

Book of Marginalia

Second skin

In the name of God, the most gracious, the most merciful

Mention of the encouragement to seek sustenance and to be concise in seeking it

He said in Mukhtasar al-Athar: A man came to the Messenger of God, peace be upon him, and said, "O Messenger of God, I have a soul that is not satisfied with anything in this world and is not satiated by it." The Prophet, peace be upon him, said to him, "Say, 'O God, make me content with Your decree, bless me in Your giving, and make me content with what You have destined for me, so that I do not like to hasten what You have delayed, nor delay what'" .You have hastened

Imam al-Sadiq (peace be upon him) said, regarding the supplications of the Ahlul-Bayt: "O Allah, do not burden me with seeking what You have not allotted to me, lest it distract me from Your obedience and I be unable to attain any of it. O Allah, whatever You have allotted to me, grant it to me with purity and ease, and rectify me as You rectified the righteous, for the righteousness of the righteous is through You." My father (may Allah be pleased with him) said, "This" .was from the supplication of David (peace be upon him)

Oman said: God has divided provisions among His servants, and He has bestowed much more than that which .He has divided, so ask God Almighty for His bounty

In his abridged version of the hadiths, he said, regarding his statement "I am waiting for this matter," that it means the .appearance of the matter

Ali Ibn Al-Hussein, peace be upon him, said: God made sustenance into ten parts, nine of which are in trade and one .part in other things

From the summary of the traditions, Al-Sadiq, peace be upon him, said to a man, advising him: If you go out in the morning or evening in search of sustenance and you want success in that, then pray two rak'ahs. When you finish the Tashahhud, say: O God, I have gone out in the morning if I am going out, or you say: I have gone out if I am going out, seeking from Your bounty as You have commanded me, so grant me from Your bounty a lawful and good sustenance and bestow upon me in what You have provided me well-being. Say that three times, then pray two rak'ahs, then after the Tashahhud you say: I have gone out if I am going out, or I have gone out if I am going out, by the power and strength of God, without any power or strength from me, but by Your power and strength, O Lord. I seek refuge in You, O Lord, from power and strength. O God, I ask You for the good of this day if it is day or the good of this night if it is night, and I ask You to grant from Your bounty a lawful and good sustenance that You bring to me by Your power and strength, and I am modest in chastity. Say that three times, .then get up for your purpose

Mention of what is forbidden to sell

In the abridged version of the work, it states that if a non-Muslim under Islamic rule (dhimmi) buys a Muslim slave, young or old, male or female, the purchase is valid, and he is compelled to sell him to the Muslims and he is not .to be left in his possession

Likewise, if a slave of a non-Muslim converts to Islam, a Muslim should not be left in the possession of a non-Muslim.

Similarly, if he buys a copy of the Quran, the purchase is permissible, but he is obligated to sell it

If a non-Muslim dhimmi sells a slave on the condition that he has three days to choose between him and the slave, and the slave converts to Islam, then he has the option to choose between him and the slave. If he cancels the sale, he is forced to sell him

If a Christian slave converts to Islam, he is forced to be sold. Then another Christian claims him, and the buyer has freed him, but his manumission is invalid, and the rightful owner takes him and is forced to sell him

If a Muslim buys juice from another Muslim but does not take possession of it until it turns into wine, then the sale is invalid

If a Christian buys wine from another Christian, and it turns into vinegar, and both have converted to Islam, the buyer has the option to take it or leave it

He said in Al-Matlab fi Fiqh Al-Madhhab: If the seller is a dhimmi, then there is no harm in taking it from him, as it is permissible for him. But if he is a Muslim, it is not permissible for him, because the Prophet, peace and blessings be upon him, said: "The price of wine is unlawful gain." He meant by this statement to the Muslim. So if the price is unlawful gain and the one who is obligated to his religion knows the reason, then it is better for him not to eat unlawful gain

In his abridged version of the hadiths, he said: They permitted taking the price of anything whose sale is prohibited from someone who sells it for himself. This is only forbidden for the one who sells and buys it. As for taking its price from the one who has rightfully acquired it, there is nothing wrong with that. There is nothing wrong with buying from polytheists and taking the price of what they buy from them from what they possess of the proceeds of what they sold and acquired that is unlawful to sell. Most of their wealth is usury and illicit gain, and it is taken from them as jizya (tribute) and as the price of what they buy from Muslims. Therefore, it is lawful for the one who takes it from them rightfully, just as it is lawful for him to take it

He said in Mukhtasar al-Idah: The people of the land on which rain falls are not allowed to sell what has flowed from it after the land has taken what it needs from it

The Prophet, peace be upon him, decreed that the flood would be for the people of the palm trees up to the ankles and for the people of the crops up to the ankles, and he would send the water to those who were below them

It has been said that the prohibition against selling water means that well water should not be sold at its source

It was said regarding the sale of what is surplus to the livestock: the owners of the well have the first right to their water, and if anything is surplus to them, then the people are equal in it

It has been said that the prohibition against selling water might refer to selling what flows in the canal for a day or a night, because it is unknown. It has also been said that the prohibition against selling surplus water refers to water

that is irrigated and then poured onto the ground without being given to anyone. In my view, the correct interpretation .is what I mentioned in the abridged version of Al-Idah

If someone buys a pasture for grazing for fifty dirhams or less or more, and wishes to bring another person to graze with him and receive payment from him, he may do so, provided that he does not receive from him the same weight as if he were grazing with him, unless it is forty-nine dirhams and the feed for his sheep is one dirham, in which case there is no problem. It is not permissible to sell it for fifty dirhams and have someone graze with him, nor for more than fifty, even if he does not graze with him, unless he has performed work in the pasture that increases its value, such as digging a well or other work, or creating a canal, in which case it is .permissible to sell it for more

No one is allowed to protect and sell pasture unless it is on his own land; however, it is more prudent not to protect it .there

In his abridged version of the hadiths, he mentions the prohibition of selling fire that is not edible. However, if the fire is edible and owned, such as firewood, charcoal, or anything else that fire can be used for, then selling it is .permissible because it is considered property

He said in Mukhtasar al-Idah, “He forbade the sale of the unborn, which is the sale of what is in the wombs. It was said that it is the sale of the camel or anything else that is in ”.the belly of the she-camel

Among the issues mentioned

Question: What do you say about the fact that it is stated in the Sharia that God Almighty hates a man who swears after the afternoon prayer that he was given such and such for his goods, and the other person takes it, believing him, even though he is lying? O our master, is this not a threat for the

?one who swears before the afternoon prayer

Answer: This applies to those who swear before and after, except that the greatest oath is taken after the afternoon .prayer

Question: What do you say about what is stated in Islamic law regarding the prohibition of selling cats? O our master, is this prohibition a prohibition of absolute ?forbiddance or not

Answer: It is not a prohibition of forbiddance, but rather .a prohibition of discipline

Question: What do you say about what is mentioned in the book “Al-Da’a’im” that there was food or other goods in the city and that people could find plenty to buy, so there was nothing wrong with hoarding? O our master, what is meant

?by goods here, and can they be other than food

Answer: The goods also refer to food, because people need it during times of drought. The "waw" here is for doubt

The question is, what do you say about young boys who cry and wail and want some amusement instruments and other things to play with? O our master, is it permissible for their guardians or others to buy them for them or order

someone to do so, or not? And the noble Sharia has prohibited the sale and purchase of amusement instruments
Answer: They should not become attached to any form
of entertainment

Question: What does our master say about our country where there is a deer hide and on top of it is a thin sheet of ten carats of silver or gold that is hammered, and people buy and sell knowing that it is the hide of a dead deer, is it permissible to sell and buy it or not? Our master should give the answer, I am his ransom, God willing

Answer: If it is known to be the skin of a dead animal, then it is impure and one should not pray in it. As for the sale, if it is based on what is in it of gold and silver, then there is no problem. And if it is not confirmed that it is from a dead animal, then one may pray in it and it is pure

Mention of what is prohibited regarding speculative sales

In brief: It is permissible to sell the hides of cows and sheep on the spot, but it is not permissible to sell a sheep and stipulate that it be stripped ¹, meaning by the spot the place of slaughter at the time of slaughter

He stated in the same declaration that if the seller acknowledges knowing what he sold and the buyer what he bought, the sale is valid, even if they only knew it through description and not by sight. Sales documents are written accordingly

In his summary of the traditions, he said: It is permissible to sell mineral dust for dinars hand to hand, even

¹.The spoils of the sacrificed animal: its hide, its hooves, and its belly¹

if he gives more or less than what he bought it for, because when he bought it it was neither silver nor gold, but rather dust.

He said in Mukhtasar al-Athar regarding the sale of wool on the backs of sheep and their hides likewise until they are sheared or skinned

In his abridged version of Al-Athar, he forbade the sale of hides before they had been skinned

From it comes the word “sakkah” (document) and “sakk” (document) against a man, meaning the debt written in the document, and from it comes “sukuk” (documents) and “dues”.

Mention of selling fruits

He said in the summary of the traditions regarding the sale of fruits if some of them have ripened, and if they do not produce anything in the future, then the price of them is higher than their price at the time of sale

The general public does not permit selling it for several years, claiming that this is considered uncertainty. They permit selling it if some of it has begun to ripen, and that what follows that has not yet ripened or begun to ripen at the time of sale is included in this. This is precisely what they rejected and refuted, because they only objected to a sale being based on something that has not yet existed. What they permitted includes some that has not yet existed and some that is prohibited from being sold, namely, what has not yet begun to ripen. So they permitted selling that along with what has begun to ripen, since the price could be paid for what has begun to ripen. Most of the arguments used to

refute selling fruit for several years are based on a general hadith, which they claim to have narrated from the Prophet (peace be upon him) that he prohibited selling for several years without mentioning fruit or anything else. If this hadith is authentic, it is indeed general, and the interpretations of the imams clarify that it does not refer to what the general public believes. If it is general, then they are obligated to apply it to everything that falls under its scope. This implies many interpretations, including that "years" in Arabic refers to periods of hardship and adversity, as in the expression, "Years have passed over us." They mean hardships and drought, and this is a year of drought and hardship, so this statement necessitates prohibiting what is sold during hardships, so that every sale made during them is invalid. It is possible that it is a metaphor in the language, selling years in years and to years, and this requires many aspects, and following what came explained by the imams is more worthy of acceptance, especially what the principles testified to and .the branches branched out from

He said in the summary of the traditions, in mentioning the prohibition of selling unripe grapes and grapes in the vineyard for raisins, and crops that have sprouted and formed ears for wheat

He said in summary: It is not permissible to sell crops before they have ear of grain, except on the condition that they are harvested in their current state if they are sold for wheat. But if they are left to ear, and the grain is formed and sets, then no. And if he buys something other than wheat and harvests it or leaves it until it ear of grain, then there is .nothing wrong with that

He said in the same statement: If green crops are sold on the condition that they be harvested as is, that is permissible. But if they are sold on the condition that they remain until they are fully grown and then harvested, that is not permissible.

He said in Mukhtasar al-Athar: "This includes what is sold of trees that have fruits that have reached the state that palm fruits reach at the time of the wells ². If the buyer does not stipulate this, then it belongs to the seller

Mention of what is prohibited regarding cheating and deception in sales

In his abridged version of the hadiths, he said: "Taftif" (cheating in weights and measures) refers to giving more when taking and less when giving. God, may He be glorified and exalted, said: "Woe to those who give less than due measure, who, when they take a measure from people, demand full measure," meaning when they take from them, "but when they measure or weigh for them, they give less," meaning when they give. This applies only to buying and selling. As for gifts, charity, and voluntary acts, whoever gives them in full will receive a greater reward. If there is a deficiency, there is no blame on him. However, if it is an obligation, he must fulfill it completely.

Ja'far ibn Muhammad (peace be upon him) forbade the variation in measures and weights within the same city because of the confusion and deception that this entails.

The time of pollination is the time of pollinating and repairing palm trees. Abu Hanifa said: Every repair is² pollination. He recited the words of Hamid: "The trap distracted me with its pollination, until I caught you both in one of them

He said in Mukhtasar al-Athar: They, peace be upon them, forbade buying and selling with counterfeit dinars and dirhams. This applies to what was unknown, and only those with insight could recognize it as counterfeit, while others were unaware of it, and it was permissible for them. As for what was known, and hardly hidden from anyone, and was taken at its price, or were known coins, some of which exceeded others in value, then there is no harm in buying and selling with them, and with fulus, which are pure copper, and .with other things that are known and not unknown

He said in Mukhtasar al-Athar: The buyer of the animal whose ³milk has been withheld has the option to return it for three days after he milks it. He said, "If he wishes, he may keep it, and if he wishes, he may return it, and he must return with it a measure of dates, meaning for what he has obtained of its milk. If he has not obtained anything from it, he may return it, and nothing is required of him. This option is different from the option of the animal. The animal whose milk has been withheld may be returned, and he may be absolved of the option of three days if he concealed the withholding of milk from him. If he informed him of it before the sale and absolved him of it and informed him how many days he had refrained from milking it, and he was satisfied with that, then he has no right to return it because of the withholding of milk unless he finds in it a defect other ".than that

He said in the same statement: The limit of the people of the house, peace be upon him, in that, meaning in receiving riders, is a distance of a morning or evening, such as a post or less, and a post is twelve miles. So whoever buys

³.The man milked the sheep using only the tips of his three fingers, or his thumb, or his forefinger

in a distance that exceeds that does not enter into the limit of the prohibition and is like one who buys in the deserts and villages, and the sale is annulled in what he bought of that according to the people of the house, peace be upon him, in .the limit of his limit, because it is from the prohibited sale He said in Mukhtasar al-Athar: Al-Sadiq Ja'far ibn Muhammad, peace be upon him, has defined interception and prohibited it, that is, intercepting goods at a distance of a morning and evening journey or less than that, and if it is .more than that, then it is not interception He said in Mukhtasar al-Idah that the morning and .evening journeys are four farsakhs He said in Mukhtasar al-Athar, regarding his statement, "It is permissible for the buyer to ask the seller for an increase after he has paid him, if he wishes he may do so and if he wishes he may not do so, and if he stipulated that in the purchase contract and it was unknown, the purchase is void, ".and if it was known it is not void

Mention of prohibited sales transactions

From the summary of the effects: He forbade selling what you do not have, and that is to sell something guaranteed until a time when such a sale does not exist, such .as grapes and fruit at a time when they are not available And from this comes his statement regarding a man who has a debt owed to him by a craftsman, and he pays him work they both agree upon. That is invalid. The worker is entitled to a fair wage if they both, or one of them, perform the work, and he returns the excess or takes it if it remains. If the debt is due at a later date, and he demands payment of

some of what is owed before it is due, there is nothing wrong
with that

And from this and that the debt belongs to the group, so they divide it on the condition that each one of them claims what he has received from it. This is not permissible, and
what each one of them claims is between them

He said: As for a man who buys food that is plentiful among people in order to raise its price and trade in it, there is nothing wrong with that if people can find what they are buying. If it is not found, then he does not have the right to hoard it from them and let them perish. He must take it out
and sell it

And from him they narrated that the Messenger of God, peace and blessings be upon him, ordered a man who sold a house to use its price to buy something similar. This is a disciplinary order because it has been reported that if a house is sold and its price is not used to buy something similar, it is destroyed. And he, peace and blessings be upon him, forbade buying and selling in mosques and during the time of Friday
prayer before sunrise

Al-Sadiq (peace be upon him) said: The second call to prayer on Friday, meaning the one given before the Imam while he is on the pulpit, is the one that prohibits buying and
selling until the Friday prayer is completed

He said in Al-Muntakhabah: And it is said that sales end

* at sunset and sunrise

In his abridged version, he said: If two people commanded to attend Friday prayer engage in a transaction during the prohibited time, the transaction is not dissolved. It is disliked to sell wood to someone who will use it to make a

cross or idol, or cloth to someone who is known to use it to
.cover a cross or idol, and similar matters mentioned above

Question: What do you say about what was mentioned
in the pillars regarding the prohibition of selling and
lending? Some people said it is when a man lends money to
another man and then sells it to him. O our master, may I be

?your ransom, how is it explained in detail

The answer is: The borrower says, "Lend me such and
such," and the lender says, "I will lend you on the condition
that you sell me such and such." This is a loan that brings a
.benefit

The question is, what do you say about what is
mentioned in the pillars, that some aspects of the Kali-by-
Kali are that a religious man has a craftsman who pays him
work, so how is it detailed, O our master, I am your ransom

Answer: He is not allowed to use this to pay for any
.work or the wages owed for it

Question: What does our master say regarding what is
stated in Islamic law that if a man buys food from another
man, and the seller says that he has measured it, and the
buyer believes him and takes it by measure, then there is no
problem. O master, is it permissible for the buyer to sell it

?before measuring it, or not

Answer: It is permissible for the buyer to sell it before
measuring it, provided he has taken possession of it and the
.seller confirms the measurement

Question: Islamic law states that food cannot be sold until it is taken possession of. O Master, what is meant by "food," and does sesame fall under the category of food?

.May our Master, the Master of all, graciously answer
The answer: Our master, may God perpetuate his reign and extend his shadow, said regarding sesame, as it is stated in Da'a'im al-Islam, the following: On the authority of Ja'far ibn Muhammad, peace be upon him, he said: Whoever buys food and wants to sell it should not sell it until he measures or weighs it if it is something that is measured by measure or weight. If he appoints someone else to handle it, there is no harm in appointing someone else before measuring or weighing it. This is in Da'a'im al-Islam. Our master Malik said: The intended meaning of appointing someone else is if a man buys something that is measured by measure or weight and does not measure or weigh it, and he appoints another man to handle it for his own capital, saying, "I have made this purchase yours," or "I have appointed you to handle this purchase." This is permissible before measuring or weighing. However, if he sells it at a profit, and the sale takes place between the first buyer and the second buyer before measuring or weighing, the second sale is not valid until after measuring or weighing, because it is the property of the first seller and does not enter the ownership of the first buyer until after measuring or weighing. If it is destroyed before measuring or weighing, it remains the property of the first seller, and its price is returned to the first buyer. So how can it be permissible for the first buyer to sell something before he owns it? This ruling applies to everything that is measured by measure or weight, and sesame is among them. It is
.measured or weighed

Question: What do you say about what is mentioned in Islamic law that Imam al-Sadiq (peace be upon him) was asked about wheat soaked in water on credit, and he permitted it? O our master, please explain to us, may we be
?sacrificed for you, how is this interpreted

Answer: All purchases made with wheat (which is barley) on credit are prohibited, except for water, which is
.permitted

Question: What do you say about the houses of the two armies that the Sultan set ablaze, some of whom were his slaves, some his servants, and some servants of others? He sold the wood, bricks, and other materials from their houses in the market, and the people of the Da'wah and others bought them. What is their situation in this matter? Please advise them on how to find relief from this predicament and
.return to the straight path

Answer: If it is from the public treasury, then its management is in the hands of the guardians of God's
.guardians, even if it is forbidden for them

The question is about a man who wants to give another man a profit-sharing arrangement, so he brings three hundred tins. The owner of the money says to the investor, "You have one hundred tins as a good loan, and I have two hundred, on the condition that whatever is in the three hundred in profit and loss, you pay one-third and I pay two-thirds." Is this permissible or not

Answer: The loan that brings a benefit is prohibited. If the loan was made before the partnership without purchase,

and then the partnership took place, the partner says to the partner, “Here is this money and what you traded with, and what I have from you of money, so its profit and loss are between us according to what they agreed upon.” This is .permissible

Question: What does our master Hassan Ibn Idris Ibn Hassan Ibn Abdullah Ibn Ali Al-Anf, may God sanctify his soul, say about a tyrannical ruler who becomes angry with one of his princes and workers and orders people to loot their property, so they loot and sell it? Is it permissible for a ?Muslim to buy it from them in the Muslim market

Answer: If it is known that it is looted, then it is not permissible to buy or sell it unless ordered to do so by a just .ruler

Mention of morphology

From the abridged version of the hadiths: Abu Ja'far, peace be upon him, said: “No money or anything else that exceeds the weight of gold should be exchanged for gold or ”.silver for silver

Abu Abdullah, may God's prayers and peace be upon him, said: “It is not permissible to increase in that, even if one of the two types is better than the other. That is, if gold is sold for gold, or silver for silver, or something that is measured by volume and weight for its like, it is not permissible except by weight for weight if it is something that is measured by weight, or by measure for measure if it is something that is measured by volume. Or if he buys pure gold from the best of gold with gold from the lowest of it, it is

not permissible to sell that except by weight for weight as long as the name of gold applies to that, until it is pure copper or copper is predominant in it and it is attributed to it, and the name of gold does not apply to it, so it is bought with gold as copper is bought with a difference, and likewise silver with silver in this sense, and likewise everything that is measured by volume or weight, even if the difference between the two types is vast

And from this comes wheat for wheat, barley for barley, flour for flour, dates for dates, rice for rice, raisins for raisins, corn for corn, and spelt ⁴for spelt, measure for measure.

.Whoever adds to or takes more has engaged in usury
From the summary of the effects: It is not permissible to change the exchange rate. If a man buys one hundred fils for a dirham, and the seller pays the dirham and receives fifty fils, and then the fils become worthless and are not used, the sale is void for the remaining fifty, and the seller must return half of the dirham he received. If the fils did not become worthless but their value decreased or increased, the sale is not void, and the buyer is entitled to what remains of them. If he buys fils for a dirham, takes possession of them, and does not pay the price until they become worthless and are not used, the sale is valid, and the dirham is a debt. If he buys fruit or other things with fils and takes possession of what he bought, the sale is void, and he must return what he took possession of if it still exists, or its value if it has been consumed

Barley without husks ⁴

Therefore, if a man has two orphans in his household, it is not permissible for him to spend dinars from his own money on one of them in exchange for dirhams on the other. If a man owes another man a thousand dirhams, and he gives him dinars and says, "Exchange these and take for yourself," and he exchanges them for dirhams, and the dirhams are lost before he receives his due, then the money belongs to the payer, and the recipient is considered a trustee. The same applies if the money is lost before he exchanges it. Therefore, if an orphan has money and the guardian spends it at the current market price, it is not permissible, meaning if the spending is for profit. However, if it is spent for the orphan's expenses, then it is not permissible. He said in the book "The Limits of Knowledge" by our master Al-Nu'man: "Usury includes the difference in the sale of what is measured and weighed, and it includes withholding what God has obligated to be given in the money that God has prescribed in what He has prescribed, so that the money of the one who withholds it may increase with himself, i.e., increase. God has informed us that He will destroy usury, as He says: 'God destroys usury and increases charity,' and as He says: 'And whatever you give for usury to increase in the wealth of people, it will not increase with God. And whatever you give in charity, desiring the face of God, then those are the ones who will multiply it'".

Among the issues mentioned

Question: What do you say about a man who takes money from another man and stipulates usury as the cost, and then a long time passes, and the owner of the money asks

for his money back, and the borrower says to him, "I gave you a large sum at usury, so show him the account. If what I gave you at usury is not enough to repay you, then ask for the remainder"? Is he sinful in this or not? The Sharia explicitly
.forbids dealing with usury

Answer: He may be prohibited from usury and from dealing with it, but there is no sin upon him if he repays his
.principal

And from the source: Whoever inherits money from someone who did not know that the money was used for usury, then if he knows the specific usury involved, he must return it to its owner. If he does not know the specific usury involved, then it is permissible for him to consume what he
.inherited, and the sin is on the one who earned it

Question: What do you say about a guardian who has dinars and dirhams for an orphan and wants to spend them on copper or something else? Is it permissible for him to do that
?or not

Answer: If a man has two orphans under his guardianship, he is not permitted to give dinars to one of them in exchange for dirhams for the other. Similarly, if an orphan has dirhams and the guardian exchanges them at the current market rate, this is not permissible if the exchange is for personal gain. However, if the exchange is for the
.orphan's maintenance, then there is no issue

Mention of selling food, some of it for some of it

From the author's summary: It is permissible to sell one ostrich egg for twenty chicken eggs

Mention of the option of the sellers

He said in the same statement: The two parties to a sale have the option as long as they have not separated, except for a sale with an option. That is, each of them has the option to either carry out the sale or cancel it and withdraw from it as long as they have not separated from the offer of it. And his saying, except for a sale with an option, is an exception to that, which is that the sale is concluded on the condition that they or one of them has the option in that sale for a known period or for no period. Then their separation does not make the sale binding as long as that period for which the option was made has not expired. And the one to whom that was made has the right to withdraw what he stipulated between him and that period. And if it has expired, he has no right to withdraw and the sale has been carried out, whatever the period was in that. And if no period was set for that, then the option is for the one to whom it was made whenever he acts in it. And that is because of the saying of the Messenger of God, may God's prayers and peace be upon him, "The Muslims are bound by their conditions as long as they do not contradict the Book of God. And whoever stipulates a condition contrary to the Book of God, then his condition is invalid." This is the saying of the People of the House, may God's prayers and peace be upon them. And from this comes his saying, "The two sellers," meaning the seller and the buyer. Al-Khalil Ibn Ahmad said

the same. He said, "The Arabs say 'I sold' in the sense of 'I bought,' and 'Do not sell' in the sense of 'Do not buy'". He said in al-Matlab: If someone buys a house or other property on the condition that the seller has the option to return the equivalent price and reclaim the item within a specified period, and the buyer then wishes to sell it during this option period, stipulating that the buyer must pay the same price as the original purchase due to a compelling need, I have not seen any explicit text on this matter. The most likely correct course of action is for the buyer to delegate the sale to someone else for the equivalent price, without increase or decrease, in accordance with the seller's right to rescind the sale, as delegation is explicitly stated. However, if the buyer sells with the permission of the original seller, who has the right to rescind, the sale is permissible

From the summary of the effects: If someone buys something on the condition that he has the option to choose it for a certain period, and it perishes before that period, before the buyer chooses it, then it is from the seller's money, and the buyer must swear that he did not choose it or accept it. If

he does not swear, he is obligated to do so

Therefore: The seller of the animal has no option after they have parted ways. If the buyer does something to it before the three days have passed, then he is obligated to do so

Therefore, if the seller releases the buyer from the one-year warranty and the three-day option regarding all animals at the time of the sale contract, and the buyer releases him from that, then the release is binding upon him and he has no right to reclaim anything from that

From the summary of the explanation: The description of the separation that necessitates the sale is the separation of bodies, as we said, by one of them moving from the place .where he was to another

In short: If someone buys something with a choice of time, spends money on it, and then chooses to return it, he must return what he has stolen from it, and he is entitled to .what he spent on it

Note: If someone buys a slave girl and has intercourse with her, and the seller has the option to rescind the sale while the seller is unaware, then the buyer must pay her a dowry equivalent to that of a woman of her status. If she .gives birth to a child, he must pay its value

If the buyer remains silent while having the option to rescind the sale until the option period expires, the sale is .valid

From the author's summary: If the buyer dies while having the option to choose, but before exercising that option, the purchase is binding, and the option is not inherited from him. The same applies if both parties had the .option and then died

He said: If both parties to the sale have the option, then neither party can accept or cancel it without the other's consent, so they proceed with what they both reject until they .both agree

He said in Al-Matlab and Al-Khayar that it is not inherited unless they buy someone who makes him have the option to be for his heirs after him until the end of its term, so the option is for him and his heirs if he dies until the .stipulated term ends

According to the author's summary, if the seller and buyer disagree on whether an option to rescind is stipulated, then the statement of the one who **denies it is accepted**, and the statement of the one who acknowledges it is accepted, as is the statement of the shorter of the two periods. If they disagree on whether it has expired, then the statement of the .one who denies its expiry is accepted

And among them is the one who bought a slave girl and she looked at his private parts or kissed him, and he did not .do any of that nor summoned her, so he has the choice

If the buyer frees a slave girl and the seller has an option regarding her, then freeing her is not permissible, but if the .seller frees her, then it is permissible

If the buyer returns what he bought by right of option, and the seller says, "This is not what I sold you," then the buyer's word is accepted with his oath, and the burden of proof lies with the seller. If he returns it due to a defect, and the seller denies that he sold it, then the seller's word is accepted with his oath, and the burden of proof lies with the .buyer

And from it: If the slave's hand is cut off while he is with the buyer, the seller has the choice. If he chooses, he takes him back and half of his value, and the buyer is held responsible for the offender. If he buys a slave and does not take possession of him until the seller cuts off his hand, then if the buyer wants, he can take him for half the price, and if he wants, he can leave him. If the buyer cuts off his hand and then the seller cuts off his leg, he can take him for three-quarters of the price if he wants or leaves, and he owes half .the price

Therefore: If the buyer stipulates the option for another party, and then the buyer says, "I have chosen to sell," and the one with the option says, "I do not agree," then the sale is binding on the buyer. The same ruling applies to the seller if .he stipulates the option for another party

Whoever buys oil or wheat and sees some of it, it is a .vision of all of it

If someone takes two garments, each with a known price, and takes possession of them on the condition that he can take whichever he wants for its price and return the other, and then they perish while in his possession, he is liable for half the price of each one, whether their prices were .the same or different

Among the issues mentioned

Question: What do you say about a man who bought a known item and took possession of it on the condition that he had the option to buy it for two days, and he paid its price or what he paid, and it perished during the option period? Is the ?loss on him or on the seller

The answer: The problem lies with the buyer because he stipulated the option after the sale became obligatory. As for someone who took two garments and took possession of them on the condition that he would take whichever one he wanted for its price and return the other, and they perished while in his possession, he would be responsible for half the price of each of them, whether their prices were the same or .different

Question: What do you say about what is stated in Islamic law that if someone is entitled to a transaction after the two parties have separated and finds a defect in it that the seller has not been absolved of, then he has the right to return it? O our master, do we return it because of the defect, even if
?it is apparent in what people see, or not

Answer: If someone buys a commodity and finds a defect in it that he was aware of, then he is liable for it, even if the seller does not disclaim responsibility. If he finds a defect in it and then offers it for sale, or benefits from it, or if it is a slave and he has intercourse with her or uses her, or an animal and he rides it, or a garment and he wears it, or anything similar, then he is entitled to do so and is satisfied,
.and he has no claim against it

If someone buys goods in quantities of the same type or different types, and finds a defect in some of them, then if the defect is something that has an equivalent, the seller should replace it with a similar one free from the defect, and he is not liable for more than that. However, if there is no equivalent, and the defect is in the face of the goods and the majority of them for which they were purchased, then the buyer has the right to return the entire goods due to that defect. If the defect is in something unknown or in a lower-quality item, he cannot return it, and the buyer is entitled to
.its value

If someone buys a commodity and finds a defect in it, and another defect occurs in it while he is with it, he is told to return what is less than the defect that occurred in your possession and take the price, otherwise take the value of the first defect, unless it is a slave girl whom he had intercourse with and then found a defect in her, then he is only entitled to

the value of the first defect, unless he found her pregnant, then he returns her and returns with her half of one-tenth of her value if he had intercourse with her before he knew of the defect. Slaves and female slaves are returned for the events of the year such as madness, leprosy, vitiligo, and horns, and the liability for them for the calamity of death is three days, unless the seller has disclaimed liability and the buyer has agreed to that at the time of sale, then the calamity is on the .buyer

Question: What do you say about what is stated in the book "Al-Da'a'im" that there is no guarantee in the sale of a certificate of innocence or the sale of an inheritance? O

?master, what is meant by the sale of an inheritance here

Answer: The seller is not liable for selling what he .inherited

Mention of the rules regarding defects

He said in the same statement: Regarding everything that is bought and has a defect that must be returned, the buyer has the right to return it if he did not know about the defect, and the seller did not disclaim it from him at the time of the sale, and he did not use it, benefit from it, or offer it for sale after he knew about it. If any of that happened, then it is the buyer's acceptance of the defect, and he is not obligated .to return it for that reason

He said in it, on the authority of the Messenger of God, peace and blessings be upon him, that two men disputed before him. One of them bought a slave from the other, used him, then found a defect in him. He took him to court and

wanted to return the price to the seller and return the slave to the seller. The Messenger of God, peace and blessings be upon him, ruled in his favor. The seller said to him, "O Messenger of God, he has been using him for a long time." The Messenger of God, peace and blessings be upon him, said, "The yield is guaranteed." In some narrations, it is "the profit is guaranteed." The meaning and explanation of this is that it is permissible for the buyer to return the goods due to the defect, because if they had perished while in his possession, they would have been his property. Since he was responsible for them, their yield belongs to him. He said in it, and the Ahlul-Bayt agreed on the yield, that it belongs to the buyer due to the guarantee. Most of the scholars of jurisprudence from the general public differentiated between the two cases. They said that if they were animals and they gave birth and reproduced, then they and their offspring are returned. This is not the case according to the Ahlul-Bayt and those from the general public who agreed with them, except for offspring that were pregnant at the time of the sale or had already been born. As for what was pregnant and born while in the buyer's possession, it belongs to him. If he returned them while they were pregnant, then the offspring belong to the seller to whom it was returned due to the defect, because it was not apparent and did not become visible from them, so it is not considered yield. It is an increase in it, and if it increases or decreases without the buyer's fault towards the .seller, whatever the case may be

Among these rulings is that if someone buys an animal or something that becomes damaged due to a defect the buyer was unaware of, he has the right to claim compensation for the defect from the seller and the loss from

the buyer, just as he is entitled to the profits. Similarly, if he buys a slave and then frees him, or a commodity and then gives it away or donates it to charity

Among these cases is when the sold goods consist of quantities of one type or of different types, and a defect is found in some of them. If the defect is of a type that has an equivalent, the seller must provide the buyer with a similar one free from the defect, and he is not liable for more than that. However, if there is no equivalent that can be used for the same purpose, and the defect is in the appearance or majority of the goods, then the buyer has the right to return the entire goods due to that defect. If the defect is in something else that is unknown or in a lower-quality item, then it cannot be returned, and the buyer is entitled to its value

From the explanation: Every defect that appears to the buyer, the judge does not rule on it until he knows. If it is hidden and can only be seen by women, he orders a free Muslim woman to look at it, and two women are better. If he is informed of that, then he rules on it

And from him, and whoever buys a slave with a slave girl and they settle the matter, then he finds a defect in the slave and something has happened to him that prevents him from being returned, then he is valued as sound and as defective. If the defect reduces him by one-tenth of the price, he is returned with one-tenth of the slave girl, and likewise what he reduces, and likewise the animal and all goods. And if the slave is killed in the buyer's possession in retaliation for his original in the seller's possession, he is returned with the whole price. And whoever sells something and does not receive its price until he buys it back for less than what he

sold it for, it is not permissible unless a defect has happened to it. And if he buys it with a commodity, it is permissible. And if he receives the whole price and then buys it back for .less or more, that is permissible

From the author's summary: Whoever buys a slave who has a debt and does not know about it, then finds out, he has the right to return him unless the seller pays off his debt or the creditors release him. Whoever buys a female servant on the basis that she is from Khorasan and finds that she is from .Sindh, he has the right to return her

From this and from the source: Running away and wetting the bed are defects; pregnancy is a defect in a female slave but not in animals; graying of the hair is a defect; a black tooth is a defect; likewise, a missing tooth and theft are defects; whoever buys a slave and finds him to be effeminate, or a female slave and finds her to be an adulteress, then he is either defective or an unbeliever; and whoever sells a female slave on the condition that she is pregnant, it is permissible. This is a disavowal of any defect, .if there is one

From the concise explanation: If someone buys a slave from a man and the seller doesn't inform him that the slave has a free wife until the purchase, the buyer must rescind the sale and return the price to the seller. This is because the separation was based on the first sale, so he must rescind it as we mentioned. If someone sells a female slave who has a free husband, and the buyer is unaware of this, he has the option to either return the slave or keep him. If both the husband and the female slave are slaves, then selling her constitutes a .divorce from his slave

And from him, in his statement, “The slave is returned from the events of the year,” he said, “I said, ‘How is he returned from the events of the year?’ He said, ‘This is the beginning of the year, meaning Muharram. So if you buy a slave and something of these characteristics happens to him between you and Dhu al-Hijjah, you return him to his owner”.

Al-Sadiq, peace be upon him, was asked how witnesses testify to insanity. He said: They do not have to testify about the house, but it is permissible for them to say: We saw him insane, or he had insanity, or he was delusional, or he accused someone, or he committed adultery, or he killed, and he was not punished, and no retaliation was required of him. And from it: If someone buys a servant and finds her ill during the warranty period, and brings her to the seller, informs him of her condition, and has witnesses to her illness, and wants to return her during the warranty period, but the seller is unwilling to accept her back, then the ruling in this case is that the buyer swears by God that he only kept her hoping for her recovery and did not keep her with the intention of keeping her at all, then he may return her. And from it: As for the one who is imperforate, she is the one who has no opening except for the urethra and the horn, a defect in the vagina that prevents intercourse. Hence: "Absconding" means that it is a defect for which the slave can be returned if evidence is presented that he was absconding while with his seller.

Murabaha mention

From the summary of the effects, from his saying, "Or he may have a view like the seller, unless he says to him at the time of the sale contract, 'This is worth such and such to me, and I will sell it to you for such and such,' and he does not say, 'For such and such a profit

And from this comes his statement regarding a man who buys a slave girl and has intercourse with her; is it permissible for him to sell her at a profit? He said, "There is nothing wrong with that." Similarly, if he buys an animal and rides it, or a slave and employs him, or a garment and wears it, unless this constitutes a deficiency in it and he mentions this to the buyer, then it is permissible. If he does not mention it, then there is no blame upon him

.Among the issues mentioned

Question: What do you say, critics of the Da'wah treasuries, about a man from the Da'wah who is approached by a man from the Zahiri school or others who wants to buy his cloth? The man asks, "What is the price of this cloth? Tell me the truth. How much does this cloth cost you? Swear an oath and add a dirham or two. Don't say anything unless I give it to you." This man is known for causing harm and damage, so the man fears him and that he will undervalue the cloth. Therefore, he increases the price and swears that he is paying him that amount, and then gives him the full price or undervalues it. Is the owner of the cloth sinful in this matter, or not

Answer: This is like a Murabaha sale; it does not increase. If he swears falsely, he has sinned

Peace be upon him

In his abridged version of the hadiths, he said that the conditions for a forward sale (salam) are four: that the thing being sold be described with a known characteristic, that its measure or weight be named if it is something that is measured or weighed, that the place where it is taken be mentioned, and that the due date be named

Hence, they (peace be upon them) permitted cancellation in a forward sale or part of it if the principal was taken back, but if anything was added to it, that was not permissible

And from him, Ja`far ibn Muhammad was asked about a man who makes a sale on a known item and then takes less than it or gives more than it. He said: If that is by mutual consent, then there is nothing wrong with it

And from the summary of the explanation: If someone makes a sale of food or an animal to a man who has neither crops nor animals, but if the time comes, he will buy it, then there is nothing wrong with that

And from this he disliked that a man should buy at the price of the people unless he agreed upon a known price

And from the summary of the effects: Al-Sadiq, peace be upon him, said: Whoever makes a peace agreement regarding food from a specific village or place, the agreement is not valid until its suitability is evident. If he does not specify that, the agreement is valid and remains the responsibility of the one to whom the agreement is made

And it is permissible in a forward sale to someone who does not possess what he has delivered to him, if he

guarantees it, it is his responsibility, and when it is due he
.buys it and pays it

In the same statement, he mentioned the prohibition of speculative sales and sales by description, and that such a thing is not permissible in forward sales (salam) where it is permissible, until he said: "That is not permissible by description if it is contracted on four conditions: that it be described with a known characteristic, that its delivery be specified by a known date, that the subject of the forward sale be present at that time, and if it is not present, the forward sale is void and it is considered selling what you do not possess, that the buyer pay the price, and if he does not pay it it is considered selling for a debt, and that the place of delivery be specified. Sales by description are permissible in
".this case

From the summary of the explanation: On the authority of him, peace be upon him, that he was asked about a man who makes a forward sale for twenty dinars and the owner of the forward sale borrows ten dinars or whatever he wants from him. He said: It is not permissible if it is a loan that
.brings something

In the abridged version of the work, it states: If the forward sale is for a specific item and someone brings him something better, and he says, "Take this and give me an
.extra dirham," it is not permissible

From this: If a commodity measured by volume is exchanged for one measured by weight, or vice versa, that is permissible. However, it is not permissible to exchange a commodity measured by volume for one measured commodity, nor a commodity weighed for one weighed, except for dinars or dirhams, as these are the prices and

values of things. It is permissible to exchange coins for one weighed, except for brass, as it is of the same kind. If a sword is exchanged for one weighed, that is permissible, except for iron, as it is of the same kind. If someone gives another dirhams and finds counterfeit ones among them, the sale is void to the extent of the counterfeit amount, if the counterfeit amount is half or more. If the counterfeit amount is less than half, it is replaced, and the sale remains valid. If they disagree, with the buyer saying it is half the principal and half the sale is void, and the seller saying it is three, then the buyer's word is accepted. If the buyer pays the agreed-upon price immediately, and the seller refuses to pay, he cannot be compelled to do so. A sale is not permissible if it contains a condition of option, unless the party with the option revokes .it before they separate

Therefore, it is not permissible to engage in forward sales (salam) for birds, their meat, or precious stones, nor for honey with its wax, as they are two different and unknown substances. It is also not permissible to engage in forward sales for musk in its buds. However, it is permissible for perfumes described by a specific attribute, not by their shape, in relation to their type. Disagreements regarding these matters should be referred to experts in the field. The same applies to all goods. There is no benefit in forward sales for glass unless it is broken, in which case it should be weighed. If it is a known and identifiable piece, then there is no harm in it. If the parties disagree on the terms of the forward sale, with the buyer claiming a good quality glass and the seller claiming a medium quality glass, they should take oaths and exchange accusations. If they both present evidence, the buyer's evidence prevails. If they disagree on

the due date, with the buyer claiming it has arrived and the seller claiming a later date, the buyer's word is accepted with his oath, and the seller's evidence is accepted. If the parties dispute the forward sale after the capital has been received and disagree on its amount, the seller's word is accepted with his oath. The same applies if they disagree on the place of payment.

Therefore: There is nothing wrong with forward sale (salam) of wool, ghee, and milk. However, if one enters into a forward sale (salam) of specific sheep's wool, ghee, or milk, it is not permissible.

And from it: If someone gives ten dirhams in exchange for two baskets of wheat, one of which is in a different place than the other, it is not permissible unless each basket is contracted for a specific price until a specific date.

Among the issues mentioned

Question: What do you say about a man who buys food, an animal, or ghee from another man with cash dirhams, on the condition that the seller pays for the goods after a month, and the buyer agrees to pay the price according to the market price on the day the goods are delivered? Is this permissible for him or not?

This answer is like a forward sale (salam), and it is not permissible to buy at the prevailing market price unless a specific price is agreed upon. There is no harm in a forward sale (salam) for wool and ghee with a specified future date, provided the goods are available at that time. If they are not available, the forward sale is void. If one enters into a forward sale for the wool of specific sheep, or for their ghee and milk, it is not permissible.

Mentioning the conditions in sales

From the author's summary: The conditions are divided
:into three categories

A category where the sale is permissible but the condition is void, such as when the seller stipulates to the buyer that the sold item not be inherited from him, and the .like

And a section in which the sale and the condition are invalid, such as if he stipulates to the seller that he should lend him a loan, or buy wheat from him on the condition that he should cook it, or sesame on the condition that he should press it, or a sheep on the condition that it is pregnant, or that its offspring should be given to it, or that it should be milked .in such and such a way, or something similar

And a category in which sale and condition are valid, such as selling a slave girl on the condition that he will free her, or a house on the condition that he will live in it for a .month

And from it: Whoever buys something on the condition that he gives it a guarantor himself, whether he names him or not, it is not permissible because he does not know the condition of the guarantor, whether he will guarantee or not. If the guarantor is present with the seller and they agree on that, it is permissible. And if he buys something on the condition that he pledges it as collateral without specifying it, it is not permissible. And whoever buys a fish and finds in it a pearl that is not pierced, it is his. And if it is a garbage animal and he finds in its belly a jewel or something else, it is

for the seller if he claims it, otherwise it is like a lost item. And excluding the known part of the sold item and of the price is permissible, such as if he says, "This garment, the four, is for this dinar, except for a sixth of it," and such as if he buys one hundred walnuts except for twenty. And if he buys one hundred sheep except for twenty, it is not permissible because of the difference in the difference in .sheep

Mention of rulings in sales

From the summary of the explanation regarding the statement of someone who sells a commodity and then claims that he made a mistake in its price: If it was an outrageous matter and a clear injustice, the seller swears by God, besides Whom there is no other god, that he is truthful and that evidence has been established against him regarding what he mentioned, and his word is accepted, and perhaps he has evidence of his mistake, and it is said to the buyer: If you .wish, take it for the value, and if you wish, leave it

The question is: If someone appoints an agent to buy a specific slave girl for him, and the agent buys her for himself with the principal's money, has intercourse with her, and fathers a child with her, then the slave girl and her child belong to the principal, and the child's lineage is not established because he had intercourse with someone who .was not permissible for him

From the summary of the effects: Whoever buys a slave and acquires money with him, then the money belongs to his seller unless the buyer stipulated it in the sale contract. If he stipulated it, then it does not belong to the seller, even if it is

more than the price of the slave. This is because it is something that belongs to the slave and is in his possession if it exceeds his price. This is not something that falls under the category of prohibited usury, especially if it is goods or cash and he bought the slave with goods, or if it is cash and he bought the slave with silver, or cash and he bought with cash. He said in Al-Ikhtidhar: What the judge or the sultan sells in payment of a debt owed by a child or something similar, the one who ordered him to sell it is not liable or responsible for it, and that is from the property of the one on whose behalf it was sold or on his debt if he has no property. He said in Al-Iqtisar: If the Sultan sells to a person who is born, or has a defect, or is a child, then the responsibility for the sold item lies with him, and there is no responsibility .on the Sultan or on whomever the Sultan appoints

Therefore, no distinction is made between the male relatives of slaves unless they are adults and consent to it, and if the slaves of the People of the Book convert to Islam, .they are sold to them

And from the summary of the traditions: Ja'far ibn Muhammad al-Sadiq, peace be upon him, said regarding a man who bought a commodity from a man and then asked him to cancel it, but he refused to cancel it, so he left him something of the price and canceled it on that basis. He said: He takes from him what he left him if he had canceled it, and if the seller bought the commodity from him, taking it for less than what he sold it to him for, then that is permissible, and cancellation is not done by putting down something of .the price

In his abridged explanation, he said: If someone buys a garment for ten and the seller requests a refund, but the buyer

refuses, saying, "Take five and take your garment," and the buyer does so, then the refund is binding, and he must return the five. If someone returns a garment to the seller, and the seller refuses to accept it except at a loss, then the sale is invalid. If the buyer is unaware of the price and takes the garment and sells it for more than its original price, he must return the excess to the original seller. If he then sells it back to the original seller and reduces the price he paid, that is permissible. Taking compensation in a refund is not allowed .except in a sale with two contracts

From the author's summary: If someone sells a commodity to a man and then the man cancels the sale, and the seller cancels it on the condition that the buyer leaves some of the price for the seller, then the buyer has the right to take what he left for the seller. If someone sells something and does not receive payment until he buys it back for less than what he sold it for, this is not permissible unless a defect has occurred in the item. If he buys it back with goods, this is permissible. If he receives the full price and then increases it .by less or more, this is permissible

And from it: If someone buys a slave girl with a slave and they exchange the money, and the buyer then frees her, and then finds the slave to be free, the freeing of the slave girl .is invalid

Among the issues mentioned

If someone buys a slave girl, camel, or cow that is pregnant, and the seller was unaware of the pregnancy and did not stipulate anything with the buyer at the time of the sale, then whatever the child gives birth to belongs to the

buyer. If someone commits adultery with a man's slave girl and then buys her from him while she is pregnant, he should not approach her until she gives birth. If she gives birth to a child, it is permissible to sell it, even if it is his, because the child belongs to the marriage bed, and the adulterer gets
.nothing

If someone buys a commodity and leaves it in the seller's house after taking possession, and the buyer says to the seller, "I will pay the money," and the commodity is lost before three days have passed while in the seller's house, then it belongs to the buyer. However, if the buyer pays the money after three days, the seller has the option to return the commodity if he wishes, and the buyer does not have the
.option unless a defect is discovered

If someone buys a slave, male or female, or an animal, and it dies before three days, it belongs to the seller unless
.the buyer does anything with it

Mention of the rules of debt

From the summary of the author: Whoever lends a loan to a boy or a mentally incapacitated person and he spends it, there is no liability on him. And if the boy reaches maturity or the mentally incapacitated person recovers, there is nothing on him. And whoever lends a slave who is under guardianship is not liable until he is freed, then he can claim from him. And if a dhimmi dies and leaves behind wine or pigs and has a debt, the judge appoints a dhimmi to sell that
.and pay off his debt

It is not permissible to lend anything in the form of an animal. If someone does that and it is still standing, he must

return it. If he consumes it, he must pay its value. The same applies to real estate and clothing. As for cotton, linen, copper, unworked iron, and the like, if he lends it by a known weight, it is permissible, and he must pay its equivalent. It is not permissible to lend anything that falls under a measure, weight, or number in which there is no difference. Likewise, fresh herbs, vegetables, and the like, and vessels of gold, silver, and other jewels, are not to be lent, but they are considered borrowed. If the borrower sells them, it is not permissible to sell them, and whatever is lost, he must pay its value.

And from it: If a man has a debt that has become due, and he says to his creditor, "I do not have the means to pay you, but sell me something on credit so that I can sell it and pay you from it," and he does so, there is nothing wrong with that.

From the summary of the narrations: A slave stood before Ali, peace be upon him, asking him for something, but he did not find anything to give him at the time. So he said to him, "Would you like something better than that?" He said, "Yes, what is it?" He said, "Something I heard the Messenger of God, peace be upon him, say: If you had a debt as large as the mountain of Sabr, God would pay it off for you, and the Sabr of a mountain in Yemen." The slave said, "What is it?" He said, "Say: O God, make me chaste with what is lawful from what is unlawful, and enrich me with Your bounty from the bounty of anyone other than You."

In Al-Gharibayn, Al-Harawi said that a man sells a commodity to another man for a known price until a specified date, then buys it back from him for less than the price at which he sold it. This is disliked. If he buys a

commodity from another in the presence of the one requesting the commodity for a known price and takes possession of it, then sells it to the one requesting the commodity for a price higher than what he bought it for until a specified date, then the buyer sells it back to the first seller for cash for less than the price, this is also a case of a transaction called 'inah, and it is less severe than the first. It is permissible according to some of them. It is called 'inah because it involves obtaining cash for the owner of the transaction. This is because 'inah is the present money, so the buyer only buys it to sell it for present money that reaches him immediately. 'Inah is when he takes more money than he gave. This is not permissible, and he brings in goods or something of the present money between them, so the sale .between them is permissible

Al-Sadiq, peace be upon him, said that he was asked about a man who says to another man, “Buy me goods for such and such a price, and I will buy them from you on credit for such and such an additional amount.” He said, “There is ”.nothing wrong with that

From the abridged version of the aforementioned issues

Question: What do you say about a man who has a debt owed to him by another man, and the debtor dies or disappears, and the creditor intends to give the debt as charity for the sake of God? Does this absolve the debtor of his obligation, or not? It is stated in Islamic law that charity is valid if accepted by the recipient, whether or not it has been .received

Answer: If someone owes a debt to a deceased person, the debtor is absolved of the debt if the donor did not seek compensation for it

If someone lends money to a man and the owner of the money witnesses the time of payment, and then the debtor demands the money after the agreed time, and the debtor denies it, and the owner of the money brings two witnesses before the judge, and they testify, and the debtor asks for an oath with the two witnesses, then he has the right to swear. If he refuses, then he has no right

Remittance and Guarantee

He said in the same statement: If a man says to another, “What you have against this man is my responsibility,” without specifying anything, then if he specifies what is owed to him and the man who owes him accepts this, then it is his responsibility. If he asserts it against him, he must pay it as he had asserted it against himself. If he did not specify it, and he asserts it against him based on what he claims is owed to him by the one for whom he stood surety, and the surety denies it, then the burden of proof lies with the claimant. If it is proven, the surety must pay him from his own money. If, at the time of his taking on this responsibility, the one for whom he stood surety had instructed him to take it on his behalf, then he can claim it back from him if this was an admission made without intent. If he did not instruct him to take it on his behalf, then he cannot claim it back unless proof is established that it was his responsibility. If he wishes to make him swear that it is not his responsibility, that he did not admit it, and that he did not instruct him to guarantee it

on his behalf, then that is his right. If he does not swear, and the surety swears that he was instructed to guarantee it on his behalf, then he can claim it back from him

Among them: If a man and a group of people guarantee a guarantee for another man, he may take it from whichever of them he wishes, unless they specify that each of them is only obligated to pay according to his share

From the abridged version of the work: If the person guaranteed is absent in another country and evidence is presented, the guarantor is given a grace period equal to the time it takes to travel to and from the location. If he brings him back, he is released; otherwise, he is imprisoned. If the person guaranteed surrenders himself to the creditor and says, "I surrender myself to you as a guarantee from so-and-so," the guarantor is released. The same applies if someone surrenders him on behalf of the guarantor. If a man owes another man money, and a third party guarantees it on his behalf, and the creditor releases the original debtor, this is permissible. The creditor cannot take the person guaranteed unless the guarantor becomes bankrupt or dies before payment

Therefore: If the transfer of debt is to a bankrupt person and the transferee is unaware of it, the transferee has the right to claim his due from the transferor, even if the transferor has released him from the debt, because he was deceived. However, if the transferee knew of the bankruptcy of the debtor and accepted the transfer and was satisfied with it, he has no right to claim from him if he had released him knowingly

If the transfer was for a current sum of money, and the transferee accepted it while solvent, and the transferor

voluntarily delayed payment until the transferee became insolvent, the transferee has no recourse against the .transferor

Transfer of debt between strangers and relatives is .permissible in all categories of debt

Therefore: If a man guarantees the person, face, body, or a common part of another man's body, then he is a .guarantor of his face

And from it: If a man guarantees a debt and the debtor dies, his executor has the right to take it. If he did not make a will, the heirs take it. Whichever of the heirs takes it has the right to do so, and the guarantor is released from paying it to .him, but he is not released from the other heirs

Providing financial support during illness is considered .a bequest

Therefore: If the guarantor or the person guaranteed .dies, the guarantee is void

And from this: If a man guarantees a debt of money owed by the debtor to another man at his behest, and the debt is due at a specific time, then the guarantor is entitled to it, unless no specific time is given, until that time. If the guarantor dies before the due date, the debt becomes due from his estate, and his heirs cannot claim it from the one who gave the guarantee except at the due date. If the original debtor dies before the due date, the debt becomes due from his estate, and the guarantor is not entitled to it except at the due date. The guarantor is not released from the debt by .producing the debtor

Therefore, surety is not permissible for a prescribed punishment, retaliation, or anything related to trusts, unless

the trustee guarantees that if the trustee consumes it, then
.surety is permissible

Among the issues mentioned

Question: What do you say about what is stated in Islamic law regarding a man who guarantees another man's appearance until a certain date, and that date arrives before he brings him, and he is imprisoned? O our master, is the guarantor given a grace period until he brings the one for
?whom he guaranteed, or not

Answer: If evidence is presented that the person for whom the guarantee is given is absent, the guarantor is given a grace period equal to the time it takes to travel and return. If the guarantor fails to produce the person, he is imprisoned. The guarantor is released from the guarantee if the person for whom the guarantee is given surrenders himself to the creditor, saying, "I surrender myself to you as a guarantee from so-and-so," or if someone on behalf of the guarantor gives him away. If a man owes another man money, and another person guarantees it for him, and the creditor releases the original debtor, this is permissible. The creditor does not take possession of the person for whom the guarantee is given unless the guarantor is declared bankrupt by the judge and dies before payment. The guarantor is not released from the debt by the money if the person for whom
.the guarantee is given is not produced

Question: What do you say about a man who said to another man, "You have no claim against this man, so it is my responsibility," without specifying anything, and then

the claimant came and demanded his right from the guarantor and presented evidence of the amount of his claim? Is it obligatory for the guarantor to pay it from his own funds and for the person on whose behalf he was

?guaranteed to seek reimbursement, or not

Answer: If the student accepts the guarantee from the guarantor, the guarantor must fulfill the student's obligation if the student believes the guarantor's statement. If the guarantor denies the statement, the student must prove their right with evidence. The guarantor can then seek recourse from the person on whose behalf the guarantee was given if the guarantor had instructed the guarantor to assume the responsibility. If the guarantor had not instructed the guarantor to assume the responsibility, the guarantor cannot seek recourse unless evidence is presented that the guarantor was indeed responsible. The guarantor may also request the guarantor to swear that the guarantor was not responsible for the guarantor's statement and that the guarantor did not instruct the guarantor to assume the responsibility. If the guarantor does not swear, but swears that the guarantor did instruct the guarantor to assume the responsibility, the .guarantor can seek recourse from the guarantor

Question: What do you say about a man who guaranteed a debt of money owed by the person on whose behalf he was guaranteed, and the guarantor died before the due date? Should it be paid from his money or from the

?money of the person on whose behalf he was guaranteed

Answer: The debt is paid from the guarantor's money, and then his heirs can claim it back from the person for whom the debt was guaranteed when the due date arrives. If

the person for whom the debt was guaranteed dies before the due date, the debt is paid from his estate, not from the .guarantor's money

Mention of the stone of bankruptcy

The Book of Tracking and Criticism: God Almighty said, “Do not make your hand chained to your neck, nor extend it to its full extent.” And likewise, in the apparent ruling, it is necessary for the one who squanders his money to be restrained, and for the one who is stingy with himself, even though he has the means to spend from his money in a reasonable manner, he should not be left to perish himself and his family. And he should be moderate with the one who squanders, and his money should be taken from his hands, and the one who squanders or is stingy should be placed in a position of authority over him, and he should not be in .authority over himself or others

From the requirements in the jurisprudence of the school: On the authority of the pure Imams, puberty is evidenced by the emission of semen and the appearance of pubic hair, which is evidence of it, and by age if that is not the case. The age at which people reach puberty varies. Some of them reach puberty at eleven years, which is the shortest period at which they reach puberty, and some of them reach puberty at three and ten years, which is the middle period, and some of them reach puberty at fifteen years. The puberty of a girl is evidenced by the same. A girl has three signs of puberty: they are not specific to a boy, and they only occur at puberty, which are menstruation and pregnancy. Whenever a girl menstruates or becomes pregnant, she is considered to

have reached puberty, and whenever she gives birth, it is ruled that she is considered to have reached puberty six months before her birth, which is the shortest period of pregnancy.

It is narrated from Abu Abdullah (peace be upon him) that he said: When a boy reaches thirteen years of age, his good deeds are recorded for him and his bad deeds are recorded against him, and his affairs are valid unless he is foolish or weak. When he reaches fourteen years of age and enters fifteen, whether male or female, they have reached puberty, whether or not they have the signs. If a woman menstruates before fourteen, she has reached puberty, or if a man has a wet dream before fourteen, he has reached puberty.

From the author's summary: If the guardianship is lifted from a person under guardianship and it becomes clear that he is not of sound mind, he is reinstated under guardianship, and his actions are reviewed. Whatever he did in a righteous manner is valid, and whatever he did otherwise is nullified. Whenever he becomes of sound mind, he is released, and whenever he becomes foolish, he is placed under guardianship again. If an adult under guardianship manumits a slave, the manumission is valid, and the slave must work to pay his value. If he grants a slave his freedom until his death, the slave serves him until his death. If he dies before demonstrating sound mind, the slave must work to pay his value. Any bequest he makes upon his death, provided it is for good deeds without extravagance or foolishness and is for charitable purposes, is valid. If an adult who has squandered his wealth marries, his marriage is valid, and any excess over the woman's customary dowry is forfeited. If he divorces her before consummation, she is entitled to half the

dowry from his estate. If an adult under guardianship confesses to intentional murder, he is executed; if he confesses to theft, his hand is cut off; and if he confesses to slander, he is punished according to Islamic law. If a boy reaches puberty and is a spendthrift, and his case is not brought before the judge until he has sold, gifted, or given away in charity, and then his case is brought before the judge, the judge will invalidate all of that. If the proceeds have been spent, the judge will nullify the sale, and the person under guardianship is not obligated to pay any of the .proceeds he received

And from it: He is imprisoned for every debt except for the debt of the child against the parents or against some of the ancestors before them. And the father is imprisoned for the expenses of the child, and expenses are not like debt. And the Muslim is imprisoned for the debt of the dhimmi and the .disabled for the healthy

From the abridged version of the hadiths: A similar ruling was narrated from the Commander of the Faithful, Ali (peace be upon him), that a slave woman who has borne a child is sold for the price of her freedom. This means if someone buys her and has no other wealth, and she bears him a child. If he has wealth, the seller takes his share along with the other creditors. The remaining debt owed to him by the manumitter can be claimed from him whenever he becomes wealthy. He is obligated to pay it, and whichever is wealthier, the manumitter or the freed slave, has the right to claim it. If the manumitter becomes wealthy, he has no recourse against the slave woman who bore him a child, nor against the one who freed him. He can claim what remains owed directly from the manumitter himself if he wishes. If

there is a surplus in the slave woman or slave, someone gives
.it as charity to him and returns the remainder
And from it: If he becomes bankrupt and has debts to a
group of people and he has money that is not enough to pay
his debts, he divides what is in his possession among the
creditors in shares, so that each one of them takes according
to his debt and is deducted according to that, like a man who
becomes bankrupt and owes one man one hundred debts, and
another two hundred, and he has nothing in his possession
except thirty dinars, so the one who owes one hundred gets
.ten and the one who owes two hundred gets twenty
And from the limitation: If he has money and a child,
what is apparent is sold, and he is imprisoned for what
remains in his possession. If he persists in his obstinacy, he is
.beaten until he pays

From the answers to questions

Ibn Wasim's letter to our master Al-Nu'man: I was
asked about the wording of the testimony of non-existence,
and that is when the witness says that he testifies that so-and-
so has been robbed of what he owned, or spent it, or it has
gone from him in any way, or he says that he is bankrupt and
has no money, and that he is among those who have
experience with him and knowledge of him. It is not
sufficient for him to say in that regard that he does not know
that he has money, because most people do not know the
circumstances of many of them, until he says that he is
among those who have knowledge and experience with him
.and that he is destitute and bankrupt

Mention of sharecropping and irrigation

From the author's summary: If someone pledges land and palm trees as collateral for a debt, and the pledgee takes possession, the pledgor tells him, "Protect and irrigate them, and whatever grows will be divided equally between us." If he does so, the transaction is invalid, and the produce belongs to the owner of the palm trees. The pledgee is entitled to fair compensation for his labor, not for his role in preservation. If the pledged land was barren land, and he shares it with the pledgee, with the seeds provided by the pledgee, this is permissible. The produce is as they stipulated, and the land is no longer pledged and cannot be returned to the pledge except by specification. If the pledgor dies with outstanding debts, the pledgee has no priority over his creditors. If the seeds were provided by the pledgor, the sharecropping agreement is also permissible, and the pledgee can reinstate the land in the pledge after the harvest, as if he had lent it to him. If the pledgor dies, the pledgee has priority over his creditors both before and after the .sharecropping agreement is finalized

And from it: If a man gives land for sharecropping in half, and they both agree on that, the one who took the land says, "It has become clear to me this year," then the owner of the land does not have the right to force him to cultivate it. This is not like renting land for a known amount. And whoever rents land from the Nile, it is not permissible to rent it except after the water level has been determined over it. If it dries up, the lease is voided. If some of it is good and some of it remains, then he has the choice to take what has been delivered with his share or leave it. And if he cultivates, his share of what was lost is voided, and he is obligated to pay

the share of what he cultivated from the rent. And if something passes over the crop that damages it, such as a fire, locusts, or similar pests, then that is a calamity for the .crop, not for the land

If a man makes a sharecropping agreement with another man on the condition that he plants wheat between them for a certain amount, then that is permissible, and whatever he plants of a certain type is between them according to what they stipulated. The same applies if he plants some seedlings. If a man takes land for sharecropping for three years and plants it, then the owner of the land dies in the first year and the crop grows, the lease is void for the remaining years, and the heirs have no claim to it until the crop is harvested. The same applies if the sharecropper dies. If they stipulate in the sharecropping agreement that what a certain area produces is for the worker and what the rest produces is for the owner of the land, then it is a void sharecropping agreement, and the crop belongs to the owner of the seed and the worker gets the wage. If they stipulate that the fruit is between them, then the seedlings belong to the planter, who uproots them when the agreement is terminated. If he makes a sharecropping agreement with him on the condition that he plants on the first day of Jumada al-Ula, then the produce is divided equally between them, and if he plants on the first day of Jumada al-Thani, then two-thirds of the produce belongs to the owner of the land and one-third to the sharecropper, then that is permissible. The same applies if he makes a sharecropping agreement with him on the condition that he plants with a canal or with rainwater. If he makes a sharecropping agreement with him on the condition that he plants safflower, then whatever yellow fruit he produces

belongs to one of them. If the produce of the land was given to another, that is not permissible, and the same applies to anything similar. If someone gives another land to cultivate on the condition that the farmer hires a worker using the farmer's money, that is permissible. However, if they stipulate that the worker be hired using the landowner's money, that is not permissible. If they stipulate that the worker be hired using the farmer's money, with the understanding that the farmer will recoup the produce from the land and then divide the remainder equally, that is not permissible. If someone gives their land on the condition that the produce be divided equally between them, and the farmer then gives it to a third party on the same condition, the produce is divided equally between them, with half going to the landowner and the other half to the third party, and the .middle party receives nothing

He said in Mukhtasar al-Athar: If the farmer plows it unjustly and transgresses against it, and this is proven against him, and he does not claim that he rented it, or if he claimed that but refused to take the oath, then he has the right to it after it was returned to him and his transgression was not proven. So the owner of the land has the choice between taking the equivalent of its rent or paying him his expenses and his seed and taking the crop, and he does not have the .right to uproot it because uprooting the crop is corruption

Therefore: If the period agreed upon by them expires, the cultivated land returns to its owner. Likewise, if there is a tax on it and a man accepts it with its tax, there is nothing .wrong with that

He said: Whoever rents land on the condition that he cultivates it, and then abandons cultivating it without the

landowner preventing him or interfering with his work, is obligated to pay rent for the period he rented it for. He may choose to cultivate it or leave it uncultivated, unless he stipulated that he would not pay rent unless he cultivated it, and the authority to cultivate or refrain from cultivating it was delegated to him. If the stipulation was made accordingly, then it is as they agreed

A.M. was asked about the people of the village who had a tax due on them, and the Sultan attacked them, so they gave it to a man on the condition that he would pay them what they had taken, whether little or much, and he paid them what they had taken, and then he took more than that. He said: What they agreed upon is permissible if they were satisfied with it, and the one who carried that on their behalf has what he took more than that

From the same statement: Renting land for cash or goods other than what is sown on it, such as grain, is permissible. However, it is not permissible to rent it for anything that it produces, because it may or may not produce anything. This is what is prohibited

Mention of rents

He said in summary: Abu Ja`far Muhammad Ibn Ali, peace be upon him, was asked about a man who reads the Qur'an to him, and when the man finishes reading it to him, he makes food as people do and invites his companions who read with him and invites that man who reads to him. He said: There is nothing wrong with that as long as it is not for the sake of the Qur'an

And from it: And he found in the bag of the Messenger of God, peace be upon him, a book in which he said: The curse of God, the angels, the prophets and messengers, and the curse of Muhammad the Prophet, peace be upon him, is upon whoever claims to be from someone other than his father, or belongs to someone other than his masters, or wrongs a worker by withholding his wages, or steals road signs.

In summary, he said: Abu Ja'far Muhammad ibn Ali (peace be upon him) was asked about taking payment for teaching the Quran, and he disliked it. He said: A man said to the Commander of the Faithful, Ali (peace be upon him): "I love you, O Commander of the Faithful." He said: "But I hate you." He said: "Why?" He said: "Because you take payment for teaching the Quran, and I heard the Messenger of God (peace and blessings be upon him) say: 'Whoever takes payment for teaching the Quran, his share on the Day ...of Resurrection will be

They (peace be upon them) permitted payment for teaching writing, literature, and other subjects that teachers teach children, and they were hired for this and paid for it, up to his saying: So if the teacher teaches children the Quran and other things for which it is permissible to take payment, then there is nothing wrong with that, and the payment should be for what is permissible and not for what is not permissible to take payment for.

He was asked about a man who rents a dwelling that has trees in it, and he stipulates that its fruit be included in the rental contract. He said: If the fruit has ripened at the time of the contract, or some of it, or if there is something present with it, then that is permissible. Otherwise, it is not

permissible, and the rental is void if that is agreed upon
.together

And from it: The porter and the muleteer are liable for what he took the wage for carrying if it was delivered to him and he was the one in charge of it. But if he rented his animal and the renter was the one who accompanied his goods and it broke or was damaged with him, then there is nothing on the owner of the animal. And if the worker or the porter claims that what was given to him was lost from his hands and that the payer denies that, then the burden of proof is on the claimant and the oath is on the payer that he did not know that it was lost from him and the worker or the porter intends to have proof of its loss. And if the evidence testifies for him that it was stolen or taken from his hands, then there is
.nothing on him

And from it: If someone rents land and it is flooded, or a spring dries up, or a river stops flowing, then if the renter wants to spend on that from the rent of a year, he may spend it and the owner of the land is obligated to pay the expense, otherwise he is obligated to pay according to what he
.developed and benefited from

Therefore: If someone hires a builder to construct a wall for him using plaster and bricks, and informs him of its
.length, width, and height, it is permissible

If he hires him from day until night, he has the right to work from the time of the morning prayer until sunset. As for those who work only until the afternoon, they do not have that right unless they stipulate it or it is a known fee, in which
.case it is like a condition

From the author's summary on leasing: Leasing is a type of sale that involves a known service and a known

benefit. Transfer of the rent, whether paid in advance or deferred, is permissible. If someone rents a house to live in or land to cultivate, and guarantees the residence or cultivation, the guarantee is not valid. Similarly, if someone hires a craftsman and stipulates that he must work with his own hands, and takes a guarantor, the guarantee is not valid. The same applies to all other services. However, if someone hires a craftsman to do something without stipulating that he must do it with his own hands, and takes a guarantor, this is permissible. The guarantor is responsible for the work; if he completes it, he can claim from the person for whom he provided the guarantee the equivalent wage. It is permissible to rent a riding animal for a known period and a known wage. Its food and clothing are the responsibility of the owner, and if she stipulates this on their behalf, it is permissible. She may not give her milk to anyone else unless it is her own offspring. If she gives it to someone else, it is considered a breach of trust, but her wages are not reduced. If the offspring dies before the nursing period ends, she is entitled to a portion of the wages calculated according to the time elapsed. If the offspring is lost, falls, or some of its jewelry is stolen, she is not liable. If they wish to remove her before the agreed-upon period, It is not permissible for a wet nurse to leave them except for an excuse such as if the boy does not accept her milk, or if she becomes pregnant and they fear for him because of her, or if her immorality becomes apparent. The wet nurse herself is not allowed to leave them except for an excuse such as if her husband does not approve, or if the boy's family harms her, or if she becomes ill. If she is hired with her husband's permission, and the boy's family wants

to prevent him from having intercourse with her for fear that .she will become pregnant, then they have that right

And from it: If someone rents a house, animal, property, or anything else, and it becomes unusable or is seized by a usurper, the renter is not entitled to rent from that day forward, but he is liable for rent for the period prior to that. The renter's word is accepted regarding that period. If someone rents a stud animal for breeding purposes, it is not permissible. If a son rents his father, or any ascendant, it is not permissible, nor is it permissible if his mother, or any ascendant. If a house is jointly owned by two men, and one of them rents it, and then one of them dies, the lease is terminated with respect to his share. If his heirs, being adults, and the renter agree to the continuation of the rent, it is permissible. If there are two renters and one of them dies, the lease is terminated with respect to his share, even if his heirs agree to continue it. The death of an agent does not terminate the lease, but the death of the landowner and the renter reduces it. If the lessor and the lessee join the enemy, the lease is terminated. If they dispute until one of them returns repentant, and some of the lease term remains, the lease is binding for the remaining period between them, and neither the lessee nor the lessor has the right to terminate it. A lease is permissible except in cases of valid excuse. A valid excuse for the lessor is if he has a debt and is imprisoned for it, and he has no assets other than a house he has rented out, in which case he may sell it. A valid excuse for the lessee is if he rents a shop and then goes bankrupt and is forced out of .business, in which case he may terminate the lease

Therefore: If the owner of a house wants to sell the house without a valid reason, and the buyer approves the

lease, the sale is valid; otherwise, it is not. Similarly, if a guardian leases an orphan's land and the orphan then reaches .maturity, the guardian cannot revoke the lease

And from it: Whoever enters a bathhouse without paying and stipulates that the bathhouse owner safeguard his clothes is not liable. A shepherd, if he is a shared shepherd and tends to whomever he chooses, is liable for what perishes from his flock unless he provides proof that it was not due to his action or negligence, in which case he is not liable. If he mixes people's sheep so that they cannot be identified, he is liable for their value, and the sheep belong to him. His word regarding the value is accepted with his oath. If someone hires him to tend his sheep alone, he is not allowed to tend another person's sheep alongside his own. If one of the sheep perishes or is eaten by a wolf, he is not liable. His word is accepted in this matter with his oath if he is a private shepherd, and a private shepherd is one who does not work for others. A shepherd is not liable for what perishes, whether the flock is shared or not. Whoever rents a garment may wear it and is not liable if it is lost, but he may not allow someone else to wear it. If he does so, he is liable for any decrease in its value. Whoever rents a shirt to wear until night and leaves it at home is liable for its rent. Whoever rents a tent may allow others to enter it, and the cost of the donkey used for its return is charged to the renter unless it is stipulated as part of the rent. And if An incident occurred at sea, and the sailor needed to throw some goods into the sea. The sailor and the passengers are responsible for that, and they share it. If he rents an animal to a city, he must deliver it to his family from there. If a man rents a land subject to kharaj for a known rent for years, and the sultan

increases its kharaj, then the increase is on the owner of the land. Its interpretation is from others, meaning if the people of the land were conquerors, and the sultan made peace with them on a known kharaj, then they obeyed and he conquered them and took the obligatory amount from them, then the .increase is on the owner of the land, as we mentioned

From the responses of our master Al-Nu'man to the letter of Ibn Wasim, the ruler of Zuwarah: I was asked about two men, each of whom took possession of something from the other without charge, guaranteeing that whatever was lost was his responsibility. If the item was lost, he is liable for what he guaranteed. If he cared for it for compensation or wages, he is liable for whatever was lost, whether he is responsible or not, unless he provides evidence that it was lost from his possession, unless it was due to his own .negligence

Among the issues mentioned

Question: What do you say about a man who rented land and then wanted to sublet it for a higher price than he ?rented it for? Is this permissible or not

Answer: There is nothing wrong with having more land than what is rented, and it is not like a house or a shop. If someone rents a house, he is not allowed to sublet it for more than he rented it for unless he makes some improvements to .it

Question: A man rented an animal from a driver in Ahmedabad to carry cloth from Nahrwala to Ahmedabad.

The driver traveled with the animal to Nahrwala, but the cloth was not found, or the renter had an excuse. Does the
?renter owe any of the rent or not

Answer: If they stipulated something at the time of the lease agreement, then the condition is binding. If there was no condition between them and the lessee did not prevent the lease with his intention, then he must pay the rent according
.to the distance he traveled

Mention of the rules of craftsmen

From the author's summary: If food is between two men and one of them hires his companion to grind it, it is not permissible. And if someone hires the place of a palm trunk to place in a wall, it is not permissible. Likewise, if he hires a wall to build a screen on it, and likewise the place of a
.window to pierce, it is not permissible

He said in the summary of the author: If someone orders a barber to extract a tooth for him, and he extracts it, and then says, "This is not what I ordered you to do," then his word is
.accepted, and the barber is liable

In his abridged version, he said: If someone brings a tailor to his house to sew a shirt for him, and the tailor sews part of it and then steals it, he will receive payment proportionate to the amount sewn. However, if this happens while the tailor is sewing in his usual place, he will not
.receive payment

If craftsmen work from a rented house, they are not entitled to withhold goods for rent and are liable for any damages caused by their work. However, if they work in their own homes, they are entitled to withhold goods for rent

If a tailor returns a garment to a man that is not his own, intentionally or unintentionally, and the tailor cuts and sews it, and then the owner comes forward, he has the option: either the tailor is liable for the value of his garment and the tailor can then seek reimbursement from the one who cut it and return his garment to him; or the owner of the garment is liable for the value of the garment and the one who cut it can .then seek reimbursement from the tailor

If someone hires a digger to dig a well for him to a certain depth in a certain area, it is permissible. If he digs a third of it and then finds a solid mountain, he is not allowed to abandon the work if it is manageable. If it is not manageable, he is allowed to abandon it, and he is entitled to .payment proportionate to the amount he dug

Pledge mentioned

He said in Mukhtasar al-Athar: It is not permissible for the one who has the pledge to benefit from it, and if it perishes, it is from the money of the pledgor, unless the pledgee commits a crime against it. And if the pledge perishes, he has no right to demand it with another pledge that is with him in its place. He has no right except to demand .his debt when it is due

He said in the summary of the author: If a man mortgages land that has no palm trees and palm trees grow on it, then the palm trees are excluded from the mortgage, as are what grows on it. If the mortgagor becomes bankrupt due to people's debts, the land with the palm trees is sold, then the price is divided, and the mortgagee is given what the land received from the price. He is like the creditors, and he

shares with them what remains for him in the price of the palm trees. If the trustworthiness of the mortgagee changes, then the mortgagor has the right to take him by taking him out of his hand and into the hand of a just person, and the judge compels him to do so. If his trustworthiness does not change, then he is not taken out of his hand and into the hand .of a just person

He said in the same statement: If a man pledges something to another man and says to him, "If I do not bring you your due by such and such a time, then sell it and collect your due. Whatever is in it after that is surplus to me, and whatever is deficient is my fault," then that is not permissible, and the one who has the pledge is not allowed to sell it to himself unless he raises his matter to the judge, who orders it to be sold. If they put it in the hands of a just person, then the just person should sell it when the due date arrives, .and that is permissible

And because the judge is in the position of an agent for the mortgagor and the mortgagee, and the mortgagee cannot be an agent for what is in his possession for someone else, .who is the one demanding it

Among them is what the Messenger of God, peace be upon him, said: "A pledge is not closed." This is like when a man pledges a pledge to another man for a right he has against him, and he stipulates that he will bring him his right by the date agreed upon between them, and the pledge is for him in return, and the pledgor has nothing. This is not .permissible, and it is a pledge in its current state

He said in Al-Yanbu': If the mortgagor appointed the mortgagee to sell the mortgage at the time of the due date,

and he sold it and had witnesses to that, then it is permissible
.to sell it

He said in Mukhtasar al-Athar: If the pledgor had appointed the pledgee to sell the pledge at the time of the due date, and he sold it and had witnesses to that, and to exaggerate its price and be thorough in selling it, then there is nothing on me in that. And if the pledgor accused him in the sale, he would make him swear an oath if he wished

From the author's summary: If someone borrows a garment from a man to pawn it, whatever he pawns, whether little or much, is permissible. If the lender redeems the pledge for the pledgor, he can claim it back from him if it was with the pledgor's permission. If it was without permission, he cannot claim anything back. If they disagree, with the pledgor saying, "I redeemed it without my permission," and the lender saying, "No, I redeemed it with your permission," then the pledgor's word is accepted

Therefore: If the mortgagor permits the mortgagee to mortgage the pledged item, and he does so, he is released
.from the first pledge

In summary, if a slave who has entered into a contract of manumission fears insolvency and wishes to pledge his slave-girl as collateral, it is permissible, as is selling him. However, he is not permitted to sell or pledge his own child According to a summary of the relevant texts, it is not permissible to sell, gift, or emancipate a pledged item if it is a slave, nor to remove it in any way until it is redeemed. If the pledgee has money, what he did is not permissible. If the pledgor pays off part of the debt, he is not entitled to take
.possession of the pledged item, nor any part of it

Among the issues mentioned

Question: What do you say about the Islamic legal principle that a mortgaged property cannot be used for any purpose, and that any benefit derived from the mortgaged property is calculated based on its value? So, if the mortgagee occupies the mortgaged property, is he obligated ?to calculate the rent equivalent to the property's value

Answer: Yes, if the mortgagee benefits from the mortgage, the mortgagor may charge him the value of what .he benefited from, if he wishes

Question: What does His Eminence, may God perpetuate his support, say about a man who mortgages a house to another man for one hundred mithqals or more or less, and then the mortgagee wants to live in the house, benefit from it, and rent it out to the mortgagor for a small amount according to what they both agree upon? Is this .permissible or not? Please provide an answer

Answer: The mortgagee to whom the mortgage is entrusted is not permitted to benefit from it. However, if the mortgagor agrees to take a known rent from the mortgagee, there is no problem if this was not stipulated in the terms of .the mortgage

Company mention

In the abridged version of the author's work, it states that the managing partner (mudarib) is not entitled to any expenses from the partnership capital unless he travels. In that case, his travel expenses are covered by the capital, according to what is customary for someone of his status. If

he travels with the partnership capital of one thousand dirhams, and he has ten thousand dirhams for himself, his expenses are divided into eleven shares between them: one share for the partnership capital and ten shares for his own personal expenses. If the managing partner travels with the partnership capital and spends from it on himself, and then profits, the capital provider receives his initial capital in full. Any remaining profit after expenses is subject to their agreement. If there is a loss, the expenses are deducted from the capital. If he is given a partnership capital in a city where he has no family, he is not permitted to spend from the partnership capital on himself unless he travels to another city. In a void partnership, the managing partner is not entitled to any expenses. If he travels with the partnership capital and spends from it on himself, he is accounted for and receives a customary wage, and any lost profit is borne by the capital provider.

He said in summary: The one who does not have money is the one who is a mudarib (profit-sharing partner) and the one who is a mudarid (profit-sharing partner), and the origin of mudarib is from striking the ground.

In the abridged version of the work, it states that if the capital provider dies while the managing partner (mudarib) still possesses goods, the managing partner remains in the partnership until the goods are sold. If the managing partner possesses dirhams or dinars, the partnership is terminated and the money becomes like a deposit. If a man gives another man 1,000 dirhams for a profit-sharing partnership (mudarib) to be divided equally, and the man earns 1,000 dirhams and they divide the profit while the capital remains

in his possession, then the initial division is invalid. The 500 dirhams that the capital provider took as his profit are deducted from his capital, and the managing partner must reimburse him for what he took, as what was lost was the profit. If the profit was 2,000 dirhams and each took 1,000 dirhams, then the capital is lost, what the capital provider took is his capital, and what the managing partner took is the profit, half of which must be returned to the capital provider. The profit cannot be divided until the capital provider receives his capital in full. Once he receives it, the division of the profit is permissible and cannot be reversed. If the capital provider receives his capital and then divides the profit, that .is permissible; otherwise, the initial division is reduced

From the summary of the effects: If one of the partners dies, the partnership is dissolved, and whichever of them .wishes to dissolve it may do so whenever he wants

Therefore: A believer should not partner with a non-Muslim under Islamic rule (dhimmi) or anyone who disagrees with him in buying and selling, as this would involve something he does not consider permissible or lawful, because it introduces unlawful practices and usury into his wealth. However, if a believer or a Muslim is in charge of buying and selling without the non-Muslim or anyone who disagrees with him, then there is no harm in his .partnership with him

From the answers of our master al-Nu'man, may God sanctify his soul, regarding questions posed by Ibn Wasim, the chief judge of Zuwarah: I was asked about two partners, one of whom sold a house to the other while the latter was absent. The latter denied the sale, while the buyer asserted

that it was from their shared profit. If the two partners were jointly managing all their assets and any profits accrued between them, and each of them was authorized to sell what he deemed appropriate, then the sale is permissible. However, if their partnership consisted of a known sum of money shared between them, and they both made a profit, and one of them acquired some of that profit and used it to buy a house for himself, then the other partner is not permitted to sell to him except with his permission and .authorization

Mention of preemption

He said in Al-Matlab: If the buyer took what he bought and had the right of preemption in it, and gave it as charity, or gifted it, or dedicated it, or built it as a mosque, and then the preemptor came forward to claim it, then he has the right of preemption and what the buyer did in it is nullified. He said: And if there was a right of preemption for an endowment of the Muslims, or for a mosque, or for something of the doors of charity, then the imam who claims it is in what he sees as .the interest

Therefore, preemption is permissible in real estate leases just as it is in all sales. So, if a man leases an entire house and there is a shared ownership between it and its neighbors that gives rise to preemption, or a share of a house, then the preemption right belongs to the partner in that, whether he is the owner or the lessee, because a lease is a type of sale, so it is not impossible for it to have the same .preemption rights as other sales

From it: The right of preemption in jointly owned property is obligatory for the partner if the sale is made for a known price or for a known equivalent such as measured food like wheat, dates, raisins, and weighed items. If some of it is of unknown value or is in an unknown item or .commodity, there is no right of preemption in it

And from this: If a man said to another, "I give you my share of this house on the condition that you give me a thousand dirhams," this would be like a sale, and the right of preemption would be obligatory in it, or however this occurs, whether by the wording of a gift or otherwise, the ruling is .the same

Therefore: If the pre-emptor is aware of the right of pre-emption and says, "I have surrendered it," or "I have surrendered half of it," then it is considered a surrender of the .entire right

Therefore: If the guardian, father, or whoever is legally responsible for the child during his childhood delivers the property, and his delivery is for the child's benefit and he does not intend to harm the child, then his delivery is valid and the child has no right to reclaim it upon reaching maturity. However, if it is known that his delivery was intended to harm the child, then the child has the right of preemption upon reaching maturity, and the delivery by his .guardian is not valid

He said in it: If the pre-emption right holder is absent and then comes to claim pre-emption, and the buyer is absent from him or has left the country, and the pre-emption right holder has witnesses to his claim of pre-emption, then he has the right, even if that is a long time. And if the buyer appears in a country where the house is not located, then the pre-

emption right holder is not required to go out to him, nor should he demand it from him in a country other than the one .where the house is located

He said in the book of news: They narrated that preemption is obligatory in the case of joint ownership of a wall between two houses, joint ownership of a watercourse in the road, and in everything in which there is joint ownership between the seller and the one exercising .preemption

In his abridged explanation, he said, regarding the statement, "If a slave is jointly owned by two men, and one of them sells his share, the other has the right to sell if he is a single partner," that this is an explanatory narration, while the one before it, "There is no preemption right in an animal," is general. The explanatory narration takes precedence over the general one. There is no preemption right in mills, wells, and rivers unless one of them owns the .land

Note: He said, "If the man pays the share," meaning if he marries her with the share, because he is paying her back with dinars, dirhams, or something else, then if it is a .payment, it is like a sale

He said in the same statement: If the pre-emptor takes the right of pre-emption from the buyer and takes it from his hand and gives him what he bought with, then the buyer is entitled to it and it is taken from him by judgment, he can claim the price back from the seller who had received it from .the first buyer

Among them: If the buyer buys something that is subject to preemption on credit until a later date, and the preemptor takes action against him, then if he is trustworthy

and able to pay the price, then it is until the date to which it was sold. If he is not able to pay or is not trustworthy, and he gives a trustworthy and able guarantor for that, then he has that right. If he does not find that, then he may choose to pay the price in advance or surrender the preemption right, and .he has no other option

Among them: If the property being sold is owned by a group of partners, and one of them stands up while the others do not, then he has the right to take all that was sold. If all or some of them stand up, then whoever stands up has the right to take it, excluding those who did not, and it becomes .divided among them

Among them: If goods are purchased from the real estate in exchange for goods of a known equivalent, and the partner takes possession of them, then he has the right to do so and pay with goods of a similar value. If there is no known equivalent, then there is no right of preemption regarding .what was sold for it

He said in Mukhtasar al-Athar: If the sale was secret, the pre-emption right is valid from the time the sale reaches him for a period of one year. If it was public and the pre-emption right was present, then after the period of one year he came forward and claimed that the sale had not reached him, he would not be believed in that because it was well known, and the pre-emption right is not required until the .sale is concluded

In his abridged version of Al-Athar, he said: The pre-emptor has the right to exercise his pre-emption against the seller and the buyer, whichever of them he exercises it .against, if the sale is finalized

He said in Al-Matlab: It is stated in the section on the absent party that if a sale occurs in a property where preemption is required, and the preemptor is present, then he travels immediately after the sale and is absent for a year, or less, or more, and then returns seeking preemption, then if his absence was less than a year, there is no impediment to his claiming preemption. If his absence was a year or more, then the circumstances of his travel are considered. If he traveled to a place he could reach and return from before the year was up, and he said that he still retained his preemption right but was prevented from returning by an obstacle from God Almighty, then his word is accepted with his oath, and he is entitled to preemption. He is considered an absent party and has the right of preemption until he returns, regardless of whether his absence was long or short. However, if his travel was to a place he could not reach and return from before the .year was up, then his preemption right is nullified

In the author's summary, it states: If the pre-emption right holder is informed of the sale of half a house in which he has the right of pre-emption, and he takes possession of it, then learns that the entire house has been sold, he has the right to retract his claim of pre-emption. However, if he is informed that the whole house has been sold, and he takes possession of it, then learns that the buyer purchased half, his taking possession is valid. If the buyer uses the house as a mosque, and then the pre-emption right holder is present, he has the right to take possession of what he has done and acquire the house by pre-emption, and the buyer takes its .newly constructed building

He said in the summary of the author: If the sale is subject to an option and the option is for the buyer, then

preemption is obligatory. If it is subject to the option of the seller or the option of both of them, then it is not obligatory .except after its completion

He said in the summary of the author: If the judge sells it for a debt of the deceased, then the pre-emptor has the right to invalidate the sale and take it by pre-emption, or he takes it from the second buyer by pre-emption if he wishes. If he bequeathed it in a will, the pre-emptor takes it and the will is invalidated. If the judge ruled in favor of the pre-emptor regarding the house by pre-emption before that, then he died before taking possession, then the sale is binding on his heirs. In his abridgment, he said: There is no right of preemption in what is sold in exchange for goods, such as a house for a house, or for merchandise, or anything similar. The preemptor cannot take its value. If the goods themselves are returned to the preemptor by ownership before his right of preemption expires and before he relinquishes it, and the goods are in their original condition and have not been altered by any loss, then he has the right to return them to the buyer and take the house from him by preemption, because .he has returned to him his own property

Therefore: If the price is more than what he paid, he has no right of preemption, because if he paid less, he has more right to pay more. If the preemptor dies during the preemption period before claiming his right, his heirs have the right to claim what their deceased had of preemption, and they are entitled to it according to their shares of his inheritance. If the buyer dies during the preemption period .while the preemptor is alive, he has the right of preemption

Among the issues mentioned

Question: What do you say about a man who bought land and built a mosque, then a preemptive buyer took possession of it and wanted to demolish the mosque? Is he allowed to do so or not? And what about a man who takes land by right of preemption from someone who bought it and built something on it? Is the preemptive buyer allowed to
?take the land without the building or not

Answer: The pre-emption holder has the right to demolish the mosque if he wishes, and he must pay the price
.of the building because it has become part of the land

Question: What do you say about a house that shares a wall and a watercourse or path with a mosque, and the owner of the house sells the house? Does the owner of the mosque
?have the right of preemption or not

Answer: Any right of preemption pertaining to a Muslim endowment, a mosque, or any of the gates of the volcano, is the prerogative of the Imam or the one in charge of it, who will claim it according to what he deems to be in
.the best interest

From the responses of our master Al-Nu'man, may God sanctify his soul, to Khattab ibn Wasim: You mentioned that you found in the book Al-Da'a'im that the right of preemption belongs to the child until he reaches puberty, and that his father and guardian may act on his behalf during his childhood. Does their silence during the present period
?invalidate the right of preemption or not

Answer: The right of preemption belongs to the child until he reaches puberty, and he cannot exercise it once he reaches puberty if his guardian relinquishes it

I asked about preemption for the absent and the child.

Preemption is for the absent until he is present, unless he surrenders during his absence or is present after a year has passed, in which case he does not claim. It is for the child until he reaches maturity. If he reaches maturity and claims, then he has the right of preemption. If he leaves it and that leaving is prolonged, then it is not for him. And for the present, in the period between him and a year, there is no preemption in a divided property except in the case of a quarter and a slave who is between two men, so the partner has the right to him if his partner wants to sell him

I was asked about preemption rights in houses that share a single entrance and door. In such cases, the right of preemption belongs to the residents of the house because they share the door. Similarly, if there are houses in a narrow, dead-end alley, the residents of the alley have the stronger right of preemption because they share the alley. However, if it is a public thoroughfare with a through access, there is no right of preemption because it belongs to all Muslims, and the residents of the houses do not own anything from it except what they use from their courtyards. From the concise explanation: The neighbor has no right of preemption, but he has a right and sanctity, and the boundary of the neighborhood is forty cubits from every side

The Book of Faith and Vows

.The command to uphold oaths and covenants was mentioned

From the abridged version of the riddle of simile in speech: when someone intends something and likens it to something else, and the listener understands that what is likened to it is what is meant by his statement, while he intends and conceals something else

The People of the Covenant are made to swear by God
and by what they hold sacred in their faith

.Mention what is required in faith and what is not

He said in Mukhtasar al-Athar that God Almighty commanded His Prophet, peace be upon him, to make an exception after forty days when revelation was withheld

In the abridged version of the book, it states: Whoever swears an oath regarding a right belonging to another, then makes an exception, his exception does not avail him

And from it is he who swore not to live in a particular house, and it was demolished and another building was built and he lived in it, then there is nothing upon him if he meant the previous building, but if he meant the place, then he has broken his oath

If someone swears not to eat any of this flour, and then eats bread made from it, he has broken his oath

If he swore not to eat this gruel and then drank it, he would not have broken his oath

If he swore that he would not wear a shirt and instead wore a loincloth, he would not have broken his oath

If someone swears not to give a gift to so-and-so, and then gives charity to him, he has not broken his oath

If he swore not to speak to a man, then gestured to him, sent a message, and wrote, he would not have broken his .oath

If he swore not to sit on the ground, and then sat on a mat between himself and the ground, he would have broken .his oath

If someone swears not to live in a tent, pavilion, or encampment, he does not break his oath if he is from a city, unless he intended otherwise. However, if he is from the .desert, he breaks his oath regarding a tent

Mention of vows

From the summary of the effects: If he vows something, it is sufficient for him and it is voluntary, not obligatory. And if he makes the vow like the expiation for an oath, then that is .good and beautiful

From this: If someone makes a vow to do something, and it was before he made that vow and he was unaware of its .existence, then he is not liable for anything

A man asked Abu Ja'far Muhammad bin Ali, peace be upon him, and said: I have a slave girl and I hate having a child with her, and her menstruation has stopped and I fear that she may be pregnant, so I made a vow to God Almighty to free a slave, fast and give charity if she menstruated, but then she menstruated before I made that vow and I did not .know. He said: There is nothing upon you

Abu Abdullah Ja'far ibn Muhammad (peace be upon him) said: Whoever swears not to give a man dinars, and .then gives him goods instead, has not broken his oath

If someone swears not to sell their goods at a price they mentioned, and then sells them for goods equal to that price, .they have not broken their oath

If someone owes another man dinars and swears he will only receive them in full, but then gives him some of them .and some goods in return, he has not broken his oath

A man was asked about a man who swore to slaughter his son, and he said there was no blame **on him,** for it was one .of the steps of Satan

".He said, "Expiation after breaking the oath
From the summary of the author: If someone makes a vow for the return of an absent person, and then finds that the person has already returned, then he is not obligated to do .anything

And whoever makes a vow that he cannot bear, there is .no obligation upon him

Among the issues mentioned

Question: What do you say about a man who made a specific vow and then wanted to cancel it and not fulfill it? Is ?he obligated to do anything or not

Answer: If the vow was made for the sake of God, then it must be fulfilled, and it is not permissible to cancel it. Whoever cancels it is sinful, and there is no expiation required. The expiation for a vow should be similar to that .for an oath

From the book of claims and evidence: The People of the Book are made to swear by their religion, meaning peace be upon them, if they do not see anything else but that and do not see breaking an oath by someone who swears by God.

Likewise, the disbeliever who worships idols is made to swear by the idols, and all of them are made to swear by their .religions

Whoever swears by the Most Merciful or by one of the names of God Almighty, intending to swear by God, must offer expiation. However, one should not swear by these .names intentionally except by God

If someone swears that if he does such and such, he must perform Hajj, divorce his wife, or free his slave, and .then does not do it, he is not obligated to do anything

Mention of expiations

In the author's abridgment, he said: If he gives each poor person a garment, it does not fulfill the obligation of clothing, but it does fulfill the obligation of food if it is of equal value and he intended it. If he gives each poor person the value of the clothing, it does fulfill the obligation. If he clothes them and then they inherit from him, his expiation is .not invalidated. A slave can expiate for fasting

Food Book

Mention of feeding the hungry

From the abridged version of the hadiths on fasting:
When the Messenger of God (peace and blessings be upon him) ate the food of a group of people, he would say: "May those who are fasting break their fast with you, may the righteous eat your food, and may the angels pray for you."
This indicates the virtue of providing food for those who are .fasting

Mention of types of food and their remedies, and the need for them

And he said in Al-Sahah: The job is what a person allocates each day in terms of food or sustenance, and he has allocated it as a job

Among the issues mentioned

Question: What do you say about the fact that the Sharia prohibits cutting bread with a knife? O our master, the people of India cut flatbread with knives and make other kinds of food with the pieces and meat. Is there anything wrong with that or not? And is it disliked to eat it if it is cut

Answer: It is permissible to eat it, and there is no harm in that; it is a sign of good manners and respect for the blessing

Question: What do you say about what is stated in Islamic law that if your believing brother enters your house, feed him the best food in your house, and if he is fasting, anoint him? O our master, what is meant by anointing here

Answer: He honors his brother if he is fasting by anointing his body

Mention of the etiquette of eating

In his book "Al-Akhbar fi al-Fiqh" (Reports on Jurisprudence), he said: "It has been narrated that it is a Sunnah to begin washing with the person on the right of the man, then the one next to him, and so on until the last of

them, and that the owner of the house should perform
".ablution last

From the summary of traditions: If a man has his
brothers come to his house for a meal, he should eat with
them to encourage them, and he should be the last of them to
finish his meal, and the last of them to perform ablution
.before and after the meal

In his abridged version, he said: Hands should be
washed before and after eating, and a man should wash his
hands with his family before them and with others after them

Among the issues mentioned

Question: What do you say about the bed that people in
India sleep on? Is it disliked to wear clothes or eat food on it,
?since some of them dislike that

Answer: There is nothing wrong with eating on it and
.wearing clothes over it

Question: What do you say about the fact that some of
the preachers in India sit down to eat leaning on their left
hand and place the food on something high off the ground,
about a handspan or more? Is there anything wrong with that
?or not

Answer: This is what the arrogant do, and humility is
more appropriate. As for placing food on a tray and the like,
.there is nothing wrong with that

**Mention what foods are permissible to eat and what foods are
forbidden to eat**

In his abridged version of the hadiths, he said: Eating the meat of camels, cattle, sheep, and all wild animals, and their milk, is permissible, except for predatory animals with fangs that hunt and eat animals. It is not permissible to eat their meat or any part of them. Eating all birds is permissible if they are slaughtered according to Islamic rites, except for birds of prey with talons that hunt and eat animals. It is not permissible to eat them or their eggs

From the responses of our master Al-Nu'man to Khattab ibn Wasim, the ruler of Zuwarah, he said: "I asked about the food of the People of the Book and whether there is a difference between the Jews and the Christians in this regard. The Jews and Christians are People of the Book of God, as God Almighty said: 'The food of those who were given the Scripture is lawful for you, and your food is lawful for them.' This applies to grains and condiments. As for slaughtered animals, God Almighty said: 'And do not eat of '' that over which the name of God has not been mentioned

Among the issues mentioned

The question is: What do you say about the bones, veins, skin, horns, and hair of animals that are permissible in Islamic law? Are they to be eaten just as their meat is eaten

Answer: There is nothing wrong with it except for what is forbidden in Islamic law, such as blood, glands, ⁵and other things

Each solid piece between the nerve ⁵

Question: What do you say about the fact that it is stated in Islamic law that someone who is in dire need may eat carrion? O our master, what is the limit of someone in dire need, and people vary in their patience? Is it permissible for him to eat carrion if he is able to ask for help or if a wild animal eats it, or not

Answer: If he is forced and fears death, there is nothing wrong with eating it, and there is no limit to that

Question: What do you say, O Master of Masters, Owner of all, regarding animals that, according to Islamic law, are forbidden to eat meat or drink milk, and therefore whose sale in Muslim markets is of no consequence? When does the ruling of being considered an animal of this type apply? The common people claim that if most of its feed is excrement and only a small portion is pure, then it is judged accordingly. May the Master grant us a satisfactory answer, may God make us his ransom

The answer: It depends on what is mentioned in Islamic law that its milk, meat, and sale are forbidden if it is not kept in captivity, so it is not permissible to sell or buy it if that is the case

Question: If animals that eat filth are kept on clean fodder for a few days, then develop a disease and do not complete the specified period, is their meat permissible to eat or not

Answer: Its meat is not permissible until the aforementioned period has elapsed

Question: From the book Al-Da'a'im, where he said, and on the authority of Ja'far ibn Muhammad, peace be upon him, that he permitted the food of the People of the Book and other groups if the food did not contain a sacrifice. So how is this? I mean the People of the Book, the Jews, the Christians, and other groups, I mean the polytheists, the disbelievers, and those who worship idols and do not worship the Most Merciful, and do not know what is lawful and unlawful. Rather, God Almighty said that the polytheists are unclean.

?So is it permissible to eat food that is not a sacrifice or not

Answer: Foods such as bread, flatbread, and other dry
.foods are permissible, but moist foods are disliked

From the answers of our master Al-Nu'man, may God sanctify his soul: I asked about the food of the People of the Book and whether there is a difference between the Jews and the Christians in that regard. The Jews and the Christians are the People of the Book, and God Almighty said: "The food of those who were given the Scripture is lawful for you and your food is lawful for them." This is regarding grains and condiments. As for sacrifices, God Almighty said: "And do not eat of that over which the name of God has not been
".mentioned

If a Muslim is present when a Christian slaughters an animal and mentions God's name over it, he may eat from it. God Almighty says, "And what is the matter with you that you should not eat from that over which God's name has been mentioned?" This is if it is slaughtered according to the Sunnah of slaughter. If it is slaughtered without the presence of a Muslim, he should not eat from it because they have dedicated it to other than God. God Almighty says,

“Forbidden to you are carrion, blood, and that which has been dedicated to other than God .” The polytheist is not trusted with that as Muslims are trusted with their sacrifices

Collection of the doors of drinks

Mention of what is forbidden to drink

From the book "Abridged Traditions": The Messenger of God (peace and blessings be upon him) said: "No one in this world will drink wine, but he will drink it in the Garden ".of Paradise

From the author's summary: A Muslim is not punished for smelling of alcohol unless two witnesses testify that he drank it, or he confesses if he is not found drunk. If one witness testifies that he drank it and another testifies that he vomited it, he is not punished. Similarly, if one witness testifies that he drank it and another testifies that he confessed to drinking it, he is not punished. If he drank it under duress, he is not punished. If a drunkard accuses a man of adultery, he is imprisoned until he sobers up, then the punishment for the accused is carried out, and he is imprisoned until the beating has dried, then the punishment .for the drunkard is carried out

From the book of news: They narrated that the fuqqa' made in the vessels of the predators is forbidden and it is not permissible to drink it, but there is nothing wrong with the .vessel in which it is made once or twice

And from it is the mention of vessels: The narrators reported on the authority of the people of the house that the Messenger of God, peace be upon him, forbade the use of the

gourd, and the ⁶use of the tin ⁷-stained jars - and it was said that the tin-stained jars were red, and others said green, and the use of the tarred, and the use of the naqir - which is a vessel that they used to make from the trunk of the palm tree. All of these are vessels in which they used to ferment, so they were almost never with them except in a state of decay, and he forbade putting anything of the permissible drink in them .so that it would not change and alter it
 He forbade drinking from vessels of gold and silver,
 .and vessels gilded and silvered

Among the issues mentioned

Question: What do you say about the prohibition in Islamic law against drinking water from the handle of a vessel? O master, what is meant by this? And if a vessel has two or more openings, which one is referred to as the handle
 The answer: The intention behind this literature and the loophole is to provide a way out, and there is no harm in .drinking from it

Carrying pumpkins, which are gourds ⁶

And in the hadith: The Prophet, peace and blessings be upon him, forbade the use of gourds and hantam.⁷

Abu Ubayd said: These were red jars that were brought to Medina containing wine. Al-Azhari said: The clouds were called hantam and hanatim because they were full of water, likened to the full jars. In al-Nihayah: Hantam were green-painted jars in which wine was brought to Medina. Then the term was broadened to include all earthenware, the singular of which is hantama. He forbade the use of them for making nabitdh (a fermented drink) because they accelerated the fermentation due to the oil. It was also said that they were made from clay mixed with blood and hair, so he forbade them to prevent their use. The first .explanation is the more likely

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Collection of the Chapters of Medicine

Mention of healing through acts of charity

From the summary of the narrations: On the authority of the Messenger of God, peace and blessings be upon him, that he missed a man, then he came to him after a period of time and said: What delayed you from us? He said: Sickness and poverty, O Messenger of God. So the Messenger of God, peace and blessings be upon him, said to him: Shall I not teach you words by which you may supplicate, and God will remove that from you? He said: May my father and mother be sacrificed for you, yes, O Messenger of God. He said: Say: There is no power nor strength except with God. I have placed my trust in the Living One who does not die. Praise be to God who has no partner in dominion and has no protector

.out of weakness, and magnify Him with magnification
And from him: He said, "O son of the Messenger of God, teach me what to supplicate with." He said, "Say: O God, O Most Gracious, O Most Merciful, O Hearer of supplications, O Giver of good things, grant me the good of the Hereafter and this world, and avert from me their evil, and remove what is between my eyes, for it has saddened and
".grieved me

And from him: On the authority of Abu Abdullah, peace be upon him, that a man from among his companions complained to him of a corruption he found in his stomach, and that he could not eat any food except that it harmed him and made him feel bloated. So he said to him, "Say the name of God over every food you eat, and when you eat each type of food, then that will not harm you." So he did so and was
.cured

On the authority of Ali (peace be upon him), he said: If one of you places a vessel before him containing food or drink and fears that there might be something harmful in it, and suspects something, then let him say the name of God and take from it, for nothing can harm with the name of God

Mention of seeking refuge and incantations

It was narrated from the explanation of the news: His saying, "Hammah": "Al-Hamim" is the creeping of the creeping creatures of the earth, and the creeping creatures are what is from the grasses of the earth, such as scorpions and the like, and the singular is "Hammah" because it creeps, that is, it crawls, and the evil eye is that which afflicts a person, that is, it afflicts him, and he says, "I seek refuge in God from the poison and the evil eye," meaning with the evil eye what .has not afflicted him from what he fears will descend

From the abridged version of the hadiths: The common people mistakenly believe that the scorpion's stinger is its venom, and the wasp's stinger is its venom. Rather, the venom is the poison from that creature, from the snake, and from others. The venom is any poisonous creature. As for the .scorpion's stinger, it is the needle

Among the unusual things in Ibn Abbas's hadith is: "I seek refuge in God from the evil of a throbbing vein ⁸." It is .said that a vein throbs with blood when its blood rises

A wound that won't heal ⁸

Mention of treatments and medications

From the answers to the questions of Khattab bin Wasim, which our master Al-Nu'man answered: I asked about a man who wounded another man, and the doctor treated his wound with his medicine, and the wounded man died. If the doctor was not skilled and the wounded man died from his action ⁹, then there is nothing on the one who wounded him except compensation for the wound or retaliation if it is something for which retaliation is due. If the doctor was skilled and he did not die from his action, he is killed for it if he wounded him intentionally, or blood money if it was by mistake

And from the summary of the narrations: "Are you eating dates while you have conjunctivitis?" He said, "O Messenger of God, my right eye is inflamed, and I am eating with my left molar." So the Messenger of God, may God bless him and grant him peace, smiled and did not prevent him from doing so

And from him: On the authority of Al-Sadiq, peace be upon him, he said: A prophet from among the prophets complained to God Almighty about the lack of children, so He ordered him to eat meat with eggs

And from him: The Messenger of God was bald, and he called the cupping on the head "the helper" and the cupping "on the upper back" "the beneficial

Hence: Whoever finds the milk of wild donkeys is better

And from it: Al-Hamim is rain that falls during intense heat, and Al-Hamim is also hot water, and it is rainwater that falls during intense heat when it flows on the ground and

The blood money for the crime ⁹

becomes hot. And from that, it is forbidden to drink it, not because it is forbidden or impure, but rather because it is disliked due to its harmful effects

And from the explanation: Abu Abdullah said, Al-Asma'i said, "The word 'mishqas' refers to the arrowhead if it is long and not wide, and if it is wide but not long, it is called 'ma'bala,' and the plural is 'ma'abil

From the book of news: If three handfuls of it are taken dry on an empty stomach, it cures bile and phlegm to such an extent that it is said it leaves nothing

From the author's summary: There is nothing wrong with ¹⁰a man using a woman's milk as a nasal inhaler and drinking it if he needs to

The Book of Clothing and Perfume

Mention of dress etiquette

In short: In his statement, he should tuck up his lower garment, shirt, and cloak, and the prohibited trailing of garments is that which drags on the ground

Mentioning what is permissible in clothing and not forbidden in it

From the summary of the traditions: But the Imams, peace be upon them, disliked wearing black because the Abbasids dressed in it, and they claimed that they wore it in mourning for Hussein, peace be upon him. If there was any merit in that and it was obligatory, the Imams from his descendants would have preceded them in it. And if they were as they claimed, they would not have committed

sniffing means entering through the nose ¹⁰

against his descendants what they committed. So the Imams,
.peace be upon them, disliked dressing in their attire
And from him Al-Mu'izz said, peace be upon him,
when it was mentioned to him that some people dislike
spiritual images because God, peace be upon him, created
them, so he said: Is He not the Almighty, the Creator of
everything, from trees and inanimate objects and everything
that is seen, and they imagine that and do not see anything
wrong with depicting it, so what is the difference between
?this and that

They disliked for men to wear pure silk, but permitted)
what was woven from other plants of the earth. They
narrated that the Messenger of God, may God bless him and
grant him peace, permitted it for some people and allowed
the enemy to boast about it and adorn themselves with it so
that they would know the strength of the Muslims, in
accordance with God's saying: "And prepare against them
(" .whatever you are able of power and of steeds of war
And from it: The Imams, may God's prayers be upon
them, wear it in the same way, woven with something other
than it, and lined with ¹¹plants of the earth, boasting to the
enemies of God, and they permitted it to be worn by those of
their friends who boast about it, even though the world and
what is in it is the least of things to them, so they only show
what they show of it in preparation for the strength of Islam
and the Muslims, boasting to those who have set up against
.them and are hostile to them from all people
He said in Al-Iqtisar: It is not permissible for men to
.wear silk or gold jewelry

Mention of wearing jewelry

From the summary of traditions: It was narrated that the Messenger of God, peace and blessings be upon him, often turned his ring so that its stone was in the palm of his hand

Among the issues mentioned

Question: What do you say about Indian women adorning themselves with inanimate objects and plants, and some of them wearing elephant tooth bracelets, buying them, and praying while wearing them? Is this permissible for them or not? The common people claim that the first person to wear an elephant tooth was Fatima, the daughter of the Messenger of God (peace and blessings be upon him), and that her baldness caused her to wear it

The answer: As for elephant teeth, it is not permissible to pray while wearing them, and they lied about the daughter of the Messenger of God (peace be upon him). It is not permissible to sell or buy them. As for inanimate objects and plants, they may use them as they please

Question: What does our master, may God perpetuate his support, say about gold jewelry for women and silver jewelry for men? Is it permissible for them to wear whatever they wish from it, or not

It is permissible for women to wear them, and men may wear silver items such as bracelets and other things

Question: What do you say, O Shams, the scholar of wisdom, regarding what is stated in the Sharia regarding the

permissibility of men wearing silver rings? If one of them wears two or more rings on the little finger and other fingers, is that permissible for him or not? And does that cause him to
?fall short in prayer or not

.Answer: It depends on Islamic law

Question: What do you say about a ring that has a tree or other engraving on it, but none of the names of God Almighty mentioned? Is it permissible for a worshipper to wear it during his prayer if he is not preoccupied with looking at it? And about a ring that has the name of God and what is known of His mention on it, is it necessary to remove it during istinja' from the hand that is being used for istinja'
?or not

Answer: This does not harm anything, and there is no harm in removing it, and there is no blame on him if he does not remove it. Likewise, there is no blame on one who wears a ring that has something other than the name of God and His
.remembrance on it

Question: What does our master, may God preserve him, say about pearls, from which people make vessels and
?jewelry? Is it permissible to pray with them or not

Answer: Pearls are pure and can be used in prayer, but
.shells should be left unused. God and His saints know best

Question: What does our master, may God perpetuate his support, say about a man who is supported by the ¹²noble preservation and has silver jewelry that weighs more than a

mithqal and his thread is made of silk? Is his prayer
?permissible or not

Answer: There is nothing wrong with praying while wearing silver in clothing, swords, ornaments, and the like. However, one should not pray in pure gold unless it is mixed
.with silver, nor in silk unless it is woven from plants

Question: Regarding the Prophet's (peace and blessings be upon him) statement that he forbade men from wearing gold jewelry and said it was forbidden for them in this world,
?is it permissible for them to wear a ring made of pure gold

Answer: They are not allowed to wear a ring made of pure gold, but if the ring is made of silver and the setting for the gemstones is made of gold, then there is no harm in that

Mention of the good, its companions, and its virtues

From the summary of the sayings: “The purer ^{13a}
servant’s garment, the less his faults will be, and the more
”.pleasant his scent, the more his intellect will increase

From this: They, peace be upon them, disliked refusing perfume to those who offered it to them, and refusing water
.likewise

Al-Mu’izz said: Al-Mansur, may God sanctify his soul, told me: One day, when I was a young boy, I was at the table of Al-Mahdi, peace be upon him, and a group of his children and grandchildren were eating in his presence. A girl was standing with water for us, and she offered it to one of the boys, but he refused it. Al-Mahdi, peace be upon him, rebuked her and said to her: If it were not for the sanctity of the food, I would have taught you good manners. What made

.The undergarment is a symbol worn beneath the garment, specifically for the body ¹³

you offer him water when he did not ask for it? And he said to the boy: And if I offered it to you , why did you refuse it? Water is too precious to be offered to someone who did not ask for it or to be refused by someone who offered it to him. Al-Mansur, peace be upon him, said: At that time, I did not know what he meant, but when I learned what he meant, .peace be upon him, and the same applies to perfume And from him: Ali (peace be upon him) said: The Children of Israel were destroyed because of storytelling, .henna designs, and tresses From the author's summary: It is disliked to refuse .perfume if it is offered, and the same applies to water

Among the issues mentioned

Question: What do you say about perfume? Is it permissible to smear the entire body with perfume or not?

.Some people in India dislike this on the private parts

Answer: There is nothing wrong with that except for the saying of the Prophet: “The best perfume for men is that whose scent is apparent and whose color is hidden, and the best perfume for women is that whose scent is hidden and whose color is apparent.” So if he does that, there is nothing .wrong with him

Question: What does our master say about perfumes that are wet and sprinkled and ¹⁴ sold in the shops of polytheists and others, and he does not see any impurity in ?them? What is their status

Answer: If it is dry, it is pure, and if it is wet, it is impure
.if it is wet and touched by the hands of infidels

Book of Hunting

.Mention what is permissible and what is forbidden in hunting

In his abridged version of the hadiths, he said: “And he said regarding the sea: its water is pure and its dead creatures are lawful, meaning what is extracted from it that is permissible to eat and then dies after being extracted, not what dies in it, as God Almighty said: ‘Lawful to you is the game of the sea and its food as provision for yourselves and for travelers.’ He meant by ‘its food’ what is extracted from it and eaten outside of it, not that it is eaten under its water or at its bottom. Likewise, by ‘its dead creatures’ He meant what dies outside of it after being brought out alive. As for what dies in it before being caught, it is not lawful to eat according to the Ahl al-Bayt, peace be upon them, and that is
”.the floating fish

And from it: God Almighty permitted hunting on land and sea for those who are permitted to hunt, except for what He excluded from it through the tongue of His Messenger and the Imams from his household who explained His will, as God Almighty said: “And We have sent down to you the Reminder so that you may explain to the people what was
”.sent down to them

From the author’s summary: It is disliked to hunt and kill swallows, shrikes, and hoopoes, and it is disliked to hunt
.on Friday before the Friday prayer

From the book of news: The hunt belongs to the one who takes it first, not to the one who provoked it if he does not catch it

Among the issues mentioned

Question: What does our master, may God grant him continued success, say about the people of Zahiri catching fish, knowing that it is not in their doctrine to mention God's name over it? What is the ruling on this

Answer: Anything over which the name of God has not been mentioned is not to be eaten, and this is known by standing upon the hunter or by his confession

Question: What is the ruling regarding fish caught in the sea or pond that are sold in Muslim markets, and the seller is a Muslim who does not know whether God was mentioned when he caught it or not

Answer: Anything that Muslims sell in their markets, whether game or other permissible animals, is permissible to buy and eat unless it is confirmed that it was slaughtered facing a direction other than the Qibla or that the name of God was not invoked over it. If one forgets or is unaware of this, there is no blame upon him. However, if he deliberately omits it or is aware of this, then it is not permissible to eat it

If a Muslim takes fish out of the sea or from a tank and does not say God's name over it, it is not permissible to eat it
If someone sends a trained dog or bird to hunt and invokes God's name, and they eat some of it, the rest may be

eaten. But if they are untrained and eat some of it, the rest
.may not be eaten

If a Magian sends a dog out to hunt and invokes God's
.name, it will be eaten

Mention of what the birds of prey caught

From the summary of the author: Regarding eating
what the trained dog catches, he said: And what the trained
dog kills by a blow without wounding, it is not permissible to
.eat

And from it: If someone sends a trained dog and is
assisted by a dog sent by a Magian or a polytheist, or an
untrained dog, or a wild animal, and they both participate in
killing the game, it will not be eaten unless its slaughter is
.completed

And from him in Mukhtasar al-Athar: On the authority
of Ali, peace be upon him, that he forbade eating what died
before it was slaughtered according to Islamic law, from the
game of the Magians and the Christians of Arabia, and what
they taught of the birds of prey, unless the Muslims taught it
.after that

And from it: They said all dogs are the same, except for
the Kurdish and the Saluki; whatever they catch may be
.eaten if you know

They said: If the prey is caught alive and the predator
has affected it, but it is not slaughtered and dies in his hand
due to the action of the predator, then it may be eaten. But if
the predator has not affected it and he carries it away and it
.dies after that, then it may not be eaten

Mention of what the hunters killed of the game

In the abridged version of the work, it says: Whoever shoots game and hits it after invoking God's name, and it hits something else, may eat it

If someone shoots game and it becomes unable to resist, then another person shoots and kills it, it is not permissible to eat it, and the second person is liable to the first person for its value in that state. If the first person hits it and it remains unable to resist, then the second person shoots and kills it, then it belongs to the second person

And what is wild among domestic animals is treated like game in terms of its ritual slaughter

He said: If the game was not protected due to its small size and the harm it suffered, and a man shot it with an arrow and killed it, it is not permissible to eat it

And from it: If a man strikes game with a sword and cuts it in two, or severs its head or anything that cannot survive after it, he may eat it all. But if he severs its hand or leg or anything that can survive an hour or more after it is cut, then that which he severed may not be eaten

And from the summary of the hadiths: If a hand, a leg, or a limb is cut off from him and it is severed, and he is slaughtered according to Islamic rites, then he may eat except for the severed limb

And the trap is what is set up for hunting, such as nets, snares, and the like. (Book of Slaughter)

Mention of the actions of the slaughterers

He said that he forbade mutilation of animals, but there is no harm in branding animals on any part other than the

face, and in cutting off the rump of sheep if it benefits them, but the cut-off rump is not to be eaten. He also said that it is disliked to castrate animals, and castration is only forbidden .among people

And from the summary of the traditions: It is not permissible to slaughter with a stone, tooth, nail, bone, or .anything else, but only with iron

Mention of whose slaughtered animal may be eaten and whose slaughtered animal may not be eaten

From the author's summary: The sacrifice of idol worshippers and the like should not be eaten, nor the sacrifice of an apostate, and the sacrifice of a drunkard is .disliked

:Among the issues mentioned

Question: What is the ruling regarding a Muslim man who slaughters a pure animal in the air with his left hand and ?his neck between his fingers

Answer: There is no prohibition against slaughtering in the air. If the slaughterer mentions the name of God Almighty and slaughters towards the Qibla, then there is no harm in it. Slaughtering on the ground is better, and this is .the practice in the school of thought of the pure Imams

Question: If a limb of a permissible animal is cut off and remains attached to its skin, and then the limb is slaughtered, should it be eaten as part of the slaughtered ?animal or not

Answer: If the organ is severed and cannot be repaired,
.then if it is repaired, it is forbidden to eat it

Question: What do you say about a slave who slaughters someone else's animal with or without his master's permission? Is there anything wrong with that or not? The general public strongly dislikes a slave slaughtering
.an animal without the master's permission

Answer: If God's name is invoked, then his sacrifice is permissible to eat, and there is no need for his master's
.permission
and others

If someone slaughters an animal while in a state of ritual impurity (junub), it is permissible to eat it except on the
.days of Eid al-Adha and Hajj

From the responses of our master Al-Nu'man to our master Al-Khattab ibn Wasim: I asked about one who slaughtered an animal without mentioning God's name. If he did so forgetfully or ignorantly, he should mention God's name when he remembers, and his sacrifice may be eaten. But if he deliberately repeats the mention of God's name, his
.sacrifice may not be eaten

I asked about someone who slaughtered an animal without cutting the jugular veins. The Sunnah of slaughtering involves cutting the jugular veins, the esophagus, and the trachea, and cutting down the bone with the knife. There is no ritual slaughter (nahr) in this case. The animal is slaughtered at the throat, leaving the throat intact. If someone is ignorant of any of these requirements and does not perform the slaughter correctly, and the animal dies as a result, it is permissible to eat it. However, if someone

intentionally omits this, knowing that the Sunnah is otherwise, their slaughtered animal is not permissible to eat unless they cannot reach the throat and fear the animal will die. In that case, they should stab it with a spear wherever possible in its vital areas, mentioning the name of God Almighty, and eat it, just as one does when hunting if they .cannot reach the prey

Mention of knowledge of zakat

From the author's summary: If an egg is found in a dead hen and it is covered with a hard shell, there is nothing wrong .with it

From the abridged version of the hadiths, on the authority of Ali (peace be upon him), he was asked about the fetuses of livestock whose mothers are slaughtered while they are in their wombs. Is it permissible to slaughter them if they are brought out? He said: Their slaughter is the same as the slaughter of their mothers, as they are a part of their mothers. If they are brought out alive, they are left until they die, then they may be eaten if they have hair and fur, or if they have any of that on them, even on their tails, because that is the first place they grow hair from their tails. He .disliked eating them if they were not hairy or furry

Among the issues mentioned

Question: What do you say about a dead fish found ?inside the stomach of a caught fish? What is its status
The answer: It refers to an egg that dies by ritual slaughter. If it dies without ritual slaughter, the egg is not to .be eaten

The Book of Victims and Aqiqah

Mention of victims

Note: It is not permissible to slaughter the sacrificial animal except after the Eid prayer, as mentioned, until the time of noon. If the sun has passed its zenith, it is not permissible to slaughter the sacrificial animal until sunrise the following day. This applies to all the days of Tashreeq in the cities and in Mina. The best time to slaughter is on the .day of sacrifice

From the abridged version of the hadiths: The term “badan” also applies to camels and cattle, as narrated from .Ali (peace be upon him)

In the Minister's work, he said: If one of the partners in the sacrificial animal dies, and his heirs agree to slaughter it on behalf of the deceased along with them, it is permissible. However, if one of the partners in the sacrificial animal does not intend it as a sacrifice but only wants the meat, it is not permissible. Nor should someone who shares in the sacrificial animal participate with someone who wants the meat for himself. Whichever of the partners in the sacrificial animal slaughters it on the day of slaughter is sufficient for .them

He said regarding the permissibility of offering a sacrifice alone: it is better to offer it alone, but if one cannot find a sacrifice to offer alone, he may share it with others. A .camel suffices for ten people, and a cow for seven

He said in the book on Zakat that a camel and an ox are .not sufficient unless each one is sufficient for one person

He said in the system: Livestock includes all animals such as camels, cattle, and sheep, and grazing camels are called al-na'am

In the abridged version of the book, it states that if someone obligates himself to offer a sacrifice, then it is stolen and slaughtered, and he recovers it, it is valid for him if it was slaughtered within the prescribed time; otherwise, it is not valid for him, and he is entitled to its meat. The thief is liable for the difference between its value alive and its value slaughtered

Among the issues mentioned

Question: What do you say about the fact that it is stated in Islamic law that only a two-year-old camel, an old cow, and a two-year-old goat are acceptable for sacrifice and offerings? What is the meaning of these two terms? I am at your service

Answer: The term "thani" refers to an animal that has grown its second incisor, which is one of the four front teeth, two on top and two on the bottom. A gazelle is always considered "thani" because it never grows a second incisor. The term "musann" refers to an animal that has grown its sixth incisor, which is the tooth after the fourth incisor

Question: What do you say about the Islamic legal ruling that if someone buys a sacrificial animal and it dies before the day of sacrifice, it is still valid? And, O master, what should someone do if their animal is stolen

Answer: It suffices for him if it was lost or stolen and he did not recover it until the days of Tashreeq had passed

Question: What do you say about what is stated in Islamic law regarding the prohibition against a man selling anything from his sacrificial animal? O our master, if he sells its skin or something else, forgetfully or ignorantly, is there anything upon him for that or not

Answer: It is better to benefit from the hides of sacrificial animals, and if he sells them, he should give the price in charity

Mention of Aqiqah

From the author's summary: If the 'aqiqah is not performed on the seventh day, then it should be done on the fourteenth day. If it is delayed, then it should be done on the twenty-first day. It should not be delayed beyond that

And from it: They commanded the Aqiqah on the seventh day of the newborn and thereafter. If he dies before the seventh, then there is no Aqiqah for him. The Aqiqah is on the father, and if he is poor, then it is on the mother. If they are both poor, it is recommended for the newborn, if he is able and of sound mind, to perform the Aqiqah for himself. The Aqiqah is to shave his hair that he was born with on the seventh day and give its weight in gold or silver in charity

From the explanation of the news: And he placed some of her blood on the throat of his head

From the summary of the author: The midwife is given a quarter of the Aqiqah if she is a Muslim, and if she is a non-Muslim, then the value of that. What is permissible in the Aqiqah is also permissible in the Udhiyah

He said in the news: It is recommended in the Aqiqah, if it is slaughtered, that the limbs be cut and no bone be broken
He said in explaining the hadiths: And he feeds the poor
In his abridged version of the hadiths, he said: The Prophet (peace and blessings be upon him) said regarding the mention of names that he forbade four nicknames: Abu Isa, Abu al-Hakam, Abu Malik, and Abu al-Qasim, if the name was Muhammad. He forbade this for all other people, and permitted it for Ali and the Mahdi alone and his .descendants, may God's blessings be upon them all

Among the issues mentioned

Question: What is your opinion on naming a child after one of his parents? Is this permissible or not? The people of .India do not consider this acceptable at all

Answer: This is unreliable; he can name his children .however he wants

Question: What do you say about a man who slaughtered the Aqiqah sheep for his son but did not do with its blood, its last quarter, cut off its limbs, or recite the supplication at the time of slaughter what was reported to be done at that time? Does it suffice for the Aqiqah with his pure intention or not? And if he did not do that, should he ?give the midwife compensation for the quarter or not

Answer: This is a matter of etiquette, otherwise there is .no blame on him

If someone slaughters an animal for a vow or a sacrifice for the 'aqiqah (birth sacrifice), it is permissible to sell its .hide

The Book of Marriage

Mention of desires in marriage

In the summary of the author: The command to marry was not given in the form of an obligation, such that whoever abandons it is considered disobedient. Rather, it is a confirmed established practice. So, whoever is not called to it or is patient about it and does not get married, then there is .nothing upon him

Mention of those whom marriage is recommended and those whom marriage is discouraged

From the summary of the effects: His saying, “The shackle of lice,” is something that the people of the pre-Islamic era used to shackle their captives and those they wanted to torture. They would shackle them with a piece of raw, fresh skin that had been skinned from a camel, and they would make its hair from the side of its skin and tie it like that on it. When it dried, it became hard and lice would be found on the skin, and it would not reach the lice that were in it because of its hardness. So whoever had it put on him would suffer severe pain. He gave it as an example of a bad .woman and what her husband suffers from her

In his abridged version of the hadiths, he said: On the authority of Abu Abdullah (peace be upon him), it was narrated that Dawud ibn Ali said to him, “You have committed a sin that God will not forgive.” He asked, “What

is it?" He replied, "You married your daughter to a man from the Banu Umayya." Abu Abdullah (peace be upon him) said, "My example in this is the Messenger of God (peace and blessings be upon him), who married his daughter Zaynab to Abu al-As ibn Rabi'a. Uthman ibn Affan married Umm Kulthum, who then died, so he married his daughter Ruqayya to him. Umar proposed to Umm Kulthum to Ali, but he refused. So he went to al-Abbas and complained to him about this. Then he made a pact with the Banu Abd al-Muttalib. Al-Abbas went to Ali (peace be upon him) and said, 'O my nephew, you see what we are going through. Umar has made a pact with you and with us to refuse him.' He kept at him until he gave him the authority to decide, and al-Abbas married her to him. So, the best and most virtuous thing is to marry someone who agrees with us or who does not harbor enmity towards the family of the Messenger of God (peace and blessings be upon him and them all) . Marriage with a believer is better than marriage with someone who is not. There is no harm, in cases of necessity, in marrying with Muslims who disagree with us, and likewise, marriage among them is permissible. This is not forbidden like marriage with polytheists, but..." The virtue and choice lie in marrying those who agree, and then the .weak

He said in Mukhtasar al-Athar: Al-Sadiq, peace be upon him, was asked about a man who marries a woman who is not of age, and he said: There is no harm if the child does not remain with his child. And about the child of adultery, is it permissible to have intercourse with her and sell her if she is a slave and buy her? He said: Yes, and the unlawful does not make the lawful unlawful, nor does it corrupt it. And if

He were to turn away from such people and forbid their marriage, corruption would increase on earth. And God may reform the corrupt and accept the repentance of the sinners. And some of the people of the House, peace be upon them, were asked about the saying of God Almighty: “The adulterer does not marry except an adulteress or a polytheist.” He said: Marriage here is physical contact and intercourse, and it is the contract and marriage, meaning that if it is physical contact and intercourse, then it may mean adultery, not marriage. And some of them said: As for his saying, “except an adulterer or a polytheist,” he does not commit God’s wrath except while he is a polytheist. And the Messenger of God, peace be upon him, said: The adulterer .does not commit adultery while he is a believer

Mention of the abduction of women

From the summary of the effects: If the suitor proposes or increases the price of the goods after the agreement and before the marriage and sale contract, then that is in the ruling for the one for whom the contract was made. And if he exceeds what is in it of the surplus to someone else, then that is not something that invalidates the marriage or the sale .because it is not due to someone else by the contract He said in the summary of the author: The marriage contract is like a sale, except that if the marriage is concluded, there is no option in it before separation or after. If a man says to the woman’s guardian, “I have proposed to you so-and-so,” and he says, “I have married you,” the suitor needs to say, “I have accepted,” because it is permissible for him to propose to someone else. So if the master says to his

slave, “I have married you to my slave so-and-so,” it is a valid marriage, and the slave does not need to say, “I have
”.agreed

From the summary of the narrations: On the authority of the Messenger of God, peace and blessings be upon him, that he said: Whoever among you wants to get married, let him praise God and glorify Him and say: O God, grant me a wife who is fertile, loving, jealous, and grateful. If I do good, she is grateful, and if I do wrong, she forgives. If I remember God, she helps, and if I forget, she reminds me. If I leave her, she keeps my secrets from me. If I enter her, she pleases me. If I command her, she obeys me. If I swear to her, she fulfills my oath. If she is angry, she pleases me. O Possessor of Majesty and Honor, grant me that, for I will not take except what You have apportioned and given. The Messenger of God, peace and blessings be upon him, said: And he did so.
.God Almighty gave him what he asked for

Mention of entering into sexual relations with women and having intercourse with them

He said in Mukhtasar al-Athar: All of this indicates the prohibition of amusement, listening to singing, flutes, tambourines, and the like, which are things used for amusement. As for what was done in war, when armies were being mobilized and paraded, and similar celebrations of people before imams and army commanders, such as beating drums and cymbals and the like, and blowing trumpets and whistles and similar instruments, which are not things that are enjoyed or used for amusement, this is not among what was prohibited, nor is it like what was previously prohibited

and forbidden. Rather, this is something that is recommended in its proper place. It has been narrated that the Messenger of God, peace and blessings be upon him, passed by a group of Zanj people who were beating their drums and said, "O sons of Arfada, let the Jews know that there is latitude in our religion." If someone says, "Why do we hear and see in the countries where the Imams, peace be upon them, have authority, entertainments that have been prohibited?" it is said to him, "That is not greater than what they do of the immoral acts that God has prohibited and forbidden. They do that in their homes and behind their doors and curtains. God Almighty only commanded the establishment of the limits for the immoral acts for which He commanded limits, in what was apparent and witnessed and witnessed. He alone, Glory be to Him, knows what was hidden and concealed, and He has the power to punish or pardon for it. He has brought forward what He willed to bring forward and postponed what He willed to postpone. It has become clear to all people and is well known that the Imams, peace be upon them, condemned those who do it and did not give them permission for it, on the basis that it is not something for which limits must be imposed, but rather it

" .must be condemned and prohibited

He said in the explanation: It means he should not rush her until she decides her matter and he should delay his semen as much as he can. And his saying, "Let him be truthful with her," means, and God knows best, being firm in .intercourse and not being lenient in that

In his abridgment of the traditions, he said: On the authority of Ali (peace be upon him), he said: A man should not sleep between two free women, but he may sleep

between his slave women. He should not look at the private parts of a free woman, nor should he expose his private parts to her.

He said in the summary of the author: If the man dies, the woman's contract is broken, and he has paid her the dowry in advance, she is forced to enter upon him whenever he wishes, if she is an adult or someone like her can have intercourse. She has the right to prevent him until the wound heals and is completely cured. In that matter, her word is accepted if she claims that the illness is still present. If that is prolonged, and the women are aware of his knowledge and say that the contact does not harm her, then she is forced to allow him to have intercourse with her.

And from it: If he did it before and it was defective, he is liable, and this was mentioned in Mukhtasar al-Athar.

He said in Al-Yanbu': He forbade approaching women in their anuses. If he does that, it does not make her permissible for a husband who divorces her, nor does it make her chaste. If she complains to him and he confesses to it, he should be disciplined.

He said in Mukhtasar al-Athar: "Talk about women causes forgetfulness and leads the heart astray, and it is one of the traps of Satan."

From the summary of the narrations: Do not let them stay in the upper rooms, do not teach them writing, and teach them Surah An-Nur.

And from him: On the authority of the Messenger of God, peace be upon him, that he said one day to his companions, "What is a woman?" They said, "She is a private matter, O Messenger of God." He said, "Yes, so when is she closest to her Lord?" They had no answer to that.

So Ali mentioned that to Fatima, may God's prayers be upon her, and she said, "Go back to him and tell him, O Messenger of God, she is closest to her Lord when she stays in the innermost part of her house." So he went and informed the Prophet, peace be upon him, and he said, "This is from you, O Ali." He said, "No, O Messenger of God, rather Fatima told me." So the Messenger of God, peace be upon him, said,

"You have spoken the truth, for she is a part of me
In short: He forbade women, if they went out following

.men, from walking in the middle of the road with them
And from it: He forbade women from combing their

.hair with wine or the dregs of wine

From the summary of the hadiths: On the authority of
him, peace be upon him, that he forbade a woman from
refusing her husband herself if he asked her for it, and from
withholding from him her support and work. He said, "The
best thing a woman can adorn herself with is piety towards

".God and obedience to her husband

And from him: On the authority of the Messenger of
God, peace and blessings be upon him, that he decreed that
his daughter Fatima, peace be upon her, should serve what
was in the house, and he decreed that Ali should serve what
.was outside of it

Abu Abdullah Jaafar Ibn Muhammad, peace be upon
him, was asked about the rights of a woman over her
husband, who, if he does that, is considered kind. He said:
He should feed her and clothe her, and if she harms him, he
should forgive her. He said: My father had a wife who used
to harm him, but he would forgive her and say: The
Messenger of God said: A woman's baldness is like a rib; if
you leave it, you will benefit from it, and if you straighten it,

it will break. It was said to him: A woman is jealous of her husband. He said: That is out of love

Ali was asked about a man who turns away from a woman because worship, fasting, and prayer distract him from her. He said that the wife of Uthman ibn Maz'un came to the Messenger of God, peace be upon him, and said, "O Messenger of God, Uthman fasts during the day and prays at night." The Messenger of God, peace be upon him, knew what she meant, so he went out to the mosque and found Uthman ibn Maz'un standing and praying. He said, "O Uthman, God did not send me with monasticism, but rather He sent me with the true religion. So whoever loves my nature, let him follow my Sunnah, and marriage is part of my". Sunnah

And it was narrated from the Messenger of God, peace and blessings be upon him, that he forbade striking women except in cases of necessity

On the authority of the Messenger of God, peace and blessings be upon him, he said: Jealousy is from faith and lust is from hypocrisy, meaning jealousy in what is forbidden, and lust is taken from pre-ejaculatory fluid, and that is the gathering of men and women for that reason

In another hadith narrated by Ali (peace be upon him) from al-Mudhal (with a lam), which means abandoning jealousy, and the origin of al-Mudhal is from the man's secret, meaning he revealed it, so he took it as revealing his family to men. As for jealousy in what is permissible, it is disliked and forbidden. Ali said: There is no jealousy in what is permissible after the Messenger of God (peace and blessings be upon him) said: "Do not do anything until I come to you," meaning the night of his consummation with

Fatima (peace be upon her) after she had come to him, for the Messenger of God (peace and blessings be upon him) said that to them after they had lain down, so Ali (peace be upon him) remained silent and the Messenger of God (peace and blessings be upon him) entered and prayed for them and .blessed them and then he left

Among the issues mentioned

Question: What do you say about the fact that the people of India dislike a man having intercourse with a woman on the night he intends to travel and on the day ?thereafter

.Answer: This is unreliable

Question: What do you say about the fact that it is stated in Islamic law that looking at intercourse causes blindness and talking about it causes muteness? Does this apply if it is from the man or the woman? Does this apply to all instances of intercourse or only to the act of conception? And does the ?person who does this sin between himself and God

Answer: In all cases, it is not permissible to look at .them in that way

Question: Regarding the marriage contract and the wedding feast for the wife between Eid al-Fitr and Eid al-Adha, and during the first ten days of Muharram and from Safar until the twelfth of Rabi' al-Awwal, the general public .dislikes this and does not do it

.Answer: That is not reliable

Question: What do you say about the fact that if the Sharia states that it is disliked to have intercourse with women in their anuses, then, O our master, is this a dislike that is forbidden and sinful for the one who does it, or is it
?disliked but not forbidden

Answer: This is not permissible and is disliked in
.Islamic law, so he is not allowed to do that

Question: What do you say about the fact that Islamic law forbids a man from having intercourse with his wife while another woman is present in the house? If the barrier between them and the other woman is deep sleep or extreme darkness, is it permissible for him to have intercourse with
?her or not

Answer: He has been forbidden from doing that, so he
.may cover it up

Question: What do you say about the threat against those who allow their wives to go to bathhouses, mourning tents, clinics, and weddings? The people of India are not free from all of this except for bathhouses, and the country is
.based on this

Answer: It depends on what is mentioned in Islamic law

Question: What do you say, O Gate of Repentance for those who prostrate, regarding coitus interruptus if the woman consents but the man dislikes it? Is he allowed to do as he pleases in this matter, or not? The Sharia prohibits coitus interruptus with a free woman except with her permission, and with a slave woman except with her master's
.permission

.Answer: That can only happen with their consent

It is permissible to have intercourse with a woman on
.the night of Eid and before the Eid prayer

Question: What do you say about a woman who has slaves, or her father, or one of her close relatives? Is it permissible for her to show them her adornment or talk to them in private or in public, or not? Please enlighten us on
.this matter, may God make us your ransom

Answer: She should not display her beauty to them, nor
.speak to them, as they are strangers to her

Mention of the marriage of guardians and witnesses in marriage

He said in Al-Yanbu': If a woman does not have a
.guardian, the judge will arrange her marriage

If she appoints an agent, there must be witnesses to the agency. The father of the virgin may marry her off without witnesses to her appointment because he is more entitled to her and is trustworthy over her. If the virgin is married off by one of her guardians and she says, "I do not consent," and he claims that she consents, then her word is accepted with her oath, and the husband bears the burden of proof. If her father is her husband and she says, "I did not order," then her word is not to be heeded, and the same applies to her grandfather,
.the father of her father

It also includes: If the contract was made jokingly, drunk, or under duress, it is not valid, meaning if the contract was made by someone who was joking without a guardian or
.witnesses

He said in Mukhtasar al-Idah: If a man jokingly says to a woman, "I have married you," and she says, "Yes," then that is permissible, meaning if there is a guardian and .witnesses

He said in Mukhtasar al-Idah: If a man marries a woman in a state of weakness, or divorces or emancipates his .slave, and two witnesses testify to that, then it is valid

He said in Mukhtasar al-Idah: A woman cannot be married except with the permission of her male relatives, and her male relatives are her guardians, and the son is a male .relative because he inherits all the money if he is alone

He said in Al-Yanbu': "The consent of a virgin is required if her guardian asks her to cry, remain silent, or laugh. If she refuses, he will not marry her off. As for a previously married woman, she will not be married off until ".she gives permission

Therefore: If a woman appoints one of her guardians to marry her off, and he marries her off to someone unsuitable, .it is not permissible

From the summary of the explanation: Al-Sadiq, peace be upon him, said: If someone marries off his son while he is young, it is permissible for him to marry, but it is not permissible for the father to divorce him while he is young. The dowry is on the father if he marries off his son while he is young, if he has guaranteed it. If he has not guaranteed it, then it is on the son, unless the son has no money, then it is on the father, whether he has guaranteed it or not. It is permissible for the father to marry off his young son to the young daughter of a man if her father does that. It is not permissible for children to be married except by their fathers. If someone marries off his son and then dies, then the dowry

is taken from all of the money and is not taken from the son's
.share specifically, and it is like a debt

From the abridged version of the hadiths: On the authority of the Commander of the Faithful, peace be upon him, that a man came to him and entrusted his family and daughter to him, saying, "If you find a suitable match for her, then marry her. Is my marriage permissible?" He said, "Yes," and he permitted it

Qasim ibn Ibrahim was asked whether a guardian can arrange a marriage. He replied, "A guardian has no kinship with the guardian. Rather, guardians share kinship ties ." This means that if the father did not appoint a guardian and delegate the authority to marry his daughter to a specific man, then it is permissible. However, if the father did appoint a guardian and delegate the authority to marry his daughter to a man he named, then it is permissible. But if he marries her while she is a child, it is not permissible, meaning if her mother converts to Islam, because every child whose parent converts is considered a Muslim by virtue of .that parent's conversion

He said in Mukhtasar al-Idah: On the authority of al-Sadiq, peace be upon him, that he was asked about a widow who appointed a man to marry her without the permission of her guardian. He said: There is no marriage except with a guardian for a widow and for a virgin who is in charge of the matter. If the guardian refuses, then that is up to the Sultan. And we prefer that it be the judge. But if it is someone else who has the authority to rule from among the governors, then .that is permissible

From the summary of the effects: If he did not know,
the contract is void and resumed

From the summary of the explanation: On the authority of the Commander of the Faithful, may God's prayers be upon him and upon the Imams from his progeny, that he said regarding a woman who came to a people and said that she has no husband and no one knows her, he said: She should not be married until she brings forth upright witnesses that she has no husband, and then her marriage should be contracted and that should be entrusted to the one who .contracts by his command

And from it: If she has no witnesses, then she is entitled .to the dowry of her women

He said in the summary of the author: Likewise, the cousin and his like among the guardians. If the woman's guardian marries her off without her command or permission, and she is not informed of this until the husband dies, then this is nothing, and they do not inherit from each other. If the woman denies the husband, and one witness testifies that he married her today, and another testifies that he married her yesterday, then the marriage is invalid. If the young boy and girl are married off by someone other than the father and paternal grandfather, then the marriage is annulled, and there is no inheritance between them. If he grows up and consummates the marriage and has intercourse with her, then she is entitled to the dowry, and they are .separated

It is mentioned in the book of agency that if a man appoints an agent to marry him to a woman, and the agent marries him to someone who is not a suitable match for the husband, it is not permissible. If he appoints him to marry him to two women in one contract, and the agent marries him to one, it is permissible. If he says, "Do not marry me to

anyone but two women in one contract,” and the agent
.marries him to one, it is not permissible
From the summary of the explanation: It is permissible
for a virgin and not for a previously married woman. I think
that by virgin here he means someone who has not reached
puberty, because the father’s marriage to the child is
.permissible whether she likes it or not
And from this: If she has no witnesses, she is entitled to
.the dowry of her female relatives

Among the issues mentioned

Question: What do you say about a man who met with
the woman’s guardian and they entered into a valid marriage
contract, and one of them recited the marriage sermon? Is
that sufficient for them? And about a man who wants to
marry a woman, is he allowed to order someone who is
below him in rank to conduct the contract between them and
?recite the marriage sermon

Answer: The marriage is valid if the agency is from the
woman, and there is also no harm in someone of a lower rank
.of marriage contracting between them

Question: What do you say about a guardian who wants
to marry a woman who has no guardian other than him, due
to the absence of guardians or his kinship to her? How
should he contract the marriage? Should he appoint an agent
on his behalf and then contract the marriage with him, or
not? Please explain this publicly, may God make us your
.ransom

Answer: He may appoint an agent, and the woman may also appoint him, and then he may enter into a contract with him. So take what you have been given and be among the .grateful

Question: What do you say, Your Eminence, may God perpetuate His support and empowerment, regarding a child who is married by one of her guardians who is not entitled to marry her in her childhood? Some of the sheikhs say that the marriage is valid but suspended, so when she reaches puberty she is informed, and if she chooses marriage she is given to her husband, otherwise they are separated. Some .say that her marriage is not valid until after puberty

Answer: No one may marry her except her father, her father's father, her agent, or his guardian if he bequeathed the marriage of my daughter, whether she is a child, an adult, or a minor, or if he appointed him as her agent if she is a child .and has no choice after reaching puberty

Question: What does our master, may God prolong his shadow, say about a woman whom the governor married off after it was established that she had no guardian, and then the guardian came after it was established that she had no guardian, and then the guardian came from another place? Should the marriage be annulled or not

Answer: We dissolve the marriage and the guardian .marries her

Question: What does our master, may God perpetuate his support and blessings, say about a woman who has an absent guardian, and she calls him but he refuses to come and

says, "I will not leave this place"? For how long should he
?wait

Answer: If he refuses to enter into a marriage contract
or appoint an agent, then a just witness will do so, and she
.has no guardian other than him, the judge will marry her

Question: If the guardian travels for a month or less or
more and does not return for a year or two, how can the
?woman be married if she is of age

Answer: A woman may only be married off by her
guardian, and if he is absent, she should wait for his return
unless he appoints someone to marry her off or she has
.another guardian besides him

Question: If a man entrusts his children's marriage to
another man, and the closest guardian is a minor who later
reaches puberty, who has the first right to arrange the
?marriages of the orphans

Answer: If the orphans reach maturity, they do not need
.a guardian, and a custodian is preferable

Question: A woman wants to get married but has no
guardian except her son, who is absent from her. Can her
grandson act as her guardian in the marriage contract if he is
?an adult or not

Answer: The son of the son takes the place of the son in
.his absence

Question: A woman wants to get married and has an
uncle who is her father's brother from her mother's side and

her paternal cousin from her father's side. Which of them can
?officiate the marriage

.Answer: Her father has no guardianship

Question: A woman has a brother from her father and
mother who is absent at a distance of two days' journey, and
the brother's son is present. The woman wants to get married.
Is it permissible for the brother's son to act as the marriage
?contract's agent if he is an adult, or not

Answer: That is stipulated. If the guardian is absent, the
nearest guardian shall conduct the marriage contract
.according to the requirements of Islamic law

Question: Regarding the aforementioned relatives, if
they are not present at the time of the marriage contract, can
?the woman return to whoever was related to her father

Answer: Her guardian is the one who is close on the
.father's side, not the one who is distant

Question: If a woman has no guardian except a distant
relative, and many people believe he is related to her mother,
while the guardian and the woman believe he is related to her
?father, is he entitled to guardianship over her or not

Answer: He has no guardianship unless there is just
evidence that he is a relative of the father, and if there is no
.evidence of that, then the judge is his guardian

Question: Is it permissible for an adult woman to
appoint a Muslim judge to oversee her marriage if she can
?find someone from her father's relatives, or not

Answer: The judge is the guardian of one who has no guardian. If one of the father's relatives is found, even if he is .distant, he is more deserving than the judge

Question: If the closest guardian asks a woman for a bribe for her marriage and the woman dislikes this, can she ?appoint someone next in line to do it for her, or not

Answer: If there is fair evidence against him, then the woman may appoint the next closest person to him as her .representative, and he has no right to bribe her

Question: If a guardian prevents a woman from getting married for fear of someone inheriting from him, can she ?appoint someone next in line to do so, or not

Answer: If a just witness is presented against him for coercion, the woman appoints the closest person to her after .him as her representative

Question: What does our master say about a man who has a young son and another young daughter, and the father of the son proposes to her for his son, and they meet at the court of the marriage officiant in the country, and the officiant says to the father of the woman, "I have married the son of this man, whose name is so-and-so, to your daughter so-and-so for a dowry which he names," and the father of the daughter says, "Yes," then he says to the father of the boy, "And you have accepted this for your son?" and he says, "Yes," in the presence of witnesses, and they part on that basis, then they agree for a period of five years or less or more, then after puberty they renew a second contract and the consummation takes place at that time, so if the girl or

boy dies during the period between the two contracts before

?the consummation, do they inherit from each other or not

Answer: The marriage contract is obligatory. It has been said that a marriage without a betrothal is like a hand without limbs. If this is the case, and the parents pronounce the marriage of their two children, with the daughter's father saying, "I give my daughter in marriage to your son," and the son's father saying, "I give my daughter in marriage to my son," then this is a valid marriage. They inherit from one another, and renewing the contract afterward is preferable to follow the Sunnah. The dowry is the responsibility of the husband's father . This answer is from our master Idris ibn al-Hasan ibn al-Hasan ibn Abdullah, may God sanctify his soul

Question: If the guardian requests to marry off a suitable match but no one is found, and the period is prolonged, and the woman requests marriage, can she

?appoint someone next in line to do so, or not

Answer: If the woman is satisfied with the Muslim man and the guardian refuses to marry her, then the next guardian .who marries her will marry her

From the answers of our master Al-Nu'man, may God sanctify his soul, to Khattab bin Wasim: I asked about a woman who was proposed to and she had a father and a brother, and the father refused to marry her off, so she appointed the brother as her guardian, and he married her off. The father has more right to her than the brother, and she does not have the right to appoint the brother as her guardian without the father. If she does so, and he marries her off, the marriage is annulled, and she must begin a new marriage

with a guardian and witnesses. This is if her father marries her off on her behalf to whomever she wishes. If he refuses to do so, she raises her matter to the one who oversees the Muslims in her place, and he orders her father to marry her off to whomever she asks. If he says that he is not suitable for her, his statement is not considered. The Muslims are for one another except for the family of the Messenger of God, may God's prayers and peace be upon them, for no one else marries among them because of their superiority over others, and they marry among others. If the father insists on refusing, the overseer appoints her brother or the closest guardian to her. If she has no guardian, he appoints a man from among the Muslims for her, and she appoints him as her guardian, and he contracts the marriage for her

I asked about the orphan girl, whether the judge or someone else can marry her off out of necessity. The girl can only be married off by her father or her grandfather, her father's father, or whoever they appointed or one of them appointed to marry her off. No one else can marry her off without them. The judge separates her from whoever marries her in this way, and she is entitled to the dowry from him if he consummates the marriage with her

The question is about the statement of Abu Ja'far Muhammad Ibn Ali, peace be upon him, that he said: "Your son is closer to you than your grandson, and your grandson is closer to you than your brother, and your brother's son is closer to you than your father, and your mother is closer to you than your brother's son," and so on, may God's prayers and peace be upon him. If these are the ones who are next in line to the deceased, are they the ones who are next in line to

the marriage contract for an adult woman, acting as her
?agent, the closest of them, or not

Answer: The son of the son is more deserving than the
son of the full brother, and the son of the full brother is more
.deserving than the son of the brother from the father's side

And others: If an adult woman wants to get married and
her closest guardian is not an adult, then her guardian is the
judge. If a woman is married without a guardian, and the
guardian comes before the husband has consummated the
marriage and approves it, then it is permissible. If he arrives
after consummation, then her marriage is not permissible
.except by resuming the marriage

Mention of dowries for women

From the summary of the effects: And no bald man
should marry one of his daughters for more than twelve
ounces and a half of silver, and an ounce is forty dirhams and
a half of an ounce, so that is five hundred dirhams, and on a
.woven cloak and a mattress made of sheepskin
This is the dowry of the year, and there is no specific
.time limit for dowries

From Al-Yanbu': It is permissible for a man to marry
his young daughter with more than the dowry of his wife, as
long as it is not excessive. His statement, "And the dirhams
at that time weighed six," means that ten dirhams would
weigh six mithqals, and the weight of a mithqal is twenty-
four carats. The weight of the dirham, meaning the Islamic
qafilah, is three-fifths of a mithqal, so the dirham would be

fourteen carats or one-fifth of a carob seed. Some people said that the mithqal is twenty carats, so the dirham would be twelve carats. As for the weight of seven, as mentioned in Al-Muntakhabah, it was said that ten dirhams would weigh seven mithqals, and the mithqal is twenty-four carats, and the weight of the dirham is seven-tenths of a mithqal, so it is sixteen carats and four-fifths. And if the mithqal is twenty carats, as some people mentioned, then the weight of the dirham would be fourteen carats. And God knows best

He said in Al-Yanbu' and Mukhtasar Al-Idah: Ten
dirhams weigh seven mithqals

He said in the book of news about Ali that Abu Talib
said: I hate for the dowry to be less than ten dirhams, lest it
.resemble the dowry of prostitution

He said in the summary of the explanation regarding the one who is permitted to forgive the dowry: God, may His name be glorified, said: "And if you divorce them before you have touched them, and you have already specified for them an obligation, then [give] half of what you specified, unless they forgive [it] or the one in whose hand is the marriage contract forgives [it]." The narrators differed in the interpretation of the one in whose hand is the marriage contract. It was narrated from the Commander of the Faithful, peace be upon him, that he said: It is the husband. And in it is a second narration from him, peace be upon him, that he said: The one in whose hand is the marriage contract is the father, the brother, and the man to whom he appoints a guardian. The one who is in charge of his affairs is permitted to have his say regarding the woman's money, so he makes a settlement for her, and she approves it. So if he forgives, then

it is permissible for him to take some and leave some, but he
.is not allowed to leave it all

On the authority of Al-Sadiq, peace be upon him, he
said: He is the master who freed her and took charge of her
affairs. This narration from the family of the Prophet, peace
be upon them, is more common and more famous in their
.books

He said in Mukhtasar al-Athar: This is if the contract in
this marriage is on the condition that the marriage of this
woman is in exchange for the marriage of that woman, so
that each of them is made an alternative to the other and they
make that obligatory on this basis. But if they contract it as a
marriage is contracted without naming and they did not
stipulate in it what we mentioned, then the contract is
permissible, and each of them is entitled to the same dowry
.as her women, in the manner we described

He said in the summary of the author: If a man marries a
woman and does not specify a dowry for her, and she
.releases him from it, it is not permissible

He said in Mukhtasar al-Athar: If he consummates the
marriage with her, she is entitled to the same dowry as
women of her status and beauty, from someone of his status
and wealth, unless that exceeds the dowry of the Sunnah. If it
.exceeds it, it is returned to him

And from it: in her condition, wealth and beauty, from
someone like him in his condition and wealth, unless he
.exceeds the dowry of the Sunnah

From the author's summary: Death necessitates the full
dowry, and inheritance is distributed between those who are

eligible to inherit from each other, whether or not the marriage was consummated

And from it: The woman's sisters, her brothers and sisters on her father's side, her paternal cousins, her paternal uncles and aunts, and her relatives on her father's side, and she shall have a dowry from someone like her in her situation. And if the woman has no lineage, then the dowry is from the woman closest to her in resemblance, and she is her equal

And from it: If he gave her livestock as her dowry and she gave birth while she was with him, then he divorced her before consummation, if she had conceived while she was with him, she would return only half of the mothers to him. But if he had given her pregnant livestock as her dowry, he would return half of them along with their offspring. The same ruling applies to palm trees if they appeared while she was with him or with him. And if the livestock became pregnant while she was with him and gave birth, and then decreased in number due to the birth, then he divorced her before consummation, he would have the option of taking half of them as they are or taking half of their value on the day he gave them

He said in Al-Yanbu': And in that, consideration should be given to those whose situation is similar to hers in terms of wealth, youth, appearance, and the people of her country, due to the difference in dowries between countries

He said in the summary of the author: If he marries her on the condition of her father's manumission, she is manumitted by the marriage contract. If her father gives her a dowry while she is under guardianship, the marriage is valid. So her father's dowry is invalid

From the summary of the effects: If the master retracts his decision regarding the management or sells it, she is entitled to half its value

From the summary of the effects: If he gave her a dowry and she gave it to him as a gift or charity to him, then he divorced her, he must return to her half of her value on the day he married her. If he died and no dowry had been specified for her and he had not consummated the marriage, then she is not entitled to a dowry and she inherits from him Therefore: If he marries her on the condition that he will do work for her, then the marriage is permissible, and the wage for that is compensation for the dowry, and he does not consummate the marriage until he does for her what she hired him to do or gives her something

From the summary of the author: Whoever marries two women for a thousand dirhams, then it is their due according to the dowry of each of them, and it is not permissible to waive the dowry or any part of it for someone who does not own it

And from this: If he marries her with a dowry of a number of camels, cattle, or sheep, or a specific type of clothing with no variation in value, she is entitled to an average of that type. If he divorces her before consummation, she is entitled to half of what was stipulated. If he brings its value in dinars and dirhams, she is obligated to accept the value. If he marries her with something measured by volume or weight of a specific type, and he specifies the volume or weight, she is entitled to what is specified. If he brings its value, she is not obligated to accept the value unless she agrees. If he marries her with a garment of an unspecified type, or a house of an unspecified type, or

something similar, she is entitled to a dowry equivalent to that of her peers. If he gives her a specific slave girl as her dowry, but she does not take possession of her until he has intercourse with her and she gives birth, and he claims the child, he is not believed. If he divorces her before consummation, the slave girl is divided equally between them, and she is not considered an umm walad (mother of a child) by that statement. The child works to earn half of the woman's value, but not the man's, because he claimed the child, and his lineage is not established. If she becomes bankrupt after he divorces her before consummation, and her father had given her a dowry, neither he nor the creditors have any claim to it, because she was freed by the contract. The debts are attached to her liability, not to his person. If he marries her on the condition of a slave and gives him to her, then divorces her before consummation, and the slave commits a crime while in her possession, then the husband has the choice: if he wishes, he takes half of him and they pay him for the crime or ransom him, and he does not get anything back from her because of the crime. If he wishes, he leaves him and takes half of his value from her. The same applies to her if the betrayal was from the slave while he was in the husband's possession before the handover. If the slave marries with the master's permission, the dowry is in the master's money.

And from it: Whoever makes the emancipation of his female slave her dowry and then divorces her before consummation, he must make her work for half of her value. From the summary of the explanation: If he divorces her before consummating the marriage, she must return half of her value to him. If a man says to his slave girl, "Make

your dowry your freedom,” and she says, “I agree,” she is his wife. If he divorces her before consummating the marriage,
.she is entitled to half of her value

He said in Mukhtasar al-Athar: That is if the woman claims that he touched her, then if she admits that he did not touch her even though he had lowered his veil and closed his door on her and then divorced her, then she is only entitled to half of the dowry and she must observe the waiting period because the waiting period is not waived for her by her claim that he did not touch her if he had closed his door and
.lowered his veil on her

He said in the summary of the author: If a man stipulates a dowry for a woman, the contract obligates him to pay half of it. What obligates him to pay it in full is intercourse or what takes its place, such as pleasure, looking at private parts, kissing, or the like. And whoever takes pleasure in such a thing, such as a eunuch or an impotent
.man, is obligated to pay the dowry

And from it: The husband is not absolved of the dowry of a widow who manages her own affairs and a mature virgin who manages her own affairs without her father if he pays it to one of the guardians who do not manage the money, and he follows the one to whom he paid it and he is obligated to
.carry it out for its rightful recipient

And from him: On the authority of Ali (peace be upon him), he said: If a woman enters upon her husband, she is not entitled to any dowry after entering upon him except with proof, meaning if she claims that he did not pay her anything
.and that something of her dowry remains with him

And from it: That is if the condition is presented before the manumission, and that is if he says, “I married you on the

condition that I make your dowry that I manumit you.” If the manumission is presented first, and he says to her, “I manumit you for the sake of God on the condition that your manumission is your dowry, and I married you on that basis,” then she has the choice: if she wishes, she may marry him, and if she wishes, she may not marry him, because she has been manumitted and owns herself without him. If he .marries her after that, then let him marry her with a dowry

Regarding the responses of our master, Judge Al-
:Nu'man, may God exalt his sanctity

I asked about the lowering of the curtains and whether the dowry is due if a man lowers the curtain and closes the door on his wife, then divorces her or claims that he did not have intercourse with her. If she believes him, she is entitled to half the dowry and must observe the waiting period. Divorcing her does not exempt her from the waiting period. If she denies it, she must observe the waiting period and is .entitled to the full dowry

Among the issues mentioned

What do you say about what is stated in the Sharia that if a man closes his door on a woman and lowers his curtain over her, then she is entitled to the dowry, whether he has had intercourse with her or not? O our master, does this consummation necessitate the dowry for the woman for whom no dowry was stipulated and whose husband died? And with this consummation, is the oath of abstinence and ?the oath of separation valid or not

Answer: With this consummation, she is entitled to the dowry and nothing else, and she must observe the waiting period. Al-Sadiq said: The dowry is whatever people agree upon, whether little or much, even if it is two dirhams. A man died and left behind a meal of maqouda (a type of sweet). He returned unmarried, so she is entitled to the full dowry and a quarter share of the inheritance.

Mentioning the conditions in marriage

From the summary of the traditions: Abu Abdullah Jaafar bin Muhammad, may God's prayers be upon him, said: If he stipulated for her that if he married or took a concubine, then she would have one hundred dinars from him or whatever he made himself obligated to do so, then the marriage is permissible. If the money that he made his dowry was from the original dowry, then he is obligated to pay it, and if it was on the condition, then he is not obligated to pay it.

And from it: They said that it is not permissible to enjoy a virgin, and some of them claimed that it is permissible to enjoy married women, and this is pure adultery in which there is no doubt or cover-up.

He said in Al-Gharibin: "A woman does not ask for her sister's divorce in order to take what is in her vessel. Rather, it is made up of the act of turning over the pot when you turn it upside down to empty what is in it. This is a metaphor for tilting the purse, the right of its owner from her husband, towards herself. Al-Kisa'i said: It is said, 'I turned over the vessel,' 'I turned it upside down,' and 'I tilted it

He said in the summary of the author: If a man marries a woman on the basis that she is free, then he learns that she is a slave who is permitted to marry, then she is his wife. If he wishes, he may keep her, and if he wishes, he may divorce her. However, his child from her is free, and he owes the value of the child to her master, and the father can claim it from the one who deceived him. If no one else deceived him, he can claim it from her when she is freed. The father is not liable for any of his children from her who died before the dispute, and if any of them were killed and their blood money was taken, he owes their value. If the father dies and then the master comes, he takes their value from the father's estate because that is a debt on him, and the rest of the heirs cannot claim it from the child's share. If the father did not leave anything, the child is not taken for anything. The same ruling applies to the mudabbara (a slave woman whose freedom is contingent upon the death of her master), the umm walad (a slave woman who has given birth), and the mukataba (a slave woman who has become unable to fulfill her contract of manumission) who is returned to slavery. If the deceived husband was a slave, he owes the value of the children if he is freed, and he can claim it from the one who .deceived him

He said in the summary of the author: If the slave deceives the free woman into believing that he is free, she may stay if she wishes and leave if she wishes. If he has consummated the marriage with her, she is entitled to the dowry from the one who deceived her. If the slave is the one who deceived himself, he is obligated to pay it when he is freed. If he has not consummated the marriage with her, she

is not entitled to anything. He mentioned this in the summary
of the traditions

And from it: If the man had such defects, she is entitled to the dowry if he had consummated the marriage, and half of it if he had not consummated the marriage, except in the case of impotence and the like, in which case she is entitled to the full dowry if she surrenders herself. And if the marriage contract is concluded and one of the spouses has something that necessitates annulment, and he is treated until it is gone from him, or he is cured of it without treatment and it is gone and nothing similar occurs to him, then the contract is not invalidated. And if some of the defects occur to one of the spouses after the contract and before consummation, the occurrence of that does not necessitate annulment

He said in Al-Yanbu': If the man had done something like that and the woman did not know about it, then she found out, she could annul the marriage if she wished

And from him, and the impotent, the hermaphrodite, the eunuch, and the castrated, if they deceive themselves, then the woman has the option if she is aware of it. And if she does not choose and remains, and her husband does not have intercourse with her, and she disputes with him, a year is given. If the year expires and he does not have intercourse, then if he wishes, she may remain; otherwise, she has the right to choose herself, and they are separated. And if he has intercourse with his wife once, she does not have the right to separate from him. And if she marries one of these, knowing his condition, she does not have the option

From the limitation: If he claims that he reached her and she denies it and she is a virgin, then her word is accepted

with her oath, and if she is a widow, then his word is
.accepted with his oath

From the author's summary: The hermaphrodite who is considered a man is given a postponement like the impotent man if he does not consummate the marriage. If a man marries a woman and consummates the marriage, then divorces her and marries her again in a new marriage but does not consummate the marriage, he is given a postponement like the impotent man because this marriage is
.different from the first marriage

Mention of prohibited and permissible marriages

If a man marries a woman and then divorces her or she dies before he consummates the marriage, he is permitted to
.marry her daughter

And from him: On the authority of Ja'far bin Muhammad, may God's prayers be upon him, that he said regarding a man who marries a woman and then dies or divorces her before consummating the marriage, she is forbidden to his sons as long as they are born and to his fathers as long as they are raised up. And if he looks at his female slave with lust, or touches her, or has intercourse with her, or looks at her private parts, she is forbidden to his sons
.and to his fathers as long as they are raised up

And from this: If his divorce of her is a divorce in which he has the right of return, then if that is the case, he has combined them. But if he divorces her with an irrevocable divorce, then he has the right to marry her sister and others if
.he has three free women besides her

From the abridged version of the author's work: If a man marries a woman or takes a concubine, there is no harm in his son marrying her daughter from another man or having sexual relations with her as a slave, if she is a slave. This applies whether the son was born before or after the father's marriage, unless the son is close to his father's death, in which case it is disliked due to the suspicion. However, if there is no suspicion whatsoever, or if the son is far removed from the death, then there is no harm. If a man claims to have married a woman and provides evidence, and her sister provides evidence that she is his wife and he married her, then the husband's word is accepted, and his evidence is accepted, whether the woman confirms it or not. If the husband provides evidence that he married one of them, and they do not know which one, but the husband says, "This is she," then if she confirms it, she is his wife. If she denies it, then there is no marriage between him and either of them, and no oath is required of the woman against whom he makes this claim. If a woman provides evidence that one of these two men married her, and they do not know which one, and both men deny it, then it is invalid, and she is not entitled to a dowry from either of them, and no oath is required. If the woman makes this claim against one of the two men If she claims that he divorced her before consummation and that she is entitled to half the dowry, she makes him swear to the dowry. If she claims that he divorced her after consummation and that she is entitled to the dowry from him, she makes him swear to it. If he refuses to swear, he is bound by that and the marriage is not established because he denies it. If he swears, he is acquitted. If two men dispute over a woman, each claiming that she is his wife and

providing evidence, then if she is in the house of one of them or he has consummated the marriage, she is his wife unless the other provides evidence that he married her before him. If she is not in the house of either of them, then whichever of them provides evidence that he was the first has the right to her. If neither of them has evidence for that, then whichever one the woman acknowledges as her husband, she is his wife unless the other provides evidence that he married her before him. If she does not acknowledge anything, she is separated from them . If they did not consummate the marriage with her, then she has nothing. If they both consummated the marriage with her and it is not known which of them was the first, then each of them must pay the lesser of what was .specified for her and the equivalent dowry

Our master Ja'far bin Mansur al-Yaman said in the book "Al-Rushd wal-Hidayah" that God has permitted for whoever wants to marry from the nation of Muhammad to marry four women. Whoever goes beyond that and marries a .fifth, she and the four will be forbidden to him

From the author's summary: If a man commits adultery with a woman and she subsequently gives birth to a daughter, he should not marry her daughter due to the .suspicion

From the summary of the explanation: If her waiting period ends, he may marry if he and she wish, and she observes the waiting period of one of them together. If the woman's husband dies, she gives birth and marries before the four months and ten days are over. If he had consummated the marriage, they are separated, and then she is never lawful for him, and she observes the waiting period that remains for her from the first marriage, and she begins

the other waiting period from the second marriage, which is three menstrual cycles. If he had not consummated the marriage, they are separated, and she observes the waiting period that remains for her from the first marriage, and he is .a suitor among suitors

Among the issues mentioned

Question: What do you say about a man who has four wives and divorces one of them, then marries a fifth before the waiting period of the one he divorced has passed, whether intentionally or unintentionally? Are all his wives forbidden to him until he resumes marriage with whoever he wants from them through a new marriage, or not? It has been reported from our master Ja`far bin Mansur al-Yaman, may God sanctify his soul, in the book al-Rushd wal-Hidayah that God has permitted whoever wants from the nation of Muhammad to marry four wives, so whoever exceeds that .and marries a fifth, then the four are forbidden to him

Answer: Outwardly, only the fifth wife is forbidden to him. If he goes beyond that and marries the fifth, then she .becomes forbidden to him

Question: What do you say about the statement of God Almighty: “Nor marry his wives after him ever”? What is its apparent and hidden meaning? And does this ruling apply to the wives of the Prophet (peace be upon him) or to the wives ?of all the Imams in the hidden meaning

Answer: In the wives of the Prophet, outwardly and .inwardly, and in the wives of the Imams, inwardly

Question: What do you say about a man who travels to a place and marries a woman, intending in his heart to divorce her when he returns home? Is he obligated to do anything according to the apparent meaning of Islamic law, or is his marriage valid and he is not obligated to do anything?

Answer: He is not obligated to do anything, and she is his wife until he divorces her.

Question: Is it permissible to pray with, talk to, and sit with all forbidden women without a covering, and is it permissible to look at them or not?

Answer: It is permissible for him to look at all forbidden women, but it is not permissible for him to marry them, talk to them, or pray with them without a covering. And what came in the interpretation of the pillars, that the caller is not allowed to have more than four authorized men, and if he wishes he may limit it, then it is specific to the proof of the Imam, peace be upon him, and not to the caller of the island. The Messenger of God, peace be upon him, did not marry anyone besides Khadija, may God be pleased with her, before she died, and he married after she died. Likewise, the successor and the Imam did not marry besides the woman from whom the Imam who would rise after them would come, until she died.

If the child born out of wedlock prays, purifies himself, and has taken a noble covenant and follows a praiseworthy path, then there is no harm in him marrying a free woman who is not an adulteress, and the same applies to a girl.

From the answers of our master Al-Nu'man, may God sanctify his soul: I was asked about a man who married a

woman during her waiting period. If they both knew, or one of them knew, that this was not permissible, they should be separated and she would never be permissible for him, whether he consummated the marriage or not. If they both knew and thought that this was permissible, they should be separated until her waiting period ended, and then if she wished, they could enter into a future marriage contract. And she was asked about a marriage contract without specifying a dowry, and that is permissible. God Almighty said: "There is no blame upon you if you divorce women before you have touched them or specified for them an obligation. And give them a gift, the wealthy according to his means and the poor according to his means." If he divorces her or dies before consummating the marriage, she is entitled to a gift but not a dowry. She must observe the waiting period in the event of death, and she is entitled to inheritance. She does not have a waiting period in the event of divorce, according to God Almighty's statement: "And if you divorce them before you have touched them, then there is no waiting period for you to observe." If he consummates the marriage and then dies or divorces her, she is entitled to the same dowries as women of similar status, wealth, and beauty. If the man says that a dowry was specified for her and she denies the specification, then her word is accepted with her oath, and he must provide evidence regarding his claim of specifying a dowry and that she was satisfied and married him on what he specified for her.

Question: Is it permissible for a man to travel with his son's wife or not, and with his wife's mother without a veil, and should he bury her or travel with her? Also, what is the

ruling regarding the relatives through breastfeeding? Please
.answer, Your Eminence

Answer: It is preferable to be cautious with these people regarding the things mentioned, because the Prophet said: The pious one is he who leaves what is permissible out of caution so as not to fall into what is impermissible, if one of their relatives is found. If no one of their relatives is found, .then it is permissible, and God knows best

Missing person mentioned

From the abridged version of the work: If a man dies and leaves behind a missing son, property, and two daughters, and the missing son has a son, and the two daughters say, "Our missing brother died before our father," and the son's son says, "No, my father is missing," then the following applies: If the father died ten years after his son went missing, the son's son has no right to the inheritance. If less than ten years have passed, the inheritance is suspended. Every relative who dies, the missing person is entitled to some of their inheritance between the time of their disappearance and ten years, because it is unknown whether they inherit or not. If someone claims a right against the missing person, such as a debt, deposit, partnership, divorce, manumission, return due to a defect, or any other claim, their claim is disregarded, and no evidence is heard. All property held in suspension, such as what we have mentioned, as well as found items, stray animals, and the like, remains in the public treasury until its rightful owner appears. The same applies to the inheritances of those who die without known heirs and similar cases. If a pregnant woman's husband dies,

or a slave woman's master dies leaving property, and she disappears before giving birth, the inheritance of her unborn child is suspended according to the aforementioned ruling. And from it, if time has passed with the missing person and no news of him has been found, wait ten years and then divide his money among his heirs. And if no news of him is known and his heirs are asked to divide it, they should respond to it, and if they refuse, they should be refused. And if he dies in the course of the time in which a child or heir has been missing, that heir shall not inherit anything from the money of the missing person, and his inheritance at the time of division shall revert to its rightful owner, and the inheritance of the missing person shall revert to its rightful owner on the day of its division. And it is recommended that a guarantor be taken from everyone who took something from this money for what he took, as a precaution and protection.

From the summary of the effects: He who is seen between the two ranks at the time of war, then the people separate and he is not found, and the sea rider whose ship is lost or damaged and he is not found among those who survived from it is lost.

He said in Al-Iqtisar: If he has no money and his guardian refuses to spend on her, the Sultan will force him to divorce her, and she will observe the waiting period and get married. If her husband comes after that, he has more right to her, and she is entitled to the dowry from the second husband for what he has taken of her private parts if he has consummated the marriage with her.

:He said in Al-Muntakhabah

If her father had completed her waiting period, * until
she reached the end of her term
She chose to marry, then she married. *It was said after
she had entered
Or before that, her missing husband * ruled that her part
would be returned
If he wishes, then if he comes to her * before she
.marries, he will inform her
That he died a long time ago * and two witnesses
testified to that
Then he came and returned her to what he had started, *
.and her dowry was paid by those who had witnessed it
For the man who was removed from her, and he is hers
.because of what he suffered from her
The waiting period after divorce, as stated by some, is
.binding upon her in her turning away from him
The one who comes cannot come to her * if he comes
before she has finished her business

In his abridged explanation regarding the missing
person, he said: The evidence testifies that he died or was
.divorced

We have narrated on the authority of al-Sadiq, peace be
upon him, regarding a woman who had two men testify that
her husband had died, so she observed the waiting period of a
widow, then she married another man, and then her first
husband came and said that she was entitled to the full dowry
for what he had taken of her private parts, meaning the other
one, and he would return the dowry to the two witnesses and
they would be flogged with the prescribed punishment, and

the woman would observe the waiting period, and when her .waiting period ended she would return to the first one
On the authority of al-Baqir, peace be upon him, he was asked about two men who testified against an absent man that he had divorced his wife, so she observed the waiting period and then got married. Then the absent man came and claimed that he had not divorced his wife, and one of the two witnesses contradicted himself. He, peace be upon him, said: The other has no way to her, and she is entitled to the dowry from him, and it is taken from those who testified and returned to the other, and the first one does not approach her .until her waiting period is over

It is mentioned in the book of news and the summary of explanation that the wife of the missing person observes a waiting period of four months and ten days after her guardian .divorces her

Among the issues mentioned

Question: What do you say, O legislator of the water of the animal, regarding someone who boarded a ship going on a journey or returning from it, and the ship disappeared and no trace of him was found, and the most likely assumption is that he drowned, so what is the situation of his wife and his ?family

Answer: This is treated as an absent person, not as a .missing person

Question: What do you say about a man who returned from his journey to his family but did not reach them? Some people went to the place from which they were certain he had

left and asked about him. The people of that place said: He went from our place to his country, and after he left, we met some people who said: I saw so-and-so in such-and-such a place. So he went to that place and asked about him. Some people said: A man like this, whom you describe, was killed outside this place a few days ago. So they investigated but did not find anything of his trace, and the most likely assumption is that he was killed. What is the situation of his ?wife and his family

Answer: It is necessary to verify his killing in any case,
.and he is called the absent one

Mention of breastfeeding

From the summary of the author: If a man marries a woman and two girls, and the woman breastfeeds them, or one of them before the other, and he has not consummated the marriage with the woman, then the woman and the girl who breastfed her first are forbidden to him. The woman has no dowry, and the girl is entitled to half the dowry from him, and he can claim it back from the woman if she deliberately committed adultery, unless she was ignorant or forgetful. The second girl is his wife, and the woman is never permissible for him. As for the first girl, she is permissible for him if he separates from the one he has, even if that is after he has consummated the marriage with the older one. They are all forbidden to him, and the older one has her dowry, and the two girls have half the dowry, and he can .claim it back from the older one, as we have explained
If a man acknowledges that this is his foster sister or daughter, and then says that he was mistaken or wrong, and

the woman confirms him, then they are both believed in that, and he may marry her. Likewise, if she acknowledges it and the man denies it, and the acknowledgment of fosterage that is not invalidated by age is permissible, it is like the acknowledgment of lineage if they do not deny it, and the same applies to lineage. Nothing is required of it except what is proven against him. If they both establish something of that, and witnesses testify to it against her, or it is widely known from their statement, and then one of them denies it after that, his denial is not considered. If a man says to his wife, with whom he has consummated the marriage or not, "This is my daughter," and the woman has a known lineage, he is not believed. If he says that and she does not have a known lineage, and someone like her is born to someone like her, and it is proven against him, then they are separated. If the woman claims after the marriage contract that there is a lineage or fosterage between her and the man that prohibits marriage between them, and he denies it, she is not believed except with evidence, and the testimony of one woman whose testimony is permissible and who is not accused of .fosterage is permissible

From this: If a man marries a young girl and she is breastfed by his foster mother, his biological mother, his sister (whether by blood or fosterage), his father's wife (with his father's milk), or his son's wife (with his son's milk, whether by blood or fosterage), she becomes forbidden to him, and he owes her half the dowry. The husband can then seek reimbursement from the woman who breastfed her if it is proven that she intended to cause corruption. If she was mistaken or ignorant, he cannot seek reimbursement from her, and her word is accepted in this matter. Everything that

is forbidden by breastfeeding from a free woman through marriage is also forbidden by sexual intercourse with a slave woman.

From the summary of the author: If a woman gives birth to a child from a man, then he divorces her and she marries another man, and she breastfeeds a child with the milk of the first man while she is under the second husband, then the breastfeeding is from the first husband and not the second. Rather, one looks at the one from whom the milk comes, not the one under whom she is. And if milk comes down to a woman while she is a virgin and has not married, and she breastfeeds from it, then it is breastfeeding.

And from it in Al-Yanbu': There is no breastfeeding except in the first two years, then if he breastfeeds after weaning, it is a prohibited breastfeeding.

From this: Know that what is forbidden by breastfeeding is what is forbidden by blood relations, but only in the case of marriage. It is permissible to own, sell, and buy it, except in the case of the wet nurse herself.

And from this: They forbade breastfeeding with the milk of adultery, such as a woman who commits adultery and gives birth to a child out of wedlock. She should not be breastfed, nor should she take a wet nurse, neither she nor her daughter born out of wedlock.

From the author's summary: If milk is drawn from a woman's breast and she dies, and a boy drinks it, or milk is drawn after her death, then it is considered breastfeeding in both cases. If two boys suckle from a sheep or other animals, it is not considered breastfeeding. If a man curses his wife and denies her child, it is forbidden for that child to marry his female relatives who are forbidden to him from the mother's

side by both blood relation and breastfeeding. What is forbidden to him from the husband's side is not forbidden because his lineage from him has been severed. If he returns and acknowledges him, the prohibition returns because .breastfeeding follows the lineage

Note: This matter is established by a single instance of breastfeeding if a single woman whose testimony is admissible, trustworthy, and not suspected of bias in matters .of breastfeeding testifies to it

It was stated in the explanation that if a man marries a woman and consummates the marriage, and then two just witnesses testify that there is a breastfeeding relationship between him and the woman, they are not separated until the breastfeeding reaches its maximum limit, which is more than the limit set, namely, three consecutive days of breastfeeding. The just witnesses are required to fulfill that .limit

Among the issues mentioned

Question: What do you say about the fact that it is stated in Islamic law that if a man marries a woman and consummates the marriage, and then learns that there is a breastfeeding relationship between them, they should not be separated unless the breastfeeding is for three consecutive days? So, O our master, how should he act if it is not for three ?consecutive days and is separated for more than that

Answer: If he has consummated the marriage, they cannot be separated except by a testimony that breastfeeding took place for a period of three days, whether consecutive or .separate

Question: A woman breastfed a son or daughter from someone other than her husband, then her husband divorced her or died, and she married another man and had children with him and breastfed a son or daughter from someone other than her husband. Is it permissible for marriage to take place between the children of the woman who breastfed her

Answer: This is not permissible because everyone whom the woman breastfed becomes a maternal sibling, even if the milk was distributed among the spouses

Question: If a woman claims that she breastfed a boy with her milk while she is infertile, will there be a relationship between her and the boy, and will witnesses be required to prove it, or not

Answer: If she is not accused and says, "I breastfed him and milk came out of me, even if it was a little," then she is considered like a mother

Question: If a woman gives birth to a boy, and the boy's head hits the ground before it falls into the hands of the midwife, is she permitted to marry the boy or her daughter

Answer: She and her daughter are not permissible for him because she kissed his body

Question: What does our master, may God perpetuate his support, say regarding what is stated in the Sharia that a midwife cannot be married, nor can her daughter be married?

?Is it permissible to marry her granddaughter or not

Answer: It is not permissible to marry a midwife, nor to marry her daughter, nor to marry her granddaughter, no matter how far removed

Mention of marriage with slave women

In the author's summary, it states: If a man marries a slave woman and then acquires ownership of something of her, the marriage is invalid. If he consummated the marriage, he must pay the dowry to her master. If he did not consummate the marriage, he is not liable for any dowry. He said in Mukhtasar al-Athar: If he marries a free woman and a slave woman in one contract, he looks at the one whose name he started with in the marriage contract. If he started with the name of the free woman, the marriage with the slave woman is invalid. If he started with the name of the slave woman and the free woman agreed to stay with her, their marriage is valid if the man is one of those who are permitted to marry slave women, as we mentioned earlier. He may contract with the free woman while he does not have the means to pay her dowry. If he has the means, then the marriage with the slave woman is invalid, whether he started with her or secondly. Likewise, if he does not know which of them he started with, then the marriage with the slave woman is invalid.

And from it: If a slave marries a free woman, his children from her are free. It is not permissible for his master to stipulate to the free woman that his children from her be slaves, just as it is not permissible for someone who marries a slave woman to stipulate that his children from her be free. Nor is it permissible for someone else to marry a slave

woman. A slave woman is not married except with the permission of her master and with witnesses, according to the words of God Almighty: "Then marry them with the permission of their families

And from it: If a man wants to marry a slave girl, he should emancipate her and then marry her if he and she wish. The Messenger of God, peace be upon him, married Safiyya bint Huyayy ibn Akhtab and placed a veil over her. Ja'far ibn Muhammad, peace be upon him, said: Any man who emancipates his slave girl and wishes to marry her should do so with witnesses and a dowry stipulated. If he makes her emancipation her dowry, that is permissible. I have mentioned how that is permissible in what has preceded. A slave girl under contract may be married with the permission of her master

Therefore: It is not permissible for the husband to consummate the marriage until the second master approves the marriage. If he does not approve it, the marriage is annulled

Therefore: If they are adults, it is not permissible for him to take them unless they sell them to him

And from him: He was asked about a woman who ordered her son to have intercourse with a slave girl belonging to his father in order to make her forbidden to him. He said: She has sinned and her son has sinned, and he must be punished if he is an adult

And from it: The slave woman who has been promised freedom may marry with the permission of her master, and her ruling is the same as that of a slave woman until her master dies and she is freed. If the slave woman is freed and she has a husband, then if her husband is free, she is his wife

and she has no choice. If he is a slave, then she has the choice if she is freed. If the slave woman who has been promised freedom helps her husband to write her contract until she is freed, then she has no choice against him

In short: If a woman is between two men, her private parts are not permissible for either of them, even if the other permits it, because the private parts cannot be divided, permitted, or given away

Among the issues mentioned

Question: What do you say about what is stated in the Sharia that a free man should not marry a slave woman, and if he does so, they should be separated and punished? That is, if he has the means to marry a free woman, then, O our master, if he has consummated the marriage with her, is he obligated to pay her a dowry or not? And does she have the waiting period of divorced slave women or not

Answer: She must pay the dowry and observe the waiting period of a slave woman

Mention of the marriage of slaves

From the author's summary: If a slave wishes to marry, it is not obligatory for his master to do so. If the master wishes to marry off his slave, the slave cannot refuse. The same applies to a female slave. If a woman acquires a share of her husband's estate, her marriage is invalid

And from it: If a slave or a slave under contract marries his master's daughter with his consent, that is permissible. If the master dies, the marriage is invalidated in the case of the slave but not in the case of the slave under contract, because

she only inherited a debt from him. A man does not marry his young son's slave, and the same applies to a guardian. If a slave marries without the master's permission, and the master tells him to divorce, that is an approval of his marriage. If the master does not deny it, there is no difference between them; that is treated as an approval for him. If a slave divorces before consummation and wants to waive half

.the dowry, that is not permissible

Therefore: If a slave marries with the master's

.permission, the dowry is paid from the master's money

And from it: If the master marries off his female slave, it is not permissible for him to look at her private parts, nor for her to look at his private parts. The marriage contract is like a sale, except that if the marriage is concluded, there is no option in it before separation or after. If a man says to the woman's guardian, "I have proposed to you so-and-so," and he says, "I have married you," the suitor needs to say, "I have accepted," because it is permissible for him to propose to someone else. And if the master says to his slave, "I have married you to my female slave so-and-so," it is a valid marriage, and the slave does not need to say, "I have agreed

In short: The divorce of those whom he married is in the hands of his master; he can divorce them whenever he .wishes

In his abridged version of Al-Athar, he said: If a slave woman is sold and she has a free husband, she is his wife, and her private parts are not to be opened to the buyer until her husband divorces her or dies and she observes the .waiting period

It was mentioned in Mukhtasar al-Athar that if a slave woman is sold, then selling her is a divorce, and the buyer

has the right to take her back if he wishes. If he leaves her, then he does not have the right to separate them after he has .agreed

Among the issues mentioned

What do you say about what is stated in Islamic law that if a woman owns her husband or a part of him, she becomes forbidden to him because a slave is not allowed to marry his mistress? So, my master, if a husband owns his wife or a part ?of her, does she become forbidden to him or not

The answer: It is stated in the author's abridged version that if a man marries a slave woman and then acquires a share of her, the marriage is invalid. If he has consummated the marriage, he must pay the dowry to her master; otherwise, he owes no dowry. If a slave marries the slave woman of another people or a free woman, the master has the right to separate them without divorce. If the master permits the slave to marry, the master does not have the right to separate them, but the slave must be divorced. If the master marries the slave to another man's slave woman, and the slave woman is freed and chooses to marry the slave, they ...remain married. If the slave chooses to marry her, then

Mention of the marriage of polytheists

In his abridged version of the hadiths, he said that the marriage of polytheists to one another, whether from the same religion or different religions, is permissible if they contract it according to what is required in their religion, and .it should not be annulled for them

Therefore: It is not permissible for a woman to marry her slave unless she emancipates him. If she and he both wish to do so, he may marry her

And from it: She is entitled to the dowry for what he has made permissible of her private parts

In his abridged version, he said: It is not permissible for a Muslim woman to marry anyone other than a Muslim man, and it is disliked for a Muslim man to marry a non-Muslim woman if a Muslim woman is available. Marriage to women of the People of the Book is permissible

In Mukhtasar al-Athar, it is stated: On the authority of Ali and Abu Ja'far, peace be upon them, that they forbade marriage to Christian Arab women

Footnote: If a polytheist divorces his wife, whose marriage contract was valid in his religion, his divorce is considered. If it is something that would make separation valid in Islam if it were similar, then it is permissible for a Muslim to contract with her and marry her as is appropriate for him. If it is not something that would make separation valid, then her marriage is not valid until his contract with her is dissolved by what makes her marital bond clear. It is permissible for the People of the Book to contract with the first of their young children. If a polytheist from the Christians of Arabia or other People of the Book converts to Islam, and his wife is with him on his religion, he offers her Islam. If she converts to Islam, she remains in his custody if he wants. If she refuses, they are separated. If he has not consummated the marriage, then she is not entitled to a dowry because the separation came from her side and this separation is not a divorce

From the author's summary: If a man and his wife are captured and fall into the spoils of war, they are still married. If she is captured before him or he is captured before her, and they are in the spoils of war and staying in the land of war, they are still married. If one of them is brought into the land of Islam without his companion, the marriage is invalidated. If they are taken captive, the one who owns them has the right to separate them as he separates all his slaves, unless they surrendered and were taken captive on the condition of peace, in which case it is not permissible to go against what .they were made to do

He said in Mukhtasar al-Athar: If there is a man and his wife among the spoils of war, they are still married. If her husband is captured a few days later, they are still married unless one of them is captured and enters the land of Islam. If that happens, then her marriage is invalidated, and she is not permissible for him except with a new marriage. If she is captured before him or he is captured before her, and then whichever of them is captured remains in the spoils of war for as long as he wishes, they are still married. If one of them enters the land of Islam, their marriage is invalidated. If she converts to Islam and then her husband is captured after her conversion, and she has gone through three menstrual cycles, but she has not been captured, and her husband converts to Islam, they are still married. The one who owns them may separate them if he wishes, just as he may do so with all his slaves, unless they were granted safe passage at the time of their capture on the condition that they would not be separated, and that was agreed upon for them, then .separation is not obligatory between them

Therefore: He is like a dead person whose money is divided among his heirs, and his wives observe the waiting period of widows, and they may marry if they wish. Therefore: he has no authority over her, and she may marry if she wishes, and there is no waiting period for her, and her womb is cleared, and she may marry. From the author's summary: If a non-Muslim woman converts to Islam before her non-Muslim husband consummates the marriage, she owns herself and has no waiting period from him, and she is entitled to half the dowry. If he converts to Islam at the same time as they both convert, they are still married. If his conversion to Islam is delayed after her conversion, he is considered a suitor if he converts to Islam.

Mention of the division between co-wives

From the summary of the author: If a man has two or four wives and stays with one of them for a month while they are not with him, and then they dispute with him about that, then he must resume justice between them, and what has passed is wasted, and he is sinful for what he did, and each of them has one night out of four nights.

He said in Al-Yanbu': It is not recommended for him to have intercourse with his wife on a day other than hers. If he does so, there is no expiation for him. If the mentally deficient man has wives, he orders his guardian to take him around them or bring them to him according to the ruling of the healthy man. He divides his time between the woman with a hymen that has stopped, the menstruating woman, the woman in postpartum bleeding, the one who is a slave, and

the one who is forbidden to him, because the division is based on existence, not intercourse. The impotent man, the eunuch, the castrated man, and the one who is unable to have intercourse are like the healthy man in that. It is permissible for him to divide his time three at a time, and it is not recommended for him to exceed three. The virgin and the previously married woman are equal except at the beginning of his marriage, in which case the virgin gets seven, and the previously married woman gets three. Then he resumes the division equally. If he wants to take one of them out on a journey, he draws lots among them. If he has wives, among whom is a slave, then the free woman's share is double the slave woman's share. If he stays with the slave woman for a day and then she is freed, he does not stay with the free woman for more than a day. If he stays with the free woman for a day and then the slave woman is freed, he moves to the free woman, meaning the one who was freed, because she .has become free

From the summary of the effects: If a man is inclined to have intercourse with some of his wives, he should not .abandon that and indulge with others

Among the issues mentioned

Question: What do you say about what is stated in the summary of the author, that if someone has wives, among them a slave, he should divide the free woman's share twice that of the slave? O our master, if among them is a dhimmi, ?how should he act

Answer: Two nights are divided between a Muslim woman and a free non-Muslim woman, and one night is .divided between a slave woman and a free woman

Mention of expenses for spouses

From the source: Wives have the right to their sustenance and clothing from their husbands in a reasonable manner, according to what is sufficient for them in terms of food, drink, condiments, oil, and winter and summer clothing, according to the means of the wealthy and according to the means of the poor. The Muslim woman and the non-Muslim woman are equal in this regard, and there is no fixed limit in it due to the difference in the circumstances of the providers and the prices of the times and countries. If he says, "I am poor," and she says, "Rather, I am rich," then the word is the word of the husband with his oath, and he shall impose for her the maintenance of a poor person, and the woman must provide evidence that he is wealthy. If he provides evidence that he is poor and she provides evidence that he is wealthy, then he shall take her evidence. Whoever refuses to provide for his wife with the intention of harming her shall be imprisoned as he is imprisoned for debts. If the husband and wife disagree about maintenance, and the husband says, "I have paid her," and she says, "He did not pay me," then her word is the word with her oath, and he must provide evidence of his payment to her and her release from him. If she refuses to move with him after he has paid her the advance portion of her dowry, then she is not entitled to maintenance from him until she comes to him. There is no maintenance for a young wife who is not yet consummated.

If she is like him and has intercourse, then she is entitled to maintenance, whether her husband is young or old. And whoever gives his wife maintenance or clothing and she steals from it, he is not obligated to give her anything until .the time that she took it from him has passed

And from it: according to what the judge sees, if he brings something, then she is his wife, and if he does not bring anything, he separates them if she wishes. And whatever prevents intercourse, whatever it may be from the woman, such as disobedience, refusal to enter, and being too young to endure intercourse, then maintenance is not obligatory. And whatever it may be from the man, maintenance is not waived. So if an illness occurs to her, and she becomes weak, making intercourse impossible, or there is a cause such as imperforate hymen and the like, or she grows old, her maintenance is not waived from him by any of that. And whether the occurrence is after consummation or before it, if she does not prevent him herself, nor does her guardian prevent him, and it is said to him, if you wish, provide, and if you wish, divorce, because that does not .prevent him from her

From this: If a man is absent and has money present, and his wife requests maintenance from him, his guardian shall provide her with maintenance after she swears to him that he did not give her maintenance before his absence, and a guarantor shall be taken from her for that, and the husband .is on his proof

And from it: The master is responsible for the expenses of the mothers of his children, his slaves, and all his slaves, male and female, Muslim and non-Muslim. He is not responsible for the expenses of his slaves who have written

contracts of manumission until they become unable to pay. A Muslim or a non-Muslim is not obligated to provide for any of his relatives if they are from the people of war, whether they are residing in the land of war or in the land of Islam .under protection

And from it: If the wife imposes maintenance on her husband and she has a dowry due from him, and he gives her something of that, and she says it is from maintenance, and he says it is from the dowry, then his word is accepted. Likewise, the same applies to paying off debts if they are from different sources. If the woman takes from her husband a guarantor for maintenance for each month a known amount, then he is only obligated to pay for one month. If he guarantees her maintenance for a year, then that is binding upon him. If he says, "I guarantee your maintenance as long as you live," then that is upon him. If the judge imposes maintenance for the woman on her husband, and she spends from her own money and does not take anything from him, then it is a debt upon him, and she has the right to take it for it. And the man is compelled to do what is beneficial for the woman from outside the home, such as bringing into her what she cannot go out to bring in. And what is inside the .home is her affair and hers

In short: He told her to pay her a similar amount from .the boy's money, if he had any inheritance or other things

Among the issues mentioned

Question: What do you say about a woman who is married by a man, then he keeps her with his parents and brothers in one house, and their expenses are shared, and his

mother starves her, and there is much surplus in the house? Is it permissible for her to eat from that house what satisfies her? Likewise, if the man keeps her in his house alone and starves her and her children from it, is it permissible for her to eat from that house what satisfies her and take what she
?spends on the children

Answer: She has the house, the expenses, and the clothing, and she is obligated to obey. The expenses are on each person according to his means, and she does not sin if
.she eats from the house what she needs

Question: What do you say about what is stated in Islamic law that if a woman whose husband has died has a child with her, and she gives the child to a servant who then breastfeeds it, and the woman asks the guardian to breastfeed the boy, then she is entitled to a wage like hers? O our master, is it obligatory for the guardian to give her that from
?the boy's money or not

Answer: He gives her that from the son's money if he
.has any money from inheritance or otherwise

The Book of Divorce

Mention of prohibited and permissible divorce

From the summary of the effects: He divorces them without a reason, and it was said that he passed by a group of women and they sent word to him, “Do you know this group of women?” He said, “No.” They said, “There is not one of
”.us whom I have not married and then divorced

And from this: If he divorces her as we described earlier, with a single divorce, then takes her back before her

waiting period ends or after it ends with a future marriage, he is not permitted to divorce her again until he has intercourse with her. If he wants to divorce her a second time, he should leave her until she menstruates and becomes pure, and then divorce her while she is pure during a period of purity in .which he has not had intercourse with her

From the same statement: If she does not menstruate and he has consummated the marriage, he divorces her once, with each divorce occurring in a month, and she observes a .waiting period of months

Among them: They did not consider divorce in a state .of anger to be valid without prior intention and belief in it

From the summary of the author: If a man divorces his wife and has one man witness her divorce, then has another man witness it after a few days, it is nothing unless he has .them both witness it together

In short: They are not required to wait for menstruation or purity, and they are pregnant women whose pregnancy is evident. He then says: Whenever one of these women is divorced, the divorce is valid, and she observes a waiting period of months, each month replacing one menstrual cycle, except for the one with whom he has not consummated the marriage. If she is divorced, she has no waiting period, as God Almighty says: "Then you have no waiting period to ".observe concerning them

Footnote: A long absence of three months or more, and the limit of the place is what is required to shorten the prayer, which is two days. If a man travels and his wife is menstruating, his divorce takes effect after a month from the day he leaves traveling. If a man separates from his wife or abandons her for a year or years while he is staying with her

in a country and he is in a place and she is in a place where shortening the prayer is not required between them, then his divorce is not permissible and does not take effect until he .knows that she is pure

He said in Mukhtasar al-Idah: It is not permissible to divorce except once during a single period of purity, and likewise it is not permissible to divorce except once during .pregnancy

And from it: But divorce is not binding except by word and intention in the heart, after the word that necessitates it is a word of divorce, because if it were necessary to necessitate it by something other than the word of divorce and the waiting period, then the matter would be based on the intention rather than the word, because we did not find in the apparent word a divorce , and I mentioned something similar to that in what came before, and the word of divorce is when he says to his wife before the waiting period, after she has purified herself from her menstruation and before he has had intercourse with her, “You are divorced,” or he says to her, “Wait,” intending by that divorce, and two just men testify to that, and anything other than this is not a word of divorce unless he utters a foreign word whose expression agrees with what I mentioned, and I mentioned the permissibility of divorce in a foreign language, because the foreigner is bound by his word what is bound by other Arabs in terms of acknowledgment, release, slander, gift, charity, zihar, divorce, ila’, and all the rulings of Islam, and the divorce of the foreigner is when he utters it in his language, as I mentioned regarding agreement with the Sunnah in khul’ .and the option in its place

From the summary of the author: If a man gives his wife the choice while she is with him on an animal or in a litter, and she does not choose immediately after his words, and then she remains silent until the animal has moved a little, her choice is nullified. If he gives her the choice and she says, "I have chosen myself and my husband," she is divorced. If she says, "I have chosen my husband and .myself," then she is his wife and she has no choice

From the abridged version of the hadiths: If a man gives his wife, or her father, or her brother, or her guardian, the choice, and she accepts the choice of the one who gives her the choice, then that is permissible. Similarly, granting her ownership is like giving her the choice, such as when he says to her, "I have given you ownership of yourself," or "I have given you control over your affairs." All of that is like saying ".to her, "Choose

And from it: and this is evidenced

And from this: If he gives her the choice and she says, "I do not accept your choice," she has no choice. And if he gives her the choice while she is menstruating or in a state of purity during which he has had intercourse with her, or if he does not have two witnesses, then that is of no consequence

From the summary of the author: If a man dies and his wife says, "He divorced me during his illness and died while I was in the waiting period," and the heirs say, "Rather, he divorced you while he was healthy and the waiting period has ended," then the woman's word is accepted. And if a man is brought close to be killed, then he is in the same position as a sick person, a disabled person, a person with an old paralysis, a person with a wound, an ulcer, tuberculosis, or a chronic, prolonged pain that has exceeded a year or

more, in the same position as a healthy person in divorce and
.other matters

And from it: In the chapter on coercion, if a man marries a woman in jest, or divorces, or frees his slave, and two witnesses testify to this, it is valid. This is not like a lease, division of property, or similar matters, because these are matters that are nullified by the mutual consent and participation of the disputing parties. Likewise, in al-Yanbu': This is not permissible in marriage, divorce, or
.manumission

From the concise explanation: If an exception appears, such as when a man wants to divorce his wife and says, "You
".are divorced, God willing

From the summary of the effects: If he says to four women or less, according to what is permissible for divorce, "I have divorced you with one divorce between you," then each one of them is obligated to have one divorce. Likewise, if he says, "I have divorced all of you with two divorces between you," or "with three divorces," or "with four," then each one of them is divorced with one divorce. If he says to them, "There are five divorces between you," then each one
.of them is not obligated to have more than one divorce

Among the issues mentioned

Question: What do you say about a man who traveled to a place eight days' journey or more and stayed there for two days or more, then divorced his wife in the presence of trustworthy witnesses, while he was not certain of her
?purity? Is his divorce valid or not

Answer: His divorce is not valid until three months or
.more have passed

Question: What do you say about a woman who received news of divorce from her absent husband, so she observed the waiting period, got married, and gave birth, then received news of her reconciliation in the presence of witnesses before the end of her waiting period? What is her
?situation with the second husband

Answer: She takes the dowry, observes the waiting period, and returns to the first husband. The other husband is not obligated to do anything because he acted according to
.the apparent meaning of the Sharia

Question: What do you say about what is stated in the book Al-Yanbu' that if one of the witnesses to the divorce dies and the husband denies the divorce, she cannot stay with him if she is able, nor can she marry. Likewise, if a woman finds out that her husband is an infidel while he pretends to be Muslim, then, O our master, how can a divorced woman marry if one of the witnesses to the divorce dies and the
?husband acknowledges that

Answer: The divorce is repeated unless the witness present is the one who contracted it with her by order of the one who has the authority. Likewise, the divorce is repeated
.if they both die and the woman desires marriage

Question: What do you say about what is mentioned in the book of news that if a man is absent from his wife for a period of time during which she is purified from having intercourse with him, and then he divorces her once, she
?becomes divorced by it? What is the picture of this

Answer: If a man travels while his wife is menstruating, his divorce takes effect one month after the day he leaves

traveling. If he comes back before her waiting period ends,
.he may take her back if he wishes

Question: A man divorced his wife after she had finished menstruating, but she did not perform ghusl (ritual
? bath). Is the divorce valid or not

Answer: Divorce is not permissible except after ritual
.purification from menstrual blood

Question: What does our master say regarding the matter of divorce, that a man should not divorce his wife unless he is certain that she is pure (during a period of purity in which he has not had intercourse with her) or pregnant? So
?what should he do if he has doubts about her

Answer: If that is the case, he should separate from her
.for nine months and then divorce her

Question: A man swore six times in one sitting by God that he would divorce his wife today, or this month, or something similar, then he decided to keep her with him and not divorce her. Is he obligated to pay six expiations or not? And if he expiates by fasting, does he have to fast for
?eighteen consecutive days or not

Answer: What was found in the oath was only once or several times in one situation, except for what he mentioned
.regarding the single expiation

Question: What does our master say about a free, sane man who admits verbally that he has divorced his wife according to the Sunnah? Can his wife be married based on
?his admission without bringing witnesses, or not

Answer: If she is one of the five women who are divorced in all circumstances, then her marriage is valid. Otherwise, it is not valid except in the presence of two just witnesses. She should be asked about purity and sexual

intercourse. If the slave witnesses the divorce, it is permissible.

Question: If a man divorces his pregnant wife with a divorce that stipulates that her waiting period is until she gives birth, and if she gives birth to what is in her womb, then she is divorced from him, if the pregnant woman is divorced in this manner and then sees postpartum blood at the time of childbirth, and her husband wants to take her back before she gives birth, is it permissible for him to do so or not?

Answer: If he divorces her with a divorce that allows him to take her back, then she is not separated from him until she gives birth, and postpartum bleeding does not prevent him from taking her back.

Question: A man divorces his wife while she is under puberty, so she observes the waiting period of months. When the waiting period ends, she sees menstrual blood in the last ten days. If she becomes pure from menstrual blood, is it permissible for her to marry or not?

Answer: If her waiting period (iddah) has ended and she then menstruates after the waiting period is complete, then she is not required to observe a waiting period due to menstruation.

Question: A man divorces his wife while he is away from her for a distance of two days' journey, and more than three months have passed since he last saw her. Then, after her waiting period had ended, he learned that on the day he divorced her, she was menstruating. Is his divorce valid or not?

Answer: Occultation is a matter of time and place.

Question: A man divorces his wife while he is away from her, then he learns after her waiting period has ended

that on the day he divorced her, while she was less than two farsakhs away, she had traveled to him. Is his divorce valid
?or not

Answer: Divorce does not take place until the time and
.place are right

Question: If a man wants to divorce his wife with whom he has consummated the marriage, should he wait for one of two things: either she menstruates and then becomes pure, in which case he can divorce her while she is not in a state of purity and he has not had intercourse with her; or she does not menstruate, so he should wait until her pregnancy becomes evident and then divorce her, being certain of both possibilities. This was mentioned by our master Ja'far ibn Muhammad al-Sadiq, peace be upon him: If a man wants to divorce his wife, he should wait for her until she menstruates and her period ends, then divorce her while she is pure and in a state of purity during which he has not had intercourse with
.her

Answer: If she menstruates, it is permissible after purification, without having touched her during it, for him to divorce her. And if pregnancy becomes apparent, then his
.divorce is permissible

Question: If that is the case, then what is the description of the divorce of the woman that was mentioned on the authority of the Commander of the Faithful, our master Ali Ibn Abi Talib, may God's prayers be upon him, in Al-Da'a'im, that he said: If a man divorces his wife and she claims that she is pregnant, she waits nine months. If she gives birth, then all is well. Otherwise, she observes a waiting period of three months, and then she is divorced
.from him

Answer: This is a claim from the woman, so she should wait according to his statement, may God's prayers and peace be upon him, and there is no doubt about the first one

Question: A man divorces his wife while she is in a state of purity during which he has not had intercourse with her, with the testimony of two witnesses. The woman observes the waiting period, and when the waiting period is over, he gives her to another man without having consummated the marriage. Then it is confirmed that the two witnesses are withholding zakat, and the Prophet (peace and blessings be upon him) said, "May God curse those who withhold zakat and those who consume usury." Is the
?divorce valid or not

Answer: If it is known from the two witnesses that he failed to fulfill the aforementioned obligation, then the
.divorce is invalid

Question: Is the testimony of the people of the apparent religion who work according to the Sharia and are not hostile to it permissible in divorce if there are no people of the
?religion, or not

Answer: The testimony of a non-Nasibi Muslim, if he is just in his doctrine, is permissible in matters of divorce and
.other things

Mention of the match

From the summary of Al-Idah, Abu Ja'far said: "The woman who is divorced by mutual consent, the woman who is given a choice, and the woman who is given permission in her divorce do not inherit." He said: "These women do not inherit anything from their husbands during their waiting

period because the marital bond has been severed between them and their husbands from that moment, so their husbands have no right to take them back and there is no inheritance between them

In his abridged version, he said: If a minor or a woman under guardianship divorces her husband, the divorce is not valid and is considered a revocable divorce. If a man says to his wife, "I release you from your marriage for one hundred dirhams," or "I divorce you," she must accept in the same session. If she separates from him before saying anything, the divorce is void. The same ruling applies if she initiates such a divorce. If a woman is a minor, under guardianship, or mentally incapacitated, and she divorces her husband or releases him for any amount, whether large or small, her divorce is invalid, and he has the right to take her back. Similarly, if her guardian divorces her from her own money, it is permissible. A non-Muslim woman under guardianship is treated like a Muslim woman in this regard. It is not permissible to make a slave woman a party to a divorce, whether she is foolish or of sound mind. If her master permits her and pays from his money, it is permissible. If he does not pay, it becomes a debt on her neck, like a debt on a slave merchant, for which she is sold. A slave woman who has borne her master's child and a slave woman whose freedom is contingent upon the death of her master are treated like a slave woman in this regard. If their master divorces them, it is permissible. A slave woman who has a contract of manumission, if her freedom is established, and she divorces him for something, it is permissible. From it, according to what he freed from her. And if a man divorces his two wives for a thousand dirhams, it is divided between

them according to the amount of dowry he paid to marry her, unless the two women agree on something between them, .then it is permissible

And from it: If he divorces her for something unknown, it is not permissible. But if he divorces her for something specific and stipulates that if she does not deliver that thing on such and such a day, he has the right to take her back, then that is permissible. And the divorce, if she does not deliver what she divorced him for, is revocable. And it is not permissible for the term in this matter to be after the waiting period. It is not permissible except at a time when, if it were revocable, he would have the right to take her back. And if she divorces him during his illness, then whatever he divorces her for, whether little or much, is permissible. And if she is the one who is ill and she divorces him for her dowry that he owes her, then she dies during the waiting period and he has consummated the marriage with her, and it is less than his inheritance from her or equal to it, then it is permissible. And if it is more, then it is returned to the amount of his inheritance. And if she dies after the waiting period has ended, then he has the dowry from one-third of her. And if that is before consummation, then he has half of that by divorce and half of it from one-third. And likewise if she .divorces him for more than her dowry or less

From the summary of the explanation: Al-Baqir, peace be upon him, said: As for the woman who agrees to a divorce, take from her whatever you want without the dowry. As for the woman who agrees to a divorce, take from her whatever you want of the dowry or more than what they agreed upon. Al-Sadiq, peace be upon him, said: If a woman agrees to a divorce from her husband, it is one thing, which is

that she says to her husband: You have what you owe me and leave me alone, or she gives him something from her, except that he says: If I take back anything, then I own your body and he does not take from her except less than the dowry. He is a suitor among suitors. If she wants, she can marry him before the end of her waiting period and after it, and if she does not want, she does not do so. Al-Sadiq, peace be upon him, was asked about a woman who said to her husband: You have such and such and leave me alone. He said: This is the woman who agrees to a divorce and not the woman who .agrees to a divorce

And from it: Two just witnesses together, and he does
".not need to say, "She is divorced

From the summary of the explanation: He said in the summary of the effects: So if he divorces her or releases her on that basis, he divorces her with one divorce as we described previously, so she becomes separated from him by .it

He said in the summary of the author: It is permissible for a woman to redeem herself by breastfeeding her child from him, or by paying the rent for a specific house of hers, or by living in it for a known period. If the child dies before breastfeeding or the house is destroyed, he is entitled to the value of the rent. It is not permissible to divorce anyone until .it is permissible to divorce him

He said in Al-Iqtisar: "Khul' and Mubara'ah are one
".irrevocable divorce

From the book of virtues and vices: The scholars of Islamic jurisprudence have unanimously agreed that if two arbitrators rule between spouses contrary to the truth, their ruling is invalid. If they separate the spouses without a

divorce or waiting period, or reunite them in a manner contrary to what is required by the Quran and Sunnah, their actions are not permissible. However, if they rule according to the Book of God and the Sunnah of His Messenger, their ruling is valid

Among the issues mentioned

Question: If a man divorces his young wife and then her father releases the husband from the dowry, is the father's release of the husband permissible, and the dowry is waived for both the father and the husband, or is the dowry still binding on the father without the husband if she returns to him upon reaching puberty? And if she is fourteen years old, is the release of her tongue established or not

Answer: The father's disavowal is not permissible, and she can seek recourse against her husband if she reaches puberty and wishes to do so. Her disavowal at the age of fifteen, if she is of sound mind, is permissible

Question: If a man gives his wife what he owes her in dowry for the term stipulated in the marriage contract, and absolves himself of any present obligation, and then divorces her, is it permissible for him to take her back or not

Answer: The present is from the dowry. If she is released from it, even if it is for a small amount, then its ruling is the same as the ruling for a match if the release and divorce occur in one session

Question: Regarding a man from the people of Hisn Riyan, while we were under siege, his wife asked to leave, but the husband disliked letting her go. She asked him for a divorce, so he went out in the presence of a group of religious

people and released him from the dowry. The release and divorce were done in one place. The woman was pregnant and had completed her pregnancy. On the second day, the woman gave birth, and her husband was killed on that day after she gave birth. Does she inherit from her husband and must she observe the waiting period, or not? And is this comparable to what the Commander of the Faithful, peace be upon him, did when Uthman divorced his wife while he was under siege, so he made his wife obligatory to observe the waiting period and she had the right to inheritance, and he considered his divorce to be the divorce of a sick person, or ?not

The answer: If the husband is killed after she has given birth, then she is divorced from him and she has no inheritance. God and His guardians know best. They were in that siege with them ample room to enter and exit. Otherwise, the case of the Commander of the Faithful, may God's prayers and peace be upon him, regarding the divorce of Uthman while he was under siege is well-known, and it is acted upon by whoever is in a similar situation. That is if they both claimed divorce and agreed upon it. But if the request for divorce was from the woman, like the divorce by mutual consent or the woman who chose it, then she has no inheritance even if the husband died from the illness for .which he divorced her

Question: If a husband divorces his wife after paying her dowry, and then he still owes her a deferred dowry of one thousand dinars, and she releases him from it, does he have ?the right to take her back or not

Answer: If the acquittal and divorce occur in the same .session, then it is considered a valid acquittal

Question: It is narrated from our master Ja'far ibn Muhammad, may God's prayers and peace be upon him, that he said: If a man's death is announced to his family, or if they inform her that he divorced her, and she observes the waiting period, then she marries, and her husband comes after her, he has more right to her than the one who married her, whether he consummated the marriage or not. So, if he had consummated the marriage, and then the first husband comes, she should observe a waiting period of one menstrual cycle and be returned to her first husband, and then the waiting period becomes obligatory for her. And if she becomes pregnant by the second husband, and then she is entitled to the first husband's maintenance during the pregnancy, is it the responsibility of the first husband or the second husband? And what is obligatory for the second husband in terms of dowry and other things, should the husband return it to the witnesses, and is this a form of ?deception or not

Answer: If witnesses testify that he divorced her or that he died, the husband should separate from her until she completes her waiting period to ensure she is not pregnant, and the second husband should seek reimbursement from the witnesses for what he owed her in terms of dowry and other .things

Question: A couple are considering separating, and there is someone whose testimony is acceptable. The woman releases the husband from all that he owes her in terms of dowry and other things, and she is willing and free, not coerced. The husband testifies on his own behalf, in the presence of those who are present, that he has accepted the release. The woman did not mention that the release was

conditional on divorce, and he did not divorce her. Is the
?release of the woman from her husband established or not

Answer: If the acquittal was for the purpose of divorce
and the husband did not divorce her, then the acquittal is void
and she must tell them that she only acquitted herself for the
.purpose of divorce

Question: If a man gives his wife all the debts and
obligations he owes her, and then gives her a gift of a dowry
item upon divorce, does he have the right to take her back or
?not

Answer: If she demands her entire dowry, she is not
.considered divorced, even if she gives it away

Question: A man divorces his wife while he is absent
and the dowry is still owed to him. Then the woman learns of
the divorce and brings up upright witnesses and makes them
testify that she has released the husband from the dowry and
what is owed to her by her husband. Is the divorce and
?release permissible or not

Answer: This is not a divorce by competition. If he
divorces her according to the Sharia, the divorce is valid and
revocable. If she gives him her dowry and he is informed of
.this and accepts it, the gift is valid

Question: If a man is absent and his wife testifies with
upright witnesses that she has released her husband from the
dowry he owes her without any condition of divorce, and
then her husband learns of the release and testifies to his
acceptance and divorces her, are the divorce and release
?valid or not

Answer: This is also not a divorce and its ruling is the
same as the first. If a man divorces a woman with whom he
has not consummated the marriage, then she is divorced

from him and she may marry if she wishes on that day. If he wants to marry her, he should make a second contract. If a man who is absent divorces his wife after three months, it is permissible, and she is divorced from him after the waiting period has ended. If he divorces her before three months, it is .not permissible

Mention of the oath

If he refuses, he will be imprisoned and pressured until
.he agrees to one of the two options

From this: If a man swears an oath of abstinence from his wife while she is a slave, and then he buys her, the oath is nullified. Similarly, if a free woman is sworn to abstinence from her slave, and then she buys him, frees him, and marries him in a renewed marriage contract, the oath is nullified. If a man swears an oath of abstinence from his wife and then says to another of his wives, "I have included you in the oath," nothing is required. If he says to his wife, "By God, I will not have intercourse with you more than once in a year," he is not considered to have sworn an oath of abstinence because he is permitted to have intercourse with her without breaking his oath. If he has intercourse with her once and more than four months remain of the year, he is considered to have sworn an oath of abstinence. If only four months or less remain, the oath is nullified. If a woman says to a man, "You swore an oath of abstinence from me, and four months have passed," and he replies, "I swore an oath of abstinence from you, and only one day has passed," his word is accepted with .his oath, and the burden of proof lies with her

Note: A castrated man who cannot obtain anything, if
.he swears an oath to his wife, must retract it verbally
He said in Mukhtasar al-Athar that ila' (a vow of
abstinence from marital relations) only takes place during a
period of purity in which he has not had intercourse with her,
.and with witnesses, just as with divorce
And he said in the abridged version of the work: The
expiation for ila' (a vow of abstinence from marital relations)
.is obligatory after it has occurred
And from it: the expiation for ila' (a vow of abstinence
.from marital relations) is the expiation for an oath
From the summary of the effects: If the master says, "I
have had intercourse with her," then his word is accepted
with his oath, meaning if he had had intercourse with her
before that, because if a man had intercourse with his wife
and then became unable to do so, they would not be
separated. But if he was unable and did not have intercourse
.with her, he would postpone it and then separate them

Mention of zihar

He said in Mukhtasar al-Athar: "Zihar is only valid
during a period of purity in which he has not had intercourse
with her, and with the testimony of two witnesses, just as
".divorce is valid. If it is otherwise, then it is nothing
Therefore: Zihar (a form of divorce) is only valid
during a period of purity in which the husband has not had
intercourse with his wife, and with the testimony of two
witnesses, just as divorce is valid. If it is done otherwise, it is
.invalid

Therefore: Zihar (a form of divorce) can only be
.performed once during a single period of purity

From the summary of the author: If the one who makes
a vow of zihar mentions something of his mother's private
parts or someone who is like her, then he has made a vow of
zihar. If he says, "You are my hand," or "her leg," or
something similar , then he has not made a vow of zihar. If
the one who makes a vow of zihar is obligated to pay four
expiations for four women, then he frees a slave, as he cannot
do without another, then he fasts for four months as is
required of fasting, then he becomes ill and feeds sixty poor
people, and he does not specify for each of these expiations
the intention of making a vow of zihar specifically against a
specific woman, but he intends by all of that to get out of
what is obligatory upon him of expiations, then it is
.sufficient for him

From the concise explanation: Whoever performs zihar
(a form of divorce) in Sha'ban and cannot find a slave to free,
he must wait until he fasts the month of Ramadan and fasts
two consecutive months. If he performs zihar while
.traveling, he may break his fast until he returns

From the summary of the effects: It is not permissible in
the case of zihar to emancipate an insane person, or one with
a defective defect, or one who has been promised freedom
until he retracts his promise, or one who has a contract to pay
his installments. It is permissible to emancipate a living
.runaway slave as expiation for zihar

Mention of the curse

From the author's summary: If the husband and three people testify against the woman for adultery and they are trustworthy, their testimony is valid. If the husband had accused her and brought three people, and one of the three testified and the husband swore an oath, and if a man accused his wife of having an affair with a specific man, and then that man came to him seeking the punishment, he is obligated to .pay the punishment for accusing someone of adultery

From the summary of the effects: There is no li'an between a man and his wife until he has consummated the marriage with her. If he accuses her of adultery and denies his child, and he refuses to perform li'an with her, and she raises him to the Sultan, he shall be flogged with the prescribed punishment for accusing her, unless he has evidence for what he said. If he has evidence that testifies to adultery against her, and four of them are just, she shall be stoned and the li'an shall be dropped. Likewise, if he denies his child from her and does not perform li'an with her, he shall be flogged with the prescribed punishment for accusing her if she raises him to the Sultan, and he is his wife, unless .he divorces her

He said in Mukhtasar al-Athar: If a man accuses his wife and then divorces her, and she raises the accusation while she is in her waiting period, he must denounce her. If she raises the accusation after her waiting period has ended, he must be flogged with the prescribed punishment unless he .brings evidence for what he said

And from it: Otherwise, he swore that he did not lower a .curtain over her nor come to her

Mention of the waiting period

From the author's summary: If the divorced woman's menstruation differs in the third period of purity, occurring ten days before the second menstruation, the wife is not considered divorced from him, and he has the right to take her back. If ten days of purity are valid for him, the right of .return is nullified when the third menstruation occurs

And from it: If he divorces her and he has only one house between him and her as a screen, then that is if he has the right to take her back. And it is not appropriate for a man to harm a woman and make things difficult for her in order to make her move from his house as long as he has the right to .take her back

And from it: If a man travels with a woman and then divorces her, if she wishes she may continue with him on the journey with his permission, and if she wishes she may return to her home and observe her waiting period there. If he does not have the right to take her back, she observes her .waiting period wherever she wishes

And from it: If a man divorces his wife after she has given birth and is purified from postpartum bleeding, and she is a woman who does not menstruate while she is breastfeeding, then her waiting period is three months. If a man divorces his wife while she is menstruating, she waits three months without seeing blood. If her pregnancy becomes apparent, then she is pregnant. If it does not become apparent, she waits for the completion of nine months. If she does not give birth, she waits three months as a precaution, and there is no doubt about her after that. She may marry whomever she wishes. If he divorces her with an irrevocable divorce, and she gives birth to a child more than a year after

the divorce, and the husband has no right to do so if her pregnancy did not become apparent during the nine-month waiting period, then if the divorce was revocable and she gives birth after a year, and he claims the child, then it is his. If he denies it, then the burden of proof is on her to prove the revocation. If she proves it, then the child is his. If he denies it after the proof, then he must swear an oath against him. If a divorced woman acknowledges that her waiting period ended with menstruation during a period in which she would normally menstruate for three menstrual cycles, and then she gives birth more than six months after her acknowledgment, then he is not obligated to pay the child. If she gives birth less than that, then he is obligated to pay the child. If the woman is young and observes her waiting period... If the waiting period ends and she gives birth less than six months after the end of the waiting period, the husband is obligated to pay the child. If she gives birth more than six months after the end of the waiting period, he is not obligated to pay the child. If he divorces his wife and she marries during the waiting period and the second husband enters into the marriage with her and she becomes pregnant, if she gives birth less than six months after the second husband enters into the marriage with her, then the child belongs to the first husband. If she gives birth after six months from the second husband entering into the marriage with her, then the child belongs to the second husband. If they both claim the child and its duration is unknown, lots are drawn between them to determine its value.

And from it: If a man has a slave woman who has borne him a child, and he marries her to a man, and then her husband and her master die, and it is not known which of

them died first, she observes the waiting period of free women, four months and ten days. And if a man dies leaving his slave woman whom he had intercourse with and who is not a slave woman who has borne him a child, then she does not have a waiting period and she is clear of pregnancy. And the slave woman who has been promised freedom upon the death of her master, if her master had intercourse with her and then he died before he revoked her promise, she observes a waiting period of four months and ten days. And if the master marries his slave woman who has borne him a child, then he dies while she is with the husband, then she does not have a waiting period from her master, and likewise if he freed her. And if the master marries his slave woman who has borne him a child or his slave woman who has been promised freedom upon the death of a stranger, and then the husband of one of them dies, she observes the waiting period of a slave woman. And if he consummates the marriage with her and then divorces her, she also observes the waiting period of a slave woman in divorce. And if the master dies after the expiry of that waiting period, then she does not have a waiting period other than what she observed. And if he dies before her waiting period expires, she completes the waiting period of a free woman in both death and divorce

Mention of expenses for women in their waiting period and their children, which are the responsibility of the husbands

He said that in the case of a pregnant woman who has been divorced, she is entitled to housing and maintenance, but she is not entitled to maintenance or housing upon death

He said in the summary of the author: If a man is obligated to provide for a relative, and he spends that obligation from his money and has the means to spend it, he has no right to claim anything from the one who obligated him for anything that has passed, because he only deserved .that due to poverty

And from it: Regarding the maintenance of relatives, a wealthy man is obligated to provide for his father and mother if they are in need, as well as his paternal and maternal grandparents, and so on up the paternal line, unless they have a closer heir. If he has a partner in the inheritance, then each partner is obligated to provide for their share. The same applies to his minor child and grandchild. If the child is an adult, he is not obligated to provide for him unless he is disabled or mentally incapacitated. The age at which the obligation of maintenance for children ceases for fathers is when a boy reaches puberty, and for women, until they marry after puberty, at which point their maintenance becomes the responsibility of their husbands. Any relative who is poor and unable to manage their own affairs is to be supported by their heirs according to their share of the inheritance, except for a wife, whose maintenance is the responsibility of her husband, and he has no obligation to support her. If the one obligated to provide maintenance is poor, then he is not obligated to provide for her. The one obligated to provide maintenance is treated like someone who has no guardian and relies on God's bounty for sustenance. He is not obligated to provide for a distant relative who would not inherit from him if he were to die, if that heir is poor. His maintenance is obligatory upon the closest relative, and a woman is obligated to do as a man is if

she is wealthy. A poor person is not obligated to provide for any of his relatives except his wife and young children. Maintenance is not ordered for an absent or missing person from his own money except for his parents, children, and wife. If he gives maintenance to others from his own money and they guarantee it, there is no harm in that. A Muslim is not obligated to provide for a non-Muslim relative except for his parents, children, and wives, nor is a non-Muslim obligated to provide for his Muslim relatives except for his parents, children, and wives. If a woman is poor and has a wealthy son and a wealthy mother, her maintenance is the responsibility of the son, not the mother, and likewise the father. A wealthy person is not obligated to provide for a poor relative if he is healthy and sound. A Muslim or a non-Muslim living under Islamic rule is not obligated to provide for any of his relatives if they are from the land of war, whether they are residents in the land of war or in the land of Islam under protection. There is no fixed amount or known quantity of maintenance that cannot be increased or decreased, because people's circumstances in this matter vary with the times. Countries and types of times, according to the difficulty and possibility, high prices and low prices, wealth and poverty, and the ruler imposes from that on whoever is obligated to spend on his like without extravagance or stinginess.

He said in Mukhtasar al-Idah: Whoever divorces his wife with one divorce before consummating the marriage, she is irrevocably divorced from him and is not permissible for him except with a new marriage. He has no waiting period with her, and that is why she is irrevocably divorced from him with one divorce, because the husband only has the

right to take her back if the woman is in a waiting period with him. But if he does not have a waiting period with her, then he has no right to take her back, and she is irrevocably divorced from him by consensus. She is free to marry whomever she wishes from that moment. If a dowry was stipulated for her, then she is entitled to half of it. If no dowry

.was stipulated for her, then he should give her a gift
He said in Mukhtasar al-Idah: If a man divorces his wife and she has a young child with him, then his mother has the right to him, and his father is responsible for the maintenance unless she marries a husband other than the father. Then, after the mother, the one with the right is the mother. If there is no mother or grandmother, then his father has the right to him. If he has no father, then the maternal aunt, because she is in the position of the mother, then the next closest, then the .next closest

From the author's summary: If women dispute guardianship of a child, the one related through the mother has a stronger claim than the one related through the father. If two guardians of the same status have a child, the one with the greater piety and righteousness has the stronger claim. If they are equal, the older one has the stronger claim. If the guardian who is entitled to guardianship is incompetent, the guardianship is given to the next most qualified. Any guardian who relinquishes guardianship of the child to the next most qualified is permitted to do so. There is no payment for breastfeeding after the child reaches two years of age. If the spouses do not separate, the mother is not entitled to payment for breastfeeding the child, and if she refuses, she cannot be compelled to do so. If the child is mentally deficient, the guardianship of a child after puberty

is treated the same as that of a child. If a woman of legal age marries and is divorced after consummation, and she does not wish to remain with any of her guardians, she may do so if she is of sound mind. If she is not, her guardian may take her into his care. If the marriage took place in the woman's hometown and her husband took her to his hometown, then divorced her while she had a young child with her, or if he died, she may return to her hometown with the child. If the marriage took place outside her hometown, she may not take the child to her hometown. Egypt or to where the marriage took place, even if the marriage originated in a region with scattered villages and she wanted to take the child from one village to another, she has the right to do so if the villages are close and this does not prevent his father from seeing him. The mother of the child, if her master frees her, is in the same position as a divorced free woman. As for the slave woman, the child belongs to her master, and the master takes them and he has the right to them. If a man takes his child from a woman when he marries her and she has a mother, she has the right to him. If the boy is no longer under guardianship, the father has the right to him, then the paternal grandfather, then the brother, then the uncle, then the closest, then the .closest

From this: Regarding what preceded it in this chapter, if a husband and wife separate and there is a child left, the mother has the right to custody if the child is a boy, until he becomes independent of her. This occurs when he reaches seven or eight years of age, depending on his strength, activity, and intelligence. Circumstances may vary in this matter, and the ruling for a boy is determined by observable circumstances. If the child is a girl, her mother has the right

to custody until she reaches puberty, at which point her father has the right. If the mother remarries before this, the father has the right. If a man takes custody of a child from a woman by marrying her, and then the husband divorces her, she regains her right to custody. If she remarries, he takes the child from her, regardless of whether the marriage was consummated, and whether the husband was present or absent. The maternal grandmother has the same right as the mother in this regard. If the maternal grandmother also has a husband, the father has the right to custody unless her husband is the child's grandfather. Similarly, the paternal grandmother has the right to custody if she is entitled to it

Mourning

From the author's summary: Mourning is obligatory for a woman whose husband has died, whether he consummated the marriage or not. There is no mourning for a woman who is divorced, whether revocably or irrevocably

He said in the summary of the effects: There is no mourning period for the divorced woman, nor the woman who has been divorced by mutual consent, nor the woman who has been divorced by mutual agreement, nor the woman who has been divorced by mutual imprecation

Among the issues mentioned

Question: What do you say about a woman whose husband has died, and something happens to her that prevents her from observing the mourning period, such as fleeing from an enemy or something else to a land where she cannot stay and can hardly remain in a country for eight

days, so the waiting period passes while she is in that state? Is she obligated to observe the waiting period or not? And if she marries after the period has passed and the waiting period is still due, is she permissible for the second husband or not? And is there any expiation for women who leave that
?due to necessity or not

Answer: If she observes the mourning period, it is four months and ten days, and if she is pregnant, it is the longer of the two periods. If she fulfills the four months and ten days without mourning and gets married, then she has failed to .fulfill the obligation and no expiation is mentioned for that

Mention of pleasure

From the summary of the author: If a woman is divorced for the Sunnah or for the waiting period, she is entitled to a gift, but there is no gift for a woman who is irrevocably divorced, nor is there a gift in an invalid .marriage

He said in Al-Iqtisar: There is no compensation for a woman who seeks a divorce by mutual consent, nor for a .woman who seeks a divorce by mutual agreement

Mention of the return

From the author's summary: A man has the same right to take back a Christian or slave woman during her waiting .period as he **does** to take back a free Muslim woman

He said in the summary of the effects: If he takes her back, he takes her back without compensation or dowry if her waiting period is not shortened. If her waiting period has

ended and they agree on the return, he does not take her back
.except with a dowry and he names it for her

Among the issues mentioned

Question: A man divorced his wife with a revocable divorce, and she observed her waiting period in his house. During this waiting period, he looked at her with lust, kissed her, or touched her in a way that is forbidden to anyone other than his husband. Does this constitute a revocation of the
?divorce or not

Answer: Reconciliation is only valid through verbal
.declaration and sexual intercourse

Mention of the permissibility of a divorced woman three times

The Commander of the Faithful, peace be upon him, said: If a man divorces his wife three times before consummating the marriage, she is not lawful for him until she marries another husband. That is, if he divorces her before consummating the marriage, then marries her, then divorces her again before consummating the marriage, then marries her again, then divorces her again, she is not lawful for him until she marries another husband because he has
.divorced her three times

And from it: irrevocable divorce, meaning three divorces. And whoever marries a woman during her waiting period, she is not permissible for her first husband until she
.marries another husband

And from it: irrevocable divorce, meaning two divorces

Mention of the divorce of the Mamluks

From the author's summary: If a man owns a slave and marries him to a slave woman or a free woman, he is not obligated to provide for his children, nor is he responsible for their upkeep. This is because the children of a slave woman are slaves to her master, and the children of a free woman do not inherit from the slave as long as he remains a slave and has no wealth from which to provide for them. If a slave divorces a slave woman twice, and then she is freed, he is not permitted to marry her until she marries another man. Similarly, if he is freed and then buys her, he is not permitted to have sexual relations with her as a slave woman until she marries another man. If the slave divorces her before consummating the marriage, and then they are both freed and he marries her, she remains with him with two divorces remaining, because her legal status shifts to that of a free woman. The same applies if she is freed and he remains a .slave

The Book of Emancipation

Mention of desires in emancipation

He said in Mukhtasar al-Athar: The best slaves are the believing male who can take care of himself, then the believing female who can take care of herself, then the Muslim male likewise, then the Muslim female, and the best of them are the most precious and valuable to their owners, then the young one who can take care of himself, up to the newborn, and the best of them are the oldest, then the oldest
He said in the summary of the author: Whoever frees a young child who has no ability to earn a living, he must take

care of him until he grows up or becomes independent of him. Likewise, the old man and the disabled who have no means. If he said to his slave, "Free yourself," and he freed himself, that is permissible

Mention of absolute manumission, what is permissible and what .is not

He said in Al-Iqtisar: Whoever frees part of his slave while he is healthy, the whole slave is freed, whether he has money or not, because a human being cannot be divided or fragmented, and God has no partner in what He has made for Himself, may His name be glorified

From the author's summary: If a slave is between three people, and two of them free him in a situation where one of them does not precede his companion, or an agent of theirs frees him, and the partner guarantees his share, then his value is the value of his right between them in half, even if the amount of the two shares differs , because they are all like partners in one crime. If one of them is insolvent with what is due from him or part of it, then the solvent one is obligated to pay the partner's share and can claim from his companion when he becomes solvent for his share. If one of the partners frees his share of the slave during his illness and then dies while solvent, then the guarantee of his partner's share in the .estate is three

He said in the abridgment of the effects: Or if he was ill with the illness from which he died, then he was freed .entirely from one-third of his estate

From the summary of the author: If the sick person said to his two slaves, "One of you is free," and did not clarify

until he died, a lottery should be drawn between them. If he had no other money besides them, a third of their value should be freed from the one who receives the share of the freeing. If a man bequeaths what is in the womb of his female slave to a man, and the heir frees the slave before she gives birth, her freedom and her allegiance and what is in her womb are valid for him, and he is responsible for the value of

.what is in her womb on the day she gives birth

And from it: Whoever frees his slaves during his death illness, and he has no other property besides them, divides them into three equal parts and draws lots among them. He frees the one whose share of freedom is drawn from them, and the rest remain slaves. The same ruling applies to those who are promised freedom upon the death of their master, and those who are promised freedom upon the death of their master, and those who are freed during the illness. They take precedence over those who are promised freedom upon the death of their master, and over those who are promised freedom upon the death of their master, even if they have completed their waiting period. If there remains a remainder of the third, it is for those who are promised freedom upon the death of their master and those who are promised freedom upon the death of their master, and lots are drawn among them for it. The lot is only drawn among people whose circumstances are equal and none of them has distinguished themselves from the others by proof or evidence. The crimes of slaves after their manumission and before the lot is drawn upon them, and the crime committed against them and what they have done in terms of punishment is suspended until the lot is drawn upon them. Whoever's share is drawn for freedom is judged for him and

against him according to the rulings of free people. Whoever is drawn as a slave is in the position of a slave in that regard. Whoever frees a portion of them, such as half of him or more than that or less than a sixth, is in all his rulings that can be divided according to what is freed from him in the rulings of a free person, and what is freed from him is in the rulings of a .slave

And from it: If he freed his slave on the condition of a specific task, and that task was missed or he was prevented from it by a disability, he is not obligated to pay compensation for it. And if he said, "If you serve me, then you are free," and he served him for a year, he is not freed. And if he said, "You are free on the condition that you serve me for a year before the Eid," then he is free and the service is on him. And if the master dies, then the heirs may take .from him what remains of the service of the year

And from it: He was pleasing

And from it: The slave must work for what remains for the heirs if they do not believe the witness. If another just witness testifies with him about the deceased regarding manumission, he is freed from one-third of him. If the witness is not acceptable to the heir, his share is freed by his admission, and the rest of the heirs are not required to work .for the slave and their servants with shares

And from it: If someone emancipates the unborn child of his slave, that is permissible. And if he says to her, "What is in your womb is free," then he sells her and she gives birth less than six months after the sale, then it is free, and the sale is invalid. And if he says to his slave girl, "Every child you give birth to is free," then whatever she gives birth to while in his ownership is freed. And if the master dies while she is

pregnant and then she gives birth, then it is not freed. And if he sells her while she is pregnant, then the ruling is likewise. And if someone strikes her womb and she gives birth to a dead child, then it is in it what is in the fetus of the slave girl. And if he says, "What is in your womb is free," then it is in it if he commits a crime against it what is in the fetus of the free .woman

He said in Mukhtasar al-Athar: "Those relatives who are forbidden to be with the one who owns them are like one of them being a woman whose marriage is not permissible for the Hereafter. As for the other relatives who are not permissible for each other, it is permissible for them to own ".them if they own them in a permissible way

In the abridged version of the work, it states: If a man acquires his share of one of his parents' estates through purchase or inheritance, he is obligated to free what he owns and pay the remaining value to his partners if he is wealthy or if his share of the inheritance exceeds the value of all his partners' shares. If he is poor, he must work to pay the remaining rights owed to the partners of the enslaved person, or they may free their shares. If the son finds something and gives them the value of their rights, they cannot refuse to accept it on the grounds of seeking compensation. Relatives within the prohibited degrees of marriage are treated in this .regard as if they were parents

Among the issues mentioned

Question: What do you say about what was mentioned in the Sharia on the authority of Abu Ja'far, peace be upon him, that he said: If he named them and said, "Free so-and-so

and so-and-so on my behalf,” then he looked into his third and their prices, then he began freeing the one he named first, and so on. If the third came out on the heads, they were freed. If there was something left over that did not reach the price of the one who came out last among them, then if what came out of it was a sixth or more, he was stopped in what remained of it. So, O our master, what is the picture of this

.issue? I am your ransom

The answer: If he said, “Free Miftah, Saeed, Badr, and Mithqal on my behalf,” and his third was fifty dinars and their two hundredths were sixty, Miftah for ten, Saeed for ten, Badr for twenty, and Mithqal for twenty, then Miftah, Saeed, and Badr were freed in full, and ten dinars remained from the third for Mithqal, which is more than one-sixth of its price because its price is twenty, so half of it was freed and he worked for the other half, as has been mentioned previously on the authority of Abu Abdullah, peace be upon him.

Mention of the scribes

He said in Mukhtasar al-Athar: “Good here is the ability to earn and be righteous, and good here is not money, as God Almighty said: ‘It is prescribed for you, when death befalls any of you, if he leaves behind wealth, to bequeath to his parents,’ meaning money, because the slave has no money, ”.and his money belongs to his master

From the author's summary: If a man enters into a contract of manumission with his slave while healthy, and then frees him during illness, and he has no other wealth, the slave may work to pay two-thirds of his value or two-thirds

of his manumission fee, if he wishes. If a man enters into a contract of manumission with his slave while ill, on a standard contract of manumission for someone of his status, and then acknowledges having fulfilled it, he is not to be believed regarding anything exceeding one-third. Even if the slave has debts that exceed his wealth, he is not to be believed in anything except that the slave is freed and held to the terms of the contract, unless he provides proof that he fulfilled it during his illness. If he entered into the contract while healthy, and this was known, and then acknowledged fulfillment during his illness, he is to be believed. If a man bequeaths to his slave under a contract of manumission, saying, "Reduce one-third of his manumission fee," then one-third of the original amount is reduced, not one-third of what remains. If the slave refuses to accept the bequest, it is not valid, because it is like manumission, in which the slave has no option against his master. If a non-Muslim under a contract of manumission enters into a contract of manumission with his Muslim slave, this is permissible. If he is unable to fulfill it, he must work to pay his value and never reverts to slavery. It is not permissible for a guardian to enter into a contract of manumission with an orphan's slave on the condition that if he pays an installment, the manumission takes effect. However, he may enter into a contract of manumission on the condition that if he is unable to fulfill it, he will revert to slavery, because this does not harm the orphan's wealth. This is closer to saving money, and there is nothing wrong with writing the contract of manumission. Whichever of the two things precedes manumission, whether it be fulfillment of the contract or the death of the master, then manumission is permissible. Anything that can

be bought and sold can be subject to a contract of
.manumission

And from it: If the scribe is unable to write, and the master says to him after the inability, "I have approved you to write," it is not permissible until he specifies the writing
.for him

And from it: If a slave claims against his master that he has written a contract with him, or against his master's son after the master's death that his father has written a contract with him, and the defendant says, "I wrote a contract with you while I was under guardianship," or the son says, "My father wrote a contract with you while he was under guardianship or his mind was impaired," and the slave says, "Rather, he wrote a contract with me while he was of sound mind," then if it is known that the master was once under guardianship or his mind was impaired, then his word is accepted with his oath, and what he claimed of writing is invalid unless he provides evidence that he wrote a contract with him while he was healthy and his mind was impaired. If the master never knew that from him, then the word is accepted. And if a man wrote a contract with his slave for something of a measure or weight and then reduced it for him with something of a different kind, then he has not
.reduced it for him

Note: If a man and his slave enter into a contract of manumission, and then they disagree, with the master saying, "I contracted with you for two thousand," and the slave replying, "You contracted with me for one thousand," then the slave's word is accepted, whether he has paid anything or not. If the master says, "I contracted with you for one thousand to be paid in one year," and the slave says, "No,

for two years," then the master's word is accepted. If the master says to his slave, "You gave birth to this child before I contracted with you," and the slave replies, "No, I gave birth to him during the contract," then the word of whichever of them had the child in his possession is accepted. If they both present evidence, then the evidence is that of the one in whose possession the child was. If a slave woman is freed, and then they disagree about her child in this manner, then the evidence is that of the slave woman, because she claims .the child's freedom

In the abridged version of the work, it states: If a man enters into a contract of manumission with his female slave and stipulates that he may have sexual relations with her, the contract is valid, but the condition is void. If someone enters into a contract of manumission with his slave for his value, it is not permissible. If a man enters into a contract of manumission with his female slave and stipulates that he may have sexual relations with her, the contract is valid, but the condition is void. If someone enters into a contract of manumission with his slave for his value, it is not permissible. If the slave under contract dies while owing debts and having committed a crime, and he has free children, the debts are paid first, then the crime, then the remaining debts. Anything left is inherited by his heirs. If the slave under contract buys his father and mother, or some of his female relatives, they are freed to the extent that he is freed, and they remain enslaved to the extent that he is enslaved. If he pays the full amount of the contract, they are .all freed

And from it: If the master of the slave who has been freed becomes bankrupt, his bankruptcy does not invalidate

the contract, and the creditors have the right to take it at its place. If the slave who has been freed owes a debt before he is freed, his creditors have a greater right to his money than the master has to his contract. If the slave who has been freed surrenders his master to the creditors, the creditors take his money, his slaves, and the mother of his child along with his person. They do not take a child if he is from the slave of another, nor from a slave whom he bought, because his child from the slave of a stranger is a slave to the master of that slave, and his child from his own slave is his slave to his master if he is unable to pay, and they are not his property. If a man contracts with his slave on the condition that if he pays them, he will be freed after his death, then it is a void contract

Mention of the planners

He said in the summary of the author: If a man makes his slave a conditional manumission, the slave has the choice: if he wishes, he can cancel the manumission and he is a conditional manumission, and if he wishes, he can continue with the manumission. If he dies and has no other money, he must work for at least two-thirds of his value or two-thirds of the manumission. If a dhimmi makes his slave a conditional manumission and the slave converts to Islam, it is said to him: if you want to go back on the conditional manumission, we will sell him, and if you do not want it, we will leave him between you and him and he will pay you his tax until you die and he is freed, or you can make him work for you if you agree on that

And from it: If a man dies and has made a share of a slave, male or female, available for manumission, it is like

the one who frees his share of a slave, and this has been mentioned previously. And if a man says, "Every slave of his mine is free after my death," then what was in possession when he said this statement is available for manumission, and what came into his possession after that is not available for manumission. And if he had a share in a slave, it would not be included in the manumission unless he intended it, and the available slave is sold to the one who made him available for manumission in his debt if he has no other money. And if the master dies and leaves a female slave who has made him available for manumission with a child, and he says to the heirs, "She gave birth to him before the manumission," and she says, "Rather, she gave birth to him after the manumission," then the statement of the heirs is .accepted, and if she brings evidence, the child will be free. And from it: If the master who made him a mudabbar refuses to redeem him for a crime, and the judge sells him and then buys him back, he is not a mudabbar, and his sale is an annulment of the mudabbar. If he redeems him, then he is under his mudabbar. If the slave brings two witnesses against his master that he made him a mudabbar, and the heirs say he has returned, then the evidence is required of them, and it is not permissible for one witness and the oath of the slave or the heir. If he claims the mudabbar and no evidence is brought, the heirs swear an oath and he is a slave. If they were freed from the third, and they have the right to make him swear an oath, and the mudabbar is in all his rulings in .the position of a slave as long as his master is alive. He said in Mukhtasar al-Athar: Unless the heirs permit their manumission from outside the third, and if they do not exceed the third, then those of them that can be

accommodated by the third are manumitted for their value, in the manner previously mentioned regarding manumission .during illness

From the summary of the author: If a man strikes the belly of a slave who has been promised freedom upon the death of her master, and she miscarries a dead fetus and dies, then the fetus is worth one-tenth of the value of its mother on the day she is struck, and the mother is worth her value, and all of that belongs to the master. If she miscarries a live fetus and dies, then she is worth her value, and the fetus is worth its value. If a man makes a contract with a slave who has been promised freedom upon the death of her master, then the contract does not invalidate the promise. If he fulfills the contract before his master dies, he is freed and the promise is invalidated. If his master dies and he was paying out from the third, he is freed, and the contract is invalidated. If he did not pay out from the third, he is freed from what he paid out, and the money for the contract is invalidated for him in proportion to what he was freed from, and he works for what remains of it. If the master dies and he has no money other than it and he had not paid anything from the contract, then one-third of him is freed, and he works for two-thirds of the .value if he wishes, or two-thirds of the contract

Mention of the mothers of the children

From the author's summary: If a man marries the mother of his child to another man, and she bears him a child, the child is considered as such, and the master is not liable for more than her value for any crime committed by the mother of the child. If a slave girl is jointly owned by two

men and bears a child by another man, and the first man says, "You married her to me," and one of the men confirms this, while the other says, "No, we sold her to you," then half of her is considered as the mother of the child, and the other half is a slave belonging to the one who said, "We married her to you." The share of the child belonging to the one who acknowledged the sale is freed, and the slave must work to pay half of her value to the one who denied the sale. The one who had intercourse with her is liable for a dowry equivalent to that of a woman of her status, half to the one who acknowledged the marriage and half to the one who claimed the sale, from among what he claimed. If the father of the child dies, the slave girl works to pay half her value to the one who acknowledged the marriage. If the father of the child claims to have purchased her, she is considered his mother of the child, and he is liable for half the price to the one who confirmed the sale, half the value, and half the dowry to the one who denied it. If the father of the child claims to have given her as a gift, and the two masters say, "We sold her to you," then she is his mother of the child, and he is liable for her value unless he provides proof. A man may enter into a contract of manumission with his mother of the child, and if she commits a crime during this contract, she works to pay for it. If she committed a crime against him, the compensation was for her. If she died and left behind a child, he would strive to pay what was owed by his mother and be freed. If his master died before he paid anything, he would be .freed and no effort was required of him

And from it: If a man acknowledges in his health that this slave girl of his has given birth to a child from him, she becomes an umm walad (mother of a child). Likewise, if he

acknowledges this while he is ill and she has a child. If she does not have a child, she is freed from the third. And whatever child the slave girl with whom her master has intercourse gives birth to, whether complete or incomplete, living or dead, she is an umm walad because of him. So if a man has a slave girl and he acknowledges having intercourse with her during the period of purity in which she became pregnant, and he denies the child and claims that he was practicing coitus interruptus with her, then the child is binding on him. And if a man buys the son of an umm walad of his from someone else, he is not freed. And if a man marries the slave girl of a people and she gives birth to a child for him, then he buys her, she becomes an umm walad of his. And if she gives birth to a child from him, he guarantees to his owner the value of his share, whether he is poor or rich. And if an umm walad of a Christian converts to Islam, she is ruled to work for her value and she is in the same position as a mukataba (a slave woman who has entered into a contract of manumission)

From the summary of the effects: If he bought her while he was wealthy and did not pay her price until he became bankrupt, she is an umm walad (mother of a child by her master) and was not sold to settle his debt or to pay for her freedom. If the one who fathered her dies, she is freed upon his death, and the wala' (loyalty) of the umm walad belongs to the one who freed her and to whomever she passes to because of him after him

And from this: in his saying that if a man has intercourse with his slave girl and she gives birth to what he knows to be a full-term or incomplete pregnancy, alive or dead, then she is his mother of a child

From the summary of the explanation: If a man marries his female slave to another man, and she gives birth to a child from him, then he dies, or divorces her, or she returns to the master, and then the master gives birth to a child from her, then the first child is a slave because the emancipation only .took place in his mother after him

Among the issues mentioned

Question: What do you say, O our unique and glorious master, about a man who marries the mother of his child to another man? What is the status of her child from her husband? Is his status like hers? Is he freed when her master ?freed her or dies, or not

Answer: He is freed by her manumission and enslaved .by her enslavement

Question: What do you say, O Bab, regarding our situation in the nation, if a woman has a child from adultery or other means, and then her master gives birth to another ?child, what is the status of her first child

Answer: The first one is owned

Question: What do you say, O House of Divine Light, regarding a woman who becomes pregnant through adultery and her master wants to abort her child with drugs or other ?means? Is it permissible for him to do so or not

.Answer: That is not permissible

From the answer of our master Al-Nu'man, may God sanctify his soul: I was asked about the miscarriage of a slave woman due to intercourse with her master. Every miscarriage that is known to have been a complete child, whether its creation was complete or not, is ruled to be for

the slave woman to be the mother of the child, and she observes the waiting period of a free woman. If life is known from it by movement or breath or something that indicates life, it inherits and is inherited. There is no meaning to the .cry of birth that you mentioned because it may be mute

Loyalty mentioned

From the author's summary: Loyalty is of two kinds: manumission and allegiance based on affiliation. The latter is the loyalty of patronage, and each type is inherited if there is no kinship. The loyalty of manumission occurs when a man manumits his slave, male or female, and then the manumitter dies, leaving behind property but no relatives. In this case, the manumitter inherits. If relatives are left behind, they have priority in inheritance. If the deceased leaves behind a master of manumission and a master of patronage, the master of manumission has priority in inheritance. If only a master of patronage is left behind, the master of patronage inherits by virtue of patronage. If the deceased leaves behind a master of a higher degree (the one who manumitted the deceased) and a master of a lower degree (the one the deceased manumitted), the higher master inherits. Loyalty belongs to the one who manumitted, except for a freed slave, which has no loyalty to its manumitter and can befriend whomever it pleases. If a polytheist converts to Islam and becomes a patron of a Muslim, guaranteeing his crimes, he is his patron and inherits from him. If a man makes a patron of another, any child born to him is a patron of the one who made the patronage of his father. A man who makes a patron of another has the right to withdraw from him unless he is

aware of his own actions or those of his father. Born in his state, and if a man dies and two men claim his allegiance, they must provide evidence. If it is an allegiance of manumission, he is taken at the first time, and if it is an allegiance of loyalty, he is taken at the last time, unless the evidence testifies that the first one was aware of his situation. If the two pieces of evidence are not timed and are equal in

.justice, then this will be mentioned in the book of claims And from it: If the slave of the polytheist converts to Islam and is freed before being sold to him, his allegiance is to the Imam. If his freed slave converts to Islam, his allegiance returns to him. And every freed slave who becomes enslaved after being freed, his allegiance is nullified by him, and the rule of allegiance is for the freed slave who comes after him. And if a man dies and leaves money and has no heir, and a man claims that he is his heir and his two witnesses testify that the deceased was his master, this is not permissible until they testify that the living man freed him while he owned him or he was in a relationship with him and he was his heir and they do not .know of any other heir for him besides him

If a man acknowledges that he is the freed slave of a man from above or below, and the other confirms it, then he is his freed slave and he is responsible for him. If the one who acknowledges has grown children, and they deny it and there is no evidence there, and they say, "Our father is the freed slave of another whom they mentioned," then the father is confirmed for himself and the children are confirmed for themselves. If they are young children, then the father is confirmed for them. If the mother denies it, no attention is paid to her. If a man acknowledges that he is the

freed slave of a woman who freed him, and she says, “I did not free you, but you converted to Islam at my hands and became my ally,” then he is her freed slave and he has no right to leave her. If he acknowledges that he converted to Islam at her hands, and she says, “Rather, I freed you,” then he is her freed slave and he has no right to leave her unless .she or her people are responsible for him

From the summary of the explanation: If he pledges allegiance to a man, and the man does not approve of his allegiance, or is absent from him, then that is nothing until he .accepts his allegiance and commits himself to it

From the summary of the effects: Loyalty is inherited by whoever inherits the inheritance, except for the spouses, for they do not inherit anything from loyalty, nor does what remains after the shares of the inheritance return to them, unless they are close relatives, in which case they are entitled .to it by virtue of kinship

And from it: that is, if he says when he frees him, “I have freed you for the sake of God the Most Generous, **your** relative, and I have no allegiance to you, nor does anyone from my lineage.” So if he says that, then the one who frees him has allegiance to whomever he wishes, and the one who frees him has no allegiance to him, nor to his heirs. If he does .not say that, then his allegiance is to him

From the summary of the explanation: Al-Baqir, peace be upon him, was asked, “A free woman married my slave and she bore him children, then the slave went to someone else and he freed him. To whom does the loyalty of his children belong if their mother is my mistress? To me or to the one who freed their father?” He said, “If the mother is free , the father can claim the loyalty, and if I freed him, then

his father cannot claim the loyalty.” Al-Sadiq, peace be upon him, said regarding a child between a free man and a slave,
” .“The child goes to the free one of them

The Book of Gifts

Mention of gifts and what is permissible among them

From the author’s summary: Whatever a sick person gives away from his money during his illness and then dies, only one-third is permissible. If he had debts, then one-third is permissible after the debts are paid. If the debts consume .his estate, then nothing from the gift is permissible

From the summary of the explanation, Al-Sadiq, peace be upon him, said: It is permissible to give charity with a part of the house that has not been divided, and likewise a gift. And whoever gives charity with what he inherited from his father or from someone else and does not know what it is, it is permissible, and his charity as long as it has not been divided and has not been received is permissible, and .likewise a gift

Footnote: On the authority of Abdullah bin Rawaha and Hassan bin Thabit from the Ansar, and they were poets during the time of the Prophet, peace be upon him, and the third of them was Ka’b bin Malik Al-Ansari, and they used to praise the Messenger of God, peace be upon him, and .defend him, peace be upon him

From the author's summary: If the giver dies, his heirs .have no recourse until the giver dies

Among the issues mentioned

Question: What do you say about what is stated in the Epistle of Admonition to the Negligent, that a man should not give for anything other than the sake of God unless he gives something similar for the sake of God? O our master, this applies if his giving is for something other than the sake of God, willingly, out of desire, or to protect an honor or .avert harm

Answer: Protecting one's honor and warding off harm is established and permissible, as the Prophet (peace and blessings be upon him) said: "Every act of kindness is charity, and whatever a person does to protect his honor is ".recorded as charity for him

Question: A man, in his right mind and sound of mind, said, wanting to bequeath this house and these belongings to one of his sons, and he gave them to so-and-so. He first made the bequest and then gave them away in one sitting. Is it ?permissible for him to give them away or not

Answer: As for the bequest, there is no bequest to an heir. If, after he made the bequest, he gave a gift and executed it, and the recipient accepted it, then the gift is established and he has no right to retract it because it is a .matter of kinship

Question: If maternal relatives have no guardianship over paternal relatives, and a maternal relative gives a gift to a paternal relative, and the recipient has no guardian from his ?father and is under puberty, can the donor accept this gift

.Answer: The judge accepts it

Question: If a mother gives a gift to her young son who has no guardian, is it permissible for the mother to accept it ?on his behalf or not

.Answer: This is the answer to the first question

Question: If a polytheist has no authority over a Muslim, and a gift is not permissible except with acceptance, then if a polytheist gives a gift to his young Muslim child, is it permissible for the polytheist to accept it from his young Muslim child?

The answer: We say, and we rely on God, and God and His allies know best, that it is acceptable for the child of a polytheist, if he is a child and has converted to Islam, to accept the closest Muslim relative to him. If he has no Muslim relative, then the Muslim judge will accept it for him. If a man gives something to another man's slave, it belongs to his master because he is a slave. If the master gives something to his slave and the slave wants to perform Hajj and performs Hajj, and the slave is then freed, then he must perform Hajj.

Mention of generosity and communication

From the summary of the effects: Fulfilling the needs of the believer and taking care of the truth is a duty upon his fellow believer, and if he takes compensation for that, then it is unlawful gain.

Among the issues mentioned

Question: What do you say about a Muslim meeting a polytheist and both lower their heads? Is there anything wrong with that for the Muslim? And perhaps the Muslim says what the polytheist says in greeting the polytheists. Is there anything wrong with that for him or not?

Answer: If a Muslim refrains from greeting a polytheist, there is no blame on him, and he has no right to .humiliate himself in such a way

Question: What do you say about the Islamic legal prohibition against greeting women? O master, it is the custom of the people of India to go to the homes of relatives and others and greet the women first. How can one avoid this

Answer: If she is a close relative, then there is no .problem

Question: What do you say, O my friend, about the concerns of ignorance regarding the custom of the people of India, that some of them ask about some water, salt, food and the like, which they do not care to ask about and consider permissible and exchange, and the questioners are not unable to buy it, but they do not find it at the moment, so they ask them, O our master, is this question permissible for them or ?not

Answer: There is nothing wrong with this, due to the .purity of affection and the goodness of brotherhood

Question: What do you say about greeting sheikhs, teachers, and those under one's care? Most people in India do not raise their voices in greeting them, but rather bow their heads, intending to greet them. Some of them say this is an imitation of the infidels. So, O our master, please give an answer to this that leaves no room for those who say .otherwise

.Answer: Spreading peace is better

Question: What do you say about returning a greeting?

Is it obligatory to respond to a Muslim as much as one can hear, or not? And is it obligatory to respond to the one who is returning the greeting if one hears the Muslim's greeting, or

not? And regarding sneezing, is it obligatory to say "God have mercy on you" to the one who sneezes if one hears the sneezer say "Praise be to God" or merely upon hearing his sneeze? And is it obligatory to say "God have mercy on you"

?as much as one can hear the sneezer, or not

Answer: This is a matter of etiquette, not an obligation.

He may do it as he pleases, and there is no blame on him if he does not do it, except in returning the greeting in general, .openly or secretly

Question: What do you say about the practice of the people of India that if one of them goes out to relieve himself and hears someone sneeze, he stops and does not go to him until after a while, and they consider that to be absolutely necessary? O our master, did that come from a firm

?foundation or from innovations that arose

.Answer: Such a thing is unreliable and has no basis

From the answers of our master Al-Nu'man, may God sanctify his soul: I asked about a blind old man who had his sons take care of him. If he was poor and his sons were rich and able to take care of him, then they are obligated to do so. If he was rich and they were poor, then he has no obligation to them, for God does not burden a soul beyond its capacity

Mentioning the virtue of charity

From the author's abridgment: The principle regarding obligatory zakat and expiation is that they should be given openly, while it is preferable to conceal voluntary acts of worship. However, if they are given openly, there is no harm in that. A similar point is mentioned in the abridgment of the .hadiths

Among the issues mentioned

Question: What do you say about what is mentioned in the books of the guiding call, that whoever does an act on behalf of a dead person will have its reward and that will also reach the dead person? O our master, is what is meant by the act here charity or other acts such as prayer, fasting and others, and is it done on behalf of the living as it is done on behalf of the dead or not

Answer: Giving charity on behalf of the deceased benefits him, and prayers and fasting are attributed to him, and the same applies to the living. Know this

Question: What do you say about what the common people do regarding the bride on behalf of the prophets and sheikhs, and some of them see it as absolutely necessary, and some of the preachers do it on behalf of their fathers and mothers, and some of them do not do it, so is it obligatory for them or not

Answer: Such a thing is not reliable and is not obligatory. Some of them, which is giving charity on behalf of the dead, give charity as they please

Question: What do you say about what is stated in the Sharia that whoever delays a loan after its due date will have the equivalent of it given in charity every day? O our master, if the lender asks for his loan after its due date and exceeds the borrower's due date, will he have the equivalent of it given in charity every day or not

Answer: If the debtor cannot find the money and the creditor gives him time and does not compete with him, then he will receive the equivalent of that amount in charity every day

Question: What do you say about people's lifespans? Do you believe that they are temporary with God Almighty and do not increase or decrease? If that is the case, then what is the meaning of what is stated in the books that lifespan increases or decreases? So explain to us in this way that there .is no need to repeat the question

The answer: These are deferred lifespans that neither increase nor decrease. As for the meaning of increase and decrease, it is correct in the sense that what decreases in the .past cycle increases in the future one

.Mention what is permissible and impermissible in charity

From the author's summary: Waqf and Tahbis are one and the same meaning. It is permissible in every item that is separated from others. Waqf is permissible in everything that is completed by which the benefit is completed and its substance remains. It is not permissible to make a waqf of something that cannot be used except after its substance has disappeared, such as dinars, dirhams, and the like. There is nothing wrong with someone who makes a waqf of slaves, animals, or something whose condition has reached the point of its use disappearing, selling what is about to perish from the animal due to its disability, and what is created from a tool or garment, and replacing it with its price if he can do that, or spending it in the way of the benefits of what he made a waqf for, or returning some of it to the interests of what remains, or selling it to the one who has it in his possession in .such ways

And from it: What the polytheists endowed to the places where they associate others with God Almighty in

worship, such as fire temples, idols, and the like, and the Muslims had the right to rule over them, they invalidated all of that and made it the Imam's to do as he saw fit, and it is like God's share in the spoils. And what the People of the Book endowed for their disobedience that does not reach the level of polytheism, if they brought their case to the Muslim rulers regarding that, they invalidated the endowment ruling and made it an inheritance for the people who owned it and allowed them to sell it if they wanted to. And what was endowed for something other than disobedience and polytheism, but for something that is permissible in the religion of the Muslims, then it is permissible like the .endowments of the Muslims

In his abridged version of Al-Idah, he said: Abu al-Hasan, peace be upon him, was asked by one of his companions, who said: "My mother gave me her share of a house as charity. I said that the judges do not permit this, but write it down as a purchase. She said, 'Do with it as you see fit,' so I did. Then she died. Some of the heirs wanted to make me swear that I had paid her the price, but I did not pay her anything. What do you think?" He said, "Make him ".swear

From the author's summary: If he designated the proceeds of his charity for specific purposes and designated what remained after that for his family, he would not give his family anything until he had fulfilled what he had designated. If anything remained, it would be for his family. If the proceeds were insufficient for the purposes he designated, then the proceeds would be waived for them, and each purpose would be reduced according to its share of the deficiency if he had stipulated all of them in one word. If he

had begun with something, then it would be as he had stipulated. If he fulfilled the first, then the second would follow it until the deficiency was on the last. If the trustee of the endowment died during the lifetime of the endower, the matter would be up to the endower to appoint whomever he wished in his place. If the endower died after the trustee and did not bequeath to anyone, then the matter would be up to the judge. The endower should not assign the endowment to strangers if there were relatives who were suitable to manage .it

And from this: If he said in his charitable endowment, “For my son,” and did not say, “For my grandson,” then it is for his direct descendants, both men and women, excluding his grandchildren. If he specified how to divide it—whether some should be given more than others, or whether males and females should receive an equal share—and he chose a division, then it is according to his stipulation. If he did not specify anything, then it is divided with the male receiving twice the share of the female. If he said, “The proceeds of this endowment are for my heirs,” then the proceeds are like an inheritance, to be divided as such, with the closer relatives excluding the more distant. If one of his children dies, then the closest inheritance goes to the next closest, and it does not revert to the deceased’s siblings from among the children of the endower. If he stipulated that it be for a specific generation of his descendants, not extending to those below them until they become extinct, then it goes to the next generation, that is permissible. If he made the endowment for a group who do not inherit from one another, such as the children of the Commander of the Faithful, Ali, peace be upon him, then the proceeds are distributed to them

individually, unless he stipulated a preference. If he made it for his son and grandson without specifying which of them is higher in line and which excludes the lower, then his son and grandson share in it. If he said, “For my son and grandson If he said, “For my relatives,” then the men and women of his family would be included in it. If he stipulated that the remainder would go to the poor and the endowment would cease to exist for them, then their relatives among the poor would be more deserving of it. If there were no poor people .among them, then it would go to strangers
He said in Mukhtasar al-Athar that it is an inheritance for his heirs if he dies, and he has the right to take it back .whenever he wants

Among the issues mentioned

Question: What do you say, O you whom God Almighty has made the best knight, who sacrifices himself for his companion, regarding a man who said before his death, “I have dedicated this house or shop to myself, so whatever is obtained from its rent, feed the people with it,” and all the heirs were satisfied with that? What is his ?situation if it becomes dilapidated or collapses

Answer: If the heirs agree to that, it is permissible. If he inherits, there is nothing owed by the heirs, and it reverts to .the inheritance

Question: What do you say about a man who owes money to the people of the Diwan or others, and he brings them some bribe so that they will extend a grace period for ?him? Is he sinning in doing that or not

.Answer: He is not liable if he fears the Sultan

Question: What do you say about a man who owes money to creditors, and he brings good but bad coins and gives the critics and others some bribe so that the bad ones are counted among the good ones? Is he sinful for that or not? Some people in India deal with unjust rulers in this way

Answer: If he intended to give the wage without deceiving anyone, then there is no harm in that. But if he intended bribery and cheated with something bad, then it is .forbidden for both the giver and the receiver

Question: What does our master, may God perpetuate his support, say about a man who gives charity to another man, and the recipient sells that thing? Is it permissible for the donor to buy it from him or from the one who sold it, or not? It is mentioned in Al-Da'a'im that if a man gives charity, it is not permissible for him to buy it, nor to receive it as a gift, nor to own it after he gives it as charity, except by inheritance. If it comes to him by inheritance, it is permissible for him. O our master, likewise, people in our country go to princes, dignitaries, and loved ones and present them with some gifts, and the dignitaries, at the time of farewell, give the visitors some of those gifts. Is it permissible for them to take and eat them, or not? May our .master give the answer, may God reward him, God willing

The answer: And with God's help, if a person gives something and says that he gave it as charity for the sake of God, then he has no right to take it back unless it comes to him through inheritance. But if he gives it as a gift, companionship, or closeness to God, and does not say that he gave it as charity for the sake of God, then there is nothing wrong with him eating from it if it is edible, or buying from .it, or returning something to him from it

From the source: Whoever gives a gift intending to please God Almighty and maintain kinship ties, he cannot take it back if it is accepted. Spouses are like relatives in giving gifts. Whoever gives a man a debt he owes, he cannot take it back. Whoever gives him a gift out of fear of his evil or to ward off injustice, that is ill-gotten gain and forbidden for the one who takes it. The rewards of the oppressors and the leaders of injustice are forbidden for those who serve them in disobedience to God. A gift is not permissible unless .the giver is sane, mature, rational, and legally competent

Book of Wills

Mention of the command to make a will and what is recommended

From the author's summary: A bequest is a precaution
.for the healthy, and an obligation for the sick

.Mention what is permissible and what is not permissible in wills

In his abridged version, he said: The one making a will should allocate a portion to the Imam in his will, the minimum being one-third of one-third, and to his relatives who are excluded from inheritance by others, provided they are poor. If he says, "One-third of my wealth is for the children of so-and-so," it is for both males and females among them. If he says, "For the descendants of so-and-so," it is for the children and grandchildren, both males and females. If he says, "One-third of my wealth is for the sons of so-and-so," and there are five of them, and one of them dies before the testator, and then so-and-so has a child before the testator's death, the bequeathed one-third goes to that child

on the day the testator dies, and the newborn is counted among them. One-third is one-third of what he leaves behind. If he bequeaths one-third of his sheep to so-and-so, and the sheep perish before his death, the bequest is void. The same applies to other goods. If he says, "A sheep from my wealth is for so-and-so," and he has no sheep, that is permissible, and he is given the value of a sheep. Similarly, if he says, "A bushel of wheat from my wealth," or something similar, that is permissible. But if he says, "A sheep from my flock," or "A bushel of my wheat," and he has neither sheep nor wheat, then it is nothing. And whoever dies leaving a child and three slaves, but no wealth He had others besides them, so the heir said, "My father freed this one during his illness." Then he said, "No, rather this other one." Then he

.said, "No, rather this other one." They were all freed And from it: If he bequeaths that someone should perform Hajj on his behalf with something that is not enough for someone to perform Hajj on his behalf from his country, then Hajj should be performed from wherever he reaches the designated places. And if he bequeaths an obligatory Hajj or Zakat or something similar, it should be taken from the original money unless he specifies that it should be taken from the third. And if the testator says, "Perform Hajj on my behalf for so-and-so with a thousand," and the thousand is more than the fee for someone to perform Hajj from his country, then that excess is a bequest to the one he named if the third can bear the thousand. And if a man says to his slave, "If you perform Hajj on my behalf after my death, then you are free," and the third encompasses his value, then the heirs cannot prevent him from performing Hajj, and he is freed when he completes his Hajj. And if the deceased has no

money other than him, then two-thirds of it is for the heirs as an inheritance, and one-third of it is held in trust until he works for two-thirds of its value. So when he pays it to the heirs, he is told, "Perform Hajj with one-third of your value," .and if he performs Hajj, he is freed

In his book, **Hudud al-Ma'rifah** (The Limits of Knowledge), he said: A believer should bequeath what he owes to God, his guardians, and people if he has any debts, and whatever he can use to draw closer to God, the Exalted and Glorified. God has permitted believers to bequeath a third of their wealth, or less, for charitable purposes and wherever they wish. However, if someone has an outstanding obligation or something owed to God or His guardians, he must fulfill it during his lifetime. If he is unable to do so, he should bequeath it and write it in his will, so that he does not meet God, the Exalted and Glorified, while persisting in withholding His rights, the rights of His guardians, and the rights of His servants. Regarding this, God said, "The bequest is for parents and relatives," and the Messenger of God, peace and blessings be upon him, said to Ali, "You and I, O Ali, are the fathers of the believers." Thus, God, the Exalted and Glorified, made the bequest from the third for parents and relatives due to religious kinship, and made the remaining two-thirds for inheritance due to blood relations. Then He emphasized this, saying, "Whoever alters it after hearing it, the sin is only upon those who alter it." As for parents and relatives outwardly, they are not permitted to make a bequest according to the majority of the Muslim community, because this is not within their rights. Rather, they have the inheritance that God has named. If the testator deviates from the truth in favor of his offspring outwardly

and leaves them what he leaves behind, and does not bequeath to his parents or relatives inwardly, then there is no harm in them knowing this after him so that they may rectify their affairs and not take more than what is not theirs, and they may bring out what their guardian has deviated in favor .of them and give it to whomever it is due

He said in the concise explanation: These ten parts are from one-third of the deceased's estate, not from the entire .estate

He said in the same statement: It is permissible to make a bequest to parents who do not inherit, such as if they are slaves, polytheists, or murderers of the child to whom the bequest is made, or in any case, they do not deserve his inheritance, and to relatives who do not deserve anything from his inheritance and are excluded from it by someone who is closer to him than them. It is permissible to make a bequest to these people, and they deserve the bequest since .they are not heirs

He said in Mukhtasar al-Athar: Or breastfeeding or my .father's internal organs

He said in the same statement: Or killers of the child
From the author's summary: If a man said during his illness, "One-sixth of my house is for so-and-so," it was his will and not an admission. If he said, "One-sixth is in my house," that would be an admission. If a man bequeathed something to some of his relatives who was an heir on the day he made the bequest, then became a non-heir, or was a non-heir on the day he made the bequest, then became an heir, then the testator died, then the day of the testator's death should be considered, and the ruling should be according to .that

He said in Al-Iqtisar: There is no bequest to an heir
unless the heirs wish it

.In short: unless the heirs permit it

In his abridged version, he said: If someone appoints a guardian for a man, and the guardian dies during his travels, then the guardian returns, the guardianship is void. The same applies if he says, "If he dies from his illness," and the guardian recovers. If someone appoints two guardians, and one of them dies after the testator's death, without assigning the guardianship to another, the judge appoints another guardian in his place. If the guardian dies and appoints another, that second guardian is his guardian with respect to his estate, not the estate of the first guardian. If the first guardian appointed him, then he is his guardian with respect to that estate. If the guardian does not accept the guardianship and does not reject it, but has already disposed of some of it, then the guardianship is binding upon him. If two guardians testify that the deceased appointed a third guardian along with them, and that third guardian claims this, then he is a partner with them. If he denies it, they cannot act independently, because they have acknowledged that the deceased did not approve of them without a third. If a man makes two wills with different dates, the later one is the one that is executed if it is witnessed. If the guardian is on his deathbed and appoints someone to act in his place, without deviating from the first guardian's will, this is permissible. If someone acknowledges, in his health or illness, that his house is in his possession, or If a man bequeaths his estate to his son, excluding himself, and specifies any preference for one over another or equality, then the estate is subject to the terms specified. If he does not specify anything and dies, it

reverts to the division of inheritance according to the laws prescribed by God Almighty. If someone bequeaths the service of his slave to one man and the slave's person to another, and this bequest is within the one-third limit, then the bequest is valid. If this slave is killed unintentionally, his value is taken and used to purchase a slave to serve the one to whom the service was granted, as was the case with the first slave. If they agree to divide the estate between them, that is permissible. If the crime warrants retaliation from the perpetrator, the owner of the slave has no option but to compensate the legatee with the value of the service, or they may agree on retaliation, which is permissible. If the perpetrator pays the compensation, and the service is diminished by the crime, another slave is purchased with the compensation to serve him alongside the first slave, or the defective slave is sold, and the proceeds are added to the compensation to purchase a slave to serve him. If they divide it according to their agreement, that is permissible. If the crime does not diminish the service in any way, then the entire compensation belongs to the owner of the slave, and everything the slave earns belongs to the owner of the slave. If a female slave is given in place of the male slave, the same applies. If she gives birth to a child, the child belongs to the owner of the slave. The slave's expenses and clothing are the .responsibility of the employer

And from it: If the testator said to his executor, "Whoever comes to you claiming something and has no proof, make him swear and give him," that is permissible in the third. There is nothing wrong with making a bequest to a man and a woman, or to men and women, and with giving some of those to whom he bequeaths something that he does

not give to some of those to whom he bequeaths. The wise father is more deserving of looking after the affairs of his young children than anyone else, and likewise the grandfather, the father of the father, and likewise the wise mother after him. If the trusteeship of the executor changes, then the guardian of the Muslims may bring in the hand of another with him or appoint another according to what he sees fit in his matter. There is no liability on the executor for what is lost from the bequest before its rightful owners or those they appoint to receive it are present. If the one who is .entitled to it defends it and it is lost, then he is liable

And from it: If the executor says to two adult heirs, “I have given you the inheritance, which is one thousand dirhams,” and one of them confirms it while the other denies it, then the one who confirmed it is liable to pay two hundred and fifty dirhams, half of what he admitted to taking, to his partner, with his oath. If two heirs testify against the deceased regarding a debt, their testimony is valid if they are both just. If the two executors testify to a debt against the deceased and pay it on his behalf without a court ruling, and then a debt is proven against him by the testimony of another, they are liable for what they paid. However, if they did not pay it until they testified to it before the judge, and he ruled based on their testimony and then ordered them to pay, then they are not liable. If two just heirs testify regarding a will, it is validated, and the remaining heirs are obligated to execute it unless they establish a right for themselves in it or .are released from a right

A footnote from the author's abridgment: If a Muslim bequeaths his estate to a corrupt and potentially dangerous person, the judge will invalidate the bequest and appoint a

trustworthy and discreet guardian in his place. If a man bequeaths one-third of his estate and the heirs are minors, and the guardian divides the estate with the heirs, giving them one-third and keeping two-thirds for the heirs, this is permissible. If the heirs' share is lost, they have no recourse against the guardians of the estate. If a man bequeaths his slave to another man for a year and has no other assets, the slave serves the heirs for two days and the legatee for one day until the legatee completes the year. If he bequeaths the right to reside in his house for a year and has no other assets, the legatee may reside in one-third of it for a year, and the heirs may reside in the remaining two-thirds.

And from it: If the executor buys the shroud of the deceased and spends it from his money, he has the right to reclaim the money of the deceased, and so do some of the heirs. If the People of the Covenant bring their wills to us, we do not permit them except what is permissible in our cases. If the Dhimmi bequeaths a third of his money to the poor and does not limit it, then the poor are the people of his palm tree. There is nothing wrong with the executor selling slaves and animals, and what is in keeping them is an obligation of expenses on the children, and they are not in need of it. Likewise, what is not safe from spoilage or loss from all the goods. It is not recommended for him to sell the assets of the estate for jewelry, such as real estate and jewelry, and what is not feared to spoilage. If a man bequeaths to a man to spend his third wherever he likes, he has the right to spend it for himself and his relatives, and whoever he bequeaths it to and he accepts it, he has no right to transfer it to someone else. If he says, "Give two-thirds of me to whomever you want," he has no right to take it for himself.

And from it: If the guardian spends on the orphans from his money, he should have a witness. If he does not have a witness, he is not to be believed. If he has money in his possession for them and says, "I spent from it on them," then he is to be believed in that according to what is right. And when the children reach maturity, the guardian is to be believed regarding the spending on them. And if they accuse him, they have the right to appoint a successor and they have the right to demand from him evidence of what he freed and .paid off of the debts in which their debts are cleared

From this: If the executor pays off a debt on behalf of the deceased by order of the judge, he is not liable if another debt is discovered on the deceased's behalf. The creditor whose share was discovered then pursues the executor. However, if he pays off the debt without the judge's order and another debt is discovered on the deceased's behalf, he is liable for his share. If the executor makes a settlement regarding a right of the orphan, it is not permissible. However, if the settlement is in the orphan's best interest, it is permissible. It is not recommended for the executor to sell anything to the orphan from himself, nor to buy anything from the orphan's property for himself. If it is at the market value, there is no harm in that. If the will is a partnership between two or more people, one of them may act independently of the others in the partnership, and he may appoint him as his agent if he has a number of agents. If he does not have a number of agents, he may not do so because the testator did not approve of him acting alone. If the testator assigned each of them the task individually, then he .may do so without excuse

Among the issues mentioned

Question: What do you say about a boy or girl who has money from his own earnings or otherwise? Is it permissible for his parents or the person who sponsors him to take it for ?their sponsorship or not

Answer: He should be provided for from his own money in a reasonable manner, and he should not take anything beyond that except with his willing consent, if he is .of age

Question: What do you say about a man who makes a bequest to an heir or to someone else exceeding one-third of his estate, and all the heirs agree to it, then they change their minds and do so? Are they liable for anything in this matter? Similarly, what if, during his terminal illness, he gives something to an heir or to someone else exceeding one-third ?of his estate

Answer: If the heirs are satisfied, then it is final and .they have no right to return

Question: What do you say about a guardian who trades with the orphan's money and spends on it, and then loses in the trade, and if he counts what he spent on it, what remains of his capital or more than it, is he liable for anything in that ?or not

Answer: The profit belongs to the orphan, the loss is borne by the guardian, and the expenses are calculated as .part of the orphan's rights

Question: What do you say about what is mentioned in Islamic law regarding the reward for making a charitable endowment? O our master, is it permissible to make a ?charitable endowment of jewelry or not

Answer: It is not permissible to dedicate as an endowment what is not suitable for benefit until its substance is gone, such as dinars, dirhams, and the like. There is no harm for the endower or the one who is in charge of him to sell what is about to perish from the dedicated animal due to its disability, or what is worn out from a garment or other, and replace it with its price if possible, or spend it on the benefit of what he dedicated it for, or return it to the interests of the rest of the endowments. If the endower says, "If I need it, I am more entitled to it," then it is an inheritance for his heirs if he dies, and he has the right to take it back whenever he wants. If the endower dedicated the yield of something to charitable purposes and what was mentioned last after the disappearance of what was benefiting from it, then it is for
.his heirs according to their shares

Question: What do you say, O guides to the right path, regarding a man whose relative has passed away, and who is prevented by the guardian or someone else from taking his share according to the school of thought of the Ahlul-Bayt (peace be upon them), and he wants to take his case to an unjust judge? The one who was prevented from taking anything from the deceased's estate secretly, knowing that the judge will reduce his share, is he sinful for taking it or not? Please provide a kind answer, may God Almighty
.inspire you with goodness and truth

Answer: He is not allowed to take except from what is permissible for him, meaning he should not take more than
.what is rightfully his

Question: What do you say, O caller to the loyalty of the family of the Prophet, regarding a man who died and all his heirs, both young and old, some of them young and some

old, and he bequeathed his estate to one of them or to someone else, and the executor traded and spent on the rest of them, and the rest of them did what he ordered them to do, and when the years passed, the executor informed them that the debts had accumulated on us and there was a great loss in our trade after the death of the deceased, so we have no choice but to sell the house, the shop and other things, and the debts are more than enough to cover their price. Is it permissible for the executor to do that or not

Answer: If the guardian is trustworthy, he will sell and
.pay off the debts

Question: What do you say, O guide to the loyalty of the descendants of Al-Anza' Al-Batin, regarding what is mentioned in Mukhtasar Al-Idah, that our master Al-Sadiq, peace be upon him, was asked about a man who had money belonging to his orphaned nephew, and he was his guardian. Is it permissible for him to manage his money? He said, "Yes, as he manages the money of others, and the profit is shared between them." He was asked, "Is he liable for any loss?" He said, "No, if he is the administrator." So, O our master, does this apply if the deceased stipulated this in his will, or not? And do all guardians manage the money of orphans and share in the profit without a will from the deceased, or not? Please provide a clear answer, may God
.protect us from all harm

Answer: This does not apply to the orphan's money
.except by will or by appointment from a Sharia judge

Question: What do you say about a man who died and had books of da'wah and other belongings, and he owed people a debt that was not enough to cover the price of the

belongings? Should the books be put in a closet or should his
?debt be paid off with them

Answer: If the books are books of da'wah (Islamic propagation), then he does not have that right because they
.are for da'wah purposes and are not inherited

Question: Regarding a child who has reached fifteen years of age, are his contracts, marriage, buying and selling, and his will upon his death regarding Hajj, visiting, buying,
?and other things permissible or not

Answer: If he is known to be mature and to be trustworthy with his money, his statement and will are valid, except for the purchase, which is not valid except after taking a pledge, unless the heirs approve it, and the visit is
.from the third

The Book of Inheritance

He said in the summary of the author: The inheritance is carried out in all of the deceased's estate after the bequests and debts, for each of the heirs who has a right to his share, whether he is a son, a father, a brother, a husband, or a male or female relative, according to what each one of them has of his prescribed share that was named for him, and the shroud
.is taken from the capital

Among the questions posed by some of the Banu Abi al-Minhal to our master al-Nu'man Qass was the following: A man had two sons, one with one son and the other with two sons and a daughter. Both sons died, leaving behind their children. The surviving son claimed half the inheritance, meaning from his grandfather's estate, though you didn't

explicitly state this, but I believe it was your intention. The grandfather died after his two sons, but you didn't elaborate. Then you said, "The other cousins claim the entire inheritance belongs to us, with the male receiving the same share as two of us, since we have one grandfather and our inheritance from him is one." They said, "Judge between us according to the teachings of the Ahl al-Bayt (peace be upon them)." .them)

Answer: The one mentioned from the children of the two deceased brothers, whose father's grave is from their grandfather, inherits what his father would have had, and that is half, if he has no heir other than these two sons of his. And the children of the other brother, which are the two sons and the daughter, inherit what their father would have had if he were alive, and that is half among them, divided into fifths, with the male among them receiving two of those five-fifths and the female one-fifth, with the male receiving twice the share of the female. And likewise the children of the .brothers

This is taken from a notebook in which it was mentioned in the handwriting of our master Ali ibn Hanzala, .may God sanctify his soul

From the summary of the explanation: If a man died and left behind a son's son and a father, the father gets one-sixth and the rest goes to the son's son. The same applies if there was a daughter's son. If there was a daughter's son, the father gets one-sixth and the daughter's son gets half, as a slave's .share, and the rest is returned to her according to the shares One example is if a man dies and leaves behind his wife, parents, grandmother, and son, then the wife gets one-

eighth, the parents get one-third, the grandmother gets one-sixth, and the remainder goes to the son

Mention of the inheritance of the spouses alone and with others

From the summary of the explanation: If a man leaves behind his son, his daughter's son, and his wife, then the wife gets one-eighth. Likewise, if a woman leaves behind her son's son and her daughter's son, then her husband gets one-quarter. If a woman dies and leaves behind a husband and children from him or from another man, or a grandson, then he gets only one-quarter. Likewise, if a man dies and leaves behind children from her or from another man, or a grandson, then she gets only one-eighth

It was mentioned in Al-Iqtisar that he does not respond to the spouses

From the concise explanation: If a woman dies and leaves behind a husband and parents, the husband receives half, the mother one-third, and the father one-sixth. If she has a grandmother, she does not inherit anything. If a man dies and leaves behind his parents, a wife, and a grandmother, the wife receives one-quarter, the mother one-third, the grandmother one-sixth, and the remainder goes to the father

Mention of the inheritance of brothers, grandfather and grandmother

He said in Al-Iqtisar: Two or more brothers from the mother get one-third if there is no child or parent with them. If there is no other heir with them, what remains is returned to them, and the male and female share equally in it. One

male and one female get one-sixth, and the remainder is returned to them if there is no other heir with them. From the answers of our master Al-Nu'man to some of the sons of Abi Al-Minhal: If a man died and left behind sons of brothers who had died before him, full brothers and sons of maternal brothers, their inheritance from him would be in the same way as their fathers would inherit. One-third would go to the sons of maternal brothers if there were two or more brothers, and if there were the sons of one maternal brother, they would inherit one-sixth, and that would be between them, male and female equally, as it would be between maternal brothers. Two-thirds would go to the sons of full brothers according to the number of their fathers, and each group of them would inherit what their father would have inherited, whether few or many, according to what we mentioned, with the male among them having the share of two females. Likewise, the sons of sisters, each group of them would inherit what their mother would have inherited, except that in that they are in the same position as maternal brothers, male and female among them are equal in that, because they are related through their mother, just as maternal brothers are related through their mother. Likewise, if he left behind sons of paternal uncles, each group of them would inherit what their father would have inherited, with the male having the share of two females, whether few or many.

From the summary of the explanation: The paternal grandfather is in the same position as the paternal brothers, and the maternal grandfather is in the same position as the maternal brothers. The grandfather has half with the nephew. If a man dies and leaves behind his paternal grandfather and

maternal brothers, the brothers get one-third and the remainder goes to the grandfather. If he has one brother or sister, the first one gets one-sixth and the remainder goes to the grandfather. If he leaves behind his maternal grandfather and paternal brothers, the grandfather gets one-sixth and the remainder goes to the brothers. If a man dies and leaves behind a nephew and two grandmothers, the two grandmothers get one-third and the nephew gets the remainder, which is his father's share. That is, two grandmothers from his father's side and from his mother's side.

If a man dies and leaves behind three paternal grandmothers, two maternal grandmothers, and a daughter, then each of the paternal grandmother and the maternal grandmother receives one-sixth, and the remainder goes to the daughter, and the remaining grandmothers receive nothing.

If a man dies and leaves behind parents, siblings, and a grandmother (whether paternal or maternal), the grandmother receives one-sixth, the mother one-sixth, and the remainder goes to the father.

If a man dies and leaves behind a grandmother, a grandfather, a half-brother, a mother, and a half-brother, the grandmother gets one-sixth, and the remainder goes to the grandfather and the brother, to be divided equally between them.

From the summary of the effects: The paternal grandfather is in the same position as full brothers and paternal brothers. He inherits as they inherit and is like one of them, and he is excluded by whoever excludes them. The maternal grandfather is in the same position as maternal

brothers. He also inherits as they inherit and is excluded as
.they are excluded

Explanation: The paternal grandmother and the brother
.receive one-sixth

From it: If a man dies and leaves behind a nephew and
two grandmothers from his father's and mother's side, then
the two grandmothers get one-third and the nephew gets the
.remainder

From the abridged version of the work: The
grandfather, along with brothers, whether few or many,
inherits from his father's estate along with the grandfather.
Similarly, the son of a sister inherits from his father's estate
along with the grandfather. The maternal grandfather
inherits from his brother along with maternal brothers.
Likewise, the maternal grandmother inherits from her
brother along with the paternal grandfather; she receives
.one-sixth, and the remainder goes to the grandfather

From the summary of the traditions: And whoever is
related through the mother from among the blood relatives,
the inheritance between them is like the inheritance of
maternal siblings, male and female, in which it is equal. This
indicates that his grandfather and grandmother, his mother's
parents, divide the inheritance equally like maternal siblings

From the summary of the explanation: Al-Sadiq, may
God's prayers and peace be upon him, said regarding
someone who left three grandmothers from his father's side
and two grandmothers from his mother's side and a
daughter: each of the grandmothers, the mother's mother and
the grandmother, the father's mother, gets one-sixth, and
what remains goes to the daughter. The remaining
grandmothers get nothing, and nothing is returned to the two

grandmothers. One of them inherits one-sixth with her son and daughter. If they are together, they do not inherit anything with their two sons. If the two grandmothers are present with the father or with the Imam, each of them gets one-sixth.

Mention of the inheritance rights of relatives, agnates, and kin

From the concise explanation: If a man dies and leaves behind a paternal aunt from his father's side and a paternal aunt from his father's side and his mother, the full paternal aunt receives five-sixths and the remainder goes to the maternal aunt.

From the summary of the effects: And whoever is related through the mother from among the relatives, the inheritance between them is like the inheritance of brothers from the mother, male and female, in it is equal. This indicates that if the children of the sister inherit from their maternal uncle and the children of the paternal aunt, from whom they were related to him, they divide it equally between them, and the children of the daughter, if they were related to her, to the inheritance of their grandfather, they are equal in it, as mentioned in that.

From the summary of the author: If his maternal uncle leaves behind his mother's brother from her father and mother, and his maternal uncle leaves behind his mother's brother from her father, then his maternal uncle who is his mother's brother from her father and his mother is more entitled to the inheritance than his maternal uncle who is his mother's brother from her father. The same ruling applies to paternal uncles and paternal aunts. If, instead of his maternal

uncle who is his mother's brother from her father, there is a maternal uncle who is his mother's brother from her mother, then he has one-sixth with the full brother. The same applies to paternal uncles. If his grandfather leaves behind his mother's father, his maternal uncle, and his maternal aunt, then the inheritance goes to the grandfather. If he leaves behind his mother's paternal uncle and her maternal uncle, then the money is divided equally between them. If he leaves behind his father's paternal aunt and his father's maternal aunt, then one-third goes to the maternal aunt and two-thirds go to the paternal aunt

Mention of who is entitled to inherit and who is not entitled to inheritance

From the author's summary: There is no inheritance between the son of the woman who committed li'an and the one against whom he committed li'an, nor his sons, nor anyone because of him. If the man who committed li'an against the child acknowledges him after he had denied him, the child inherits from him, and the one who acknowledged him does not inherit anything from the child. The inheritance takes place between the father of the woman who committed li'an and his mother

And from it: There is no inheritance between the child of adultery and the one who committed adultery with his mother, even if he acknowledges him. His mother inherits from him and he inherits from her, and she is related to him and he is related to her. And whoever claims a child without knowing that he is from an adulteress, and it is like him that such a child is born to such a person and no one else claims

him, then he is entitled to him and they inherit from each other, even if he denied him before that
From this: If a child is found and neither father nor mother is known

And from the summary of the explanation: If the son of the woman who committed li'an leaves behind his sister from his mother and his maternal grandfather, the inheritance is divided equally between them. If he leaves behind his maternal grandfather and grandmother, the inheritance is divided equally between them. Likewise, if he leaves behind his nephew and his grandfather, the money is divided equally between them

And from it: Everything that came in this chapter regarding the mention of the accused mother indicates that he has no inheritance if the master does not acknowledge him. It may seem that what he ordered him to make for him at the time of death is from the will, not that this is not a right due, that it is not limited or named, and I do not know of anything in the obligatory shares in which the heir is entitled to a share that is not known or named

From the author's summary: The testimony of the midwife alone is permissible in this matter if she is just and no one else was present

And from it: The captive is the one taken from the lands of polytheism

He said in the summary of the traditions: The Jew does not inherit from the Christian, nor the Christian from the Jew, nor the Jew from the Christian, nor the Magian from the Muslim. The Muslim inherits from them by virtue of his kinship, as has been reported from the Imams, peace be upon them, and the infidel does not prevent him. The hadith in this

sense is correct because they do not inherit from each other if the polytheists do not inherit from the Muslims and the Muslims inherit from them. The people of each religion inherit from each other according to what the laws of inheritance are, and it is decided between them that they should refer their disputes to the Muslims. If they inherit according to what is in their religion and creed and do not raise that to the Muslim authorities, they are left alone and nothing is done to them

From the summary of the author: If the deceased had a non-Muslim relative, he is more entitled to his inheritance than if he had been a Muslim. He is not considered and is as if he did not exist. The inheritance is due to whoever is entitled to it after him. A believer is not excluded by a non-Muslim, nor is a free person excluded by a slave

And from it: He said regarding the apostate if he dies in his apostasy or joins the land of war

And from it: The husband inherits from the blood money of his wife and the wife from the blood money of the husband, and neither of them has the right to pardon the blood money. If a woman drinks hot medicine and miscarries, she is liable for the blood money as will be mentioned later, and she does not inherit anything from it

He said in Al-Iqtisar: If a man has a wife and she has a child from another man, and the child dies and leaves behind money, her husband should separate from her until her womb is clear. If she is pregnant, the child inherits from the deceased if his mother does not inherit from him, otherwise he should not put into the womb what has no right to inheritance. This is if the mother is a slave or a polytheist.

But if she is a free Muslim, then his inheritance is for her, not
.for the brothers, and she should not separate

It is mentioned in Mukhtasar al-Idah: that only the

.Imam can do that, buying the slave

Our master Al-Nu'man, may God sanctify his soul,
mentioned in the third part of the explanation of the news
that this hermaphrodite, whose case was decided by Ali,
peace be upon him, married and gave birth, and that she had
intercourse with a slave girl as we mentioned, and she gave
birth to her, so he, peace be upon him, ruled with the ribs as
.mentioned in this book and attached her to men

From the abridged version of the work: If a
hermaphrodite marries another hermaphrodite, their
marriage is suspended until the sex is determined. If this is
not established beforehand, they do not inherit from one
another. If the hermaphrodite dies before their sex is
determined, but after reaching puberty, they are not washed
but are buried after performing dry ablution (tayammum). If
the funeral prayer is performed for them along with a man
and a woman, they are placed near the man, the man near the
imam, and the woman near the qibla. In burial, they are
placed in front of the woman and behind the man. If
circumcision is required before their sex is determined, a
slave girl is purchased to perform it from their own money or
the money of their guardian. If they are poor, the money is
used from the public treasury, and the price is returned to
them. If a hermaphrodite slanders or steals, the prescribed
punishment is carried out. If a man accidentally cuts off a
hermaphrodite's hand or gouges out their eye, the
punishment is suspended until a ruling is issued regarding
whether the child is male or female. If a man bequeaths a

thousand to a woman's unborn child if it is male and five hundred to a female, the same amount is suspended if the child is born a hermaphrodite until their sex is determined. If two just witnesses testify that a hermaphrodite is a man and two others testify that they are a woman, then if the hermaphrodite is sought If he claims to be an inheritance, he rules based on the testimony of the two who testified that he is a man. If he claims to be his wife, he rules based on the testimony of the two who testified that he is a woman. If he claims to be an inheritance and a man claims to be his wife, and each one provides evidence for his claim, he reverts to considering his situation as previously mentioned and does .not revert to the two pieces of evidence

He said in his abridgment of the traditions: This is like two brothers, one a client of one people and the other a client of another people, who died in a similar situation and had no heirs other than their clients. One left behind a thousand dinars and the other a hundred. The one with a hundred inherits the thousand as if he had been alive and his brother died, and he inherited it from him. The one with a thousand inherits the hundred as if he had been alive and his brother died, and he inherited it from him. Thus, the clients of the one who left the thousand receive a hundred, and the clients of the one who left the hundred receive a thousand. In this way, each of the deceased inherits from his deceased kinsman, and he also inherits from him. Then each of them .inherits from his heirs

And from it: The slaves who have been freed, and some of them who have been freed, inherit and bequeath to the .extent that some of them have been freed

And from it: If a man divorces his wife with an irrevocable divorce, there is no inheritance between them unless he divorces her while he is ill, in which case she inherits from him as long as he is ill, unless he recovers and she marries. If he recovers and she marries, then she has no inheritance from him

And from it: men and women, and he whose father freed her, and he who is close to her because of him, and likewise men, and he who is close to loyalty by a degree, he is more entitled to it than he who is far from him

He said in the summary of the author: The one with kinship is more entitled to the inheritance than the freed slave. The one who inherits the inheritance inherits the loyalty. Whoever does not leave an heir except a slave who was his and he freed him, then he inherits from his master as the master inherits from him. If he leaves behind a slave who was his and he freed him, and a master of a favor from above whom he freed, then his inheritance is for his master who freed him, not for his master who was from below. Whoever frees part of him inherits and is inherited from and is excluded, and his bequests are valid according to what he was freed from. If a man divorces his wife, and she is a slave or a Christian, with an irrevocable divorce, then the Christian woman converts to Islam or the slave is freed before the end of the waiting period, then she has no inheritance from him because he was not fleeing from the inheritance on the day he divorced her. If a woman takes a divorce from her husband during his illness or he gives her the choice and she chooses herself, then she has no inheritance from him

And from it: If the deceased had free relatives, and among them was a slave who had been partially freed, the

one who was partially freed inherits from his estate in proportion to what he was freed from, and the rest of what he would have been entitled to if he had been completely free is returned to the free relatives of the deceased who inherit with him. An example of this is a woman who died while she was free and left behind a free father, a mother who was half freed, and a free husband. So the husband gets half, and the mother gets half of what she would have inherited if she had been free, which is one-sixth of the third. And what she was excluded from inheriting from her due to her being a slave is returned to her counterpart in inheritance, which is the father, so he gets one-third. And if a man had two slave women, and they gave birth to two children during his illness or while he was healthy, and he acknowledged one of the children and denied the other, then he died and it was not known which of them was the one, and each of the two slave women claimed that her son was the one the master acknowledged, and neither of them had proof, then lots are drawn between them, and whichever one gets the share of the child, he inherits him, and his mother was a slave woman, .and the other and his mother were slaves

From the concise explanation: Al-Sadiq, peace be upon him, was asked about a man who died with a debt equal to the cost of his shroud. He said, "He should be shrouded with what he left behind, unless someone else shrouds him and pays off his debt with what he left behind. The shroud should be taken from all that the deceased leaves behind and given precedence over everything else, as is the consensus of the scholars of jurisprudence, as far as I know. And God knows best." The embalming, digging the grave, and whatever else is necessary for the deceased are included in the ruling

regarding the shroud and should be taken with the shroud
.from the estate

From the summary of the effects: If someone leaves no heir except a slave of his whom he had freed, then he inherits from him as he inherits from him. But if he leaves behind a slave of his whom he had freed, then his inheritance goes to his master who freed him, not to the slave whom he had freed. And from it: If some of the heirs acknowledge a debt, he is obligated to pay from it in proportion to his share of the inheritance. If he testifies in it and is just, his testimony is
.valid against the rest of the heirs

And from it: That is like a man who died and left two sons, and one of them acknowledged a third brother, and the second denied him. So the one who denied him inherits half of his father's estate, and the one who acknowledged him inherits a third, and a sixth is given to the one who acknowledged him, according to what he would have
.inherited if there were three of them, a third

In brief, he said: The first thing to start with from the
.deceased's money is the shroud

Among the issues mentioned

Question: A man died and left behind a maternal grandfather and grandmother, brothers, and a wife. How
?should the money be divided among them

Answer: The wife gets a quarter and the grandmother gets a sixth. If the brothers are from the mother's side and he does not leave brothers from the father's side, then the maternal grandfather is like one of them. If the brothers are from the father's side or full brothers, then the maternal

grandfather gets a sixth and the remainder goes to the full
.brothers or the brothers from the father's side

Question: A man died and left behind children, a
paternal grandfather and grandmother, and a maternal
?grandmother. How is the inheritance divided among them

Answer: Each of the two grandmothers receives one-sixth,
and the remainder goes to the deceased's children. The
.paternal grandfather receives nothing

Question: If a maternal grandfather and a maternal
nephew are related, should the money be divided equally
?between them or not

Answer: That is stated in the text, and it does not
mention who was related through the mother or through the
.mother

The question is from the pillars: The Prophet, peace be
upon him, prescribed for the grandmother one-sixth and that
it has become an obligation for her. And from the method of
the obligatory prayers on the authority of our master Al-
Nu'man, may God sanctify his soul, he said: The
grandmother does not fall off at all with the children of the
loins and others, because it was narrated on the authority of
the Prophet, peace be upon him, that he gave the
grandmother from the mother's side one-sixth if **the mother
was not** still alive with the children of the deceased and
.others

The answer: We say that it has been reported from the
Ahl al-Bayt, may God's prayers and peace be upon them,
that the Messenger of God, peace be upon him, inherited
from the grandmother along with the child and her sons who
were present, except that it has been reported that if the two
grandmothers were present with the child and their two sons

who were the parents, the two grandmothers would be
.excluded

Question: If the grandmother and the father share the inheritance with the sons from the loins and others while they are alive, and there are no sons and the grandmother is the sole heir, does she have priority in inheritance over the maternal uncle and paternal aunt? And does what the Prophet prescribed for this grandmother fall under what our master Ja'far bin Muhammad al-Sadiq, peace be upon him, said, that whoever has a prescribed share named for him in any case is more entitled to inheritance than whoever has not had a prescribed share named for him? Or if she does not exclude the maternal uncle and paternal aunt, does she lose
?the sixth or not

The answer: And God knows best. Judge al-Nu'man, may God sanctify his soul, said in his book, *Ikhtisar al-Athar*: It has been narrated from the Messenger of God, peace and blessings be upon him, that he gave the grandmother an inheritance based on her children's division of the estate, allocating her one-sixth. If there is no one else with her and no one else left behind, she receives one-sixth by designation and the remainder by return, thus inheriting the entire estate. If there are two grandmothers, one maternal and one paternal, the paternal grandmother receives two-thirds and the maternal grandmother receives one-third. The grandmother who comes first inherits first and excludes those who come after. The paternal grandfather is like full brothers and half-brothers; he inherits as they do and is treated as one of them, and is excluded by those who exclude them. The maternal grandfather is like half-brothers; he also inherits as they do and is excluded by those who exclude

them. This is his statement, may God sanctify his soul. Therefore, the grandmother does not have a specific inheritance designated in the Book when there are children. Rather, she receives her designated share as given by the Messenger of God, peace and blessings be upon him. The grandfather is like a brother or nephew, as has been narrated from the Imams of Guidance. If there is no grandfather, brother, or nephew, then the two grandmothers inherit. The inheritance is before the paternal uncle and maternal uncle, and they do not exclude them. Each of them takes one-sixth and the remainder is returned to her. The maternal grandmother gets one-third and the paternal grandmother gets two-thirds, as our master Al-Nu'man mentioned in his summary of Al-Idah: If he leaves behind his paternal grandmother, his paternal aunt, and his maternal aunt, then the maternal aunt gets one-third, the share of the mother, and the grandmother and paternal aunt get two-thirds, the share of the father. And if he has a paternal cousin, a maternal cousin, and two grandmothers, the two grandmothers inherit .from him

Other than that: A man died and left behind his father, his mother, his paternal grandmother, and his maternal .grandmother

The two grandmothers do not inherit with his father and mother, and if the grandfather is from the father or from the mother with one grandmother, they only inherit from the .grandmother

It is narrated from the Messenger of God (peace and blessings be upon him) that he gave the grandmother one-sixth of the inheritance while his son (meaning the deceased's father) was still alive. He then looked at her

children (meaning the deceased's children) and, feeling compassion for her, allocated her one-sixth. Thus, it became her prescribed share. If someone dies leaving behind a son and two grandmothers, each receives one-sixth, and the remainder goes to the nephew. If someone dies without leaving an heir but inherits a slave, the slave is purchased from the estate, freed, and given the rest of the estate by inheritance. This matter is decided by the Imam; if he wishes to free the slave, he may do so, otherwise, the slave remains .in the public treasury

This is taken from a notebook in which it is mentioned
in the handwriting of our master Ali ibn Hanzala Qass
In the name of God, the most gracious, the most
merciful

From the concise explanation: If a man dies and leaves behind a grandson and a father, the father receives one-sixth, and the remainder goes to the grandson. The same applies if the deceased was a daughter. If the deceased was a daughter's son, the father receives one-sixth, and the daughter's son receives half, the share of his mother, and the remainder is divided between them according to their respective shares. If a man dies and leaves behind his parents, a wife, and a grandmother, the wife receives one-quarter, the mother one-third, the grandmother one-sixth, and the remainder goes to the father. The mother's share is reduced from one-third to one-sixth by two brothers from the same father and mother, or from the same father and a brother and two sisters, or by four sisters. The same applies if they are from different fathers, fathers, or mothers. If a man leaves behind his wife, his grandson, and his granddaughter, his wife receives one-eighth. The same applies if a woman

leaves behind her grandson and her granddaughter. Similarly, if a man dies and leaves behind his parents, a wife, and a grandmother, the wife receives one-quarter, the mother one-third, the grandmother one-sixth, and the remainder goes to the father. Likewise, if a woman dies and leaves behind a husband and children from him or another, or a grandson, he receives only one-quarter. Similarly, if a man dies and leaves behind his wife and children from her or another, or a grandson, she receives only one-eighth

If the deceased left behind a sister from the father and mother, a sister and a brother from the mother, and a sister and a brother from the father, then the brother and sister from the mother get one-third equally between them, and the sister from the father and mother gets half by designation, and the remainder is returned to her by kinship, and nothing is for the brothers from the father and the grandfather from the mother, as is the case for the brothers from the mother, and the grandfather from the father, as is the case for the brothers from the father, for the grandfather with the son of the brother gets half

If a man dies and leaves behind a paternal grandfather and maternal brothers, the brothers inherit one-third and the remainder goes to the grandfather. If he leaves behind only one brother or one sister, they inherit one-sixth and the remainder goes to the grandfather. If he leaves behind a maternal grandfather and paternal brothers, the grandfather inherits one-sixth and the remainder goes to the brothers. If a man dies and leaves behind a nephew and two grandmothers, the two grandmothers inherit one-third and the remainder goes to the nephew, which is his father's share (i.e., two grandmothers from both his father's and mother's sides)

Imam al-Sadiq (peace be upon him) said regarding a man who left behind three paternal grandmothers, two maternal grandmothers, and a daughter: each of the maternal grandmothers and the paternal grandmother receives one-sixth, and the remainder goes to the daughter. The remaining grandmothers receive nothing, and nothing is returned to the two paternal grandmothers. One of them inherits one-sixth along with her son and daughter, a practice established by the Messenger of God (peace and blessings be upon him). If they are both present, they do not inherit anything with their son. If the two grandmothers are present with the father or with the mother alone, each of them receives one-sixth. If a man dies leaving behind parents, brothers, and a grandmother, the grandmother receives one-sixth, the mother one-sixth, and the remainder goes to the father. If a man dies leaving behind a grandmother, a grandfather, a full brother, and a paternal brother, the grandmother receives one-sixth, and the remainder goes to the grandfather and the brother equally. If a man dies leaving behind a paternal aunt and a paternal aunt, the full aunt receives five-sixths, and the remainder goes to the maternal aunt. If a man leaves behind his parents, grandmother, wife, and son, the wife receives one-eighth, the parents one-third, the grandmother one-sixth, and the remainder goes to the son. If the deceased leaves behind His brother's children from his mother's side inherited equally among them, as did his maternal uncles and aunts. If he had a sister and brothers from his father's side, or two full brothers, then the male would inherit twice the share of the female. Whoever was related through the mother's side inherited equally among them, male and female. And

the relationship through the father's side inherited between
 .them, the male would inherit twice the share of the female
 He passed away and left behind an uncle and a daughter
 .of his nephew. The money goes to her, not to the uncle
 A man died and left behind an uncle and a nephew. The
 .nephew is more entitled to the money
 Our master, the Commander of the Faithful, may God's
 prayers be upon him, said: A child does not inherit until he
 cries out at birth, and the midwife's testimony is valid only in
 .the case of a child crying out at birth
 It has been reported from our master Hassan bin Idris
 bin Hassan, may God be pleased with them, that he said
 regarding a woman who died and left behind her husband,
 her mother, her daughter, and her two grandmothers: the
 husband receives one-quarter, the mother one-sixth, the two
 grandmothers two-sixths, and the remainder goes to the
 .daughter

Among the issues mentioned

Question: What do you say about what is stated in the
 Sharia regarding a hermaphrodite who urinates from both of
 them? One should look at the one from which the urine came
 first and rule according to its ruling. O our master, if neither
 of them came first, but what came out from one of them is
 ?more than the other, what should be done

Answer: If more urine comes out of the penis than the
 vagina, he is treated as a man; if more comes out of the
 .vagina, he is treated as a woman

Question: What do you say about hermaphrodites?
What is the reason that made them deserving of inclusion in
?these structures

Answer: He deserved that for his shortcomings in the
.past

Mention of a summary of the calculation of inheritance shares

It was mentioned in the abridged explanation that
nothing is returned to the two grandmothers
He mentioned in brief that he does not respond to the
spouses

He said in Mukhtasar al-Idah and in this book: If the
deceased leaves behind a sister from the father and mother, a
brother and a sister from the mother, and a brother and a
sister from the father, then the brother and the sister from the
mother get one-third, and the sister from the father and
mother gets half by designation, and the remainder is
returned to her by kinship, and nothing is returned to the
brothers from the father. He clarified by his statement, “and
the remainder is returned to her by kinship,” that it is not
returned to the brothers from the mother unless there is no
.other heir besides them

He said in Mukhtasar al-Athar: “Whoever God
Almighty has named in the Book among the heirs is more
entitled than whoever He has not named. If anything remains
after what He has named for him, it is returned to him. And
the two or the group, if they are among them, shall have what
remains after their shares according to their inheritances,
except for the husband and wife, for nothing is returned to
them unless they have a kinship that entitles them to return it

Other than that: In his saying, “That is, if it is said to you, ‘A man left his wife, twenty daughters, and a father,’” up to his saying, “and he does not agree with him in any of the parts,” say, “Rather, he agrees with him by a quarter and a quarter. So multiply the number of their heads, which is five, by forty, and you will find it to be two hundred. For the woman, an eighth is twenty-five, and for the father, what remains is five, which is thirty-five, and for the daughters, four-fifths, which is one hundred and forty, between them, ”.seven for each daughter

The Book of Blood Money

Mention of the prohibition of shedding blood unjustly and the severity of this prohibition

To clarify: Major sins include associating partners with God and intentionally killing a believer, according to the .hadith, etc

This includes: fleeing from the advance except when .maneuvering for combat or joining a group

Mention of retribution

From the author’s summary: If a man intentionally kills another man, and a stranger attacks the killer by gouging out his eye or cutting off his hand or something similar, then he has the right to retaliation for what was done to him or compensation if he wishes. The guardian of the murdered man has no way to take that money unless he wants blood .money, so he takes it from that money or something else

And from it: If two men confess to killing a man, and one of them says, "I killed him intentionally," and the other says, "I killed him," then his guardian has the right to kill one of them, and there is no way to do so to the other. And whoever throws something light, like a garment or something similar, unless it is customary for something like .it to kill, then it is considered an accident

, only the From this: If the crime was intentional testimony of two just witnesses is required. If it was unintentional, the testimony of one man and two women, the .testimony of one witness, and an oath are permissible

And from it: If a man intentionally kills a hermaphrodite, then if he has been assigned to men or women, his ruling is the same as that of the one he has been assigned to. If he has not been assigned to either, his guardians are given the choice between killing his killer and paying his guardians a quarter of the blood money, or taking three-quarters of the blood money and pardoning the retaliation. If they disagree and dispute, lots are drawn for him, and he is given the ruling that the lot brings out for him

And from it: If two women intentionally kill a man, his guardian has the right to kill one of them and take half of his blood money from the other. And if four women intentionally kill a man, his guardian has the right to kill one of them, and the rest pay three-quarters of the blood money, half of it to the guardian of the murdered man and a quarter of it to the guardian of the murdered woman in retaliation. And if a man gouges out another man's eye, then cuts off his hand, then kills him, if he did that separately, he is punished and then killed. And if he struck him once and cut off his

hand, then it went beyond that, he is punished for it without
.being punished for the first wound

And from it: If a man and a woman participate in the intentional killing of a man, and the man is a slave, then the guardian of the murdered man may kill the woman, and the slave is entitled to half the blood money if his value is less than half the blood money. If it is more than half the blood money, then he is entitled to half the blood money from him. And if he wants to kill the slave, then he has half the blood
.money from the woman

From this: If a slave commits a crime at the beginning of the day that equals his value, and then commits another crime at the end of the day, if the first crime was ruled in favor of the victim before the second crime, then the slave becomes part of his property and he is obligated to hand him over to the second victim or redeem him. However, if the second crime was committed before the first crime was ruled
.in favor of the victim, then they are partners in his value

A footnote: The master of the murdered man has the choice of killing him or enslaving him. If the mother of the child commits a crime against her master, he must redeem her. If he does so, she remains the mother of his child. If he refuses, she must strive for the lesser of the compensation for the crime and her value. Likewise, if she commits many crimes, she is not obligated to do more than strive for her value and she is freed. If she strives for a crime less than her value, she must strive for her master for what remains and she is free unless the master chooses to free what remains of her. If the slave who has been promised freedom kills her master, she must strive for her value for his heirs because it is
.a bequest to her

Therefore, intentional killing occurs when a man deliberately strikes another man with a weapon or other object, whether blood is drawn or not, or if he strangles him, drowns him, throws him into a fire, hurls him from a high place, or deprives him of food and drink for a period during which the prohibited act cannot usually be sustained. Similarly, if he deprives him of clothing and he dies from the cold, or gives him poison to drink, or otherwise harms himself in a manner that would normally cause death, all of this and similar acts constitute intentional killing. The victim's family has the choice between retaliation, blood money, or pardon. If a man is intentionally killed and has no guardian other than the Imam, the Imam has the choice between retaliation or accepting blood money; he cannot .pardon

And from it: If a man cuts off the nose of a slave and a part of it, the same applies to a free man, and the full blood money is due. The one who cut off the nose pays the slave's value to his master, who then takes it. If a slave commits a crime against a non-Muslim subject, the slave is not entitled to any compensation, even if his master ransoms him. Otherwise, the slave is sold, and the non-Muslim is given compensation for his crime from the sale price. A free man is not killed for killing a slave unless he kills him in a highway robbery, in which case he is considered a highway robber

And from it: Whoever intentionally kills one of his .parents shall be killed in retaliation

He said in Al-Iqtisar: And the Sultan kills him
Hence: one should not exact retribution for a wound .until it heals

And from the summary of the effects: The sultan who succeeded him in killing him and did not hand him over to the guardians of the dhimmi

And from it: If some of the guardians are children or foolish and some are adults present, then the adults have the right to exact retribution, and the killer should not be delayed until the children reach maturity, nor should the absent ones .be present

From the summary of the author: If a man claims that another man committed intentional murder and wishes to take blood money, he is asked whether the testimony of a man and two women, or a witness and an oath, should be accepted for him in that matter. This is not permissible for him because he is not entitled to money until the right to .retaliation is established for him

From this: If there is blood money between two men, and one of them testifies that the other has pardoned the blood money, and the other denies it, then the retaliation is void, and they are entitled to blood money. If a man is intentionally killed and he has debts or bequests, the heirs have the right to seek retribution, even if the creditors and beneficiaries object. Similarly, if the guardian pardons the retaliation and blood money, his pardon is valid, even if the deceased had debts. If the guardian of the murdered person is legally incapacitated and pardons the blood money, his pardon is valid. However, if he pardons the blood money, it is not valid. If a man commits a crime against another man, and the son of the victim says to the perpetrator before his father dies, "I pardon you for your crime against my father," his pardon is invalid. This is because the right to pardon belongs to his father while he is alive; when his father dies,

the matter passes to him after his death. If a man is killed unintentionally, his blood money goes to his heirs, and the legatee receives one-third of the estate. The legatee has no right to the blood money for intentional killing, and his pardon is not valid. The pardon of the one killed unintentionally is like a bequest; what is valid in his bequests is also valid. If he pardons the one who killed him intentionally for the blood money, it is not valid because the blood money does not. It is only due after pardoning the killer and turning away from him, and that is for his heirs at that time. If the guardian appoints a man to kill the killer of his relative intentionally, then the guardian says, "I have pardoned him." If that was before the killing, the agent should not proceed with what he ordered him to do in killing him, and this would be a removal of him from the agency. If he carried out the retaliation before he knew, then there is nothing on him and the one who pardoned him should pay the blood money from his money. If his saying, "I have pardoned him," was after the killing had occurred, then it was void and there is nothing on either of them. If the guardian of the blood dies, then his heirs take his place after him in what is due to him.

From the summary of the explanation: I said, "If the Imam pardons him, he said, 'It is only a right for all people, and it is only incumbent upon the Imam to kill or take the blood money, and he does not have the right to pardon.'"

And from him: Al-Sadiq, peace be upon him, was asked about a man who killed a man in the month of Muharram. He said: He is to be executed. And if he killed outside the sanctuary and entered the sanctuary, he is not to be executed, but people and the people of the markets are to know about

him, and no one should buy from him, buy from him, sit with him, or shelter him. And if he leaves the sanctuary, he is to be .executed if he is able to catch him

Among the issues mentioned

If a man accidentally kills a traveler and confesses, then the blood money is on him. If he does not confess, and then witnesses testify to the accidental killing, then the blood .money is on the clan

Mention of blood money

To clarify: The blood money is twelve thousand dirhams, weighing six mithqals of ten. And whoever claims that the blood money is ten thousand, then it weighs seven .mithqals

And from others: The difference between the two sayings is 323 dirhams and a third of a dirham. This is based on the weight of the dirham being 4 carats and a fifth of a carat, and the excess being carats 4800. This difference is based on the ratio of every six mithqals to ten dirhams. As for the ratio of every seven mithqals to ten dirhams, the difference is 285 dirhams and five-sevenths of a dirham. The difference between the two sayings is 200 mithqals, because if the blood money was ten thousand dirhams, based on the weight of every ten dirhams being seven mithqals, then it would be 7000 mithqals in silver. And if it was twelve thousand dirhams, based on the weight of every ten dirhams being six mithqals, then it would be 7200 mithqals. So know .that

From the author's summary: The compensation for wounding a slave is calculated based on his value, just as the compensation for wounding a free person is calculated based on his value. The compensation for his eye is half his price, and likewise for his hand, and for his finger, one-tenth his price. If a slave is partially freed, his crimes and crimes committed against him are calculated according to the portion of him that was freed, while the remainder remains .enslaved

From the limitation: The blood money for intentional killing of camels is forty pregnant camels with offspring in their wombs, ranging from two to two years old, thirty three-year-old camels, and thirty two-year-old female camels. In case of mistake, it is thirty three-year-old camels, thirty two-year-old female camels, twenty two-year-old female camels, .and twenty two-year-old male camels

:And in the selected

Blood money for accidental killing in the sanctuary * It is said that it is paid during the sacred month They increase the blood money, as they have explained, .by three times what they have seen

And from it: Two hundred garments, the value of each garment being five dinars, and the meaning is the same, and .it was mentioned in Al-Iqtisar as well

From the book of news: And the people of the paper money owe ten thousand dirhams, and some said twelve thousand weighing six and ten thousand weighing seven, meaning that the weight of each ten dirhams should be six or seven dinars, and the dirham today weighs seven, until he said: As for what came from the difference of opinion regarding the paper money, the prevailing opinion among

me is that the exchange rate of the country at the time should be taken into account, because everything I mentioned that is taken from goods in the blood money is based on the value of one thousand dinars, and the garment is only two pieces of cloth.

From the same statement: meaning the blood money for a man, not a woman. He said that al-Sadiq, peace be upon him, ruled that for three fingers of a woman, the blood money should be two-thirds of camels, which is close to one-third of the blood money for a man, because it is one hundred camels, and the blood money for a woman is fifty camels. He said in Al-Iqtisar: The expiation for unintentional killing is after the blood money, and for intentional killing, if the blood money is accepted, it is the freeing of a believing slave.

Mention of the strongholds

The term 'aql' (intellect) originally referred to the tethering of a camel, where its forelegs are bound with a rope, or its leg and foreleg are tied, its knees are bent, and it remains standing on three legs. Later, the term was metaphorically extended to blood money (diyah) because it was paid in the form of camels brought by the one obligated to pay to the one entitled to it, who would then tether the camel in his courtyard until witnesses confirmed its payment. From the same statement and he mentioned something similar in the system: He said in the summary of the author and others: The killer was wealthy or poor, and the man's clan is the closest people to him and whoever has a share in his inheritance, no one can prevent him from it. If he has no

one among his relatives who has a share in the book, and his relatives are equal in lineage from his father's side and from his mother's side, the blood money is paid on them, two-thirds on his father's relatives specifically, and one-third on his mother's relatives specifically. If the blood money is due on the clan and one of them dies, then there is nothing on him, or if he is absent and his condition is not known and his money does not reach him, then he is as if he did not exist, and his share is returned to whoever is present from his peers

And from it: If a man orders a boy to kill, and the boy kills the one he ordered to do so, the blood money is on the boy's clan, and they can claim it back from the clan of the one who ordered. And whatever happens to the boy or the insane person who is overcome by his mind is on their clans, and their intentional act is considered a mistake. And if a man becomes insane and then recovers, and commits a crime and says, "I committed it while I was insane," then his word is accepted unless he testifies that he committed the crime .while he was sane

And from this: If a drunkard is intoxicated from something he brought upon himself that was forbidden, then he is punished for it. But if he became drunk from medicine he drank or from a mixture that caused him to become intoxicated, then his ruling is the same as that of someone .who has lost his mind

He said in summary: The deliberate actions of boys and madmen are wrong, and the blood money is due from the clan, and the poor person is not liable for anything from the .clan

He said in Al-Iqtisad: There is no blood money due from maternal siblings, nor from women, nor from the insane, nor from the poor

He said in the abridged version of the work: And he said it is to be paid in three years from the day it is decided

It was mentioned in Mukhtasar al-Athar that maternal brothers inherit from the blood money and are not responsible for it

He said in the same statement: Intentional acts committed by the perpetrator are considered to be his own property

The meaning of his statement: “nor a slave” means that whatever the slave commits is in his value. If his master wishes, he may pay him for his crime, and if he wishes, he may pay blood money for him. Likewise, if a free man kills a male or female slave by mistake or wounds them, that is in his money, and his clan is not responsible for anything of that. And from it: reconciliation is what people claim of crimes against each other. So if someone claims that a man wounded him or killed his guardian by mistake and he has no proof of that, and the accused makes peace with him, then his clan is not obligated to pay anything from that reconciliation. Likewise, if he confesses that he wounded him or killed his guardian by mistake and no proof is established for that, then the clan is not obligated to pay anything from that, and what is due from that is in the money of the one who confesses

***Mention of crimes that warrant the death penalty but not
retaliation***

From the author's summary: If two men meet and fight with weapons, and witnesses testify that they saw each intending to harm the other, but they do not know who initiated the attack, then if each kills the other, it is retaliation for the other. If each inflicts a lesser injury, then each is liable for the injury inflicted on the other. If one dies and the other remains wounded, the heirs of the deceased have the right to execute the wounded man and pay the compensation for his injury to his heirs, or they may choose to accept blood money, which belongs to them, from which an amount equal to the compensation for the injury is deducted. If the wounds of the wounded man amount to blood money, then each is subject to retaliation for the other. If the wounds exceed the blood money, and the heirs choose execution, then they and the executed man are entitled to the blood money due to the deceased for his wounds. If they do not choose execution, then the wounded man has the right to claim from the deceased's estate the excess of the blood money due to him .for his wounds

In the abridged version of the work, it states: If a tutor disciplines a child with a rope or something similar with the permission of his father, or a slave with the permission of his master, and does not exceed the bounds of what is .permissible, then he is not liable

And from it: Whoever digs a well in a place other than his own without the owner's permission, and someone is harmed by it, then he is liable for it. But if the owner of the land admits that he ordered him to do that, then neither of .them is liable

From this: If a group of people perform a single task, such as digging a well, demolishing a wall, or carrying a heavy object, and one of them is injured, the remaining group is liable for the blood money after deducting the share of the injured person. Similarly, if a slave and a free person work together, and the free person is injured, half the blood money is the responsibility of the slave, either through his master handing him over or paying a ransom. If it is the slave who is injured, then the free person is liable for half his value. If a man strikes the side of his ship to repair something, and it is damaged, causing the ship and its passengers and cargo to drown, the blood money for those who drowned is the responsibility of his group, and the value of the lost property is his own. If a person falls while sleeping on a child or a man and kills him, the blood money is the responsibility of his group. If the person on whom the fall falls dies, then the blood money is not due. If a man converts to Islam and does not pledge allegiance to anyone until he shoots an arrow at a man, then pledges allegiance to another man before the arrow reaches its target, and then the arrow strikes and kills a man, his allegiance is invalid. If he digs a well that is not his own, and no one falls into it until he pledges allegiance to a man, and then a man falls into it and dies, the allegiance is valid, and he is liable for the blood money. This is not like the first case because the well can be filled, while the arrow cannot. If a man confesses to killing another man by mistake before the judge, and the guardian requests that the judge rule in his favor that he pay blood money, and the judge rules that it be paid from his money, and then the guardian has a sin and requests that this be .transferred to the clan, he is not entitled to that

And from this: If a man puts a boy on his animal, and the boy is a stranger to him and he has no guardianship over him, and the boy falls from the animal and dies, the man is liable. If a slave puts a free boy on an animal and the boy falls and dies, the blood money is paid by the slave's master, who pays it or ransoms him. If the master ordered the slave to do this, the blood money is paid by the master's clan. If they both ride on the animal and it hits a person and kills him, half the blood money is paid by the boy's clan, and the other half .is paid by the slave, who pays it or ransoms him

Clarification: On the authority of Ali, peace be upon him, that he said: If **the road speaks, then listen**, and there is .no liability on him

He said in the same statement: "If it exceeds the limit of the blood or is a bone in a place where the person being punished is feared to be harmed or cannot be brought to justice, then there is no retaliation for it, and blood money is due. The Sultan punishes the perpetrator according to the extent of his crime, so that whoever finds it easy to pay blood money does not transgress and do the same to others whom ".he wants to harm and hurt

He said in Mukhtasar al-Idah: That is if she is less than nine years old, and he has intercourse with her in this state and he deflowers her or she becomes pregnant from his intercourse, then he is liable for what happened to her because he had intercourse with her and someone like her is not to be had intercourse with. And if she is older than that and someone like her is to be had intercourse with, and he has intercourse with her and deflowers her and he did not intend that, but rather his intention was permissible intercourse, then he is not liable for anything if he keeps her.

And if she is not his wife, but he committed adultery with her, whether she was compliant or not, and he deflowered her, then he is liable for blood money because he had intercourse with her and he is flogged with the prescribed .punishment

The Commander of the Faithful said: “He who has intercourse with a woman and she dies while he is having intercourse with her has no mind.” This supports what I mentioned, meaning if she is someone who is like her, because the soul is greater than what is less than it. So if nothing is required for the soul, then what is less than it is .more deserving that nothing is required for it

And from him: and eighty lashes

He said, “The dowry of a free woman is neither too little nor too much, and the dowry of a slave woman is one-tenth ”.of her price

And he ruled in the case of a woman who deflowered a slave girl with her finger and said, “I found a man on her,” so .he ruled that she must pay her full dowry

And from him: On the authority of Abu Abdullah, peace be upon him, that he said regarding a pregnant woman who was killed by a man while the fetus was in her womb and had not left her, he said: The full blood money for the woman is given, and the blood money for her fetus is given half the blood money for a boy and half the blood money for .a girl, meaning if it is known that the soul has grown in it

From the author's summary: Likewise, if a man did this with his hand

And from it: If the mother of the fetus dies after the assailant strikes her and she miscarries the fetus after her death , then there is nothing for it and the full blood money is

due for her. If there were two fetuses in her womb and she gave birth to one of them before her death and the other after her death, then the blood money is due for the one that came out before her death, as has been explained, and there is nothing for the one that came out dead after her death. If it came out alive and then died, then the blood money is due for it and it has its share of its mother's inheritance and what she inherited from its brother. If a woman miscarries a child due to a crime committed against her and witnesses testify that it came out alive and witnesses testify that it came out dead, the testimony of its coming out alive is accepted if its mother claims that. If a man strikes a slave woman or a non-Muslim woman and she has a fetus with her, and the slave woman is freed or the non-Muslim woman converts to Islam before she miscarries the fetus and then miscarries it, then its ruling is .the same as its mother's at the time of its birth

It was mentioned in Al-Yanbu' in the book of inheritance that if a pregnant woman drinks hot medicine .and miscarries, she must pay the blood money for the fetus This was mentioned in the summary of the author, and she does not inherit anything from it. He said, "If she gives birth to it alive and then it dies, then the full blood money is ".due, and this applies equally to male and female fetuses

In his abridged version of the hadiths, he said: "Al-`alaq is congealed blood before it dries, and al-`alaqah is one of the ".blood clots

And from it: If the lump of flesh becomes meat, it is worth sixty dinars, and if it becomes bone, it is worth eighty .dinars

And from it: Whoever commits a crime against a dead person by cutting off his head or doing to him an act that, if

done to him while he was alive, would have caused him to
.die, he owes one hundred dinars

From the explanation: On the authority of Ali, peace be
upon him: He said regarding the fetus of a Jewish, Christian,
or Magian woman, it is one-tenth the blood money of its
.mother

And from him: This, in my opinion, is not without one
of two possibilities: either the water that they withheld from
him was permissible, like the water of the well and the river,
which Muslims share equally, and not something that is
owned by one person to the exclusion of another, like the
water that is brought to houses and like the owned water that
is not originally permissible, or the water was owned and the
people who asked him for water knew that death was coming
upon him and they saw that from him, so they left him
without giving him water, even though they had water and
were able to give him water from it, so he did not die by the
power of God, and it was known that he died of thirst. As for
a man who had water or food that he owned, and someone
asked him for it and he withheld it from him, and he did not
know that withholding it from him would kill him, and the
man who asked died, then I do not know that anyone
obligates the one who withholds anything in that. If it were
obligatory, then everyone who died in famine or from need
of asking would have their blood money due from the one
who asked him and he withheld it from them, and I do not
.know anyone who says this, and God knows best

And from it: Ali, peace be upon him, ruled that the eye
of a horse that was gouged out should be worth a quarter of
.its price on the day the eye was gouged out

On the authority of Abu Abdullah, he said regarding one who strikes an animal with a visible wound: He must pay
.half of one-tenth of its value

On the authority of Qasim Ibn Ibrahim Al-Alawi, he was asked about the fetus of an animal, and he said: There is a government for it based on what is estimated for its like. He was asked about the eye and tail of an animal, and he said: It has been said that the eye and tail of an animal is what is deducted from its price, and it has been said that it is a quarter of its price. He said regarding someone who cuts off the udder of a milk-producing animal, he said: He must pay the price of the animal, and he is to be disciplined, meaning if it dies from that or after it is handed over to him if it is alive
From the summary of the author: If an animal enters another animal in its place and the one entering is injured, then there is nothing on the one standing. But if the one standing is injured and the animal's entry was due to its owner's abandonment or negligence in properly tying it up and securing it, or intentionally sending it, then it is
.responsible for what it caused

From the same statement: This is the ruling David made
.in a similar case

And from it: Likewise, if livestock graze on crops or trees that their owner sends them into, he is liable for what they damage. If they escape into it without him sending them during the day, he is not liable. If they escape at night, he is liable, because the owners of walls and crops are responsible for protecting their crops and walls during the day, and the owners of livestock are responsible for protecting them at
.night

From the summary of the explanation: From the end of the book of the manners of judges, and he wrote to Rifa'ah Ibn Shaddad: Do not let the farmers block the roads of the public. Whoever neglects an animal on someone other than his crop intentionally, discipline him well and make him pay for what his animal has damaged. And whoever's animal gets loose on the crop of a people, if it is at night, then make him pay, and if it is during the day, then let the owners of the .walls protect their walls

Mentioned that there is no blood money or retaliation involved

From the spring: Whoever defends himself or his property and kills the seeker, his blood is forfeit and there is no blood money or compensation for him. Likewise, if a woman defends herself from someone who wants to commit fornication with her, and a boy defends himself from someone who wants to commit sodomy with him, and if a madman intends to attack a man with a sword or something that kills like him, he has the right to defend himself. If he kills the madman, there is no blood money for him.

.Likewise, the attacking camel and the biting animal

From the author's summary: If someone shoots at a combatant and the arrow does not reach him until he converts to Islam, then he is not liable for anything. If a man waters his land and the water spreads and something is destroyed, he is not liable for it. If he burns grass on his land and the fire spreads to someone else's land and burns something, he is not liable if he does what someone like him .would do

From the book Al-Idah, Ali, peace be upon him, said: “Whoever we strike as a punishment for something related to people’s rights and dies from it, then his blood money is on us.” Meaning, and God knows best, that the striking related to people’s rights, for which blood money is required, is different from the prescribed punishments, because the prescribed punishments are included in the prescribed punishments of God Almighty, similar to slander, for which God has prescribed a punishment for the slanderer. He, peace be upon him, said: “Whoever is punished and dies, then he is a victim of the Quran.” Meaning that the Quran killed him with the ruling in it. In this is what indicates what I mentioned, that the prescribed punishments do not require blood money or anything else for someone who dies from them if there was no transgression in them. What came in what we mentioned from Ali, peace be upon him, is that the opponent transgresses against his opponent or delays him while he is wealthy and refuses to pay his right or does an act in which he deserves a punishment that is not prescribed, so he is struck for that with a specific blow and what is in the .same meaning as this

Mention of the oath

From the summary of the author: The oath is required with the stain, and the stain is when the accused are enemies of the murdered person, and there is a murdered person among them, or there is testimony against the murderer that is not conclusive, such as the testimony of women, or those who are not people of justice, or children, or they witness a punishment, or the murdered person says before his death,

“So-and-so killed me,” and there is a mark of a wound or strangulation on him, or there is a man carrying a murdered person. If none of that is the case, then there is no oath, and he may die without any of the matters that necessitate the accusation, as we mentioned. And from what is presumed to be the accused being the one in charge, then there is the oath with the stain, and if the guardians swear against a man that he is the murderer, and before he is judged with something, evidence is presented against someone else for the murder, .then he is judged with the evidence and the oath is nullified. He said in Mukhtasar al-Idah: The people of Qasama may have witnessed the killing of their companion, and it may have been that they heard the killer confess to killing their companion, or that this was proven to them by the reports of truthful people until it was established in their hearts. A man may die and leave behind a young son who grows up and finds his father’s money in the hands of the guardian, and it is permissible for him to own it, and if someone claims it against him, he swears that he has no right to it, and all of that is based on what was proven to him by the .reports of those who are truthful among the informants.

From the same statement: The evidence in bloodshed is on the defendant and the oath is on the plaintiff if he comes to taint it, up to his saying: So the oath is only with taint it with witnesses and that they did not reach justice or were minors or with an evident accusation or reasons that indicate the accusation, as was the enmity between the Ansar and the Jews of Khaybar, and because the Ansari found a dead man in their walls and their house surrounded by them, with no one else with them in it, and the dead man says before he dies, “So-and-so killed me if I die.” But if that is not the case,

then the evidence is only on the plaintiff and the oath is on the defendant, and if there is taint of what we mentioned and the accused has evidence of innocence, his evidence is accepted and the oath is not permissible against him, and that is like the witnesses testifying for him that he was with them at the time of the killing or with something that could not reach the dead man at the time of his killing and the like of

.that, and the oath is not taken except on what you know
From this: The blood relatives begin with the oath, even if they are not present with evidence. If they do not swear and no proof is presented to them, the defendant must swear if asked to do so. If he does not swear, the blood money is his responsibility, and he is not killed for refusing to swear

And from it: Rather, the guardians who are entitled to the blood are divided. If there is someone from the family of the murdered person and his tribe who is not entitled to his blood and has no claim to it and is not accused of bias, and he is just and testifies against the killer, then his testimony is .valid

And from it: If he brings a slain man, he carries him on the rump

From the same statement: Al-Saqab Al-Qarb
From the summary of the effects: If they wanted the accused to swear an oath, they would make them swear, and if the accused brought evidence of their innocence, it would .be accepted from them

And from it: If they did not reach fifty, they swore an .oath until they reached fifty oaths

From the author's summary: The oath of purgation is when the heirs swear fifty oaths that the accused is the killer of their deceased. If there are fifty men, they swear. If their

number is not complete, the oaths are repeated until they reach fifty. If the tribe is large, the heirs of the murdered person may choose someone from among their ranks to swear to if they wish. If the murdered person is found in a Muslim market or mosque, his blood money is paid from the .public treasury

Mention of crimes against the limbs

From the summary of the effects: It was hung by a hair, and he was told to look at it, and it was moved away from him until he said, "I do not see the hair," so that he would .know that place

To clarify, Ali (peace be upon him) said: "One cannot
".measure on a cloudy day

From the author's summary: If someone loses their hearing and is entitled to blood money for it, and they take it, then they regain their hearing afterward, they are not .obligated to return what they took

And from it: If he claims a deficiency in both of them, and it is known that his sight is not weak in the origin of creation, then the proper course of action is to measure the extent of his sight from the four directions, with his eyes open, and then measure the extent of the vision perception of three upright men of his age, and take the middle measure and measure it against the vision perception of the one who was struck, and calculate for him from the blood money an amount of that. The same ruling applies to him if he claims to have lost his hearing from his ears or one of them. And if a man cuts off a man's ears and he loses his hearing as a result,

then he is liable for the blood money for the ears and the
.blood money for the hearing

He said in Mukhtasar al-Athar: If that is in smell, bring
near what has a scent, then count likewise according to what
.is done in sight and hearing, and give according to that
From the spring: From his saying, “Hold back saliva
and food,” and regarding the cut in the lip, a third of its blood
.money is due

From the author’s summary: If a man strikes another
man’s tooth and it moves, he waits for what the scholars
know about such a case. If it falls out or turns black, then the
blood money is due. If it returns to its original state, then
one-third of its blood money is due, like a hand that is
separated and repaired. If the teeth were complete and a man
committed an act against them, breaking their edges until
what remained of them was what would have been a normal
original teeth for a man, then the perpetrator is liable for the
amount of what was lost. If another man then committed an
act against them or some of them, he is liable for the blood
money, from which what he took from the first is deducted.
If he pardoned the first, then the second is deducted by that
.amount

And: A crime against the tongue of a person with a
speech impediment or a person with normal speech, if their
speech is heavy and considered normal, is also considered a
crime. Similarly, a child who has not yet reached the age of
speech, but moves their tongue by crying or otherwise, and
has no impairment to their hearing, is also considered a
crime. The beard of a hermaphrodite, if it is considered male,
is treated the same as the beard of a man. If it is considered
female, then one-third of the blood money is due. The tongue

of a mute person, the penis of a hermaphrodite if it is considered female, a dry leg, a paralyzed hand, and a paralyzed finger are also considered crimes. One-third of the blood money is due for these

:And from the selected group

If she is injured after that, then half of her blood money is due

And from it: There is no blood money for the stubble, which is the one that grows on top of the other

From this: that breaking the cheeks incurs blood money

He said in the explanation: Ali, peace be upon him, said: If the bone of the cheek is broken and the flesh is gone, then the compensation is one thousand dinars for each cheek, five hundred dinars for each cheek. And if the cheek is broken and then healed without any defect or blemish, then the compensation is one hundred dinars

And from it: However, there is an error in breaking the calculation in this matter, which I do not think came except from the transmission or the correct calculation is that for each letter there is thirty-five dinars and five-sevenths of a dinar

From the author's summary: If someone claims to be mute due to a crime committed against him, his tongue should be pricked with a needle. If the blood that comes out is red, he has lied, and if it comes out is black, it is a sign of his truthfulness

:It was mentioned in Al-Muntakhabah

If the shoulder, upper arm, elbow, and forearm are broken and each one is set, the compensation is one hundred dinars. If each one is broken and remains so, the compensation is one-third of the blood money for a life

From the explanation: In his statement, "And if it cracks, then three-fifths of its blood money is due," which is
.two hundred dinars

From the author's summary: For each joint, half the blood money for the thumb and the extra fingers, there is no blood money for them, but there is compensation for them like a scratch. If the nail cracks, then three-fifths of its blood money is due for it, and for the bone of the finger, one-tenth
.of its blood money is due for it

:He said in Al-Muntakhabah

And whatever was paralyzed from it, I completed its compensation, as has been narrated, and made it
Her blood money is a third of what she has in her mind
.if she is injured

Explanation: And in the nail of each of her fingers are
.five dinars

From the summary of the author: If a man cuts off the hand of another man, which has two or three fingers, or less or more, the hand of the healthy man shall not be cut off in retaliation. The one whose hand was cut off has the choice between taking the compensation for his hand, or having the fingers of the healthy man cut off that are like his healthy fingers, and taking the compensation for what remains and the compensation for the hand. If a man cuts off the hand of another man above the joint and wants retaliation, he has the right to cut off the hand of the perpetrator at the joint and not go beyond it, and he has the compensation for what remains
.of the arm or leg, even if it is the foot

And from it: In the case of a man's breast, half the blood money is due for each breast, and in the nipple of his breast, a quarter of the blood money is due for the breast, and likewise

for a woman's breast. And if a man frightens another man with the destruction of his life or otherwise, and he is terrified of him and loses his mind until he does not return to .it, then the blood money is due from him

And from it: If a man cuts off another man's right hand, his right hand is cut off for both of them, and he pays the blood money for the hand between them if they are together. If one of them pardons, the other has the right to retaliation. If one of them is present without his companion, he does not wait for the absent one. If he wants to take the blood money, he takes it, and the absent one has the right to retaliation and blood money. If the one present takes retaliation, the absent one has the right to blood money. If they are together, and he rules for them to take retaliation and blood money, and one of them is satisfied with the blood money, then the other pardons the retaliation, his pardon is valid, and there is no .retaliation for the other, and he has half the blood money

And from it: If a hermaphrodite has what men and women have, and a criminal commits a crime against him and cuts off his penis and vulva, lots are drawn for him. If he is male, he gets what is in the penis and one-third of the blood money for the vulva. If he is female, he gets the blood money for the vulva and one-third of the blood money for the .penis

And from it: the blood money for the members of the .dhimma is from the blood money for themselves

Mention of wounds and injuries

From the author's summary: There are ten types of wounds: the tearful one, also called the minor bleeding

wound, the major bleeding wound, the splitting wound, the ruptured wound, the wound that joins together, the periosteal wound, the wound that exposes the bone, the wound that crushes the bone, the wound that displaces the bone, and the wound that causes the fracture

It was mentioned in Mukhtasar al-Idah, Kitab al-Akhbar, al-Muntakhabah, and al-Yanbu' that the penalty for a minor injury is twelve and a half dinars

It was mentioned in the summary of the antiquities that it contained twelve dinars

He mentioned in Al-Muntakhabah that what he mentioned of these wounds is that if they are on the head and face, then the blood money mentioned is due, and if they are on the body, then half of that is due

He said in his abridgment of the narrations: All of this applies to what is on the head and face, and what is on the body, then half of that applies. And what is on a limb, such as the fingers and the like, then it is calculated according to its value from the blood money

He said in Al-Iqtisar: All of this applies if it is in the head, and if it is in a limb, it is calculated according to its blood money from the original sources

The Book of Limits

Mention of establishing the prescribed punishments and the prohibition against neglecting them

From the abridged version of the hadiths: From his statement that he wrote to Rifa'ah ibn Shaddad, his judge over Ahwaz, and Umar said to him, "Advise me, O Abu al-Hasan." So he said to him, "I advise you with the hadith

And from him: Three men testified before him against a man for adultery, so he said, "Where is the fourth?" But he was not found. They said, "We will bring him after this, O Commander of the Faithful." He said, "There is no waiting period in punishments," and he punished the three with the .punishment for slander

From the author's summary: The punishment should not be carried out on someone who was injured in the summer except at the coldest time, nor in the winter except at the end of the day. As for retaliation for bloodshed, it is .carried out at any time when the ruling is required

From ---: It is permissible for the Imam and his successors to seek assistance from those who hold differing views in establishing the prescribed punishments and other matters, provided that their authority is the one that prevails

Mention of the punishment for adultery

From the summary of the author: A Muslim is not considered chaste except by a free Muslim wife if he has consummated the marriage with her. A young girl, a slave, a non-Muslim woman, or a female slave with whom he has intercourse by right of possession is not considered chaste. Likewise, a woman is not considered chaste by a young boy, a slave, a madman, or an impotent man. A man who is absent from his wife and a man whose husband is absent from her .are not considered chaste

In cases of marital inheritance, the testimony of one .man and two women is acceptable

If four witnesses testify that a man committed adultery with this woman at such and such a time and place, and four

others testify that he committed adultery with four other women at that same time in a different place than the first four, and the distance between the two places is far, the punishment is waived for all of them. If each group of them testifies at a time other than the other, then the testimony is .valid, and the man and the two women are punished

If four non-Muslims testify that a non-Muslim committed adultery with a Muslim woman, their testimony is invalid, and they are liable to the punishment for slander against the Muslim woman. If four non-Muslims testify that two non-Muslims committed adultery, and one of them converts to Islam, the punishment is waived for both of them

And from it: Whoever rapes a woman shall be beaten severely, and likewise the one who brings together adulterers, who is the pimp, shall be beaten seventy-five .lashes and banished from the city in which he is

A man is not considered chaste through an invalid .marriage, nor is a woman

If two witnesses testify that a man committed adultery, and two others testify that he confessed to adultery, then .there is no punishment for him or for any of them

From the summary of the effects: Each of them who confessed and against whom the evidence was witnessed was given one hundred lashes. Then they were brought out and a pit was dug for each of them, reaching up to the navel, and they were lowered into it standing up and it was filled in on them. If they had confessed to that, the judge who had the confession began and ordered stoning, so he stoned them. Then he ordered the people to stone them with medium-sized stones, the size of a handful or less, until they died. Then they were brought out and washed, and prayers were offered for

them, and they were buried. The confession of the adulterer is not established until he confesses in four places while he is of sound mind, willing, and not coerced. If that was with the testimony of witnesses, the witnesses began and stoned them, then the judge, then the people

He said in Al-Iqtisar: The witnesses should throw small stones at him first, then the imam, then the people, until he dies, even if the punishment is based on confession, the imam should start, then the people

And from it: A slave woman does not marry a free woman, nor does a slave man marry a free woman

From the summary of the effects: If he has intercourse with a slave girl in whom he has a share, he shall be beaten to the extent that he does not have a share in her, and the punishment shall be waived to the extent that he has a share in her. Likewise, if she is a slave under contract, he shall be beaten to the extent that he has freed her, and the punishment shall be waived to the extent that he has become a slave

He said in Al-Iqtisar: There is no punishment for fornication

He said in the summary of the effects: Whoever does the work of the people of Lot, and inserts the active part into the passive participle, he shall be stoned as adulterers are stoned. And if he is impregnated, the punishment shall be imposed on them

From the explanation of the news: On the authority of Abu Abdullah, peace be upon him, God does not afflict our Shiites with four things: that they be without guidance, or that they be blessed in their hands, or that they be afflicted in their backs, or that some of them be impotent

From the summary of the effects: He is killed if he is not married, and he is flogged and stoned if he is married. There is no punishment for a woman who is forced, and if he deflowers her, she is entitled to the same as her dowry. If she is a slave, he must pay one-tenth of her price. If he is a widow, he must pay half of one-tenth of her price. There is no punishment for an insane person, and there is no punishment for fornication, such as marrying a woman during her waiting period or on the basis of something other .than the obligation of marriage

And from it: And she was killed if she obeyed him if they were not married, and if they were married, the .punishment was carried out and they were stoned

From a book containing the answer of Judge Al-Nu'man, may God sanctify his soul, to questions that were asked of Khattab bin Wasim Al-Zawawi, the leader of Zawawa and their judge: I was asked about a man who committed adultery with a dead woman and confessed that he had intercourse with her in the vagina. This one must be killed because whoever rapes a woman and commits adultery with her is to be killed, whether he is married or not. And doing this to a dead woman is like doing it to someone who rapes her while she is alive, but it is a greater crime and a greater audacity against God Almighty. As for his sanctity when he is dead, it is like his sanctity when he is alive. Likewise, whoever has intercourse with a dead woman is to be killed just as whoever rapes her while she is alive is to be .killed

From the summary of the effects: Whoever brings an animal will be punished with the prescribed penalty and will pay the price of the animal to its owner. If it is something that

can be eaten, it will be slaughtered and buried, and it will not be permissible to eat it. If it is something that cannot be eaten, it will be sold for that price and made to disappear so .that it will not be known or mentioned

Among the issues mentioned

Question: What do you say about a woman who is known for adultery, eating opium, drinking alcohol, or other things that are forbidden in Islamic law, and whose relatives are righteous and concerned about this, so they strongly forbade her from doing it, but she did not stop? Then some of them thought of killing her with poison or something else because of her extreme opposition to the doctrines of the ?Ahlul-Bayt, peace be upon them. Is this permissible or not
The answer: Do not kill, but forbid, punish, and .intensify the punishment in whatever way possible

Question: What do you say about a free woman or a slave woman who was committed adultery by a man, or who was subjected to acts of adultery, or who was accused of adultery, whether she was present or absent, and then he sought forgiveness from God and repented to Him with sincere intention and pure heart? Is his sin forgiven, and does ?nothing of its consequences remain upon him, or not
.Answer: God forgives all sins if one sincerely repents

Question: What do you say about what is stated in the Sharia that a man who is absent from his wife and a woman who is absent from her husband are not considered married, and that the marriage that necessitates stoning is when the man is with his wife and the woman is with her husband? So,

O our master, is stoning obligatory for the adulterer if he is with his wife in one house, but she is preventing him from having intercourse with her due to menstruation, postpartum

?bleeding, or for other reasons, or not

Answer: If he has it, then he is considered chaste. As for menstruation and postpartum bleeding, they are not .considered anything

If two men commit sodomy while unmarried, they must .be punished with the same punishment as adulterers

Mention of the punishment for slander

From the summary of the author: If someone claims that a man has slandered him and provides evidence, he is subject to the hadd punishment, otherwise he is not required to take an oath. If two witnesses testify that a man slandered another man, they are asked how he said it to him. If they say, "We do not want to say that he slandered him," their testimony is not valid until they clarify. If one of them testifies that he slandered him and the other testifies that he confessed to slandering him, he is not subject to the hadd punishment. The same applies to felonies. If a witness testifies that a man slanders in a manner that warrants the hadd punishment, and the judge does not know their integrity, he imprisons him until he is questioned about them and does not bail him out. If the two witnesses disagree on .the days, their testimony is not invalidated

From the source: Reprimand is between a few dozen lashes and thirty-nine lashes, and discipline is between three .and ten

From the summary of the explanation: It was said to Al-Sadiq, peace be upon him, what is the limit of reprimand? He .said: Between ten lashes and twenty

From the summary of the effects: Whoever accuses a polytheist, there is no punishment for him unless the polytheist has a Muslim child, so he is punished for that because of the sanctity of Islam. A Muslim should not accuse a polytheist or a non-polytheist. If the accuser accuses a man or a woman of something that is in them and they confess to that or he establishes evidence against them as God .Almighty said, then there is no punishment for him

Therefore: If a child or an insane person makes a false accusation, there is no penalty upon them, but the child should be disciplined so that he does not dare to make such .an accusation

From the summary of the author: If a man says to another man, "You are an adulteress," then there is no punishment for him. If a man says to a woman, "You are an adulterer," then he is subject to the punishment. If a man says to a foreign woman, "You are an adulteress," and she says, "Yes, I committed adultery with you," then there is no punishment for the man because of her admission, and the woman is subject to the punishment for accusing the man. If he says to a woman, "You committed adultery with a bull or a donkey or something similar," then there is no punishment for him because of the possibility of the statement. If he says to her, "You committed adultery with a cow or a camel or a garment or dirhams or something similar," then he is subject to the punishment because there is no justification for that unless they are payment for adultery. If a man says to another man, "You are an adulterer," and another says, "You are

right,” then the accuser is punished, and the other is not punished unless he says, “You are right about what you .accused him of,” or something similar

He said in Al-Iqtisar: Whoever acknowledges his child and then denies him, he shall be flogged according to the prescribed punishment, and the child shall be held .responsible

From the author's summary: Regarding his actions, in all of this, there is discipline and reprimand according to .what the judge sees fit

It is mentioned in the section on wine in the author's abridged work: Whoever drinks wine, whether a little or a lot, shall be flogged eighty times. Whoever drinks an intoxicant that is not wine shall be punished, and if he becomes intoxicated from it, he shall be flogged eighty times. Disciplinary punishment is more severe than admonition, and neither of them leads to the prescribed .punishment

From the summary of the effects: If they reveal it, they will be punished for it, but they were only promised that they would not reveal anything that is forbidden in the religion of .Islam

Mention of issues in the borders

From the summary of the effects: Whoever is accused of a hadd punishment is imprisoned until the evidence is deemed valid. If it is deemed valid and the hadd punishment .is carried out, he is not imprisoned

In the abridged version of the work, it states: If a man is proven, by his own confession, to have committed slander,

theft, adultery, drinking alcohol, and gouging out another man's eye, then the Imam begins with retaliation for the eye injury, as it is a right of human beings. If he is acquitted, then the punishment for slander is applied. If he is acquitted again, then the remaining punishments are carried out, one .by one

.And whoever sells his wife, his hand will be cut off
If the punishments are for what is due to God Almighty, such as adultery and theft, he begins with whichever he wishes. Whenever a punishment is carried out on him, he is imprisoned until he is acquitted, then the next punishment is carried out on him. If something is proven against someone that does not involve the rights of people, and after part of the punishment has been carried out on him, he flees. If he is caught in time, the rest of the punishment is carried out on him. If he is not caught in time and is found after a few days, what remains is waived for him. If this is in something involving the rights of people, the obligation is carried out on him whenever he is apprehended. If a man or woman commits a punishment from the punishments of God Almighty and claims ignorance of the prohibition, and the majority of his case is that it is permissible, the punishment is waived for him. If he does something that is not like his situation, he is not believed. As for what is in the rights of people, it is not waived for him in both cases. As for what is in the punishments of God Almighty, there is no harm in delaying it if the Imam wants to do so for a reason. As for what is in the punishments of people, he does not delay it if it .is brought to him

The Book of Thieves and Warriors

The ruling on thieves

From the author's summary: If the victim of the theft agrees with the thief on the value of the stolen item, and then the thief brings him back afterward, the punishment is not .amputation

From the summary of the effects: If the cutter made a mistake and cut off his left hand or his right leg, he should .stop there and not cut off anything else

And from it: The thief should be admonished after the amputation, as it was narrated that Ali, peace be upon him, .said the hadith

Among the issues mentioned

Question: What do you say about what is stated in Islamic law that if a group of people participate in theft, they are all to be punished by amputation? O master, are they all to be punished by amputation even if the theft was of an ?amount that would warrant amputation for one person

Answer: If they participated in the theft and each one of them's share reached the threshold for amputation, then they .are all amputated; otherwise, they are not amputated

Mention of who is obligated to cut off the hand and who is .exempt from doing so

From the summary of the explanation: Four are not subject to amputation: The embezzler, for he is only openly prostituting himself, and he is punished with beating and imprisonment; the plunderer, who steals from the spoils of .war; and the theft of a hired worker, for he is only treason

And from him: He ruled concerning a man who broke into a house and was caught after he entered it and before he took anything. He said that he is not to be cut off and ordered him to be taken to prison. He said that if the thief is caught before he reaches anything, he is to be punished. But if he is caught after he has taken out the goods, then he is to be cut off.

And from it: What he mentioned that there is no cutting off of food means, in my opinion, that it is in a tree or on its roots, such that he takes it from a secure place, like crops and fruits in their trees or where there is no secure place for them. So if it is secured and something is stolen from it that requires cutting off in such a case, then the thief should have his hand cut off.

He said in the same statement: "The cutting off of the hand is only prevented from the thief of that if he steals it from the tree. Likewise, it is only called fruit that which is on its tree. So when it is picked, each part of it is called by its name. And whoever steals it after that and after it has been secured, the hand is cut off if the value of what he stole from it reaches what requires the cutting off, which is five dinars or more."

He said in Al-Iqtisar: There is no cutting in anything from stones other than the jewel.

Therefore: There is no amputation for public prostitution, nor for something lawful, nor for begging, nor for something suspicious.

And from it: unless he takes it out by stealing from its secure place.

From the summary of the author: His hand shall not be cut off until he confesses to the theft twice or two witnesses

testify against him. If two non-Muslims testify against a Muslim and a non-Muslim that they stole a garment, their testimony is invalid, except that the non-Muslim shall pay .half of the garment to the plaintiff

And from it: If the thief possesses both the punishment for theft and the punishment for retaliation, he is punished for the retaliation and must pay the fine for the theft. If the victim of the theft pardons him, he is not punished for the retaliation. If the victim of retaliation settles with him without the victim of the theft, he is punished for the theft. If the thief takes ownership of what he stole in any way before it reaches the judge, he is not punished. If the ownership is acquired afterward, he is punished. If a group enters a house, takes the goods, and loads them onto one of their men, and he is the one who leaves with them, and they leave with him, before him, or after him, and each of their shares of the theft is worth five dinars or more, they are all punished. If a man secures his goods in his tent and a thief steals from it, he is punished. If he steals the tent itself, he is not punished. Likewise, if someone pierces a saddlebag while the animal is on its back and takes the goods from inside, he is punished. If he takes the animal and what is on it, he is not punished. If a thief steals a young slave who is not yet of sound mind, he is punished. If the slave is of sound mind, he is not punished. If a thief steals a garment and dyes it, or iron and makes a sword or something similar, its owner takes it and returns to him what has increased in its value. If the stolen item was a change that diminished its value, then if the stolen item was dinars and dirhams, and the thief made a jug or a heart out of it, the person from whom it was stolen would take it, and the thief would not receive any additional value. If someone

stole something that produced something, and the product was produced in his possession, then he must return it and what was produced. If someone testified that a thief stole a dinar, the witnesses were asked, “Do you know that it is a dinar or a plated carat?” If they confirmed that it was a dinar, then he would be cut off. If they did not confirm that, then he .would not be cut off

And from it: If two witnesses testify against a man for theft, and he says, “This is my property that I entrusted to him, but he denied it to me,” or he says, “I bought it from him, and he ordered me to take it from his house,” then the amputation is averted from him because he has become an adversary to him. If evidence is presented to prove the invalidity of what he claimed, then the doubt is removed, and the amputation is carried out. Likewise, if he says, “I was his .guest”

From this: If a group of people participate in theft and each one's share reaches the threshold for amputation, they .are all to be amputated

Mention of the rules for combatants

From the author's summary: He who robs a road in a city or between two villages is not considered a highway robber. Rather, he who robs in the wilderness and in places far from aid is. If a group of Muslims or non-Muslims (dhimmis) rob another group of Muslims or non-Muslims and terrorize travelers, they are considered highway robbers, whether they kill or not, take money or not. The Imam will carry out the prescribed punishment upon them. If they repent before being apprehended, he will pardon them. If

they have shed blood and taken money and then repent and come to the Imam, he will order them to return the money in their possession to its owners and compensate them for what they have consumed. He will then hand them over to the families of the victims, who may pardon them or demand retribution. The families may pardon them at that time. Those who rob are arrested, forced to return what they took, severely punished, and imprisoned. These are the ones who rob roads in a city or between two nearby villages. If a witness testifies against a man that he robbed a road, and another witness testifies that a man confessed to robbing a road, the testimony is not admissible. If there is a The warriors were slaves, and the rule over them was that of the Imam, and their rule in that matter was that of free men, and their masters had no say. If the Sultan found money in the hands of the warriors whose owners he did not know, he would leave it in the treasury of the Muslims until its rightful owner came

He said in Al-Iqtisad: He does whatever he wants if he terrorizes the road and fights, whether he kills or not, and takes money or not, if he does that on the road, until he says: There should be no fighting in the cities, and whoever does that in the city openly is a debaucher, and whoever does it secretly is a thief and should be punished

The Book of Apostasy and Heresy

Mention of the rulings concerning apostasy

From the summary of the hadiths: The Messenger of God, peace and blessings be upon him, said: It is not permissible to kill a believer except in one of three cases:

disbelief after faith, adultery after marriage, or killing a soul
.without a soul

In his abridged work, he said: Whoever was a Jew and converted to Christianity, or a Christian and converted to Judaism, or whoever left a religion of disbelief for another religion of disbelief like it, is not to be objected to, because disbelief is one thing, and whoever does that is not an apostate. If a People of the Book turns to idol worship, heresy, or similar forms of disbelief that have no covenant with their adherents, he is not to be left alone. He is told: Either embrace Islam, or return to your religion or to another religion of those with whom we have a covenant, or we will kill you. If a man apostatizes while drunk, he is questioned after he sobers up about what he did. If he repents, his repentance is valid. If he openly declares his apostasy, he is subject to the same ruling. If two witnesses testify that a man or woman has apostatized, the person against whom the testimony is given is questioned. If he confesses, the ruling is carried out. If he denies it and testifies to the Oneness of God and to the prophethood of Muhammad (peace and blessings be upon him and his family), and acknowledges the Sharia and Islam and disavows every religion that contradicts it, then this is accepted from him. It is not permissible to testify against someone for apostasy based on a statement that is open to interpretation and from which there is a way out. Apostasy only occurs with clear and unequivocal disbelief. It is not permissible to testify against someone for apostasy. By a report or a piece of news that is spread or by testimony upon testimony, and if a man apostatizes, then in his state of apostasy he is in the same position as one who is under guardianship over his property. And what he borrowed

during his state of apostasy and bought is not in his property unless he owed something before his apostasy. And the witch is treated as the apostate is treated. And whoever is killed for Christianity as an apostate, the Christians are prevented from reaching his body, and if they offer money for that, it is not accepted from them. And if a man apostatizes from Islam and flees, then returns repentant, and wants to take back his wife, and she claims that her waiting period has ended before his repentance, then her word is accepted unless she claims that the end of her waiting period was impossible. And what the apostate has destroyed of people's property by way of usurpation and transgression, then all of that is in his property and this is not like debt or sale. And what he gained during his state of apostasy is in his property if he repents

And from it: whether he is free, a slave, or an old, frail man

And from it: If a man apostatizes, his wife is divorced from him unless he repents while she is in her waiting period, and she is entitled to maintenance from his money as long as she is in her waiting period until he dies or repents and takes her back. If the woman is the one who apostatizes, then she is not entitled to maintenance. If one of the spouses apostatizes and then dies before the waiting period ends, then the other inherits his share from him. If the Muslim one of them dies, then the apostate does not inherit from him. If one of the spouses apostatizes before he consummates the marriage with the woman, then she is divorced from him. If the man is the one who apostatizes, then he must pay half the dowry, and if it is the woman, then she is not entitled to anything

From the summary of the effects: If the apostate apostatizes and flees, what he leaves behind is an inheritance for his heirs, and his apostasy is like his death. His wife .observes the waiting period and may marry if she wishes

From the author's summary: The young children of an apostate are Muslims, and so are the children of an apostate .woman

From the summary of the hadiths: If either parent embraces Islam, then their children, and those born after them, are Muslims. If they grow up and refuse to embrace Islam, then they are considered apostates and are treated as .apostates

The ruling concerning heretics and atheists

From the author's summary: A Muslim sorcerer is to be killed, and sorcerers are to be treated as apostates are to be .treated

The Book of Usurpation and Transgression

Mention of usurpation

In the abridged version of the author's work, it states: Whoever takes anything from people's property unjustly must return it to its rightful owners. If he has consumed it, he must compensate them. If he cannot identify them, he must deposit it in the public treasury until its owners or their heirs come forward. If he has no way to access the public treasury, he must give it in charity and repent to God, the Most High, while remaining liable to its owners. Whoever withholds a right that is due from him is considered a usurper. If someone

usurps a new garment worth one dinar on the day he usurped it, and wears it until it becomes worn out, and then the price of clothing rises until that garment is worth two dinars, the usurper must return it exactly as it was, plus the difference between its value as a new garment and as a worn one. If a man usurps something that is neither measured by volume nor weight, and the person from whom it was usurped sues him after its destruction, and its value on the day of the lawsuit is greater than on the day he usurped it, then he must pay the value at its highest level from the time he usurped it until the lawsuit, because he is obligated to return it to its owner at all times. If it is something that is measured by volume or weight, then he must pay its equivalent. If he cannot provide its equivalent, then he must pay its value on the day he sued him. If he usurps an animal or barley... If he feeds her barley, return it and give her the same amount of barley. If he usurps land and plants trees on it, and then its owner claims it, he must pay the same amount as the rent for the land during the period he occupied it , and he must remove what he planted on it. If he does so, he is liable for what the removal reduces from the land. If he usurps a garment and cuts it into a shirt without sewing it, then its owner has the right to take the garment and the value of what is missing. If he wishes, he has the value of the garment, and it belongs to the usurper. If he usurps linen and weaves it into a garment, then the garment belongs to him, and he must pay the same amount as the usurped item or its value to its owner And from it: If a man usurps wheat belonging to two men and hides it from them, then makes peace with one of them for dinars or for something that is measured or weighed other than wheat, and then he takes possession of it, his

partner has half of it because it is like a debt to them, and one of them claims his share. If the usurpation is apparent in the possession of the usurper, and he denies it or acknowledges it, then neither of them has a partnership with his companion in what he took possession of by way of peace, and it is on that day a sale, and his companion is entitled to demand his .right, and the same ruling applies to similar cases

And from it: If the usurper claims that the usurped thing has passed from his hand and he paid its value, then that thing appears in his hand or in the hand of someone else, the one from whom it was usurped has the choice: if he wishes, he may accept the value that he took, and if he wishes, he may return it and take his thing back. And if a man sells a slave, then the buyer manumits him, and evidence is presented that he usurped him, the manumission is reversed and the slave is delivered to his masters. If there is no evidence and the usurper confirms the claim that he usurped him, then he is not believed regarding the manumission, and the manumission is valid, and the one from whom it was usurped may return to the usurper as much as it was. Likewise, if the buyer bought him from a usurper and manumitted him, then the usurper and the buyer from him admitted what the claimant claimed, then they are not believed regarding the manumission, and the buyer is obligated to pay the value and may return it to the usurper. This is if the claimant chooses to return to the buyer. If he returns to the usurper without the buyer, then that is his right

And from it: If a man seizes a garment worth ten dirhams and dyes it until the dye increases its value by five dirhams, then the owner of the garment may choose to pay him the value of the dye, and the garment will remain his

dyed. Or he may demand that the usurper pay him the value of his garment undyed, and the garment will remain the usurper's. Or he may become a partner with him in the garment, and this partner will be compensated by the value of the dye. Or the usurper may extract the dye from it, and he may do so, but he must pay the value of any decrease in the garment's value. If the dye does not increase the garment's value, he is told: if you wish, you may pay the value of the garment undyed, or you may leave it. If the dye decreases its value, he must pay the value of what is decreased, and he may extract the dye if possible. If someone seizes safflower and a garment and dyes the garment with safflower, the owner of the garment has the choice of taking his garment dyed, since it is his safflower and his garment, and he has or he may have his garment and safflower nothing else, appraised. If the appraised value is less than the value of his garment dyed, the usurper is liable for it because he caused the decrease through his action. And if a man presents evidence of a garment that he seized If someone has it in his possession and another person provides evidence that the one in his possession has acknowledged it to him, then he rules in favor of the one who provided evidence that he usurped it from him, and he does not pay attention to the .usurper's acknowledgment of it to someone else

And from it: If a man bequeaths a slave girl in his possession and she bears him a child, then a man comes and claims that he usurped her from him and he believes him in that, and the slave girl denies it, he is not believed about her or the child, but he is liable for her value to the claimant unless evidence is presented for that. And if someone usurps a slave girl worth a thousand and she increases in his

possession until she becomes worth two thousand, then she decreases until she returns to being worth a thousand, and her owner finds her, he takes her and the value of what decreased after the increase. And if the slave was of higher value on the day he took her than on the day she was usurped from him, that is not considered, but rather what happens to her in terms of decrease or increase is considered. And the word of the usurper is said with his oath regarding the value if the usurped thing has passed from his possession. And if someone usurps a slave girl and she bears him a dead child, the owner takes the slave girl and the decrease in the birth is from the usurper. And if the child is sufficient to cover the decrease in the birth, he does not guarantee him anything. And if it is not sufficient, he takes the excess of the decrease over the value of the child. And if the mother dies, he takes .her value and takes the child

Among the questions posed by Khattab ibn Wasim, the governor of Zawawa, to our master al-Nu'man: I was asked about a man who bought a slave girl, believing her to be the property of her original seller, and that she was closer to him through slavery. Then someone claimed ownership of her, and it was found that the one who sold her had usurped her from him, or had bought her from someone who had usurped her. The original master then claimed ownership, and she had given birth to a child by the one who bought her later. The ruling is that she should be returned to her original master. If the one who fathered the child knew she was usurped, then the child belongs to her original master. If he did not know, he should take the child for its value and pay that value to the slave girl's original master. He can then recover the value he paid for the child, along with the price of

the slave girl, from the one who deceived him, if the usurper was the one who sold her. If the seller was not the usurper and did not know she was usurped, then he owes nothing for the value of the child, and he must return the price he received for the slave girl. The owner of the child can then .recover from the usurper what he paid for her value

I was asked about a man who bought a girl and then learned she was free. He sold her, and her guardian demanded her return. The guardian can seek her wherever she is. If he did not know she was free, he is not obligated to seek her. The one who seized her, if found, is held responsible. If no one is found, her guardian or the one responsible for her upkeep can seek her wherever she is. She is released from the possession of whoever has her if her freedom is proven, and the parties who bought her can .rescind the sale for the price

Mention of transgression

From the author's summary: If someone's money is stolen or usurped and he is able to retrieve it, he is entitled to take it back. However, it is forbidden for him to take .anything else in exchange for it

He said in Al-Iqtisar: Whoever betrays a man and seizes his property, and then gains possession of it, he may take it. It is not permissible for him to betray him or seize it in .exchange for his property

From the answers of our master al-Nu'man: I was asked about a group of people from the people of the Qibla who fell into a conflict in which they killed each other and plundered

each other's property. Then they called for peace and made a complete and mutually agreeable peace, declaring their past killings, plundering, and demands for retribution null and void, after being fully aware of all of it. They parted ways by mutual agreement and peace. Then one of the two groups broke the agreement, killing members of the other and plundering their property. Is the peace agreement based on what transpired between them initially valid if it was as I have described? Whoever among them transgresses after that has committed injustice and will be held accountable for what he has done to the one against whom he has wronged. He will be given justice if someone who upholds the laws of the Muslims in his place comes forward to demand it and the judge is able to do so. If he is unable to do so, or his authority is not extended, he should refer the matter to the leader of the Muslims, who will then issue a ruling as God has shown him

The Book of Loan and Deposit

Mention of the loan

From the author's summary: If someone borrows land on the condition that he builds a house or plants trees on it, and permission is granted, but then the owner decides to evict him, he cannot do so until he pays the value of the construction. The building then belongs to the lender. Similarly, if the land is lent for a specific period and the lender wants to evict him before the term expires, the borrower can claim the value of his construction unless he chooses to remove it, in which case the borrower has the right to do so. If the loan stipulates a specific term, allowing the borrower to reclaim the land as he received it, then he is

obligated to do so and demolish his building or planting, as he was not deceived. If the land is lent for a specific period, and the borrower plants crops, and when the harvest is near, the lender wants to evict him after the term has expired, he cannot leave until the crop is harvested. He is entitled to the equivalent rent for the land for the extended term. This is unlike planting or building, as planting and building do not have a fixed duration. If the land is lent on the condition that the borrower builds and resides on it as he sees fit, and then he wants to vacate, the building belongs to the landowner. This is not permissible and is considered a void lease. The occupant is responsible for... The rent is like the land and the building.

Loaning jewelry and vessels of gold and silver is permissible.

If a man borrows an animal from another man to ride to the mosque in Egypt, and he rides it and goes beyond the mosque, then returns to the mosque and it dies, he is liable. If a man is riding an animal by rent or loan, and he gets off it in the city and enters the mosque to pray and leaves it, and it dies, he is liable. If he is in the desert and gets off to pray and holds it, and it escapes from him, then he is not liable. If the lender finds his animal with a man who claims it is his, then he is his adversary regarding it. If he says, "So-and-so, who borrowed it, entrusted it to me," then there is no dispute between them.

And from this: If the borrower lent the item and it perished while in the possession of the second borrower, then if the second borrower was liable for its loss, the compensation is due from the borrower to the owner. If the second borrower was not liable, the owner of the borrowed

item has the option to seek recourse from the first borrower or the second. If the owner seeks recourse from the second borrower, the second borrower can then seek recourse from the first, because the first borrower deceived him by lending him something he did not own. If either the lender or the .borrower dies, the loan agreement is nullified
If the lender stipulates a fee, it is no longer considered a .loan

Dinars and dirhams are guaranteed if borrowed because they become a loan. Likewise, things measured by volume, weight, and count, such as walnuts, eggs, and the like, are guaranteed. If someone borrows an animal to carry something on it, and then carries it or holds it without stipulating a guarantee, he is not guaranteed. If he borrows it to carry wheat on it, and then carries stones on it, he is guaranteed. If he borrows it to carry a type of grain on it, and then carries a different type that is equal in weight or lighter than it, he is not guaranteed. If he borrows it to carry something for himself on it, and then carries the same thing for someone else, he is not guaranteed. If he borrows a garment to wear, and then someone else wears it, he is .guaranteed

From this: If a man rents land to cultivate it for a year, and he cultivates it for several years, he is obligated to pay the fixed rent for the first year, and he is obligated to pay the equivalent rent for the remaining years in which he .cultivated it

He said in the same statement: Dinars, dirhams, and fulus are not treated as borrowed items because if they are missing they cannot be identified by their specific details.

Rather, they are treated as loans, and whoever borrows them
must return them

He said in Al-Iqtisar: The borrower is trustworthy if he
is a believer

From the abridged version of the hadith: If someone borrows an item and then pledges it as collateral or sells it, and its owners claim it from the person in whose possession it is, they may take it back. The buyer can then seek reimbursement from the one from whom he sold it, and the pledgee can seek reimbursement from the one with whom he pledged it, either by providing a similar item as collateral or by taking what was pledged for it, unless the owner of the item had given permission to the borrower to pledge it or had instructed him to sell it. If that is the case, then he has no claim against the person in whose possession it is

Mention of the deposit

From the author's summary: If the custodian spends any of the deposit, he is liable for it. If he returns it in its place, he must inform the depositary. If he returns only what he took, he is only liable for that amount unless he informs the depositary and the custodian in the future. If he spends the entire deposit and returns it intact, and it is subsequently lost, he is liable for the entire amount. If the deposit becomes mixed with something by the depositor's choice, diminishing its value, and he cannot separate it, he is liable. If this occurs unintentionally, he is not liable. The depositor is not permitted to deposit the deposit. If a man takes part of the deposit to spend and then returns it exactly as he received it, he is not liable. If the depositor demands the deposit and the

custodian says, "I have returned it to you," his word is accepted. If he says, "I sent it to you, then the messenger returned it to me, and it was lost while in my possession," he is liable until he provides proof that he returned it to him exactly as he received it

And from it: The depositor is a trustee and there is no liability on him if the deposit is lost from his safekeeping, and if it is lost from him when he takes it to the safekeeping, then there is no liability on him unless that is due to a crime committed by him. And if a man deposits a deposit with another man and he puts it in his box or gives it to his wife or someone who is trusted with him and orders him to keep it safe and it is lost, then there is no liability on him

From the source: If the depositor oversteps his bounds, the deposit is traded with the deposit, and the profit belongs to its owner

And he mentioned something similar in Al-Muntakhabah

If the depositor tells the depositary to hide it in this house of yours and not hide it in the other, and he puts it in the house that is prohibited, he is liable for it. If he says, "Do not take it out of this house of yours," and the house burns down, and he takes it out, he is not liable. There is no liability on the depositor or the trustee. The depositary must protect it completely. If it is destroyed or falls from him while he is taking it to the safe place, or it gets lost, he is not liable

From the summary of the effects: Whoever is entrusted with a deposit must keep it safe and secure it as he would secure similar deposits. If it is destroyed or lost without his fault after he has done so, he is not liable. But if he loses it, damages it, or transgresses against it, he is liable. If two men

entrust a deposit to a man, and one of them comes to claim it from him while the other is absent or has died, the one who claimed it is entitled to half of it. If they instructed him when they entrusted it to him not to give it to one of them without the other, and one of them comes to claim it, he is not entitled to take anything from it until he comes with his companion, unless he dies, in which case his heirs come with him and he .gives it to them

From the author's summary: If a man acknowledges having money and claims that it is subject to liability, saying, "It was a deposit with me," or "It was a profit-sharing investment in my hands, and I lost it," he is not to be believed without proof. If the custodian says, "He did not entrust me with anything," then confesses and claims the deposit was lost, he is not liable. If he acknowledges the deposit and claims to have delivered it, and when its owner denies it, he claims it was lost, he and the one who believes him are liable. Similarly, if he claims it was destroyed and is then accused, and then claims to have delivered it, he is liable. If he claims to have delivered it and then provides evidence that it was lost, he is liable and is considered to have contradicted the evidence. If the custodian acts against the owner of the deposit without necessity, he is liable. If a man deposits a dinar, and a messenger comes to him requesting it, saying, "Its owner sent me to get it," and the custodian believes him and gives it to him, and then the owner comes and denies it, the custodian is liable and cannot claim anything from the messenger. If the custodian neither believes nor denies the messenger but gives it to him, he is liable to the owner and can claim from the messenger what he took from him. If a man has a dinar with another man as a deposit and another

man owes him a dinar as a loan, and the latter gives him a dinar, and then they disagree The student said, "I took the deposit," and the depositor said, "I gave you the loan, but the deposit is lost." In this case, his word is accepted with his oath. This is not similar to someone who acknowledges having money but claims it was a deposit. Similarly, if a slave with permission admits to having a deposit that was lost due to his own actions, his admission is not valid .because it is a debt he owes

From the summary of the hadiths: Whoever entrusts something to a child or a mentally incapacitated person and the entrusted item is lost, he is not entitled to anything, and .he has been defrauded of his money

Among the issues mentioned

If someone entrusts a deposit to a depositor, and the depositor then deposits some of it while the depositor is absent and without permission, and then the depositor returns it and it is lost, the depositor is liable for what he took .out. However, if he gives permission, he is not liable

The Book of Lost and Foundlings and Runaways

Mention of the shot

From the author's summary: It is recommended for one who finds lost property to have a witness attesting to it. If a man finds lost property, such as dinars or dirhams, and its owner comes and specifies its weight, number, and description, and it is found exactly as he described, or if it is a garment and he describes it, or something else, the finder

has the option: if he wishes, he may return it to him after making him swear an oath and guarantee its return (this is not obligatory in court); or he may withhold it until the owner provides proof. If the owner believes him and returns it without a witness, and another person provides proof that it belongs to him, then the finder has the right to hold the finder liable. If he holds the finder liable, he can then seek recourse from the one to whom it was given. If the owner wishes, he may hold the finder liable. If the lost property is lost while in the finder's possession, and he announced it, publicized it, and secured it when he found it, he is not liable. If he did not do so, he is liable. If the Imam or one of his deputies discovers lost property in the possession of a man who is not trustworthy with it, he should remove it from his possession and give it to one of his trustworthy men or leave it in the public treasury. If the finder sells lost property that he fears will spoil, by order of the judge, and its owner comes, he is only entitled to the price. If a slave finds lost property If his master knew about it and acknowledged it in his possession, and it was lost, it was the master's money. If he did not know about it, it was the slave's responsibility. If a man found a foundling and then another man took him from him and they disputed over him, he was given to the first man. If a slave found a foundling and did not know about it except from his own words, and the slave's master said, "He lied, rather he is my slave," then the master's word is accepted with his oath if he is under guardianship. If he is authorized, then his word is .accepted

From this: Stray camels, cattle, and sheep should be kept safe for their owners and provided for by order of the ruler, who will then seek reimbursement from their owners.

It is more prudent to refer the matter to the leader of the Muslims.

From the summary of the effects: If the seeker of it comes and the finder asks him for a reward, then that is not obligatory upon him, because God Almighty has made it obligatory for believers to preserve the property of the believer, and he will have his reward if he intended to do that, and his expenses if he spent on it.

From the author's summary: If the master of a runaway slave and the owner of a lost animal offer a reward to whoever returns him, and a man brings him back, he is entitled to that reward. If the reward is offered to a specific man, and another man brings him back, he is not entitled to anything. If he says to one man, "If you bring my slave back, you will receive one hundred dirhams," and to another, "If you bring my slave back, you will receive two hundred dirhams," and they both bring him back, each is entitled to half of what was offered. If the master of the slave does not offer a reward, and a man brings him back, the master is entitled to what he spent on him and how he carried him. If the master grants his slave his freedom upon his death or emancipates him, it is permissible. If he sells him separately without anything else present with him, it is not permissible. If he gives him as a gift to one of his relatives, the gift is permissible. A judge should not accept a judge's written description of a boy or a girl, because descriptions are not always the same until the specific boy or girl is identified. If the judge sells a boy after a long period of imprisonment, and then the slave dies in the buyer's possession, and a man claims him and presents evidence that he is his slave, named so-and-so and described in such-and-such a way, and that

name matches the slave the judge sold. His description is that he did not accept that and would not pay him the price unless they testified that the runaway slave whom the judge sold to this particular man was this man's slave, so that he would be .given the price

And from it: Whoever finds pre-Islamic wealth in a place that no one owns, that is buried treasure and one-fifth .of it is due on it

He said in Mukhtasar al-Athar: If it was buried and it was from the property of the ancients, it should be .transferred to the treasury of the Muslims

Mention of the foundling and the runaway

From the summary of the author: If the slave remains the pledge and is then returned during the life of the pledgor or after his death, he remains the pledge in his condition. If the slave's escape is due to work that weakens him or compels him to disobey God or harm his master in food, drink, or clothing, his master orders him to stop doing that. If .he does so, otherwise he is sold

From the summary of the effects: The foundling is free, and if his parents are not known, his inheritance is in the treasury of the Muslims, and no one from his relatives inherits from him, and he does not inherit or bequeath except through marriage. If he grows up and becomes wealthy, and the one who found him and raised him asks for his expenses .from him, then he is obligated to pay them

From the author's summary: If a foundling dies and leaves an inheritance, and someone claims to be his son, he is not believed because lineage is not established after death. If

the foundling apostatizes after reaching puberty and is found in a Muslim city, he is compelled to embrace Islam. If he dies before reaching maturity, the funeral prayer is performed for him, regardless of whether he was found by a Muslim or a non-Muslim. If he was found in a synagogue, church, or village with no Muslims, he is compelled to embrace Islam. If he dies before reaching maturity, the funeral prayer is not performed for him. If a non-Muslim from that village claims him, his claim is accepted. If he is found in a village with both Muslims and non-Muslims, he is compelled to embrace Islam, and the funeral prayer is performed for him when he dies. If a non-Muslim claims him, his claim is not accepted. If a Muslim and a non-Muslim claim the foundling, the Muslim is given precedence. If a free man and a slave claim him, the free man is given precedence. If evidence is presented that he is the son of the slave, he is entitled to his lineage and is free, unless evidence is presented that he is the son of a slave woman, in which case he becomes a slave belonging to the slave woman's master. If the ruler seizes a runaway slave and someone is present to prove his ownership, he is taken and a guarantor is required. If no evidence is presented and he confesses The slave has the right to be taken and guaranteed. If no claimant comes forward and the Imam sees fit to sell him, then he has the right to do so. If he spends money on him, he takes it from his owner if he comes forward or from his price if he sells him. If the slave who has permission runs away, he is placed under guardianship.

Among the issues mentioned

Question: What do you say about a man who sees a piece of trash on the road and is afraid that if he shows it to people, someone who is not its owner will claim to be its owner? Is he allowed to leave it and go on with his work or ?not

Answer: If he leaves it, there is no blame on him. If he carries it, he should call out to it. Whoever fulfills the .obligation, it belongs to him

Question: What do you say about a man who sees a lost item in his house or shop, knows that it does not belong to him, and is afraid that if he shows it to people, someone other than its owner will claim to be its owner? What should he do

Answer: He recites it, and whoever fulfills a .requirement in it is given it

The Book of Division and Construction

Mention of division

From the author's summary: Anything, whether real estate or otherwise, that is shared between partners and is divided without harm to one of them, is divided by the ruling. If there is harm in it, it is not divided by the ruling, but is divided by mutual agreement. Likewise, anything that has a break or cut that harms it. If some of the partners request a division of what has no harm in it, it is divided among them, and the rest are compelled to do so. If one of them requests to sell the whole, the rest are not compelled to sell. If two men divide a house, and one of them takes a boundary and the other a boundary, and one of them has a wall, and what is

visible of it is two times the width of a rent, and its foundation is four times the width of a rent, and the owner of the wall says, "I want to take from your share what is included in the foundation of my wall," then that is not for him, but rather he has what is visible on the surface of the .earth from the wall

And from it: If the heirs provide evidence of the original inheritance and they own a house and dispute its division, it is divided among them. If there is a minor or absent person among them, the judge appoints someone to collect and safeguard the share of the absent person and the minor. If the house was purchased by the partners, and they are all present and asked about the division and agree on the shares, it is divided among them. If there is an absent person among them, it is not divided, even if they provide evidence of the purchase. This is not similar to inheritance because this is a ruling on the absent person, while inheritance is a ruling on the deceased. If three people draw lots, and one of them wants to withdraw before the lots are drawn, he may do so. The same applies if he withdraws after one lot has been drawn. If two lots have been drawn and one remains, he cannot withdraw because the lots have already been drawn. It is permissible for a father to divide the estate among a minor, an imbecile, or someone under guardianship in all matters, unless there is gross unfairness. The same applies to the division by the father's appointed guardian, and likewise by the paternal grandfather. It is not permissible for a finder to divide the estate among a foundling, even if he supports him. The guardian appointed by the judge for an orphan is like the guardian of his father. It is not permissible to divide the bathhouse and what It is similar to something that

involves harm unless they all agree to it, and anything that requires breaking or cutting cannot be divided except by .mutual consent

And from it: If the guardian is a non-Muslim and the deceased and his heirs are Muslims, then the judge removes him from the will. If he divides with the minor before he is removed from the will, then the division is permissible. And if there are cattle, sheep, camels, beasts, and slaves among a people, and some of them want to divide them and some of them dislike it, and evidence is established for the validity of that origin, then the judge divides among them what is agreed upon from it. And likewise, he adds the two things and other things that are agreed upon, all of them, and all that is measured by volume and weight. And if what is between the partners is of different kinds, it is not divided except with the consent of all of them. And stipulating the option in the division is permissible, like it is in the sale. And if the house is between two men, and one of them takes a third of it from its frontage, and its value is one hundred dinars, and the other takes the rest of it, and its value is one hundred dinars. And if part of the frontage is claimed, then the division is void. And if the owner of the frontage sells what he got, and then the rest of what is in his possession is claimed, he returns what is in his partner's possession, so it is between them in half equally, and he guarantees his partner half of the value of .what he sold

And from the spring: It is recommended that the width of the road be seven cubits, especially the main road that is well-traveled. And if it is a house between two men who want to divide it and there is a road in it for others, then they have that right and the width of the road is the width of the

main door of the house and its length is from the door of the house to the door of the owner of the road, so that is between them for the third person to have a passage in it and the house .is divided into two halves

From the abridged version of the work: If a judge divides different houses among partners, and one partner receives a house worth one thousand dinars and another receives a house worth five hundred dinars each, and then one of the houses is found to be in the possession of the first partner, the division is not valid, and the other house remains his. He can then claim from his partner a quarter of the house worth one thousand dinars. If heirs divide a house among themselves and witness the division, and then the deceased's wife claims her dowry and provides evidence, she has the right to annul the division. Her division of the inheritance does not invalidate her right. Similarly, any heir who claims a debt has the right to annul the division. If some heirs claim that they bought this house from the deceased, or received it as a gift or charity after the division, this claim is not .accepted

A footnote from Al-Yanbu': If a single plot of land is divided between two men, and one of them builds on his share, and then that place is claimed by another, his building must be demolished. He has no right to claim anything from his co-owner for the value of his building, because he did not alter it or force anyone to do so. If the division occurs between two men in two houses or two plots of land, and each takes one, and then one of them claims ownership of one of them after the one to whom it was transferred has built on it and demolished the building, the division is nullified, and the other house becomes jointly owned by them. The

second man can claim half the value of his building from his co-owner. This is not analogous to a single plot of land. This applies if they divided it by mutual consent. However, if the division was by order of the judge, neither can claim anything from the other, and the one in the division is like a .Muslim

Mention of the building

From the author's summary: The owner of the building has the right to raise his building as he sees fit, and he has the right to make a bath or oven in it, or he has the right to demolish it so that he can rebuild it with its demolition, and if he wants to give him half of its value as demolished, that is .his right

From the summary of the effects: If it belonged to one of them and it collapsed, he was obligated to rebuild it. If he left it to the other and he rebuilt it, the one who left it had no .right to it

Among the issues mentioned

Question: What do you say about a man who builds a dome with his own money over the grave of his parents or loved ones, and then wants to sell some of its rubble? Is it permissible for him to do that or not? Likewise, if he built their graves with his own money using stones or other materials, and then wants to sell some of its rubble, is that ?permissible for him or not

Answer: If he dedicated his day's work purely to God Almighty, then he is not permitted to do that. But if he

intended it for show or hypocrisy and did not intend to please
.God, then he may do as he pleases

Some books of jurisprudence state that division is not
obligatory, nor can anyone be compelled to it if requested,
unless the owner of the smaller portion can obtain housing,
as mentioned earlier. Otherwise, it is not obligatory except
.with the consent of the owner

Al-Sadiq, peace be upon him, was asked about two men
who were in an alley that did not lead through, and one of
them wanted to open a door in it other than his own door or a
toilet other than his own toilet. He said: It is not permissible
for him to do that if he was in an alley that did not lead
through, to open or create a toilet that he did not have before.
If they were both in a public thoroughfare shared by people,
and one of them wanted to open a door in it opposite his own
door or away from it, he said: Whatever is in the public
thoroughfare, it is permissible for him, and he has no right to
prevent him from it unless he shows harm, in which case he
.should be prevented from causing harm

Book of Certificates

Mention of the command to establish it and the prohibition of perjury

From the abridged version of the hadiths: The
Messenger of God said: “Whoever conceals knowledge that
he possesses will come on the Day of Resurrection with a
”.bridle of fire in his mouth

***Mention of those whose testimony is admissible and those
.whose testimony is not***

From the summary of the author: No one has the right to accuse a just person of something that would remove his justice unless he proves that he has a defect. He is not allowed to declare someone just until he proves that he has a .trustworthiness that would allow him to be declared just

From the answers to the questions of Khattab bin Wasim, which were answered by our master Al-Nu'man Qas: I was asked about the endorsement that necessitates justice, which is that two just people from among the endorsers or above them say that they are people of experience, association, knowledge and neighborliness with so-and-so, and that they know him to be a good person and do not know anything bad about him. Ali, peace be upon him, was asked about that, and he said: Whoever prays the five daily prayers in a mosque in congregation and knows good from him and does not know anything bad about him, .then accept his testimony

I was asked about discrediting. Discrediting eliminates the validity. If a man is vouched for, his integrity is established, and the judge must know the person against whom he is testified and ask him about any benefit or proof he has. If he brings two or more just witnesses who discredit him and mention something bad they know about him, his integrity is invalidated by such a thing, because vouching is a state of integrity that is established, and discrediting occurs. A person may be righteous and then become corrupt, trustworthy and then betray, chaste and then commit .adultery

To clarify: This means that the one who testified for
him inherits from his father, not the brother
From the author's summary: Witnesses should not
testify to the testimony of a second witness who informed
them of it during his testimony without explicitly asking
them to do so, saying, "Bear witness that I testify for so-and-
so against so-and-so regarding such-and-such." A judge may
not rule against a witness based on testimony unless he
knows that the witness was just on the day he gave that
testimony and was just on the day he testified against
himself. If the witness testifies that his character changed
afterward, it does not invalidate his testimony. If a woman is
found to be so-and-so, daughter of so-and-so, who
acknowledges the right to so-and-so and testifies against
herself regarding it, the remaining witnesses may testify
against her, even if they did not see her face. If one witness
testifies against a man for theft, the plaintiff swears an oath
along with his witness, and the accused is liable for the fine.
A single witness cannot be held liable. If a witness testifies
that a man shot another man with an arrow, killing him, and
the arrow pierced his body and struck another man, killing or
wounding him, then the first man is subject to the oath of
purgation (qasama), and the heirs of the second man swear
an oath along with their witness. They are entitled to
compensation for the injury or the blood money for the man
if the arrow killed him, payable by the clan or by the
perpetrator, if that is the case. The testimony of an illiterate
person is permissible if he is just and has mastered what he
testified to, as is the testimony of a eunuch. The testimony of
one who pretends to be dissolute and lewd, or one who is
greedy for his brother, or one who is a slanderer, is not

permissible. If one of these repents and his conduct improves, his justice is restored

From the explanation: The testimony of the blind regarding what they heard is like the testimony of the sighted, up to his saying, "The first of them continued to narrate from the wives of the Prophet, peace be upon him, while they were behind a veil, and the blind and the sighted are the same in that regard. They speak about them and narrate what they heard from them, and no one denies that."

From that is the difference of opinion among the jurists of the countries: that a man testifies about a woman who does not see her by knowing her voice and proving her tone and knowing her days, like the knowledge of the blind man who testifies about a voice whose speaker he does not see, and the sighted man testifies about the person behind a veil. Ibn Umm Maktum was blind, and most of the people of the Two Holy Mosques took the call to prayer from him. He testified to it on the authority of the Messenger of God, peace be upon him, so the people took the call to prayer based on his testimony, which he testified to, and he was blind. And many of their jurists are blind, and they narrate from them what they testified to regarding the religion

Therefore: there is no prayer behind him, one should not marry into his family, nor should one marry into his family

And from it: If the hired person and the follower testify about something of the money of the person hired, his testimony is not permissible if he follows him in it and that leads to him. But if he is just and trustworthy, and he testifies for the one who hired him or for the one who is his follower, then his testimony is permissible among the witnesses who

are satisfied. And this is what he mentioned in the summary
.of the traditions

From the abridged version of the hadiths: He said, and
Ali (may God be pleased with him) did not accept the
.testimony of a pilgrim who had already performed Hajj

From the source: In his statement, the testimony of a
child born out of wedlock is not permissible, even if his
.method is commendable

From the summary of the explanation: The testimony of
those who practice magic, or who have married a woman
during her waiting period, or who eat or drink or have sexual
intercourse during the day in the month of Ramadan without
illness or travel, or who wear silk without jihad, or who wear
a gold ring, or who look into his neighbor's house and see
their private parts, or who touch a woman who is not
permissible for him, or who expose her with suspicious
speech, or who incite a woman against her husband or a slave
girl against her owner, is not accepted. The word of a
fortune-teller, a genealogist, or a thief is not accepted. The
testimony of a mourner, or a poet who harms people with his
tongue, or one who is addicted to playing chess is not
accepted. Whoever among these says that he has repented is
discredited and not accepted unless he provides evidence
that he abandoned that before this testimony by a year or so.
As for less than that, it is not accepted until his repentance is
.evident, and it must not be less than a year

And from this: This is evidence that whoever reveals
information and no evil is known from him, his testimony is
permissible. Ali, peace be upon him, came with a man who
had his hand and foot cut off in his testimony, and he had
been cut off for highway robbery, so his testimony was

permissible since he repented and repentance was known from him. And the wealthy man who does not perform Hajj, his testimony is not permissible. And whoever had a wound or a slip or was known for his bad condition and then repented and good was known from him, his testimony is permissible, and that is if he persisted in his bad condition. And whoever neglected an obligation by procrastination without being negligent of it or considering it permissible to neglect it, there is no wound on him. And whoever revealed good and no shame or clear wound was known from him at .the time, his testimony is permissible

And from it: If a man testifies to something while he is a minor, an infidel, or a sinner, and he testifies to it while he is a minor, an infidel, or a sinner, and his testimony is rejected, then the minor grows up and the sinner reforms, and he comes to testify about that money about which his testimony was rejected, his testimony is not valid about that money, but it is valid about other things if he is just. And this is what was .mentioned in Mukhtasar al-Athar

From the author's summary: The testimony of non-Muslims living under Islamic rule (dhimmi) is permissible against non-Muslims who have been granted safe passage from among the enemy, but the testimony of non-Muslims who have been granted safe passage from among the enemy is not permissible against non-Muslims living under Islamic rule. The testimony of a non-Muslim living under Islamic rule is permissible for a Muslim regarding a debt owed by a .non-Muslim living under Islamic rule

And from it: If a dhimmi dies and leaves behind money and two sons, and they divide it, and one of them converts to Islam, and then two dhimmis testify against the father

regarding a debt, their testimony is valid only with respect to
.the share of the dhimmi

And from it: If a woman appoints two men as her agents and they marry her, then they testify that the husband divorced her, their testimony is valid if they are just, even if she claims that or denies it. And if two witnesses testify to the death of a man and admit that they did not see it, it is not valid unless he was known to be dead, in which case their testimony is valid. And if a man presents evidence of the inheritance of a man that he died on such and such a day and he inherited from him, and the evidence does not know of any other heir for him, and a woman presents evidence that he married her on such and such a day to a day after that day and then he died after marrying her, the woman's evidence is taken because she is a claimant and there is no right in death that is due to anyone. And if the heir presents evidence that so-and-so killed his father on such and such a day and he rules accordingly, and the woman presents evidence that he married her after that day, no attention is paid to her evidence because in killing there is a necessary right that is due to his guardian, so if he rules accordingly, no attention is paid to
.what contradicts it

Therefore: If two men testify to the testimony of one man regarding a right, and one of them testifies to his own
.testimony regarding that right, it is not permissible

From the summary of the effects: The testimony of one man is not valid unless it is the testimony of two men, and he is absent in a place where the prayer is shortened and the fasting person breaks his fast while traveling to such a place, or he is sick or disabled and cannot attend the judge's session, or he has died after he has witnessed his testimony.

If he is present and healthy, he is not allowed to testify except by himself, and this was mentioned in the summary of the .author

And from it: The first cry of the newborn here is the cry of the newborn, so if he cries and then dies, it is known that he was born alive. And the testimony of women is not permissible regarding the crescent of the month of Ramadan, .so one may fast or break the fast based on it

From the source: Two women with three men are not permitted in adultery, and it is permissible with men in marriage. Their testimony alone is not permissible except in matters that men do not look at. In this case, one free, just woman, the midwife or someone else, is permissible if no .one else is present

From the author's summary: If two witnesses testify against a man regarding a debt that is due, and the creditor grants a one-year grace period for repayment, and the judge rules based on their testimony, then they retract before the due date, they are liable to the creditor for the money and can seek reimbursement from the debtor until the due date. If three men testify regarding a debt, and then one of them retracts, he is not liable. However, if two retract, they are liable for half the amount testified to. If two witnesses testify that a man freed a slave girl, and the judge frees her on his behalf, and then she marries, and they retract their testimony, they are liable to the master for her value. If a man dies leaving a well-known brother with no other known heir, and another person presents evidence that he is the deceased's son, and the judge rules in his favor regarding the inheritance, then they retract their testimony, they are liable to the brother for the entire inheritance. If the two witnesses

contradict each other in a way that is incompatible, their testimony is not accepted, such as two witnesses testifying that so-and-so cut off a man's right hand in Basra, and another witness testifying that he cut off his hand in Kufa, and similar cases. If one witness testifies that a man lent one hundred dirhams, and the other testifies that he acknowledged this, the testimony is valid. The same applies to similar cases. If two witnesses testify that a man sold his house to another man and received the price without specifying who the buyer was, That is permissible. If two witnesses testify about money and the judge rules in his favor, then the person against whom the testimony is given claims that they have retracted their testimony and he wants to appoint them as replacements, then no oath is required of them. If evidence is presented against them regarding this, it is not accepted that they had denied it before the judge by retracting their testimony. If a man buys a house and two witnesses testify for him that he has the right of preemption and the judge rules in his favor, then they retract their testimony, they are not liable for anything because they did not destroy any money. If he built a structure in it and the judge ordered him to demolish it, he can claim from the two witnesses the value of his building, and the demolition is for .them

And from it: If a witness testifies that a man married a woman for a dowry of five hundred, which is her dowry, and the husband paid it, then the two witnesses retracted, they do not pay anything, and the marriage is valid. If the dowry of her dowry is one hundred, and the husband denies what they testified to, they are liable for the difference. If a man claims that he married a woman for one hundred, and the woman

says, "Rather, he married me for five hundred, which is her dowry," and the husband brings two witnesses who testify that he married her for one hundred, and he rules in his favor accordingly, and then he consummates the marriage, then they retract, they are liable to the wife for four hundred dirhams. If he divorces her before consummation, they are not liable for anything. If she denies the marriage, they are not liable to her for anything. If two witnesses testify that a man sold this slave of his to so-and-so for one thousand, and the seller denies it, and the buyer claims it, and the judge rules in favor of the sale and orders the buyer to pay the price, then the two witnesses retract their testimony, then if the value of the slave is one thousand, they are not liable. If his value is more, they are liable for the difference to the .buyer. And likewise for every sale they testified to

And from this: Similarly, if he heard a man acknowledge a right belonging to another man
From this: The testimony of a single witness is permissible with the oath of the plaintiff in all financial matters, whether the matter testified to is a tangible item, merchandise, an animal, a house, or anything else that people possess. If a witness testifies on behalf of a child, a mentally incapacitated person, or someone lacking in intellect, the judgment is suspended. If the child reaches puberty or the mentally incapacitated person regains sanity and swears an oath along with their witness, they are entitled to it. If they die before that, their heirs take their place. If an oath is required of someone, the judge administers it by God, the One and Only, who knows the unseen and the seen. If they suffice with something else, it is permissible. There is no oath except by God, the Exalted and Glorified. The Jews

swear by God who revealed the Torah to Moses, son of Imran, and parted the sea for the Children of Israel. The Christians swear by God who revealed the Gospel to Jesus, son of Mary, and the Magians by God who revealed the creation of Hellfire. A single witness is not sufficient to establish a right. Oaths are not valid in divorce, marriage, manumission, agency, contract of manumission, testimony regarding a witness, or that so-and-so made a will to him, or in slander, or anything similar. If a man brings two women to .testify on his behalf regarding a right, it is not permissible. From the concise explanation: Hearsay testimony is not permissible except in cases of a long period. For periods of five years or thereabouts, hearsay testimony is not accepted. A question was asked about a man who admitted to some people that their father had lent him money and then repaid it. He then claimed something from that period that occurred recently, but this will not benefit him unless he provides conclusive evidence of the repayment. Even if a long time has passed, and the one making the admission swears an oath, his word is accepted. It was said that if his admission was made out of gratitude, like a man saying, "May God reward so-and-so well, for I went to him one day and he lent me money, and I repaid him out of gratitude," then he is not obligated to anything he admitted, regardless of how long or recently it occurred. This is related to the hadith: "Whoever possesses something for ten years, it belongs to him." It was said that possession of something absent is not valid. Those who testify based on hearsay that so-and-so is the client of so-and-so are entitled to the money, but not to the clientage. It was also said that the testimony of two men is acceptable .based on the testimony of one just person based on hearsay

Among the issues mentioned

Question: What does His Eminence, may God perpetuate his support, say about a man who testifies before a judge regarding a right of God or a right of people, and the judge knows that he is not trustworthy or just, does not pray, and his character is not praiseworthy—quite the contrary—and that if his testimony is not accepted according to Islamic law, corruption will increase? May His Eminence, may God .preserve him, give the answer

Answer: There is nothing wrong if the judge says to the defendant, “I accept the testimony of this witness.” If he accepts, then it is established, otherwise he should do what is .mentioned in the Sharia

Question: A man died while his wife was pregnant. Two just women were present at the time of childbirth. One of them testified that the child was born with movement and life, while the other testified that he came out dead. Which of ?their testimonies should be followed

Answer: The testimony of someone who testified that .he is alive is reliable

From the answers of our master Al-Nu'man, may God sanctify his soul, regarding the questions of Khattab ibn Wasim: I was asked about the testimony of a mute person, and his testimony is permissible if he is just and his signs are .understood

Transmitted from the summary of the explanation: The people of fatwa have agreed, as far as I know, that the

testimony of a knowledgeable, mature, sane, free, speaking, well-known, insightful Muslim man who is not the father of the one against whom he is testifying, nor a son, nor a brother, nor a husband, nor a worker, nor an opponent, nor an enemy, nor an agent, nor a partner, nor a neighbor, in his testimony to himself, after he is not a follower of innovation, nor a poet known for harming people, nor a drinker of wine, nor a chess player who is preoccupied with it to the point of neglecting prayer until its time has passed, nor a slanderer of Muslims, nor does he show any sin that he is persistent in, whether small or large, and he is one of those who perform the obligatory duties and avoid the forbidden, is permissible .for the judge to accept

On the authority of al-Sadiq, peace be upon him, he said: It is permissible for women to testify in matters of religion with the oath of the one who has the right, and it is permissible for them to testify with a man in matters of religion and other things. It is not appropriate for Muslims to sleep in one blanket, and if they do sleep, their testimony is not permissible unless each one of them covers his private parts with trousers and they sleep in one blanket, then this is .permissible

From the answers of our master Al-Nu'man, may God sanctify his soul: I was asked about the wording of the testimony of non-existence. That is when the witness says that he testified that so-and-so has taken what he owned, or spent it, or lost it in any way, or he says that he is bankrupt and has no money, and that he is among the people of knowledge and experience in this matter. It is not sufficient for him to say in this regard that he does not know that he has

money, because most people do not know the money of many of them, until he says that he is among the people of .knowledge and experience that he is destitute and bankrupt I was asked about the transfer of a certificate and whether it is sufficient for the person transferring the certificate to say that he entrusted such-and-such a certificate without naming the person to whom he entrusted that .certificate

The answer: That is not sufficient and does not establish the transmission of testimony unless he has died or is absent from the judge's place at a distance of twenty-four miles or more, or is ill and unable to come to the judge's court, in which case two witnesses transmit his testimony and name him, and the judge investigates him and them if he does not know their integrity, and if it is established, he rules based on .the testimony in what must be ruled based on it

I was asked about the endorsement that requires justice, which is that the two or more endorsers say that they are people of experience, association, knowledge, and neighborliness with so-and-so, and that they know him to be a good person and do not know anything bad about him. Ali, peace be upon him, was asked about that and he said: Whoever prays the five daily prayers in a congregational mosque and knows him to be good and does not know .anything bad about him, then accept his testimony

I was asked about the discrediting, and the discrediting eliminates the validity. If a man is vouched for, his integrity is established, and the judge must know the person against whom he is testified and ask him about any benefit or proof he has. If he brings two or more just witnesses who discredit him and mention something bad they know about him, his

integrity is invalidated by such a thing, because the vouching is a state of integrity that is established, and the discrediting occurs. A person may be righteous and then become corrupt, trustworthy and then betray, chaste and then commit adultery.

I was asked about the testimony of a blind person. It is permissible to testify about what he heard if the voice is proven. He may testify about the words of women from behind a veil. Likewise, people took what they took and proved about the wives of the Prophet, peace be upon him, and what he witnessed of the narration while he had good eyesight. It is permissible for him to deliver it while he is blind if that is limited.

I was asked about the testimony of those who differ in doctrine, such as those who follow Malik and others who are considered to be issuing fatwas from among the general public. The testimony of upright individuals is permissible in their school of thought.

I was asked about the testimony of a mute person, and his testimony is acceptable if he is just and his signs are known and understood.

I was asked about the testimony of relatives. The testimony of some relatives for others is permissible if they are just, regardless of the closeness or distance of their relationship. As for the testimony of a partner for his partner, his testimony is permissible in matters in which they have no partnership and from which he does not gain any profit through his testimony, provided he is just. However, his testimony is not permissible in matters in which he does have a partnership.

I was asked about the testimony of a hired worker and a follower. Their testimony is permissible in matters in which they do not bring themselves to do something, and in matters in which they do not work and receive payment for it, and in which they are not suspected. The testimony of an accused .person is not permissible

I was asked about the testimony of a slave, and his testimony is permissible if he is just, except in matters that benefit him or his master, or for which he is freed, or if he testifies on behalf of his master's slave, for his testimony in .those matters is not permissible

She was asked about testimony in the case of four-year-olds, whether it is permissible to hear it, and it is not permissible except in the case of endowments, and it is not .permissible in other cases specifically

Book of Claims and Evidence

From the author's summary: Whoever seeks to take something that is not in his possession, or to be acquitted of .something that is obligatory upon him, is a claimant

From the same statement: The statement of the plaintiff and the defendant is that the plaintiff is the one who seeks to take something that is not rightfully his through his claim, or to nullify what is due from him, and the defendant is the one .who seeks to take from him or to reduce what is due to him

From the concise explanation: The meaning of its being obligatory upon him is that he is required to pay it if he is asked to prove his entitlement to what he claimed, not that it is an obligation upon him to be enforced. And the meaning of his saying "to them" upon the defendant is that he absolves

her, not that it is an obligation to be enforced in all
.circumstances

From the abridged version of the hadiths: Whoever swears by God should be truthful, and whoever has someone swear to him by God should be truthful. Whoever does not
.do this is not a Muslim

Therefore: If he does not swear, he has no claim until he swears. And if the testimony is against a child or an absent person, the judge will not rule in favor of the plaintiff until he
.swears along with evidence

And from this: In his saying, "If a man makes a claim against another man, and the latter denies it and makes him swear an oath, and he swears to it, and he brings evidence for his claim, his evidence is heard, and no attention is paid to
".the oath of the one against whom the claim is made

He said in Al-Iqtisar: If he is not asked to swear, he will not swear unless he is a child or absent, in which case the judge makes the defendant swear along with evidence, then
.he rules in his favor regarding his right

And from it: If the evidence of one of them testifies that the origin of the thing is his or that he owns it as a product with him, and the evidence of the other testifies that it is his, and the origin is not proven, then the thing is for the owner of
.the origin

From the concise explanation: A man's right may be
.forfeited without the witnesses being aware of it

And from it: What came in this chapter, that there is no oath on the one who presents evidence, is that he is not obligated to swear that he has such and such against him, as the evidence testified against him. Rather, that is only if one witness testifies for him, because the evidence is only

obligatory upon him. And if he brings the evidence, there is nothing else upon him. And what I mentioned about making him swear that what was testified for him did not deprive his opponent of anything is different from this, because it has been proven to him by the evidence afterward. Rather, he made him swear that he did not receive anything, nor did he release him from it, nor was it deprived of him in any way, because that may be from where the claimant does not know the evidence. So if what the evidence was established for the claimant is a right that he does not know, such as if he testifies for him regarding money that was for his father or his relative, that the evidence testified falsely, and that what was due to him from this right was not deprived of anything after something was due to him from his opponent, then he is not made to swear to the confirmation, since he has no knowledge of that. And if he swore to that, he would be lying, and no one is made to swear except on his knowledge.

From the author's summary: If a house is in the possession of a man, and another man presents evidence that he bought it from the one in whose possession it is for one hundred dinars and paid him the price, and the one in whose possession it is presents evidence that he bought it from this claimant for fifty dinars and paid him the price, then it belongs to the one in whose possession it is if the evidence does not specify two times. If the witnesses specify two times, and the time of the claimant is the first, then it is ruled for the one in whose possession it is, and the claimant's claim is nullified. If the witnesses specify that the one in whose possession it is bought it first, then it is ruled for the one who claimed the last purchase, and the first purchase is nullified because the last purchase nullifies the first. If a house is in

the possession of a man, and another presents evidence that he bought it from so-and-so for a specified price and paid him the price, it is not taken from the one in whose possession it is until they testify that so-and-so sold it while he owned it at that time. If they testify to that, it is permissible. If the seller denies the sale after the ruling has been made in favor of the buyer, he is not required to repeat

.the evidence, and the ruling is executed in that

From the summary of the effects: If two men or a group of men have intercourse with a woman during one menstrual period, whether they are free men, slaves, or polytheists, and she becomes pregnant, and each of them claims the child, they draw lots for it. Whoever's lot comes out, it is the child and is attributed to him. If the lot of a polytheist comes out and his mother is a Muslim, then he is a Muslim and the polytheist has no claim over the Muslim woman. If she is a polytheist and the lot of a polytheist comes out, then he is on her religion. If the lot of a Muslim or a slave comes out, then .he is a free Muslim

From the summary of the explanation: The child is only determined by drawing lots if he has intercourse with her through marriage or ownership of a slave woman. As for the one who claims the child of a woman over whom he has no authority, he is not believed in his claim because the Prophet, peace be upon him, said: The child belongs to the bed, and

.the adulterer gets the stone

And from him: Then he said, "You are quarreling partners, and I will draw lots between you. Whoever draws lots among you will have the child, and he must pay two-thirds of the blood money to his two companions

From the author's summary: If a house is in the hands of three people, and one of them claims the whole, another claims half, and the third claims two-thirds, and none of them has proof, then each of them has one-third, and they swear oaths regarding what some of them have claimed against each other. If they refuse to swear to the one claiming the whole, then the whole house belongs to him. If they refuse to swear to the one claiming two-thirds, and swear to the one claiming the whole and the one claiming half, then the third is in his possession, and he takes from each of his two companions one-sixth of the whole. If they refuse to swear to the one claiming half, and the other two swear, then the one claiming half has the third that is in his possession, and he gets from each of them half of one-sixth of the whole house. If the one claiming the whole refuses to swear, then the one claiming half has the third that is in his possession, and he takes half of one-sixth of the whole from what is in the possession of the one claiming the whole. And the ruling .is carried out among all of them in this manner

And from others: If a slave is in the hands of a man and another claims him and provides evidence that this slave was in his hands yesterday, he does not leave the hands of the one who has him unless they testify that the one who has him took him from him by force or entrusted him to him or that he ran away from his master and this one took him and the like, which confirms that he is the property of the first one, then the testimony is permissible in that and he is given the slave. And if a boy is in the hands of a man and a man provides evidence that he is his son from this woman and they are both free and the one who has the boy provides evidence that he is his son and he is free and they do not attribute him to a

mother, then he is for the claimant because his lineage has been established from his mother. If a boy is in the possession of a man and a woman, and the man claims he is his son from a different woman, and the woman claims he is her son from another husband, and each of them provides evidence for this, then the boy is considered the son of both of them, excluding the one who did not claim him. Similarly, if a slave is in the possession of a man, and another man provides evidence that the boy is his slave, born in his possession, and that he freed him, and the one in whose possession the boy is also provides evidence that he is his slave and was born in his possession, then the boy is considered the son of the one claiming manumission. If a man claims this boy is his son and another claims he is his slave, and both provide evidence for their claims, then the boy is considered the son of one and the slave of the other, as this is not impossible unless the one claiming sonship proves that he was born to a free woman, in which case he is free and .no one has any claim against him

From the author's summary: If a slave woman claims that her master fathered a child with her, and he denies it, and the master wishes to make him swear an oath, he is not required to do so. If a slave claims that his master freed him or made him his slave, and the master denies it and wishes to make him swear an oath, he may do so. If a man has a slave woman who becomes pregnant, and he admits to having intercourse with her during the period of purity in which she conceived, and he denies paternity, claiming that he practiced coitus interruptus, the child is his. If he claims that he ascertained her purity before the sale, and she menstruated, and he did not have intercourse with her, he is

believed and no oath is required of him. If a man finds a foundling and claims that he is his slave, his claim is not accepted without proof. If he claims that the child is his son and his lineage is unknown, the child is attributed to him. If a man buys his slave wife, and she gives birth less than six months after he acquired her, and he denies paternity, the child is his, and it is considered part of the marriage. If she gives birth six months or more after the purchase, he has the right to deny paternity. The child is like that of a slave woman who has borne her master a child; if he acknowledges paternity, it is his, and if he does not acknowledge it, he denies it. If he frees her after buying her, and she gives birth to a child Between him and six months .from the day he bought it, he is obligated to pay

And from this: If a man had a slave while he was healthy, and the slave, during the illness from which he died, acknowledged that the slave was his son, and the child had no known lineage, and such a person is born to such a person, then the slave inherits from him and does not have to work for anything, even if he had debts that exceeded his estate, because the slave owned the slave while he was healthy. Similarly, if he had a female slave who gave birth to a child while he was healthy, and he acknowledged during his illness that the child was his son from her, or if the birth occurred outside his ownership, or if he acquired the slave during his illness and then claimed him after acquiring ownership or before acquiring ownership, and then died leaving no other assets, the child's lineage is established, and he must work to pay two-thirds of its value to the heirs. If the deceased had debts that exceeded his value, he must work to pay his value to the creditors. If a man, while healthy,

acknowledged a boy in his possession as his son from his female slave, so-and-so, born in his bed, and then the man died after acknowledging him, and his adult sons claimed that their father had married this female slave to his slave before she gave birth to this boy, and that she gave birth to this boy in the slave's bed, and the boy and the female slave deny this, the testimony of the adult sons is not accepted, and the boy is the son of the deceased. However, if the slave claims this and provides evidence of the validity of the marriage, his lineage is established. From the slave, because he is the owner of the bed at that time, and the boy and the slave girl are free by the master's acknowledgment. If that acknowledgment was made during his illness, he is freed from the third. If a slave presents evidence that so-and-so freed him, and so-and-so denies or acknowledges, and the other presents evidence that he is his slave, then it is ruled in favor of the one who presented the evidence that he is his slave. If they testify that he freed him and he owns him, then .he takes the evidence of manumission

He said regarding the limitation of a man's money to another man, and he said, "I gave it to him," and the man denied that, his statement is not accepted except with evidence. And if he said to him, "Give it in charity," and he said, "I have given it in charity," then his statement is .accepted with his oath if he is accused

From the author's summary: If a garment is in a man's possession and another man provides evidence that he wove it with his own hands, he will not be given a ruling for it unless he testifies that it belongs to him. If a man has a garment made with saffron and two witnesses testify that this saffron in this garment belongs to so-and-so, who dyed this

garment with it, and it is not known who dyed it, and the owner of the garment denies this, and the owner of the saffron claims that the owner of the garment did that, he is not believed. Rather, the white garment is valued, and the garment with the saffron is valued, and the owner of the garment returns to the owner of the saffron what the dye added to it. If he refuses, he is his partner. If the owner of the garment refuses to guarantee the sale of the garment and divides its price between them, then the owner of the garment is penalized with the value of his white garment, and the owner of the saffron is penalized with what the dye .added to the value of the garment

From the explanation of the hadith: Two men disputed before Ali (peace be upon him) over a garment. One said, "It is my garment," and presented evidence. The other said, "It is my garment; I bought it from the market from a man I do not know." Ali ruled that the garment belonged to the one who presented evidence, and told the other, "Find the seller from ".you

Book of Judges

Mention of the etiquette of judges

In short: He said that if some of you dispute with others, you should take them to the people of injustice, who are .those who oppose you in your affairs

From the same statement: Some ignorant judges and rulers have written in their records and rulings that if the plaintiff and his claim are mentioned, they say, "I ordered him to bring evidence for what he claimed." This statement is wrong because the ruler's order is a ruling, and he should

only order what is necessary and obligatory. Likewise, they say in their councils to the plaintiff, "Bring evidence," if the defendant denies it. This is wrong. Rather, he should be told, "Do you have evidence for your claim?" If he says yes, he should be told, "Bring it if you wish," or he should say, "I will bring the evidence," and he should be given permission to do so. It should be written in the record and the ruling, "I asked him about his evidence if he had it," and it should not
".be said, "I ordered him

He said in Al-Iqtisar: The traitor and the bribe-taker shall be dismissed in the worst possible manner, and they shall be fined for what they unjustly acquired of people's money and what they ruled, and there shall be no debate with
".them regarding it

From the author's summary: They go out at certain times and no one should prevent them from receiving food or
".drink from those who bring them food

From this: The judge should not instruct an opponent on an argument, nor should he sit down until he has eaten, drunk, and removed the motives for it from himself. Whenever he feels that he has gone beyond the bounds of moderation, he should get up from his seat and wait for that
".to disappear from him

From the source: If one of the disputants submits to the judge a note in which he acknowledges something, he is not bound by the ruling of acknowledgment of what it contains until he asks him if he wrote it and acknowledged what it contains. If he says yes, he is judged according to what it
".contains

From the author's summary: He should sit in the mosque, and there is no harm in him judging in his home. He

should not judge while walking or riding. He should attend property transactions and funerals, visit the sick, and attend public court hearings. It is not recommended for him to attend private court hearings. There is no harm for the judge to have witnesses presented to him together or one by one, as he sees fit. If a matter arises that he suspects, there is no harm in separating them. If their testimonies differ in a way that invalidates the testimony, he should invalidate it. If the difference does not invalidate it, he should accept it and not reject it based on suspicion or accusation. If the judge questions witnesses about something and one of them testifies before him, it is not sufficient for the other to testify to the same thing until he clarifies what he is testifying to. If a witness gives testimony that is brief and concise but ambiguous, it should not be accepted until he is asked to explain what he testified to. If he describes something that warrants a ruling, then all is well; otherwise, the testimony should be suspended. If one of the witnesses is a non-Arab, two men or one man and two women should translate for him. This is considered testimony upon testimony, and translation is not permissible, nor is his testimony valid. The judge should have a scribe. He must be a just person, not a dhimmi or an accused person. It is not recommended for the judge to buy anything from the orphans' money, nor to deal

.with any of their trustees, neither by buying nor selling
And from it: If the judge deliberately issues rulings that are not right or makes a mistake in them, then it is against his money. If he claims that he carried them out with witnesses, they are questioned about that. If they confess, then the guarantee is on them. If they deny it, and he claims that it was on the testimony of witnesses who have died, then he is

trustworthy and the Imam makes him swear an oath if he wants. If the judge rules based on evidence, then there is no blame on him for that, but rather the blame in that is on the witnesses, unless he carries out a ruling based on the testimony of someone whose testimony is not permissible, then the error in that is attributed to him. If a letter of ruling reaches the judge to whom it was written after the death of the judge who wrote it, he is advised not to act on what is in it. If the judge hopes that the two disputants will reconcile, he postpones the ruling, and there is nothing wrong with referring them to some of the just Muslims for mediation. If the judge orders his trustee to pay money and he says that he paid it, and the one to whom it was paid denies it, then the trustee is believed in his own innocence and is not believed regarding the recipient. It is recommended for him to apologize to the one against whom he rules and explain the truth. There is nothing wrong with giving precedence to someone who has status and authority and who is a close relative of the Imam and has status with him and is close to him.

He said in Al-Iqtisar: He should be dignified, deliberate, and considerate of the circumstances of those who seek his help and are close to him. He should refrain from associating with the common people and from personally handling buying and selling, and should entrust this to someone he trusts in terms of religion and integrity, and warn him against cheating anyone or engaging in cheating himself.

And from it: He did not address the issues of the rebels in their times according to their doctrines, even if he

disagreed with his ruling, and he should not judge until he
.has examined the arguments of the one being judged
And from it: The whip is used for slander, reprimand,
and discipline, and if the prescribed punishments are carried
.out, the whip is used

He said in the summary of the effects: The judgment of
the just judge shall be executed, and the writing of a judge
shall not be accepted unless it is witnessed by someone he
trusts. If there is a testimony in the register of a judge before
him, the judgment shall not be executed based on it, and the
one against whom the testimony is given shall deny it. He
shall make him swear to the one for whom the testimony is
given if he requests that. If he swears that it did not occur
against him, the requester shall be asked to bring the
.evidence

From the summary of the author: If the plaintiff claims
that he has evidence present against his opponent who denies
the claim and requests that he be imprisoned or released on
bail, he is not entitled to that, but it does not prevent him
.from pursuing him if he claims to have evidence present

And from it: The judge does not act on the letter of a
village or district judge, but only on the letter of a judge of
Egypt. The judge is believed in what he says, that the one
against whom the judgment was made has something, or that
he is close to him, or that evidence was presented to him, so
he judged him accordingly. As for the punishments, they are
not established except by witnesses to the act or to the
confession of it. And if the judge is dismissed, and the one
against whom the judgment was made follows him and says
that what I have ruled against you is true. And the judge

should order his assistants to be kind to people and not to
.rebuke them

He said in Al-Iqtisar: The judge's ruling is executed before him, and the plaintiff is not required to explain his claim in it, and the judge's letter is not accepted unless it is witnessed by someone he trusts. What was in the judge's office before him in terms of evidence, the ruling was not executed based on it, and the opponent denied the testimony, so he swore an oath, and if he swore that it did not occur .against him, the applicant was asked to bring the evidence

Chapter on Miscellaneous Issues

Question: What do you say, O you whom God Almighty has made a safe sanctuary for those who obey Him, and the people around it are being snatched, regarding the fact that if a book from the books of the Ahlul-Bayt, peace be upon them, is with one of the common people and he is able to take it without his permission, is it permissible
?for him to do so or not

Answer: The general public has no part in it, and it is for the purpose of calling to Islam if it is true and there is nothing
.wrong with it

Question: What do you say about a man who buys a parrot or other birds of prey and keeps it in a cage or something else, or feeds it and teaches it some of the Quran and other good words and manners, and disciplines it by hitting and scolding it? Is there anything wrong with that or
?not

Answer: There is nothing wrong with that, and he is not
.responsible for it

Question: What do you say about the Prophet's saying, "Whoever casts off the garment of modesty, there is no backbiting against him," and his saying, "There is no backbiting against a transgressor," and similar hadiths? What is the limit of a transgressor who has no right to backbite against his backbiter? Then what is the limit of backbiting? And is it sinful for someone who backbites against those who are not among the people of the call to Islam, or not

Answer: A Muslim should not speak ill of someone who is not in him or who does not approve of him. As for the transgressor, he is the one who has deviated from the sanctity of the call to Islam through his actions, not his words

Question: What do you say about what is stated in the book "Al-Da'a'im" that the ignorant people imitated their leaders without any proof from the Book, the Sunnah, or the consensus of the imams and the nation? O our master, may God make us your ransom, what is meant here by the nation and their consensus

The answer: The practice of imitating their leaders is not something agreed upon by the imams and all Muslims together

Question: What do you say about what was mentioned in the book Al-Da'a'im that some people stated that what God Almighty forbade regarding marriage to women only meant marriage to the wives of the Prophet, and everything else is permissible? O our master, did they mean in this statement the wives of the Prophet, his mothers, his aunts, and other relatives of his, or only the wives

Answer: They wanted the Prophet's wives to be bald, nothing more

Question: What do you say about the fact that some people place some weapons near the dead person if he stays in the house overnight, and some of them believe that sitting near him is a necessary obligation? How is that, O our master, may God make us your ransom? Please give us something that will be a cure for us and all believers

.Answer: Such a thing is unreliable

Question: What do you say about sweeping houses? Most people in India do not consider sweeping at night to be permissible at all, and they are hesitant to do so. Likewise, they do not consider sweeping shops and stores permissible, neither at night nor during the day. How is this possible

Answer: This is not reliable, and there is no blame on whoever does that

Question: What do you say about what was stated in the sixth session of the believers' councils: "The wise person is not the one who knows good from evil, but rather the wise person is the one who knows the lesser of two evils." So, our

?master, what is meant here by the lesser of two evils
The answer: This is one of the proverbs of the Arabs, and what is meant is that some evil is less severe than other evil, so the wise person is the one who distinguishes between them. And similar to this is their saying that there is a choice in evil

Question: What do you say about the Prophet's saying, "Whoever looks into his brother's book without his permission is as if he is looking into the fire"? O our master, when the people of the school gather in it, this one looks into this one's book and that one looks into this one's book and they do not ask permission, so what is meant by this saying

Answer: In books of truth, a person may not look except with the permission of the one who authorized him to do so. As for other books, it is a matter of etiquette and not obligatory.

Question: What do you say about the statement, “The most wretched of all wretches is he who is overtaken by the Hour while alive and has not died”? Does this mean that the most wretched of all wretches is he who is overtaken by death while in his animalistic, sensitive state of life and has

?not yet transitioned to the angelic life, or something else
The answer: His intention is that when the Hour comes, he will be in the state of an animal

Question: What do you say, O our master, O enlightener of truths for those who deserve it, regarding the fact that our master Hamid al-Din, may God sanctify his soul, mentioned in the book Tanbih al-Hadi wal-Mustahdi the corruption of the doctrine of Abu Hanifa, al-Shafi’i, and other heretical doctrines with conclusive proofs, and likewise our master al-Nu’mān, may God sanctify his soul, in the book al-Da’a’im, and the most noble, most excellent, most eloquent, most perfect caller, our master Idris ibn al-Hasan, may God exalt his sanctity, said in the book Zahrat al-Ma’ani, and al-Sadiq, may God’s prayers be upon him, released al-Shafi’i from his silence, so, O our master, did his condition change as the conditions of al-Mughira, Abu al-Khattab, and their like changed, or did the ignorant fabricate in their claim to his doctrine as the group of Muhammad ibn al-Hanafiyya and Abdullah ibn Mu’awiya claimed the imamate, and they did not claim that for themselves? Please be kind with a concise answer sufficient for those with insight into religion

The answer: Yes, he was released because of his acknowledgment of the virtue of the Ahl al-Bayt, peace be upon them, and nothing else. From the book Uyun al-Akhbar: Malik ibn Anas, Abu Hanifa al-Nu'man ibn Thabit, and Muhammad ibn Idris al-Shafi'i were contemporaries of al-Sadiq, peace be upon him, and they were the leaders of those who opposed the Shi'ites. Al-Shafi'i was one of those who narrated from Malik, then he objected to him and said, ". "It was not permissible for Malik to issue fatwas

Question: Regarding his saying, peace be upon him, "What two goats would butt heads over," and it is common knowledge that goats in this world fight each other with their horns and other things in the fiercest way, what is meant by ?this

The answer: His intention with this is to give an example, meaning that this is a matter that has happened and it is an example of a matter that is nullified and disappears and there is no one to claim it. It was said that Asma' bint Marwan from the Banu Umayya ibn Zayd used to incite against the Muslims and harm them and recite poetry, so Umayr ibn Adi made a vow that if God Almighty returned His Messenger safe from Badr, he would kill her. It was said that Umayr ran in the middle of the night and killed her, then he caught up with the Prophet, peace be upon him, and prayed the morning prayer with him. The Prophet, peace be upon him, said to Umayr, "Did you kill Asma'?" He said, "Yes, O Messenger of God, is there anything on me for killing her?" He, peace be upon him, said, "Two goats will not butt heads over it," meaning this is a waste, so it became .an example for all the Arabs

A chapter concluding the issues in the scattered proverbs

Know, my brother, may God guide you to the right path, that you were asked about the meanings of some .proverbs commonly used among people

Among them is the saying of the Prophet, peace be upon him, "Tell him," so "tell" is a command word and its meaning is "inform them," that is, if you inform them, you will oppose them, and the "ha" in "tell him" is extra, as in ".their saying, "O Zaid, walk him

Among them is his saying, "Be bald and do not be ".hypocrites," meaning, "Do not be pretenders

His statement, "Indeed, some eloquence is magic," means that the eloquent speaker can achieve through his eloquence what the magician achieves through the subtlety .of his trickery in his magic

His saying, "Indeed, some poetry contains wisdom," means that poetry should not be taken lightly, because some wise men have imbued their poetry with profound wisdom, .and wisdom and judgment are synonymous

His saying, peace and blessings be upon him, that some knowledge is ignorance means that a scholar's presumption to speak about what he does not know brings ignorance upon himself and those who benefit from him. Therefore, if he is asked about something he does not know, he should say, "I ".do not know

His saying, peace be upon him, that some speech is burdensome, meaning that offering speech to someone who does not deserve it will be a burden upon him and .impoverish him, meaning he will lose what he has

His saying, peace be upon him, that in indirect speech there is a way to avoid lying and indirect speech, if you

intend someone other than the one you mention, then in that
there is a way to avoid lying

His saying, peace be upon him, "Beware of the greenery of dung," and dung is the droppings on which plants grow that are pleasing on the outside but have no good in them, is a metaphor for a beautiful woman from a bad
.background

And his saying, peace be upon him: This religion is firm, so delve into it gently, for the one who goes too far neither reaches the ground nor keeps his back. That is, enter into the religion step by step and do not burden yourself with the burdens of supererogatory acts all at once, lest you become averse to it, for it is like a horse that has been ridden out, which does not reach the ground nor does it leave a rider
.on its back

His saying, peace be upon him, "If the sandals get wet, then pray on the saddle," means if the ground gets wet and you cannot find a place to pray, then pray on your camel's
.saddle

His saying, "The baldness of war is deception," means that if you cannot defeat your enemy with your strength and
.power, then deceive and trick him

The Arabs say, "May God destroy their greenery and their verdure," meaning, "May God destroy their best," and "May God destroy their verdure," meaning, "May God
.destroy most of them

Their saying to the newlywed, "May you be blessed with prosperity and children," means, "May God unite you in
.harmony and grant you sons

Their saying "the hidden has been revealed" means the
.secret has been removed and the veil has been lifted

Their saying, "the white hand and the glue," means the
.well-known blessing

Their saying "tomorrow" is an expression of extreme
astonishment. May God reward them. And when praying
against people, they say "May God fight them," meaning
.may God curse and disgrace them

Their saying "he struck him with the sword and the
.whip" means he hit him with it

Their saying, "And Ali Zaydan," means "Give me
".Zayd

Their saying "from his right" means from his right side,
can be a noun preceded (with a short vowel) "عن" because
.by a preposition

Their saying "this is closer than that" means "closer
"than it," and it is said in condolences, "Your place is closer
is (ظ pronounced with a dotted) "ظالع" Their saying
meaning (ض pronounced with a dotted) "ضالع" not
someone who walks with a limp, not someone with a
.crooked physique

When praising someone, they say "May God reward
him," meaning may God increase what he has bestowed.
And when cursing someone, they say "May his goodness not
.increase," meaning may his goodness not increase

Their saying, "May God reward you, what a man!"
.clarifies the implied name in "dark" (reward)

Their saying, "Give the bow to its maker," means to
.seek help in your work from someone who is skilled in it

Their saying, "If you cannot overcome, then deceive,"
means that if you cannot achieve your goal through force and
domination, then seek it through gentleness and diplomacy.
.The root of "deception" is trickery

Their saying, "Put your bucket in the buckets," is an encouragement to earn a living and to avoid laziness in seeking sustenance

Their saying, "Are you with us or in the army?" means, "Are you against us or for us

Their saying, "Your eye is one-eyed, and the stone," means, "O one-eyed one, beware of your eye and the stone." It is a proverb for someone who persists in something unpleasant. It is said to him, "Just as the one-eyed man is more deserving of caution regarding his eye, you are more deserving of your good opinion by comparing yourself to destruction." Its origin is that a man saw a crow on his camel, so he took a stone and disliked that if he threw it at the crow, it would hit his camel. So he began pointing at it with the stone and saying, "Your eye is one-eyed, and the stone." The crow was called "one-eyed" because of its sharp eyesight

Their saying, "The land is better than riding by clinging," is an encouragement to be content

Their saying, "Follow the horse like its bridle," is a proverb for a man who fulfills a need but does not complete it

Their saying, "You have hung your bucket on another bucket," means that an obstacle has arisen in your matter

Their saying, "Are you still traveling today when noon has passed?" and the addition to it is like the verse, "Every soul will taste death," meaning, "Are you still traveling today when the time for travel has passed?" It is a metaphor for a need that is despaired of, meaning, "Do you still hope for it when despair of it has become clear to you

Their saying "unripe dates and a bad measure" is a metaphor for inflicting two kinds of loss on a man, i.e., he is .burdened with both bad fruit and a bad measure

Their saying, "Jealousy and cowardice," is a proverb for a man who embodies two vices. Its origin is that a man stayed behind from fighting, leaving his tribe to battle. Then he saw his wife watching the fighting and struck her, prompting her to say that. Its meaning is: jealousy and cowardice are combined. She condemned jealousy, which is one of the most praiseworthy qualities of men in matters of .the forbidden

Their saying, "Give the slave a leg, and he asks for a cubit," is a metaphor for a greedy man who is given .something, takes it, and then asks for more

Their saying, "If a donkey perishes, then a donkey in the tether," is used as a metaphor for something whose loss is refers to a male (عير) "greatly regretted. The word " donkey The (عيرة) "donkey, and the female is called "donkey .is the rope used to tie horses (رباط) tether

Their saying, "Stand tall on your ribs" or "Measure with your own strength," is a proverb said to a man who oversteps .his bounds in a matter

Their saying "his anus is narrower" is a metaphor for a man about whom you speak of a great matter that his worth .cannot comprehend

Their saying, "A woman's buttocks are more deserving of the incense burner," is a proverb about al-Ahnaf ibn Qays. His wife came to him with an incense burner and said, "Write incense," so he replied, "A woman's buttocks are more ".deserving of the incense burner

Their saying, "If you scratch a sore, you'll make it bleed," is a metaphor for a man who is quick to judge; if he judges, it's as if he has seen

I have explained to you the meaning of simple proverbs, and the proverbs of the Arabs are many, so take what you have been given and be among the grateful, and praise God and the One who has bestowed this upon you, and you will be among the winners, and God is sufficient for us, and He is the best Disposer of affairs

From the summary of the narrations: He said, "Do not make me like the cup of a rider who fills his cup and then puts it down. When he has finished with his belongings and needs, if he needs to drink, he drinks, or if he needs to perform ablution, he performs ablution, otherwise he spills it. Place me at the beginning of the supplication, the middle of the supplication, and the end of the supplication." Meaning, the prayer upon him and his family should not be only at the end of the supplication, but it should be at the beginning, the middle, and the end of it

The copying of this book onto the computer was completed on the seventeenth day of Jumada al-Akhirah (August 15, 2004), thanks to God Almighty and His grace and the blessing of the supplication of our master and leader, Abu al-Qaed Jawhar Muhammad Burhan al-Din al-Malik al-Mun'im al-Mufaddal, may God prolong his noble life until the Day of Judgment