Alī: A man invited the Messenger of God to a meal. He observed a slave girl big with child serving the food. The Messenger of God asked, 'Who is she?' The host replied, 'She is a slave girl purchased by me, O Messenger of God.' The Messenger of God asked, 'Is she pregnant?' The host replied, 'Yes.' The Messenger of God inquired, 'Have you gone into her?' The host

¹⁶⁷Ibid., III, 108; reading of the Qur'ān is permitted. A Muslim is not supposed to handle a copy of the Qur'ān unless he or she is ritually pure.

¹⁶⁸It is a pious practice of retreat in a mosque for a certain number of days. One who undertakes such a retreat practices ritual prayer, fasting, and recitation of the Qur'ān, and must not leave the mosque, save for the performance of his natural functions and his ablutions. For details see EI², s.v. *i'tikāf*.

¹⁶⁹Kaṭī, III, 106.

¹⁷⁰Ibid., III, 90.

¹⁷¹It means the period of restraint from sexual intercourse in the case of a newly purchased slave woman. *Istibrā'* in legal usage means the period in which, for certain reasons, a man must not have intercourse with a slave, although he is generally entitled to this privilege. Occasionally it has been rendered as 'the period of restraint'. *Dictionnaire arabe-français des termes juridiques et dogmatiques* defines it thus: 'examiner l'état de la matrice à l'effet de s'assurer si elle renferme ou non un foetus.' *Mishkāṭ*, II, 229; Robson, I, 712. This topic is treated under the chapter of marriage in *Mishkāṭ* and *Kaṭī*. For details see EI², s.v. *Istibrā'*.

said, 'Yes.' The Messenger of God responded, 'Were it not for the sanctity of the meal you are serving, I would have cursed you with a curse which would have found you even in your grave! Free the child in her womb.' The host said, 'But how does the child merit emancipation, O Messenger of God?' The Messenger of God replied, 'Because it is your seed that has nourished the child's ears, eyes, flesh, blood, hair, and skin.'¹⁷²

'Alī: He said, 'When a person acquires a slave girl while she is pregnant, he should not approach her [sexually] until she delivers. Likewise is the rule for female captives.'¹⁷³

'Alī—the Messenger of God: He said, 'Where a man has had sexual intercourse with a slave girl, the period of restraint (*istibrā'*) is the period of one menstruation.'

Ja'far b. Muḥammad: He said, 'The observance of the period of restraint is an obligation on the vendor [of a female slave]. When a man purchases a slave girl from a woman, the purchaser is entitled to have sexual intercourse with the slave girl if he so wishes. But by way of caution he should desist, for [she might have conceived from a previous intercourse] and the period of restraint might not have been observed, or she may be pregnant by someone else, and the child would be ascribed to him. In either case, to refrain from intercourse is better. Thus the [duration of] *istibrā'* is equivalent to the period of menstruation, and applies both to the vendor and the purchaser.'

[Ja'far b. Muḥammad]: He said, '*Istibrā'* is not compulsory for the man who buys a slave girl who has not reached puberty or an elderly woman who has ceased to menstruate.'¹⁷⁴

[Ja'far b. Muḥammad]: He said, 'A man buys a slave girl from a trustworthy person. The vendor assures him that he has observed the period of restraint with her. In such a case there is no harm if the purchaser does have sexual intercourse with her. This rule applies only when the vendor states that he has not copulated with her, and that he has observed the period of *istibrā'* with her.'¹⁷⁵

[Ja'far b. Muḥammad]: He said that if a man possesses a slave girl whom he wishes to emancipate and then marry, he is entitled to have sexual intercourse with her without observing the period of *istibrā'*. But if

¹⁷²Cf. *Mishkāt*, II, 229; Robson, I, 712; the report is different but makes the same point. See also *Kāfi*, V, 482, 495.

¹⁷³*Mishkāt*, II, 229; Robson, I, 712; *Kāfi*, V, 482.

¹⁷⁴*Istibrā'* is unnecessary in the case of a virgin. *Mishkāt*, II, 230; Robson, I, 713. *Kāfi*, V, 479.

¹⁷⁵*Kāfi*, V, 479.

he wishes to give her in marriage to someone else, the owner has no option but to observe the period of restraint.¹⁷⁶

'Alī: He said, 'When a man purchases a slave girl, and before he begins to observe the period of restraint, he is entitled to enjoy her but without actual penetration.'¹⁷⁷

'Alī: He said that when a man who purchases a slave girl suspects that she is pregnant, he should refrain from sexual intercourse for forty-five nights.

'Alī and Abū Ja'far [Muḥammad al-Bāqir]: They said, 'When a slave girl is guilty of immoral acts, a period of restraint should be observed for her.'

Ja'far b. Muḥammad: He said, 'If a man who fornicates with the slave girl of a tribe (*walīdat qawm*ⁱⁿ)¹⁷⁸ then buys her and she is delivered of a child, such a child is not entitled to inherit anything from the purchaser. This is so because the Messenger of God said, "The child belongs to the bed [that is the lawful father] and for the fornicator, a stone!"¹⁷⁹ It is for this reason that the purchaser should observe the period of restraint lest the girl be pregnant with a child who has no right to inherit.'

Ja'far b. Muḥammad: He said, 'He who purchases a slave girl during her monthly period can have intercourse with her after she is purified.'

[Ja'far b. Muḥammad]: As regards the owner of two slave girls who are sisters, the master is not entitled to have sexual intercourse with both of them at the same time. If he has had intercourse with one of them, he should not touch the other until he ceases to be the owner of the first. If he has had relations with the other while both the sisters were under his ownership, the first becomes unlawful to him until the one whom he has enjoyed is sold. The sale is necessary [as a matter of law] and does not imply an emotional attachment to the first.

Muḥammad b. 'Abd Allāh b. al-Ḥasan:¹⁸⁰ He said that where a woman captured in war has a husband, only one period of restraint need be observed.

¹⁷⁶Ibid., V, 483.

¹⁷⁷Ibid., V, 481, 483.

¹⁷⁸*Lisān al-'Arab*, s.v. w-l-d.

¹⁷⁹It is a well-known tradition reported by all the six Sunnī canonical collections as well as Mālik and Ibn Ḥanbal. *Concordance*, s.v. ḥ-j-r. The word *ḥajar* in the tradition, meaning 'stone', poses some problems. Those who favour the stoning penalty for adultery argue that the meaning of *ḥajar* is *rajm* (stoning), while those who argue against it maintain that the *ḥajar* is used metaphorically to mean disappointment (*ḥayba*) and deprivation (*ḥirmān*). For more details see *El*, s.v. Zinā'; Ṭabari, *History of al-Tabari*, IX, 191 n. 1321; *Lisān al-'Arab*, s.v. ḥ-j-r; it gives more examples of metaphorical usage.

¹⁸⁰He is known as al-Nafs al-Zakiyya. See n. 286 in Chap. 2

'Ali: 'Umar asked him regarding a woman who had been raped by several ruffians against her will. He replied, 'A woman under duress is not guilty. Leave her with a law-abiding ('*abd*) person until she is free from the period of restraint, that is menstruation, then send her back to her husband.' And 'Umar did so.

4

The Book of Ritual Prayer (*Ṣalāt*)

THE OBLIGATION TO PRAY

God says, *Worship at fixed hours hath been enjoined on the believers* (4:103).¹

Ja'far b. Muḥammad: With reference to the above verse, he said that the word *mawqūʿ*^{an} means *mafrūd*^{an}, 'obligatory'.²

Ja'far b. Muḥammad: With reference to the Qur'ānic verse, *So set thy face [O Muḥammad] towards the religion as a Ḥanīf—the natural religion laid down by Allah* (30:30),³ he said, 'God ordained him to stand before the *qibla* as a Ḥanīf, [meaning] as an upright person absolutely devoid of any form of idol worship with conviction.'

Abū Ja'far Muḥammad b. 'Alī: He was asked concerning the prayers made obligatory by God. He said, 'God has enjoined as mandatory the five prayers of the day and night and named them in His Book.' He was asked, 'Has He indeed named them?' He said, 'Yes, God says, *Establish worship at the declension (dulūk) [from the meridian] of the sun until the [first] darkness (ghasaq) of night* (17:78).⁴ Now the *dulūk al-shams* (going down of the sun) is its declination from the meridian. Between the declination of the sun until the [first] darkness of night, there are four prayers [*zuhr*, '*aṣr*', *maghrib*, '*ishā'*'], which He has designated and explained. The phrase

¹Kaṭī, III, 256–7, 258.

²*Majma' al-baḥrayn*, s.v. w-q-t.

³In Islamic writing *Ḥanīf* means one who follows the original and true monotheistic religion. EI², s.v. *Ḥanīf*; Rāzī, *al-Zīna*, fol. 223; Nu'mān, *Ta'wīl al-da'd'im*, I, 178. For the most recent study, which asserts that the *ḥunafā'* represented a religious movement at the time of Muḥammad, see Gilliot, 'Muḥammad, le Coran et les contraintes de l'histoire'.

⁴I have preferred Sale, *Koran*, 280.

ghasaq al-layl signifies the middle of the night. God [further] says, And (the recital of) the Qur'ān at dawn [meaning the fajr prayer], for behold (the recital of) the Qur'ān at dawn is ever witnessed (17:78). This then is the fifth prayer.⁵

'God says, *Establish worship at the two ends of the day* (11:114). The two ends are the sunset and the dawn. And in the former part of the night⁶ (11:114); this is the prayer of the night, the last one ('ishā'). He says, *Be guardians of your prayers, and of the midmost prayer* (2:238), and this is the prayer of Friday, and the *zuhr* prayer on other days.⁷ It was the very first prayer, which the Messenger of God offered. It is in the middle of the two prayers of the day, that is the prayers of the early morning and the afternoon.⁸

Ja'far b. Muḥammad: He said, 'God made prayers mandatory and prescribed fifty prayers during the day and night. Then He had mercy on His creatures and showed His kindness to them and reinstated five only. The reason for this is that when God took His Prophet Muḥammad on the Night Journey, the Prophet passed by several prophets on the way, but none of them asked him anything until he reached Moses. Moses asked him, and the Prophet informed him. So Moses said, "Return to your Lord and request that He lighten [the burden] on your community. For indeed I always felt that I knew [the capacity] of the children of Israel for obedience, until the mandatory injunctions were revealed and they refused to obey them." So the Prophet returned and requested of his Lord [that he reduce the burden of prayer]. God reduced [the number] by five. When he reached Moses, he informed him. Moses said to him, "Return." He returned to God and again five prayers were reduced. But Moses continued to send the Prophet back to God, thus reducing five prayers each time, until the number of prayers reached five. Thereafter the Messenger of God felt abashed to return to God.'⁹ Then said Abū 'Abd Allāh [Imam al-Ṣādiq], 'May the Lord requite Moses with the best [of requital] from the [Muslim] community [for this favour].'

⁵Kāfi, III, 257; also reported from al-Bāqir.

⁶Sale, *Koran*, 223; see also the translations by Arberry, Irving, and Yusuf Ali.

⁷'And it is the *zuhr* prayer,' according to Kāfi, III, 258. Kulaynī adds, 'In some readings "the midmost prayer" is the 'aṣr prayer.' Turayhī states that according to one tradition it is the 'aṣr prayer, while according to the other it is the *zuhr* prayer. *Majma' al-bahrayn*, s.v. w-s-ṭ. Most of the Sunnī commentators also interpret it as the 'aṣr prayer. Paret, *Koran Kommentar*, 50 (comments to 2:238).

⁸Kāfi, III, 258.

⁹For this legend, see Goldziher, *Muslim Studies*, I, 41–2; older sources are indicated therein.

The five prayers consist of seventeen obligatory *raka'āt*.¹⁰ The [obligatory] prayer for midday (*ẓuhr*) contains four *raka'āt*. The Qur'ān is to be recited therein with a faint voice. There are two sitting postures in it. After every two *raka'āt*, in each sitting, the *tashahhud* (witnessing) is recited.¹¹

The afternoon (*ʿaṣr*) prayer is identical.

The sunset (*maghrib*) prayer has three *raka'āt*. The Qur'ān is to be recited audibly in the first two *raka'āt* and the *tashahhud* is to be said after them. Then the third *rak'a* is to be performed and the Qur'ān recited in a faint voice; then the worshipper should sit, say the *tashahhud*, and [pronounce the two fold final salutations] and disperse.

The last (*ishā'*) prayer of the night is like the midday prayer, except that in the first two *raka'āt*, the Qur'ān should be recited audibly.

The dawn (*fajr*) prayer consists of two *raka'āt* in which the Qur'ān is to be recited audibly. Before the bow in the second *rak'a*, *qunūt* (invocation) is to be said.

These then are the [seventeen] *raka'āt* of the five prayers, by consensus among the Muslims, and they are obligatory (*farīda*). The *sunna* prayers consist of twice the number of *raka'āt* of the *farīda*, and if God wills we shall mention their numbers in the proper context.¹²

ENCOURAGEMENT TO PERFORM PRAYER, THE COMMAND TO OFFER PRAYERS IN THEIR ENTIRETY, AND THE REWARD THAT MAY BE EXPECTED FROM PRAYER

Ja'far b. Muḥammad—his father—his ancestors: The Messenger of God said, 'Save your souls! Act, and the best of actions is prayer.'

¹⁰The *rak'a* is the basic unit of prayer. It consists of the following movements and invocations: (i) standing up and reciting a portion of the Qur'ān; (ii) bowing (*rukū'*) and reciting the name of God; (iii) arising and prostrating oneself (*sajda*) and reciting the name of God; (iv) sitting (*jilsa*) and begging God's forgiveness; (v) prostrating oneself a second time; and (vi) either getting up and beginning a second *rak'a*, or sitting down and saying the *tashahhud* (witnessing God) and ending with the *salām*, or greeting on the right and the left side, to greet the two angels recording the works of the man. This constitutes one *rak'a*. If a second is to be offered, the same actions are to be repeated. At the end of every two *raka'āt*, the twofold salutation marks the end of the two *raka'āt* of prayer.

Kulaynī states on the authority of al-Bāqir that only the ten *raka'āt* are obligatory and the Messenger of God added seven. All the five prayers originally consisted of two *raka'āt* each. See *Kāfi*, III, 258–9.

¹¹The short *tashahhud* in the first sitting and the long one in the second.

¹²The Islamic schools of jurisprudence differ about the exact number of the *raka'āt* both in the *farīda* and *sunna* prayers. The Imāmī position seems identical with that of the Fātimids on this issue. Ṭūsī, *al-Nihāya*, 56–7; Maghnīya, *al-Fiqh*, 88–9.

[Ja'far b. Muḥammad]: He said, 'Prayer is the offering (*qurbān*)¹³ of every God-fearing man.'

[Ja'far b. Muḥammad]: He said, 'Each and everything has a face (or purpose), and the face of your religion is prayer.'¹⁴

'Alī: He said, 'I enjoin you to pray, for it is the pillar of religion and the foundation of Islam. So neglect it not.'¹⁵

Abū Ja'far Muḥammad b. 'Alī: He said to some of his partisans, 'Give our salutations to those of our followers whom you come across and tell them, "Nothing will avail you from God save piety and endeavour. So guard your tongues and restrain your hands. You must be patient and prayerful; for verily, *Lo! Allah is with the steadfast*" (2:153).

Ja'far b. Muḥammad: He said, 'Except cognition of God, nothing that I know of is more excellent than prayer.'¹⁶

'Alī: He said, 'Prayer is the pillar of religion. Among the works of man, prayer is the one that God sees first. If this is sound, then God will take into consideration his other works, but if it is not, none of the other acts will be considered. He who abandons prayer has no share in [the bounties] of Islam.'

'Alī: The Messenger of God said, 'Satan is ever in fear of the faithful one who is meticulous in his five [daily] prayers. When the worshipper begins to neglect them Satan is emboldened to act against him and seduce him to greater sins.'¹⁷

Abū Ja'far Muḥammad b. 'Alī: He said, 'Man comes nearest to God at the time of prayer.'

'Alī: The Messenger of God said, 'He who performs his ablutions perfectly, offers his prayers admirably, renders the alms tax faithfully from his property, restrains his anger, controls his tongue, gives freely in charity, asks his Lord for forgiveness, and offers sincere advice to the People of my House, has indeed perfected the real meaning of faith (*ḥaqā'iq al-īmān*), and the Gates of Paradise shall be opened unto him.'

¹³Lane, s.v. q-r-b. The word *qurbān* is derived from the Syriac and means 'a sacrifice or offering to obtain nearness to God', Jeffery, *Foreign vocabulary*, 234. *Kāfi*, III, 252; reported from al-Riḍā.

¹⁴*Kāfi*, III, 257.

¹⁵What lies between an obedient servant and infidelity is the abandonment of prayer.' *Mishkāt*, I, 180; Robson, I, 115.

¹⁶*Kāfi*, III, 251; reported from the same authority.

¹⁷*Ibid.*, III, 255-6; reported on the authority of al-Ṣādiq from the Messenger of God.

Abū Ja'far Muḥammad b. 'Alī: He used to say, 'O you who desire [authentic] knowledge! Pray [constantly] until you no longer have the strength to pray either by day or by night [as a result of disease or disability]. The case of the prayerful man is like the case of one who enters the presence of a king (*sulṭān*) and the king [is obliged] to listen to him until he expresses all of his needs. The same is the case of the Muslim who begins to pray [that is God listens to him].'

'Alī: The Messenger of God said, 'There is a tree in Paradise from the roots whereof a group of piebald horses emerge. They neither urinate nor defecate, and they are saddled and bridled. Their reins will be of gold; their saddles of pearl and ruby. Their riders will be the denizens of the higher ranges of Paradise and they will visit those who are in the lower grades of the Garden. The residents of the Garden will say, "O Lord, how didst thou lead them to this honour?" They will be told, "They used to fast by day when you were eating; they used to pray by night when you were sleeping; they used to give in charity when you were stingy; and they used to fight [in the way of the Lord] when you were cowardly."'

'Alī—the Messenger of God: He said, 'When a man has sinned and is worried about it, let him perform his ablution properly. Then he should go out into an open space where he is not visible to anyone and pray two *raka'āt* of prayer. Then he should say, "O God, forgive my sin, such and such." This shall be requital for him. This rule [applies to sins between man and God], and God knows best about the sins between man and him. But as regards wrongs [against other human beings], there is no redemption except by restitution to the family of the wronged person or obtaining forgiveness from them.'

Abū Ja'far Muḥammad b. 'Alī: With reference to the Word of God *And who pay heed to their prayers* (23:9), he said, 'The reference herein is to the obligatory prayers.¹⁸ He who offers those prayers in time, knowing their value, and does not prefer anything else to them, shall be freed from the torment [of Hell] by God's decree. But he who prays outside the proper time limits, without knowing its value, preferring other occupations to prayer, will be [at the mercy] of God. God may pardon him, if He so wills, or else punish him.'¹⁹

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'A man came to the Messenger of God and said, "O Messenger of God, call upon God on my behalf to allow me entry into Paradise." The Messenger of God replied,

¹⁸Ibid., III, 256.

¹⁹Cf., ibid., III, 254.

“[I shall pray for you, but] help me by prostrating [performing prayers] more than required!”²⁰

‘Alī: He said, ‘The five [daily] prayers are a redemption from sins committed during the interval between such prayers, so long as the major sins²¹ are avoided. These are the prayers referred to by God: *Lo! good deeds annul ill deeds. This is a reminder for the mindful*’ (11:114).²²

‘Alī—the Messenger of God: He said, ‘The greatest among thieves is he who steals from his prayers, that is, who does not complete the mandatory prayers.’²³

The Messenger of God said, ‘One who does not completely perform his ablution, or his bowing or his obeisance, or [does not have the proper reverential] attitude, renders his prayer defective, that is incomplete and imperfect.’

‘Alī: He said, ‘Prayer is [like] a balance; he who gives a fair measure [that is performs it properly as it should be], obtains a fair reward.’²⁴

‘Alī—the Messenger of God: He said, ‘Offering two short *raka’āt*

²⁰Ibid., III, 253; reported from the same Imam.

²¹*Kabīra*, pl. *kabā’ir* is a technical term for the major, as distinguished from the minor, sins. There is no consensus as to their number. In *Majma’ al-bahrayn*, s.v. k-b-r, Turayhī cites the *riwāya*, as in this paragraph, and says that Ibn ‘Abbās was asked, ‘Are the *kabā’ir* seven?’ He replied, ‘They are probably close to 700.’ Ibn ‘Abbās reports another tradition from the Prophet, which states that there are eleven *kabā’ir*. ‘Four related to the head are *shirk* (association of someone else with God), *qadhf* (false accusation of fornication) of a *muḥṣina* (chaste, well-protected women), oath of an adulteress, and false testimony. Three related to the belly are consuming *ribā* (usurious interest), drinking wine, and consuming the property of an orphan. The one related to the feet is to flee from the march [*jihād*]. The one related to [guarding] the private parts is to commit adultery [or fornication]. The one related to the hands is to kill [an innocent] soul. The one related to all the parts of the body is disobeying the parents.’

The gloss in T mentions that in the *Kitāb al-ṭahh* the following are deemed to be major sins by Nu’mān: murder of a faithful one; defrauding an orphan of his property; libelling a married woman (*muḥṣana*) in respect of her chastity after consummation of her marriage; giving false witness; disobedience to parents; deserting from the army; breaking an oath. This is a valuable and early list.

Nu’mān, *Ta’wīl al-da’a’im*, I, 193, mentions that *kabā’ir* refer to the five prayers representing the five major missions of the prophets Noah, Abraham, Moses, Jesus and Muḥammad, and disobedience to them constitutes the *kabā’ir*. This *ta’wīl* of sin is most interesting.

²²Cf. *Kāfi*, III, 253; *Mishkāt*, I, 179; Robson, I, 114; transmitted by Bukhārī and Muslim.

²³Nu’mān, *Ta’wīl al-da’a’im*, I, 194, explains this ‘theft’ as shortcomings in the postures prescribed in the *raka’āt* of prayer, such as bowing and prostrating oneself fully, and observing the proper position in each part of the prayer.

²⁴*Kāfi*, III, 253; reported on the authority of the Prophet.

of prayer in quietude and repose is better than a night of [restless] devotions.'

'Alī: He said, 'The man who does not complete his prayer is like a pregnant woman who aborts when the time of delivery is nigh. She thus loses both the expectation of a child as well as motherhood.'

Ja'far b. Muḥammad: He said, 'When a man begins to offer his prayers, the mercy of God descends upon him from the highest heavens to the earth, and he is surrounded by angels and an angel announces, "If only the devotee had knowledge of [the blessings] of prayer he would never turn away from it!"'²⁵

[Ja'far b. Muḥammad]: He said, 'The work, which best pleases God is prayer, and it is the penultimate injunction of the prophets. Nothing is more admirable than a man who bathes himself and performs his ablution perfectly and then goes out into the open in such a way that none of his acquaintances can see him and [only] God is looking at him while he bows and prostrates [himself before God]. Verily, when a man prostrates himself [before God], the Devil²⁶ exclaims, "Woe upon me! This man is obedient, and I was not. This man prostrates himself, and I refused."²⁷ Man is nearest to God when he prostrates himself [before Him].'²⁸

Abū Ja'far Muḥammad b. 'Alī: He said, 'When a Muslim utters the *takbīrat al-iḥrām*²⁹ in prayer, God turns towards him and appoints an angel who collects all the portions of the Qur'ān that fall from his lips. When the man turns away from God, God too turns away from him and relegates him to the angel.'

THE TIMES OF PRAYER³⁰

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'For every prayer [of the five daily prayers] there are two periods of time [during which the prayer may be performed], the beginning and the ending. Now the beginning is,

²⁵Ibid., III, 252; from the same authority.

²⁶For Iblīs, i.e., Satan see n. 159 in Chap. 2.

²⁷*Kaṣf*, III, 251; reported from al-Ṣādiq.

²⁸Ibid., III, 252; reported from 'Alī al-Riḍā.

²⁹Prayers begin with an *adhān*, the call, which is followed by *niyya*, the resolve to pray, the expression of a formal and active intent. After this is finished, the worshipper says *Allāhu akbar*, the *takbīrat al-iḥrām*, the declaration of the greatness of God, after which the consecration begins and all acts such as conversation, etc. are totally forbidden. The word *iḥrām* refers to the state of consecration or inviolability, which follows the declaration of the glory of God. Details will be found in *Ṣaḥīfat al-ṣalāt*. See also EI², s.v. *Iḥrām*, and n. 65 in Chap. 3.

³⁰*Mishkāṭ*, I, 184–96; Robson, I, 118–26.

the more excellent, and it is not for any individual to adopt for himself the ending time as the proper time. The end of the time limit is intended only for the diseased and the infirm or for him who has a valid excuse. [Prayer at] the beginning time gives pleasure to God, while [prayer] at the ending time is what God allows as a concession.³¹ [God's] forgiveness (or concession) is possible only where there is a shortcoming. [The shortcoming is] that the man prays at other than the proper time [i.e. the ending time]. Indeed, the time which he missed [i.e. the beginning time] was better for the man [to pray and remember God] than [to spend with] his family or possessions.³²

Ja'far b. Muḥammad: He said, 'The commencement of the period for offering the *zuhr* prayer is the declination of the sun.'³³ The sign of its declination is this: Something [say a pillar] casting a shadow should be fixed perpendicularly on a level surface in the earliest time of the day. Its shadow cast west is at its longest. It should be inspected [as the day progresses], and will be found to shrink and decrease until it stops altogether [at the centre]. Now this is what takes place when the sun arrives at the meridian in the middle of the sky and is neither to the east nor to the west. Then the sun declines and follows [the path] destined by God. The shadow will seem to be static for a moment as if without any motion; thereafter it begins to move and extend rapidly [towards the east]. When this movement of the shadow is manifest, this is the beginning of the time for the *zuhr* prayer. For this time [that is the *zuhr*], the time of 'aṣr, and for calculating the hours of the day, people have adopted different signs and measurements. These are, however, outside the purview of this book.

Ja'far b. Muḥammad: He said, 'When the sun declines from the meridian there arrives the time for the prayers of *zuhr* and 'aṣr. Nothing prevents the 'aṣr prayer to be said immediately after the *zuhr* except the supererogatory prayer (*nāfila*) and the glorification of God (*subḥa*),³⁴ which is to be said after the *zuhr* and before the 'aṣr. If a man so desires he may take his own time [for the supererogatory prayers and the rosary] until the shadow [of the man] cast by the sun lengthens

³¹Mishkāt, I, 192; Robson, I, 124. See also *Kāfi*, III, 260; reported on the authority of al-Ṣādiq.

³²See Nu'mān, *Ta'wīl al-da'ā'im*, I, 197; *Kāfi*, III, 261.

³³Rāzī, *al-Zīna*, fols. 273–4, explains the meaning of *al-zuhr al-awwal* and *al-zawāl*. The *zuhr* prayer is also called the first prayer because it was the first prayer revealed to the Messenger of God and prescribed to the Muslims.

³⁴*Subḥa* means supererogatory prayer or beads of a rosary. *Lisān al-'Arab*, s.v. s-b-ḥ; *Majma' al-baḥrayn*, s.v. s-b-ḥ; Lane, s.v. s-b-ḥ.

itself to twice the stature of the man,³⁵ or he may curtail such orisons.³⁶

Abū Ja'far Muḥammad b. 'Alī: Once upon a time he went with a companion to Mashrabat Umm Ibrāhīm,³⁷ [a hillock], which he ascended and descended. Then [the Imam] inquired, 'Is it past midday?' The man replied, 'You surely know better, may I be thy ransom!' [The Imam] looked around and said, 'Yes indeed, the sun has begun to decline.' So he gave the call to prayer, stood near a date palm, and prayed. He first prayed the prayer of *ṣawāl*, which is the *ṣunna* before the *ṣuḥr*. Then he said the *iqāma*³⁸ [the commencement of the *farīda* (obligatory) prayer], and went to another tree and let his companion stand to his right and prayed the four *raka'āt* of *ṣuḥr* [obligatory]. Then [the Imam] went to a third tree and prayed the *ṣunna* after the *ṣuḥr* [obligatory]. Thereafter he gave the call of *adhān* and prayed the four *raka'āt* [of the *ṣunna*]; then he said the *iqāma* and prayed the '*aṣr*' [obligatory]. Between those two prayers [the *ṣuḥr* and the '*aṣr*'] there was no interval except for the supererogatory prayer (*subḥa*).³⁹ This is the unanimous opinion about the time of *ṣuḥr* and '*aṣr*', and there is enough room in these two [periods of] time [that is the beginning and the ending].

The rule of action, however, based on what was witnessed by the people and according to the calls to prayer whereof the Imams were apprised, is that the call for the '*aṣr*' should be given at the beginning of the ninth hour [after sunrise],⁴⁰ and this is two complete hours after

³⁵The question is: What does the word *qadam* mean in this context? Does it refer to the angle of incidence or the length of the shadow on the ground? The literal meaning of the word is 'step' and this, the *Lisān al-'Arab* says, is according to the stature of a man. But from careful perusal of such authorities as Majlisī, *Bihār al-anwār*, III, 122; Jazīrī, *al-Fiqh*, I, 201, and particularly *Kāfi*, III, 262–3, it is safe to assume that it means in this context 'the length of the shadow of the man on the ground, having regard to his stature, the geographical position of the place of worship, and time of prayer.'

There is no question of the angle of declination, but what the author seems to indicate is that (a) the two prayers of the *ṣuḥr* and '*aṣr*' can be said at once, one after the other; and (b) that the time can be indicated by the fact that, roughly speaking, the shadow will double itself on the ground when the first prayer has been said. Thus *qadam* is the length of the shadow on the ground having regard to the man's stature.

³⁶*Kāfi*, III, 262–3.

³⁷Mashrabat Umm Ibrāhīm was a fenced garden near Medina. Māriyah, the Prophet's concubine and the mother of his son Ibrāhīm, used to live there. See Wāqidi, *al-Maghāzī*, I, 378.

³⁸There are two calls to prayer: one is called the *adhān*, which is followed by the *ṣunna* prayer; the other is the *iqāma* which precedes the compulsory (*farīda*) prayer. There are minor variations in the two calls. For details see *Ṣaḥīfat al-ṣalāt*.

³⁹*Kāfi*, III, 264.

⁴⁰The hours are to be calculated from sunrise, which in Arabia may roughly be

midday. This closely resembles the prayer of Abū Ja'far Muḥammad b. 'Alī [Imam al-Bāqir] reported by us, and the dictum of Ja'far b. Muḥammad [Imam al-Ṣādiq]. He, who offers his *zuhr* prayer in a leisurely fashion—the compulsory, the *sunna*, and the supererogatory prayers—and prays in the proper manner, would not take less than two hours of the day [to perform them].⁴¹

Ja'far b. Muḥammad: He said, 'The last period of time for offering the *ʿaṣr* prayer is when the sun begins to turn yellow.'

The Messenger of God: He said, 'Offer the *ʿaṣr* prayer when the sun is still pure and white.' He meant thereby 'before the sun changes its hue and begins to turn yellowish'.⁴² This is what the ignorant among the commonalty do and delay the prayer till such a time. [To support their allegation] they relate a tradition from the Messenger of God. But when they realized what the Imams from the progeny of Muḥammad actually said, that as soon as the sun begins to decline, the proper time for the two prayers of the *zuhr* and the *ʿaṣr* has arrived, some of them acknowledged it. Yet they indulged in delaying the *ʿaṣr*, contrary to the opinion of the Friends of God, and God will surely chastise them for going against [the Imams].⁴³

Ja'far b. Muḥammad—his ancestors: The time for the sunset (*maghrib*) prayer commences immediately upon the setting of the sun.⁴⁴ This means when the disc of the sun disappears on the horizon without the interruption of human vision by a hill or a wall or the like. For when the disc of the sun has in fact set, that is the proper time for the *maghrib* [obligatory] prayer. There is a consensus on this point. If something comes in the

taken as 6 a.m.; so, 3 p.m. for *ʿaṣr* seems to be correct. The shadow doubles itself on the ground in Mumbai in about three hours from the *zawāl*. See also Nu'mān, *Kitāb al-ṭahāra*, fol. 29. Unfortunately, 'the ninth hour' in the text does not seem to take into account the changing of the seasons as well as the latitudes.

⁴¹The Urdu translator omits this paragraph.

⁴²See also *Mishkāt* and Robson cited above. Rāzī, *al-Zīna*, fol. 274v, states that the *ʿaṣr* is the time towards the end of the day when the sun turns yellowish. To support his contention he cites a tradition which states: 'Uphold the two prayers (*Ḥāfiẓ ʿala l-ʿaṣrayn*).' The Messenger of God was asked, 'What are those two prayers (*Wa-ma l-ʿaṣrān*)?' He replied, 'The prayer before sunrise and the prayer before sunset.' Rāzī also adds that according to some commentators *al-ṣalāt al-wuṣṭā*, referred to in the Qur'ān 2:238, is the *ʿaṣr* prayer.

⁴³Ibn 'Idhārī reports that in the year 349/960 the caliph al-Mu'izz issued certain injunctions among which was an order not to delay the *ʿaṣr* prayers. See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence', 118.

⁴⁴Rāzī, *al-Zīna*, fol. 275; The *Maghrib* prayer is also called *ṣalāt al-ʿishā' al-ūlā* and the following prayer is called *ṣalāt al-ʿishā' al-ākhirā*. *Al-ʿishā' al-ākhirā* is also called *al-ʿatama* (the first part of the night). See also *Majma' al-baḥrayn*, s. v. '-t-m; Lane, s. v. '-t-m.

way of a man's sight on the horizon, the real sign of sunset is when the eastern horizon becomes dark, and this is exactly what [Imam] Ja'far b. Muḥammad has said.⁴⁵

[Imam al-Ṣādiq] related from the Messenger of God, who said, 'When the night approaches from here'—and he pointed with his hand to the east '[the time for the *maghrib* has come]'. Now [Imam] Abū 'Abd Allāh said, 'When the redness of the horizon recedes from here—pointing to the east—that is the proper time for the *maghrib*.' This was said within the hearing of Abu 'l-Khaṭṭāb,⁴⁶ the curse of God be upon him. Now Abu 'l-Khaṭṭāb, when he introduced his innovation, told his companions that [what the Imam had said was] that the beginning of the time for the *maghrib* prayers comes when the redness of the sun vanishes from the western horizon! [Abu 'l-Khaṭṭāb] further said, 'Do not pray until the stars begin to twinkle in the sky.'⁴⁷ When Abū 'Abd Allāh [Imam al-Ṣādiq] heard this, he cursed Abu 'l-Khaṭṭāb and said, 'He who waits deliberately for the appearance of the stars to offer his sunset prayer is one from whom I dissociate myself.'

Ja'far b. Muḥammad: He said that the time for the '*ishā*' prayer commences when the *shafaq* (twilight) disappears.⁴⁸ Now *shafaq* means the ruddy glow, which subsists after sunset on the western horizon. The time for the '*ishā*' prayer ends with midnight.⁴⁹

[Ja'far b. Muḥammad]: He said, 'You may say the night prayer (*ṣalāt al-layl*) whenever you wish to do so, from the beginning to the end of night, but only after saying the '*ishā*' prayer. The prayer of the *witr* must be said only after the night prayer (*ṣalāt al-layl*).'

[Ja'far b. Muḥammad]: He said, 'Verily the time for the two *raka'āt* of the dawn prayer is after the appearance of the dawn.'⁵⁰ He also said that there is no harm in saying the *fajr* prayer before the break of dawn. In this dictum there is some flexibility because the two *raka'āt* of the *fajr* are not obligatory, but they are the *sunna*. The limitations of time apply only to the obligatory prayers. It is more proper to pray the two *raka'āt* of the (*sunna*) after sunrise since they are ascribed to the dawn. This is because all the *sunna* prayers are said during their [appropriate] times and not before their appointed times.

⁴⁵Kaft, III, 264–6.

⁴⁶See n. 173 in Chap. 2.

⁴⁷Mishkāt, 193; Robson, I, 124; it states, 'My community will continue to prosper as long as they do not postpone the *maghrib* prayers until the stars appear net-like in the sky.'

⁴⁸Kaft, III, 265.

⁴⁹Ibid., III, 267.

⁵⁰Ibid., III, 268–9.

Ja'far b. Muḥammad: He said, 'The commencement of the time for *fajr* [obligatory] prayer is the break of dawn on the eastern horizon. Its termination is when the western sky becomes ruddy; this is [exactly] prior to the time when the rays of the sun emerge, even to the slightest extent, on the eastern horizon. It is not proper to delay the saying of *fajr* prayers till this time without excuse or illness. The earlier is the more meritorious time.'

What we have said about the 'break of dawn' from the eastern horizon is this. The Arabs designate the early morning as 'the tail of the wolf (*dhanab al-sirḥān*)',⁵¹ and this is when the light gradually begins to get brighter at the place where the sun is about to rise like the light of a lamp. This is not the proper time for the (*fajr*) prayers, nor does food become forbidden for one who fasts. Then the light spreads on the horizon to the right and the left. When this stage is reached, it is called the second *fajr*, the spreading dawn. This is the earliest time for the *fajr* prayer, and it is also the time when eating and drinking and sexual intercourse are forbidden to him who undertakes a fast.⁵²

Abū Ja'far and Abū 'Abd Allāh: Both of them said, 'Do not offer supererogatory prayers⁵³ until you have said the obligatory ones that you have failed to perform on account of delay.'

Abū Ja'far: He said, 'God does not accept the supererogatory prayers until after the obligatory ones have been said.' A man asked, 'Why should it be so, may I be thy ransom?' [The Imam] said, 'Harken to me! If you have lost a day of fasting in the month of Ramaḍān, how can you observe a merely recommendatory fast before fulfilling the obligation of fasting for the one that you have lost?' The man said, 'No, I cannot.' [The Imam] said, 'The same reasoning applies to prayer.'

This, then, is the rule for prayers not offered during the appointed time, or for the last portion of the period prescribed for the specific prayer.

When a man begins a supererogatory prayer knowing full well that by doing so he will miss the time prescribed for the obligatory prayers, it is incumbent upon him to begin with the *farīda*. But if he happens to pray during the earlier portion of the time specified for that prayer, and he knows that he will be able to say the supererogatory prayer first and then say the compulsory one before the prescribed time expires, then he may continue with the recommendatory prayer.⁵⁴

⁵¹The Arabic term is derived from Greek. Lane, s.v. s-r-ḥ.

⁵²Rāzī, *al-Zīna*, fols. 272v-273r; his explanation is quite similar to that of Nu'mān.

⁵³Nu'mān, *Kitāb al-ṭahāra*, fols. 29v-30r, gives details of the supererogatory prayers.

⁵⁴Cf. *Kāfi*, III, 274-5.

If God wills, we shall describe later how to say the *farīda* and the *sunna* prayers.

Ja'far b. Muḥammad: When the heat of midday was scorching, he used to direct that the *zuhr* prayer be delayed till the extreme heat had passed,⁵⁵ meaning that you should delay the midday prayer for a little while only.⁵⁶

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'The Friday prayer should be said as soon as the sun has crossed the meridian (*zawāl*).'⁵⁷

Ja'far b. Muḥammad: He permitted the saying of *zuhr* and '*aṣr* jointly, and the *maghrib* and '*ishā*', as well, during travels, or in settled areas where congregational mosques existed when there was a valid reason, such as rain or cold or storm or darkness.⁵⁸

The joint prayer should be conducted as follows:

One call to prayer shall be said for both the prayers, and two *iqāmas*.⁵⁹ For the first prayer [either *zuhr* or *maghrib*] there shall be said first the call, then the *iqāma*, then the prayer. After the salutation [marking the completion of two *raka'āt* of prayer or the completion of the specified prayer], the worshipper shall say the *iqāma* and offer the second prayer ['*aṣr* or '*ishā*', as the case may be]. It is desirable that the first of these prayers should be said during the last portion of the prescribed period and the second during the earlier part. But if for some reason both the prayers are said during the earlier part of the period fixed for the first prayer [that is *maghrib*], this manner of saying the prayers fulfils the obligation of the worshipper. This rule applies [only] to *maghrib* and '*ishā*'; as to *zuhr* and '*aṣr*, we have already mentioned that when the sun begins to decline from the meridian it is the proper time for the midday and the afternoon prayers. A man who has failed to say his prayers at the proper time should say them as soon as he recollects the fact.

Ja'far b. Muḥammad—his father—'Alī: In one of his travels, the Messenger of God alighted in a valley and spent a night there. He said, 'Who will be our watchman for the night?' Bilāl said, 'I, O Messenger of God.' So the Messenger of God slept, and with him all the others. [The next morning] nothing woke them up save the heat of the sun. The

⁵⁵Literally: [Postpone] the prayer until it is cooler.

⁵⁶*Mishkāṭ*, I, 185, 189; Robson, 118, 121.

⁵⁷*Kaṣf*, III, 260.

⁵⁸*Ibid.*, III, 273; he states that the Prophet combined these prayers without any valid reason in order to demonstrate to his community that the time [for prayers] could be stretched.

⁵⁹*Ibid.*, III, 273.

Messenger of God said, 'What is this, O Bilāl?' Bilāl replied, 'What overpowered me, overpowered all of you, O Messenger of God!' The Prophet said, 'Away from this valley, all of you, where such neglectfulness has overtaken you; for surely you have bivouacked in the valley of Satan!' Then the Messenger of God performed his ablution, and the people did likewise. He then commanded Bilāl to give the call to prayer. The Messenger of God prayed the two *raka'āt* of *ḥajr* [*ṣunna*], then said the *iqāma* and prayed the [obligatory] *ḥajr*.⁶⁰

Ja'far b. Muḥammad: He said, 'He who has failed to offer a certain [*ḥajr*] prayer and finds that the time prescribed for the following prayer has come, should first say the prayer in lieu of the missed one and thereafter the prayer that is within the prescribed time. This rule, however, applies when there is sufficient time for both the prayers. Otherwise, he should first of all say that prayer which is within the appointed time and the missed prayer later.'

Ja'far b. Muḥammad: A man asked him, 'What, O son of the Messenger of God, do you say about a man who has forgotten the prayer of *ḥajr* till he has actually prayed two *raka'āt* of the '*ḥajr*'? [The Imam] said, 'Let him treat those two *raka'āt* of the '*ḥajr*' as the *ḥajr* and then begin the '*ḥajr*.' The man again asked, 'What if he had forgotten the *maghrib* till he has prayed the two *raka'āt* of the '*ishā*'? [The Imam] replied, 'Let him complete it and then pray the *maghrib* after it.' The man said to [the Imam], 'May I be sacrificed for thee, what is the difference between the two?' [The Imam] said, 'After '*ḥajr*' there is no prayer, (i.e. no supererogatory prayer), but after the last '*ishā*' one can pray as much as one likes.'

[Ja'far b. Muḥammad]: He was asked concerning a man who had completed the '*ḥajr*' and then recalled that he had forgotten the *ḥajr*. [The Imam] said, 'Let the man treat the prayer he has already said as the *ḥajr*, and pray the '*ḥajr*.' It was said to him, 'What if a man has forgotten the *maghrib* and completed the '*ishā*'? [The Imam] said, 'The man should first pray the *maghrib* and then the '*ishā*' [again].'⁶¹

'Alī—the Imams descended from him: They said, 'He who has offered his prayers before the proper time is obliged to repeat them [during the prescribed time]; for a prayer said prior to its appointed time does not fulfil the obligation of the worshipper.'⁶² It is similar to fasting during the

⁶⁰Mishkāṭ, I, 216, 217; Robson, I, 138–9. Cf. *Kaḥf*, III, 279, 280; Kulaynī also gives the Prophet's example.

⁶¹*Kaḥf*, III, 277–9.

⁶²Cf. *ibid.*, III, 271–2; this also deals with prayers on a very cloudy day and those who do not face the *qibla* properly.

month of Sha'bān, which would not fulfil the obligation to fast during Ramaḍān.'

ADHĀN AND THE IQĀMA⁶³

Ja'far b. Muḥammad—his father—his grandfather ['Alī Zayn al-'Ābidīn]—al-Ḥusayn b. 'Alī:⁶⁴ He was asked concerning the people's assertion that the real cause for the promulgation of the *adhān* was the dream of 'Abd Allāh b. Zayd.⁶⁵ The latter informed the Prophet [of his dream] and then the Prophet decreed it.⁶⁶ [Imam] Ḥusayn said, 'Revelation comes to the Prophet [from God alone]. Do you think that the Prophet would take [the suggestion of] the *adhān* from 'Abd Allāh b. Zayd while the *adhān* is like the façade of your religion?' Then [Imam] Ḥusayn became angry and continued, 'On the contrary, I have heard it from my father 'Alī b. Abī Ṭālib, may God be well pleased with him and shower his blessings upon him, who said, "God sent down an angel to accompany the Messenger of God on his ascension to heaven."' [The Imam Ḥusayn] related the story of the Prophet's Night Journey in detail, but in this place we have summarized the account. [Concerning the Night Journey, 'Alī] said, 'God sent down an angel who was never seen in heaven before or after that time, and it was he who uttered the *adhān* twice and the *iqāma* twice and furnished a full description of the *adhān*. The Angel Gabriel told the Prophet, "O Muḥammad, this is the way in which you should give the call to prayer!"'⁶⁷

Abū Ja'far Muḥammad b. 'Alī: He said, 'During the time of the Messenger of God, the call to prayer contained the words "Hasten to the

⁶³*Adhān*, the call to prayer; *iqāma*, the second call to prayer, indicating the imminent beginning of the obligatory prayer. Meanings of these terms are explained by Rāzī, *al-Zīna*, fols. 270–2. Both are also called *al-adhānān*, the two *adhāns*, the first and the second. The first notifies people of the prayer, while the second notifies them that it is time to start praying by pronouncing 'the prayer begins herewith'.

⁶⁴The text has an addition after it, 'an 'Alī, which is not correct because the tradition is reported from al-Ḥusayn. The MS Q of the *Da'ā'im* is without 'an 'Alī.

⁶⁵He is 'Abd Allāh b. Zayd b. Tha'laba al-Khazraǵī. For details see Ibn Ishāq, *al-Shīra*, II, 154–6; Guillaume, 235–6; Lings, *Muḥammad*, 130. It is stated that 'Umar had seen precisely the same vision. In his *al-Zīna*, al-Rāzī reports this story without refuting it or commenting upon it.

⁶⁶This is the Sunnī position. The tradition is reported by Abū Dāwūd, Dārimī, Ibn Māja, and Tirmidhī. It is also reported that 'Umar b. al-Khaṭṭāb had the same dream. *Mishkāṭ*, I, 205–6; Robson, I, 132. The Shī'a, on the other hand, maintain that Gabriel revealed it to the Prophet. See Maghniya, *al-Fiqh*, 116.

⁶⁷Kaṣf, III, 288; Ibn Bābūya, *Man lā yaḥḍuruḥu al-faqīh*, I, 183; it was Gabriel who taught the Prophet how to say the *adhān*.

best of works (*ḥayya 'alā khayr al-'amal*)!" This continued to be the rule during the days of Abū Bakr and the early times of 'Umar. Later it was 'Umar who ordered the phrase to be omitted and excluded both in the *adhān* and in the *iqāma*. When the people remonstrated with 'Umar concerning this, he said, "When the people hear that 'prayer is the best of works', they will lose their enthusiasm for Holy War, and will ultimately fall away from it."⁶⁸

A similar report has come to us from Ja'far b. Muḥammad [Imam al-Ṣādiq]. The commonalty also relates the same tradition; but they all persist in dropping the phrase thus, following 'Umar rather than the Messenger of God. Their reasoning is based on the saying of 'Umar. Now the plain meaning of such an argument is so clear that no refutation against its proponent seems necessary.

God has commanded, indeed, that [religious injunctions] should be received solely from the Messenger of God and said, 'And whatever the Messenger giveth you, take it. And whatever he forbiddeth, abstain (from it) (59:7). He says, And let those who conspire to evade orders beware lest grief or painful punishment befall them (24:63). God says, And it becometh not a believing man or a believing woman, when Allah and His Messenger have decided an affair (for them), that they should (after that) claim any say in their affair; and whoso is rebellious to Allah and His Messenger, he verily, goeth astray in error manifest (33:36).

⁶⁸Urjūza, 125-6. After quoting the traditional formula of *adhān*, Ibn Bābūya, *Man lā yaḥḍuruḥu al-ṣaḥḥ*, I, 188-9, states, 'This is the correct *adhān*, nothing should be added to or omitted from it. The *Muṣawwiḍa*, may God curse them, have fabricated reports and added in *adhān* that 'Muḥammad and the progeny of Muḥammad are the best of creation.' And in some of their reports [they have also added] 'I witness that 'Alī is the friend of Allāh.' It is worth nothing here that Nu'mān's version of *adhān* tallies with that of Ibn Bābūya. During the Fātimid period the traditional formula of *adhān* with the addition of *ḥayya 'alā khayr al-'amal* was followed and nothing else was added. Poonawala, 'Al-Qaḍī al-Nu'mān and Ismā'ili jurisprudence', 117, 118. The name *Muṣawwiḍa*, derived from the second form and its verbal noun *ṭawwīḍ*, meaning to delegate authority to, was applied to a group of Shī'a who believed that God had delegated the Prophet and the Imams the authority to fulfil nearly all functions that God himself was supposed to do. They were, therefore, just like the splinter heretic groups called *ghulāt*, who deified the Imams.

The above-mentioned additions to *adhān* later became a popular Shī'i practice. Although the Imāmī jurists regarded it as an unauthorized addition, they could not publicly denounce it for fear that they would be accused of harboring Sunnī sympathies. Some reports, however, suggest that during the twelfth/eighteenth century many Shī'a still refrained from adding that formula to *adhān*, but now it is a universal Imāmī practice. See also Modarressi, *Crisis and Consolidation*, 43-4. The Musta'li-Ṭayyibī Ismā'ilis also add 'I witness that our lord (*mawlānā*) 'Alī is the Friend of Allāh (*walī Allāh*). And 'Muḥammad and 'Alī are the best of mankind and their offspring (*'itratuḥumā khayr al-'itar*) are the best of offsprings.' *Ṣaḥīfat al-ṣalāt*, (Bombay: 'Alibhā'i Sharaf 'Alī, 1400/1980), 44.

The Messenger of God said, 'Follow [my practice] and do not innovate; for every innovation (*bid'a*) is [a manifest] error; and every error leads to the Fire.' Did 'Umar have, in the opinion of this rabble, greater knowledge of the welfare of religion and of the Muslims than God and His Messenger? God did reveal in His Book the incentives and the inducements to prayer and to Holy War, and several other acts of piety, which He revealed and laid down as obligatory. Has any human being the power to repeal any command with which God has encouraged [the believers] to comply as one of the obligatory acts? Or does any person claim the prerogative to abandon an obligatory act merely because the inducements to another act are greater?

This is something, which neither a man of learning nor an ignoramus would dare to assert. No report has reached us that anyone ever imagined it possible or hinted at it [as being a possibility] such that what 'Umar and his followers assert [could be accepted]. Even if the ignorant have imagined it possible, as 'Umar did, it is not permissible to repeal what God and His Messenger have commanded to be uttered [*hayya 'alā khayr al-'amal*] in the mosques, in congregations, and by individuals ten times every single day and night just because of the imaginings of the ignorant and the whims of the vulgar masses. Had it been possible or necessary, then it would also be necessary to repeal whatever laws of Islam, i.e. *shari'a*, might seem to the minds of the ignorant to be corrupt. [As it happens], most of the laws are not known to the ignorant and therefore their intellects reject them. But God has never commanded that the ignorant be followed. On the contrary, He has commanded that one should teach those who understand and accept [the message] and turn away from those who do not accept it and wage war against those who reject [it] and disbelieve. The opinion of 'Umar and his followers, that the ignorant, if they hear that prayer is the best of deeds, would abandon Holy War would imply that they would abandon prayer if they did not hear that. But God knows better what prompts them to obey 'Umar and the like. The unsoundness of this view is so patent as to preclude the necessity of evidence or argument against those who propound it. We seek the protection of God against deviation from His religion, to stand firmly upon the path of obedience to Him and His Friends.

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'If only my community had knowledge of [the rewards] awaiting those that perform the following three [good works], they would surely have obtained a share of them:⁶⁹ the call to prayer; early arrival

⁶⁹The Urdu translator did not understand this Arabic idiom and translated it literally as 'to shoot arrows', which is incorrect.

for the Friday prayer; [hastening to obtain a place in] the first row [in the mosque].'

The Messenger of God said, 'On the Day of Judgement, the proudest of men (lit., with the longest necks) will be the muezzins proclaiming the statement "there is no god except God."⁷⁰ They are called 'men with the longest necks' because [of their high station and] their stretching themselves to receive the mercy of God, as distinguished from those whom God had described as being in a wretched condition: *Couldst thou but see when the guilty hang their heads before their Lord* (32:12).

The Messenger of God: He induced the people and urged them to [perform] the call to prayer and described its merits. Some of the people said, 'O Messenger of God, you have indeed urged us to [announce] the call to prayer [with such vehemence] that we fear that [in their enthusiasm for it] the people might even strike one another with their swords.' He said, 'Harken to me! Verily [the call to prayer] will never cause violence towards the weak amongst you.'

'Alī: He said, 'Sorrow grips my heart only for one thing [in my life]: I wish I had asked the Messenger of God [to confer the honour] of asking Ḥasan and Ḥusayn to announce the call to prayers!'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'In the *adhān* and *iqāma*, each phrase should be uttered twice over. But the formula of witnessing to God is to be said only once at the end of the *iqāma*, that is to say *lā ilāha illa 'llāh* once only.'⁷¹

'Alī: He said, 'The muezzin shall stand facing the *qibla* when uttering the *adhān* and the *iqāma*. When he announces "Hasten to prayer" and "Hasten to success" [each phrase twice], the muezzin shall turn to the right and to the left respectively.'

Ja'far b. Muḥammad: He said, 'The *adhān* should be pronounced slowly and in a chanting manner (*tarāṭil*), while the *iqāma* should be uttered quickly (*ḥadr*).⁷² There must necessarily be an interval between the *adhān* and the *iqāma*, whether in prayer or otherwise. The least interval which is proper in the sunset prayer, before which no supererogatory prayers are prescribed, is that in which the muezzin should sit for a while on the ground between the *adhān* and the *iqāma* and touch the ground with his hands.'⁷³

⁷⁰Mishkāt, I, 207; Robson, I, 133; transmitted by Muslim.

⁷¹Kāfi, III, 289; the phrases should be uttered twice each, both in the *adhān* as well as the *iqāma*. Mishkāt, I, 203; Robson, I, 130. It states that in the time of God's Messenger the phrases in the *adhān* were uttered twice each and in the *iqāma* once each, except for *qad qāmat al-ṣalāt*. Maghniya, *al-Fiqh*, 118–20.

⁷²Kāfi, III, 293; Mishkāt, I, 204; Robson, I, 131.

⁷³The *ḥadīth* states, 'When you call the *adhān* speak deliberately, [and] when you

'Alī b. al-Ḥusayn [Zayn al-Ābidīn]: Whenever the Messenger of God heard the call to prayer, he used to repeat the words with the muezzin. But when the muezzin proclaimed 'Hasten to prayer' and 'Hasten to success', and 'Hasten to the best of works', the Messenger of God used to say, 'There is neither power nor strength save in God.' When the *iqāma* ended, he used to utter [the following prayer]: 'O God, Lord of [this] perfect call and the prayer which is established [for all time], grant Muḥammad his petitions on the Day of Resurrection. Let him attain the position of a mediator (*wasīla*) for Paradise, and accept his intercession (*shafā'a*) on behalf of his community.'⁷⁴

'Alī: He said, 'Three things cannot be forsaken save by the invalid: That a man hears the muezzin and repeats the call as it is uttered; that a man comes across a funeral and salutes the dead and holds the side of the bier; that a man arrives [at a mosque] for prayer and, finding the imam in a prostrating posture, prostrates himself with him even though he himself has not yet assumed the state of ritual consecration. But that prostration [that is the whole *rak'a*] should not be counted [as part of his prayer].'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'When the muezzin says *Allāhu akbar*, say *Allāhu akbar*, and when he says, "There is no deity other than God," repeat the same words. When he says "I bear witness that Muḥammad is His Messenger," repeat the same words. When he says "The time for prayer has come," say "O Lord, make me steadfast in prayer, and constant in its performance, and make me the best of the righteous ones among those that pray," and when the muezzin utters the formula *qad qāmat al-ṣalāt* then it becomes incumbent upon the congregation to remain silent and to perform the prayer. If however there is no imam [to lead the prayer] then let some of them send someone forward to lead them.'

Ja'far b. Muḥammad: He said, 'There is no harm in uttering the call to prayer in a chanting tone (*taṭrīb*) so long as pronunciation of the *alif* and *hā* is accurately rendered, made clear, and uttered in the most chaste way.'⁷⁵

[Ja'far b. Muḥammad]: He said, 'He who gives the call to prayer and says the *iqāma* and offers prayer is followed in worship by two rows of

utter the *iqāma* speak quickly, and leave between your *adhān* and your *iqāma* time for one who eats to finish his food and one who drinks to finish his drink, and one who needs to relieve himself to do so.' *Mishkāt*, I, 204; Robson, I, 131. *Kāfi*, III, 293; Kulaynī states that there should be a little interval between the *adhān* and the *iqāma*.

⁷⁴*Mishkāt*, I, 208; Robson, I, 133–4; *Kāfi*, III, 294.

⁷⁵*Kāfi*, III, 289.

angels. If he prays only with the *iqāma* without the call, only one rank of angels follows him.⁷⁶ In the prayers of dawn and sunset both the *adhān* and the *iqāma* are essential [to complete the ritual act of worship], whether a man is in an inhabited quarter or is travelling, for no curtailment is possible in either of them.'

'Alī: He said, 'There is no objection to a man praying without the *adhān* and the *iqāma* when [he is] praying by himself.' This [saying of 'Alī] demonstrates that there is merit in the *adhān* and the *iqāma*, and less than that merit is in the *iqāma* without the *adhān*. Nevertheless, there is no harm in praying without the *adhān* and the *iqāma* [when alone].⁷⁷

'Alī: He said, 'There can be no call to prayer unless it is said within the prescribed time.'

Ja'far b. Muḥammad: He said, 'There is no harm if the *adhān* is pronounced before the break of day, but no call to prayer should be given [for other prayers] until the proper time.⁷⁸ The *adhān* uttered at the proper time, whether for the dawn or any other prayer, is the best.'

The Messenger of God: Bilāl used to inform the Messenger of God of the call after giving it, so he could come out and lead the people in prayer. According to the same practice, the imam is to be apprised of the *adhān* after [the muezzin] has uttered it.

'Alī: He saw no harm in conversing during the utterance of the *adhān* or the *iqāma*.

Ja'far b. Muḥammad: A similar tradition is related from him. He, however, made an exception regarding the *iqāma*.⁷⁹ He said, 'When the muezzin says *qad qāmat al-ṣalāt*, conversation becomes unlawful for the muezzin and for all the worshippers in the mosque.'

The rule is different, however, when they have gathered to pray separately and there is no imam to lead them.

It is improper to converse deliberately during the *adhān*, since *adhān* is one of the Gates to Righteousness. It is not appropriate for a man engaged in a good work to cease, except to perform an equally meritorious act. No harm however is done by one who is compelled to speak or where some urgent need demands speech.

Ja'far b. Muḥammad: He said, 'There is no harm if the person giving

⁷⁶Ibid., III, 289.

⁷⁷Ibid., III, 290, 291; for the dawn and sunset prayers both the *adhān* and the *iqāma* are essential.

⁷⁸Ibid., III, 293. It states that for the congregation even the *adhān* for the dawn prayer should be given at its proper time.

⁷⁹Ibid., III, 290, 292; also reported on the authority of al-Ṣādiq.

the *adhān* is not in a state of ritual purity; however, it is best that he should be ritually pure. [In any case], no one should say the *iqāma* without being ritually pure.⁸⁰

[Ja'far b. Muḥammad]: He said, 'No one can give the call to prayer while sitting [that is he must deliver the *adhān* in a standing position] except when he is ill or riding [on a beast of burden or a horse].

'No *iqāma* shall be said by a man who is not standing upon the earth, save for a disease which prevents him from standing up.'⁸¹

'Alī: He said, 'It is not incumbent on women to give the call to prayer or to utter the *iqāma*.⁸²

'Alī: He said, 'It is not improper for one person to give the call to prayer and for another to utter the *iqāma*.⁸³

Ja'far b. Muḥammad: He was asked whether a woman can utter the *adhān* or the *iqāma*. He replied, 'Yes, if she so wishes. It is sufficient for her [to hear] the call for the *aṣr* prayer; and if she has not heard it, it is enough for her to testify that there is no deity other than God and Muḥammad is His Messenger.'⁸⁴

[Ja'far b. Muḥammad]: He said, 'There is no harm if a slave gives the call to prayer, or a boy who has not attained puberty.'

'Alī: He said, 'For a muezzin to obtain [monetary] remuneration for saying the *adhān* is unlawful gain.' That is when he is hired by the congregation (*qawm*) to deliver the call. But he added that there is no wrong done if the muezzin receives remuneration from the Public Treasury (*bayt al-māl*) [for his work and for taking care of the mosque].⁸⁵

⁸⁰Ibid., III, 290.

⁸¹Ibid., III, 291; according to Kulaynī the *adhān* could be delivered while sitting.

⁸²Ibid., III, 292; it is the same position.

⁸³Ibid., III, 293.

⁸⁴Ibid., III, 292.

⁸⁵Addition in MSS C, F, and Q. One might ask what the difference is between the muezzin receiving payment from a group of people (*qawm*) and from the Public Treasury? I think that Nu'mān is drawing a distinction between public and private property and the concept of public properties and monies designed to serve the interests of the Muslim community as a whole. The muezzin or the keeper of the mosque deserves to be recognized for his services and should be paid from the state revenues. The actual collection of state revenues and fair and equitable distribution are the responsibilities of Imam-Caliph and are discussed by Nu'mān in the last chapter on *jihād*.

According to the Mālikī school it is permissible for a muezzin to get remuneration if he also leads the congregation in prayers. But receiving payment from the worshippers just for saying the *adhān* is reprehensible. On the other hand, it is not reprehensible to receive payment from either a *waqf* or *bayt al-māl*. The positions of the Ḥanafī and the Shāfi'ī schools are different. See Jazīrī, *al-Fiqh*, I, 345. Cf. Mishkāt, I, 211; Robson, I, 135-6; it states, 'Employ a muezzin who does not accept payment for his *adhān*.'

'Alī: He said, 'A man who hears the call to prayer in a mosque and then goes away from it is a hypocrite (*munāfiq*). There are two exceptions to this rule: (i) the man who goes out with the intention to return; and (ii) the man who is not ritually pure and goes out to perform his ablution.'⁸⁶

'Alī: He said, 'Let the most eloquent (*aṣṣaḥ*) [in Arabic] among you give the call to prayer. Let the most learned in the law (*aṣṣaḥ*) be your leader in prayer.'⁸⁷

Ja'far b. Muḥammad: He said, 'There is no *adhān* in a supererogatory prayer (*nāfila*). There is nothing improper about a blind man giving the call to prayer, so long as he is guided to stand in the proper direction [the *qibla*].'⁸⁸ [For instance], Ibn Umm Maktūm,⁸⁹ who was blind, used to give the call to prayer for the Messenger of God.'⁹⁰

'Alī: He saw a tall tower (*mi'dhana*) of a mosque, and ordered that it be razed to the ground, and said, 'The call to prayer should not be given from a place higher than the plinth of the mosque.' This [is the rule], and God knows best [about the origins of] the *mi'dhana*.⁹¹ When the tower overlooks the houses of the people and the muezzin is thus enabled to see within the privacy of the homes while ascending to the place intended for the call it is harmful to the people and therefore it is not permissible.

'Alī: The Messenger of God said, 'When a child is born to a man, let him recite the call to prayer in the child's right ear, and the *iqāma* in the left ear. This will be protection for him [or her] against Satan. The Messenger of God ordered me to act in this way with al-Ḥasan and al-Ḥusayn, and to recite additionally the *Fātiḥa* (*sūra* 1), the Throne Verse (2:225),

⁸⁶*Mishkāt*, I, 337–8; Robson, I, 220–1.

⁸⁷*Mishkāt*, I, 215, 349–50; Robson, I, 138, 230. The tradition transmitted by Bukhārī and Muslim states that the oldest from among the congregation should act as imam. Other traditions state that the most versed in the Qur'ān, or the Qur'ān reader act as imam.

⁸⁸Cf. *Kāfi*, III, 291; the muezzin must face the *qibla* while uttering the two *shahādas*.

⁸⁹Abd Allāh b. Umm Maktūm is the person referred to in the Qur'ān 80:1–2. He and Bilāl were the two muezzins of the Prophet. Ibn Sa'd, VIII, 265; Ibn Ḥajar, *Iṣāba*, II, 276; Lings, *Muḥammad*, 139, 176. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 555–6; according to Balādhurī Ibn Umm Maktūm's name was 'Amr b. Qays.

⁹⁰Anas b. Mālik said that the Prophet appointed Ibn Umm Maktūm to lead the people in prayer and that the latter was blind. *Mishkāt*, I, 350; Robson, I, 231.

⁹¹Nu'mān's statement confirms the fact that the minaret (*mi'dhana*) is not an essential part of a mosque. Bilāl used to make the call to prayer from the roof of the mosque. This practice continued for another generation. For the history and function of the minaret see EI², s.v. Manāra, Manār (minaret).

the last part of *sūrat al-Ḥaṣhr*, (Exile, *sūra* 59), *Ikhlāṣ* (Unity, *sūra* 112), and the two chapters on Seeking Refuge (*sūras* 113 and 114).'

'Alī: He said that the Messenger of God said, 'When evil spirits terrify you and lead you astray by assuming various shapes, give the call to prayer.'⁹²

THE ACCOUNT OF MOSQUES

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'No prayer can be offered by the neighbour of a mosque except in the mosque itself, unless he has an excuse or disease.' He was asked, 'Who in fact is "the neighbour of the mosque," O Commander of the Faithful?' He said, 'He who hears the summons (*al-nidā'*) [to prayer].'

[Ja'far b. Muḥammad]⁹³—The Messenger of God: He said, 'The prayer in the Holy Mosque at the Ka'ba (*al-masjid al-ḥarām*) is equivalent to one hundred thousand prayers; and the prayer in the [Prophet's] mosque at Medina, ten thousand prayers; and in the mosque at Jerusalem, one thousand prayers;⁹⁴ and in the greatest mosque (*al-masjid al-a'zam*),⁹⁵ one hundred prayers; and in the tribal mosque,⁹⁶ twenty-five prayers; and in the mosque in the market, twelve prayers; and the prayer of the man by himself in his house, one single prayer.'⁹⁷

[Ja'far b. Muḥammad]⁹⁸—The Messenger of God: He said, 'Sitting in a mosque awaiting [the next] prayer constitutes worship.' He also said, 'For a man whose conversation is the Qur'ān and the mosque his habitation, God has built a house in Paradise and elevated him above the average grade [of residents in Paradise].'

'Alī: He said, 'The awaiting of one prayer after another [in a mosque]

⁹²This '*anhu* is missing from MS Q and it is reported directly from the Messenger of God.

⁹³In MS Q it reads '*an rasūl Allāh* without the beginning '*anhu*.'

⁹⁴For the importance of those three mosques see Kister, 'You shall only set out for three mosques.'

⁹⁵According to Nu'mān, *Kitāb al-ṭahāra*, fol. 38v, this refers to the congregational mosque in every city.

⁹⁶This is any other mosque in which the people gather for prayer. Ibid., fol. 38v.

⁹⁷*Mishkāt*, I, 219, 234; Robson, I, 141, 152. 'A man's prayer in his house is equivalent to one single prayer, his prayer in a tribal mosque is equivalent to twenty-five, his prayer in a Friday congregational mosque is equivalent to five hundred, his prayer in the Aqṣā mosque is equivalent to fifty thousand, his prayer in my mosque is equivalent to fifty thousand, and his prayer in the sacred mosque (the Ka'ba) is equivalent to a hundred thousand.'

⁹⁸In MS Q it reads '*an rasūl Allāh* without the beginning '*anhu*.'

is more meritorious than the tethering of horses for the Holy War (*ribāṭ*).⁹⁹

Alī: He said, 'When one sits in a mosque, it is the *ṣunna* to face the *qibla*.'

'Alī: He said, 'Verily the mosque complains to its Lord if it stands in ruins; and likewise, it is happy when one of its frequenters appears after a period of absence in the same manner as one of you is happy when an absentee acquaintance returns [home].'

'Alī: He said, 'To be seated in a mosque constitutes monasticism (*rahbāniya*) for the Arabs.'¹⁰⁰

'The mosque is the haunt of the faithful, and his home, his hermitage.'

'Alī: He said, 'Abstain from raising your voices, or buying and selling,¹⁰¹ or [carrying] arms in your mosques; burn incense once a week [preferably on Friday]¹⁰² and provide for receptacles for purification.'

'Alī: He said, 'He who respects the mosque by avoiding expectoration will meet his Lord smiling on the Day of Resurrection.¹⁰³ God will make a present of the man's book [recording his good works] in his right hand. Indeed, the mosque recoils from mucus in the same manner as one of you [recoils] when beaten with a cane.'

'Alī: He said, 'The Messenger of God forbade that the *ḥadd* punishment be applied in the mosques,¹⁰⁴ or that voices be raised,¹⁰⁵ or that one

⁹⁹*Lisān al-'Arab*, s.v. r-b-ṭ; this tradition is also cited.

¹⁰⁰*Mishkāṭ*, I, 225; Robson, I, 146. 'Uthmān b. Maṣ'ūn said, 'O Messenger of God, grant us permission to become eunuchs.' God's Messenger replied, 'He who makes another a eunuch or becomes on himself does not belong to us; fasting serves that purpose among my *umma*.' He then said, 'Grant us permission to lead the wandering life of a devotee.' God's Messenger replied, 'The wandering life of the devotee among my *umma* is *jihād* in God's path.' He said, 'Grant us permission to adopt monastic life.' God's Messenger replied, 'Monasticism among my *umma* consists of sitting in mosques waiting for the time of prayer.'

¹⁰¹*Mishkāṭ*, I, 228; Robson, I, 148; recitation of [profane] poetry and taking of retaliation are also prohibited in a mosque. *Kāfi*, III, 359; recitation of poetry is forbidden.

¹⁰²*Mishkāṭ*, I, 223; Robson, I, 145; it states that mosques be cleaned and perfumed.

¹⁰³Cf. *Mishkāṭ*, I, 222; Robson, I, 143-4; it forbids spitting and leaving mucus in the mosque.

¹⁰⁴See n. 122 in Chap. 2. The *ḥadd* punishments are prescribed for unlawful intercourse (*zinā*), false accusation of unlawful intercourse (*qadhf*), drinking wine (*khamr*), theft (*sariqa*), and highway robbery (*qaṭ' al-ṭariq*). For details see *EI* ², s.v. *Ḥadd*.

Ibn Abī Laylā, a contemporary of Abū Ḥanīfa, held the opposite opinion, probably in keeping with the original function of the mosque as the place for the assembly of the community and the transaction of its official business. The other opinion was the result of a religious objection based on the consideration of the dignity of the mosque. Schacht, *Origins*, 162; *Mishkāṭ*, I, 228; Robson, I, 148.

¹⁰⁵*Mishkāṭ*, I, 232; Robson, I, 150.

cried out about something one has lost (*al-dālla*),¹⁰⁶ or that swords be unsheathed, or that arrows be shot, or that trade be undertaken, or that arms be hung in the *qibla*,¹⁰⁷ or that arrows be cut [and prepared] in them.¹⁰⁸

'Alī: He said, 'You should expressly debar your Jews and Christians and your young ones (*ṣibyānikum*)¹⁰⁹ and lunatics from your mosques, lest God transmute¹¹⁰ you into apes and swine in the state of bowing or prostrating. Verily God has said, *The idolaters only are unclean. So let them not come near the Inviolable Place of Worship (al-masjid al-harām)*' (9:28).¹¹¹ Those who are impure cannot be allowed to enter a mosque by consensus [among the Muslims]. Even sexually impure Muslims are not entitled to enter a mosque, although Muslims are not really impure—even though they may be ritually unclean.

['Alī]¹¹²—the Messenger of God: He forbade that the sexually impure be seated in the mosque.

'Alī: Concerning the Word of God *Draw not near unto prayer...nor when ye are polluted, save when journeying upon the road ...* (4:43); 'Alī said, 'This refers to him who enters a mosque in passing and is not seated therein.'

'Alī¹¹³—the Messenger of God: He forbade the eating of garlic lest its smell annoy those who are praying in the mosque. He also said, 'He who eats such vegetables should not come near our mosque.'¹¹⁴

'Alī: Whenever he entered a mosque, he said, '[I enter] in the name of God and [I swear] by God, salutations to thee, O Prophet, and the Mercy and Blessings of God. Salutations to us and the righteous slaves of God.'¹¹⁵ He also said, 'It is the right of the mosque that when you enter it you

¹⁰⁶The Arabic *al-dālla* means a stray beast. The tradition states, 'If anyone hears a man crying out in the mosque about something he has lost, he should say, "May God Not restore it to you," for the mosque were not built for this.' *Mishkāt*, I, 221–2; Robson, I, 143.

¹⁰⁷*Kaḥf*, III, 359. Kulaynī states that in an ordinary mosque it is permitted to hang arms.

¹⁰⁸*Ibid.*, III, 360.

¹⁰⁹Gloss in MSS D, T, and Nu'mān, *Ta'wīl al-da'a'im*, I, 231: *ṣabī'akum* [the Sabaeans]. Various explanations have been given as to who they were. The Sabaeans mentioned in the Qur'ān alongside the Jews and the Christians are apparently the Mandaeans, a Judaeo-Christian sect in Mesopotamia. *EI*², s.v. *al-Ṣābi'a*; Ṭabarī, *History of al-Ṭabarī*, IX, 5, 66.

¹¹⁰The Arabic term used is *maskh*, which occurs in the Qur'ān 36:67 and in traditions. It refers to a concept where human beings are transformed into animals, especially into apes, pigs, or stones as a consequence of their sins. *Concordance*, s.v. *m-s-kh*.

¹¹¹*Sūrat al-Barā'a* was revealed in the ninth year after the *hijra*. See, Ṭabarī, *History of al-Ṭabarī*, IX, 77 ff.

¹¹²Omitted from MS Q.

¹¹³Omitted from MS Q.

¹¹⁴*Mishkāt*, I, 222, 229. Robson, 143, 148; The Prophet objected to onions and garlic.

¹¹⁵For similar traditions see *Mishkāt*, I, 228; Robson, I, 147.

should offer two *raka'āt* of prayer,¹¹⁶ and it is the right of the two *raka'āt* that you should recite in both of them the Mother of the Qur'ān [the *Fātiḥa*, *sūra* 1], and it is the right of the Qur'ān that you should act in accordance with what is contained in it.'

The Messenger of God: He said, 'For him who builds a mosque dedicated to God—even though it resembles the nest of a sand grouse [in size]—God will build a house in Paradise.'¹¹⁷

[The Messenger of God]: He said, 'Prayer in a place without a barrier (*sutra*)¹¹⁸ is in vain (*jufā'*).'¹¹⁹ He who prays in the desert should create some sort of barrier like the back portion of a saddle.'

'Alī: He used to disapprove of prayers offered [in the desert] in the direction of a camel; he used to say that there is no camel without [a devil or] Satan on its back (*dhirwa*, i.e. top)!'

Ja'far b. Muḥammad: He did not approve of a man praying while another was sleeping in front of him. A man should not pray with a woman by his side, rather, he should stand in front of her while praying.¹²⁰

The Messenger of God: He said, 'When a man stands up for prayer within a barrier (*sutra*) constructed by him, let him be close to it, for Satan passes between him and the barrier [if the distance is too wide].'¹²¹ He indicated [an area the size of] the resting place of a bull.

Ja'far b. Muḥammad: He disapproved of pictures [or drawings being hung] in the *qibla*.¹²²

[Ja'far b. Muḥammad]: He was asked concerning a mosque established in a house whether it would be proper for the owner of the house

¹¹⁶*Mishkāt*, I, 221; Robson, I, 143; transmitted by Bukhārī and Muslim.

¹¹⁷Cf. *Mishkāt*, I, 220; Robson, I, 142; transmitted by Bukhārī and Muslim. See also *Kaḥf*, III, 358.

¹¹⁸The *sutra* (lit. screen, covering) is an object, a barrier or a demarcation line drawn in the direction of the *qibla* to prevent persons or animals from passing in front of the man who prays. *Majma' al-baḥrayn*, s.v. s-t-r. For details of the various Sunnī schools see Jazīrī, *al-Fiqh*, I, 288–92. The *mu'khira*, *mu'akhhira*, and *mu'akhhara* are the raised front of the saddle of a horse or a camel. Just as this is anterior to the rider, so the man should put something in front of him to limit the place of prayer. Even a stick laid on the ground is sometimes used.

¹¹⁹The prayer in this situation is likened to the *jufā'*, the rubbish and scum cast forth by the torrent of a valley. Lane, s.v. j-f-w. *Mishkāt*, I, 241–5; Robson, I, 156–8. It states, 'When one of you prays he should put something in front of his face. If he cannot find anything he should set up his stick, but if he has no stick with him he should draw a line. Then what passes in front of him will not harm him.' See also *Kaḥf*, III, 281–3.

¹²⁰Cf. *Kaḥf*, III, 283–4, for different positions.

¹²¹*Mishkāt*, I, 243; Robson, I, 157.

¹²²*Kaḥf*, III, 359; prayers in mosques wherein pictures are drawn are reluctantly permitted.

to shift it from its place or [to incorporate] a part of it in order to extend [the house]. He said that there was no harm in it.¹²³

LEADERSHIP (IMĀMA) [IN PRAYERS]

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'The leader of the people is the one who ushers them into the presence of God. Put, therefore, that man ahead of you in your prayer who is most excellent among you.'

'Alī: He said, 'Do not appoint the foolish among you as leaders in your prayers or your funerals, for it is they that are the ushers who will lead you to your Lord.'

'Alī: He said, 'The diseased among you should not lead the healthy. This special privilege was granted solely to the Messenger of God.'¹²⁴

Abū Ja'far Muḥammad b. 'Alī: He said, 'There is no harm in praying behind a slave if he is learned in the law (*faqīh*) and there is no one else in the congregation more learned in the law than he.' He permitted prayers to be led by a blind man so long as he was made to stand facing the *qibla* and he was the most excellent among them.¹²⁵

'Alī: He prohibited people from praying behind a leper, or a sufferer from leucoderma, or an insane person, or one against whom the *ḥadd* punishment had been applied (*al-maḥḍūd*),¹²⁶ or the offspring of illegal intercourse. The Arab of the desert (*a'rābī*) should not lead in prayer the *Muḥājirūn*; nor the fettered [captive] the unfettered [free]; nor he who performs his ablution with dust those who perform theirs with water. A castrated man should not lead normal men in prayer; nor a woman men; nor a hermaphrodite. The dumb man should not lead those who possess the power of speech, nor should the traveller lead the residents [of a town or village].¹²⁷

Ja'far b. Muḥammad: He said, 'Do not count the prayer offered behind the *imāma* of a *nāṣib*¹²⁸ (an enemy of the *ahl al-bayt*) or a Khārījī.

¹²³Ibid., III, 358; it is reported from al-Bāqir.

¹²⁴It refers to the Prophet's illness in which he died and the dispute concerning the alleged leading of the prayers by Abū Bakr. See Chap. 2, section 'On the designation of the Imams'; Ṭabarī, *History of al-Ṭabarī*, IX, 168–83; Madelung, *Succession*, 18–27.

¹²⁵*Kāfi*, III, 367. See also n. 90 in this chapter.

¹²⁶See n. 122 in Chap. 2.

¹²⁷Most of these categories are enumerated by Kulaynī, *Kāfi*, III, 366–7; Ṭūsī, *al-Nihāya*, 112–13.

¹²⁸Rāzī explains its meaning and states that the Prophet appointed (*naṣaba*) 'Alī as his successor at Ghadīr al-Khumm, but the Muslims displayed enmity towards him (*nāṣaba*) after the Prophet's death and appointed someone other than 'Alī to succeed the Prophet.

(*ḥarūrī*)¹²⁹ as a valid prayer; [rather], think of such an imam as one of the pillars [an inanimate object] in the mosque and offer your prayers as if you were alone by yourself. Such a course of action is to be followed where [the enemies] are to be dreaded and one has to be on one's guard.¹³⁰ But when, praised be God, there is no fear nor [the need for] *taqīya*,¹³¹ and the sovereignty of God has become manifest, and His religion powerful, and His Friends victorious, it does not behove you to pray behind any one of them, for there is no honour for them.¹³²

Abū Ja'far Muḥammad b. 'Alī: He said, 'Do not pray behind an enemy of the Imams (*nāṣib*), for there is no honour in it except when you fear that this fact may be publicized [against you] and you may become the target [of suspicion]. [In such circumstances] pray in your houses [first] and then pray with them [as well], and consider your prayers with them as supererogatory.'¹³³ Now, praised be God, and by His favour and kindness, fear has disappeared and *taqīya* has been discontinued, so prayers should not be offered behind an enemy of the Imams. [May God] not grant delight of the eye to him.

'Alī: Once upon a time 'Umar led the people in the dawn prayer. When the prayer was over he addressed the people and said, 'Verily, 'Umar has prayed with you this morning while in a state of major ritual impurity!' The people asked him, 'What is it that you wish?' 'Umar said, 'It is incumbent upon me to repeat the prayer [after ritual purity], but not upon you.' Thereupon 'Alī said, 'Not so! It is necessary both for you and for them to repeat the prayers. For the people bow down and prostrate with their imam. Therefore, when the prayer of the imam is defective, so is the prayer of those that pray behind him!'¹³⁴

The term is therefore applied to those who bear violent hatred towards the *ahl al-bayt* of the Prophet. *Nāṣib*, *munāṣib*, *nawāṣib* are also the appellations of the Murjī'a. Rāzī, *al-Zīna*, fols 176–7. See also *Majma' al-baḥrayn*, s.v. n-ṣ-b. However, according to Sunnī sources the above appellations apply to the Khawārij who made it a matter of religious obligation to bear violent hatred towards 'Alī. Lane, s.v. n-ṣ-b.

¹²⁹See n. 258 in Chap. 2.

¹³⁰Kulaynī has a section entitled 'Praying behind someone who could not be followed as a model'. *Kāfi*, III, 364–5.

¹³¹See n. 213 in Chap. 2.

¹³²Nu'mān refers to the change of circumstances after the emergence of the Fāṭimids in North Africa.

¹³³Praying twice is permitted. Mu'adh b. Jabal used to pray with the Prophet, then go to his people and lead them in prayer. Another tradition states that a man who, having already prayed at home, comes to the mosque when the people are praying in congregation should join them. The latter will be his supererogatory prayer. *Mishkāt*, I, 362–4; Robson, I, 239–41; *Kāfi*, III, 370–2.

¹³⁴Kulaynī does not cite this incident, but reports on the authority of al-Ṣādiq that

The Messenger of God: He said, 'He, who possesses the greatest light among you, let him lead you in prayer.' The light is the Qur'ān.¹³⁵ The congregation of a particular mosque is more entitled than others to lead the prayers, unless it be that the prince or the commander (*amīr*) is among them, for it is he who has the prior right among you to lead the congregation in prayers.

Ja'far b. Muḥammad: He said, 'Let him who is the earliest of the emigrants [from Mecca to Medina] lead the people in prayer, and if they are all equal in this respect, then the one who is the most learned in the reading of the Qur'ān; if they are all equal in this respect, then the one who is the most learned in law; and if they are all equal in this respect, the most aged among them. The owner of the mosque is the one most entitled to lead the congregation in his own mosque.'¹³⁶

Ja'far b. Muḥammad: He said, 'When a man leads a single individual in prayer, the imam should place him on his right, but if he leads two or more, they should stand behind him.'¹³⁷

'Alī: He said, 'There is no harm in people praying outside the mosque and following the imam in prayer.'

Ja'far b. Muḥammad: He said, 'When you are praying by yourself, lengthen the prayer, for verily it is worship; when you pray with the congregation, lighten it [that is make it short] and pray with the weakest of them.'¹³⁸ He said, 'The Messenger of God's prayer was the most brief, although it was perfect [in all respects].'¹³⁹

if the imam leads the prayer while not in a state of ritual purity, he should repeat the prayer, but the congregation should not. *Kaḥf*, III, 369.

¹³⁵*Ta'wīl al-da'ā'im*, I, 243, explains this to mean one who has memorized the Qur'ān and is the most learned about it, but the esoteric meaning refers to one who is learned in its exoteric as well as esoteric meaning.

¹³⁶*Cf. Kaḥf*, III, 367. The Sunnī position with regard to the *imāma* varies widely. The following two traditions are illustrative of their differing views. Abū Mas'ūd reported the Messenger of God saying, 'The one of you who is most versed in God's Book should lead the people in prayer; if they are equally versed in it, then the one who has most knowledge regarding the *sunna*; if they are equal in it, then the earliest of them to migrate; if they migrated at the same time, then the oldest of them. No man must lead another in prayer where the latter has authority.' Another tradition reported by Abū Hurayra states, 'Prayer is a necessary duty for you behind any Muslim, pious or impious, even if he commits heinous sins.' *Mishkāt*, I, 349–53; Robson, I, 230–2. See also Mūsā, *al-Fiqh al-Islāmī*, 113–15.

¹³⁷*Mishkāt*, I, 346; Robson, I, 227; *Kaḥf*, III, 362.

¹³⁸*Mishkāt*, I, 354; Robson, I, 233; the reason for this is that there might be sick, weak, or aged people among the congregation. The *ḥadīth* is transmitted by Bukhārī and Muslim.

¹³⁹Anas b. Mālīk said, 'I never prayed behind an imam who was more brief or more perfect in his prayer than the Prophet. If he heard a baby crying he would shorten the

[Ja'far b. Muḥammad]: He said, 'A woman should not lead men in prayer.'¹⁴⁰ She should pray with women; [when she leads them], she should not stand ahead of them, but place herself in the middle and the women should follow her in the prayers.'¹⁴¹

'Alī: When an imam faltered or stopped while reciting the Qur'ān in prayer, he permitted the people to help him by prompting him.'¹⁴² But if the imam slurs over one verse of the Qur'ān [while speaking rapidly] or more, or passes on from one *sūra* to another but continues to recite steadfastly, he should not be prompted.

THE CONGREGATION AND THE ROWS

Ja'far b. Muḥammad—his father—his ancestors—the Messenger of God: He said, 'Consider the man who prays in the congregation as possessed of every virtue and permit him to give evidence [in a court of law].'¹⁴³

Ja'far b. Muḥammad: He said, 'Congregational prayer is more meritorious than prayer by oneself. The latter is equivalent to one single prayer while the former is twenty-four prayers [more].'¹⁴⁴

Abū Ja'far Muḥammad b. 'Alī: He was asked whether congregational prayer was mandatory and he said, 'Prayer is compulsory but the congregation in prayer is not. Congregational prayer is the *sunna*; and he who avoids it deliberately, or keeps away from the group of the faithful without valid cause or sickness has indeed offered no prayer at all.'¹⁴⁵

'Alī: He said, 'The prayer of one who has offered the dawn prayer in a congregation will be raised to the rank of the prayer of the righteous, and [his name] will be written down in the deputation (*wafd*)¹⁴⁶ of the righteous on the same day.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'On a certain occasion, 'Alī prayed nightlong but offered the dawn prayer after the bright gleam of

prayer for fear the mother might be distressed.' *Mishkāṭ*, I, 354; Robson, I, 233; it is transmitted by Bukhārī and Muslim.

¹⁴⁰The same position is held by the Sunnīs. See Mūsā, *al-Fiqh al-Islāmī*, 113.

¹⁴¹*Kāfi*, III, 368; women cannot lead women in obligatory prayers.

¹⁴²*Ibid.*, III, 303.

¹⁴³Good character of witnesses is a matter of public interest and the judge has the right to inquire into it even if it is not contested. Schacht, *Origins*, 300. The first part of the tradition is reported in *Kāfi*, III, 362.

¹⁴⁴See n. 97 in this chapter. *Kāfi*, III, 362. *Mishkāṭ*, I, 332; Robson, I, 217; it states, 'Prayer said in a congregation is twenty-seven degrees more excellent than prayer said by a single person.' Transmitted by Bukhārī and Muslim.

¹⁴⁵*Kāfi*, III, 363.

¹⁴⁶For *wafd* see also n. 6, Chap. 7.

dawn had risen and spread, and his head was drowsy [and he fell asleep]. When the Messenger of God prayed that morning, he did not find 'Alī in the congregation; he came to Fāṭima and said, "O my dear daughter, what is the matter with your uncle's son [husband] that he did not pray his morning prayer with us?" She related to him what had happened, and the Messenger of God said, "What he has missed by not praying his morning prayer with the congregation was more meritorious than praying for the whole of the night." Because of the Messenger of God's words 'Alī woke up. The Messenger of God then told him, "O 'Alī, he who has prayed the morning prayer with the congregation has, so to say, prayed for the whole of the night, bowing and prostrating himself. O 'Alī, know you not that the earth complains to God when a learned man falls asleep before sunrise!"¹⁴⁷

'Alī: He visited Abu 'l-Dardā'¹⁴⁸ one early morning and found him asleep, and said, 'What is the matter with you?' Abu 'l-Dardā' said, 'Something happened to me at night and I fell asleep.' 'Alī said, 'Did you miss the congregation for the morning prayer?' Abu 'l-Dardā' said, 'That is so.' 'Alī replied, 'O Abu 'l-Dardā', to offer the *ishā* and the *ḥajr* with the congregation is preferable to me than [worshipping] during the interval between these two. Have you not heard the Messenger of God saying, "If they only knew [the merit] of these two prayers, they would surely have come crawling"?¹⁴⁹ For verily they are a requital of the sins committed during the interval.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'A man of the tribe of Juhayna¹⁵⁰ came to the Messenger of God and said, "O Messenger of God, I live in the desert with my wife, children, and slaves. I give the *adhān* and say the *iqāma* and I pray with them. Do we constitute a congregation?" The Messenger of God replied, "Yes." The man said, "Sometimes the slaves follow the tracks of the camels [and go far away],¹⁵¹ and my wife

¹⁴⁷Cf. *Mishkāt*, I, 338–9; Robson, I, 221.

¹⁴⁸Abu 'l-Dardā' was a learned Companion of the Prophet. Ibn Sa'd states that he was one of six Companions who had collected the Qur'ān during the life of the Prophet. After the Arab-Muslim conquests he settled in Damascus and died there. His wife used to complain that he prayed during the night and fasted during the day. Ibn Sa'd, II/ii, 112–15, IV/I, 60–1.

¹⁴⁹Cf. *Mishkāt*, I, 335, 338–9; Robson, I, 219, 221.

¹⁵⁰Juhayna was a prominent branch of the Qudā'a tribe that controlled the coastal territory through which the caravans travelling from Syria to Mecca passed. For details see EI², s.v. Qudā'a. *Kāfi*, III, 362; reported from the same Imam.

¹⁵¹In *Kāfi*: 'My children follow the tracks of the cattle ... the slaves go away searching for rain water.'

and children and I remain there. I give the *adhān* and say the *iqāma* and I pray with them. Are we a congregation?" The Messenger of God said, "Yes." The Juḥaynī asked, "Sometimes my children are away searching for rainwater, and my wife and I remain there. So I give the *adhān* and say the *iqāma*, and I pray with my wife. Do we form a congregation?" The Messenger of God said, "Yes." The man asked, "On occasion the wife is away on some work of her own and I remain alone. So I give the *adhān* and say the *iqāma* and pray by myself. Am I then a congregation?" The Messenger of God responded, "The faithful one, although alone, constitutes a congregation."

We have said earlier that when one of the faithful gives the *adhān* and says the *iqāma* and prays, there pray behind him two rows of angels!

'Alī: He said, 'On the Day [of Resurrection], when there shall be no shade save the shade of the Throne [there will be] a man [sitting] under that shade who will have left his home and performed his ablution completely, then walked to one of the houses of God in order to offer the mandatory prayers but died before reaching his destination. [There will be] another man [sitting under that shade] who will have woken up for prayer at midnight, after all eyes were closed with sleep, and performed his ablution fully, then proceeded to a mosque [to offer his prayers] but died before reaching his destination.'

['Alī]¹⁵²—the Messenger of God: He said, 'Proper performance of ablution in adverse circumstances, turning one's steps towards the mosque, and awaiting one prayer after another wash away sins completely.'

['Alī]¹⁵³—the Messenger of God: He said, 'The best of rows for prayers is the first; and the best of rows for funeral prayers is the last.' [The people] asked, 'Why is this, O Messenger of God?' He replied, 'Because [the last rows] provide a cover for women; hence the best of rows for men is the first, and the best for women is the last.'¹⁵⁴ If only the people knew the merit of the first row in prayer, no one would reach it except by casting lots.'

'Alī: He said, 'The most excellent of rows is the first, and that is the row of angels. The best of positions in the first row is to the right of the imam.'¹⁵⁵

'Alī: He said, 'Fill up the gaps in every row. He who can fill up the

¹⁵²Missing from MS Q.

¹⁵³Missing from MS Q.

¹⁵⁴*Mishkāṭ*, I, 341; Robson, I, 224; it states, 'The best of men's rows is the first and the worst is the last, but the best of the women's rows is the last and the worst is the first.'

¹⁵⁵Cf. *Mishkāṭ*, I, 342; Robson, I, 225.

first row, or the row that follows it, let him do so. Verily this is pleasing to your Prophet. [Similarly] complete the rows, for God and His angels send their salutations to those who complete the rows.¹⁵⁶

Ja'far b. Muḥammad: He said, 'Fill up the rows completely.'¹⁵⁷ No harm comes to the man who, finding tight space in the first row, falls back to the second in order to complete it. If you find a gap in front of you while praying there is no harm in sidling up to it and filling the gap.'

The Messenger of God: He said, 'Join up your ranks and stand shoulder to shoulder. Do not fall behind and break your ranks, lest Satan get between you as lambs get between [the legs of] sheep (*al-ḥadhaf*).'¹⁵⁸ The Messenger of God likened the act of Satan to the manner in which lambs slip in between [the legs of full-grown] sheep.¹⁵⁹

'Alī: He said, 'The Messenger of God admonished me, "O 'Alī, never should you stand in the *'athkal*.'" I said, "What is *'athkal*, O Messenger of God?" He said, "That you should pray standing alone behind the rows [in a congregation]."' The Messenger of God meant—and God knows better—that he should not pray alone when there is room in any of the rows in front of him. But if there is no such space left, there is no harm done in praying alone behind the rows.

This is so because it has been reported to us from Abū 'Abd Allāh Ja'far b. Muḥammad that he was asked concerning a man who participated in a congregation with a group but stood alone in a row by himself as the row in front of him was tightly packed. The [Imam] said, 'If that was so and he prayed alone he [must be deemed to have been] with them [in the group].'

'Alī: He said, 'Stand in the ranks, as far as possible. If there is great pressure you may go forward or fall back, and there is no harm in it.'

'Alī: He said, 'If a man comes [to a mosque] and is unable to take a position in a row, he should stand facing the *imam* and should not disturb the ranks. This will be a fulfilment of the obligation.'¹⁶⁰

Abū Ja'far Muḥammad b. 'Alī: He said, 'It is necessary that all the ranks be perfectly formed [with no gaps in them]. Between two rows there should be a space [equivalent to] the length of a human being prostrating.'¹⁶¹

¹⁵⁶*Mishkāt*, I, 340–1; Robson, I, 223–4.

¹⁵⁷*Mishkāt*, I, 340–5; Robson, I, 223–6; most of the traditions emphasize the importance of straightening the rows.

¹⁵⁸*Ḥadhaf* is a kind of small black sheep and the singular is *ḥadhafa*.

¹⁵⁹*Mishkāt*, I, 341–2, 343; Robson, I, 224, 225.

¹⁶⁰*Kāfi*, III, 376.

¹⁶¹*Ibid.*, III, 377.

If the space is less than that between the rows during the congregation, then their prayer is not a valid prayer.'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'It is fitting that those who immediately follow the imam in prayer be persons of insight and intelligence so that they can prompt him, should he falter [in recitation].'¹⁶²

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'When women pray with men, they should stand in the last row. They should neither stand ahead of them, nor by their side, unless there is a barrier (*sutra*) between them and the men.'

THE DISTINCTIVE FEATURES OF PRAYER

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'Verily, actions [shall be judged] solely with reference to their intentions, and a man is entitled [to be rewarded] only for that which he intends.'¹⁶³

Abū Ja'far Muḥammad b. 'Alī: He said, 'It is not proper for a man to begin prayer unless he resolves¹⁶⁴ to do so. The prayers of him who resolves to pray shall be accepted as long as nothing intervenes in his worship, if it was performed both outwardly and inwardly.'¹⁶⁵

'Alī: Concerning the Word of God *So pray unto your Lord, and sacrifice* (108:2), he said, 'The expression *al-naḥr* (sacrifice) means raising the two hands in prayer towards the face.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'When you commence the prayer, raise the palms of your hands but do not raise them beyond the ears. Then leave them to extend [downwards] and say *Allāhu akbar*.'¹⁶⁶

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He said, 'The beginning of prayer is the *takbīrat al-ihrām*;¹⁶⁷ he who has omitted it should say it afresh. The *takbīr* is the sanctification of the prayer [and therefore all other actions are forbidden after its pronouncement], and the *taslim* [the sending of salutations] is the end of the prayer [and thereafter all actions are permitted].'

¹⁶²Ibid., III, 363. Cf. *Mishkāt*, I, 340–1; Robson, I, 223.

¹⁶³It is a well-known *ḥadīth* transmitted by Bukhārī and Muslim. *Mishkāt*, I, 8; Robson, I, 3.

¹⁶⁴*Niyya* is a general term, meaning 'intention', but when such a mandatory action is to be performed as ritual prayer, at the moment of commencing it, the word 'resolution' seems to be more appropriate.

¹⁶⁵Explained by Nu'mān in *Ta'wīl al-da'ā'im*, I, 259.

¹⁶⁶*Kāfi*, III, 296.

¹⁶⁷That is to pronounce *Allāhu akbar* after making the resolution. *EI*², s.v. *Takbīr*.

'Alī: He said, 'When you commence to pray, say, "God is greatest. I have turned my face as a *Ḥanīf* (believer in one God and upright by nature)¹⁶⁸ and as a Muslim (submitting to the will of God) towards Him who created the heavens and the earth. I am not a polytheist. Indeed my prayers and my devotion, my life and my death belong to God, the Lord of the worlds (universe). He is One and without any associate. That is what I have been commanded, and I am a Muslim."¹⁶⁹

After the *takbīrat al-ihrām*, many orisons have been reported in a variety of versions from the Imams, which we have abridged in this book. This only shows that no orisons at this juncture are regarded as fixed [and determined], as if they alone are mandatory [to fulfil the obligation]. However, what we reported from 'Alī is excellent.

Ja'far b. Muḥammad: He said, 'After turning your face to God, ask for His refuge from Satan, saying, "I beseech God the Hearing and Knowing One [to save me] from Satan the Accursed."¹⁷⁰

The Messenger of God: He said, 'Let everyone direct his sight to the place of prostration,' and he forbade the worshippers to turn their eyes heavenward while praying.

Abū Ja'far Muḥammad b. 'Alī: He said, 'Do not turn your face from the *qibla* during prayers lest the prayers be annulled, for verily the Almighty has told His Prophet, *So turn thy face towards the Inviolable Place of Worship [the Ka'ba], and ye (O Muslims), wheresoever ye may be, turn your faces [when ye pray] towards it (2:144)*. Show your fear by your eyes and do not raise them towards the sky; but let your sight be riveted to the place of prostration.¹⁷¹

The Messenger of God: Once he entered the mosque and saw Anas b. Mālīk¹⁷¹ looking around while praying. So the Messenger of God said, 'O Anas, worship as if you are saying farewell, believing that this was the very last of your prayers. Rivet your eyes to the place of prostration. Care not for him who is on your right or on your left. Know only that you are before One who beholds you while you cannot behold Him.'

Ja'far b. Muḥammad: Concerning the Word of God *Who humble themselves in their prayer (23:2)*,¹⁷² he said, '*Khushū*' (humility, fear) is to

¹⁶⁸See n. 3 in this chapter for the meaning of *ḥanīf*.

¹⁶⁹A longer version, reported by 'Alī from the Messenger of God, is reported in *Mishkāt*, I, 256-7; Robson, I, 165-6. *Kāfi*, III, 297.

¹⁷⁰*Kāfi*, III, 286.

¹⁷¹A companion of the Prophet and one of the most prolific traditionists, he died at Baṣra at a very advanced age. *Et*², s.v. Anas b. Mālīk.

¹⁷²Sale, *Koran*, 335.

lower the eyes in prayer,' and he said, 'He who loses his attention in prayer ceases to pray.'¹⁷³

The Messenger of God: He said that prayer is based on four foundations. One of them is to perform the ablutions (*wuḍū'*) properly; the second is the bowing (*rukū'*);¹⁷⁴ the third is the prostration (*sujūd*);¹⁷⁵ and the fourth is humility (*khushū'*). The people asked, 'What is *khushū'*, O Messenger of God?' He said, 'It is the humility (*tawāḍu'*) in prayer with which the slave should approach His Lord with all his heart. When he perfects his bowing, his prostration, and all the other foundations of prayer, then the prayer ascends to Heaven illumined by Light, and the gates of Heaven are open for it. Such a prayer then says, "You have preserved me carefully, so may God preserve you." The angels will say, "The blessings of God be upon him who worships in this manner." But if the prayer is not completed in its four foundations it ascends and finds itself in darkness, and the gates of Heaven are bolted and barred against it. Such a prayer then exclaims, "You [O worshipper] have ruined me; may God ruin you." Whereupon such a prayer will be thrown back to his face.'

'Alī b. al-Ḥusayn [Zayn al-ʿĀbidīn]: Once during prayer his mantle fell from his shoulders and he let it lie until he had completed his prayers. Thereupon some of his companions remarked, 'O son of the Messenger of God, your mantle fell from your shoulders and you disregarded it and continued your prayer, while you yourself have prohibited us from behaving likewise!' [The Imam said], 'Fie on thee! Do you know in whose presence I stood? My attention by God, was directed to something other than the mantle. Do you not know that only that prayer is accepted from the worshipper in which he is totally engrossed?' Then it was said to him, 'O son of the Messenger of God, if that be the case, we are totally lost!' [The Imam] said, 'Nay, but God completes [the shortcomings of those prayers] by the supererogatory prayers [that you have offered].'

[Alī b. al-Ḥusayn]: When he performed his ablutions and commenced his prayer, his face would become pallid and change its hue. On one occasion he was asked the reason and he said, 'Because I intended to stand before a mighty King!'¹⁷⁶

Abū Jaʿfar and Abū ʿAbd Allāh: They said, 'The merit accruing to a worshipper is restricted to that part of his prayer on which he concentrates fully. Accordingly when his attention wanders [and he strays from his prayers] the entire prayer is folded and thrown back in his face.'

¹⁷³Cf. *Kaḥf*, III, 285.

¹⁷⁴Rāzī, *al-Zīna*, fol. 279, explains the linguistic connotation of *rukū'*.

¹⁷⁵Ibid., fol. 280; he elucidates the meaning of *sujūd* here.

¹⁷⁶*Kaḥf*, III, 285.

Ja'far b. Muḥammad: He said, 'As soon as you have uttered the *takbīrat al-iḥrām* give the fullest attention to your prayer; for if you give your full attention to it, God will turn towards you. But if you turn your attention away from your prayers, God will turn away from you. Often, only half or a third or a fourth or a sixth part of the prayer reaches God, in proportion to the concentration of the worshipper. God does not bestow any favour on an inattentive mind.'

Abū Ja'far and Abū 'Abd Allāh: When they were engaged in prayers, their faces changed colour—sometimes ruddy, sometimes pallid—as if they were addressing someone visible to them.

'Alī: When he commenced his prayer, he was like an unshakeable structure or an immovable pillar. Sometimes when he bowed or prostrated himself, birds would perch on his back.¹⁷⁷ None could emulate the prayer of the Messenger of God except 'Alī b. Abī Ṭālib and 'Alī b. al-Ḥusayn.

Ja'far b. Muḥammad: He was asked concerning a man who, while praying, put his weight alternately on one leg and on the other, or put his foot backward and forward without cause. He said this was immaterial provided the movements were not (excessive and) abominable. [Imam al-Ṣādiq] further added, 'Verily the Messenger of God prohibited the worshipper to stand with his legs apart.' He said that this was the practice of the Jews. The most that can be done is to stand with the legs apart by a span of a hand or less.¹⁷⁸ The best way to stand is to put the feet close together unless there is a valid cause against doing so.¹⁷⁹

[Ja'far b. Muḥammad]: He said, 'When you stand up to pray, do not put your right hand above the left [on the abdomen], or vice versa, for this is the manner in which the People of the Book express their self-abasement [to their superiors or elders];¹⁸⁰ let them to hang at your sides.

¹⁷⁷ Indicating the length in time of his bowing or prostrating himself or sitting, without any motion, so that the birds were led to believe that he was not a living being. Nu'mān, *Ta'wīl al-da'a'im*, I, 267.

¹⁷⁸ The Arabic term *shibr* is generally defined as the space between the extremity of the thumb and that of the little finger when extended apart, but no exact dimensions are given. Lane, s.v. sh-b-r.

¹⁷⁹ Cf. *Kaṭī*, III, 322.

¹⁸⁰ The Arabic term *takfir* means, in this context, the practice of folding hands on the chest or abdomen as an act of self-abasement before superiors or elders, see *al-Ṣiḥāḥ*, s.v. k-f-r; *Majma' al-baḥrayn*, s.v. k-f-r; Kazimirski, s.v. k-f-r. The apparent reason for the rule was not to follow the Jews and the Christians in the postures of self-abasement. The Fāṭimids follow the Mālikis in not folding their hands in prayer over or above the abdomen. The Sunnis generally follow this practice. *Mishkāt*, I, 249; Robson, I, 161; *Kaṭī*, III, 324; the Imāmī position is the same as the Fāṭimids'; Ibn Rushd, *Bidāya*, I, 132; Jaziri, *al-Fiqh*, I, 271.

For it is best that [while praying] you should not be distracted by anything else.'

Ja'far b. Muḥammad—his father—Jābir b. 'Abd Allāh al-Anṣārī:¹⁸¹ [He said], 'The Messenger of God said to me, "How do you recite the Qur'ān when praying?" I said, "Praise be to Allah, Lord of the Worlds" (1:1). The Messenger of God said, "Say, 'In the name of Allah, the Beneficent, the Merciful. Praise be to Allah, Lord of the Worlds.'"¹⁸²

The Messenger of God—'Alī—al-Ḥasan—al-Ḥusayn—'Alī b. al-Ḥusayn—Muḥammad b. 'Alī—Ja'far b. Muḥammad: They used to recite the *basmala* audibly before the *Fātiḥa* and before beginning [any other] *sūra* in each *rak'a* of prayer in which the *sūras* are recited audibly. They used to recite the *basmala* inaudibly in both the *sūras* where the *sūras* were to be recited in that manner. 'We the progeny of Fāṭima are agreed upon this course,' said [Imam] 'Alī b. al-Ḥusayn [Zayn al-'Ābidīn].¹⁸³

Ja'far b. Muḥammad: He said, '*Taqīya* (dissimulation)¹⁸⁴ is my religion and the religion of my fathers, except in three matters: the drinking of intoxicants; the rubbing of water over the foot covering [in ablution];¹⁸⁵ and avoiding the utterance of the *basmala* audibly.'¹⁸⁶

The Imams: They said, 'Begin each *rak'a* of prayer with the *basmala*, and then recite the *Fātiḥa*. And in the first two *raka'āt* of every prayer recite a *sūra* of the Qur'ān after the *Fātiḥa*.'

They [the Imams] disapproved of the practice of uttering *āmīn* after the *Fātiḥa* [aloud] as the commonalty do.¹⁸⁷ [Imam] Ja'far b. Muḥammad said, 'Only the Christians utter it [*amen*].'

Ja'far b. Muḥammad—his father—his ancestors—The Messenger of

¹⁸¹See n. 6 in Chap. 1 for Jābir.

¹⁸²According to the Fātimid practice the *basmala* should be recited loudly at the beginning of every *sūra* in the obligatory prayers. Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence,' 118. *Mishkāt*, I, 262, 267; Robson, I, 169, 173; the tradition transmitted by Bukhārī and Muslim states, 'He who does not recite *Fātiḥat al-Kitāb* is not credited with having prayed.' Tirmidhī states that the Messenger of God used to commence his prayer with, 'In the name of God, the Compassionate, the Merciful.'

¹⁸³On all such matters there was apparently great divergence among the schools of law, and thus a formidable array of authorities was deemed appropriate by Nu'mān. *Kāfi*, III, 299, 302; it is the same position as in the *Da'ā'im*.

¹⁸⁴See n. 213 in Chap. 2 for *taqīya*.

¹⁸⁵See ns 46 and 48 in Chap. 3.

¹⁸⁶See n. 47 in Chap. 3.

¹⁸⁷*Kāfi*, III, 300; the same position as maintained by Nu'mān. *Mishkāt*, I, 263; Robson, I, 169–70; the *ḥadīth* transmitted by Bukhārī and Muslim states, 'Say *Amen* when the imam says it, for if anyone's utterance of *Amen* synchronizes with that of the angels, he will be forgiven his past sins.'

God: He said, 'My community will never fail to be on the path of righteousness and the excellent and beautiful law (*shari'a*) of their religion so long as they do not trample upon the *qibla*, or turn away whilst praying, as do the People of the Book, or make a clamorous noise in uttering *āmin*.'

Ja'far b. Muḥammad: He said, 'While praying the *ḥuḥr* and the '*ishā*', *sūras* such as *al-Mursalāt* (*sūra* 77) or *al-Takwīr* (*sūra* 81) should be recited; for the '*aṣr*', *sūras* such as *al-Ādiyāt* (*sūra* 100) or *al-Qārī'a* (*sūra* 101); for the *maghrib*, *sūras* such as *al-Tawhīd* or *al-Ikhlāṣ* (*sūra* 112) or *al-Naṣr* (*sūra* 110); and for the *fajr*, *sūras* longer than all of them may be recited.'

In this matter [of recitation of the Qur'ān] there are no hard and fast rules.¹⁸⁸ We have already mentioned why it is desirable to shorten a congregational prayer and why the prayer should so be conducted as to meet the needs of the weakest among the worshippers, for among them there are the needy, the sick, and the infirm. It is meritorious for a man praying alone to prolong his prayer, subject always to his capacity to do so. It does not matter, however, if, in the *fajr* prayers, longer (*ṭiwāl al-mufaṣṣal*) *sūras* are recited, and in the *ḥuḥr* and '*ishā*' the middling ones (*awsāt*), and in '*aṣr*' and *maghrib* the shorter ones (*qisār*).¹⁸⁹

Ja'far b. Muḥammad: He said, 'If a man begins reciting a particular *sūra* of the Qur'ān, he is entitled to drop it and begin another if he so wishes, so long as he has not completed the recitation of one half of it. The one exception is *Qul huwa 'llāh* (*sūra* 112), for this cannot be dropped [after commencing]. The same rule applies to *al-Jumu'a* (*sūra* 62) and *al-Munāfiqūn* (*sūra* 63), especially during the Friday prayers.¹⁹⁰ No other *sūras* can be substituted for these two. If, however, the worshipper begins a Friday prayer with *Qul huwa 'llāh*, he may substitute *al-Jumu'a* or *al-Munāfiqūn* for it. [This is a special exception.]'

[Ja'far b. Muḥammad]—his father—his ancestors: The Messenger of God forbade the recitation of less than one whole *sūra* in a mandatory prayer. He also forbade the recitation of *sūras* in parts¹⁹¹ in the *farīda* prayer. Likewise, two consecutive *sūras* (*qirān*) should not be recited after

¹⁸⁸For different *sūras* to be recited, see *Mishkāt*, I, 264 ff.; Robson, I, 170 ff.

¹⁸⁹The glosses in MSS C and D, citing the book *al-Su'āl wa 'l-jawāb* [by Amīnī b. Jalāl], mention that the *sūras* from *al-Hujurāt* to *al-Mujādala* [49–76] are *ṭiwāl al-mufaṣṣal*, and from *al-Mujādala* to '*Amma yatasa' alūn* (or *al-Naba'*) [58–77] are the *awsāt*, and from '*Amma yatasa' alūn* to *al-Nās* [78–114] are the *qisār*.

¹⁹⁰Kaṭī, III, 299; *Mishkāt*, I, 266; Robson, I, 172.

¹⁹¹The Arabic term is *tab'īd* (to divide into parts), which means to recite a portion from one *sūra* and a portion from another *sūra*.

the *Fātiḥa*.¹⁹² In the supererogatories (*nawāfil*), however, both the *tab'īd* and the *qirān* are permitted.¹⁹³

'Alī, the Commander of the Faithful: He was asked once to explain the meaning of the Word of God. *And chant the Qur'ān in a distinct and sonorous voice* (73:4).¹⁹⁴ He said, 'Utter the words distinctly, and do not scatter them about as if they were discarded dates; nor should you recite them in the manner of the reciting of poetry. Pause duly at its dazzling beauty and allow your hearts to be moved by it. Never let any one of you be anxious for a *sūra* to end.'

Ja'far b. Muḥammad: He was asked how loudly an imam should recite Qur'ānic verses during prayers. Should he utter them so loudly as to be audible to the hindmost in the congregation, however great the crowd? [The Imam] said, 'The imam should recite the Qur'ān in a moderate tone; this indeed has been clarified by God in His Book when He says, *Be not loud voiced in thy worship nor yet silent therein, but follow a way between*' (17:110).¹⁹⁵

Ja'far b. Muḥammad: He said, 'The recitation of the Qur'ān in prayer is a *sunna*, and not one of the mandatory injunctions. He who forgets to recite it need not repeat his prayers; nevertheless, he who deliberately omits it has not fulfilled the obligation to pray. The reason is that no man can fulfil his religious obligation when he chooses deliberately to disregard the practice of the Prophet (*sunna*). The least that should be done when offering prayers is the *takbīrat al-iḥrām*, and the bowing and the prostration. But [it should be made abundantly clear that] these actions should be performed without intentionally disregarding the minimum requirements of prayer.¹⁹⁶ Thus he who deliberately omits the recitation of the Qur'ān must necessarily repeat his prayer, but he who unwittingly overlooks such a recitation has done no wrong.'¹⁹⁷

Ja'far b. Muḥammad: his father—his ancestors—'Alī: The Messenger of God used to raise his hands up to his ears while uttering the *takbīrat al-iḥrām*, and while uttering the *takbīr* in bending for the *rukū'*, and while

¹⁹² After the *Fātiḥa* only one *sūra*, either short or long, is to be recited.

¹⁹³ Cf. *Kaṭī*, III, 300, 301.

¹⁹⁴ Sale, *Koran*, 557; cf. *Kaṭī*, III, 298.

¹⁹⁵ *Kaṭī*, III, 304.

¹⁹⁶ The Arabic term is *ḥudūd al-ṣalāt*. According to the gloss in MS D, there are seven *ḥudūd* of prayers: [*takbīrat*] *al-iḥrām*; stance in front of the *qibla*; recitation of the Qur'ān; bowing (*rukū'*); obeisance (*sujūd*); the witnessing (*tashahhud*); and the final salutation (*taslīm*). The gloss is from Nu'mān, *Ta'wīl al-da'a'im*, I, 275.

¹⁹⁷ *Mishkāt*, I, 262; Robson, I, 169. The *ḥadīth* transmitted by Bukhārī and Muslim states, 'He who does not recite *Fātiḥat al-Kitāb* is not credited with having prayed.'

uttering the *takbīr* in raising himself after the *rukū'*. This has been related to us on the authority of [the Imams] Abū Ja'far [al-Bāqir] and Abū 'Abd Allāh [al-Ṣādiq].¹⁹⁸

Ja'far b. Muḥammad: He said, 'When you are performing the posture of bowing, keep the palms of your hands on the knees, and keep your back level, and do not raise your head upwards or bend it downwards. When the Messenger of God bowed for his *rukū'*, were water to be spilt on his back, it would have stood still [so straight and so low was the level of his back].' [The Imam] said, 'When you bow for your *rukū'*, keep your fingers open on your knees and allow them to reach around the knees to the fullest extent.'¹⁹⁹

Ja'far b. Muḥammad: He said, 'In the posture of bowing, say, "Glory be to my Lord the Mighty One," three times.'²⁰⁰

[Ja'far b. Muḥammad]: his ancestors: There are many orisons that can be said in *rukū'* and *sujūd*, which we have abridged. Three declarations of glorification are sufficient, but he acts meritoriously who, while praying alone, repeats them in excess of the number.

Ja'far b. Muḥammad: He said, 'The following orison may also be said in *rukū'*:

O Lord, to Thee I bow, and to Thee I humble myself, in Thee I have faith, and in Thee I trust. Thou art my Lord. My hearing, my sight, my hair, my skin, my flesh, my blood, my brain, my sinews, my bones, and what my feet support humble themselves before Thee. [I am not the one who] would scorn and be haughty and tired of Thy worship, or of submitting to Thee, or humbling myself in Thy obedience. Glory be to my Lord the Almighty.²⁰¹

It should be said three times.'

[Ja'far b. Muḥammad]: He said, 'When you lift up your head from the *rukū'*, say, "May God give ear to the man who gives praise to Him." Then say, "Our Lord, praise be to Thee."'

[Ja'far b. Muḥammad]: his saintly ancestors: After the posture of *rukū'*, there are many other orisons that may be said among them that you may say:

O God, all praise to Thee our Lord, all praise to the Lord of the Worlds, possessor of power, greatness, might, majesty, and strength. O God, extend Thy forgiveness

¹⁹⁸For the proper description of various postures, see also *Mishkāṭ*, I, 246 f., Robson, I, 159 ff.

¹⁹⁹*Kāfi*, III, 306, 322.

²⁰⁰*Ibid.*, III, 316; *Mishkāṭ*, I, 277; Robson, I, 180.

²⁰¹*Mishkāṭ*, I, 257; Robson, I, 165; *Kāfi*, III, 306.

to me, and Thy mercy. Set me up and raise me, for when thy favours were bestowed on me I was but a beggar.

Now this, as well as those orisons which have the same meaning, are to be said only by those who pray alone; but to fulfil the obligation of congregational prayer, it suffices to say: 'May God hear the prayer of one who praises Him.' This should be said audibly, while the words 'Our Lord, to Thee all praise,' should be uttered to oneself. Then he should utter the *takbīr* [*Allāhu akbar*] and prostrate himself.

[Ja'far b. Muḥammad: He said, 'When you bow down to prostrate yourself, put your hands on the ground a little earlier than your knees.'²⁰²

[Ja'far b. Muḥammad]: He said, 'When you perform the *sajda*, let your palms be extended on the ground and the ends of your fingers be parallel to your ears, just as they would be when you raise them for the *takbīr*.²⁰³ Keep your elbows upwards and do not put your forearms on the ground; set your nose and your forehead on the ground; put your hands out of your sleeves and place them squarely on the ground or whatever you are praying on. Do not perform the *sajda* so that only the edge of your turban [touches the ground. Move your turban slightly] and lay bare your forehead; for your forehead should come in contact with the ground at least to the extent of a dirham.'²⁰⁴

[Ja'far b. Muḥammad]: He said, 'In the act of prostration (*sujūd*), say three times: "Glory be to my Lord, the most Exalted."²⁰⁵

[Ja'far b. Muḥammad]—his ancestors: Many variations regarding the orisons to be said in the act of prostration are reported to us. Among them

²⁰²The gloss in MS D taken from the *Ikḥbār* of Nu'mān furnishes the details of the correct manner of the *sujūd*. It states: 'There are two different versions of the exact position of the hands. First, that the hands should be placed in front of the knees; or second, that they should be placed behind the knees. The first is the more approved practice, and usage follows it; but if the knees are kept ahead of the hands, this is also permissible.' *Mishkāṭ*, I, 282; Robson, I, 184; one tradition states that when the Messenger of God prostrated himself he got down on his knees before putting his hands on the ground, while the other tradition states that one must not kneel in the manner of a camel, but should put down his hands before his knees.

²⁰³This is a good example to show how the various schools of jurisprudence differ among themselves about some of the minutiae. The Shāfi'i and the Hanbalī schools are unanimous that the palms be parallel to the shoulders and that the fingers be together and face the *qibla*. The Mālikī school recommends that the palms be parallel to the ears or close to them, while the fingers be together and face the *qibla*. The Hanafī School prefers that the face be between the palms, but if the palms be parallel to the shoulders it is fine, as it is also the *sunna*. Jazīrī, *al-Fiqh*, I, 280–1.

²⁰⁴*Kaḥf*, III, 320, 321; *Mishkāṭ*, I, 280–4; Robson, I, 182–4.

²⁰⁵*Kaḥf*, III, 316.

a threefold repetition of the glorification is considered more meritorious when praying with the congregation. But for him who prays by himself, he may say in his prostration:

O God, to Thee I prostrate myself; in Thee I have faith; in Thee I have placed my trust; Thou art my Lord and my God. My face has prostrated itself before Him who created it and shaped it, and gave it hearing and sight. He is Allāh, the Lord of the Worlds (universe). Glory be to my Lord the Exalted One, exalted above all others.²⁰⁶

This prayer should be uttered three times.

Among the many orisons to be said between the two prostrations as recommended by [the Imams] the mention whereof would unduly lengthen our book [one may be mentioned] that you may pray as follows: 'O God, show Thy forgiveness and mercy to me; set me up and raise me up.'

Ja'far b. Muḥammad: He said, 'When you intend to rise from your prostration, do not close your fists—that is, do not close and lean on them in the act of rising—but open them out completely and put your weight on them and then get up [onto your feet].'²⁰⁷

'Alī: When rising from the *sujūd* to stand up for prayers, he used to say, 'O God, verily it is by Thy strength and might that I stand up and sit.'²⁰⁸

Ja'far b. Muḥammad: After performing the first two *raka'āt* of *ṣuḥr*, *'aṣr*, *maghrib*, and *'ishā'*, he used to say the following prayer in the first *tashahhud* (witnessing):²⁰⁹

[I begin] in the name of God, and for God's sake and all the most Beautiful Attributes apply to God. I bear witness that there is no deity other than God, He is One and without associate. And I bear witness that Muḥammad is His slave and Messenger. O God, bless Thou Muḥammad, Thy Prophet, and accept his intercession on behalf of his community, and bless the people of his household.²¹⁰

²⁰⁶Ibid., III, 308; cf. *Mishkāt*, I, 257; Robson, I, 166.

²⁰⁷Cf. *Kaṣf*, III, 322.

²⁰⁸Ibid., III, 326.

²⁰⁹*Tashahhud* is a part of the prayers that comes at the end of every two *rak'as*. The first is called the shorter, which after the *basmala* and *ḥamdala* ends with the testimony that there is no god but God and that Muḥammad is His servant and Messenger. Rāzī, *al-Zīna*, fol. 281r; he states that it is so called because it contains two *shahādas*. The second is called the longer and begins with *al-taḥyāt al-tayyibāt*. It is also called *al-taḥyāt* in contradistinction to *al-tashahhud*. Rāzī explains its etymology from *ḥayāt* and states that it means the confession that eternity (*baqā'*) is for God alone.

²¹⁰Cf. *Kaṣf*, III, 324.

Concerning the formula of *tashahhud*, many are the orisons reported from [Imam al-Ṣādiq] and his ancestors, but the above and any other which bears the same meaning is the most appropriate. But this does not imply that in prayers there is something hard and fast which alone fulfils the obligation.

Ja'far b. Muḥammad: He used to recite the following prayer in the second and the final *tashahhud* before completing the prayer:

[I begin] in the name of God and for God's sake. The adorations of the tongue, the very best, the purest are due to God. The acts of worship, all righteous acts, all the benefactions [done during] the mornings and evenings, and all the abundant bounties are due to God. Whatever is good and pure and right and wholesome is for God. I bear witness that there is no deity other than God. He is One and without associate. I bear witness that Muḥammad is His slave and Messenger. God sent him with guidance and the true religion. He is the bearer of good tidings and a warner before the Day of Judgement. I bear witness that God is the best of Lords and Muḥammad, the best of messengers.²¹¹

Then give all excellent praise [O worshipper] to your Lord to the best of your capacity, and send blessings to Muḥammad and his progeny.²¹² Then [O worshipper] ask for favours from your Lord for yourself, and choose among prayers those that please you most. When you have ended, send salutations to the Prophet [Muḥammad] saying:

Salutations to thee, O Prophet, and the Mercy and Favour of God. Salutations to Muḥammad b. 'Abd Allāh. Salutations to Muḥammad the Messenger of God. Salutations to us and the righteous servants of God.²¹³

Concerning the orisons to be said in the *tashahhud*, many versions have come down to us from [Imam al-Ṣādiq] and his ancestors, which proves that there is no fixed formula that alone is necessary to fulfil the obligation. But the orison mentioned by us is the most beautiful, if God so wills.

Ja'far b. Muḥammad: He said, 'When you have completed the *tashahhud* [the second *tashahhud*], send salutations, turning to your right and to your left saying:

Salutation to you (or Peace be on you) and the Mercy of God and His blessings; salutation to you (or Peace be on you) and the Mercy of God and His blessings.'²¹⁴

²¹¹Mishkāt, I, 286; Robson, I, 185.

²¹²Mishkāt, I, 290; Robson, I, 188.

²¹³Mishkāt, I, 288–9; Robson, I, 187.

²¹⁴Mishkāt, I, 298, 299; Robson, I, 193.

THE SUPPLICATION (DU'Ā') AFTER PRAYER

Ja'far b. Muḥammad—his father—his ancestors—'Alī, the Commander of the Faithful: The Messenger of God said, 'If a man sits on his prayer-mat folding his legs, remembering God—Blessed and Exalted is He above all others—God will depute an angel to say, "Increase in honour and good works shall be inscribed in your favour, your sins shall be erased from the record, and [higher] stations shall be built for you." [This takes place] until the worshipper leaves his prayer mat.'

Abū Ja'far b. 'Alī: He said, 'Beseeching [the Lord] can be undertaken either before or after prayers.'

Ja'far b. Muḥammad: With reference to the Word of God *So when thou art relieved, still toil and strive to please thy Lord* (94:7–8), he said, 'This [refers to] the supplicatory orisons after the mandatory prayers. You are warned not to omit them. This is so because the merit of supplication after the mandatory prayer is equivalent to the merit of the mandatory prayer over the supererogatory one.'²¹⁵

Then he said, 'God says, *Pray unto Me and I will hear your prayer. Lo! those who scorn My service, they will enter hell, disgraced* (40:60). The most excellent form of worship is supplication and the verse refers to it.' [The Imam] was asked concerning the Word of God *Lo! Abraham was mild, imploring, penitent* (11:75); and he said, 'Imploring (*awwāh*) [means] the one who supplicates abundantly.'

Abū Ja'far: He said, 'The supplication after the mandatory prayer is better than the supererogatory prayer.'²¹⁶

Abū 'Abd Allāh: He was questioned about two men who entered a mosque and began to pray at one and the same time. One of them said the supplicatory orisons longer than the other and the other recited a greater portion of the Qur'ān. Which of them excelled the other? [The Imam] said, 'There is merit in everything, both are beautiful.' They said, 'We know that; we only wanted to know which of them attracted greater merit?' [The Imam] said, 'The supplication has greater merit. Have you not heard the word of God *Pray unto Me and I will hear your prayer. Lo! those who scorn My service, they will enter hell, disgraced* (40:60)? The supplication, I swear by God, is more meritorious, more meritorious, more meritorious. [Do you think] this is not worship? I swear by God, it is worship, it is worship, it is worship.'²¹⁷ Think you that this is not

²¹⁵Kaṭi, III, 329; also reported from al-Ṣādiq.

²¹⁶Ibid., III, 329–30; also reported from al-Bāqir. For similar traditions see *Mishkāt*, I, 305; Robson, I, 197.

²¹⁷Kaṭi, II, 467.

more arduous? I swear by God, it is more arduous, more arduous, more arduous.'

[Abū 'Abd Allāh]: Whenever he prayed the two *rak'as* of *fajr*, which he did not pray until the rise of dawn, he used to sit putting his weight on the right side. Then facing the *qibla* he used to place his right hand under his right cheek and he would pray as follows:

I have held fast to that firm handle of God, which suffers no cracking, and I have held firmly to the strong rope of God. I seek refuge with God against [the machinations] of the evil spirits, earthly (*ins*) as well as celestial (*jinn*). I seek the Almighty's protection against evildoers, Arab and non-Arab. Sufficient for me is God; I have placed my trust in Him. From God I seek protection; from God I crave the satisfaction of my needs. There is neither strength nor power save in God. O God! Fill my heart with [Thy] Light, and [fill] my hearing, my sight, my tongue, my hair, my skin, my flesh, my breath (blood), my bones, and my muscles, and give Light to me in front of me and behind me and from my right and from my left and above and below. O God, illumine me with Thy Light; [fill me with] Thy favours; [give me] felicity.

Then he used to recite the last five verses of *Āl 'Imrān* (3:190–4) from *Lo! In the creation of the heavens and the earth ... to Lo! Thou breakest not the tryst*. Then he used to say three times over:

Glory be to the Lord of the morning, the Breaker of dawn; He who has created the night for peace, and made the sun and the moon for reckoning.

[Then he used to say]:

O God! Make the first portion of this day beneficial for me; its middle for my happiness; its end for my success. O God! One who rises in the morning may make his demands and pray for his wants from human beings; as for me, I make my demands and pray for my wants from Thee [alone]. One Thou art, and with Thee there is no associate.

Then he used to recite the Throne Verse (2:225) and the Two Refuges (*sūras* 113 and 114); and then used to say the following a hundred times:

Glory be to my Lord the Mighty! and praise be to Him, I crave forgiveness from God and turn to Him in repentance.

[The Imam] used to say, 'Whoever prays in this manner God will build a house in Paradise for him.'

The Messenger of God said, 'I swear by Him who holds the life of Muḥammad in His hands that a man who offers supplicatory orisons from

the break of dawn to the hour of sunrise shall be more successful in his affairs than the one who journeys in the land as a merchant.²¹⁸

[The Messenger of God]: He said, 'He who sits until sunrise remembering God on the prayer mat on which he has performed the dawn prayer has indeed acquired the same merit as that of a pilgrimage to the House of God.'²¹⁹

Ja'far b. Muḥammad: He said, 'When you stand up to perform the prayer, say:

In the name of God, and for the sake of God, everything proceeds from God, and everything returns to God, and everything happens as He wills. There is neither power nor strength save in God. O God, make me one of the visitors and builders of (or one who populates) Thy mosques. Open Thou the gate of Thy mercy unto me and close the gate of Thy disobedience upon me. All praise to God who has made me one of His suppliants. O God, turn Thy face toward me. Mighty is Thy praise.

Then begin your regular prayer.'

'Alī: He said, 'Let him who wishes to obtain the happiness of acquiring merit in full measure say at the end of his prayer:

Glory be to thy Lord, Lord of a majesty which defies description; salutation to all the messengers, and all praise to the Lord of the universe.'

'Alī said, 'He who offers the dawn prayer and sits at the place of prayer, and reads the *sūra* of *Tawḥīd* (*sūra* 112) ten times before sunrise, will avoid every sin during the course of the day, despite the greedy [machinations] of Satan.'

['Alī]: He said, 'The Messenger of God told me, "O 'Alī, at the end of each prayer recite the Throne Verse (2:225); for none but a prophet or a righteous person or a martyr can persevere in its recitation."²²⁰

Abū 'Abd Allāh: He said, 'He who recites the *tasbīḥ* of Fāṭima prior to folding his legs after the mandatory prayers shall be forgiven his

²¹⁸For a similar tradition see *Mishkāt*, I, 306; Robson, I, 197.

²¹⁹*Mishkāt*, I, 306; Robson, I, 197; it states, 'If anyone prays the dawn prayer in a congregation, then sits remembering God till the sun rises, then prays two *rak'as*, he will have a reward equivalent to that for a *ḥajj* and an *'umra*.'

²²⁰*Mishkāt*, I, 308; Robson, I, 198. The *ḥadīth* is transmitted on the authority of 'Alī and states, 'If anyone recites the Throne verse at the end of every prayer, nothing but death will prevent him from entering paradise; and if he recites it when he goes to bed, God will grant security to his house, his neighbour's house, and the inhabitants of the little dwellings around him.'

sins.²²¹ The *tasbīḥ* of Fāṭima, as reported to us on the authority of 'Alī, is that he said, 'One of the foreign kings sent a slave to the Messenger of God. So I told Fāṭima to ask for a servant from him and she went to the Messenger of God and asked for a servant. The Messenger of God told her, "O Fāṭima, I shall give you something better than that," and 'Alī reported the story in its fullness, which we have summarized here. [The Messenger of God told Fāṭima], "After every prayer declare God's greatness [i.e. to utter *Allāhu akbar* (God is great)] thirty-three times; and praise Him [i.e. to say *al-ḥamdu lillāh* (Praise be to God)] thirty-three times; and extol Him [i.e. to say *subḥāna 'llāh* (Glory be to God)] thirty-three times. Thereafter end [your orisons] by saying *lā ilāha illa 'llāh* (there is no deity other than Allāh). This will be [for the utterer] better than the world and what it contains, and better than what you [O Fāṭima] desire!"

Accordingly the Lady Fāṭima, the blessings of God be upon her, made this *tasbīḥ* a fixed practice for herself after every prayer, and thus the orison was named after her. The *tasbīḥ* is therefore as follows: After every prayer, say, '*Allāhu akbar*, *al-ḥamdu lillāh*,' and '*subḥāna 'llāh*' thirty-three times each, and then say, '*lā ilāha illa 'llāh*' once.

For the one who recites this, it brings credit for a hundred good works, and one such good work brings credit for ten of its likes before God. Thus he will obtain after each prayer credit for one thousand good works; and every day he will earn credit for five thousand good works. No one but an ignorant person would decline such a bounty from God; for Almighty God says, *Therefore remember Me, I will remember you* (2:152). Accordingly God will remember the man who remembers Him, as the Blessed and Exalted One says Himself. Whenever a man remembers God while fulfilling his obedience, God always remembers him with His mercy and approval, but the people at large know this not. As it is related from some of the Imams: People abide in the realm of ignorance; they act without knowledge; they earn merit and demerit unwittingly, without understanding. But when they arrive at the Abode of Eternity [they realize that] they have arrived at the Abode of Certainty where they possess knowledge, but cannot perform action [accordingly, for it is too late].

The Messenger of God: In one of his travels he came to a barren place bereft of all vegetation, and he said [to his Companions], 'Go and fetch firewood for us.' They said, 'O Messenger of God, but we are, as

²²¹For a slightly different version of this *tasbīḥ* see *Kāfi*, III, 330–1; it is also reported from al-Ṣādiq. See also *Mishkāt*, I, 304, 305; Robson, I, 196. Here is found a similar version without being called the *tasbīḥ* of Fāṭima.

you see, in an arid terrain!' The Messenger of God said, 'Disperse, all of you, on this mission; and let every one of you fetch, whatever he can.' Thus each one of them went about their way and brought one or two small pieces of firewood, which [even] the wind could carry, and thus there was gathered in front of the Messenger of God a large heap, and he said, 'My only intention was that this might serve as a parable to you. In such ways are good works collected, and in such ways, sins mount up in a heap! Surely God's mercy will come to him who looks to his conscience.'

'Alī: The Messenger of God said to me, 'Let no one belittle the most trivial of kindly acts, even such as pouring water in another's vessel from one's own bucket.' In this connection there are many similar sayings which, if God so wills, we shall mention at the appropriate places.

'Alī: When he ended his prayers [in a congregation] he would slip out to his right, standing up and passing through the ranks quickly.

'Alī: At the end of every obligatory prayer, he used to say the following orisons:

Perfect is Thy Light, and so Thou guidest. Praise be to Thee. Great is Thy compassion, and so Thou forgivest. Praise be to Thee. Thou openest Thy arms and givest. Praise be to Thee. Thy face is of all faces the noblest, our Lord; Thy dignity, incomparable; Thy gifts, the most munificent and the most pleasant. We obey Thee, Lord, and Thou art gratified. We disobey Thee, Lord, and Thou forgiveth. Thou dost hear the cry of the wronged, heal the sick, give relief to the distressed, accept the repentance [of the contrite], and overlook the sins [of the sinful]. No one can thank Thee adequately for Thy favours and no tongue can recount Thy numberless bounties.

Ja'far b. Muḥammad: He said, 'When you have ended your prayer, say:

For Thee, Lord, have I prayed; in Thee have I faith; upon Thee I call; in Thee have I hope! So to Thee I petition to bless my prayers and my orisons, and by them to erase my sins, and ennoble my face, and exalt my rank, and remove my burden, Lord ease my hardship and bestow on me the best of Thy favours. All praise to God who was instrumental in the completion of my prayers, for *worship at fixed hours hath been enjoined on the faithful* (4:103).'

'Alī:²²² At the end of the salutation [marking the end of the prayers], he used to say:

O God, forgive me my sins, past and future; those that were committed manifestly or secretly, and those that are more within Thy knowledge than in mine. First art Thou, and last. There is no god except Thee.

²²²As in MS Q. Blank in the edited text.

Abū Ja'far Muḥammad b. 'Alī: He said, 'The shortest orison that may be said after the mandatory prayer is:

O God, I seek from thee every good within Thy knowledge, and I seek refuge in Thee from the evils that are within Thy knowledge. O God, I ask Thee to give me felicity in all my affairs, and to save me from disgrace in this world and from torment in the Hereafter.²²³

Ja'far b. Muḥammad: He said, 'To offer supplicatory orisons after the dawn prayer is more beneficial for obtaining a livelihood than [a merchant] travelling in different places.'²²⁴

'Alī: He said, 'I heard the Messenger of God saying, "He, who reads the *sūrat al-Ikhlāṣ* (*sūra* 112), a hundred times, after the compulsory prayers, shall cross the Bridge²²⁵ on the Day of Resurrection. There will be eight cubits²²⁶ distance on the right, and eight on the left. Gabriel will be holding on to the man's waistband, and the man will look at the Fire to the right and left, and if he recognizes anyone there as having committed a sin short of polytheism, he will hold him by the hand and lead him [the sinner] to Paradise by his intercession."

Ja'far b. Muḥammad: He said, 'When you have finished the salutation after the prayers, then utter *Allāhu akbar* three times, and say:

There is no deity other than God. One He is, without associate. Majesty belongs to Him; and to Him, all praise. In His hand is all good; and He possesses power over everything. There is no deity other than Him, the One. He it is who has kept His word and helped His slave [Muḥammad] and has overthrown the [opposing] factions singly. Thus sovereignty belongs to Him alone, and to Him all praise. All praise to the Lord of the Worlds.

Thereafter, repeat ten times:

There is no deity other than God;
God is great;
Glory be to God; All praise be to God.

This indeed is the most approved.'

²²³Kaṣf, III, 331.

²²⁴Cf. *ibid.*, III, 331.

²²⁵*Al-Ṣirāt* is the name of a bridge that spans the midst of Hell. It is sharper than a sword, and thinner than a hair. People will be told to cross it, and some of them will practically fly over, others will gallop over like horses, and others will drag themselves along. But many will fall to their destruction at the first step. How one experiences the bridge *al-ṣirāt* at the Resurrection depends on how well one followed the Straight Path (*al-ṣirāt al-mustaḳīm*) in this world. Rāzī, *al-Zīna*, fols. 107–8; Lane, s.v. ṣ-r-ṭ; Murata, *Vision*, 208.

²²⁶Cubit is *dhirā'*; see Hinz, *Islamische Masse*, 55.

[Ja'far b. Muḥammad]: He said, 'The glorification of God should be repeated thirty-three times at the end of every prayer, but if you attain to the figure of one hundred in the utterance of the glorification (*subḥāna 'llāh*) and praise (*al-ḥamdu lillāh*) and exaltation of God (*Allāhu akbar*), the greater the merit.'

The accounts of the *du'ā'*, and the *tasbiḥ*, and the inducements thereof, as related from the Imams, are numerous, but there is sufficiency in what we have related. There is nothing fixed or determined in their formal expression, as if none but the prescribed forms fulfil the obligation; nevertheless, from them flow great reward and merit.

'Alī: He said, 'The Messenger of God was wont to say, "There is no one in my community who rubs his face with his right hand after the completion of prayers and says the following orison, but God will surely grant him all that he wishes:

O God, to Thee all praise. There is no deity save Thee, the Possessor of knowledge, whether visible or invisible. O God, dispel my sorrow, and my anxiety, and the bane of my life, that which is apparent and that which is hidden thereof."²²⁷

The Imams: They ordered that the prayer of communion (*taqarrub*) should be said after every mandatory one. After ending the prayer with the salutations, the worshipper should open his hands and raise them, his palms facing him, and recite:

O God, I approach Thee by the grace of Muḥammad, Thy Messenger and Thy Prophet, and his vicegerent and Thy friend, 'Alī, and the pure Imams descended from him, namely al-Ḥasan, al-Ḥusayn, 'Alī b. al-Ḥusayn, Muḥammad b. 'Alī, and Ja'far b. Muḥammad

The worshipper should name every Imam, one after the other, till he reaches the Imam of his time, and then he should say:

O God, I approach Thee through them, and I befriend them, and dissociate myself from their enemies. I bear witness, O God, in the depth of sincerity and steadfast belief that they, the Imams, are Thy Viceroy on Thy earth, and Thy Proofs to Thy creatures and the channels to [reach] Thee and the Gates of Thy Mercy.

O Lord, resurrect me with them and do not reject me from the friends of the Imams, and make me firm in their covenant. O God, through them give me dignity with Thee in this world and in the Hereafter, and make me one of them that are close to Thee. O Lord, make my heart firm in belief, and increase me with respect to guidance and illumination [from thee].

O Lord, bless Muḥammad and the progeny of Muḥammad. Grant me the

²²⁷Cf. *Kaḥfī*, III, 333.

most munificent of favours granted to Thy slaves, the faithful ones, so that I may be saved from Thy punishment and receive Thy pleasure and mercy. By Thy sanction give me right guidance in matters in which differences have arisen [in the community of Muslims]. Verily, it is Thou that guidest whom Thou wishest unto the Righteous Path. I ask Thee, Lord, for Thy grace in this world and in the Hereafter, and I beseech Thee to save me from the torment of Hell.

SPEECH AND ACTION DURING PRAYERS [WHAT IS PERMITTED AND WHAT IS NOT PERMITTED]

We have mentioned what can be uttered during ritual prayers, namely the declaration of the greatness of God (*takbīr*), the recitation of the Qur'ān (*qirā'a*), the glorification of God (*tasbiḥ*), the giving of praise to God (*tahmīd*), bearing witness to God and the Prophet (*tashahhud*), and the supplication to God (*du'ā'*). All of these consist of speech (*kalām*).²²⁸ But it is said that speech [other than the above] nullifies prayer.

'Alī: He said, 'He who speaks during prayer should say it afresh.'

Now this is a concise statement, and the speech, which is permitted during the prescribed prayer, does not render it null and void.

Abū Ja'far Muḥammad b. 'Alī: He said, 'The words addressed by man to his Lord during ritual prayer do not constitute speech.'

'Alī: He said, 'A man approached the Messenger of God during the very first 'umra²²⁹ he was performing, and saluted him while the Messenger of God was praying. The Prophet did not respond to him. When he had completed his prayer and was about to go away, he asked, "Where is the man who saluted me a little while ago? I was praying and Lo! Gabriel came to me and said, 'Forbid your community to return salutation while praying.'" [The Imams] permitted a man to indicate his desire [to reply] by saying *subḥāna 'llāh*, [if a sudden necessity arises].²³⁰

²²⁸Mishkāt, I, 310, 313; Robson, I, 200, 202. It states, 'No talk to others is fitting during the prayer, for it consists only of glorifying God, declaring His greatness, and recitation of the Qur'ān.'

²²⁹See n. 183 in Chap. 2 for 'umra.

²³⁰Traditions about responding to greetings while praying vary. A tradition transmitted by Bukhārī and Muslim states, 'We used to greet the Prophet while he was engaged in prayer and he would respond to our greeting, but when we returned from Negus [refers to the Muslims who had gone to Abyssinia when they were persecuted in Mecca] we greeted him and he did not respond. So we said, "Messenger of God, we used to greet you when you were engaged in prayer and you would respond to us." He replied, "Prayer demands one's whole attention."' Mishkāt, I, 311, 319; Robson, I, 201, 206. Kāfi, III, 356; Kulaynī states that the Prophet responded while he was praying by saying *salām*^{un} 'alaykum and not the usual way *wa-'alaykum al-salām*.

'Alī: He said, 'Whenever I visited the Messenger of God I always sought his permission [to enter his presence]. If he was praying he would say *subhāna 'llāh* [implying his consent], and I would understand, and go in. But if he was not, he would give me permission, and [only] then would I enter.'

Ja'far b. Muḥammad: He was asked concerning a man who, while praying, was in need of something. [The Imam] said, 'Let him say *subhāna 'llāh*.'²³¹

[Ja'far b. Muḥammad]: He said, 'He who laughs during prayer, renders it void, but a mere smile does not nullify it.'²³² To preserve the solemnity of prayer it is better neither to smile nor to pay attention to anyone, nor to engage in any other matter, for this will be more meritorious and safer for the worshipper.

We have mentioned earlier how necessary it is to pay the fullest attention to prayer; nevertheless, if some necessity arises which cannot be satisfied by a mere gesture, the worshipper may do some [trivial] act without turning his face away from the *qibla*, and no harm will be done.

Ja'far b. Muḥammad: While discussing the case of a man who needed something badly during prayer, he said, 'He should say *subhāna 'llāh*, or point to it [with his finger], or by moving his head. In the case of a woman in similar circumstances, she may clap her hands.'²³³

The Messenger of God: He forbade the worshipper to blow [from his mouth]²³⁴ during prayer.

Ja'far b. Muḥammad: He prohibited the blowing of breath at the place of prostration;²³⁵ however, such an act does not render the prayer void. [The Imams] permitted [the removal of] mucus from the nose.

'Alī: He said, 'If a man is removing mucus from his nose during prayer, let him do so to his left, should he find a gap. If this is not possible, let him [scratch the ground] and make a hole and bury it under his feet.' 'Alī meant that this was the rule if the man was standing on a ground strewn with pebbles or sand or the like.'²³⁶

²³¹*Mishkāt*, I, 313; Robson, I, 202.

²³²*Kaṭī*, III, 354, 355.

²³³This tradition is transmitted by Bukhārī and Muslim, see *Mishkāt*, I, 313; Robson, I, 202. *Kaṭī*, III, 355; it is also reported on the authority of al-Ṣādiq.

²³⁴In *Ta'wīl al-da'ā'im*, I, 287, Nu'mān explains the meaning of *nafkh* and gives its *ta'wīl*.

²³⁵*Mishkāt*, I, 316; Robson, I, 204.

²³⁶It should be noted that before the foundation of the mosque in Medina prayers were performed in courtyards or other open spaces. The first mosque in Medina was very simple. It was really only a courtyard with a wall around it, and it had nothing of the

The Messenger of God: He prohibited the expectoration of phlegm or mucus in the *qibla*. Once the Messenger of God saw some phlegm in the *qibla* in a mosque and cursed the man who committed the fault. This reached the wife of the person, who was away from home at the time. So she came to the mosque, rubbed off the phlegm and covered up the spot with an aromatic paste.²³⁷ The Messenger of God saw this and asked [the people], 'What is this?' They informed him of what the woman had done and the Messenger of God praised her greatly for the way in which she had saved the husband [from blame].

Accordingly, the commonalty began to use aromatic paste in mosques on the same analogy, but the Messenger of God himself never did so. The fact is that many people dislike the practice and prohibit it, while others consider it praiseworthy and act accordingly, having regard to the original incident reported by us.²³⁸

Ja'far b. Muḥammad: He allowed a person who felt an itching sensation to rub the spot; but he forbade cracking the knuckles (*tanqīd*) during prayers,²³⁹ and this means bending the fingers from their joints so that they make a crackling sound. He also said that the man who happens to look at a Qur'ān, or book, or the engraving on a ring, while praying, renders his prayer void. From this it follows that it is better not to have any object in the *qibla* of a mosque that may divert the attention of the worshipper, or to read a piece of writing while praying, for this will invalidate the prayer as soon as his eyes fall on it.²⁴⁰

Ja'far b. Muḥammad: He said, 'If an insect were to bite a man during prayers he may throw it away or bury it under the pebbles.'²⁴¹ He was asked what a man should do if he were to find a serpent or a scorpion while praying, and he said that the man should kill it.²⁴²

The Messenger of God: He saw a man playing with his beard during prayers, and he said, 'Behold! If the fellow had fear in his heart, his limbs would have mirrored it.'

character of a sacred edifice. See details in EI², s.v. Masjīd. This as well as other traditions in this section also indicate the simple nature of the first mosque.

²³⁷The Arabic term is *khalīq*, a certain variety of perfumes used by women. Lane, s.v. kh-l-q. See also *Majma' al-baḥrayn*, s.v. kh-l-q.

²³⁸For details as to how mucus, etc. is to be cleaned, see Nu'mān, *Kitāb al-ṭahāra*, fol. 63.

²³⁹The *tanqīd* or *inqād* (cracking) of fingers means to bend the finger joints downwards until they emit a crackling sound. This is a common practice in India as well. *Kāfi*, III, 356; *Majma' al-baḥrayn*, s.v. n-q-d.

²⁴⁰*Mishkāṭ*, I, 311, 315; Robson, I, 201, 203.

²⁴¹*Kāfi*, III, 358.

²⁴²*Mishkāṭ*, I, 317; Robson, I, 204; *Kāfi*, III, 357; transmitted on the authority of al-Ṣādiq.

The Messenger of God: He said, 'Almighty God disapproves six actions: playfulness during prayer; expectation of gratitude in charity; bawdy speech while fasting; laughter in the graveyard; looking into the privacy of another's home without his permission; and sitting in a mosque while in a state of major ritual impurity.'

'Alī: He said, 'The Messenger of God directed me to avoid four things: to play with pebbles during prayers;²⁴³ to pleat the hair on one's back during prayers; to scarify during a fast; and to fast exclusively on Fridays.'

Ja'far b. Muḥammad: He was asked about a man who counted the verses of the Qur'ān during prayers, and he said that there was no harm in it.

'Alī: He said, 'The Messenger of God warned us against [the habit of] yawning excessively during prayers, for, verily, it is the tumultuous cry of Satan.²⁴⁴ God is very pleased with the act of sneezing,²⁴⁵ but dislikes yawning during prayers.'

Ja'far b. Muḥammad: He disapproved of yawning and stretching²⁴⁶ during prayers, for they clearly indicate a state of laziness. Therefore, both their practice and their repetition are prohibited. Yawning is an unintentional act; thus he who yawns and cannot control it, should place his hand over his mouth and then return it to its normal position; but he should neither fold his hand nor lengthen it.

It is related from 'Alī that if the Prophet happened to yawn during prayers, he would put his right hand [to his mouth]. The act of sneezing, however, generally indicates health and is therefore approved. It is desirable when sneezing during prayers to control it as far as possible and not sneeze loudly.

It has been related on good authority that 'Alī said, 'When one of you happens to sneeze during prayers, let him do so as gently as a cat!'' Imam al-Ṣādiq said, 'If one happens to sneeze while praying, he should praise God and bless the Prophet secretly in his heart.'

Imam al-Ṣādiq permitted the rubbing of the forehead with dust during prayers, but not the closure of the eyes. He prohibited *tawarruk*, namely placing the hands on the buttocks while praying.²⁴⁷ The Imam disliked

²⁴³A similar tradition states, 'When one of you gets up to pray he must not remove pebbles, for mercy is facing him.' *Mishkāt*, I, 316; Robson, I, 204.

²⁴⁴The tradition states that yawning during prayer comes from the devil, so when one of you yawns he must restrain it as much as possible. *Mishkāt*, I, 312, 314; Robson, I, 201, 203.

²⁴⁵*Mishkāt*, I, 314; Robson, I, 202-3.

²⁴⁶The correct but rare equivalent in English is 'oscillation'.

²⁴⁷Bukhārī and Muslim report that the Prophet forbade putting the hands on the waist during prayer. *Mishkāt*, I, 311; Robson, I, 201.

that the face be veiled during prayers unless there was valid reason for it.

DRESS DURING PRAYERS

Abū Ja'far Muḥammad b. 'Alī: He said, 'It has been related to me by one who actually saw [Imam] al-Ḥusayn b. 'Alī in the act of praying and he had only one garment on. [Imam Ḥusayn subsequently] told the reporter that he had seen the Messenger of God praying in a single garment.'²⁴⁸

Abū Ja'far: He said, 'Jābir b. 'Abd Allāh told me that he had seen the Messenger of God praying in a single garment.' [The Imam further] said, 'Jābir himself led us in prayer at his house, dressed in the same fashion although there were several clothes hanging on a peg, and had he wished to make use of them, he could easily have done so.'

Ja'far b. Muḥammad: He said, 'My father Muḥammad b. 'Alī led us in prayer in a single garment, which was girded.'

The Messenger of God: He used to pray in a single garment; if it was loose, he had a girdle on; but if it was tight, he wore a wrapper (covering the middle of the body) with it.

Abu 'l-Jārūd²⁴⁹ told Abū Ja'far [Imam al-Bāqir], 'O son of the Messenger of God, verily al-Mughīra²⁵⁰ says, "No one should pray except in a waist wrapper, even if he had a girdle to go round his waist."' Abū Ja'far exclaimed, 'O Abu 'l-Jārūd, but this is the practice of the Jews!'

'Alī: He said, 'One can pray in a single, coarse shirt (or gown) provided he has a waist wrapper on.'

Abū Ja'far and Abū 'Abd Allāh: They said, 'There is no objection to someone praying in a waist wrapper, or in trousers, provided he has some covering on his shoulders, even though it may be like the wings of a bat.'

This rule applies only when the worshipper possesses no other garment, in which case such prayers will fulfil his obligation. But if the worshipper has proper clothes, such an act is improper; for he is making light of [the solemnity of] prayer, and such an act is unseemly for one

²⁴⁸*Mishkāt*, I, 236, 240; Robson, I, 153, 155; the tradition transmitted by Bukhārī and Muslim states, 'The Messenger of God prayed while girded with a single garment, placing its two ends over his shoulders.' Another tradition states, 'Prayer in a single garment was a practice we followed along with God's Messenger when clothing was scarce, but when God enlarged our circumstances prayer in two garments became purer.' *Kaṣf*, III, 386. It is important that the single garment should cover one's shoulders and that the two ends of the garment should cross and be fastened.

²⁴⁹For Abu 'l-Jārūd see n. 242 in Chap. 2.

²⁵⁰See n. 169 in Chap. 2 for al-Mughīra.

who stands in the presence of his Lord and converses intimately with him.²⁵¹

The Messenger of God: He said, 'The man who clothes himself scantily during prayers should not expect that God would provide clothes for him.'

'Ali: He said, 'The Messenger of God forbade the offering of prayers while wrapping oneself with one garment, and no other, then raising it on one side and putting it upon the shoulders,'²⁵² as is the practice of Berbers²⁵³ at present. He said, 'Prayers are not permissible in such a wrapping.' [He then added], 'He who dresses in a single cloth should wrap himself (*yatawashshah*) in the following manner: He should put the middle of the cloth's hem on his shoulders and let the two ends fall along both his arms and separate them with his hands. He should then put the end that is on his right arm on the left shoulder, and the end that is on his left arm on his right shoulder. Then he should pull his hands out and pray.'

'Ali b. al-Ḥusayn [Zayn al-'Ābidīn]: He used to pray in a burnous (North African hooded cloak). Ja'far b. Muḥammad [Imam al-Ṣādiq] said that a burnous is like a loose outer garment.

'Ali: Once he came upon some people praying in a mosque. They were offering their prayers with their wraps hanging about them. He said, 'What is the matter with you? You are allowing your wraps to hang as if you were Jews offering prayers in their synagogues! I warn you never to allow your wraps to hang about your body (*sadl*).' Now *sadl* is to fold the wrap in the middle, and allow it to fall on the head and shoulders, and knot the two corners of the wrap on the chest, and allow the cloth to hang downwards.²⁵⁴

Ja'far b. Muḥammad: He was asked whether a sword can be worn while one is praying. He said, 'A sword is like a wrap [and can be worn lawfully].'²⁵⁵

²⁵¹Kaṣf, III, 389. Kulaynī discusses an extreme case where a man or a woman is left with no clothes and how the prayers are to be said under those circumstances.

²⁵²It is called *ishimāl al-ṣammā'* or *iltihāf al-ṣammā'* and is forbidden, because such a wrapping does not leave any opening from which one may put forth one's hand or arm. Moreover, it exposes one's pudendum when one of its sides is raised to put it on the shoulder. This was the practice of the Arabs of the desert. Kaṣf, III, 386; Lane, s.v. *shimāl*; *ṣ-m-m*.

²⁵³The name by which the population from the Egyptian frontier to the shores of the Atlantic Ocean was designated. They speak, or used to speak before their arabicization, dialects of a single language, Berber. EI², s.v. Berbers

²⁵⁴Mishkāṭ, I, 237-8; Robson, I, 154; it states, 'God does not accept the prayer of a man who lets his lower garment trail.'

²⁵⁵This is made very clear by Nu'mān in *Kitāb al-ṭahāra*, fol. 64v. Ṭūsī, *al-Nihāya*, 98-9; it states that the sword must be sheathed.

Abū Ja'far Muḥammad b. 'Alī: He said, 'Pray in your foot covering or sandals if you wish to.'²⁵⁶

The Messenger of God prohibited Muslims from praying in clothes that had been worn by Jews, Christians, or Zoroastrians (*al-Majūs*).²⁵⁷

'Alī: He enjoined women to pray in a head covering (*khimār*) and a shift (*dir'*), provided they are made of fairly coarse cloth. It is better, moreover, for them to wear a waist wrapping and a mantle too. For a free woman, it is not lawful to pray without a cloth covering the head and shoulders (*khimār* or *qinā'*).²⁵⁸

The Messenger of God: He said, 'The prayers of a girl who has reached puberty are not accepted unless she has a head covering.'²⁵⁹ This applies to a free woman but not to a slave girl, who may pray without a head covering.

Ja'far b. Muḥammad: He was asked about a slave-girl, whether she should cover her head while praying, and he said, 'No. My father [Imam al-Bāqir], may the pleasure of God be upon him, used to beat a slave girl if he saw her wearing a head covering during prayers, and would say, "O you silly woman! How dare you imitate a free woman; the free woman should be distinguishable from the bond servant."'

The Messenger of God: He did not approve of women offering their prayers without wearing any ornaments. He said, 'A woman should never pray unless she is wearing some ornaments, at least a ring (or an earring) if not more. A woman should never pray without applying henna; and if she does not possess any, she may apply aromatic paste to the tips of her fingers.' This rule applies if a woman possesses jewelry, but if she has none, she should put on some kind of a necklace, so that men can be distinguished from women. But if she possesses jewelry, the more she wears the greater the merit. We shall discuss in the chapter on dress what is permissible for women to wear, and for the others, if God wills.

'Alī: He said, 'The Messenger of God directed me to command

²⁵⁶Kāfi, III, 396; Mishkāt, I, 240; Robson, I, 155; the Prophet prayed both barefoot and wearing sandals. Tūsi, *al-Nihāya*, 98.

²⁵⁷Originally an ancient Iranian priestly caste, but the term is used in Arabic for Zoroastrians. EI², s.v. Madjūs.

²⁵⁸Mishkāt, I, 238; Robson, I, 154; it states, 'A woman may pray in a shift and veil without wearing a lower garment if the shift is ample and covers her feet.' See also Kāfi, III, 386, 388.

²⁵⁹Ā'isha reported the Messenger of God saying, 'The prayer of a woman who has reached puberty is not accepted unless she is wearing a veil (*khimār*, covering the head and the breasts).' Mishkāt, I, 238; Robson, I, 154. Cf. also Qur'ān 24:31.

women never to pray without wearing ornaments. If they possess absolutely no jewelry, let them at least hang a leather belt round their necks. They should apply henna to their hands, and never should they leave their palms like those of the men [without pigmentation].'

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'Indeed the earth is kind to you. You perform the *tayammum* with it and you offer the prayers on it when you are alive; it is also a receptacle for you in death,²⁶⁰ and this is surely a great gift from God to whom all praise [is due]. The most excellent place for the worshipper to prostrate himself is clean earth.'

Ja'far b. Muḥammad: He said, 'It is proper for the one who performs prayer to lay his forehead on the earth and to roll his face in the dust; for this indicates his self-abasement before God the Glorious and Mighty and his acknowledgement of the greatness of God.'

[Ja'far b. Muḥammad]: He said, 'It is not objectionable to prostrate oneself on what grows on the ground provided it is not edible, like the alfalfa plant.'

The Messenger of God: He used to pray on a [reed] mat (*ḥaṣīr*).²⁶¹

Ja'far b. Muḥammad: He said, 'There is no objection to praying on a *khumra*.²⁶² A *khumra* is a mat woven from palm leaves, sewn with strings. It is generally so small as to be sufficient only for prostration and hardly ever extends beyond such proportions. If, however, it is longer and the worshipper is able to stand and sit on it wholly while bending downwards in the act of prostration, then it is called a *ḥaṣīr*; otherwise it is known as *khumra*.

'Alī b. al-Ḥusayn: He used to offer his prayers on coarse stuff (*mish*) made of hair [woollen rug].

Ja'far b. Muḥammad: He permitted prayers being said on woollen cloth. Prostration is lawful on any kind of cloth that can be used for dress or prayers. Similarly, it is lawful for the one who prostrates to put his palms, feet, and knees on such a cloth. When it is permitted to wear woollen clothes and pray in them, then prostration is also permitted on them. Similarly it is permitted to prostrate on them with the face.

Ja'far b. Muḥammad: He prohibited the worshipper from prostrating himself on his sleeve [of the robe or shirt], and directed that the hands be

²⁶⁰Qur'ān 77:25-6 states, *Have We not made the earth a receptacle both for the living and the dead?*

²⁶¹Ṭūsī, *al-Nihāya*, 99-102. He has given a long list as to where one can pray.

²⁶²It is so called because it veils the ground from the face of the person praying upon it, or because its threads or strings are hidden by its palm leaves. Lane, s.v. *kh-m-r*.

taken out from the sleeves [during the act of prayer] and that they be placed on the bare earth or anything else used for prostration.

[Abū Ja'far Muḥammad]—his ancestors—the Messenger of God: He forbade the worshipper to prostrate himself on [part of] his dress, or on his sleeve, or on the edge of his turban (*'imāma*).

Ja'far b. Muḥammad: He was asked about offering prayers on a pile of wheat, and he forbade it. He was further questioned, 'But if the harvested wheat is laid out on the ground and becomes level with the earth?' He said, 'No prayers can be said upon that which is edible; for it is a [source of] livelihood provided by God, and it is a bounty from Him to mankind; so you should honour it and neither tread upon it nor treat it lightly. Verily there were a people aforetime for whom God had provided in full measure. But they used good bread as stone pestles for cleansing their private parts and God struck them down with drought and hunger. [They were reduced to such straits that] they began to search for and eat the bread with which they had cleansed themselves, and it was concerning them that the following verse was revealed: *Allah coineth a similitude: a township that dwelt secure and well content, its provision coming to it in abundance from every side, but it disbelieved in Allah's favours, so Allah made it experience the garb of dearth and fear because of what they used to do* (16:112).'

THE FRIDAY PRAYER²⁶³

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'Four kinds of persons resume their work afresh [as they are forgiven their previous sins]:²⁶⁴ the diseased, when he recovers from his illness; the polytheist, when he embraces Islam; the man who goes out after the Friday prayer satisfied and reinforced in faith; and the pilgrim when he completes his pilgrimage.'

The Messenger of God: He said, 'Multiply blessings upon me on Fridays; for it is the day when good deeds will earn a double reward.'²⁶⁵

Ja'far b. Muḥammad: He said, 'On the night of every Friday,²⁶⁶ God

²⁶³The Friday prayers were introduced in Medina. They are incumbent on all male, adult, free, resident Muslims. For details among various schools of jurisprudence, see Jazīrī, *al-Fiqh*, I, 394 ff.; Maghniya, *al-Fiqh*, 137 ff.; EI², s.v. *Djum'a*.

²⁶⁴The meaning is explained by Nu'mān in his *Ta'wīl al-da'a'im*, I, 302; Nu'man, *Kitāb al-ṭahāra*, fol. 64v. The Urdu and Gujarati translations are incorrect.

²⁶⁵*Kaft*, III, 424; *Mishkāt*, I, 431; Robson, I, 287.

²⁶⁶'On Thursday night,' as we would say in English.

sends [His] angels [to the earth], and all day long from dawn to dusk they record nothing but blessings on Muḥammad and his progeny.²⁶⁷

Abū Ja'far: He said, 'Good deeds earn a twofold reward on Friday; so multiply your blessings [on Muḥammad and his progeny]²⁶⁸ and be generous in charity.'

[Abū Ja'far]: He said, 'The night of Friday is the finest and its day full of luminosity.²⁶⁹ Every faithful man or woman who dies on Friday night will be absolved from the torment of the grave; those who die during the day will be freed from the pains of Hell.²⁷⁰ There is no harm in praying daylong on Fridays, since the fire of Hell is not lighted during that day.'

[Abū Ja'far] and Abū 'Abd Allāh: The two of them said, 'When the night of Friday comes, God commands an angel to proclaim nightlong, from the beginning to its end, and each night, in the third part thereof:

Is there anyone that asks, so that I may give to him? Is there anyone who repents, so that I may accept his repentance? Is there anyone who pleads for forgiveness, so that I may forgive him? O seeker of good, advance; O seeker of evil, halt!'

'Alī: He said, 'It is possible that one of you who lives in the desert might not come to the mosque except on Fridays; then he might lag behind and not come on Friday except alternately, then he might lag behind and might not come [on Friday] at all. Thus God will seal his heart.'

Abū Ja'far: He said, 'The Friday prayer is compulsory and participation in the congregation with a just imam (*al-imām al-'adil*) is also compulsory.²⁷¹ He who desists from attending on three successive Fridays

²⁶⁷Cf. *Kaṣf*, III, 411; also reported from al-Ṣādiq.

²⁶⁸The Arabic is *al-ṣalāt* or *al-ṣalawāt*, but it is explained by Nu'mān in *Ta'wīl al-da'a'im*, I, 303.

²⁶⁹The reference here is to the greatness and nobility of the day and night. Nu'mān, *Ta'wīl al-da'a'im*, I, 304. For similar traditions, see *Mishkāt*, I, 428, 430; Robson, I, 285, 286.

²⁷⁰*Kaṣf*, III, 409–10; also reported from al-Bāqir with slight variation. 'Abd Allāh b. 'Amr reported the Prophet saying, 'Any Muslim who dies on Friday or on Thursday night will be protected by God from testing in the grave.' *Mishkāt*, I, 431–2; Robson, I, 287.

²⁷¹For the Shī'a the notion of a Just Ruler, who, by assuming political power would bring about the just Islamic order in this world, is central not only to their religious doctrine but also to the development of their jurisprudence. The Musta'li-Ṭayyibī Ismā'īlī community do not hold Friday congregational prayers during the *ghayba* of their Imam. The Friday congregational prayers for the Imāmīs, however, remain a controversial issue.

has, verily, forsaken three mandatory acts, and no one abandons three mandatory acts without cause or excuse except a hypocrite.²⁷²

We have mentioned earlier in this book that a ritual bath on Friday [before noontime] is a *sunna*.

Abū Ja'far Muḥammad b. 'Alī: He said, 'Do not fail to have a ritual bath on Friday; for it is the practice of the Prophet (*sunna*). You should take the bath in the morning before the declination of the sun (*ẓawāl*).'²⁷³

The Messenger of God: He said, 'Every one of you should use perfume on Fridays, even if it be from your wife's bottle!'²⁷⁴

Abū Ja'far: He said, 'Do not deny yourself perfume and the best of clothes on Fridays.'²⁷⁵

[Abū Ja'far]: He said, 'There is a moment of time [every] Friday when God answers only favourably the plea of a faithful slave, and this is the period between the declination of the sun and the call to prayer.'²⁷⁶

'Alī: He said, 'The traveller is under no obligation to offer the Friday prayer, or to participate in the congregation, or to attend the prayer of the Festival of the Sacrifice (*'id al-adḥā*),²⁷⁷ except in a congregational mosque in a town or city.'

In the absence of the Hidden Imam these prayers were considered invalid, however, Shaykh 'Alī al-Karākī (or al-Karkhī d. 1534) started to lead congregational prayer and pronounce the Friday sermon during the reign of Ṭahmāsp I, the Ṣafavid ruler of Iran. For details on this issue see Algar, *Religion and State in Iran*, 23; Arjomand, *Shadow of God*, 132–7; Cole, *Roots of North Indian Shi'ism*, 19–22; older sources are listed therein.

²⁷²If anyone fails to attend the prayers on three consecutive Fridays, holding it in small esteem, God will seal up his heart.' Another tradition states, 'If anyone neglects the Friday prayer, except in case of necessity, he will be inscribed as a hypocrite in a book, which will not be obliterated or changed.' *Mishkāṭ*, I, 433, 434, 435; Robson, I, 288, 289.

²⁷³In his *Kitāb al-ṭahāra*, fol. 67v, Nu'mān relates a tradition from the Prophet that Muslims should not follow the Jews in their practice of bathing on the previous night. *Kāfi*, III, 412; also reported from al-Bāqir.

²⁷⁴*Mishkāṭ*, I, 440; Robson, I, 292.

²⁷⁵'If any man bathes on Friday, purifies himself as much as he can with ablution, anoints himself with oil, or puts on a touch of perfume, ... prays what is prescribed for him, then remains silent when the imam speaks, his sins between that time and the next Friday will be forgiven him.' *Mishkāṭ*, I, 436–40; Robson, I, 290–2; transmitted by Bukhārī. See also *Kāfi*, III, 411; Ṭūsī, *al-Nihāya*, 104–5.

²⁷⁶Abū Hurayra reported the Messenger of God saying, 'There is a time on Friday at which no Muslim will ask God for what is good without His giving it to him.' *Mishkāṭ*, I, 427–8; Robson, I, 284; transmitted by Bukhārī and Muslim.

²⁷⁷The gloss in MS T explains the meaning of *tashriq*. *Ayyām al-tashriq* are the three days following the day of sacrifice, i.e. the eleventh, twelfth, and thirteenth days of Dhu 'l-Ḥijja. They are so called because the flesh of the animals sacrificed was cut into strips and dried in the sun. Lane, s.v. sh-r-q; EI², s.v. Tashriq.

Ja'far b. Muḥammad: He said, 'The Messenger of God introduced thirty-five prayers during the week. Among them is one that no one should avoid, except the following five persons: the woman, the child, the traveller, the sick, and the slave.'²⁷⁸ The Prophet [by this direction] meant the Friday prayer led by a just imam.

'Alī: He said, 'If a woman or a slave attends the Friday prayer it is as though their obligation to say the *ḡhur* prayer is fulfilled.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'The Friday prayer is a mandatory obligation on a person who is within a distance of two *farsakhs*²⁷⁹ [from a mosque], provided there is a just imam.'

Ja'far b. Muḥammad: He said, 'A congregational prayer is obligatory on Fridays when the congregation consists of five or more persons, but if there are less than five it is not obligatory.'²⁸⁰

The Messenger of God: He said, 'Going forth at midday [braving the midday sun] to attend the Friday prayer is the pilgrimage of the impecunious in my community.'²⁸¹

'Alī: He was questioned about [the true import of] the Word of God *O ye who believe! When the call is heard for the prayer of the day of congregation, haste unto remembrance of Allah* (62:9), and he said, 'The meaning of *sa'y* (hasten to) is not to run but to walk at middling pace [and not to loiter].'

'Alī: He used to walk barefoot to the Friday prayer as a mark of respect for it. He was wont to carry his sandals in the left hand and say, 'It is a way to the meeting place of God!'²⁸²

This [practice] of his, may the blessings of God be upon him, was to show his reverence to God and to acquire merit thereby; not that it was

²⁷⁸Mishkāt, I, 434, 435; Robson, I, 288, 289. *Kaḡfī*, III, 413; reported from al-Ṣādiq. Kulaynī also reports another tradition (III, 414) from al-Bāqir wherein four more categories are added to the above list. They are: the old (and weak), the blind, the insane, and those who live more than two *farsakhs* from the congregational mosque.

²⁷⁹A *farsakh* or *parasang* is about 6 kilometers, or about 4 miles. Hinz, *Islamische Masse*, 62. *Kaḡfī*, III, 414; it is reported from the same authority but without the last phrase, i.e. provided there is a just imam. 'A congregational prayer is obligatory on Fridays when there is a just ('*ādil*) imam or someone deputed by the imam to lead the prayer.' Ṭūsī, *al-Nihāya*, 103. Mishkāt, I, 434; Robson, I, 288; it states, 'The Friday prayer is obligatory on him who hears the call.'

²⁸⁰*Kaḡfī*, III, 414. The schools of law differ about the minimum required for a congregation. See Jazīrī, *al-Fiqh*, I, 408–10; Ṣābiq, *Fiqh al-sunna*, I, 257; he states that two or more people constitute a congregation.

²⁸¹MSS C and D add, 'And it is the lesser pilgrimage.'

²⁸²The Arabic is, *Innahu mawḡin^{un} lillāh*. Probably it alludes to the story of Moses in the Qur'ān 20:12, where the latter is asked by God to take off his shoes because he was in the holy valley of Tuwā. For the historicity of Moses see ER, s.v. Moses. See also n. 304 in this chapter.

an indispensable obligation. There is no harm in wearing sandals or riding a mount to attend a Friday congregation.

'Alī b. al-Ḥusayn [Zayn al-'Ābidīn]: He used to attend the Friday congregation with the tyrannical governors (*a'immat al-jawr*) [the Umayyads], but did not reckon those prayers valid and would pray the *ṣuhr* prayer by himself.

Ja'far b. Muḥammad: He said, 'There can be no congregational Friday prayer except with a just and pious (or godfearing) imam.'

'Alī: He said, 'No authority,²⁸³ or application of *ḥadd* punishment,²⁸⁴ or Friday prayer, is valid without an imam.'²⁸⁵

'Alī: He said, 'Those who attend the Friday prayer can be grouped into three classes. First, the man who attends in a frivolous way and just for show; that is all he gets from it. Second, the man who joins [the congregation] when the imam is delivering his sermon and afterwards offers his prayer [with the congregation and makes supplication to God], who may either grant it [the request] or not as He wills. Third, the man who attends [the congregation] before the imam comes out [to deliver the sermon], and prays what he has to pray, and sits silently and calmly until the imam makes his appearance and the prayers are completed. Now this prayer is a requital for him [for the sins committed by him] between that time and the succeeding Friday, with the addition of three more days [ten days in all] by reason of the saying of God: *Whoso bringeth a good deed will receive tenfold the like thereof* (6:160).²⁸⁶

['Alī]: He said, 'It is better not to attend the Friday prayer rather than [arrive late and] leap over the necks of men after the imam has taken his seat!'²⁸⁷

Ja'far b. Muḥammad: He said, 'When the imam stands up to deliver

²⁸³The Arabic term is *al-ḥukm*. There is no equivalent in classical Arabic for the notion of authority, but it is expressed by terms such as *ḥukm*, *mulk*, *sulṭān*, etc. See Arjomand, 'Introduction'.

²⁸⁴See n. 122 in Chap. 2 for the meaning of *ḥadd*.

²⁸⁵An addition in MS Q and five other MSS reads, 'Or one who is appointed by the Imam.'

²⁸⁶Pickthall 6:161. *Mishkāt*, I, 439; Robson, I, 292; the same tradition with slight variation. Another tradition states, 'If a man bathes on Friday, purifies himself as much as he can with ablution, anoints himself with oil, or puts on a touch of perfume that he has in his house, then goes out [to the congregation mosque] without squeezing between two men, prays what is prescribed for him, then listens to the imam when he speaks, his sins between that time and the next Friday will be forgiven him.' *Mishkāt*, I, 436; Robson, I, 290; transmitted by Bukhārī and Muslim.

²⁸⁷A graphic description of being late for the Friday prayer.

his sermon it is obligatory for the congregation to observe complete silence.²⁸⁸

'Alī: He said, 'There should be no conversation while the imam is delivering his sermon nor should anything divert your attention save that which is permissible during prayer.'

Ja'far b. Muḥammad: He said, 'Speech is forbidden until the imam terminates his sermon. But when he has completed it²⁸⁹ you may talk during the interval between the termination of the sermon and the beginning of the prayer.'

'Alī: He said, 'Let the congregation face the imam and hearken to his words.'

Ja'far b. Muḥammad: He said, 'The sermon is prescribed in lieu of the two *raka'āt* that have been omitted from the *zuhr* prayer; thus it is similar to offering prayer itself. Hence nothing is permitted during the delivery of the sermon that is not permitted while praying.'

[Ja'far b. Muḥammad]: He said, 'The Friday prayer should commence with the delivery of the two sermons. When the imam first ascends the pulpit he should sit down and the muezzins should give the call to prayer. When they have completed the call the imam should stand up and deliver his sermon and exhortation. Then he should sit down for a short while and then stand up again and sermonize for a second time and offer his orison (*du'a'*).²⁹⁰ Thereafter the muezzins should say the *iqāma*, and the imam should come down from the pulpit and pray the two *raka'āt* in which the Qur'ān should be recited loudly.'

'Alī: When he ascended the pulpit he saluted the congregation.

Ja'far b. Muḥammad: He said, 'It is the proper practice for the imam to use perfume and to wear the best of clothes and a turban on Friday.'²⁹¹

[Ja'far b. Muḥammad]: He said, 'It is the *sunna* of the Prophet to recite *sūrat al-Jumu'a* (Congregation, 62) in the first *rak'a* of the prayer on every Friday, and in the second, to recite *sūrat al-Munāfiqūn* (Hypocrites, 63).²⁹² After the recitation in the second *rak'a*, and before the *rukū'*, the imam should say the *qunūt* (invocation).'²⁹³

²⁸⁸Kāfi, III, 416; Mishkāṭ, I, 437, 440; Robson, I, 291, 292.

²⁸⁹That is, both sermons, according to Kāfi, III, 416. Kulaynī has reproduced both the sermons of Imam al-Bāqir, Kāfi, III, 417-19.

²⁹⁰Mishkāṭ, I, 443, 444; Robson, I, 294; Tūsī, *al-Nihāya*, 105.

²⁹¹Mishkāṭ, I 442; Robson, I, 294; it states that the Prophet preached on Friday wearing a black turban, the ends of which he let hang between his shoulders.

²⁹²Kāfi, III, 416, 420.

²⁹³Ibid., III, 421-2; Kulaynī states that the *qunūt* is to be said during the first *rak'a* after the recitation of the Qur'ān and gives the orison to be recited during the *qunūt*. Tūsī, *al-Nihāya*, 106.

The commonalty reports similarly that the Messenger of God used to recite the above-mentioned *sūras* and say the *qunūt* on Friday. They [however] relate that the *qunūt* during the Friday prayer was introduced during the time of the 'Abbāsids,²⁹⁴ but when it was related to them on the authority of the Imams [of the House of the Prophet] they prohibited the practice, contradicting the Imams. May God protect us from abrogating the practice of His Prophet and thus contradicting His *Awliyā'* [the Imams], the blessings of God be on the Prophet and upon all of them.

When the imam delivers his sermon, he should rest his right hand on the bar of the pulpit, and his left on the handle of his sword, which should be girdled round his waist, and with which he should offer his prayers.

Ja'far b. Muḥammad: He said, 'If a man is in time for even a single *rak'a* of the Friday prayer [with the imam] he has indeed said the whole prayer.²⁹⁵ [In this situation] he should pray the second *rak'a* after the salutation has been offered by the imam. Should he, however, miss both the *raka'āt* altogether, he should pray the four *raka'āt* of the *zuhr* by himself.'²⁹⁶

THE PRAYER AT THE TWO FESTIVALS

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He was wont to say, 'It is pleasing to me when a man keeps himself free on four nights a year: the night [previous to the Festival] of Breaking the Fast (*laylat al-fiṭr*); the night [previous to the Festival] of Sacrifice (*laylat al-aḏḥā*); the night in the middle of the month of Sha'bān; and the night [previous to] the first of Rajab.' He meant that [the night should be spent in] praying to God and remembering Him, glorious be His remembrance!

['Alī]: He said, 'I heard the Messenger of God delivering a sermon on the Festival of Sacrifice,²⁹⁷ and saying,

This is the day of Spilling (*thajj*) and of Crying Out (*'ajj*). Now *thajj* refers to the blood that is spilt [by the slaughter of animals], and for him whose intent

²⁹⁴The Sunni dynasty of Caliphs centred in Baghdad from 132/750 to 658/1258, it took its name from its ancestor, 'Abbās b. 'Abd al-Muṭṭalib, the uncle of the Prophet. *Et*², s.v. 'Abbāsids.

²⁹⁵*Mishkāt*, I, 443; Robson, I, 294; it is transmitted by Bukhārī and Muslim.

²⁹⁶*Kaṭī*, III, 417, 422; Kulaynī also states that in a congregation where the *khutba* is not delivered people should pray four *raka'āt* of the *zuhr*. *Mishkāt*, I, 445; Robson, I, 295.

²⁹⁷The Day of the Great Sacrifice is called *yawm al-naḥr* or *yawm al-aḏḥā*.

is pure, the very first drop of blood spilt is the atonement of all his sins; whereas 'ajj signifies [the voicing of] orisons. So cry out loudly before God. I swear by Him in whose hand is the soul of Muḥammad, not one shall depart from this place (*Minā*),²⁹⁸ but his sins shall be forgiven. The only exception will be the man who has committed a mortal sin and does not turn away from it in conscience.'

We have mentioned earlier that a ritual bath on both the Festivals is a *sunna*.

'Alī: He said, 'The Messenger of God was accustomed to breaking his fast with a few dried dates or raisins before going to the prayer ground (*muṣallā*)²⁹⁹ on the Day of the Breaking of the Fast.'³⁰⁰

'Alī: On the Day of Sacrifice he disliked eating anything until he returned from the prayer ground.³⁰¹

Abū Ja'far: He said, 'For the 'īd *al-fiṭr*, let him who can, eat and drink before going to the prayer ground; but on the 'īd *al-adḥā*, let him not eat before performing the sacrifice.'³⁰²

[Abū Ja'far]: He used to include the following in his orisons on Fridays and the two Festivals:

O God! [This day] he who prepares and arrays himself to present himself to a creature, hoping for his gift and reward [may do so; but] I, I come to Thee, my Lord, preparing, making ready, and arraying myself solely for Thy gift, reward, and presents. I have not come to Thee with the assurance of good works already performed, nor have I sought the intervention of any of Thy creatures [for the fulfilment of my hopes]. But I have come to Thee conscious of my misdeeds and the evil that I have wrought upon myself. O Mighty, Mighty, Mighty One! Forgive my mighty sin; for verily none save Thee, O Mighty One, can absolve me from a mighty sin. There exists no god but Thee.

Ja'far b. Muḥammad: He said, 'He who goes to attend the 'īd prayer should wear the best of clothes and use the best of scents.'

In commenting on the Qur'ānic verse, O Children of Adam! Look to your adornment at every place of worship, and eat and drink, but be not

²⁹⁸Minā is a place of sacrifice. EI², s.v. Minā; Ḥajjīdī.

²⁹⁹In Medina the Prophet performed the regular prayers in his mosque, however, the prayers at the two festivals were performed at a place situated southwest of the city, outside the city walls. The Fāṭimids followed this practice of the Prophet's and the 'īd prayers were held at the *muṣallā* just outside the city walls of Cairo. EI², s.v. Muṣallā; Sanders, *Ritual*, 46 ff.

³⁰⁰Mishkāt, I, 451, 452; Robson, I, 300, 301.

³⁰¹Mishkāt, I, 452; Robson, I, 301. Ibn Bābūya, *Man lā yaḥḍuruḥu al-faqīh*, I, 321.

³⁰²Ibn Bābūya, *Man lā yaḥḍuruḥu al-faqīh*, I, 321.

prodigal. Lo! He loveth not the prodigals (7:31), [the Imam] said, 'This direction is for the Two Festivals and Fridays.' [The Imam] continued, 'It is meet and right for the imam to put on a [rich and ornamented] garment³⁰³ on such occasions, and he should wear a turban, be it summer or winter.'

The Messenger of God: He permitted the show of arms on the Two Festivals if the enemy was present.

'Alī: He used to go barefoot on five occasions (*mawāṭin*) and carry his sandals in his left hand. He used to say, 'These are truly occasions³⁰⁴ [to show reverence] to God, and so I desire to appear barefooted at the Feast of the Breaking of the Fast, at the Feast of Sacrifice, at the Friday congregation, when visiting the sick, and when attending a funeral.'

Ja'far b. Muḥammad: He said, 'The prayers on the Two Festivals should be offered neither under a roof nor in a house. For the Messenger of God used to go out [of Medina] until the horizon would come into view [that is far away from any habitation] and place his forehead on the bare earth!'³⁰⁵

'Alī: Someone said to him, 'O Commander of the Faithful! Would that you had commanded someone to pray in mosques with the weaker sections of the people on the day of 'id!' He replied, 'I disapprove of establishing a practice which the Messenger of God did not.'

Ja'far b. Muḥammad: He said, 'The Messenger of God allowed unmarried women³⁰⁶ to go out for the 'id congregation to seek their livelihood,' which [in this case] is marriage.

[Ja'far b. Muḥammad]: He said, 'When the imam is delivering his sermon on the day of 'id the congregation should face him and observe silence.'

[Ja'far b. Muḥammad]: He said, 'There is no *adhān* and no *iqāma* in the prayer of the Two Festivals, and no supererogatory prayers.³⁰⁷ The imam should begin with the prayer itself, before the sermon, and thus it

³⁰³The Arabic term is *burd*, which means a kind of striped garment. Lane, s.v. b-r-d.

³⁰⁴The Arabic term is *mawāṭin lillāh*, which literally means where the presence of God is strongly felt by man. See n. 282 in this chapter.

³⁰⁵*Mishkāt*, I, 450; Robson, I, 299; transmitted by Bukhārī and Muslim. Ibn Bābūya, *Man lā yaḥḍuruḥu al-faṭḥ*, I, 322. The inhabitants of Mecca are exempted from this rule and they should pray in the Sacred Mosque.

³⁰⁶The Arabic is '*awāṭiq*, pl. of '*awṭiq*, which means a girl who has attained the state of puberty, and has been kept behind a curtain in the house of her family, and has not been married off to a husband. Lane, s.v. '-t-q.

³⁰⁷*Mishkāt*, I, 450; Robson, I, 299; transmitted by Bukhārī and Muslim. Ṭūsī, *al-Nihāya*, 133-6.

is different from the Friday prayer. The prayer of the Two Festivals consists of two *raka'āt*,³⁰⁸ and the Qur'ān should be recited loudly.³⁰⁹

[Ja'far b. Muḥammad]: He said, 'The *takbīr* (the declaration of the greatness of God) for the two 'īd prayers is as follows:

Allāhu akbar should be uttered only once, and with it the recitation of the Qur'ān should begin; thus this is the *takbīrat al-ihrām*. Thereafter the *Fātiḥa* should be recited, followed by *wa 'l-shamsi wa-duḥāhā* (*sūrat al-Shams*, 91). Then the *takbīr* [of 'īd] should be recited five times. The ordinary *takbīr* should also be said at the time of bowing and prostrating oneself. Then the worshipper should stand up [for the second *rak'a*] and recite the *Fātiḥa*, followed by *hal atāka ḥadīth al-ghāshiya* (*sūrat al-Ghāshiya*, 88), and the *takbīr* [of 'īd] should be recited four times, and the ordinary *takbīr* should be uttered while bowing and rising from it and prostrating oneself. Then the *tashahhud* should be said, and finally the salutation. While saying the multiple *takbīrs* [five in the first and four in the second *rak'a*]³¹⁰ a brief prayer of *qunūt* should also be said.³¹¹

The Messenger of God: When returning from the praying ground [after the 'īd prayer], he never went home by the same route that he followed when coming to it.³¹²

Ja'far b. Muḥammad: He was asked about the man who did not attend the 'īd prayer. Was it incumbent upon him to say it at home? [The Imam] said, 'Yes but it would not be the ['īd] prayer since this can only be said with a just imam. Those who are unable to pray with the 'īd congregation should say four *raka'āt* at home; two for the 'īd prayer, and two for the sermon. Similarly those Bedouin who are unable to attend the 'īd congregation [on account of distance or some other cause], should pray four *raka'āt* by themselves.'

'Alī: He said that those who lived in villages and did not come to

³⁰⁸Mishkāt, 450–1; Robson, I, 299; transmitted by Bukhārī and Muslim. Ibn Bābūya, *Man lā yaḥḍuruḥu al-faṭḥ*, I, 322, 324.

³⁰⁹Mishkāt, 453; Robson, I, 301.

³¹⁰Opinions vary as to the number of *takbīrs*. Mishkāt, I, 453; Robson, I, 301; it states seven in the first *rak'a* and five in the second before reciting the Qur'ān. See also Ibn Bābūya, *Man lā yaḥḍuruḥu al-faṭḥ*, I, 324. Maghnīya, *al-Fiqh*, 142–4.

³¹¹The brief *qunūt* in the gloss of T is as follows:

O God, grant me forgiveness and mercy, and forgive my sins, and wipe them out [from my record of actions] in this world and in the next. Thou art verily endowed with power over all things.

See also *Ṣaḥīfat al-ṣalāt* (Sulaymānī), 252; (Dāwūdī), 265.

³¹²Mishkāt, I, 451, 454; Robson, I, 300, 302; Ibn Bābūya, *Man lā yaḥḍuruḥu al-faṭḥ*, I, 323.

the 'id congregation, should pray four *raka'āt* if they did not attend the 'id prayer led by an imam in the city.

['Alī]: He said, 'The traveller is under no obligation to pray either the congregational 'id prayers or the Friday prayers.'

Ja'far b. Muḥammad: With regard to the prayers of the Two Festivals, he said, 'Where there is a group of five or more persons with an imam in a city, it is obligatory on them to hold a congregation and offer the Friday prayers and the two festival prayers.'³¹³

'Alī: During the time of his caliphate, two festivals fell on the same day, Friday and an 'id, and he led the people in the 'id prayer. Then he said, 'Those of the people whose homes are at a distance, that is the desert dwellers, may return home.' Then he led the people in the Friday prayer in the mosque.'³¹⁴

['Alī]: [Once upon a time it came to pass that] some people had not seen the crescent moon on the previous evening and had accordingly continued the fast [the following day] until the time for 'id prayers was over. Thereafter some reputable witnesses asserted that they had actually seen the crescent the previous evening. 'Alī said, 'The people should break their fast and go forth on the next day to offer the 'id prayer in the morning.'³¹⁵

['Alī]: He said, 'The *takbīr* for the [three] Days of *Tashrīq* should be said from the *fajr* prayer on the Day of 'Arafa [one day before the Festival of Sacrifice] to the 'aṣr prayer on the last Day of *Tashrīq* [the thirteenth day of Dhu 'l-Ḥijja].'³¹⁶

Abū Ja'far: He said, 'The *takbīr* of the Days of *Tashrīq* are incumbent upon both men and women.'

Ja'far b. Muḥammad: He said, 'The *takbīr* of the Days of *Tashrīq* is to be uttered after the salutation of each of the mandatory prayers. It is as follows:

God is Great, God is Great. There is no deity other than God. God is Great, God is Great. All praise to God for having guided us. God is Greatest for providing us the beast of cattle [for food].'³¹⁷

³¹³Ibn Bābūya, *Man lā yaḥḍuruhu al-ṣaḥīḥ*, I, 331.

³¹⁴Ibid., I, 323.

³¹⁵A gloss in T taken from Nu'mān's *Mukhtaṣar al-āthār* states, 'If the people wake up on the morning of the 'id without knowing that it is the 'id, but later on it becomes evident to them before the sun declines, that it is in fact the 'id, they should go out for the 'id prayer and break their fast.'

³¹⁶*Kaḥfī*, IV, 517; the *takbīr* should be said from the *zuhr* prayer on the Day of Sacrifice to the *fajr* prayer of the third day after the Day of Sacrifice.

³¹⁷Cf. Qur'an 5:1, 22:28, 34; see also *Kaḥfī*, IV, 518.

The imam should utter the *takbīr* while praying in congregation, and when he pauses, those who follow him should repeat it in a loud voice. The person who prays by himself should keep to the same practice. He who has been left behind the imam in prayers should not say the *takbīr* [with the imam] until he has completed the portion of prayer he has missed. Thereafter he should utter the *takbīr* after the salutation.

FORGETFULNESS DURING PRAYER

Ja'far b. Muḥammad—his father—his ancestors: They said,³¹⁸ 'He who mistakenly omits the *takbīrat al-iḥrām* is obliged to say the prayers afresh.'³¹⁹

Ja'far b. Muḥammad: He said, 'He who is doubtful whether he has performed the bowing or not during prayers should bow and perform the two prostrations of error (or forgetfulness).'³²⁰

[Ja'far b. Muḥammad]: He was questioned about [the case of] a person who while praying has doubts whether he is praying the first or the second *rak'a*. He said, 'If he is seated and has said the *tashahhud*, the *tashahhud* is the barrier [to put an end to his doubts]. Provided that he is certain that he has prayed only one *rak'a*, he should stand up and pray the second *rak'a*. If, however, he has not yet been seated for the *tashahhud*, being certain [that he has prayed only one *rak'a*], he must perform the two prostrations prescribed for error.

'But if he is uncertain whether he has prayed two or three *raka'āt* or whether he had prayed three or four *raka'āt*, he should decide upon the number that he is certain of and utter the salutation and thereafter offer the two *raka'āt* in a sitting posture. Thus if he has already prayed three *raka'āt*, those two *raka'āt* that he prayed in a sitting posture will be equivalent to the one *rak'a* [he has missed] and will complete the four *raka'āt* of prayer. Where, however, he has already offered the four *raka'āt*, those two *raka'āt* will be counted as supererogatories offered by him. If he has prayed and is not certain whether he has offered two or four *raka'āt*, let him make the salutation and pray two *raka'āt*. Thus where he has prayed four *raka'āt*,

³¹⁸This is according to MSS C, E, and MS Q. The edited text reads, 'He said.'

³¹⁹*Kaṣf*, III, 335.

³²⁰The Arabic term is *sahw*, meaning to become unmindful, forgetful, neglectful, or heedless of a thing. *Sahw fi 'l-ṣalāt* means he was unmindful in prayer. It seems that the jurists use this term for forgetfulness, doubt, and unintentional error. See Jazīrī, *al-Fiqh*, I, 465–9. Two prostrations of forgetfulness seem to be the general rule. *Mishkāt*, I, 320–2; Robson, I, 207–9; Maghniya, *al-Fiqh*, 133–6; Jazīrī, *al-Fiqh*, I, 469 ff. For this tradition see *Kaṣf*, III, 336–7.

these two will be deemed to be supererogatories, and where he has prayed two *raka'āt* only, they will complete the prayer. During such additional prayers due to error, only the *Fātiḥa* need be recited in each of the *rak'as*.³²¹

'In all cases of doubt it is incumbent on the worshipper to prostrate himself twice after the salutation and to utter the short form of *tashahhud* and later offer the salutation.

'Where a man prostrates himself without bowing he should pray again. Where a man fails to prostrate himself he should make the salutation and then prostrate himself when he remembers it.

'If a man forgets the *tashahhud* he should offer the two prostrations of error.

'For him who errs in making the salutations during the *tashahhud* it is sufficient if he says:

Salutation to thee, O Prophet, and the mercy of God and His benedictions.
Salutation to us and the righteous slaves of God.'

Ja'far b. Muḥammad: He said, 'He who forgets the recitation of the Qur'ān during some *raka'āt* may recite the Qur'ān during the remaining *raka'āt* of the prayer and this will fulfil his obligation. If, however, he has overlooked the Qur'ānic recitation altogether [in all the *raka'āt*] and has completed the bowing and the prostration and the *takbir*, there is no obligation on him to say his prayers afresh. But if he has omitted the Qur'ānic recitation deliberately he must repeat his prayers.'

[Ja'far b. Muḥammad]: He said, 'A man forgets to say the first *tashahhud* and rises to perform the third *rak'a* but realizes before the bowing that he has forgotten the *tashahhud*. He should sit down, say the *tashahhud*, and after giving the salutation he should perform two prostrations of error. But if he recollects the omission after the bowing, he should continue his prayer and offer the two prostrations of error after the salutation.'³²²

[Ja'far b. Muḥammad]: He was asked concerning the man who errs in uttering the salutation after two *raka'āt* of prayer, believing that he has completed the prayer [of four *raka'āt*]. He said, 'Once the Messenger of God was praying with a congregation and uttered the salutation after only two *raka'āt* [where four should have been completed]. So Dhu 'l-Yadayn (the possessor of arms)³²³ exclaimed while the Prophet was going out, "Has

³²¹Cf. *Kaḥf*, III, 338–42; Kulaynī gives more examples.

³²²*Ibid.*, III, 346.

³²³His exact name is not known, but the tradition reported in *Mishkāt*, I, 321;

the prayer been shortened, or have you forgotten, O Messenger of God?" The Messenger of God said, "And what is that?" Dhu 'l-Yadayn said, "But you prayed only two *raka'āt*!" The Messenger of God said to the people assembled, "Is it true what Dhu 'l-Yadayn says?" The people said, "Yes, O Messenger of God." Then the Messenger of God prayed the two *raka'āt*, uttered the salutation, performed the two prostrations of error, said the *tashahhud* briefly, and uttered the salutation.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'Where a man forgetfully offers more *raka'āt* than are prescribed, if he is seated in the fourth *rak'a* and has already uttered the *tashahhud*, then indeed he has completed his prayer, but he must of necessity perform the two prostrations of error. But where he has not yet been seated after the fourth *rak'a*, let him pray again from the very beginning.'

Ja'far b. Muḥammad: He said, 'He who forgets while praying and does not know for certain whether he has in fact prayed more or less has necessarily to perform the two prostrations of error.'

[Ja'far b. Muḥammad]: He said, 'Where a man has a slight doubt about some part of his prayer, but has in fact come out of that part, let him continue his prayer. If a man has doubts about uttering the *takbīr* after he has performed the bowing, he should continue his prayer. Where a man has doubts about the bowing after he has prostrated himself he should continue his prayer. If a man has doubts about the prostration after he has risen, or sat down after it for the *tashahhud*, he should continue his prayer. If a man has doubts after the salutation, concerning any detail of prayer, no fresh prayer is necessary.'

All these rules relate to situations where the man's doubts do not amount to certainty, but if he is certain of some definite error, he should not proceed with his prayer, being based on an error [and a fresh prayer is necessary].

[Ja'far b. Muḥammad]: He was questioned about the man who, while praying behind an imam, has made some error. [The Imam] said, 'The responsibility does not lie with him,³²⁴ for the imam bears his burden.'

[He was also questioned] about errors in supererogatory prayers and he said, 'It is of no consequence.'³²⁵ The man may pray an addi-

Robson, I, 208, is similar. A similar tradition is reported by Kulaynī twice: in the first (*Kaḥf*, III, 344), the name is given as Dhu 'l-Shimālayn, while in the second (*ibid.*, III, 346), the name is given as Dhu 'l-Yadayn and stated that he was also called Dhu 'l-Shimālayn.

³²⁴Nu'mān, *Ta'wil al-da'a'im*, I, 330. The first mark of interrogation in all the editions of the text appears to be wrong.

³²⁵*Kaḥf*, III, 349.

tional *rak'a*, or what he wishes [for instance the two prostrations of error].'

'Alī: One of the Anṣār³²⁶ came to the Messenger of God and said, 'O Messenger of God, [I have come to you] to complain about the wandering thoughts³²⁷ that trouble me while praying; I never know for certain whether there is redundancy or deficiency in my prayers.' The Messenger of God replied, 'When you arise for prayer, put your right forefinger to your left thigh and say, "In the name of God and for God's sake. I trust in God. I crave the protection of God, the Hearer and the Knower, from Satan the Accursed." This will repel him and drive him away.'³²⁸

Abū Ja'far: He was asked regarding the man who complains of persistent doubts about his prayers [with regard to the number of *raka'āt* completed because of forgetfulness] and he said, 'Let him say it again.' It was said to [the Imam], 'This will only worsen matters, for the more he repeats, the more he falls prey to doubt [because of forgetfulness]!' But [the Imam] said [nevertheless] let him continue to pray,³²⁹ and he [the Imam] continued, 'Do not accustom yourself to the abominable habit of invalidating your own prayers,³³⁰ for it will encourage you [to do it again and again]. If you act on my suggestion the doubts will not recur.'³³¹

DISCONTINUANCE OF PRAYER³³²

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'If a man who is at prayer sees a child who is toddling towards a fire and is about to fall into it, or approaching a ledge and is about to fall over it, or a sheep entering a dwelling who is about to destroy something, or finds himself in a similar predicament, there is indeed no harm in his turning away from prayer and dealing with the matter. But he should not turn his face

³²⁶See note 18 in Chap. 1 for al-Anṣār.

³²⁷The Arabic is *waswasa*, meaning devilish insinuation, temptation, hence a man subject to diabolical prompting is confused and disordered in his mind. Lane, s.v. w-s-s.

³²⁸*Kaḥfi*, III, 348; reported on the authority of al-Ṣādiq and does not specify that the person was from Medina. *Mishkāt*, I, 320; Robson, I, 207; it quotes the Prophet saying, 'When one of you stands up to pray, the devil comes to him and confuses him so that he does not know how much he has prayed. If any of you has such an experience, he should perform two prostrations during the period he sits.' Transmitted by Bukhārī and Muslim.

³²⁹In *Kaḥfi*, III, 348, it states, 'Let him continue to doubt.'

³³⁰Indeed, Satan is abominable: he will get accustomed to it if you inure him to it. So let him continue in his doubt, but he should not frequently invalidate his own prayers.' Addition in *Kaḥfi*, III, 348.

³³¹*Ibid.*, III, 350-2. Kulaynī has given an excellent summary of all possible cases of errors/forgetfulness and their remedies.

³³²There is no separate section by this title either in *Kaḥfi* or *Mishkāt*.

away from the direction of the *qibla*, and he should run towards the situation to remedy it. [In such cases] his action does not terminate his prayer, and he can resume it from where he left off. Where, however, the situation does demand a complete cessation of prayer, let him say the prayer again from the very beginning.'

The Messenger of God: He said, 'If a man becomes ritually impure [by an act, voluntary or otherwise], let him discontinue [the prayer], perform the ablution, and say the prayer afresh.

'On the passing of wind, let no one turn away from prayer on a mere suspicion, unless he senses the odour thereof, or hears its sound, or is otherwise certain of his impurity.'³³³

'Alī: Once he was leading the people in prayer when [suddenly] he bled from the nose. So he caught hold of a man by the hand and put him in his place; he then washed the blood, and went and prayed by himself.³³⁴

['Alī]: He said, 'He who converses during prayer should repeat it afresh.'³³⁵

['Alī]: He was asked about [some living creature] crossing in front of the worshipper. He said, 'Nothing causes the discontinuance of prayer.'³³⁶ But do not allow anyone to cross in front of you, even if you have to use force!

He said, 'It came to pass that once the Messenger of God was praying, and a dog passed in front of him, then a donkey, and then a woman, but he continued to pray. When he finished praying, he said, "I saw what you saw; the prayer of the faithful, however, is not terminated [by such events]. Nevertheless, prevent such occurrences as far as you can."

THE PRAYER OF ONE WHO ARRIVES LATE TO THE CONGREGATION [AND MISSES PART OF THE WORSHIP]³³⁷

The Commander of the Faithful, 'Alī b. Abī Ṭālib: He said, 'Where the imam has preceded one of you in prayer [for being late], let him consider

³³³*Mishkāt*, I, 318; Robson, I, 205.

³³⁴Cf. *Kaḥf*, I, 355, 356.

³³⁵*Mishkāt*, I, 310; Robson, I, 200.

³³⁶*Kaḥf*, III, 355; Ṭūsī, *al-Nihāya*, 95.

³³⁷The Arabic term is *masbūq*, which literally means 'one who has been preceded by someone, or one who is outstripped by someone else'. In this context it means one who joins the congregation after the imam has already completed one or more *raka'āt* of prayer. This section in *Mishkāt*, I, 356–61 and Robson, I, 235–8, is very general compared to Nu'mān.

the prayer he was able to offer with the imam the least portion of his prayer. Hence let him recite [silently] to himself [the portion of the Qur'ān he missed during the *rak'a* in which he joined the congregation] if the imam affords him the opportunity by a slight delay [or a pause before bowing].³³⁸ If this is not possible, he should recite [the part he has missed] during the [compensatory] *rak'a* (or the *raka'āt*) he prays [after the imam had completed his prayer].³³⁹

'[Suppose] a man enters upon the last *'ishā*' prayer with the imam, finds that the imam has already preceded him by the first *rak'a*, and the worshipper joins the imam during the recitation of the Qur'ān in the second *rak'a*. When the imam rises to pray the third *rak'a* the worshipper should recite [silently] to himself, as he recited in his heart in the preceding *rak'a*, and count it as his second *rak'a*. When the imam pronounces the salutation, the worshipper should not utter it, but should perform another *rak'a* and recite [only] the *Fātiḥa*, because it was the last *rak'a* left for him to pray.'

Ja'far b. Muḥammad: He was asked about a man who joins a congregation, which has preceded him by one *rak'a*, 'What is the proper course of action?' [The Imam] said, 'The worshipper should pray the second *rak'a* with the congregation, and when they are seated he should not sit in a relaxed position.³⁴⁰ When they rise for their third *rak'a*, for him it is the second, and so he should recite the Qur'ān in it. When they raise their heads after the prostration, he should sit for a little while and say [the shorter] *tashahhud* briefly. Then he should arise while the rows are being rearranged before the congregation performs the *rukū'*. [Later], when they are seated in the fourth *rak'a*, he should [again] sit uneasily, and after the imam has sent the salutation, he should arise and pray the remaining *rak'a* and be seated and say the *tashahhud*, offer the salutation, and depart.'³⁴¹

'Alī: He said, 'In the *maghrib* prayer, when the imam has preceded the follower by one *rak'a*, and he has then entered the prayer with the imam, he [the follower] should sit after each *rak'a*.' 'Alī meant that when the imam is seated in the second *rak'a*, this being the worshipper's first, the latter should be seated with the imam without being relaxed. When the imam rises for the third *rak'a*—this being the worshipper's second—he should sit with the imam and say the first *tashahhud*,

³³⁸The Urdu and Gujarati translations appear to be imprecise. The translator does not distinguish between *fi-nafsihi* and *fi-mā bayna-hu wa-bayna*.

³³⁹Tūsī, *al-Nihāya*, 114–17.

³⁴⁰Cf. *Kāfi*, III, 373; according to Kulaynī he can say the *tashahhud*.

³⁴¹*Ibid.*, III, 372.

and while the imam is praying silently, the worshipper (follower) should recite inaudibly, counting it as his second *rak'a*. Thereafter when the imam makes the salutation, he should rise and recite the *Fātiḥa*, which for him will be the third *rak'a*. Then the worshipper should sit, say the second *tashahhud* [this being the third *rak'a* for him], utter the salutation, and depart.

Abū Ja'far Muḥammad b. 'Alī: He said, 'Where you join an imam who has already prayed two *raka'āt*, you should reckon the *rak'a* you pray with him as your first and recite the *Fātiḥa* and another *sūra* by yourself when the imam gives you the opportunity by a slight pause, or as much as you are able to recite, and count this as the first *rak'a* of your prayer. Be seated with the imam when he sits for the second *tashahhud* and count it as your first *tashahhud* and pray [what is prayed in the first *tashahhud*]. When the imam sends the salutation, but before you do so, rise and pray two *raka'āt* if it is the prayer of *ḡuhr*, *'aṣr*, or *'ishā*; or only one *rak'a* if it is the *maghrib*. You should recite in each of these *rak'as* the *Fātiḥa*. Then you should say the second *tashahhud* and send the salutation.

'If however, not more than one *rak'a* is said with the imam, count it as your first, and when the imam is seated for the *tashahhud*, do not sit at ease, and do not say the *tashahhud*. After the imam has sent the salutation, rise, reckon the *rak'a* which you have prayed as the first, and continue to pray till you have completed your prayer.'³⁴²

[Abū Ja'far Muḥammad b. 'Alī] and Abū 'Abd Allāh: They said, 'When a man joins the imam before he has completed the bending, or while he is bowing, and it is possible for (that) man to say the *takbīr* and perform the bowing before the imam has raised his head after the bowing, and the man actually does so, he indeed has prayed that *rak'a* [with the imam]. But if the man joins the imam after he has risen from the bowing, let the man join with the imam in prayer, but he cannot reckon this as a *rak'a*.'³⁴³

'Alī: He said, 'He who joins the imam while he is in the act of bowing and utters *Allāhu akbar* once, and bows with the imam, he indeed has performed the *rak'a* [sufficiently].'³⁴⁴

Ja'far b. Muḥammad: He said, 'A man discovers that the imam has gone ahead of him by one *rak'a*. When the imam utters the salutation he too salutes, overlooking the fact that he has not yet offered the one full *rak'a* that he missed, and completes the prayer with the congregation. It

³⁴²Ṭūsī, *al-Nihāya*, 115.

³⁴³Kāfi, III, 373; same position reported on the authority of al-Ṣādiq.

³⁴⁴Cf. *ibid.*, III, 373.

is incumbent upon him to pray the *rak'a* he has missed by himself, say the *tashahhud*, utter the salutation, and depart.³⁴⁵

[Ja'far b. Muḥammad]: He said, 'A man joins the imam in prayer and finds that the imam has preceded him in a part of it. Thereafter, during the course of prayer, the imam happens to become ritually impure and puts the man [ahead of the ranks] to lead the prayer in his stead. [In these circumstances] when the man completes the prayer begun by the imam, he should beckon to those following him to render the salutation and depart. Then he should rise and complete his own prayer but without saying the *takbīr* loudly.'³⁴⁶

[Ja'far b. Muḥammad]: He said, 'It is proper for the imam, after he has pronounced the salutation, to remain seated in his place until those who have missed a part of their prayers [with the imam] have had the opportunity to complete their prayers.' This direction applies to what we have mentioned [with respect to the imam]—that he is commanded to devote himself to orisons and supplication after the [obligatory] prayer before getting up from his place so that it would give enough time to those who have missed a part of their prayers to complete them. The imam during all this period should remain seated in his place, devoting himself to supplication and communion [with God] in accordance with what he has been instructed.

THE AGE AT WHICH PRAYER BECOMES OBLIGATORY ON CHILDREN³⁴⁷

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'The child should be directed to pray when he arrives at the age of understanding and to fast when he is able to withstand [its rigours].'

[Ja'far b. Muḥammad]: He said, 'When a child reaches the age of understanding and begins to read something of the Qur'ān, he should be taught the ritual prayer.'

'Alī b. al-Ḥusayn [Zayn al-'Abidīn]: He used to gather together the children [of the neighbourhood] and direct them to pray the *zuhr* and 'aṣr at the same time, and likewise the *maghrib* and the 'ishā'.³⁴⁸ On being questioned about this he said, 'This course will lighten their burden and they will look forward to it with alacrity; they will neither avoid it, nor

³⁴⁵Cf. *ibid.*, III, 375; the example given is the *fajr* prayer.

³⁴⁶*Ibid.*, III, 374; also reported from al-Ṣādiq. On the following page (i.e. 375) Kulaynī gives another example. Tūsī, *al-Nihāya*, 114.

³⁴⁷*Mishkāt* does not have this section.

³⁴⁸*Kāfi*, III, 403; it is reportedly partially concerning the *maghrib* and 'ishā' prayers.

go to bed without saying their prayers, nor engage themselves [in some other occupation].'

The Imam never demanded any more than the mandatory prayer from them and used to say, 'As soon as children are able to say their prayers do not delay [insisting upon] the prescribed ones.'

Muḥammad b. 'Alī: He said, 'Children should be directed to pray when they are able to understand [its significance], and to fast as soon as they are able to withstand [its rigours].' He was asked, 'At what age [should they be directed]?' He replied, 'At the age of 6.'

Ja'far b. Muḥammad: He said, 'Verily, we [the members of the Prophet's Household] command our children to pray and also to fast at the age of 7 if they are able to do so.'³⁴⁹

Muḥammad b. 'Alī—his ancestors: The Messenger of God said, 'At the age of 7 direct your children to pray, and when they are 9, chastise them if they neglect it. When they are 10 years old separate them into different chambers.'³⁵⁰ All these directions are in conformity with one another. Since children differ one from the other in their constitution and their understanding, they should be instructed according to their capabilities.

Children [it must be noted] are under no legal obligation. The directions of the Imams are in reality rules of discipline that need to be inculcated so that children are brought up in an atmosphere to appreciate the nature of their obligation by getting used to prayer and acquiring a liking for it. In this way they will be trained gradually not to neglect any part [of their prayers].

Ja'far b. Muḥammad: During the month of Ramaḍān he used to direct children to fast for a part of the day. When he observed that hunger and thirst had caused distress to a child, he directed him to break his fast. This was the course he adopted for training them by degrees.³⁵¹ The mandatory obligation, however, applies equally to the male and the female, child only on the attainment of puberty.

'Alī: He said, 'The Messenger of God said, "The pen [of the recording angel]"³⁵² shall be withheld from [writing the deeds of] the following three persons: the man who sleeps, until he wakes; the lunatic, until he has regained consciousness; and the child, until he attains puberty."³⁵³

³⁴⁹Ibid., III, 403. Kulaynī gives the age of 5 for prayers and 7 for fasting.

³⁵⁰This is probably done to prevent them from playing while praying. Cf. *Kāfi*, III, 403. The Urdu and Gujarati translations are incorrect and they misled Fyze.

³⁵¹Cf. *Kāfi*, III, 403.

³⁵²For a similar tradition, see *bāb al-ṭalāq* in Bukhārī, *Ṣaḥīḥ*, I, 59.

³⁵³*Mishkāt*, II, 211; Robson, I, 697; also reported on the authority of 'Alī.

THE PRAYER OF THE TRAVELLER³⁵⁴

When a traveller undertakes a journey, either by sea or by land, wherein prayers could be curtailed, he should curtail his prayers in the case of three [of the daily prayers], *ẓuhr*, *ʿaṣr*, and last *ʿiṣhā*, in each of which the traveller may pray two *rakaʿāt*. But there cannot be any curtailment in the *maghrib* or *fajr* prayers [three and two *rakaʿāt* respectively].³⁵⁵

Jaʿfar b. Muḥammad [al-Ṣādiq]—his father—ʿAlī: The Messenger of God said, 'God the Blessed and Exalted has verily given a bounty to my community the like of which He has not vouchsafed to any other, a distinction conferred especially on them.' The people asked, 'O Messenger of God, what may that be?' He replied, '[The privilege] not to fast and to curtail [the prescribed] prayers during travels. Whence he who does not do so surely rejects the gift of God.'

ʿAlī: He said, 'He who curtails prayer during the period of travelling and does not fast has verily accepted the lightening [of his burden] by God and his prayer is complete.'

Abū Jaʿfar Muḥammad b. ʿAlī: He was questioned about [the curtailment of] prayers during travel, why it was permitted, and by how much. He said, 'Verily, God says, *And when ye go forth in the land, it is no sin for you to curtail (your) worship* (4:101).³⁵⁶ Now the curtailment of prayers during travel is obligatory in the same manner as the completion [of prayers] is obligatory when you are residing in a settled habitation.' He was asked, 'O son of the Messenger of God, God has only said, *It is no sin for you*; but He did not affirm *curtail*! How then do you say that He has laid it down as an obligation to curtail them as He has done to complete the prayers [in the case of the ordinary ones]?' [The Imam] said, 'Has not God said, *Lo! (the mountains) Aṣ-Ṣafā and Al-Marwah are among the indications of Allah. It is therefore no sin for him who is on pilgrimage to the House (of God) or visiteth it, to go around them (as the pagan custom is)* (2:158). Now do you not perceive that to go around them is both obligatory and mandatory? The reason is

³⁵⁴The two prayers of *ẓuhr* and *ʿaṣr*, and *maghrib* and *ʿiṣhā* respectively could be combined during travel. *Kāfi*, III, 426; *Mishkāt*, I, 422, 426; Robson, I, 281–2; transmitted by Bukhārī.

³⁵⁵*Mishkāt*, I, 423; Robson, I, 281.

³⁵⁶The whole verse reads: *And when ye go forth in the land, it is no sin for you to curtail (your) worship if ye fear that those who disbelieve may attack you. In truth the disbelievers are an open enemy to you* (4:101). A tradition states, 'Yaʿlā b. Umayya said, "I remarked to 'Umar b. al-Khaṭṭāb that God had said, 'You may shorten the prayer,' only 'if you fear that those who disbelieve may harass you,' whereas the people were safe now. 'Umar replied that he had wondered about the same matter, so he asked God's messenger, who replied, 'It is an act of charity which God has done for you, so accept His charity.'"*' Mishkāt*, I, 421; Robson, I, 280.

that God mentions both the hills in His Book, and the Messenger of God made the action obligatory.' [Similarly shortening of prayers during travel is mentioned by God in His Book that way and the Messenger of God acted accordingly].

'Alī: He said that the Messenger of God prohibited the completion of prayers during travels.

Ja'far b. Muḥammad: He said, 'I shall have nothing to do with a person who prays four *raka'āt* of prayer while travelling.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'Let him who prays four *raka'āt* while travelling repeat [his prayers afresh]; the only exception is the man to whom the verse (4:101) has not been recited, or the man who does not know of it. In both these cases repetition of prayers is not obligatory.'³⁵⁷

Ja'far b. Muḥammad: He said, 'In the case of the traveller the obligatory prayers consist of two *raka'āt* for every prayer except the *maghrib*, for these [three *raka'āt*] cannot be curtailed.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'When a man is travelling during the day, no prayer is compulsory except what is prescribed. You may, however, if you wish, pray nightlong, from the beginning to the end of night;³⁵⁸ in which case, do not fail to say the supererogatory prayers of the day during the night!'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'When a traveller sets out on a journey during which the prayer could be shortened, he should curtail prayers and eat [without fasting] as soon as he sets forth from his town or village.'³⁵⁹

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'When a man has travelled 2 *barīd*³⁶⁰ [that is about 38.616 km], counting both ways, the prayer should be curtailed.' The meaning is that where a man has travelled the distance of a *barīd* and has the intention to return, he should curtail his prayers. Otherwise, if he wishes to stay there [for a time] he should not curtail his prayers until he actually covers the distance of 2 *barīds*.³⁶¹

³⁵⁷Cf. *Kāfi*, III, 430; Ṭūsī, *al-Nihāya*, 123.

³⁵⁸*Kāfi*, III, 435.

³⁵⁹*Ibid.*, III, 429–30; if a person intending to travel has not yet set out to go and the time for prayer has arrived, he has to offer full prayers.

³⁶⁰According to Hinz, *Islamische Masse*, 55, *barīd* is about 4 *farsakhs* (parasangs), or 24 km. For the etymology of the term see Lane, s.v. b-r-d. *Barīd* is a distance between each station termed *sikka*, about 12 miles (*mīl*). These are ancient units of distance and the exact measurements vary slightly. According to Webster's *Third New International Dictionary* 1 mile=5,280 feet or 1760 yards=1.609 km, and 1 km=1000 metres=0.62 miles.

³⁶¹The gloss in MS R from [Nu'mān's] *Kitāb al-ṭahāra* [fol. 78r], equates a *barīd* with 4 *farsakh*, or 12 *mīl*, where a *mīl* is equal to 3000 *dhīrā'*. Cf. *Kāfi*, III, 427–9; Ṭūsī, *al-Nihāya*,

'Alī: He said, 'I heard the Messenger of God saying, "Seven persons cannot curtail prayers: (1) an emir [a governor or administrator] who is touring in his domain; (2) the collector of taxes touring within his jurisdiction; (3) the merchant going from place to place for trade; (4) the hunter [in pursuit of game]; (5) the combatant [or police officer during war or in pursuit of bandits]; (6) the Bedouin in search of water; and (7) the agriculturist [for a similar purpose]."³⁶² The rule is applicable only when they go round from place to place [as part of their profession] without being assiduous travellers.'

Ja'far b. Muḥammad: He laid down the rule similarly for anyone who lends his animals for recompense, or the seaman. They cannot curtail their prayers, for this is their occupation. A similar rule applies to a person who visits his lands that are adjacent to one another, so that one day he is here and another day there.³⁶³ The like applies to a traveller who during his travels breaks journey for a while with his own people [or relatives]; he also cannot curtail his prayers.

Abū Ja'far and Abū 'Abd Allāh: They said, 'The person, who halts at a place, intending to stay ten days therein, must [fast]³⁶⁴ and say his prayers fully. If however his intention is to stay less than ten days, he may curtail prayers and need not fast since he is in the state of a traveller. But if he has no fixed programme and goes on saying, "I shall depart today or tomorrow," in such a state of affairs he may curtail his prayers for a month. Thereafter he has to say his prayers completely.'³⁶⁵

[The Imams]³⁶⁶ said, 'It is not proper for a traveller to lead a resident or to follow him [the resident] in prayers. But if he does lead them, then he should pronounce the salutations after two *raka'āt*, while the others should complete their prayers regularly. If the traveller follows a resident in prayer he should terminate his prayer after two *raka'āt*.'³⁶⁷

Ja'far b. Muḥammad: He said, 'He, who forgets a prayer during his

122; it is the same rule. Cf. *Mishkāt*, I, 426; Robson, I, 283; Mālik, on the other hand, states that the distance must be 4 *barīd*.

³⁶²Ṭūsī, *al-Nihāya*, 122, 124. He states that it is commendable to offer complete prayers in the following four sacred precincts: Mecca, Medina, Najaf, and Karbalā'.

³⁶³*Kaft*, III, 432–5; similarly a Bedouin and a camel driver cannot shorten their prayers.

³⁶⁴As in MS Q, it is dropped from the printed edition.

³⁶⁵*Kaft*, III, 431; Ṭūsī, *al-Nihāya*, 123. Cf. *Mishkāt*, I, 421–2, 423; Robson, I, 280, 281; it states that the Prophet prayed two *rak'as* when he had stayed ten days and eighteen days in Mecca, and on another occasion when he journeyed and had a stop of nineteen days.

³⁶⁶In the edited text the verb is in the singular and the subject is not specified.

³⁶⁷*Kaft*, III, 435.

travels and recollects the omission when [he is back home] in a habitation, should perform the prayer of a traveller. Likewise, if while travelling he recollects that he has overlooked a prayer during his stay at a residential place, he should say the prayer of a resident.³⁶⁸

The Messenger of God—'Alī—Muḥammad b. 'Alī—Ja'far b. Muḥammad: They permitted the traveller to offer supererogatory prayers when riding his beast of burden or his camel, taking the direction where the mount is going as the *qibla*, or otherwise. Such a prayer may be said by a mere [sign or] gesture. That is to say the prostration should be performed by bowing [the head] slightly lower than the regular bowing (*rūkū'*).³⁶⁹

But as for the mandatory prayer, this can only be said on the ground facing the *qibla*. The commonalty holds the same doctrine.³⁷⁰

With reference to the Word of God: *And whithersoever ye turn, there is Allah's countenance* (2:115), they say that this was revealed in respect of supererogatory prayers offered on a mounted animal, facing the direction of the moving animal.³⁷¹

The members of the House of the Prophet, the blessings of God be upon them: Where a person is offering his prayers on a ship which is turning round, he should try his level best to face the *qibla* at the time of uttering the *takbīrat al-ihrām*. If the ship still continues to turn, he too should turn with it [to keep on facing the *qibla*], as far as possible. If, however, the posture of standing up is impossible, he should be seated during prayers, and he may prostrate himself on pitch [or coal tar] if need be.³⁷²

Ja'far b. Muḥammad: He prohibited people from saying their prayers on the main road.³⁷³

[Ja'far b. Muḥammad]: Concerning the person who is submerged in water or who is wading in it, [the Imam] said that in these two cases he [the individual] may pray by [sign or] gesture.³⁷⁴

³⁶⁸Ibid., III, 430–1; Tūsī, *al-Nihāya*, 123.

³⁶⁹Kaṭī, III, 436, 437; *Mishkāṭ*, I, 422; Robson, I, 281.

³⁷⁰Ibn 'Umar said that on a journey the Messenger of God would pray on his riding-beast in whatever direction it turned, making a sign with his head (for bowing and prostration) in prayer during the night, but not in the obligatory prayers.' *Mishkāṭ*, I, 422, 424; Robson, I, 281–2; reported by Bukhārī and Muslim.

³⁷¹Gloss in MS T taken from Nu'mān's *Kitāb al-ṭahāra* states, 'On his returning from Mecca, the Messenger of God prayed while he was riding his mount, and the House [*qibla*] was behind his back. This is permissible only with regard to supererogatory prayers, whereas the obligatory prayers must be offered on the ground facing the *qibla*.'

³⁷²Kaṭī, III, 438.

³⁷³'He who finds no other place, except on the road, may pray there as well.' Gloss in MS D from *Ta'wīl al-da'a'im*, [I, 345].

³⁷⁴In his *Ta'wīl al-da'a'im*, I, 345, Nu'mān explains the esoteric meaning of this passage as referring to those who are under the power of a sovereign hostile in faith.

Likewise the person who finds himself without any clothes should be seated and pray by signs.³⁷⁵

THE PRAYER OF THE SICK³⁷⁶

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God was asked about the prayer of a person who was ill, and he said, 'He should pray standing up, but if he is unable to do so he should pray sitting down.' It was said, 'When, O Messenger of God, should he pray sitting down?' He said, 'When he is unable to stand up and recite the *Fātiḥa* and three verses of the Qur'ān.'³⁷⁷ If he is unable to prostrate himself, he should do so by a slight movement of the head, the movement for the *sujūd* being a little lower than that for the *rukū'*. If he is unable to pray in a sitting posture, he should do so lying down [full length on the ground] on his right side with his head facing the *qibla*. If he is unable to do so he should lie flat on his back, with his feet pointed towards the *qibla* and pray by signs.³⁷⁸

Abū Ja'far Muḥammad b. 'Alī: He said, 'He who suffers from bleeding of the nose, which does not cease, may pray by signs.'

Ja'far b. Muḥammad: He said, 'When a sick person becomes too sluggish [and finds that praying is difficult for him] and accordingly ceases to pray for a few days he should say the prayers that he has lost when he is able to pray again.'

[Ja'far b. Muḥammad]: He was asked about the man who offered his prayers while in a state of intoxication. He said that [such a man] should say his prayers again.

[Ja'far b. Muḥammad]: He said, 'He who prays in a sitting posture should sit in a cross-legged manner while praying what he should in a standing position; he should double his legs for the postures of bowing and prostrating himself and sitting, if he can do so.'³⁷⁹

[Ja'far b. Muḥammad]: He said, 'It is sufficient for a diseased person, if, for the obligatory prayer, he recites [only] the *Fātiḥa*, and for bowing and prostration he utters the glorification of God just once.'

[Ja'far b. Muḥammad]: He said, 'For the man who swoons [or faints] the rule is that he should say all the prayers he has missed whenever he recovers [and becomes able to pray again].'³⁸⁰

³⁷⁵Ṭūsī, *al-Nihāya*, 130.

³⁷⁶*Mishkāt* does not contain this section.

³⁷⁷Cf. *Kaḥf*, III, 404.

³⁷⁸Cf. *ibid.*, III, 404–6; Ṭūsī, *al-Nihāya*, 128–9.

³⁷⁹Ṭūsī, *al-Nihāya*, 129–30.

³⁸⁰*Kaḥf*, III, 407; Kulaynī reports on the authority of al-Bāqir and al-Ṣādiq that it is not incumbent on him to pray what he has already missed.

PRAYER [IN TIME] OF DANGER

God has indeed mentioned and clarified the manner of the curtailment of prayers during times of fear [or danger] in His book and how they are to be offered.³⁸¹

Ja'far b. Muḥammad: He was asked about the prayers of those who were under fear and those who were travelling and whether it was correct for both of them to curtail their prayers together. He said, 'Yes. The right of curtailing the prayer when under fear is even more justifiable than doing so while travelling, when the element of fear is absent.'

Ja'far b. Muḥammad—his father—his ancestors: The Messenger of God led the prayer [in the time] of danger at the battle of Dhāt al-Riqā'.³⁸² He divided his Companions into two groups. One of them he made stand right in front of the enemy and the other behind him. He said the *takbīr* and they followed suit. Then he recited the Qur'ān and they listened silently; then he bowed and they bowed; then he prostrated himself and they did the same. Then the Messenger of God stood up while those who were behind him prayed another *rak'a* and uttered the salutations to one another. Then they went to the place of their companions and stood in front of the enemy. Their companions came and stood behind the Messenger of God. He said the *takbīr* and they followed him; he recited the Qur'ān and they listened silently; he bowed and they bowed; he prostrated and they prostrated; thereafter he sat down and said the *tashahhud*, and they too sat down. Finally he uttered the salutations and they stood up and said the other *rak'a* for themselves and they uttered the salutations to one another.³⁸³

Ja'far b. Muḥammad: He described the prayer [in time] of fear as follows: 'If the people pray the *maghrib* [with an Imam] he should pray one *rak'a* with the first group and two *raka'āt* with the second group so that each group may obtain the benefit of Qur'ānic recitation.'³⁸⁴

³⁸¹The reference is to Qur'ān 2:239 and 4:101.

³⁸²The raid of Dhāt al-Riqā' occurred in 4 A.H. There a large force of Ghatafān was encountered. The two forces approached one another, but no fighting ensued because each feared the other. The Messenger of God led the prayer of fear. It was called Dhāt al-Riqā' because they patched their flags there. Others say it was so called because there was a tree of that name there. Ibn Ishāq, *al-Ṣira*, III, 213 ff.; Guillaume, 445 ff., 763. Wāqidi, on the other hand, asserts that this expedition was in Muḥarram in 5 A.H. He states that it was called Dhāt al-Riqā' because the mountain after which it was named had black, white, and red patches on it. Wāqidi, *al-Maghāzī*, I, 395 ff.; Tabarī, *History of al-Ṭabarī*, VII, 161.

³⁸³Bukhārī and Muslim transmit this tradition regarding the battle of Dhāt al-Riqā'. *Mishkat*, I, 446-7; Robson, I, 296. See also *Kāfi*, III, 452.

³⁸⁴*Kāfi*, III, 452.

‘Abū Ja’far Muḥammad b. ‘Alī: He was asked concerning prayers in time of excessive fear, or during the actual fighting, at a time when the regular bowing and prostration were impossible. He said, ‘They should pray by signs, riding on their animals and standing on their feet.’³⁸⁵ [The Imam] recited the Qur’ānic verse *And if ye go in fear, then (pray) standing or on horseback* (2:239).³⁸⁶ [Then he added], ‘If they are not able to pray by signs, they should utter [at least] one *takbīr* for each *rak’a* of prayer.’³⁸⁷

PRAYER DURING AN ECLIPSE

Ja’far b. Muḥammad—his father—his ancestors—‘Alī: He said, ‘Once it came to pass that there was an eclipse of the moon during the Messenger of God’s time while the Angel Gabriel was with him, and he said, “What, O Gabriel, is this?” Gabriel replied, “Lo! Verily the moon is more obedient to God than you [man]. Verily the moon has never disobeyed God since it was created. This is a sign and a warning [for consideration].” So the Messenger of God asked, “What then should be done now? What is the best of actions to be performed when this occurs?” Gabriel replied, “Prayer and recitation of the Qur’ān.”’³⁸⁸

Abū ‘Abd Allāh Ja’far b. Muḥammad: When there was an eclipse of the sun or the moon the Messenger of God would bid people to hasten towards the mosques.³⁸⁹

[Abū ‘Abd Allāh]: He said, ‘The prayer at the eclipse of the sun or the moon, or [other such heavenly] occurrences is one and the same; it is [two *rak’as*]³⁹⁰ with ten bowings and four prostrations. The prayer should be commenced with the *takbīrat al-ihrām*; the *Fātiḥa* should be recited,

³⁸⁵*Mishkāt*, I, 446; Ṭūsī, *al-Nihāya*, 130–2.

³⁸⁶*Kaṭī*, III, 453; ‘When a person is afraid of a wild beast or a robber he should pray by signs. One can also pray while riding one’s mount under such circumstances.’

³⁸⁷‘But under no circumstances can one be excused from prayer.’ Nu’mān, *Kitāb al-taḥṭra*, fol. 82r.

³⁸⁸People in pre-Islamic times used to say that the sun and moon were eclipsed only on account of the death of a great man. But the Messenger of God said that the sun and moon are not eclipsed on account of anyone’s death or birth, rather they are God’s creatures. So when either of them is eclipsed pray until it clears. *Mishkāt*, I, 470, 473; Robson, 310, 312. Cf. *Kaṭī*, III, 460.

³⁸⁹According to the Sunnis, the prayer of the eclipse is a *sunna mu’akkada* (a definite practice), while according to the Imāmis it is *farḍ ‘ayn* (individual obligation). For details see Maghniya, *al-Fiqh*, 145–7; Jazīrī, *al-Fiqh*, I, 383–7. See also *Kaṭī*, III, 461; it is *farīḍa*; Ṭūsī, *al-Nihāya*, 136.

³⁹⁰Both the Urdu and the Gujarati translations are incorrect, because the word *raka’at* in this context means *rukū’at* (bowings). They also misled Fyzee. See *Mishkāt*, I, 469; Robson, I, 309.

and then a lengthy *sūra* should be recited audibly.³⁹¹ Then the worshipper should bow and remain bowing for as long as the time taken for the Qur'ānic recitation. Then he should rise and in rising utter *Allāhu akbar*. Then he should recite the *Fātiḥa* and a lengthy *sūra* [of the Qur'ān] and say the *qunūt* and say *Allāhu akbar* and bow for the second time. Then he should remain bowing for as long a time as was taken for the recitation. Then he should rise and utter *Allāhu akbar*, recite the *Fātiḥa* and a long *sūra*, and bow for the third time. Then he should remain bowing for as long a time as was taken for the recitation. Then he should raise his head and say *Allāhu akbar* and recite the *Fātiḥa* and a long *sūra*.

'Then, when he has finished, he should say the *qunūt*, say *Allāhu akbar*, and bow for the fourth time. He should remain bending for as long a time as was taken for the Qur'ānic recitation. Then he should raise his head, say *Allāhu akbar*, recite the *Fātiḥa* with a long *sūra* [of the Qur'ān]. When he has finished, he should say *Allāhu akbar* and bow for the fifth time. He should remain bowing for as long a time as was taken for the Qur'ānic recitation, and when he rises from it, he should say, "May God hear him who praises Him." Then he should say the *takbīr* and prostrate himself. He should remain in the posture of prostration for as long as the duration of the Qur'ānic recitation. He should then say *Allāhu akbar*, and then rise and sit down for a while between the two prostrations, making supplication. Then he should prostrate himself a second time, remaining in that posture for as long as was taken for the Qur'ānic recitation.

'Then he should utter the *takbīr* and stand up and pray the second *rak'a* in the same manner as he prayed the first *rak'a*, bowing five times and performing two *sajdas*. Thereafter he should say the long *tashahhud* and send the salutation. The prayer of *qunūt* should be said after every two *rak'as*—the second, the fourth, the sixth, the eighth, and the tenth.

'The expression, "May God hear him who praises Him," should not be uttered except in a *rak'a* after which a *sajda* is to be performed. Apart from this, the *takbīr* should be uttered as we have mentioned.'³⁹²

Now this is the meaning of what Abū 'Abd Allāh [Imam al-Ṣādiq] decreed in a number of reports, which we have abbreviated, omitting repetition for the sake of brevity. If you recite the longer chapters of the Qur'ān,³⁹³ and in a chanting manner, so much the better; but even

³⁹¹The Qur'ān should be recited in a loud voice. *Mishkāt*, I, 469; Robson, I, 309; transmitted by Bukhārī and Muslim. *Kāfi*, III, 460.

³⁹²Cf. the details with *Mishkāt*, I, 469–70; Robson, I, 309. *Kāfi*, III, 460; the details are identical and reported from al-Bāqir.

³⁹³*Tiwal al-mufaṣṣal*. See n. 189 in this chapter.

otherwise [that is if you recite them hastily], this too will suffice [and fulfil the obligation]. Also if you read the *mathānī* and even shorter chapters, this too will suffice.

Now the *mathānī*³⁹⁴ are the *sūras* beginning with *al-Baqara* [*sūra* 2], and the last is *al-Bara'a* or [*al-Tawba*, *sūra* 9]. Neither the *adhān* nor the *iqāma* is to be said; but the people should be notified [of the congregational prayer] by the utterance of *al-ṣalāt jāmi'at*^{am}, that is 'Prayer brings all people together.'

'Alī: During an eclipse he used to recite one of the *sūras* of the *mathānī* [*sūras* 2–9], and *al-Kahf* [*sūra* 18], and *al-Rūm* [*sūra* 30], and *Yāsīn* [*sūra* 36], and *al-Shams* [*sūra* 91]; however, there is nothing fixed [or determined] about the *sūras* to be recited [that is it is left to the worshipper to recite any of the *sūras* that he chooses].

Ja'far b. Muḥammad: He permitted the recitation of *sūras* in parts in the prayer of eclipse.³⁹⁵ That is to say that a part of a *sūra* may be recited, then the worshipper bows, and in the next *rak'a* he may recite from the place where he has left off and continue. [The Imam] explained, 'If the *sūra* is recited in parts, then the *Fātiḥa* should not be recited except at the beginning [of that *sūra*]. If a whole *sūra* is recited, in every *rak'a* it is more commendable.'

'Alī: He said the prayer of eclipse and completed it before the eclipse ended, but he remained seated in his place of prayer, praying to God and mentioning His name. The people likewise remained seated and offered prayers until the end of the eclipse.

Ja'far b. Muḥammad: Where a man is offering the prayer of the eclipse and there comes the proper time for a mandatory prayer, he should continue the prayer of eclipse and postpone the obligatory prayer until its ending time. If the worshipper is apprehensive that in continuing the prayer of eclipse the time for the mandatory prayer will end, he should discontinue the former and say the latter. Similarly, when the eclipse of the sun or the moon commences during the time prescribed for the mandatory prayer, the worshipper should commence with the *farīda* before saying the prayer for the eclipse.³⁹⁶

[Ja'far b. Muḥammad]: He was asked about an eclipse which occurs after the time [appointed for] the 'aṣr, or at a time when the prayer is

³⁹⁴Muslim commentators and western scholars have explained this term, which occurs twice in the Qur'ān (15:87, 39:23), differently. Although the word might be of non-Arabic origin it has been influenced by the Arabic *thanā* (to double, repeat), hence it could be translated as 'repetitions'. See EI², s.v. al-Ḳur'ān.

³⁹⁵The Arabic term is *tab'iḍ*, see n. 191 in this chapter.

³⁹⁶Cf. *Kāfi*, III, 461; Ṭūsī, *al-Nihāya*, 137.

disapproved, and he said, 'The worshipper may say the prayer of eclipse at any time when the eclipse actually occurs.'

[Ja'far b. Muḥammad]: He was asked about people who were travelling during an eclipse and could not say the prayer for it. He said, 'It would have been proper for them to have said the prayer of eclipse [at the very time when it occurred].'³⁹⁷

[Ja'far b. Muḥammad]: He said, 'The prayers for the eclipse of the sun and the moon are identical, except that the prayer for the eclipse of the sun is longer in duration.'³⁹⁸

[Ja'far b. Muḥammad]: He said, 'It is necessary to pray during a tremor, or an earthquake, or high winds,³⁹⁹ or darkness, or an unusual natural phenomenon (*āya*), in the same manner as you would during an eclipse of the sun or the moon.'⁴⁰⁰

[Ja'far b. Muḥammad]: He was asked concerning a person who remained asleep, or was unaware of the eclipse [when it actually occurred], or was so busy that he could not offer prayers. Was it necessary for him to say the prayer [afterwards]? He said, 'The prayer of eclipse cannot be said after the event. Verily such prayers must be said at the times of its occurrence. For, when the eclipse has ended, there can be no prayer for it.'⁴⁰¹

[Ja'far b. Muḥammad]: He was asked where the prayer of eclipse was to be offered and he said, 'In an open space'⁴⁰² so that the worshipper can pray according to the duration of the eclipse. The Prophet's practice (*sunna*) was to pray in a mosque if there was a congregation.'

THE PRAYER FOR RAIN

God says, *And when Moses asked for water [prayed for rain] for his people, we said, 'smite with thy staff the rock.' And there gushed out therefrom twelve springs (so that) each tribe knew their drinking place (2:60).*⁴⁰³

Ja'far b. Muḥammad—his father—his ancestors: [Once upon a time] the Messenger of God went forth to the prayer ground and prayed for rain.⁴⁰⁴

³⁹⁷'If a person is sailing a boat he should pray on board.' *Kaṭi*, III, 462; Ṭūsī, *al-Nihāya*, 138; according to him this prayer could be offered while riding a mount.

³⁹⁸*Kaṭi*, III, 460.

³⁹⁹Cf. *Mishkāt*, I, 481–4; Robson, I, 317–19; 'the wind comes from God's mercy bringing blessing and punishment.'

⁴⁰⁰*Kaṭi*, III, 461; Ṭūsī, *al-Nihāya*, 136.

⁴⁰¹*Kaṭi*, III, 461.

⁴⁰²*Ibid.*, III, 460.

⁴⁰³See Nu'mān, *Ta'wīl al-da'ā'im*, I, 354.

⁴⁰⁴*Mishkāt*, I, 476; Robson, I, 314; transmitted by Bukhārī and Muslim.

Ja'far b. Muḥammad: He said, '[The prayer for] seeking rain should not be held except in an open space. The imam should go forth in a spirit of calm, sobriety, submission and supplication,⁴⁰⁵ and the people should accompany him to an open space and he should pray for them.'

[The Imam] said, 'The prayer for rain is exactly like the prayer of the Two Festivals. The imam should offer two *raka'āt* of prayer and utter the *takbīr* in both the *rak'as* as is done in the prayer of the two 'īds. Then he should ascend the pulpit, and when he has reached the top, he should sit for a little while. He should then rise and turn his mantle, putting the flap on his right side over his left [shoulder]; and the flap on the left, over his right [shoulder]. Thus did the Messenger of God and 'Alī, and such is the *sunna*.⁴⁰⁶

'Thereafter he should say the *takbīr*, raise his voice and praise God as He deserves and glorify Him and pronounce laudations, and endeavour to make supplication to God to the best of his ability, and utter more frequently *subḥāna 'llāh* and *lā ilāha illa 'llāh*. The *takbīr* [of the prayer for rain] is identical with the one for the prayer of the Two Festivals. The imam should ask God for rain for His creatures. He should utter some of the *takbīrs* facing the *qibla*, and then he should address himself to those on his right and on his left, and afterwards he should sermonize and give them goodly advice.⁴⁰⁷

[Ja'far b. Muḥammad]: He said, 'It is desirable to go forth and pray for rain on a Monday.⁴⁰⁸ The people should come out and take the pulpit out with them, as is the practice during the Two Festivals. There is neither *adhān* nor *iqāma* in such a prayer.'⁴⁰⁹

THE WITR PRAYER, THE FAJR PRAYER, AND THE QUNŪT

Ja'far b. Muḥammad—his father—his ancestors: The Messenger of God directed people to pray the *witr*⁴¹⁰ prayer. 'Alī used to be emphatic in

⁴⁰⁵'The Messenger of God went out to pray for rain wearing old clothes, with a humble and lowly manner, making petition.' *Mishkāṭ*, I, 478; Robson, I, 315. See also *Kaṣf*, III, 459.

⁴⁰⁶*Mishkāṭ*, I, 476, 477; Robson, I, 314; *Kaṣf*, III, 458; Kulaynī states, 'Imam al-Ṣādiq was asked about the significance of turning round the mantle, and he said that it was to draw a good omen so that the drought may change into abundance.' Ṭūsī, *al-Nihāya*, 138–9.

⁴⁰⁷For the Prophet's sermon and other details see *Mishkāṭ*.

⁴⁰⁸*Kaṣf*, III, 458; Ṭūsī, *al-Nihāya*, 138; 'Monday is desirable, but it should be preceded by three days of fasting.'

⁴⁰⁹For an esoteric interpretation, see Nu'mān, *Ta'wīl al-da'd'im*, I, 345–55.

⁴¹⁰*Witr* according to the Ḥijāzī dialect, and *witr* according to the Najd and Tamīm

enjoining it and never excused its avoidance. He said; 'He who [wakes up] in the morning without praying the *witr* should say the said prayer when he wakes up.' That is to say, he should discharge it if he has missed it.⁴¹¹

Abū Ja'far Muḥammad b. 'Alī: He allowed the *witr* prayer to be offered on the litter of a camel.

'Alī: He commanded people to pray the two *raka'āt* of the *fajr* prayer both in town and while travelling. In respect of the Word of God [And in the night-time also hymn His praise] and at the setting of the stars (52:49), he said that this referred to the two *raka'āt* of *fajr*.⁴¹²

Abū 'Abd Allāh Ja'far b. Muḥammad: He was asked concerning the word of God And (the recital of) the Qur'ān at dawn. Lo! (the recital of) the Qur'ān at dawn is ever witnessed (17:78), and he said, 'These are the two *raka'āt* before the mandatory prayer of dawn.'

We have related that when the Messenger of God and his Companions overslept beyond the time appointed for the prayer of *fajr* he first said the two *raka'āt* of the dawn prayer [*sunna*], and then the [obligatory] prayer.⁴¹³ When the Prophet had missed those prayers [during the prescribed time] it was his practice to offer them after the time was over.

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'The man who misses the two *raka'āt* [*sunna*] at dawn need not pray them afterwards.' This clearly shows that the Messenger of God's saying of both prayers after passing their time was as if he were fulfilling the *sunna* prayer after passing its time, for the two *raka'āt* are among the *sunna* prayer.

We shall speak of what is due in the case of a man who forgets or otherwise fails to pray them. It is not obligatory [to make them up], as is the case with the mandatory prayer, but it is also not proper to avoid them deliberately. The same is true of other *sunna* practices in prayer such as the recitation of the Qur'ān.

Abū 'Abd Allāh Ja'far b. Muḥammad: With reference to the Qur'ānic verse And in the night-time also hymn His praise, and at the setting of the stars (52:49), he said that it refers to the *witr* prayer during the last watches of the night.⁴¹⁴

dialects. Both Ḥamza and Kisā'i read *witr*, while 'Āṣim, Nāfi', and others read *watr*. *Lisān al-'Arab*, s.v. w-t-r; Ṭabrisī, X, 482. It literally means single or odd. *Ṣalāt al-witr* consists of an odd number of *rak'as* performed in the night. It is a *sunna* and varies in the number of *rak'as*, from one to eleven. Jazīrī, *al-Fiqh*, I, 335–9.

⁴¹¹*Mishkāt*, I, 397, 399; Robson, I, 264, 266; it states, 'If anyone oversleeps and misses the *witr*, or forgets it, he should pray when he remembers and when he awakes.'

⁴¹²*Kaṣf*, III, 441.

⁴¹³See n. 60 in this chapter. See also *Mishkāt*, I, 366; Robson, I, 243.

⁴¹⁴*Mishkāt*, I, 394; Robson, I, 262.

[Abū 'Abd Allāh]: He was asked concerning one of his pious followers who complained of what had befallen him on being overcome by sleep. The man said, 'Although I intend to get up at night to say my night prayers, sleep always overpowers me until the break of day. Thus, for a month or two successively, I have been offering them in the late morning.' Abū 'Abd Allāh [The Imam] said, 'I swear by God [prayer at night] is the coolness of his eyes! The prayer of *witr* cannot be said in the early part of the night, but it should be offered just before the *fajr*. This indeed is the most approved time for the *witr* prayer, for it must be said after the night prayer.'⁴¹⁵

We shall mention later the proper time for the night prayer. It is commendable to pray it after some sleep, and to offer it in the last portion of the night brings a proportionate reward because of the hardship it involves. We have mentioned in the section on the proper times for prayer that it is permissible to say the night prayer in the early part of the night after the last '*ishā*'.

Ja'far b. Muḥammad: Commenting upon the Word of God *By the Even and the Odd* (89:3), he said, 'The word *shaf'* (even) refers to the two *raka'āt* of prayer and the *waṭr* (odd) refers to the single *rak'a* wherein the *qunūt*⁴¹⁶ (humble supplication or invocation) should be uttered.' He said, 'The salutation should be uttered after two *raka'āt*. [During such prayers] the worshipper is entitled to give directions, both positive and negative, and to express his need and to act freely in it. Thereafter the prayer of *witr* may be said by praying one single *rak'a*. The *qunūt* should be said after the *rukū'*. Then he should be seated, say the *tashahhud* and utter the salutation. Then two *raka'āt* should be said while sitting, but after these no prayer should be said till the break of dawn. Thereafter he should pray the two *raka'āt* of *fajr*.'

The Messenger of God used to recite, *Praise the name of thy Lord the Most High* (*sūrat al-A'lā* 87), in the first *rak'a* of *witr*, and in the second, *Say: O disbelievers* (*sūrat al-Kāfirūn* 109); in the third⁴¹⁷ *rak'a* *Say: He is Allah, the One* (*sūrat al-Tawḥīd* or *al-Ikhlāṣ* 112) wherein he also said the *qunūt*. All these *sūras* were recited after the *Fātiḥa*.⁴¹⁸

Abū Ja'far Muḥammad b. 'Alī: He said, 'Recite *Say: O disbelievers* (*sūra*

⁴¹⁵ *Kaṭī*, III, 444; also reported from al-Ṣādiq; *Mishkāt*, I, 395; Robson, I, 263.

⁴¹⁶ *Qunūt* means 'being obedient', or 'the act of standing'. Its verbal form and its active participle are used in the Qur'ān. *Qunūt* is used for certain supplications in the *witr* or at other times. There is some disagreement among various schools of jurisprudence about when these *qunūt* supplications may be made. Lane, s.v. q-n-t; Jazīrī, *al-Fiḥ*, I, 356-60.

⁴¹⁷ According to MS Q. *Al-thāniya* (the second) in the text of the 2nd ed. (1383/1963) and the 3rd ed. (1389/1969) of the *Da'ā'im* is an error.

⁴¹⁸ *Mishkāt*, I, 397-8; Robson, I, 264-5; *qunūt* is not mentioned in the first tradition, but the second tradition gives the supplication to be recited during the *qunūt* of *witr*.

109), and Say: *He is Allah, the One* (sūra 112) after the *Fātiḥa* in the two *rak'āt* of *fajr*.'

Ja'far b. Muḥammad: He said that after the bowing in the *witr*, during the third *rak'a*, the worshipper should say *qunūt* [as follows]:⁴¹⁹ 'Raise your hands and extend them so that the palms face you and then offer your orisons.'

With regard to the prayer of *qunūt* many a version is reported to us from the members of the Prophet's House, the blessings of God be on all of them. This shows that there is nothing in its form that is fixed [or determined].⁴²⁰ What we have related from them is that which is the most approved; nevertheless, all such prayers are commendable [for instance] you may pray:

O God, Thou seest us, whilst Thou Thyself art unseen. Thou art in a place most high, and toward Thee all eyes are raised, and all steps directed, and all necks stretched, and all arms raised, and all tongues beseech Thee. Thou art the Judge of their actions. So, O Thou toward whom all arms are stretched, O Thou who art the Goal of all hearts, O Thou before whom every eye quails, O Thou before whom all heads are abased, to Thee we cry for help against the ravages of time and the display of the enemy, and the paucity of [our] numbers, and the differences of heart [among us].

We thank Thee for the bounty through our Protector (*walīy*), our Imām, the son of our Prophet, (the name of the Imām of the Age should be mentioned),⁴²¹ the one who guides towards Thee, Thy Proof for us [in this world]. We beseech Thee to bless him [the Imām] and his ancestors, and that Thou shouldst aid him so that Thy religion may be honoured and Thy friends be victorious. Unite, O God, the hearts of [mankind] in obedience to Thee and in obedience to the Imām and in devotion to his Imamate; make him victorious against his enemies the heretics (*māriqūn*). O Thou Deity of all creatures, the Lord of all the Worlds. O God, make my faith firm in my heart, and increase me in guidance and light and cognition. Direct me in the well-founded Path, Amen, Amen. I ask Thee my Lord for all good in this world and in the Hereafter, and I beseech Thee to protect me from the torment of the Fire.

Ja'far b. Muḥammad: He said, '*Qunūt*⁴²² [should be uttered] in the second *rak'a* of the *fajr*, after the Qur'ānic recitation and before the bowing.'

⁴¹⁹*Kaṣf*, III, 447; Kulaynī states on the authority of al-Ṣādiq that the invocation during the *witr* prayer is to seek God's forgiveness.

⁴²⁰*Mishkāt*, I, 402–4; Robson, I, 268–9; the traditions deal with the appropriate times of *qunūt* during the prayer and it was said before or after bowing.

⁴²¹Interjected by the author [Nu'mān].

⁴²²The *qunūt* invocation was a subject of intense debate during the early period of Islamic history. See Kister, 'O God, tighten Thy grip on Muḍar,' 267–72.

Many are the versions of the orisons of *qunūt* of the *ṣaḥr* that are reported from the People of the Prophet's House; while all of them are approved, the most commendable is that you should say:

O God, we ask Thee for help and forgiveness, and we eulogize Thee, and we do not deny [Thy favour]⁴²³ and we submit to Thee. We are divorced from those that deny Thy favour. O God, it is Thee that we worship, and it is to Thee that we pray, and before whom we prostrate ourselves. It is to Thee that we run and hasten; Thy mercy we crave and Thy torment we Fear. Verily Thy torment will surely overtake the disbelievers.

O God, torment Thou the disbelievers, the hypocrites, and those that disown Thy Friends, the pure Imams of the House of the Prophet, offer them Thy punishment, Thy bane, Thy anger, and Thy torment. O God, torment Thou the disbelievers among the People of the Book as well as the polytheists. O God, show Thy forgiveness to the faithful ones, both men and women. O Lord! repair their differences, make them unanimous, and make their hearts firm with faith and wisdom. Make them constant as members of the community of Thy Prophet; make them victorious over Thy enemy and their enemy.

O God, direct me rightly amongst those that Thou guidest rightly and take me into Thy charge among those Thou hast taken into Thy charge; bless me in Thy bounties; grant me security among those Thou hast granted security, and protect me from the bane of Thy decisions. Verily it is Thou who dost decree, and nothing is decreed for Thee. None can abase him whom Thou hast befriended and none can honour him whom Thou hast treated as an enemy. Thou hast made Thyself blessed and exalted above all things.

There is no deity other than Thee. I seek forgiveness from Thee and turn in repentance to Thee, and I Beseech Thee, my Lord, for all good in this world and in the Hereafter. I ask Thee to protect me from the torment of the Fire by Thy mercy.

If you [the worshipper] shorten some of these orisons in the two *qunūts* according to your wish there is no harm in it. Nevertheless the shortest of *qunūts* is three utterances of the glorification of God (*subḥāna 'llāh*) or three exclamations of the greatness of God (*Allāhu akbar*).

Many are the variations of Friday *qunūt* related to us from the members of the Prophet's House, all of which are approved.⁴²⁴ Among them is that in the second *rak'a*, before you bow, after the recitation of *Munāfiqūn* (*sūra* 63), you should say:

There is no deity other than God, the Compassionate, the Noble. There is no deity other than God, the Mighty, the Exalted. All glory to the Lord of the

⁴²³ *Wa-lā nakfuruka* in the *qunūt* means *wa-lā nakfuru ni'mataka*. Lane, s.v. k-f-r.

⁴²⁴ The Fāṭimids introduced *qunūt* in Friday prayers. See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'īli jurisprudence', 118. *Kāfi*, III, 421-2; '*qunūt* should be said in the first *rak'a* after the recitation of the Qur'ān.'

Seven Heavens, and what is contained in them, and what is between them; the Lord of the Seven Earths, and what is contained in them, and what is between them; the Lord of the Mighty Throne. All praise to the Lord of the worlds.

O Lord, nothing is like unto Thee. Bless Thou Muḥammad and the seed of Muḥammad, the Imams of the Faithful, the first and the last of them. Make my heart firm in Thy Faith and in the Faith of [Muḥammad] Thy Prophet. Do not let my heart deviate after Thou hast guided it rightly. Grant Thou Thy mercy to me. Verily Thou art the Great Giver, who listens to him who turns in repentance to Thee, the Merciful One. O God, make me one of those that Thou hast created for Thy Garden and chosen for Thy religion. Bless Thou Muḥammad and his progeny with what you can and what they deserve. The blessings of God be upon them one and all.

THE SUNNA AND THE NĀFILA PRAYERS

The prayers designated as *sunna* are those which the Messenger of God established as a custom and conjoined himself to pray together with every mandatory prayer, and the Imams of his House, the blessings of God be upon them, made them obligatory on themselves, and they commanded their friends [or followers] to observe them [as obligatory]. They are double the mandatory (*farīḍa*) prayers in number.

As for the *nāfila* (supererogatory prayers), they are in the nature of a voluntary act and there are no limits to them.⁴²⁵ A man may offer such voluntary prayers at any time during the day or the night in which prayer is approved, as often as he wishes, and in this there is great merit in proportion to the amount of voluntary prayers offered by the worshipper.

‘Alī b. al-Ḥusayn [Zayn al-‘Ābidīn]: He used to offer one thousand *raka’āt* of supererogatory prayers during each day and night.

Ja’far b. Muḥammad: He mentioned that during the course of a day and night the mandatory prayers consist of seventeen *raka’āt* and that the *sunna* comprise twice their number (thirty-four *raka’āt*).⁴²⁶ They are complementary to the mandatory prayers; whatever the deficiency that occurs due to the shortcoming or forgetfulness or error of the worshipper would be corrected by the *sunna*.

A second reason is that when a man begins to pray with the consciousness that there are two kinds of prayers, mandatory and non-mandatory,

⁴²⁵Kāfi, III, 450; ‘Supererogatory prayer is like a present: whenever a person brings such a present it is accepted [by God].’

⁴²⁶Cf. *Mishkāt*, I, 365; Robson, I, 242; the exact number is not specified. See also Poonawala, ‘Al-Qāḍī al-Nu’mān and Isma’īlī jurisprudence’, 132, n. 2. *Kāfi*, III, 439; the number mentioned by Kulaynī agrees with that of Nu’mān.

he strives wholeheartedly in the due performance of the mandatory ones. Had not the non-mandatory prayers been prescribed [as a complement], there would surely have been light-heartedness or deficiency in the mandatory prayers. [The Imam] added, 'Thus the supererogatory prayers after the mandatory are recommended as an incentive [to perform the mandatory prayers properly].'

[Ja'far b. Muḥammad]: A questioner asked him concerning the *sunna* prayers. [The Imam] said, 'Probably you think that they are mandatory?' The man said, 'May I be thy ransom, it is not I that say it, but it follows from what you say!' [The Imam] said, 'These are the prayers which [Imam] 'Alī b. al-Ḥusayn [Zayn al-'Ābidīn] had taken upon himself in order to perform what was missed during the day and night. They comprise twice the *raka'āt* of the mandatory prayers.'

[Ja'far b. Muḥammad]: He came to know that 'Ammār al-Sābāṭī⁴²⁷ had related on his authority that the *sunna* prayers were mandatory. [The Imam] denied this and said, 'Where has 'Ammār gone? That is not what I said to him. I only said, "When a man engages in prayer and cannot concentrate wholly on it, God accepts only that part which he offered in earnest. Thus occasionally only one-half, or one-third, or one-fourth, or one-fifth of the prayer reaches God." It is for this reason that the *sunna* is recommended to make up for the deficiency in the prescribed mandatory prayer.'

Ja'far b. Muḥammad: He said, 'I dislike praying less than fifty-one *raka'āt* during a twenty-four-hour period.' He was asked, 'How [is this]?' He said, '[First, there are] six *raka'āt* before the *ẓuhr* prayer—they are the prayers of the declination of the sun (*ṣalāt al-ẓawāl*) and that of the penitent ones (*ṣalāt al-awwābīn*)—when the sun declines before mandatory prayers. [Second, there are] four *raka'āt* after the mandatory [prayers of *ẓuhr*], and four *raka'āt* before the [mandatory] prayers of 'aṣr, and then the mandatory prayers [of 'aṣr]. After that there is no other prayer till sunset. The *maghrib* prayer begins with the *farīda*; after it six *raka'āt* should be offered as *sunna*, and four *raka'āt* should be said before the last 'ishā'. The night prayers should be said after it, being four *raka'āt*; three *raka'āt* should be said of *witr* prayer, and two *raka'āt* should be said of the *julūs* (sitting) prayer, which are reckoned as one. This is so because it is related to us on the authority of the Messenger of God that [he said], "The prayer of him who is seated without cause is equivalent to one-half of the prayer of him who prays standing up." Then two *raka'āt* of the dawn

⁴²⁷ 'Ammār b. Mūsā al-Sābāṭī related traditions from Imam al-Ṣādiq and Mūsā al-Kāẓim. Najāshī, *Rijāl*, II, 137.

prayer should be said before the *farīda* of dawn. These together comprise thirty-four *raka'āt*, twice the number of the *farīda*, which comprise seventeen *raka'āt*. Thus during the day and the night the total comes to fifty-one *raka'āt*.'

Among the incentives to perform those prayers is what has been reported to us on the authority of Ja'far b. Muḥammad [Imam al-Ṣādiq], who used to say about the *zawāl* prayer that is the *sunna* before the *farīda* of the *zuhr*, 'This is the prayer of the penitent ones.⁴²⁸ For when the sun declines and the wind blows, the doors of the heavens are opened, the supplication is accepted, and the major needs are fulfilled [by God].⁴²⁹

'Alī: When he offered the prayer of *zawāl* and completed it he used to raise his hands and say,

O God, with Thee I seek communion, by Thy generosity and nobleheartedness. I come close to Thee by [the help] of Muḥammad, Thy Creature and Messenger; and by Thy angels and prophets. Thou possessest sufficiency so far as I am concerned; but I am only a destitute person before Thee; for Thou art rich and I am a beggar before Thee. Thou hast [removed] the stumbling blocks [in my way] and covered up my sins. Grant Thou this day the fulfilment of my need, and torment me not grievously [for my sins] of which Thou possessest knowledge. Verily Thy forgiveness and generosity will encompass me.

Then he used to prostrate himself, and remaining in that posture say,

O Thou to whom fear is due and who hast the power to forgive; O Thou, the Merciful One, the Compassionate, Thou art more kind to me than my own father and mother, and more kind than all mankind; satiate me by satisfying my need this day by hearing my supplication and being lenient to my cries as Thou hast protected me already against many a calamity.

'Alī: He was asked [to explain] the Qur'ānic verse [*And in the night-time hymn His praise,*] and after the (prescribed) prostrations (50:40), and he said, 'This refers to the *sunna* prayers after [the mandatory prayer of] *maghrib*.⁴³⁰ Never omit them, whether you are in town or travelling.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'God possesses an angel whose shape is that of a cock (or rooster), and whose claws are in the bowels of the earth, and whose wings are in the sky, and whose neck is doubled

⁴²⁸Kāfi, III, 441.

⁴²⁹Mishkāt, I, 367; Robson, I, 243; God's Messenger used to pray four *raka'āt* before the noon prayer after the sun had passed the meridian, saying, 'It is an hour at which the gates of heaven are opened, and I like a good deed of mine to ascend at that time.' Cf. Kāfi, III, 439.

⁴³⁰Kāfi, III, 441.

below the Throne [of God]. When the hour of midnight comes, he raises his neck and says,

All Glorious [is God], and All Holy! Master of the Angels and the Spirit, our Lord the Compassionate, there is no deity other than Him. Let those who are watchful in the night (*al-mutahajjidūn*) arise!

At this time the cocks in the world below crow and then pause, as God wills, in the night. Then the Angel cries out,

All Glorious [is God], and All Holy! Master of the Angels and the Spirit, our Lord the Compassionate, there is no deity other than Him. Let those who stand in humble supplication (*al-qānitūn*)⁴³¹ arise!

Then the Angel pauses, as God wills, and then he cries out,

All Glorious [is God] and All Holy! Master of the Angels and the Spirit, our Lord the Compassionate, there is no deity other than Him. Let those that remember God (*al-dhākirūn*) arise!

[Finally] he says, after the rising of the dawn,

Our Master the Compassionate, there is no deity other than Him. Let the negligent ones (*al-ghāfilūn*) arise!

Abū Ja'far Muḥammad b. 'Alī: He said, 'When a third of the night has passed, a herald proclaims,

O thou who seekest all good, advance!

O thou who desirest evil, hold!

Is there anyone who repents, so that his repentance may be accepted?

Is there anyone who craves forgiveness, so that he may be forgiven?

Is there anyone who asks for anything, which may be given?⁴³²

This continues until the sun rises.'

Ja'far b. Muḥammad: He said, 'Verily I hate the man who recites the Qur'ān, then, although he wakes up at night [sleeps again],⁴³³ and does not rise until the dawn has appeared and says his prayers in a hasty manner.'⁴³⁴

⁴³¹For various shades of its meaning in the Qur'ān, see 'Abd al-Bāqī, *al-Mu'jam*, s.v. q-n-t; Kassis, *Concordance of the Qur'an*, s.v. q-n-t.

⁴³²A tradition states, 'Our Lord descends every night to the lowest heaven when two-thirds of the night has passed and says, "Who supplicates me so that I may respond? Who asks me so that I may give to him? Who asks my forgiveness so that I may forgive him?"' Transmitted by Bukhārī and Muslim. *Mishkāt*, I, 386; Robson, I, 255.

⁴³³Addition in MSS D, S, and E.

⁴³⁴MS T glosses from Nu'mān's *al-Mukhtaṣar* that a man who is unable to recite the

[Ja'far b. Muḥammad]: As respects the Word of God *And hymn the praise of thy Lord when thou uprisest, and in the night time also hymn His praise, and at the setting of the stars* (52:48–9), he said, '[In this verse] God commands you to pray during the night.'⁴³⁵

[Ja'far b. Muḥammad]: Commenting on the Word of God *And worship Him (a portion) of the night, and glorify Him through the livelong night* (76:26), he said, 'God commands you to pray all through the night,' and he did so.

'Alī: He said, 'The Messenger of God prohibited people from sleeping throughout the night like a carcass flat on the ground. He directed them to rise in the night to pray and be watchful in prayer.'⁴³⁶

['Alī]: He said, 'Scatter salutations [freely], give food [to the people], and pray while the people are asleep. [If you do so], you will enter Paradise in peace.'

Ja'far b. Muḥammad: He said, 'It was customary for the Messenger of God to wake up intermittently during the night, and this was most difficult [for him]. When he had prayed the *'ishā'*, he used to order the water for his ablution and his tooth-stick. These things were kept covered near his pillow. Then he used to sleep, as God wished, and then he would wake up and clean his teeth with the tooth-stick, perform his ablution, and pray four *raka'āt*. Then he used to sleep, as God wished, and wake up and would clean his teeth, perform his ablution, and pray four *raka'āt*. He did this repeatedly until the appearance of dawn. Then he would say the *witr*, three *raka'āt*, and later pray the two *raka'āt* seated. At all such times his eyes would be fixed on the sky and he would recite verses from the *sūra* of *Āl 'Imrān* (*sūra* 3) from *Lo! In the creation of the heavens and the earth till Thou breakest not the tryst* (3:190–4). With the break of dawn, he would rise, purify himself, clean his teeth with the tooth-stick, go to the mosque, and pray the two *raka'āt* [*sunna*] of the *fajr*; and be seated until he prayed the [mandatory] dawn prayer.'⁴³⁷

'Alī: The Messenger of God said, 'When any of you wake up at night [for prayer], let him start his prayer with two short *raka'āt*, and utter the salutation. Then rise and pray what is prescribed.'⁴³⁸

whole of a *sūra* may recite part of it; and he who wants to pray the whole night with one *sūra* only may also repeat the same *sūra* several times, or may recite it in parts.

⁴³⁵Cf. *Mishkāt*, I, 368; Robson, I, 244; *Kaṣf*, III, 441.

⁴³⁶EJ², s.v. Tahadjjud. The word 'tahadjjud' occurs only once in the Qur'ān 17: 79. Cf. the section: Encouragement to get up during the night. *Mishkāt*, I, 385; Robson, I, 255.

⁴³⁷*Kaṣf*, III, 442; also reported from al-Ṣādiq. For similar traditions cf. *Mishkāt*, I, 375 ff.; Robson, I, 248 ff.

⁴³⁸*Mishkāt*, I, 373, 374; Robson, I, 247; this was the Prophet's practice as transmitted by Bukhārī and Muslim.

Ja'far b. Muḥammad: He said, 'When my father [Imam al-Bāqir], may the grace of God be upon him, rose to pray during the night he was in the habit of prolonging the standing [by reciting long *sūras*]. Thus, when he bowed and prostrated himself, he used to prolong [the bowing and prostration] to such an extent that it was as though he had gone to sleep. Then suddenly we would be surprised when he uttered,

There is no deity other than God; that is the truth, that is the truth. Before Thee My Lord have I prostrated myself in devotion and servitude, O Mighty One. My work is indeed of little value, so multiply it. O Noble One, O Powerful One, Forgive my sins and misdeeds and accept my [good] works. O Noble One, O Powerful One, I ask Thee for Thy protection lest I should fail or commit a wrongful act.⁴³⁹

'Alī b. al-Ḥusayn [Zayn al-'Ābidīn]: Whenever he used to offer the prayer of the night [as part of the orisons], he used to say,⁴⁴⁰

O my Deity, [at the time when] the stars of Thy sky revolve [in their orbits], and the eyes of Thy creatures are closed with sleep, and the voices of Thy slaves hushed in silence, and the gates of the Banū Umayya are bolted and barred, with their sentries keeping watch over them, making themselves inaccessible to him who would ask them [to satisfy] any need or seek any favour from them, Thou art my Deity the Ever-living, the Perennial. Neither sleep nor somnolence overtakes Thee and nothing distracts Thee. The gates of Thy skies are ever wide open to those that call on Thee!

Thy treasures lie open, Thy mercy is ever accessible, Thy bounties limitless. Thou art the Noble Deity; no plea of a faithful one is left without acceptance from Thee, no desire of a needy one goes unfulfilled by Thee. Indeed, by Thy honour their needs cannot be cut short and none can provide them except Thee.

O Lord, indeed Thou seest the lowliness of my position before Thee. Thou knowest my secret. Thou apprehendest what is in my mind and what will be good for me in the Hereafter and in this world of mine. O God, the anticipation of death and the terror of the place to which I will ascend and stand before Thee have embittered my food and drink and made my throat choke with my saliva [and quelled my appetite] and made me restless and prevented me from sleeping.

O God, how can one sleep who fears the sudden attacks of the Angel of Death in the accidents of the night and the accidents of the day. Nay, how can any sensible man sleep when the Angel of Death sleeps neither during the night nor during the day, seeking to seize his soul at night or at any time.

Thereafter whilst uttering these orisons [the Imam] used to weep [copiously] until his relations and clients used to be terrified by his weeping

⁴³⁹*Mishkāt*, I, 371; Robson, I, 252; the section is entitled 'What one says when one gets up during the night.'

⁴⁴⁰The following prayer is not included in *The Psalms of Islam*, trans. Chittick.

and would go to him and find him, with his cheeks covered in dust and uttering these words:

O my Master, I crave rest and happiness from Thee at the point of death and in [my] journey to [Thy] mercy and [Thy] favour.

'Alī: The Messenger of God said, 'If a man intends to pray during the night but goes to bed first, let him say,

O Lord, do not lull me into a sense of false security or cause me to overlook Thy remembrance, and make me not one of the negligent ones. I shall rise, if God wills, at such and such a time.

Then God the Mighty and Glorious puts him in the charge of an angel who wakes him up at that time. Now he who intends to pray during the night, but sleep overcomes him till the morning, for him sleep is a species of charity from God; and God [in His mercy] will complete his night prayer for him.'

Abū Ja'far Muḥammad b. 'Alī: [Once] he entered the Mosque of the Prophet [in Medina] while Ibn Hishām⁴⁴¹ was delivering the sermon on a Friday in the month of Ramaḍān, saying, 'This is a month wherein God has made fasting compulsory, and the Messenger of God has established the practice of praying [during the night].' Thereupon Abū Ja'far [Imam al-Bāqir] said, 'Ibn Hishām has lied! The prayer of the Messenger of God during Ramaḍān was identical to his prayer during the rest of the months.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Fasting during the month of Ramaḍān is mandatory, but congregational prayer during the night is an innovation (*bid'a*). The Messenger of God never prayed in this manner, and if it had been a salutary practice, he would never have forsaken it. The Prophet however did pray by himself during some of the nights during Ramaḍān. Once [when the Prophet was praying alone] he became conscious of a group that had gathered behind him, and he went to his own house [and did not lead them in prayer]. The Prophet thus acted for three nights. After the third night, when it was morning he ascended the pulpit and gave praise and laudations to God. Then he said,

O people do not offer any prayers in congregation during the night in the month of Ramaḍān or during other months except those that are mandatory. What you

⁴⁴¹Muḥammad b. Hishām, who was the governor of Mecca and Ṭā'if, also became the governor of Medina in 118/736 according to Wāqidi. Ṭabarī, *Tārīkh*, VII, 112; *History of al-Ṭabarī*, XXV, 129. It should be noted that there is a wide discrepancy regarding the date of Imam al-Bāqir's death, put between 114/732 and 126/743. See also *Sharḥ al-akhbār*, III, 288.

have done is verily an innovation. Nor should you offer prayers in the forenoon; for verily prayers in the forenoon are an innovation, and every innovation leads astray, and going astray leads to the Fire!

Then he came down [from the pulpit] and said,

A small act in accordance with the *sunna* is more commendable than many acts by way of innovation!

The commonalty has indeed reported a similar tradition from the Messenger of God. But surely congregational supererogatory prayers during the night [called *tarāwīḥ* by Sunnis] during Ramaḍān never took place during the Messenger of God's time, nor during the time of Abū Bakr, nor during the earlier part of 'Umar's reign.⁴⁴² But it was 'Umar who first introduced the practice, and [later] the commonalty followed him.⁴⁴³ The commonalty reported the prohibition of the Messenger of God [against this practice and yet acted against it]. May God protect us from every innovation in His religion and from acting against the injunctions of the Messenger of God.

Abū Ja'far: A man from the Anṣār⁴⁴⁴ once asked [Imam al-Bāqir] about the forenoon prayer (*ṣalāt al-ḍuḥā*). [The Imam] said, 'The first to inaugurate this innovation was a group amongst you, the Anṣār! They heard the saying of God's Messenger, "One prayer in my mosque is tantamount to a thousand prayers." They therefore used to come from their landed estates before noon and [immediately] enter the mosque and pray in it. This came to the ears of the Messenger of God, whereupon he forbade them to pray in this fashion.'⁴⁴⁵

Ja'far b. Muḥammad: He said regarding the Word of God *Who are constant at their worship* (70:23), 'This is about those who observe the supererogatory prayers and make up what they miss.' He said, 'Alī b. al-Ḥusayn used to do that. What was missed at night he used to pray during the day and what was missed during the day he used to pray at night.'

⁴⁴²Nu'mān is quite correct in his statement about the *tarāwīḥ*. See *Mishkāt*, I, 405; Robson, I, 270; these traditions are transmitted by Bukhārī and Muslim; *Majma' al-baḥrayn*, s.v. r-w-ḥ. Both Kulaynī and Ṭūsī do not mention *tarāwīḥ*. *El²*, s.v. *Tarāwīḥ*.

⁴⁴³*Mishkāt*, I, 407; Robson, I, 271; it was 'Umar who started this practice and Bukhārī transmitted it. See Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'īlī jurisprudence', 117; Jazīrī, *al-Fiqh*, I, 360.

⁴⁴⁴See n. 18 in Chap. 1 for Anṣār.

⁴⁴⁵Prayer in the forenoon is a *sunna* with the Ḥanafīs, Shāfi'īs and Ḥanbalīs, but the Mālikīs oppose this practice. Muslim transmits a tradition confirming the Prophet's disapproval of it. See *Mishkāt*, I, 411; Robson, I, 274; Jazīrī, *al-Fiqh*, I, 351. *Kāfi*, III, 449; it states, 'Prayer in the forenoon is an innovation.'

[Ja'far b. Muḥammad]: He said, 'Let him who performs good work persist in it for a year and not desist from it before that period.'

I [the author] cannot imagine that the true import of this direction is that [the Imam], the blessings of God be upon him, intended that a man should after a year discontinue such a good work. But what [the Imam] really wanted was to train men to perform good works and make it a habit for them, since he who persists in an action for one whole year would hardly ever abandon it later because it will become a habit for him. We have had experience of this in many walks of life and found it to be so for ourselves.

THE PROSTRATIONS [WHILE RECITING] THE QUR'ĀN

There are fifteen places in the Qur'ān where prostration should be offered:⁴⁴⁶

1. At the end of *al-A'rāf* (The Heights) [7:206]
2. In *al-Ra'd* (Thunder), *As do their shadows in the morning and evening hours* [13:15]
3. In *al-Nahl* (Bees), *And do what they are bidden* [16:50]
4. In *Banī Isrā'il* (The Children of Israel) [or *al-Isrā'* (The Night Journey)] *And it increaseth humility in them* [17:109]
5. In *Kāf*, *Hā*, *Yā*, 'Ayn, *Ṣād* [*Maryam* (Mary)], *They fell down, adoring and weeping* [19:58]
6. In *al-Ḥajj* (Pilgrimage), *Lo! Allah doeth what He wills* [22:18]
7. In the same *sūra*, *And do good, that haply ye may prosper* [22:77]⁴⁴⁷
8. In *al-Furqān* (The Criterion), *And it increaseth aversion in them* [25:60]
9. In *al-Naml* (The Ants), *The Lord of the tremendous Throne* [27:26]
10. In *al-Sajda* (The Prostration), *And they are not scornful* [32:15]
11. In *Ṣād* (The Letter *Ṣād*), *And fell down prostrate and repented* [38:24]⁴⁴⁸

⁴⁴⁶*Mishkāt*, I, 324; Robson, I, 210; there are fifteen prostrations prescribed while reciting the Qur'ān. For details, see Jazīrī, *al-Fiqh*, I, 478–86 (some verse numbers are incorrect). According to Jazīrī, the Mālikīs do not consider prostration obligatory in the following four places: 22:77, 53:62, 84:21, and 96:19.

⁴⁴⁷The prostration here is recommended by Shāfi'ī. See Cairo edn of the Qur'ān.

⁴⁴⁸Pickthall 38:25. The prostration here is recommended by Mālik and Abū Ḥanīfa. See Cairo edn of the Qur'ān. *Mishkāt*, I, 323; Robson, I, 210; 'the prostration here is not one of those which are divinely commanded, but the Prophet prostrated himself when it was recited.' Suyūṭī, *al-Itqān*, I, 310; he states that the prostration here is recommended and not commanded. He, therefore, states that there are fourteen places in the Qur'ān where prostration is recommended (*min 'aẓā'im al-sujūd*).

12. In *Ḥā, Mīm, Fuṣṣilat* (Spelled Out), *If it is in truth Him whom ye worship* [41:37]
13. At the end of *al-Najm* (The Star), *Rather prostrate yourselves before Allah and serve Him* [53:62]
14. In [*al-Inshiqāq*] (Splitting Open), *And when the Qur'ān is recited to them, they worship not (Allah)?* [84:21]
15. At the end of *Read: In the name of thy Lord [al-'Alaq* (The Clot)], *But prostrate thyself, and draw near (unto Allah)* [96:19]

Abū Ja'far Muḥammad b. 'Alī: Four prostrations [while reciting] the Qur'ān are divinely commanded.⁴⁴⁹ They are 32:15; 41:37; 53:62; and 96:19.⁴⁵⁰ There is no option but to prostrate yourself at these places, but the others are optional; you may prostrate yourself if you wish to but not otherwise.⁴⁵¹ He added that [Imam] 'Alī b. al-Ḥusayn [Zayn al-'Ābidīn] considered it desirable to perform the prostrations at all the places mentioned above.

Ja'far b. Muḥammad: He said, 'He who reads the verse of the Qur'ān where prostration is due or hears it recited by someone else, should prostrate himself [immediately]. But if he hears it recited while he is saying a mandatory prayer without an imam he should only nod his head.⁴⁵² But if he recites such a verse while offering a prayer, he should prostrate himself. If he is the imam of a congregation, every one of them should prostrate themselves with him. It is not desirable for an imam to deliberately recite a *sūra* containing a *sajda* during a mandatory prayer.'⁴⁵³

[Ja'far b. Muḥammad]: He said, 'It is incumbent upon a man who recites a *sajda* verse himself or has heard it recited to prostrate himself whatever be the time and whether or not prayer is permissible at the time and also at the rising and the setting of the sun. Prostration is obligatory even if the man is not ritually pure. When such a *sajda* is performed the *takbīr* should not be said nor should salutations be uttered after rising from the *sajda*.⁴⁵⁴ In those Qur'ānic *sajdas*, nothing but the prostration is

⁴⁴⁹The Arabic term is *al-'azā'im* or *'azā'im al-sujūd*, and appellation of certain portions of the Qur'ān during the reciting of which one is commanded to prostrate oneself. Lane, s.v. 'z-m; Rubin, *Eye of the Beholder*, 156-66.

⁴⁵⁰*Kaṣf*, III, 304; reported from al-Ṣādiq. 'Abd al-Razzāq, *al-Muṣannaf*, III, 336, transmitted a similar tradition on the authority of 'Alī.

⁴⁵¹*Kaṣf*, III, 304.

⁴⁵²*Ibid.*, III, 305. 'Abd al-Razzāq, *al-Muṣannaf*, III, 344-9, cites more traditions.

⁴⁵³*Kaṣf*, III, 305; it states: 'The *'azā'im* should not be recited during the obligatory prayer because of an additional prostration.'

⁴⁵⁴*Ibid.*, III, 304; '*Takbīr* should not be pronounced for the prostration; however, it can be pronounced when rising from the prostration.' *Mishkāt*, I, 325; Robson, I, 233; Abū Dāwūd states that the Messenger of God used to say the *takbīr* before prostrating.

prescribed; nevertheless, during the prostration the worshipper may say *tasbīḥ* or *du'ā'* according to his ability.'

[Ja'far b. Muḥammad]: He said, 'As soon as the worshipper recites a verse of the *sajda* during his prayer, he should kneel down and prostrate himself. Thereafter he should rise and commence his prayer from the place where he had left off. If the *sajda* verse happens to be at the end of a *sūra*, let him prostrate himself, rise, recite the *Fātiḥa*, perform the *rukū'*, and then offer the prostration.'⁴⁵⁵

Abū Ja'far Muḥammad b. 'Alī: He said, 'If you recite a *sajda* verse while you are seated, turn towards the *qibla* and prostrate yourself. If you happen to be mounted on a beast of burden, perform the prostration in the direction in which you are travelling. For verily, when the Messenger of God travelled from Mecca to Medina, he would pray on his mount although it was moving towards Medina. This rule applies only to supererogatory prayers.' [The Imam] said, 'It was for such occasions [that the verse of the Qur'ān was revealed]: *And whithersoever ye turn, there is Allah's countenance*' (2:115).

⁴⁵⁵ *Kaṭī*, III, 305; also reported from al-Ṣādiq

The Book of Funerals (*Janā'iz*)¹

ON ILLNESS, VISITING THE SICK, AND
THE APPROACH OF DEATH

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God visited a [sick] man of the Anṣār, and he complained of the fever from which he suffered. The Messenger of God said, 'Fever, verily, is a purification from God, the Great Forgiver.' The man said, 'Nay, but it boils an old man until it takes him to the grave!' The Messenger of God, therefore, became angry and said, 'Let that be the case with you!' And the man died of that illness.²

[Ja'far b. Muḥammad]: He said, 'The groaning of a sick person with patience is written as a virtuous act, but if it is a cry of impatience it is designated as impatience, for which there is no reward.'³

[Ja'far b. Muḥammad]: He said, 'One day's fever is the requital of a

¹Gloss in MS D taken from Nu'mān's *Ta'wīl al-da'a'im*, [II, 33], makes the distinction between *janāza* and *jindāza*—not made by classical lexica, such as Jawharī, *al-Ṣiḥāḥ*—that the former is the dead person himself while the latter is the *sharja*, which is the bier upon which the dead person is carried to the grave. Both the words are also used interchangeably; the dead person is called *janāza* because he is carried on a bier, and a bier is called *janāza* because it carries a dead person. See *Majma' al-baḥrayn*, s.v. j-n-z; Lane, s.v. j-n-z.

²Bukhārī's version of this tradition is more polite. It states, 'Ibn 'Abbās said that the Messenger of God went to visit a Bedouin Arab. When he entered a sick man's house he was accustomed to saying, "No harm will come; it is a purification, if God wills." The Prophet repeated these words. When the man replied, "Not at all; it is on the contrary a fever which is boiling in an old man and will cause him to visit the grave," the Prophet replied, "Very well, then." *Mishkāt*, I 487; Robson, I, 321.

³Cf. Qur'ān 70:19–20.

year [of sin].’ When this tradition came to the ears of a physician he said, ‘This confirms what the physicians say—that a day’s fever harms the constitution for one year.’

‘Alī: He said, ‘The diseased person is in the prison of God; so long as he does not complain to the visitors the illness will erase his evil acts.’⁴ Any believer, who dies in his illness, dies a martyr;⁵ although [in a sense] all the believing men are martyrs and all the believing women are the black-eyed maidens [of Paradise]. Whatever be the manner of his death, the believer is a martyr,’ and he recited the Word of God, glorious is His remembrance: *And those who believe in Allah and His Messengers, they are the loyal; and the martyrs*⁶ *are with their Lord* (57:19).

[‘Alī]: He said, ‘When God inflicts disease on one of his creatures He forgives his sins in proportion to the illness.’⁷

[‘Alī]: He said, ‘A visit to the sick should be made after three days.’⁸ Women are not obliged to visit the sick.’

[‘Alī]: He said, ‘The Messenger of God prohibited the visitor from eating anything in the presence of an ill person, for such an act will negate the reward of the visit.’⁹

Al-Husayn b. ‘Alī: He became ill and ‘Amr b. Ḥurayth¹⁰ came to visit him, when ‘Alī entered and said, ‘O ‘Amr! You visit Ḥusayn when in your heart of hearts you have some other feelings! Now this does not prevent me from giving you advice. I heard the Messenger of God saying, “No Muslim ever visits a sick person but seventy thousand angels bless him from the time in which he visits; if it be in the morning, [they bless him] till the sun sets, and if it be in the evening, until the sun rises.”’¹¹

⁴Cf. *Kaḥḥ*, III, 115–18, for similar traditions.

⁵‘He who dies of an illness dies a martyr.’ *Mishkāt*, I, 502; Robson, I, 332.

⁶The Arabic word is *al-shuhadā’*, and most probably in this context means ‘witness’, as rendered by Sale, Bell, Yusuf Ali, Irving, Blachère, and Paret. See also Nu‘mān, *Ta’wīl al-da‘a’im*, II, 36.

⁷Bukhārī and Muslim report a similar tradition. *Mishkāt*, I, 488–9, 496; Robson, I, 323, 328.

⁸*Mishkāt*, I, 500; Robson, I, 331; ‘The Messenger of God was not accustomed to visiting a sick person until he had been ill for three days.’ *Kaḥḥ*, III, 119.

⁹‘Staying for a short time and making little noise when visiting a sick person is part of the *sunna*.’ *Mishkāt*, I, 501; Robson, I, 331; *Kaḥḥ*, III, 119–20.

¹⁰‘Amr b. Ḥurayth moved to Kūfa and built a big house near the mosque. Whenever the governor Ziyād b. Abīhi (or Abī Sufyān) went to Basra he appointed ‘Amr to represent him in Kūfa. Ibn Sa’d, VI, 14; Ḥillī, *Khulāṣat al-aqwāl*, 116; Ibn Hajar, *al-Iṣāba*, II, 531.

¹¹‘Alī said that he heard the Messenger of God saying, ‘No Muslim will visit a sick Muslim in the morning without seventy thousand angels invoking blessings on him till the evening, or visit him in the evening without seventy thousand angels invoking blessings

'Alī: He visited Zayd b. Arqam¹² who said, 'Welcome, O Commander of the Faithful. [How good] that you should visit [me] although you are angry with us!' 'Alī said, 'That is not something which could prevent me from visiting you.' Then he said, 'He, who visits the sick, seeking the mercy of God and fulfilling his promise to God, will be gathering fruits in Paradise for the duration of his visit. And when he leaves, God will send the visitor seventy thousand angels to bless him until the night. If he visits the sick in the evening, he will be gathering fruits in Paradise, and when he leaves him God will send him seventy thousand angels to bless him till the morning. Hence I wanted to rush to visit you!'

['Alī]: He said, 'Once the Messenger of God came to a man of the family of 'Abd al-Muṭṭalib¹³ while he was in the throes of death. The man was not facing the *qibla*, so the Messenger of God said, "[O people], set his face towards the *qibla*, for as soon as you do so the angels will advance towards him and God will Himself face him." Thus the dying man remained [facing the *qibla*] until he died.'

['Alī]: He said, 'It is but natural that you should turn the face of a dying man in his last throes towards the *qibla*.'¹⁴

Ja'far b. Muḥammad: He said, 'When you come to a Muslim who is about to die, prompt him to utter the *shahāda*, that is, "There is no deity other than God; Unique is He and without any associate, and Muḥammad is His slave and Messenger."¹⁵

[Ja'far b. Muḥammad]: He said, 'It is commendable for one who visits a dying man to recite the Throne Verse (2:255) near his head and the ensuing two verses [2:256–7] and say, *Lo! your Lord is Allah Who created the heavens and the earth in six Days* (7:54) till the end of the verse. Then recite the last three verses of *al-Baqara* (2:284–6) and thereafter say,

on him till the morning, and will have gathered fruits in Paradise.' *Mishkāt*, I, 491; Robson, I, 324; *Kāfi*, III, 121–2; reported from the Imams al-Bāqir and al-Ṣādiq.

¹²Zayd b. Arqam al-Khazrajī al-Anṣārī as a young boy in 6 A.H. reported to the Prophet what he had heard from 'Abd Allāh b. Ubayy, the hypocrite. He died in 66/685–6 or 68/687–8. Ibn Ishāq, *al-Sira*, III, 303, 305; Guillaume, 491, 492; Ṭabarī, *History of al-Ṭabarī*, IX, 124–5; Ibn Hajar, *al-Iṣāba*, I, 560; idem, *Tahdhīb*, III, 394–5; Lings, *Muḥammad*, 238. It seems that this visit might have occurred during the caliphate of 'Alī in Kūfa where Zayd b. al-Arqam and a sizeable body of Companions of the Prophet had settled soon after its foundation. The sources are silent as to why 'Alī was angry with Zayd. Jafri, *Origins*, 109, 193.

¹³See n. 7 in Chap. 2 for 'Abd al-Muṭṭalib.

¹⁴*Kāfi*, III, 127.

¹⁵*Mishkāt*, I, 510, 512; Robson, I, 337, 338; it states, 'Recite to those who are dying, "There is no god but God."' *Kāfi*, III, 122 ff.; reported from Imam al-Ṣādiq.

O God, take away his soul from him towards Thy favour and satisfaction; O God, give him good tidings; O God, forgive him his sins and show mercy to him.'

Abū Dharr [al-Ghifārī]:¹⁶ He said, 'I was with the Messenger of God during the disease from which he died. He [the Prophet] said, "Come near to me, O Abū Dharr, so that I may lean on you." So I approached him and he leaned on my breast until 'Alī came. Then the Prophet said, "Stand up, O Abū Dharr, for 'Alī is more entitled to this than you." 'Alī then sat and made the Prophet lean on his breast, and the Prophet said to me, "Here [sit here], in front of me;" and so I sat. Then the Prophet said, "Make a compact with your hand that he who dies uttering the words of the *shahāda* 'that there is no deity other than God,' enters Paradise; that he who dies while feeding the poor, enters Paradise; that he who dies while performing a pilgrimage, enters Paradise; that he who dies while performing 'umra,¹⁷ enters Paradise; and that he who dies during a Holy War, in the way of God—even to the extent of [the short] time between two milkings of a she camel¹⁸— enters Paradise.'" Thereafter Abū Dharr reported the remaining part of the tradition.

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Verily, when a faithful one loses the power of speech [at the point of death], the Messenger of God comes and sits on his right, and 'Alī comes and sits on his left. Then the Messenger of God says to the dying man, "Whatever you had hoped for is before you, and whatever you had feared has been rendered innocuous." Then one of the gates of Heaven will be opened for him and it will be said, "This is your abode in the Garden. Should you wish to do so, you will be returned to the earth and you will have its gold and its silver." Then the man will say, "I have no need of earthly things." At that moment his face will become white, his forehead will perspire, his lips will become dry, his nostrils will be wide open, and tears will flow from his left eye. When you perceive these signs, it is enough [that is death is fast approaching]," and then he related the rest of the tradition.¹⁹ [The

¹⁶See n. 83 in Chap. 2 for Abū Dharr.

¹⁷See n. 183 in Chap. 2 for 'umra.

¹⁸The Arabic *fuwāqa nāqat*^m refers to the practice of drawing some milk from the camel, then leaving her for a little while for her young one to suckle her in order that she might yield her milk copiously, after which she is milked again. *Majma' al-baḥrayn*, s.v. f-w-q; the *ḥadīth* states, 'A visit to the sick should be [of the same length as the period of] time between two milkings of a she camel.' Lane, s.v. f-w-q; *Kāfi*, III, 119; *Mishkāt*, I, 501; Robson, I, 331.

¹⁹For the rest of the tradition see *Kāfi*, III, 129–30; it is also reported from Imam al-Ṣādiq.

Imam] said, 'This is the Word of God, the Mighty and Glorious: *Theirs are good tidings in the life of the world*' (10:64).²⁰

The Messenger of God: He said, 'Verily the slave who has [been decreed] a certain status in Paradise will not reach it [passing] through any trial until death overtakes him. If he has not reached that position [by his action in his life], death will deal harshly with him, then he will attain it.'²¹

Ja'far b. Muḥammad: He said, 'Verily, God the All-Blessed and All-High sometimes commands the Angel of Death to move the believer's soul to and fro in order to extract it through the place which will be easiest for him, while people think that he is suffering great pain. Sometimes God orders the Angel of Death to cause hardship to a disbeliever, so he pulls out his soul in one stroke, like a skewer which is extracted from moistened wool, while people think that the disbeliever has been eased!'²²

THE COMMAND TO KEEP DEATH IN REMEMBRANCE²³

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'When you are summoned to funerals make haste [to attend them], for they remind you of the Hereafter.'

Abū Ja'far Muḥammad b. 'Alī was asked about the man who was summoned to a funeral and was also invited to a marriage feast [at the same time]. Which of them should he accept? He said, 'The funeral; verily, funerals remind you of death and the Hereafter, whilst marriage feasts divert your attention from them.'

The Messenger of God counselled a man from the Anṣār and said, 'I command you to remember death, for verily it will comfort you [for the loss of] worldly affairs.'

[The Messenger of God]: He said, 'Keep much in your remembrance the curtailer of delights (*hādhim al-ladhdhāt*).'²⁴ It was said, 'O Messenger

²⁰Pickthall 10:65. Cf. *Mishkāt*, I, 512 ff.; Robson, I, 338 ff.

²¹A similar tradition states, 'When God has previously decreed for a servant a rank which he has not attained by his action, He afflicts him in his body, or his property, or his children. He then enables him to endure that so that He may bring him to the rank previously decreed for him.' *Mishkāt*, I, 495; Robson, I, 327.

²²*Kāfi*, III, 135; also reported from Imam al-Ṣādiq.

²³A tradition in Bukhārī's *Ṣaḥīḥ* states, 'None of you must wish for death; neither the one who does good, for perhaps he may do still more good, nor the one who does ill, for perhaps he may seek to please God.' *Mishkāt*, I, 504; Robson, I, 333. Although the 'Book of Funerals' is quite extensive in *Kāfi*, it does not contain this section.

of God, what is the "curtailer of delights"? He said, 'Death.'²⁴ The wisest of the faithful are those that remember death most often, and are ready for it to the fullest extent.'

[The Messenger of God]: He said to a group of his Companions, 'Who [in your estimation] is the wisest of men?' They replied, 'God and His Messenger know best!' The Prophet said, 'He who remembers death most, and he who makes the best preparation for it.'

Abū Ja'far Muḥammad b. 'Alī: He gave moral instructions to some of his companions and said, 'Increase the remembrance of death, for verily the greater the remembrance of death, the greater the renunciation of the world.'

The Messenger of God: He said 'Death is a sweet-smelling flower (*rayḥān*)²⁵ for a believer.'

[The Messenger of God]: He said, '[There is one man] who finds relief in death; [there is another] in whose death others obtain relief. As to the former (*mustarīḥ*), he is a righteous creature of God who finds relief [in death] from the sorrows of the world and from the acts of devotion to [achieving the state of] rest and happiness in the Hereafter. As for the latter (*mustarāḥ minhu*), he is the libertine from whom his two angels obtain relief.'²⁶

[The Messenger of God]: He said, 'Alas, for [frequently] a deluded one appears to be happy; he understands naught save eating, drinking and making merry. Destined is he by God to be burnt in a great Fire!'

'Alī: He said, 'Had God not created man a fool, he would never have lived [as he does]; if the beasts had had knowledge, as you do, that they too would taste of death, they would never have fattened themselves for you!'

[Alī]: He said, 'I have never seen faith and certainty so combined as to be similar to doubt except in the case of the man who actually bids farewell [to the dead] every day and escorts biers to the graves, and yet returns constantly to the frailties of the world, and never restrains himself from its passions and luxuries.'

²⁴*Mishkāṭ*, I, 506; Robson, I, 334.

²⁵Gloss in MSS D and T taken from *Ta'wīl al-da'ā'im* [II, 40–1], explains the meaning of *rayḥān*. See also Lane, s.v. r-w-ḥ.

²⁶The two angels are the two recording angels on the right and the left shoulder, for good and bad actions respectively. See n. 131 in Chap. 3. A tradition states: When a funeral passed near God's Messenger he used to say, 'He is at rest (*mustarīḥ*), or others are at rest from him (*mustarāḥ minhu*).' When asked what he meant by these words he replied, 'The believing servant is at rest from the toil and harm of the world and departs to God's mercy, but God's servants, the country, the trees and the animals are at rest from the profligate.' *Mishkāṭ*, I, 505; Robson, I, 333–4; transmitted by Bukhārī and Muslim. See also *Kāfi*, III, 240.

'If man, the miserable one, feared neither punishment [in the afterlife for his misdeeds] nor [looked forward to a reward when] a reckoning will take place, and [believed] that after [this worldly] life he would be turned into a handful of dust (literally death will destroy and scatter the unity of his personality) and [merely] orphan his children, then he would necessarily be on his guard against [the earthly world] in which he lives and strives so hard.²⁷

'Indeed we have forgotten death like people who foolishly believe that death will never visit them, and we wrongly lean on the world and its passions like those that neither anticipate the Reckoning nor fear Retribution.'

[ʿAlī]: He said, 'The Messenger of God was asked which among the faithful were the most sagacious, and he said, "Those who remember death the most often and who are most meticulous in their preparation for it. They indeed are the sagacious ones."'

CONDOLENCE, PATIENCE, AND PERMISSIBLE WEEPING

Ja'far b. Muḥammad: He said, 'When the Messenger of God died there came to the People [of the House] some being whose voice was heard but whose body was invisible, and it said,

Peace be with you, O People of the House, and the mercy of God and His benedictions. Every soul will taste of death. And ye will be paid on the Day of Resurrection only that which ye have fairly earned. Whoso is removed from the Fire and is made to enter Paradise, he indeed is triumphant. The life of this world is but comfort of illusion (3:185). It is only God who provides consolation for every calamity, and to every man a successor when he dies; therefore it is in God that you should place your hope, and to Him offer worship. Know that only he who is denied the reward of good acts is the truly stricken person. And upon you be peace and the mercy of God and His benedictions.'

So the people asked Abū 'Abd Allāh Ja'far b. Muḥammad, 'Who, O son of the Messenger of God, did you [People of the Prophet's House] think that the speaker was?' [The Imam] said, 'We surmised he was Gabriel!'²⁸

[Ja'far b. Muḥammad]—his father—his ancestors—'Alī: Once the Messenger of God passed by a grave and saw a woman weeping over it. So

²⁷This passage is obscure. We have tried to convey the meaning, which could best be understood by the reader.

²⁸*Kāfi*, III, 213–14. Kulaynī reports three similar traditions from al-Šādiq and one from al-Bāqir.

he said to her, 'Be patient, O woman.' She said, 'O man, proceed on your business, for he was my son and the comfort of my eyes.' The Messenger of God thereupon left her and went on his way and the woman did not recognize him.

The people then said to her, 'He was verily the Messenger of God!' The woman therefore rose and began to run seeking him, until at last she found him, and said, 'O Messenger of God, truly, I did not recognize you. Would there be any reward for me if I did exercise patience?' The Messenger of God said, 'Reward is earned only at the first shock!'²⁹

[Ja'far b. Muḥammad]: He said, 'One who possesses four qualities will be guaranteed Paradise by God: the man whose protection consists in testifying that "there is no deity other than God"; the one who, when God bestows upon him a bounty, says, "Praise be to God"; the one who, when he commits a sin, says, "May God forgive me"; or the one who, when a calamity strikes him, says, "*Lo! we are Allah's and lo! unto Him we are returning*"' (2:156).

'Alī: He said, 'I warn you [not to show violence in your] grief, for truly it destroys hope, paralyses action, and causes depression. There are [only] two ways to conquer such a state of mind. If there is a way out, follow it, but if there is none, be patient.'

['Alī]: He said, 'The quality of patience as a constituent of faith is what the head is to the body [of man].'

The Messenger of God: He said, 'One who is bereaved of three sons and seeks reward from God by showing patience, they will save him from the Fire.' The people asked, 'What, O Messenger of God, if he were bereaved of two sons (only)?' The Prophet replied, 'So will two [sons] save him!'³⁰

The Messenger of God: Once he came across a group of the Anṣār while they were in a house [or tent]. So he greeted them and tarried, and said, 'Who are you?'³¹ They said, 'We are truly the faithful ones, O Messenger of God.' The Prophet said, 'Have you any proof for this?' They said, 'Yes.' The Prophet said, 'Furnish it.' They said, 'In times of ease, we

²⁹Anas said that when the Prophet came upon a woman weeping at a grave he said, "Fear God and show endurance." Not recognizing him, she replied, "Go away, for you have not been afflicted as I have." She was told that he was the Prophet, so she went to his door and finding no doorkeepers there, she said, "I did not recognize you." He replied, "Endurance is shown only at the first blow." *Mishkāt*, I, 544, 552; Robson, I, 361, 368; transmitted by Bukhārī and Muslim.

³⁰*Mishkāt*, I, 544, 551; Robson, I, 362, 367; transmitted by Muslim and Bukhārī. A similar tradition is also reported for women. See also *Kāfi*, III, 211-12.

³¹The Arabic is: *Kayfa antum?* What is your actual status (believers, non-believers)?

give thanks to God; and in times of tribulation, we exercise patience; [at all times] we are resigned to [our] destiny.' Whereupon the Prophet said, 'Then truly you are what you claim to be!'

[The Messenger of God]: He said, 'Verily God the Glorious and Mighty has bestowed on his servitors this world as a loan. He from whom anything of it is taken by force and displays patience will be compensated by God with three gifts, such that if the angels were requited with but one they would surely be well contented, namely blessing, mercy, and right guidance. God says, *But give glad tidings to the steadfast, who say, when a misfortune striketh them: Lo! we are Allah's and lo! unto Him we are returning. Such are they on whom are blessings from their Lord, and mercy. Such are the rightly guided*' (2:155-7).

Ja'far b. Muḥammad: He said, 'When Abū Salama b. 'Abd al-Asad³² died, [his widow] Umm Salama was stricken with grief, and so the Prophet told her, "Say, O Umm Salama, 'O God magnify my reward in my distress, and give me in return [something] better than it.'" She said, "Whence, O Messenger of God shall I have one who is like him?" The Messenger of God, however, repeated his words to her and she gave him the same reply. So the Messenger of God repeated the words [for the third time] and she [remained silent and pensive], saying to herself, "Shall I answer back for the third time?" Then she repeated the Prophet's words. Thereupon God gave her instead one who was even better than Abū Salama, namely the Messenger of God!"³³

The Messenger of God: He said, 'Whenever a calamity befalls any one amongst you [my community] after my death, let him recollect the distress he suffered at my death, for that pain will have been greater than every other calamity.'³⁴

Abū Ja'far Muḥammad b. 'Alī: He said, 'When a Muslim condoles with another in the presence of a *dhimmī*³⁵ let him repeat the Qur'ānic verse *Lo! we are Allah's and lo! unto Him we are returning* (2:156), and mention death and what follows in this manner.'

Similarly [the Imam] said, 'If a *dhimmī* happens to be your neighbour

³²Abū Salāma b. 'Abd al-Asad al-Makhzūmī was the Prophet's foster brother and a very early convert. He was wounded at the Battle of Uhud and died shortly thereafter. The Prophet married his widow Umm Salama probably in Shawwāl 4/626. Ibn Sa'd, I/1, 67, 136, 152; II/1, 4, 35, 41; II/11, 111; III/1, 170-2; Ṭabarī, *History of al-Ṭabarī*, IX, 132; Watt, *Muḥammad at Medina*, 396.

³³Cf. a different tradition from Umm Salama transmitted by Muslim, *Mishkāt*, I, 549; Robson, I, 365.

³⁴*Kaṣf*, III, 212, 213.

³⁵See n. 79 in Chap. 3.

and a calamity befalls him you should use similar expressions. If he condoles with you upon the death of some person, say, "May God guide thee rightly."

'Alī: He said, 'When Ibrāhīm,³⁶ son of the Messenger of God, died, he directed me to give him a ritual bath, and he shrouded and embalmed the body and said, "Carry him, O 'Alī," and I did so, until we reached the Baqī'.³⁷ The Messenger of God prayed over him and brought the body near the grave and told me, "Descend into the grave." I did so and he gave me the dead child. When the Messenger of God saw the child reclining in the grave, he broke into tears, God bless him; the Muslims, seeing the Messenger of God weeping, also wept, until the cries of the men drowned the wails of the women. So the Messenger of God asked them emphatically to stop weeping loudly, and said, "The eye may weep and the heart may grieve, but we must not give vent to words which anger the Lord. Calamity has indeed visited us through you, O Ibrāhīm, and we are truly sorrowful." Then the Prophet covered up the grave, put his hand above Ibrāhīm's head, thrust his hand up to the wrist [in the sand] and said, "With the name of God I have sealed thee from the intrusion of Satan," and then 'Alī related the rest of the incident in all its details.³⁸

Ja'far b. Muḥammad: He said, 'When the Messenger of God was about to die, he fainted and Fātima wept; when he regained his consciousness, she was saying, "Who is there to [protect] us after you, O Messenger of God?" Whereupon he said, "I swear by God that after me you [the *ahl al-bayt*] will be considered weak (*mustaḍ'afūn*)."'³⁹

³⁶Māriya the Copt, the Prophet's concubine, given to him by al-Muqawqis, the ruler (or governor) of Alexandria, gave birth to Ibrāhīm in 8/632. Ṭabarī, *History of al-Ṭabarī*, IX, 39, 137; additional sources are cited there.

³⁷Baqī' also called Baqī' al-Gharqad (because it was originally covered with a kind of bramble called *al-gharqad*) and Jannat al-Baqī', is the oldest and the first Islamic cemetery of Medina. It is situated at the south-east end of the town, at a short distance from the Prophet's tomb. The Prophet's daughters, his infant son Ibrāhīm, his wives, and his descendants, with the exception of al-Husayn, are buried here. After the invasion of the Wahhābīs all the graves were levelled to the ground. EI², s.v. Baqī' al-Gharqad.

³⁸Cf. *Mishkāt*, I, 542; Robson, I, 360; transmitted by Bukhārī and Muslim.

³⁹The term occurs in the Qur'ān 4:75, 97–8, 127; 8:26, in the sense of 'feeble' and 'oppressed'. Balādhurī (*Ansāb*, I, 156 ff., 197) lists a group of early converts, such as 'Ammār, Khabbāb, Ṣuhayb and Bilāl, under the title *al-mustaḍ'afūn*, that is those who were clanless and without protection. The term has thus come to mean maltreated and oppressed people. See Ṭabarī, *History of al-Ṭabarī*, IX, 199. *Majma' al-bahrayn*, s.v. ḍ-'-f; he states that according to some exegetes the Prophet and his *ahl al-bayt* were among the oppressed (*al-mustaḍ'afūna fi 1-arḍ*). It was 'Alī Shārī'atī (d. 1977) who revived the Qur'ānic term *mustaḍ'afīn* (pronounced *mostaḍ'afīn*) to refer to the oppressed masses and rendered Franz Fanon's *Les*

'Alī: He said, 'Once the Messenger of God broke into tears on the death of one of his children, and he was told, "You shed tears, O Messenger of God, while you yourself have admonished us not to do so!" The Prophet said, "I never forbade you to weep; I only forbade you to wail and lament noisily. This is tenderness and compassion, which God engenders in the breasts of those of His creatures whom He wishes. God shows mercy to whom He will and He shows compassion only to those of His servants who are compassionate."'⁴⁰

['Alī]: He said, 'The Messenger of God permitted the shedding of tears at a calamity and said, "The soul is afflicted with a calamity, and the eye is tearful, and [the adversity] has happened recently. So utter words, which gratify God, and avoid unseemly language."'⁴¹

['Alī]: He said, 'Bewailing loudly and sighing heavily are acts of the Devil.'

['Alī]: He said, '[Once upon a time] a man came to the Messenger of God and said, "'Abd Allāh b. Rawāḥa⁴² is very ill." The Prophet rose and so did we, and all of us went with the Prophet to him. We found him in a coma, totally unconscious of his surroundings, while the women were raising wails of lamentation. The Messenger of God hailed him three times but he did not respond, hence the Prophet prayed:

O God, if the term of his life has ended, his provision [terminated], and the traces [of his earthly existence erased, let him wend his way] towards Thy Garden and Thy mercy. But if these have not yet come to an end, hasten his recovery and well-being.

'Then some of the people said, "O Messenger of God, strange is the case of 'Abd Allāh b. Rawāḥa. Many a time has he presented himself for his martyrdom [at more than one place], but it has not been vouchsafed to

Damnés de la Terre in Persian translation as *The Disinherited of the Earth*, a term that was to occupy a central position in the Islamic revolutionary rhetoric of Iran. Arjomand, *Turban for the Crown*, 93–4.

⁴⁰*Mishkāt*, I, 542–3; Robson, I, 360; transmitted by Bukhārī and Muslim.

⁴¹'Abū Hurayra said that a member of the family of God's Messenger died and that the women gathered and wept for him. 'Umar stood up and forbade and repulsed them, but the Messenger of God said, "Let them alone, for the eye is tearful, the heart is afflicted, and the matter has happened just recently." *Mishkāt*, I, 549; Robson, I, 366. A similar tradition is transmitted by Ibn Ḥanbal following the above.

⁴²He was a Khazrajī from the most esteemed clan of Banū al-Hārith. He was among the twelve trustworthy men at the second pledge of 'Aqaba. After the Prophet's migration to Medina Ibn Rawāḥa was entrusted with various important missions. He was second in succession to the commander of the army for the expedition of Mu'ta in 8/629. When both his superiors had fallen, he fought and met his death fighting for the Faith. *El*², s.v. 'Abd Allāh b. Rawāḥa.

him. [How ironic that God should] let his soul be seized on his own bed!" The Messenger of God said, "Who then, is a martyr in my community?" They said, "Is it not he who is killed in the way of God, facing the enemy and not turning his back on them?" The Messenger of God said, "In that case only a few will attain martyrdom in my community! You described the martyr correctly; but [he is also a martyr] who is smitten with plague, or who dies of an ailment of the stomach, or one who dies as a result of the collapse of a building, or one who is drowned, or a woman who dies during pregnancy." They said, "How does a woman die during pregnancy, O Messenger of God?" The Prophet said, "When the unborn child causes obstruction in her womb [and the woman dies of it]."

Then the Messenger of God went away and was informed [later] that 'Abd Allāh was somewhat better. Then he stopped for a while [at 'Abd Allāh's] and said, "O 'Abd Allāh tell [me] what you have seen, for verily you have witnessed strange things!" So he said, "O Messenger of God, I saw an angel who had an iron staff in his hand emitting flames of fire. Whenever a female crier cried out, 'Alas for the Mighty Leader! (*yā jabalāh*)',⁴³ the angel would stretch out his arm towards my head and say, 'Are you her Leader (*jabal*)?' And I would say, 'No, but God is,' and the angel would stay his hand after stretching it forth. Then when the female crier cried out, 'Alas for the Mighty One! (*yā 'izzāh*)', the angel would stretch out his arm towards my head and say, 'Are you her Mighty One?' And I would say, 'No, but God is,' and he would stay his hand." The Messenger of God said, "'Abd Allāh is truthful. How about the dead among you who are chastised by the words of the living ones?"⁴⁴

Ja'far b. Muḥammad: When he was about to face death he said, 'Never slap your cheeks in lamenting over me, nor tear open your collars. Every woman who tears open her collar will receive a painful blow on the head in Hell, and the more [she rends her garment or laments loudly] the greater will be the blow.'⁴⁵

'Alī: He said, 'The Messenger of God had made a compact with women that they would not lament noisily nor claw their cheeks nor associate with men in privacy.'

⁴³*Jabal*, meaning 'mountain', is explained as the Lord, or chief, of a people. Lane, s.v. j-b-l. Cf. a very short version in *Mishkāt*, I, 549; Robson, I, 365.

⁴⁴This probably refers to excessive weeping and wailing over the dead. A tradition also states that the dead man is punished because of his family's weeping for him. *Mishkāt*, I, 543, 548; Robson, I, 361, 364.

⁴⁵He who beats the cheeks, tears the front of the garments, and cries out as people did in pre-Islamic times, does not belong to us.' *Mishkāt*, I, 543; Robson, I, 361; transmitted by Bukhārī and Muslim.

['Alī]: He said, 'There are three acts belonging to the pre-Islamic (*al-jāhiliyya*)⁴⁶ period which will not be easily given up by people till the Day of Resurrection: seeking rain by the stars [by astrology]; reviling [other people's] genealogies; and bewailing the dead.'⁴⁷

'Alī: He wrote to Rifā'a b. Shaddād,⁴⁸ his *qāḍī* at al-Ahwāz,⁴⁹ 'Beware of permitting loud lamentations over the dead in the domains under your jurisdiction.'

['Alī]—the Messenger of God: He said, 'Two accursed cries bring forth the wrath of God: loud lamentation at a calamity and noisy cries of joy [at a happy event],' that is bewailing the dead and singing.

Ja'far b. Muḥammad: He said, 'Wailing took place for a whole year, night and day, after the death of [Imam] al-Ḥusayn b. 'Alī; and for three years from the day he was in travail. Al-Miswar b. Makhmara⁵⁰ and Abū Hurayra⁵¹ and some of the Messenger of God's elderly Companions attended the sessions secretly, with their faces veiled, and used to listen and weep.'

We have indeed observed that people lamented over the death of some of the Imams but not over others. Now those who bewailed them did so on account of the Imam's great sufferings, for God has not put any one of His [other] creatures on the same level as any one of the Imams, and therefore they are more entitled to lamentation and mourning, contrary to the rest of the human beings.

Those who are not lamented over fall into two classes. [First] are those who by their own testamentary instructions asked not to be lamented over out of modesty and humility towards their Lord, as was the case with [Imam] Ja'far b. Muḥammad [al-Ṣādiq]. And [second] [those who, like] the succeeding Imams, preferred patience to the [expression

⁴⁶A term used to refer to the state of affairs in Arabia before Islam. The exact meaning of the term is difficult to determine. For various explanations, see EI², s.v. *Djāhiliyya*. Izutsu has given a detailed semantic analysis of the words derived from the root j-h-l in order to describe the moral climate of Arabia at the time immediately before the rise of Islam. Izutsu, *Ethico-Religious Concepts*, 28–35.

⁴⁷*Mishkāt*, I, 544; Robson, I, 361, adds 'boasting of noble descent' to the above list. Muslim transmits this tradition. Excessive bewailing is expressly disapproved of in several traditions.

⁴⁸Rifā'a b. Shaddād al-Bajalī was a prominent member of the Shī'a in Kūfa in the first century A.H. Ṭabarī, *Tārīkh*, V, 265, 352, 553; *History of al-Ṭabarī*, XX, passim; Jafri, *Origins*, 177, 223–4, 232.

⁴⁹A town on the Kārūn river in Khūzistān, Iran. EI², s.v. al-Ahwāz.

⁵⁰Al-Miswar b. Makhmara is mentioned by Ibn Sa'd, but without any Shī'a association. He died in Mecca and 'Abd Allāh b. al-Zubayr prayed for him. Ibn Sa'd, II/II, 132; III/I, 88, 228; V, 67, 119, 133; VIII, 162.

⁵¹Abū Hurayra, the noted prolific narrator of Sunnī traditions, is said to have died between 57/676 and 59/679, before the tragedy of Karbalā'. EI², s.v. Abū Hurayra.

of] feelings of extreme grief and swallowed the cup of sorrow [with fortitude] in the hope of great reward from God. Thus he [the Imam] made patience obligatory both on himself and upon others, to obtain happiness and beatitude in the Hereafter, for God the Mighty and Glorious has Himself made a promise to the patient ones in times of adversity and tribulation.⁵²

We have in this chapter discussed only certain aspects of the subject [and omitted a full treatment].

WASHING THE DEAD

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God directed me to take upon myself the duty of giving him his ritual bath [after his death]. Thus it was 'Alī who took charge of performing this task.

'Alī said, 'When I started to give [the Prophet's body] the ritual bath, I heard a voice calling from the corner of the house [of the Prophet], "Do not pull the shirt away from his body." So I bathed him in his shirt.'⁵³ While I was bathing the Prophet, I was conscious of an [unseen] hand repeating my actions on the dead body. When I turned him over, I was aided [by someone unseen] in my task. Then when I tried to turn the body completely face downwards in order to wash his back, [a voice] proclaimed to me, "Do not turn him over!" So I turned him sideways and washed his back.'

['Alī]: He said, 'When the Messenger of God directed me to give him the ritual bath and not to allow anyone else to share the task with me, I said, "O Messenger of God, you are a heavily built person, and I shall not be able to turn your body alone by myself." He said to me, "Gabriel would surely help you in washing me." I said, "But who will provide me with the water?" He said, "Al-Faḍl b. al-'Abbās.'⁵⁴ But tell him to cover his eyes, for, verily, everyone, save you ['Alī], who sees my private parts, shall lose his sight.'⁵⁵

Abū Ja'far Muḥammad b. 'Alī [Imam al-Bāqir] said, 'Al-Faḍl b. al-'Abbās had his eyes bandaged while he was providing water, and 'Alī and Gabriel were bathing [the Messenger of God].'

⁵²For examples see the Qur'ānic references to *al-ṣābirīn*, 'Abd al-Bāqī, *al-Mu'jam al-mufahras*, s.v. ṣ-b-r; Kassis, *Concordance*, s.v. ṣ-b-r.

⁵³Ibn Ishāq, *al-Sira*, IV, 312–13; Guillaume, 687–8; Ṭabarī, *History of al-Ṭabarī*, IX, 202–3.

⁵⁴Faḍl was the son of the Prophet's uncle 'Abbās. See the sources listed in the previous note.

⁵⁵For esoteric interpretation, see Nu'mān, *Ta'wīl al-da'a'im*, II, 48.

[The Imam] said, "Alī bathed him three times: first, with potash (*ḥurūd*)⁵⁶ mixed with water; second, with aromatic water perfumed with sweet-smelling rush (*dharrā, Calamus aromaticus*)⁵⁷ and camphor (*kāfir*); and lastly with water, pure and simple.'

'Alī: The Messenger of God said, 'Every Muslim who gives a ritual bath to his Muslim brother without showing any repugnance, without casting his eyes on his private parts, and without speaking ill of him, and afterwards escorts him to the grave, prays over him, and remains seated until he is duly buried in his grave, will emerge [from the funeral] with all his sins washed clean.'⁵⁸

Ja'far b. Muḥammad: He said, 'Men and women who are ritually impure or women who are menstruating cannot give a bath to a dead person.'

Abū Ja'far Muḥammad b. 'Alī: He said, "Alī bathed Fāṭima according to her testamentary instructions.'

'Alī: He said, 'Fāṭima had given instructions that no one should bathe her except me, and Asmā' bint 'Umays⁵⁹ poured water for me.'

Ja'far b. Muḥammad: He was asked whether a husband could bathe his wife (after death). He said that there was no harm in it provided he washed her with clothes on.⁶⁰

[Ja'far b. Muḥammad]: He said, 'A wife may bathe her husband after death, but she should not cast her eyes deliberately on his private parts.'⁶¹

[Ja'far b. Muḥammad]: He said, 'When 'Alī b. al-Ḥusayn died, Abū Ja'far [Muḥammad al-Bāqir, his son] said, "I used to dislike casting my eye on your private parts while you were alive; how then can I bring myself to look at them after your death!" So he inserted his hands under his father's clothes, bathed him, and called upon his father's *Umm walad*⁶² to lend him a hand. She also inserted her hand with him and bathed him.'

⁵⁶Lane, s.v. ḥ-r-d.

⁵⁷Ibid., s.v. dh-r-r; *Majma' al-bahrayn*, s.v. dh-r-r.

⁵⁸Cf. *Kaṣf*, III, 163.

⁵⁹She was married to the Prophet's cousin Ja'far b. Abū Ṭālib, brother of 'Alī, and both were among the early converts and had migrated to Abyssinia. Ja'far, who was second in command, fell in the battle of Mu'ta in 8/629. Later on Asmā' was married to Abū Bakr and, after the latter's death, to 'Alī. Her two sons 'Awn and Muḥammad fell at Karbalā'. Ṭabarī, *History of al-Ṭabarī*, IX, 79, 177, 178; Ibn Sa'd, index; Ya'qūbī, *Tārīkh*, II, 105; Lings, *Muḥammad*, passim; EI², s.v. *Dja'far b. Abī Ṭālib*.

⁶⁰*Kaṣf*, III, 156-8; several traditions are reported.

⁶¹Ibid.

⁶²A term used for a female slave who has borne her master a child. For her legal status, see EI, s.v. *Umm al-Walad*; Schacht, *Origins*, 264-6.

Abū 'Abd Allāh [Imam al-Ṣādiq] said, 'I did the same with my father [Imam al-Bāqir].'

[Ja'far b. Muḥammad]: He said, 'When a man dies among women, none of whom is related to him, and likewise, when a woman dies among men, none of whom is related [in a degree of consanguinity] to her, wherefore, there is no one available to bathe the body [lawfully], the deceased should be buried without a bath.'⁶³

It is as though he opined that the ritual bath is compulsory, but where this cannot be done in a lawful manner the obligation [to bathe the dead body] is itself interdicted.

[Ja'far b. Muḥammad]: He said that, as regards the martyr who is killed on the spot, he should be buried in his own clothes and not bathed. But he in whom a little life is left and who removed from the place [where he was wounded] before death should be bathed, shrouded, and buried.⁶⁴

The Messenger of God buried [his uncle] Ḥamza⁶⁵ in the clothes in which he fell, adding an outer garment to them.⁶⁶

[ʿAlī]: He said, 'When the Battle of Badr⁶⁷ ended, and some of the Muslims fell in the engagement, the Messenger of God had fur garments removed from the bodies of the dead, buried them in their own clothes, and said the prayers over them.'

'Alī said, 'From the bodies of those that are martyred, the following may be removed: fur garments, boots (*khuff*), headgear, turbans, girdles, and trousers, except those that are bloodstained. Clothes covered with blood should be left [on them] and all fastenings on clothes worn by them should be undone.'⁶⁸

Abū Ja'far Muḥammad b. 'Alī: He said, 'The body of a person who dies by drowning should be given a ritual bath.'⁶⁹

'Alī: He said, 'The body of a person who dies of fire should be bathed [merely] by pouring water over it.'⁷⁰

⁶³Kaṣf, III, 157. Kulaynī cites more hypothetical cases.

⁶⁴Ibid., III, 205.

⁶⁵He fell at the battle of Uḥud. See n. 22 in Chap. 2.

⁶⁶Kaṣf, III, 204–5.

⁶⁷Badr lies south-west of Medina, a night's journey from the coast and at the junction of a road from Medina with the caravan route from Mecca to Syria. It was here that the first great battle between the Muslims and the Meccans occurred in the month of Ramaḍān 2/624. It was the first decisive victory, which shaped the Muslim ethos. *El*², s.v. Badr.

⁶⁸Cf. *Mishkāt*, I, 521; Robson, I, 345. *Kaṣf*, III, 205; also reported from 'Alī.

⁶⁹*Kaṣf*, III, 203–4.

⁷⁰Ibid., III, 207; also reported from 'Alī.

[Alī]: He said that the Messenger of God said, 'When a man dies by drowning wait for a day and a night before burying him.'⁷¹

Abū Ja'far Muḥammad b. 'Alī: He said, 'When a man is struck by lightning, he should not be buried before three [days] unless his death is clearly established.'⁷²

'Alī: The Messenger of God said, 'If a man dies in the forenoon, he should not take a nap except in his grave; if he dies in the afternoon, he should not spend the night except in his grave.'⁷³

Ja'far b. Muḥammad: He said, 'For him who dies in a ritually impure condition, a single bath is sufficient. The same rule applies to a menstruating woman.'⁷⁴

[Ja'far b. Muḥammad]: He said, 'The ritual bath of the dead consists of three acts of washing: [first] with water mixed with the leaves of the lotus tree; [second] with water and camphor; [third] with water, pure and simple. Every act of washing should be like the ritual bath of purification. To begin with, the body should be given ablution as if for prayer [that is beginning with the right side and the places where ablution is performed].'⁷⁵ Then water should be poured over the whole body, and the body turned sideways. The body should neither be placed in a sitting position, nor turned over on its back. If the body is held in a sitting position, the back may break, so the body should be turned sideways and the back washed while it is [held] in that position. The hands [of the man bathing the dead] should go over the whole of the body in the manner that a man takes a bath for ritual purification.'

[The Imam] further said, 'At the time when the ritual bath is given a covering should be kept between the navel and the knees, and water should be poured under it. The man who bathes the body should have a rag round his hand and pass it under the covering to wash completely all the private parts till the end of the covering cloth.'⁷⁶

[Ja'far b. Muḥammad]: He said, 'If hair, or flesh, or bone, or anything

⁷¹Ibid., III, 203-4; 'He should be buried after three days.'

⁷²Ibid., III, 203-4; 'He should not be buried before three days.'

⁷³Ibid., III, 137; Kulayni's section also clearly prescribes an early burial lest the body decompose in hot climate.

⁷⁴Ibid., III, 153.

⁷⁵'Washing with an odd number, three, five, or seven is generally recommended. It should begin with the right side and the places where ablution is performed.' *Mishkāt*, I, 519; Robson, I, 344; transmitted by Bukhārī and Muslim. The Prophet was bathed three times, hence washing with an odd number became the *sunna*.

⁷⁶*Kāfi*, III, 138-40; all the traditions are similar and reported from al-Ṣādiq.

else falls off the dead body it should be inserted into the shroud and buried with the body.⁷⁷

EMBALMING AND SHROUDING THE DEAD

Ja'far b. Muḥammad: He said, 'When a man has completed the washing of a dead man he should wipe the body with a cloth and put camphor and balm (*ḥanūṭ*)⁷⁸ on the places of his prostration—his forehead, his nose, his hands, his knees, and his feet—and similarly on his ears, eyes, mouth, beard and breast. The mode of embalming a man or a woman is identical.'⁷⁹

[Ja'far b. Muḥammad]—his father—his ancestors—'Alī: He had no objection to the use of musk in embalming the body.⁸⁰

[Ja'far b. Muḥammad]: He said, 'The body should not be embalmed with saffron or turmeric.'⁸¹ But he did not object to fumigating the dead with perfume, or fumigating the shroud with perfume, or burning incense in the room where the washing and shrouding takes place.

Ja'far b. Muḥammad: He disapproved of the practice of following the bier with an incense burner;⁸² but [he did not object] to fumigating the shroud with the smoke of incense.⁸³

Abū Ja'far Muḥammad b. 'Alī: He was asked about a man who dies as a *muḥrim*, (a pilgrim who for the performance of the *ḥajj* or the '*umra* has entered the state of ritual consecration).⁸⁴ He said, 'His head should be covered and everything else should be done to him as if he were not a *muḥrim* except that no perfume should be used.'⁸⁵

'Alī: He related that he shrouded the Messenger of God in three

⁷⁷Ibid., III, 154.

⁷⁸*Ḥanūṭ* means perfume or odoriferous substances that are mixed for a corpse, or for grave clothes, consisting of calamus aromaticus, or musk, or ambergris, or camphor, or other substances. Thus the term *ḥanūṭ* is applied to anything with which a corpse is perfumed. Lane, s.v. ḥ-n-ṭ. According to Kulaynī (*Kaṣf*, III, 144) camphor is designated as *ḥanūṭ*.

⁷⁹*Kaṣf*, III, 141, has an identical report.

⁸⁰Ibid., III, 146; Kulaynī reports that musk should not be used for embalming.

⁸¹*Wars* is a plant producing a yellow dye as well as being a liniment. *Haldi* in Urdu and Hindustani; scientific name, *Memecylon tinctorium*.

⁸²*Kaṣf*, III, 142, 146.

⁸³Kulaynī states on the authority of 'Alī and al-Šādiq that fumigating the shroud with the smoke of incense is forbidden. Ibid., III, 146.

⁸⁴See n. 65 in Chap. 3 for 'consecrated state'; also see *iḥrām* in the chapter on *ḥajj* below; Lane, s.v. ḥ-r-m.

⁸⁵A man wearing *iḥrām* who was with the Prophet died and God's Messenger said, 'Wash him with water and lotus leaves, shroud him in his two garments, but do not put

garments, two from Ṣuḥār,⁸⁶ and one from Yemen, as well as a turban and a loincloth (*izār*).⁸⁷

Ja'far b. Muḥammad: He said, 'The best of shrouds consists of three garments: a shirt which is without buttons and without a seam [therefore unsewn], a loincloth, and a wrap.⁸⁸ My father [Imam al-Bāqir] instructed me to shroud him in three garments, namely a striped cloak (*ridā'*^{um} *hibarā'*^{um})⁸⁹ in which he used to say his Friday prayers, and another garment and a shirt.'⁹⁰

Abū Ja'far Muḥammad b. 'Alī: He said, 'Although they are not counted among things designated as shrouds, both the loincloth and the turban are indispensable.⁹¹ Preferably, the shroud should consist of three garments, but there are no fixed rules about it.'⁹²

Ja'far b. Muḥammad: A man who used to bathe the dead asked [Imam al-Ṣādiq] how he should put the turban on a corpse. [The Imam] said, 'Do not put on the turban as a Bedouin (*a'rābī*) does [by putting on a kerchief and tying it round firmly], but hold the turban by its middle, spread it over the corpse's head, and bring it back from under the beard.⁹³ Then wrap the head in the turban and let the end of this down towards his chest. (Smoothly) tie on his loins a strip of cloth like a loincloth. Spread cotton under his anus so that nothing emerges from it. The turban and the strip of cloth are not parts of the shroud, for only that which covers the body is the shroud (*kafan*).'

'Alī: The Messenger of God forbade the use of silk for a shroud.

any perfume on him or cover his head, for he will be raised on the day of resurrection saying the *talbiya*.' *Mishkāt*, I, 520; Robson, I, 344; transmitted by Bukhārī and Muslim.

⁸⁶A seaport on the coast of 'Umān known for its textile industry. *EI* and *EI*², s.v. Ṣuḥār. Lane, s.v. ṣ-ḥ-r, states that it is a kind of garment made in Ṣuḥār, a town in Yemen. Tabarī, *History of al-Ṭabarī*, IX, 203.

⁸⁷*Izār* is a waist wrapping covering the lower part of the body. Lane, s.v. a-z-r. "Ā'isha said that God's Messenger was shrouded in three cotton garments of white Yemenī stuff from Ṣaḥūl, among which was neither a shirt nor a turban.' *Mishkāt*, I, 519; Robson, I, 344; transmitted by Bukhārī and Muslim. Ibn Ishāq states the Prophet was wrapped in three garments, two of Ṣuḥār make and a striped mantle that wrapped the one over the other. Ibn Ishāq, *al-Sira*, IV, 313; Guillaume, 688; *Kāfi*, III, 142; 'The Prophet was turbaned.'

⁸⁸*Kāfi*, III, 143-4.

⁸⁹A kind of garment made in Yemen. Lane, s.v. ḥ-b-r; *Majma' al-baḥrayn*, s.v. ḥ-b-r.

⁹⁰*Kāfi*, III, 143.

⁹¹*Ibid*.

⁹²A shroud of good quality is recommended, but 'Alī reported God's Messenger saying, 'Do not be extravagant in shrouding, for it decays quickly.' *Mishkāt*, I, 520; Robson, I, 344, 345; *Kāfi*, III, 146-7.

⁹³In *Kāfi*, III, 143: 'And bring it back from behind [the head] and leave both the ends on his chest.' According to Kulaynī the questioner was 'Uthmān al-Nawā.

Ja'far b. Muḥammad: He said, 'Cotton should be inserted in the anus of the corpse lest matter exude from it; it should also be put on the private parts and between the feet. A woman's head should be veiled with a head covering (*khimār*),⁹⁴ and a man's turbaned.'

[The Imams] permitted the use of the cloth called *al-maghīra*⁹⁵ for shrouds.

'Alī: The Messenger of God shrouded Ḥamza [his uncle]⁹⁶ in a black, woollen, striped garment (*namira*).⁹⁷

Al-Ḥusayn b. 'Alī: He used a red garment for the shroud of Usāma b. Zayd.⁹⁸

'Alī: He said, 'The following payments should be made from the estate of a deceased person: First [expenses] for the shroud;⁹⁹ second, debts; third, bequests; and fourthly, inheritance.'¹⁰⁰

WALKING AT FUNERALS

Ja'far b. Muḥammad—his father—his ancestors: The Messenger of God told Fāṭima¹⁰¹ in secret that she would be the first member of his Household to join him [after his death]. When the Messenger of God passed away, and she suffered what she suffered at the hands of the community, she took to her bed and her body withered until she became a shadow [of herself]. She lived in this condition after the death of the Messenger

⁹⁴Ibid., III, 145; *Majma' al-baḥrayn*, s. v. kh-m-r.

⁹⁵A kind of cloth, details whereof are not known. Dozy, *Supplément*, s.v. m-gh-r; he does not give the exact pronunciation of the word. It could also be a dyed cloth with *maghira* (a colour not pure red—ruddiness combined with fairness and duskiness). Lane, s.v. m-gh-r; *Tāj al-'arūs*, s.v. m-gh-r; *Majma' al-baḥrayn*, s.v. m-gh-r.

⁹⁶For Ḥamza see n. 22 in Chap. 2.

⁹⁷A garment of striped wool worn by the Arabs of the desert. Lane, s.v. n-m-r; *Majma' al-baḥrayn*, s.v. n-m-r.

⁹⁸Just before his death, the Prophet put Usāma, the son of his freed slave Zayd b. al-Ḥāritha, in command of an expedition to avenge his fallen father at Mu'ta. Tabarī, *History of al-Ṭabarī*, IX, 9, 100–3, 119, 122, 134, 142, 163; where additional sources are cited. For Usāma's relations with 'Alī see Madelung, *Succession*, passim. Kāfi, III, 148; Kulaynī adds that 'Alī also used a red striped garment for the shroud of Sahl b. Ḥunayf. Black colour is forbidden for the shroud.

⁹⁹These days expenses for the shroud could be taken to mean 'the funeral expenses'.

¹⁰⁰These guidelines serve as an important and universal rule in the administration of the properties of a deceased person. See Fyze, *Outlines*, 379.

¹⁰¹The youngest daughter of Muḥammad and Khadija, the wife of 'Alī, and the mother of al-Ḥasan and al-Ḥusayn, Fāṭima was the only daughter of the Prophet to enjoy great renown. She died in the year 11 A.H. but the month is uncertain. The most common report is that she died six months after the Prophet. For the details and sources see EI², s.v. Fāṭima.

of God for seventy days. When she was face to face with death, she said to Asmā' bt. 'Umayy, ¹⁰² 'How shall I be borne on the necks of men, bare of body, for I have become a bundle of bones without any [flesh] except skin? How will people look at my body on the bier when I shall be carried away?'

Asmā' said to her, 'O daughter of the Messenger of God, if God has destined a certain fate for you, I shall prepare something which I have seen in Abyssinia.' Fāṭima asked, 'And what is that?' Asmā' replied, 'A coffin for the body over the bier, which could cover it so nothing can be seen of it.' Fāṭima said, 'Do so!' And when Fāṭima died, Asmā' made a covering over the bier for her, and this was the first of its kind in Islam, which was carried [to the grave]. ¹⁰³

'Alī: The Messenger of God forbade aromatics (*ḥanūṭ*) to be placed on the bier.

'Alī: [Once] he saw a bier to which some veils were tied by way of decoration: red, green, and yellow. He ordered them to be removed saying, 'I heard the Messenger of God say, "Graves are the beginning of the justice of the Hereafter; in them the noble is not distinguished from the humble."'

['Alī]: [Once] he saw some people rise to their feet when a funeral passed them, and he made signs to them to sit down. This applies to people when a funeral passes and they do not wish to follow it. Whoever wishes to follow, however, will rise and walk and not sit until the bier is set down. ¹⁰⁴

Al-Ḥusayn b. 'Alī: He was accompanying a funeral, which passed by a group of people who were seated; and they were about to rise when [the Imam] prohibited them and walked on. When the funeral reached the grave, he stood talking to Abū Hurayra ¹⁰⁵ and Ibn al-Zubayr ¹⁰⁶ until the bier was set down. Thereafter he and they also sat down.

'Alī: He heard the Messenger of God say concerning a funeral, 'I

¹⁰²See n. 59 in this chapter for Asmā'.

¹⁰³*Kaṭi*, III, 237; Ya'qūbī, *Tārīkh*, II, 105.

¹⁰⁴*Mishkāt*, I, 523-4, 531-2; Robson, I, 347-8, 352-3; it is reported that the Prophet stood up even for the bier of a Jew when it came past him. Another tradition transmitted by Bukhārī and Muslim states that the Prophet prayed for the Negus, the king of Abyssinia, when he received the news of his death.

¹⁰⁵For Abū Hurayra see n. 51 in this chapter.

¹⁰⁶The son of Zubayr b. al-'Awwām proclaimed himself caliph following the death of Yazīd b. Mu'āwiya and was killed in a battle against the Syrian troops under al-Ḥajjāj in 73/692. His close kinship with the family of the Prophet and with 'Ā'isha and Abū Bakr was a factor which contributed to building up his reputation against both the 'Alids as well as the Umayyads. For details see EI², s.v. 'Abd Allāh b. al-Zubayr.

know not which of them is the greater sinner—the man who walks in a funeral without a robe (*rida'*, loose outer garment), or the man who says, "Be kindly [to the dead man] and God will be kindly to you;" or the man who says, "Ask forgiveness for the dead man and God will forgive you."

'Alī: He used to say, 'March quickly with the biers and do not walk with them slowly.'¹⁰⁷

['Alī]: He was asked whether it was obligatory for someone who has seen a bier to participate in the carrying of it. 'Alī replied, 'No, but it is a good act; a man may do it or not as he wishes.'

['Alī]: He permitted the bier to be carried on a beast of burden. This is proper when there are no persons available to carry it, or there is a sufficient reason. Nevertheless, the *sunna*, and what is commanded [by the Imams], is that the bier should be carried by men.

['Alī]: He approved the action of those who, in wishing to help carry the bier, held it on the left side first. He who wishes to do so should take the bier by his right hand from him who is holding it, then go around the four sides of it.¹⁰⁸

['Alī]: He reported that the Messenger of God said, 'Follow the bier and do not let it follow you. In this respect act contrary to what the People of the Book¹⁰⁹ do.'¹¹⁰

[One day] a man asked 'Alī, 'How do you do this morning, O Commander of the Faithful?' He replied, 'Better than he who did not walk behind a bier and who did not visit a sick person!'

['Alī]: Abū Sa'īd al-Khudrī¹¹¹ asked 'Alī about walking at funerals, whether it was better to walk in front of the biers or behind them. 'Alī

¹⁰⁷*Mishkāt*, I 523; Robson, I, 347; it states, 'Walk quickly at a funeral, for if the dead person was good, it is a good condition to which you are sending him; but if he was otherwise, it is an evil of which you are ridding yourselves.' Transmitted by Bukhārī and Muslim. A similar tradition states, 'The bier will be borne quickly to the grave; it was good that the righteous should arrive soon at happiness.'

¹⁰⁸*Kāfi*, III, 166–7. Describing the manner in which to participate in carrying the bier, the tradition states, 'You should face the bier with your right side and take the bier's left side on your right shoulder and then move to the other side. You should also move from the back [left leg of the bier] to its fourth leg.' This manner of participation is called *tarbī' al-janāza*. See *Majma' al-bahrayn*, s.v. r-b-'.
¹⁰⁹This term 'People of the Book' used in the Qur'ān denotes the Jews and the Christians, repositories of the earlier revealed books, *al-Tawrāt* (the Torah) and *al-Injīl* (the Gospel). For details see *Et*², s.v. Ahl al-Kitāb.

¹¹⁰*Cf. Mishkāt*, I, 527–8; Robson, I, 350–1; the traditions cited are contradictory and weak. *Kāfi*, III, 167–8; 'It is more meritorious to walk behind the bier.' 'Riding a beast of burden for the funeral is disapproved.'

¹¹¹Abū Sa'īd al-Khudrī al-Anṣārī was a Companion and used to give legal opinions in Medina. Initially he did not pledge allegiance to 'Alī but later he supported 'Alī. He

exclaimed, 'O Abū Sa'īd, someone like you asks this question?' Abū Sa'īd said, 'Yes, by God, someone like me asks this question.' 'Alī said, 'Certainly, the merit of one who follows the bier is greater than that of him who precedes it, just as the performance of the mandatory prayers is more meritorious than the performance of the supererogatory prayers.' Abū Sa'īd replied, 'Is this what you say on your own authority, or have you heard it from the Messenger of God?' 'Alī responded, 'Yes certainly I have heard it from the lips of the Messenger of God himself.'¹¹²

['Alī]: He used to follow biers barefoot to seek thereby the favour [of God].

['Alī]: Once upon a time, the Messenger of God was walking with a bier when he saw a woman following it. So he stopped and ordered the people to send her back, and she returned. The Prophet waited till he was informed, 'O Messenger of God, she has indeed gone behind the walls of Medina.' Then the Prophet proceeded on his way.

PRAYER OVER THE DEAD

Ja'far b. Muḥammad: He spoke of the death of the Messenger of God and said, 'When 'Alī bathed and shrouded him, al-'Abbās b. 'Abd al-Muṭṭalib came to him and said, "O 'Alī, the people have gathered together to pray for the Messenger of God. They are of the opinion that he should be buried at the Baqī'¹¹³ cemetery, and that a man from among them should lead the [funeral] prayer over him." So 'Alī went to them and said, "O people, verily the Messenger of God was Imam both in life and after death. Surely no prophet ever passed away without being buried at the very spot where he died." The people said, "Do as you see [best]." So 'Alī stood at the gate of the [Prophet's] house and prayed for the Messenger of God. And people came in groups of ten, prayed for the Prophet, and departed.'¹¹⁴

Abū Ja'far Muḥammad b. 'Alī: He said, 'It is not objectionable to pray for the deceased at sunset or at sunrise, or at any other time; for it is only [a mode] of asking forgiveness [for them].'¹¹⁵

died ca. 63/682–3. Ibn Sa'd, II/ii, 124, 127; V, 132; Ṭabarī, *History of al-Ṭabarī*, IX, 35 and *passim*; Ibn Hajar, *al-Iṣāba*, IV, 87; Madelung, *Succession*, 146.

¹¹²Cf. *Mishkāṭ*, I, 528; Robson, I, 351; 'The bier should be followed and should not follow.'

¹¹³For the Baqī' cemetery see n. 37 in this chapter.

¹¹⁴Vocalization of the word *qaddama* in the text seems to be incorrect. I have read: *wa-qadima* 'l-nḍu as in MS Q. See Ṭabarī, *History of al-Ṭabarī*, IX, 204.

¹¹⁵*Kaṣf*, III, 177–8; two traditions, one each from al-Bāqir and al-Ṣādiq, are reported, stating that funeral prayers could be said anytime.

'Alī: He was once summoned to a prayer over the dead, and he said, 'We shall certainly pray but, in reality, it is only the man's good works which pray for him!'

['Alī]: He said, 'When forty of the faithful pray for a faithful one and endeavour to seek [mercy] for him, their prayer will be accepted.'¹¹⁶

['Alī]: He said, 'When the sovereign (*al-sulṭān*) participates in the funeral, he is more entitled [to lead the prayer] than the deceased's close relative (*walīy*, legal guardian).'

['Alī]: He was asked, 'Can a husband [lead] the prayers for his wife when she dies?' He said, 'Her agnatic relations have priority.'¹¹⁷

['Alī]: He said, 'If [a newborn] child cries (or utters a sound) [and then dies], prayers must be offered for him.'¹¹⁸

['Alī]: He said, 'The Messenger of God prayed for an adulteress who died in childbirth and also for her child. He commended that funeral prayers be held for every Muslim, be [they] virtuous or dissolute.'

['Alī]: He said, 'If a man's body is badly dismembered], prayers should be said over any part which is found if it is known for certain that the severing of that part led to his death.'

['Alī]: When a number of biers were gathered together at one time, he used to pray over all of them in one [joint] prayer. The biers of the men were kept near him, and those of the women [a little farther] in what follows the *qibla*.¹¹⁹

['Alī]: When the Messenger of God stood up to pray for a man, he used to stand facing his chest; if it was a woman, he used to stand by her head.¹²⁰

Ja'far b. Muḥammad: He was asked concerning a man who was present near the bier for prayer, but had not performed his ablution and water was not available. He said, 'He should perform *tayammum* and offer prayers over it if he is afraid of missing the prayer.'¹²¹

[Ja'far b. Muḥammad]: For the prayer over the dead, he used to raise his hands for the *takbīr*, and utter it five times.

¹¹⁶*Mishkāt*, I, 526; Robson, I, 349; transmitted by Muslim.

¹¹⁷*Kāfi*, III, 175; according to Kulaynī, on the authority of al-Ṣādiq, the husband is more entitled than her father, brother, or son.

¹¹⁸*Mishkāt*, I, 527, 533; Robson, I, 351, 354; a tradition states that prayer should be said over a miscarried foetus.

¹¹⁹*Kāfi*, III, 172-3.

¹²⁰*Mishkāt*, I, 525, 530; Robson, I, 349, 352. 'When the Prophet prayed for a woman who had died in childbirth, he stood opposite her waist;' it is transmitted by Bukhārī and Muslim. *Kāfi*, III, 175; 'For a woman the imam can stand by her head or facing what follows her chest.'

¹²¹*Kāfi*, III, 176; 'In exceptional cases it is allowed to join the funeral congregational prayer without ablution. Women can offer funeral prayers.'

[Ja'far b. Muḥammad]: He was asked about the *takbīr* in a funeral prayer and he said, '[There are] five *takbīrs*, they are derived from the five [daily] prayers, one *takbīr* for each of them.'¹²²

[Ja'far b. Muḥammad]: He said, 'When a man joins the funeral prayer late and finds that some of the *takbīrs* have already been said, let him utter the *takbīr* and join the congregation. Then when they have completed their prayers, he should continue the necessary *takbīrs* until he finishes the prayer and then depart. Once a man joins the congregation, let him utter the *takbīr* and consider his prayer [with the congregation] the least portion of his prayer.'¹²³

In the matter of prayers over the dead, numerous prayers and expressions have been reported to us from the members of the Prophet's Household and this clearly indicates that there is nothing definitely prescribed about them. In sum, what is required is that the worshipper say the *takbīr*, extol God, offer praise to Him according to what is due to Him, and proclaim His Majesty in appropriate terms; then he should say the *takbīr* and bless the Prophet and his descendants; then he should utter the *takbīr* and pray for the deceased if he be a believer; then he should utter the *takbīr* and pray for all the faithful, male and female; then he should say the [final] *takbīr* and ask blessings for the Prophet and his progeny. If he combines all these orisons at each *takbīr*, that is most commendable.¹²⁴

Abū Ja'far Muḥammad b. 'Alī: He said, 'If you did not know the deceased personally, say in the prayer,

O God, verily, we have no knowledge of him, save that which is good, but Thou knowest better about him so entrust him with what he himself has taken upon himself and resurrect him with one whom he loves.'¹²⁵

Ja'far b. Muḥammad: He said, 'The prayers for the *mustad'af*¹²⁶ shall contain the following:¹²⁷

¹²²Kaṣf, III, 178–9, 182; reported from the same source giving the same reason. *Mishkat*, I, 524; Robson, I, 348; four to five *takbīrs* seems to be the rule, but on several occasions the Prophet uttered more than five, for example when Abū Salama died the Prophet said nine *takbīrs*, see Ṭabarī, *History of al-Ṭabarī*, IX, 132; Jazīrī, *al-Fiqh*, I, 532; Kulaynī also states that one can say more than five *takbīrs* and cites the Prophet's example.

¹²³It is the same when someone joins the congregation late for his obligatory prayer. See section 'The Prayer of the One Who Arrives Late to the Congregation [and Misses Part of the Worship]' in Chap. 4 above.

¹²⁴Cf. Kaṣf, III, 180–1; details of all the orisons are given.

¹²⁵Ibid., III, 183.

¹²⁶See n. 39 in this chapter for the *mustad'af*.

¹²⁷Kaṣf, III, 183.

Our Lord! Thou comprehendest all things in mercy and knowledge, therefor forgive those who repent and follow Thy way. Ward off from them the punishment of hell. Our Lord! And make them enter the Garden of Eden, which thou hast promised them, with such of their fathers and their wives and their descendants as do right. Lo! Thou, only Thou, art the Mighty, the Wise. And ward off from them ill deeds; and he from whom Thou wardest off ill deeds that day, him verily hast Thou taken into mercy. That is the supreme triumph' (40:7-9).

Concerning prayers for one who bears hatred and enmity (*al-nāṣib*) towards the Friends of God [the Imams], it is related from the members of the Prophet's House that evil should be invoked upon him [from God]. Many imprecations are mentioned from which it is clear that there is nothing fixed [or prescribed] about them.¹²⁸

Ja'far b. Muḥammad: In the prayers for a child he used to say,

O God, make him a [righteous] provision paid in advance (*salaf*), and a payment made before its proper time (*farāṭ*), and a requital for us.¹²⁹

[Ja'far b. Muḥammad]: He said, 'When you have completed the prayer for a dead person, end it with the salutation [which is common to all prayer].'¹³⁰

BURIAL AND GRAVES

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God's grave was dug with a niche (*ulḥida*).¹³¹ The meaning of the word *laḥd* is to excavate a niche for the corpse in the wall of the grave [in such a way that the face of the deceased person] faces the *qibla* [against the wall of the grave].¹³² *Ḍarīḥ*, on the other hand, means a grave with a niche excavated in the centre.

¹²⁸Compared to *Kāfi*, III, 184-6, Nu'mān's treatment of this matter is more dignified, yet one should contrast this with other traditions which state, 'Do not revile the dead, for they have come to what they have sent before them,' or 'Mention the good qualities of your dead and refrain from mentioning their bad ones.' *Mishkāt*, I, 526, 530; Robson, I, 350, 352.

¹²⁹*Mishkāt*, I, 533; Robson, I, 354; Robson's translation is not quite correct.

¹³⁰*Kāfi*, III, 181-2; Kulaynī states on the authority of al-Bāqir and al-Ṣādiq that there is no salutation (*taslīm*) in prayers over the dead.

¹³¹Vocalization of this word in the text is incorrect. *Alḥada*, a verb from *laḥd*, means to dig a grave with a niche or recess. *Ḍarīḥ* means a trench, or an oblong excavation, in the middle of the grave. *Lisān al-'Arab*, s.v. l-ḥ-d; ḍ-r-ḥ; *Majma' al-baḥrayn*, s.v. l-ḥ-d.

¹³²Ibn Ishāq, *al-Sira*, IV, 314; Guillaume, 688; Ṭabarī, *History of al-Ṭabarī*, IX, 204. *Mishkāt*, I, 534, 535; Robson, I, 355-6.

[Ja'far b. Muḥammad]: For his father, Muḥammad b. 'Alī [Imam al-Bāqir], he had made a *ḍarīḥ*, as he was a man of corpulent body.

'Alī: He said, 'For the grave of the Messenger of God, a velvet coverlet¹³³—upon which his body was laid—was used, for the ground was moist and saline.'

['Alī]: He said, 'No one should lower a woman's body into the grave except one who had seen her while she was alive.¹³⁴ The person most closely related to a woman should hold her by the lower part of her body, and the person most closely related to the man should hold the higher part of his [while lowering them in the grave].'

[The Imam] did not approve of a man's lowering his own son into the grave lest his emotion overcome him.¹³⁵

['Alī]: He said, 'The Messenger of God said that every house has a gate; and the gate of the grave is at the end of the feet of the corpse. Therefore it is obligatory to go down into the grave from that end, and similarly to ascend from the grave from the same end.'¹³⁶

['Alī]: He said, 'The Messenger of God once attended a funeral. He ordered the people to place the body towards the side of the *qibla*, near the grave, and then to go down. He said, "Lower the body into the grave while you yourself face the *qibla*." [Thus did they lower him], and the Prophet said, "Say, '[In the name of God, by God's grace, and] following the religion of God and following the religion of God's Messenger.'"¹³⁷

['Alī]: He said, 'The Messenger of God decreed that a cloth be laid upon the grave of 'Uthmān b. Maẓ'ūn.¹³⁸ This was the first grave which was covered with a cloth.'

['Alī]: He said, 'Once upon a time, I witnessed the Messenger of God attending the funeral of a person of the family of 'Abd al-Muṭṭalib. When they lowered [the person] into the grave [the Messenger of God] said, "Place him on his right side facing the *qibla*. Do not place him face down, nor lay him flat on his back." Then he said to the person who was close to the dead man, "Put your hand to his nose, so that it is

¹³³Both the Urdu and Gujarati translations are incorrect. See also *Mishkāt*, I, 534; Robson, I, 355; it states that it was red velvet. *Kaṣf*, III, 193; 'It is permissible to spread a sheet or place wood if the ground was wet.'

¹³⁴*Kaṣf*, III, 189–92; 'The husband is more entitled to lower his wife's body. The body should be lowered gently from the feet, and different orisons should be recited.'

¹³⁵*Ibid.*, III, 189; 'The father should not descend into the grave of his son.'

¹³⁶*Ibid.*, III, 188; also reported from the Prophet.

¹³⁷*Mishkāt*, I, 537; Robson, I, 356; *Kaṣf*, III, 190.

¹³⁸Ibn Maẓ'ūn was one of the early converts and a very pious person. He died in 3/624–5 in Medina. Ibn Sa'd, I/i, 90, 114–15; III/i, 286–92, 298. Ṭabarī, *History of al-Ṭabarī*, IX, 25; EI, s.v. 'Othmān b. Maẓ'ūn.

clear to you that the body faces the *qibla*." Then he asked them to repeat:

O God, prompt him with [the name of] his *hujja* [i.e. the Prophet or the Imam],¹³⁹ and elevate his soul, may he achieve from Thee Thy pleasure!

Many different orisons for the burial of the deceased are reported to us from the members of the Prophet's Household, which proves that there is none which is specifically prescribed in this behalf.

'Alī: Whenever the Messenger of God attended a burial he poured three handfuls of earth on the grave [with both hands]. When he did so he would say:¹⁴⁰

O God [thus I act] with faith in Thee, and in confirmation of Thy Messengers, and with full belief in Thy Resurrection. This is what God and His Messenger have promised; truthful is God and truthful is His Messenger.

Then the Prophet said, 'He who acts in this fashion [will be rewarded] by a good work counted for each particle of dust sprinkled!'¹⁴¹

['Alī]: Once it was reported to him that a man died in a rural district (*rustāq*)¹⁴² some miles from Kūfa,¹⁴³ to where they [subsequently] carried [the body]. So he chastised them, saying, 'Bury the dead at the spot where they die and do not act as the Jews, who carry their dead to Jerusalem.'¹⁴⁴

['Alī]: He said, 'When the Battle of Uhud¹⁴⁵ was over, the

¹³⁹For the meaning of the term *hujja* see n. 29 in Chap. 1.

¹⁴⁰*Mishkāt*, I, 537, 541; Robson, I, 356, 359.

¹⁴¹*Kaft*, III, 193–4. Kulaynī relates one tradition stating that the immediate and close relatives of the deceased should not pour earth (onto the grave) because it might cause harshness in their hearts, and those whose hearts have become harsh are far removed from their Lord.

¹⁴²*Rustāq*, of Persian origin and spelled differently and used synonymously as *sawād*, means a rural district, or district consisting of cultivated land with towns and villages. Lane, s.v. r-z-d-q; *Majma' al-bahrayn*, s.v. r-s-t-q.

¹⁴³Sa'd b. Abī Waqqās founded Kūfa in 17/638 after the whole of 'Irāq was conquered from the Sāsānids. During the first century of Islam it was a hotbed of political ferment. It was here and at Baṣra that Arabo-Islamic civilization flourished for more than three centuries. Then it experienced decline. Today, only a few traces remain. *El*², s.v. al-Kūfa.

¹⁴⁴The Arabic name is *al-Quds*, *Bayt al-maqdis*, or *Bayt al-muqaddas*. *El*², s.v. al-Quds. 'Whoever is buried in the land of Israel,' says the Talmud, 'is deemed to be buried under the Altar.' The power of absolution was attributed to the earth of the Holy Land and burial there was a sure means of expiation. Rabinowicz, *Guide*, 53–4.

¹⁴⁵It was the second major encounter between the Meccans and the Muslims, near the foot of the Uhud hill outside of Medina in 3/625. The Meccans, under the leadership of Abū Sufyān, at first suffered heavy reverses despite their great superiority in number

Anṣār¹⁴⁶ wanted to carry home their dead [for burial]. So the Messenger of God commanded them by proclamation that they should bury their dead where they fell.¹⁴⁷

['Alī]: After the Messenger of God was buried ['Alī] determined a quadrilateral perimeter for the grave.¹⁴⁸

['Alī]: When the Messenger of God buried 'Uthmān b. Maẓ'ūn, he called for a stone and placed it at the head of the grave, and said, 'This will be a sign for me that I may bury my relations on this spot near him.'¹⁴⁹

'Alī: He disliked the practice of digging the grave more than 3 cubits (*dhīrā'*) [in depth],¹⁵⁰ or that more earth be added to the grave than had come out of it.

['Alī]: The Messenger of God sprinkled the grave of 'Uthmān b. Maẓ'ūn with water after the earth was levelled on it.¹⁵¹

['Alī]: The Messenger of God allowed graves to be visited and said, 'They will remind you of the Hereafter.'¹⁵²

Abū Ja'far Muḥammad b. 'Alī: He relates that Fāṭima, the blessings of God be upon her, used to visit the grave of Ḥamza¹⁵³ and stand by it. Every year she would go to the grave of the martyrs accompanied by women, and they used to pray and ask for forgiveness for the deceased.

'Alī: Whenever he passed a graveyard, he used to repeat thrice, 'Hail to you, O people of the Abode [of Eternity]; verily we are soon joining you!'¹⁵⁴

and arms. But the Muslim archers, posted on the hill by the Prophet to cover the flank, left their posts against his express orders. The Meccans attacked the exposed flanks and the Muslims were thrown into utter confusion and suffered heavy losses. Guillaume, 370 ff.; Tabarī, *History of al-Ṭabarī*, VII, xxx-xxxiv, 105-38; Watt, *Muḥammad at Medina*, 21 ff.; Lings, *Muḥammad*, 172 ff.; older Arabic sources are listed therein.

¹⁴⁶For the Anṣār see note 18 in Chap. 1.

¹⁴⁷*Mishkāt*, I, 536; Robson, I, 356.

¹⁴⁸The Arabic is *rabba'a qabrahū*. Kulaynī, *Kāfi*, III, 194, states that after burying his son Ibrāhīm, the Messenger of God *rabba'a qabrahū*. See also 'Abd al-Razzāq, *al-Muṣannaf*, III, 504.

¹⁴⁹*Mishkāt*, I, 538; Robson, I, 357.

¹⁵⁰Hinz, *Islamische Masse*, 55 ff., mentions several kinds of *dhīrā'*, most of which are between 50-70 cm.

¹⁵¹The Prophet sprinkled water on his son Ibrāhīm's grave, and the Prophet's grave was sprinkled by Bilāl. *Mishkāt*, I, 537; Robson, I, 356-7; *Kāfi*, III, 194-6.

¹⁵²*Mishkāt*, I, 554-6; Robson, I, 369-70; several traditions are reported, a number of them from Muslim. *Kāfi*, III, 218-20. The Prophet himself visited the Baqī cemetery in the middle of the night just before the illness during which he died. See Tabarī, *History of al-Ṭabarī*, IX, 168-9.

¹⁵³For Ḥamza see n. 22 in Chap. 2.

¹⁵⁴*Mishkāt*, I, 554, 555; Robson, I, 369-70; *Kāfi*, III, 219.

The Messenger of God: He forbade people to walk over graves, or to laugh near them.

'Alī: He disliked that a mosque be built near a grave.¹⁵⁵

'Alī: He said, 'When the news of the death of Ja'far b. Abī Ṭālib¹⁵⁶ [Alī's brother] came, the Messenger of God ordered his own household, "Prepare food and take it to them [Ja'far's relatives], as long as they are preoccupied with this, and eat with them. For there has come upon them something that will distract them from preparing food for themselves."¹⁵⁷

¹⁵⁵Kaṣf, III, 218.

¹⁵⁶Ja'far b. Abī Ṭālib was the Prophet's cousin and elder brother of 'Alī. He was an early convert and had emigrated to Abyssinia with his wife. He fell in the battle of Mu'ta in 8/629. He was surnamed *Abu 'l-masākīn*, for his charity to the poor, and after his death he was called *Dhu 'l-jandhayn* or *Ja'far al-Ṭayyār fi 'l-janna*, as the Prophet had a dream of him flying on two bloody wings amongst a group of angels in Paradise. EI², s.v. *Dja'far b. Abī Ṭālib*.

¹⁵⁷Kaṣf, III, 209–10; 'The family of the bereaved should be provided with food for three days.' For details see Nu'mān, *Ta'wīl al-da'ā'im*, II, 65 ff.; *Ṣaḥīfat al-ṣalāt*, 148 ff.

6

The Book of Zakāt (Alms Tax)

THE INDUCEMENTS FOR GIVING ZAKĀT AND ṢADAQA¹

God says, *Now hath he attained felicity who is purified (tazakkā)*² [by giving the zakāt],³ and who remembereth the name of his Lord, and prayeth (87:14–15). God says, *Successful indeed are the believers who are humble in their prayers, and who shun vain conversation, and who are payers of the poor due (zakāt) (23:1–4) until His Word, These are the heirs who will inherit paradise. There they will abide (23:10–11).*

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger

¹Both the words *zakāt* and *ṣadaqa*, and their related verbal forms, are used in the Qur'ān. *Zakāt* is frequently paired with *ṣalāt*, and, contrary to *ṣadaqa*, it is used only in the singular and has no denominative verb corresponding to its sense of giving alms. *Ṣadaqa* has broader connotations than *zakāt* and is used in the Qur'ān for both voluntary and obligatory alms. The Qur'ān does make a distinction between the two terms. *Ṣadaqa*, as voluntary alms giving, was practised in Mecca, while *zakāt* was instituted in Medina. *Ṣadaqa* is generally used as voluntary, spontaneous alms giving, what we call charity, in contrast to obligatory alms called *zakāt*. Some authors fail to distinguish between the two, and *ṣadaqa* is often used as synonymous with *zakāt*.

Muslim authors consider both the terms to be of purely Arabic derivation; however modern scholarship regards both the words as borrowings, probably from Jewish usage. Schacht argues that there is evidence to suggest that the detailed rates of *zakāt* stipulated by Islamic law were not introduced before the caliphate of Abū Bakr. Rāzī, *al-Zīna*, fols. 290r–2r; EI², s.v. *ṣadaqa*; EI, s.v. *Zakāt*. *Kāfi* does not contain a section corresponding to that of the *Da'ā'im* but has a separate chapter on *ṣadaqa*, as voluntary alms giving, within the Book on *Zakāt*. See *Kāfi*, IV, 5–62.

²Sale, *Koran*, 578. Bell, Paret, Blachère, Yusuf Ali, Arberry and Irving have the same rendering. Pickthall, on the other hand, rendered it 'who groweth'.

³*Majma' al-baḥrayn*, s.v. *z-k-a*; Ṭurayhī interprets *tazakkā* as *zakāt al-fiṭr*, and what follows in the verse as the 'Id prayer.

of God said, 'When God desires good for a slave, He sends him an angel from the Treasurers of Paradise who rubs his chest, and thus his heart becomes generous for [the rendition of] *zakāt*.'⁴

'Alī: He said, 'Three distinguishing features mark the pious worshipper: prayer, fasting, and *zakāt*.'

'Alī: He left testamentary instructions in his will and stated, 'I give testamentary instructions to my sons and close relatives and the faithful ones to fear God. Fear God, and fear God [again] in respect of the *zakāt*; for verily, it extinguishes the wrath of your Lord.'⁵

The Messenger of God: With respect to *zakāt*, he said, 'Whenever anyone of you gives a part of what God has bestowed on you, let him do so cheerfully and willingly; and he who pays the *zakāt* out of his wealth, its evil has indeed left him.'

[The Messenger of God]: He said, 'No part of property is ever destroyed on land or at sea, except by non-payment of the *zakāt*.'⁶ So protect your property by *zakāt* and cure your ailing ones by *ṣadaqa*, and try to ward off your calamities by prayers.'

Muḥammad b. 'Alī: He said, 'The rendition of *zakāt* never decreases wealth.'⁷ Property in respect of which *zakāt* has been paid is never destroyed, either on land or at sea.'

'Alī: The Messenger of God said, 'No servant of God is held in high estimation by God unless he has gone through trials and tribulations. The wealth of a man never diminishes because of payment of the *zakāt*; nor does withholding it increase wealth. When a thief steals property, it is accounted for in his provision [that is to that extent, his livelihood is decreased].'

Al-Ḥasan b. 'Alī: He said, 'The giving of the *zakāt* never decreases the property [of a man].'

Muḥammad b. 'Alī [Imam al-Bāqir]: When he gave the funeral bath to his father, [Imam] 'Alī [b. al-Ḥusayn Zayn al-'Ābidīn] they observed that the places on which he prostrated himself, that is the knees and the outer parts of his feet, were like the calluses on the knees of a camel; and similar calluses were found on his shoulder. So the people asked Muḥammad [Imam al-Bāqir], 'We understood, O son of the Messenger

⁴ Nu'mān, *Ta'wīl al-da'īm*, II, 87 ff., explains *zakāt* as 'purification'; and the giving of the alms-tax, as 'purifying wealth'.

⁵ *Mishkāt*, I, 598; Robson, I, 405; it states, '*Ṣadaqa* appeases the Lord's anger and averts an evil death.'

⁶ *Kāfi*, III, 498.

⁷ *Mishkāt*, I, 594; Robson, I, 402; it states, '*Ṣadaqa* does not reduce property.' Transmitted by Muslim. *Kāfi*, III, 496.

of God, that this [calluses on the knees] is the result of the length of prayer and prostration; but what is this that we see on his shoulder?

[The Imam] replied, 'Harken to me! Had he been alive, I would not have spoken about him. There was never a day when he did not feed a poor man— nay, many a poor one. At night he used to look for surplus food left over after the needs of the family had been met. He used to put it in a satchel and when the people were at peace [i.e. resting and sleeping], he would put the satchel on his shoulder and comb the streets of the town to search for persons who hid their poverty and never begged for alms, and then distributed the food to them in such a manner that they never discovered who the giver was; nor did any member of his household know of this, except myself. But I came to know of his habit [while he was unaware of it].⁸ He intended this to be an anonymous charitable offering by his own hand; and he was wont to say, "Charity given in secret extinguishes the wrath of the Lord!"⁹

[Alī]: He said, 'I heard the Messenger of God saying, "No sooner does charity leave the hand of a faithful one than the jaws of seventy evil spirits are put out of joint. And charity given in secret extinguishes the Lord's anger even as water extinguishes fire. So when any one of you gives alms by the right hand, let not the left know of it."¹⁰

Ja'far b. Muḥammad: He said, 'Whatever acts of charity, prayer, fasting, or good works that you do voluntarily, the most excellent of them are those that were done in secrecy. And whichever of such acts are obligatory, the most excellent of them are those that are performed in public.'

'Alī: The Messenger of God said that charity repels [many calamities, such as] disease, intestinal tumors, drowning, burning, a crash, and insanity, and he mentioned no less than seventy such calamities.¹¹

Abū Ja'far Muḥammad b. 'Alī: He said, 'Among the Israelites there was a man of ample means who had no children except a son whom he treated with love and consideration. When the boy attained the age of manhood, the man married him to his uncle's daughter. There came to

⁸Addition from MSS C and D.

⁹'The most excellent *ṣadaqa* consists in satisfying a hungry stomach.' *Mishkāt*, I, 608; Robson, I, 413.

¹⁰Matthew 6:3. 'There are three whom God loves: a man who gets up at night and recites God's book; a man who gives *ṣadaqa* with his right hand concealing it from his left hand; and a man who is on an expedition and faces the enemy when his companions are routed.' *Mishkāt*, I, 601; Robson, I, 407.

¹¹Cf. *Mishkāt*, I, 593; Robson, I, 401; it states, 'Give the *ṣadaqa* without delay, for it stands in the way of calamity.'

the father in a dream an apparition which said, "Your son will die on the night he sleeps with his wife!" So a great sorrow fell on him, and he hid his secret, and began to postpone the meeting of the two until his own wife, his son, and the relations of the daughter-in-law protested against such a course. When no subterfuge availed him, he sought the will of God by *istikhāra*¹² and said, "Presumably this is the working of the Devil!" So he allowed his son to consummate the marriage, and prayed night long during the night of union, petitioning [for mercy] and waiting to see what would happen to his son, until it was morning. When he met his son in the morning, he found him in the best of spirits; so he praised God and lauded Him. At night, the same apparition visited him and said, "Verily, God the Mighty and Glorious has repelled [the evil] from your son, and has deferred the appointed time [death] on account of your son's action towards a beggar."

'So when the Israelite woke up in the morning, he went to his son and said, "O my little son! On the night of union with your wife, what good act did you do for a beggar?" The son asked, "What do you mean [by this question]?" The father said, "Do let me know!" The son, however, was modest and silent, and so the father insisted and said, "You have to tell me the facts as they happened." The son replied, "Yes indeed. When we had finished feeding the men, there was ample surplus food for us, and she was brought in to me. When I was alone with her and approached her there stood a beggar at the door and he said, "O people of the house! Give us some comfort out of what God has provided for you." So I went to him, held him by the hand, let him into the house, invited him to eat and said, "Eat!" And he ate his fill. Then I said to him, "Have you a family?" He replied, "Yes." So I asked him to carry away whatever he wished for them, and he took away what he could carry and departed, and I returned to my wife.

'So his father praised God and informed his son of the whole of the incident.'¹³

¹²The word is derived from *kh-y-r*, which expresses the idea of choice. *Istikhāra*, therefore, means entrusting God with the choice between two or more options, either through piety or submission to His will on account of not knowing which choice is the most advantageous. The practice of *istikhāra*, performed in a variety of ways, by orisons, by casting lots, by opening the Qur'an at random and reading and interpreting the lines that they first see, is common among the masses, especially the Shī'a. Muslim orthodoxy is opposed to it. EI², s.v. *Istikhāra*; *al-Ṣaḥīfa al-Sajjadiyya* contains a supplication in 'Asking for the Best' (*istikhāra*). See *The Psalms of Islam*, 118-19.

¹³The efficacy of alms giving shielding the giver from the Angel of Death and overcoming one's evil fate is very much emphasized in Jewish folklore. Several stories are narrated wherein the hero predestined to die on his wedding day was protected by

'Alī b. al-Ḥusayn: Once upon a time he cast his eyes on the doves of Mecca and said, 'Do you know why the doves abide in the sanctuary (*ḥaram*)?'¹⁴ The people said, 'What is the reason, O son of the Messenger of God?' [The Imam] said, 'In former times there was a man who had a house in which there was a palm tree. In a hole of its trunk a dove had taken refuge. When the nestlings grew up, the man went up the tree and took them and slaughtered them. The dove continued for a long time [but the same thing happened again and again], and it had no progeny left.

'So the dove complained to God about what the man had done to it and it was told, "If [you raise nestlings henceforth and] the man climbs the tree and takes your nestlings, he will be thrown down from the tree and perish." When the nestlings grew up [the next season], the man climbed the tree and the dove was on the watch to see what would happen. When the man had climbed halfway up the trunk, a beggar came to his door, and the man came down and gave him alms. Then he climbed the tree and took the nestlings, and descended and killed them, and suffered no ill. So the dove called [upon God] and said, "What is this, my Lord?" He was informed, "The man saved himself by an act of charity (*ṣadaqa*), thus [the evil] was repelled from him. As for you, perchance God will increase your progeny and take you over to a place where your progeny will not be disturbed till the Day of Judgement!" This is how the dove was brought to the sanctuary and was settled therein.'

'Alī: The Messenger of God said, 'The suppliant is the messenger of the Lord of the Worlds; wherefore, he who gives to him, gives to God the Mighty and Glorious; and he who denies him, repels God, the Mighty and Glorious.'¹⁵

[Alī]:¹⁶ He said, 'Answer the call of the beggar, even if it be half a date,¹⁷ and bestow alms on a beggar, even if he arrives on horseback. Do not repel a beggar, whether male of female, when [he or she] comes by

charitable acts. Schwarzbaum, *Studies in Jewish and World folklore*, 278–80; Schwarzbaum, *Jewish Folklore*, 143–72. I am indebted to Professor Yona Sabar for this reference.

¹⁴The sacred territory of Mecca is called *ḥaram Allāh*, while *ḥaram rasūl Allāh* is the sacred territory of Medina; *al-ḥaramān* or *al-ḥaramayn* are the sacred territory of both Mecca and Medina. Lane, s.v. ḥ-r-m; Serjeant, 'Haram and Ḥawṭah'.

¹⁵A tradition transmitted by Bukhārī and Muslim states, 'Every act of kindness is *ṣadaqa*—even meeting your brother with a cheerful face.' *Mishkāt*, I, 595; Robson, I, 403.

¹⁶As in MS Q.

¹⁷Umm Bujayd said she told the Messenger of God that a poor man would stand at her door till she was ashamed for she had nothing in her house to put in his hand. The Prophet replied, 'Put something in his hand, even though it should be a burnt hoof.' *Mishkāt*, I, 591, 607; Robson, I, 399, 412.

night. For, verily, he who asks is neither a man nor a spirit, but [comes to you so] that God may increase His favour upon you.'

Abū Ja'far Muḥammad b. 'Alī: One day he said to his slave girl, 'Do not turn away a beggar [empty-handed].' One of those who was present exclaimed, 'O son of the Messenger of God, but sometimes a man begs who does not deserve charity.' [The Imam] said, 'If we refused [to give charity] to one who [in our opinion] did not deserve charity, we fear that we might [on occasion] refuse it to him who does! So what happened to the Prophet Jacob may happen to us.' They asked, 'What happened to him, O son of the Messenger of God?'

[The Imam] said, 'One of the prophets stood humbly at Jacob's door, without disclosing his identity. This prophet never endeavored to acquire the goods of the world, and when hunger overpowered him, he would stand at the door of one of the prophets or righteous men and beg. As soon as his bare necessities were satisfied to keep body and soul together, he ceased to ask. So one night he stopped at the door of Jacob, and remained there for long, continuing his importunities; but the family of Jacob was negligent and gave him nothing, nor did they ask him to go away. When hunger and weakness overpowered him, he became unconscious and fell down. Then a passer-by came to him and gave him help. He revived and went his way.

'So an apparition came to Jacob that night in a dream and said, "Oh Jacob, the beggar that stood at your door was one of the noble prophets of God. You who have been blessed with plenty, you and your household turned your faces away from him! God will surely punish you so that you will become a parable for generations to come."

'Now Jacob rose the next day and was greatly disturbed, for his sons had come to him asking Joseph to be taken away, and it was he whom he loved most. Then he realized that it was through Joseph that God would punish him, so he said to Joseph's brothers that which is well known.' [The Imam] related in detail the story of Joseph.¹⁸

'Alī: He said, 'Three persons came to the Messenger of God and one of them said, "O Messenger of God, I have one hundred ounces of gold; here are ten ounces for *ṣadaqa*." Then came another and said, "O Messenger of God, I have one hundred dinars; here are ten out of them for *ṣadaqa*." Then came a third and said, "O Messenger of God, I have but ten dinars, here is one for *ṣadaqa*." The Messenger of God looked at them and said, "Each of you will be rewarded equally; for

¹⁸Professor Yona Sabar informs me that he was unable to find this story in Jewish folklore.

each of you has given one-tenth of your belongings in charity (*taṣaddaqa*).”

Ja‘far b. Muḥammad: He was asked [the significance of] the Word of God *O ye who believe! Spend of the good things which ye have earned, and of that which We bring forth from the earth for you, and seek not the bad (with intent) to spend thereof (in charity) (2:267)*. [The Imam] said, ‘When first the people embraced Islam, they had gains of *ribā*¹⁹ and ill-gotten wealth. They intended to give some of them to charity; wherefore, God forbade them from adopting this course.’²⁰

Al-Ḥusayn b. ‘Alī: He was informed of a man from the Umayyads²¹ who had given large sums in charity. [The Imam] said, ‘He is like a thief who steals from pilgrims and gives in charity what he has stolen! True charity consists in giving what has been earned by the sweat of the brow and with dust on the face, as was done by ‘Alī [the Commander of the Faithful], and those like him.’²²

WARNING OF DIRE CONSEQUENCES FOR WITHHOLDING THE ZAKĀT FROM THOSE WHO ARE ENTITLED TO IT

Ja‘far b. Muḥammad—his father—his ancestors—‘Alī, the Commander of the Faithful: The Messenger of God said, ‘The Day of Judgement will appear only when prayer is offered by way of favour, when trust [property] is considered lawful booty, and the *zakāt* deemed a fine.’ He related the whole of the tradition in detail.

‘Alī:²³ He said, ‘Verily God has made obligatory upon the rich of mankind [the payment of] a definite portion of their wealth which is enough to satisfy the needs of the impecunious among them. If the destitute perish, or suffer distress, or go naked without clothing, then God will hold the rich among the people responsible, and punish them painfully on the Day of Judgment.’

Abū ‘Abd Allāh Ja‘far b. Muḥammad: He said, ‘God has allocated

¹⁹A technical term meaning usury and interest, and in general any unjustified increase of capital for which no compensation is given. For details see EI², s.v. *Ribā*.

²⁰The tradition transmitted by Bukhārī and Muslim states, ‘If anyone gives as *ṣadaqa* the equivalent of a date from something lawfully earned, for God accepts only what is lawful, God will accept it with His right hand, then foster it for the one who gave it, as one of you fosters his colt, till it becomes like a mountain.’ *Mishkāt*, I, 594; Robson, I, 402.

²¹Refers to the Umayyad dynasty of caliphs, which ruled from its capital, Damascus 41–132/661–750. EI, s.v. Umayyads; Hawting, *The First Dynasty of Islam*.

²²Nu‘mān, *Ta’wīl al-da‘ā‘im*, II, 85 ff.; for the interpretation

²³As in MSS D, T, and Q.

to the poor [something] from the wealth of the rich sufficient for their needs. If He knew that what He had ordained was not sufficient, God would have increased the dues payable by the rich. What is given [as alms] to the poor is not [the full portion] of what is mandatory provision for them but only a portion of what is denied to them.²⁴

[Abū 'Abd Allāh Ja'far b. Muḥammad]—his father—his ancestors—'Alī: The Messenger of God commanded that no person shall hide from the Imam the amount he owes as *zakāt*. He added: Such an act of evasion constitutes dissemblance.

Al-Walīd b. Ṣubayḥ:²⁵ He said that Shihāb²⁶ told him as follows, 'Verily, I see terrifying spectres by night. I see a woman who frightens me. So ask for me the advice of Abū 'Abd Allāh Ja'far b. Muḥammad [Imam Ja'far al-Ṣādiq].' 'I [Walīd] therefore asked [the Imam] about [the spectre], and he said [this apparition indicates] a person who does not pay the *zakāt* on his wealth. Then I spoke to Shihāb about it and he said, "By God, I certainly do pay it!" I informed [Imam al-Ṣādiq] accordingly. [The Imam] said, "If that is so, he has rendered it to the wrong person." So I told Shihāb about it, and he said, "[The Imam] has spoken the truth!"²⁷

[The author]: There is a consensus among the Muslims that the Messenger of God used to obtain the *zakāt* and all sorts of *ṣadaqa* from the Muslims in proportion to their means from every kind of property and spend it in the causes as God had commanded, and the Qur'ān speaks of this. God says to His Prophet, *Take alms (ṣadaqa) of their wealth, wherewith thou mayst purify them and mayst make them grow (or clean)* (9:103).

All Muslims agree that by this is meant the *zakāt*, and they also agree that the obligation to render *zakāt* did not terminate with the Messenger of God's death, and therefore it was their duty to give it to the Imam after his [the Messenger of God's] death. For a time they [the commonalty] acted thus, until they saw how *zakāt* was seized and appropriated by their unjust Imams, the usurpers of the rights of the pure Imams, the occupants of their place. Thus although they accepted them as their Imams, they withheld from them the *zakāt* of their properties, as far as was feasible.²⁸

²⁴A similar tradition in *Kāfi*, III, 500–1.

²⁵He was from Kūfa and related traditions from Abū 'Abd Allāh. Kashshī, *Rijāl*, 271; Najāshī, *Rijāl*, II, 393.

²⁶Shihāb b. 'Abd-i Rabbihi b. Abī Maymūna related traditions from Abū Ja'far and Abū 'Abd Allāh. Kashshī, *Rijāl*, 352–3; Najāshī, *Rijāl*, I, 436.

²⁷The same tradition with slight variation is reported in *Kāfi*, III, 536.

²⁸The obligation to pay the *zakāt* to the rulers said to have been imposed on *ahl*

In this there is a discrepancy which will not escape those who possess understanding. For if, according to the latter, they [the unjust rulers] were the true Imams, it would be improper for the people to withhold the *zakāt* from those rulers, and it would be incumbent on the people to pay their dues to those rulers as God has commanded. Now it is not the responsibility of the people with what they have been obligated to oversee that the *zakāt* is distributed in its [right] places,²⁹ because this obligation ceases after the payments have been made.³⁰

Thus it was the duty of their 'Imams', if the people considered them as their [rightful] Imams, to use the funds for the purposes laid down by God. But if the people did not believe them to be [the rightful] Imams, it was their duty to seek out [the true] Imams, and to stand by them, and to pay them their *zakāt* and their *ṣadaqas*, so that they would have used [this sum] that God has made incumbent [in their *zakāt* and charity] against those who had expropriated their claims and usurped their rights. They [the people] should have aided them [the Imams] and fought with them against the usurpers according to God's command, not only physically but also with their material means. The Messenger of God had clarified the way [of fulfilling] this duty and pointed it out by informing the people that *zakāt* was prohibited to him and the members of his Household. [The Prophet acted thus] to inform the community that it was the People of the Prophet's Household who were the guardians of such funds, especially because not one farthing out of the dues was lawful to them!³¹

[The Imams]—the Messenger of God: Once he saw al-Ḥasan³² b. 'Alī, when the latter was a small child, take a date from the dates given as *ṣadaqa* and put it in his mouth. The Messenger of God removed it from his mouth with the saliva dripping from it, and put it back among

al-ridda, seems to have been questioned as late as the end of the second century of the hijra. Some Sunnī 'ulama' had the courage to state that the *zakāt* should not be given to the unjust rulers who would squander it on unworthy causes. For details and sources see Kister, 'Illa bi-ḥaqqihī', 52.

²⁹The addition of *fi ghayr* in the text by Fyze is unwarranted. MS Q is without it.

³⁰Cf. *ibid.*, III, 536. For this and the following paragraph see the section 'The payment of *ṣadaqāt*' in this chapter.

³¹The style of the author in this paragraph is extremely complicated; and we are not sure whether we have interpreted each detailed provision as it was intended by the author. In any case we have tried to give the meaning in a simplified form, using substantives for a bewildering number of pronouns, and occasionally adding words to make the meaning clear.

³²Al-Ḥasan: according to MSS Y and Q, but in other MSS, al-Ḥusayn. See also n. 87 in this chapter.

the dates of *ṣadaqa*, saying, 'Verily, we are the People of the House; *ṣadaqa* is forbidden to us.'³³ We shall discuss this fully in its proper context later, if God wills.

Abū 'Abd Allāh Ja'far b. Muḥammad—his father—his ancestors — 'Alī: The Messenger of God said, 'The first among those who will enter paradise is the martyr, or the slave (*'abd mamlūk*) who worships his Lord in the proper manner and is sincerely devoted to his master,³⁴ or the modest and upright man who possesses a family. And the first to enter hell will be the [absolute] ruler who is unjust, or the man possessed of wealth who did not give [in charity] in proportion to his means, or the dissolute miser.'

[The Messenger of God]: He said, 'Verily, God possesses certain places called *muntaqamāt* (places where revenge is exacted) into which those who denied their wealth for charitable purposes will be thrown headlong, and compelled to spend their wealth in them.'

Ja'far b. Muḥammad: He said, 'Nothing that has been ordained by God for this community is harder than the *zakāt* [from the non-payment of which] perish the majority of people.'

[Ja'far b. Muḥammad]: Concerning the Qur'ānic verses, *Until, when death cometh unto one of them, he says: My Lord! Send me back, that I may do right in that which I have left behind* (23:99–100), he said, 'They refer to *zakāt*.'³⁵

'Alī: He said, 'He who possesses great wealth and does not give what is due [*zakāt*], will be stung by serpents—representing his wealth—on the Day of Resurrection.'³⁶

³³Bukhārī and Muslim transmit a slightly different version. *Mishkāt*, I, 574; Robson, I, 386. '*Zakāt* (*ṣadaqa*) is not lawful for Muḥammad and his family because the *ṣadaqāt* are only people's impurities.' Bukhārī and Muslim transmit this. The reason for this exclusion was that the alms tax or the alms were collected from the impurities of the people, alms giving being regarded as an act of purification of their wealth and an atonement for their sins. On account of the Prophet's and his family's state of purity, it was considered improper for them to receive or to partake of it. Both the Sunnis and the Shī'a agree on this. Madelung, *Succession*, 14.

³⁴*'Abd mamlūk*, in this sentence does not refer to a faithful Muslim because of what follows. It therefore raises the question as to whether a Muslim could hold another Muslim in slavery. Probably it refers to a person already in slavery, who embraces Islam later; hence he remains in servitude. In his *Ta'wīl al-da'd'im*, III, 67–8, Nu'mān states that in esoteric sense *'abd mamlūk* refers to the faithful person who transfers the sovereignty over his affairs to the Imam of his age and devotes himself to the latter's service.

³⁵Cf. *Kaṭī*, III, 496, 497.

³⁶Cf. for similar traditions *Mishkāt*, I, 559, 563; Robson, I, 372, 376. Bukhārī and others transmit this tradition. *Kaṭī*, III, 495, 497.

[‘Alī]: He said, ‘The prayer of a man who does not pay the *zakāt* will not be accepted.’

‘Alī—the Messenger of God said, ‘Prayer is not completed without the rendition of the *zakāt*. No fraudulent act of charity³⁷ is accepted and no prayer is valid without the payment of the *zakāt*. Piety is impossible without the rendition of *zakāt*.’

[The Messenger of God]: A man asked him, ‘O Messenger of God, [what is the true significance] of the Word of God, *And woe unto the idolaters, who give not the poor due (zakāt), and who are disbelievers in the Hereafter!*’ (41:6–7). [The Prophet] said, ‘Here God does not revile the polytheists. Have you not heard the Word of God, *Ah, woe unto worshippers who are heedless of their prayer; who would be seen (at worship) yet refuse small kindnesses (mā’ūn)?* (107:4–7) Verily, *mā’ūn* means the *zakāt*.’ Then he said, ‘By Him who holds the life of Muḥammad in His hand, no one but a polytheist defrauds God of the *zakāt* he owes from his wealth.’

‘Alī: He said, ‘[The Qur’ānic expression] *al-mā’ūn* [refers to] the obligatory *zakāt*. One who does not pay the *zakāt* is like him who practices *ribā*, and he who does not purify his wealth is not a Muslim.’

The Messenger of God: He cursed both the man who evades *zakāt* and the man who practices *ribā*.

Among the proofs which confirm that the evader of *zakāt* is a polytheist and establish that the previous tradition is from the Messenger of God are the Words of God, *Then, when the sacred months have passed, slay the idolaters wherever ye find them* (9:5) till the [end of the] verse, *But if they repent and establish worship and pay the poor due (al-zakāt), then leave their way free*, and the Word of God *But if they repent and establish worship and pay the poor due (al-zakāt), then are they your brethren in religion* (9:11). [This proves that] God neither accepts the contrition of the penitent, nor the acceptance of Islam by the polytheist, until they establish prayer and pay the *zakāt*.

All Muslims are agreed that a person who refuses to pay *zakāt*, denying [that it is compulsory], is a polytheist. In alliance with the rightful Imam, *jihād* should be undertaken against him, shedding his blood is lawful, his children may be taken captive, and he should be dealt with as a polytheist. For this very reason, the Muslims considered the shedding of blood of the tribe of Banū Ḥanīfa³⁸ as lawful when they [the latter] refused to pay

³⁷Literally: *Ṣadaqa* of a man who steals (or acts unfaithfully in respect of a trust, *ghulūl*) is not accepted. Lane, s.v. gh-l-l; Bukhārī, *Ṣaḥīḥ*, I, 245.

³⁸See n. 5 in Chap. 1 for Banū Ḥanīfa. See also the following n. 39.

zakāt to [the Caliph] Abū Bakr.³⁹ But he who refuses the *zakāt* to one who is not the rightful Imam, to whom obedience is made obligatory by God, or to his agent duly appointed (to collect it), is not a polytheist; rather he is right in his action. The above action as well as *jihād* can only be undertaken against the one who is considered a polytheist, and included among the polytheists is the one who withholds *zakāt* from the rightful owners of their rights [Imams], denying that they have a right to it and that it is obligatory.

THE ZAKĀT ON SILVER, GOLD, AND PRECIOUS STONES

Ja'far b. Muḥammad—his father—his ancestors—'Alī: He said, 'Once the Messenger of God stood amongst us and spoke about *zakāt* thus: "Pay a tenth part of the fourth [that is one-fortieth], namely one-half of a *mithqāl*"⁴⁰ from 20 *mithqāls*. Nothing is due on less than this quantity.'" This rule applies to gold.⁴¹

Ja'far b. Muḥammad: He was asked about the obligatory alms (*ṣadaqāt*) and he said, 'When the quantity of gold reaches the limit of 20 *mithqāls*, one-half of a *mithqāl* is due; but below this limit nothing is due.'

'Alī: He said, 'Half a dinar⁴² is due on every 20 dinars. Below this limit, nothing is due; and on dinars exceeding this limit, one-fortieth is due.'⁴³

'Alī: He said, 'When the Messenger of God sent me to the Yemen, he told me to tell the people, "Do you wish to pay the *zakāt* on your wealth to purify yourselves?" And he related the *ḥadīth* in detail. Then he said, '[The rule is] 5 dirhams⁴⁴ are due from every 200 dirhams; but below this limit, nothing is due.'⁴⁵

³⁹Abū Bakr, see n. 15 in Chap. 2. Ṭabarī, *Tārīkh*, III, 242 ff.; *History of al-Ṭabarī*, X. The issue has been dealt with extensively by Shoufani, *Al-Riddah*; Madelung, *Succession*, 44 ff.

⁴⁰*Mithqāl* is a weight for precious metals and is about 4.68 g and divided into 24 *qirāṭs*. Hinz, *Islamische Masse*, 1ff.; EI², s.v. Makāyil.

⁴¹'No *zakāt* is payable until the quantity of gold reaches the limit of 20 *mithqāls*, and that of silver 200 dirhams.' Ṭūsī, *al-Nihāya*, 177–8; Jazīrī, *al-Fiqh*, I, 614.

⁴²Dinar = *mithqāl*. It is also the name of the gold unit of currency in early Islam. See EI², s.v. Dīnār.

⁴³*Kaṣf*, III, 508.

⁴⁴Dirham is a weight, approximately 3.12 g. It is also the silver unit of the monetary system in early Islam. EI², s.v. Dirham; Hinz, *Islamische Masse*, 1 ff.

⁴⁵'No *ṣadaqa* is due from less than 5 *uqṭya* of silver.' *Mishkāt*, I, 565, 567; Robson, I, 378, 380; transmitted by Bukhārī and Muslim. *Uqṭya* is a weight of varying magnitude and in early Islam was equivalent, approximately, to 40 dirhams. Hinz, *Islamische Masse*, 34–5. See also *Kaṣf*, III, 507–8.

'Alī: He said, 'No *zakāt* is due on less than 200 dirhams; and on every 200 dirhams, 5 are due; and on the excess, one-fortieth is due. No *zakāt* is due from a person who owns less than 20 dinars of gold or less than 200 dirhams of silver. Nor is it necessary to add the gold and the silver to one another, because God has distinguished between them, and the Messenger of God has made it clear that nothing is due on the one, or the other, until the limit is reached.'

Ja'far b. Muḥammad: He said, 'There is no harm if a man pays in silver (*wariq*)⁴⁶ the amount due as *zakāt* on his holding of gold, according to its value; and vice versa.'⁴⁷

Abū Ja'far and Abū 'Abd Allāh: They said, 'No *zakāt* is due on ornaments.'⁴⁸ By this they meant ornaments that are usually worn, such as the ornaments of women or the swords [of men], and the likes of them. [This rule is applicable] so long as the man does not intend to turn [his gold or silver] into ornaments, or purchase them to evade the *zakāt*. This nobody should do. If he does, then he has to pay *zakāt* on those ornaments. Similarly the person who buys and sells ornaments is liable to pay the *zakāt* on their value, or on other ornaments which are not worn regularly.'

Ja'far b. Muḥammad: He said, '*Zakāt* is due only when a year elapses after the limits prescribed for the ownership [of silver and gold] have been reached.'

[Ja'far b. Muḥammad]: The Messenger of God declared pearls, rubies, and all precious stones free from *zakāt*, so long as they are not held for the purposes of trade.⁴⁹ This rule is similar to the one for ornaments, and the reasons for it are identical.

Ja'far b. Muḥammad: As regards pearls and amber that are taken from the sea, he said, 'A fifth is due from each of them; but afterwards, [the rules applicable to them are] similar to those that apply to other forms of property.'

[Ja'far b. Muḥammad]: He said that with regard to precious metals in

⁴⁶*Wariq* means silver, whether coined or not. Lane, s.v. w-r-q; *Lisān al-'Arab*, s.v. w-r-q.

⁴⁷*Kāfi*, III, 550.

⁴⁸The Imāmīs agree that no *zakāt* is due on ornaments, while the positions of other schools of law differ. Zaynab, the wife of 'Abd Allāh, said God's Messenger addressed them saying, 'You women should give alms even if it consists of your jewelry.' *Mishkāt*, I, 569; Robson, I, 381. Opinions differ, however, as to whether it meant simply giving some of their jewelry or that *zakāt* must be paid on jewelry they possess. See for details *Kāfi*, III, 510–11; *Maghniya, al-Fiqh*, 203; *Mūsā, al-Fiqh al-islāmī*, 166; according to *Mūsā* ornaments are subject to *zakāt*; *Jaziri, al-Fiqh*, I, 614–15.

⁴⁹All the schools of jurisprudence agree on this point. *Jaziri, al-Fiqh*, I, 608.

a mine or an old treasure trove, a fifth is to be levied from each of them.⁵⁰ The rest is for the man who found it in his land or his house. But if the treasure is recently acquired and is claimed by the owners of the house, it belongs to them [and there is no *zakāt* levied on such treasure].

Abū Ja'far Muḥammad b. 'Alī: He was questioned as regards mines of gold, silver, iron, lead, and brass. He said, 'A fifth is to be levied from each one of them.'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'Where the dinars or gold, or dirhams or silver, are of a baser quality than the standard one, the *zakāt* is to be paid in the same baser quality silver or gold.'

[Abū Ja'far Muḥammad b. 'Alī] and 'Alī: The Messenger of God excluded servants,⁵¹ houses, clothes, and furniture that were not intended for trade [from *zakāt*].⁵²

Ja'far b. Muḥammad: He said, 'Goods that are purchased for commercial purposes, and are not sold for the period of one year, whether they retain their price or appreciate in value, shall be liable to *zakāt*. But if the goods depreciate in value as compared to their original value, they shall not be liable to *zakāt* until they are actually sold.'⁵³

[Ja'far b. Muḥammad]: He said, 'There is no *zakāt* on the wealth of an orphan or a person deficient in reason, except when it is used [for trade], in which case it is liable to *zakāt*.'⁵⁴

[Ja'far b. Muḥammad]: He said, 'As to a lawful advance by one person to another that is recoverable without litigation or resistance, it is deemed like all other forms of property in the owner's hands and is subject to *zakāt*. But where it is a kind of loan where there is valid resistance and is not recoverable from him who has possession without litigation, the *zakāt* is on the person who has actual possession of it.'⁵⁵ The same rule applies to property that is out of reach, and also to the unpaid *mahr*⁵⁶ in the hands of the husband.'

'Alī: He said, 'No *zakāt* is leviable on property acquired for oneself until one year has elapsed, except if it is in the possession of one who

⁵⁰*Mishkāt*, I, 567; Robson, I, 380.

⁵¹*Mishkāt*, I, 565; Robson, I, 378. It states, 'No *ṣadaqa* is due from a Muslim on his slave or his horse.' Bukhārī and Muslim transmit this.

⁵²Jazīrī, *al-Fiqh*, I, 608.

⁵³*Kaṣf*, III, 519–21. Kulaynī cites various hypothetical cases.

⁵⁴*Ibid.*, III, 530–1. In case of loss the person who is trading guarantees the capital, but in case of profit it belongs to the orphan.

⁵⁵*Cf. ibid.*, III, 512–14; different examples are cited.

⁵⁶A bridal gift, *ṣadaq*, is in Muslim law the gift which the bridegroom has to give the bride when the contract of marriage is made and which becomes the property of the wife. According to a tradition, every marriage without *mahr* is null and void. *El*², s.v. *Mahr*.

already possesses property that is subject to *zakāt*. In this case the latter should add the acquired property to the property subject to *zakāt* and pay the *zakāt* on it in the new year when the *zakāt* of his property is paid.'

Ja'far b. Muḥammad: He said, 'Zakāt shall not be levied on the property of the slave who has made a written contract with his master [stipulating] that he should pay a certain sum as the price of his freedom (*mukātaba*).'⁵⁷

Ja'far b. Muḥammad: He said, 'The *zakāt* due is guaranteed until it is paid off by the taxpayer to him who has the right to take it. For this reason, if he who is under the obligation to pay *zakāt* pays it to one who is not entitled to it, he shall pay it a second time to the one who has the rightful authority from God. For God has ordained that such dues shall be rendered to the person entitled to them [and to no other].'

We shall mention this later, as fully as it deserves, in its proper context, if God wills. The least that is obligatory in this connection is that he who is obliged to pay *zakāt* and loses it before he pays it, must pay it in full again to the authority duly entitled to it. The part lost prior to payment to one entitled to it, cannot be credited to the taxpayer as paid off.⁵⁸

[Ja'far b. Muḥammad]: He was asked [about the case of] a man who is under obligation to pay *zakāt* but fails to pay it until he is about to die; then [prior to his death] he leaves instructions by his will that *zakāt* should be paid on his behalf. [The Imam said], 'In fact *zakāt* is payable from the total assets of the testator, except when it is known that he has instructed that it should be deducted from the bequeathable third.⁵⁹ But if it becomes known that the testator's real intention was to harm his heirs and destroy [part of] the inheritance, *zakāt* shall be paid [not from the total assets but] from the bequeathable third, unless all the heirs agree otherwise.'

ZAKĀT ON LIVESTOCK

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God prohibited that statements under oath be extracted from taxpayers⁶⁰ and said, 'They are exempted from swearing under oath.' This means that if a man denies that he possesses sufficient property for the *zakāt* to be

⁵⁷Kāfi, III, 532; Lane, s.v. k-t-b.

⁵⁸Kāfi, III, 536-7; almost identical position in this respect. See also *ibid.*, III, 544-6, regarding the *zakāt* which is lost before it reaches the intended destination.

⁵⁹A man cannot bequeath more than a third of his property without the consent of his heirs. It is also more commendable not to bequeath to the full extent of the one-third. For details see Fyze, *Ismaili Law of Wills*, 24-8.

⁶⁰The literal meaning of the Arabic is 'People with regard to their obligatory offerings.'

leviable, and such property is not obviously to be seen, he should not be forced to say so under oath. In addition, the Prophet emphasized that tax cannot be taken more than once a year. He forbade [the authorities] from harassing them [taxpayers] or using force, or beating them, or causing hardship to them, or imposing more than what they can afford.

[The Imams] commanded that the tax collector⁶¹ should not take taxes except on property in possession of the owners thereof. He should treat them justly, but he should not surrender his legal claims against any of them.⁶²

‘Alī: He had appointed Mikhnaf b. Sulaym al-Azdī⁶³ as a tax collector and had instructed him fully [on his duties]. He commanded Mikhnaf to fear God, his Lord, in his secret affairs and the inner designs of his actions. He should be frank and mild with the populace; he should be courteous and avoid arrogance; for verily God raises the courteous and abases the arrogant.

Then ‘Alī said to him, ‘Verily, you also, O Mikhnaf b. Sulaym, have a mandatory share and right in these *ṣadaqāt*. Your partners in it are the poor, the destitute, the debtors, those who engage in holy war, the wayfarers, the slaves, and [those possible converts] whose hearts are to be reconciled [to Islam].⁶⁴ Verily, we guarantee to you [O Mikhnaf] your right; so you, too, assure them of their rights. But, if you do not do so, you will find that most of the people will be inimical to you on the Day of Judgement; and woe betide him who suffers the enmity of such persons.’

[‘Alī]: He said, ‘The obligatory offerings (*ṣadaqāt*) of persons who live in the desert should be gathered at their watering places [or springs], and not while they are moving about from one place to another.’⁶⁵ He also said, ‘When there is a drought, [the tax] should be postponed until the land becomes fruitful again.’

⁶¹Generally rendered as ‘*amil*’ *alā al-ṣadaqāt*, or *al-muṣaddiq*, or *al-sā’i*, pl. *su’āt*.

⁶²Cf. *Mishkāt*, I, 561–2; Robson, I, 375; *Kāfi*, III, 527–30; it has a separate section entitled *Adab al-muṣaddiq*.

⁶³He participated in the battle of Ṣiffin and was the ancestor of Abū Mikhnaf, a well-known collector of historical traditions from Kūfa who died in 157/774. Ṭabarī, *History of al-Ṭabarī*, XVII, 13, 50, 51, 199. Cf. Ya’qūbī, *Tārīkh*, II, 189 ff. Ya’qūbī reports ‘Alī’s instructions to some of his governors and tax collectors.

⁶⁴The Qur’ān states, *The alms (al-ṣadaqāt) are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled [the former enemies of Islam, who were converted en masse after the conquest of Mecca], and to free the [Muslim] captives and the debtors, and for the cause of Allah, and (for) the wayfarer; a duty imposed by Allah.* 9:60. These are the eight categories of recipients of *zakāt* specified in the Qur’ān. See also n. 84 in this chapter.

⁶⁵*Mishkāt*, I, 562; Robson, I, 375; *Kāfi*, III, 528.

[‘Alī]: He commanded that the obligatory alms (*ṣadaqa*) should be gathered in *specie*, that is camels for camels, cattle for cattle, sheep for sheep, wheat for wheat, dates for dates. This applies to persons who do not possess gold or silver.

This was the condition of affairs in the times of ‘Alī; but [at present] if they possess dinars or dirhams, and offer to pay the tax in money, there is no harm in it. This is possibly beneficial to them, as well as to others, as we have already mentioned.

Ja‘far b. Muḥammad: He said, ‘He who has a holding of gold may pay the *zakāt* in silver, according to its price; and, similarly, there is no objection for the owner of silver to give the *zakāt* in gold, according to its value.’ The rule is similar to the one we have mentioned regarding the tax on animals, corn, and food. We shall mention later how to pay the excess of *zakāt* due on camels, according to their ages.

[Ja‘far b. Muḥammad]: He said, ‘The Imam may use force to collect the *zakāt* from the people’s property, for God says, *Take alms (ṣadaqa) of their wealth*’ (9:103).

The Messenger of God said, ‘Proffer one-fortieth [of your wealth]. On every 20 *mithqāl*s [of gold], give half a *mithqāl*, and on every 200 dirhams [of silver], 5 dirhams.’

Ja‘far b. Muḥammad—his father—his ancestors—Alī: They said, ‘There is no tax on four camels, but when the number reaches five pasturing camels, one sheep is due [as alms tax]. Then nothing is due until the number reaches from ten to fifteen, and then two sheep are due. From fifteen to nineteen camels, three sheep are due. From twenty to twenty-four camels, four sheep are due. When the number reaches twenty-five, one 2-year-old she camel (*bint makhād*) is to be rendered. If such a camel is not available, then a 2-year-old male camel (*ibn labūn*) is due. This rule applies till the number reaches thirty-five; thereafter one 3-year-old female camel (*bint labūn*) is due till the number reaches forty-five. After forty-five, until the number reaches sixty, one 4-year-old female camel (*hiqqa*), load-bearing and fit for mating, is due. From sixty-one to seventy-five, one 5-year old-camel (*jadha’a*) is due; from seventy-six to ninety, two 3-year old female camels are due; and from ninety to 120, two 4-year old female camels, fit for mating, are to be given. Thereafter when the number exceeds 120, for every forty camels, one 3-year-old she camel; and for every fifty camels, one 4-year-old she camel capable of mating [is due].’⁶⁶

⁶⁶Cf. *Mishkāt*, I, 566; Robson, I, 378; it gives more details as to what will be accepted when the taxpayer does not possess the exact one that is due. *Kaṭī*, III, 523.

Bint makhād is a she camel which has completed a year and has entered upon her second, so that her mother has commenced another pregnancy and is going through the pains of parturition (*makhād*). When this she camel has completed her two years and entered upon her third she is called *bint labīn*. She is so called because her mother has given birth to a young one and is nursing her baby (*dhāt labān*). When she enters upon her fourth year she is called *hiqqa*, meaning that she is capable of bearing loads and being used as a mount. When she [has completed her fourth year] and entered upon her fifth year she is called *jadha'a*.⁶⁷

'Alī: He said, 'When the tax gatherer does not find a camel of the proper age, he may take one of greater age, and [later] return the excess to the taxpayer; or he may take one of a lesser age and [later] recover the balance from the taxpayer.'⁶⁸

[The Imams]: They said: No tax is due on cattle till their number reaches thirty. When that number is reached, and all of them are of an age to pasture and none of them is pregnant, then a male or female calf, 1 year old, shall be taken. Thereafter nothing is due until the number reaches forty. From forty to sixty, one cow in its third year [is due].⁶⁹ From sixty to seventy, two male or female calves, 1 year old, are due. When the number reaches seventy, then one cow in its third year and one male calf, 1 year old, are due; when the number reaches eighty, and until it is ninety, two cows in their third year are due; when the number reaches ninety, but is below a 100, three male or female calves, 1 year old, are due. When the number reaches 100 but is below 110, one cow in its third year and two 1-year-old bulls are due; when the number reaches from 110 to 120, two cows in their third year and one 1-year-old bull are due. Where the number reaches 120, three cows, 3 years old, are due.⁷⁰ Thereafter for every thirty head of cattle, one 1-year-old, male or female calf is due; and for every forty, one cow in its third year is due.

'Nothing is due on the number of cattle between the two limits prescribed (*awqāṣ*),⁷¹ nor on those camels or cattle that are in use as beasts

⁶⁷Kaṣṭ, III, 524.

⁶⁸How and when the excess will be returned, or the balance recovered, is not explained.

⁶⁹Mishkat, I, 568; Robson, I, 380-1.

⁷⁰Kaṣṭ, III, 525. 'All the animals must be pasturing and not used for work. No tax is payable on the young ones until they are one year old. Buffaloes are taxable like bulls and cows.'

⁷¹*Waqāṣ* pl. *awqāṣ*, a technical term, used in relation to the *ṣadaqa*, signifies what is between one *farīḍa* (specified number) and the next; for instance when camels amount in number to five, one sheep or goat is due, and nothing is due for such as exceed that number until they amount to ten. Thus what is between the five and the ten is called

of burden (*‘awāmīl*),⁷² nor on those which are pets brought up in the household (*dawājīn*).’

[The Imams]: They said, ‘On less than forty sheep (*ghanam*),⁷³ no tax is due. When that number is reached, and they are all pasturing, and one year has elapsed, then one sheep is due. Nothing is due on the number between forty and 120; and when that number is exceeded by one [that is 121] or more, till the number reaches 200, two sheep are due; and between 201 and 300, three sheep are due. Thereafter one sheep is due for every hundred sheep.’⁷⁴

In respect of camels or cattle or sheep, when the number reached is due for taxation, this is called *niṣāb*. When the *niṣāb* is reached, as to the excess, both the young and the old are to be counted [for taxation]. But if the taxable limit is not reached, then no *zakāt* is leviable on the young ones (*fuṣlān*), or on calves (*‘ajāḥīl*), or on lambs (*khurfān*), which multiply by generation. No animal is subject to taxation until it is 1 year old.

[The Imams]—the Messenger of God: He forbade adding those animals together that are in separate flocks or separating those that are in one flock for the purpose of [assessing] tax.⁷⁵ That is to say, when the tax collector approaches the taxpayers for levying tax on 100 sheep, it is not proper for the owners to add together all their beasts [to assess the tax]; but it is proper to separate each owner, and levy the tax according to his individual liability.

[For instance], if there are three owners, who each possess forty sheep, and the taxpayers add them all together, the tax collector would not obtain more than one sheep, although three sheep are due, one from each of them. [Unwarranted] division of what is whole is when [for example] a man who possesses forty sheep divides [the flock] into two groups at the approach of the tax collector so as to avoid tax. It is improper for owners of livestock to engage in this practice.

Now it is wrong for the tax collector to add together the property of

waqaṣ. *Shanaq* is used synonymously with *waqaṣ*, but according to some, *shanaq* relates to camels and *waqaṣ* to bulls and cows. For details, see *Lisān al-‘Arab*, s.v. sh-n-q, w-q-ṣ; *Majma‘ al-bāḥrayn*, s.v. w-q-ṣ; sh-n-q; Lane, s.v. sh-n-q, w-q-ṣ.

⁷² *‘Amīl* pl. *‘awāmīl*, oxen, upon which water is drawn, that plough, that tread the corn, and that are employed in other labours. In like manner, the term is applied to camels. In case of such animals no poor rate is required. *Lisān al-‘Arab*, s.v. ‘-m-l; Lane, s.v. ‘-m-l; *Mishkāṭ*, I, 571; Robson, I, 382; *Kāfi*, III, 523.

⁷³ *Ghanam* means small cattle, sheep, and goats, male and female. Lane, s.v. gh-n-m.

⁷⁴ *Mishkāṭ*, I, 566–7, 568; Robson, I, 379, 380; *Kāfi*, III, 526.

⁷⁵ There should be no rearrangement either so that the collector may get more than he might, or the owner may give less than he might.’ *Mishkāṭ*, I, 567; Robson, I, 379.

two owners, each of whom is individually not liable for *zakāt*. For instance, one owner among them may have twenty sheep, and when they are added to another's holding, they become subject to tax. Similarly, [it is wrong] for the tax collector to divide up the property of a man who owns 120 sheep into three lots each, in order to take three sheep [one for each forty] instead of the one due. It is not lawful for the owners of livestock or for the inspectors (*su'āt*)⁷⁶ to separate what is united, or collect together what is separate.

Ja'far b. Muḥammad: He said, 'When several owners [of cattle or sheep] own them jointly, but a shepherd is one and [an owner] of a single stallion is another, their holding should not be treated as joint for taxation; but the tax should be levied proportionately according to the holding of each one of them separately. Thus if there are two joint owners, the tax should be [assessed] and collected on the total holding, and the two owners should distribute the tax between them according to the portions held by each of them respectively.'

'Alī: He said, 'The tax collector should not take a decrepit or defective animal, or a female that has grown barren [with age].'⁷⁷

Ja'far b. Muḥammad: He said, 'The tax collector should not take as tax a fat sheep, or a milking ewe (*rubḡā*) that provides for the family; nor a pregnant female (*mākhid*); nor a stallion (*fahl*) capable of covering females; nor an animal with a defect (*dhāt al-'iwār*); nor lambs (*ḥumlān*); nor the young of camels (*fuṣlān*); nor calves (*'ajāḡil*) nor the worst of them or the best.'⁷⁸

'Alī: He said '[For the purpose of selecting the animals that are to be taken as tax], the flock should be divided into three parts. The owner should then select one part [and pull it away from the tax-collector]. The tax collector should select [the animals to be taken as tax] from the remaining two parts.

The Messenger of God: He exempted the following from tax (*ṣadaqa*): horses, mules, donkeys, and slaves.'⁷⁹

Ja'far b. Muḥammad: He said, 'Tax (*zakāt*) is due on camels, cattle,

⁷⁶*Su'āt* in pl. *su'āt* is mostly applied to the collector of obligatory offerings. Lane, s.v. *s'-y*; *Majma' al-baḥrayn*, s.v. *s'-a*.

⁷⁷*Mishkāt*, I, 567; Robson, I, 379. The Arabic is *yabas*, meaning that the animal has withered or dried up.

⁷⁸The average beast is to be taken, neither the best nor the worst of them.

⁷⁹No *ṣadaqa* is due from a Muslim on his slave [unless he is used for trade] or his horse.' *Mishkāt*, I, 565; Robson, I, 378; transmitted by Bukhārī and Muslim. *Kāfi*, III, 522; he states that 'Alī levied a tax of two dinars on excellent horses used for shepherding a herd.

and sheep that are old enough to pasture and be shepherded. No other animals are taxable, except the three categories mentioned above.'

'Alī: He commanded that Christian Arabs should pay double the tax (*ṣadaqa*).⁸⁰

THE PAYMENT OF *ṢADAQĀT* (OBLIGATORY ALMS)⁸¹

God says to His Messenger: *Take alms (ṣadaqa) of their wealth, wherewith thou mayst purify them and mayst make them grow (or clean) (9:103).*

The Messenger of God said, 'Render one-fortieth, [that is] half a dinar for every 20 dinars, and 5 dirhams for every 200 dirhams.' There is a consensus of opinion among the Muslims, and to our knowledge there is no difference among them, that the Messenger of God himself used to collect the *ṣadaqāt* from those around him; and he used to send his inspectors (*su'āt*) to those that were far from him; and they used to collect the obligatory offerings and bring them to him. It was the Messenger of God who dispersed the sums in the manner laid down by God the Mighty and Glorious.

The Muslims are also agreed that the obligation of mandatory offerings did not terminate with the Messenger of God's death. Thus the people paid the taxes to him who had authority over them, and his successors. Later, when they found their 'Imams' appropriating the taxes exclusively for their own use, they stopped paying the taxes whenever feasible. Now, if the people believed them to be their Imams, it was their mandatory duty to pay the obligatory offerings to them. God had never made the taxpayers responsible for the disbursement of *zakāt*, as He had commanded the Imams to spend it in certain ways. It was therefore the people's duty to pay the tax to the Imams just as it was the duty of the Imams to spend it for certain purposes. God would never question any person regarding matters that were not obligatory on him.

The people decided for themselves that they would pay [*zakāt*] to the destitute; but most of the people disbursed it improperly. Thus they too began to act in a manner which they disapproved of in their Imams, for, besides the destitute, there were others who were equally entitled to alms and who are enumerated by God in His Book. These fall into seven categories besides the destitute: the poor; the tax collectors; those persons 'whose hearts were to be reconciled'; the slaves [for their emancipation];⁸²

⁸⁰Kaft, III, 557-9. Kulaynī states on the authority of al-Bāqir and al-Ṣādiq that the *Ahl al-Kitāb* who pay the *jizya* are not liable for the obligatory offering (*ṣadaqa*).

⁸¹As explained in n. 1 in this chapter *ṣadaqa* is used here for *zakāt* meaning obligatory alms.

⁸²Meaning Muslims taken as captives in war.

debtors; [persons who fight] in the way of God (*jihād*) [or for general charitable purposes]; and the wayfarer.⁸³ God does not give any special importance [or priority] to any of these classes, but rather, treats them as equally deserving. He, Glory be to Him, says, *The alms (al-ṣadaqāt) are only for the poor and the needy, and those who collect them, and those whose hearts are to be reconciled, and to free the captives, and the debtors, and for the cause of Allah, and (for) the wayfarers; a duty imposed by Allah. Allah is the Knower, the Wise (9:60).*⁸⁴

How then is it possible [to give charity] to some, and not to others, when God Himself has joined them together and imposed alms for the benefit of all the beneficiaries? It is not proper for anyone but the Imam of the progeny of Muḥammad to administer the distribution of alms among them and to place it at the disposal of the people of every class of those for whom it was intended. It was the Imams who were responsible to God to hold such dues and guard them for the purposes aforesaid. Otherwise, how could the people know the amount to be disbursed for each of these classes during any particular time or period? How could the people know who the persons were [whose hearts were] 'to be reconciled' to Islam?⁸⁵ Who except the Imams could give [gifts] to those who were to be made friendly? What knowledge could anyone have about to whom to give 'in the way of God' (*fī sabīli 'llāh*),⁸⁶ which means *jihād*, except the Imams? *Jihād* cannot be undertaken without the Imams, and [the occasion for it] cannot be determined except by them. How could remuneration be paid to the officers who collect alms except by those who have appointed them? God has indeed entrusted the Imams with the obligatory offerings (*ṣadaqāt*) given by the Muslims; and He has declared those offerings to be forbidden to the Imams, so that the people may know that they [the Imams] have no share in it, and so they would not suspect the Imams of appropriating it for their own private use.

⁸³*Mishkāt*, I, 576; Robson, I, 388; Tūsī, *al-Nihāya*, 184–9.

⁸⁴See n. 64 in this chapter. These eight categories of *zakāt* recipients are further explained by the Imam al-Bāqir below in this section.

⁸⁵After the battle of Ḥunayn, the Prophet gave generous gifts from the booty to certain men of eminence, such as Abū Sufyān and some Bedouin chiefs. They were the former enemies of Islam. Some of them had embraced Islam very recently while others were granted a respite of up to four months to make up their minds. The Prophet's act of generosity was meant to appease them and to win over their hearts so that they might embrace Islam. Similarly, the Imams-caliphs can use their discretion concerning what seems best to them in the interest of Islam and the Islamic State. Tabarī, *History of al-Tabarī*, IX, 31–2. See also another report in this chapter and notes 100–5.

⁸⁶The expression, in legal usage, means 'in the way of God', that is for general charitable purposes, as well as for making Holy War. Jeffery, *Foreign Vocabulary*, 162.

Ḥasan⁸⁷ b. 'Alī: He said, 'Once when I was a child, the Messenger of God held me by the hand, and we passed a heap of dates given in charity (*ṣadaqa*); so I jumped and took a date and put it in my mouth. The Messenger of God came along, put his finger in my mouth, took out the date full of saliva, and threw it back in the heap. Then he said, "We are verily the People of the Household, and *ṣadaqa*, both the obligatory and voluntary offerings, is forbidden to us!"'⁸⁸

Ja'far b. Muḥammad: He said, 'The Messenger of God said, "*Ṣadaqa* is neither lawful for me, nor for the members of my House. Verily *ṣadaqa* is the filth of human beings." The people asked Abū 'Abd Allāh [the Imam], "Is the *zakāt*, which the people pay, also part of this filth?" He said, "Yes, but God has given us recompense in the *khums* (or *khumus*)."⁸⁹ They said, "If you are prevented from taking the *khums*, would the *ṣadaqa* be lawful for you?" [The Imam] said, "By God, no. What God has declared unlawful for us, is not lawful, even though the wrongdoers [the ruling authorities] have denied us our rights. Their denial of what God has made lawful for us does not render lawful what God has forbidden to us."

[Ja'far b. Muḥammad]: He said, 'Forbidden to us is the mandatory alms tax (*zakāt mafrūda*); for eating from the *zakāt* and drinking wine [which is forbidden] are the same for me. Verily, God the Mighty and Glorious, has made the obligatory offerings of the people unlawful for us, so we can neither eat of it, nor can we appoint our relatives to collect it [and take any remuneration for collecting it]. But the charitable, voluntary gifts to some of us from others, other than the *zakāt*,⁹⁰ are lawful to us.'

⁸⁷Some MSS have Ḥusayn, but Ḥasan seems preferable, as in other traditions. See also n. 32 in this chapter and *Mishkāt*, I, 574; Robson, I, 386.

⁸⁸The relatives of the Prophet, like the Prophet himself, were forbidden to receive any part of the alms, either the *zakāt* or the *ṣadaqa*. The reason generally given for this exclusion was that the alms were collected from the *awṣākh* (filth) of the people, alms giving being regarded as an act of purification of the wealth. The Qur'ān, thus, reserves a part of the *khums* (the fifth) of *ghanīma* (booty) and a part of the *ṣay'* (property of the infidels taken by the Muslims without war) for the relatives of the Prophet. See Madelung, *Succession*, 13–14; *Mishkāt*, I, 574; Robson, I, 386; *Kaṣf*, IV, 59.

⁸⁹Imāmī law establishes a specific form of alms tax called *khums*, which is the share of the Imam. The Qur'ān states: *And know that whatever ye take as spoils of war, lo! a fifth thereof is for Allah, and for the Messenger and for the kinsman (who hath need) and orphans and the needy and the wayfarer* (8:41). Ṭabarī, *History of al-Ṭabarī*, IX, 30, 32, 75, 196. Kulaynī places this section on *khums*, as well as the sections on *al-ṣay'* and *al-anfāl*, at the end of *Kitāb al-Ḥujja*, I, 538–48. In Ṭūsī, *al-Nihāya*, 196–201, it is under *Kitāb al-Zakāt*. See also Maghniya, *al-Fiqh*, 220–3. Muslim, *ṣaḥīḥ*, III, 118–20, includes separate chapters entitled 'Non-appointment of Prophet's family members as tax collectors', 'Gifts are permitted to the Prophet and his family'.

⁹⁰*Kaṣf*, IV, 59–61.

[Ja'far b. Muḥammad]: He said, 'There is no harm in collecting *zakāt* in advance by a month or so, if the need for it arises. The Messenger of God collected the *zakāt* from al-'Abbās⁹¹ earlier than the proper time as there was need for it.'

Qāsim b. Ibrāhīm al-'Alawī⁹² was asked about carrying away *zakāt* from one town to another town. He said, '*Zakāt* is a matter for the discretion of the Imams. The Imams may distribute it as they deem fit, taking into account the misfortunes that befall Islam.'

'Alī: He appointed Mikhnaf b. Sulaym⁹³ to collect the obligatory offerings from the tribe of Bakr b. Wā'il⁹⁴ and wrote a letter of appointment for him wherein he stated:

Let all those who acknowledge their obedience to us, the people of *al-Jazīra*⁹⁵ and those who are between Kūfa and Syria, who are under the protection of our infantry and cavalry as our subjects, know that if they claim to have truly paid their dues to the authorities in Syria, they are not authorized to do so. If what they say is the truth, then let them not stay in our territories while they pay their taxes to the enemy!

Ja'far b. Muḥammad was asked about the Word of God *The alms are only for the poor and the needy* (9:60). He said, 'The *faqīr* (poor) does not beg, but the *miskīn* (destitute) is one who is in greater distress; and the *bā'is* (straitened in his means of subsistence) is even more needy than either of them. The *zakāt* cannot be given except to the *ahl al-walāya* (those among the faithful who bear allegiance to the rightful Imams).'⁹⁶

The people asked, 'Suppose there is no one who bears allegiance to the rightful Imam at a particular place who needs it?' [The Imam] replied, 'In such a case *zakāt* should be sent to another place, so that it may be

⁹¹The Prophet's uncle. See n. 23 in Chap. 2.

⁹²Qāsim b. Ibrāhīm al-Rassī (d. 246/860), so called because he taught in al-Rass near Medina, was a Zaydī imam and a scholar of repute. Madelung, *Der Imam al-Qāsim*; Madelung 'Sources of Ismā'īlī Law', 32; Lokhandwalla, *Kitāb ikhtilāf uṣūl al-madhāhib* of Nu'mān, 16; Halm, *Die Schia*, 244 (The English translation, *Shiism*, 206, has the latest bibliography). Previously in two places Nu'mān has quoted the views of non-Fātimid Imams, such as al-Nafs al-Zakiyya, see n. 286 in Chap. 2 and 180 in Chap. 3.

⁹³See n. 63 in this chapter.

⁹⁴Ancient Arabian group of tribes in Central, East, and later Northern Arabia. For details see EI², s.v. Bakr b. Wā'il.

⁹⁵*Al-Jazīra* is the name used by Arab geographers to denote the northern part of the territory situated between the Tigris and the Euphrates. The *jaẓīra* is therefore bounded on the west by Syria. When Mu'āwiya was governor of Syria the *jaẓīra* was under his administration. EI², s.v. al-Djazīra.

⁹⁶'*Zakāt* should be distributed among the *ahl al-walāya*.' Kāfi, III, 535-6.

distributed among the *ahl al-walāya*. But never give it to people who reject your call [to your religion], even after [you threaten them with] slaughter.' He [indicated by gesture and] stretched his hand over his throat.

They asked, 'If a needy one among the faithful is not to be found, what then?' [The Imam] replied, 'Give it to the *mustaḍ'af* (weak and oppressed)⁹⁷ who do not bear us any ill-will.⁹⁸ The faithful should be awarded from [the funds of] the *zakāt* what will suffice for their food and drink, clothing, marriage, and pilgrimage, and for giving in charity.'⁹⁹

[Ja'far b. Muḥammad]: Regarding the Word of God *And those who collect them* (9:60), he said that it means that the officers appointed to collect the tax should be paid remuneration from the funds of *zakāt* by the Imam, according to his discretion. There are no fixed rules in this matter.

'Alī: He sent a nugget of gold to the Messenger of God in a leather [bag] from the Yemen, which was tanned with leaves of *Mimosa flava*. The Messenger of God distributed it among five persons: al-Aqra' b. Ḥābis,¹⁰⁰ 'Uyayna b. Ḥiṣn b. Badr,¹⁰¹ Zayd al-Khayl,¹⁰² 'Alqama b. 'Ulātha,¹⁰³ and 'Amir b. al-Ṭufayl.¹⁰⁴ Some of the Messenger of God's Companions were displeased at this and said, 'We were [surely] more entitled to it!' When it reached the Messenger of God he said, 'Do you not trust me even though I am the trustworthy (*amīn*) of the one who is in heaven and the news of heaven comes to me morning and evening?'¹⁰⁵

Abū Ja'far Muḥammad b. 'Alī: Concerning the Word of God *and*

⁹⁷See n. 39 in Chap. 5.

⁹⁸*Kaṣf*, III, 542.

⁹⁹Kulaynī states that the relatives of a person have priority over others for their share in his *zakāt*. Only the man's immediate family, i.e. his parents, children, and spouse, are excluded from it. *Kaṣf*, III, 541–2. A needy person is allowed to use his own *zakāt*. *Ibid.*, III, 546.

¹⁰⁰Al-Aqra' b. Ḥābis al-Tamīmī was a Bedouin chief and had participated in the battle of Ḥunayn with the Prophet. Ṭabarī, *History of al-Ṭabarī*, IX, *passim*.

¹⁰¹'Uyayna b. Ḥiṣn al-Fazārī, who had fought several times against the Muslims, joined the Prophet only after the conquest of Mecca and participated in the siege of al-Ṭā'if with the Prophet. *Ibid.*, IX, *passim*, other sources are indicated therein. For his close relations with the Meccans, see Kister, 'Mecca and the tribes of Arabia', 40–2.

¹⁰²Zayd al-Khayl b. Muḥalhil, known as Zayd al-Khayr, was the head of the Ṭayyī' delegation. Ṭabarī, *History of al-Ṭabarī*, IX, 35, 105; additional sources are cited therein.

¹⁰³'Alqama b. 'Ulātha was a Bedouin chief. *Ibid.*, IX, 98.

¹⁰⁴'Amir b. al-Ṭufayl was one of the three chiefs of Banū 'Amir b. Ṣa'sa'a, a branch of Hawāzin, and one of the members of the tribe who plotted to ambush the Prophet. *Ibid.*, IX, 103–5; additional sources are cited therein.

¹⁰⁵See a similar report about the distribution of booty after the battle of Ḥunayn in Ṭabarī, who also refers to the booty sent by 'Alī from Yemen. *Ibid.*, IX, 35.

those whose hearts are to be reconciled (9:60), he said, 'This refers to those [Bedouin] chieftains who were given gifts by the Messenger of God to appease them so that they might embrace Islam. And this situation may recur at any time. Whenever the Imam feels the need for it, he may do this.'

[Abū Ja'far Muḥammad b. 'Alī]: As for the Word of God to free the captives [9:60] he said, 'When the fund of *zakāt* exceeds the sum of 500 dirhams, a slave should be purchased from it and set free.'

Ja'far b. Muḥammad—his father—his ancestors—the Messenger of God: He said, 'Except for the following five persons, no one among the well-to-do is entitled to obligatory offerings: (i) The officers appointed to collect [the alms tax]; (ii) the debtor, that is a person who in fact cannot pay his debt; or (iii) who has taken upon himself the responsibility of paying another's debt (*ḥamāla*);¹⁰⁶ (iv) the person who has bought tax property with his own money; (v) a person who has obtained tax property as a gift [free of cost].'

[Ja'far b. Muḥammad]: He said, 'As for [the Word of God] and for the cause of Allah [9:60], it means "for holy war, pilgrimage, and other good works." And (for) the wayfarer refers to the man whose means of subsistence has been cut off, or has perished during his travels, or who has been robbed of his wealth by thieves.'

[Ja'far b. Muḥammad]: He said, 'The Imam perceives only what God makes him perceive. If he thinks that the *zakāt* should be distributed according to the shares that are enumerated by God, he may do so. If the Imam considers that one of these classes is more needy than the others, he may give [it all] to them. There is no objection in giving a portion of the *zakāt* to a person who has a house and a servant and 200 dirhams.'

All that we have mentioned with regard to the payments of the *ṣadaqāt* and the *zakāt* to the Imam and those appointed by him to collect it is binding on the Muslims. It is the right of the Imams to spend the funds as God has commanded them. We have also mentioned the reasons whereof the Imams know better. We have also mentioned earlier what has been related concerning the gravity of failing to pay *zakāt* and giving it in the wrong places, and paying it to the wrong persons. Now the proper persons are the Imams of the seed of Muḥammad, as we have briefly clarified in this chapter and previously in this book. Since the extensive treatment of their right to the Imamate, with arguments in

¹⁰⁶See *Mishkāt*, I, 578; Robson, I, 389. The term *ḥamāla* is used for an undertaking to pay a debt or blood money. The man who has become a guarantor for such a payment could be paid from the *zakāt* funds. *Majma' al-baḥrayn*, s.v. ḥ-m-l.

that connection, is beyond the scope of this book, we have devoted a [separate] book specifically to the Imamate.¹⁰⁷

A majority of the people insist on not paying the *zakāt* to their Imams, and some of them pay it to those whom God has not commanded to receive it. Both of these groups are equally in the wrong: those who pay to the wrong person and those who fail to pay it to the rightful one. The people were not content with non-payment to their Imams, but they went further and harassed them with questions relating to their property. If they obtained something thereof, they were pleased; but if they did not, they became enraged. They were thus in the same position as those whom God has described in His Book in relation to the Messenger of God: *And of them is he who defameth thee in the matter of the alms (al-ṣadaqāt). If they are given thereof they are content, and if they are not given thereof, behold! they are enraged* (9:58). May God save us from transgressing His commands, contravening His prohibitions, neglecting His mandatory directions, and opposing His Book and the authority of His Friends [the Imams] and being enraged with their actions and disobeying their directions.

We have related earlier the consensus of the commonalty that the Messenger of God himself used to collect the obligatory offerings from those who were in his presence, and used to send his officers to collect them from those that were absent. This state of affairs continued for some time immediately after him. Abū Bakr and his allies among the Companions fought with those who refused to pay the *zakāt* and permitted slaying them and their children, and confiscating their property. They were named the Apostates (*ahl al-ridda*).¹⁰⁸ [Abū Bakr and his allies] did not allow such persons to distribute alms amongst themselves in spite of the Word of God *Take alms of their wealth* (9:103), and in spite of His mentioning the officers appointed to gather the taxes, for it was they, in fact, who used to collect the taxes from the people.

No one used to distribute *zakāt* from his wealth among the destitute, as it is done today by those of the common people who deem it a pious act and take out the *zakāt* from their property and distribute it themselves. But most of such persons prefer to give it to their own relations and those persons for whose protection they are responsible, and those who plead with them, because they are ashamed of driving them away. The majority of such persons do not give any *zakāt* at all from their property.

[In our opinion], such persons, and those who pay the *zakāt* to those

¹⁰⁷Nu'mān is referring here to his book on the Imamate, which is lost. Poonawala, *Biobibliography*, 62.

¹⁰⁸See n. 38 and 39 in this chapter and n. 5 in Chap. 1 for Banū Ḥanīfa.

whom God has [not]¹⁰⁹ commanded to be paid, are equally in the wrong, because the responsibility for paying the tax to the proper authority is not satisfied by paying it to someone not entitled to it. The right of God is one, which requires the greatest circumspection. This [arbitrary payment of *zakāt*] is done despite the fact that such actions are forbidden by most of their Imams and jurists from whom they derive their religion. And if someone does [pay *zakāt* to the aforesaid categories voluntarily, their '*ulamā*'] do not consider this permissible, and they are of the opinion that the *zakāt* should only be paid to the ruling authorities (*al-umārā*'). [Nowadays] the people go entirely against [their own Imams] and have entirely abandoned them [to suit their own convenience].¹¹⁰

It is related that among the Companions [of the Prophet] who directed the people to pay *zakāt* to the reigning authorities were Sa'd b. Mālik,¹¹¹ Abū Sa'īd al-Khudrī,¹¹² 'Abd Allāh b. 'Umar,¹¹³ Abū Hurayra,¹¹⁴ and 'Ā'isha.¹¹⁵ These were the persons who opposed [the same practice] until the conditions changed.¹¹⁶ When the people saw that their rulers were appropriating the taxes for their own use, contrary to the practice of earlier authorities, they ceased paying the taxes to them.

It is related from some of them [the above cited persons] that when they were questioned about the *zakāt*, they said, 'Pay it to the reigning authorities although they may eat the flesh of serpents with it!' And

¹⁰⁹According to MS Q. The text without *lam* is incorrect.

¹¹⁰Nu'mān's remarks go a long way towards explaining the attitudes of contemporary Muslims towards their rulers.

¹¹¹He is Sa'd b. Abī Waqqās, who died during Mu'āwiyah's caliphate. See n. 21 in Chap. 2.

¹¹²For Abū Sa'īd al-Khudrī see n. 111 in Chap. 5.

¹¹³'Abd Allāh b. 'Umar was one of the prominent personalities of the first generation of Muslims and an authority on traditions. He refused to pay homage to 'Alī and died in 73/693. EI², s.v. 'Abd Allāh b. 'Umar b. al-Khaṭṭāb; Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 505-12; Nu'mān, *Ikhṭilāf*, 31-2; Nu'mān, *Sharḥ al-akhbār*, II, 72. Nu'mān has portrayed 'Abd Allāh b. 'Umar as repenting of his actions in not supporting 'Alī against his opponents.

¹¹⁴For Abū Hurayra see n. 51 in Chap. 5.

¹¹⁵For 'Ā'isha see n. 137 in Chap. 2.

¹¹⁶Nu'mān is probably pointing out that these were the very people who refused to pay homage to 'Alī, and by implication their *zakāt*, despite the fact that 'Alī was duly elected. The payment of *zakāt* to the rulers was a controversial issue. In most cases people were told to hand it over to the ruling authorities. 'Abd al-Razzāq, *al-Muṣannaf*, IV, 46, 48 (nos. 6924, 6928) reports Ibn 'Umar saying, 'Hand it over to your governors even if they [eat] dog meat [with its money] on their [dinner] tables.' But in another tradition he is said to have confided to someone whom he trusted to hand over the *zakāt* to the poor and the needy. See also Kister, 'Social and religious concepts of authority', 104-5.

from others it is related that they averred, 'Pay it to the ruling authorities.' It was said to them, 'But they buy necklaces and houses from such funds and spend it [according to their own whims].' Their reply was, 'What business is it of yours? You have been commanded to pay the taxes to them, and they have been commanded to use the funds for certain purposes; so it is your duty to bear your burdens, and it is their duty to bear their burden!'

Ibn 'Umar:¹¹⁷ He said, 'Four things are [the responsibility of] the temporal sovereign (*al-sultān*): the *zakāt*, the Friday [prayer], the booty (*fay'*),¹¹⁸ and the application of *ḥadd* punishments.'¹¹⁹ It was said to him, 'But the sovereign appropriates the *zakāt* for himself!' Ibn 'Umar replied, 'What business is it of yours? Listen! If you capture some thieves and cut off [the hands] of some of them and set the others free [do you think that], you have acted properly?' They said, 'No.' He asked, 'But if you hand over the thieves to the ruling authority, and that authority punished some and set the others free, are you responsible?' They said, 'No.' Ibn 'Umar asked, 'Why?' They said, 'Because we did our duty in handing them over to the ruler, and whatever he did [with them] is his responsibility.' Ibn 'Umar said, 'You have spoken the truth. That is exactly how the affairs are conducted.'

It is related that Marwān [b. al-Ḥakam]¹²⁰ sent word to Sa'd b. [b. Abī Waqqās] Mālik¹²¹ to send the *zakāt* on his own property. Sa'd told the messenger, 'I shall not do so. With these funds you buy palaces and slaves, build [houses, and purchase other]¹²² goods.' When the messenger departed, Sa'd began to have second thoughts. He said to himself, 'O Sa'd, what business is it of yours? They [the rulers] bear a certain burden, and you bear a certain burden. The responsibility of your actions is upon you; and the responsibility for their actions is on them.' So Sa'd pondered over the question, and said [to his servants], 'Go and overtake the messenger.' So they brought him back. And Sa'd paid 500 or 700 dinars [as *zakāt*].

¹¹⁷For the role of Ibn 'Umar in the Medinese school of law see Schacht, *Origins*, 25, 32, 176 ff. See also note 113 above in this chapter.

¹¹⁸For its exact meaning and usage see *El*², s.v. *Fay'*.

¹¹⁹For *ḥadd* see n. 122 in Chap. 2. Collection of the alms tax is one of the responsibilities of the caliph. See Māwardī, *al-Aḥkām al-sultāniyya*, 16.

¹²⁰For Marwān see n. 301 in Chap. 2. Schacht, *Origins*, 114, 192 f., 195, 197, 200, 221. Sa'd b. Abī Waqqās is said to have spent the last period of his life in his estate near Medina. Marwān was the governor of Medina appointed by Mu'āwiya.

¹²¹For Sa'd b. Abī Waqqās see n. 21 in Chap. 2.

¹²²As in other MSS.

Among those who held that it was obligatory to pay the tax to the ruling authorities were: Ḥasan al-Baṣrī,¹²³ 'Āmir al-Sha'bī,¹²⁴ Ibrāhīm al-Nakha'ī,¹²⁵ Sa'īd b. Jubayr,¹²⁶ al-Awzā'ī,¹²⁷ al-Shāfi'ī,¹²⁸ and Abū Thawr.¹²⁹ They said, 'The responsibility of the tax-payer is not fulfilled if he pays [his taxes] to the poor rather than to the ruling authority.'

Abū 'Ubayd¹³⁰ distinguished between the *zakāt* on gold and silver and the *zakāt* on cattle, fruit, and corn. He said, 'None but the ruling authority should be given the *zakāt* on animals, corn, and fruit. If the taxpayer distributes it among the poor, it is not permissible. But the *zakāt* on gold and silver should be sent either to the ruling authority, or distributed among the poor. In both cases the obligation is fulfilled.' Now this reasoning is the judgement of the man who propounds it. Neither God nor His Messenger made such a distinction as made by this [pretender]. The unsoundness of the proposition is so manifest as not to require a refutation [against its proponent].

At present the people are united in wilfulness and deviance, except those whom God protects, in evading the payment of their total dues by every means in their power. Thus do they go against the Book of God and the *sunna* of His Messenger in this matter? They have thus abandoned [the ways of] their predecessors and their jurists, and turned away from the rights due their imams. May God protect us from contravening His commands, and the commands of His Messenger, and 'those in authority', obedience to whom is linked by God with obedience to Him and obedience to His Prophet.

¹²³For Ḥasan al-Baṣrī see n. 2 in Chap. 2. and also Schacht, *Origins*, 74, 87, 141, 229.

¹²⁴Sha'bī was a contemporary of Ḥasan al-Baṣrī from Kūfa. The traditionists used his name to discredit the doctrine of the ancient Iraqi school of jurisprudence. Schacht, *Origins*, 87, 131, 203, 230-1, 241.

¹²⁵Ibrāhīm al-Nakha'ī, who lived in the second half of the first century A.H., was a representative scholar of the Kūfan school. Schacht, *Introduction*, Index; Schacht, *Origins*, 7, 33, 86, 105, 233-7.

¹²⁶Sa'īd b. Jubayr related traditions from Ibn 'Abbās and Ibn 'Umar and was killed in 94/712-13 while he was 49 years old. Ibn Sa'd, VI, 178-87.

¹²⁷The main representative of the old Syrian school of jurisprudence, al-Awzā'ī lived near Damascus and died in 157/774. A contemporary of Abū Ḥanīfa, his opinions represent the oldest solutions adopted by Islamic jurisprudence. *El*², s.v. al-Awzā'ī.

¹²⁸See n. 306 in Chap. 2 for al-Shāfi'ī.

¹²⁹A prominent jurisconsult and founder of a law school, Abū Thawr died in Baghdad in 240/854. He seems to have been influenced by Shāfi'ī's methodological insistence on *hadith* without, however, renouncing the use of *ra'y*. *El*², s.v. Abū Thawr.

¹³⁰Abū 'Ubayd al-Qāsim b. Sallām, grammarian, Qur'ān scholar, and lawyer, died in 224/838 in Mecca. Nu'mān, *Ikhulāf*, 212. *El*², s.v. Abū 'Ubayd al-Qāsim b. Sallām.

ZAKĀT ON GRAIN, FRUIT, AND VEGETABLES¹³¹

Says God, He it is Who produceth gardens trellised and untrellised, and the date palm, and crops of diverse flavour, and the olive, and the pomegranate, like and unlike. Eat ye of the fruit thereof when it fruiteth, and pay the due thereof upon the harvest day (6:141).¹³² The Mighty and Glorious says, O ye who believe! Spend of the good things which ye have earned, and of that which We bring forth from the earth for you (2:267).

Ja'far b. Muḥammad—his father: concerning the Word of God And pay the due thereof upon the harvest day (6:141), he said, 'The "due" referred to [in the verse] is the zakāt. Although the destitute may be given a bundle, a handful, or the like, this is an act of voluntary [charity] and not an obligatory due, as is the zakāt ordained by God.'

Ja'far b. Muḥammad—his father—his ancestors—the Messenger of God: He said, 'A tenth is due on the harvest gathered from [lands watered by] rains or by flowing rivers.'¹³³ This tradition of the Messenger of God is considered authentic by both the *khāṣṣ* [the Shī'īs] and the *'amm* [the commonalty]; hence it is the clearest declaration that zakāt is due on everything that grows on land, for the Messenger of God made no exception in favour of any particular kind of harvest.¹³⁴

This is a tradition related to us on [the authority] of the members of the Prophet's Household in several forms, and also by a chain of authorities of the commonalty.

Ja'far b. Muḥammad: He was asked regarding the zakāt due on sesame seed, rice, and other cereals. He said, 'Yes. The rule applicable to them is the same as that for wheat and dates.'¹³⁵

Qāsim b. Ibrāhīm al-'Alawī:¹³⁶ He was asked about the rule laid down by [the Imams of] the Prophet's House for zakāt on rice, lentils, chick-peas, beans and the like, figs, olives, and fruit.¹³⁷ He said, 'Whatever grows

¹³¹The Arabic term used by Nu'mān is *nabāt* meaning plants, vegetation. Although the sources cited in this section evoke 'all things that grow on the land' and similar inclusive generalizations, we still believe that 'vegetables' is the more appropriate term. The reason is that these authorities are referring to plants and plant by-products, which are harvestable and consumable, especially on a regular basis.

¹³²Pickthall 6:142.

¹³³*Mishkāt*, I, 567; Robson, I, 380; *Kāfi*, III, 505; Māwardī, *al-Aḥkām al-sultāniyya*, 118.

¹³⁴Kulaynī states, 'The Messenger of God levied obligatory alms on everything that grows on land except greens (*khaḍīr*) and herbs (*buqūl*), and everything that spoils henceforth.' *Kāfi*, III, 502–4. 'Fruit is also exempt.'

¹³⁵*Ibid.*, III, 502–7. No zakāt is due on dates until they reach five camel loads.

¹³⁶See n. 92 in this chapter for Qāsim.

¹³⁷According to Abū Ḥanīfa all agricultural products are subject to zakāt; according

upon land, belonging to the vegetable kingdom, is subject to *zakāt* on the authority of the Word of God *Take alms of their wealth, wherewith thou mayst purify them and mayst make them grow (or clean)*' (9:103).

'Alī: He said, 'Once the Messenger of God was standing amidst us and said, "[Whatever grows] on land, whether watered by the sky or by running water (*fath*), a tenth [on the harvest] is due. When land is watered by large leather buckets (*gharb*) or beasts carrying water, a twentieth."

The expression 'what is watered by the sky' means rain, and *fath* is a running stream of water,¹³⁸ and *gharb*¹³⁹ means a bucket.

['Alī]: He said, '[Harvest gathered on land] watered by rain or flowing water (*sayḥ*^{an}) is taxable to the extent of one-tenth, and what is watered by buckets or water-wheel (*al-dāliya*), a twentieth.'¹⁴⁰

The word *sayḥ* means flowing water on the surface of land and is derived from *al-siyāḥa* [to journey through the land]; and *dāliya*¹⁴¹ is *sāniya*,¹⁴² a kind of wheel upon which small leathern buckets or earthen pots turn round and round.

Abū Ja'far Muḥammad b. 'Alī: He said, 'The Messenger of God laid down the practice that one-tenth is payable as tax on harvest watered by sky, or by a torrent (*sayl*), or by water running upon the surface of the earth (*ghayl*), or land possessing natural moisture (*ba'l*),¹⁴³ and one-twentieth, when the land is watered by *nawādiḥ* (camels upon which water is drawn from a well).'¹⁴⁴

to al-Shāfi'ī only those products which can be stored are subject to *zakāt*. Māwardī, *al-Aḥkām al-sultāniyya*, 118. *Mishkāt*, I, 568, 570; Robson, I, 381, 382; These sources state that no *zakāt* is payable on grain or dates until they reach five camel loads. Most of the traditions state that no due is payable on vegetable or green herbs. The schools of law, on the other hand, differ, especially with regard to fruit and vegetables. See Jazīrī, *al-Fiqh*, I, 625-31.

¹³⁸*Fath* can refer to a river, a spring, a canal, or water running on the surface of the ground. Lane, s.v. f-t-ḥ.

¹³⁹It means a large bucket, or leather bucket made of bull's hide, with which one draws water from a well. Lane, s.v. gh-r-b; for a proper explanation see n. 142 in this chapter.

¹⁴⁰*Kaḥf*, III, 506.

¹⁴¹A *dāliya* is a water wheel for irrigation that is turned by an ox or a cow and is made of palm leaves and wood. Lane, s.v. d-l-w.

¹⁴²A *sāniya* is a water scoop, a water wheel for irrigation [that is turned by a she camel or a camel]. *Lisān al-'Arab*, s.v. s-n-w. While Lane's definition of *dāliya* accords with the sense of Nu'mān's text, he defines *sāniya* somewhat differently. Lane, s.v. s-n-w.

¹⁴³*Ba'l* means elevated land upon which comes neither running water nor torrent, or any palm trees and seed produce not watered. It signifies that which imbibes through its roots without irrigation or rain. For details see Lane, s.v. b-'-l.

¹⁴⁴*Nādiḥ* pl. *nawādiḥ* means a camel, ass, or bull upon which water is drawn from a well, in the same manner as described in n. 142 in this chapter, or a camel that carries water

Now the expression [used by the Imams] 'What is watered by the sky' means rain; and *sayl* is the flow of water in a valley as a consequence of [occasional] rain; and *ghayl* means a perennial stream; and *ba'l* means what [grows without rain or irrigation] by imbibing with its roots from deep underground water; and *nawāḍih* means the camels that water land by buckets from wells.

The Messenger of God: He laid down that one-tenth was due on honey [as *zakāt*].¹⁴⁵

ZAKĀT AL-FITR¹⁴⁶

Says God, *Now hath he attained felicity who is purified, and who remembereth the name of his Lord, and prayeth* (87:14–15).¹⁴⁷ The Mighty and Glorious says, *Establish worship and pay the poor due* (2:43 and elsewhere).

Ja'far b. Muḥammad: In respect of the verse *Now hath he attained felicity who is purified* (87:14–15) he said that it referred to the person who pays the *zakāt al-fiṭr* [alms tax on the Festival of Breaking the Fast], and regarding the verse *and remembereth the name of his Lord, and prayeth* (87:14–15) [he said that it] refers to the 'Id prayers in an open space (*jabbāna*).

Abū Ja'far [Muḥammad] b. 'Alī: He was asked about the *zakāt al-fiṭr* and he said, 'This is a *zakāt* that God has made obligatory on the rich as well as the poor among the faithful, together with prayer, by His Word *Establish worship and pay the poor due* (2:43). The poor are the majority of the people and the rich are the minority of them yet God has made prayer and the *zakāt [al-fiṭr]* compulsory for all people.'¹⁴⁸

'Alī: The Messenger of God said, 'The *zakāt al-fiṭr* is due from every member of a person's family and from his dependants, big or small, free or bond, male or female—one *ṣā'*¹⁴⁹ of food from each human being.'¹⁵⁰

Ja'far b. Muḥammad: He said, 'It is obligatory for every person to pay

from a river, canal, or well to irrigate seed produce. See Lane, s.v. n-ḍ-h. See also *Mishkāt*, I, 567; Robson, I, 380.

¹⁴⁵ Regarding honey, a skin is payable on every ten. *Mishkāt*, I, 569; Robson, I, 381.

¹⁴⁶ Various called *zakāt al-fiṭr*, *ṣadaqat al-fiṭr*, or *al-fiṭra*, is the alms given to the poor at the end of Ramaḍān or on the Festival of Breaking the Fast. *Hedayat*, 22–5. In *Kāfi*, IV, 173, this section is at the end of *Kitāb al-ṣiyām* (chapter on fasting).

¹⁴⁷ Sale, *Koran*, 578.

¹⁴⁸ *Mishkāt*, I, 572; Robson, I, 384; transmitted by Bukhārī and Muslim. Ṭūsī, *al-Nihāya*, 189–92.

¹⁴⁹ A *ṣā'* is a measure equivalent to four *mudd*, the *mudd* being the amount a man can hold with both hands extended, or about 4.2 litres. Hinz, *Islamische Masse*, 45, 51.

¹⁵⁰ *Mishkāt*, I, 572; Robson, I, 384; transmitted by Bukhārī and Muslim. *Kāfi*, IV, 173; reported from al-Ṣādiq.

the *ṣadaqat al-fiṭr* for himself and [for every member of] his family, male or female, child or adult, free or bond. He should pay for all of them, even if they are well-to-do.'

Abū Ja'far Muḥammad b. 'Alī: He was asked, 'Is the *zakāt al-fiṭr* due from a person who is so impecunious as to receive alms?' He said, 'Yes. He should give from what he has received by way of charity.'¹⁵¹

Al-Ḥusayn b. 'Alī: He said, 'Every person, sedentary or nomad, must pay the *zakāt al-fiṭr*.'¹⁵²

Ja'far b. Muḥammad: He said, 'Every person is under an obligation to pay the *zakāt al-fiṭr* on behalf of his slave, even if [the slave] is a Jew or a Christian, and for everyone for whom he provides in his home. A man should also pay for the slaves of his wife, if they are part of his family;¹⁵³ and the wife should pay for those who do not form the household of her husband but work for her elsewhere. If a woman has no husband, it is she who is obliged to pay for herself as well as for the slaves, and for all those who form part of her household.'

Al-Ḥasan and al-Ḥusayn: They paid the *zakāt al-fiṭr* for 'Alī till they died. 'Alī b. al-Ḥusayn used to pay for his father al-Ḥusayn until he died. Abū Ja'far [Imam al-Bāqir] used to pay for his father 'Alī [b. al-Ḥusayn] until he died. Ja'far b. Muḥammad said, 'I pay for my father. This constitutes a supererogatory act of charity, (*ṣadaqa*) on behalf of the dead.'

'Alī: He said, 'The amount of *zakāt al-fiṭr* is one *ṣā'* of wheat, or of barley, or of dates, or of raisins.'¹⁵⁴

Ja'far b. Muḥammad: He said, 'A person who has no wheat, or barley, or dates, or raisins to pay for *ṣadaqat al-fiṭr* may pay his dues in dirhams instead.'

'Alī: He said, 'The payment of *ṣadaqat al-fiṭr* before the Festival of Breaking the Fast is a practice established by the Messenger of God.'¹⁵⁵

¹⁵¹ *Kaft*, IV, 176.

¹⁵² *Ibid.*, IV, 176.

¹⁵³ *Ibid.*, IV, 177.

¹⁵⁴ *Mishkāt*, I, 572–3; Robson, I, 384–5. 'The *zakāt al-fiṭr* could be grain, barley, dried dates, raisins, or cheese.' *Kaft*, IV, 173; Tūsī, *al-Nihāya*, 189–92. Neither Bukhārī nor Muslim mentions wheat in the traditions reported from the Prophet. They state that it was Mu'āwiya who said that two *mudds* of Syrian wheat (*samrā' al-Shām*) equals one *ṣā'* of dried dates. For this reason some traditions state that a *ṣā'* of wheat is to be taken from every two persons. Bukhārī, *Ṣaḥīḥ*, I, 263; Muslim, *Ṣaḥīḥ*, III, 68; *Mishkāt*, 572; Robson, I, 384; Jazīrī, *al-Fiqh*, I, 634–41.

¹⁵⁵ *Kaft*, IV, 173. Kulaynī states that the *fiṭra* must be paid before the 'id prayer or a day earlier. When it is paid after the 'id prayer it is no longer considered a *fiṭra* but becomes *ṣadaqa*.

The Book of Fasting and *I'tikāf*¹

THE OBLIGATION AND INDUCEMENTS TO FAST DURING THE MONTH OF RAMAḌĀN²

God says, O ye who believe! Fasting is prescribed for you, even as it was prescribed for those before you, that ye may ward off (evil) ... that ye should complete the period, and that ye should magnify Allah for having guided you, and that peradventure ye may be thankful (2:183–5).

Ja'far b. Muḥammad: He said, 'Fasting during the month of Ramaḍān is a prescribed obligation every year. The least [among the prerequisites] by which the believer's obligation to fast is fulfilled is the sincere resolve of his heart to fast³ and to renounce eating, drinking, and sexual intercourse throughout the day. The believer should extend this devotion to all the limbs, and avoid all things forbidden by God, his Lord, in order to gain thereby complete communion with Him. If he acts accordingly, then he has indeed fulfilled his prescribed obligation.'

¹A pious practice of retreat in a mosque with the observance of certain conditions and occupying oneself in prayer and recitation of the Qur'ān. *Majma' al-baḥrayn*, s.v. '-k-f; Lane, s.v. '-k-f; EI², s.v. *I'tikāf*.

²According to Ṭabarī the fasting of Ramaḍān was prescribed during the second year of the *hijra*. *Tafsīr*, III, 414; *History of al-Ṭabarī*, VII, 25; EI² s.v. *Ṣawm*; Wagtendonk, *Fasting in the Koran*. It is a comprehensive treatment with the origin and the meaning of fasting in the Qur'ān. Besides the fasting in Ramaḍān it also deals with other forms of fasting mentioned in the Qur'ān.

³The tradition transmitted by Bukhārī and Muslim states: 'He who fasts during Ramaḍān with faith, seeking his reward from God, will have his past sins forgiven.' *Mishkāṭ*, I, 612; Robson, I, 417.

[Ja'far b. Muḥammad]—his ancestors—Fāṭima,⁴ daughter of the Messenger of God: She said, 'A man who does not guard his tongue, his hearing, his sight, and his limbs [from forbidden acts] during his fasting has, indeed, not fasted at all.'⁵

Ja'far b. Muḥammad: He said, 'He who disobeys the Imam has not fasted; the runaway slave cannot fast until he returns [to his master]; a disobedient wife cannot perform the fast until she repents; and a disobedient son cannot fast until he returns to obedience.'

[Ja'far b. Muḥammad]: He used to tell his children, 'When the month of Ramaḍān comes, become assiduous [in worship]; for it is during this month that provisions for livelihood are distributed [by God], the fates of men are determined, and a goodly company [from among the righteous] will be determined [to show up before] the Lord.⁶ In it is a night, good works wherein are better than those in a thousand months.'⁷

The Messenger of God: Once he delivered a sermon on the last day of Sha'bān and said,⁸ 'O men! [Behold], a great and auspicious month has now arrived; in it there is a night, good works wherein are more excellent than those in a thousand months.⁹ Whoever seeks the closeness [of God by performing] one good act during that month is like one who has accomplished an obligatory act in other months. And he who fulfils a prescribed obligation therein, it is as though he had completed seventy such obligations in other months. It is the month of fortitude, and the reward of fortitude is the Garden [Paradise]. It is the month of sharing [one's worldly possessions with others], a month in which the livelihood of the faithful is increased. He who gives the man who is fasting something with which to break his fast is forgiven his sins [as a reward]. He has indeed saved his neck from the Fire [Hell], and will receive a reward equal to [that of the fasting person] without diminishing the latter's reward in any way.'

Some of the people said, 'O Messenger of God! Not all of us have the wherewithal to give one who has been fasting something with which to break his fast.' The Prophet replied, 'God will reward the man who

⁴For Fāṭima see n. 101 in Chap. 5.

⁵For similar traditions see *Mishkāṭ*, I, 625; Robson, I, 426; *Kaṣf*, IV, 86.

⁶Alludes to Qur'ān 19:85. Referring to the Day of Judgement, it states: *On the Day when We shall gather the righteous unto the Beneficent, a goodly company (or in an honourable manner, as ambassadors come into the presence of a prince); but We will drive the wicked into hell as cattle are driven to water.* Sale, *Koran*, 303-4.

⁷*Kaṣf*, IV, 66-7; also reported from al-Ṣādiq.

⁸*Kaṣf*, IV, 67. *Mishkāṭ*, I, 614-15; Robson, I, 418-19; it is reported on the authority of Salmān al-Fārisi.

⁹*Mishkāṭ*, I, 614; Robson, I, 418.

gives even some watery milk to the fasting one, or a date, or a drink of water with which to break his fast. He who fills a person who is fasting, will be given drink from my Pond, a drink that will quench his thirst forever. It is a month, the first part of which brings mercy; the middle, forgiveness; the last, liberation from the Fire!

'One who alleviates the burden of his slave during this month will be forgiven by God and saved from the Fire. Increase during this month four practices—two of them to please your Lord, and two from which there is no escape for you. The two that please the Lord are witnessing that "there is no deity other than God", and asking Him for forgiveness. And the two from which there is no escape are praying to God for the Garden [Heaven]; and craving protection from the Fire.'

[The Messenger of God]: Once he ascended the pulpit and said, 'Amen!' Then he said, 'O People! Verily, the angel Gabriel came to meet me and said, "O Muḥammad, if a man dies before he is forgiven in the month of Ramaḍān, he will enter the Fire. So may God keep him away [from me]. Hence say Amen [O Muḥammad]." And I said, "Amen!"'

Ja'far b. Muḥammad: He said, 'He who does not receive his pardon during the month of Ramaḍān will not be forgiven until the next Ramaḍān, unless he attends [the prescribed *wuqūf*] at 'Arafa [known as 'the Day of 'Arafa' during the pilgrimage, and asks for forgiveness].'¹⁰

'Alī: He said, 'Fasting during the month of Ramaḍān is a shield against the Fire.'¹¹

Ja'far b. Muḥammad said, 'Three felicities are granted by God [to man]: to spend the night in prayer; to meet brethren [in faith]; to fast.'

The Messenger of God: He said, 'For everything there is an alms tax [or cleansing]; and the tax (*zakāt*) on the body is fasting.'

'Alī: He said, 'Seven actions have priority over all others, so cling to them: (i) testifying that "there is no deity other than God, and Muḥammad is His servant and his Messenger;" (ii) devoting oneself to the members of the Prophet's House from the bottom of [one's] heart, and not by the pressure of associates while the heart is elsewhere; (iii) waging holy war for the sake of God; (iv) fasting during the hottest of days; (v) performing ablutions completely during the cold early mornings;

¹⁰For details see *El*², s.v. 'Arafa; Ḥadīdī. *Kaṣf*, IV, 67; the tradition is also reported from al-Ṣādiq.

¹¹*Kaṣf*, IV, 63; *Mishkāt*, I, 612; Robson, I, 417. A tradition states, 'When Ramaḍān begins the Gates of Heaven are opened.' Another states, 'The gates of Paradise are opened, the Gates of Jahannam are locked, and the devils are chained.' Yet another states, 'The Gates of Mercy are opened.'

(vi) performing prayers regularly; (vii) making pilgrimage to the Sacred House of God.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'The Messenger of God gave moral instructions to Usāma b. Zayd.¹² He said, "O Usāma! Stick to the path of Paradise, and do not falter." Usāma said, "O Messenger of God, what is the easiest way to traverse that Path?" The Prophet replied, "To thirst in the hottest days;¹³ to tear yourself away from the pleasures of the world. O Usāma, I adjure you to fast, for it is a shield from the Fire. Endeavour to fast even at the point of death. O Usāma, I enjoin you [again] to fast, for it is the surest way to communion with God.'" Then the Imam related the whole of the *ḥadīth*.

Ja'far b. Muḥammad: He said, 'Abū Dharr [al-Ghifārī]¹⁴ stood at the gate of the Ka'ba and said, "O People! I am Jundub b. al-Sakan¹⁵ al-Ghifārī, and I am your affectionate counsellor. Come to me!" The people surrounded him and he said, "If a man amongst you intends to travel, he takes provisions with him which are useful to him. It is most necessary for you to prepare for the path to the Day of Resurrection." One of the people said, "So, direct us, O Abū Dharr."

'He said, "Perform a pilgrimage [to save yourselves] from the greatest sins; fast one day for the tumult of the Day of Resurrection; pray two *raka'āt* during the dark of night for the terror of the graves; speak out if it is the truth, and remain silent if it is a word which brings evil; give alms to the destitute, for possibly it may avail you on the day of difficulty; divide your world into two principles [of action]—one, for seeking lawful things, and the other, for seeking the Hereafter; if you see that speech will harm you and not bring profit, eschew it; divide your wealth into two parts (dirhams): spend one for the hereafter, and the other, which you spend every day, for your family as a charitable gift."¹⁶

The Messenger of God said, 'The sleep of the fasting one is worship, and his breath, the glorification of God.'¹⁷

[The Messenger of God]: He said, 'God says,¹⁸ "The fast is kept for

¹²For Usāma see n. 135 in Chap. 2.

¹³Meaning to fast in the month of Ramaḍān when it occurs at the height of summer.

¹⁴For Abū Dharr see n. 83 in Chap. 2.

¹⁵Abū Dharr's name is Jundub b. al-Sakan according to Abu 'l-Yaqẓān. See Ibn Qutayba, *al-Ma'ārif*, 252.

¹⁶The Arabic text should read *ṣadaqat*^{an} instead of *ṣadaqat*^{un}.

¹⁷*Kaṣf*, IV, 64–5.

¹⁸This is not a passage from the Qur'ān; rather, it is a *ḥadīth qudsī* (Divine saying), a tradition which gives words spoken by God or God's thoughts expressed in the Prophet's words. It occupies an exalted position between the Qur'ān and the prophetic *ḥadīth*. For details see Graham, *Divine Word and Prophetic Word*.

me, and I shall compensate for it." For the one who fasts, there are two joys: A happiness when he breaks the fast, and a felicity when he meets his Lord. I swear by Him whose hand possesses the life of Muḥammad that the smell (*khulūf*)¹⁹ of the mouth of the person who fasts is more fragrant in the eyes of God than the perfume of musk!²⁰

Ja'far b. Muḥammad: He said, 'Among the joys afforded by God are the breaking of the fast, the meeting of brothers, and spending the night in prayer.'

COMMENCING THE FAST

'Alī: When he saw the new moon, he used to say, 'God is great. O God, I ask Thee for all that is good in this month: victory, help, light, and livelihood from it. I ask Thy protection from its evil, and from the evil [of the months] that follow it.'²¹

'Alī—the Messenger of God: He said, 'Eat in the early morning [or before dawn to begin the fast], even if it is only a drink of water; and break the fast when the time for breaking the fast comes, even if it is with half a date. The repast a little before dawn (*ṣaḥūr*) is a blessing,²² and there are angels of God who pray for those that seek forgiveness in the early morning and partake of the early morning meal. The eating of the early morning repast distinguishes us from those who belong to other persuasions.'²³

'Alī: He said, 'When God revealed the verse *And eat and drink until the white thread becometh distinct to you from the black thread* (2:187), people began to take two threads, one black, the other white, and to observe

¹⁹*Khulūf* is said of the taste or odour when it becomes contrary to what it was thought to be; hence it is used for an odour altered for the worse. See *Lisān al-'Arab*, s.v. kh-l-f; Lane, s.v. kh-l-f; the latter cites the tradition 'The mouth of one who is fasting is sweeter in the estimation of God than the odour of musk.'

²⁰*Mishkāt*, I, 613; Robson, I, 417. Bukhārī and Muslim transmit this *ḥadīth*. In contrast to Bukhārī, Muslim, *Nasā'ī*, and *Dārimī* clearly indicate the first part of the tradition as a Divine *ḥadīth* by stating: 'God says.' Bukhārī, *Ṣaḥīḥ*, I, 324; Muslim, *Ṣaḥīḥ*, III, 158; *Nasā'ī*, *Sunan*, IV, 159 (reported on the authority of 'Alī); *Dārimī*, *Sunan*, I, 451. The text in *Dārimī* states, 'God says, "All the deeds [performed by] man are for himself, except fasting, which is for me; and I shall compensate [him] for it, because he gives up food, drink, and his cravings for me."' See also *Kāfi*, IV, 64, 66; reported on the authority of al-Ṣādiq.

²¹*Kāfi*, IV, 76; Kulaynī has a separate section on what is to be said in welcoming the month of Ramaḍān.

²²*Mishkāt*, I, 621; Robson, I 423; transmitted by Bukhārī and Muslim; *Kāfi*, IV, 95.

²³'The difference between our fasting and that of the People of the Book is eating shortly before dawn.' Transmitted by Muslim. *Mishkāt*, I, 621; Robson, I, 423.

them, and did not stop eating and drinking until the white thread was distinguishable from the black one; so God clarified what He meant by that and added *of the dawn* [to the above verse].²⁴

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'The *fajr* is the spreading whiteness. By this is meant the light, which comes from the eastern horizon. The *fajr* (dawn) is divided into two parts: the first dawn [is called] "the tail of the wolf" (*dhanab al-sirḥān*).²⁵ It is a small slender light that rises upward straight from the eastern horizon, like the flame of a lamp, without spreading. This does not prevent [eating or drinking] until the light spreads to the right and left on the horizon; and this spreading [dawn] is called "the true dawn". It is this which causes food to be forbidden to the person who fasts.'²⁶

The Messenger of God said, 'The mandatory fast cannot be undertaken without faith and resolution (*niyya*). He who has fasted with a doubting mind has indeed erred.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'For me, it is preferable not to fast for a day in Ramaḍān rather than to fast for one day in Sha'bān,²⁷ [thereby] adding [an extra] day to Ramaḍān.' [What the Imam] meant by that is that the man who keeps the fast [at the end of Sha'bān], without ascertaining that Ramaḍān has started, but intending that it may well be so. Now this is not permissible [if in fact Ramaḍān did not start that day], because it constitutes an addition [of one day] to the prescribed obligations [to fast in Ramaḍān], and such obligations are not subject to increase or decrease.²⁸

But for him who doubts whether the day is in fact the beginning of Ramaḍān or not, it is best to keep the fast [for that day] as if it were a day in the month of Sha'bān, as a supererogatory fast. Later, if he learns for certain that the day was in fact [the first day of] the month of Ramaḍān, he has complied with the requirement [of fasting in Ramaḍān], but he should fast for another day in its place.²⁹ This is so because his fast [for that day] was undertaken as a supererogatory fast,

²⁴Eating and drinking are permitted until the white streak of dawn can be distinguished from the black thread of night at daybreak. See also *Kaḥf*, IV, 99.

²⁵See n. 51 in Chap. 4.

²⁶*Kaḥf*, IV, 98.

²⁷Cf. *ibid.*, IV, 81. Nu'mān's language in this paragraph is very terse and complex. To clarify the meaning we have added brackets.

²⁸What the Imam means is that a person cannot begin fasting at the end of Sha'bān thinking that Ramaḍān has started. If, in fact, Ramaḍān did not start that day then by observing fast he has added an extra day to Ramaḍān.

²⁹*Ibid.*, IV, 82; Kulaynī's position is different, and he states that there is no need to fast for another day.

and thus [by fasting for another day in lieu of that day] he earns a double reward.

No man should deliberately refrain from fasting during a day which he believes to fall within the month of Ramaḍān. It is possible that it may ultimately turn out to be a day in the holy month after he breaks the fast. Then he would be in the position of one who deliberately did not fast in the month of Ramaḍān. This situation can arise only when a person is far away from the Imam. But for him who is near the Imam, or for him who receives his commands, the responsibility is on the Imam. He should fast when the Imam fasts and he should break his fast when the Imam breaks his fast. The Imam keeps an eye on the matter; and his mind is occupied with it as he looks into and takes care of all the affairs of religion with which he is charged by God.³⁰

The Imam does not fast, and does not break his fast, and does not direct the people concerning this matter unless certain of his command and that which validates it, may the blessings of God be upon him and upon all the Imams, all of whom are the guardians of the affairs of the world and of religion, and of Islam and the Muslims.

WHAT MAKES THE FAST INVALID AND WHAT A MAN HAS TO DO WHEN HIS FAST IS INVALIDATED

'Alī: He said, 'A man came to the Messenger of God in the month of Ramaḍān and said, "Verily, O Messenger of God, I have perished!" The Prophet asked, "What has happened?" The man said, "I indulged in love play with my wife until passion overpowered me and I united with her." The Prophet asked, "Have you a slave to emancipate?" The man replied, "No, I swear by God, I have never possessed a slave." The Prophet said, "In that case, fast for two months." The man said, "By God, I am not strong enough to fast." The Prophet said, "Well, go and feed sixty poor persons." The man replied, "By God, I have not the means to do so." So

³⁰The historian Maqrīzī reports that after conquering Egypt, the Fātimid general Jawhar discarded sighting the moon as a method for determining the beginning of Ramaḍān and introduced a fixed calendar based on astronomical calculation. The exact date when a fixed calendar was introduced is not known. There is, however, some evidence to suggest that it might have been instituted by the Fātimid caliph al-Mu'izz with the adoption of the *Da'a'im* as the official Fātimid code. For details see Poonawala, 'Al-Qāḍī al-Nu'mān and Isma'ili jurisprudence', 118. The Musta'li-Ṭayyibi Ismā'īlīs/Bohras follow this calendar, which is known as 'Miṣrī Calendar'. Other Muslims, including other Shī'a, follow sightings of the new Moon. *Mishkāt*, I, 617–20; Robson, I, 420–2; *Kāfi*, IV, 76–9; Tūsī, *al-Nihāya*, 150–1. For the recent debate in some Muslim countries about fixing the calendar see Maghniya, *al-Fiqh*, 192–4; Jazīrī, *al-Fiqh*, I, 564.

the Prophet ordered that fifteen measures (ṣā')³¹ of dates be given to him and said, "Now go and feed sixty of the destitute and give to each a handful (*mudd*)³² of dates." The man said, "O Messenger of God, by Him who sent you as a Prophet with the truth, there is not a house that is more needy than ours between the two lava plains of Medina." The Prophet said, "Go and eat them, you and your family!"³³

Ja'far b. Muḥammad: He said, 'Whoever eats deliberately [and does not fast] during the day in the month of Ramaḍān should emancipate a slave if he is able to do so [in atonement for it]. If he cannot, he should fast for two months consecutively; and if he cannot do so, he should feed sixty of the destitute. But if he has not the means to do so, he should repent and ask forgiveness of God. Then whenever he has the strength to atone, he should do so. In addition to the atonement, it is incumbent upon him to fast in lieu of the fast he has missed.'³⁴

Abū Ja'far Muḥammad b. 'Alī: [He was asked about] a man who engages in foreplay with his wife during the day while fasting and experiences an emission of semen. [The Imam] said, 'He should keep a fast in lieu thereof and pay the dues in atonement.'³⁵

Ja'far b. Muḥammad: He was questioned about the man who kisses his wife or indulges in love play while fasting during the month of Ramaḍān. He said, 'No [he should not do this]. I fear the consequences for him; forbearance from such behaviour is what pleases me.'³⁶

'Alī: He said, 'If a man were to have sexual intercourse with his wife during the day in the month of Ramaḍān, while she was asleep and not conscious of it, or while she was not of sound mind, a fast in lieu thereof and atonement are both due from him. But neither the fast nor the atonement is due from the wife.'³⁷

[Alī]: He said, 'A man begins his fast in the early morning; then he sleeps before the first³⁸ prayer and finds on waking that he is no longer ritually pure. Then he sleeps again without performing the first prayer,

³¹See n. 149 in Chap. 6.

³²See n. 149 in Chap. 6.

³³Bukhārī and Muslim transmitted this tradition with some variations. *Mishkāt*, I, 625–6; Robson, I, 426–7; *Kaṭī*, IV, 102.

³⁴*Kaṭī*, IV, 102; reported from al-Ṣādiq.

³⁵*Ibid.*, IV, 103; reported on the authority of al-Ṣādiq.

³⁶'Ā'isha said that God's Messenger used to kiss and embrace while he was fasting, but he was the one who had most control over his desire.' Transmitted by Bukhārī and Muslim. *Mishkāt*, I, 625, 626; Robson, I, 426, 427; *Kaṭī*, IV, 104.

³⁷*Cf.* *Kaṭī*, IV, 104; Kulaynī cites a different hypothetical case where a husband either forces or entices his wife into copulation.

³⁸As in MSS C, B, E, and Q; in the text: second.

until there comes the time for the second prayer. In such circumstances, he has to fast for a day in lieu of the fast for that day.'

Ja'far b. Muḥammad: He said, 'If a man sleeps with his wife at night in the month of Ramaḍān, he should purify himself before the break of dawn. But if he sleeps intentionally till the break of dawn while he is still in a state of impurity, he should bathe and ask his Lord for pardon, and he may complete his fast. But, nonetheless, a fast in lieu thereof is due from him. But if his sleep was not intentional, and it overcame him involuntarily until the morning, he should, in such cases, bathe when he rises and complete his fast; and no blame attaches to him.'³⁹

'Alī: Concerning the Word of God *Our Lord! Condemn us not if we forget, or miss the mark* (2:286), he said, 'People will be forgiven what they have eaten forgetfully during the month of Ramaḍān. The Messenger of God did indeed say, "God will pardon my community their faults, forgetful acts, and acts under duress." Thus he who eats forgetfully during the month of Ramaḍān, should go on with his fast and no blame attaches to him, for it is only God who has fed him!'⁴⁰

Ja'far b. Muḥammad: He said, 'When a man who is fasting intentionally induces vomiting, he belittles his fast, and it is incumbent upon him to fast for a day in its place. But if he vomits involuntarily, and is not able to stop it, nor did he induce it, no blame attaches to him.'⁴¹

'Alī, Abū Ja'far [Imam al-Bāqir] and Abū 'Abd Allāh [Imam al-Ṣādiq]: They said, 'If a man were to eat or drink or copulate during the month of Ramaḍān after the break of dawn, not knowing that the dawn had arrived [there are two alternatives]:

(i) If he looks at the horizon for the break of the day before eating and does not in fact see it, but sees it only after he has eaten, he should proceed with the fast, and no harm comes to him.

(ii) But if he eats without looking at the horizon, and then comes to know that he has in fact eaten after break of day, he should complete the fast; but, nevertheless, it is incumbent upon him to fast for another day in its stead.'⁴²

Abū 'Abd Allāh: He said, 'If two people arise and one of them says, "This is the break of dawn," and the other says, "I can see nothing!" [What this] means is that both of them possess knowledge of the break of dawn

³⁹'Ā'isha said that the Messenger of God would be overtaken by the dawn in Ramaḍān when he was in a state of sexual impurity, ... and would wash and fast.' Transmitted by Bukhārī and Muslim. *Mishkāt*, I, 625; Robson, I, 426; *Kaṣf*, IV, 105-6.

⁴⁰*Mishkāt*, I, 625; Robson, I, 426; transmitted by Bukhārī and Muslim. *Kaṣf*, IV, 101.

⁴¹*Mishkāt*, I, 626-7; Robson, I, 427; *Kaṣf*, IV, 108-9.

⁴²*Kaṣf*, IV, 96-7.

and understanding and are endued with keenness of sight. [Concerning such circumstances, the Imam] said, 'the man to whom it was not clear that it was the break of day may continue to eat and drink, until it is clear to him [that the dawn has broken], but he to whom it was clear [that the day had dawned] should refrain from eating and drinking because the Mighty and Glorious says, *Eat and drink until the white thread becometh distinct to you from the black thread of the dawn.* (2:187).⁴³ But where one of them is more learned or is keener in sight than the other, it is incumbent on him who is inferior in knowledge and keenness of sight to follow him.'

Ja'far b. Muḥammad: He said, 'A man sees that the sun has set during the month of Ramaḍān, and he breaks his fast. Then it appears to him that in fact the sun has not set. In such a case no blame attaches to him.' This is because haste in the breaking of the fast is approved and recommended, as we have already mentioned. When a man acts according to a recommended course in a matter that is apparent to him, he does not commit a sin, but is entitled to a reward. One who is fit for a reward is free from sin and need not fast again.⁴⁴

Ja'far b. Muḥammad: He permitted the use of collyrium,⁴⁵ except when the man feels its taste in his throat; similarly, a fresh tooth stick may be used, and there is no harm at all in a dry one.⁴⁶

[Ja'far b. Muḥammad]: He said, 'It is permissible for the man who fasts to chew resin,⁴⁷ taste vinegar or broth or food, or chew [food] for an infant; there is no harm in all of them provided that nothing reaches his throat.⁴⁸ But whatever is done in his mouth, or spittle, or [in the act of] gargling, he should do so with precaution lest it reach the throat. There is no harm in gargling with water; it is only when something passes his throat that he is deemed to have ended his fast.'⁴⁹

⁴³Ibid., IV, 98.

⁴⁴Ibid., IV, 99–100; Kulaynī's position, also on the authority of al-Ṣādiq, is contrary to that of Nu'mān. The Imam was asked about the following [hypothetical situation]: A dark cloud covers the horizon at sunset and the people break their fast thinking that the sun has set. When the cloud clears up the sun appears. The Imam replied, 'They have to fast again, because God says, *then strictly observe the fast till nightfall* (2:187). One who eats before nightfall has indeed eaten intentionally, hence it is incumbent upon him to fast for another day in its stead.'

⁴⁵Mishkāt, I, 627; Robson, I, 428; Kaft, IV, 112.

⁴⁶Mishkāt, I, 627; Robson, I, 427; Kaft, IV, 112–13.

⁴⁷Kaft, IV, 114–15; it is prohibited on the same authority.

⁴⁸Ibid., those things are permitted for a nursing mother and a cook, but not for everyone.

⁴⁹Mishkāt, I, 629; Robson, I, 429; Bukhārī prohibits chewing gum. Ṭūsī, *al-Nihāya*, 153–7.

[Ja'far b. Muḥammad]: He was asked about whether the man who fasts can be cupped, and he said, 'I disapprove of this for him, lest he fall unconscious, or lest gall be scattered and he vomits. But if he does not apprehend such consequences, there is no harm in cupping if he so wishes.'⁵⁰

[Ja'far b. Muḥammad]: He did not approve that the person fasting should smell perfume or aromatic herbs,⁵¹ or dive into water,⁵² for fear that something might reach his throat. [Such things should be avoided] out of respect for the fast and to keep it unblemished from such things. The reward of fasting is due to [the pangs of] hunger, thirst, self-abasement, and willing acceptance [of such hardships] and eschewing sensuous pleasures. Whoever acts thus, provided nothing reaches his throat, has done no wrong, but it is better to avoid such actions.

'Alī: He prohibited the person who fasts from taking a clyster (enema) and said, 'If a man takes a syringe, he breaks his fast.'⁵³

Ja'far b. Muḥammad: He was questioned regarding a man who dribbles oil in his ear while fasting. He said, 'There is no harm in it so long as it does not reach the throat.'⁵⁴

He also said that if a fly enters the throat all of a sudden, and the man is unable to extract it, there is no harm.⁵⁵

[The Imam] was asked about water that reaches the throat of the man who is gargling in performing the ablution. He said, 'If the man was performing ablution for a mandatory prayer, no harm is done; but if it was for some other prayers, he has to fast a day in its place.'⁵⁶

FASTING DURING TRAVEL

God says, *O ye who believe! Fasting is prescribed for you, even as it was prescribed for those before you ... and whosoever of you is sick or on a journey, (let him fast the same) number of other days (2:183-5)*. Thus the Mighty and Glorious has made it obligatory for the man who is travelling during

⁵⁰The Prophet had himself cupped while he was wearing the *Ihrām* and also when he was fasting.' Transmitted by Bukhārī and Muslim. But the other tradition, like the one reported here by Nu'mān, expresses the danger of breaking the fast, hence it is prohibited. *Mishkāt*, I, 625, 627-8, 629; Robson, I, 426, 428, 429; *Kaṣf*, IV, 109-10.

⁵¹*Kaṣf*, IV, 113-14; the traditions cited by Kulaynī are contradictory.

⁵²*Ibid.*, IV, 106-7. According to Kulaynī, it is permissible to bathe in a pool but diving is prohibited.

⁵³*Ibid.*, IV, 111.

⁵⁴*Ibid.*, IV, 110-11; reported on the same authority.

⁵⁵*Ibid.*, IV, 116.

⁵⁶*Ibid.*, IV, 108; reported on the same authority.

the month of Ramaḍān not to fast during the month, but on an equal number of other days. God did not make it obligatory for the traveller to fast [during Ramaḍān]. According to this dictum the man who fasts during his travels [in Ramaḍān] has fasted at a time when he was not obliged to do so. Thus it is obligatory for him to fast on an equal number of other days, as God has laid down.⁵⁷

Ja'far b. Muḥammad—his father—his ancestors: Once the Messenger of God travelled with his Companions in the month of Ramaḍān. He broke the fast and asked everyone who was with him to break his fast. A group amongst them did not do so, and he named them 'The Disobedient Ones'. This was because he issued a command to them, and they disobeyed it; thus they acted against God the Mighty and Glorious and His Messenger.⁵⁸ The Prophet ordered them to break the fast, and he himself did so to instruct them as to its reason and to demonstrate that their fasting while travelling did not fulfil their obligation according to the letter of the Book of God.

Now if a traveller fasts in the month of Ramaḍān, without deeming it obligatory for himself there is no harm if he fasts an equal number of days when he is in a settled habitation. Such a man in reality is exactly like the one who refrains from food and drink without observing a fast.

'Alī: He said, 'The Messenger of God fasted during the month of Ramaḍān while travelling, and he also refrained from fasting in his travels.' And ['Alī] said, 'It is incumbent upon him who fasts while travelling, that is during the month of Ramaḍān, to repeat his fasts [for an equal

⁵⁷Some of the traditions transmitted by Bukhārī and Muslim state: 'Fast if you like, or break your fast if you like when you are on a journey.' *Mishkāt*, I, 630–2; Robson, I, 430–1. While commenting on verse 2:185, Ṭabarī also discusses various views that suggest the prevailing differences of opinion among the jurists. He then approves the opinion of those who maintain that a person on a journey can fast, if he so decides, and that he is not obliged to fast on an equal number of other days because he has already fulfilled his obligation. On the other hand, if he decides not to fast, he is justified in so doing because God has permitted him. To corroborate his statement Ṭabarī gives the following report in which a man asks a jurist, 'I travel in Ramaḍān when it happens to be winter. If I fast now it is easier for me than to fast on an equal number of other days in summer. [Am I justified in fasting and fulfilling my obligation?]' The jurist answers, 'God says, *Allah desireth for you ease; He desireth not hardship for you* (2:185). Do whichever is easier for you.' Ṭabarī, *Tafstr*, III, 464–74. Kulayni's position is the same as that of Nu'mān. He reports a tradition giving an apt answer to the man as reported in Ṭabarī's afocited report, 'Does it please you that when someone gives something in charity [referring to God's permission not to fast], the charity be turned down?' *Kaṣf*, IV, 129.

⁵⁸*Mishkāt*, I, 632; Robson, I, 431; transmitted by Muslim. The Prophet was going to Mecca during Ramaḍān in the year of the Conquest. See also *Kaṣf*, IV, 130.

number of days] when he arrives at a settled habitation. For God verily says, *(the same) number of other days*' (2:183–5).

Ja'far b. Muḥammad: He expressed his disapproval of a man who, being in a settled habitation, sees the new moon of Ramaḍān and travels during that month. This rule excludes a person for whom there is no other alternative. There is no harm if a man who is travelling were to return home during that month.

Ja'far b. Muḥammad: He said, 'The shortest distance that legalizes the curtailment of prayers and the avoidance of fasting is 2 *barīds* [about 48 km].⁵⁹ However, if [a man] travels the distance of a *barīd*, [so that] going and returning [would be 2 *barīds*], he may curtail his prayers and give up fasting.'

[Ja'far b. Muḥammad]: He said, 'If a man were to commence his travels before noon in Ramaḍān, he has to fast in lieu of the day; but if he starts in the afternoon, he has completed his fast, and he need not fast another day.⁶⁰

'Where a man returns home to his people from his travels in the forenoon, and has not broken his fast for the day, his fast is nevertheless deemed to be complete, if he had thought about it at night, and resolved to fast. There is no need for him to fast for an extra day.⁶¹ But if he arrives in the afternoon, and had not resolved to fast, he has to fast for one day in its stead.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'If a man arrives at a place, intending to stay there, before the break of dawn during the month of Ramaḍān, it is incumbent upon him to fast on that day.

Ja'far b. Muḥammad: He said, 'The duration of a halt during travels is ten days. If a man halts in his travels at a place with the intention of staying there for ten days during Ramaḍān, he should fast.⁶² But if he has no such intention, and makes a brief stay, saying, "I shall start today or tomorrow," he need not fast for a period extending up to one month. This period will be counted as days of fasting, and it will be incumbent upon him to fast for those days, whether he has in fact fasted or not, because he will be deemed to be in the same position as a traveller.

'This rule applies to one who is determined to travel, and his stay happens to be at a place where there are no relatives of his. But if he makes a halt at a place where he has relatives, he is then deemed to be a

⁵⁹ See n. 360 in Chap. 4.

⁶⁰ *Kāfi*, IV, 134.

⁶¹ *Ibid.*, IV, 135; according to Kulaynī the man has the choice either to fast or not to fast. The traditions are reported on the authority of al-Bāqir and al-Ṣādiq.

⁶² *Ibid.*, IV, 136.

resident. [It is then incumbent upon him to fast] and he does not need to fast on other days, for the days of his halt until his departure.'

BREAKING THE FAST BECAUSE OF ILLNESS⁶³

Says God the Mighty and Glorious, *O ye who believe! Fasting is prescribed for you, even as it was prescribed for those before you and whosoever of you is sick, or on a journey, (let him fast the same) number of other days* (2:183-5). The plain and literal meaning of the verse, as we have already mentioned in the previous section, is that it is not compulsory for the sick person to fast during the month of Ramaḍān; but it is obligatory for him to fast on *(the same) number of other days* when he recovers and is able to fast, as God the Mighty and Glorious says.

Ja'far b. Muḥammad: He said, 'The extent of illness which makes it necessary for a person to break his fast is laid down in the same manner as in the case of a man who is travelling, by reason of the Word of God *Whosoever among you is sick, or on a journey, (let him fast the same) number of other days* (2:183-5). [This means] that the sick person is unable to fast. Or else, he fears that although he is capable of fasting, it may increase his illness and he fears [the consequences] for himself. This is a matter confided personally to him, for which he is entirely responsible; so, if he feels that he is weak, he need not fast; on the other hand, if he feels strong enough, he may fast, whatever the nature of the illness.⁶⁴ When a sick man recovers from his illness and is able to fast, he may do so for God says *(the same) number of other days*, which are to be reckoned precisely and to be equal to the number of days when he was ill and unable to fast.' Thus he may not fast or abstain from eating [during Ramaḍān] as we have mentioned in the section on travelling.

If, however, his illness is long standing and incurable, improving sometimes, and sometimes not, and continues till the end of Ramaḍān (lit., when the second moon of Ramaḍān is visible), the man should feed one destitute person half a *ṣā'* of food for every day of the month that he was unable to fast.

This tradition has also been handed down to us from 'Alī.

'Alī: He said, 'When God made fasting obligatory during the month of Ramaḍān and revealed the following: *And for those who can afford it there is a ransom: the feeding of a man in need* (2:184), there came a man to the Messenger of God, a very old man, leaning on two men, and he said,

⁶³ For details see Tūṣī, *al-Nihāya*, 157-9.

⁶⁴ *Kāfi*, IV, 119-20.

"This is a month wherein it is obligatory [to fast], O Messenger of God, but I am not strong enough to do so." The Prophet said, "Go and eat! And feed [poor persons] with half a *ṣā'* of food, everyday. Fast for a day or two, whenever possible. But [in any case] fast when it is possible for you."⁶⁵

"There came a woman to him who said, "O Messenger of God! I am pregnant, and this month of Ramaḍān is prescribed [for fasting]; if I fast, I fear for that which is in my womb." The Prophet said, "Depart and eat, and fast when you can."⁶⁶

"There came a nursing mother to the Messenger of God and she said, "O Messenger of God! This is the month prescribed [for fasting]. If I fast, I fear that my milk may stop and my child may die." So he said, "Depart and eat and when you have the strength, fast."⁶⁷

"There came a man to the Messenger of God suffering from thirst, and he said, "O Messenger of God! This is the prescribed month [for fasting]; but I cannot stay away from water even for a single hour, lest I perish." The Prophet said, "Go and break your fast; but fast whenever you can."

Now the very old man in this situation is in the same position as a sick man suffering from a long-standing disease, recovery from which is not to be hoped for so that he may fast in lieu of the days missed, and therefore he should feed [the poor in expiation]. The same is the rule for the old woman who is unable to fast. The pregnant woman and the nursing mother are deemed similar to the sick person who fears for himself. Both of them should refrain from fasting; but [nevertheless] they should fast on other days [as prescribed] when they are able to do so. The person with thirst is also in the position of a sick man.

'Alī: He said, 'When a man falls ill in the month of Ramaḍān and does not recover before dying, [it means that death] intervened between him and the fulfilment of [his duty to] fast in lieu of the days missed [and thus nothing is due from him]. If, however, a man falls ill [during Ramaḍān] and recovers, but is unable to fast [in expiation] until he dies, it is proper⁶⁸—and indeed, highly desirable (*yustahabb*)—for his heir (*walīy*, close relative, or legal guardian) to fast in expiation for the deceased.'⁶⁹

Ja'far b. Muḥammad: He said, '[In such cases] the nearest of kin among

⁶⁵Ibid., IV, 116–17.

⁶⁶Ibid., IV, 118.

⁶⁷Ibid., IV, 118.

⁶⁸The Arabic is *yanbaghi*, followed by *yustahabb*. It means that it is not obligatory, but preferable from the point of view of jurisprudence.

⁶⁹*Mishkāt*, I, 633, 634; Robson, I, 432; another tradition states that the poor could be fed in expiation. *Kaṭī*, IV, 125.

his male legal heirs may observe the fast in atonement for him. A woman is not entitled to fast [in atonement] for a man.⁷⁰

[Ja'far b. Muḥammad]: He said, 'The man who was ill during Ramaḍān, or was travelling, should fast the same number of days to make expiation for those that were lost by reason of illness or travel. Such fasts should be observed either on consecutive days or intermittently. God says (*the same*) *number of other days* (2:184); therefore, when he has fasted the exact number of days that he missed during Ramaḍān, then he has fulfilled his obligation.'

'Alī: He did not approve that [fasts in atonement for] days lost during Ramaḍān should be observed during Dhu 'l-Hijja and said, 'It is a month of devotion [and sacrifice after the pilgrimage].'

BREAKING THE FAST

Says God the Mighty and Glorious, *Then strictly observe the fast till nightfall* (2:187).

The members of the Prophet's Household (by a consensus of those from whom we reported): The beginning of nightfall, which permits the man who is fasting to break the fast, is the disappearance of the disc of the sun below the western horizon, without the intervention of a hill or barrier or the like [intercepting it from our sight]. When the disc disappears below the western horizon, night commences, and it is permissible to break the fast [by eating and drinking].⁷¹

'Alī: He said, 'To break the fast early and to be late for the *saḥūr* is a *sunna* of the Prophet. [It is also a *sunna*] to begin the *maghrib* prayer before breaking the fast, except when food is ready [and available], in which case [it is better] to begin the meal and pray later. [It is not desirable] to leave the food and stand up for prayer.'⁷²

'Alī reported that once, when Bilāl had already given the call to prayer, the Messenger of God was presented with a roasted shoulder [of a slaughtered animal]; so [the Prophet] asked Bilāl to wait a few moments [before saying the *iqāma*] until he had eaten and ['Alī and his Companions] had eaten with him. Then the Prophet called for milk, which he drank and ['Alī and his Companions] drank. Then he ordered Bilāl to say the *iqāma* and the Prophet prayed and ['Alī and his Companions] prayed with him.

⁷⁰Kaṭī, IV, 125.

⁷¹Ibid., IV, 100.

⁷²Ibid., IV, 101; 'If other people are waiting for their dinner, the person who is fasting should eat first with them then pray.'

['Alī]: He said, 'Whenever the Messenger of God had eaten after completing his fast (*iftār*), he used to say:

O God, it is for Thee that we have fasted; it is from Thy provender that we have eaten; and so accept the fast from us. Quenched is our thirst, and filled are our arteries, and the reward is awaited, if God wills.⁷³

['Alī]: He said, 'When you see the new moon, or two credible witnesses have sighted it during the day, then do not eat till the sun sets, whether [the crescent is seen] in the early part of the day or later.' He [also] said, 'Do not eat [but observe the fast] until thirty days have been completed since your sighting of the crescent moon, or the testimony of two witnesses who have sighted it.'⁷⁴

LAYLAT AL-QADR⁷⁵

Says God, *Lo! We revealed it on the Night of Power (97:1) (to the end of the sūra). And He said, Hā. Mīm. By the Scripture that maketh plain. Lo! We revealed it on a blessed night—Lo! We are ever warning—Whereon every wise command is made clear as a command from Our presence—Lo! We are ever sending (44:1–5).*

Muḥammad b. 'Alī: Concerning the Qur'ānic verse *The angels and the Spirit descend therein (97:4)*, he said, 'On this night angels and recording angels (*kataba*, pl. of *kātib*) lit. 'scribes') descend upon lower heaven (the sky of the world) and inscribe what is going to happen to [His] servants. The Command is His prerogative, and it is He who wills it; hence He puts forward what He wills and puts back what He wills. *He erases what He wills and establishes what He wills. And with Him is the Mother of the Book*'⁷⁶ (13:39).

'Alī: He said, 'Seek from God [the ability to undertake] the pilgrimage [to the Ka'ba] on the 17th, 19th, 21st, and the 23rd of the month of Ramaḍān. For surely the honoured delegates [from among those deserving to appear before the Lord] are selected on the Night of Power

⁷³Ibid., IV, 95; reported on the authority of al-Bāqir.

⁷⁴*Mishkāt*, I, 617; Robson, I, 420; *Kāfi*, IV, 76; only the testimony of two just and upright witnesses is accepted. Women's testimony is not accepted.

⁷⁵There seems to be no agreement about the exact date of *laylat al-qadr* (the Night of Power or the Night of Decision), except that it is among the last ten in Ramaḍān. See *Mishkāt*, I, 646–8; Robson, I, 441–3; *Kāfi*, IV, 159–62; Kulaynī seems to prefer either the 21st or the 23rd. The Musta'li-Ṭayyibī community of Ismā'īlīs celebrate it on the 23rd night of Ramaḍān, while the rest of the Muslims celebrate it on the 27th night.

⁷⁶*Kāfi*, IV, 160.

each year.⁷⁷ As God says, *Whereon every wise command is made clear* (44:4).

Abū Ja'far Muḥammad b. 'Alī: He said, 'The sign of the Night of Power is that the wind blows: if it is cold, the wind makes it warm; if it is warm, the wind makes it cold.'⁷⁸

[Abū Ja'far Muḥammad b. 'Alī]—his ancestors: The Messenger of God forbade the people to neglect the 21st and 23rd nights of Ramaḍān. He [forbade] anyone to sleep during those nights.

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'The man who encounters the Night of Power and prays throughout will be forgiven by God for those sins committed earlier as well as those to be committed later.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'A man of the tribe of Juhayna⁷⁹ came to the Messenger of God and said, "O Messenger of God! I am the owner of camels and sheep and slaves. I would love to be directed by you as to a night in the month of Ramaḍān wherein I would devote myself to prayer." So the Messenger of God called him near and whispered in his ear. Now, when it was the night of the 23rd of Ramaḍān the Juhaynī came with his family and sons, his slaves, camels, and his sheep and stayed that night at Medina. The next morning he returned to his native place with those with whom he had come.'

[Abū Ja'far Muḥammad b. 'Alī]: He was asked about [the date of] the Night of Power and he said, 'It is in the last ten nights of Ramaḍān.'

'Alī: He said, 'The Messenger of God was questioned about [the exact date of] the Night of Power and he said, "Seek it in the last ten nights of Ramaḍān. I was shown it [in a dream] but later I have been caused to forget it. I do remember that I found myself praying in mud and water that night." Thereafter when it was the 23rd night, it rained heavily. [The roof of] the mosque leaked, and the Messenger of God prayed with us while the tip of his nose was, verily, in the mud!'⁸⁰

'Alī: He said, 'Seek the Night of Power in the last ten [nights of Ramaḍān]. The *mashā'ir*⁸¹ are seven. The skies are seven; and the lands,

⁷⁷See n. 6 in this chapter for the honoured delegates.

⁷⁸*Kaḥf*, IV, 160; instead of 'wind blows' it has 'wind would be pleasant.'

⁷⁹For Juhayna see n. 150 in Chap. 4.

⁸⁰Both Bukhārī and Muslim agree on the subject matter of this *ḥadīth* with slight variations. In one version of the above tradition reported by Bukhārī and Muslim it is stated that it was the night of the 21st, while in another version reported by Muslim it is stated that it was the night of the 23rd. Bukhārī, *Ṣaḥīḥ*, I, 343–4; Muslim, *Ṣaḥīḥ*, III, 171–3; *Mishkāt*, I, 646–7; Robson, I, 441.

⁸¹Also called *mashā'ir Allāh* or *sha'a'ir Allāh* or *mashā'ir al-Hajj*. They are the places of the performance of religious rites and ceremonies of the pilgrimage mentioned in the Qur'ān, such as the halting at Mount 'Arafa, the tripping to and fro between al-Ṣafā'

seven; the cows, seven; and there are seven green ears of corn;⁸² and man prostrates himself on seven [limbs of the body].⁸³

[‘Alī]: He said, ‘The Messenger of God used to fold up his bedding and tighten his waistband during the last ten nights of Ramaḍān.⁸⁴ He used to wake his family on the night of the 23rd and sprinkle water on the faces of those that slept. [The Lady] Fāṭima⁸⁵ would never allow any one of her family to sleep during that night. She used to give them little food [during the *iftār*] and would prepare for the night throughout the day. She used to say, “Luckless is the man who has been denied the blessings of this night!”’

Abū Ja‘far Muḥammad b. ‘Alī: He said, ‘The 17th night of Ramaḍān is the night wherein the two groups encountered one another.⁸⁶ On the 19th night the honoured guests [who deserve to appear before the Lord] are determined.⁸⁷ On the 21st night, the Vicegerents (*awṣiyā’* pl. of *waṣī*)⁸⁸ of the Prophets died. On that night Jesus was made to ascend [to heaven by God];⁸⁹ in it died Moses. It is on the 23rd night that the Night of Power is to be hoped for.’

and al-Marwa, and the sacrificing of animals. *Majma‘ al-baḥrayn*, s.v. sh-‘-r; Lane, s.v. sh-‘-r.

⁸²Refers to the dream of the Pharaoh wherein he saw seven fat cows devoured by seven lean ones, and seven green ears of corn and seven other withered ears. Qur’ān 12:43.

⁸³Nu‘mān does not explain this tradition in his *Ta’wīl al-da‘a’im*. The seven limbs on which man prostrates are probably: feet, hands, knees, and head. Ismā‘īlī *ta’wīl* usually relies on the mystical significance of letters and numbers, especially the number seven. Because of this they are often called ‘The Seveners’. For the significance of the number seven see *Kitāb al-rushd wa ‘l-hidāya* ascribed to Maṣṣūr al-Yaman; English translation Ivanow in, *Studies in Early Persian Ismailism*. All these references to the number seven may indicate that the Night of Power is the 27th night of Ramaḍān.

⁸⁴‘When the last ten nights began God’s Messenger tightened his waistband (i.e. prepared himself for religious exercises), stayed awake at night, and wakened his family.’ Transmitted by Bukhārī and Muslim. *Mishkāt*, I, 647; Robson, I, 442.

⁸⁵For Fāṭima see note 101 in Chap. 5.

⁸⁶Probably refers to the battle of Badr, which, according to some sources, took place on the morning of 17 Ramaḍān 2/624. Ṭabarī, *History of al-Ṭabarī*, VII, 27. Kaft, IV, 161. Kulaynī gives a different interpretation of ‘two groups meeting one another’, and states that it deals with the doctrine of *badā’*, i.e., the emergence of new circumstances which cause a change in an earlier divine ruling. For more details about this doctrine see EI², s.v. *Badā’*; Madelung, ‘Shiite and Khārijite Contribution’, 123. Another tradition on the authority of al-Ṣādiq states, ‘Allotment of destinies takes place on the 19th night, [its] confirmation on the 21st night, and [its] execution on the 23rd night.’

⁸⁷See n. 6 and 77 in this chapter.

⁸⁸For *waṣī* see n. 63 in Chap. 2.

⁸⁹‘Alī also died on the night of the 21st of Ramaḍān. *Sharḥ al-akhbār*, II, 435.

[VOLUNTARY] FASTS ACCORDING TO THE PROPHETIC PRACTICE AND THE SUPEREROGATORY FASTS

We mentioned in the Book of Prayer (Chap. 4) what had been handed down from the Imams concerning the *sunna* prayers [i.e. those based on the practice of the Prophet], that they were twice [the number of] the mandatory ones. The same is the case with fasting. There is one that is mandatory, and that is in the month of Ramaḍān, which is prescribed for fasting; and there is the *sunna* that was observed [by the Prophet], and it is not desirable to abstain from it. The Messenger of God and the members of his Household held themselves bound to observe that practice, and similarly the Shī'a also hold themselves bound to observe the prophetic practice. [The fasts according to] the *sunna* are twice the mandatory ones [in number]. Some of the fasts are supererogatory; they are voluntary, as we have already mentioned in the Book of Prayers. He who wishes to observe them [out of devotion] may observe as many of them as he thinks fit.

Ja'far b. Muḥammad: He said, 'The fasts that are obligatory each year are the ones during a certain month, which recurs every year—the month of Ramaḍān.

'Among the fasts are those established according to the Prophetic practice. Their number is twice that of the mandatory ones. [These are] three days in every month,⁹⁰ one day in each period of ten days [two Thursdays and]⁹¹ a Wednesday that falls between them. [They are: The first Thursday of the month], the Wednesday closest to the middle of the month, and the last Thursday of the month.

'Fasts should be observed in Sha'bān as well;⁹² therefore [the fasts according to the *sunna*] would be twice the number of those that are prescribed: Three days every month for ten months, making a total of thirty days; and the month of Sha'bān [thirty days]; thus the grand total is two months [and therefore twice the number of days in Ramaḍān].'

[Ja'far b. Muḥammad]—his ancestors—the Messenger of God: He

⁹⁰Mishkāt, I, 637; Robson, I, 435.

⁹¹The text of the *Da'a'im* is extremely confusing and corrupt. With the help of *Kāfi*, IV, 89, 90, 91, 93, we have rendered it clearer and readable. Probably the present text of the *Da'a'im*: *arab'ā'u bayna khamisayn* is corrupted from *khamisayni baynahumā arba'a'u*. The text reads as follows: '[The first Thursday of the month], Wednesday falling between two Thursdays, that is to say the first Thursday occurs in the first part of the month, and its Wednesday would follow near the middle of the month; then on the Thursday during the last portion of the month, and there is no Thursday following it [i.e. the last Thursday of the month].'

⁹²In his *al-Nihāya*, 168–70, Ṭūsī has given a detailed list of those supererogatory fasts.

said, 'He who observes a fast for three days in each month is like one who fasts forever! For God says, *Whosoever bringeth a good deed will receive tenfold the like thereof* (6:160).'⁹³

'Alī, Abū Ja'far [al-Bāqir] and Abū 'Abd Allāh [al-Ṣādiq]: An identical report.

[The Imams]—the Messenger of God: He said, 'Sha'bān is my month,⁹⁴ while Ramaḍān is the month of God.' This [is a statement made merely] out of reverence, for the Messenger of God used to fast during Sha'bān. But in reality all the months belong to God.

'Alī said, 'The Messenger of God was in the habit of fasting during Sha'bān and Ramaḍān consecutively and used to say, "Both of them belong to God [and fasting during] the two months expiates the sins committed both before and after them."⁹⁵

Ja'far b. Muḥammad: He said, 'I swear by God that observing the fast during Sha'bān and the month of Ramaḍān constitutes a penance from God.' And then he recited, *[He] must fast two consecutive months. A penance from God* (4:92).⁹⁶

The Messenger of God: He used to observe more fasts in the month of Sha'bān than in any other month. In fact he used to fast many a day in several months voluntarily. He used to fast so much that it was said that he would never break his fast, and he used to go without fasting to such an extent that it was said that he would never fast.⁹⁷ Often he would fast every other day. He used to say, 'This manner of fasting is most trying; it is the fast of David.'⁹⁸ Frequently the Messenger of God used to fast on

⁹³Pickthall 6:161. *Kāfi*, IV, 93.

⁹⁴*Kāfi*, IV, 90. This tradition, ascribed to the Prophet, is widely current and usually coupled with his statement about the status of Rajab and Ramaḍān. The Prophet is said to have recommended the devotional practice of fasting, prayer, vigil, and supplication during the month of Sha'bān, especially on the night of the 15th. For details see Kister, 'Sha'bān is my month ...'

⁹⁵*Kāfi*, IV, 92.

⁹⁶It will be observed that the interpretation of this quotation from the Qur'ān is in total variance with its original context. Fasting for two consecutive months as penance from God is prescribed for manslaughter when a believer kills a believer by mistake but does not have the wherewithal for blood money and freeing a believing captive. *Kāfi*, IV, 92; also reported from al-Ṣādiq. Two traditions are without the Qur'ānic quote and the third is with the quote.

⁹⁷*Mishkāt*, I, 635; Robson, I, 433; transmitted by Bukhārī and Muslim. See also *Kāfi*, IV, 89, 90; according to one tradition this was the Prophet's practice at the beginning of his mission.

⁹⁸The Biblical David is mentioned several times in the Qur'ān. The *ḥadīth* literature stresses David's zeal in prayer, and especially in fasting. *El*², s.v. Dāwūd. See also *Mishkāt*, I, 637; Robson, I, 434.

the *ayyām al-bīd*,⁹⁹ that is the 13th, 14th, and 15th of each month. On occasion he would fast for three months in succession: Rajab, Sha'bān, and Ramaḍān.

Ja'far b. Muḥammad: He said, 'As for the month of Rajab, the fire of Hell will be far removed for one year from him who fasts therein. If he has fasted [during Rajab] for two years, the fire will be removed for two years. When a person continues it for seven years [during Rajab], the gates of seven Hells shall be locked unto him. If he were to fast for eight years [during Rajab], the eight gates of Paradise will be opened unto him. If a man were to fast for ten years [during Rajab], it will be said to him, "Begin again; the more you fast, the greater the reward [from God]!"'¹⁰⁰

[Ja'far b. Muḥammad]: He said, 'The Ark of Noah came to rest on the day of 'Āshūrā'¹⁰¹ on the mount Jūdī,¹⁰² and Noah directed those with him to fast, both men and *jinn*.¹⁰³ That was the day when God accepted the penitence of Adam; and that shall be the day when our Qā'im,¹⁰⁴ i.e. the Qā'im of the People of the House, will rise.'

⁹⁹ *Ayyām al-bīd* for *ayyām layālī al-bīd* (the days of the white nights); they are so called because they are lighted by the moon throughout. Lane, s.v. b-y-ḍ. They are also called *al-ayyām al-ghurr* or *al-layālī al-ghurr*. *Lisān al-'Arab*, s.v. gh-r-r. See also *Mishkāṭ*, I, 641; Robson, I, 438; *Kāfi*, IV, 90.

¹⁰⁰ For the importance of the holy month of Rajab, see Kister, 'Rajab is the month of God'.

¹⁰¹ 'A voluntary fast is observed on the 10th of Muḥarram.' *Mishkāṭ*, I, 636, 640-1; Robson, I, 433, 437-8; transmitted by Bukhārī and Muslim. For details on the 'Āshūrā' before the fasts in Ramaḍān were prescribed see EI², s.v. 'Āshūrā'. It is also the anniversary of Karbalā' on which Imam al-Ḥusayn b. 'Alī fell fighting against Yazīd b. Mu'āwiya and therefore a great day of mourning for the Shī'a. *Kāfi*, IV, 149; 'Fasting on this day is prohibited.' Ṭūsī, *al-Nihāya*, 169; 'Fasting on this day is voluntary.' On this day the Bohras voluntarily abstain from food and drink until sunset without observing the formalities of a fast.

¹⁰² Jūdī owes its fame to the Mesopotamian tradition, which identifies it with the mountain on which Noah's ark rested. The ancient Jewish-Babylonian tradition was adopted by the Christians and the Arabs. The mount Jūdī is mentioned in the Qur'an 11:44. The transference of the name Jūdī from Mesopotamia to Arabia by the Arabs must have taken place fairly early. For details see EI², s.v. Djūdī.

¹⁰³ Mankind and angels were created of clay and light respectively, while *jinn*, another species, intelligent, imperceptible to our senses, capable of appearing under different forms, and of carrying out heavy labours, were created of smokeless fire. For details see EI², s.v. Djinn.

¹⁰⁴ In Shī'ī terminology 'Qā'im Āl Muḥammad' means the Mahdī. In Ismā'īlī doctrine the Qā'im is a redeemer figure, who reveals the real gnosis. For details see Halm, *Kosmologie und Heilslehre der frühen Ismā'īliya*; Hodgson, *Order of Assassins*, 153-9; EI², s.v. Qā'im Āl Muḥammad; *Majma' al-baḥrayn*, s.v. q-w-m.

'Alī: He said, 'He, who observes a fast on the Day of 'Arafa, anticipating a reward in the hereafter from God, is like him who fasts forever.'

Abū Ja'far Muḥammad b. 'Alī: He was asked concerning the fast on the Day of 'Arafa and he said something like what we have mentioned. However, he added that if the pilgrim observing the fast is afraid that it will interfere with orisons and pleading and standing up [for prayer] at 'Arafa, he should not fast on that day.¹⁰⁵ For, behold, it is the day of prayer and pleading.

'Alī: He said, 'He who fasts on Friday anticipating a reward in the hereafter from God is like one who has fasted for all the days between two Fridays. Friday, however, should not be specially selected for fasting unless another day is added to it, either before or after. This is because the Messenger of God prohibited that Friday, as distinguished from other days, be especially selected for observing the fast.'¹⁰⁶

'Alī: He said, 'The supererogatory fasts shall not be accepted from anyone unless he has completed the obligatory fasts.'

Ja'far b. Muḥammad: He was asked whether a man who fasts for some days in lieu of the fasts he has not observed during Ramaḍān may undertake supererogatory fasts, and the Imam said, 'No, not until he has fulfilled his prescribed obligation. Thereafter he may fast voluntarily as many fasts as he wishes.'

'Alī: A man complained to him that his wife had increased the number of her fasts and had denied herself to him. 'Alī said, 'Her fasting is not valid unless she obtains your permission for it, except, of course, for the mandatory fasts.'¹⁰⁷

['Alī]: The Messenger of God said, 'If a man who is observing the fast is invited by his brother [in faith] to a meal that the latter has burdened himself with preparing, no harm comes to him if he breaks his fast and eats with him, provided that his fast is not an obligatory one; or is in expiation of a vow, or the sun has declined in the afternoon.'

Ja'far b. Muḥammad: He said, 'A man rises in the morning and has no intention to fast; then it occurs to him that he should observe a fast voluntarily. Now the option to fast extends only till the sun begins to

¹⁰⁵One tradition states that fasting on the day of 'Arafa at 'Arafa is prohibited, while another tradition states that fasting on the day of 'Arafa may atone for the sins of the preceding and the coming year. *Mishkāṭ*, I, 636, 637, 640; Robson, I, 434, 437. See also *Kāfi*, IV, 148; fasting is prohibited on the authority of al-Bāqir and al-Šādiq. Ṭūsī, *al-Nihāya*, 169; fasting is voluntary.

¹⁰⁶*Mishkāṭ*, I, 638; Robson, I, 435; transmitted by Bukhārī and Muslim.

¹⁰⁷*Kāfi*, IV, 154; Ṭūsī, *al-Nihāya*, 169-70.

decline [thereafter he cannot fast].’ [The Imam] said, ‘The same is the rule for a man who observes the fast in the morning voluntarily: he has the option to terminate it until noon [but thereafter he has no such option and has to complete it].’

[Ja’far b. Muḥammad]: He said, ‘No fast shall be observed on the Festival of Breaking the Fast (*‘īd al-fiṭr*), or the Festival of Sacrifice (*‘īd al-adḥā*)¹⁰⁸ and the three days after it, and these are the Days of *Tashrīq*.¹⁰⁹ For verily the Messenger of God said, “These [the Days of *Tashrīq*] are the days of eating and drinking and playing together for a man and his wife.”¹¹⁰

[Ja’far b. Muḥammad]—the Messenger of God: He did not approve [the practice] of fasting continuously, or that fasts be observed uninterruptedly (*wiṣāl*), that is to continue fasting two or more days without eating and drinking during the night.¹¹¹

I’TIKĀF

God says, *And touch them [women] not, but be at your devotions*¹¹² in the mosques (2:187). By ‘them’, God means wives; and *‘āḳif* signifies ‘one who is staying’; and *‘i’ūḳāf* in mosques’ means to stay in mosques; and the *mu’takif* is a person who restricts himself to the mosque and does not emerge from it by day or by night, confining himself to prayer and the remembrance of God.

Ja’far b. Muḥammad—his father—his ancestors: The Messenger of God said ‘[The merit of] secluding oneself in prayer for the last ten days of Ramaḍān is equivalent to the performance of two pilgrimages and two *‘umras*.’

[Ja’far b. Muḥammad]: The Messenger of God stood praying throughout

¹⁰⁸ *Mishkāṭ*, I, 637; Robson, I, 435; transmitted by Bukhārī and Muslim.

¹⁰⁹ See n. 277 in Chap. 4 for the Days of *Tashrīq*.

¹¹⁰ A tradition transmitted by Muslim states, ‘The Days of *Tashrīq* are days of eating, drinking, and remembrance of God.’ *Mishkāṭ*, I, 637; Robson, I, 435. See also *Kāfi*, IV, 151.

¹¹¹ A tradition transmitted by Bukhārī and Muslim states, ‘Fast and break your fast, get up for prayer and sleep, for you have a duty to your body, your eye, your wife, and your visitors. He who observes a perpetual fast has not fasted.’ *Mishkāṭ*, I, 638; Robson, I, 436. See also *Kāfi*, IV, 92; both the *iftār* and *saḥūr* are emphasized. The expression *min* shows that what is intended is that the *iftār* is not to be undertaken ritually from the night; but should be a meal soon after the *maghrib*. A fast for twenty-four hours as the Jews observed is not to be copied by the faithful. The *saḥūr* must also be taken. For details see Ibn Rushd, *Bidāya*, I, 273 ff.

¹¹² *‘Āḳifūna fi ‘l masājīd*. *‘Ukūfūm fi makān*^m signifies clinging to a place.

the first of the last ten nights of Ramaḍān [21st of Ramaḍān]; he praised God and extolled Him and said,

O People! Sufficient is God against your enemies among the *jinn* and men. He has promised to respond [to your prayer] and has said, *Pray unto Me and I will hear your prayer* (40:60). Indeed God has deputed seven angels for every froward devil,¹¹³ and the devils shall not be set free until this month [of Ramaḍān] is over.¹¹⁴ Behold! The gates of Heaven shall be open from the first night [of Ramaḍān] till the last, and behold! Prayer during them shall be accepted.

Then the Messenger of God tucked up his garment, tightened his waistband, and went forth from his house. He used to seclude himself [for all the ten nights] in the mosque and remain awake all night. He used to bathe every night between the *maghrib* and the '*isha*' prayers.

Ja'far b. Muḥammad: He said, 'One year the Messenger of God secluded himself in prayer during the first ten nights of Ramaḍān. In the second year he secluded himself during the second ten nights; and in the third year, he did the same during the last ten nights of Ramaḍān.'¹¹⁵

Ja'far b. Muḥammad: He said, '*i'tikāf* cannot be performed without fasting.¹¹⁶ No *i'tikāf* can be undertaken except in a mosque used for the Friday congregations.¹¹⁷ The one who secludes himself in prayer cannot do so in his own house, nor can he have sexual commerce with his women,¹¹⁸ nor can he buy or sell, nor can he emerge from the mosque except for a dire necessity; nor can he be seated anywhere except on his return to the mosque.

'The same rules apply to a woman who secludes herself in prayer, except when she menstruates, in which case she may go out of the mosque and terminate her *i'tikāf*.¹¹⁹

¹¹³Alludes to Qur'ān 22:3.

¹¹⁴In the text: '... and the devil shall not be set free until this, your month [of Ramaḍān], is over.' But it sounds too awkward.

¹¹⁵*Kaḥf*, IV, 179; reported from the same authority but with slight variation. "Ā'isha said that the Prophet used to engage in private devotions in the mosque during the last ten nights of Ramaḍān till God took him.' *Mishkāt*, I, 650; Robson, I, 444; transmitted by Bukhārī and Muslim. Ṭūsī also states that *i'tikāf* during the last ten nights of Ramaḍān is better than during the other nights, *al-Nihāya*, 170.

¹¹⁶*Kaḥf*, IV, 179; also from al-Ṣādiq.

¹¹⁷*Ibid.*, IV, 180; also from al-Ṣādiq. Kulaynī gives the names of some of the most famous mosques, such as the Sacred Mosque of Mecca, the mosque of the Messenger in Medina, and the mosque of Kūfa; however, the *mu'takif* in Mecca can pray in any house there, if he so wishes.

¹¹⁸*Ibid.*, IV, 184-5.

¹¹⁹*Ibid.*, IV, 184; 'The woman who has to terminate [the *i'tikāf*] should fulfil her obligation after her period is over.'

'The shortest period laid down for *i'tikāf* is three days.'¹²⁰

'Alī: He said, 'The person who secludes himself in order to pray should confine himself entirely to the mosque. He should occupy himself with remembrance of God, recitation of the Qur'ān, and prayer. He should not engage in worldly conversation; nor should he recite [profane] poetry; nor should he buy or sell; nor attend a funeral; nor visit the sick; nor enter any house; nor have privacy with a woman; nor engage in bawdy talk; nor argue with anyone. The less he talks with people the better for him.'¹²¹

¹²⁰Ibid., IV, 181–3; reported from the same authority.

¹²¹The *ḥadīth* transmitted by Abū Dāwūd states, 'The *sunna* for one who is observing a period of private devotion in a mosque is not to visit an invalid, or attend a funeral, or touch or embrace one's wife, or to go out for anything but to relieve himself. There is no *i'tikāf* without fasting, and it must be carried out in a congregational mosque.' *Mishkāt*, I, 651; Robson, I, 445. *Kāfī*, IV, 180, 183. According to Kulaynī the *mu'takif* can attend a funeral and visit an invalid. See also Ibn Rushd, *Bidāya*, I, 302–8 for more details.

The Book of Pilgrimage¹

THE OBLIGATION TO PERFORM THE ḤAJJ AND A SEVERE REPRIMAND FOR AVOIDING IT

God says, *And pilgrimage to the House is a duty unto Allah for mankind, for him who can find a way thither. As for him who disbelieveth² (let him know that) lo! Allah is Independent of (all) creatures (3:97).*

'Ali: He was questioned about the above verse and he said, 'This refers to one who is able to perform the pilgrimage and yet avoids it.'

Ja'far b. Muḥammad: He said, 'What is obligatory for people during the course of their lives is to perform the pilgrimage once. It is prescribed for them only once owing to the distance [from their homes] and the hardship it entails on them and on their means. The ḥajj is prescribed for all people [without exception] save those who have a valid excuse.'

'Ali: He said, 'When the above verse was revealed, the faithful asked [the Prophet], "O Messenger of God! Does this rule apply every year?" The Prophet paused, and they repeated the question twice. Then he said, "No. Had I said 'yes', it would have been obligatory [every year]."³ So God revealed, *O ye who believe! Ask not of things which, if they were made known unto you, would trouble you* (5:101).

¹For a good photographic record of the pilgrimage see Mohamed Amin, *Pilgrimage to Mecca*. For a general description see Peters, *The Hajj*.

²The Arabic is *man kafara*. It implies that one who is able to perform the ḥajj and does not perform it is a *kāfir*. Sharif Raḍī, in *Ḥaqa'iq al-ta'wīl*, 195–9, gives an interesting explanation of this implication.

³The version transmitted by Muslim adds, 'And you would not be able to perform it. Thereafter the Prophet said, "Leave me alone as long as I have said nothing to you, for

Ja'far b. Muḥammad: He was asked about the man who was postponing the pilgrimage with nothing in his way except trade or a debt due to him. [The Imam] said, 'That is no excuse for him. It is improper to put off the pilgrimage; for if he happened to die [he would be considered a man] who had abandoned one of the principal rules of the faith.'⁴

[Ja'far b. Muḥammad]: He said, 'He who dies without performing the *hajjat al-islām*⁵ without an excuse for not having done it, or an illness coming in his way, or the temporal ruler going against him, dies the death of a Jew or a Christian.'⁶

[Ja'far b. Muḥammad]: He was asked concerning a wealthy man who failed to perform the pilgrimage before he died. [The Imam] said, 'It was about one such as he that God says, *And We will cause him to appear before us on the Day of Resurrection, blind*' (20:124).⁷ They said, 'Blind?' [The Imam said], 'Yes, he became blind to the way of righteousness.'⁸

The Messenger of God: He said, 'When my community fails to visit this House [the House] will not be looked at [by God]!'

Ja'far b. Muḥammad: He was asked, 'What does God mean by "the ability to travel" referred to in the verse *And pilgrimage to the House is a duty unto Allah for mankind, for him who can find a way thither* (3:97)?' [The Imam] asked the querist, 'What is it that the people say about it?'

your predecessors perished simply because of their excessive questioning and their disagreements with their prophets. When I command you to do a thing, obey it as much as you can; and when I forbid you to do a thing, leave it alone.'" See *Mishkāt*, II, 3, 5–6; Robson, 535, 537. In another version al-Aqra' b. Ḥābis, a Bedouin chief, is named as the questioner.

⁴Literally 'who had abandoned a law (*sharʿa*) from among the laws (*sharaʿi*) of Islam'; but here the free translation conveys the sense appropriately. *Kāfi*, IV, 266–7; also reported from al-Ṣādiq.

⁵The Farewell Pilgrimage is also called *hajjat* (or *hijjat*) *al-balāgh* and *hajjat al-islām*. The reason for the former appellation was that the Prophet cancelled the intercalation of a month, while the reason for the latter was the Ka'ba and other sacred precincts were now purified of all pagan presence and heathen rites. The Prophet's performance of the rites during this pilgrimage became a *sunna* to be followed by the Muslims. See *History of al-Ṭabarī*, IX, 115; additional sources are listed therein. What is implied above is the obligatory *hajj* for the person who has the means to undertake it. See also n. 369 in this chapter.

⁶'He who is not prevented from performing the pilgrimage by an obvious necessity, a tyrannical ruler, or a disease that confines him at home and dies without having performed the pilgrimage, may die if he wishes as a Jew, or if he wishes as a Christian.' *Mishkāt*, II, 8; Robson, I, 539–40. *Kāfi*, IV, 266; reported from the same authority.

⁷Sale, *Koran*, 314.

⁸*Kāfi*, IV, 267; reported from al-Ṣādiq.

The man said, 'They say, provisions and a mount.'⁹ Abū 'Abd Allāh [the Imam] replied, '[My father] Abū Ja'far [Imam al-Bāqir] was asked the same question and he replied "[Were a man to set out on pilgrimage merely because he possessed provisions for himself and a mount] then the people would have perished. For if the man possesses nothing but provisions and a mount, and if he were to go forth [for the pilgrimage] and left his family without any wherewithal then surely they would die.'"

He was asked, 'What then is "ability?"' [The Imam] said, 'The ability to travel, a sufficiency of provisions therein, the existence of livelihood for his family, and peace [and security of travel]. Does not God make the *zakāt* compulsory only on those that possess 200 dirhams?'¹⁰

Abū 'Abd Allāh Ja'far b. Muḥammad b. 'Alī: He was asked about the same verse and explained that it was meant solely for those that possessed the wherewithal to undertake the pilgrimage. He was asked, 'Suppose a man is offered the means to perform the *hajj* and is shy [to accept it].' [The Imam] said, 'He will be counted among those that have the means; so why should he be bashful? He should undertake the pilgrimage even if it be on a donkey with a tail docked!'¹¹

'Alī: He said, 'If a boy is taken on a pilgrimage before he has attained puberty, this does not meet his obligation; it is his duty to perform the pilgrimage when he becomes an adult. The same applies to a woman who was taken on a pilgrimage while she was a little girl.'¹²

Ja'far b. Muḥammad: He was asked about a man who, although he had performed the pilgrimage, did not then possess the true knowledge [of the pilgrimage], and later God favoured him with such knowledge. [The Imam] said, 'His pilgrimage was valid, but I would prefer him to undertake the pilgrimage again.'¹³

'But if he was one who bore enmity toward the Imams (*nāṣib*),¹⁴ and who had strong faith in his wrong views, and performed the pilgrimage, and later God favoured him with true knowledge, in such a case it is incumbent upon him to undertake the pilgrimage [a second time].'¹⁵

⁹A man came to the Prophet and asked, "O Messenger of God, what makes it necessary for one to perform the pilgrimage?" He replied, "Provision and a riding beast." *Mishkāt*, 7; Robson, I, 538.

¹⁰*Kaṣf*, IV, 265; reported from al-Ṣādiq.

¹¹*Ibid.*, IV, 264–5; also reported from al-Ṣādiq.

¹²*Ibid.*, IV, 273.

¹³*Ibid.*, IV, 272–3; reported from al-Ṣādiq.

¹⁴For *nāṣib* see n 128 in Chap. 4.

¹⁵*Kaṣf*, IV, 271, 273; also reported from al-Ṣādiq.

'Alī: He said, 'As soon as a slave is emancipated, it is obligatory for him to perform the pilgrimage, whenever it is possible for him to do so.'

Ja'far b. Muḥammad: He said, 'Whenever a slave is able to perform the pilgrimage, he has fulfilled his obligation so long as he is a slave. However, as soon as he is emancipated, it is obligatory for him to undertake the *hajj*, because as long as he was under bondage, he was not obliged to go on a pilgrimage.'¹⁶

Abū Ja'far Muḥammad b. 'Alī: He was asked about an *Umm walad*¹⁷ (a slave concubine who has borne a child to her master) who was taken to the *hajj* by her master, and thereafter she was set free. Did the pilgrimage, so performed, fulfil her mandatory obligation? [The Imam] replied, 'No.'¹⁸

The Messenger of God: He said, 'It is the duty of men to take their wives for the pilgrimage.'

Ja'far b. Muḥammad:¹⁹ He said [explaining the aforecited *ḥadīth*, that the rule applies only] when the expenses for the *hajj* come out of the property of the wife. [The rule] does not imply that the husband should pay for the expenses of the pilgrimage of his wife. [It only means that] he should accompany her on the pilgrimage in order to enable her to perform the prescribed obligation, while the expenses of the pilgrimage are to be borne by her.²⁰

[Ja'far b. Muḥammad]: He said, 'A divorced woman is entitled to perform the pilgrimage during the *'idda*,²¹ if she so wishes.'

[Ja'far b. Muḥammad]: He said, 'A man has insufficient means to undertake the *hajj*, so someone else sends him on the pilgrimage. Thereafter the man becomes well-to-do; then it is incumbent on him to go on a pilgrimage [at his own expense].'²²

[Ja'far b. Muḥammad]: He was asked about the Word of God *And pilgrimage to the House is a duty unto Allah for mankind, for him who can find a way thither* (3:97), 'Does this mean *hajj* with the exclusion of the *'umra*?' [The Imam] said, 'No. God means thereby both the *hajj* and the *'umra*, because both are mandatory.' And he recited the Word of God

¹⁶Ibid., IV, 276; Tūsi, *al-Nihāya*, 202.

¹⁷For *Umm walad* see n. 62 in Chap. 5.

¹⁸Kāfi, IV, 273.

¹⁹According to MS Q. Instead of 'an the edited text has *qāla*, which seems to be an error.

²⁰Cf. Kāfi, IV, 280.

²¹*Idda* is the waiting period imposed on a widow or a divorced woman to abstain from sexual relations before she may remarry. See n. 334 in Chap. 2.

²²Kāfi, IV, 271.

Perform the pilgrimage and the 'umra²³ for Allah (2:196), and said, 'The performance of both of them.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'The 'umra is prescribed as an obligation to the same extent as the ḥajj on him who has the capacity to perform it.'²⁴

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'The ḥajj is of three kinds. [First], the ḥajj by itself (*mufrad*, or *ifrād*) [or] 'umra by itself, and a man may perform either of them first. [Second], both the ḥajj and the 'umra combined together (*qirān*), without any break [in the *iḥrām*] between them. This is for him who has brought [his] sacrificial animal with him. He should enter Mecca, perform the 'umra, remain in the state of ritual purity (*iḥrām*) until he goes forth from that city for the ḥajj, and perform the pilgrimage. [Third], he can combine the 'umra and the ḥajj with a break in the *iḥrām*²⁵ [after the 'umra and then resume the *iḥrām* for the ḥajj]. This is the most commendable way.²⁶ But this is not possible for a man who does not have a sacrificial animal with him²⁷ in accordance with the Word of God *And shave not your heads until the offerings (i.e. the sacrificial animals) have reached their destination* (2:196).

'The person who intends to combine the 'umra with the ḥajj, with a break in the *iḥrām*, should enter [Mecca] in a state of ritual purity then circumambulate the Ka'ba, and walk [quickly] between Ṣafā and Marwa [seven times]. When he has completed this rite, he is free from the *iḥrām*. He may clip his hair and pare some of his nails and the rest [i.e. proper shaving and cutting] he may keep for the [end of the] ḥajj. Thereafter he is free from all restrictions [and can resume normal life]. Then again he should assume the state of ritual purity (*iḥrām*) for the ḥajj at Mecca,²⁸ and later he should bring such offerings of sacrifice as God has laid down.'

²³Pickthall has rendered it, 'The visit (to Mecca).' For details about the 'umra see *ShEI*, s.v. 'umra.

²⁴Cf. *Kāfi*, IV, 262.

²⁵In Arabic the phrases used are *Ḥajj^{un} mutamatti'^{un}*, '*umra yatamatta'u bihā ila 'l-ḥajj* or *mutamatti'^{an}*, which are difficult to translate. They indicate gaining the advantage of the 'umra and enjoying the normal life until the time of the ḥajj comes when one has to resume the *iḥrām*. *Majma' al-baḥrayn*, s.v. m-t-. This refers to Qur'an 2:196.

²⁶This was the way the Prophet had actually performed it. But 'Umar during his caliphate threatened to punish with stoning whoever did likewise. See for details *ShEI*, s.v. 'Umra. See also *Kāfi*, IV, 288; reported from al-Ṣādiq. Kulaynī has a long section on this subject.

²⁷The edited text is incorrect. Instead of *kāna* in the text, which is an error, MS Q reads: *lā*. The text should be corrected to read: *walā yakūn dhālīka li-man lā [yakūn] ma'ahu* *hady^{un}*.

²⁸The pilgrims who have relinquished their *iḥrām* (the state of ritual purity) for

Abū Ja'far Muḥammad b. 'Alī: Concerning the Qur'ānic verse *The pilgrimage is (in) the well-known months, and whoever is minded to perform the pilgrimage therein (let him remember that) there shall be no sexual commerce (rafath) nor any immorality (fusūq) nor wrangling (jidal) during the pilgrimage* (2:197), he said, 'The well-known months are Shawwāl, Dhu 'l-Qa'da, and Dhu 'l-Ḥijja, wherein alone is the pilgrimage to be undertaken.²⁹ Among the mandatory obligations of ḥajj are *talbiya*,³⁰ *ish'ār*,³¹ and *taqlid*.³² Whoever does any of these actions, intending thereby to perform the pilgrimage, has indeed completed the pilgrimage.³³ And *rafath* means sexual intercourse; *fusūq* is falsehood and cursing; and *jidal* means to say: "No, by God" and "yes, by God," and boasting.³⁴

THE INDUCEMENTS TO PERFORM THE PILGRIMAGE

Abū Ja'far Muḥammad b. 'Alī: Concerning the Word of God *And when thy Lord said to the angels: Lo! I am about to place a viceroy in the earth, they said: Wilt Thou place therein one who will do harm therein and will shed blood, while we, we hymn Thy praise and sanctify Thee?* (2:30), he said, 'In

tamattu' (resumption of normal life) generally assume the *iḥrām* again on 8 Dhu 'l-Ḥijja for the ḥajj.

²⁹Kaṭī, IV, 287.

³⁰*Talbiya* means to pronounce the formula *labbayka*, i.e. 'At your service, O Lord, here I am.' The formula is used in various forms and on different occasions. According to Bukhārī the *talbiya* of the Prophet was, 'Here I am, O Lord, here I am, here I am. There is no associate for Thee. Indeed [all] praise and sovereignty belong to Thee.'

The *talbiya* is continually pronounced during the ḥajj up to the lapidation and in a loud voice. For details see ShEī or EI², s.v. *Talbiya*.

³¹*Ish'ār* is the custom of making an incision in the side of the hump and letting blood flow from it, or making wounds in the sacrificial animal's skin, so that it is known that the animal is meant for sacrifice. Kaṭī, IV, 294–5, *Lisān al-'Arab*, s.v. *sh-'r*; *Majma' al-bahrayn*, s.v. *sh-'r*; EI², s.v. *Ḥajjīdī*. Abū Ḥanīfa disapproved of this custom because he considered it cruelty; however, his disciples Ibn Abī Laylā and Abū Yūsuf approved of it. Schacht, *Origins*, 112.

³²*Taqlid* is a custom whereby the camels to be sacrificed were distinguished by special marks even on the journey to Mecca; for example two sandals were hung around their necks. *Lisān al-'Arab*, s.v. *q-l-d*; EI², s.v. *Ḥajjīdī*; *Taqlid*; Kaṭī, IV, 294–5. Parading of slaughter beasts is common to Yemeni cities in recent times. See Serjeant, 'Tihāma Notes', 45–7. This custom is for publicity and is a sales gimmick and seems to have no religious significance, as noted by Serjeant.

³³Kaṭī, IV, 287.

³⁴If anyone performs the pilgrimage for God's sake without uttering unseemly speech in relation to women (*lam yarfaṭh*) or acting immorally (*lam yafsuq*), he will return [as free from sin] as on the day his mother bore him.' *Mishkāṭ*, II, 3; Robson, 535; transmitted by Bukhārī and Muslim.

these words the angels demonstrated their submissive worship as a favour to God,³⁵ and some of them said this only because they had knowledge of the character of some of the *jinn*³⁶ who inhabited the earth before Adam. Therefore God turned away from them and created Adam and taught him all the names.³⁷ Then God asked the angels [for the names of things] and they said, *We have no knowledge saving that which Thou hast taught us* (2:32) and *He said: O Adam! Inform them of their names, and when he had informed them of their names* (2:33), and He said to them, *Prostrate yourselves before Adam, so they fell prostrate* (2:34).

'Now while they were in prostration, they said to themselves, "We never imagined that God would create beings superior to us while we are His neighbours and most proximate to Him among His creatures." When they raised their heads [after prostration], God said, *I know the secret of the Heavens and the earth, and I know that which ye disclose and which ye hide.* (2:33). By this God meant what they disclosed by their complaint *Wilt Thou place therein one who will do harm therein and will shed blood, while we hymn Thy praise and sanctify Thee* (2:30). By 'what they hid' [God meant] their saying to themselves, "We never imagined that God would create a being superior to us." Thus the angels understood that they had fallen into error, so they sought shelter at the throne and went around it, asking their Lord for His pleasure, and He was pleased with them.

'Thereafter God commanded the angels to construct a house on earth for sinners among the seed of Adam, so that they might go around it as the angels had done by going around His Throne, to the end that God might be well pleased with them as He was with the angels. So the angels built a House on the site of [this] House [the Ka'ba] which was raised to the fourth heaven in Noah's time during the flood; and 70,000 angels used to enter it each day without ever returning.³⁸

³⁵Nu'mān skipped this passage in his *Ta'wīl al-da'ā'im*. One might ask how any creature can do a favour for God. Probably the Imam's statement disapproves of the angels' attitude and is used rhetorically to demonstrate the superiority of man.

³⁶For *jinn* see n. 103 in Chap. 7.

³⁷The commentators of the Qur'ān embellish 'all the names' a bit and state that Adam knew everything, such as the names of animals and plants and the names of all things in all his children's languages. See Ṭabarī, *Tafsīr*, I, 482–6.

³⁸For additional information on this account, see 'The Ka'ba in legend and popular belief', in *EI*², s.v. Ka'ba; *ShEI*, s.v. Ka'ba. According to Azraqī, *Akhbār Makka*, 34, God first made a house called *al-bayt al-ma'mūr* (referred to in the Qur'ān 52:4) beneath the Throne, and the angels went around it rather than the Throne. It is this House which is visited everyday by 70,000 angels. Thereafter God asked the angels to build its replica on earth so that the people could go around it like the angels. See also Peters, *Reader on Classical Islam*, 11–22.

'Abraham built the House on the foundation of this House. When Adam committed his error and God hurled him down to the earth, he came to the House and went around it seven times, as he had seen the angels doing it around the Throne. Then Adam stood near the *Mustajār*³⁹ and proclaimed, "My Lord! Forgive me." And it was proclaimed [from on high], "O Adam! God has forgiven you." Adam said, "O my Lord! [Forgive] my descendants [as well]," and he was informed, "O Adam, when any of your descendants comes with his sin to the place where you have come [and asks for forgiveness], God will forgive him his sins."⁴⁰

'Alī: He said, 'God revealed himself to Abraham [and said], "Build for Me a house wherein I should be worshipped." And Abraham was deeply anguished. So God sent him *sakīna*⁴¹ (His serenity, His peace of mind). It was a wind, which blew in two gusts. One of them followed the other, and the wind circled the foundation of the house built by the angels. And Abraham laid the foundations on all those places where the *sakīna* halted. Abraham would build and Ishmael would pass him the stones, and thus [they] raised the foundations.⁴²

'When Abraham came to the corner where the Black Stone is placed, he said to Ishmael, "Give me a stone for this spot;" and Ishmael, not finding a suitable stone, paused. So Abraham said, "Go and seek it," and Ishmael went to look for it. Then came Gabriel with the Black Stone for Abraham. Now when Ishmael returned, Abraham had already placed it in its place. So Ishmael asked [Abraham], "Who brought this stone to you?" Abraham said, "One who did not rely on you for construction!"⁴³

'The House stood for some time and was then destroyed, and the Amalekites⁴⁴ rebuilt it. Then it stood for some time and was destroyed, and the Jurhum⁴⁵ built it again, and in time it was destroyed yet again.

³⁹The *mustajār* is the wall opposite the door near the Yamānī (i.e. the southern) corner where, before the rebuilding of the Ka'ba, the Arabs used to stand and ask for forgiveness. *Majma' al-bahrayn*, s.v. j-w-r.

⁴⁰Cf. *Kaṭī*, IV, 191–2.

⁴¹The term *sakīna* is of Qur'ānic origin and is translated in various ways, but it is the presence of God which *sakīna* expresses in most of the Qur'ānic citations, a presence shown in the divine aid vouchsafed to the Prophet. For details about the origins of the word see *El*², s.v. *Sakīna*.

⁴²According to the Qur'ān (2:121–7) Ibrāhīm and Ismā'il are said to have laid the foundations of the Ka'ba. The Maqām Ibrāhīm is indicated as a suitable place for prayer, and Ibrāhīm ordained the pilgrimage. *El*², s.v. Ka'ba.

⁴³Cf. *Kaṭī*, IV, 203–13.

⁴⁴The Amalekites of the Bible. In the legendary pre-Islamic history of Arabia they are listed among the first tribes speaking Arabic. For more details see *El*², s.v. 'Amālīk.

⁴⁵An ancient Arabian tribe, migrated from the Yemen to Mecca and gained control of the Ka'ba. This they retained until driven out by Khuzā'a. *El*², s. v. *Djirhum*.

The Quraysh⁴⁶ rebuilt it when the Prophet was a boy growing up with all the purity and virtues of the prophets, and the people used to call him *al-amīn* (the Trusted One). When the Quraysh had built the House till the Black Stone, each clan of the tribe desired to place the stone in its place and differences arose amongst them. Then they agreed [to make] the first person to enter [the gate of the Ka'ba] arbiter of [their] dispute.⁴⁷

'The man who came first was the Messenger of God. They said, "This is the Trustworthy One, and he came [first]." And they informed him of their decision. So the Prophet took his waist wrap and placed the stone in it and said, "Let one man from each clan of the Quraysh catch hold of a side of the cloth and raise it together." What he decided delighted them and satisfied them, and they acted accordingly. When the stone was thus brought to its place, it was the Prophet who placed it therein.'

Abū Ja'far: He said, 'The Black Stone is like the *mīthāq*⁴⁸ (covenant) and kissing it is like the *bay'a* (oath of allegiance).' When [the Imam al-Bāqir] used to kiss the stone, he would say, 'O God! I have duly returned to Thee the trust entrusted to me, and the covenant I had made to Thee [has been fulfilled], so that this act of mine may bear testimony to its fulfilment.'⁴⁹

Then he looked at the people who were going around the Ka'ba and departing, so he said, 'Verily, by God, they have been commanded to do something else as well!' He was asked, 'What may that be, O son of the Messenger of God?' He said, 'They have been commanded to come and submit themselves to us when they have completed the circumambulation.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said, 'Among the paths towards God, no path is more excellent than pilgrimage, save that of the man who goes forth with his sword and joins in holy war until he achieves martyrdom.'

⁴⁶For Quraysh see n. 81 in Chap. 2.

⁴⁷For details see the section entitled 'The rebuilding of the Ka'ba when the Messenger of God acted as umpire', in Ibn Ishāq, *al-Sira*, I, 204–11; Guillaume, 84–7; Lings, *Muḥammad*, 41–2; Tabarī, *History of al-Ṭabarī*, VI, 51–9; *Kāfi*, IV, 216–22.

⁴⁸The source of the concept of covenant, and the imagery associated with it, is Biblical. In the Islamic creation story there is a primordial compact between God and Man. *ET*², s.v. *Mīthāq*. For a Shī'ī version of God's *mīthāq* with the *Ahl al-Bayt* before the creation of Adam, see Pellat, 'Mas'ūdī et l'imāmisme'. See also Halm, 'The Isma'īli oath of allegiance'. The *mīthāq* is a form of oath which the western Isma'īlīs (i.e. the Bohras) have to take before their spiritual chief the *dā'ī*. Zāhid 'Alī, *Isma'īli Madhhab*, 321 ff.

⁴⁹Cf. *Kāfi*, IV, 189–91; Kulaynī has a long section on the reason for kissing the Black Stone.

[Abū 'Abd Allāh Ja'far b. Muḥammad]: He said, 'A man came to me and asked, "O son of the Messenger of God, I am a man in easy circumstances. I have performed the obligatory *hajj*, and I have heard of the inducements to perform it as an act of supererogation. Is it possible to acquire the same merit by bestowing the means of pilgrimage or more than that on someone else?" I looked at the [hill of]⁵⁰ Abū Qubays⁵¹ and said, "Were you to give in charity [a heap of] gold and silver equal to that [hill], you would not obtain the merit of the pilgrimage!"⁵²

[Abū 'Abd Allāh Ja'far b. Muḥammad]—the Messenger of God: He said, 'He who goes around the House seven times and performs the two *raka'āt* of prayer properly will be forgiven [his sins].'

'Alī: He said, 'When the Messenger of God performed the Farewell Pilgrimage,⁵³ he tarried at 'Arafa⁵⁴ and faced the people and said three times, "Welcome, O group of people who come to God! Those who ask [for anything] shall receive; their livelihood will be ensured, and in the hereafter a 1000 [dirhams worth of] good actions will be credited to them for every dirham spent." Then he said, "O people! May I not bring good tidings to you?" The people said, "Yes, O Messenger of God." The Prophet said, "Lo! This evening God will contend with the angels [for the superiority in devotion] of the people of this stopping place and say, 'O my angels, behold my slaves, male and female. They have come to Me from the extremities of the earth, dishevelled and dusty. Do you know what they crave?' The angels will reply, 'O Lord, they ask for Thy forgiveness.' So God will say, 'I bear witness to you that I have indeed forgiven them.'" [The Prophet told the gathering], "So depart from the place where you are standing, free from your former sins."⁵⁵

Ja'far b. Muḥammad: He said, 'God has guaranteed that the faithful pilgrim, if he dies on his way to [Mecca], will be admitted to Paradise;⁵⁶ and if He sends him back to his family, no sins shall be written down against him for seventy nights, after his reunion with the family.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'The Messenger of God said

⁵⁰As in MS D and the margin of Q.

⁵¹Abū Qubays is a hill overlooking Mecca. *Qāmūs*, s.v. q-b-s; *Lisān al-'Arab*, s.v. q-b-s; Azraqī, *Akhbār Makka*, *passim*.

⁵²*Kāfi*, IV, 256; Kulaynī reports a similar tradition from the Prophet who was questioned by a wealthy Bedouin.

⁵³It is so called because the Messenger of God bade farewell to the people and died shortly thereafter. Ṭabarī, *History of al-Ṭabarī*, IX, 115.

⁵⁴For 'Arafa see n. 9 in Chap. 1.

⁵⁵This last part is reported in *Mishkāt*, II, 29; Robson, I, 557, with some variance.

⁵⁶Cf. *Kāfi*, IV, 254.

that pilgrims⁵⁷ fall into three categories. The most excellent are those whose sins shall be forgiven, past as well as future. The second category consists of persons whose former sins are forgiven,⁵⁸ and who begin with a clean slate for the future. The third class, those who receive the least reward, are those whose family and wealth shall be protected.'

Ja'far b. Muḥammad: He said, 'The pilgrims fall into three groups. A third of them will be saved from the Fire and God will never put them back into it. A third of them will begin with a clean slate and their past sins shall be forgiven. And a third of them will be vouchsafed their livelihood, and they with their family will be restored to health.'⁵⁹

'Alī: The Messenger of God said, 'One *'umra* followed by another expiates the sins committed during the period between the two of them. Paradise is the reward for the man whose pilgrimage is accepted by God.⁶⁰ Among sins, there are some which will not be forgiven except at the 'Arafāt.'⁶¹

['Alī]: He said '[The Messenger of God] observed the line of camels belonging to the pilgrims and said, "Not a hoof is raised except a good work is credited for it; and not a foot is laid down on the ground but a misdemeanour is erased thereby."⁶² When the rites of *hajj* are completed, it shall be said to them, 'You have built a house, now do not pull it down. You have been saved from your past actions, now behave righteously in the future.'"

Ja'far b. Muḥammad: He said, 'When [the following] was revealed to Abraham [and Ishmael]:⁶³ *Purify My House for those who go around and those who meditate therein and those who bow down and prostrate themselves (in worship)* (2:125), God sent down 170 favours (*rahma*) to the Ka'ba. He allocated sixty of them for those that circumambulate, fifty for those that pray in seclusion, forty for those that pray, and twenty for the onlookers.'⁶⁴

'Alī: The Messenger of God said, 'The man who desires this world or

⁵⁷The text is in the singular, but I have used the plural for consistency.

⁵⁸Addition of *wa-mā ta'akhkhara* in the text seems incorrect. These words are omitted from MS Q. See also *Kaṭi*, IV, 260; it is reported from al-Bāqir.

⁵⁹*Kaṭi*, IV, 260; the last category is the least with which a pilgrim returns. This tradition is also reported from al-Ṣādiq.

⁶⁰An *'umra* is an expiation for sins committed between it and the next, but a *hajj* that is accepted will receive no less a reward than paradise.' *Mishkāt*, II, 3; Robson, I, 535; transmitted by Bukhārī and Muslim.

⁶¹For 'Arafāt see n. 9 in Chap. 1

⁶²Cf. *Kaṭi*, IV, 259; Kulaynī gives a different version.

⁶³Addition in MSS C, D, S, and Q.

⁶⁴*Kaṭi*, IV, 240. It states, 'God gave 120 *rahma* to the Ka'ba, sixty for those that

the next should direct his steps towards this House. No slave [of God] approaches it, seeking the goods of the world, but receives them from God. And whoever seeks the hereafter will have a treasure thereof reserved for him. O people, I adjure you to perform the *hajj* and the *umra*. Perform them one after another, for the two of them wash your sins as water removes filth, and they remove poverty as fire removes rust from iron.⁶⁵

THE ENTRY INTO THE CITY OF THE PROPHET (MEDINA) AND WHAT IS APPROPRIATE FOR ONE WHO ENTERS AS A VISITOR INTENDING TO PERFORM THE *HAJJ*

'Alī: He delivered a sermon and said, 'The Messenger of God declared that Medina is a sacred precinct (*ḥaram*)⁶⁶ from 'Ayr to Thawr.⁶⁷ The curse of God and His angels and the whole of mankind be upon him who commits a murder (*man aḥdatha*)⁶⁸ or gives refuge to a criminal (*muḥdith*) in these precincts. No repentance or ransom will be accepted from him by God.'

Ja'far b. Muḥammad: He said, 'Whatever is between the two tracts of black stone of Medina is a sanctuary.'⁶⁹ He was asked, 'Are the birds of Medina like those of Mecca [i.e. sacred]?' He said, 'No, but the trees should not be lopped.' The people [asked], 'What are the two tracts of black stone?' [The Imam replied], 'What is encircled by the rocky lava area has been declared sacred by the Messenger of God. Game cannot be disturbed in it, nor can trees be lopped.'⁷⁰

circumambulate it, forty for those that pray, and twenty for the onlookers.' Kulaynī has a separate section entitled 'The merit of looking at the Ka'ba'.

⁶⁵*Mishkāt*, II, 6; Robson, I, 538; *Kāfi*, IV, 253.

⁶⁶For *ḥaram* see n. 14 in Chap. 6.

⁶⁷The phrase 'Between the two hills 'Ayr and Thawr' has been much discussed in the sources. 'Ayr is a hill near Medina and Thawr at Mecca. Because of the improbability and inherent impracticality of considering the whole area between Mecca and Medina sacred, it has been suggested that 'Uḥud' be read instead of 'Thawr.' This was a more plausible outermost limit of the sacred precincts of Medina than Thawr. Yāqūt, s.v. Thawr, 'Ayr; *Lisān al-'Arab*, s.v. th-w-r.

⁶⁸I have translated *ḥadath* as 'murder', in accordance with the reasoning of Imam al-Ṣādiq as reported in *Kāfi*, IV, 564. Robson, on the other hand, has translated it as, '[He who] produces an innovation in it, or gives protection to an innovator.' Thus it seems that Robson has used *ḥadath* as a synonym of *bid'a*. See EI², s.v. *Bid'a*. *Mishkāt*, II, 65; Robson, I, 586. Both Bukhārī and Muslim transmitted it on the authority of 'Alī. The phrase *lā yaqbalu Allāhu minhu ṣarf^m wa-lā 'adl^m*, which is missing from *Kāfi*, is explained by Lane, s.v. ṣ-r-f; I have adopted the meaning suggested by Robson.

⁶⁹For the meaning of *Lābatayn* see Lane, s.v. l-w-b.

⁷⁰*Mishkāt*, II, 65-6, 70; Robson, I, 586, 590; *Kāfi*, IV, 562.

'Alī: He said, 'He who goes away from Medina, disliking it, will be visited with evil from God.'

Ja'far b. Muḥammad: He said, 'A bath is desirable for him who enters Medina as a visitor.' We have mentioned in the Book of Purification (Chap. 3) that such a bath and its likes are commendable, but not obligatory, such as the bath of impurity.⁷¹ 'It is proper for the man who enters Medina to visit the mosque of the Prophet first, after securing his mount, and visit his grave and pray in his mosque.'

Ja'far b. Muḥammad—his father—his ancestors—the Messenger of God: He said, 'Prayer in the mosque of Medina [i.e. the Prophet's mosque] is equivalent to 10,000 prayers.'⁷²

Ja'far b. Muḥammad: He said, 'The most excellent place to pray in the Prophet's mosque is near the Prophet's grave. When you enter Medina, bathe and come to the mosque and visit the grave first; stand by it, utter salutations to the Prophet, and testify to his messengership and that he conveyed the message [to mankind]. Send salutations to him abundantly, and say what prayers you can.'⁷³

The prayers to be said at the Prophet's grave and reported to us from the House of the Prophet [are so numerous] that they are beyond the limits of this book; but nothing in them is fixed [or determined].

'Alī: The Messenger of God said, 'He who visits my grave after my death is like one who has emigrated [to visit me] during my life.'⁷⁴ Therefore he who is not able to visit my grave, let him send salutations to me, for behold, they will reach me.'

Ja'far b. Muḥammad: He said, 'Among the shrines of Medina which it is desirable to visit, to see (with one's own eyes), to pray at and renew the covenant, are: The mosque of Qubā',⁷⁵ that is, the mosque whose foundation was laid on piety;⁷⁶ the mosque of al-Faḥḥ;⁷⁷ the mosque of

⁷¹See Chap. 3, section 'The Ritual Bath'.

⁷²Kāfi, IV, 555; 'Prayer in the mosque of Medina is equivalent to thousand prayers.'

⁷³Ibid., IV, 551; Kulaynī gives the orison to be recited.

⁷⁴The tradition transmitted by Bayhaqī states, 'He who performs the pilgrimage and visits my grave after my death is like him who visited me in my lifetime.' *Mishkāt*, II, 71; Robson, I, 591. Cf. *Kāfi*, IV, 549.

⁷⁵It was the first mosque built by the Muslims. It is near Medina and it was here that the Prophet settled first after his *hijra* from Mecca. Ibn Ishāq, *al-Ṣira*, II, 137 ff.; Guillaume, 228; Ṭabarī, *Tārīkh*, II, 381, 382, 383; *History of al-Ṭabarī*, VII, 1, 5, 156. Watt, *Muḥammad at Medina*, 1; Yāqūt, s.v. Qubā'; *Kāfi*, IV, 559; Kulaynī also reports this *ḥadīth* from al-Ṣādiq.

⁷⁶Alludes to Qur'ān 9:108. See also Kister, 'Sanctity joint and divided', 45.

⁷⁷Harbī, *al-Manāsik*, 401; *Kāfi*, IV, 559; Ṭūsī, *al-Nihāya*, 288. It is also known as the mosque of al-Aḥzāb, because the Prophet prayed in it during the siege of Medina, known as the battle of the Ditch or the battle of al-Aḥzāb (the confederates),

al-Faḍīkh;⁷⁸ Mashrābat Umm Ibrāhīm;⁷⁹ the grave of Ḥamza;⁸⁰ and the graves of the martyrs.'

[Ja'far b. Muḥammad]: He said, 'For one who is departing from Medina, it is desirable to visit the grave of the Prophet last of all, in order to bid farewell. He should act in the same manner as on the day of entry, and should utter the words of prayer and farewell as seem fit to him, and then make his departure.'⁸¹

THE PLACES AT WHICH [ONE MUST DON THE VESTMENTS OF] IHRĀM⁸²

Ja'far b. Muḥammad: He said, 'The rite known as *ihrām*⁸³ is to be undertaken at the five places prescribed by the Messenger of God himself: for the inhabitants of Medina, the place is Dhu 'l-Ḥulayfa,⁸⁴ and that is the mosque of al-Shajara;⁸⁵ for the Syrians, at al-Juhfa;⁸⁶ Yemenis,

when the army of the Meccans and their allies marched against Medina in 5 A.H. The Prophet came out of Medina and pitched his camp with the hill of Sa'l at his back and the trench between him and his foes. The allied forces were frustrated and left in disgust, hence it was a victory (*al-fath*) for the Muslims. Wāqidi, *al-Maghāzī*, II, 440–96; Ibn Ishāq, *al-Sira*, III, 224 ff.; Guillaume, 450 ff.; Watt, *Muhammad at Medina*, 35–9.

⁷⁸One of the mosques of Medina. *Kāfi*, IV, 559; *Majma' al-baḥrayn*, s.v. f-ḍ-kh.

⁷⁹See n. 37 in Chap. 4.

⁸⁰See n. 22 in Chap. 2.

⁸¹*Kāfi*, IV, 553, 562.

⁸²*Miqāt* pl. *mawāqit* is a technical term for rendezvous points and times of the Mecca pilgrims to don the vestments of *ihrām* and continue to observe the precepts of the state of ritual consecration throughout the *hajj*. *Lisān al-'Arab*, s.v. w-q-t; *Majma' al-baḥrayn*, s.v. w-q-t.

⁸³See n. 65 in Chap. 3. The technical term *ihrām* in this context means commencing the state of consecration for someone who is performing the *hajj* or the '*umra*. A person in this state is referred to as *muhrim*. The entering into this holy state (called *iḥlāl*) is accomplished, for men and women, by the statement of intention, accompanied by certain rites and in addition by the donning of the ritual garment. To be in a state of *ihrām* is considered an indispensable condition for both the greater (*hajj*) and the lesser ('*umra*) Pilgrimage.

⁸⁴A village about 6 or 7 *mīl* (about 12 or 14 km) from Medina. It is also called al-Shajara. Ḥarbī, *al-Manāsik*, 425–8; Ṭabarī, *Tārīkh*, II, 622; Yāqūt, s.v. al-Ḥulayfa.

⁸⁵It is in Dhu 'l-Ḥulayfa. See the previous note.

⁸⁶A place about four days march (*marāḥil*) from Mecca on the way to Medina. It is a *miqāt* for the Egyptians and Syrians not passing through Medina. Yāqūt, s.v. Juhfa; Ḥarbī, *al-Manāsik*, 457–9; it is about 6 miles from the sea. Hamdānī, *Ṣīfat*, 337.

Yalamlam;⁸⁷ for the people of al-Ṭā'if,⁸⁸ Qarn,⁸⁹ and for the people of Najd,⁹⁰ al-'Aqīq.⁹¹ These five places are fixed for the residents of these particular places, and for those who come from outside through them.⁹²

[Ja'far b. Muḥammad]: He said, 'For the completion of both the *hajj* and the *'umra* it is incumbent on the pilgrim to don the *iḥrām* at the places prescribed by the Messenger of God. No one is entitled to observe the *iḥrām* before its time.⁹³ If a person dons the *iḥrām* before arriving at its proper place [and proper time] and commits an act [which is not permitted during *iḥrām*], and thus annuls the state of ritual consecration, no fault attaches to him. [What he should do is] don the *iḥrām* [again] when he arrives at the prescribed place.'

[Ja'far b. Muḥammad]: He said, 'If a man fears that a [particular] month will end before he performs the *'umra*, he may don the *iḥrām* before arriving at the rendezvous point and time of the pilgrims (*miqāt*). If a man goes out during Rajab intending to perform *'umra*, and knows that he will not be able to reach the *miqāt* until the new moon [of Sha'bān] appears, then he should not delay the *iḥrām* until he reaches the particular rendezvous point, lest the *'umra* fall in Sha'bān. Rather he should put on the *iḥrām* before the rendezvous point so that it will be counted the *'umra* of Rajab. Now the *'umra* in Rajab is more excellent and that is what the pilgrim intends.'⁹⁴

[Ja'far b. Muḥammad]: [With regard to] a man who went beyond the

⁸⁷Two nights journey from Mecca and wherein is the mosque of Mu'ādh b. Jabal. Yāqūt, s.v. Yalamlam. Ḥarbī, *al-Manāsik*, 646; it is on the Tihāma road; Hamdānī, *Ṣifat*, 259; Rāzī, *Tārīkh madīnat Ṣan'ā'*, 134.

⁸⁸Located in the hills east of Mecca and inhabited by the tribe of Thaḳīf, it was a rival of Mecca in trade. Today it is the fourth largest town in Saudi Arabia. EI², s.v. Ṭā'if; Watt, *Muḥammad at Mecca*, *passim*; Ibrahim, *Merchant Capital*, *passim*.

⁸⁹Qarn, also called Qarn al-Manāzil, is about a day and a night's journey from Mecca. Yāqūt, s.v. Qarn. Ḥarbī, *al-Manāsik*, 645, 654; it is on the coastal road, and also a *miqāt* for the people of Najd. Hamdānī, *Ṣifat*, 321.

⁹⁰Najd is generally defined as the plateau region of the Arabian peninsula lying east of the Tihāma (the lowlands facing the Red Sea) and the mountain barrier of al-Hijāz. EI², s.v. Naǧd.

⁹¹A valley overlooking the Tihāma mountains, Ḥarbī, *al-Manāsik*, 535, 649.

⁹²Bukhārī and Muslim report four places: Dhu 'l-Hulayfa for the people of Medina, al-Juhfa for the people of Syria, Qarn al-Manāzil for the people of Najd, and Yalamlam for the people of the Yemen. In another tradition reported by Muslim, al-Juhfa is allowed for the people of Medina, if travelling on the other road, Dhāt al-'Irq for the people of Iraq, and Qarn for the people of Najd. In yet another tradition al-'Aqīq is the place for the people of the east. *Mishkāt*, II, 4–5, 7; Robson, I, 536–7, 539. See also Kāfi, IV, 316–18; Kulaynī also reports all the five places. Ibn Rushd, *Bidāya*, I, 313–14.

⁹³For details see Ibn Rushd. *Bidāya*, I, 315.

⁹⁴Kāfi, IV, 320.

limits of Shajara, without donning the *iḥrām*, he said, 'Let him don it between Shajara and Juhfa.'⁹⁵

[Ja'far b. Muḥammad]: He said, 'If a man were to arrive at the rendezvous point for the pilgrims but forget to don the *iḥrām* or not know about it until he had gone beyond that point, or had even arrived at Mecca, he should return at once and put on the *iḥrām* at the rendezvous point, if he has time and is able to do so. Where, however, he fears that in doing so, he would miss the *ḥajj*, or where he is not in a position to return to the rendezvous point, he should don the *iḥrām* wherever he is. If a man is at Mecca, and is able to go out of the *ḥaram*, he should leave and put on the *iḥrām* outside the *ḥaram* and enter the sacred place as one who has donned the *iḥrām*. If even this is not possible, then he should don the *iḥrām* wherever he happens to be.'⁹⁶

[Ja'far b. Muḥammad]: He said, 'If a man's home is nearer to Mecca than one of the rendezvous points for the pilgrims, he should don the *iḥrām* from his home and need not go to the *mīqāt*.'⁹⁷

'Alī: He said, 'A man [who lives] closer to Mecca than to the rendezvous points for the pilgrims can don the *iḥrām* from the precincts of his house and the *ḥajj* will be complete.'

ON THE STATE OF RITUAL CONSECRATION (*IḤRĀM*)

Ja'far b. Muḥammad—his father—his ancestors: When the Messenger of God performed the Farewell Pilgrimage, he went forth, and as he arrived at Shajara, he directed the people to pluck out the hair from their armpits and to shave their pubic hair, to bathe and relieve themselves of all clothing, except a loose outer garment (*ridā'*) and a waist cloth (*izār*), or two pieces of clothing, whatever they be, one of which was to be secured at the waist and the other to be thrown over the back.'⁹⁸

Ja'far b. Muḥammad: He said, 'He who intends to assume the state of ritual consecration should shorten his moustaches and pare his nails. It is immaterial which of them is accomplished first; none the less, both acts should be finished before the declination of the sun; for this [the forenoon] is the best time for the *iḥrām*. The *iḥrām* can, however, be assumed rightfully at any time of the day or night.'⁹⁹

[Ja'far b. Muḥammad]: With regard to a menstruating woman, or a

⁹⁵Cf. *ibid.*, IV, 321.

⁹⁶*Ibid.*, IV, 321, 322.

⁹⁷*Ibid.*, IV, 317.

⁹⁸*Ibid.*, IV, 337; Ṭūsī, *al-Nihāya*, 211–14.

⁹⁹*Kāfi*, IV, 323, 329; also reported from al-Ṣādiq.

woman in confinement, he said, 'They can bathe and assume the state of ritual consecration in the same manner as men in general, when the time comes. Nevertheless such women may bathe at a place other than the rendezvous point for the pilgrims, and their obligation to bathe for the *iḥrām* will be fulfilled duly.'¹⁰⁰

[Ja'far b. Muḥammad]: He prohibited the person who wishes to assume the state of ritual consecration from using perfume whose scent remains [for a long time] after the [assumption of] *iḥrām*. The *muḥrim* (person in the state of ritual consecration) is not allowed to touch perfume.¹⁰¹ He should not wear a shirt (*qamīṣ*), or trousers (*sarāwil*), or a turban ('*imāma*), or a cap (*qalansuwa*), or shoes (*khuff*), or socks (*jawrab*), or gloves (*quffāz*), or a veil (*burqu'*), or any garment which is sewn, and he should not cover his head.¹⁰²

A woman should wear clothes and cover her head; her *iḥrām* is in her face. She should use a sheet (*ridā'*) and put a part of it on her head. The *muḥrim* is forbidden from sexual intercourse and [killing] game. He should neither shave, nor pluck out hair, nor pare his nails, nor pick lice.¹⁰³ We shall mention what the *muḥrim* should not do while in *iḥrām*, and also what is obligatory for him to do in case he commits the slightest fault.¹⁰⁴

[Ja'far b. Muḥammad]: He said, 'He who wishes to enter the ritual state of consecration should first pray and then assume *iḥrām*. If it is the time for the mandatory prayers, he should offer them. He may, if he so desires, offer supererogatory prayers as well, where such prayers are permissible, and then assume *iḥrām*. But if the time is such that no mandatory prayers can be offered, he should offer a voluntary prayer and don the [vestments of] *iḥrām*. It is not proper to assume the *iḥrām* without prayers, except where the man is ignorant or where there is a valid excuse for it. But there is no positive harm in a man assuming *iḥrām* without prayers, except that he has failed to perform a meritorious action.'¹⁰⁵

¹⁰⁰Ibid., IV, 325. Kulaynī has a separate section on ritual bath.

¹⁰¹Ibid., IV, 326, 351–5. According to Kulaynī certain things with strong scent, such as saffron or other flavourings of food are also not permitted.

¹⁰²Ibid., IV, 337–47; *Mishkāṭ*, II, 52; Robson, I, 576. According to Bukhārī, Muslim, and Kulaynī, if the pilgrim cannot get sandals (*na'ī*) he may wear shoes, and when he cannot get a lower garment (*izār*) he may wear trousers. Women are forbidden to wear gloves or veils, silk or any garment with dye of wars (a Yemenite dye-yielding plant) or saffron, or jewelry other than what she usually wears. Money should be tied in a belt or girdle.

¹⁰³*Kaḥfi*, IV, 358–60.

¹⁰⁴Ibid., IV, 361–3. Kulaynī has a separate section on each violation and its expiation.

¹⁰⁵Ibid., IV, 329.

[Ja'far b. Muḥammad]: He said, 'When a man intends to assume the *iḥrām*, he should form a resolution and utter what he wishes, whether it is *ḥajj* and¹⁰⁶ *ʿumra* [together], or merely a *ḥajj* or merely an *ʿumra*, and say, "O God, I desire to combine the *ʿumra* and the *ḥajj* with a break in the *iḥrām*;" or "O God, I desire to combine together the *ḥajj* and the *ʿumra* [without any break in the *iḥrām*];"¹⁰⁷ or "O God, I desire to perform the pilgrimage" (if he will perform *ḥajj* only); or "O God, I desire to perform the *ʿumra*," (if he will perform *ʿumra* only), "according to Thy Book, and the practice of Thy Prophet. O Lord, please lighten whatever burden you have predestined for me, and help me to succeed in overcoming it, and make it easy for me, and accept my prayers."¹⁰⁸

'Then the pilgrim should pray as he thinks proper. Later on, if he is unable to say so in words, his mental resolve will fulfil the obligation to perform the *ḥajj* or the *ʿumra*, as the case may be.'

[Ja'far b. Muḥammad]: He said, 'The most excellent of pilgrimages is to combine the *ʿumra* and the *ḥajj* with a break in the *iḥrām* [after the *ʿumra* and then resuming the *iḥrām* for the *ḥajj*]. This is what the Qur'ān has revealed and the Messenger of God has established its excellence. During the Farewell Pilgrimage, the Prophet himself led the sacrificial animals.¹⁰⁹ When he arrived at Mecca and went around the House, and ran between Ṣafā and Marwa, God revealed [a portion of the Qur'ān] to him. So he said, "If I had understood earlier what I did later, I would not have led my beast for slaughter, but I would have made it a *ḥajj* with a break in the *iḥrām* after the *ʿumra*."¹¹⁰ So whoever does not possess a sacrificial animal should release himself [from the restrictions of] *iḥrām*!" So the people released themselves, and made it an *ʿumra* [and not the *ḥajj*], except those who had a beast for slaughter.¹¹¹

'Then the people assumed *iḥrām* for the *ḥajj* from the Sacred Mosque

¹⁰⁶As in MS Q. In the edited text *aw* is incorrect.

¹⁰⁷The edited text as well as the MS Q has an addition, 'If he has an animal to sacrifice.' It seems to us that this phrase is not an integral part of the text but an interjection, hence we have put it in a footnote. Animals are sacrificed at the completion of the pilgrimage in memory of Abraham's vow to sacrifice his son Ishmael when God sent a ram in his stead. However, animal sacrifice is not absolutely necessary. See also what follows in the next tradition. Jazīrī, *al-Fiqh*, I, 725.

¹⁰⁸Kaṣf, IV, 329.

¹⁰⁹*Wa-kāna qad sāqa 'l-hadya*. It means that the Prophet had performed the rites of *taqlid*, *ish'ār*, etc. after assuming the *iḥrām*.

¹¹⁰This is because of the verse 2: 196, as explained below in the following tradition.

¹¹¹There is a difference of opinion among the scholars about *mut'at al-ḥajj*. Ibn Rushd, *Bidāya*, I, 335-9.

on the Day of *Tarwiya*.¹¹² Now this is the way of performing the 'umra with a break in the *iḥrām* until it is resumed for the *ḥajj*, for those who are not residents of Mecca, as God says. For the people of the *ḥaram* (i.e. Mecca) can perform the 'umra whenever they wish it. God made both the 'umra and the *ḥajj* possible in one journey for those who had come from [distant] countries as a mercy of God to His creatures, a favour upon them and as a kindness to them.'

Ja'far b. Muḥammad: He said, 'The man who desires to participate in the 'umra with a break in the *iḥrām* followed by *ḥajj*, should circle around the Ka'ba seven times, and pray two *raka'āt* of the prayer of circumambulation, and run between Ṣafā and Marwa seven times, beginning with the former and ending with the latter. Thus he has completed the 'umra, and he should relieve himself of the *iḥrām*, trim his hair and pare his nails, and leave some till his release from *iḥrām* after the *ḥajj*. He should stay in the state of a non-*muḥrim* [i.e. resume normal life], except that he should retain the dishevelled appearance of a *muḥrim* should the time of the *ḥajj* be proximate. Then when the Day of *Tarwiya* comes, he should assume the *iḥrām* from the sacred mosque, as he did first from the rendezvous point for the pilgrims.

'He who leads the sacrificial animal and combines the 'umra with the *ḥajj* without any break in the *iḥrām* should not put away his *iḥrām* on account of the Word of God *And shave not your heads until the offerings (i.e. the sacrificial animals) have reached their destination* (2:196).

'But he who desires to perform only the *ḥajj* [without the 'umra] need not go around the Ka'ba before the actual *ḥajj*.'

'Alī b. al-Ḥusayn [Zayn al-Ābidīn]: [Once] he performed only the *ḥajj*. When he alighted at Dhū Ṭuwā,¹¹³ he took the way past *Thaniyya*¹¹⁴ to Minā¹¹⁵ and did not enter Mecca.

One who wishes to perform the 'umra needs to circumambulate the Ka'ba, and run between Ṣafā and Marwa, as we described. Then he should release himself from the *iḥrām* and depart as he wishes.

¹¹²The day of providing oneself and the animals with water, the eighth day of Dhu 'l-Hijja, the day before that of 'Arafa, where there was little water. Lane, s.v. r-w-y; *El*², s.v. Ḥajjīdī; *Tarwiya*; *Mishkāṭ*, I, 16; Robson, I, 545.

¹¹³It is about half a *mil* from the Sacred Mosque on the way to Medina, and now a part of Mecca. Ḥarbī, *Manāsik*, 467, 468, 471, 655; Yāqūt, s.v. Ṭuwā.

¹¹⁴*Thaniyya* means a long mountain that lies across the path of the road, and which the road traverses, hence one would be required to ascend part of it and descend another part of it. Lane, s.v. th-n-y. Mecca has two such *Thaniyya*, one is called *al-Thaniyya al-'Ulyā* and the other *al-Thaniyya al-Suflā*. The Prophet used to enter Mecca through the former and depart through the latter. Ḥarbī, *al-Manāsik*, 473-4.

¹¹⁵A place in the hills east of Mecca on the road from it to 'Arafa. *El*², s.v. Minā.

THE RITES OF TAQLĪD, ISH'ĀR, TAJLĪL, AND TALBIYA

He who leads a sacrificial animal as an offering, should put a distinguishing mark on it [by a halter round the neck] (*taqlīd*),¹¹⁶ and then make an incision in the side of the hump [of the camel] (*ish'ār*),¹¹⁷ and put some sort of a garland around its neck (*tajlīl*),¹¹⁸ after assuming *iḥrām*. When he reaches al-Bayda',¹¹⁹ he should raise his voice in the *talbiya*.¹²⁰

Abū Ja'far Muḥammad b. 'Alī: He said, 'People used to put a distinguishing mark [some sorts of garlands] around the necks of camels, cattle, and sheep. This practice has been given up only recently. You should put a halter of leather or of thread [around the neck of the animal]. But the bulky sacrificial animal should be properly marked, and a worn shoe, upon which prayers have been offered, should be put around its neck. This is for the identification of the animal if it happens to go astray, for its owner can be identified by his shoe; and if the animal is found straying, it may be recognized as one intended for sacrifice.'

Ja'far b. Muḥammad: He was asked about a man who was leading his animal for sacrifice, and what the correct manner was for doing so. He said, 'When the pilgrim departs the rendezvous point after assuming *iḥrām*, let him put a distinguishing mark by making an incision on the hump of the camel. He should insert a steel rod on the right side of the hump until blood flows, then he should put a halter round its neck, and a garland with ornaments, and then lead it till he reaches al-Bayda'. If he has already assumed *iḥrām* at Shajara, he should then raise his voice in the *talbiya*. 'Alī used to drape his sacrificial beasts with drapings and give them [the drapings] in charity with the beasts.

Ja'far b. Muḥammad: Commenting on the Word of God *That (is the command). And whoso magnifieth the offerings consecrated to Allah, it surely is from devotion of the hearts. Therein are benefits for you for an appointed term; and afterward they are brought for sacrifice unto the ancient House (22:32-3)*, he said, 'This verse refers to the beast of offering [usually a she camel] which the pilgrim honours. If need be, he may ride her

¹¹⁶See n. 32 in this chapter for *taqlīd*.

¹¹⁷See n. 31 in this chapter for *ish'ār*.

¹¹⁸Another mark for a sacrificial animal. *Majma' al-baḥrayn*, s.v. j-l-l.

¹¹⁹A place located at a few kilometers from Dhu 'l-Hulayfa on the way to Mecca. Ḥarbī, *al-Manāsik*, 406, 428, 440; *Majma' al-baḥrayn*, s.v. b-y-d. See also *Mishkāṭ*, I, 14; Robson, I, 544.

¹²⁰For more details about the *talbiya*, a ritual invocation, as uttered by the tribes in pre-Islamic days see Kister, 'Labbayka, allāhumma, Labbayka.' See also n. 123 in this chapter.

without causing her any hardship; he may also milk her without weakening her.'

[Ja'far b. Muḥammad]: He said, 'If the beast of sacrifice is fatigued or breaks down and the offering is made in recompense or to expiate a vow, another has to be furnished; but if it is merely a supererogatory offering, there is no such obligation.

'The flesh of an animal slaughtered for an obligatory offering cannot be eaten by the pilgrim who performs the sacrifice, and the whole of it must be given away in charity. But if it is a supererogatory offering, he can eat of it, feed others, and give it in charity.'¹²¹

[Ja'far b. Muḥammad]—his father: When the Messenger of God arrived at al-Baydā', he raised his voice (i.e. *ahalla*) with the *talbiya*—now *ihlāl* [from *ahalla* in this context] means 'to raise the voice'¹²²—and said,

Here I come, O God. At Thy service!
 Here I come. Thou hast no associate. At Thy service!
 Verily, to Thee all Praise, and from Thee all Favour flows,
 and to Thee belongs the Dominion.
 There is no associate with Thee!¹²³

[The Imam] made no addition to this utterance.

Ahl al-Bayt: Nevertheless the members of the Prophet's Household made certain additions, and some of them uttered this after the above invocation:

Here I come, O Possessor of Elevated Places;
 Here I come, the One who invites to the Abode of Peace;
 Here I come, O mighty Forgiver of Sins;
 Here I come, to Thee in fear, and out of my own will;
 Here I come, O Possessor of Majesty and Honour;
 Here I come, O Lord of all creation;
 Here I come, O Dispeller of grief!¹²⁴

Now the likes of them are numerous, but the *sine qua non* are the four mentioned above, being the *sunna*. But he who, according to his

¹²¹Kaft, IV, 501–2; Kulaynī adds that it is also reported that the pilgrim can eat the sacrificial animal. Another tradition states that the slaughtered animal should be divided into thirds: one-third for charity, one-third for gift, and one-third for eating. Ibid., IV, 489, 500.

¹²²Lisān al-'Arab, s.v. h-l-l.

¹²³Bukhārī and Muslim report the same *talbiya*. *Mishkāi*, II, 10; Robson, I, 541; Tūsī, *al-Nihāya*, 215.

¹²⁴For another version see *Mishkāi*, I, 12; Robson, I, 542.

ability, proclaims the majesty of God and harkens to His call (*talbiya*), and remembers what benefits Him, that shall be for him an act of excellence and righteousness and of goodness.

Ja'far b. Muḥammad: He said, 'After every prayer, whether obligatory or supererogatory, greatly increase the number of *talbiyas*. After assuming the *iḥrām*, utter the *talbiya*—when your camel raises you on its back, when you go uphill, when you go down the valley, when you meet [another] caravan, when you wake from sleep or in the morning, and whether you are in a state of purity or not!'

WHAT IS FORBIDDEN TO THE MUḤRIM AND WHAT IS INCUMBENT UPON HIM TO DO TO EXPIATE A FORBIDDEN ACT WHEN HE COMMITS IT

God says, *The pilgrimage is (in) the well-known months, and whoever is minded to perform the pilgrimage therein (let him remember that) there is (to be) no sexual commerce nor any immorality nor wrangling during the pilgrimage (2:197).* He says, *Kill no wild game while ye are on the pilgrimage. Whoso of you killeth it of set purpose he shall pay its forfeit in the equivalent of that which he hath killed, of domestic animals (5:95).* He says, *To hunt and to eat the fish of the sea is made lawful for you, a provision for you and for seafarers; but to hunt on land is forbidden you so long as ye remain in the state of sanctity (on the pilgrimage) (5:96).*

'Alī, al-Ḥasan, al-Ḥusayn, 'Alī b. al-Ḥusayn [Zayn al-'Ābidīn], Muḥammad b. 'Alī [al-Bāqir], and Ja'far b. Muḥammad [al-Ṣādiq]: The *muḥrim*¹²⁵ is forbidden the hunting of game,¹²⁶ sexual intercourse, using perfume, dressing in sewn clothes, plucking out hair, and paring nails.¹²⁷

[Furthermore], if he deliberately has sexual intercourse after assuming *iḥrām*, and before halting at 'Arafa, then his *hajj* is void. It is incumbent upon him to make a sacrifice in expiation thereof, and to make the pilgrimage during the following year. If his wife is also in a state of sanctity and gives in to his wishes, the same rule applies to her; but if it is against her wishes, or if he has intercourse with her while she is asleep and has not [yet] assumed the *iḥrām*, then she is not liable to any penalty.

Ja'far b. Muḥammad: He said, '[As for] a man who has sexual

¹²⁵One who assumes *iḥrām*, the state of sanctity, for the pilgrimage. See also n. 83 in this chapter.

¹²⁶See the following section for more details.

¹²⁷For details see Ṭūsī, *al-Nihāya*, 216–35; Ibn Rushd, *Bidāya*, I, 316–20.

intercourse with his wife, and neither of them know that this is illicit, or have forgotten the rule, or indulge only in love play, there is no penalty for them.¹²⁸

[Ja'far b. Muḥammad]: He said, 'A man who indulges in love play with his wife, without penetration, has to sacrifice an animal [in expiation], but it is not incumbent upon him to perform the *hajj* the following year.'

'Alī: He said, 'The *muḥrim* is forbidden to marry, or contract anyone else in marriage. If he does so, the marriage is void.'¹²⁹

[Alī]: He said, 'If a man indulges in love play with his wife and semen exudes, he has to offer a [large] animal for sacrifice (*'alayhi dam*). But if he kisses his wife and semen exudes, he has to offer a camel. If he looks at her with desire or stares at her fixedly, and semen exudes, he has to offer some animal for sacrifice; but if he did not intend any lewdness, then there is no penalty for him.'¹³⁰

[Alī]: He said, 'If a man engages in sexual fantasy and semen exudes, there is no blame on him.'¹³¹ But where he plays with his penis, and there is an erection, followed by exudation of semen, he suffers the same penalty as the man who indulges in sexual intercourse.'¹³²

[Alī]: He said, 'If a man elevates his wife on a beast of burden and arranges her clothing, and touches her above her clothes to put them right, and in doing so semen exudes, there is no penalty for him, as long as he does this without desire; but if he acts with desire, he has to slaughter a beast [in expiation].'

Abū Ja'far Muḥammad b. 'Alī: He said, '*Jidāl* [consists in wrangling and saying] *lā wa-llāhi, balā wa-llāhi* (no, I swear by God; Yes, I swear by God). If a *muḥrim* wrangles with someone and repeats the above expression [i.e. taking God's name in vain] three times, he has to offer a beast in expiation thereof.'¹³³

Ja'far b. Muḥammad b. 'Alī: Concerning the Qur'ānic verse *And shave not your heads until the (sacrificial) offerings have reached their destination. And whoever among you is sick or has an ailment of the head*

¹²⁸Kāfi, IV, 371; if they do it knowingly they have to pay the penalty and perform the pilgrimage the following year.

¹²⁹Mishkāt, II, 53; Robson, I, 576.

¹³⁰Kāfi, IV, 373-4.

¹³¹Ibid., IV, 376. Kulaynī gives a number of hypothetical cases, such as one who hears the voice of a woman behind the wall. Another example is where someone describes a beautiful woman to a *muḥrim* and semen exudes.

¹³²Ibid., IV, 375; he has to sacrifice an animal and perform the pilgrimage next year.

¹³³Ibid., IV, 336.

must pay a ransom of fasting or alms giving or offering (2:196), he said, 'If the *muḥrim* shaves his head before that he has to redeem himself by selecting one of three alternatives: fasting for three days; the alms giving and feeding of six destitute persons to each of whom half a *ṣā'*¹³⁴ is to be given; or the sacrifice of a sheep.'

[Ja'far b. Muḥammad]: He said, 'Were a *muḥrim* to rub his head or his beard, and a few hairs were to come off, there is no harm in it.'¹³⁵

[Ja'far b. Muḥammad]: He said, 'If the *muḥrim* needs to scarify, let him do so; but he should not shave the portion of body which is scarified.'¹³⁶

[Ja'far b. Muḥammad]: He said, 'If a *muḥrim* pares a single nail, a handful of food is to be given in charity. But if he pares all his nails, he has to offer a beast for slaughter.'¹³⁷

[Ja'far b. Muḥammad]: He said, 'If the *muḥrim* touches perfume, it is incumbent on him to give something in charity.'¹³⁸

[Ja'far b. Muḥammad]: He permitted the *muḥrim* to use collyrium when in need of it, provided it is not black in colour and contains no perfume.¹³⁹ [The Imam] permitted the use of the tooth-stick, and any lawful eatables for medical treatment, so long as there was no perfume in them.¹⁴⁰

[Ja'far b. Muḥammad]: He did not approve of the *muḥrim* using a shade while travelling in the litter of a camel, unless required because of illness. But after alighting from it, it was permissible to do so.¹⁴¹

'Alī: He said, 'If a *muḥrim* is suffering from an ailment and is afraid of changing his clothes [for fear of increasing it], he may assume the *iḥrām* in his own clothes [he is wearing] and pay a ransom if he so wishes because God says, *Pay a ransom of fasting or alms giving or offering*' (2:196).

Abū Ja'far Muḥammad b. 'Alī: He said, 'When the *muḥrim* puts on clothing [during *iḥrām*] out of ignorance or forgetfulness, no blame attaches to him.'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'The *muḥrim* should dress

¹³⁴For *ṣā'* see n. 149 in Chap. 6. See also *Mishkāt*, I, 54; Robson, 577.

¹³⁵*Kaḥf*, IV, 360; also reported from al-Ṣādiq but states that the person has to give some food in charity.

¹³⁶*Mishkāt*, I, 53, 55; Robson, I, 577, 578; transmitted by Bukhārī and Muslim. See also *Kaḥf*, IV, 358.

¹³⁷*Kaḥf*, IV, 358.

¹³⁸*Ibid.*, IV, 352.

¹³⁹*Ibid.*, IV, 355.

¹⁴⁰*Ibid.*, IV, 356-7; it has more details.

¹⁴¹Cf. *Mishkāt*, I, 53; Robson, I, 577; *Kaḥf*, IV, 348-51.

in two pieces of clothing only, clean and white; but if he does not possess such stuff, he may dress in dyed clothing, so long as it is neither saffron-coloured nor yellow (dyed in turmeric). Nor should a woman in *ihram* dress in such clothes;¹⁴² but there is no harm in her wearing ornaments so long as they are not visible to men.' He said, 'Where it is necessary for a *muḥrim* to bear arms, he may do so.'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'If a *muḥrim* does not possess sandals, or he needs foot covering, he may wear shoes, provided they do not cover the ankle.'¹⁴³

FINE ON A MUḤRIM FOR HUNTING GAME

God said, O ye who believe! Kill no wild game while ye are on the pilgrimage. Whoso of you killeth it of set purpose he shall pay its forfeit in the equivalent of that which he hath killed, of domestic animals, the judge to be a man¹⁴⁴ among you known for justice (5:95).

The [Imams of the] House of the Prophet read the aforementioned verse with *dhū 'adl*ⁱⁿ (not *dhawā*, as in the *textus receptus*), and that person is the Imam, or he who is appointed by the Imam.

A follower of Abū 'Abd Allāh¹⁴⁵ Ja'far b. Muḥammad attended a group of students of Abū Ḥanīfa¹⁴⁶ while he was giving juristic opinions, and was surrounded by his students. The man asked, 'O Abū Ḥanīfa, what do you say regarding him who had hunted game while he was a *muḥrim*?' Abū Ḥanīfa replied, 'He has to pay a fine.' The man asked,

¹⁴²*Mishkāṭ*, I, 54; Robson, I, 577; *Kaṭī*, IV, 337–41, 342–6.

¹⁴³*Mishkāṭ*, I, 52; Robson, I, 576; both Bukhārī and Muslim also state that the boots must be cut to come below the ankles. See also *Kaṭī*, IV, 338, 344–5; two traditions do not specify that the boots should not cover the ankle.

¹⁴⁴In the Qur'ānic text it is the dual form: *dhawā 'adl*ⁱⁿ *minkum* (the judge to be two men among you known for justice), while all the Ismā'īlī MSS of the *Da'a'im* write it in the singular form *dhū 'adl*ⁱⁿ *minkum*. The Imam, in what follows, explains the reason.

In his *Majma' al-bayān* (III, 242), Ṭabrisī states that both the Imams al-Bāqir and al-Ṣādiq read it in the singular form *dhū 'adl*ⁱⁿ *minkum*. The meaning of *dhū 'adl*ⁱⁿ is the Messenger of God or *ulu 'l-amr* after the Messenger of God. Commenting upon the same verse Kulaynī states that by the word '*adl*' the Messenger of God and after him the Imam are meant. Then he adds that the dual form written in the Qur'ān is a mistake of the scribes (*akḥḥa'at bihi al-kuttāb*). Unfortunately, the editor of the *Kaṭī* did not understand the full import of this comment and states in the footnote that by *al-kuttāb* is meant either the *mufasssirin* or the '*ulama'*'. *Kaṭī*, IV, 395.

¹⁴⁵Abū 'Ubayd Allāh in the text edition of 1963 and 1969 is an error. This error is also repeated in the pirated edition of the *Da'a'im al-Islām* (Beirut: Dār al-Aḥwā', 1995, I, 368) by 'Arif Tāmir.

¹⁴⁶For Abū Ḥanīfa see n. 304 in Chap. 2.

'Who is to decide about this matter?' Abū Ḥanīfa replied, 'As God says, two just persons (*dhawā 'adlīn*). The man asked, 'What if they disagree?' Abū Ḥanīfa replied, 'They should postpone the decision until the two agree.' The man rejoined, 'Is it not surprising that you have decided that, even for wild game, the price of which is a dirham, the question cannot be decided without the concurrence of another; while you yourself give decisions regarding bloodshed, and sexual offences, and property, by your own individual opinion?' Abū Ḥanīfa failed to reply and, turning to his companions, said, 'This is a question raised by a *Rāfiḍī*!'¹⁴⁷

The opinion of Abū Ḥanīfa 'that they should postpone the decision, until the two have concurred' [is an unsound judgement which] invalidates the very ordinance. For we know that as soon as [some] people agree upon a thing, others will differ with them. When the companions of Abū Ḥanīfa realized the unsoundness of this view, they said, 'The decision of the one who decrees the lesser penalty should be accepted, for on the lesser amount, at least, both of them agree.'

Now this view is also fallacious upon due consideration. What they say according to their opinions about the price in dinars or dirhams amounts to this. One says that its value is 5 dirhams and the other, 10 dirhams. Now [what they mean is that it] is as though both the judges have agreed upon 5 dirhams at the least. But in reality it is not so, because if the award is accepted for 5 dirhams then according to the one who opines in favour of 10 dirhams, his judgement is not implemented. This, leaving aside the fact that the forfeit for wild game may be paid from different kinds of livestock. It may well be the feeding of destitute persons or fasting. These are not matters which can be decided according to the rule of the lesser in quantity. According to each of the two judges the obligation [to pay a fine] is not fulfilled unless his judgment is carried out. If one group agrees on this principle, the other differs. [The fallacy in this] is clear to him who ponders over it and possesses right understanding.

Ja'far b. Muḥammad: Concerning the word of God *But whoso relapseth, Allah will take retribution from him* (5:95), he said, 'He who being a *muḥrim* kills wild game is decreed to pay the like thereof. If however he relapses and kills another [game animal], he will not be subject to any penalty, but God Himself will take retribution from him.'

[Ja'far b. Muḥammad]: Concerning the Qur'ānic verse *O ye who believe! Kill no wild game while ye are on the pilgrimage. [Whoso of you killeth it of set purpose he shall pay its forfeit in the equivalent of that which he hath*

¹⁴⁷For *Rāfiḍī* see n. 336 in Chap. 2.

killed, of domestic animals, the judge to be two men among you known for justice, (the forfeit) to be brought as an offering to the Ka'bah; or] expiation, he shall feed poor persons, or the equivalent thereof in fasting (5:95), he said, 'He who kills game while he is a *muḥrim* should slaughter a domestic animal the like thereof as a redemption; and if he has no animal to offer, it is incumbent upon him to give the price of the animal in charity. As for God's Words *the equivalent thereof in fasting*, that is the equivalent in expiation when he neither finds the animal [to be sacrificed] nor the money to buy it.'

Ja'far b. Muḥammad: He said, '[Take the case of] the *muḥrim*, or one who has performed the 'umra and is enjoying a break in the *iḥrām* before reassuming it for the *hajj*, who kills game and has not the means to pay the forfeit. If he fasts [in expiation], but his means improve before he completes his fast, he should not terminate his fast. He cannot pay the forfeit now as his expiation will be completed [by his fasting].'

Abū Ja'far Muḥammad b. 'Alī: He said, 'When a *muḥrim* kills an ostrich, he should make an offering of a she camel or a cow (*badana*)¹⁴⁸ that has attained the age of bearing young. If he does not possess such an animal, he should feed sixty destitute persons. And if he has not the means to do so, he should fast for eighteen days.'¹⁴⁹

[Abū Ja'far Muḥammad b. 'Alī]: He was asked about a group of *muḥrim*s who took the chicks of ostriches, and he said that for each chick eaten by them, a she camel or cow should be offered as forfeit.

'Alī: He said, 'If a *muḥrim* takes the eggs of an ostrich, a stallion camel should be sent to serve as many virgin she camels as the number of eggs, and the resulting progeny should be offered as forfeit. But if no young ones are born to some of the she camels, there is no harm; for even among eggs, some are fertile and some are not.

'But where the eggs taken are all fertile, but the chicks are not quick with life, then it is [required] that the stallions be sent to females capable of bearing [or in heat] and it is made sure that they are impregnated. The young born as a consequence should be offered as forfeit. If, however, abortions take place after pregnancy, there is no harm; for even among unborn chicks, some are born alive and some not.

'If they have killed chicks which were quick with life [in the eggs], they should send stallions to serve she camels of the same number as the

¹⁴⁸It is so called because they used to fatten them, or because of their bulkiness. Lane, s.v. b-d-n.

¹⁴⁹*Kaḥf*, IV, 383; Tūsī, *al-Nihāya*, 222. Kulaynī states that if one cannot find a *badana* he must offer seven sheep, and if he cannot afford that he must fast eighteen days.

eggs, until the she camels conceive and the young ones are quick with life in the wombs. When such young camels are born, they should be offered as forfeits. But if some of them die after pregnancy, it matters not; for some of the chicks within the shells are born alive, and some of them die in the eggs.¹⁵⁰

Abū Ja'far b. 'Alī: He said, 'If a *muḥrim* kills a wild ass, he should offer a she camel or cow in expiation. If he is unable to make such an offering, he should feed sixty destitute persons; and if he has not the means, he should fast for eighteen days.'

Ja'far b. Muḥammad: If a *muḥrim* kills a wild ox (or cow), he should offer a head of domestic cattle; if he is unable to do so, he should feed thirty destitute persons; if he is not in a position to do so, he should fast for nine days.¹⁵¹

[Ja'far b. Muḥammad]: If a *muḥrim* hunts a gazelle, he should offer a sheep; if he is unable to do so, he should give alms to ten destitute persons; and if he is unable to do so, he should fast for three days.¹⁵²

[Ja'far b. Muḥammad]: For a hyena the forfeit is a sheep,¹⁵³ and the same for a hare¹⁵⁴ or a pigeon or for similar birds. The forfeit for a lizard, or a jerboa, or a hedgehog, is a kid.¹⁵⁵ And for a fox the forfeit is a small beast [sheep or goat].

[Ja'far b. Muḥammad]: For the eggs of a pigeon or its like, the same rule applies as for the eggs of an ostrich, except that small cattle (i.e. sheep and goats) instead of camels should be offered. We have mentioned the rule in detail [above].

As for the chicks [of pigeons], for every one of them a lamb [in the first year] is the forfeit.¹⁵⁶

[Ja'far b. Muḥammad]: If a group of men kill wild game, each one of them is liable for the forfeit, individually and separately.¹⁵⁷

[Ja'far b. Muḥammad]: It is improper for the *muḥrim* to consider hunting wild game either in the *ḥaram* (sacred territory) or outside of the *ḥaram* (i.e. the *hill*). He should also refrain from pointing out the game lest it be considered lawful [to hunt] for him.¹⁵⁸

¹⁵⁰Kaṣf, IV, 385, 387.

¹⁵¹Ibid., IV, 383; Tūsī, *al-Nihāya*, 222.

¹⁵²Kaṣf, IV, 383; Tūsī, *al-Nihāya*, 222–3.

¹⁵³Mishkāṭ, I, 58; Robson, I, 580.

¹⁵⁴Kaṣf, IV, 385.

¹⁵⁵Ibid., IV, 385; the reason for such a high fine is to deter from hunting.

¹⁵⁶Tūsī, *al-Nihāya*, 225.

¹⁵⁷Kaṣf, IV, 389; Tūsī, *al-Nihāya*, 225.

¹⁵⁸Kaṣf, IV, 379.

[Ja'far b. Muḥammad]: He was asked about a *muḥrim* in extreme need who had the choice of eating wild game or a dead animal. He said, 'He should eat wild game, and pay the forfeit when possible.'¹⁵⁹

[Ja'far b. Muḥammad]: He said, 'If a *muḥrim* shoots a wild animal [with an arrow or otherwise] and breaks its fore or hind leg, a quarter of the forfeit is due, if he finds that it is able to pasture. But if it runs away and the *muḥrim* does not know what happened, the whole of the forfeit is due.'¹⁶⁰

Abū Ja'far Muḥammad b. 'Alī: He said, 'The *muḥrim* should not eat any part of wild game, whether fresh or dried.'¹⁶¹

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'When a *muḥrim* kills game, he has to pay a forfeit. He should neither eat it, nor feed anyone else with it; he should bury it.'¹⁶²

'Alī: He said, 'If a man takes a boy for the pilgrimage, and the boy kills wild game, the man who has taken the boy for the pilgrimage has to pay the forfeit.'¹⁶³

Ja'far b. Muḥammad: He said, 'If a man takes a slave for the pilgrimage, and the slave, being a *muḥrim*, kills game, it is the master who is responsible for the forfeit. But if the master had not ordered the slave to kill game, and the slave had not assumed *iḥrām* at the time when he killed the game, there is no penalty upon the master.'

'Alī: He said, 'When the *muḥrim* pays the forfeit for the game [killed unlawfully], he cannot eat any part of the animal sacrificed as forfeit.'

['Alī]: He said, 'When a *muḥrim* kills game, it should be decided whether he killed it intentionally or by mistake.'

['Alī]: He was asked about a man who assumes *iḥrām* and at that very time wild game is found in his house. He replied [that the mere fact of its existence in the house] does not render him liable for a forfeit.'¹⁶⁴

['Alī]: He said that the forfeit for small birds such as sparrows and larks and their like is one *mudd*¹⁶⁵ of food for each bird.

¹⁵⁹Ibid., IV, 381; also reported from al-Ṣādiq.

¹⁶⁰Cf. ibid., IV, 381, 384; when the animal bleeds from the injury he has to pay the forfeit.

¹⁶¹Cf. *Mishkāt*, I, 56, 57; Robson, I, 579, 580; transmitted by Bukhārī and Muslim. Another tradition states that the *muḥrim* can eat the flesh of game as long as he did not hunt it or have it hunted on his behalf. *Kaḥf*, IV, 379.

¹⁶²*Kaḥf*, IV, 380.

¹⁶³Ṭūsī, *al-Nihāya*, 229.

¹⁶⁴*Kaḥf*, IV, 380.

¹⁶⁵For *mudd* see n. 149 in Chap. 6. A tradition transmitted by Muslim states that birds could be eaten by a *muḥrim*, *Mishkāt*, I, 58; Robson, I, 580. *Kaḥf*, IV, 388.

Ja'far b. Muḥammad: He prohibited the *muḥrim* from killing locusts and eating them in the state of *iḥrām*; but the man is not liable if he kills one by mistake or his beast of burden tramples upon one.¹⁶⁶ If he kills one intentionally, a handful of food is the forfeit.

[Ja'far b. Muḥammad]: He said, 'A *muḥrim* who intentionally kills a large lizard or a wasp has to offer a handful of food as forfeit; but if the act was not intentional, there is no penalty. The same rule applies to ants, insects, gnats, ticks, and lice.'

'Alī: He said, 'The Messenger of God permitted the killing of rats, whether in the sacred precincts or outside them.'¹⁶⁷

Ja'far b. Muḥammad: He said, 'There is no harm if the *muḥrim* destroys wolves, vultures, kites, rats, serpents and scorpions, and any other animal which attacks human beings and causes fear or injury to them, such as a mad dog (or biting dog) or a beast of prey, and whatever he fears may attack him.'¹⁶⁸

[Ja'far b. Muḥammad]: He said, 'The hunting of every kind [of fish] in the sea is lawful for all persons, whether *muḥrim* or not. It is also lawful for the *muḥrim* to eat it and to use it as provision for the future [by drying, etc.].'¹⁶⁹

[Ja'far b. Muḥammad]: He was asked about birds, which were found on the sea. He said, 'All birds living in a thicket or swampy ground which lay their eggs and hatch them in bushes on land are "game of the land"; but those "game of the land" which live on the land but lay their eggs and rear their young ones in the sea are deemed to be "the game of the sea."'¹⁷⁰

[Ja'far b. Muḥammad]: He was asked about the Sindī fowl,¹⁷¹ and he said, 'It is not reckoned as game. Game birds is a designation given only to those birds that are accustomed to flight.'

[Ja'far b. Muḥammad]: He said, 'A pilgrim who forfeits an animal as a penalty for killing wild game should slaughter it at Minā, but if he is only undertaking an 'umra he should slaughter it at Mecca.'¹⁷²

¹⁶⁶Cf. *Kāfi*, IV, 380, 391-2.

¹⁶⁷*Mishkāt*, I, 57; Robson, I, 579; transmitted by Bukhārī and Muslim.

¹⁶⁸*Mishkāt*, I, 57; Robson, I, 579; transmitted by Bukhārī and Muslim; this list does not include wolves and vultures.

¹⁶⁹*Kāfi*, IV, 390.

¹⁷⁰*Ibid.*, IV, 391; reported from al-Ṣādiq.

¹⁷¹*Al-Dajāj al-Sindī* is described as an Indian fowl. Jāḥiẓ, *al-Ḥayawān*, III, 145; VII, 170.

¹⁷²*Kāfi*, IV, 382; reported from both al-Bāqir and al-Ṣādiq.

ENTERING THE ḤARAM (SACRED PRECINCTS) AND HOW TO BEHAVE THERE

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God forbade that the wild animals (and birds hunted for sport or food) of Mecca be scared, or that its trees be lopped, or that its fresh herbage be cut. But he permitted scented herbs [to be collected], or [trees to be cut] for the staff of a shepherd and said, 'If you find a man cutting the fresh herbage, or lopping trees, or scaring wild game in the ḥaram, you are permitted to deprive him of his plunder and hit him on the back as a punishment for what he has permitted himself to do in the ḥaram.'¹⁷³

Ja'far b. Muḥammad: He said, 'He who lops trees or cuts fresh herbage should give charity according to their price.'

[Ja'far b. Muḥammad]: He said, 'If a man who has not assumed *iḥrām* kills wild game in the sacred precincts, he must pay its price.'

[Ja'far b. Muḥammad]: He said, 'Where a man wounds game outside the sacred precincts, but the beast struggles to its feet (with great effort) until it enters the ḥaram and dies within it, there is no penalty for him.'

[Ja'far b. Muḥammad]: He said, 'If a man hunts game [outside the ḥaram] and enters the ḥaram with it while the animal is alive, it is forbidden for him to keep the game. Therefore it is incumbent on him to set it free. But if he has lawfully slaughtered it outside the sacred precincts and comes into the ḥaram with the dead body, duly slaughtered, there is no penalty on him.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'If a man goes out of Mecca with a bird [that he has captured] and reaches Kūfa, it is incumbent on him to return the bird to the ḥaram.'

Ja'far b. Muḥammad: He was questioned about a man who had game with him when he entered the ḥaram: Was it permissible for him to go out of the ḥaram with it? [The Imam] replied, 'No. Once he enters the ḥaram with it, it is unlawful for him to keep it.'

[Ja'far b. Muḥammad]: He said, 'Found property shall not be picked up within the ḥaram. Leave it in its place, until the owner comes back and claims it.'

'Alī: Whenever he entered the ḥaram, it was his custom to take a bath.¹⁷⁴

Ja'far b. Muḥammad: He said, 'When a man who wishes to combine the *'umra* and the *ḥajj* with a break in the *iḥrām* enters the ḥaram, he

¹⁷³*Mishkāt*, II, 61; Robson, I, 583; transmitted by Bukhārī and Muslim. Ṭūsī, *al-Nihāya*, 235.

¹⁷⁴*Kaḥf*, IV, 396.

should stop uttering the *talbiya* and take to the *takbīr* (uttering *Allāhu akbar*) and the *tahlīl* (*lā ilāha illa 'llāh*).¹⁷⁵

[Ja'far b. Muḥammad]: He said, 'When a pilgrim enters Mecca, intending either an *'umra* or a *hajj*, he should first secure his mount. Then he should enter the Sacred Mosque, preferably barefoot,¹⁷⁶ and with peace and dignity,¹⁷⁷ and enter by the portal of Banū Shayba,¹⁷⁸ which is the gate of 'Irāqīs. Then he should offer prayers of supplication to the best of his ability.'

People of the Household: So numerous are the prayers of supplication that their mention would be extremely lengthy, but none among them is fixed or determined.

'Alī: When the Messenger of God entered the Sacred Mosque for the Farewell Pilgrimage, he began by kissing the Black Stone and then performed the circumambulation.

THE CIRCUMAMBULATION (ṬAWĀF)

Abū Ja'far Muḥammad b. 'Alī: He said, 'Every faithful one who goes around the House seven times (*usbū'an*),¹⁷⁹ prays two *raka'āt*, performs the circumambulation properly, and offers the prayers correctly, shall be forgiven [his sins] by God.'

Abū 'Abd Allāh Ja'far b. Muḥammad: He said that the *ṭawāf* is one of the major rites of the *hajj*. He, who intentionally omits the obligatory *ṭawāf*, has not performed the *hajj*.

Abū Ja'far Muḥammad b. 'Alī: He said, 'When the Messenger of God entered the Sacred Mosque, he began with the corner [which contains the Black Stone] and kissed it. Then he passed by the right side, leaving the Ka'ba on the left, and went round seven times. For the first three rounds he walked fast (*ramal*)¹⁸⁰—almost ran—and for the last four, he merely walked at the usual pace.'¹⁸¹

¹⁷⁵Ibid., IV, 397. *El*², s.v. *Tahlīl*.

¹⁷⁶*Kāfi*, IV, 396.

¹⁷⁷Ibid., IV, 400; Kulaynī gives the orisons to be recited.

¹⁷⁸For the plan of the *ḥaram* and al-Masjid al-Ḥarām and where the gate of the Banī Shayba is located, see *El*², s.v. *Makka*.

¹⁷⁹The term *al-usbū'* used in the context of *ṭawāf* means seven. Robson's translation 'for a week' is incorrect. See *Mishkāt*, II, 24; Robson, I, 553; *Kāfi*, IV, 411, n. 4 by the editor; *Majma' al-baḥrayn*, s.v. *s-b-*; *El*², s.v. *Ṭawāf*.

¹⁸⁰It is a certain kind of walk or pace, between walking and running. *Lisān al-'Arab*, s.v. *r-m-l*.

¹⁸¹*Mishkāt*, II, 21–2; Robson, I, 551; transmitted by Bukhārī and Muslim. Instead of *ramala* the word used here is *sa'a*, which carries the same meaning. In another tradition Muslim also uses *ramala*.

Ja'far b. Muḥammad: He said, 'It is not incumbent on women to walk fast in performing the *ṭawāf*.'

[Ja'far b. Muḥammad]: He said, 'The Messenger of God used to kiss two corners, the corner, which contains the Black Stone and the Yama'ni corner, whenever he went past them in circumambulation.'¹⁸²

[Ja'far b. Muḥammad]: He said, 'There is no objection to conversation during the *ṭawāf*, but it is more meritorious to pray and recite the Qur'ān.'¹⁸³

Ahl al-Bayt: Many forms of prayer have been reported, none of which is fixed or determined. It is commendable to offer prayers between the Black Stone and the Gate.

[Ja'far b. Muḥammad]: He said, 'The man who is ill or cannot walk may be carried while performing the *ṭawāf*. If, however, he can walk a little and stand at Ṣafā and Marwa, so much the better. The *ṭawāf* thus performed brings merit both to the carrier and the one who is carried.'¹⁸⁴

Abū Ja'far Muḥammad b. 'Alī: He allowed the pilgrim to wear sandals while going around the Ka'ba. He said, 'The Messenger of God went around the Ka'ba riding on a mount, and he had a staff with one end bent (or a stick with a crooked or curved end), with which he "kissed" the Black Stone, when he went past it.'¹⁸⁵

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'There can be no *ṭawāf* without ritual purity. If a man circles round the Ka'ba without ablution, it will not be deemed to be a *ṭawāf*. If, however, a man performs a supererogatory *ṭawāf* without ablution and later performs the ablution and prays two *raka'āt* of his *ṭawāf*, there is no harm in it. The mandatory *ṭawāf* cannot be performed without ablution.'¹⁸⁶

Ja'far b. Muḥammad b. 'Alī: He said, 'A man begins a *ṭawāf* but has to cut it short by reason of bleeding from the nose, or pain, or an occurrence terminating his ritual purity, or a similar circumstance. Later he wishes to perform his *ṭawāf*. Now, if he has completed one half or more of the circumambulation, he should resume and continue from the place where he was forced to terminate it; but if he had completed less than half the *ṭawāf*, and it was a mandatory one, he should begin from the beginning, disregarding what he had already performed.'¹⁸⁷

¹⁸²Kāfi, IV, 407–8.

¹⁸³Mishkāt, II, 23, 26; Robson, I, 553, 555; Kāfi, IV, 405–9; Kulaynī gives some orisons to be recited.

¹⁸⁴Kāfi, IV, 423, 430.

¹⁸⁵Mishkāt, II, 22; Robson, I, 552; Kāfi, IV, 431–2.

¹⁸⁶Kāfi, IV, 420–1.

¹⁸⁷Ibid., IV, 414.

[Ja'far b. Muḥammad]: He said, 'Women who are menstruating, or who suffer from hemorrhage, or are in confinement, should visit all the sites of the pilgrimage and perform all the rituals, except going round the Ka'ba or visiting Ṣafā and Marwa. They should not enter the Sacred Mosque. They should perform those rites later, when they are free from impurity.'¹⁸⁸

[Ja'far b. Muḥammad]: He said, 'If a man is fatigued during the *ṭawāf*, there is no harm if he rests for a while.'¹⁸⁹

[Ja'far b. Muḥammad]: He said, 'If during the *ṭawāf* the time for [a mandatory] prayer comes, the pilgrim should pause, offer his prayers, and then resume the *ṭawāf* from the place where he left it off.'¹⁹⁰

[Ja'far b. Muḥammad]: He permitted a break in the *ṭawāf* for a good action.¹⁹¹ The man should resume the *ṭawāf* from where he had left it off if it was a supererogatory *ṭawāf*.

[Ja'far b. Muḥammad]: If a man has performed half a *ṭawāf* or more and then falls ill, he may ask someone else to complete it on his behalf. But if he has completed less than half [and becomes ill], when he recovers he should begin it again or someone else should do it on his behalf; or he may be carried around seven times if his illness is a lengthy one.

[Ja'far b. Muḥammad]: He said, 'If a man is circumambulating, and the time for a mandatory prayer comes, he should first offer the prayer.'

[Ja'far b. Muḥammad]: He was asked about a man who has completed his *ṭawāf*, but a doubt arises in his mind whether he has gone round seven times or only six times. [The Imam] said, 'He should go around again from the beginning.' It was said to him, 'But if he has already left after completing the *ṭawāf*, what then?' [The Imam] said, 'In such a case there is no blame on him.'¹⁹² But if he has gone round only six times and believes that it is the seventh round, and then it occurs to him that it was only the sixth, he should make one more round again.¹⁹³

'But if he performs a round in excess and makes eight rounds, then he should make six rounds more, pray four *raka'āt* at the Maqām Ibrāhīm,¹⁹⁴ and go round Ṣafā and Marwa. This will be equivalent to two *ṭawāfs*, one of them mandatory, and the other, supererogatory.'

¹⁸⁸*Mishkāṭ*, II, 22; Robson, I, 552; transmitted by Bukhārī and Muslim.

¹⁸⁹*Kaṣf*, IV, 416; reported from al-Ṣādiq.

¹⁹⁰*Ibid.*, IV, 416; reported from al-Ṣādiq.

¹⁹¹*Ibid.*, IV, 415; a break for good action is permitted even during the obligatory *ṭawāf*.

¹⁹²*Ibid.*, IV, 417.

¹⁹³*Ibid.*, IV, 418-19.

¹⁹⁴See n. 255 in Chap. 2. The Maqām Ibrāhīm is a suitable place for the *ṣalāt*. *El*², s.v. Ka'ba.

[Ja'far b. Muḥammad]: He said, 'The *ṭawāf* must be performed avoiding the area called *ḥijr*,¹⁹⁵ and he who enters the *ḥijr* [for any cause] must make the round again.'¹⁹⁶

Numerous are the reports that have come down to us from the members of the Prophet's Household regarding the prayers of supplication to be said at the Multazam,¹⁹⁷ but nothing among them is fixed or determined. The Multazam is the back of the House, in front of the Gate. The one who makes *ṭawāf* should come to it on the seventh round, pray according to his ability, express his repentance to God [for his sins], and ask His forgiveness.¹⁹⁸

Abū Ja'far Muḥammad b. 'Alī: He used to do this, and separating himself from those with him among his followers (*muwālīhi*), he would plead before God and mention those things for which he sought His forgiveness.

Now the word *istilām* of the Black Stone means kissing or touching it, if one can reach it, or pointing towards it, if it is impossible to come near it, and to pray there according to one's ability.¹⁹⁹

Women should not perform the *istilām*, nor enter the throng with men.²⁰⁰

Ja'far b. Muḥammad: He said, 'The *ṭawāf* means going around the Ka'ba seven times. The *shawṭ* (round) consists of making a round from the Black Stone going around the House and the *ḥijr* till the Black Stone is reached from the place where the round began. When a pilgrim makes seven such rounds, he should pray two *raka'āt* of prayer behind the Maqām Ibrāhīm. It is commendable to recite *sūras* 109 (*Qul yā ayyuha 'l-kāfirūn*)

¹⁹⁵Opposite the north-west wall of the Ka'ba, but not connected to it, is a semi-circular wall called *al-ḥaṭīm*. The space between the Ka'ba and *al-ḥaṭīm* bears the name *al-ḥijr* or *ḥijr Ismā'il*. It is said that both Ismā'il (Ishmael) and his mother Hājar (Hagar) are buried there. The *ṭawāf* goes as close as possible along the outer side of *al-ḥaṭīm*.

The *ḥijr* was considered part of the House erected by Abraham, but during the pre-Islamic days when Quraysh planned to rebuild the Ka'ba and to cover it with a roof they did not include the space of the *ḥijr*. The Prophet therefore considered that the circumambulation of the Ka'ba has to be performed from behind the space of the *ḥijr*. When 'Abd Allāh b. Zubayr decided to rebuild the Ka'ba he included five cubits of the *ḥijr* in the Ka'ba, but Ḥajjāj b. Yūsuf later pulled down that part. *Majma' al-baḥrayn*, s.v. ḥ-ṭ-m; Lane, s.v. ḥ-ṭ-m; EI², s.v. Ka'ba; Kister, 'Mecca and the tribes of Arabia', 53-4.

¹⁹⁶Cf. *Kāfi*, IV, 413, 420.

¹⁹⁷The part of the wall between the Black Stone and the door of the Ka'ba is called *al-multazam*, because the visitors press their breasts against it while praying fervently. EI², s.v. Ka'ba; *Majma' al-baḥrayn*, s.v. l-z-m.

¹⁹⁸*Kāfi*, IV, 410.

¹⁹⁹Ibid., IV, 402-4.

²⁰⁰Ibid., IV, 405.

and 112 (*Qul huwa 'llāhu aḥad*) after the *Fātiḥa* in this prayer.²⁰¹ Then the pilgrim should emerge from the Gate of Ṣafā and make seven rounds between Ṣafā and Marwa, beginning with Ṣafā and ending with Marwa, going and coming. He who forgets the two *raka'āt* of the *ṭawāf* prayer may pray later, and if he has left Mecca, he may pray when he remembers them.²⁰²

[Ja'far b. Muḥammad]: He said, 'After you have offered two *raka'āt* of the *ṭawāf* prayer, go to the well of Zamzam, drink of its water and sprinkle it over you. [If you are able to do it] do so!'²⁰³

[Ja'far b. Muḥammad]: He said, 'Do not join together two sequences of seven rounds each, except when you forgetfully add one more round to the first [seven].'²⁰⁴

Al-Ḥasan and al-Ḥusayn: They performed the *ṭawāf* [together in the afternoon] after the 'aṣr prayers, and drank the water of Zamzam while they were standing.

Ja'far b. Muḥammad: He was asked about the man who arrives at Mecca after the *fajr* or after the 'aṣr prayer. Should he undertake the *ṭawāf* and pray the two *raka'āt* afterwards? [The Imam] said, 'Yes, if the *ṭawāf* is mandatory; but if the *ṭawāf* is supererogatory, he should not offer the two *raka'āt* until the proper time for the obligatory prayers.'

[Ja'far b. Muḥammad]: He said, 'It is highly commendable to start the running to and fro between Ṣafā and Marwa (*al-sa'y*)²⁰⁵ after performing *ṭawāf* and the two *raka'āt* of the *ṭawāf* prayer. But there is no harm in delaying the *sa'y* after the *ṭawāf*, for a good cause.'²⁰⁶

[Ja'far b. Muḥammad]: He said, 'The running to and fro between Ṣafā and Marwa cannot be accomplished before completing the *ṭawāf*. He who does so, should disregard it, and perform the *ṭawāf*, and then do the *sa'y*.'²⁰⁷

Abū Ja'far Muḥammad b. 'Alī: Concerning the Qur'ānic verse *Lo! (the hills) al-Ṣafā and al-Marwa are among the waymarks of Allah. It is therefore*

²⁰¹Ibid., IV, 424–6; Kulaynī gives the sequence of the Qur'ān recital in reverse order.

²⁰²Ibid., IV, 427–8.

²⁰³Ibid., IV, 432–3.

²⁰⁴Ibid., IV, 419–20. According to Kulaynī *al-iqrān* or *al-qirān*, meaning joining together two sequences of seven rounds each, is permitted only for the supererogatory *ṭawāf*.

²⁰⁵*Al-Sa'y* between Ṣafā and Marwa signifies the going along with vigorousness and quickness. It is also described as a pace below what is termed *shadd* (fast) and above what is termed *mashy* (walking). Lane, s.v. *s'-y*.

²⁰⁶Ibid., IV, 423; the *sa'y* should not be delayed until the following day.

²⁰⁷Ibid., IV, 422.

no sin for him who is on pilgrimage to the House (of God) or visiteth it, to go around them (2:158), he said, 'The *ṭawāf* [going around seven times] of them is compulsory and an obligation.²⁰⁸ The Word of God clarifies it. For, if there was the option to drop the *ṭawāf* [of Ṣafā and Marwa], God would have said, "There is no wrong done if you do not go around them." Thus it would be seen clearly that the people considered the *ṭawāf* [of Ṣafā and Marwa] to be wrong; and, in fact, this used to be the case.

The Anṣār²⁰⁹ used to offer an animal sacrifice to Manāt,²¹⁰ and Manāt was face to face with [the rock] in Qudayd. Thus they refrained from performing the *ṭawāf* between Ṣafā and Marwa. When Islam came, they asked the Messenger of God about this, and God revealed the aforsaid verse.

Ja'far b. Muḥammad: He described the *ṭawāf* between Ṣafā and Marwa, and said, 'The pilgrim should proceed from the Ṣafā Gate and ascend the [heights of the hill of] Ṣafā and then descend from it, and similarly he should go up the [hill of] Marwa [and descend from it]. He should do this seven times, beginning with Ṣafā and ending with Marwa.²¹¹ Whenever the pilgrim ascends Ṣafā or Marwa he should pray to the best of his ability. Similarly he should pray while going from one hill to the other.²¹²

Numerous are the orisons, which have been reported to us from the House of the Prophet, but none of them is fixed or determined.²¹³

When the pilgrim happens to travel between Ṣafā and Marwa, he should [cover the distance] between them by hastening to and fro; but women are not obliged to do so [they can walk].²¹⁴

²⁰⁸Ibid., IV, 437–8; if one omits the *ṭawāf* of Ṣafā and Marwa intentionally he has to perform the pilgrimage the following year.

²⁰⁹See n. 18 in Chap. 1 for the Anṣār.

²¹⁰Manāt, who, with al-Lāt and al-'Uzzā, formed the Arab triad and is mentioned in the Qur'ān 53:19–20, was worshipped by all the Arabs. It was originally a rock for Hudhayl in Qudayd, about 15 km from Yathrib [Medina]. Later on the rock was replaced by a statue and it became the gathering place of the Aws and Khazraj, the most ardent worshippers of Manāt. It was revered by them to such an extent that they considered their pilgrimage to Mecca incomplete without visiting her. For more details see EI², s.v. Manāt.

²¹¹Kāfi, IV, 438–40. 'It is permitted to rest for a while during the sa'y, or the sa'y could be done riding on a mount. Both the *ṭawāf* and the sa'y should be performed in a state of ritual purity.'

²¹²Tūsī, *al-Nihāya*, 243–7.

²¹³Cf. Kāfi, IV, 433–5, for the orisons to be recited.

²¹⁴Ibid., IV, 436.

RELINQUISHING THE *IHRĀM* AFTER THE 'UMRA²¹⁵

God says, *Whosoever wishes to enjoy a break in the iḥrām [after] the 'umra until [resuming it for] the ḥajj shall offer such offerings as he can obtain with ease (2:196).*²¹⁶

[Ja'far b. Muḥammad: He said, 'He who wishes to combine the 'umra and the ḥajj with a break in the iḥrām [after the 'umra, then resuming it for the ḥajj] and has come therefore to Mecca, let him go around the House and do the running to and fro between Ṣafā and Marwa. Then he should shorten his hair, trim his moustaches and beard, pare his nails to some extent, and leave some part of his nails till the day of the ḥajj. If he shortens some of them and leaves the others as they are, his obligation will be fulfilled.²¹⁷ If, however, he shaves his head, the penalty for this is a small animal [goat, sheep]. And when the day of sacrifice comes, he should have his head shaved as the bald does.²¹⁸ But if he forgets cutting his hair until he assumes iḥrām for the ḥajj, there is no penalty on him and God will forgive him!'²¹⁹

[Ja'far b. Muḥammad]: He said, 'After the *ṭawāf* of 'umra the *mutamatti'* pilgrim²²⁰ should not perform the supererogatory *ṭawāf* [of the ḥajj] until he cuts his hair. When he cuts his hair, he may have marital relations with his wife; but if he goes into her before cutting his hair, he has to forfeit a camel. Where, however, he merely kisses her, then he has only to forfeit a small animal.'²²¹

[Ja'far b. Muḥammad]: He said, 'When the pilgrim doffs the iḥrām, he may make the supererogatory *ṭawāf* of the House as often as he likes during the time of his freedom from iḥrām and before assuming the iḥrām again for the ḥajj proper.'

[Ja'far b. Muḥammad]: He said, 'It is proper for the pilgrim who wishes to conjoin the 'umra with the ḥajj with a break in the iḥrām not to wear a shirt and to resemble the *muḥrim*s during the period of his freedom from iḥrām.²²² Similarly the Meccans should try to resemble the *muḥrim*s in appearance, and remain unkempt and dusty.'

²¹⁵The Arabic term used by Nu'mān is *mut'a*, the literal meaning of which is enjoyment.

²¹⁶Pickthall's translation as well as some other translations are not correct and clear because of the phrase *tamatta'a bi 'l-'umra ila 'l-ḥajj*. See n. 25 in this chapter.

²¹⁷*Kaḥf*, IV, 441, reported from al-Ṣādiq.

²¹⁸*Ibid.*, IV, 444; reported from al-Ṣādiq. 'If he shaves his head out of ignorance, there is no harm.'

²¹⁹*Ibid.*, IV, 442-3.

²²⁰The pilgrim who combines the ḥajj with the 'umra with a break in the iḥrām.

²²¹*Kaḥf*, IV, 443; also reported from al-Ṣādiq.

²²²*Ibid.*, IV, 444; reported from al-Ṣādiq.

Abū Ja'far Muḥammad b. 'Alī: He was asked, 'What should the *mu-tamatti'* pilgrim do when he arrives at Mecca on the Day of *Tarwīya* (8th of Dhu 'l-Ḥijja)?²²³ He said, 'If he arrives at Mecca before noon, he should perform the *ṭawāf* of the Ka'ba and then give up the *iḥrām*. He should assume the *iḥrām* again after the *zuhr* prayers. If, however, he arrives at the end of the day, there is no harm if he doffs the *iḥrām* and then joins the people at Minā.²²⁴ If he arrives on the Day of 'Arafa (9th of Dhu 'l-Ḥijja), then he has missed combining the 'umra and the *ḥajj* with a break in the *iḥrām*, and he can only perform the *ḥajj* by itself (*mufrad*).'

Ja'far b. Muḥammad: He was asked about a woman who comes to perform both the 'umra and the *ḥajj* together with a break in the *iḥrām*; but when she gives up her *iḥrām* [after she has performed the 'umra], she fears that the period of menstruation will come. What should she do? [The Imam] said, 'She should assume *iḥrām* for the *ḥajj* and perform the *ṭawāf* of the Ka'ba, and the *sa'y* at Ṣafā and Marwa for the *ḥajj*. There is no harm in her performing the *ṭawāf* and the *sa'y* before the *ḥajj*.²²⁵ If, however, she menstruates before she performs the *ṭawāf* of the 'umra, she may go out with the people [to perform the *ḥajj*] and postpone the *ṭawāf* till she is free from her period.'²²⁶

[Ja'far b. Muḥammad]: Concerning the Word of God, *That is for him whose folk are not present in the Inviolable Place of Worship* (2:196), he said, 'Neither the people of Mecca nor those who have taken up residence in the immediate vicinity of Mecca without their folks can perform the 'umra and the *ḥajj* together with a break in the *iḥrām*. He who enters Mecca for the 'umra in the months of the *ḥajj*, and stays on till he has performed the *ḥajj*, is he who has duly combined the 'umra and the *ḥajj* with a break in the *iḥrām*. If he goes away before the *ḥajj*, there is no harm. It amounts to an 'umra only.'

[Ja'far b. Muḥammad]: He said, 'Whosoever wishes to enjoy a break in the *iḥrām* [after] the 'umra until [resuming it for] the *ḥajj* shall offer such offerings as he can obtain with ease' (2:196), so therefore, as God Himself says [that offering should be] either a sheep or a bigger animal.²²⁷ And whosoever cannot find (such an animal), then a fast of three days while on the pilgrimage (2:196), that is the day before the *tarwīya*²²⁸ (7th of Dhu 'l-Ḥijja), the

²²³See n. 112 in this chapter for *tarwīya*.

²²⁴Kaft, IV, 446.

²²⁵Ibid., IV, 459–61.

²²⁶Ibid., IV, 447–55; Kulaynī gives more details.

²²⁷Ibid., IV, 488. According to Kulaynī the smallest would be a sheep.

²²⁸See n. 112 in this chapter for *tarwīya*.

Day of *Tarwiya* (8th of Dhu 'l-Hijja) and the Day of 'Arafa²²⁹ (9th of Dhu 'l-Hijja); and in addition, seven days when he returns to his people.²³⁰ He may fast whenever he wishes, when he enters [Mecca for] the *hajj*, but it is commendable to fast during the earlier of the ten days [of *hajj*]. If he has not been able to fast during the period of *hajj*, he may fast on his way back. But if he has not fasted at all, out of ignorance, he may fast ten days when he returns home.'

[Ja'far b. Muḥammad]: He said, 'If the *mutamatti*' pilgrim has not the means to buy a sheep, he should fast. If a man has the money but does not find a sheep, or if he has no means to buy it until the last day of departure from Minā [to Mecca] (*yawm al-nafr al-ākhir*),²³¹ there is no option for him but to fast.'²³²

[Ja'far b. Muḥammad]: He said, 'If the *mutamatti*' pilgrim does not possess an animal for sacrifice, or dies before procuring one, or dies before he is able to fast, his legal guardian [or nearest relation] may fast for him.'²³³

[Ja'far b. Muḥammad]: He said, 'The *mutamatti*' pilgrim should fast consecutively. If, for a good reason or otherwise, he is unable to fast for consecutive days, even this is sufficient, provided that the number of days is as God has laid down.'

[Ja'far b. Muḥammad]: He said, 'The man who takes a boy on the combined *hajj* and 'umra with a break in *iḥrām* should make the sacrificial offering on behalf of the boy also.'

[Ja'far b. Muḥammad]: He said, 'The pilgrim who performs the 'umra followed by the *hajj* with a break in *iḥrām*, should take a bath on the Day of *Tarwiya* [8th of Dhu 'l-Hijja] and wear the two pieces of cloth which constitute the *iḥrām*. He should enter the Sacred Mosque barefoot and perform seven rounds of the supererogatory *ṭawāf*, if he is so minded. Then he should pray the two *raka'āt* of *ṭawāf*; then he should sit till the *zuhr* prayers; then he should assume *iḥrām* as he did at the rendezvous point and time. When he comes to Raqā',²³⁴

²²⁹See n. 9 in Chap. 1 for 'Arafa.

²³⁰And of seven when ye have returned; that is ten in all (Qur'an 2:196). See also Kafti, IV, 508-9.

²³¹*Yawm al-nafr* (or *al-nafar*) is the day of departure from Minā. *Yawm al-nafr al-awwal* is the second day of the days called *ayyām al-tashriq* (i.e. the 12th of Dhu 'l-Hijja); and *yawm al-nafr al-ākhir* (or *al-thāni*) is the third day of the days called *ayyām al-tashriq*, (i.e. the 13th of Dhu 'l-Hijja). *Majma' al-baḥrayn*, s.v. n-f-r; Lane, s.v. n-f-r.

²³²Kafti, IV, 510; 'It is better to fast as the days during which animals can be sacrificed have already elapsed.'

²³³Ibid., IV, 511.

²³⁴A place in lower Mecca before Radm. Some scholars write it Ramḍā' or Ramḍa

before he arrives at Radm,²³⁵ he should utter the *talbiya*²³⁶ loudly.²³⁷

'The people of Mecca should assume *iḥrām* in the same manner for the pilgrimage from Mecca; and the people [temporarily] living in Mecca who are not residents should do likewise.'

THE TRIP TO MINĀ AND STANDING AT 'ARAFA

Ja'far b. Muḥammad: He said, 'The people should go from Mecca to Minā on the Day of *Tarwiya*, which is the 8th of Dhu 'l-Ḥijja. The most approved time for starting is after the *ḡhr* prayer. It is for the pilgrims to choose whether to travel in the morning or in the evening, or even at night. There is no harm if a person starts a day previous to the Day of *Tarwiya*.²³⁸ Walking as much of the distance as possible for the pilgrimage brings merit—so does riding, for those that can afford it. The Messenger of God rode to Minā.'

[Ja'far b. Muḥammad]: He said, 'It is proper for the leader of prayer to offer the *ḡhr* prayer on the Day of *Tarwiya* at Minā. The Day of *Tarwiya* is the 8th day of Dhu 'l-Ḥijja. The people should pass the night preceding the Day of 'Arafa [9th of Dhu 'l-Ḥijja] at Minā, and they should proceed from Minā to 'Arafa during the morning on the Day of 'Arafa.'²³⁹

The Messenger of God: He started from Minā on the Day of 'Arafa after sunrise, and prayed the *ḡhr* at 'Arafa.²⁴⁰

'Alī: He used to take a bath on the Day of 'Arafa.

'Alī: The Messenger of God alighted at Namira²⁴¹ on the Day of 'Arafa and stayed there until the sun declined. Then he ordered that his she camel named al-Qaṣwā²⁴² be prepared for him. When he reached the bottom of the valley, he halted and addressed the people. Then

instead of Raqṭā'. Azraqī, *Akhbār Makka*, II, 292; *Majma' al-baḥrayn*, r-q-ṭ; Turayḥī has cited the *ḥadīth* also.

²³⁵Radm means a barrier, rampart. Radm in Mecca refers to such a rampart built in upper Mecca to prevent the flooding of the Sacred Mosque. Azraqī, *Akhbār Makka*, II, passim; *Majma' al-baḥrayn*, s.v. r-d-m; Lane, s.v. r-d-m.

²³⁶See n. 30 in this chapter for *talbiya*.

²³⁷Kāfi, IV, 456; also reported from al-Ṣādiq.

²³⁸Ibid., IV, 462.

²³⁹Ibid., IV, 462.

²⁴⁰Ṭūsī, *al-Nihāya*, 249.

²⁴¹Namira is near 'Arafa, where the Prophet had camped. Ḥarbī, *al-Manāsik*, 509; Azraqī, *Akhbār Makka*, I, 180; II, 131, 188, 193–4. Yāqūt, s.v. Namira; Ṭūsī, *al-Nihāya*, 250.

²⁴²Ṭabarī, *History of al-Ṭabarī*, IX, 54, 150–1.

Bilāl²⁴³ called for prayer, and uttered the *iqāma* for prayer and the Prophet prayed the *ḡuhr*; thereafter [Bilāl] said the *iqāma* and the Prophet prayed the *ʿaṣr*. He offered no other prayer between the two obligatory ones. Then he mounted and rode off to the *mawqif*.²⁴⁴

[ʿAlī]: He said, 'When the Messenger of God arrived at the *mawqif* on the Day of 'Arafa it was in the afternoon, and then he stopped uttering the *talbiya*.'²⁴⁵

Ja'far b. Muḥammad: He said, 'At 'Arafa the prayers of *ḡuhr* and *ʿaṣr* should be combined with one *adhān* and two *iqāmas*.'²⁴⁶

[Ja'far b. Muḥammad]: He said, 'The whole of 'Arafa is a halting place (*mawqif*), but the best place is at the foot of the hill.' [The Imam] prohibited the people from camping at Arāk²⁴⁷ and said that the hillside was preferable.²⁴⁸ He also said that the Messenger of God camped at Namira.

[Ja'far b. Muḥammad]: He said, 'The pilgrims should halt at 'Arafa to pray to God to the best of their ability, to ask for his favours and to continue until the sun sets. If a person who halts at 'Arafa faints on account of illness, the visit itself is sufficient.' He continued, 'The halting of a pilgrim at 'Arafa without ritual purity is not appropriate.'

ʿAlī: The Messenger of God said, 'The person who commits the greatest wrong from among the people of 'Arafa is the one who departs from there and thinks that God has not forgiven him.'

The members of the Prophet's Household: A number of prayers of supplication have been reported, but none of them is fixed or determined. It is the duty of a person to pray assiduously to the best of his ability, and to ask God for His favours, both in this world and in the next.²⁴⁹

²⁴³See n. 17 in Chap. 3 for Bilāl.

²⁴⁴*Al-Mawqif* is a stopping place, a station for the pilgrims to halt in the plain of 'Arafa. See also Ṭabarī, *History of al-Ṭabarī*, IX, 114.

²⁴⁵*Kāfi*, IV, 464.

²⁴⁶*Ibid.*, IV, 464.

²⁴⁷Arāk is a kind of tree bearing what resemble bunches of grapes and of which toothpicks (*siwāk*) are made. It is also one of the large thorny trees upon which camels feed. Here by Arāk is meant a place near Namira, which is outside the boundary of 'Arafa. For this reason a *ḥadīth* states that the pilgrimage of those who camp at Arāk is not valid. Azraqī, *Akhbār Makka*, I, 181; *Kāfi*, IV, 465; *Majma' al-baḥrayn*, s.v. a-r-k; Lane, s.v. a-r-k.

²⁴⁸*Kāfi*, IV, 465.

²⁴⁹*Mishkāt*, II, 27-30; Robson, I, 556-8; *Kāfi*, IV, 466-7.

THE DEPARTURE²⁵⁰ FROM 'ARAFĀ FOR MUZDALIFA²⁵¹

God says, *Then hasten onward from the place whence the multitude hasteneth onward* (2:199).

Ja'far b. Muḥammad: With reference to this Qur'ānic verse, he said, 'The Quraysh²⁵² in pre-Islamic times used to hasten onward from Muzdalifa and say, "We are more entitled to the House than other people." For this reason God commanded them to hasten onward from 'Arafa as all the people did.'²⁵³

'Alī: The Messenger of God used to leave 'Arafa after sunset.²⁵⁴

Ja'far b. Muḥammad: He was asked about the time for departure from 'Arafa, and he said, 'When the sun sets. The man who leaves 'Arafa before sunset should slaughter a big animal [cattle, camel] as forfeit.'²⁵⁵

[Ja'far b. Muḥammad]: He said, 'When you depart from 'Arafa, you should preserve a quiet and dignified demeanour. Depart with [prayers for] forgiveness on your lips, for God says, *Then hasten onward from the place whence the multitude hasteneth onward* (2:199). Travel at a moderate pace. You are enjoined to be tranquil and not to travel rapidly, as many of the people do. When the Messenger of God left 'Arafa, he pulled the rein of al-Qaṣwā' until her head touched his litter, while he was speaking to the people and holding out his right hand [to restrain them]. He said, "O people, [preserve] a quiet demeanour, [preserve] a calm demeanour!"²⁵⁶ Whenever there came a hill, he let the reins loose until the she camel had ascended it, and [thus] he arrived at Muzdalifa. This *sunna* of the Prophet should be followed.'²⁵⁷

'Alī: He said, 'When the Messenger of God started from 'Arafa and arrived at Muzdalifa, he stood there and said the *maghrib* and the *'isha'* prayers jointly with one *adhān* and two *iqāmas*.'²⁵⁸

Abū Ja'far Muḥammad b. 'Alī: He was asked about performing the

²⁵⁰The Arabic word is *al-daf'*, which implies a push or a drive to leave. *Majma' al-bahrayn*, s.v. d-f-. *Dafa'a min 'Arafāt* means he commenced the journey from 'Arafāt and impelled his she camel and urged her to go. Lane, s.v. d-f-; f-y-d.

²⁵¹A place almost halfway between Minā and 'Arafa where the pilgrims returning from 'Arafa spend the night between 9 and 10 Dhu 'l-Hijja. On the next morning they set off before sunrise to Minā. EI², s.v. al-Muzdalifa.

²⁵²See n. 81 in Chap. 2 for Quraysh.

²⁵³*Mishkāt*, II, 34; Robson, I, 560.

²⁵⁴*Kaṭī*, IV, 468.

²⁵⁵*Ibid.*, IV, 469; reported from al-Bāqir. 'If he cannot afford the sacrifice he has to fast for eighteen days.' Ṭūsī, *al-Nihāya*, 251.

²⁵⁶*Mishkāt*, II, 32; Robson, I, 559; transmitted by Bukhārī.

²⁵⁷*Kaṭī*, IV, 469; reported from al-Ṣādiq.

²⁵⁸*Mishkāt*, II, 32-3; Robson, I, 559; transmitted by Bukhārī. *Kaṭī*, IV, 470.

maghrib and the 'ishā' prayers at night [at any place] before arriving at Muzdalifa, and he said, 'Even if a third of the night has passed [before reaching Muzdalifa], this should not be done [except at Muzdalifa]. The forfeit on him who does this deliberately [at any place other than Muzdalifa] is a small animal [goat, sheep].'

[Abū Ja'far Muḥammad b. 'Alī]: After the Messenger of God prayed the *maghrib* and 'ishā' prayers jointly at Muzdalifa, he repaired to his bed and did not pray in the night but slept till the dawn.²⁵⁹

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'Camp at Muzdalifa in the midst of the valley, near the sacred ritual site (*al-mash'ar al-ḥarām*), and do not go beyond the hills or the tanks.'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'The limit between Minā and Muzdalifa is Muḥassir,²⁶⁰ and the boundary of 'Arafāt is between al-Ma'zimān²⁶¹ to the farthest point of the *mawqif* (station for the pilgrims to halt in the plain of 'Arafa).'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'The pilgrim who intentionally does not stay the night at Muzdalifa—this being the night prior to the Day of Sacrifice—without good cause has to forfeit a large animal.'

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'The Messenger of God allowed heavy luggage, women, and weak persons to be dispatched by night from Muzdalifa to Minā.'²⁶²

[Abū Ja'far Muḥammad b. 'Alī]: When the Messenger of God completed the *fajr* prayer at Muzdalifa²⁶³ on the Day of Sacrifice, he rode on his camel *Qaṣwā'* till he came to the sacred ritual site and ascended it. Then he faced the *qibla* and said *lā ilāha illa 'llāh*, and declared the unity of God. He remained standing till it was bright dawn and then rode off before the sun rose.²⁶⁴

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'The Messenger of God declared both the whole of 'Arafa and the whole of Muzdalifa to be halting places (*mawqif*), and the whole of Minā a slaughtering place. The

²⁵⁹*Mishkāt*, II, 33; Robson, I, 559; 'the dawn prayer at Muzdalifa was observed before its proper time.' Transmitted by Bukhārī and Muslim.

²⁶⁰It is a valley between Minā and Muzdalifa. It is so called because Abraha's army (*Aṣḥab al-fil*) was afflicted with grief (*ḥasra*) there when the elephants took to flight. Yāqūt, s.v. Muḥassir; *Majma' al-baḥrayn*, s.v. ḥ-s-r; *Kāfi*, IV, 472.

²⁶¹*Ma'zim* means a narrow place, or a narrow road between two mountains. *Ma'zimān* is a dual form and the name of a place near Mecca. Azraqī, *Akhbār Makka*, II, 187; Yāqūt, s.v. *Ma'zimān*; *Majma' al-baḥrayn*, s.v. a-z-m.

²⁶²*Mishkāt*, II, 33; Robson, I, 559; transmitted by Bukhārī and Muslim.

²⁶³In the text it is *bi-jam'* (or *juma'*), the name used here for Muzdalifa because pilgrims gather there. *Majma' al-baḥrayn*, s.v. j-m-; *Mishkāt*, II, 33; Robson, I, 560; *Kāfi*, IV, 470.

²⁶⁴*Kāfi*, IV, 471.

Messenger of God halted [for a while] at Quzah,²⁶⁵ which is a hill on which there is a structure.'

[Ja'far b. Muḥammad: It is commendable for the leader of the ḥajj to halt [at Quzah].

[Ja'far b. Muḥammad]: He said, 'He who departs intentionally from Muzdalifa²⁶⁶ before the people do so—save the weak, the bearers of heavy luggage, and women, all of whom are specifically permitted to leave early—has to forfeit a small animal, but there is no penalty for one who is ignorant of the rule.'²⁶⁷

[Ja'far b. Muḥammad]: He said, 'The pilgrim who does not halt at Muzdalifa out of ignorance, but goes from 'Arafa to Minā, should return, halt at Muzdalifa, and pray.'²⁶⁸

[Ja'far b. Muḥammad]: When the Messenger of God departed from Muzdalifa, he travelled at a certain quick pace, and he used to say, 'O people, [preserve] a quiet demeanour, [preserve] a quiet demeanour!' until he reached the middle of the Muḥassir valley. Then he urged on his she camel so she ran until he came out of it,²⁶⁹ and then he returned to his former pace. He said, 'The speeding [of the camel] in the middle of the Muḥassir valley is obligatory.'²⁷⁰ Thereafter the Messenger of God travelled till he reached the Jamrat 'Aqaba²⁷¹ and pelted it with seven pebbles.

[Ja'far b. Muḥammad]: He said, 'The Day of Sacrifice is the Day of the Greater Pilgrimage.'

THE CASTING OF PEBBLES²⁷²

Abū Ja'far Muḥammad b. 'Alī: He used to consider it commendable to collect the stone pebbles for lapidation at Muzdalifa.²⁷³

²⁶⁵ A hill in Muzdalifa. Azraqī, *Akhbār Makka*, I, 71; II, 186, 187, 190, 192; Yāqūt, s.v. Quzah; *Majma' al-baḥrayn*, s.v. q-z-ḥ.

²⁶⁶ In the text: *Jam'in*. See n. 251 in this chapter for Muzdalifa.

²⁶⁷ *Kāfi*, IV, 475–6.

²⁶⁸ *Ibid.*, IV, 473–4.

²⁶⁹ *Mishkāṭ*, II, 32; Robson, I, 559; transmitted by Bukhārī and Muslim.

²⁷⁰ *Kāfi*, IV, 472–3.

²⁷¹ *Al-Jamra* pl. *jimār* or *jamarāt* is a name given to three halts in the valley of Minā where pilgrims returning from 'Arafāt during their annual pilgrimage stop to partake in the ritual throwing of stones. *Jamarāt* Minā or *jimār al-mandāsik* are three and they are called, *al-jamrat al-ūlā*, *al-jamrat al-wustā*, and *Jamrat al-'Aqaba*, each of these being a heap of pebbles. On 10 Dhu 'l-Hijja, before the sacrifice, the pilgrim throws stones into the *Jamrat al-'Aqaba*. *El*², s.v. *Djamra*; *Ḥaḍidī*; Lane, s.v. *j-m-r*.

²⁷² The Arabic term is *ramy al-jimār*, see the preceding note. Ibn Rushd, *Bidāya*, I, 339–42.

²⁷³ *Kāfi*, IV, 478; 'The pebbles must be collected from within the sanctuary (*ḥaram*).'

Ja'far b. Muḥammad: He said, 'Collect the pebbles for casting from Muzdalifa; but even if you pick them up at Minā, it will be in order.'²⁷⁴

[Ja'far b. Muḥammad]: He said, 'The pebbles should be picked up individually. Each of them should be about the size of a finger joint;²⁷⁵ they should be bluish black and spotted.'²⁷⁶ [The Imam] did not approve of the practice of those who break them from stones. The pebbles should be washed. If you do not wash them, they should at least be clean, and then they will do you no harm.

[Ja'far b. Muḥammad]: [The Imam] declared it to be commendable to take a bath before the casting of pebbles.²⁷⁷

[Ja'far b. Muḥammad]: He said, 'All the *jamras* should be pelted with seven pebbles each. They should be cast from a higher place in the valley. The *jamra* should be kept on your right hand, and you should not throw the pebbles [standing] from a higher spot on the heap itself. Say *Allāhu akbar* with each pebble cast.²⁷⁸ Do not [cast the pebbles] at the *jamras* except in the correct sequence,²⁷⁹ but pause after each act of throwing and pray to the best of your ability; then return to your camp at Minā. Do not throw pebbles which have already been cast but if you are unable to obtain the pebbles, then you may take them from the vicinity of the *jamra*.'

[Ja'far b. Muḥammad]: He said, 'When the Messenger of God went from Muzdalifa, he passed by the Jamrat al-'Aqaba on the Day of Sacrifice, and he pelted it with seven pebbles and went on to Minā. This is the *sunna*. Thereafter you should cast pebbles at the three heaps during the Days of *Tashrīq*,²⁸⁰ each day at the declination of the sun, as this is the more meritorious.²⁸¹ It is permissible to cast pebbles at the heaps in the early part of the day until the evening.²⁸² The casting of pebbles should not be done unless you are ritually pure; but if a man does so without ritual purity, it is immaterial.'

²⁷⁴Ibid., IV, 478; Tūsi, *al-Nihāya*, 253.

²⁷⁵*Mishkāt*, II, 36; Robson, I, 562.

²⁷⁶*Kaṭī*, IV, 479.

²⁷⁷Ibid., IV, 480, 483; 'The person should be in the state of ritual purity.' 'Taking a bath is not a *sunna*.' Tūsi, *al-Nihāya*, 253.

²⁷⁸*Mishkāt*, II, 36; Robson, I, 562; *Kaṭī*, IV, 480.

²⁷⁹As explained in n. 271 in this chapter, pebbles should be cast at the three *jamras* in proper sequence beginning with *al-ūlā*, then *al-wustā*, and finally *al-'Aqaba*.

²⁸⁰See n. 277 in Chap. 4 for the Days of *Tashrīq*.

²⁸¹*Mishkāt*, II, 36; Robson, I, 562. 'On the Day of Sacrifice the Prophet cast pebbles in the forenoon, and after that when the sun had crossed the meridian.' Transmitted by Bukhārī and Muslim.

²⁸²*Kaṭī*, IV, 482; 'One can halt for a while and play at the first and the second *jamra*, but not at the third.'

[Ja'far b. Muḥammad]: The Messenger of God used to cast pebbles [at the three heaps] on foot; but if a person rides up to them, it matters not.²⁸³

[Ja'far b. Muḥammad]: [The Messenger of God] permitted shepherds to pelt the heaps by night²⁸⁴ and he said, 'The man who misses the casting of pebbles by day may do so at night. But he who leaves it out, must return and do so.'²⁸⁵

[Ja'far b. Muḥammad]: He said, 'The largest heap (*al-jamrat al-kubrā*) should be pelted on the Day of Sacrifice, and this is the Jamrat al-'Aqaba [which should be pelted] at the time of the departure from Muzdalifa. On the Days of *Tashriq*, the three heaps should be pelted each day, beginning with the smallest, then the middle one, and then the largest of them. He who does not pelt them in the right sequence, should repeat the casting of pebbles in the right order [as stated above].'

'Alī: The Messenger of God said that someone else may perform the casting of pebbles at the heaps for a person who is ill.²⁸⁶

'Alī: He said, 'He who hastens back from Minā in two days should bury the remaining pebbles at Minā itself.'

'Alī: when the Messenger of God cast pebbles at the Jamrat al-'Aqaba on the Day of Sacrifice, he came to the place of sacrifice at Minā and declared, 'This is the place of sacrifice, and the whole of Minā is a place for sacrifice.' Then he slaughtered his sacrificial animal and the people did likewise at their camping places.

THE BEASTS OF SACRIFICE

Ja'far b. Muḥammad—his father—his ancestors: The Messenger of God slaughtered his own sacrificial animals (*hady*) at Minā and declared, 'This is a place for sacrifice, and the whole of Minā is likewise a place for sacrifice.' At his direction the people slaughtered their sacrificial animals at their own camps at Minā.

[Ja'far b. Muḥammad]: The Messenger of God associated 'Alī with himself during the sacrificial offerings, which consisted of one hundred large animals (camels, cattle). The Messenger of God himself slaughtered sixty-three animals and ordered 'Alī to slaughter the rest.

Ja'far b. Muḥammad: He said, 'It is commendable for a man to cut the

²⁸³Mishkāt, II, 36, 37; Robson, I, 562; 'The Prophet did the lapidation while he was riding a camel.' *Kaṭi*, IV, 487.

²⁸⁴*Kaṭi*, IV, 483.

²⁸⁵Ibid., IV, 485; Kulaynī states that if someone forgets it and has left Mecca, it matters not because it is a *sunna* and not a *farīda*.

²⁸⁶Ibid., IV, 486.

throat of his sacrificial beast (*nahra hadyihi*) or slaughter his sacrificial animal (*dhabha udhiyyatihi*) by his own hand, if he is able to do so. If, however, he has not the strength to do so, he ought to give a hand to the man who slaughters them; and if he is unable to do so, he ought to stand by until the animals are offered and slaughtered (*hatta tunhara aw tudhbaha*), and he should utter the *takbir* (*Allāhu akbar*) during the sacrifice.²⁸⁷

[Ja'far b. Muḥammad]: Commenting on the Word of God *And the camels (or cattle)! We have appointed them among the ceremonies of Allah. Therein ye have much good. So mention the name of Allah over them when they are drawn up in lines. Then when their flanks fall (dead), eat thereof* (22:36), he said, 'The words *When they are drawn up in lines* mean when the beasts are arranged in lines to be slaughtered. The animals should be slaughtered while they remain standing on three legs, which should be tethered.²⁸⁸ God's saying *Then when their flanks fall* means when their bodies fall to the ground. That is how the Messenger of God slaughtered his large animals, while they were standing. But as for sheep or cattle, they should be laid down on the ground and then slaughtered.

'God's saying *Mention the name of God over them* means uttering the name of God at the time of cutting the throat and slaughtering. The least that may be said is, "In the name of God." It is, however, commendable that at the time of slaughtering the sacrificial animal you should say, "Lo! I have turned my face towards Him Who created the heavens and the earth, as one by nature upright, and I am not of the idolaters (6:79)."²⁸⁹ Lo! my worship and my sacrifice, and my living and my dying are for Allah, Lord of the Worlds (6:162).²⁹⁰ He hath no partner. This am I commanded, and I am first of those who surrender (unto Him). (6:163).²⁹¹ O God [the sacrifice is] from Thee to Thee! In the name of God."

[Ja'far b. Muḥammad]: He said, 'The sacrificial offering (*nusuk*) of a Muslim cannot be slaughtered except by a Muslim.'

[Ja'far b. Muḥammad]: He permitted that those who did not find their own sacrificial animal might share a camel or a cow according to the means of a person.

[Ja'far b. Muḥammad]: The best among beasts for sacrificing²⁹² are, in

²⁸⁷Ibid., IV, 499; 'The sacrificial animals at Minā should be slaughtered (as prescribed), before slashing the throat.'

²⁸⁸Mishkāt, II, 39; Robson, I, 565; transmitted by Bukhārī and Muslim. *Kāfi*, IV, 498.

²⁸⁹Pickthall 6:80.

²⁹⁰Pickthall 6:163.

²⁹¹Pickthall 6:164.

²⁹²Nu'mān often uses *al-hady wa 'l-aḍāḥy* or *al-hady wa 'l-ḍaḥyā*. Similarly he uses the verbal forms *aḥdā* or *ḍaḥḥā*.

order of priority: female camels; male camels; cows; oxen; rams; he goats; ewes; she goats. Among males, stallions are to be preferred to an animal with an injured hoof. Lastly, a gelding.

[Ja'far b. Muḥammad]: He said, 'It is sufficient if the following animals are offered for sacrifice: among camels, a 6-year-old, (which has lost its teeth called the *tharīya*);²⁹³ or among cattle, an aged one;²⁹⁴ or among goats, a 3-year-old, (having lost its teeth); or among rams, a 1-year-old (or in its second year, *jadha'*);²⁹⁵ but a year-old among other animals will not suffice. The reason is that a year-old among sheep is virile, but among other animals, such an animal is not able to mate.'

[Ja'far b. Muḥammad]: It is commendable to sacrifice a ram with horns, which walks and eats with a flock and guides it and excretes with it as a member of the flock.²⁹⁶ This is the kind of ram sent by God to Abraham, and it was sent down on a hill to the right of the mosque of Minā. It was also the custom of the Messenger of God to sacrifice a ram possessing all these qualities.

'Alī: He said, "The Messenger of God prohibited the sacrifice of a ram known as *a'dab*, that is a ram whose horns are completely broken, the base and the shaft."²⁹⁷ But if only the shaft is broken, it is called *aqṣam*.'

'Alī: He said, 'The Messenger of God said, "Examine carefully the eye and the ears [of the animal intended for sacrifice]."'

'Alī: He was asked about a female animal, which was lame, and he said, 'So long as it reaches the slaughtering place, and its lameness is not evident, there is no harm. But if its lameness is clearly apparent, then it is not fit for sacrifice, nor can an emaciated and slender animal be offered.'²⁹⁸

The Messenger of God: He said that neither a *jaddā'* nor a *jarbā'* can be sacrificed. A *jaddā'* is a female with breasts cut or undeveloped,²⁹⁹ and a *jarbā'* is a scabby female.³⁰⁰

²⁹³Lane, s.v. *th-n-y*; *Kāfi*, IV, 490.

²⁹⁴*Kāfi*, IV, 490

²⁹⁵Lane, s.v. *j-dh-'*.

²⁹⁶*Kāfi*, IV, 490.

²⁹⁷The Arabic terms are *dākhil* (the inner) and *khārij* (the outer). I have rendered the former as 'the base' and the latter as 'the shaft'. According to Arab lexicographers, Jawharī, Ibn Manẓūr, and Zabīdī, *a'dab* is applied to a ram having its inner horn (the base) broken. Lane, s.v. '*ḍ-b*'; *Majma' al-bahrayn*, s.v. '*ḍ-b*'. *Kāfi*, IV, 492; 'If the inner horn is fine then it is permitted.'

²⁹⁸*Kāfi*, IV, 492.

²⁹⁹The term is applied to a she camel having her udder cut off, hence it implies having little milk or having a dry udder. See for details Lane, s.v. *j-d-d*.

³⁰⁰Lane, s.v. *j-r-b*; *Kāfi*, IV, 492.

'Alī: He prohibited offering an animal whose ears are cut (*jad'ā'*), or a female decrepit with age.³⁰¹

Jā'far b. Muḥammad: He forbade the offering of the following four kinds of animals: a *muqābala*, a female the front portion of whose ear is cut and left hanging; a *mudābara*, a female the rear portion of whose ear is cut and left hanging;³⁰² a *sharqā'*, a female whose ear is cleft in two;³⁰³ and a *kharaqā'*, a female whose ear has a circular hole cut into it.³⁰⁴

[Jā'far b. Muḥammad]: He said, 'When a man buys a healthy animal for the offering and has actually performed the rites of *taqlid* and *ish'ār* [i.e. dedicated the animal for sacrifice], and then a defect occurs in his animal, this is sufficient. But if he has not yet performed the rites of dedication, he should exchange it.'

[Jā'far b. Muḥammad]: He said, 'When a man buys an animal for sacrifice and does not know of any defect [at the time of purchasing it] and discovers the defect after the payment of the price or after taking possession, this is sufficient for him. But if he discovers the defect before paying its price, he ought to return it and obtain another.'³⁰⁵

[Jā'far b. Muḥammad]: Concerning the sacrificial animal that breaks down before it reaches the place for slaughter, he said, 'The animal ought to be slaughtered [at the place where it breaks down] and the shoe which is hung round its neck³⁰⁶ should be smeared with blood, and it should be left at the place, so that the passers-by may come to know that it has been lawfully slaughtered, and may eat of it, if they so desire.'³⁰⁷ If the animal is an offering in fulfilment of a vow (*nadhrah*^{am}) or an obligation [for a violation] (*jazā'*^{am}), the sacrifice is guaranteed, and he ought to buy another animal in its stead. However, if it is a supererogatory offering, then his obligation is fulfilled, and such an animal can be eaten [by the man who sacrifices it], but he cannot eat any portion of the obligatory offering.³⁰⁸

'The meat of an emaciated (or fatigued) animal cannot be sold,

³⁰¹Kaṭī, IV, 491.

³⁰²Lane, s.v. d-b-r.

³⁰³Lane, s.v. sh-r-q; cf Kaṭī, IV, 492.

³⁰⁴Lane, s.v. kh-r-q; cf Kaṭī, IV, 492.

³⁰⁵Kaṭī, IV, 491; also reported from al-Ṣādiq.

³⁰⁶For *taqlid* see n. 32 above in this chapter.

³⁰⁷Cf. *Mishkat*, II, 39, 40; Robson, I, 565; 'The animal should be left for the people to eat.'

³⁰⁸Kaṭī, IV, 494-5, 501-2; 'If the sacrificial animal is in fulfilment of a vow, or an obligation (for some violation), it cannot be eaten by the man who sacrifices it.' A variant of the tradition states that it could be eaten.

whether it is a mandatory offering or otherwise. If a sacrificial animal perishes on its way, and no substitute for it is available, then God is more likely to [accept] the excuse.³⁰⁹

[Ja'far b. Muḥammad]: He said, 'A man who loses his sacrificial animal and buys another in its place but then finds his [original] sacrificial animal should slaughter both of them together if he has dedicated the second animal to slaughter (*awjaba*) [through the rites of *ish'ār* and *taqlīd*]. If he has not done so then he has the option [of either slaughtering it or not].³¹⁰ If he finds his [original] animal in the possession of another man who has bought or slaughtered it, he will take it if he wishes, and it will not fulfil the obligation of the other who has slaughtered it.'³¹¹

[Ja'far b. Muḥammad]: He said, 'A man who finds a stray sacrificial animal should spread word of it. If he finds no claimant for it, he should slaughter it on the last day of the Days of *Tashrīq* on behalf of its owner.'³¹²

[Ja'far b. Muḥammad]: He said, 'When a man slaughters his sacrificial animal and then it is stolen, he has fulfilled his obligation.'

Abū Ja'far Muḥammad b. 'Alī said, 'The Messenger of God ordered that a man who drives a sacrificial animal should take it to 'Arafa; that is he should bring it to the standing (*wuqūf*) at 'Arafa and all the rites there.'

'Alī: When the Messenger of God slaughtered his sacrificial animal he ordered that a portion of every victim should be cooked, and he ate some of it. He told me to do so and I ate. He sipped from the gravy and ordered me to do so and I did.³¹³ He had made me a partner in his sacrificial animal and he said, 'Whoever sips from the gravy has eaten some of the flesh.'

Ja'far b. Muḥammad: He said, 'In the same way it is incumbent on whoever makes a voluntary oblation (*hady*) or offers [an obligatory] sacrifice to eat some of his oblation or sacrifice and then to give the rest in charity. There is no fixed prescription for that; he may eat as much as he likes;³¹⁴ he may feed others, he may give it as a present or he may give it in charity. God has said, *Then eat thereof and feed therewith the poor*

³⁰⁹Ibid., IV, 495; 'The same rule applies to an animal which is stolen before it is slaughtered.'

³¹⁰Ibid., IV, 496.

³¹¹Ibid., IV, 496, 497; Kulaynī gives slightly different versions.

³¹²Ibid., IV, 495.

³¹³Ibid., IV, 500.

³¹⁴*Mishkāt*, II, 40, 41; Robson, I, 565, 566; transmitted by Bukhārī and Muslim; *Kāfi*, IV, 500–1.

unfortunate (22:28). He has said, *Eat thereof and feed the beggar and the suppliant* (22:36).³¹⁵

[Ja'far b. Muḥammad]: He said, 'He who offers a sacrifice or an oblation must not take any of it out of Minā, apart from the hump for medicine [and none of], the skin, the wool or hair, the sinews or anything in which there may be a profit. It is preferable to give the skin as charity. There is no harm in giving the butcher some of the skin, the flesh, and the trappings of the oblation as his fee.'³¹⁶

'Alī: He said, 'If a man buys an animal for an oblation or sacrifice which he thought to be fat, but it turns out to be emaciated, or if he buys an animal which he thought to be emaciated, but it later proves to be fat [and healthy], in either case his obligation is fulfilled.'³¹⁷

Ja'far b. Muḥammad: He said, 'It is the right of everyone who purchases an animal for sacrifice to exchange it for another [if it proves to be faulty], so long as he has not performed the rites of *taqlīd* and *ish'ār*.'

[Ja'far b. Muḥammad]: Concerning the Word of God *That they may witness things that are of benefit to them, and mention the name of Allah on appointed days (ayyām ma'lūmāt) over the beast of cattle that He hath bestowed upon them* (22:28), he said, 'The "appointed days" are the Days of *Tashrīq*, and similarly the "counted days" (*ayyām ma'dūdāt*) are also the Days of *Tashrīq*.'

The Days of *Tashrīq* are the three days after the Day of Sacrifice. It is said that they are so called because people used to expose slices of meat to dry under the sun. Thus the Day of Sacrifice (*yawm al-naḥr*) is the Day of the Festival of Sacrifice ('*id al-adḥā*), and the day that follows is the first of the Days of *Tashrīq*. This day is also called *yawm al-qarr* (the day of rest), because the people used to rest on that day at Minā. The commonalty name that day *yawm al-ru'ūs* (the day of heads), because they used to eat the heads of the slaughtered beasts on that day. The day following that is the first day of *naḥr* (*al-naḥr al-awwal*) [departure from Minā], and the next day is called the second day of departure (*al-naḥr al-ākhir*), which is the [third and] last of the Days of *Tashrīq*.

³¹⁵Kaṭī, IV, 500; reported from al-Ṣādiq.

³¹⁶A tradition transmitted by Bukhārī and Muslim states, "Alī said that God's Messenger put him in charge of his sacrificial camels, telling him to give their flesh, skins, and saddle cloths as *ṣadaqa*, but not to give anything to the butcher, saying he would pay him himself.' *Mishkāt*, II, 40; Robson, 565. *Kaṭī*, IV, 502; Kulaynī, on the authority of al-Ṣādiq, also states that the skin should not be given to the butcher.

³¹⁷*Kaṭī*, IV, 491, 493; 'If he buys an emaciated animal and it turns out to be emaciated, his obligation is not fulfilled.'

THE SHAVING OF HEADS AND THE CLIPPING OF HAIR AND NAILS

Ja'far b. Muḥammad: He spoke of the departure from Muzdalifa and said, 'When you reach Minā, slaughter your animal and shave your head. It does not matter which of these acts you do first.'³¹⁸ Shaving is better than clipping, for the Messenger of God shaved his head on the Farewell Pilgrimage³¹⁹ and for the 'umra of Ḥudaybiya.³²⁰

'Alī: He said, 'The bald-headed man should pass the razor over his head.'³²¹

'Alī: He said, 'When a woman is free from her *iḥrām*, she ought to trim the ends of her hair.'³²²

'Alī: He said, 'The shaving should extend to the prominent jaw bones below the temples.'³²³

Ja'far b. Muḥammad: He said, 'He who has forgotten to shave his head at Minā should do so on the way when he remembers it. If it is possible for him, he should send his hair to Minā to be thrown there.'³²⁴

'Alī: He directed that the hair should be buried, saying that whatever falls from the body of a human being is a dead body. The *muḥrim* should pare his nails after the shaving of the head. The term *ḥalq* (shaving) is applied to cutting the hair of the head and removing it with a razor from the skin, and *taqṣīr* is trimming the hair with scissors, either more or less. Shaving is more meritorious than trimming as we have mentioned.

'Alī: The Messenger of God said, 'O God, be merciful to those that shave.' The people asked, 'What, O Messenger of God, about those that shorten their hair?' He repeated, 'O God, be merciful to those that shave.' They repeated the question three times, and on the fourth occasion the Messenger of God said, 'O God, be merciful to those that shave and those who trim [their hair].'³²⁵ Thus shaving is more meritorious, but shortening is sufficient. God says *Allah hath fulfilled the vision for His Messenger in*

³¹⁸Ibid., IV, 506; Kulaynī gives a few more examples where people had forgotten the proper sequence of certain actions. *Mishkāt*, II, 45–6; Robson, I, 569–70; transmitted by Bukhārī and Muslim.

³¹⁹*Mishkāt*, II, 43; Robson, I, 567; transmitted by Bukhārī and Muslim. *Kāfi*, IV, 503.

³²⁰For Ḥudaybiya see n. 29 in Chap. 2.

³²¹*Kāfi*, IV, 505.

³²²*Mishkāt*, II, 44; Robson, I, 568; *Kāfi*, IV, 505.

³²³*Kāfi*, IV, 505; Ṭūsī, *al-Nihāya*, 262–3.

³²⁴*Kāfi*, IV, 504; also reported from al-Ṣādiq.

³²⁵*Mishkāt*, II, 43; Robson, I, 567; transmitted by Bukhārī and Muslim.

very truth. Ye shall indeed enter the Inviolable Place of Worship, if Allah will, secure (having your hair) shaven and cut (48:27). Wherefore, God having mentioned shaving first, it is more meritorious.

THE RITES WHICH THE PILGRIM SHOULD PERFORM AT MINĀ

Ja'far b. Muḥammad: He said, 'When you depart from Muzdalifa on the Day of Sacrifice, pelt the Jamrat al-'Aqaba. Then on your arrival at Minā, slaughter your animal and shave your head.'

'Alī: Concerning the Qur'ānic verse *Then let them make an end of their unemptiness and pay [or fulfil] their vows and go around the Ancient House* (22:29), he said, 'The word *tafath* means throwing pebbles and shaving.³²⁶ The word *nudhūr* (vows) means to walk on foot if someone has vowed to do so.³²⁷ The *ṭawāf* signifies going round the Ka'ba after slaughtering the animal.³²⁸ Shaving is on the Day of Sacrifice. This *ṭawāf* (i.e. *ṭawāf al-ziyāra*) is an obligatory *ṭawāf*.'

'Alī: The Messenger of God pressed on [with the multitude]³²⁹ to the Ka'ba on the Day of Sacrifice and prayed the *ḡuhr* at Mecca.

Ja'far b. Muḥammad: He said, 'It is proper for you to hasten with the visit to the Ka'ba, and particularly on the Day of Sacrifice. But should you delay it till the next day there is no harm.'³³⁰

[Ja'far b. Muḥammad]: He said, 'When you visit [the House] on the Day of Sacrifice, make the round of the visitation (*ṭawāf al-ziyāra*), which is the round of return [from Minā to Mecca] (*ṭawāf al-ifāda*). Go around the House seven times, and pray two *raka'āt* at the Maqām Ibrāhīm and do the walking (at a quick pace) to and fro seven times between Ṣafā and Marwa.³³¹ When you have finished these rites, you are free to wear your ordinary clothes and use perfume. Then return to the House and make seven rounds, and this is the circumambulation of women (*ṭawāf al-nisā'*),³³² for there is

³²⁶The term *tafath* signifies the state of being dirty, as it is one of the rites and ceremonies of the pilgrimage. It therefore signifies shaving, and clipping of the beard and moustache, etc., the slaughtering of the animals, and casting of pebbles. Lane, s.v. t-f-th. Similar explanations are given in MSS T and Q.

³²⁷Nu'mān's comment *nadhara an yamshiya*, is meant to explain that the *nudhūr* in the Qur'ānic verse refers to the pilgrim's vow to perform *ṭawāf*.

³²⁸This *ṭawāf* is called *ṭawāf al-ziyāra*.

³²⁹The Arabic verb used is *afāda*. Its verbal noun *ifāda*, therefore, signifies advancing and pushing on, or pressing on, in journey, or keeping pace with the multitude. See Lane, s.v. f-y-d.

³³⁰*Kaṣf*, IV, 512; Ṭūsī, *al-Nihāya*, 264.

³³¹*Mishkāt*, II, 51; Robson, I, 574; traditions are somewhat different.

³³²*Ṭawāf al-nisā'* is explained by Kulaynī as *ṭawāf al-farāda* (the obligatory one). *Kaṣf*, IV, 513-15.

no walking (at a quick pace) to and fro [between Ṣafā and Marwa] in it. When you have performed this rite, all things forbidden to the *muḥrim*, including association with women,³³³ are lawful to you except hunting wild game. For this is not permissible until the departure (*al-nafr*) from Minā.'

[Ja'far b. Muḥammad]: He forbade the pilgrim to pass any of the nights of Minā outside Minā.³³⁴

Ja'far b. Muḥammad: He said, 'When you have completed the visit to the Ka'ba, return to Minā, and do not pass any one of the nights of the Days of *Tashrīq* except at Minā. He who deliberately spends a night outside Minā ought to sacrifice a small animal for each such night. But if he does so unknowingly or forgetfully, there is no penalty on him, but he should ask forgiveness of God.'³³⁵

'Alī: The Messenger of God used to shorten his prayers at Minā.³³⁶

Ja'far b. Muḥammad: Commenting upon the Word of God *And when ye have completed your devotions, then remember Allah as ye remember your fathers or with a more lively remembrance* (2:200), he said, 'The polytheists used to boast about their forefathers during the Days of *Tashrīq* at Minā and remember their ancestors and the distinction they had achieved. So God commanded the Muslims to remember Him instead.'

A number of invocations and prayers of supplication have been reported to us from the members of the Prophet's Household to be recited during the Days of *Tashrīq*, and these would be long [and unnecessary] to mention here; but there is nothing fixed or determined in them. The more a man prays, the better for him. He may visit the Ka'ba every day, if he so wishes, and make supererogatory rounds and return to Minā and stay the night there, until he finally departs from Minā.³³⁷

THE DEPARTURE (AL-NAFR)³³⁸ FROM MINĀ

God says, *Remember Allah through the appointed days. Then whoso hasteneth (his departure) by two days, it is no sin for him, and who delayeth, it is no sin for him; that is for him who wardeth off (evil)* (2:203).

³³³Ibid., IV, 513.

³³⁴*Mishkāt*, II, 48, 51; Robson, I, 572, 575. 'The only exception made by the Prophet was for his uncle 'Abbās on account of his office of supplying water.' Transmitted by Bukhārī and Muslim. Another tradition states that herdsmen of camels were allowed to spend the night outside Minā.

³³⁵*Kaṣf*, IV, 515–16; Tūsī, *al-Nihāya*, 265–6.

³³⁶*Kaṣf*, IV, 519. Kulaynī reports on the authority of al-Bāqir that the Messenger of God used to shorten his *ṭuhr* and 'aṣr prayers at Minā, however, the third caliph 'Uthmān changed this *sunna* during the second half of his rule.

³³⁷Tūsī, *al-Nihāya*, 268.

³³⁸See n. 231 above in this chapter for *al-nafr*.

Ja'far b. Muḥammad: He said, 'If you wish to stay at Minā, you may do so for three days after the Day of Sacrifice; but if you wish to expedite your departure, it is for you to decide and proceed within two days. For God says, *Whoso hasteneth (his departure) by two days, it is no sin for him, and whoso delayeth, it is no sin for him* (2:203).'³³⁹

[Ja'far b. Muḥammad]: The man who wishes to hasten his departure from Minā on the second Day of *Tashrīq*, that is the third from the Day of Sacrifice, should not do so until he has prayed the *ẓuhr* and thrown the pebbles. Then he may go in the afternoon, but before sunset. If, however, the sun has set, he should stay the night [at Minā]. But he who delays the departure till the third Day [of *Tashrīq*] may go whenever he wishes, from the morning after the *ḡayr* prayer until the last part of the day [before sunset]. But he should not depart before throwing the pebbles.³⁴⁰

[Ja'far b. Muḥammad]: No one should send his heavy luggage in advance to Mecca before his own departure [from Minā].³⁴¹

[Ja'far b. Muḥammad]: He said, 'It is commendable for him who leaves Minā to halt at Muḥaṣṣab,³⁴² which is *baḥḥā*,³⁴³ for a time, and then go on to Mecca, for both the Messenger of God and [my father] Abū Ja'far [Imam al-Bāqir] did so.'

[Ja'far b. Muḥammad]: He said, 'There is no harm if a man has to wait at Mecca, if he has departed early from Minā, till the people assemble there.'³⁴⁴

[Ja'far b. Muḥammad]: He was asked about entry into the Ka'ba, and he said, 'Yes [by all means], enter if you can do so; but if you are frightened by the thronging crowds, do not endanger yourself.' He added, 'It is commendable to have a bath before entering the Ka'ba.'

Many prayers of supplication have been reported to us from the Prophet's Household for entering the Ka'ba, the mention whereof would be lengthy; but none of them is fixed or determined. Only this: he who enters the House ought to pray, and be assiduous in praying.

'Alī b. al-Ḥusayn [Zayn al-'Ābidīn]: He said, 'The Messenger of God

³³⁹*Kaḡi*, IV, 520; also reported from al-Ṣādiq.

³⁴⁰*Ibid.*, IV, 520, 521; Ṭūsī, *al-Nihāya*, 268-9.

³⁴¹*Kaḡi*, IV, 521.

³⁴²A name of the way between the mountains opening upon the part called Abḡah, between Mecca and Minā. It is so called from the pebbles in it. Azraqī, *Akhbār Makka*, II, 159-60; Lane, s.v. ḥ-ṣ-b; *Mishkāt*, II, 49; Robson, I, 573; *Kaḡi*, IV, 521, 524; instead of al-Muḥaṣṣab it has al-Hasaba.

³⁴³*Baḥḥā* signifies soft earth of a valley, such as has been drawn along by the torrents in which are fine pebbles. Lane, s.v. b-ṭ-ḥ.

³⁴⁴*Kaḡi*, IV, 522.

prayed in the Ka'ba between the two pillars upon the red marble slab. He faced the back of the Ka'ba, and prayed two *raka'āt*.³⁴⁵

Ja'far b. Muḥammad: He said, 'It is not correct and proper to offer an obligatory prayer within the Ka'ba itself.'

[Ja'far b. Muḥammad]: He said, 'One ought to enter the Ka'ba after departing from Minā.'

[Ja'far b. Muḥammad]: He said, 'If a man wishes to leave Mecca after the completion of the *hajj*, he should perform the circumambulation of farewell (*ṭawāf al-wadā'*) as the last of his obligations. Then he should bid farewell by putting his hand between the Black Stone and the Gate, and then pray, bid farewell, and depart.'³⁴⁶

Several farewell prayers are reported to us from the members of the Prophet's Household, none of which, however, is fixed or determined.³⁴⁷

THE 'UMRA BY ITSELF (AL-'UMRA AL-MUFRADA)

Says God, *Perform the pilgrimage and the 'umra for Allah* (2:196).

Abū Ja'far Muḥammad b. 'Alī: He said, 'The *'umra* is obligatory in the same manner as the *hajj*, because God says, *Perform the pilgrimage and the 'umra for Allah* (2:196).'

'Alī: He said, 'The *'umra* is obligatory.'³⁴⁸

We have mentioned in the earlier part of the Book of Pilgrimage the confirmation of this [dictum]. We have described the *'umra* and how it is to be performed (i) combined with the *hajj* with a break in the *ihrām*, or (ii) combined with the *hajj* without any break in the *ihrām* between them, or (iii) by itself, either before or after the *hajj*.³⁴⁹

Ja'far b. Muḥammad: He said, 'Two *'umras*, one following the other, wipe out the sins committed during the intervening period.'³⁵⁰

[Ja'far b. Muḥammad]: The Messenger of God said, '*umra* in the month of Ramaḍān is equal to a *hajj*'.³⁵¹

[Ja'far b. Muḥammad]: He said, 'Perform the *'umra* during any of the months that you wish, but the one in Rajab is more meritorious.'³⁵²

³⁴⁵Cf. Ibid., IV, 526–7; reported from al-Ṣādiq.

³⁴⁶Ibid., IV, 530–2; Ṭūsī, *al-Nihāya*, 270–1.

³⁴⁷*Kāfi*, IV, 531; Kulaynī gives the orisons to be recited.

³⁴⁸Ibid., IV, 533.

³⁴⁹See the section 'The obligation to perform the *hajj*' in this chapter.

³⁵⁰*Mishkāt*, II, 3; Robson, I, 535; it adds, 'But an accepted *hajj* will receive no less a reward than paradise.' Transmitted by Bukhārī and Muslim.

³⁵¹*Mishkāt*, II, 3; Robson, I, 535; transmitted by Bukhārī and Muslim. *Kāfi*, IV, 535.

³⁵²*Kāfi*, IV, 536; also reported from al-Ṣādiq; Ṭūsī, *al-Nihāya*, 280. The holy month

[Ja'far b. Muḥammad]: He said, 'When a man performs the *'umra* during the month of the *ḥajj* and returns without performing the *ḥajj*, it is called *'umra mufrada*; but if *ḥajj* is also performed, then it is called *mutamatta'*.'

[Ja'far b. Muḥammad]: He was asked about the *'umra* after the *ḥajj*. He said, 'When the Days of *Tashrīq* are over and you are able to shave [your head], you may perform the *'umra*.³⁵³

[Ja'far b. Muḥammad]: The *'umra mabtūla*³⁵⁴ (the truncated visit) is the circumambulation of the House and the running to and fro between Ṣafā and Marwa. Then if he who performs it wishes, he may free himself immediately from the *iḥrām*, and he should stop uttering the *talbiya* when he enters the Sanctuary (*ḥaram*).³⁵⁵ When he performs the rounds of the Ka'ba and runs [between Ṣafā and Marwa], he is free from the bonds of *iḥrām*, and may depart if he so wishes. If he has an animal to sacrifice, he may slaughter it at Mecca; but should he wish to voluntarily circumambulate after the sacrifice he may do so.³⁵⁶

ON DEBARRING AND RESTRAINING [SOMEONE FROM THE ḤAJJ]

To debar someone from going on the *ḥajj* is to prevent him. This is possible only when the enemy intercepts those who wish to visit the Ka'ba and perform the *ḥajj* and/or the *'umra*, thereby preventing them from reaching their destination. This is what the polytheists did in the year of Ḥudaybiya³⁵⁷ [6 A.H.] with the Messenger of God, whom they prevented from entering Mecca when he was intending to perform the *'umra*, while he was leading his sacrificial animals. So God revealed the following verses in respect of them: *These it was who disbelieved and debarred you (ṣaddūkum) from the Inviolable Place of Worship, and debarred the offering from reaching its goal (destination) (48:25).*

Ja'far b. Muḥammad: He said, 'In the year of Ḥudaybiya the Messenger of God started [from Medina] to perform the *'umra* with more than one thousand of his followers. When they arrived at Dhu 'l-Ḥulayfa,³⁵⁸ he

of Rajab was also observed during the pre-Islamic period. For details see Kister, 'Rajab is the month of God'.

³⁵³Kaṣf, IV, 536.

³⁵⁴It signifies the obligatory *'umra* by itself (cut off from the *ḥajj*). Kaṣf, IV, 534-5; Lane, s.v. b-t-l.

³⁵⁵Kaṣf, IV, 537.

³⁵⁶Ibid., IV, 538.

³⁵⁷See n. 29 in Chap. 2 for Ḥudaybiya.

³⁵⁸It is a rendezvous point for the pilgrims of Medina. See n. 82 and 84 in this chapter.

assumed the *iḥrām* and so did they. They performed the rites of *taqlīd* and *ish'ār* on their beasts of sacrifice. This [news] reached the Quraysh. Now this was before the conquest of Mecca. So they gathered in great numbers against him, and when the Prophet reached 'Uṣfān,³⁵⁹ he came to know of them and said,

Verily, we have not come to wage war on anyone, but we have come only to perform the 'umra. If the Quraysh so desire, I shall make a truce with them for a time, on the condition that they will leave the way open to [the Ka'ba] for me and my people. If the truth becomes manifest, they are welcome to enter Islam (lit., enter what the others have entered); or if they deny it, I shall fight them till God judges between us, and He is the best of judges.

'Messengers plied between him and the Quraysh, and he made peace with them for a period of time [on the condition] that that year he would return [voluntarily to Medina], but the following year, he would perform the 'umra if he so wished. The Quraysh said, "The Arabs will not think that he entered [Mecca] by force [and this will save face for us]." So the Messenger of God complied with it.³⁶⁰ He slaughtered his animals at the place where he was and cut his hair, and he and the Muslims departed.³⁶¹

Wherefore, the same rule applies to one who is prevented from entering the Ka'ba after resolving to perform the *hajj* or the 'umra, or both of them together. He should clip his hair and depart; but he should not shave if he has an animal to sacrifice,³⁶² for God says, *And shave not your heads until the (sacrificial) offerings have reached their destination* (2:196). This can happen only when someone is hindered after he has gone beyond the rendezvous point for the pilgrims (*mīqāt*), and after he has assumed *iḥrām* and has performed [the rites of *taqlīd* and *ish'ār*] on the sacrificial animal. But if he is hindered before reaching the *mīqāt* [for *iḥrām*], then he should return, whether he has assumed *iḥrām* or not; and the beasts, if he has them with him, should not be sacrificed, whether the rites [of *taqlīd* and *ish'ār*] are performed upon them or not. For we have mentioned earlier that to assume *iḥrām* before reaching the *mīqāt* is forbidden. He who assumes the *iḥrām* before reaching the *mīqāt*, his *iḥrām* is not valid although he suffers no penalty for that.

³⁵⁹ A place about 36 miles or two *marḥalas* from Mecca. Yāqūt, s.v. 'Uṣfān; Harbī, *al-Mandsik*, 415, 459, 462–3, 557; Azraqī, *Akhbār Makka*, I, 132, 133; II, 152, 157. See also Ibn Ishāq, *al-Sira*, III, 322 ff.; Guillaume, 500.

³⁶⁰ See Ibn Ishāq, *al-Sira*, III, 325, 331; Guillaume, 501, 504; Ṭabarī, *Tārīkh*, II, 633; Watt, *Muhammad at Medina*, 46–52.

³⁶¹ Ibn Ishāq, *al-Sira*, III, 321–37; Guillaume, 499–507; *Mishkāt*, II, 59; Robson, I, 581; Kāfi, IV, 366–9.

³⁶² *Mishkāt*, II, 59; Robson, I, 581; Bukhārī, *Ṣaḥīḥ*, I, 310.

The term *iḥṣār* [lit. prevention] is applied to illness.³⁶³ Concerning this God says, *And if ye are prevented, then send such gifts (sacrificial offerings) as can be obtained with ease* (2:196).

Ja'far b. Muḥammad: He was asked concerning a man who was prevented [by illness], but sent his sacrificial animal [with someone else], and he said, 'If he was on his way to perform the *ḥajj*, he may make an arrangement with his friends. Then the offering can only be made on the Day of Sacrifice. But if he was on his way to perform an *'umra*, he should wait till his friends enter Mecca, and he should also consider the time, which his friends had promised [with regard to that entry]. Now, if that [promised] time has come, he should cut his hair and do away with the *iḥrām*, but if he has fallen a prey to disease on his way after assuming *iḥrām*, and he has intended to return home to his people, he may do so and sacrifice the sacrificial animal. If he had already begun performing the *ḥajj*, he ought to undertake the pilgrimage in the following year. Similarly, if an *'umra* was intended, he should perform it in the following year.³⁶⁴

'Once Ḥusayn b. 'Alī went out to perform an *'umra* and fell ill on the way. 'Alī came to know of this at Medina, so he went out to find him and overtook him at al-Suqyā,³⁶⁵ where Ḥusayn was lying ill. He said, "My dear son, what is your complaint?" Ḥusayn said, "I have a pain in the head." Whereupon 'Alī called for a large animal and sacrificed it. Then he shaved the head of Ḥusayn and sent him back to Medina. On his recovery Ḥusayn performed the *'umra*.'

It was said to [Imam Ja'far al-Šādiq], 'O Son of the Messenger of God, do tell us, When Ḥusayn was free from his illness, were women permissible to him?' [The Imam] said, 'Not at all. Women could not be permissible to him till he made the rounds of the Ka'ba and [the running to and fro between] Šafā and Marwa.' [The Imam] was asked, 'But what of the Messenger of God? When he returned from Ḥudaybiya, women were permissible to him although he had not made the rounds of the Ka'ba?' [The Imam] said, 'The two cases are not identical. The Messenger of God was debarred (*maṣḍūd*), while al-Ḥusayn was prevented (*maḥṣūr*).'³⁶⁶

All this which we have just said about being debarred [by force, *maṣḍūd*] or being prevented [by disease, *maḥṣūr*] applies only when one has assumed

³⁶³The term used by Kulaynī and Tūsī is *maḥṣūr*. *Kaḥf*, IV, 367; also reported from al-Šādiq; Tūsī, *al-Nihāya*, 281. See also Ibn Rushd, *Bidāya*, I, 342-6.

³⁶⁴*Kaḥf*, IV, 367-8; Tūsī, *al-Nihāya*, 281-3.

³⁶⁵There are several places by this name. Probably the one closer to Medina is meant here. Ḥarbī, *al-Manāṣik*, *passim*; Yāqūt, s.v. Suqyā. According to Qāmūs, s.v. s-q-y, it is a place between Medina and Wādī al-Šafrā'.

³⁶⁶The whole tradition is reported in *Kaḥf*, IV, 367-8, on the authority of al-Šādiq.

iḥrām at the *mīqāt*. But he who has assumed it before the rendezvous point is under no such constraint. He may return home whenever he likes, without any harm. If he has an animal with him, he may sell it or do with it what he likes because he has not performed the rites [of *taqlīd* and *ish'ār*] on it as yet. Now performing rites (*ijāb*) means performing the rites of *taqlīd* and *ish'ār*, and this can only be accomplished after assuming the *iḥrām* at the *mīqāt*.

THE PILGRIMAGE ON BEHALF OF CHRONICALLY ILL OR DEAD PERSONS

Ja'far b. Muḥammad: A man came to him and said, 'My father is a very aged man and has not performed the pilgrimage. May I provide someone with the wherewithal to perform the *hajj* for him?' [The Imam] said, 'Yes. Verily a woman of the tribe of Khath'am³⁶⁷ came to the Messenger of God and asked him whether she could perform *hajj* on behalf of her father who was a very old man, and the Messenger of God said, "Yes, do so. If, indeed, there were a debt owed by your father, and you paid it off on his behalf, that would suffice for him."

Therefore a *hajj* can be performed on behalf of an old man and an old woman, who are in the position of someone who is chronically ill, by someone else whom they send to perform the *hajj* at their expense,³⁶⁸ or by their children, spending their wealth, as we have mentioned in the Book of Fasting. [We have mentioned] that if an old man and an old woman cannot fast, they can break the fast and feed a destitute person each day [as redemption]. For they are in the position of someone who [due to his chronic illness] is not expected to be able to fulfil the obligation [of fasting]. Similarly, they have also reached the position of the one who is not expected to be able to perform the *hajj* in the future so that it may be [again] postponed.

Ja'far b. Muḥammad: He said, 'A man writes in his will that a *hajj* should be performed on his behalf after his death. Where he has specifically stated that this amount should come out of the bequeathable third, then it should be paid accordingly; but if he has not mentioned this specifically, it should come out of the bulk of his estate.

'If he has merely stated that "a *hajj* should be performed on my behalf" when he had already performed the obligatory *hajj*,³⁶⁹ then that amount

³⁶⁷ An Arab tribe inhabiting the mountainous territory between al-Ṭā'if and Najrān along the caravan route from Yemen to Mecca. For details see EI², s.v. *Khath'am*.

³⁶⁸ *Kāfi*, IV, 270–1.

³⁶⁹ The Arabic term for the obligatory pilgrimage is *hajjat al-islām*. See *Kāfi*, IV, 271–6; *Tūsī*, *al-Nihāya*, 283–4. See also n. 5 in this chapter.

must come out of the bequeathable third.³⁷⁰ [In such a case] a man should be deputed for the *hajj* on the testator's behalf, and an amount should be paid for the necessary expenses; and if there is a surplus left over, after the performance of the *hajj*, the deputy shall be entitled to it.³⁷¹ There is nothing wrong in selecting a person who has never performed the *hajj* for the purpose; but it is better to select someone who has already performed the *hajj*.

'A woman should not perform the *hajj* on behalf of a man, unless no one else is available, or unless she is better and more proficient in the rituals than any man available.'

[Ja'far b. Muḥammad]: He asked a man to perform the *hajj* on behalf of one of his sons and explained to him fully what he should do, and said, 'If you perform all the rites as you have agreed, then you will have performed the pilgrimage on his behalf. And for doing this you will be paid for your exertions as well as for the bodily ills that you will suffer.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'He who has duly performed the *hajj* on behalf of another for a fee may also perform for himself a supererogatory *'umra* or *ṭawāf*.'³⁷²

[Abū Ja'far Muḥammad b. 'Alī]: He said, 'He who is performing the *hajj* for another should say while assuming *iḥrām*, "O God, verily I am performing the pilgrimage on behalf of so and so. Therefore accept the *hajj* on his behalf, and give me recompense for performing the *hajj* for him."³⁷³

MISSING THE *HAJJ*

Ja'far b. Muḥammad: He said, 'The pilgrim who reaches the people at the halting place at 'Arafa, and stays a little with them before departing, has verily completed the pilgrimage.³⁷⁴ If he comes to know that the people have already left 'Arafāt and he arrives there at night, stays there, remembers God, and reaches Muzdalifa before the departure of the people from there, indeed he has completed the *hajj*.'

[Ja'far b. Muḥammad]: He said, 'If the pilgrim arrives at 'Arafāt before sunrise and, when he goes to the [halting place] to meet them, finds that the people have already dispersed, and the sun has risen, then verily he has missed the *hajj*. Therefore he should perform the *'umra* [only]. But if he arrives [at the halting place] when the people are still there, then

³⁷⁰Tūsī, *al-Nihāya*, 283.

³⁷¹*Kaḥf*, IV, 311–12.

³⁷²*Ibid.*, IV, 310.

³⁷³*Ibid.*, IV, 309.

³⁷⁴*Mishkāṭ*, II, 60; Robson, I, 582; *Kaḥf*, IV, 477.

he is in time for the *hajj*. The *hajj* is not missed until the people have all dispersed from the sacred station.³⁷⁵

[Ja'far b. Muḥammad]: Concerning the man who assumes *iḥrām* for the *hajj* but is unable to reach the halting place at 'Arafa and also fails to pray the morning prayer at Muzdalifa, [the Imam] said, 'Then he has missed the *hajj* and should make it an *'umra*. It is incumbent upon him to undertake the *hajj* the next year.'

Abū Ja'far [Muḥammad b. 'Alī]:³⁷⁶ He said, 'The pilgrim who assumes *iḥrām* for the *hajj*, or the *'umra* to be followed by the *hajj* with a break in the *iḥrām*, and is not able to come to Mecca except on the Day of Sacrifice, let him go around the Ka'ba and [perform the running to and fro] between Ṣafā and Marwa. He should then free himself from the *iḥrām* and make this an *'umra*.

'Now he who intends to perform the *'umra* followed by the *hajj* with a break in the *iḥrām*, or the *hajj* and the *'umra* together without any break in the *iḥrām*, but who arrives in Mecca so late that he fears that if he were to circumambulate [the Ka'ba] and run [between Ṣafā and Marwa] for his *'umra* he would lose the *hajj* [for want of time], and therefore hastens and catches up [with the people] at the halting place [at 'Arafāt] thus completes the *hajj*, will be considered as having completed a *ḥijja mufrada* [solely the *hajj*, without the *'umra*]. Later he should perform the *'umra*, from the very beginning to the end. If, however, he had resolved to take off the *iḥrām* at the place where he was hindered, then this constitutes only an *'umra*, and there is no penalty on him. But if he had not resolved [to take off the *iḥrām*], then he ought to perform the *hajj* the following year.³⁷⁷

³⁷⁵Kaṣf, IV, 477-8.

³⁷⁶Addition from MS Q.

³⁷⁷This is because he was too late to reach Mecca and perform the remaining rites at their appropriate times.

The Book of *Jihād*¹

ON THE OBLIGATION TO WAGE JIHĀD

God spoke to His Prophet: Say (O Muhammad): O Mankind! Lo! I am the Messenger of Allah to you all —(the messenger of) Him unto Whom belongeth the sovereignty of the heavens and the earth. There is no God save Him. He giveth life and causeth to die. So believe in Allah and His Messenger, the Prophet who can neither read nor write² who believes in Allah and in His words, and follow him so that haply ye may be led aright (7:158).

¹Refer to n. 7 in Prologue for *jihād*. See also Ibn Rushd, *Biḍāya*, I, 367–73; Khadduri, *War and Peace*, Book II; it is a comprehensive treatment of *jihād*.

²This is the traditional translation of the word *ummi*, which appears twice (in this verse and the previous) modifying the noun 'the Prophet'. *Ummiyyūn* and *Ummiyyīn* occur four times in the Qur'ān. Its precise meaning is yet to be determined with certainty. Various translations and interpretations are proposed. 'Unlettered' is a prevalent interpretation, but it has been suggested by Bell that *ummiyyūn* may imply people without a scripture. Blachère has translated *al-nabīy al-ummi* as 'Le Prophète de Gentils', while Paret has rendered it 'den heidnischen Propheten'. See also ShEI, s.v. *Ummī*. For the parallel between *goy* in the Hebrew Talmud and *ummi* see Rubin, *Eye of the Beholder*, 23–8.

In a more recent study entitled '*Al-Nabiyy al-Umiyy*', Athamina, who has scrutinized this term with its Hebrew counterparts as suggested by a number of leading Orientalists, rejects any pre-Islamic influence of a Hebrew usage on the Arabic term. He argues that the *ummiyyūn* mentioned in *Sūra* 2:78, were actually a group identified with the *ahl al-kitāb*, but at the same time they were distinguished from the latter. The key word in understanding the *ummiyyūn* referred to in that verse is '*amāniyya*'. In light of its meaning and usage explained by the classical lexicons, Athamina translates the verse as follows. 'A group from among the *ahl-al-kitāb* are *ummiyyūn* who consider the Holy Book to be merely tales and fables.'

Muslim scholars in order to stress the authenticity of the Qur'ān as a divine book

He says, *And We have not sent thee (O Muḥammad) save as a bringer of good tidings and a warner unto all mankind; but most of mankind know not (34:28).*

This statement from the Book of God, glorified be His mention, proves that the Messenger of God was sent to all mankind; thus war must be waged against those among them who deny his prophethood and repudiate his messengership.

Likewise [the Prophet] said, 'I was sent to all mankind.' He also said, 'I was sent to both the red and the black [all mankind].'³

God sent him first to call mankind to Him, and then to turn away from those who declare him to be false. God says, *Call unto the way of thy Lord with wisdom and fair exhortation, and reason with them in the better way (16:125).*⁴ And He said, *And turn away (O Muḥammad) from the ignorant (7:199).*

When God firmly established the proof against them, and His Messenger conveyed the message to them, and yet some of them persisted in their disbelief and disobedience, declaring him to be a spurious prophet and rebelling against him, God strengthened His religion and helped His Messenger by making *jihād* in the cause of God obligatory. This obligation applied to the Prophet as well as to all those who believed in [his message], and God says, *Warfare is ordained for you, though it is hateful unto you; but it may happen that ye hate a thing which is good for you, and it may happen that ye love a thing which is bad for you (2:216).* He says, *Then, when the sacred months have passed, slay the idolaters wherever ye find them, and take them (captive), and besiege them, and prepare for them ambush at every place. But if they repent and establish worship and pay the poor due, then leave their way free (9:5).*

Accordingly the Prophet fought those among the polytheists who were near to him who repudiated his call and denied his prophethood. And by God's command, he allowed time to some of them so that his

and to corroborate the dogma of its *i'jāz* (miraculousness), narrowly focus their interest on *al-nabiyy al-ummi*, rather than the question of who the *ummīyūn* were. Hence they advocate the idea of the Prophet's illiteracy. It is worth noting here that the Shī'a reject the notion that the Prophet was illiterate. After examining several linguistic usages of the term, Athamina states that the term '*ummi*' may be interpreted as the inability to write properly, or a lack of complete mastery over the art of writing. Thus he concludes that the alleged illiteracy of the Prophet, in the sense of inability to read or write, is an erroneous assumption.

³Both the *ḥadīths* are transmitted by Bukhārī, Muslim, and others. *Concordance*, s.v. b-'-th.

⁴Cf. *Kāfi*, V, 14.

claim might become manifest to them.⁵ Then came the command from God to terminate the truce with them, and God spoke to him: *Freedom from obligation (is proclaimed) from Allah and His Messenger towards those of the idolaters with whom ye made a treaty* (9:1).⁶

Ja'far b. Muḥammad: 'Alī was asked by some people, 'O Commander of the Faithful, what do you consider to be the best of your attainments?' He replied, 'The best of my attainments are those which are not of my doing,' and he related a number of them. In mentioning some of them, he said, 'When God revealed *Sūrat al-Barā'a* (the declaration of dispensation, also called *Tawba*, *sūra* 9), the Prophet sent Abū Bakr with it to the residents of Mecca. When he left [Medina] and proceeded on his way, Gabriel came down to the Prophet and said, "O Muḥammad! No one should proclaim [the dispensation in your stead] except 'Alī." So the Prophet summoned me and ordered me to mount his she camel *al-'Aḍbā* and overtake Abū Bakr, and take it [the *Sūra*] from him. I did as commanded. Abū Bakr said, "What is the matter with me? Is there any displeasure on the part of God and His Messenger?" So I said, "None whatsoever. Except that it was revealed to the Messenger that none but a member of his family should convey [the dispensation from God] to them in his stead."⁷

'So,' said Abū 'Abd Allāh Ja'far b. Muḥammad, "Alī took the *Sūra* from Abū Bakr and proceeded on his way until he arrived at Mecca. On the Day of Sacrifice, after the *zuhr* prayer, 'Alī stood among the people of Mecca and recited, *Freedom from obligation (is proclaimed) from Allah and His Messenger toward those of the idolaters with whom ye have made a treaty. Travel freely in the land four months*" (9:1-2). [That is] twenty days of Dhu 'l-Hijja, Muḥarram, Ṣafar, Rabī' al-Awwal, and ten days of Rabī' al-Ākhar.

'Then ['Alī] added, "Neither a naked man nor a naked woman,⁸ nor

⁵Cf. *Ibid.*, V, 11.

⁶It was revealed in the year 9 A.H. For details and the occasion of its revelation see Ibn Ishāq, *al-Sīra*, IV, 188 ff.; Guillaume, 617 ff.; Ṭabarī, *History of al-Ṭabarī*, IX, 77-8.

⁷The whole episode is narrated earlier. See Chap. 2, 'On the *walāya* of the Commander of the Faithful, 'Aṣī'.

⁸In pre-Islamic times Quraysh introduced certain innovations to be observed rigorously by the pilgrims. Thus Quraysh and certain neighbouring tribes became known as *Hums*, meaning people observing rigorous religious taboos. These innovations emphasized the superiority of Quraysh over other tribes and also gave them economic advantages. Accordingly non-Qurayshite could not circumambulate the Ka'ba in ordinary clothes; they had to buy special clothes from the people of the *Hums*, i.e., the Qurayshites, or they must do so naked. Ibn Ishāq, *al-Sīra*, I, 214-16; Guillaume, 89 (it is summarized); EI², s.v. *Hums*; Ibrahim, *Merchant Capital*, 52-6.

a male polytheist nor a female polytheist, can perform the *tawāf* of the [Sacred] House. Take heed! For him who has a covenant with the Prophet, the period prescribed is these four months [only].”

Then [the Imam Ja‘far] related the tradition fully.

‘Alī: He declared, ‘Jihād is compulsory on all the believers by the dictum of God *Warfare is ordained for you* (2:216). When a group of people is engaged in *jihād*, the others may stay behind so long as their aid is not needed. But when such aid is needed, it is incumbent on them to help the warriors to the extent that is necessary, for God says, *And the believers should not all go out to fight* (9:122). However, if they are taken by surprise and help is needed from all then everyone should go out to fight. God says, *Go forth, light-armed and heavy-armed, and strive with your wealth and your lives in the way of Allah*’ (9:41).

Ja‘far b. Muḥammad: He said, ‘As regards the Word of God *Go forth, light-armed and heavy-armed* (9:41), it means both the young and the old.’⁹

[Ja‘far b. Muḥammad]: He was asked, concerning the Word of God *Lo! Allah hath bought from the believers their lives and their wealth because the Garden will be theirs: They shall fight in the way of Allah and shall slay and be slain. It is a promise which is binding on Him in the Torah and the Gospel and the Qur’ān. Who fulfilleth His covenant better than Allah? Rejoice then in your bargain that ye have made, for that is the supreme triumph* (9:111), whether this verse indicated those who fought in the way of God, or one group to the exclusion of others. Abū ‘Abd Allāh Ja‘far b. Muḥammad answered, ‘Remember! When this verse was revealed to the Messenger of God, some of his Companions asked him about it and he did not reply. Then God revealed the following verse after it: *(Triumphant) are those who turn repentant (to Allah), those who serve (Him), and those who praise (Him), those who fast, those who bow down, those who fall prostrate (in worship), those who enjoin the right and who forbid the wrong and those who keep the limits (ordained) of Allah—and give glad tidings to believers* (9:112).

‘By this verse God has made clear the qualities possessed by those of the faithful whose souls and wealth have been bought by Him. Let those who desire the Garden make war in the way of God under the aforesaid conditions.¹⁰ Otherwise, they will be among those of whom the Prophet spoke: “God is giving victory to this religion through worthless people.”¹¹

⁹Same explanation by Qummī, I, 317. Ṭabarī, in *Tafsīr*, XIV, 262–9, gives other explanations also.

¹⁰Kaṣfī, V, 15, 20.

¹¹Ibid., V, 18.

[Ja'far b. Muḥammad]: He was asked about the Bedouins (*a'rāb*), 'Is *jihād* obligatory on them?' [The Imam] replied, 'No, unless a grave situation arises [in the world of] Islam. God forbid that [Islam] may need their help!' He then added, 'So long as they do not engage in *jihād*, they [Bedouins] have no share in the booty (*fay*).'¹²

'Alī: The Messenger of God said, 'He who feels cowardice should not engage in warfare.'

'Alī: He said, 'The coward should not fight lest he be defeated instantly; but let him ponder over the cause for which he was intending to fight, and let him provide someone else with the wherewithal [to fight]. For, such a person has the same measure of recompense [as he who fights] and his reward is no less.'¹³

[Alī]: He said, 'Slaves are under no obligation to fight so long as they are not indispensable; nor is there any obligation on women nor upon those who have not attained puberty.'¹⁴

Abū Ja'far Muḥammad b. 'Alī: He said, 'When [at least] 313 men come together for the cause of Islam [the number of Muslims] who fought in the Battle of Badr,¹⁵ then it is obligatory on [the Imam] to rise and change [the socio-political situation].'¹⁶

THE INDUCEMENTS FOR WAGING JIHĀD

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'God's bondsmen will have to account for every bounty [received from their Lord], except those [spent] in the way of Allāh.'

Ja'far b. Muḥammad: He said, 'The root of Islam is prayer; its branch, the alms tax; and the apex of the tree¹⁷ is *jihād* in the way of God.'

¹²See n. 88 and 118 in Chap. 6 for *fay*.

¹³The tradition states, 'He who equips a fighter in God's path has taken part in the fighting, and he who looks after a fighter's family when he is away has taken part in the fighting.' *Mishkāt*, II, 350, 354; Robson, I, 807–8, 812; transmitted by Bukhārī and Muslim. See also Ṭūsī, *al-Nihāya*, 291.

¹⁴Cf. *Kaḥf*, V, 10; Ṭūsī, *al-Nihāya*, 289.

¹⁵The total number of Muslims who were at Badr and were allotted a share in the booty was 314 according to Ibn Ishāq, and 313 according to Wāqidi. Ibn Ishāq, *al-Sīra*, II, 364; Guillaume, 336; Wāqidi, *al-Maghāzī*, I, 152; Nu'mān, *Ta'wīl al-da'd'im*, III, 274.

¹⁶It is noteworthy that the directive is to the Imam himself. It may be worth studying in detail the political undertones of this passage in the context of the time in which the *Da'd'im* was composed. It does not appear that this tradition might have been added later because it is also found in Nu'mān's *Ta'wīl al-da'd'im*, III, 274.

¹⁷The Arabic is *sanām*, the hump of a camel, but we have used the word 'tree' in keeping with the metaphor used by the author.

'Alī: The Messenger of God said, 'Travel, you will gain profit; fast, you will gain health; fight [in the cause of religion], you will gain wealth; perform the pilgrimage, you will be free from want.'

'Alī: He said, 'Faith has four foundations: patience, certitude, justice, and *jihād*.'

['Alī]: He said, 'Fight in the way of God with your hands; if this is not possible, with your tongues; if this is not possible, then with your hearts.'¹⁸

['Alī]: He said, 'It is your duty to wage *jihād* in the way of God in alliance with every just Imam. Indeed, *jihād* in the way of God is a gate among the gates of Heaven.'

['Alī]: The Messenger of God said, 'The bearers of the Qur'ān [those who have committed it to memory] are the chiefs ('*urafā*' pl. of '*ārif*') among the residents of the Garden;¹⁹ and those who wage holy war [against the infidels] are their commanders (*quwwād* pl. of *qā'id*); and the messengers are the supreme commanders (*sādāt* pl. of *sayyid*) of those that reside in the Garden.'

['Alī]: The Messenger of God declared, 'The most generous among mankind are those who sacrifice themselves in the way of God; and the most miserly are those that are stingy in offering salutations.'

['Alī]: The Messenger of God said, 'When Moses and Aaron prayed to their Lord, God said, "Verily I have accepted your prayer, and whoever fights in my cause, his prayer I will accept, as I have accepted yours, till the Day of Resurrection."'

['Alī]—the Messenger of God: He said, 'He who speaks ill of a man engaged in a holy war, or harms him, or creates mischief behind his back among his people, will have a banner set up on the Day of Resurrection, and his deceitfulness will be proclaimed by it. Then he will be thrown down into the Fire.'

['Alī]—the Messenger of God: He declared that there is one good act, above all others, and that is²⁰ to achieve martyrdom in the way of God.²¹ There is one act of disobedience, greater than all others, and that is for a man to kill one of his parents.

The Messenger of God: He said, 'There is no drop dearer to God than a drop of blood which is [shed] in the way of God,²²

¹⁸Anas reported the Prophet saying, 'Fight the polytheists with your wealth, your persons, and your tongues.' *Mishkāt*, II, 355; Robson, 812.

¹⁹*Majma' al-bahrayn*, s.v. '-r-f'; this *ḥadīth* is cited; Lane, s.v. '-r-f'.

²⁰The Arabic particle is *ḥattā*, used here to designate the attainment of extremity or utmost limit. Wright, *Grammar*, II, 147.

²¹*Kāfi*, V, 49. It is reported on the authority of al-Ṣādiq and it adds, 'When a person is killed [fighting] in the way of God there is no better act above it.'

²²*Ibid.*, V, 50.

or a tear drop that falls at dead of night for the fear of God.²³

The Messenger of God: He said, 'Every believer from my community is a truthful person (*ṣiddiq*)²⁴ and a martyr (*shahid*). God honours whom He wills among His creatures with this sword.' Then he recited the Word of God *And those who believe in Allah and His messengers, they are the truthful (al-ṣiddiqūn); and the martyrs (al-shuhadā')* are with their Lord (57:19).²⁵

Ja'far b. Muḥammad: He said, 'On the Day of Resurrection, every eye will be sleepless except three: the eye that remained awake in the way of God; the eye that turned away from unlawful acts; and the eye that shed tears in the dead of night for fear of God.'²⁶

Abū Ja'far Muḥammad b. 'Alī:²⁷ Explaining the Word of God *They are content that they should be with those behind (khawālif)* (9:87, 93), he said that the *khawālif* are the women [in this context].

Zayd b. 'Alī b. al-Ḥusayn:²⁸ Concerning the Word of God *and the garment of godfearing (libās al-taqwā)* (7:26), he said that it means 'the wearing of arms [during warfare] in the way of God'.

'Alī: He said, 'The first person to fight in the way of God was

²³Abū Umāma reported the Messenger of God saying, 'Nothing is dearer to God than two drops and two marks, a drop of tear from the fear of God and a drop of blood shed in God's path. Regarding the two marks, they are a mark received in God's path and one caused by observing one of the ordinances (*farīda min farā'id*) of God.' *Mishkāt*, II, 358; Robson, I, 814–15.

²⁴For the word *ṣiddiq*, see Paret, *Koran Kommentar*, 126 (or commentary to 5:75); Jeffery, *Foreign Vocabulary*, 194, renders it 'a person of integrity'; Izutsu, *Ethico-Religious Concepts*, 92–4. In the Qur'ān the word *ṣiddiq* (fem. *ṣiddīqa*) refers to the Virgin Mary (5:57), Joseph (12:46), Abraham (19:41), and Idrīs (Enoch) (19:56). The verse (57:19) states: *And those who believe in Allah and His messengers, they are the ṣiddiqūn, and the shuhadā'* (martyrs or the true witnesses) in their Lord's sight. Based on the latter reference, as well as the reference to Abraham, Izutsu states that the last two passages would seem to suggest that the word *ṣiddiq*, at least in the Qur'ānic context, means a zealous persevering believer who remains unswervingly faithful to his monotheistic belief in God whatever happens, rather than a man who always speaks the truth.

²⁵Ṭabarī, *Tafsīr* (Beirut), XXVII, 132–4; he cites the aforementioned *ḥadīth* to support this interpretation of *shuhadā'*; however, he also notes that the exegetes disagree over whether *shuhadā'* (is connected with) the preceding sentence, and consequently it may not mean 'martyrs'. See also Ṭabrisī, IX, 238; Ṭūsī, *al-Tibyān*, IX, 530.

²⁶Ibn 'Abbās reported God's Messenger saying, 'There are two eyes which will never be touched by hell, an eye which weeps from the fear of God and an eye which spends the night on guard in God's path.' *Mishkāt*, II, 356; Robson, I, 813.

²⁷As in MS Q. Abū Ja'far b. Muḥammad in the printed text of both the editions is an error.

²⁸Zayd was Imam al-Bāqir's half-brother who unsuccessfully revolted against the Umayyads in 122/740 and was killed in Kūfa. This revolt was the beginning of a partisan movement that came to be known as the Zaydiyya. Jafri, *Origins*, 247–8, 251–4; Momen, *Introduction*, 37, 49–51. For Nu'mān's use of non-Islāmī Imam's *isnād* see n. 286 in Chap. 2.

Abraham.²⁹ Rūm³⁰ (Romans) attacked the region where the Prophet Lot³¹ resided, and made him captive. When the news reached Abraham he rushed [to war] and rescued him from their hands. He was also the first to use banners [in warfare].'

THE INDUCEMENTS TO CAPARISON HORSES

God says, *Make ready for them all thou canst of (armed) force and of horses tethered, that thereby ye may dismay the enemy of Allah and your enemy* (8:60).³²

'Alī: The Messenger of God said, 'Verily, there are angels with God who bless those masters of horses who acquire them and prepare them [for service] in the way of God.'

'Alī: He said, 'On the Day of Resurrection, the fodder, the footprints, and whatever [the horse] treads under its feet, will be treated [by God] as good works in the balance for the man who caparisons it [for war] in the way of God.'³³

'Alī: The Messenger of God said, 'O 'Alī, the expenditure on horses tethered [and made ready for fighting] in the way of God is the expenditure mentioned by God [in the verse] *Those who spend their wealth by night and by day, by stealth and openly*' (2:274).³⁴

'Alī: He said, 'The horses of those who fight [in the cause of God] in this world are the same that will be theirs in Paradise.'

['Alī]—the Messenger of God: He said, 'Once, when Gabriel was with me, my horse neighed, and he smiled. So I asked him, "O Gabriel, why did you smile?" He said, "Why should I not smile when I see the hearts of the disbelievers trembling with fear and their kidneys quivering at the neighing of the horses of Muslims!"'

['Alī]: He said, 'Once a Muslim riding his horse passed by the Messenger of God and he saluted God's Messenger and he replied, "Peace be with both of you!" So I ['Alī] said, "Is he not a single man

²⁹For Abraham see n. 147 in Chap. 2.

³⁰The word Rūm occurs in Arabic literature with reference to the Romans as well as the Byzantines. EI², s.v. Rūm.

³¹The Biblical Lot. EI², s.v. Lūt. There is a problem of dating with regard to Abraham. Lot is included in the Abraham tradition. For details see ER, s.v. Abraham. The chronological discrepancy in this tradition is difficult to explain. Both the Romans and the Byzantines are significantly posterior to Abraham.

³²Kāfi, V, 46.

³³Abū Hurayra reported God's Messenger as saying, 'If anyone reserves a horse in God's path with faith in God and belief in His promise, its food, drink, dung, and urine will be in his scale on the day of resurrection.' *Mishkāt*, II, 367; Robson, II, 822; transmitted by Bukhārī.

³⁴Furāt al-Kūfī, I, 70–3; it was revealed with regard to 'Alī.

[and not two]?" He replied, "I saluted both the man and the horse!"

['Alī]: The Messenger of God said, 'All worldly playfulness is trumpery, save the arrow shot from your bow, or the discipline of your horses, or merry making with your family [and children], for these are among the Prophetic practices.'³⁵

['Alī]—the Messenger of God: He said, 'Blessing (*al-khayr*) is tied to the forelocks of horses till the Day of Resurrection;³⁶ the owners thereof are aided by them; their manes are their source of warmth; their forelocks are their beauty; and their tails are their fly-whisks.' And he prohibited the trimming of any of these as well as castrating them.³⁷

The Messenger of God: He said, 'Put halters round the necks of [your] horses, but not bowstrings.'³⁸

The Messenger of God: He permitted the racing of horses and he himself indulged in it.³⁹ He fixed ounces of silver [as prize money].⁴⁰ And he said, 'There is no competition save in three things: in *ḥāfir*, in *khuff*, and in *naṣl*. By *ḥāfir* (possessor of a hoof) is meant racing horses; by *khuff* (foot covering) is meant racing camels; and by *naṣl* (iron head of an arrow) is meant shooting arrows.'⁴¹

THE ETIQUETTE OF TRAVELLING⁴²

Ja'far b. Muḥammad—his father—his ancestors—the Messenger of God: He said, 'For the man who is about to travel, nothing can take his place [during his absence] in his family better than two *raka'āt* of prayer offered at the time of departure. Then he should pray:

O God, I entrust to Thee myself, my family, my wealth, my religion, my worldly affairs, my hereafter, my trust, and the accomplishment of my affairs.

³⁵The tradition states, 'Everything with which a man amuses himself is vain, except his shooting with his bow, his training of his horse, and his playing with his wife, for they pertain to what is right.' *Mishkāt*, II, 368; Robson, II, 822. *Kāfi*, V, 46.

³⁶*Kāfi*, V, 44; reported from al-Bāqir and al-Ṣādiq.

³⁷*Mishkāt*, II, 370; Robson, II, 824.

³⁸*Mishkāt*, II, 370, 373; Robson, II, 824, 826; 'Bowstrings (*awtār*) may cause injury to the horse.'

³⁹Abd Allāh b. 'Umar reported that the Messenger of God held a race from al-Ḥayfā to Thaniyāt al-Wadā', a distance of 6 miles, between the horses that had been made lean by training, and he held a race from the Thaniya to the mosque of Banū Zurayq, a distance of a mile, between the horses that had not undergone such training. *Mishkāt*, II, 367; Robson, II, 822; transmitted by Bukhārī and Muslim. See also *Kāfi*, V, 45.

⁴⁰*Kāfi*, V, 45.

⁴¹*Mishkāt*, II, 369; Robson, II, 823; *Kāfi*, V, 45, 46.

⁴²Cf. 'Conduct while Travelling', in *Mishkāt*, II, 373–9; Robson, II, 826–31. This section is not to be found in *Kāfi*.

No faithful person acts in this manner but God gives him what he wants.

Ja'far b. Muḥammad: He said, 'A follower of my father [Imam Muḥammad al-Bāqir], may God be well pleased with him, came to him to bid farewell as he was about to go forth travelling. So [the Imam] told him, "My father, 'Alī b. al-Ḥusayn, whenever he intended to inspect his estates, used to buy his safety [by giving in charity] whatever he could conveniently afford. He used to do this when he put his foot in the stirrup. When he returned safely, he would offer thanks to God and again bestow alms, according to his means."

'The man bade [the Imam] farewell but did not act in this fashion. So he perished on the way and Abū Ja'far [Imam al-Bāqir] came to know of it and said, "Would that this man had acted on the warning given to him!"

'Alī: He was once going on a journey, and when he was firmly set on his mount, he said,

All praise to God! *Glorified be He Who hath subdued these (mounts) unto us, and we were not capable (of subduing them). And lo! unto our Lord we are returning* (43:13-14).

Then he read the *Fātiḥa* [opening chapter of] the Book three times and said, '*Allāhu akbar*' three times, and said,

Glory be to Thee O God, if I have wronged my soul, pardon me. Verily, no one can forgive wrongs save Thee.

Then he laughed, and was asked, 'O Commander of the Faithful, what is it that you are laughing at?' 'Alī said, 'I had seen the Messenger of God pray as I have just done and then laugh, so I said, "O Messenger of God, what is it that makes you laugh?" He said, "God deems it strange when His slave exclaims, 'Forgive my sins,' knowing full well that none save He can pardon him!"

'Alī: He said, 'It is a custom of travel [sanctioned by the *sunna* of the Prophet] that when a group of people, friendly to one another, start on a journey, they should take out their provisions (together), collect them together, and spend them together. This is better for them and more likely to ensure their friendship.'

Ja'far b. Muḥammad: He said, '*Murū'a*⁴³ is of two kinds: the *murū'a* of [a person] residing in a settled habitation and the one [which is shown] whilst travelling. As to the former, it consists in reading the Qur'ān, attending the mosque, companionship with people of good standing, and

⁴³The term has been translated in a variety of ways, but its precise meaning has yet to be determined. For details and various meanings see EI², s.v. *Murū'a*.

studying law (*fiqh*). [As to] the latter, [it consists] in generosity in spending provisions, abstaining from discord with fellow travellers, and transmitting (*riwāya*) [reports] from them when they have separated from him.'

'Alī: He escorted the Messenger of God [for some distance] when he went forth for the Battle of Tabūk,⁴⁴ and [the Prophet] appointed him as his deputy at Medina, but ['Alī] did not go to meet [the Prophet] when he returned.

'Alī: Whenever he went forth on a journey, he used to pray:

I bear witness that there is no deity except God Who is alone. And I bear witness that Muḥammad is His slave and Messenger. All praise to God who has guided us to Islam, and made us members of the best community that has been raised for mankind.⁴⁵ *Glorified be He Who hath subdued these (mounts) unto us, and we were not capable (of subduing them)* (43:13). O God, I seek Thy protection against the hardships of travelling, the tribulations of the return, and the evils attending [my] family, [my] property, and [my] children. O God, Thou art the Companion during travel, and the Successor in [my] family, and the Helper in the cause. Shorten Thou the distant [goal] for us, and level for us the rugged high ground, and be sufficient for us in our mission. Verily Thou art Mighty over all things.

'Alī: The Messenger of God forbade overloading beasts beyond their strength and neglecting them until they perish. He said, 'Do not take the backs of the beasts of burden as chairs,⁴⁶ for many a mount is better than its rider and more obedient to God, and remembers Him more often!'

Once [the Prophet] saw an overloaded she camel and said, 'Where is her owner?' But the people did not find him, so he said, 'Bid him to prepare to be questioned about this tomorrow [i.e. on the Day of Judgement].'

'Alī: The Messenger of God said, 'The owner of a riding animal owes her six obligations: to give her fodder immediately after alighting; to give her water whenever he comes across it; not to beat her without good cause; not to load her beyond her strength; not to fatigue her in travel, beyond her capacity, and not to ride her [unnecessarily] for [even] a very short period.'⁴⁷

Ja'far b. Muḥammad: He was questioned about the branding of

⁴⁴It was the largest and the best-equipped army the Prophet had ever led. The battle took place in the year 9/631. See Ṭabarī, *History of al-Ṭabarī*, IX, 47 ff.; all the primary and secondary sources are listed therein. *El*², s.v. Tabūk.

⁴⁵Alludes to Qur'ān 3:110.

⁴⁶It implies that litters should not be made too heavy. A tradition states, 'Do not treat the backs of your beasts as pulpits ...' Another tradition states, 'When we encamped we did not glorify God (i.e. to pray) until we had loosened the saddles.' *Mishkāt*, II, 377; Robson, II, 829.

⁴⁷The Arabic is *fuwāqim*. See n. 18 in Chap. 5.

animals [with instruments heated] by fire. He replied, 'There is no harm provided that their faces are not marked.'

[Ja'far b. Muḥammad]—the Messenger of God: He heard a man cursing his camel and exclaimed, 'Go back! Do not accompany us on a cursed camel.'

'Alī also used to dislike the abuse of beasts [of burden].

[Alī]:⁴⁸ He said, 'I swear by Him Who sent Muḥammad as a Prophet of truth, and through him, gave honour to the members of his Household, everything that you come across is to be found in the Qur'ān. So he who wishes to know should ask me.' There arose a man, who said, 'O Commander of the Faithful, verily my riding animal has become very headstrong and I am terrified of her.' So 'Alī said, 'Recite in her right ear, *And unto Him submitteth whosoever is in the heavens and the earth, willingly or unwillingly, and unto Him they will be returned*' (3:83). The man did [as he was directed], and the riding animal became submissive.

[Alī]: The Messenger of God prohibited people from travelling with the Qur'ān in enemy country lest it fall into the hands of the polytheists.

[Alī]: The Messenger of God forbade travelling alone. He said, 'The lone traveller is a devil, and two are two devils; but three are a party (*naḥḥ*).'⁴⁹

[Alī]: The Messenger of God said, 'A rider has the right of way over a pedestrian, and the barefooted man has the right of way over one who is sandalled.'

[Alī]: He said, 'We were in a foray with the Messenger of God, when the people pressed forward in a throng and they blocked the way. So the Messenger of God had a proclamation made, saying, "He who blocks the road is not entitled to participate in the *jihād*."⁵⁰

[Alī]: The Messenger of God said, 'God the Blessed and Exalted loves kindness and encourages it. When you ride your dumb mount, if the land is barren, hasten across it'⁵¹ so that she may traverse inhospitable land

⁴⁸From the context it is clear that the pronoun refers to 'Alī, and not to Imam Ja'far al-Ṣādiq.

⁴⁹*Mishkāt*, II, 376; Robson, II, 826. It states, 'A single rider is a devil and a pair of riders a pair of devils, but three are a company of riders.'

⁵⁰A slightly different version in *Mishkāt*, II, 378 and Robson, II, 830, states, 'We went on an expedition with the Prophet and the people occupied so much space (for camping) that they encroached on the road, so God's Prophet sent a man to announce among the people, "Those who occupy much space or encroach on the road will not be credited with *jihād*."⁵¹

⁵¹A note added by Nu'mān explains the idiom: *fa 'njū 'alayhā bi-niqyihā*, meaning 'allow her to escape by her *niqy* (marrow) [therefore the she-camel's instinct].' That is, let her increase her pace. For a similar tradition transmitted by Muslim see *Mishkāt*, II, 374; Robson, II, 826.

while she yet retains her strength. But if the terrain is lush with greenery, make it your camping ground.⁵² You are enjoined to travel by night, for the earth is traversed [more easily] by night than by day.⁵³ Do not camp in the tracks leading to a main road, for these contain the paths of wild animals and the holes of serpents.⁵⁴

['Alī]: He said, 'Once we raided with the Messenger of God, and the way was long, and the foot soldiers were tired, so they stood in a row for the Messenger of God and when he passed in front of them, they [complained], saying, "O Messenger of God, the way has grown long, the journey has become far extended, and being on foot we are fatigued." So he prayed for them and urged them on to the recompense [which they would receive for good works] and said, "You should walk in the manner known as *naslān* [half walking, half running or trotting]",⁵⁵ that is *harwala* (quick pace), "for this will greatly relieve your ills." They did as directed and felt greatly relieved.'

['Alī]: The Messenger of God said, 'The leader of a group should move slowly on his mount.' He meant at lesser speed than the rest so that the weak may obtain relief.

Al-Ḥusayn b. 'Alī: He said, 'The Messenger of God said, "My community, when they board a ship, will be secure from drowning if they pray as follows:

In the name of God, the Merciful, the Compassionate. And they esteem not Allah as He hath the right to be esteemed, when the whole earth is His handful on the Day of Resurrection, and the heavens are rolled in His right hand. Glorified is He and High Exalted from all that they ascribe as partner (unto Him) (39:67). In the name of Allah be its course and its mooring. Lo! my Lord is Forgiving, Merciful" (11:41).⁵⁶

'Alī: He said, 'He who boards a ship, let him say,

In the name of Allah be its course and its mooring. Lo! my Lord is Forgiving, Merciful (11:41). O God, bless us in this our ship. Make our voyage pleasant and save us from the evil of our ocean.'

⁵²The tradition states: 'When you travel in fertile country give the camels their due from the ground, and when you travel in time of drought make them go quickly.' *Mishkāt*, II, 373-4; Robson, II, 826.

⁵³Probably the idea is that at night the journey seems shorter while by day it seems long and arduous. See also *Mishkāt*, II, 375; Robson, II, 828.

⁵⁴*Mishkāt*, II, 374, Robson, 826.

⁵⁵*Lisān al-'Arab*, s.v. n-s-l; the related part of the tradition is mentioned.

⁵⁶This prayer of Noah's embarkation is still used by the Muslims.

THE RIGHTS AND DUTIES OF COMMANDERS (AL-UMARĀ')⁵⁷

God says, O ye who believe! Obey Allah and obey the Messenger and those of you who are in authority (*ulu 'l-amr*) (4:59). Now the expression *ulu 'l-amr* means 'the Imams [of the House of the Prophet] to whom belongs sovereignty in its totality'.⁵⁸ Obedience is also due [in the same manner] to those appointed by them, so long as such deputies obey the Imams. But if they disobey them and rebel against the Imam's authority, then no obedience is due to them. Also, when such a deputy leads the people contrary to [the principles of] the Book of God or the commands of His Plenipotentiaries (*awliyā'ihī*) [the Imams], no obedience is due to him concerning such matters.

'Alī: He said, '[On one occasion] the Messenger of God sent an armed force (*sariyya*)⁵⁹ and appointed one of the Anṣār⁶⁰ as their commander and directed them to obey him. One day [the commander] became enraged with them and said, "Has not the Messenger of God commanded you to obey me?" They said, "Yes." The Commander said, "Collect firewood for me," so they collected firewood. The Commander said, "Light a fire," and they did as directed. The Commander said, "Jump into it!" And they began to ponder over this, and some of them began to hold back the others, and said, "We ran to the Messenger of God [to flee] from the Fire!" This continued until the fire was extinguished, and the anger of the Commander subsided.

'This incident reached the Messenger of God and he said, "Had they entered the fire, they would never have emerged from it until the Day of Resurrection! Obedience is due only in the case of what is good (or reputable *al-ma'rūf*)."'

'Alī: He said, 'No obedience is due to a creature when disobedience to the Creator is involved!'⁶¹

⁵⁷The following sections deal with the art of governing. In his exposition of these precepts Nu'mān lays great stress on justice and equity in conformity with Islamic tenets. Its inclusion in *The Pillars of Islam*, considered as an official *corpus juris*, was meant to guide the rulers and their ministers on how best to conduct the affairs of state. This section, therefore, resembles a 'Mirror for Princes', and should be compared with the corresponding works of Ibn Qutayba, al-Jāhīz, Ibn Ṭīqāqā, Kay Kā'ūs, and Niẓām al-Mulk. See Rosenthal, *Political Thought in Medieval Islam*, 62–83.

⁵⁸See n. 46 in Chap. 2 and the text around n. 66 in the same chapter for *ulu 'l-amr*.

⁵⁹See n. 66 in Chap. 2.

⁶⁰See n. 18 in Chap. 1.

⁶¹'Alī reported the Messenger of God's saying, 'No obedience is to be given in the case of an act of disobedience to God; obedience is to be given only regarding what is reputable.' *Mishkāt*, II, 317, 323; Robson, I, 780, 786; transmitted by Bukhārī and Muslim.

'Alī: He spoke of a command document ('*ahd*').⁶²

The man who related this to us said, 'I assume [the '*ahd* itself] to be in the words of 'Alī; however, we [Nu'mān] have reported it as having come down from 'Alī and that ['Alī] traced the tradition back to [yet an earlier authority] and said, 'The Messenger of God ordered a command document [to be written] wherein, among other things, he said [as follows]:

[THE 'AHD OF 'ALĪ]⁶³

HOW THE COMMANDER (AMĪR) SHOULD RECKON WITH HIS CONSCIENCE⁶⁴

O King [of men], but slave [of God]! Recollect your former state, and consider what you have come to. Build your faith on that which lasts. Take heed for the future by [considering] what has happened in the past. Begin by giving good counsel to your conscience. Consider the matters pertaining to your own self, and understand your duties and your rights. His own actions are the best vindication for a man concerning his due in the presence of God; and his own works are the best vindication for

⁶²The word 'command document' has been used in preference to 'commission', or 'assignment'. It implies a command and also a compact with the officer concerned to obey the directions. The Urdu and Gujarati translator omits this as well as the following paragraph.

⁶³It is translated into English by Salinger, 'A Muslim Mirror for Princes'. He compared the text of this '*ahd* to its recension in the *Nahj al-balāgha* and noted certain interesting sidelights of political significance. In several places, however, Salinger's translation is incorrect and obscure. See *Nahj al-balāgha*, II, 45–60; *Sharḥ nahj al-balāgha*, XVII, 30–130; Urdu translation by R. Ja'farī, 785–805; partial English translation by W. Chittick in *A Shī'ite Anthology*, 67–89. These instructions were written for Mālik al-Ashtar when he was appointed governor of Egypt. See also *EI*², s.v. al-Ashtar, Mālik b. al-Ḥārith al-Nakha'ī.

In her article 'An Early Fāṭimid Political Document,' Wadād al-Qāḍī pursued the comparison very closely and argued cogently that the '*ahd* document preserved in the *Da'a'im*, which bears strong affinity to Ṭāhir's ('Abbāsīd governor in Khurāsān) testament to his son 'Abd Allāh, was the original. Later a pro-Shī'ī author, possibly al-Sharīf al-Raḍī, the compiler of the *Nahj al-balāgha*, took this recension and made what he thought were enough changes in it to make it appear to be of 'Alī's authorship and ascribed it to 'Alī. She has further shown that the author of the '*ahd* was probably al-Qāḍī Aflaḥ b. Ḥārūn al-Mallūsī and that it might have been written soon after the assassination of the *da'ī* Abū 'Abd Allāh al-Shī'ī in 298/911 under the impetus of the power struggle between the latter and the Fāṭimid Caliph al-Mahdī. See also *EI*², s.v. *Nahdj al-balāgha*; al-Sharīf al-Raḍī. On the question of the authenticity of *Nahj al-balāgha* see Djebli, 'Encore à propos de l'authenticité du *Nahj al-balāgha*'.

⁶⁴This section as well as the following section are not to be found in *Nahj al-balāgha*; instead, it contains a preliminary address to Mālik al-Ashtar. *Sharḥ nahj al-balāgha*, XVII, 30–2.

him concerning his due with mankind. Fear God in respect of your personal duties and in matters pertaining to your soul. Be watchful of the burden imposed upon you by God and abase yourself in humility because it is He Who has elevated you [to your high office]. Verily, humility is the essence of servitude, and pride is one of the [spiritual] states (*ḥāl*)⁶⁵ of sovereignty.

Do not allow your station in life to lead you astray from the path of moderation in desiring a rank which is not yours by right. Let not the favours bestowed upon you by God make you too proud to exalt Him as He deserves to be exalted; for, verily, the gratitude you owe God should increase in proportion to favours conferred on you. Never allow any of God's bounties to embolden you to think that He has freed you from [the duty of observing] any of your obligatory duties (*farā'id*); or think that you have acquired the right to be relieved of your arduous duties, and that you can persist in drowning yourself in the oceans of passion.

For, behold, if you behave in such a fashion, your attitude will harden, and you will find fault with the consequences of your conduct. So take cognizance of your real worth, and see where you are proceeding. Remember this as fully as it deserves, and warn your conscience to take heed of it. For, behold, he who wishes to take warning about a thing keeps it ever in his mind; and ponder greatly over your own conduct and that of your associates in what you collect [by means of your actions]. Verily, even as an extreme limit you will not live longer than some of your companions;⁶⁶ for the Hour is surely overtaking you from behind. He who grants you the fulfilment of your wishes never decreases any of your lawful pleasures, so long as you do not go beyond the path of moderation towards an excess which is profitless and beyond the limits of sufficiency. [For] this will lead you to conduct which does not bring you any pleasure except for your eyes; and what goes beyond this limit verily brings profit only to someone else. Therefore decrease your hope in this direction and increase your fear of its consequences.

ADVICE TO THE COMMANDER OF AN ARMY TO TAKE EXAMPLE FROM HIS PREDECESSORS⁶⁷

Consider O you who have been made sovereign [over man] and are yet a slave [of God]! Where, O where, are your forefathers? And where are

⁶⁵*Ḥāl* is a technical term. See *El*², s.v. *Ḥāl*.

⁶⁶The text is not clear and I have tried to convey the approximate meaning.

⁶⁷*Māwardī, al-Aḥkām al-sultāniyya*, 43; *Mishkāt*, II, 330–2; Robson, I, 791–2.

the kings and the sons of kings—enemies of yours—who have been devouring the world since its beginning? You enjoy only their leavings and govern as they governed. Where are the treasures they gathered and the bodies they gratified, and their sons whom they honoured? Do you see anyone so bereft of offspring or so deprived of remembrance? When God favours you with His bounties, recollect what you used to hope for. Let not your passion overpower you by your fortune;⁶⁸ and let not your indulgence of your children lead you to garner for them more than what is allotted to them by God and what He has intended them to obtain, lest it lead to your own perdition for the benefit of someone else, and [lest it] cause you to fall from the grace of God for the happiness and sensual delights of one [your superior] who neither stands by you nor shares your sorrow.

Remember death and the suddenness of its retribution; do not be complacent lest it descend upon you instantly. Speak increasingly of the frailty of the world and its vicissitudes and what you have observed of the changes both regarding your own and other men's affairs. Indeed, not long ago you were in the common crowd, and you used to rail at the haughtiness of kings and the tyranny of their authority and their arrogance towards their subjects and their alacrity in the display of their power, their excesses in [inflicting] punishment and their abandonment of pardon and clemency, the evil of their administration and meanness of their domination, and their cruelty to those who were under their dominion, the smallness of their concern with their final destiny and their complete heedlessness of death; the immensity of their venal passions and the paucity of their remembrance of good works; their heedlessness of the retribution inflicted by the Almighty and their failure to benefit from the lessons of past events; the length of time they felt secure against changes [of time] and their failure to learn from their own experiences; their lust to grab [more and more] without giving others their due and their continuous infliction of hardship on the weak; the undue preference shown to others (*ithār*) and to themselves (*istithār*), and their [arbitrarily] turning a blind eye (*ighmāḍ*) [towards their own injustice and favouritism] and their persistent stubbornness; their neglect of [duties] for which they were created, and their carelessness about their own actions, and their squandering of the responsibilities they were given.

⁶⁸This means: 'Don't let your passion overwhelm,' i.e. cause you to neglect or negate your good fortune (that is the grace that God gave you). In other words, you are now fortunate to be in God's good graces. Don't spoil that by indulging your passions and falling into His bad books.

Now, did you reproach them [for their faults] by way of warning them and disapproving of their actions, or because you envied their position? If it be the fact that you did this in a spirit of sincere admonition, then today you yourself are in greater need of such advice; but, on the other hand, if you did this out of envy [and malice], then have you any shield against the severity of God, or have you a valid defence against His torments, or do you consider yourself free, by reason of God's favours to you, not to strive after His pleasure? Or have you been so emboldened by His favours to you as to [openly] invite His wrath, and to be stubborn in your disobedience to Him? Or have you a refuge in which to save yourself from Him? Or have you a Lord other than He with whom to seek refuge? Or have you the patience to bear His avenging blows? Or do you hope that some changes in your fortune will rescue you from the power of God and place you under the power of someone else?

So revise your estimation of yourself in this situation and act according to your reason and concern, and keep this matter ever before your conscience.

Know that people adjudge your administration exactly as you [adjudged] those that held a similar office before you, and they speak exactly as you did about them. Consider well: where are the kings, and where are [the treasures] they collected [by wrongful acts] causing vices to invade them and the tongues of people to revile them? What did they pile up to carry away with them, and what remained thereof for their successors after them?

Remember always your true position and that of your predecessors who held the same office and the treasure they collected. Did any such treasures remain with them when God decided to take the treasures away? Was it a disadvantage to you to have no treasure when God decided to hand this command over to you? Think not that treasures bring you profit. So do not rely on them today to bring you profit tomorrow. Rather, with respect to the consequence [hereafter], let them be the most dreadful and the most unpleasant of things.

Let your most cherished and profitable treasure be the abundance of good deeds (*ṣāliḥ al-a'māl*) and belief in the established traditions [of behaviour] (*ṣāliḥ al-āthār*).⁶⁹ So if you direct your passion towards that [goal] and turn it away from other things, your anxiety will be diminished, and your life will become easier, and your mind full of peace. Let the delight of your eyes be in abstemiousness and good deeds, for it is more excellent

⁶⁹ *Āthār*, as used in Qur'ān 36:12 and 43:23, meaning *sunna*, established norm. See also *Majma' al-baḥrayn*, s.v. a-th-r.

than the delight of those who hoard treasure. Be moderate both in collecting riches and in spending [bestowing gifts]. Believe not that strength consists of gathering unlawful gain, or that generosity lies in making illegal gifts, for such actions nullify each other.

Real strength and generosity lie in mastering your passion; and self-control is displayed in taking what is lawful for you and generosity in giving what is due from you. Profit in that by your own knowledge and be warned by the actions of others. Fight against your lower nature in every detail of life, to the best of your capacity, in order to do the right between God and man. Do not look for an excuse where there is none, or follow passion, leading you to the abyss of perdition. For, verily, precipitation in desire is delicious, but its end is disastrous.

ON THE JUSTICE TO BE OBSERVED BY THE UMARĀ' IN RESPECT OF THEIR SUBJECTS AND OF THEMSELVES⁷⁰

Incline your heart to show clemency, affection, sympathy, and beneficence to your subjects. Do not behave towards them like a beast of prey, pouncing on them for a mere slip or a slight error, since, after all, they are your kin and equals in creation. Occasionally they do fall prey to slips and errors and are held responsible both for intentional and accidental faults; so overlook them mercifully, as you would that He who is above you and above them would do to you. God tests you [by your conduct] towards them and has given you authority over them. Verily it is He who will hold you responsible in what He has instructed you concerning love of justice and forgiveness and clemency. Wherefore, deserve not [by your conduct] the loss of His affection, and rebel not against Him, lest you should earn His dire punishment and lose His forgiveness and mercy.

Be not precipitate in punishment; hasten not to instant action, but find a way out of the predicament. Do not say with arrogance, 'I am the ruler, I shall do as I wish.' For surely this will shatter your ability to act [appropriately]. When the consciousness of your authority causes you to give airs to yourself, and you begin to realize your greatness, and ostentation enters your mind, it will make you reckless and induce you to act wantonly towards those who are under your command. Then, recall to mind the greatness of the power of God over you, think of death and its aftermath. This will destroy your conceit and curb your exultation and

⁷⁰Mishkāt, II, 333-6; Robson, I, 793-6. Compare the following with *Sharḥ nahj al-balāgha*, XVII, 32-47; *Nahj al-balāgha*, II, 46-9.

will belittle in your eyes the aggrandized view you have taken of yourself.

Beware of vying with God in His greatness, or imitating Him in His power, or behaving arrogantly towards His authority, for verily God humbles every powerful one and debases every arrogant person. Give justice to the people against yourself or your family or your chosen ones, for, if you do not do so, you will do wrong, and whoever wrongs the slaves of God, God will oppose him against His slaves. He who opposes God will be at war with Him until, ultimately, he will be deprived [of his authority]. Nothing changes the fortunes of a man and brings forth the retribution of God more than persistence in wrongdoing, for verily God hears the complaint of every oppressed person, and God is the enemy of wrongdoers. Whoever God treats as an enemy faces destruction both in this world and the hereafter.

Let the most cherished of affairs to you be that which is between the two extremes and the most comprehensive of them in relation to the obedience to God and the contentment of the common people (*al-'amma*). For the discontent of the common people mars the contentment of the upper class or (the ruling elite, *al-khāṣṣa*),⁷¹ while the contentment of the common people can endure the discontentment of the elite. There are none among the subjects who are more burdensome to the ruler in times of peace, less helpful in times of calamity, more given to calumny in matters of justice, less satisfied with regard to their [impossible] demands, less thankful, withal, for favours conferred on them, more prone to offer excuses for delay and less inclined to patience in hardship than the elite. Nevertheless [remember that] agreement upon the affairs of the rulers [and thus permission for them to do what they do], the power of kings, and hatred of the enemy are all derived from the common people. Therefore you should be more respectful of the common people than of others so long as they obey you and comply with your command. Those who discover the faults of others should be the ones you dislike most. For, among the people, you should be the foremost to overlook their faults and to disapprove of their disclosures.

It is incumbent upon you to give judgement according to [clear evidence] that is manifest to you, for God will judge things not known to you. Dislike for the people that which you would dislike for yourself. Hide the shame of the people to the utmost of your capacity, so God will

⁷¹ *Al-Khāṣṣa* and *al-'amma*, two antithetical terms denote the elite and the commonality, the aristocracy and the masses, the ruler and the ruled. For details see EI², s.v. *al-Khāṣṣa wa 'l-'amma*. See also n. 3 in Chap. 1 above.

protect you from disclosing things you wish to keep secret. Lessen the knot of malice against the people; cut the bonds of every rancour, and act not on mere suspicion. Never hasten to declare the truthfulness of the slanderer, because he is a backbiter, although his words may be clothed in the guise of advice. Never allow a miser to give counsel, for he will cut down your generosity to the farthest limit; nor an avaricious person, threatening you with dire poverty by extolling the virtues of parsimony; nor a coward who will increase your anxiety. For, verily, cowardice and miserliness and greed are of the same nature, gathering together in themselves distrust of God [and His munificence].

Know that the worst among your closest confidants and your ministers are those that were associated with the [previous] wicked [rulers] and who participated in their evil deeds and stood by them in all their actions. So never allow them to meddle in your affairs, and never associate them with your government as they were associated in the governments of others. Do not think well of the witness they produce, for, surely, they are the brothers of wrongdoers and the helpers of sinners and wolves in rapacity. Among the people you will find others to succeed them who are superior in knowledge, more competent in their advice for the scrutiny of affairs, and more clear-sighted in regard to their harmful consequences, and have pondered matters as they actually stand. Such persons will lighten your anxiety, give better help, and show greater kindness to you and lesser consideration to others. Such persons will not help the wrong doers or criminals in their fell designs.

Accordingly, choose your courtiers to share your confidence and keep company with you at your council. Let those be honoured by you who are the most truthful in speech, who are most equitable towards your subjects, and who wrangle least with you in matters of which you disapprove. Cleave to those who are full of abstemiousness, veracity, understanding and consideration⁷² (or are noble). The most detested among your associates and ministers should be those who [beguile you] by fulsome praise of your deeds or by adorning you with deeds that you have not done. Silence those who speak of the excellence of your doings, for, surely, excess in praise increases vanity and brings you close to heedlessness.

Profusion in speech leads to falsehood in exculpating the authority of the ruler, because it does not restrict itself to the truth without transgressing its limits. Do not place the good and the bad [among your counsellors] on an equal footing. This would discourage the actions of

⁷²Reading: *Ihsān*.

those who do good deeds, and urge the evildoers to continue their mischief.

Know that nothing is more conducive to illustrating the good opinion of a governor towards his subjects than treating them well,⁷³ reducing the burden placed on them, and avoiding anything that would be disagreeable to them. So act in a manner that will indicate that you think well of your subjects, because it will eliminate many of your concerns. [If they are happy with you, they are unlikely to disobey and rebel against you.] Among the good people, those whom you put to the test and who fare well are most worthy of your good opinion, and those whom you put to the test and who do not fare well are most deserving of suspicion on your part. Thus try to understand the position fairly and squarely.

Do not discontinue a wholesome practice followed by your righteous predecessors through which affection was gained and the common people satisfied; and do not introduce a new tradition which may destroy, to the slightest extent [the good] that prevailed by following the previous just practices, lest the reward go to him who established them and the blame attach to you who broke them. Increase your study with the scholars and your discussion with the wise men concerning the establishment of righteous traditions in their proper environment and their administration so that the people may become righteous. This will keep the truth alive and destroy falsehood, and will be a sufficient proof of that by which the people became righteous. For a correct tradition is one of the proofs of truth whereby it is fully comprehended and directs its followers to the path of obedience to God.

KNOWLEDGE OF THE DIFFERENT CLASSES OF PEOPLE⁷⁴

Know [O governor] that people are divided into five classes, none of which can prosper without the subsistence of the others. Among them are: (i) the soldiers; (ii) governors' aides, such as judges (*al-quḍāt*), administrators (*al-'ummāl*), and secretaries (*al-kuttāb*); (iii) the taxpayers (*ahl al-kharāj*),⁷⁵ that is owners of landed estates and others; (iv) the merchants and artisans; and finally (v) the lower classes, namely the needy and the destitute.

The soldiers are required, by the leave of God, for the protection of the people. They are the ornament of the kingdom, the honour of Islam,

⁷³Salinger's translation is incorrect.

⁷⁴Compare the following with *Sharḥ nahj al-balāgha*, XVII, 48–50; *Nahj al-balāgha*, II, 49–50; *Rasā'il Ikhwān al-Ṣafā'*, I, 274, 320.

⁷⁵It means those who pay the *kharāj*, land tax. For details see EI², s.v. *Kharāj*.

and the cause of peace and safety. There is no provision for the army except what God provides from the taxes (*kharāj*) and the booty of war (*fay'*),⁷⁶ which supports them in fighting their enemies. They rely on this provision [taxes and booty] to improve their condition and the sustenance of their dependants. There is no stability for the army and the taxpayers (*ahl al-kharāj*) except by the existence of judges, administrators, and secretaries who carry on with their duties, collect their dues, and feel secure both from the elite and commonalty.⁷⁷ There is no stability for any of them without [the help of] merchants and artisans, as they profit from their crafts and from their markets, which spares them the necessity of working with their own hands and [provides them with] articles which they cannot easily obtain.

As for the lowest class, they are the needy and the poor, who depend for their needs on the mass of the people, although God is the provider for all. Everyone has a claim upon the *amīr* (governor) [to demand his due] within the limits of his rights.⁷⁸ The governor cannot discharge the obligation laid upon him by God without giving due consideration and seeking God's help and making it a habit to be just in all matters, whether this conforms with his wishes or not.

WHAT IS PROPER FOR THE GOVERNOR TO OBSERVE CONCERNING THE AFFAIRS OF HIS ARMY⁷⁹

Give [O Governor] the command of your army to the one who is most forbearing among [your soldiers], who is most knowledgeable [in their affairs] and in the principles of administration, who is noble in character, slow to anger and quick to excuse, who is considerate to the weak; one who is not stubborn with the strong, who is not happy when obliged to be rude, and who is not paralysed [from taking a just and decisive course of action] because of his own weakness. Befriend the people of intelligence (*dhawī al-fiqh*) and piety (*al-dīn*) and those accustomed to righteous deeds.

Next [in your affections] should be the brave among them, because they are the emblems of nobleheartedness [collectively they are] bastions of honour, and proofs of a proper attitude towards God and of faith in

⁷⁶See n. 88 and 118 in Chap. 6 for *fay'*.

⁷⁷The text is not quite clear because of a series of undefined pronouns.

⁷⁸The Arabic reads *li-kullin 'ala 'l-amīri haqqin*. I have translated it as 'a claim upon' instead of 'a claim against'. The latter suggests financial debts as the only kind of claim involved.

⁷⁹Compare what follows with *Sharḥ nahj al-balāgha*, XVII, 51–8; *Nahj al-balāgha*, II, 50–1. Salinger in his 'A Muslim Mirror for Princes' does not translate this section.

Him. Examine their affairs in the same spirit as a father would examine the affairs of his children; and when you bestow something on them, never allow yourself to magnify its value; and when you do them a favour, never consider it to be trivial. If you show them sympathy, however trifling it may be, it will always move their hearts. Do not restrict your attention to bigger issues by overlooking minor details; for, verily, even a slight favour may bring great benefits, just as bigger issues have their own importance for which responsibility cannot be avoided.

These people, in your judgement, should be of greater concern and consequence [than your other subjects], and they should be entitled to a higher status. Give them your help in full measure. Bestow gifts generously on them and on their families to make them free from want and to remove their anxieties so that their attention will be directed solely to fighting your enemy. Keep your mind ever live to ways of showing your preference and your beneficence to them, and providing for them in full measure. Confirm this by acting bounteously towards them, and by your kindness you will turn their hearts towards you.

Verily, the greatest joy for the governors is when peace spreads in [their] domain and when affection pervades the army. When such a state of affairs prevails, their hearts will be at peace, their minds free of care, and their control over their nobles will be firm. Concerning the booty of war, do not restrict its distribution to the actual gains in battle, but add to them largesse from your [own treasure] to make the forces predatory in their mood and to urge them on to seek similar booty. There is no power and no strength save in God.

Single out those that are courageous and intrepid for every favour. Extend their gaze to visions of the best that they are capable of [attaining] by praising them lavishly and by inquiring frequently about them individually and by asking what each man has achieved at each engagement in battle, and by publicizing these [achievements] widely. This will surely incite the brave and rouse the others. Nonetheless, have watchful observers from among the trustworthy and truthful persons to observe them carefully in battles, and let them make written reports about each man's exploits as if you yourself had witnessed them with your own eyes. Then recognize the achievement of each one of them. Do not attribute the accomplishment of one of them to another; also do not treat anyone with less respect than he deserves for his achievement.

Reward each man in proportion to his accomplishment. Give each of them a written encomium to encourage him and inform him of what has been conveyed to you about him. Let not the nobility of a man induce you to magnify his small feat, or the lowliness of another to belittle

his accomplishment if it is great. Let not frailty that comes over a man damage [his standing] in your sight, nor any inadequacy he may have shown previously, when he has acquitted himself well. Verily, honour belongs to God; He gives it and withholds it as He wills. For, were it possible to manufacture bravery for oneself, it would surely have been done by the people at large; but it is a natural disposition, the possession of which is in the hands of God. He apportions it [among men] however He wills.

If one of your knights, or one of those who are well known for causing havoc in your enemies, dies at the hands of your enemy, take his place among the survivors of his family as his most trustworthy legal representative in order to show kindness to them and to order their affairs in a proper manner, so that the loss of the deceased may not be felt by them nor the calamity suffered thereby [be too great]. Such conduct will surely turn the hearts of your warriors towards you in affection and increase their obedience to you. Their hearts will gladly urge them to engage in deadly struggles on your behalf for supporting your cause.

There is no strength save in God.

WHAT IS NECESSARY FOR THE GOVERNOR TO OBSERVE CONCERNING THE ADMINISTRATION OF JUSTICE AMONG THE PEOPLE⁸⁰

Take every care [O Governor] regarding the administration of justice among the people; bestow the care on it that a person realizing the value of judgement in the eyes of God would do. For, verily, sound judgement is the balance of God's equity, ordained by Him to render justice between the person wronged and the offender; to rescue the weak from the strong; and to establish the legal punishments laid down by God (*ḥudūd Allāh*)⁸¹ in accordance with their traditions and laws upon which alone the welfare of the servants [of God] and countries depends.

So choose for the judiciary from among your subjects the one who seems to you the best, he who is full of learning and clemency and piety, who will not become impatient [under the strain of pressing] affairs, who will not be angered by opposing parties, who will not be exasperated by the faltering speech of the stammerer, who will not go beyond the proper boundaries with respect to the tyranny of the oppressor, who will not fall

⁸⁰Cf. Māwardī, *al-Aḥkām al-sultāniyya*, 65–7; *Sharḥ nahj al-balāgha*, XVII, 58–68; *Nahj al-balāgha*; II, 51–2.

⁸¹*Ḥadd* pl. *ḥudūd*, a technical term for the punishments of certain acts which have been forbidden by God. See n. 122 in Chap. 2.

prey to temptation nor to fulsome praise, who does not rest satisfied with a moderate understanding of the case, but delves into it fully, who pauses longer [than others] in cases of doubt, who is more acute in valuing the cogency of evidence, who is most patient [in discovering the real facts] behind repetitive arguments and in considering the explanations furnished by the two opposing parties, who is immune to flattery, and not disturbed by vilification, nor deviates in his judgement by the pronouncements of those that are deemed to be authorities.

Accordingly appoint such a man to administer justice. Then increase your support of his work and decisions, and remunerate him generously to make him free of temptation and to decrease his wants from the people. Give him a station in life so elevated as to be beyond the jealousy of others so that he feels safe from the slanderous tongues of men reaching your ears. Thus he will not show favour to [litigants] hoping for profit [from them], nor cringe before others to win their approbation. Respect the dignity of the judge in your councils (*majlis*); bring him close to yourself; implement his judgements to the full, and execute them. Appoint for him assistants of his own choice among the learned and the pious.

Choose for the outlying districts judges selected by the exercise of your individual judgement regarding their worth. Then keep an eye on their administration and decisions, and on the classes of the cases that arise for their decision. Let there be no conflict in their decisions, for this will impede the ends of justice, bring discredit to religion, and multiply factions. Judges differ among themselves only when they rely exclusively upon their own opinions as distinct from that of the Imam. So, where judges differ amongst themselves, they should not decide the case, nor persist in their differences, without submitting the question to the Imam for decision, since all controversial matters among men should be referred to the Imam for final decision.⁸²

And there is no power save in God.

WHAT THE GOVERNOR SHOULD CONSIDER IN MATTERS CONCERNING HIS ADMINISTRATIVE OFFICERS ('UMMĀL)⁸³

Consider [O Governor] the administration of the officers appointed by you. Their appointment should be made by [proper] selection, not by

⁸²Fyzee, *Compendium of Fatimid Law*, 125 (Art. 477).

⁸³Compare what follows with *Sharḥ nahj al-balāgha*, XVII, 68–70; *Nahj al-balāgha*, II,

favouritism or out of partiality. For, verily, actions which are performed either by favouritism or on account of partiality combine to produce all manner of injustice and frauds against God, and cause harm to mankind. The affairs of the people and the administration of the officers of the state will not be sound except by the wholesome advice of good assistants to whom duties are delegated when the officials cannot perform them themselves.

For [the due protection of] your administration, choose men possessing piety, intelligence, learning,⁸⁴ and statecraft. Confine yourself [in your selection] to those possessed of experience, reasoning, and modesty, from families noted for their virtue, modesty, and abstemiousness. Surely, it is they who are nobler in character, stricter in discipline, and greater in righteousness. They are the least addicted to wasteful expenditure for ambitious desires, and understand better the consequences of actions than others. Such should be your administrators and such your assistants. Do not appoint any of them unless he is among your partisans (*illā shī'ataka*). Then shower your favours⁸⁵ on them and increase their remuneration generously, since this will certainly improve their morale and make them free from temptation to appropriate fraudulently what comes into their hands [by virtue of office]. If they disobey you in any of your commands and behave corruptly, this will be [additional] proof in your favour [against them].

Nonetheless, never be remiss in your vigilance over their conduct and never neglect the appointment of watchful observers possessed of trust and truthfulness to watch over their actions. This will make them assiduous in building up [a sound administration] and in showing friendliness to the subjects, in preventing wrong, and in increasing their caution against spies, not to speak of the strength which your subjects will derive. Beware of appointing the vain, the headstrong, and the arrogant [in the administration], or those that love praise, flattery and fame, and desire worldly honour. There is no honour except in the fear [of God].

If you find any of your officials in the administration behaving corruptly or acting sinfully, let first-hand evidence be collected against him by your agents, in addition to [documenting] his evil repute among the people, and this will be sufficient for you as evidence against him, to punish him physically and to hold him responsible for his acts. Then

⁸⁴The Arabic is *ahl al-fiqh wa 'l-'ilm*; for its meaning see EI², s.v. *Fiqh*.

⁸⁵Reading: *al-nī'ma* or *al-nī'māt*, as in MS D. In the rest of the MSS: *al-'imālāt*, which would mean, 'bestow on him more administrative districts'.

you should accuse him [as an offender] before the people, brand him for corruption, and let him suffer the shame of prosecution. This indeed will be an example to others and serve as a warning if God wills.

HOW THE GOVERNOR SHOULD LOOK AFTER THE AFFAIRS OF THE TAXPAYERS (AHL AL-KHARĀJ)⁸⁶

Consider carefully [the affairs of] the people who pay land taxes (*ahl al-kharāj*), and think of all that which makes them prosperous, for on their welfare depends the well-being of the rest of the people, and there is no welfare of others except through them, since it is the taxpayers, more than all the others, that are the mainstay (*thimāl*) [of the state] and society depends upon them. You should therefore look after the cultivation of their lands and the improvement of the means of their livelihood more than the levy of their dues. Payment of tax is impossible without improvement of agriculture; and he who collects taxes without caring for the improvement of agriculture lays waste the land and ruins the subjects, and such a state of affairs is short-lived.

Rather, assemble those who pay the *kharāj* from all the provinces, and direct them to inform you of the conditions prevailing in their parts and, what is for their benefit, the state of their lands and the levying of taxes. Then ask them what the people of learning, other than themselves, have submitted to you [concerning such matters]. If they complain of the heaviness of taxation or about some damage they have suffered by the cutting of irrigation water, or the damage to the land caused by floods, or drought, or some other terrible calamity, then grant them remission in the hope that God may relieve their suffering. Issue a command [to your officers] to render them such help for the improvement of their affairs which is beyond their own capacity. For surely God will bestow on you happiness and a future reward, if He so wills. Therefore, decrease their anxiety. The lightening of their burdens and the easing of their anxieties should never weigh heavily on your mind. For to do so is nothing but a treasure for you and the improvement of your state, leading to the prosperity of your domains, so that due provision is made for your subjects. Apart from this, God will increase your fame by such actions and replenish your depleted wealth in the future.

Accordingly, it will be [a happiness] for you to behold the cultivation of their lands, the easy payment of taxes, the manifestation of their

⁸⁶Cf. *Sharḥ nahj al-balāgha*, XVII, 70–5; *Nahj al-balāgha*, II, 52–3; Māwardī, *al-Aḥkām al-sulṭāniyya*, 147 ff.

affection, the profusion of their praise, and the accrual of benefit to them. And for yourself, it will delight your eye, increase your welfare, and augment your treasure to a greater extent than if you had extracted dues from them by force and pressure. Thus, if perchance a state of emergency arises, demanding your trust in them, you will find them by favour of their strength utterly trustworthy on account of the bounties of your generosity bestowed upon them.

Their affection for you, their good opinion of you, their confidence in your justice and friendliness, to which they have become accustomed, and their knowledge of your innocence with regard to recent happenings will be a source of strength to them, and they will thus be able to bear the burdens imposed on them by you, and they will be reconciled to the hardships they have suffered through you. Indeed, justice will make them capable, by God's leave, of bearing the load, which you have compelled them to carry.

The improvement of the land is more profitable than the hoarding of treasure, because the sources that feed the treasury can only come from the flourishing state of the country. When the land goes to waste, the source of the treasury is sapped; and by the destruction of the land, the treasury itself perishes. The land is ruined and the people perish when the governors bend all their energies to the collection of wealth. [It is also ruined] by [the governors'] lack of confidence in the duration of their lives, and by not learning from past experience. The tax collectors should realize that lightening the burden of taxation and giving relief to the soil for a time, from one year to the next, and granting [generous] expenses to that part of the soil that deserves such consideration will lead to a decline in revenue, but it will have a beneficial impact on the soil.

But [unfortunately], the people [on whom the governors rely] and their own spokesmen say, 'Delay not the levy of taxation till the coming year, as if you have the prescience to know what the coming year has in store!' [To us] their opinion, as well as the opinion of those who embellish it [for the governor's acceptance], is truly amazing!

The governor is thus faced with only two alternatives. First [he may allow the taxes to be carried over to the next year] and if he lives⁸⁷ until the next year he will have restored the land to [its productivity] and his subjects will have prospered. [In this case] he will see the favourable result of his measure, which will delight him, multiply his joy, diminish his anxiety, and will deserve a fair requital from his Lord. Or else he may die

⁸⁷It could also mean 'and if he remains [in office] until the next year'.

before the coming year,⁸⁸ but he deserves praise for what he does for the improvement [of the land] and [for his] clemency [to the taxpayers]. Profuse will be his praise, and he will receive the most excellent reward from the Lord.

Alternatively, if, in collecting treasures for someone else, he lays the land waste and ruins his subjects and becomes a mortgagee to someone else, then the sin lies on his own head. Nothing remains of a governor after his death but his reputation; the memory of him is lost except for that of his character and deeds, whether good or bad. As to wealth, it is inevitably caused to come to an end, and the profit of it goes to someone else. One of the calamities of the age which befalls [wealth] is that it becomes a matter of regret for its former owners.

If you wish to instruct yourself as to the consequences of good works and evil acts, and how intelligent men are [sometimes] led astray [by not distinguishing] between them, consider the administrations of the good and the bad among former governors. Do you find any governor who had a splendid reputation among the people for lightening their burdens and for granting to each one generously of his rights to have suffered any loss of the power of his sovereignty, or any loss in his lascivious pleasures, or in his good repute among the people?

[On the other hand], do you find anyone whose character was vile among the people and who, by increasing the burden on the taxpayer, had really achieved honour in his rule [sufficient] to compensate him for the loss he sustained in this world and the Hereafter? Look not to the worldly treasures that you lay by, but garner charitable acts and do good works; for, verily, the true benefactor is he who is aided [by God].

God is the master of success and the guide towards the goal.

WHAT IS INCUMBENT ON THE GOVERNOR TO OBSERVE WITH REGARD TO HIS SECRETARIES⁸⁹

Keep a careful watch over your secretaries, and have full knowledge of the capabilities of every one of them to perform the task assigned to him by you. Surely there are [different] stations among the secretaries, and each station requires a proficiency in duty not required for the others. Therefore, appoint for the performance of the highest functions those that are best fitted to execute the duties assigned to them, and these

⁸⁸It could also mean 'his term [in office] may terminate before the coming year'.

⁸⁹Compare what follows with *Sharḥ nahj al-balāgha*, XVII, 75–82; *Nahj al-balāgha*, II, 53–4.

officials should be specially selected by you from among the others. For the composition of your most confidential documents, containing your [covert] designs and hidden secrets, appoint those who have mastered the art of diplomatic correspondence.⁹⁰ They should be helpful in matters of the greatest moment, the soundest in giving opinions, the foremost in matters concerning religion, the most trustworthy in giving counsel, the most prudent⁹¹ in preserving your innermost secrets. [They should be those] who are not emboldened by your kindness, nor those who become conceited by your honouring them, nor allow themselves to disclose in private or display in public your indebtedness to them.

They should be able to reply with perfect competence to letters received from others and compose letters to be dispatched by you. They should not weaken the bond [of state affairs] that they have fastened for you, and they should be able to untie the knot [of difficulty] that has been fastened against you. And, in addition, they should be possessed of self-knowledge and know their own position in [state] affairs; for, truly, he who is ignorant of his own worth is even more ignorant of the worth of others.

Apart from this, delegate the lower responsibilities for carrying on your correspondence and maintaining the records of tax collection (*kharāj*) and the muster rolls of your army to those whom you select with the greatest care; for they are, indeed, the mainstay of your administration and combine in themselves the good of your affairs with the welfare of your subjects. Your selection of such officials should not depend on your own insight into their fitness, nor upon the good opinion they enjoy with you. There is nothing in which the opinions of those in authority and other men differ so widely; hence select them on the basis of their record during the time of your predecessors; for these are the soundest of proofs for judging the merits of certain men in preference to others.

For the headship of each section of the administration select a chief who is trustworthy [in money matters] and consummate [in state affairs], who does not find the gravest affair to be beyond his powers, and who does not overlook the smallest detail.

In any case, never fail to keep strict vigilance over their conduct of affairs and inquire courteously about actions done without your knowledge,

⁹⁰It is a free rendering of *ajma'ahum li-wujūhi ṣālihi 'l-adab*. The word *adab* has several meanings and it is not always easy to offer an exact rendering. See Fyzee, 'The *adab al-qāḍi* in Islamic Law'.

⁹¹The superlative *aḥdā* may be employed to characterize the man who most thoroughly conceals a secret in his heart or who may be most trusted to keep a secret.

so that you are fully informed of how they deal with the people over whom they have been appointed to rule by you. For quite a number of secretaries show signs of pride and haughtiness and vainglory, and others display impatience with the people [who come with petitions] and rudeness when arguments are submitted and disgust at repeated entreaties. For the people, however, there is no option but to make their demands; so when the officials combine delay with harshness, the people will lay the blame on you and hold you responsible for the trouble caused by the officials.

In this way there is improvement in your affairs in addition to your portion of reward, which lies therein in the eyes of God, if He so wills.

THE DUTIES OF THE GOVERNOR REGARDING THE CLASSES OF MERCHANTS AND ARTISANS⁹²

Give your attention to the merchants and artisans and your best consideration to their submissions; for, verily, they are the source [of the well-being] of the people. The people profit from their products and from what they import for their use and comfort by land and by sea—[products which they obtain] from the summits of the mountains and the domains of the enemy. Most people do not know where to find those things, which they need, nor are they able to obtain them. They are not able to do by themselves what the merchants and artisans are able to do. Thus these classes have their own rights and dignity, which need protection. Inform yourself of their affairs and write to your officers concerning them.

This notwithstanding, know that many of them are possessed of vile avarice and intense greed and are capable of hoarding commodities to increase their price and to aggravate the hardships of the people and obtain a hold over them. Such a state of affairs brings great hardship to the people and disrepute to the governors. Wherefore, stop the merchants from acting thus; meet them face to face in this matter. [As for] those who disobey your command, inflict upon them painful chastisement, if God wills!

WHAT IS PROPER FOR THE GOVERNOR TO DO AS REGARDS THE POOR AND THE NEEDY⁹³

Never should you neglect the interests of the other group, the poor and the needy, nor fail to allot a share to them from the treasury of God [the Public

⁹²Compare the following with *Sharḥ nahj al-balāgha*, XVII, 83–9; *Nahj al-balāgha*, II, 54–6.

⁹³Compare what follows with *Sharḥ nahj al-balāgha*, XVII, 85–7; *Nahj al-balāgha*, II, 55.

Treasury]. They should be given the share of charity vouchsafed to them by God in His Book. Allocate their share and keep it separate [in the books of accounting] of your administration. The inhabitants of one place are not more entitled to it than those of another; the remotest of them are as entitled as the nearest of them. When the interests of all have been commended to your care, you should never neglect them by turning your attention to some others, for to everyone is assigned a distributive share from you, neglect whereof is not to be excused on your part.

Investigate fully the needs of the destitute and the poor among the people, especially those whose privations come not to your knowledge, whom the overseers (*'uyūn*) despise and the common people deem so contemptible that they fail to bring their plight to your notice. Appoint for them [as supervisors] the most trustworthy that you possess of your counsellors, the most generous and the most God-fearing of them, and the most scrupulous in acting according to the dictates of God; he should be the one who does not despise the weak or glorify the strong. Then command him to submit the poor people's claims to you.

Then turn your benign eye on the question, for verily the most emaciated of your flock deserves more solicitude and care than the well fed. Take good care of the victims of chronic disease or calamity, of weakness or orphanage, and particularly those that hide their poverty and cannot bring themselves to the [shame of depending on] begging. So give them a share from God's abundance desiring thereby [to follow] His path and [gain] His communion. For surely the works become pure by the sincerity of the intentions.⁹⁴

MANNERS AND VIRTUOUS CONDUCT WHICH THE GOVERNOR SHOULD ADOPT⁹⁵

It is inevitable that a large number of petitioners should endeavour to press their claims personally on your attention, although you have made every effort to satisfy the demands of each of them. This is a great burden and travail for the governors—and the satisfaction of rights is always a burden—except for him to whom God gives relief, and similarly the weight of his reward is also heavy in the balance. So allot to each petitioner a portion of your attention, and also your time, during which you should

⁹⁴The tradition states, 'Verily, actions can be judged only by intentions.' See n. 10 in Chap. 1.

⁹⁵Compare the following with *Sharḥ nahj al-balāgha*, XVII, 89-117; *Nahj al-balāgha*, II, 56-60.

listen to what they say to you. Extend the wings of your protection⁹⁶ over them, bear with them in clemency when they present their claims unskillfully or stammer in confusion, and do not show any derision or harshness. When you grant a favour to anyone, do it gracefully; and when you reject a plea, do so courteously and graciously.

There is nothing more distressing in the administration of governors than procrastination and undue delay from day to day and hour to hour, or giving attention to matters which do not need to be attended to. Apportion a time for the transaction of each matter requiring your personal attention, and do not be remiss in it until it is duly accomplished to the best of your ability. Transact the day's business on the same day, and allot for each hour its due measure. Select the most excellent of hours for that which is between you and the Lord [i.e. prayers]—although all hours belong to God—if during these hours your intention is right [i.e. you are fully attuned to God].

Do not give priority to any affair over the mandatory duties prescribed by religion during the day or the night, [nor any attention to an affair] unless you have performed [these duties] fully and completely. Do not withdraw yourself [from your subjects] for any length of time, for this is a major cause of earning a dubious reputation for yourself among them and leads to the suspicion of maladministration against you. [Remember that] human beings are frail and do not understand what they do not see [with their own eyes].

Choose your chamberlains [with caution]; remove those who show egoism in their dealings with the people and are haughty and lack a sense of justice. Never bestow a landed estate on your relations or your courtiers;⁹⁷ nor should you allow them to acquire it where such an acquisition causes the people harm.

Never refuse to consider an offer of peace from your enemy; for, surely, during times of peace there is a measure of ease for the army and plenitude and lack of anxiety and tranquillity in the country. But when you have acquired the power and have the opportunity, revoke the treaty with him, and ask God for help against him.⁹⁸ Act with exceeding circumspection when the enemy makes overtures of peace, for it may be that they are but

⁹⁶In translation I have adopted the Qur'ānic expression *wa 'khfiḍ janāḥaka* 15:88; and other references in 17:24; 26:215.

⁹⁷The Arabic is: *Lā taqṭa'anna li-ahādīn ... ḍay'atam*. See n. 270 in this chapter.

⁹⁸This cynical advice, reminiscent of Machiavelli, *The Prince*, 99–100, and Kautilya, *Arthashastra*, 296–7, is not to be found in *Nahj al-balāgha*; however, it is stated that one has to be on one's guard because the enemy might take one by surprise. I am greatly indebted to Professor A. B. Shah and Professor D. N. Marshall for these two references.

snare concealing deceit and treachery. Once, however, you have made a treaty, be faithful to it and fulfil your obligations under it with fidelity and truthfulness.

Beware of breaking your compact with God and violating the guarantees of His protection. For, verily, God, by His pact and His promise of protection, guarantees its merciful enforcement among mankind. Patience during hardship and hope for relief are better than treachery followed by the punishment of God and eventual perdition.

Beware of recklessness in the shedding of blood unlawfully; for, indeed, no action is followed by more disastrous results. Never seek to sustain a decaying kingdom without knowing the benefit you will derive by its continuity, or by propping it up at the price of losing your soul and sinning against God.

Beware of self-conceit and reliance upon yourself, for these are the surest opportunities for Satan [to lay his snares]. Beware of rashness in [concluding] state affairs before their opportune time, or needless procrastination beyond their proper occasion or opportunity; or of stubbornness in doubtful matters; or of needless delay when they are as clear as daylight. For, verily, there is a tide for every affair, and a time for every eventuality.⁹⁹

[END OF 'ALĪ'S 'AHD]

'Alī: The Messenger of God said, 'Bid what is good and forbid what is bad. However, no one should bid what is good or forbid what is bad unless he is a person who possesses three attributes: he is kind in what he bids and in what he prohibits; he is equitable in what he bids and equitable in what he prohibits; and he possesses the knowledge of what he bids and the knowledge of what he prohibits.'

Ja'far b. Muḥammad: He said, 'When the Imam appointed by God, and the just governors appointed by the Imam, ask any person for help, it is incumbent upon everyone so asked, to come to their help. To act in accord with him and for him in conformity with his command and to support him in his authority is verily one of the acts of obedience to God. The profit acquired through the Imam [or his representative] for the purpose of supporting him is lawful and permissible; while acting in support of the leaders of wrongdoing, or on behalf of those that are appointed by them, is forbidden and illegal. This amounts to disobedience to God.'

⁹⁹The above so called 'ahd of 'Alī ends here. See *Sharḥ nahj al-balāgha*, XVII, 117; *Nahj al-balāgha*, II, 60, for the concluding part.

THE ACTIONS THAT SHOULD BE PERFORMED BEFORE BATTLE

Ja'far b. Muḥammad—his father—his ancestors—'Alī: Whenever the Messenger of God dispatched an army or a raiding party, he exhorted its commander to fear God in conscience, and directed him to take good care of the Muslims who accompanied him, and said,¹⁰⁰

Fight in the name of God, in the way of God, and in conformity with the religion of the Messenger of God. Do not begin to wage war until you have invited the enemy to bear witness that there is no deity other than God, and that Muḥammad is the Messenger of God, and to accept the message you have brought from God.¹⁰¹

If they accept your message, then they are your brothers in faith. Thereafter, call upon them to transfer themselves from their abode to that of the Emigrants. If they do so [they will have the same rights and responsibilities as the Emigrants].¹⁰² Otherwise inform them that they are like the country Arabs, and that the ordinances of God will be applicable to them to the same extent as they are to the Muslims, but that they shall not be entitled to a share in the *fay'* (revenue derived from conquest),¹⁰³ or *ghanīma* (spoils of war).¹⁰⁴

If they refuse to accept Islam as their religion, then call upon them to render the poll tax (*jizya*)¹⁰⁵ readily and submissively. Should they accept this condition, accept it from them and refrain from harming them. But if they refuse [to pay *jizya*], then ask God for His help against them and then wage war with them. Do not kill children, elderly men, or women if they do not offer any resistance. Do not mutilate them, or act unfaithfully (in relation to the spoil), or act treacherously towards them.¹⁰⁶

'Alī: He approved sending out spies and vanguards in front of the army and said, 'In the year of Ḥudaybiya,¹⁰⁷ the Messenger of God sent a spy [ahead] from the tribe of Khuḏā'a'.¹⁰⁸

'Alī: He permitted the digging of trenches when the troops took up

¹⁰⁰*Mishkāt*, II, 381; Robson, II, 833; transmitted by Muslim.

¹⁰¹See Khadduri, *War and Peace*, 94–101.

¹⁰²Addition from *Mishkāt*.

¹⁰³*Fay'* theoretically is used for revenues and lands obtained by unconditional surrender of the enemy, *EI*², s.v. *Fay'*.

¹⁰⁴*EI*², s.v. *Ghanīma*.

¹⁰⁵*EI*², s.v. *Dizya*. Alludes to Qur'an 9:29, which states: *Until they pay the tribute readily, being brought low*.

¹⁰⁶*Mishkāt*, II, 387; Robson, II, 838.

¹⁰⁷Refers to the treaty of Ḥudaybiya in the year 6/628. See n. 29 in Chap. 2.

¹⁰⁸An ancient Arab tribe of obscure origin. They ruled Mecca before Qusayy, the Prophet's ancestor in the fifth generation, gained control of the city. *EI*², s.v. *Khuḏā'a*.

their positions and mentioned the digging of the trenches by the Messenger of God [at the siege of Medina, known as the Battle of the Trench].¹⁰⁹

'Alī: He approved the fastening of standards and banners before the march [of the army]¹¹⁰ and [related] that the Messenger of God used to give his own standard [before the march].

'Alī: the Messenger of God said, 'War should not be waged against any people [before] they are called upon [to accept Islam],'¹¹¹ that is to say [before] the call has actually reached them. It is better that the message [of Islam] reach them and that the argument against them be reiterated [and re-emphasized] by the invitation [to accept Islam]. If the fight commences after the message has been conveyed, but before they have been [personally] invited, then there is no harm. The Messenger of God indeed attacked the tribe of Banū al-Muṣṭaliq,¹¹² taking them unawares, and slew their fighting men and captured their children, but did not invite them [to accept Islam] at the time of attack.

'Alī said, 'Verily, today the people have full knowledge of what they are called upon to do.'

'Alī: The Messenger of God ordered that a war cry be widely uttered before battle. The war cry should be one of the names of God. This direction, however, is commendable and not compulsory, but God knows better.

'Alī: He said, 'In the Battle of Badr,¹¹³ the war cry of the Companions of the Messenger of God was, "O Thou endowed with victory, slay!" And in the Battle of Uhūd,¹¹⁴ the slogan of the Emigrants¹¹⁵ was, "O sons of 'Abd Allāh," and of al-Khazraj,¹¹⁶ "O sons of 'Abd al-Rahmān!" and [the cry] of the tribe of Aws, "O sons of 'Ubayd Allāh!"'¹¹⁷

¹⁰⁹Ibn Ishāq, *al-Sira*, III, 224 ff.; Guillaume, 450 ff.; Watt, *Muḥammad at Medina*, 35-9.

¹¹⁰When the Prophet set out for the expedition of Badr he gave the white flag to Muṣ'ab, while he was preceded by two black flags. Ibn Ishāq, *al-Sira*, II, 264; Guillaume, 292; *Mishkāt*, II, 371; Robson, II, 825.

¹¹¹Kāfi, V, 33.

¹¹²The raid on Banū al-Muṣṭaliq, a clan of Khuzā'a, took place in Sha'bān 6 A.H. Ibn Ishāq, *al-Sira*, III, 302; Guillaume, 490; Wāqidi, *al-Maghāzī*, I, 411-13; Watt, *Muḥammad at Medina*, 81-4. See also *Mishkāt*, II, 385; Robson, II, 837.

¹¹³See n. 67 in Chap. 5 for Badr.

¹¹⁴See n. 145 in Chap. 5 for Uhūd.

¹¹⁵See n. 17 in Chap. 1 for the Emigrants.

¹¹⁶One of the two main Arab tribes in Medina; the other was al-Aws. EI², s.v. al-Aws; *Al-khazraj*.

¹¹⁷The war cry in the battle of Badr was 'One, One;' and in the battle of Uhūd, 'Kill, Kill.' Ibn Ishāq, *al-Sira*, II, 287; III, 72; Samura b. Jundub reported that the war-cry of the Emigrants was "Abd Allāh" and that of the Anṣār (Helpers) "Abd al-Rahmān." *Mishkāt*, II, 386; Robson, II, 838. See also *Kāfi*, V, 43, 44.

Abū Ja'far Muḥammad b. 'Alī: He said, 'A group of people from the tribe of Muzayna¹¹⁸ came to the Messenger of God and he asked them, "What is your war cry?" They said, "*Harām* (forbidden, or sacrosanct)!" The Prophet said, "Nay, but it is *ḥalāl* (permissible)."'¹¹⁹

'Alī: He said, 'In the Battle of Hunayn,¹²⁰ the Messenger of God was urging [the warriors] and said, "He who is captured without a serious wound does not belong to us."'

'Alī: From the *minbar* of Kūfa he urged the people [to make greater efforts] and said, 'O people of Kūfa, exercise the utmost patience in fighting against your enemy, or else God will put you under the heel of persons inferior to you as regards the right [to rule over you].'

'Alī: He said, 'Fleeing from the field of battle is one of the major sins.'¹²¹

Ja'far b. Muḥammad: He said, 'He who flees from two opponents has indeed taken to flight; but he who flees from three has not retreated, because God has made war compulsory on the believers [only] against twice the number from among the polytheists.'¹²²

'Alī: The Messenger of God forbade the cutting down of fruit trees or setting them on fire. He meant that the rule applies not only to the battle front (*dār al-ḥarb*), but also otherwise, except when for the good of the believers.¹²³ God has indeed said, *Whatsoever palm trees ye cut down or left standing on their roots, it was by Allah's leave, in order that He might confound the evil livers* (59:5).

'Alī: He expressed his disapproval of a man's laying down his arms during an action, for God, in mentioning the prayer [at the time] of fear, had said, *And let them take their arms* (4:102), and also, *Those who disbelieve long for you to neglect your arms and your baggage that they may attack you once for all* (4:102). Thus for those that are engaged in *jihād*, the best course is never to be without arms under any circumstances.

'Alī: He preferred to engage in battle during the afternoon after the *zuhr* prayers.¹²⁴

¹¹⁸A North Arabian tribe. Ibn Ḥazm, *Jamharat al-ansāb*, 480.

¹¹⁹*Kaḥf*, V, 43.

¹²⁰*Et*², s.v. Hunayn; Tabarī, *History of al-Tabarī*, IX, 1-39.

¹²¹*Cf.* Qur'ān 8:15-16.

¹²²*Cf.* Qur'ān 8:66.

¹²³Ibn 'Umar reported that the Messenger of God cut down the palm trees of the Banū Naḍir and burned them.' *Mishkāt*, II, 385; Robson, II, 837; transmitted by Bukhārī and Muslim.

¹²⁴When the Prophet did not fight at the beginning of the day, he waited till the sun had passed the meridian, the winds blew, and help came down.' *Mishkāt*, II, 382, 383; Robson, II, 833, 834.

'Ali: He said, 'You should seize the opportunity to pray on five occasions: during the recitation of the Qur'ān; during the call to prayer; when it rains (*nuzūl al-ghayth*); when battle is joined between two forces; and when the oppressed person cries [for redress].'

'Ali: When the battle was joined with the enemy, he used to offer this prayer:

O God, Thou art my protection, my Giver of victory, my Giver of help! O God, by Thee I attack and by Thee I fight.

'Ali: He said, 'The Messenger of God prayed as follows during the Battle of Uhud:

O God, to Thee belongs all praise; to Thee all complaints are addressed; Thou art the Helper.

So Gabriel came down and said, "O Muḥammad, you have prayed to God by His Greatest Name!"

HOW TO WAGE WAR

Ja'far b. Muḥammad—his father—his ancestors—'Ali: The Messenger of God, when he was face to face with the enemy, used to straighten the lines of the infantry, the cavalry, and the camel corps.

'Ali: When he marched to fight the enemy, he used to arrange the companies [or regiments] and make a distinction between the tribes. He would assign a single commander for each group, arrange them in ranks, and form units of cavalry; and then finally march into the fray.

'Ali: In marching into battle, he would form a right wing, a left wing, and a centre, where he himself took position. He would establish communications between them and appoint two chief officers and give orders to them to lower their voices and make supplication [to God], and he would urge them on to bravery, and to keep their swords unsheathed, and to proclaim their numerical strength. Every group was asked to keep its proper place, and every individual who went out charging was to resume his place in the ranks after the charge.

'Ali: He permitted individuals to go out to single combat and mentioned those who fought one-to-one during the Messenger of God's time.

'Ali: He described the actual mode of fighting and said, 'Let the foot soldiers and the archers advance so that they may shower arrows; then let the vanguard attack, and make the horsemen and the wings a cover for the standards and the advancing army. If a single enemy horseman attacks, do

not leave your ranks. And those who find an opportunity should attack, but they should do so after assuring the safety of the centre. When the charge is over they should return to their places.

'When you intend to charge, let the officer of the advance guard begin; but if he finds himself in difficulties and falters, let the *shurṭat al-khamīs*¹²⁵ support him. If they too are in difficulty, let the wings attack and the archers rain arrows, and let the vanguard and the armed [soldiers] take position on the sides, and [those hidden] in the thicket and on the hills be on guard against ambushes.

'But if the enemy begins the attack, then hold the spears at point. Hold fast to your places, have patience, and let the archers increase the raining of arrows. Move your standards [ostentatiously], make a loud noise by the clanging of shields, and let the soldiers with armour and breast-plates meet them face to face. But if their ranks break to the slightest extent, then let the first rank and then the following ones attack them in serial order, but let them not attack with all the forces as long as there is still someone charging on the enemy's side. But if he does not stand, then support him part by part. Keep your ranks in perfect order and stand your ground firmly. Then, when the time is ripe for an attack, attack together in an orderly fashion without breaking up and becoming dispersed. When you depart from the front, depart in good order.'

'Alī: He said, 'If the enemy marches against you, stand rank upon rank on the gates of the trenches, so that there is nothing but sword fighting and holding your ground after strengthening the ranks. Do not look into the face of the enemy, nor should their numbers terrify you, but focus on maintaining your position and [do not retreat out of fear].¹²⁶ If the enemy charges against you, sit down on your knees and seek shelter from your shields, keeping your ranks intact without a gap. If they retreat, attack them with swords. If they halt you too should halt, in perfect order; but if they are defeated, mount your horses and pursue them.

'If, God forbid, you suffer defeat, convoke one another and remember God, and recall the punishment that has been promised for those that flee from battle. Reprove those who desert the field; collect your standards and cleave to them [with your heart]. Those who are lightly armed [or

¹²⁵Literally it means 'Thursday *shurṭa*' because they were reviewed or brought together on Thursday. Philologists explain the designation *khamīs* by the fact that an army consists of five components: the van, the body, the right wing, the left wing, and the rear. It seems that *shurṭat al-khamīs* was an elite force. *Majma' al-bahrayn*, s.v. kh-m-s; Lane, s.v. kh-m-s; Lecker, 'Shurṭat al-khamīs and other matters'.

¹²⁶It is a free rendering of *wa 'nḡurū ilā awṭānikum min al-arḡ*.

clad] should rush to push the deserters back to the main body and to the army camp and allow the defeated ones to run to you [for security]. When the scattered army has regrouped and reinforcements arrive, and the defeated ones return, then let the people join their commanders and consolidate their positions and fight with patience and ask God for help. Both in the steadfastness of defeat and in the attack of a single man who trusts his valour against a company of soldiers there is an act of great excellence.'

Abū Ja'far Muḥammad b. 'Alī: He said,¹²⁷ 'During the Battle of Uḥud, when the people were separated from the Messenger of God and only 'Alī remained with him,¹²⁸ and there happened among the people what happened, the Messenger of God said to 'Alī, "Go away, O 'Alī!" And 'Alī said, "But how can I go and bid you farewell, O Messenger of God? Nay, but my life before your life; my blood before your blood!"¹²⁹ And great was the praise of the Prophet for 'Alī.¹³⁰

'Then the Messenger of God saw that a company of soldiers had advanced and he told 'Alī, "Attack them, O 'Alī!" So 'Alī attacked them, and they fled, and he killed Hishām b. [Abī] Umayya al-Makhzūmī.¹³¹

'Then came another company, and the Messenger of God said, "Attack them, O 'Alī!" And he attacked them and split them, and he killed ['Amr]¹³² b. 'Abd Allāh al-Jumāhī. Then came another company, and the Prophet said, "Attack them, O 'Alī!" So he attacked them and split them and killed Shayba b. Mālik,¹³³ the brother of Banū 'Āmir b. Lu'ayy.

¹²⁷The following report, with slight variation in wording, is cited in *Sharḥ al-akhbār*, I, 285–6 in its entirety. Nu'mān reports it on the authority of Aḥmad b. 'Alī b. Sahl al-Baghdādī. As indicated by Nu'mān himself Ibn Ishāq, Ibn Hishām, or Wāqidi does not report this account. This is probably the reason that it is at variance with those sources as pointed out in the notes below.

¹²⁸See *Furāt al-Kūfi*, I, 50. His interpretation is similar to that of Nu'mān.

¹²⁹According to Wāqidi, *al-Maghāzī*, I, 240, there were thirty people around the Prophet, each of them uttering those words.

¹³⁰Besides 'Alī there were other Companions protecting the Prophet. For their names see Wāqidi, *al-Maghāzī*, I, 240. See also Ibn Ishāq, *al-Sīra*, III, 85; Guillaume, 381; Ṭabarī, *History of al-Ṭabarī*, VII, 123. According to Ya'qūbī, *Tārīkh*, II, 39, only three persons, 'Alī, Zubayr and Ṭalḥa, remained with the Prophet.

¹³¹Hishām b. Abī Umayya b. al-Makhzūmī was killed by Quzmān, while Abū Umayya (or Umayya) b. Abī Hudhayfa b. al-Mughīra al-Makhzūmī was killed by 'Alī. Ibn Ishāq, *al-Sīra*, III, 135; Guillaume, 403; Wāqidi, *al-Maghāzī*, I, 308.

¹³²Umar: in the text seems to be incorrect. 'Amr b. 'Abd Allāh b. 'Umayr al-Jumāhī, also known as Abū 'Azza, was taken captive by the Messenger of God and was killed by the Prophet himself. Ibn Ishāq, *al-Sīra*, III, 135; Guillaume, 403; Wāqidi, *al-Maghāzī*, I, 308.

¹³³Shayba b. Mālik of Banī 'Āmir b. Lu'ayy, according to Ibn Ishāq (*al-Sīra*, III, 135;

'Now the Angel Gabriel was with the Messenger of God and he said, "O Muḥammad, this indeed is camaraderie!" So the Prophet said, "O Gabriel, verily he [ʿAlī] is part of me, and I part of him!"¹³⁴ And Gabriel said, "And I am part of you both O Muḥammad!"

WAR WITH IDOLATERS

God says, *Then, when the sacred months have passed, slay the idolaters wherever ye find them* (9:5). He says, *Now when ye meet in battle those who disbelieve, then it is smiting of the necks until, when ye have routed them, then making fast of bonds* (47:4). He says, *And slay them wherever ye find them, and drive them out of the places whence they drove you out* (2:191). And He says, *Sanction is given unto those who fight because they have been wronged; and Allah is indeed able to give them victory* (22:39).

Jaʿfar b. Muḥammad: He said, 'The entire earth and all it contains belongs to God and His Friends [Awliyāʾ, i.e. the Imams] and their followers among the faithful. Therefore, whatever [property or authority] is in the hands of unbelievers and wrongdoers, in reality, belongs to the Awliyāʾ Allāh, and they [the Imams] are the persons wronged and are permitted to fight for it. In the same tenor is the Word of God *That which Allah giveth as spoil (mā afāʾa Allāhu) unto His Messenger from the people of the townships, it is for Allah and His Messenger and ...* (59:7). And the booty (fayʾ) which God gives to His Prophet is (therefore) from the [people].¹³⁵ [Considering this verse, it is clear that] the word fayʾ is the return of the thing to its proper place and owner. Accordingly it is said: *fāʾa ʿl-fayʾ* when "the shadow [of an object] returns". Similarly it is said in the Qurʾān [concerning divorced wives], *then if they change their mind (fa-in fāʾū), lo! Allah is Forgiving, Merciful* (2:226),¹³⁶ that is if they return [to the earlier marital state].'

Abū ʿAbd Allāh¹³⁷ [Imam al-Ṣādiq] was asked, 'Verily, people say that this verse [22:39 cited above] was revealed with respect to those Emigrants

Guillaume, 403), was killed by Quzmān, while according to Wāqidī (*al-Maghāzī*, I, 308), he was killed by Ṭalḥa.

¹³⁴"Alī is part of me, and I of him." See n. 43 in Chap. 2.

¹³⁵The words used by Nuʿmān in the text are similar to those in the Qurʾānic verse; but the latter clause, especially the pronoun *hum* following the preposition *min*, refers to what the Prophet obtains generally from the people, rather than the particular class mentioned in the Qurʾān because, as stated by the Imam, the entire earth belongs to God and His awliyāʾ.

¹³⁶Ṭabarī, *Tafsīr*, IV, 465; he also gives another interpretation.

¹³⁷As in MS Q. The edited text is *qīla lahu*, without Abū ʿAbd Allāh.

who were driven out of their homes in Mecca, and this [interpretation is supported] because it is followed by the following verse of the Qur'ān: *Those who have been driven from their homes unjustly only because they said: Our Lord is Allah*' (22:40).

[The Imam] said, 'This verse refers to them and to all those who were in the same position as those already mentioned. Now if the verse were applicable *only* to them [i.e. the Emigrants driven out of their homes], then no one else could have been permitted to wage *jihād*. Wherefore God made the killing of idolaters a general command [applicable to all Muslims]; and the Messenger of God made this clear by laying down that some of the unbelievers were to be exceptions to the general rule of slaughter, and this follows from the Word of God: *And We have revealed unto thee the Remembrance that thou mayst explain to mankind that which hath been revealed for them* (16:44). We have mentioned above the prohibition against killing women or children or old men intentionally, as long as they do not offer any resistance.'

'Alī: He said, 'On the day of the Battle of Badr the Messenger of God said, "Those of you who are able to capture men of the clan of 'Abd al-Muṭṭalib¹³⁸ should not slay them, because they were forced to fight against their will."¹³⁹ From this it follows that those who are in the same position ought to be excepted from the general rule and saved from death, if possible.'

'Alī: The Messenger of God sent troops against the tribe of Khath'am.¹⁴⁰ When they came to know of this, they prostrated themselves and asked for protection, but the Prophet's forces killed some of them. When the Prophet came to know of this, he disowned the slaughter and directed that, on account of their having prostrated themselves,¹⁴¹ their heirs were entitled to one-half of blood money, and said, 'I have no obligation¹⁴² toward any Muslim who lives with a polytheist in the land of war (*dār al-ḥarb*).'¹⁴³

¹³⁸See n. 7 in Chap. 2 for 'Abd al-Muṭṭalib.

¹³⁹Ibn Ishāq, *al-Sīra*, II, 281; Guillaume, 301; instead of "'Abd al-Muṭṭalib', in the *Sīra* it is 'Banū Hāshim'.

¹⁴⁰See n. 367 in Chap. 8 for Khath'am.

¹⁴¹In *Kāfi*, V, 39: 'Having offered their prayers.' These expressions imply that they were Muslims.

¹⁴²The word *barī'at* is difficult to render. In this context it means 'I am rid of them' or 'I am free of them' or 'I have ceased to have anything to do with them' or 'I renounce them.'

¹⁴³Fyze's established reading of the text seems to be incorrect. I have preferred the reading of MSS D and Q. See also *Kāfi*, V, 39; Ṭūsī, *Tahdhīb*, VI, 152, where the same *ḥadīth* is reported. It implies that a Muslim should not live in the land of war where his safety is not guaranteed. See *El*², s.v. *Dār al-ḥarb*.

'Alī: He said, 'The polytheists may be killed [in war] by all possible means; [for instance by weapons made of] iron or stone or fire, or water, or by any other means.¹⁴⁴ He mentioned that the Messenger of God set up a catapult against the people of Ṭā'if¹⁴⁵ and said, "If in their fortress, the non-Muslims have with them a band of Muslims and they force them to stand up with them, do not shoot your arrows at the Muslims, but shoot at the polytheists. Warn the Muslims so they may save themselves if they have been made to stand up against their will. Shoot away from the Muslims, if this is possible; and if any of them is killed, blood money has to be paid for his death."¹⁴⁶

'Alī: He said, 'If you happen to capture a person from the side of the enemy and he pretends that he is a messenger sent to the Muslims, and if this is known for certain and there is cogent proof for it, you have no power over him until he delivers his message and returns to his companions. But if his credentials are not proved, then do not accept [anything that comes] from him.'

THE RULES GOVERNING CAPTIVES IN WAR

God says, *Now when ye meet in battle those who disbelieve, then it is smiting of the necks until, when ye have routed them, then making fast of bonds; and afterwards either grace or ransom till the war lay down its burdens* (47:4)

'Alī: He said, 'On the Day of Badr, the Messenger of God took captives and took ransom from them.¹⁴⁷ Thus the Imam has a choice when polytheists fall into his hands: he may kill the combatants or make them captive, and make them booty of war. He may throw lots [and distribute them as slaves]. He may show mercy to them according to his discretion; and he may take ransom from those that he wishes, if he knows that he does so for the benefit of Muslims in general.

Whoever descends from one of the fortresses of the polytheists or deserts their camp [submitting his fate] to the decision of one of the Muslims, and if the latter decides to make him a captive, or to kill him, or to give him protection as a *dhimmī*, then such a decision is valid. But if he decides other than this, then his decision is not valid, and that person should be returned to his place of safety and then fought against.

¹⁴⁴Ṭūsī, *al-Nihāya*, 293.

¹⁴⁵See n. 88 in Chap. 8 for Ṭā'if.

¹⁴⁶Ṭūsī, *al-Nihāya*, 293; he states that no blood money is to be paid.

¹⁴⁷See Ibn Ishāq, *al-Sira*, III, 3–8; Guillaume, 338; Wāqidī, *al-Maghāzī*, I, 138–44.

Ja'far b. Muḥammad: The Banū Qurayẓa¹⁴⁸ came down from their fortresses [submitting themselves to the decision of] Sa'd b. Mu'adh.¹⁴⁹ So the Messenger of God left the decision to Sa'd, and he decided that the warriors should be put to death and their children enslaved. Then the Messenger of God told Sa'd, 'You have verily decided according to the dictum of God, which has come to us from above the seven firmaments!'¹⁵⁰

Ja'far b. Muḥammad: He said, 'The captive should be given food and drink and treated kindly, even if it is intended that he be killed.'¹⁵¹

Al-Ḥusayn b. 'Alī: He said, 'The obligation to free a Muslim captive [by paying ransom] rests with the residents of the place for whom he was fighting.'

THE SECURITY [AND PROTECTION OF ALIENS]

'Alī: The Messenger of God said, 'The protection [afforded by Muslims to non-Muslims] is one and indivisible, which puts both the lofty and the lowly on the same footing.'¹⁵²

'Alī: He said, 'The Messenger of God once delivered a sermon at the mosque of Khayf¹⁵³ and declared, "May God have mercy on him who hears my speech, understands it, and conveys it to one who has not heard it. For many a transmitter of *fiqh* is not [really] himself a *faqīh*, and many a one who transmits *fiqh* [transmits it] to one who is a better *faqīh* than he."¹⁵⁴ And [the Prophet] said, "There are three things on account of which no rancour enters a Muslim's heart: sincerity of action [for God's sake];¹⁵⁵ counsel given to the leaders (*a'imma*) of the Muslims; and [counsel

¹⁴⁸One of the three main Jewish tribes of Yathrib (Medina). During the siege of Medina by the Meccans they were probably involved in negotiations with the enemy. Hence, when the besiegers withdrew, they were besieged in their forts. Finally they agreed to surrender unconditionally. Sa'd b. Mu'adh, with whom they had an alliance, was called on to give judgement. See Ibn Ishāq, *al-Sira*, III, 244–56; Guillaume, 461–6; Wārt, *Muhammad at Medina*, 38–9; EI², s.v. Kurayẓa.

¹⁴⁹He was chief of the clan of 'Abd al-Ashhal in Medina and was the strongest man in the tribe of Aws. During the siege of Banū Qurayẓa he was seriously wounded. Shortly after deciding the fate of Banū Qurayẓa, he died, and the Prophet felt his loss deeply. EI², s.v. Sa'd b. Mu'adh.

¹⁵⁰*Mishkāt*, II, 389–90; Robson, II, 840–1; transmitted by Bukhārī and Muslim.

¹⁵¹*Kāfi*, V, 32, 33; also reported from al-Ṣādiq; Tūsī, *al-Nihāya*, 296.

¹⁵²Reading according to MSS C and Q. The meaning is that every Muslim, whether commander or ordinary foot soldier, can grant protection. See also *Kāfi*, V, 27–8.

¹⁵³See n. 274 in Chap. 2 for the mosque of Khayf.

¹⁵⁴See n. 273 in Chap. 2 for this tradition.

¹⁵⁵As in *Mishkāt*, I, 78; Robson, I, 55.

given] to their followers, for, verily, the mission [of the imams] embraces all of them.¹⁵⁶

'The Muslims are brothers; the blood of each one of them is equal to that of another, and even the lowest of them can give protection. Thus whenever any Muslim extends his protection to any of the polytheists, such a covenant is unbreakable.¹⁵⁷ The terms and conditions of Islam should be presented to them, and it is for them either to accept Islam or seek its protection [while retaining their faith]. Alternatively, they should be returned to their own safety and then fought against. If any one of the non-Muslims is killed contrary to this rule, the Word of God applies to the manslayer: [*He who hath killed a believer by mistake*] must set free a believing slave, and pay the blood money to the family of the slain' (4:92).¹⁵⁸

Abū Ja'far Muḥammad b. 'Alī as well as the Messenger of God: [They] said, 'If protection is given to non-Muslims by a polytheist, a *dhimmī* who happens to be¹⁵⁹ with Muslims in their army, then this does not amount to protection for the person concerned.'¹⁶⁰

'Alī: He said, 'When a Muslim beckons one of the polytheists for protection, or makes a sign to him to that effect, and [the polytheist] then surrenders himself, he is under protection.'

Ja'far b. Muḥammad: He said, 'Protection is permissible [if pronounced] in any language whatsoever.'

'Alī: He said, 'No non-Muslim who enters a country inhabited by Muslims and seeks their protection, and later wishes to return [to his country

¹⁵⁶The text of the *Da'a'im* differs from that in *Mishkāt*, I, 78; Robson, I, 55. Unfortunately this text is not reproduced by Nu'mān in his *Ta'wīl al-da'a'im*, therefore we are unable to correct it. The *Mishkāt* text reads, 'Sincerity of action for God's sake, counsel to Muslims, and holding fast to their community, for their mission (or invitation) extends beyond the Muslims.' Robson's translation 'for their mission (or invitation) includes those who are beyond them' is unclear.

¹⁵⁷'Umm Hānī', daughter of Abū Ṭālib said, 'I went to the Messenger of God in the year of the Conquest ... and said, "O Messenger of God, my mother's son 'Alī has asserted that he is going to kill a man to whom I have given protection." The Prophet replied, "We have given protection to those to whom you have granted it, Umm Hānī'."'¹⁵⁸ *Mishkāt*, II, 395; Robson, II, 846; transmitted by Bukhārī and Muslim.

¹⁵⁸It is to be observed that the rule originally laid down for the Muslims is here extended to the *dhimmī*. A tradition states, 'He who grants a man security and then kills him will be given the banner of treachery on the Day of Resurrection.' *Mishkāt*, II, 395; Robson, II, 846; Kāfi, V, 28. According to Ṭabarī, *Tafsīr*, IX, 35f., 'believing slave' (*raqabāt^m mu'minatⁱⁿ*) refers to those who were enslaved [while they were children], but have voluntarily embraced Islam after attaining puberty and observe the rites of prayers and fasting.

¹⁵⁹Reading the text with *kāna* as in MSS B, E, F, D, and Q.

¹⁶⁰The protection offered to non-believers must necessarily be extended by a Muslim, and none other.

of origin], shall be permitted to return with arms acquired in the Islamic country which can be used by him [against them]. Nor shall he be permitted to carry away things, which may enable him to fight [the Muslims].

'When protected persons come [before Islamic authorities] for adjudication of disputes which occurred in enemy country, no decision shall be given; but a decision shall be given when the events leading to the dispute occurred in an Islamic country.

'If a non-Muslim woman enters an Islamic country seeking protection, the protection afforded to her by her non-Muslim husband ceases to be operative.

'When a person who seeks the protection of an Islamic state embraces Islam, whatever property he has left in the polytheist territory shall be treated as a booty of war if it is captured [later]. But if he had embraced Islam in polytheist territory and has entered an Islamic country as a Muslim, then his non-adult children are Muslim and his property belongs to him.'

ON PEACE, COVENANTS, AND JIZYA¹⁶¹

We have mentioned earlier that in the year of Ḥudaybiya,¹⁶² the Messenger of God entered into a pact with the people of Mecca. Thus it is the Imam or his representative who looks into matters of compacts and peace. If he deems it beneficial for the Muslims, he may act accordingly on the condition that he receives tribute from the polytheists, or he may conclude treaties without demanding tribute [by making some other arrangement]. [This pact] may be for a year or two. The maximum period for which a pact may be concluded with the polytheists is ten years and no more.

It is incumbent upon the Islamic authority to fulfil the covenant faithfully and not to disregard the protection vouchsafed to them.¹⁶³ But if the Imam or his representative deems it beneficial for the Muslims to withdraw from the pact before the end of its term, he may break the covenant with the non-Muslims and inform them that he is contemplating hostilities, and he should wage war on them.

Everything that has been reported above comes to us from the People of the [Prophet's] Household.

If the People of the Book render *jizya*, it shall be accepted from them,

¹⁶¹See n. 105 in this chapter for *jizya*.

¹⁶²See n. 107 in this chapter and also n. 29 in Chap. 2 for Ḥudaybiya.

¹⁶³*Mishkāt*, II, 415; Robson, II, 863.

and fighting them in such circumstances is not lawful on account of the Word of God: *Fight against such of those who have been given the Scripture as believe not in Allah nor the Last Day; and forbid not that which Allah hath forbidden by His Messenger, and follow not the religion of Truth, until they pay tribute readily, being brought low* (9:29).¹⁶⁴ The Messenger of God has forbidden any encroachment on the rights of those who have a compact of protection.

Ja'far b. Muḥammad—his father—his ancestors—'Alī—the Messenger of God: He said, 'The Day of Judgement shall not be held until the one with whom a pact of protection is made (*al-mu'āhad*) is eaten as green vegetables are eaten.'

'Alī: the Messenger of God said, 'He who frees a *dhimmī* from the *jizya* which God has made incumbent upon him, or intercedes on his behalf to liberate him from it, indeed deceives God and the Messenger and all the faithful ones.'

Abū Ja'far Muḥammad b. 'Alī: He said, 'The *jizya* is a gift to those that fight in the way of God, and *ṣadaqa* [the obligatory *zakāt*] belongs to those who are entitled to it and whom God has named in His Book (see 9:60). The latter have no claim to the *jizya*.¹⁶⁵ Then he said, 'How all-embracing is [God's] justice! When justice is done the people cease to be in want.'¹⁶⁶

Ja'far b. Muḥammad: He said, 'The *jizya* is discounted from those among the *dhimmīs* whose help is invoked in war against the polytheist.'

'Alī: He said, 'The *jizya* shall not be accepted from the Arabs; but if they do not embrace Islam, they should be fought against.'¹⁶⁷

['Alī]: He said, 'The Zoroastrians (*al-Majūs*)¹⁶⁸ are People of the Book,

¹⁶⁴The Arabic expression is *ḥattā yu'tū al-jizyata 'an yadīn*. Various interpretations have been suggested for the original linguistic meaning of this legal term, see Rosenthal, 'Minor problems'; Cahen, 'Coran IX: 29'; Bravmann, 'A propos de Qur'ān IX: 29'; Bravaman, 'Ancient Arab background'; Kister, 'An *yadīn*'; Rubin, 'Qur'ān and *Tafsi*r'. Rubin suggests the meaning of the verse 'Until they pay the *jizya* out of their property,' meaning that the tax should be levied on the property possessed by every taxpayer and be proportionate to it.

¹⁶⁵Qur'ān 9:60 refers to the distribution of the obligatory alms (*zakāt* = *ṣadaqāt*), 8:41 refers to *ghanima*, and 59:7 refers to *fay*'. See also *Mishkāt*, II, 420; Robson, II, 868.

¹⁶⁶Cf. *Kāfi*, III, 538; reported from al-Ṣādiq. It states, 'Verily, the *jizya* is a gift to the Muhājirīn, (Emigrants).' The rest of the tradition is similar to that in the *Da'd'im*.

¹⁶⁷Māwardī, *al-Ahkām al-sultāniyya*, 143.

¹⁶⁸Qur'ān 22:17 lists *Majūs* along with *ahl al-kitāb* and *mushrikūn*. It seems that after the fall of the Sāsānid empire the *Majūs* were required to pay tribute (*jizya*) when they surrendered, but the treatment they received was inconsistent until 'Umar was convinced that the Prophet had accepted *jizya* from the *Majūs* of Hajar. This provided a precedent and they were treated as intermediate between the *mushrikūn* and the *ahl al-kitāb* since they had no real prophet or revealed Book. El², s.v. *Maḍjūs*; *Mishkāt*, II, 410; Robson, II, 859; *Kāfi*, III, 558.

except their record has disappeared [that is they are deemed to have lost the Book revealed to the Prophet Zoroaster].’ Then he related their story and said that *jizya* should be taken from them.

[‘Alī]: He said, ‘The *jizya* is due from those among the *dhimmīs* who are free, adult males. It is not incumbent on the slaves among them, nor on the children, nor on the women.¹⁶⁹

‘The *jizya* should be taken from agriculturists who hold land (*diḥqān*)¹⁷⁰ and those like them who have ample means. From every man of them 48 dirhams a year, from the middle class 24 dirhams, and from the lowest class 12 dirhams.¹⁷¹ In addition, they have to pay *kharāj* (land tax) for their land—whoever owns it, whether young or old, woman or man. Thus *kharāj* is [levied] on the land.¹⁷²

‘He who embraces Islam shall not be liable to pay the *jizya*, but he shall be liable to pay the *kharāj*, for *kharāj* is payable on landed property. If the *dhimmīs* sell the land to Muslims, it becomes the property of Muslims, but the land tax is payable by them to the same extent [as by the *dhimmīs*].

‘A person who seeks the protection of an Islamic state is liable to pay the tenth of his wealth [which he brings with him], provided his total wealth amounts to 200 dirhams or more, or is of that value.’

‘Alī: He permitted that merchandise (*‘urūd*) be accepted from the *dhimmīs* instead of [cash] *jizya*, according to its value.

Ja’far b. Muḥammad: He permitted that *jizya* be taken from the *dhimmīs* on the value of intoxicants (*al-khamr*) and pigs belonging to them since their property for the most part consists of unlawful things and usurious interest (*al-ribā*).¹⁷³

‘Alī: The Messenger of God directed that when Muslims visit the *dhimmīs*, they should not stay in their houses of worship. He said, ‘Verily the curse [of God] descends upon them!’

The Messenger of God directed the Muslims not to offer salutations (*salām*) to the non-Muslims first; but if [the non-Muslims] saluted first, the answer should be ‘Upon you too!’¹⁷⁴

¹⁶⁹Māwardī, *al-Aḥkām al-sultāniyya*, 144; *Kaṣf*, III, 558; ‘The insane and mentally deranged are exempt from the *jizya*.’

¹⁷⁰Arabized from *diḥqān*. Mu’in, *Farhang*, s.v. *Deḥqān*.

¹⁷¹The history of the origins of the *jizya* seems to be very complex. See n. 105 in this chapter and *Mishkāt*, II, 410–11; Robson, II, 859–60.

¹⁷²*Kaṣf*, III, 557; it seems that Kulaynī does not differentiate between the *jizya* and the *kharāj*.

¹⁷³*Ibid.*, III, 558.

¹⁷⁴It is assumed that the initial address from the non-Muslim was ‘Peace be upon you.’ Notice that the word *salām* is not to be used in the response.

The Messenger of God forbade the construction of places of worship for non-Muslims in Islamic territory.¹⁷⁵

Ja'far b. Muḥammad: He said, 'The *dhimmīs* shall not enter the sacred territory (*ḥaram*, i.e. Mecca) nor the Abode of Emigration (Medina); and [should they be found in them] they shall be evicted.'¹⁷⁶

AN ACCOUNT OF ENEMY PROPERTY CAPTURED IN WAR (GHANĪMA)¹⁷⁷ BEFORE DISTRIBUTION

God says, *Whoso deceiveth will bring his deceit with him on the Day of Resurrection. Then every soul will be paid in full what it hath earned; and they will not be wronged* (3:161).

Ja'far b. Muḥammad—his father—his ancestors—'Alī: The Messenger of God said, 'I saw the owner of a robe, which he had obtained deceitfully, in Hell.' And he said, 'From the booty of war return to the rightful owner [the things that are his], even to the extent of a thread and a needle!'¹⁷⁸

'Alī: The Messenger of God forbade people to ride a captured mount until it was exhausted, or to wear a garment until it became threadbare, before distribution took place.¹⁷⁹ But there is no harm in using captured property before its distribution if it is needed for the purpose of waging *jihād* against the enemy, provided it is duly returned to its place [thereafter]. [Such is the case], for instance [with] weapons and riding beasts which are needed [in fighting]. There is, however, no harm in consuming food or fodder before they are distributed. In the Battle of Khaybar,¹⁸⁰ provisions

¹⁷⁵Māwardī, *al-Aḥkām al-sultāniyya*, 146.

¹⁷⁶Traditions concerning the expulsion of the Jews, Christians, and polytheists are reported from the Prophet. *Mishkāt*, II, 417–18; Robson, II, 865–6.

¹⁷⁷The word *ghanīma* pl. *ghanā'im*, is generally applied to booty captured in actual fighting, and of this, a fifth is to be taken and applied in the manner prescribed by the Qur'ān 8:42. What remains after the fifth is for those who obtained it. *Fay'*, on the other hand, is the tribute paid by the vanquished, or is enemy property acquired after the war is over or after the laying down of arms, when a territory becomes Islamic; and this is for all the Muslims. Lane, s.v. *gh-n-m*; *f-y-*.

¹⁷⁸'Hand over threads and needles and avoid dishonesty about booty, for it will be a reproach to those who are guilty of it on the Day of Resurrection.' *Mishkāt*, II, 401, 402, 406; Robson, II, 850, 851, 855. See also Ṭabarī, *History of al-Ṭabarī*, IX, 31.

¹⁷⁹The tradition states, 'He who believes in God and the last day must not ride a packhorse belonging to the booty of the Muslims and put it back when he has emaciated it, and he who believes in God and the last day must not wear a garment belonging to the booty of the Muslims and put it back when he has made it threadbare.' *Mishkāt*, II, 405; Robson, II, 855.

¹⁸⁰An oasis about 95 miles from Medina inhabited by Jewish tribes. In 7 A.H. they capitulated to the Muslim army. For details see *EI*², s.v. *Khaybar*.

fell into the hands of the Companions of the Prophet, which they consumed before the distribution of booty.¹⁸¹

'Alī: The Messenger of God forbade a man to sell his share of the booty before its distribution,¹⁸² because [strictly] it is unknown [until it is divided and appropriated].

It is the right of the army commander to choose for himself an item of special value before the actual distribution.¹⁸³

The Messenger of God: He sent two forces to the Yemen. He appointed 'Alī to command one of them and Khālid b. al-Walid,¹⁸⁴ the other, and he said, 'When you come together, 'Alī shall be the Chief Commander over all of you; but when you are separate, each of [the two of] you will be in independent command over his comrades.'¹⁸⁵

The army captured some persons, and 'Alī chose a slave girl for himself. So Khālid wrote to the Messenger of God about this and sent the letter with Burayda al-Aslamī¹⁸⁶ and asked him to apprise the Prophet orally. Burayda did this. And signs of anger were apparent on the face of the Messenger of God as he exclaimed, 'Verily, 'Alī is part of me and I, a part of him! To him belongs what he has chosen.' So Burayda said, 'O Messenger of God, this is an occasion to seek refuge with you. You sent me with a certain man and commanded me to obey him, which I did and brought you his message.' So the Messenger of God said, 'O Burayda, 'Alī is not a wrongdoer; he was not created for doing wrong. He is my brother, and my Vicegerent (*waṣī*), and the Possessor of Authority over you (*walīyu amrikum*) after me.'¹⁸⁷

Ja'far b. Muḥammad: He said, 'If a Muslim captures a polytheist in an enemy country, and the captive is unable to walk, and no mount is

¹⁸¹*Mishkāt*, II, 405, 406; Robson, II, 855.

¹⁸²*Mishkāt*, II, 405; Robson, II, 854.

¹⁸³This was customary practice before the division of the booty (*ghanima*).

¹⁸⁴He fought against the Muslims at Uhūd but was converted either in 6/627 or 8/629 and was an Arab commander at the time of the early conquests. During the *ridda* wars also he had committed misdeeds. On Abū Bakr's death 'Umar dismissed him from the high command. He died in 21/642. Balādhurī, *Ansāb al-ashraf* (ed. 'Abbās), V, 271-3; EI², s.v. Khālid b. al-Walid.

¹⁸⁵Ibn Ishāq mentions two raids of 'Alī to Yemen without giving details. Ibn Hishām, on the other hand, mentions this raid as reported by Nu'mān, but does not describe the second half of the report. Ibn Ishāq, *al-Sira*, IV, 290-1; Guillaume, 678, 792. Wāqidī, *al-Maghāzī*, III, 1079, does not relate this incident. This was probably the earlier raid.

¹⁸⁶Burayda b. al-Huṣayb al-Aslamī. Wāqidī, *al-Maghāzī*, *passim*. Watt, *Muḥammad at Medina*, 367.

¹⁸⁷*Sharḥ al-akhbār*, I, 93-4; it is reported on the authority of 'Abd Allāh b. Burayda from his father.

available for him, and the Muslim fears that, if released, he would join the polytheists [fighting against Muslims], he should kill rather than abandon him.

'The same action should be taken [to destroy property] when it is impossible for the Muslims to transport goods captured in war, before as well as after distribution.'

'Alī: He said about booty which can neither be transported nor taken away from the enemy country, 'The goods and arms should be destroyed and burnt by fire. The beasts, large and small, should be ritually slaughtered and burnt by fire, but not hamstrung; for hamstringing is an abominable mutilation.'

Ja'far b. Muḥammad: He said, 'When any property is appropriated by non-Muslims, and later captured by Muslims and discovered to be in their possession, it is the rightful owners who are entitled to it.¹⁸⁸ No property shall be taken away from a Muslim except with his free consent.

'When the commander of an army makes a special gift to one who has killed [an enemy] and performed some act [of bravery] in connection with *jihād*, or done something that caused great damage to the enemy, and the commander has actually named it, he should give him what was promised to him and it should be taken from the bulk of the property before the distribution of the booty.

'The property belonging to the person slain becomes the property of his Muslim slayer, and *khumus*¹⁸⁹ is leviable on it.'¹⁹⁰

THE DISTRIBUTION OF THE BOOTY¹⁹¹

'Alī: He ordered 'Ammār b. Yāsir,¹⁹² 'Ubayd Allāh b. Abī Rāfi',¹⁹³ and Abū al-Haytham b. Tayyihān¹⁹⁴ to divide the tribute (*fay'*) among the

¹⁸⁸Cf. *Mishkāt*, II, 400; Robson, II, 850.

¹⁸⁹*Khum* or *khumus* means one-fifth. According to customary rules of pre-Islamic Arabia, the leader/commander was entitled to one-fourth or one-fifth of the booty in addition to the *ṣafi*, or things that attracted him. Qur'an 8:41 lays down the rule for the fifth. See *Mishkāt*, II, 400, 402; Robson, II, 850, 852; also n. 89 in Chap. 6.

¹⁹⁰God's Messenger ordered that the killer should have what was taken from the man he killed, and did not make this subject to division into fifths.' *Mishkāt*, II, 402; Robson, II, 852.

¹⁹¹See Khadduri, *War and Peace*, 118–32.

¹⁹²See n. 110 in Chap. 3 for 'Ammār.

¹⁹³A Companion of the Prophet. *Mishkāt*, I, 266; Robson, I, 172.

¹⁹⁴He was from the clan Baliy and took part in the battle of Badr with the Muslims. Wāqidi, *al-Maghāzī*, I, 158; II, 691, 707, 718, 720; Ya'qūbi, *Tārīkh*, II, 167. He died either in the year 20 AH or was killed at Šiffin fighting for 'Alī. Ibn Hajar, *al-Isāba*, IV, 212–13.

Muslims, and he said, 'Be equitable among them and do not show favour to anyone above the others.' So they made a count and found that each Muslim was entitled to 3 dinars, and they paid them accordingly.

Thereupon Ṭalḥa¹⁹⁵ and al-Zubayr¹⁹⁶ came to them, and each had a son with him, so they paid them 3 dinars each. Then said Ṭalḥa and al-Zubayr, "Umar¹⁹⁷ never used to give us [the tribute] in this manner. Have you done this on your own [authority] or have you acted according to your master's instructions?" They said, 'Nay, but this is according to the command of the Commander of the Faithful.'

So Ṭalḥa and al-Zubayr went to 'Alī and found him standing in the sun in one of his estates while a hired labourer was working in front of him and the two of them said, 'Would you [be so good as] to come to the shade with us?' 'Alī said, 'Certainly.'

The two said, 'We went to your officers for [our] share of this tribute, and they gave us a share equal to that of each of the others.' 'Alī replied, 'And what do you want?' The two said, "Umar did not distribute [the tribute] in this manner.' 'Alī asked, 'And how did the Messenger of God give it to you?' Both of them remained silent. So 'Alī said, 'Did not the Messenger of God, may God bless him and his progeny, distribute equally among the Muslims, without giving more to anyone?' The two replied, 'That is so.' 'Alī said, 'Now, is the practice (*sunna*) of the Messenger of God, according to you, more worthy to be followed or that of 'Umar?' The two answered, '[Of course] the *sunna* of the Messenger of God. But, O Commander of the Faithful, we have precedence [in accepting the faith],¹⁹⁸ have rendered valuable service [to the cause of Islam],¹⁹⁹ and have kinship [to the Prophet]. Therefore, if you deem it proper not to treat us as you treat the generality of Muslims [but rather show us favour], you may do so.'

'Alī retorted, 'Is your precedence [in accepting the faith] greater than mine?' The two responded, 'Your precedence [is greater].' 'Alī asked, 'Is your kinship [to the Prophet] closer or mine?' The two replied, 'Yours [is closer].' 'Alī inquired, 'Is your rendering valuable service [to the cause of

¹⁹⁵See n. 17 in Chap. 2 for Ṭalḥa.

¹⁹⁶See n. 18 in Chap. 2 for Zubayr.

¹⁹⁷See n. 16 in Chap. 2 for 'Umar.

¹⁹⁸Both were early converts soon after Khadija, 'Alī, Zayd, and Abū Bakr.

¹⁹⁹The Arabic term is *ghana'*, meaning usefulness (*al-naf'*) in this context. It is also used in this sense in a number of traditions. See Ibn Hanbal, *Musnad*, I, 69. This tradition dealing with the distribution of booty is pertinent to Nu'mān's argument as well as to the meaning of *ghana'*. See also Nasā'ī, *Sunan*, VII, 135; *Concordance*, s.v. gh-n-y; Jawharī, s.v. gh-n-y. In *Sharḥ al-akhbār*, I, 374, it is *jihād* instead of *ghana'*. Both the Urdu and Gujarati translations are incorrect. Fyze's translation as 'wealth' was also incorrect.

Islam] greater or mine?' The two replied, 'Nay, but surely, your rendering valuable service [to the cause of Islam] is greater than ours, O Commander of the Faithful.'

'Alī said, 'I swear by God, that, in respect of this property [i.e. booty], I and this hired labourer are but in the same position,' and he pointed his hand towards his servant who was in front of him. The two [then added], 'We had come about this matter and one other.' So 'Alī asked, 'And what is the other?' The two said, 'We desire to perform the *'umra*, so give us your permission.' 'Alī replied, 'Go, the two of you. But you [really] do not intend to perform the *'umra*. I have been informed of your designs and have been shown your graves!'²⁰⁰

So they went away, while 'Alī was reciting within their hearing *So whosoever breaketh his oath, breaketh it only to his soul's hurt; while whosoever keepeth his covenant with Allah, on him will He bestow immense reward* (48:10).

What is obligatory in the distribution of *fay*' among the Muslims who are its owners, is [absolute] justice; and [absolute] equality with regard to what is between them and the avoidance of preference therein. This is related to what they have fought for.

Now as for property that was not the object of fighting, it belongs to God and His Messenger, as God says. This property, after the death of the Messenger of God, belongs to the Imam in every age and at all times. Says God, *That which Allah giveth as spoil to His Messenger from the people of the townships is for Allah and His Messenger and for the near of kin* (59:7); and His Word: *Ye urged not any horse or riding camel for the sake thereof, but Allah giveth His messenger lordship over whom He will* (59:6).

Ja'far b. Muḥammad: He said, 'Verily [the Garden of] Fadak²⁰¹ was among the things which God bestowed as *fay*' on His Messenger without his having fought for it. Thus, when God revealed [the Qur'ānic verse]: *So give to the kinsman his due* (30:38), the Messenger of God made a gift of Fadak to Fāṭima.²⁰²

'When the Prophet died, Abū Bakr²⁰³ took it away from her. When

²⁰⁰See Nu'mān, *Urjūza*, 139–42; the whole report is versified. *Sharḥ al-akhbār*, I, 374–5; with variants. Cf. Ya'qūbī, *Tārīkh*, II, 169; Ṭabarī, *Tārīkh*, IV, 429, 430, 444; Ibn al-Athīr, *al-Kāmil*, III, 190 ff.

²⁰¹The Jews of Fadak surrendered by concluding an agreement, hence it was allocated to the Prophet (*khālisa lahu*), who distributed its revenues among the needy of the Banū Hāshim. See EI², s.v. Fadak, where older sources are indicated. For a recent study see al-Sadr, *Fadak fi 'l-tārīkh*.

²⁰²See n. 101 in Chap. 5 for Fāṭima.

²⁰³See n. 15 in Chap. 2 for Abū Bakr.

'Uthmān²⁰⁴ became ruler, he gave it away as a fief to Marwān.²⁰⁵ Then, when Marwān²⁰⁶ assumed power, he gave two-thirds of it to his son 'Abd al-Malik and one-third to his son Sulaymān. When 'Abd al-Malik²⁰⁷ assumed power he gave two-thirds to 'Abd al-'Azīz and one-third remained with Sulaymān. When Sulaymān²⁰⁸ came to rule, he gave his one-third [also] to 'Umar b. 'Abd al-'Azīz. When 'Umar b. 'Abd al-'Azīz²⁰⁹ assumed power, he returned the whole of Fadak to the sons of Fāṭima.

'So the Banū Umayya came to 'Umar b. 'Abd al-'Azīz in a group and said, "People are of the opinion that you have disapproved of the action of Abū Bakr, 'Umar²¹⁰ and 'Uthmān and the Caliphs from among your ancestors." And thus 'Umar b. 'Abd al-'Azīz reclaimed its ownership. But he used to collect its harvest, and, adding an equal portion to it, he used to distribute it to the children of Fāṭima.' This was the state of affairs in the days of 'Umar b. 'Abd al-'Azīz as Abū 'Abd Allāh [Imam Ja'far b. Muḥammad] has declared.²¹¹

Then, after the times of 'Umar b. 'Abd al-'Azīz, the 'Abbāsids appropriated²¹² the garden for themselves, until one who was named Ma'mūn²¹³ came into power. He gathered together the jurists of the towns from among the commonalty and others, and held disputations about it among them. Finally they came to the conclusion that Fadak belonged to Fāṭima, and they bore witness to the wrong [done to her] by taking it away from her, and Ma'mūn returned it to the descendants of Fāṭima. This matter is well known and universally accepted.

²⁰⁴See n. 19 in Chap. 2 for 'Uthmān.

²⁰⁵The sources used by Vecchia Vaglieri (*El²*, s.v. Fadak) state that when the Jews of Fadak were encircled by the forces of 'Umar, he assigned Fadak to al-'Abbās and 'Alī, probably as administrators, as it had to remain a *ṣadaqa*. It was Mu'āwiya who brought it under private ownership by giving it as *iqṭā'* (like a fiefdom) to Marwān b. al-Ḥakam.

²⁰⁶For Marwān b. al-Ḥakam see n. 301 in Chap. 2.

²⁰⁷'Abd al-Malik reigned 65–86/685–705 and was one of the great caliphs of the dynasty. *El²*, s.v. 'Abd al-Malik b. Marwān.

²⁰⁸He ruled from 96/715 to 99/717. *El²*, s.v. Sulaymān b. 'Abd al-Malik.

²⁰⁹'Umar b. 'Abd al-'Azīz ruled 99–101/717–20, and enjoyed a reputation for piety, in glaring contrast to the alleged impiety of the Umayyads. It was he who restored Fadak to its original purpose and entrusted its administration to Fāṭima's descendants. It seems that Nu'mān and his Shī'ī sources interpret this account differently.

²¹⁰See n. 16 in Chap. 2 for 'Umar.

²¹¹Nu'mān's report differs from other sources.

²¹²Fadak underwent further vicissitudes again after the death of 'Umar b. 'Abd al-'Azīz. See *El²*, s.v. Fadak.

²¹³The seventh 'Abbāsīd caliph reigned 198/813–218/833. In 210/826 he granted Fadak to Fāṭima's descendants and issued a decree, which is preserved by Balādhurī. But his third successor, al-Mutawakkil, did not respect Ma'mūn's decree and restored Fadak to its original purpose sanctioned by Abū Bakr. *El²*, s.v. al-Ma'mūn.

Abū Ja'far Muḥammad b. 'Alī: He said, 'Land which is untrampled by the hooves of Muslim riders or which has never been the scene of battle, or which has never been ceded but as the result of an agreement or submission by a people, or which consists of barren land and deep ravines, all (these areas) belong to the Messenger of God; he may do what he likes with them. After the Messenger of God those territories belong to the Imam.²¹⁴ [The Imam's statement] "the land belongs to God" is only to extol Him and to indicate His sovereignty. For, the earth and all that it contains is under the sovereignty of God. And we [the Imams] have two shares in the claims of the *fay*'—one is that of kinship and the other we share with the people for the remainder [of their share].'²¹⁵

Ja'far b. Muḥammad: Concerning the Word of God *They ask thee [O Muḥammad] about the spoils (anfal) of war. Say: The spoils of war belong to Allah and the Messenger* (8:1), he said, 'This verse refers to those villages and lands through which the Muslims have not ridden, and that property for which the Muslims have not fought. All of these belong to the Imam, and he has absolute discretion in dealing with them.'

[Ja'far b. Muḥammad]: He was asked concerning territory captured by force. He said, 'The land may be dedicated as *waqf* for the support of Muslim inhabitants, present and future, or the Imam may divide it if he deems appropriate.²¹⁶ Now the land and whatever it contains belongs to God and His Messenger [in trust for human beings], and the Imam, after the Prophet, is entitled to the same authority.' Then [the Imam] exhorted his hearers:

Give praise to God. You are given food, which is lawful; and dress, which is lawful; and marital intercourse, which is lawful since you are cognizant of the right and authority we possess (*al-walāya lanā*). You have taken possession of something, which makes us well pleased with you; but those who oppose us and deny our right eat and dress and have sexual intercourse unlawfully.

[Ja'far b. Muḥammad]: He said, 'Enemy property captured in war (*ghanima* pl. *ghanā'im*) is divided into five fifths, four of which are distributed among the warriors who fought for it, and the fifth is for us, the People of the Prophet's House, and it is for the benefit of the orphans among us and the destitute and the wayfarers.²¹⁷ But today, by the grace

²¹⁴Kāfi, V, 39.

²¹⁵Cf. Māwardī, *al-Aḥkām al-sultāniyya*, 126 ff.; Tūsī, *al-Nihāya*, 199–201.

²¹⁶Kāfi, V, 40–1.

²¹⁷Māwardī, *al-Aḥkām al-sultāniyya*, 126–7. The Prophet used to distribute the share of his kinsmen (*dhu 'l-qurbā*) among Banū Hāshim and Banū al-Muṭṭalib. Balādhurī, *Ansāb al-ashraf*, (ed. 'Abbās) V, 1.

of God, there is none of us who is destitute or a wayfarer; thus the fifth is for us an ample provision. At the same time we are equal partners with the [rest of the] people in the four-fifths in whatever [campaign] we participate.'

'Alī: He said, '[The Caliph] 'Umar used to hand over to me the fifth [of the *ghanīma*], which I used to distribute among the Messenger of God's kinsmen, until it came to the booty of Sūs²¹⁸ and Jundisābūr,²¹⁹ and he said, "This is your fifth, O People of the Household [of the Prophet]." At this time some of the Muslims had become impoverished and they urgently needed it. So ['Umar said], "If you [Prophet's kinsmen] think that you can expend some of it on them, you may do so." Then, al-'Abbās²²⁰ jumped up and said, "O 'Umar, do not disparage our rights!" And I said, "We [the *ahl al-bayt*] are more worthy than those needy Muslims!"' So 'Umar did not act in consonance with his declaration [to help the impoverished Muslims], although 'Alī interceded with him.²²¹ ['Alī added], "Umar took possession of the fifth [anyway]. I swear by God, 'Umar never paid it back to us afterwards! Nor has it ever been paid to us after him till this day, although I am the holder of this position [the Imamate].'

Abū Ja'far Muḥammad b. 'Alī: He said, 'When the Messenger of God died, Abū Bakr said to 'Alī, "Help the Muslims from your fifth;" and then he took possession of it and did not pay anything to 'Alī. Fāṭima came to know of this and said, "Give us our share [which is mentioned] in the Book of God, and you know very well about all this." By this she meant that they knew that 'Alī was more nearly related to the Prophet than them.'²²²

'Alī: He said, 'Four-fifths of the booty captured in war belongs to the men who fought for it [in the following proportions]: two shares to the mounted soldiers and one to the foot soldiers.'²²³

Abū Ja'far Muḥammad b. 'Alī: He was asked whether 'Uthmān was

²¹⁸The ancient site of Susa in the south-west province of Khūzistān in Iran. It fell into Arab-Muslim hands around 17/638 when Abū Mūsā al-Ash'arī carried out the conquest of Khūzistān. *El*², s.v. al-Sūs.

²¹⁹It is an Arabic form of Gondeshāpūr, a town in Khūzistān founded by the Sāsānid Shāpūr I. It was taken by Abū Mūsā al-Ash'arī in 17/638. The city is famous as a cultural centre, which influenced the rise of scientific and intellectual activity in Islam. *El*², s.v. Gondeshāpūr.

²²⁰See n. 23 in Chap. 2 for 'Abbās.

²²¹As noted in the Preface, this is a good example of an abrupt and illogical transition, where the narration suddenly changes from the first person to the third person.

²²²The Arabic idiomatic expression used by Nu'mān is: *anna 'Alīy^{an} aq'adu bidhālīka minhum*. See Lane, s.v. q-'-d. The implication is that 'Alī had greater right to the caliphate/ imamate than any of them.

²²³*Mishkāṭ*, II, 403; Robson, II, 853.

present at the Battle of Badr.²²⁴ [The Imam] said, 'No.' The querist: Did the Messenger of God allocate a share to him? The [Imam] replied, 'No. How can a man who does not take part in the fighting have a share?'²²⁵ He was asked, 'Did Ṭalḥa participate [in Badr]?' [The Imam] said, 'No.'²²⁶ He was asked, 'And al-Zubayr?' [The Imam] said, 'He did;²²⁷ but in the Battle of the Camel, he fled!²²⁸ If he did fight the Muslims, it means that he perished for doing so, even though he had fought against the disbelievers: *he truly hath incurred wrath from Allah, and his habitation will be hell, a hapless journey's end!* (8:16), as God has decreed for those that turn their backs and flee from battle.'

'Ali: The Messenger of God said, 'The slave has no share in the booty of war even though he might have been present and have taken part in the fighting for it. But if the Imam or his representative is of opinion to give him something in reward for his gallantry, he may give him a trifle from the goods at his discretion.'²²⁹

['Ali]: He said, 'A Muslim who dies on the battlefield before the booty is acquired has no share in it. But the share of a person who dies after the booty is gathered shall be inherited by his heirs.'

ON FIGHTING WITH REBELS²³⁰

God says, *And if two parties of believers fall to fighting, then make peace between them. And if one party of them doeth wrong to the other, fight ye that*

²²⁴See n. 67 in Chap. 5 for Badr.

²²⁵Uthmān stayed behind on account of his wife Ruqayya, the Prophet's daughter, yet the Messenger of God assigned him his portion of the booty. Ibn Ishāq, *al-Sīra*, II, 334; Guillaume, 328; Wāqidī, *al-Maghāzī*, I, 153-4; *Mishkāt*, II, 408; Robson, II, 857-8; Abū Dāwūd, who transmitted it, states that it was an exception because 'Uthmān had gone off on the business of God and His Messenger. Nu'mān's report therefore contradicts the *al-Maghāzī*, I, 381.

²²⁶According to Ibn Ishāq, Ṭalḥa was in Syria and did not turn up until the Prophet had returned from Badr; nevertheless, he allotted him a share in the booty. Ibn Ishāq, *al-Sīra*, II, 338-9; Guillaume, 329; Wāqidī, *al-Maghāzī*, I, 155.

²²⁷Zubayr did participate. Ibn Ishāq, *al-Sīra*, II, 336; Guillaume, 328; Wāqidī, *al-Maghāzī*, I, 154.

²²⁸He fled and was killed in a place called 'the valley of beasts of prey' by 'Amr b. Jurmūz al-Tamīmī. Ya'qūbī, *Tārīkh*, II, 172; Ṭabarī, *Tārīkh*, IV, 509-11; *History of al-Ṭabarī*, XVI, 127.

²²⁹Umayr, client of Abū al-Laḥm said, 'I was present at Khaybar along with my masters who spoke about me to the Messenger of God, telling him that I was a slave. The Prophet ordered that I should have a sword girded on me, and I was trailing it. He then ordered that I should be given some inferior goods.' *Mishkāt*, II, 403; Robson, II, 852-3.

²³⁰There is no such section in *Kāfi*, *Mishkāt*, or Ibn Rushd, *Bidāya*. In Ṭūsī's *al-Nihāya*, 296-7, it is very brief but to the point. Māwardī has this section in his *al-Aḥkām*

which doeth wrong till it returns unto the ordinance of Allah, till His word: Lo! Allah loveth the equitable (49:9).

Thus God has made fighting the rebellious group a compulsory duty, just as He has made it mandatory to fight the polytheists. Hence, among his reported sayings mentioning the war of those that fought against him, 'Alī said, 'There were only two alternatives left to me by reason of the Word of God, either fighting them or denying the revelation of God to Muḥammad.'

Abū Ja'far Muḥammad b. 'Alī: He spoke of those that fought against 'Alī, and said, 'But they were greater sinners than those that fought against the Messenger of God.' It was said to him, 'How can that be, O son of the Messenger of God?' [The Imam] replied, 'Because [those that fought the Prophet] lived during the *jāhiliyya*²³¹ (pre-Islamic era), while these read the Qur'ān and knew the merit of those that possess it (*wa-'arafū faḍla uli 'l-faḍl*), and yet they did what they did after due contemplation.'

'Alī: He said, 'I have been commanded to fight the *nākithūn* (lit. those who broke their oath of allegiance, i.e. those who fought against him at the Battle of the Camel), and the *qāsiṭūn* (lit. those who had acted wrongfully, i.e. those who fought against him at the Battle of Ṣiffīn), and the *māriqūn* (lit. the defectors from 'Alī's camp at Ṣiffīn, i.e. the Khawārij), and I have done as I was ordered.'

As for the *nākithūn*, they were the people of Basra and others who fought at the Battle of the Camel; and as for the *māriqūn*, they are the Khawārij; and as for the *qāsiṭūn*, they are the people of Syria and others who supported Mu'āwiyā.²³²

['Alī]: He was asked about those of the people of the *qibla* [Muslims] against whom he had fought. Were they disbelievers (*kāfirūn*)? He said, 'They denied the ordinances of Islam and the bounties of God by a denial (*kufr*) that was distinct from the disbelief (*kufr*) of the polytheists (*mushrikūn*) who repudiated prophethood and never accepted Islam. Had [their *kufr* been identical with that of the polytheists], not only would marriage be unlawful with them, but also eating beasts slaughtered by them and obtaining inheritance from them [would be unlawful].'

Wherefore, they [the former]—even if they were not polytheists—were as 'Alī described them to be: Verily they had no connection with Islam except in name and by lip devotion. By such declaration [of theirs],

al-sulṭāniyya, 58–61, however, it should be noted that he talks about the Khawārij and avoids 'the People of the Camel and Ṣiffīn'.

²³¹See n. 46 in Chap. 5 for the meaning of *jāhiliyya*.

²³²For these three groups see n. 160 and 162 in Chap. 2.

marriage with them is lawful and also receiving inheritance from them.

Traditions confirming what we have said above have been related to us from the Messenger of God and 'Alī.

The Messenger of God: [Once] he was distributing some property among the Muslims when there came a man with sunken eyes and protruding eyebrows²³³ and he said, 'You have not done justice in your distribution!' Then he turned [and went away]. The Messenger of God's face changed and he exclaimed, 'Who will give justice to you even if I fail? But surely even Moses was insulted before me and bore it with patience.' Then he motioned to those that were present and said, 'Is there not anyone here standing by who would go and kill him?'

Then Abū Bakr rose [and went] and found the man praying in the sanctuary of the mosque, so he returned and said, 'O Messenger of God, I found him standing up and praying.' So the Prophet said, 'Sit down,' and he continued, 'Is there not anyone standing up here who would slay him?' Then 'Umar jumped up [and went] and found him still praying, so he returned and said, 'O Messenger of God, I found him praying, for he had not finished his prayers. Now what is it that you wish?' So the Prophet said, 'Sit down,' and he continued, 'Is there not anyone standing by who would kill him?'

So 'Alī said, 'I, O Messenger of God.' Then said the Messenger of God, 'Is it you, O 'Alī? But I do not think that you will find him!' 'Alī went and did not find him, so he returned and informed the Prophet. The Prophet said, 'If you [all] had killed him, no two of you would ever have disputed after me. There will arise from the loins of this man those who will read the Qur'ān, but it will not go beyond their collar bones;²³⁴

²³³A gloss in MS T, quoting Idrīs 'Imād al-Dīn, 'Uyūn al-akhbār, says that the name of the man was Dhu 'l-Khuwayyir b. Tamīm. For this incident see Ibn Ishāq, *al-Sira*, IV, 139; Guillaume, 595–6; Wāqidi, *al-Maghāzī*, III, 948–9; Tabarī, *History of al-Tabarī*, IX, 34–5. All these sources are unanimous in reporting that the Prophet was angry but he did not order the killing.

²³⁴This idiom and tradition means that they are merely reciting the Qur'ān without understanding its real meaning. It also means that their recitation is not accepted by God and they are not rewarded for it. *Majma' al-bahrayn*, s.v. t-r-q.

Abū Muḥammad al-Yamanī cites this tradition, with some modifications, at the beginning of his book 'Aqā'id, I, 2–3, wherein the Prophet forewarns his community and states: 'This is the first opponent to rise in my community. If you had killed him, no two of my community would ever have disputed. Indeed, the children of Israel broke up into seventy-two sects, but this community [the Muslims] will break up into seventy-three sects; all of them are doomed to perish except one.' It was said to him, 'O Messenger of God, which one is that?' The Prophet replied, 'It is the one to which I and my Companions belong.' See *Mishkāt*, I, 61; Robson, I, 45. It is transmitted by Ibn Ḥanbal, Dārimī, Tirmidhī, Ibn Māja, and Haythamī.

they will stray from the true religion as the arrow passes through the body of the game.' They said, 'O Messenger of God, what is this piercing of the arrow through the target?' The Prophet said, 'It is when a man shoots an arrow and it passes through the body of the animal, and it emerges without any trace of blood due to the great speed with which it passed through. In the same manner they do not belong at all to Islam, although they have entered it.'²³⁵

'Alī—the Imams from his descendants: On the Day of the Camel he urged the people on to combat and recited out loud, *Then fight the heads of disbelief—Lo! they have no binding oaths—in order that they may desist* (9:12). Then he said, 'Never has an arrow been shot against the people [referred to] in this verse before this day!'

['Alī]: On the Day of Şiffin, he said, 'Slay the remnants of the factions and of the friends of the Devil. Slay him who proclaims, "False is God and false His Messenger," while we affirm, "Truthful is God and truthful His Messenger." Thereafter they [the hypocrites] declare [that which is] contrary to what they hide: "Truthful is God and truthful His Messenger!"'

['Alī]: Concerning his inciting the people to fight the rebels [it transpired] as follows: When 'Alī came to know that a unit of horsemen had attacked the township of Anbār²³⁶ and killed the governor appointed by him and violated the honour of Muslim women, he was angered, and advanced on them personally until he arrived at Nukhayla.²³⁷ The people, however, called one another and caught up with him there and they said, 'Return, O Commander of the Faithful, for we are sufficient to aid you.' 'Alī replied, 'I swear by God, you are not sufficient for me, and you are not sufficient for yourselves,' and he rose to deliver a sermon. After praising God in the most laudatory terms he said,

Jihād is indeed one of the gates of Paradise. He who abandons it earns the contempt of God, and He will make him the target of calamity and dishonour. I have asked you and even ordered you to attack these people before they attack you, for, verily, no people fight on their own ground but are brought low, and you begin to make excuses and to procrastinate.

²³⁵The idioms used by Ibn Ishāq, Wāqidi, and Ṭabarī, as noted above, are slightly different. The above passage illustrates the piety of the Khawārij for which they were noted but at the same time points out that their understanding of the Qur'ān was superficial. Thus their slogan that 'judgement belongs to God alone' is seriously undermined.

²³⁶A town of strategic importance on the left bank of the Euphrates about 38 miles from Baghdad. It was conquered in 12/634 by Khālid. EI², s.v. al-Anbār.

²³⁷A village near Kūfa in the direction of Syria. Yāqūt, s.v. al-Nukhayla; he also refers to 'Alī's sermon.

This governor of Mu'āwiya raided Anbār and killed my governor [Ḥassān] Ibn Ḥassān [al-Bakrī], and he and his followers violated Muslim women. It has come to my ears that a man among them used to visit a Muslim and a *dhimmī* woman and take away their earrings and their anklets, and nobody prevented them.²³⁸ Then they would go away unscathed. I swear by God that if a Muslim were to perish sorrowfully [at the thought of these happenings], I would not hold him blameworthy but rather deserving of that [as possessing a sense of shame].

How amazing! I am surprised how hearts are shattered and sorrows multiplied by the unanimity of the people in falsehood and by your faintheartedness in the matter of your rights until you become a target [for arrows] shot at you.²³⁹ You are raided, but you raid not; you are attacked, but you attack not; God is disobeyed and you acquiesce. When I tell you, 'Fight them in the heat,' you reply, 'These are days of burning heat. Grant us a respite until the heat disappears,' and when I say, 'Fight them in the cold,' you reply, 'These are days of bitter cold and of frost-bite.' When can you and I find a time other than those two? You flee from [burning] heat and [bitter] cold; but I swear to God, you run away still more from the sword!

O you who possess the similitude but not the character of men! O fainthearted scum of humanity! O men of shackled minds! You have filled my heart with rage by your disobedience and desertion until the Quraysh say, 'Verily the son of Abū Ṭālib is a brave man, but knows not [the strategy of] war.' Who is it that knows war more than I? Surely I had leapt into it when I was barely 20, and today I have turned 60. But the one who is not obeyed has no say in the matter.²⁴⁰ May God give me men better than you, and may He give you a leader worse than me! I have come to a stage, by God, when I do not hope for your help, nor do I believe in your word. He whose arrow you are has only an arrow, which misses [its target].

Then Jundub b. 'Abd Allāh²⁴¹ stood up and said, 'O Commander of the Faithful, here we are my brother and I. I say as Moses did, My Lord! I have control of none but myself and my brother [Aaron] (5:25), so command us and we shall obey and, by God, we shall strike down everyone before you, even if we have to tread upon live coals and thorny bushes [to achieve] what you want.' So 'Alī gave great praise to him and his brother but asked,

²³⁸Compare *Nahj al-balāgha*, I, 44–5; *Sharḥ nahj al-balāgha*, II, 74–90; it is a well-known sermon and also reported by al-Mubarrad, a philologist and critic, in his *al-Kāmil*, I, 13.

²³⁹Parts of this sermon are reported by Ibn Qutayba, *Uyūn al-akhbār*, II, 236–7; Jāhiz, *al-Bayān wa 'l-tabyīn*, II, 50–2.

²⁴⁰In his *Origins*, 124, Jafri has translated this sermon of 'Alī's from *Nahj al-balāgha* which has slightly different readings.

²⁴¹He is probably Jundub b. 'Abd Allāh al-Azdī. Ibn Sa'd, IV/I, 31; V, 13, 14; VII/I, 115. According to Ibn Abī al-Ḥadīd, he was Jundub b. 'Afīf al-Azdī and his nephew 'Abd al-Raḥmān b. 'Abd Allāh b. 'Afīf.

'How will you fulfil my wishes? May God have mercy on you both!' Then he departed.

[ʿAlī]: He delivered a sermon on a Friday and gave praise and laudations to God, and then he said,

O people, your bodies are united but your designs are divergent. He who calls you for help his call is never heeded. And he who deals harshly with you has no peace of mind. Your speech weakens the steel of one's spine, and your action makes your wavering enemy desire to overcome you. When I tell you, 'Pounce on your enemy,' you say, 'How and when?' We do not know [whether these are] mere excuses or deceptions. You ask for time, as does the debtor who has a long-standing debt [that he is unwilling to pay]. Alas and alack!

The despicable one cannot repel wrong, nor can justice be obtained except by veracity and perseverance. Which abode will you defend other than your own? For which Imam would you go to war after me? I have come to a stage where I do not desire your assistance and do not relish your solicitation. May God separate you from me and exchange you for those that are better than you and exchange me for him who is worse than I am.

Then he descended from the pulpit. When it was evening, people came to him to ask for his indulgence, and he said,

Listen! After me, you will reach a state of utter humiliation and abomination, and wrongdoers will create such evidence against you as to bring tears to your eyes. Shortly, poverty will enter your homes, and [remember] God only forsakes those that are guilty of wrongdoing.

And Ka'b b. Mālik b. Jundub al-Azdī, when he recollected this tradition and realized what their condition was, used to shed tears and say, 'I swear by God the Commander of the Faithful spoke the truth. We are surely witnesses of the events whereof we had been forewarned.'²⁴²

[ʿAlī]: He cut off the stipends of those who did not fight with him and placed them in the category of country Arabs among the Muslims. Then Ibn ʿUmar²⁴³ asked him in writing for his share, and ʿAlī wrote to him, 'You had doubts about our war, and we have doubts about your share.' So Ibn ʿUmar replied, 'By God, I greatly regret my shortcoming in not going out to fight with you.' Ḥasan spoke to ʿAlī in favour of him, and ʿAlī gave [Ibn ʿUmar] [his share]. From this it is evident that

²⁴²Nu'mān reports the above sermon with minor changes of words in his *Sharḥ al-akhbār*, II, 73–4. It was delivered by ʿAlī after he defeated the Khawārij. It is also in *Nahj al-balāgha*, I, 47–8; *Sharḥ nahj al-balāgha*, II, 111–25; with variant readings.

²⁴³ʿAbd Allāh b. ʿUmar was hostile towards ʿAlī and left Medina for Mecca to join the opposition. Madelung, *Succession*, 145; n. 114 in Chap. 6. According to Nu'mān he later repented, which is very doubtful. See also *Sharḥ al-akhbār*, II, 72.

it was only after Ibn 'Umar repented that 'Alī gave the share to him.

Abū 'Abd al-Rahmān al-Sulamī:²⁴⁴ Concerning the merit of martyrdom at the hands of the rebels, he said, 'I was present at the Battle of Šiffin with 'Alī and saw 'Ammār b. Yāsir²⁴⁵ attacking the enemy and returning with his sword bent by [incessant] blows. A group of the Companions of the Messenger of God, who were in the company of 'Alī, had heard the word of the Messenger of God, "O 'Ammār, you will be killed by a rebellious party."²⁴⁶

"Ammār would not enter a valley (*wādī* of Šiffin) without being followed [by those Companions of the Prophet who had heard the latter's words as cited above].²⁴⁷ He [went and] looked toward Hāshim b. 'Utba,²⁴⁸ the standard-bearer of 'Alī, who had fixed the pole of the standard in the ground. Now Hāshim was one-eyed, so 'Ammār exclaimed, "O Hāshim, are you both one-eyed and a coward? No good comes from the one-eyed person who does not plunge into battle. Come, attack with us." So Hāshim grabbed the standard, reciting,

A one-eyed person who seeks a worthy challenger
Has exerted himself for a lifetime until he is weary,
And there is nought left for him but to do or die!

"Ammār said, "Advance, O Hāshim. Death awaits you at the tips of the spears, and Paradise below the shining swords. You will behold black-eyed

²⁴⁴Al-Sulamī was a *muhaddith* who died in Kūfa during the caliphate of 'Abd al-Malik b. Marwān. Ibn Sa'd, VI, 119–21; Ibn Hajar, *al-Iṣāba*, II, 396; Ibn Hajar, *Tahdhīb*, V, 183–4. In *Sharḥ al-akhbār*, I, 408, Nu'mān reports the same tradition also on the authority of al-Sulamī. The latter should not be confused with Abū 'Abd al-Rahmān al-Sulamī al-Naysabūrī, an important Šūfī hagiographer and Qur'ān commentator (d. 412/1021).

²⁴⁵See n. 110 in Chap. 3. Tabarī, *Tārīkh*, V, 38–41; *History of al-Ṭabari*, XVII, 64–8. Tabarī has depicted 'Ammār's bravery. See also Balādhuri, *Ansāb al-ashraf*, I, 167–75.

²⁴⁶See Nu'mān, *Urjūza*, 153–4, 303; *Sharḥ al-akhbār*, I, 407–14 (for the *takhrīj* of this tradition in other sources, 490–1); this *ḥadīth* is transmitted by Bukhārī and Muslim. See *Concordance*, s.v. b-gh-y.

²⁴⁷Addition from *Sharḥ al-akhbār*, I, 408. See also Tabarī, *Tārīkh*, V, 40; *History of al-Ṭabari*, XVII, 67.

²⁴⁸Hāshim b. 'Utba b. Abī Waqqāṣ al-Zuhri was called al-A'war because he had lost an eye in the battle of Yarmūk. He also participated at al-Qādisiyya and had led the Arab army at Jalūlā', the battle that sealed the conquest of Iraq. The charge of cowardice against him is therefore surprising. In *Waq'at Šiffin*, Minqarī states that the words 'one-eyed and coward' were addressed jestingly to him by 'Alī because he was wearing two sets of armour. Minqarī also reports 'Ammār's words to Hāshim. Zubayrī, *Nasab Quraysh*, 263–4; Balādhuri, *Ansāb al-ashraf*, I, 171, 172, 174; Ibn Sa'd, III/I, 185, 187; V, 21; Minqarī, *Waq'at Šiffin*, 326 ff.; Tabarī, *Tārīkh*, V, 40–4; *History of al-Ṭabari*, XVII, 67–72. Ibn Hajar, *Iṣāba*, III, 593.

beauties accompanying Muḥammad and his party [in Paradise].²⁴⁹ Thereafter the two of them charged and never returned alive. May God have mercy on them both.

'Then ['Abd Allāh] Ibn 'Amr heard two men, each one of them arguing and asserting that it was he who had killed 'Ammār. 'Abd Allāh Ibn 'Amr said [to himself],²⁵⁰ "Amazing is it to hear two people contesting for entry into Hell! I have heard the Messenger of God saying, 'The slayer of 'Ammār shall be in Hell!'"

'And 'Ammār said, "Bury me in my clothes, for surely I am a contestant [for salvation, on the Day of Judgement]."

'Alī: He said, 'Both Mu'āwiya and I will be brought forward on the Day of Resurrection so that we may contend with each other, and whichever of us succeeds, so too will his companions.'

'Alī: While he was delivering a sermon in Kūfa, there arose a Khārijī who said, 'No one has the authority to judge except God!'²⁵¹ 'Alī remained silent. Then arose another and another, and when their numbers grew, he said,

[Your] word is the [word of] truth, but its implication is false!²⁵² For you, according to us, there are three conditions. We do not prohibit you from offering prayers in the mosques of God; we do not prevent you from sharing the tribute (*fay*) so long as your hands are with ours [i.e. you fight with us against our enemy]; and we do not start to fight against you unless you begin first.²⁵³

I bear witness that the truthful Prophet informed me, and he related it from the Trusted Spirit [Gabriel], who related it from the Lord of the Worlds, that every faction, be it large or small, which rises against us, until the Day of Resurrection, shall be wiped out by us at the command of God. Verily the most meritorious of religious wars (*jihād*) is the one against you, and the most excellent of martyrs, the one who is murdered by you, and the most excellent of warriors are those that slay you. So do what you are doing, for on the Day of Resurrection

²⁴⁹The Arabic expression is *fi 'l-rafiq al-a'lā*, meaning 'the Most Exalted Companion' alluding to God. Just before he died, the Prophet murmured, 'Nay, the most Exalted Companion is that of paradise.' Ibn Ishāq, *al-Sira*, IV, 305; Ṭabarī, *Tārīkh*, III, 199; *History of al-Ṭabarī*, IX, 183. The same with some variation is also reported by Ṭabarī, *Tārīkh*, V, 40–1; *History of al-Ṭabarī*, XVII, 67–8.

²⁵⁰According to MS Q. The addition of *lahu* in the printed text after *fa-qāla* seems to be an error.

²⁵¹This is the famous Khārijī slogan and is also translated as, 'Judgement belongs to God alone.'

²⁵²It means, 'You are using it falsely and for a wrong reason.' Cf. *Nahj al-balāgha*, I, 57; *Sharḥ nahj al-balāgha*, II, 307. What the Khawārij implied by *lā ḥukm* was *lā imra*, meaning authority, i.e. the supreme authority over the *umma*, the question of the caliphate/imamate.

²⁵³Cf. Māwardī, *al-Aḥkām al-sultāniyya*, 58–9.

those who follow falsehood will be lost (45:27). And for every tiding there is a term, and surely ye will come to know (6:67).

Ja'far b. Muḥammad: He said, 'It is commendable to invite the rebellious folk [to Islam] before fighting, but if you do not do so, they nevertheless certainly should know what they are called to. It is better not to begin the fight until they [know].'

'Alī: He gave the standard to Muḥammad ibn al-Ḥanafīyya²⁵⁴ on the Day of the Camel, and placed him in front of himself. He placed Ḥasan on the right and Ḥusayn on the left wing and stood himself behind the banner, riding on the she mule belonging to the Messenger of God. Then Ibn al-Ḥanafīyya said, 'The enemy has advanced upon us; they have showered arrows on us; and they have killed a man.' 'So I [Ibn al-Ḥanafīyya] turned to the Commander of the Faithful and found him fast asleep, and I said, "Are you asleep, O Commander of the Faithful, in such a situation? They have rained arrows upon us, a man of our party has been killed and the people are about to perish."

"Alī said, "To me you look like a shrieking maiden! This standard is the standard of the Messenger of God." And then he took it and brandished it, and the wind, which was against us turned against the enemy. 'Alī rolled up his sleeves and attacked them so vigorously that the sleeve of his robe was covered with blood and his sword was bent.'

'Alī: He said, 'The party of rebellion should be fought and they should be killed with every instrument used against the polytheists; and help should be invoked from all the Muslims who can render help. They should be made captive in the same manner as the polytheists, if you have the power.'

A captive was brought to 'Alī on the Day of Şifḥīn and he said, 'Kill me not, O Commander of the Faithful.' 'Alī said, 'Have you the good sense to make a covenant with me?' The captive said, 'Yes.' 'Alī said to the man who brought him, 'Take his weapons from him and set him free.'

'Ammār b. Yāsir came to 'Alī with a captive of war, and 'Alī had him put to death. When 'Alī entered Basra [after the Battle of the Camel], 'Ammār asked him, 'How will you behave with regard to these people?' 'Alī said, 'With kindness and forgiveness, as did the Prophet when he conquered Mecca.'²⁵⁵

Abū Ja'far Muḥammad b. 'Alī: He said, "Alī treated the enemy with kindness and forgiveness for the sake of his partisans. He knew that the

²⁵⁴A son of 'Alī from Khawla, a woman of the tribe of the Banū Ḥanīfa. He died in 81/700-1. *El*², s.v. Muḥammad Ibn al-Ḥanafīya.

²⁵⁵Cf. Ṭabari, *Tārīkh*, IV, 541.

enemy would overpower his partisans after him, so he desired that those who would come [to power] after him would follow his example in their treatment of his partisans and not transgress. Despite [‘Alī’s fair treatment of his opponents] people think that he overstepped his bounds and did wrong. Now, when the rebellious group is routed, and there was a party of them with which they could find refuge, they should be followed and sought out. The wounded should be finished off and [others] be killed as much as possible.

‘Alī acted in the same manner at the Battle of Ṣiffin, because Mu‘āwīya was backing [the rebels]. And when there is no [rebellious] party of them left, they are not to be pursued to be killed, nor should their wounded ones be finished off, for as the enemy flee, they disperse [in many directions].²⁵⁶

‘Alī: When Ṭalḥa and al-Zubayr were killed and ‘Ā’isha was taken prisoner and the enemy routed at the Battle of the Camel, ‘Alī proclaimed, ‘Do not dispatch the wounded, and do not pursue those that have turned their backs and fled. And those that have surrendered their arms are safe [too].’²⁵⁷ Then he called for the Messenger of God’s she mule *al-Shahbā*²⁵⁸ and mounted it and said, ‘Come on, you so-and-so; come on, you so-and-so,’ until some sixty old men, all of them from Hamadān,²⁵⁹ joined him. They had taken their shields on their shoulders, girt their swords, and bound up their lances, and put on their helmets.

‘Alī went to [Basra] and these men escorted him until he arrived at a large house and he asked them to open it, which they did. And, behold, there were women weeping in the courtyard of the house. When they saw ‘Alī they shouted with one voice and exclaimed, ‘Here is the murderer of our loved ones!’ And ‘Alī said not a word to them, but asked for the

²⁵⁶Cf. *Sharḥ al-akhbār*, I, 388; Ṭūsī, *al-Nihāya*, 297; it is the same rule. In his *Waq‘at Ṣiffin*, 518–19, Minqarī, on the other hand, reports that ‘Alī released all the prisoners taken by his army at the battle of Ṣiffin who had not killed any of his partisans. He neither finished off the wounded nor pursued those who fled because of the [strong] position of Mu‘āwīya.

²⁵⁷*Sharḥ al-akhbār*, I, 388. For a recently published source see Sayf b. ‘Umar, *Kitāb al-ridda ... wa-kitāb al-jamal*.

²⁵⁸*Shahbā* is applied to a horse or a she mule of blackish, or brownish, gray colour, or of a white colour intermixed with black. *Majma‘ al-bahrayn*, s.v. sh-h-b; Lane, s.v. sh-h-b. The Prophet had a she-mule by this name as reported in the traditions by Muslim, Nasā’ī, Ibn Ḥanbal, Abū Dāwūd, and Tirmidhī. *Concordance*, s.v. sh-h-b. Ṭabarī does not report it. See *History of al-Ṭabarī*, IX, 150.

²⁵⁹It is a large group of Arab tribes of Yemen. Most of them submitted to ‘Alī on his expedition to the Yemen in 10/631–2. There was a strong body of them in Kūfa and they were all supporters of ‘Alī. *EI*², s.v. Hamdān.

chamber of 'Ā'isha, and it was opened to him. There he heard her apologetic words, including many an oath of 'No by God' and 'Yes, by God.'²⁶⁰

Then he came out and saw a tall, tawny woman who was walking about in the house. So 'Alī hailed her and said, 'O Ṣāfiya,' and she replied, 'Here I come, O Commander of the Faithful.' 'Alī said, 'Can you not remove these bitches from me, who assert that I am the murderer of their dear ones? If I were the murderer of their "dear ones", I would have killed the occupants of this apartment, this apartment, and this apartment,' and he pointed to three of them. Then all the women who were screaming became silent, and all those that were standing, sat down.

Aṣḡagh²⁶¹ the narrator said that in one of the chambers there was 'Ā'isha with her personal retinue; and in another was Marwān b. al-Hakam²⁶² and some young men of the Quraysh; and in another, 'Abd Allāh b. al-Zubayr²⁶³ and his family. So 'Alī was asked, 'Why did you not raise your hand and kill them? Were they not the people of festering ulcer? So why did you spare them?' Aṣḡagh said, 'I swear by God, our hands went up to the handles of our swords and our eyes turned towards 'Alī to do as he directed concerning them. But he did not direct us; his forbearance encompassed them all.' And then he related the rest of the story.

The security extended by the people of justice to the rebel group is similar to the security afforded to the polytheists. If a member of the former party promises security to the rebels, they have full security until they reach their place of safety.

THE RULES REGARDING BOOTY CAPTURED FROM THE REBELLIOUS PARTY

'Alī: When he defeated the People of the Camel, he collected all that he found in their army that they had collected against him and divided it into five parts, gave four parts to his companions, and departed.

When they arrived at Basra,²⁶⁴ his companions said, 'O Commander of the Faithful, distribute among us their children and their property [as well].' 'Alī said, 'That is not lawful for you.' They said, 'How do you allow killing them and not taking their children [as slaves]?' 'Alī said,

²⁶⁰Cf. Ṭabarī, *Tārīkh*, IV, 544; *Sharḥ al-akhbār*, I, 390 ff., II, 69.

²⁶¹Aṣḡagh b. Nubāta, a partisan of 'Alī. Mufid, *al-Ikḥāṣ*. Passim; *Qamūs*, s.v. ṣ-b-gh.

²⁶²See n. 301 in Chap. 2 for Marwān.

²⁶³See n. 106 in Chap. 5 for 'Abd Allāh b. Zubayr.

²⁶⁴Basra was founded in 17/638 on the ruins of the old Persian port by the conquering Arab Muslim army as their military camp. In the course of history the site of the old town has changed. *El*², s.v. Baṣra.

'The men made war on us and we fought them back. As for the women and children, we have no power over them because they are Muslims, and they are in *dār al-hijra* (abode of emigration) [and not in their homes]. Thus you have no right over them. But what they procured and used against you in war, and whatever their army possessed and acquired, is all yours. Whatever is in their homes is an inheritance for their children according to the ordinance of God. Their women have to observe the 'idda,²⁶⁵ thus you have no right over them, nor have you any right over their children; so withdraw your demands.'

When they continued to make this demand, he said, '[Very well!], cast lots for 'Ā'isha [the Prophet's widow].²⁶⁶ Who among you is going to obtain her? For it is she who is the head of the mischief!' So they said, 'We ask God for His pardon.' And 'Alī said, 'So do I!' And they remained silent. No one thereafter attempted to take anything from the homes, wives, or children [of the defeated].

This then is the proper way to treat a rebel group.²⁶⁷

['Alī]: He said, 'Whatever property the rebels procured, be it arms, provisions, goods, animals, slaves, or slave girls—whether great or small in quantity—is part of the *fay*'. It shall be divided into five parts and shall be distributed as enemy property captured in war from polytheists.'

'Alī: When the people took the oath of allegiance to 'Alī, he gave orders concerning all the property and arms in the house of 'Uthmān and seized all that belonged to the Muslims in general. Whatever belonged to 'Uthmān was left over as an inheritance for his heirs.

['Alī]: Al-Ash'ath b. Qays,²⁶⁸ who was appointed by 'Uthmān to be governor of Azerbaijan,²⁶⁹ came into the presence of 'Alī; he had appropriated 100,000 dirhams. Some people said that 'Uthmān had granted him the territory of Azerbaijan as *qaṭ'a*,²⁷⁰ and others were of the opinion

²⁶⁵See *Da'd'im*, vol. II, *Kitāb al-talāq*, section on 'idda.

²⁶⁶See note 137 in Chap. 2 for 'Ā'isha.

²⁶⁷Tūsī, *al-Nihāya*, 297; Māwardī, *al-Aḥkām al-sultāniyya*, 60–1.

²⁶⁸He was a chief of Kinda in Ḥaḍramawt. In 10/631 he accepted Islam, but after the Prophet's death he rose in revolt with his clan. He was defeated and surrendered. He took part in the conquests and settled in Kūfa as chief of the Kinda. At the battle of Ṣiffīn he played a leading role in forcing 'Alī to accept the principle of arbitration and to agree to the selection of Abū Mūsā al-Ash'arī to represent the Iraqi side. EI², s.v. al-Ash'ath. Under 'Uthmān's caliphate he was a deputy/sub-governor in the district of Azerbaijan. Ṭabarī, *History of al-Ṭabarī*, XV, 132, 256. See also Ya'qūbī, *Tārīkh*, II, 178.

²⁶⁹The Arabs under the reign of 'Umar conquered the great north-west province of Iran. EI², *Ādharbaydān*.

²⁷⁰Nu'mān uses the verbal form *aqṭa'ahu* 'Uthmānu. These were the grants made in favour of notables by the Caliphs from the public property. In practice, this primitive form *qaṭ'a* grant was assimilated into private property. These grants were not subject to the

that he had obtained them during his term of office.²⁷¹ So 'Alī ordered the money to be brought to him. Ash'ath persisted, saying, 'O Commander of the Faithful, I did not acquire it under your administration.' 'Alī said, 'If you do not pay it into the Treasury of the Muslims, I shall verily strike you with this sword of mine, whatever the consequences!' So Ash'ath paid the money and 'Alī took the coins and put them into the public treasury.²⁷² He also investigated the officers appointed by 'Uthmān and took away from them all that he found still remaining in their hands and made them accountable for what they wasted.

['Alī]: He delivered a sermon to the people after they had sworn allegiance to him, and he said,²⁷³

Harken to me! Every *qaṭ'* granted by 'Uthmān,²⁷⁴ or property bestowed by him from the property of God, shall be returned to the Muslims and paid into their treasury (*fi bayti mālihim*). For surely the truth cannot be defeated by falsehood. I swear by Him Who splits the grain of corn [for sprouting] and Who creates man [referring to Qur'ān 6:95], that should I find that money [from the public treasury] has been squandered away in various provinces or used to contract marriages, I will restore it to the lawful owners. Verily, there is ease for you in right and justice; and he who is uneasy because of justice will be more uneasy because of injustice.

THE RULES CONCERNING [RELATIONS BETWEEN] TWO DISPUTING FACTIONS

We have mentioned earlier the command of God to wage warfare with the rebels until they return to the ordinance of God.²⁷⁵ Now in God's command to fight them there is the [explicit] permission to kill them [with impunity].

Where a man from the people of justice kills a person from the rebellious party—and whether the slayer is known or not²⁷⁶—there shall

regular local taxes, but the Muslim had to pay the *zakāt* out of its revenues. *El*², s.v. *Ḍay'a*, *Ikṭā'*.

²⁷¹Nu'mān's report implies that al-Ash'ath either stole that sum or appropriated it in a non-legitimate way from the public treasury. Both Ya'qūbi and Ṭabari do not mention this report.

²⁷²Cf. *Nahj al-balāgha*, II, 4.

²⁷³It is reported in *Nahj al-balāgha*, I, 31; *Sharḥ nahj al-balāgha*, I, 269–70.

²⁷⁴The Arabic reads: *Kullu qit'atim aqṭa'ahā 'Uthmānu*.

²⁷⁵See the section 'Fighting with Rebels' above in this chapter. Māwardī, *al-Aḥkām al-sultāniyya*, 59.

²⁷⁶If the slayer is not known no action is called for. See the next paragraph.

not be any claim against him on this score, for he killed the rebel by God's command. The rebellious party has not been ordered by God to fight the people of justice (*ahl al-'adl*) so that it might be permissible for its members to kill the latter. Hence, if one of the rebels has killed a member of the people of justice, in war or otherwise, fetters shall be put on him when taken captive. In the Word of God *Then, if they change their mind, lo! Allah is Forgiving, Merciful* (2:226), there is the corroboration of what we maintain. It does not annul the Word of God, rather, it confirms it and does not [in any way] 'impair the previous command because the return (change of mind) is impossible without return to the Truth.²⁷⁷

In the same manner property shall be recovered from those in [wrongful] possession in cases where the wrongful owners are known. But if the slayer is not known, and it is not established that a particular person has taken the goods, no action is called for. And this is because the one who could be justly charged is not known. [It is a fundamental principle that] no person shall be held responsible unless his guilt is established. As God says, *And no burdened soul shall bear the burden of another* (6:164).²⁷⁸

'Alī: A complaint was submitted to him that a man of the tribe of Banū Asad b. 'Abd al-'Uzzā²⁷⁹ had killed a man of the Anṣār²⁸⁰ when 'Uthmān was under siege.²⁸¹ After the murder of 'Uthmān, the Anṣār observed a Qurayshī moving amongst them. So one of the Anṣār attacked the Qurayshī all of a sudden and slew him. The family of the Qurayshī petitioned 'Alī against the Anṣār who had murdered their tribesmen. The Anṣār said, 'It was he, the Qurayshī, who had first killed one of our men.' So 'Alī said [to them], 'Actually your comrade has killed the wrong man.' So he supported [the Qurayshīs] against the Anṣārī murderer.

The internecine quarrels of the rebellious party are of no concern [to the people of justice]. If it appears to the Imam of the people of justice that it would strengthen and benefit the cause of his own people, he may make a pact with the rebellious group in the same manner as with the polytheists.

Property belonging to the rebellious party that is in the possession of

²⁷⁷Māwardī, *al-Aḥkām al-sulṭāniyya*, 59.

²⁷⁸Sale, *Koran*, 139.

²⁷⁹An ancient Arab tribe, and one of the clans (*buṭūn* pl. of *baṭn*, which is below the *qabila*) of Quraysh. Ibn Ḥazm, *Jamhara*, 117–25, 464; EI², s.v. Asad.

²⁸⁰See n. 18 in Chap. 1 for Anṣār.

²⁸¹For details see Ṭabarī, *History of al-Ṭabarī*, XV, 257; Mas'ūdī, *Murūj*, II, 352–5; Ya'qūbī, *Tārīkh*, II, 165.

the people of justice should be sequestered so long as its members persist in their rebellious conduct. However, when they return [to righteous ways], possession of the property should be given to them. For it is not considered as booty: it is only withheld, lest it strengthen them to fight the people of justice.²⁸²

It is permissible to fight against the polytheists with the rebellious people,²⁸³ provided that command is assumed by the people of justice. If booty is captured, the commander of the people of justice should take the fifth part and distribute the four-fifths among those who fought on his side from among the people of justice as well as the rebellious people. The commander of the rebellious party should not be permitted to take any part of the fifth, and [if he resists] he should be fought in defence of this principle.

The above accounts are reported on the authority of the People of the Prophet's Household.

THOSE MUSLIMS AGAINST WHOM FIGHTING IS PERMISSIBLE

Whoever opposes any of the ordinances²⁸⁴ of Islam, or denies any of its principles,²⁸⁵ shall be fought until he repents.²⁸⁶ It is also permissible to fight and kill robbers in the case of defence.²⁸⁷

Abū Ja'far Muḥammad b. 'Alī: He was questioned about the man who kills while defending his property. He said, 'It is related to us from the Messenger of God that he said, "He who is killed in defence of his own property is a martyr."²⁸⁸ But if it were me, I would forsake the property and not fight for it. If anybody wants to kill [a robber], it is not lawful for a Muslim to kill another person unless it be in self-defence. Items found

²⁸²Māwardī, *al-Aḥkām al-sultāniyya*, 60–1.

²⁸³*Ibid.*, 60. 'But it is not permissible to seek the help of the polytheists with a pact to fight against the rebellious party.'

²⁸⁴*Hukm* pl. *ahkām*, *ahkām Allāh*, or *ahkām al-islām* denotes both individual ordinances and the whole of His dispensation. *El*², s.v. *Ahkām*.

²⁸⁵The Arabic reads: *wa-ankarā sharī'at^m min sharā'i'ihī*. It designates the rules and regulations governing the lives of Muslims and derives from the Qur'ān and *ḥadīth*. *El*², s.v. *Sharī'a*.

²⁸⁶*Cf.* Māwardī, *al-Aḥkām al-sultāniyya*, 55. Probably this would be an individual case; hence Māwardī's three broad categories do not cover this section of Nu'mān.

²⁸⁷*Ibid.*, 62. Māwardī's third category deals with highway robbers and those who make war upon Allāh and His Messenger. See also Qur'ān 5:33.

²⁸⁸*Mishkāt*, II, 274; Robson, I, 747; *Concordance*, s.v. m-w-l; transmitted by Bukhārī, Muslim, and others.

on the person of a robber [in the event that he is killed], should be returned to their original owners if they [the owners] are identified.

The spy (*al-jāsūs*) and the agent (*ʿayn*) shall be put to death when taken captive. This has been related to us from the People of the Prophet's Household.

ʿAlī: He ordered that an apostate be put to death. He said, 'A man born a Muslim who changes his religion [and does not recant] shall not be asked to recant, and shall be killed. But he who was not a Muslim originally, but becomes a convert to Islam, and then apostatizes, should be given three days for recanting. If he repents [well and good]; if not, he shall be killed. In the case of a woman, she should be imprisoned until she recants or dies.'²⁸⁹

[ʿAlī]: Some heretics (*ẓindīq* pl. *ẓanādiqa*)²⁹⁰ were brought to ʿAlī. He killed them and then burnt them.

Those Muslims who live in their [own] homes with their children, and who renounce their faith, should be fought in the same manner as the polytheists. When they are vanquished, their warriors should be put to death and their women and children, made captive. If their women also apostatize like their men [then they should be enslaved as ʿAlī did with the polytheists. This we have mentioned and elucidated before].²⁹¹

If [on the other hand], the apostates do not inhabit a house, they should be killed. Those women among them who apostatize should be imprisoned until they recant or die. When their children attain majority, Islam should be offered to them. If they accept [well and good]; if not, the men should be put to death, and the women imprisoned until they recant or die.

All praise to God, the Lord of the Worlds, and all blessings upon His Messenger and upon his Vicegerent [ʿAlī] and their progeny.²⁹²

²⁸⁹For a more detailed discussion and differing opinions, see Māwardī, *al-Aḥkām al-sultāniyya*, 55–7.

²⁹⁰El, s.v. *Zindīq*; ShEl, s.v. *Zindīq*.

²⁹¹Addition from MS Q. It is missing from the edited text as well as the pirated edition of ʿArif Tāmir.

²⁹²This last sentence is missing from MS Q

Glossary

This glossary contains technical terms, mainly of Arabic origin, used in Islamic sciences, such as theology and jurisprudence. Technical terms used by the Shī'a, especially the Ismā'īlīs, and their meanings are indicated by an asterisk. These terms appear frequently in the text and are explained in notes.

adāḥīy = *hady*

adhān:

Ahl al-bayt:

call to prayer

House of the Prophet, *Messenger of God's family (restricted to the Prophet, 'Alī, Fāṭima, Ḥasan, Ḥusayn, and their progeny)

Ahl al-dhikr:

people of the reminder; *Imams

Ahl al-dhimma:

covenanted or protected people who live under Muslim rule, see *Ahl al-Kitāb*

Ahl al-kharāj:

taxpayers

Ahl al-Kitāb:

the people of the Book (Scripture), people of the revealed religion, such as Jews and Christians

Ahl al-qibla:

Muslims

Ahl al-ridda:

the Arab tribes who refused to pay the *zakāt* to the Medinan authorities after the death of the Prophet, apostates, renegades

'*ālim* (pl. '*ulamā'*):

learned; *Imam¹

'*āmil* (pl. '*ummāl*):

governor, administrator

'*āmil* '*alā al-ṣadaqāt* = *sā'i*

Amīr al-mu'minīn:

commander of the faithful; *title of 'Alī

amma:

commonalty, laity; *the Sunnīs

Anṣār:

helpers, the Muslims of Medina who received and assisted the Prophet

¹Phrases such as *qāla* '*l-ālim*, *ruwiya* '*ani* '*l-ālim* are often used, especially by the Twelver authors when it is deemed best to conceal the Imam's identity.

' <i>ashaba</i> (pl. ' <i>ashābāt</i>):	one who is descended by male links from same male ancestor
<i>Ashāb al-a'raf</i> :	the dwellers on the Heights; *Imams
<i>Ashāb al-kisā'</i> :	the people of the mantle, i.e. the Prophet, 'Alī, Fāṭima, Ḥasan, and Ḥusayn
<i>Ashāb al-ra'y</i> :	those who use <i>ra'y</i> (their subjective opinion) in deciding legal issues
' <i>ashūrā'</i> :	the 10 th of Muḥarram
' <i>asr</i> :	the afternoon prayer
<i>āya</i> (pl. <i>āyāt</i>):	verse of the Qur'ān; miracle, miraculous sign
' <i>ayn</i> (pl. ' <i>ayūn</i>):	overseer, spy
<i>ayyām al-tashrīq</i> :	three days following the Day of Sacrifice (' <i>id al-adḥā</i>)
<i>al-barā'a</i> :	the declaration of dispensation, freedom from obligation
<i>basmala</i> :	pronouncement of 'In the name of God, the Merciful, the Compassionate'
<i>bāṭin</i> :	inner, *esoteric knowledge
<i>batta</i> = <i>ṭalāq al-batta</i>	
<i>bay'a</i> :	compact, pledge of loyalty given to the ruler or the Imam
<i>al-Bayt al-Ḥaram</i> :	the Sacred House, the Ka'ba
<i>bayt al-ḥushsh</i> ,	
or <i>bayt al-ḥashsh</i> :	water closet, a privy
<i>bayt al-māl</i> :	public treasury
<i>bid'a</i> :	a bad innovation, generally disapproved, except <i>bid'a ḥasana</i> ; heresy
<i>ḍaḥāyā</i> = <i>ḥady</i>	
<i>dā'i</i> (pl. <i>du'āt</i>):	lit. one who summons, missionary; *a rank in the <i>da'wa</i> hierarchy
<i>dār al-ḥarb</i> :	lit. abode of war, non-Islamic territory
<i>dār al-hijra</i> :	abode of emigration
<i>dār al-Islām</i> :	lit. abode of peace, Islamic territory
<i>da'wa</i> :	call, invitation; missionary activities; *Ismā'īlī religio-political organization
Dhimmīs = <i>Ahl al-dhimma</i>	
dinar:	the gold unit of coinage
dirham:	the silver unit of coinage
<i>fajr</i> :	the dawn prayer
<i>faqīh</i> (pl. <i>fuqahā'</i>):	one who is learned in jurisprudence, jurist
<i>farq</i> (pl. <i>farā'id</i>) = <i>farīda</i>	
<i>farq 'ayn</i> :	individual duty
<i>farq kifāya</i> :	collective duty
<i>farīda</i> (pl. <i>farā'id</i>):	obligatory religious duty
<i>fatwa</i> pl. <i>fatāwā</i> :	formal legal opinion
<i>fay'</i> :	property of the infidels taken without war, enemy property acquired after the war; the tribute paid by the vanquished, the breaking of the fast
<i>fiṭr</i> :	
<i>fiṭra</i> = <i>ṣadaqat al-fiṭr</i>	
<i>fiqh</i> :	lit. understanding, jurisprudence, the science of law
<i>ghanīma</i> (pl. <i>ghanā'im</i>):	booty captured in actual fighting, spoils of war
<i>ghusl</i> :	ritual bath, which removes major impurity
<i>ḥadath</i> (pl. <i>aḥdāth</i>):	impurity, which makes ablution obligatory; innovation; <i>man</i>

<i>ḥadd</i> (pl. <i>ḥudūd</i>):	<i>aḥdatha</i> also means one who commits a murder, hence <i>muhdith</i> means a criminal
<i>ḥadīth</i> :	punishments of certain acts which are forbidden by the Qur'ān; divine ordinances (<i>aḥkām</i> as used in the Qur'ān);
<i>ḥadīth qudsī</i> :	*a rank in the <i>da'wa</i> hierarchy
<i>ḥady</i> :	tradition of the Prophet or the Imams
<i>ḥajj</i> :	divine saying, a tradition, which gives words spoken by God but expressed in the Prophet's words
<i>al-ḥajj al-akbar</i> :	sacrificial animals
<i>ḥajj maqrūn</i> = <i>ḥajj qirān</i>	pilgrimage to Mecca
<i>ḥajj mufrad</i> :	the Greater Pilgrimage
<i>ḥajj mutamatti'</i> = 'umra yatamatta'u bihā ila 'l-ḥajj	the <i>ḥajj</i> by itself
<i>ḥajj qirān</i> :	both the <i>ḥajj</i> and the 'umra combined together without any break in the <i>iḥrām</i> between them
<i>ḥajjat al-balāgh</i> :	the Farewell Pilgrimage
<i>ḥajjat al-islām</i> = <i>ḥajjat al-balāgh</i>	
<i>ḥalāl</i> :	lawful, permitted by law
<i>ḥamāla</i> :	undertaking the payment of another person's debt or blood money
<i>ḥamdala</i> :	pronouncement of "Praise belongs to God"
<i>ḥanīf</i> (pl. <i>ḥunafā'</i>):	believer in one God and upright by nature
<i>ḥanūt</i> :	applied to odoriferous substances with which a corpse is perfumed
<i>ḥaram</i> :	sanctuary, esp. the Ka'ba and the Prophet's mosque in Medina
<i>ḥarām</i> :	prohibited, forbidden by law and punishable; sacred and therefore also forbidden in the sense of taboo
<i>ḥarwala</i> :	walking with a quick pace
<i>Ḥarūrī</i> = Khawārij	
<i>ḥaşr</i> :	a long mat made of palm leaves or reeds
<i>ḥijāma</i> :	scarification
<i>ḥijjat al-islām</i> = <i>ḥajjat al-islām</i>	
<i>hijra</i> :	the emigration of the Prophet from Mecca to Medina in 622 A.D.; the Muslim calendar begins from this date
<i>ḥudūd Allāh</i> :	legal punishments laid down by God
<i>ḥujja</i> (pl. <i>ḥujaj</i>):	proof, authority; *refers to a particular figure in the <i>da'wa</i> hierarchy who serves at a given time as proof, among mankind, of God's will, thus it applies to the Prophet and the Imams; it also means a rank following that of the Imam
' <i>id al-aḥḥā</i> :	the Festival of Sacrifice following the pilgrimage
' <i>id al-fiṭr</i> :	the Festival of Breaking the Fast following the month of fasting
' <i>idda</i> :	the waiting period imposed on a widow or a divorced woman before she may remarry
<i>iftār</i> = <i>fiṭr</i>	
<i>iḥrām</i> :	lit. consecrated state, the state in which one performs the <i>ḥajj</i> and 'umra, and the state of consecration during the prayers

<i>iḥṣār</i> = <i>maḥṣūr</i>	
<i>ijmā'</i> :	consensus; one of the principles of Sunnī law
<i>ijtihād</i> :	lit. exertion, the process of arriving at judgements in law using reason; one of the principles of Sunnī law
<i>iltihāf al-ṣammā'</i> = <i>ishtimāl al-ṣammā'</i>	
<i>imām/Imam</i> (pl. <i>a'imma</i>):	lit. leader, see <i>imāma</i> ; *the supreme leader of the Muslims with political and religious authority
<i>imāma</i> :	lit. one who leads, the leader in daily prayers, a religious leader; *the imamate, the supreme political and religious leadership of the Muslim community
<i>imān</i> :	faith, conviction in one's religious belief
<i>iqāma</i> :	the second call to prayer following the <i>adhān</i>
<i>'ishā'</i> :	prayer of the nightfall (time of darkness after nightfall)
<i>ish'ār</i> :	a custom of making an incision in the side of the hump of the sacrificial animal
<i>ishtimāl al-ṣammā'</i> :	wrapping oneself with one garment in prayer in such a way that does not leave any opening for one's hand or arm—a forbidden practice
<i>islām</i> :	submission (to the will of God)
<i>istibrā'</i> :	a period of restraint from sexual intercourse with a newly purchased slave woman
<i>istijmār</i> :	cleansing of the private parts with stones
<i>istikhāra</i> :	entrusting God with the choice between two or more options on account of not knowing which choice would be better
<i>istilām</i> :	kissing or touching the Black Stone
<i>istinjā'</i> :	cleansing of the private parts
<i>istinshāq</i> :	cleaning the nose
<i>i'tikāf</i> :	pious retreat in a mosque for a certain number of days with the observance of certain conditions and occupying oneself in prayer and recitation of the Qur'ān
<i>jāhili</i> :	pagan
<i>jāhiliyya</i> :	pre-Islamic times
<i>jamarāt Minā</i> = <i>jamra</i>	
<i>jamra</i> (pl. <i>jimār</i> or <i>jamarāt</i>):	a name given to three halts in the valley of Minā where pilgrims returning from 'Arafāt stop and partake in the ritual of throwing stones
<i>janāba</i> :	major ritual impurity
<i>jihād</i> :	holy war
<i>jimār al-manāsik</i> = <i>jamra</i>	
<i>jizya</i> :	poll tax on non-Muslims (<i>dhimmi</i>) for their protection
<i>julūs</i> :	sitting posture in prayer
<i>junub</i> :	persons who are in a state of major ritual impurity
<i>kabīra</i> (pl. <i>kabā'ir</i>):	a major sin, such as <i>shirk</i> , <i>zinā'</i>
<i>kāfir</i> (pl. <i>kuffār</i>):	disbeliever, ungrateful, infidel
<i>kātib</i> (pl. <i>kuttāb</i>):	scribe, secretary
<i>Khalīfa</i> :	Caliph, the successor of the Prophet who holds the political power
<i>kharāj</i> :	land tax

- Khawārij: the earliest of the religious sects of Islam, those who seceded from 'Alī's camp at the Battle of Šiffin
khumra: a very small mat woven from palm leaves
khuams: the fifth of the *ghanima* allocated to the Prophet
Kutāb: the Book, the Scripture; the Qur'ān
kufr: unbelief, denial of faith
madhhab (pl. *madhāhib*): ideology; school of law
maḡmaḡa: gargling the mouth using the index finger and the thumb
maḡrib: the prayer at sunset
mahr = ṣadāq
maḡram (pl. *maḡārim*): close female relatives of a man
maḡṣūr: one who is prevented from performing the pilgrimage after assuming the *iḡrām* because of illness (he may return home and sacrifice an animal), see also *maḡḍūd*
 Majūs: Zoroastrians
mansūkh: abrogated, abrogated Qur'ānic verse
ma'rifa: cognition, gnosis
māriq: renegade
Māriqūn/Māriqīn: those who strayed from the true path, the Khawārij who seceded from 'Alī's camp at Šiffin
maḡḍūd: one who is intercepted by the enemy from performing the pilgrimage after assuming the *iḡrām* (he should clip his hair, sacrifice his animal, and depart), see also *maḡṣūr*
mash: wiping of the head and feet during the ablution
mash 'ala 'l-khuffayn: wiping over leather boots
mashā'ir Allāh = *sha'a'ir Allāh*, the places of the performance of religious rites and ceremonies of the pilgrimage
al-mashā'ir al-'izām: the Sacred Stations in the pilgrimage
al-Masjid al-Ḥarām: the Sacred Mosque of Mecca
mawla (pl. *mawālī*): master; client
miqāt (pl. *mawāqit*): rendezvous points and times for the pilgrims to don the vestments of *iḡrām* and to observe the precepts of the state of ritual consecration
mubāhala: imprecation
Muhājir (pl. *muhājirūn*): emigrant, those Muslims who migrated from Mecca to Medina with the Prophet
muḡrim: one who has entered the state of ritual consecration, as on the *ḡajj*
mujtahid: one who uses *ijtihād*, one who has achieved the level of competence to practice *ijtihād*
mukātaba: a contract made by the slave with his master stipulating that he should pay a certain sum as the price of his freedom
mu'min (pl. *mu'minūn*): the faithful, true believer
munāfiq (pl. *munāfiqūn*): hypocrite
Murji'a: a politico-religious movement that refers to all those who identified faith with belief to the exclusion of acts
muṣaddiq = ṣā'i
muṣallā: the prayer ground, esp. for the prayers of the two festivals
mushrik (pl. *mushrikūn*): polytheist

<i>muslim</i> (pl. <i>muslimūn</i>):	one who submits, the Muslim
<i>mustaḍ'af</i> (pl. <i>mustaḍ'afūn</i>):	lit. weak, oppressed; a group of early Muslims who were clanless and without protection
<i>mut'a</i> :	lit. enjoyment; temporary marriage (<i>nikāḥ al-mut'a</i>); relinquishing the <i>iḥrām</i> after the 'umra and resuming it for the <i>ḥajj</i>
<i>mutamatti'</i> :	one who relinquishes the <i>iḥrām</i> after the 'umra and resumes it for the <i>ḥajj</i>
<i>al-mutamatti' bi'l-'umra ila 'l-ḥajj</i> = <i>mut'a</i>	
<i>Mu'tazila</i> :	a theological school that created the speculative dogmatics of Islam
<i>muwālāt</i> :	*patronage of the Imams
<i>nabīy</i> (pl. <i>anbiyā'</i>):	prophet
<i>nāfila</i> (pl. <i>nawāfil</i>):	supererogatory prayer, a voluntary act of piety
<i>Nakithūn/Nakithin</i> :	those who violated their covenant and fought against 'Alī in the Battle of the Camel (Ṭalḥa, Zubayr, 'Ā'isha, and their supporters)
<i>nāṣib</i> :	*one who bears enmity toward the Imams
<i>nāsikh</i> :	the Qur'ānic verse which abrogated another verse
<i>naslān</i> :	manner of walking, half-walking and half-running
<i>naṣṣ</i> :	lit. text; *express statement of designation of his successor by the living Imam
<i>niṣāb</i> :	minimum amount of property or minimum number of camels or cattle liable to payment of the <i>zakāt</i>
<i>niyya</i> :	intent, declaration of intent before any ritual act
<i>qaḍā' wa-qadar</i> :	the divine decree
<i>qaḍī</i> (pl. <i>quḍāt</i>):	judge
<i>Qā'im Āl Muḥammad</i> :	the Mahdī
<i>Qāsiṭūn/Qāsiṭin</i> :	those who acted wrongfully and fought against 'Alī at Ṣiffin, (Mu'āwiya and his supporters)
<i>qaṭ'ā</i> :	a grant made in favour of a notable by the Caliph from the public treasury
<i>qibla</i> :	the direction of Mecca
<i>qirān</i> :	recitation of two consecutive <i>sūras</i> in prayer
<i>qiyās</i> :	deduction by analogy; legal opinion arrived at by analogy, one of the sources of Sunni jurisprudence
<i>qunūt</i> :	certain supplications in the <i>witr</i> prayer or at other times
<i>Rāfiḍī</i> (pl. <i>Rawāfiḍ</i>):	derogatory title by which the Sunnis refer to the Shī'a
<i>rajm</i> :	punishment by stoning
<i>rak'a</i> (pl. <i>raka'āt</i>):	a basic unit of prayer consisting of standing, bowing, prostrating, and sitting
<i>ramal</i> :	a kind of trotting pace between a walk and a run while circumambulating the Ka'ba
<i>rasūl</i> (pl. <i>rusul</i>):	messenger, messenger of God
<i>ra'y</i> :	personal opinion, legal opinion arrived at by <i>ra'y</i>
<i>ribā</i> :	usury, usurious interest
<i>ribāt</i> :	tethering of horses for the holy war

<i>rukū'</i> (fi 'l- <i>ṣalāt</i>):	the lowering of the head in prayer after the act of standing so that the palms of the hands reach the knees and the back becomes depressed
<i>ṣadāq</i> :	bridal gift, the gift which the bridegroom has to give the bride when the contract of marriage is made and which becomes the property of the wife
<i>ṣadaqa</i> (pl. <i>ṣadaqāt</i>):	generally used for voluntary alms giving; often used as synonymous with <i>zakāt</i>
<i>ṣadaqat al-fiṭr</i> :	alms on the Festival of Breaking the Fast
<i>ṣaḥīḥ</i> :	authentic <i>ḥadīth</i>
<i>ṣaḥūr</i> :	a meal before dawn
<i>sā'ī</i> (pl. <i>su'āt</i>):	the tax collector
<i>ṣalāt</i> :	prayer; the five prayers are <i>fajr</i> , <i>zuḥr</i> , ' <i>aṣr</i> , <i>maghrib</i> , and ' <i>ishā'</i>
<i>ṣawm</i> (pl. <i>ṣiyām</i>):	fasting
<i>sa'y</i> :	going between Ṣafā and Marwa with vigorousness and quickness
<i>shahāda</i> :	to utter 'there is no deity other than God and Muḥammad is His Messenger', confession of faith
<i>shahid</i> :	witness; *the Imam
<i>shanaq</i> = <i>waqaṣ</i>	
<i>sharī'a</i> (pl. <i>sharā'i'</i>):	religious law based on the Qur'ān and the <i>sunna</i>
<i>Shī'a</i> :	partisans of 'Alī, who believed that the Prophet had designated 'Alī as his successor
<i>shirk</i> :	association of someone else with God, idolatry, polytheism
<i>shurṭat al-khamīs</i> :	lit. Thursday <i>shurṭa</i> because they were reviewed on Thursday, it was probably an elite force of the caliph's army
<i>sidāna</i> :	custodianship of the Ka'ba
<i>siqāya</i> :	providing water for the pilgrims
<i>siwāk</i> :	tooth-stick
<i>sujūd</i> :	prostration in prayer
<i>sujūd al-Qur'ān</i> :	certain prostrations prescribed while reciting the Qur'ān
<i>sunna</i> (pl. <i>ṣunan</i>):	the exemplary practice of the Prophet; recommended practice versus <i>farḍ</i> or <i>farīda</i> (obligatory)
<i>sunna</i> prayers:	prayers offered together with every mandatory prayer
<i>sutra</i> :	lit. screen; a demarcation line drawn in the direction of the <i>qibla</i> to prevent persons from passing in front of the man who prays
<i>tab'iḍ</i> :	to recite a portion from one <i>sūra</i> and a portion from another <i>sūra</i> in prayer
<i>tahajjud</i> :	to perform the night prayers or the nightly recitation of the Qur'ān
<i>ṭahāra</i> :	ritual purity
<i>tahlīl</i> :	to utter 'there is no god but Allāh'
<i>taḥmīd</i> :	the giving of praise to God
<i>tajlīl</i> :	a custom of putting some sort of a garland around the neck of the sacrificial animal
<i>takbīr</i> :	uttering <i>Allāhu akbar</i> (declaration of God's greatness)
<i>takbīrat al-ihṛām</i> :	in prayer it is followed by <i>niyya</i> after which the consecration begins and all other acts are forbidden

<i>takhallul:</i>	picking the teeth after a meal; running the water and rubbing between the fingers in ablution
<i>ṭalāq al-batta = ṭalāq al-bid'a</i>	
<i>ṭalāq al-bid'a:</i>	opposite of <i>ṭalāq al-sunna</i>
<i>ṭalāq al-sunna:</i>	regular and proper divorce according to the <i>sunna</i>
<i>talbiya:</i>	pronouncing the formula <i>labbayka</i>
<i>tamattu' bi 'l-'umra ila 'l-ḥajj = mut'a</i>	
<i>taqarrub:</i>	the prayer of communion
<i>taqīya:</i>	dissimulation, dispensation from the requirements of religion under compulsion
<i>taqlid:</i>	blind imitation, acceptance of a legal opinion on mere following of a previous authority; a custom of putting distinguishing marks on the sacrificial animal
<i>tarāwīḥ:</i>	congregational supererogatory prayers offered by the Sunnis during the night in Ramaḍān
<i>tartil:</i>	esp. reciting the Qur'ān slowly in a chanting manner; giving a call to prayer in such a manner
<i>tasbiḥ:</i>	glorification of God, to say <i>subḥān Allāh</i>
<i>tashahhud:</i>	lit. witnessing of God and His Prophet; prayer to be said while sitting after the first two <i>raka'āt</i> (called short <i>tashahhud</i>), while the prayer said at the final sitting after which twofold salutations are pronounced is called long <i>tashahhud</i>
<i>taslim:</i>	uttering 'peace be with you' at the end of the prayers
<i>taṭrib:</i>	uttering the call to prayer in a chanting tone
<i>ṭawāf:</i>	circumambulation of the Ka'ba
<i>ṭawāf al-ifāda = ṭawāf al-ziyāra</i>	
<i>ṭawāf al-nisā':</i>	lit. circumambulation of women, so called because there is no walking at a quick pace
<i>ṭawāf al-ziyāra:</i>	<i>ṭawāf</i> made after slaughtering the animal i.e. returning from Minā to Mecca, it is an obligatory <i>ṭawāf</i>
<i>ta'wīl:</i>	interpretation, *allegorical interpretation, esoteric
<i>tawqīf:</i>	*designation of the Imam
<i>tayammum:</i>	ritual ablution by means of rubbing the face and hands with clean dust
<i>thābit:</i>	confirmed or established <i>ḥadīth</i>
<i>ṭuhr = ṭahāra</i>	
<i>ṭuhūr = ṭahāra</i>	
<i>ulu 'l-amr:</i>	people of authority; *Imams
<i>umm walad:</i>	a female slave who has borne her master a child
<i>umma:</i>	community, the Muslim community
<i>ummī:</i>	unlettered
<i>ummīyyūn:</i>	people without scripture
<i>'umra:</i>	lesser pilgrimage
<i>'umra mabṭūla:</i>	the 'umra by itself
<i>'umra maqrūna:</i>	the 'umra with the <i>ḥajj</i>
<i>'umra mufrada:</i>	the lesser pilgrimage by itself
<i>'umra yatamatta'u bihā ila 'l-ḥajj:</i>	performing the 'umra then breaking the <i>iḥrām</i> until the time of the <i>ḥajj</i>
<i>wājib (pl. wājibat):</i>	an obligatory act

<i>walāya</i> :	*devotion to the Imam
<i>walīy</i> (pl. <i>awliyā'</i>):	patron, guardian, saintly pious figure, *Imam
<i>walīy Allāh</i> (pl. <i>awliya' Allāh</i>):	Friends of God; * Imams
<i>waqāṣ</i> (pl. <i>awqāṣ</i>):	a term used in relation to alms tax and signifies what is between one <i>farīḍa</i> (specified number) and the next; for example, when camels amount in number to five, one sheep is due, and nothing is due for such as exceed that number until they amount to ten. Thus what is between the five and ten is called <i>waqāṣ</i> . <i>Shanaq</i> relates to camels while <i>waqāṣ</i> to bulls and cows
<i>waṣīy</i> (pl. <i>awṣiyā'</i>):	executor, vicegerent; *the helper and successor of a major prophet
<i>wilāya</i> :	power, authority
<i>witr</i> :	intervenient prayers at night
<i>wuḍū'</i> :	ablution, it removes minor impurity
<i>yawm al-adḥā</i> :	the Festival of Sacrifice
<i>yawm 'arafa</i> :	the day of <i>wuqūf</i> at 'arafa, the 9 th of Dhu 'l-Ḥijja
<i>yawm al-nafr</i> (or <i>al-nafar</i>):	the day of departure from Minā
<i>yawm al-nafr al-ākhir</i> (or <i>al-thānī</i>):	the 13 th of Dhu 'l-Ḥijja
<i>yawm al-nafr al-auwal</i> :	the 12 th of Dhu 'l-Ḥijja
<i>yawm al-naḥr</i> :	the Day of Sacrifice = 'id al-adḥā
<i>yawm al-qarr</i> :	the day of rest, the 11 th of Dhu 'l-Ḥijja or the first day of <i>tashrīq</i>
<i>yawm al-tarwīya</i> :	the day of providing oneself and the animals with water, the 8 th day of Dhu 'l-Ḥijja
<i>ẓāhir</i> :	outward, apparent, *exoteric
<i>zakāt</i> :	obligatory alms, alms tax, poor tax
<i>zakāt al-fiṭr</i> = <i>ṣadaqat al-fiṭr</i>	
<i>zawāl</i> :	declination of the sun
<i>ẓindīq</i> (pl. <i>ẓanādiqa</i>):	heretic
<i>ẓuhr</i> :	midday/noon prayer when the sun declines from the meridian

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